



STATE DEVELOPMENT, INFRASTRUCTURE AND WORKS COMMITTEE

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Mr TA James MP
Mr D Kempton MP
Mr SR King MP (via teleconference)
Mr BJ Mellish MP

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

TRANSCRIPT OF PROCEEDINGS

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The committee met at 10.01 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, member for Lockyer and chair of the committee. With me here today are: Ms Jonty Bush, member for Cooper and deputy chair; Mr Terry James, member for Mulgrave; Mr David Kempton, member for Cook; Mr Shane King, member for Kurwongbah, via teleconference; and Mr Bart Mellish, member for Aspley.

The purpose of today's briefing is to assist the committee with the 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 proceedings. 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 also 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 proceedings and images may also appear on the parliament's website or social media pages. Please turn your mobiles off or onto silent mode. Finally, I remind everyone to please remember to press on your microphone before you start speaking and off when you are finished.

DOWNING, Ms Nicole, Acting General Manager, Land Transport Safety and Regulation, Department of Transport and Main Roads

KADEN, Mr Daniel, Acting Executive Director, Land Transport Safety and Regulation, Department of Transport and Main Roads

MACKAY, Mr Nicholas, Manager, Road Rules and Emerging Technology, Department of Transport and Main Roads

MAGOFFIN, Mr Geoff, Deputy Director-General, Customer Services, Safety and Regulation, Department of Transport and Main Roads

CHAIR: I invite you to provide a brief to the committee, after which we will have some questions for you. Thank you and welcome.

Mr Magoffin: Good morning, Chair and committee members. Thank you for the opportunity to appear before the State Development, Infrastructure and Works Committee today. My name is Geoff Magoffin. I am the Deputy Director-General of Customer Services, Safety and Regulation. I represent the Department of Transport and Main Roads. I am accompanied by Nicole Downing, Acting General Manager of Land Transport Safety and Regulation; and Daniel Kaden, Acting Executive Director of Policy, Safety and Regulation within Nicole's team.

Further to the written briefing already provided by the department, I am pleased to provide you an overview of the regulatory framework for e-mobility in Queensland and brief insights into the key safety challenges. As you are aware, e-mobility is a rapidly evolving sector that offers significant potential to transform how Queenslanders travel. Devices like e-bikes and e-scooters provide convenient, sustainable and affordable transport options; however, as their popularity grows, so too do the challenges associated with their safe and responsible use. Striking the right balance between fostering innovation and maintaining safety is critical to maximising the potential of e-mobility while ensuring that all Queenslanders and visitors feel safe as they travel our roads and paths.

Queensland's e-mobility regulatory framework is underpinned by the Transport Operations (Road Use Management) Act 1995 and the Transport Operations (Road Use Management—Road Rules) Regulation 2009, known as the Queensland Road Rules. This establishes clear definitions of

personal mobility devices which include e-scooters, e-skateboards, e-unicycles and similar devices, known as PMDs, as well as e-bikes. The legislation also outlines rider requirements, safety rules and sets of penalties for noncompliance. E-bikes and PMDs share many rules, but key differences exist due to their varying risk profiles. For example, e-bikes, which typically are more stable with larger wheels, have broad road access and no age limits, while PMDs, which often have smaller wheels, high centres of gravity and are more prone to tipping, are subject to stricter regulations such as reduced road access, minimum age limits and a footpath speed of 12 kilometres.

The department of transport has been at the forefront in the regulation of PMDs in Australia since 2018. We have acknowledged their use as a viable transport option if used safely and responsibly. Queensland has implemented nation-leading rules to ensure the safety of PMD riders, pedestrians and other road users. Since laws were first introduced in Queensland to allow e-scooter use, most Australian jurisdictions have followed suit and based their rules substantially on ours.

Personal mobility devices is a broad and flexible category of vehicle that is defined by a set of specifications focused on device design, dimensions, weight and speed. This approach ensures that the regulation is flexible to innovation without the need for constant amendments to permit new types of devices.

