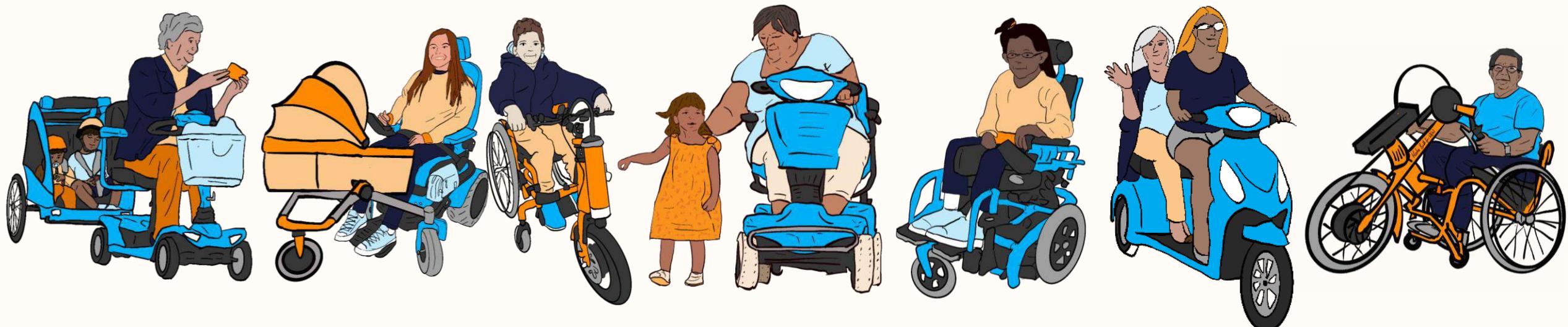


# Mobility Justice:

How new mobility aid regulations can provide equal mobility rights for all



Wheels for Wellbeing Campaigns and Policy Team



# Housekeeping

- **Chat is going to hosts only, to avoid disrupting access software for attendees.**  
**Please submit questions via chat.**
- **This webinar is being recorded:**
  - Please switch your camera off if you don't want to be recorded.
  - Please state in text questions if you don't want questions shared publicly, including on uploaded video of this webinar.
- **This webinar is scheduled for one hour:**
  - The main presentation will be around 40-45 minutes.
  - There will be around 15-20 minutes for questions.
  - If there are a lot of questions, we can extend the webinar by up to 30 minutes for those who want to stay.



# Contents

1. Equality of access to pedestrian and cycling/cycling-equivalent mobility;
2. Context: Where we are now, and how we got there;
3. Achieving mobility for all: What's needed?
4. The government “mobility devices” consultation.



# The right to be a pedestrian

- Disabled people must be regarded in law as pedestrians while using mobility aids at pedestrian speeds in all pedestrian spaces
- Regulations prohibiting dangerous and antisocial behaviour by all pedestrians apply equally to mobility aid users.

## We need the right to use aids that enable us to:

- Move independently indoors and outdoors, on a wide range of surfaces,
- Support family and friends who need help moving around,
- Keep up with the people we're walking/wheeling with,
- Transport our children, shopping, luggage and equipment,
- Hurry away from danger, or to keep others safe,
- Make trips at the same sorts of speeds that non-disabled pedestrians can.



# The right to cycling and cycling-equivalent mobility

- Disabled people must have the right to use our mobility aids at cycling or cycling-equivalent speeds in all cycle-permitted spaces
- Regulations prohibiting dangerous and antisocial behaviour by all cyclists and public space users apply equally to mobility aid users.

## We need the right to use aids that enable us to:

- Move at pedestrian speeds in pedestrian spaces on aids that are capable of higher speeds,
- Support family and friends who need help moving around,
- Keep up with the people we're travelling with,
- Transport our babies and children,
- Hurry away from danger, or to keep others safe,
- Make trips at the same sorts of speeds that non-disabled cyclists and micromobility users can.



# A bit of history – 1930:

1930

**Road Traffic Act** – 5000+ people per year dying in crashes. This Act removed car speed limits, introduced driving tests solely for Disabled people, created the “invalid carriage” vehicle category: 20mph speed limit, users must be at least 16 and have a driving licence.

