



STATE DEVELOPMENT, INFRASTRUCTURE AND WORKS COMMITTEE

Mr JJ McDonald MP—Chair
Ms JM Bush MP
Mr TA James MP
Mr JM Krause MP
Mr SR King MP
Mr BJ Mellish MP

Staff present:

Ms S Galbraith—Committee Secretary
Ms R Duncan—Assistant Committee Secretary

PUBLIC BRIEFING—INQUIRY INTO E-MOBILITY SAFETY AND USE IN QUEENSLAND

TRANSCRIPT OF PROCEEDINGS

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The committee met at 10.34 am.

CHAIR: Good morning. I declare open the public briefing for the inquiry into e-mobility safety and use in Queensland. I am Jim McDonald, and I am the member for Lockyer and chair of the committee. With me here today are: Ms Jonty Bush, the member for Cooper and deputy chair; Mr Terry James, the member for Mulgrave; Mr David Kempton, the member for Cook; Mr Shane King, the member for Kurwongbah; and Mr Bart Mellish, the member for Aspley. The purpose of today's briefing is to assist the committee with its examination of e-mobility safety and use in Queensland.

This briefing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceeding. Witnesses are not required to give evidence under oath or affirmation, but intentionally misleading the committee is a serious offence. Members of the public may be excluded from the briefing at the discretion of the committee. I remind committee members that officers are here to provide factual or technical information. Questions seeking an opinion about policy should be directed to the minister or left to debate on the floor of the House.

The proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceeding and images may also appear on the parliament's website or social media pages. Please turn your mobile phones off or to silent mode. Finally, I remind everyone to please press your microphones on before you start speaking and off when you are finished.

MAHON, Mr Andrew, Deputy Director-General, Policy, Planning and Investment Division, Department of Transport and Main Roads

ROBINSON, Ms Joanna, General Manager, Land Transport Safety and Regulation, Policy, Planning and Investment Division, Department of Transport and Main Roads

CHAIR: Welcome. Mr Mahon, I invite you to make an opening statement, after which the committee will have questions.

Mr Mahon: Good morning. Thank you for having us here today. We would like to thank you for the opportunity to brief you further on the parliamentary inquiry into e-mobility safety and use in Queensland. Since the department's last appearance in June, TMR has closely followed the inquiry, reviewing over 1,200 public submissions and attending or viewing all public hearings and briefings. I thank the committee for its thorough consideration and am encouraged by the significant public interest in this issue.

In September we provided our analysis of public submissions and identified many key themes. Concerns relating to e-mobility safety were common and many submitters supported solutions such as age limits, rego, licensing, insurance, speed limits and enhanced police powers of many different aspects. The community is particularly alarmed by the rising use of noncompliant e-motorbikes, often mislabelled as e-bikes. Recent tragic fatalities involving children on these illegal devices highlight the need for change and the significant safety risk. Despite those concerns, there is strong support for safe and legal e-mobility use in Queensland, and many witnesses have emphasised the benefits when riders comply with the rules.

While the inquiry continues, TMR has prioritised educating the public on current regulations. We have written to hundreds of schools and retailers, revamped our website to clarify the distinction between e-bikes and noncompliant e-motorbikes and conducted community presentations and events. Recently, we launched the 'Know your e-rules?' campaign on social media, billboards and digital radio advertising.

We are also collaborating with the Office of Fair Trading and the Queensland Police Service to enhance enforcement against noncompliant suppliers and riders. A significant recent development is the federal Minister for Transport's announcement to reinstate the European standard for electrically power assisted cycles and inter-Commonwealth vehicle definitions potentially by year's end. This

standard includes speed and power limits and labelling and anti-tampering requirements, simplifying the identification of legal devices and preventing post-sale modifications. Thank you, again, for the opportunity to brief the committee and I welcome any questions today.

CHAIR: I will place on the record that we are very pleased to be joined by the member for Scenic Rim, who is substituting for the member for Cook.

Mr MELLISH: Thank you for the work that the department is doing. I am sure it is a mountain of work to get through. It certainly has been beneficial, particularly the department's response to other submissions and to other ideas. I just wanted to put that on the record.

We heard in the public hearing before that investment in infrastructure is the single most important thing that can be done for safety. I note that the minister announced earlier this week—and I am happy to provide a copy of the media release to the committee—that he is essentially rolling together two separate grants programs—a cycling grant program and a walking grant program. I am keen for the department to clarify what the quantum is of this funding and how much it has reduced from previous funding. By my calculations, these two grants previously came to \$33 million and now it is a total of \$15 million. I am keen to see whether it is on the record or whether you are able to answer in the room today how much of a reduction there has been in the cycling and walking grants funding.

CHAIR: Just before you answer, Mr Mahon, member for Aspley will you table that document?

Mr MELLISH: Yes. I am happy to table it, Chair.

CHAIR: Thank you.

Mr Mahon: I will have to clarify the amount of the scheme because I do not have that on hand at present. I apologise that I do not have that, but I can take that on notice and get that confirmed. You are correct in the fact that the schemes have been rolled into one large scheme. The primary purpose of that is to coordinate those two schemes together to ensure we are getting the best bang for our buck in relation to that program and to ensure we consider all opportunities without separating the two approaches.