The department has worked proactively to address emerging issues and stakeholder concerns. In mid 2022, the Personal Mobility Device Safety Action Plan was released. This aimed to improve the safety of PMD riders and other path users. As part of the plan, and following significant consultation with a broad range of relevant stakeholders, a suite of amendments to the Queensland Road Rules was introduced on 1 November 2022. These changes clarified how and where PMDs can be used in public spaces in Queensland and improved the safety of riders in the broader community. The changes included a new 12-kilometre PMD speed limit on footpaths; stronger penalties for dangerous riding behaviours including tiered speeding offences; allowing PMDs to be ridden in some on-road bike lanes; ensuring PMD riders obey general road rules, for example traffic lights and signs and give-way rules in the same way as other drivers and riders; allowing PMD riders to wear either an approved bicycle or a motorcycle helmet; and mandating PMDs with handlebars to be fitted with a bell.

Changes were also made to protect the PMD riders. These include ensuring drivers are required to leave a minimum passing distance when overtaking—one metre on roads with speed limits of 60 kilometres an hour or less and 1½ metres on roads where the speed limit is more than 60 kilometres per hour; as well as give-way protections in intersections which require drivers to give way to PMD and bicycle riders when turning. However, despite these efforts, it is acknowledged that injuries and fatalities involving PMDs are increasing at an unacceptable level and more must be done.

The department has engaged with the MAIC-QUT Road Safety Research Collaboration to conduct an independent evaluation of the 2022 PMD reforms. The evaluation will assess whether the regulatory framework is achieving its intended road safety outcomes and whether additional measures are required. The findings are expected by mid 2025 and can be shared with the committee when they become available.

Legal e-bikes provide a legitimate mobility benefit and help to encourage more people to ride bikes by making riding up hills or in the heat more comfortable. To be used in public spaces in Queensland, like roads and paths, an e-bike must meet strict safety requirements. It is predominantly pedal powered, with a small electric motor providing assistance only. The motor must have a maximum continuous power rating of no more than 250 watts and be capable of no more than 25 kilometres an hour. The bike can have a throttle to assist the rider to get started but cannot be throttle controlled at speeds above six kilometres an hour. To cut through the confusion, our advice to people looking to buy an e-bike is to look out for bikes that comply with the European Standard for electrically power assisted cycles, EN15194.

The regulatory framework for legal e-bikes in Queensland has remained relatively unchanged for more than a decade. Like all bicycles, legal e-bikes do not require registration or driver licensing, and the riders are required to comply with all road rules including wearing a helmet, giving way to pedestrians on paths and complying with all signs and traffic lights.

The department is not aware of any significant safety issues with legal e-bike use; however, we are very concerned about the increasing use of illegal devices. These are marketed as e-bikes but are in fact motorcycles. These devices often exceed the legal power and speed limits I mentioned earlier or are capable of being throttle powered without pedalling. Such devices are banned from public use in Queensland unless otherwise meeting the requirements as a registerable motorcycle.

These illegal devices are the biggest problem we are facing in relation to e-bikes. Thousands of these devices are flooding into Australia and Queensland and are too easily imported and made available for sale. The resulting use of these dangerous and illegal motorcycles, often by children, is generating significant community concern, and it is only a matter of time before riders and other users are killed.

We are already taking action to address this problem. We have developed clear communication setting out the rules and requirements for legal e-bikes and are distributing these through schools, retailers, police and other stakeholders. We are partnering with Queensland police, the Office of Fair Trading and the Department of Education to educate and enforce dodgy retailers, riders and their parents. We are advocating to the Commonwealth government to close the loopholes in the vehicle import process that are enabling these devices to enter the country in the first place.

TMR works closely with the Queensland Police Service, who regularly undertake proactive e-mobility enforcement in high-risk areas. When combined with high-profile media, this helps to ensure riders are aware they can and will be caught for doing the wrong thing, and we have seen this behaviour change as a result of police efforts. Despite this, police face enforcement challenges and will have valuable perspectives to add throughout this inquiry.