1948

“Invalid carriages [are] mechanically propelled vehicles the weight of which unladen does not exceed five hundredweight and which are specially designed and constructed, and not merely adapted, **for the use of persons suffering from some physical defect or disability and are used solely by such persons**”

1960

1970

1983

1988

1995

2010

2026



Credit: Science Museum



Credit: J Pratt

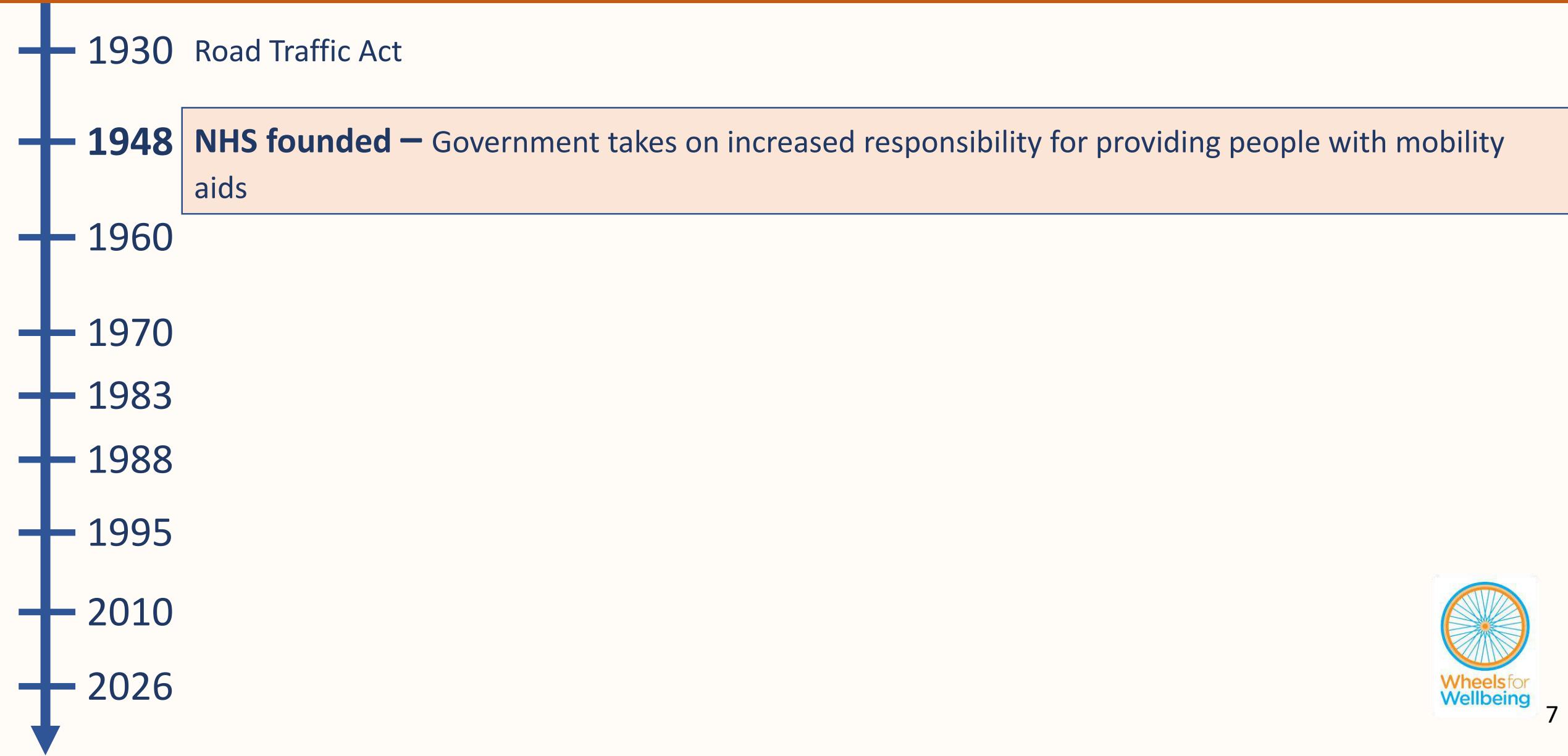


Credit: Egham Museum



Wheels for Wellbeing

# A bit of history – 1948:



# A bit of history – 1960:

1930	Road Traffic Act
1948	NHS founded
<b>1960</b>	<b>Road Traffic Act</b> – Following campaigning by Disabled people who needed multi-person powered mobility aids, the law on “invalid carriages” changed...  ““ invalid carriage ” means a mechanically propelled vehicle the weight of which unladen does not exceed five hundredweight and which is specially designed and constructed, and not merely adapted, <b>for the use of a person suffering from some physical defect or disability and is used solely by such a person”</b>
1970	
1983	
1988	
1995	
2010	
2026	



# A bit of history – 1970:

1930 Road Traffic Act

1948 NHS founded

1960 Road Traffic Act

**1970 Chronically Sick and Disabled Persons Act & Use of Invalid Carriages on Highways**

**Regulations** – Range of services, led to Motability. For non-motor-vehicle mobility, these laws:

1. Regulated use of unpowered wheelchairs.

2. Defined low weight (250lb/113.4kg max), low speed (4mph max powered) single-user devices which could be used without a driving licence.

3. Gave users of these unpowered and powered wheelchairs/mobility scooters the right to use pavements, footpaths and bridleways as well as roads.

“" invalid carriage " means a vehicle, **whether mechanically propelled or not, constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability”**



# A bit of history – 1983:

- 1930 Road Traffic Act
- 1948 NHS founded
- 1960 Road Traffic Act
- 1970 Chronically Sick and Disabled Persons Act & Use of Invalid Carriages on Highways Regulations
