



TfL CPOS Briefing on Electric Scooter & Electric Unicycle Ban on TfL Transport Network

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EVERY JOURNEY MATTERS

² Why are E-Scooters & E-Unicycles being banned on TfL's Transport Network?

Recently, we have seen two incidents of privately owned powered transporters catching fire whilst on Transport for London (TfL) services or infrastructure. The causes of both fires, which involved an e-scooter and an e-unicycle respectively, have been attributed to defective lithium-ion batteries. In both incidents the batteries ruptured without warning and were not on charge.

The first incident occurred on 26 October 2021, involving an e-unicycle that was identified as an item of lost property on a Jubilee line train and then moved to the station control room at Stanmore. Whilst being stored in the control room, the e-unicycle spontaneously ignited causing significant damage to the room.

The second incident occurred on Monday 1st November 2021 when an E-Scooter caught fire on an Underground Train at Parsons Green Underground station
<https://www.bbc.co.uk/news/uk-england-london-59148069>.

After reviewing those incidents, the LFB - Transport Liaison Group and Primary Authority Business Group Manager advised TfL to ban these devices from TfL services.

3 **Why are E-Scooters & E-Unicycles being banned on TfL's Transport Network? - continued**

Observation of fires with lithium-ion batteries show they accelerate rapidly and produce large plumes of toxic smoke. It is noted that if the two fires on (TfL) services or infrastructure referred to above occurred in an enclosed space such as a train, tram or bus then the toxic fumes would have the potential to cause significant harm to customers and staff.

An event, where a powered transporter catches fire and emanates smoke, could also cause panic which could result in secondary injuries as customers attempt to escape from the danger area.

The LFB has reported an increase in fires caused from defective batteries or chargers for e-scooters and e-unicycles, attending to over 60 such incidents this year. The LFB confirmed that the causes of those fires have been attributed to either defective, modified or incorrectly charged lithium-ion batteries.

One of the leading causes of fires in e-scooters and e-unicycles is overcharging or using an incorrect charger. Lithium-ion batteries, which are usually used in e-scooters and e-unicycles, are susceptible to failure if the wrong chargers are used. We also know many of these incidents involve batteries which have been sourced on the internet, which may not meet the correct safety standards.

General Enforcement Approach (Four-Es)

CPOS are taking a four phase approach to enforcing the ban on the use of E-Scooters/E-Unicycles on the transport network, this is loosely based on the four Es model:

- **Engage;** encourage compliance
- **Explain;** educate customers about the ban
- **Encourage;** seek compliance
- **Enforce;** by use of Irregularity Report for consideration of Prosecution



Engage, Explain. Encourage, Enforce



How to safely enforce the ban on e-scooters/e-unicycles - start at a basic level

Initially – explain the ban and the safety reasons for it

Then explain the customer is denied entry to services with the E-Scooter / E-Unicycle.

Explain if they fail to comply they will commit an offence under TfL Byelaws, PSV (Conduct) Regs etc.

If they refuse to leave – call the Police or TSEOs who will use their powers to remove them.

Capture N&A details for IR



Non-Compliance

Five-step appeal process:

The main strategic intention of the ban on E-Scooters/E-Unicycles is to maintain the safety of our customers, staff and services

- **Simple appeal** – Explain the ban and the safety reason for it - ask the customer to leave the station or service
- **Reasoned appeal** – Inform the customer that they are being asked to remove their E-Scooter/E-Unicycle for safety reasons and that this is a requirement under TfL Byelaws and/or Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 & TfL Conditions of Carriage
- **Personal Appeal** – Advise the customer that if they do not comply, the service will be held and Police called if appropriate, they will not be allowed to travel, they may also be prosecuted for the offence of bringing the E-Scooter/E-Unicycle onto the TfL transport network.
- **Final Appeal** – Tell the customer they are required to remove the E-Scooter/E-Unicycle and leave the service/station
- **Enforcement Action** –The customer is now required to remove the E-Scooter/E-Unicycle from the service/station (If the customer refuses to leave the police or TSEOs will need to remove the customer)
- **Obtain the customers details required for the IR.**



Use on Public Roads

It is illegal for riders to use an e-scooter or e-unicycles on public roads / pavements and cycle lanes.

