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Boris Johnson must stop the hamster wheel of doom - starting with electric scooters

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Boris Johnson has been talked up as Britain's first likely pro-freedom prime minister since Margaret Thatcher. He burnished those credentials further in this week's TV debate, "peddling optimism" by making the case "with renewed power and conviction" for "a dynamic market economy".

Let us consider a specific litmus test of whether Boris will live up to his pro-market promise.

A crystal-clear examination of whether he will take us off "the hamster wheel of doom" associated with excessive regulatory precaution, or rather embrace the permission-less innovation, risk-taking, and proportionate regulatory reaction associated with free-market credentials: will Boris give the green-light to electric rental scooters in the UK?

Across US and Western European cities, including Washington DC, Paris, Brussels, Barcelona and Munich, companies compete in delivering these services.

Starting in the US, fleets of scooters have arrived in cities, delivered Father Christmas-like from venture capital-backed Silicon Valley tech firms with four-letter names.

Operated through smartphone apps, these small, motorized vehicles can be unlocked then rented by the minute. Dockless and tracked using GPS, they have obvious appeal given they are inexpensive and versatile for short journeys, or for tourists marveling at cities' landmarks.

Unsurprisingly, use worldwide is sky-rocketing. Yet here, antiquated laws have killed the market before its British birth. The 1835 Highways Act prohibits motorised scooter use on pavements. The Road Traffic Act 1988 effectively bans them on roads, given the DVLA's requirements for roadworthy vehicles.

Given ownership is legal, police time, particularly in London, is spent chasing private use in public spaces, while corporate rental activity is effectively banned bar a small scheme in the Olympic Park.

Though former transport minister Jesse Norman previously flashed some leg on legislative change, the Government seems to be prevaricating to devise comprehensive legislation, rather than taking a permissive approach that would regulate when problems arise. Given the environmental and transport challenges the country faces, such cautiousness is a self-inflicted mistake. The potential benefits are huge.

The 2017 National Travel Survey showed 68pc of people's trips are under five miles, making electric scooters highly viable, and a counter-force against congestion. In international cities such as Tel Aviv, residents are already flocking to them to escape traffic jams.

Results of a four-month pilot study in Portland, Oregon highlight this potential for car-to-scooter substitution too. Just over a third of resident users there and 48pc of visitors said they took a scooter instead of driving a personal car or using Uber, Lyft or a taxi. That brings a potentially large environmental dividend.

Electric scooters are incredibly energy efficient, due to their light weight. One operator, Lime, reports the company worldwide has "prevented more than 8,000 metric tons of carbon emissions; and saved over 900,000 gallons of gas — equivalent to taking over 1,700 passenger vehicles off the road for a year" already.

One must factor in the lifecycle environmental costs of building the scooters and the emissions from vehicles needed to collect them for recharging, of course. But the bigger viable markets, the more operators will invest and achieve economies of scale to lessen these costs.

After all, it's in their self-interest to develop long-lasting vehicles which can be collected for recharging with minimal journeys. Some readers will instinctively bridle at the idea of small motorised scooters bombing around UK towns and cities at 10 to 15mph and cluttering public spaces when unused.

Wherever they have been deployed, there have been backlashes, with opponents highlighting collisions and anti-social discarding. Even these legitimate concerns though are usually overblown.

A study in Austin, Texas found an injury-trip rate of just 0.02pc, and the Portland survey found the majority of residents favoured the scheme after the trial. Individual companies try to meet concerns about safety too, with Bolt Monility distributing free helmets to all who apply for them, and Lime distributing 250,000 worldwide.

Others tinker with the specifications of the scooter and fleet management to assuage environmental complaints. They desire the trust of consumers and cities' residents.

That is the key point. Whenever new forms of transport arise, they bring legitimate worries about externalities. Given city or town-specific conditions (not least prevalence of viable cycle pathways), continual innovation, uncertainty about the consideration of users to pedestrians, or even the long-term likelihood of this vehicle type's success, the best regulatory approach is surely evolutionary and devised once we observe how operations fare in practice.

Only then can you consider whether there should be restrictions on fleet management, tighter speed restrictions, or reconfiguration of public spaces and transport infrastructure, according to a rational cost-benefit analysis.

In Washington DC, the shock of cluttered paths and users whizzing past is evolving towards a happy equilibrium. City licensing has probably restricted scooter numbers too far and made some firms unviable.

Yet innovative measures such as a geo-fencing (locking the scooters from being used around certain landmarks), permitting use on pavements in areas outside the central business district, capping of speeds, and naturally evolving areas for storage has quelled complaints.

The market is working. Five firms are licensed and new laws are proposed as other issues arise (for example, on drink-driving, as with cars). For now, the UK has spurned this evolutionary approach though in favour of an effective ban.

We are falling behind even our European neighbours through over-caution, leaving a potential mitigating solution to climate change and congestion untapped.

The change of prime minister should be the catalyst for a new strategy. What better way to show that Brexit Britain will embrace free-market dynamism than throwing off the current precautionary straitjacket, and taking a flexible, pro-freedom approach to electric scooter regulation?

Boris has talked the talk on economic liberty. Now he needs to scoot the scoot.

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