While the Queensland government plays a critical role in the safety of e-mobility use, it is important that the committee is aware of the roles of other levels of government. The Commonwealth government is responsible for setting the standards for vehicle importation and enforcing these at the border. PMDs and legal e-bikes are typically exempted from vehicle standards as part of importation. However, as I mentioned, loopholes in the process are too easily enabling illegal and noncompliant PMDs and e-bikes to enter Australia. The problem is not unique to Queensland. I am aware that other jurisdictions are similarly advocating for the process to be reviewed and strengthened. Without this, the challenge for state-based police in dealing with illegal devices is impossibly large.

The other key players in e-mobility regulation are local governments. Councils play an important role in managing the commercial for-hire e-scooter and e-bike schemes in Queensland. Local governments are best placed to do this given that these schemes are businesses operating on local land and the impacts are felt by local residents and businesses. Councils typically have agreements with share providers that include device caps, where to ride, speed-limit zones, no-parking areas, mandatory provision of helmets, insurance requirements, and service standards for responsibly addressing poorly parked devices. Local governments also have the authority to set relevant speed limits, prohibit device use in specific areas and install regulatory signage.

TMR welcomes this inquiry and looks forward to hearing the broad perspectives presented by community members and stakeholders. Consultation has formed a key part of the department's approach in managing e-mobility safety. To support this, we convene an e-mobility safety reference group, which comprises members from all sectors operating in this space. This includes road and path user groups, disability advocates, the PMD and e-bike industry, universities, health and trauma experts, police, local governments and many more. A membership list was provided in the department's written briefing to aid the committee in understanding who these key stakeholders are.

In conclusion, in Queensland we have a detailed legislative framework that governs the safe use of PMDs and e-bikes. The framework has been adapted in response to safety issues and community concerns. When the rules are followed, e-mobility can be a safe and beneficial form of transport. However, too often the rules are being ignored, with tragic consequences. We believe there is a valuable role for e-mobility to play in our transport ecosystem if the rules are right and all levels of government work together effectively. We look forward to supporting the committee throughout the inquiry. We are happy to prepare further briefings or attend public hearings as needed. I thank the committee for their time and welcome any questions on this important topic.

CHAIR: Thank you, Deputy Director-General. I really appreciate you and your team being here today. Thank you for the comprehensive written briefing as well as your opening statement. I recognise that Queensland has been nation-leading with regard to some of this reform. I like the table in the back comparing other jurisdictions. Well done on that. We already have over 600 submissions so far. We have another week to go. There are some promising things contained in some of those. For the first question this morning, I pass to the member for Cooper.

Ms BUSH: Thanks for coming along and thank you for a comprehensive briefing. Geoff, proactively released cabinet documents show that TMR's initial media release, provided to cabinet, called for the inquiry to report back by the end of 2025. Is it the department's expert opinion that the inquiry should be completed sooner rather than later?

Mr Magoffin: I might get my acting general manager to answer that.

Ms Downing: The department does not have a particular view on the timeframe. It is happy to support the committee in whatever it works with. We know that there is a lot of community angst out there and we would like to move forward to solve some of the community angst as much as possible with definitive ways forward.

Mr KEMPTON: No matter how many rules and regulations we have and the standards around these vehicles, the greatest safety factor is probably separation—as we do now with pedestrians, bikes and cars. There must be a pretty incredible infrastructure cost attached to that. Have you considered that?

Ms Downing: Absolutely, we have considered the cost. You are right: grade separation to separate bicycle riders or PMDs from cars comes at a great cost. The cycle network is growing each year. I do not have the amount invested in infrastructure in the last 12 months, but we can get that if you would like. It has a forward program in trying to join up, particularly in urban areas, for mobility to try and separate, but it is a large challenge, particularly with other challenges such as the Bruce Highway.

Ms BUSH: Just reflecting on my earlier question and Nicole's response, I am curious as to who did make the decision to extend the timeframe for this particular inquiry into 2026 and who then removed the 2025 date from that media release.

Ms Downing: I would have to take that on notice. I am not sure who removed it or who made that decision to change the timeframe.

Mr JAMES: The penalties for the use of illegal devices seem to fall into line with typically how a legal car or bike is dealt with right now. They seem a little bit weak. Would it be worth looking at something a bit stricter—like the virtually defective vehicles—and then confiscate them straight-up?