The two areas that are particularly interesting in that scheme are how do we ensure we are thinking ahead for the 2032 games and how do we coordinate the active infrastructure for that? You would probably be aware there is a trial occurring at the moment in Caloundra where we are looking at infrastructure around Caloundra schools and how we can work with the school community, the local community and so forth to come up with good designs and how we can promote the use of active transport to and from schools, which has certainly prompted looking at e-mobility as an issue because we are seeing a lot of teenagers and children riding e-bikes and other devices to school. In that instance, we want to ensure there are opportunities to make school transport as safe as possible from an infrastructure perspective and that is another key area we are looking at. Of course, all other aspects are available within that program, but I will have to confirm the quantum for you because I apologise I do not have that on hand.

Mr MELLISH: I am happy for you to take that on notice. If I could just have a follow-up as well. In relation to the School Transport Infrastructure Program, I am keen to see if there has been any reduction in STIP funding as well, and that is primarily around whether election commitments have been rolled into the overall STIP capital program or whether the election commitments around school transport are being kept separate from existing STIP funding. Could you provide that now or at a later date?

Mr Mahon: I can confirm, and I can double check, that election commitments are separate from the STIP program. The STIP program remains. The quantum, again, I will have to confirm for you. My understanding is that that continues at its current rate and the government will look at that as part of next year's budget.

Mr JAMES: Andrew, the Western Australian government have recently released their findings into e-mobility. Do you have any comment or have you had a chance to look at those?

Mr Mahon: We have had a look at both the inquiry and the propositions put forward by the Western Australian government through the Infrastructure and Transport Ministers' Meeting. They are looking at a range of different options. The core of what the Western Australian government are looking at is enabling access to devices and enabling faster devices on the network. The scheme they are proposing their government consider is a two-tiered scheme, effectively. The current approach is for slower devices, which are up to 25 kilometres an hour, and then the second tier in the scheme would enable devices from 25 to 40 kilometres an hour. They would have to consider whether that will be acceptable to the community and what safety parameters they will need.

Our reading of both the parliamentary inquiry in Western Australia and the position to date that the department over there has taken is that it has been a principle-based approach. Looking at the categories and how to define them, as of yet they have not dived into the finer detail around things like standard requirements, the power of devices and the specifics about the types of offences they might look into. There are some things we can always learn from other jurisdictions, of course. Western Australia has some strong confiscation laws in relation to illegal devices that are probably the best in the country. They are the sorts of things that are worth having a look into around how they manage that.

How they apply that in practice is not something we have perfect visibility of. That is something that we will continue to work on with our colleagues in other states. Certainly that is an area where they are putting some effort into and considering that. What comes out of that parliamentary report and what position the Western Australian government takes on that we do not have visibility of yet. We will wait to see what their response is. Certainly what they are effectively looking at is how do they enable and to some extent legalise some of the devices on the market that are not currently legal and in their environment that is something they are considering.

Mr MELLISH: We have been made aware, I think it was in response to a previous question on notice to the committee, that the department had previously drafted a media release that had the committee reporting by the end of the year, as in the end of 2025. Did the department provide advice to the minister that the committee should report by the end of the year instead of March 2026?

Mr Mahon: I am not aware of any advice to that effect, but I would have to confirm.

CHAIR: In our earlier session today there were a number of suggestions about education and advice and I am just wondering if the department could talk to us about what you are doing now to educate the community about what is right?

Mr Mahon: Thank you for the question. It is an important question because obviously there is a lot of public interest in relation to e-devices and the types of devices that are allowed on the market right now. Certainly what we often hear is confusion, but the opportunity for us to continue to educate means that we can continue to tell people what it is that is safe and what it is that is legal and what is not legal. There are a couple of avenues we have gone down recently to bolster that communication. Firstly, our website, our social media campaigns, our billboards have been boosted in recent times to ensure we are educating people on the current rules. I have here, and I can table it for the committee, a fact sheet that we use to educate people to keep it as simple as possible so that they can abide by the rules and appropriately follow those rules.

There are effectively three categories. The first category is personal mobility devices. These are the devices that were legalised in 2019 in relation to the advent of things like Lime scooters. The hire schemes were starting to spread across the world and Queensland was a leader in relation to regulation in that space to make sure that we could regulate those devices in a way that could hopefully encourage safe use. Of course, it always comes down to behaviour. If everyone follows the rules then most people will be okay. That is the reality. For PMDs the reality is they are devices like scooters, like solo wheels, like other kinds of devices that are defined within a box, within a weight and a speed: no more than 60 kilos, no more than 25 kilometres an hour, you must have a helmet, you cannot have two people on a device, you must give way to pedestrians—all of those things that we would hope are common sense but, unfortunately, we do, through enforcement see a lot of people not wearing helmets and people doubling on those devices and so forth.