- 1983** **Electrically Assisted Pedal Cycles Regulations** – legalises pedal cycles of any kind with motors up to 250W and maximum powered speed 15mph, including with throttles to 15mph. No driving licence is needed to use e-assist pedal cycles.
- 1988
- 1995
- 2010
- 2026



# A bit of history – 1988:

- 1930 Road Traffic Act
- 1948 NHS founded
- 1960 Road Traffic Act
- 1970 Chronically Sick and Disabled Persons Act & Use of Invalid Carriages on Highways Regulations
- 1983 Electrically Assisted Pedal Cycles Regulations

## 1988 Use of Invalid Carriages on Highways Regulations

1. Defined unpowered wheelchairs as “class 1” and powered aids from 1970 act as “class 2”.
2. **Introduced class 3 aids**, max speed on road only 8mph, minimum age for use 14, no driving licence or insurance.
3. The one-person and “physical defect or disability” restrictions from 1970 are still active.
4. Unladen weight limits: class 1 and class 2 113.4kg, class 3 150kg.

# A bit of history – 1995:

- 1930 Road Traffic Act
- 1948 NHS founded
- 1960 Road Traffic Act
- 1970 Chronically Sick and Disabled Persons Act & Use of Invalid Carriages on Highways Regulations
- 1983 Electrically Assisted Pedal Cycles Regulations
- 1988 Use of Invalid Carriages on Highways Regulations
- 1995** **Disability Discrimination Act** – “invalid carriage” function and use in public spaces did not change. Followed by Public Service Vehicles Accessibility Regulations 2000 (bus accessibility) .

2010

2026



# A bit of history – 2010:

- 1930 Road Traffic Act
- 1948 NHS founded
- 1960 Road Traffic Act
- 1970 Chronically Sick and Disabled Persons Act & Use of Invalid Carriages on Highways Regulations
- 1983 Electrically Assisted Pedal Cycles Regulations
- 1988 Use of Invalid Carriages on Highways Regulations
- 1995 Disability Discrimination Act
- 2010** **Equality Act** and Rail Vehicle Accessibility Regulations 2010. Use of Invalid Carriages on Highways (amendment) Acts 2015 allow “necessary user equipment” up to unladen total device weight 200kg on class 3 devices only (England and Scotland) and all “invalid carriages” (Wales).

