



Department
for Transport

David G Davies
Executive Director, PACTS

From the Parliamentary
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Dear Mr Davies

Thank you for your letter of 21 August, about e-scooters.

I appreciate your concerns about the mis-selling of e-scooters and the Department is keen to promote that the changes apply only for e-scooter trials and trial scooters and reinforce the message that privately-owned e-scooters remain illegal.

The Department has previously written to major retailers and has continued to engage with them on this matter. The Consumer Protection from Unfair Trading Regulations 2008 (CPRs) prohibit traders from engaging in unfair commercial practices (primarily in the course of marketing and selling) against consumers. The Regulations apply across all business sectors and set out a framework for how businesses must deal with consumers.

Under the CPRs, there is a general obligation for traders to give consumers sufficient information about goods and services at the point of sale, so consumers are not misled. The regulations ban commercial practices through which omissions and actions cause or are likely to cause the average consumer to make a decision they would otherwise not make for example, to purchase goods or a service that they would otherwise not have purchased. The CPRs carry criminal penalties and are enforced by local authority trading standards officers.

The lack of information by some retailers in relation to restrictions on the use of electric scooters on public roads, pavements or cycle lanes may constitute an omission of material information that an average consumer would consider relevant to their purchasing decision. However, it is ultimately a matter for the courts to decide whether there has been a breach of the CPRs.

When this Department has been alerted to potential mis-selling, we have advised correspondents to contact their local Trading Standards Service.

Regarding your letter to the Local Government Association. I am aware that local authorities are sharing good practice in designing trials, including considering many of the points you have raised. When assessing local authority proposals for trials, the Department requires evidence from the local authority that they have considered the impacts of their schemes, such as parking and the obstruction of pavements and enforcement of the rules.

We are running a monitoring and evaluation programme to support the trials as we gather evidence of the impacts e-scooters have on the road. Thank you for your offer of assistance in shaping potential future regulations for e-scooters.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Maclean', with a small dot at the end.

RACHEL MACLEAN

PARLIAMENTARY UNDER SECRETARY OF STATE FOR TRANSPORT