We then move into e-bikes—legal e-bicycles. In that space again the rules are clear. The rules stipulate that they need to meet the Commonwealth standards, which is effectively in line with the EN15194 standard. That means devices cannot have more than a 250-watt motor, they cannot exceed 25 kilometres an hour, but equally they cannot propel themselves to 25 kays an hour without pedalling. The propulsion, the electric motor, can only propel you up to six kays an hour and then after that you must pedal. The education we are trying to give people is that if your child is riding an e-bike, if you are riding an e-bike, if someone you know is riding an e-bike and it propels itself simply by the battery it is not legal. It is not legal in Queensland and it is not legal in most jurisdictions.

Thirdly, we have what is effectively illegal motorbikes. What we see there is effectively bikes that purport to be bicycles but exceed all of those requirements—bikes that are effectively motorcycles with an electric battery. In that case, we are seeing devices—the most popular brand we are seeing is a device called Surron—that are effectively dirt bikes. They are propelled by an electric motor. What we would say to people is you probably would not give your child a YZ250 dirt bike to ride down the street on because everyone will hear them coming so it is no different just because it is an electric motor. It is the same kind of device. It is designed for off-road use only. It is important

we educate people on those three categories. We have written to over 200 schools. We have written to equally almost as many sellers of devices. The Office of Fair Trading has done the same and we have had multiple police operations where they have pulled over people riding illegal devices, issued fines and in some instances used certain powers to confiscate devices where they are completely illegal—those illegal dirt bikes as I mentioned earlier.

Education is critical. It is important. We are pleading with parents, particularly at this time of year, to check the rules. We know teenagers might bend the rules from time to time and they might suggest that certain devices are okay mum and dad, but please check the rules. Our website is clear. The fact sheets are clear. You cannot go wrong if you follow those rules.

CHAIR: Andrew, with regard to the tabling of that document, I will get leave from the committee. Leave is granted.

Mr KING: I wanted to go into the federal government returning to the EN15194 standard. We heard earlier that there is a feeling that is a bit of a toothless tiger because it is voluntary only. I would like to think it could be more than that. I was just wondering if the state could take that law further. It may not be your department. Could you comment from a technical and compliance perspective if there is an ability to take that law further for Queensland to see if we can do some more with that?

Mr Mahon: If I start with the federal standard, up until 2021 they had the EN15194 requirement in there which assisted importers. It is not mandatory, but it assisted importers in relation to what is legal to import into the country and what meets the requirements. In 2021 they made a change where they effectively removed the EU standard and replaced it with a description, which is effectively the same requirements but a description of the requirements rather than that standard. That enabled flexibility, if you like, in relation to what could be imported and the guidance that people followed. Certainly putting that back in would help, but it would not solve the problem entirely. It would certainly help because it would give that guidance and make it clear that that standard is the standard we are working towards. Our state legislation points to that standard. The change that the Commonwealth is proposing to make, and we hope that that will be in by the end of this year, which is not far away, does not require a change in our legislation. Our legislation already points to that standard so it will automatically take effect.

In relation to products, and probably where you are going, around how we look at standardisation of products, certainly there is a preference from the department's perspective that that is done nationally because it means that we can have consistency. State by state we cannot control importation so it is very difficult for us to play as much of a role there, but there are other levers that can be pulled and certainly around regulation of how the devices are used is our primary lever. We are working with the Commonwealth to make sure that we are working towards anything that can be done in the future in relation to those standards and how we can tighten those rules. It is difficult with importation. We understand that it is not always perfect, even when you do have those standards in place, but it certainly gives guidance and it certainly helps moving forward.

Mr KING: When you were talking about the categories of e-vehicles before, and I might have missed it, but is there an ability to buy a motor and battery to put on a standard pushbike that could be legal? I am wondering if that device could then be legal if it is under 250 watts and needs pedal assistance if that kit were fitted to a pushbike. I ask for clarification because it is confusing to everyone out there what is legal.

Mr Mahon: Certainly my understanding is that if it meets the requirements it can be made legal, but in most cases they are not. In most cases they do not meet those requirements. Certainly once we point to the EU standard that makes it more difficult. You would have to import, effectively, an EU standard retrofitted kit—I am not sure if they exist—to ensure that you meet that requirement. We would not encourage people to do that. From a safety perspective we would encourage people to buy devices that meet the standard, that have been tested and have those safety features attached and reduce the risk for people on the network.

Mr KRAUSE: It is a pleasure to be here with you. Thank you, Deputy Director-General, for your information. You mentioned some difficulties with importation regulation. Obviously it is a Commonwealth matter, but in very broad terms are you referring to the fact that it can be difficult to stop all things coming into the country that are illegal? What was it you were getting at with those difficulties?

Mr Mahon: Correct to your point. The point I was making is even with those rules in place it is not always easy to check everything. I cannot comment on behalf of the federal government, but certainly in conversations they have raised the difficulty in checking every container that comes in or container ship. They check certain requirements. Importation laws are effective, but certainly there is always going to be a risk that devices get in that are not legal, and we see that now.

