

WILTSHIRE POLICE FORCE POLICY



E-scooter & Powered Transporters

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POLICY STATEMENT

Wiltshire Police is committed to tackling emerging trends and dealing with offences related to E-Scooters and Powered Transporters.

This policy outlines, for all police officers and police staff, the procedures to be followed when contemplating dealing with persons using E-scooters or personal transporters.

This policy will ensure that the users of the vehicles are aware at an early stage the vehicles are illegal to use on a road or public place, that their vehicle is being used in a manner that could lead to its seizure and that any subsequent seizure is lawful and appropriate and highlighting the organisational stance with the rider not being able to claim the vehicle back under section 165 legislation.

What are E-Scooters and Personal Transporters?

“Powered transporters” is a term used to cover a variety of novel and emerging personal transport devices which are powered by a motor, including e-scooters.

Where can E-Scooters be used?

E-Scooters that are **not subject to an authorised trial can only be used on private land** to which the public does not have access without legal restrictions. The permission of the owner or occupier of the land must be obtained.

Those which are subject to an authorised trial will be allowed to use **roads** and **cycle lanes** on roads, or **other spaces dedicated to pedal cycle use**.

WILTSHIRE IS NOT PART OF THE OFFICIAL TRAIL so any use on a road or public place as defined by law is illegal.

Where can E-Scooters not be used?

E-Scooters cannot be used at the following locations:

- Pavements
- Footpaths
- Bridleways

Powered transporters that are not E-Scooters also fall into the above categories regarding where use can and can't be undertaken.

Offences are specified under:

[s72 Highway Act 1835](#)

it is an offence to ride on, or to lead or draw a carriage on a pavement. This applies to almost all vehicles, with exceptions for mobility scooters and wheelchairs.

[s34 Road Traffic Act 1988](#)

it is an offence to drive a mechanically propelled vehicle

(a) on to or upon any common land, moorland or land of any other description, not being land forming part of a road, or

(b) on any road being a footpath, bridleway or restricted byway

E-Scooters and powered transporters are an emerging trend and currently in Wiltshire there is no official trial meaning that all uses on Roads or public places are illegal.

Despite widespread information around the legality of these machines there is still an element of naivety within the community with many suggesting E-Scooters in particular are simply 'toys'.

The legislation currently means they are defined as motor vehicles and as such require all the documentation of a motor vehicle.

Naturally it is impossible to obtain the documents required and so users immediately commit offences.

There are options for seizure and prosecution in all uses but due to this being a new trend with a large proportion being that of child users it comes down to proportionality and an assessment of each situation to come up with informed decisions.

At the heart of these decisions it needs to be proportionate, legal, accountable and non-discriminatory.

Whilst officers will be acting lawfully to opt for positive action regarding seizure and prosecution there is the option of warning notices (see below).

IDENTIFYING WHAT IS IN SCOPE

E-Scooters are generally easy to identify, these usually have a unique reference code on the underside, it is possible to record this on any documentation but the general rule is the large quick scooters are in scope of being defined as a motor vehicle.

Most even have headlights/brake lights and will have information on the underside regarding the power output.

The powered transports, and more commonly E-Bikes, require more investigation to establish if they are illegal

In legislation there are Electric Assisted Pedal Bikes (EAPC). To comply with the law and therefore exempt the EAPC needs to have the following:

- An EAPC must have pedals that can be used to propel it.
- It must show either:
 - The power output
 - The manufacturer of the motor
- It must also show either:
 - The battery's voltage
 - The maximum speed of the bike
- Its electric motor:
 - Must have a maximum power output of 250 watts
 - Should not be able to propel the bike when it's travelling more than 15.5mph

The illegal powered transporters, and especially E-Bikes require, road side examination to confirm the above points are not presented.

There is no need to request the services of the force Forensic Vehicle Examiner (FVE) for most examinations.

Most E-Bikes in particular will not have the required stickers/information on the machines including motor outputs visible and therefore falls immediately into the illegal vehicle scope.

Staff should be able to record these details into evidence to assist in prosecutions.

Any bike not complying with the above can be classed as a motor vehicle and therefore suitable for the disposal options detailed below:



EAPC (Legal)



E-Scooter



Powered transporter

OPTIONS AVAILABLE:

WARNING NOTICE

There is now a [Form 1256](#) as an E-Scooter and powered transporter warning notice. This can be issued to anyone for a first time offence where you believe they will understand the warning and advice provided regardless of age.

The Police officer or PCSO must conduct this on body worn video and the warning notice should be completed and handed to the rider.

There is then a need for the OIC to generate a Niche occurrence where the body worn video can be uploaded and OEL write up to show the details leading to the issue of the warning notice. A write up will assist colleagues with future encounters.

Where present ensure all scooter/powered transporter serial numbers are accurately recorded on the niche to allow for cross checking and consideration of use, cause, permit offences.