2026



# A bit of history – 2026:

- 1930 Road Traffic Act
- 1948 NHS founded
- 1960 Road Traffic Act
- 1970 Chronically Sick and Disabled Persons Act & Use of Invalid Carriages on Highways Regulations
- 1983 Electrically Assisted Pedal Cycles Regulations
- 1988 Use of Invalid Carriages on Highways Regulations
- 1995 Disability Discrimination Act (DDA)
- 2010 Equality Act (EA)
- 2026 The Situation Today:**

1. First real reconsideration of mobility aid regulations since DDA and EA
2. **Current mobility aid laws deny Disabled people equal access to pedestrian, cycling and cycling-equivalent mobility.**

# New rules – same old inequality?

## Equality Act 2010 –

- The government are required to make all reasonable adjustments to achieve equality of access for Disabled people. Anticipatory duty – must be done before anyone experiences discrimination.
- Public Sector Equality Duty: The government are required to have due regard to the need to advance equality of opportunity for Disabled people.

## UNCRPD article 20 Personal Mobility –

“States Parties shall take effective measures to ensure personal mobility with the greatest possible independence for persons with disabilities, including by:

- a) Facilitating the personal mobility of persons with disabilities in the manner and at the time of their choice, and at affordable cost;
- b) Facilitating access by persons with disabilities to quality mobility aids, devices, assistive technologies and forms of live assistance and intermediaries, including by making them available at affordable cost;”

**New mobility aid regulations must be made to meet the requirements of the Equality Act and the United Nations Convention on the Rights of Persons with Disabilities**



# Grey areas, misunderstandings and bans

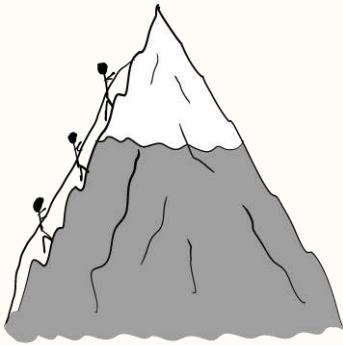
- **Risk from incorrect advice and misunderstandings** – e.g. wrong advice on which mobility aids can be used where.
- **Discrimination** – e.g. access refusals onto public transport, taxis, into services.
- **Enforcement** (correct or incorrect) – e.g. confiscation of aids, threat or actual legal action/penalties, physical, mental, financial and social harm.
- **Safe products aren't developed** – forcing people to take risks and causing harm through reduced mobility e.g. lack of multi-person and child-carrying aids.

## Careless laws cost rights



New mobility aid rules and associated product standards must be easy to find, written in clear language and freely available to everyone in accessible formats

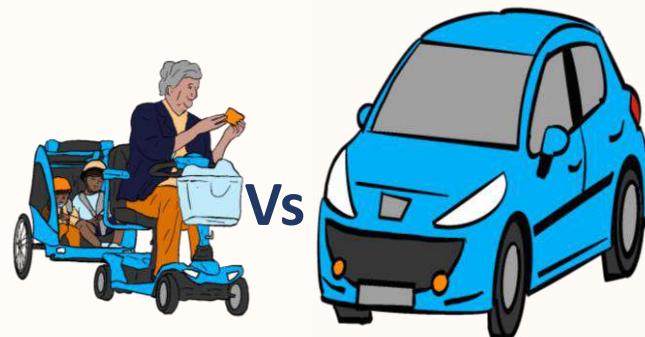
# Mobility for all – risks vs benefits



- **Rights aren't requirements:** A right to do something doesn't mean anyone has to do that thing – e.g. many people choose not to cycle.
- **Individual risk-taking often celebrated and incentivised by society:** e.g. high-level sports, endurance/adventure activities.

- **Direct and indirect risks matter:** Better mobility aid regulations can help more people become healthier and reduce other risks, e.g. vehicle collisions, isolation.