Mr KRAUSE: I am new to this inquiry, but I am imagining a lot of PMDs come in quite small boxes which can be much harder to look at than a vehicle that comes in on a ship. Further to that, obviously the department at the moment would have, I imagine, some sort of enforcement policies that relate to the sale of motor vehicles in Queensland where there is a process that would be gone through if a dealership or someone was trying to sell motor vehicles of a type that were not properly regulated vehicles or had illegal modifications or were illegal imports. Could you tell us a little bit about that? Does there need to be a consumer law aspect to this as well? If we have federal regulations on imports, it may be imperfect but there is a standard that needs to be met. Does that need to be assessed from a consumer law perspective as well?

Mr Mahon: Thank you for the follow-up question. Firstly, if I start with the motor dealers. The Department of Transport and Main Roads does not regulate motor dealers. That is done by another department. What we do have in place is the motor dealers and auctioneers act, which is the short title, and it regulates second-hand motor dealers. It does not regulate new sellers, it regulates second-hand motor dealers for the reasons of risk around tampering with vehicles and all those sorts of things and consumer protections, as well as auctioneers, as I mentioned. Certainly there are options and opportunities to look at regulating the market. The Office of Fair Trading certainly manage that process from a state perspective and you touched on the ACCC which look at consumer laws more broadly. It is important that the ACCC does play a role there and works with retailers around making sure that they are selling devices that are legal and/or communicating to customers where a device is not legal but can be used off-road, for example. That is really important. The Office of Fair Trading play a role there. We have been working really closely with them.

As I mentioned earlier, they have written to several hundred retailers—I cannot remember the exact number, but quite a lot—across Queensland in recent months warning them about the need to ensure they are abiding by the rules in relation to what is a legal device and if a device is not illegal where that can be used. As I mentioned earlier, there are some devices that are not illegal that can be used on private property and that is okay, but that is not what is happening on the network. People are buying devices, regardless of what they are being told, or regardless of whether they are being told anything at all, and they are riding them on the road network thinking that they are legal. I mentioned the off-road dirt bikes earlier. There are many places you can go and ride a dirt bike legally. Certainly there is nothing wrong with that in relation to having a dirt bike that is off-road, on a property, on a motorcycle facility, whatever the case might be, but they cannot be ridden on the road, they are not registrable. There are opportunities to look at those different levers that are available to government in relation to Fair Trading, in relation to ACCC, in relation to motor dealers and how we currently regulate those. The Department of Transport will work with those agencies, but we do not play a lead role. I hope I have sort of answered your question.

Mr KRAUSE: Given that part of it is another department, you have done a pretty good job, DDG, so well done. I do have one more question in relation to the potential for a registration scheme. Some have suggested that might be one way of dealing with issues. Can you enlighten us as to any issues that the department has seen with this idea of current registration systems in relation to costs or how long it would take to set up?

Mr Mahon: Yes, it has certainly been an issue that has come up quite a bit. We do get correspondence and we have seen it come up through this committee process where people have suggested a registration scheme. As with anything in policy and legislation, things like that can be done. There is no doubt that we can make changes if the committee recommends them and the government supports that in that space, but there are some challenges.

Certainly, one of the challenges is the difference in types of devices. How you would adhere a registration plate or some identifier to those devices is a practical challenge. It is not insurmountable but it is a practical challenge that we need to consider around compliance. We also need to consider the purpose of what registration would do, which is obviously identification. Certainly that would help us to identify devices that are legal, but it does not solve the problem of people who do not comply. If someone chooses not to comply, as we are seeing a bit now, that may not change. Someone who is happy to ride a dirt bike on the road right now effectively is not going to come to us asking for registration because it cannot be registered. Even in a scheme where you had e-bikes that could be registered or PMDs that could be registered, we would not recommend that illegal motorbikes are in that category but that is a consideration, obviously, for the committee.

There are also system challenges. We have some pretty old IT systems that most state transport agencies have. We have had TRAILS in place for nearly 30 years, which is our registration and licensing database. It is an old system. There are very few people left who can manage it, unfortunately. I sometimes refer to it as an old Kingswood. It will get you there but it is likely to break

down along the way. Certainly what we need in that space to be able to make changes more quickly is probably a new Ford Ranger Wildtrak, which would be nice in relation to a TRAILS system. That presents difficulties because it is quite a complex system that has been built on over many years. That would mean that there is a cost and time issue in relation to building a registration component in the system. It is not a simple, easy process. Certainly we have people who would say to us, 'It's very easy; you just add it to an existing category.' Unfortunately, it is not quite that simple. As I mentioned earlier, if it is something that the government chooses to do then we can implement it and we will advise accordingly about how we manage that process.

Mr KRAUSE: I assume you did not mean to offend any Kingswood lovers in the room.

Mr Mahon: Member, I may have a Kingswood and a Ford Ranger.

CHAIR: You have very good taste, then.