Mr Kaden: Within the context of illegal e-bikes, for the offences that apply we treat them like vehicles—unregistered, uninsured, and in circumstances where they are not wearing a proper helmet or a motorcycle helmet they get the full suite. That totals to about \$1,500 at this point in time. We know that the Queensland Police Service have been out and issuing those offences, so it is a fair whack. Probably the other thing of importance to note is: in circumstances of unregistered vehicles, we can also hit parents, potentially, with that offence—this is something that I believe has happened—because they have enabled the use of that vehicle illegally. I think we are open to the committee looking at other levers that we can pull to ensure these types of behaviours are discouraged. We would probably rely on the Queensland Police Service in relation to any other levers that could be pulled by them as well out on the network.

CHAIR: Can you confirm that those illegal devices or units cannot be registered?

Mr Kaden: No, they cannot.

Mr MELLISH: Thanks for your very fulsome summary. I know that the department has done really good work over the years in this regard. I am keen to get a bit more background on the 2021 changes to import restrictions or lack of restrictions at that level. At the moment you can go online and order a 10,000-watt bike. You can order really powerful, highly illegal scooters and things like that. Could you step me through some of those changes and how that has affected what is available and what people can get?

Ms Downing: The 2021 changes are Commonwealth government changes. From 2021, as you know, we saw a significant increase in the number of illegal and unsafe devices for sale in Queensland. The importation specifications generally align with the road rules, so in theory we should not see these noncompliant devices imported. However, the enforcement of importation requirements is very limited. Then since 2021, when the mandatory import approval for the e-mobility devices was removed—that is where we start to see the increase—instead of import approval, importers can now apply for an optional advisory notice if they choose to. The issues around optional advisory notices are that they are issued based only on the information provided by the importer or the industry. Therefore, it could be true or it could be false. It is difficult for the Commonwealth government to verify that. An example I would give is that of noncompliant devices receiving advisory notices. Industry stakeholders tell us that this approach is creating a booming illegal device market. The optional advisory notice approach means that Border Force is unlikely to further review the compliance of these devices. It also validates the false understanding of the legality of the devices. Because the advisory notices are optional, many noncompliant devices are imported without any review or assessment against the legal requirements.

CHAIR: With regard to the ongoing innovation of these devices, can you talk to the committee about your experience with some of those improvements that the devices are having from a safety perspective?

Mr Kaden: Did you have any specific examples of the innovations?

CHAIR: Around the use of helmets, the pedestrian interface and what have you.

Mr Kaden: We certainly think technology and innovation are parts of the puzzle. I think it will be important for the committee to examine any emerging trends, both here and overseas, and how that might assist in making these devices as safe as possible. Obviously importation is part of it, and the application of standards is an important consideration into the future for what is emerging technology.

In relation to the application of particular technology to devices, we think at this point in time that is much easier for the shared devices that are operated by local governments. We right now know that those devices are speed limited, so speed is not an issue with those devices, by and large. We see speed being much more of an issue with private devices. Additionally, things like lockout zones, time restrictions and other things are currently deployed to shared devices. That illustrates the ability to control those devices to a larger extent at this point in time with the framework that we have.

Into the future, in relation to private devices, we think there are opportunities to look at the application of any technological standards that would be required on importation. That would be, once again, part of that importation question for the Commonwealth.

Mr MELLISH: On import restrictions, I note that your written briefing says that the minister has previously advocated to the Commonwealth government about importation reform. Is this an item that the minister is looking to bring in a submission to the Infrastructure and Transport Ministers' Meeting that is coming up in August?

Ms Downing: At officer level we have raised it with our jurisdictional counterparts in the Commonwealth and we have put it on that agenda through Austroads. We are seeking advice through the Infrastructure and Transport Ministers' Meeting secretariat about whether we can raise it as an item for discussion, so I cannot say that it will or will not be at this point.

Mr KEMPTON: It is a vexing problem the world over. I think in Barcelona they chase them around with water pistols and banning has not worked. To what extent have you looked at other world standards? We are obviously leading the run here, but, in terms of what is happening in the world, are you confident we are at the front of the race?

Ms Downing: I will ask Nick Mackay to answer that. He is our road rules manager and knows the detail.