Customers who are prevented from travelling on public transport should be advised / educated that the use of an e-scooter/e-unicycle on a public road is a serious traffic offence, which could result in a fine / points on their licence or seizure of the vehicle.

In areas identified as a hotspot we will look to organise joint operations with our Policing Partners covering both public transport and road enforcement locations.



TfL Conditions of Carriage

To be added to Section 9 of TfL Conditions of Carriage

9.4 You may bring with you:

personal possessions and luggage that you are able to carry yourself (including on stairs and escalators)

folding buggies, folding bicycles and folding scooters (excluding electric scooters and electric unicycles) that you are able to carry yourself (including on stairs and escalators)

any other item, provided it is not dangerous or likely to injure anyone.

You may be asked to fold your buggy, bicycle and/or scooter.

9.5 You must not bring with you anything that:

is more than 2 metres long

you are unable to carry yourself (including on stairs and escalators)

is hazardous or inflammable

is likely to cause injury or obstruct other customers or staff

is likely to cause damage to buses, trams, trains or stations.

9.6 You may not take an electric scooter or electric unicycle on our bus, Tube, Tram, DLR, London Overground, TfL Rail and Emirates Air Line services [or premises]. Also, you may not take an electric scooter or electric unicycle on our river piers or the Woolwich Ferry.



Buses – Legislation

The Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 (legislation.gov.uk)

The conduct of passengers

S6. (1) No passenger on a vehicle shall –

(b) put at risk or unreasonably impede or cause discomfort to any person travelling on or entering or leaving the vehicle, or a driver, inspector, conductor or employee of the operator when doing his work on the vehicle;

S6. (2) a passenger on a vehicle who has with him any article or substance mentioned in paragraph (4) –

(4) The article or substance referred to in paragraph (2) is–

(a) any bulky or cumbersome article;

(b) any article or substance which causes or is likely to cause annoyance to any person on the vehicle; or

(c) any article or substance which would be reasonably expected to constitute–

(i) a risk of injury to any person on the vehicle; or

(ii) a risk of damage to the property of any person on the vehicle or to the vehicle.



Offence & Points to Prove

Passenger on PSV put at risk / impede / cause discomfort to a driver / inspector / conductor / employee - Contrary to regulation 6(1)(b) of the Public Service Vehicles (Conduct of Drivers, Inspectors, Conductors and Passengers) Regulations 1990 and section 25(3) of the Public Passenger Vehicles Act 1981.

- date and location
- being a passenger on a vehicle used for the carriage of passengers at separate fares
- put at risk/unreasonably impeded/cause discomfort to the driver / inspector / conductor / an employee of the operator doing their work on the vehicle

NB

(i) Reg 8(1) makes provisions in relation to name and address.

Any passenger on a vehicle who is reasonably suspected by the driver, inspector or conductor of the vehicle of contravening any provision of these Regulations shall give his name and address to the driver, inspector or conductor on demand.

(ii) Reg 8(2) provides a power for the removal of a person in breach of a regulation

Any passenger on a vehicle who contravenes any provision of these Regulations may be removed from the vehicle by the driver, inspector or conductor of the vehicle or, on the request of the driver, inspector or conductor, by a police constable

Mode of Trial and Penalty

Summary: fine not exceeding level 2 on the standard scale



Legislation – TfL Byelaws

TfL Railway Byelaws

2. Potentially dangerous items

- (1) Except with written permission from the Operator or an authorised person, no person shall bring with him, attempt to bring with him or allow to remain on the railway any potentially dangerous item.
- (2) A potentially dangerous item is an item which, in the reasonable opinion of an authorised person, may or may be used to threaten, annoy, soil or damage any person or any property. For the avoidance of doubt, a potentially dangerous item may include, but is not limited to: (i) a loaded weapon of any kind; (ii) any flammable, explosive or corrosive substance; and (iii) any item which is or may become dangerous.
- (3) If any person in charge of an item in breach of Byelaw 2(1) is asked by an authorised person to remove it and fails to do so immediately it may be removed by or under the direction of an authorised person.