Ms BUSH: Setting aside the very social benefits that are contained with e-mobility devices, of which there are many, and parking a lot of long-term things and coming back to the short term, as a local member I am cognisant of the volume of inquiries and concerns I get from parents. We are coming into Christmas and we know what this is going to bring. I am a little bit blown away that I am not seeing more of an advertising blitz, given it is quite clear we are not going to see any kind of seismic reform from the government before March. As an institution, how are you working with Fair Trading and the police to really get some TVCs or YouTube clips? What are we doing in that space? Has additional funding been provided to DTMR to do that work or are you financing communications in house? What is happening to crack down? It is one thing to say, 'We've updated our website', but parents do not work that way. What are we doing to actually ensure we can do what we can while we are waiting for recommendations to come down and how is it being funded?

Mr Mahon: Certainly we have ongoing funding in the StreetSmarts program that we use for a range of different items. We tend to pivot and adjust to whatever the issue of the day is and we will focus on that. We have a program of what we effectively call 'always on', which is our StreetSmarts program on any education piece that we are doing. We are putting all of our energy at the moment into two main areas. One is, of course, drink driving at Christmastime with our campaigns that we always do. The second is e-mobility. What we are focused on is our core areas.

TV advertising does not have the same reach it once did so we actually steer a little away from TV advertising because it is quite costly and it is probably not reaching the audience that we want to reach anymore. We do a big focus on social media, particularly around the usual channels that you get. Billboards are useful around prompting people. As I said, we are writing to lots of retailers and writing to lots of schools. We are actually doing a lot of really close work with schools. There are a number of schools around South-East Queensland, in particular, that have shown a real interest and engaged with us and are working with us and the Queensland police to educate people in relation to what is legal and what is not. We are seeing a bit of that happen particularly on the Sunshine Coast and the Gold Coast where certainly the popularity of e-bikes has really exploded. We are seeing principals take action and work with their students and parents to help them. We give them materials as and when we work with them more closely. Some of it is the document that I tabled earlier.

Simplicity is key with any of these coms. It is difficult to get across a complex message in as simple a way as possible so we certainly try to ensure that those communications are as simple as possible. We work towards that through all of those channels. That is ongoing now and will continue over the next couple of months. We will probably continue to focus on that over this period given that I am sure you are going to see, as I mentioned earlier, lots of teenagers hassling mum and dad for the latest device. We want to make sure that they understand the rules first and do that.

We communicate directly with people as well and businesses and we work with, talk with and communicate with other companies. 99 Bikes was here earlier. They talk to us quite a bit about what is legal and what is not and how they manage it and how they manage the communications. We do all those avenues as well. It is ongoing. We will continue to do that. We have funding through the Camera Detected Offence Program in relation to road safety to do that.

Ms BUSH: To clarify, targeted events and campaigns running through December and January around safety and what is illegal and what is legal and no additional funding; is that a fair summary?

Mr Mahon: Yes, targeted events and, as I said, we are fully funded in this space to do these types of events. For example, we had people down at schoolies recently. We had staff there helping and talking to people about safety more generally, of course, but certainly specifically about these types of things. We look at those opportunities as well because they are easy for us to do, we get communications across and we get good engagement.

Ms BUSH: I guess having worked in departments, I hear that statement and that is great. That could be one or two staff down there for one day. Is it enough? I guess that is what I am saying. I hear what you are saying that you are funding it internally and you have funding for it, but is it sufficient? I am very concerned that we are going to have another half a dozen deaths over the Christmas period and I will be sitting here wondering what more we could have done.

Mr Mahon: Certainly we can always do more. In any road safety space we can always do more. We have had terrible road safety statistics over the last few years more generally on the road network. We put in huge amounts of effort. Joanna has a team that is fully dedicated to our StreetSmarts campaign, which does all of our road safety including this. They are incredibly passionate and well skilled. We have some good processes in place. I acknowledge your point that it is difficult to determine what is enough. Certainly we will always do our best to do everything we can and we will certainly push to do more wherever we can.

CHAIR: There certainly has been a very big focus and change, which we are welcoming. Can you talk to us about any consideration given to mandatory training about these devices? Have you thought about any of that?

Mr Mahon: We have and there are opportunities for us to do that. Depending on what comes out of the parliamentary inquiry and depending on what the government decisions are around those recommendations, there are certainly opportunities for training. We have some great avenues to do that.

In Queensland, we have a system called PrepL, which is the learner licence online learning and test program that effectively all learner licence holders go through now. We are very proud of that. We were not only an Australian first but a world first in that space when we rolled that program out in 2019. We have been building on that ever since. As most people who have had a learner driver through it know, it takes about three or four hours. It educates people on how and why the rules exist. It does have test elements in it, of course, as we would expect. Certainly, it is an opportunity that we could build on in relation to training. If, for example, there was a requirement to hold a licence in the future, you could have a training package in there. If there was not, we can build off that and use the same system and the same architecture, if you like, to build a training module that does specifically that for young people, depending on whatever age. There are opportunities there. It is great technology. It is interactive. It gets the point across really well. We are very proud of that system.

CHAIR: That sounds promising.

Mr MELLISH: Have you had any good feedback or interactions? I know that New South Wales and Western Australia have recently finalised their inquiries. Other departments have been pretty forthcoming there because I suppose we are happy to chase them up if they are not.