Mr Mackay: We regularly look at international approaches. On the e-bike front there are international standards. As Geoff mentioned in his opening statement, EN15194 has been the e-bike standard for a long time and is what is called up in our regulations. There are not the same for e-scooters, so that is a real gap in the international space in terms of standards, in terms of what governs a safe e-scooter—what sorts of performance capabilities it can have, what sorts of wheel sizes and suspension and that sort of thing.

In terms of the rules themselves, we look regularly at those and try to learn as much as we can from those. There is not consistency necessarily for everything but certainly for things like speed limits, helmet use and where helmets are required—Australia is somewhat unique in that we require mandatory helmets for bicycles so of course we have applied that to e-scooters—we regularly look internationally as well as domestically and try to align with the bits that are best practice.

Mr KING: I would also like to thank the department. That was a pretty comprehensive briefing paper you provided us with, as well as the verbal briefing. A lot of my questions have been centred around what other jurisdictions are doing. You mentioned in one of the answers about lockout zones or geofencing. I understand that the feds control the importation of these things, but I know that drones can be geofenced. Not just any drone can go into certain areas and they are restricted. We are looking to make recommendations from this process. Are there any things we could recommend? Are these things technical enough to be geofenced? Obviously the hire ones are. Is it possible to ensure that, upon importation, they can only do certain things?

Mr Mackay: I think there are two very different abilities to control the devices. As we mentioned earlier, for shared devices there is a very strong degree of control, principally through local governments and the agreements they have with providers. They do a lot of work in terms of determining which areas are safe for operation, which areas might need slower speed zones and

which areas might be no parking zones. In relation to private devices, it is technically much more difficult. I am not familiar with the aviation example that you provided, but my understanding is that something like that with private e-scooters would require quite a lot of back-end data and infrastructure to actually determine where those safe areas are. I am not aware that that is something that is on the cards at the moment.

Mr KING: I did not know if other jurisdictions are working on anything in terms of that. The other issue is fire safety. I notice in your briefing paper that you said that there is a multijurisdictional party looking at fire safety. Do you keep any record of incidents? We hear on social media and anecdotally about how terrible lithium ion battery fires are. I am wondering if there is any data on the number caused by these devices and what we are doing to capture that and work on that?

Ms Downing: TMR does not have that data to hand. We would need to source data on battery fires from the Fire Department. We have engaged with them and it is a conversation we have started, but we do not have that data.

Mr JAMES: I am from Cairns and was formerly on the Cairns Regional Council. We banned them originally, but they got around it by putting Lime scooters and others on private property. It really defeated the purpose. Queensland should be the leader and not a follower and try to come up with the technology and be at the forefront of this. One that comes to mind is adaptive cruise control that they are bringing in with cars now. All cars have to have it. If you had something like that then on shared footpaths, for example, if a pedestrian popped out it would actually put the brakes on. The other issue is that you do not hear these things coming so people are getting run over. Is there anything like that in the wings? With drone technology these days drones stop when they are going forward and in reverse to stop them hitting trees, for example.

Mr Mackay: It is one of the challenges between the shared and private devices. You might be familiar that in Cairns Ario are operating or planning to operate there. They are a technology provider that offers some of those things in relation to shared providers. I know the industry is looking into that more. That uses cameras to detect what sort of infrastructure they are operating on and can determine the speed limit of that infrastructure and it is set exactly as you describe. It is a form of adaptive cruise control.

As I mentioned earlier, the absence of a standard for private devices makes that very challenging. Private devices are not required to have a front-facing cameras or that sort of technology. It would be very difficult for Queensland to impose that unilaterally because the devices are not developed and made for our market. They are developed and made for an international market. I think that space around eventually having a standard that governs what sort of technology is safe and what those devices need to be capable of would ultimately be the solution in that space.

Ms BUSH: I would hate to see us demonise these devices. I think they play an important role in emissions reduction and getting people healthy and active and moving around and potentially reducing car parking spaces and all of those good things. They are certainly giving people the irritants. From your perspective as the technical experts, where would you like to see us focus? Are there a couple of areas that we could really dig down into as a committee in this timeframe that would make a material difference to you and your work? You alluded to some things, but this is an open opportunity for you to help us focus.