NB

- (i) **Byelaw 22** makes provisions in relation to name and address.
- (ii) **Byelaw 24** provides a power for the removal of a person in breach of a byelaw.



Offence & Points to Prove

Possess potentially dangerous item on the Transport for London regional railway network - Contrary to byelaws 2(1) and 23 of the Transport for London Railway Byelaws made under paragraph 26 of Schedule 11 to the Greater London Authority Act 1999 and confirmed under section 67 of the Transport Act 1962.

- date and location
- brought / allowed an item on / attempted to bring on an item on the Transport for London regional railway network
- which in the opinion of an authorised person may have threatened / annoyed / soiled / damaged a person / property

Mode of Trial and Penalty

Summary: fine not exceeding level 3 on the standard scale



Legislation – TfL Byelaws

London Cable Car Byelaws

Dangerous items 4.

- (1) A person must not bring, attempt to bring or allow to remain on the cable car system any dangerous item except with written permission from the operator or an authorised person.
- (2) A dangerous item is an item which, in the reasonable opinion of an authorised person, may or may be used to threaten or annoy any person or soil or damage any property. For the avoidance of doubt, a dangerous item may include, but is not limited to (a) a loaded weapon of any kind; (b) any flammable, explosive or corrosive substance; and (c) any other item which in the reasonable opinion of an authorised person is or may become dangerous.
- (3) If any person in charge of an item in breach of byelaw 4(1) is asked by an authorised person to remove it and fails to do so at the next available opportunity it may be removed by or under the direction of an authorised person.

NB

- (i) **Byelaw 23** makes provisions in relation to name and address.
- (ii) **Byelaw 25** provides a power for the removal of a person in breach of a byelaw.



Offence & Points to Prove

Possess potentially dangerous item on the Transport for London cable car system
- Contrary to byelaws 4(1) and 27 of the London Cable Car Order 2012 made under paragraph 26 of Schedule 11 to the Greater London Authority Act 1999 and confirmed under section 67 of the Transport Act 1962.

- date and location
- brought / allowed an item on / attempted to bring on an item on the cable car system
- which in the opinion of an authorised person may have threatened/annoyed/soiled/damaged a person/property

Mode of Trial and Penalty

Summary: fine not exceeding level 3 on the standard scale



Legislation – TfL Byelaws

TfL Road Transport Premises Byelaws

2. Potentially dangerous items

- (1) Except with written permission from the Operator or an authorised person, no person shall bring with him, attempt to bring with him or allow to remain on the railway any potentially dangerous item.
- (2) A potentially dangerous item is an item which, in the reasonable opinion of an authorised person, may or may be used to threaten, annoy, soil or damage any person or any property. For the avoidance of doubt, a potentially dangerous item may include, but is not limited to: (i) a loaded weapon of any kind; (ii) any flammable, explosive or corrosive substance; and (iii) any item which is or may become dangerous.
- (3) If any person in charge of an item in breach of Byelaw 2(1) is asked by an authorised person to remove it and fails to do so immediately it may be removed by or under the direction of an authorised person.

NB

- (i) **Byelaw 13** makes provisions in relation to name and address.
- (ii) **Byelaw 15** provides a power for the removal of a person in breach of a byelaw



Offence & Points to Prove

Possess potentially dangerous item on Transport for London Road Transport Premises –

Contrary to byelaws 2(1) and 14 of the Transport for London Road Transport Premises Byelaws made under paragraph 26 of Schedule 11 to the Greater London Authority Act 1999 and confirmed under section 67 of the Transport Act 1962.

- date and location
- brought / allowed / attempted to bring an item onto Transport for London Road Transport Premises
- which in the opinion of an authorised person may have threatened/annoyed/soiled/damaged a person or property

Mode of Trial and Penalty

Summary: fine not exceeding level 3 on the standard scale



Legislation – TfL Byelaws

Croydon Tramlink Byelaws

3. Potentially dangerous items

- (1) Except with written permission from the Operator or an authorised person, no person shall bring with him or allow to remain on Tramlink Property anything which, in the opinion of an authorised person, may threaten, annoy, soil or damage or become dangerous or harmful to any person or any property. For the avoidance of doubt, the Operator may ban, amongst other things, carriage of the following items: - (i) any inflammable, explosive or corrosive substance; (ii) anything which is or may become dangerous
- (2) If any person in charge of an item in breach of Byelaw 3(1) is asked by an authorised person to remove it and fails to do so immediately, then it may be removed by or under the direction of an authorised person.