If the OIC deals with a young person (under 18) consideration needs to be first and foremost the safeguarding of that individual, current policies regarding PPN child to notice forms need to be completed and as highlighted at the bottom of the warning notice the parent or guardian **MUST** be informed of the warning notice and the legislation surrounding the motor vehicles use and potential prosecution if repeat offending takes place.

Proportionality regarding further prosecution must be carefully considered for those under 18.

There may be instances where the vehicle is ridden other than on a road or carelessly on a road and constituting a careless manor.

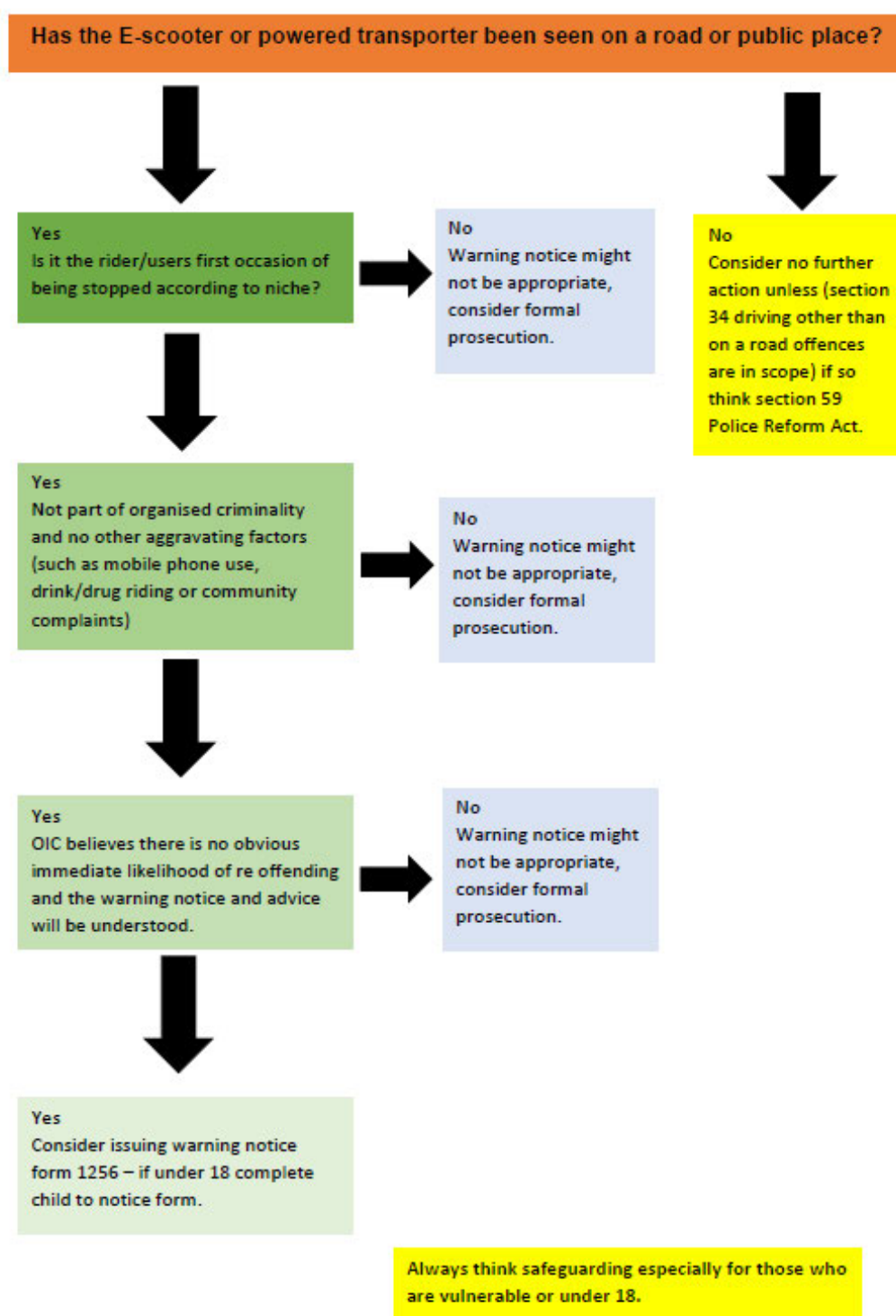
Consider transferable policies regarding the Section 59 Police Reform Act regarding additional warning notices or seizure forms.

Examples when the warning notice **might** be suitable:

1. Person of any age coming to notice on the first occasion
2. Not part of organised criminality (e.g. being used to deliver drugs)
3. No other dangers presented through the vehicles use
4. No aggravating factors including mobile phone use when in motion or drink/drug driving
5. OIC believes use is more a safeguarding matter (especially with young people)

See [Appendix A](#) for an example of the warning notice (Form 1256).