Mr Kaden: The terms of reference that have been drafted for this inquiry are suitably broad that they have some specific callouts. The things that we are quite interested in examining and contributing to the examination of are the regulatory framework, which the briefing overviews in large part. We are interested in enhancements to that. We do hold ourselves up as a bit of a nation leader, but we are certainly open to ways to improve the regulatory framework and make it better. The other areas within the terms of reference which we think are particularly important are the enforcement challenges for the Queensland Police Service. As Geoff said in his opening, they do a fantastic job, with discrete resources, of regulating and enforcing our e-mobility regulatory framework.

Obviously, you are very keen to hear about technological advancements and how we can utilise those into the future. I certainly think that is another area. The big one is education and communication. We have done a lot of that over recent years, but certainly we can do more. As illegal e-bike use has emerged over probably the last six to 12 months, we have tried to initiate a number of areas where we can go and specifically give people information around what the rules are and how to use these devices safely, so we have been approaching schools. The Queensland Police Service is also quite central in that because people like to hear that from a police officer. The terms of reference set out broadly all of the areas that we think we can examine as part of this inquiry.

Ms BUSH: Was the department involved in the development of the terms of reference?

Mr Kaden: Yes, we were.

CHAIR: It was going through my head as you were responding to the deputy chair's question about the three years of education, enforcement and engineering that apply to this as well as many other road safety issues. For the committees reference, I note in the written briefing that there are links to the brochures and other things that have been developed by the department. They actually have some hard copies here for us. I do not think we need to table those, but is the committee happy to receive those so we can promote those? There being no objection, we will receive those during the course of the briefing.

In terms of the issue of the illegality of these devices—and the written briefing clearly says that those high-power units are considered motorcycles or what have you; and I had not thought about this until today—maybe if we do not make them illegal but treat them as motorcycles then people would have to be licensed and registered for those devices, and that would separate them from the low-power and shared devices. Do you have any thoughts around that?

Ms Downing: I might start and then hand over to Daniel. We have had great conversations and debate internally and with our colleagues in other jurisdictions about this. One of the greatest challenges with legalising these illegal devices is that they do not currently meet Australian vehicle standards and so they are not managed under the Australian Design Rules. To shift that, we would need support at a Commonwealth level. That leads directly into registration. When we register a vehicle or a boat, they have a vehicle identification or a hull identification number that these devices do not have. That is probably the high-level answer. I am not sure, Daniel, if you wanted to add to that.

Mr Kaden: I think you also asked about licensing. With regard to licensing, we do not consider that an appropriate path at this point in time. As I touched on earlier, we have certainly taken an education and communication approach to these devices. You do not need a licence to ride a bike, an e-bike or a PMD right now. Our view is that educating the community and making them aware of the rules is the best first step in ensuring that people are using the devices safely.

CHAIR: Just for your clarification, what I was talking about was that licensing would then apply to those high-power ones. We would be excluding them from this issue.

Mr MELLISH: Thanks for providing the written briefing. There is a really good description of the different jurisdictional rules and regulations. Is standardisation something that the department is pursuing?

Ms Downing: We are absolutely looking at how we harmonise across the country. New South Wales has just had a similar inquiry and a lot of their recommendations are to follow what we have. Other jurisdictions have slightly different road rules, and that does create some issues, but they are not unforeseen. We do have different road rules at different times across the country, but it is a continuing conversation.

Mr KEMPTON: The bigger enforcement from just minor regulation to serious offences, have you considered whether that is going to overload the police to deal with that or is it something that the local authorities could pick up with officers? What do you see as the best fit to control all this?

Ms Downing: We are absolutely looking at that challenge. As we know, police do have capacity issues and other high-risk needs that they need to focus on. We are looking internally at other alternatives to complement that. I do not think it would be this or that; I think it would be a mixture. Then it would be what legal framework that could be applied in—for example, how we might utilise our light vehicle transport inspectors and people like that. We do not have an outcome around that because that also creates capacity issues for the light vehicle space. I think that enforcement is an ongoing challenge. To get the right mix it is going to have to be a mix.