Mr Mahon: The short answer is, yes. We have been working closely, particularly with Western Australia. Western Australia have been doing some work at the national level for infrastructure and transport ministers in relation to some concepts around what could be considered into the future. At the recent Infrastructure and Transport Ministers' Meeting, there was a decision made to look at those principles and to consider them. Of course, the Queensland government acknowledged that this parliamentary inquiry was happening and we want to see the outcomes of that before we make decisions. They have been very forthcoming in sharing with us in great detail some of the challenges.

What we are seeing is quite interesting in that each jurisdiction appears to be having a slightly different problem, which is not unusual. I know across the country each state likes to see themselves as being a bit unique of course and Queensland is; it is the best state in Australia. Each state is having a different issue. Each state is having a slightly different challenge. Because there were different approaches to the regulations over the years and timing, we are seeing a slightly different process and advent of issues. For example, and this is just at a higher level, what we are seeing in places like Adelaide is that e-mobility is more of an issue around e-scooters. They are having that challenge in relation to those types of devices across the network and less so in the bike space, but I expect it will come. Maybe that is partly due to the weather and people getting out and about. Equally, there are different issues being worked across the different jurisdictions.

Yes, they are being very forthcoming. We have a great working relationship with all of our colleagues across the jurisdictions. New South Wales recently announced a small change to their regulations around e-bikes, dropping it back to the 250 watt from 500. They were out of step with everyone else in that respect. We are working closely with them around those changes.

Mr MELLISH: I am keen to see if the other states are having problems with retailers as well. I have had a go at some of the retailers down here and a lot of submitters have talked about the nod and a wink on how to make an illegal device legal. Is that a big problem for other states as well? How much of an issue is it compared to online sales? We can do a lot about the physical retailers but if people are getting these online then you could be wasting a bit of effort there. What is your take on a few of those issues?

Mr Mahon: The short answer is, yes, they are having the same challenges. Certainly we are getting lots of advice around different companies and sales tactics and so forth in different jurisdictions. Victoria, for example, has a very similar issue to us around retailers. Their rules are slightly closer to ours in some respects. They are having those same challenges.

As you mention and rightly point out, there are probably two core elements. One is retailers who have a shopfront and you can talk to someone. You can go in and ask questions around a device. Then you have retailers that are almost fully online. The other thing we are seeing is that lots of retailers are popping up on things like Facebook Marketplace where people are selling or purporting to be a business and selling through those mechanisms. They are presumably importing them from overseas at volume and selling them through those mechanisms. It is difficult, particularly for our colleagues in Fair Trading and others like the ACCC. We understand that there is no silver bullet. It is a difficult problem to try to solve. With the advent of online purchases and businesses now, it is becoming a real challenge.

Mr JAMES: Andrew, I learnt to drive in my mum's Kingswood but I now drive a Toyota that has some pretty high-tech software in it. I know exactly where it is, where it has been, how fast it has been going, whether it had heavy braking—the whole bit—it just comes with the vehicle. In terms of identification devices and what is legal and what is not, has your department given any thought to future technology like digital footprints in relation to e-mobility devices?

Mr Mahon: We have certainly had a look into some of those issues in trying to understand what is possible and what is capable out there on the network. Some of those challenges will be down to product sales and the Office of Fair Trading and the ACCC and how they manage businesses, but there are opportunities to identify vehicles. We talked about registration before but there are other opportunities to identify legal vehicles. The EN15194 standard requires a label so there are opportunities with labelling to do different things in relation to how you manage a device and the type of data a device could give you. Down the track there will certainly be opportunities to look at some of those things. Businesses like hire schemes geofence the devices. You see them in and around Brisbane; they are geofenced. When you go onto the website or the app you can clearly see where you can and cannot go and that is an opportunity for potentially managing safety into the future.

The challenge and what we are seeing is that it is a rapidly moving environment. We are seeing many different types of devices come on the market. What we are seeing today we did not see at all four years ago. I mentioned the standard change in 2021 that was made by the Commonwealth. The devices you see on the market now were not available then and so things are changing rapidly. Even when the government approved the laws in 2019 around personal mobility devices, I mentioned earlier the parameters that were designed for those rules. That was done because we did not know what was next. You do not know what is coming next—you do not know what type of device—so if you clearly articulate the device too strongly in the legislation you stifle innovation. Innovation can be really good. It can also be a negative if we are struggling to regulate or people are buying illegal devices. We are having a look at all of those different issues. It is not easy; it is difficult. In the heavy vehicles sector, for example, we have telematics on heavy vehicles to understand where they are going and what structures they are going over, largely for safety. There are certainly opportunities for that into the future but we do not have a solution at this stage.

Mr KING: Something we have not touched on this morning are fires from lithium batteries. Has there been any further correspondence with the Queensland Fire Department? As emerging technologies are coming up—we have heard of sodium ion and other batteries—has there been any shift that you have heard of, even internationally, towards a safer style of battery for these devices?