# Mobility for all – presumption of capacity

**It is discriminatory to prevent a large number of Disabled people from accessing pedestrian and cycling/cycling-equivalent mobility in order to prevent a small number of Disabled and non-disabled people from behaving in ways that put others at risk.**

- By default, all Disabled and non-disabled people have capacity to make our own decisions.
- Parents/carers and professionals judge when children have capacity to make decisions.
- If an adult is thought to not have capacity, professionals assess them.
- Appointed supporters are responsible for keeping a person who lacks capacity safe and ensuring they don't endanger others.
- If people with capacity behave antisocially or dangerously towards others, then they can and should face civil or criminal penalties for their behaviour.



# Mobility for all – relevance of impairments

**Safe powered and/or unpowered aids can be used by everyone:**

- Multi-person aids – e.g. tandems, triplets, transporters;
- Supported-use aids – e.g. connection in “trains”;
- Collision and hazard avoidance technology;

Requiring tests or excluding any group of Disabled people from powered aid use would exclude some people from all mobility.

**The right to choose mobility aids should be no more controversial than the right to choose shoes.**



**There must be no legal restrictions to mobility aids based on impairments.**

# Mobility for all – disability status

“Invalid carriages” are restricted to Disabled/mobility impaired people only. Comparable devices are not formally recognised as mobility aids:

- Limits access to practical, cost-effective mobility and physical activity – e.g. cycles and micromobility.
- Stigma associated with use – abuse risk, harm through avoidance of use.
- Non-disabled people who need to use devices for mobility are barred from use.
- Market kept artificially small – prices kept high, innovation, quality and diversity is stifled.



- Allow Disabled and non-disabled people to use all legal devices
- Give pedestrian access rights and VAT exemptions only to Disabled people using devices as mobility aids

# Mobility for all - age

- **Young people** – play, learning, independence. Journey-making with family, friends and alone, moving on uneven/soft surfaces.
- **Working-age people** – trip chaining, time constraints, caring responsibilities.
- **Older people** – caring responsibilities, fewer mobility options, needing to stop driving, maintaining independence.



Remove age, passenger number and cargo/towing restrictions.

Allow cycling/micromobility-equivalent powered speeds.

# Mobility for all – moving in groups

**Accompanied groups** – where a group cannot safely split up, due to combined needs of group members.

- Mobility aid users need to move with other group members on all pedestrian and cycle-permitted spaces.
- E.g. staying with children, Disabled people with different support needs travelling together.
- Group sizes equivalent to those supported by driving – from 2 to around 8 people.

**The same accompanied group - walking/wheeling and cycling**



**Moving in pedestrian and cycling-equivalent groups is essential for many Disabled people to make active journeys.**

# Mobility for all – public space rules

**Disabled and non-disabled people need to:**

- Complete trips at comparable speeds;
- Move at safe speeds for the location we are in;
- Leave mobility devices in safe locations;
- Use judgement to keep ourselves and others safe.

Mobility aid users are already trusted to slow to appropriate speeds of 1-2mph or less in busy spaces like shopping centres, train stations, and inside venues.

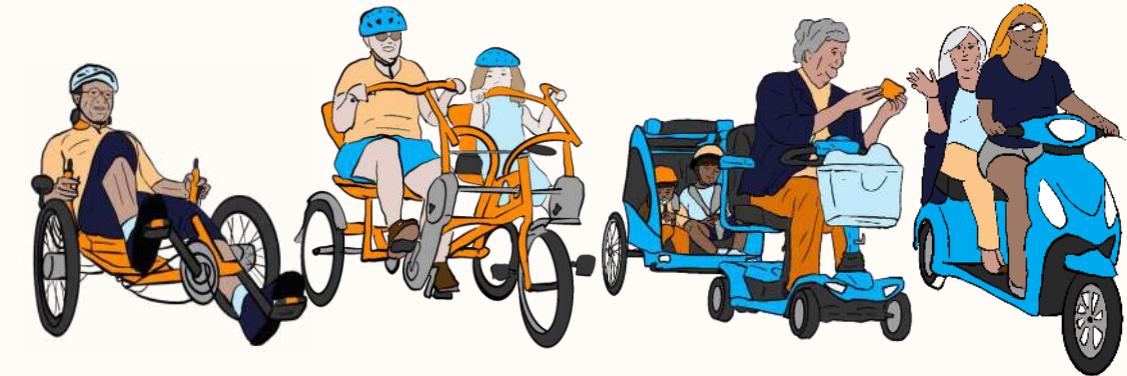


**Apply the same rules on antisocial and dangerous behaviour in public spaces to mobility aid users that apply to all Disabled and non-disabled people.**