Mr KEMPTON: Is that an ongoing process you are working through?

Ms Downing: It is an ongoing conversation we are having across agencies.

Mr KING: I have a follow-up question about what was asked earlier, and that is around the big stick approach. I think it was the member for Mulgrave who asked about seizing these things on a first offence. We are just looking for answers and ways to do things that we can recommend. If these things are illegal and should not be used as they are causing a risk—I am not really seeking your opinion—surely the seizure of these things or an education process saying that that these things will be seized because they are illegal and dangerous could be the way to go. I am after some feedback on that and not your personal opinion on it.

Ms Downing: Absolutely, I think it is a combination from the police or the enforcement perspective of education as well as enforcement action. I think it is probably quite specific to the circumstance of the rider and the situation. From a regulatory framework perspective, we need to build the levers in there so that we can make available to enforcement officers options for them to apply in the circumstances.

Mr JAMES: Just following up on those conversations and thinking about how Cairns works, it would be ideal if the local bylaws inspectors could enforce this in the council area because they are Johnny on the spot rather than having to phone the police or inspectors to get down there because the horse would have bolted. If council could look after their own public spaces and the police look after the roads, it would speed up the process.

Ms Downing: We will absolutely take that on board. There are some challenges around the road and the roadside environment, but I think that there is the opportunity to investigate that. I think Nick wanted to add something.

Mr Mackay: Thanks, Nicole. I wanted to add that there are existing local powers for local governments to do much of what you are describing. Yes, there are some limitations and certainly police are more appropriate to undertake enforcement of a broad sort of criminal nature, but local governments can create local laws or bylaws in relation to the use of vehicles on footpaths and their officers could enforce them. That is essentially the powers that they use to regulate the shared schemes currently. To some extent, the levers exist if local governments are interested in that.

Ms BUSH: As a committee, we potentially might be looking at visiting some locations where different schemes are operating or different city councils that have different regulations. From your experience, are there particular locations in Queensland or throughout the country that we should be looking at closely to look at what we could do or what we should not be doing?

Ms Downing: I think the hotspots of concern around Queensland are a good place to start—the Gold Coast, Sunshine Coast and to a lesser degree, but still existing, all the coastline cities and towns, and the CBD in Brisbane. Walk down the boardwalk on the Gold Coast and you will see a whole range of varying behaviour. In other jurisdictions they are reporting similar challenges in similar type environments.

Ms BUSH: So that is coastlines, tourist spots and CBDs?

Ms Downing: Busy social spots, yes.

Ms BUSH: You mentioned that New South Wales was doing an inquiry as well. Are there any contemporary learnings that we could be looking at from other jurisdictions?

Ms Downing: As we have said, we have really led the way in the regulatory and education framework. The New South Wales inquiry recommendations are looking at how they implement what we are doing.

CHAIR: Are there any statistics available around complaints in the hotspots that the deputy chair was talking about? Are they captured?

Ms Downing: I do not have the data with me. We can take that on notice. We definitely have some data coming out of Queensland Health and the Jamieson Trauma Institute on hospital presentations. We obviously have our crash data that really focuses on fatalities. We know that we lost eight PMD riders last year and eight cyclists. Within those eight bike riders, to my knowledge there were no e-bike riders. We can definitely get more data.

CHAIR: That is great. There is no timeframe on that. If you could get that to us in the next couple of weeks, that would be great. My question relates to 12- to 16-year-olds. From reading the submissions, shared devices are pretty well managed except for some geo fencing where they can be dropped off and not cluttering places. That is the problem they had in Cairns. I am worried about the families who have innocently bought these devices for their kids. We need to understand the impact of that on those families. Can you give us thoughts around that? Obviously there is the age issue for those 12 to 16. There is the supervision of those kids. Then there is also the power of those vehicles. Is there some ability to say, 'If you're 16 and under you actually have to use the low-power machines'? Can you share with us your technical advice regarding those issues?