Warning Notice flow chart



PROSECUTION

Note it is the OIC's discretion if the warning notice is to be used, there may be other aggravating factors that mean a decision is made to bypass this option and look immediately at seizure and prosecution.

Legally you are covered to go directly to prosecution and this is supported by the organisation.

When OIC's wish to go down the prosecution route they need to complete a Traffic Offence Report (TOR) for endorsable offences, this will allow Justice Traffic to input the details and offer conditional offers or summons based on their decision models as per a usual endorsable offence disposal.

Officers can prosecute and not seize, there may be situations presented where it is disproportionate to seize the vehicle but prosecution is deemed appropriate.

The reason for seizure is to prevent the offence taking place again. Officers need to be satisfied that there is no realistic likelihood of further offending by not seizing, a rationale should be recorded in PNB etc. justifying this in accordance with the National Decision Model.

Equally if the vehicle is in a dwelling then powers of seizure under s165 are not present but it does not preclude prosecution if evidenced sufficiently.

SEIZURE

Section 165A allows Police officers to seize a motor vehicle found not to have insurance etc.

Officers must BELIEVE the vehicle has been used on a road or public place without the requisite documentation.

Officers must follow the s165 process of getting a separate Storm log created then arranging recovery through the AA system, the contract and s165 rules mean that it must be recovered from scene.

E-Scooters or Powered Transporters, including E-bikes, deemed legal or otherwise, MUST NOT under any circumstances be placed in a Police vehicle or taken to a station, Evidential Property Store or Temp Store pending recovery.

The E-ID number needs to be placed on the storm log and [form 903](#) issued to the rider.

The storm log must then be closed to Niche where body worn video can be added and an OEL entry highlighting the circumstances that lead to the seizure (this is as per usual s165's for cars etc.).

The only difference here is the task can be closed inside of the usual 14 days as there is no chance that the rider/owner will get the vehicle back as it is physically impossible to get the documentation required.

Officers should be informing parents/guardians of scooter seizures from those under 18 as a matter of course.

Whilst a 903 form is issued to confirm the seizure it must be explained there is no likelihood of the vehicle being returned.

ROAD TRAFFIC COLLISION

If an E-Scooter or transporter is involved in an RTC usual RTC procedures take place as it is a motor vehicle.

If there are serious injuries consult with RPU officers, additional examination may be required especially for the higher injury levels.

If there are higher level injuries RPU will look to take the lead and will be expected to tag the E-Scooter or powered transporter as FVE examination might be required as per most serious RTC's.

PURSUIT

As these are classed as motor vehicles then the APP and tactics directory is open, there may be additional risks presented due to lack of helmets but tests have been conducted on the scooters and E-bikes showing stinger devices do indeed work.

Officers responsibility to remain appraised of changes to the APP regarding pursuits.

Local policies also available regarding drivers grades and capabilities.

ENQUIRY OFFICE STAFF

The [form 903](#) is being amended to include a line relating to E-Scooters and Powered Transporters referencing they won't be able to be returned.

If drivers, owners or other interested parties turn up at enquiry offices requesting either the whole vehicle or part of the vehicle to be returned as per s165 rules this can't take place.

There is no scope for the motors to be removed to allow the bike to be returned etc.

This has been agreed through Insurance and Litigation and the organisation is happy to accept that property can't be returned in these instances.

POLICY AIM

To offer a consistent policy dealing with the emerging trend of E-scooters and powered transporters.

APPLICABILITY

All operational staff, Police officers, Special Constables and PCSO's

LEGAL BASIS AND DRIVING FORCE

There is no specially designed legal regime for these vehicles. The courts have considered the application of the law relating to motor vehicles in three recent cases in particular:

[DPP v Saddington - \[2000\] EWHC Admin 409](#)

The High Court found that a Go-Ped, which is a scooter powered by an internal combustion engine, was a motor vehicle in the statutory framework. Mr Saddington was therefore required by law to have a driving licence and third-party insurance when using one on the road.

[Winter v DPP - \[2002\] EWHC 1524 \(Admin\)](#)

The High Court considered the use of a 'City Bug' electric scooter, and whether its user was bound by the compulsory insurance requirements. It found that it was and that the appellant had been properly convicted of the offence of driving a vehicle without insurance.

[Coates v Crown Prosecution Service - \[2011\] EWHC 2032 \(Admin\)](#)

The High Court considered the situation of Segways in the statutory framework. It found that the appellant had been properly convicted under the Highway Act 1835 of "riding" on the footway, or of "driving or leading a carriage" on the footway. The Segway was a carriage either by analogy to other forms of carriage (like bicycles) or because it was a motor vehicle, which by operation of statute is a carriage.