Mr Mahon: Yes, we continue to talk and engage with the fire service and our other colleagues in fair trading and other organisations in relation to this. Certainly electrical standards—I think you mentioned that in the previous hearing—are a key challenge. That is why standards are important and/or rules around the safe importation and use of devices because that will no doubt become a challenge for us into the future. With more and more devices coming onto the market—even legal devices—we need to make sure as best we can that they are safe. The feedback we are getting from the fire service is that the devices that are catching on fire are not legal devices; they are devices that

have been imported, they are often cheap and they are often left on charge when they should be taken off. There are a number of different things that are occurring, of course, in that space. As I said, it is almost wholly illegal devices in more instances than not, but, equally, even in the PMD space, there are devices that would be legal but they are of cheaper quality. Certainly there could be standards in the future around electrical safety and we will continue to work with our colleagues on that.

Mr KING: But there is no change in technology for the lithium ion battery—there is no new one out there that will not get thermal runaway?

Mr Mahon: Certainly technology is evolving rapidly—whether or not we as a transport department can keep up with how that is going. It is pretty hard but it is certainly evolving quickly. It is like computers. As soon as one is on the market, the next one is coming that is even better again. That is the challenge around regulation because certainly we want to make sure we enable safe use on the network whenever possible. We see the positives of this type of mobility but it comes with all those risks. I probably cannot answer your question perfectly, I apologise—

Mr KING: I was hoping for a scoop!

Mr Mahon: Unfortunately the technology is always evolving.

Mr KRAUSE: In relation to devices that are in the legal and authorised realm, some have suggested that insurance in respect of these PMDs should be mandatory. I would like you to not only give us some information about that but also about experiences the department has had in the past when there have been changes to CTP in relation to vehicles?

Mr Mahon: We can certainly talk to insurance at a general level. The Motor Accident Insurance Commission manages insurance from a compulsory third party perspective in Queensland. There are three insurers that are currently in the scheme. When you register your car you can choose which insurer to go with for your CTP and that is part of the cost of your registration, effectively. You have the rego component, the traffic component and the CTP insurance. It is always linked to registration when we talk about compulsory third party because it is managed through our TRAILS system and other processes. When we have seen changes in the past, particularly with devices where there is a safety risk—for example, motorcycles where we saw an increase in motorcycle crashes, serious injuries and fatalities over the years; we continue to see that as more and more people ride; and we saw that through the COVID period or just after where lots of people were buying motorcycles—it tends to have a flow-on impact to the cost of CTP. It is not a perfect science and I could not tell you how it works specifically, but what we tend to see is compulsory third party insurance increases as and when data comes through around the safety and the number of claims that occur in the CTP space.

Without making any judgement about what would occur if you had a compulsory third party insurance scheme for e-mobility, for example—even legal devices—I expect that they would probably be seen as a riskier device than perhaps a normal motor vehicle and might be priced accordingly. That is a risk as well, I suppose. The other thing is: CTP only covers effectively the person who is injured by the device not the person on the device, if that makes sense. The way compulsory third party insurance basically works is if I have a car accident and I run into Joanna and she hurts herself, Joanna gets covered by the CTP but I do not because I am the one who caused the injury. In simple terms, that is effectively how it works. You would have a scheme that you could implement but it would only be useful for those people who are injured by someone on a device rather than what more often occurs which is a person injuring themselves more often than not due to behavioural issues—speed, not wearing a helmet, doubling people on devices, not riding a legal device and so forth.

Ms BUSH: Infrastructure comes through as an emerging theme around the need for more active public transport infrastructure. The easy solution for a committee is to say that there needs to be more funding put into that. We have heard around two to five per cent of the total infrastructure budget goes into active transport—more of it goes into traditional roads and such. Budgets are obviously finite so what is the solution? It would be really easy for the committee to recommend that the department and local governments put five per cent and then 10 per cent and eventually 20 per cent of their budgets into active transport. What are the challenges there?

Mr Mahon: I could not give you a magic number to say what the solution is in relation to solving this problem. Certainly active transport investment is part of the solution but also regulation around the devices on the infrastructure and where they can go is the other part. I did not touch on it but there are rules around where devices can go and there is a bit of inconsistency across jurisdictions in that space. In some other jurisdictions, in some of the states, you cannot even ride a bicycle on a footpath. In Queensland we allow bicycles and PMDs on footpaths. There are challenges with

interactions with pedestrians, but obviously we need to make sure that particularly in relation to things like the Active Transport Grants Program that was mentioned earlier, we need to ensure that where we are choosing and recommending to government for investment that we are looking at the opportunities that give the biggest bang for the buck, get the best value in high-volume areas, which is important. Obviously there are some really important things around schools that are critical—leading up to the games, making sure that we have good active transport. We expect by 2032 that these types of devices will no doubt be even more popular so we need to ensure we are providing opportunities for separation where it is important and where it is necessary. We are certainly working towards that.

As you know, aside from the active transport program in isolation, where we are building major infrastructure on different corridors—whether it is rail, road or otherwise—we also have policies around active transport being part of that solution and fit that into the solution whenever it permits or where it makes sense. That is really important. In the normal budget process and the QTRIP program obviously those investments are not obvious because they are usually wrapped up into a bigger project. The Coomera Connector is an example. It has active transport, and we got really good feedback from the bicycle community in that space. They are the opportunities that give you the chance to make big changes.