NB

- (i) **Byelaw 25** makes provisions in relation to name and address.
- (ii) **Byelaw 27** provides a power for the removal of a person in breach of a byelaw



Offence & Points to Prove

Possess potentially dangerous item on Croydon Tramlink –
Contrary to Byelaws 13 and 26 of the Croydon Tramlink Byelaws made under
section 46 of the Croydon Tramlink Act 1994

- date and location
- brought / allowed / attempted to bring an item onto Transport for London Road Transport Premises
- which in the opinion of an authorised person may have threatened / annoyed / soiled /damaged a person or property

Mode of Trial and Penalty

Summary: fine not exceeding level 3 on the standard scale



Offence & Points to Prove

Disobey a safety notice / instruction on the Croydon Tramlink system –
Contrary to **Byelaws 13** and **26** of the Croydon Tramlink Byelaws made under section 46 of the Croydon Tramlink Act 1994.

- date and place
- on the Tramlink System without good cause
- disobeyed a notice issued by the Operator
- placed on / near / adjacent to a part of the Tramlink System
- giving reasonable instructions relating to safety or
- disobeyed an instruction of an authorised person
- given in an emergency / in the interests of safety

Mode of Trial and Penalty

Summary: fine not exceeding level 3 on the standard scale



Legislation – TfL Byelaws

Woolwich Free Ferry By-Laws 1969



Woolwich Ferry Byelaws 1969.jpg

as amended by [The Woolwich Ferry Order 1989](#) (SI 714 of 1989)

Prohibitions - Dangerous goods

6. No person shall put on, embark, on or send or convey by any ferry boat any loaded firearm, or any explosive..... or any other goods or articles whether similar to the foregoing or not which may be likely to cause injury or fire or explosion on the ferry premises or the ferry boat; and all such goods and articles are hereby declared to be injurious to or to prejudicially affect the use of the ferry boats and the traffic to be carried therein for the purposes of Section 6 of the London County Council (General Powers) Act 1894.

Mode of Trial and Penalty

Summary: £20 fine Max (1969 By-Laws)



Offence & Points to Prove

Possess potentially dangerous item on The Woolwich Ferry –
Contrary to Byelaws 6 of the Woolwich Free Ferry By-Laws 1969 as amended by The Woolwich Ferry Order 1989 (SI 714 of 1989)

- date and location
- brought / allowed / attempted to bring an item onto The Woolwich Ferry
- which in the opinion of an authorised person may be likely to cause injury or fire or explosion on the ferry premises or the ferry boat

Mode of Trial and Penalty

Summary: fine **TBC (was £20 max fine in the 1969 By-Laws)**



Legislation – TfL Byelaws

TfL Piers

TfL has no Byelaws in force in respect of TfL Piers.

Therefore any issues would need to be dealt with by calling the Police.



Legislation – TfL Byelaws

TfL River Services (Uber Boats)

TfL has no Byelaws in force in respect of TfL River Services (Uber Boats).

River Boat Services are regulated under the Port of London Thames Byelaws 2012

Therefore any issues would need to be dealt with by the Master of the Vessel or their crew, or by calling the Police.



What you need to do.....

1. The officer makes the decision **that an offence has been committed by a person aged over 10 Years** and an Irregularity Report (IR) needs to be submitted
2. The officer takes the details required for the IR and reports the person for consideration of prosecution and gives them the “now” caution “You do not have to say anything, but it may harm your defence if you do not mention when questioned something which you later may rely on in court. Anything you do say may be given in evidence.”
3. The officer completes the S9 Statement Proforma and submits this along with the completed IR via Mercury SmartWorker
4. Section 9 Statement Proforma



Microsoft Word
7 - 2003 Document