As such the application of the Road Traffic Act in respect of the use of e-scooters is clear. They are a motor vehicle as defined in s185 Road Traffic Act 1988 they are not an [electrically assisted pedal cycle](#) and so currently carry no exemptions in that respect. Therefore, all offences applicable to

motor vehicles including careless driving, driving licences, insurance, drink and drug driving must be adhered to. E-Scooters subject to an authorised trial will be able secure appropriate insurance.

RELATED POLICIES, PROCEDURES and OTHER DOCUMENTS

s59 of the Police Reform Act 2002 Procedure
E-Scooter & Personal Transporters warning notice
Form 903 – Vehicle seizure form for section 165A
Traffic Offence Report (TOR)
Form 224 Section 59 Police Reform Act 2002 Checklist
Form 224a Official Warning Section 59 Police Reform Act 2002
Form 224b Police (Retention and Disposal of Motor Vehicles)
Regs 2002 - Notice of seizure of a motor vehicle. (sec 59)
Form 1256 E-Scooter and powered transporter warning notice

AUTHORISED PROFESSIONAL PRACTICE

There is no current APP specifically dealing with E-Scooters or Powered Transports however the following needs to be taken into consideration and may apply:

- [Road Policing > Police Pursuits](#)
- Roads Policing > Pursuit Tactics Directory

DATA PROTECTION

Any information relating to an identified or identifiable living individual recorded as a consequence of this policy will be processed in accordance with the Data Protection Act 2018, UK General Data Protection Regulations and the [Force Data Protection Policy](#).

FREEDOM OF INFORMATION ACT 2000

This document has been assessed as suitable for public release.

MONITORING AND REVIEW

This procedure will be reviewed every three years in the light of any national policy or procedural change or changes to law or Force strategy or at such other times as may become necessary.

WHO TO CONTACT ABOUT THIS POLICY

Head of Roads Policing Unit A/Insp 2544 Will Ayres.

WILTSHIRE POLICE



NOTICE REGARDING USE OF E-SCOOTERS & POWERED TRANSPORTERS.

Notice to rider.....

You were stopped today by PC/PCSO, as you were seen riding an E-scooter or personal transporter on a road or public place; namely.....at.....hours on...../...../.....

Under current legislation the riding of privately owned E-Scooters and personal transporters is illegal on roads, pavements, cycle ways and any other public place and as such **you have committed offences under the Road Traffic Act 1988.**

On this occasion no further action will be taken in respect to disclosed motoring offences.

A record will be held on local Police records to confirm you have been issued this warning notice.

Should you be found using one of these vehicles on a road or public place after the issue of this notice then prosecution is **likely** to occur.

Offences potentially committed include drink and drug driving offences, no insurance, licence and or tax offences.

The e-scooter/personal transporter **can** also be seized under section 165A of the Road Traffic Act, because the vehicles can't be registered or insured then there is **NO** prospect of getting it back after it has been seized.

As a matter of course those under 18 years of age will have their parent/guardian informed of this interaction and warning notice.

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DOCUMENT ADMINISTRATION

Ownership:

Department Responsible: HQ Operations and Contact Management
Policy Owner/Author: Supt. [REDACTED] / Sgt. [REDACTED]
Technical Author:
Senior Officer/Manager Sponsor: ACC Local Policing and Partnerships

Revision History:

Revision Date	Version	Summary of Changes
18.07.2025	1.0	Seizure section: Paragraph re not placing e-bikes/e-scooters in police vehicles etc. added. Front sheet Force badge updated to Kings crown.

Approvals:

This document requires the following approvals:

Name & Title	Date of Approval	Version
Force Policy Officer	17.07.2023	1.0
ACC Local Policing and Partnerships	14.07.2023	1.0
JNCC (Not required for all policies)	N/A	

Distribution:

This document has been distributed via:

Name & Title	Date of Issue	Version
E-Brief		
Email to relevant affected Staff/Officers		
Other: (state method here)		

Equality Impact Assessment:

Has the Equality Impact been assessed? If yes: Is there a high or low risk of impact on any of the protected characteristics?	High ☐ Low ☒
If 'high' a full EIA is required. Has a full EIA been completed?	Yes ☐ No ☒
Please indicate the date by which it was completed.	Date:

Consultation:

List below who you have consulted with on this policy (incl. committees, groups, etc):

Name & Title	Date Consulted	Version
Chief Inspectors / Inspectors County Hub and Swindon Hub	01.06.2023	0.3
County Hub Sergeants	01.06.2023	0.3
UNISON / Police Federation	01.06.2023	0.3
C/Insp [REDACTED] (CCC) /	01.06.2023	0.3
[REDACTED] (Vehicle Recovery Administrative Officer	05.06.2023	0.3

Implications of the Policy:

Training Requirements

No additional training requirements.

IT Infrastructure

No additional IT infrastructure required.