# Mobility for all – device specifications for access

## Least-restrictive, future-proof regulations:

- Maximum weights – ramps/lifts/vehicles
- Maximum dimensions for access (more than one device class needed - “all spaces”, “public transport”, “outdoor”)
- Maximum speeds
- Maximum acceleration
- Braking requirements
- Lighting requirements (at night)
- **No unnecessary or over-specific criteria**



**Mobility device requirements should be comparable to requirements for all other pedestrians or, where appropriate, for cycles/cycling-equivalent devices.**

# Mobility for all – product safety specifications

## Keeping users and others safe:

- **Electrical safety** – batteries, motors, chargers
- **Collision avoidance** – braking, stability, hazard detection etc
- **Other user and public safety** – multi-person devices/attachments, device “trains”, trailers and cargo capacity, control systems...



Detailed product-specific safety requirements should be in product safety standards, not public spaces device regulations.

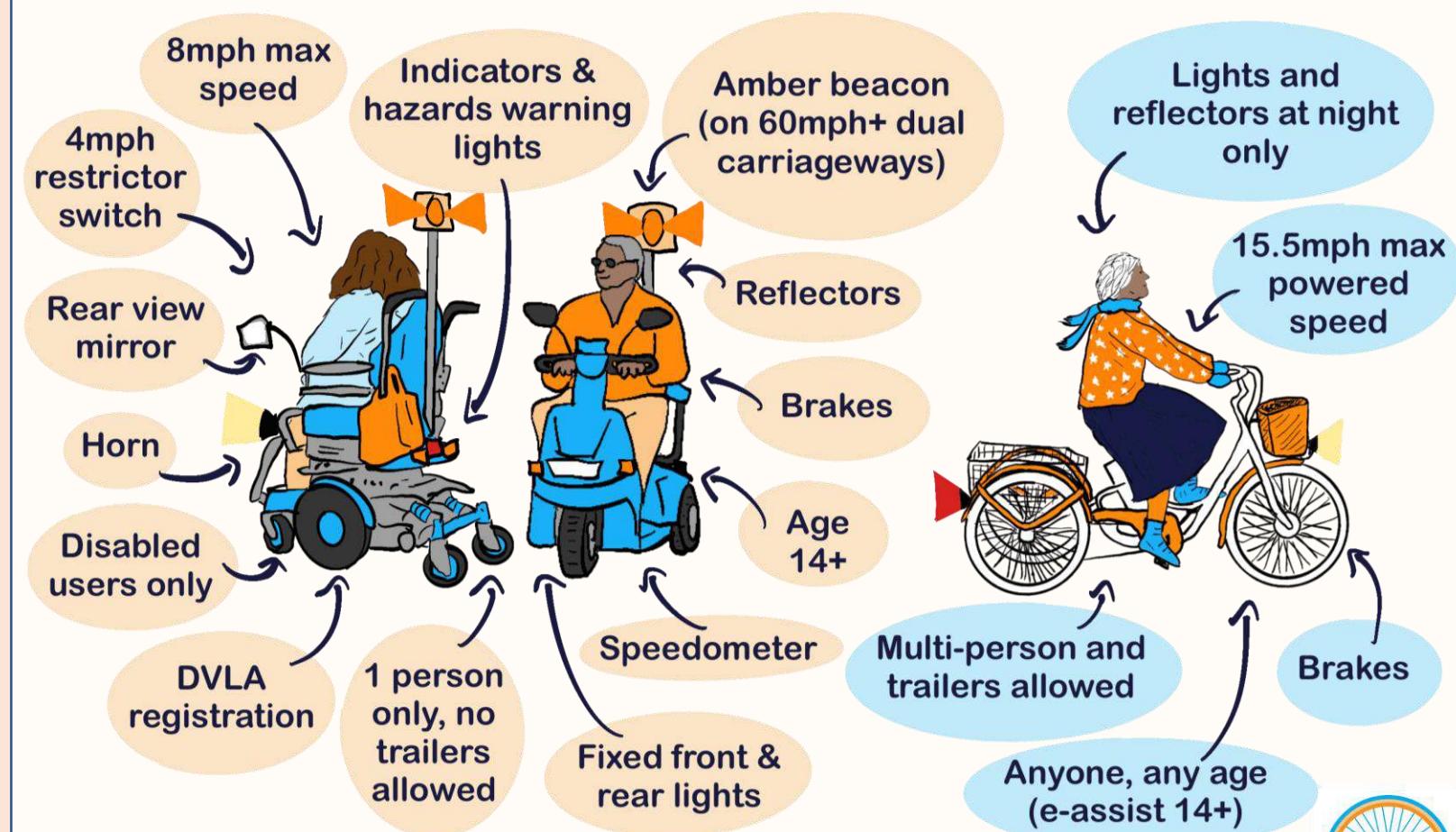
# Consultation – class 3 “invalid carriage” requirements