I have sort of answered your question, I hope, but the other element is working with local governments around continuous improvement. One of the things I am doing as part of my games coordination remit is working with the big local governments across South-East Queensland and all the way up the coast where there will be events in 2032 to find opportunities to focus in on the things that will give the biggest benefit and the things that will assist people the most now, then and beyond.

Ms BUSH: You have kind of answered it. I was thinking more around what political and cultural changes are needed, recognising that cars are the predominant mode of transport but the maintenance that goes into roads is huge so at some point there has to be a recognition within the department and culturally and politically that we need to get more people onto public and active transport. It is a chicken and egg thing because we can only achieve that when we actually start investing. Is there an appetite in the department to start moving that sliding scale down and to make a more level playing field between traditional modes of transport like vehicles, evening that out and putting more active investment into an active transport network?

Mr KRAUSE: That sounds like a policy question, Chair.

Ms BUSH: It is policy but part of a department's work is to put out that broad 10-year plan on where they are going and so the departments do work like that. The question is: is the department doing that work at the moment? The answer might be no but I think it is a relevant question.

CHAIR: The Deputy Director-General can answer the question as he sees fit.

Mr Mahon: The short answer is yes, we do look at those longer term plans and we do look at the investment that goes into public transport, as you mentioned, active transport and other opportunities. I mentioned at the beginning of the session that a lot of people talk about the importance of e-mobility and the opportunity that is there. We cannot lose sight of that. It is an opportunity and that is why in 2019 it was regulated as such. The challenge we have had is that the environment has moved on and moved on rapidly and you need to catch up and you need to find ways in which to keep things safe—enable as best as possible but keep it safe at the same time. If you look at the investment program, there has certainly been a big investment into rail. It is the most significant rail investment that we have ever had across the South-East Queensland network, which is good to see.

Obviously road investment, as you said, is always a priority and then there are active transport programs. Those consolidations and trying to get a broader reach within those programs is important. One thing that we have probably done in the past is that we are very good at creating rules around programs and trying to ensure that they are as clear as possible, which is important—you need that criteria—but we also need to be careful that we do not stifle opportunities. That is a challenge for us as a department when we are coming up with guidance materials for governments to approve. Obviously governments approve those but that is something that we are always thinking about. Hopefully I have answered your question but we are certainly looking at a long-term games plan around how we deliver the games and the legacy beyond. We have long-term rail plans. We have long-term bus network plans that we work to and we make sure that those are prioritised as best we can in the advice we provide.

CHAIR: A final question from me. You mentioned earlier some of the challenges on the network in respect to riders and some of the offences and things they are doing. Can you talk to us about some of the things the commercial hire schemes are doing to improve their risk profiles?

Mr Mahon: Obviously the hire schemes have a lot more rules in place because they manage the schemes in a particular way. In Queensland, the legislation allows for the devices on the network and then local governments contract the devices to allow them to be on their local government network. Brisbane City Council, of course, have two contracts in place for two different providers and you see the devices around the network. Interestingly, and to their credit, they have started implementing things like parking bays and so forth across the network which is encouraging people to put the devices in a particular place to try and keep it neat and tidy.

The biggest challenge that I think those hire schemes have is the risk of trips and falls where people are parking them inappropriately but they are evolving. The companies are putting new measures in place around different requirements for where you have to park and how you park devices; the speeds are restricted and the locations are restricted. In Brisbane, for example, you cannot ride down the Queen Street Mall and there are other locations, of course. All of those mechanisms are in place to keep it as tidy as possible in the first instance but also safe around the movement.

They also educate. As with anything, we can always do better. We can always do more and every company, government department or otherwise can always look at opportunities to improve what we are doing. In that space, the big challenge that they have is certainly compliance with helmets. It is a challenge for them. From time to time you unfortunately see helmets on the sidewalk or in weird and wonderful places and/or people riding the devices and not using them and you see two people on a device which is always a challenge. We are seeing a big shift certainly in the last 12 months of people moving more towards e-bikes than personal mobility devices like scooters. We are starting to see quite a shift in usage and personal purchase. That will be a challenge for hire devices. There is a place for them but certainly the usage has dropped off a little bit and we are seeing more and more people buying the devices themselves.

CHAIR: Deputy Director-General, I thank you and your team for appearing today. The time for this session has expired. There are three questions on notice. The first one is in relation to infrastructure funding and active trails; the second was about the School Transport Infrastructure Program; and the last one was regarding whether the department had given any device regarding reporting times. I am pretty sure that has been asked before but if you could take those questions on notice and provide an answer to us by Wednesday, 17 December that would be greatly appreciated.

Thank you again for appearing today and for the information that you have shared. This concludes the briefing. Thank you for your participation. Thank you to our Hansard reporters and broadcast staff for their assistance. A transcript of today's briefing will be available on the committee's webpage in due course. Wishing everyone a very merry and safe Christmas—very appropriate given the nature of this inquiry. I declare the public briefing closed.

The committee adjourned at 11.34 am.