It is not possible or practical for many aid types to meet class 3 requirements, including:

- Aids which can freewheel - cycles and e-assist devices;
- Many power attachment types.

Class 3 requirements are excessive, unreasonable and unsafe.

- Other pedestrians, cycle and micromobility users do not have to meet equivalent requirements.



For use 4mph - 8mph on road only, devices must meet all class 3 criteria. Class 3 devices are not permitted to use cycle lanes or bus lanes and must stay at 4mph or less on bridleways, cycle tracks and restricted byways.

# Consultation - achieving positive legal changes

- Use the upcoming Low Speed Zero Emission Vehicle (LSEV framework) to legally recognise all pedestrian and cycling-equivalent devices as mobility aids when used by a Disabled person to assist with or replace pedestrian movement.
- Implement equality of access rights for mobility aid users with non-disabled pedestrians in all pedestrian-access spaces, and with non-disabled cyclists in all cycle-permitted spaces.
- Retain and improve “invalid carriages” regulations:
  - Ensuring VAT exemptions are retained for devices already regulated as in-class “invalid carriages”
  - Extending VAT exemptions to all MHRA certified class 1 medical device mobility aids when bought by or for use of a Disabled person or people.



We believe there are practical, workable, rapid ways to achieve inclusive, equitable, future-proofed, least-restrictive mobility aid regulations.

# Consultation – questions and topics

## Defining mobility devices – Q 1-6:

Consultation objectives “need” vs “quality of life”, “Invalid carriage” vs mobility device, Disabled-only restriction.

## Age restrictions – Q 8-9, 18-19, 20-23, 24-27, 28-30:

Direct for users/passengers, indirect via “class 3”, micromobility, cycle and e-cycle regulations

## Device specifications – Q 10-13, 14-17, 20-23, 24-27, 28-30:

Weight limits, “class 3” requirements, dimensions/manoeuvrability, access rights for different size devices e.g. into all buildings, public transport/services, outdoor spaces.

## Safe use of spaces and permitted use locations – Q 1-2, 8-9, 14-17, 24-27, 28-30:

Rights of equal access to mobility (devices and locations), right to comparable speeds – pavements, cycle tracks/lanes, bus lanes, bridleways, restricted byways, roads. Presumption of competence for Disabled and non-disabled people.

## Risks and benefits of changing mobility regulations – Q 1-2, 17, 19, 20-23, 24-27, 30:

Questions worded to focus on device-specific risks, not direct or wider benefits. Need to recognise individual, family, community and societal benefits of improved mobility for Disabled people.

**Goal: Regulations allowing equal access to least-restrictive, future-proofed, safe pedestrian, cycling and cycling-equivalent mobility options for all Disabled people.**



# Thanks for listening

- Find out more on our Every Journey, Everyone campaign page:

[wheelsforwellbeing.org.uk/ejeo/](https://wheelsforwellbeing.org.uk/ejeo/)



- Contact us for more information:

[info@wheelsforwellbeing.org.uk](mailto:info@wheelsforwellbeing.org.uk)



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