Ms Downing: Those age limits of 12 to 15 and then 16 plus unsupervised relate to PMDs or e- scooters. There is no age limit for bikes or e-bikes. That currently presents a challenge with those high-power e-bikes, but they are illegal so technically they should not be owning them anyway. I think there is a lot of misunderstanding or a lack of knowledge of the road rules in the community, particularly around the 12- to 15-year-olds. We have seen on the news some of the horrific crashes

involving really young people who have sustained brain injuries. I definitely think there is some opportunity in that space around age for those types of devices. I think we would caution around bicycles—not the electric bicycles—as that is long standing.

CHAIR: It is the first time it has been raised. We have not had the issue.

Mr KING: I mentioned earlier charging these things and the fires. This goes to importation again. I understand that it is a different jurisdiction that looks after that. Have you been working with the Electrical Safety Office on this? They may come in with substandard chargers or charging systems and some of them may need an adapter to plug into our power points. Has there been any work done in that space? Have you probed into that further with anyone to somehow fix that problem?

Ms Downing: I will ask Nick to respond to that. He has been working in that space.

Mr Mackay: Yes, TMR is represented on a lithium ion battery safety working group that sits across all involved Queensland government agencies. The lead in this space in Queensland is the Electrical Safety Office that sits within the Office of Fair Trading. The Queensland Fire Department is critical in terms of understanding the data and the response. The Electrical Safety Office is also represented on a number of national groups. There is a lot of work happening nationally in this space. TMR is probably not the best to respond specifically to the issues of electrical safety though because it sits within the jurisdiction of those other agencies.

Mr KING: I will talk to the chair later about reaching out to the Electrical Safety Office and see where they are going with that.

CHAIR: That sounds like a good plan.

Mr KEMPTON: We talked before about penalties, parents being involved and so on. I guess that in itself is another balance. What about confiscation? What is your experience in the logistics of confiscating these bikes and how effective is that as a deterrent or as a penalty?

Ms Downing: The police are probably best placed to talk about the logistics. Our understanding is that confiscation or impoundment comes with a whole lot of logistical challenges for them in terms of where they store them and how long for. We can add the battery conversation into that as well. It is a challenge; it is not straightforward. To my knowledge, there have been not many e-bikes confiscated. There are more warnings at this point in time. They are taking the educative approach. Have I missed anything, Nick?

Mr Mackay: There are probably two existing police powers that are relevant. Police have the ability to seize anything, but, in this case, a device if they think it is going to be part of the commission of further offending. At some point, they have to give the device back. The second thing we covered in our submission is that the issue of an illegal device is already captured in our impoundment framework, which is sometimes referred to as our hooning framework. Two offences within a five-year period would result in the device being impounded. There are existing mechanisms that the police can use.

CHAIR: Nick, I am pleased that you raise the issue of the hooning laws. Maybe there should be a harmonisation of some of that to some of these illegal devices as well.

Ms BUSH: I am interested to know whether the department is exploring any kind of behavioural economics or any nudge theory elements generally or specifically to this?

Ms Downing: Absolutely, we are. We have a road safety research team. We also have a road safety behavioural change team. Through the guise of StreetSmarts is our public education. We have a number of projects underway specifically looking at behavioural economics and nudge theory. Not relevant to this inquiry, but as an example we are currently trialling cameras on the network to pick up tailgating. Then instead of an enforcement solution we are letting drivers know that they are too close and to back off. That is a form of nudge theory in action that we are trying at the moment.

Ms BUSH: Great. When will you have more information or results from that? I think it is great that the department is doing that.

Ms Downing: The exact timeframe I cannot remember, but by the end of the year, I would expect.

CHAIR: With regard to the brochures that you have shared with us, are they available or can we get in touch with the department and get these for our electorate offices?

Ms Downing: Yes, absolutely.

CHAIR: If you could share that with us we might be able to share that with our 90-odd other colleagues.

Mr Kaden: There is an ability to request those from the department, but I would also just like to mention that we have proactively shared quite a bit of information with electorate offices, particularly around the start of this year when illegal e-bikes came to the forefront as an issue. Please reach out and we are able to provide as many of those as you would like. We are very keen on getting them distributed because they are a very simple snapshot of what the rules are, but also some of the implications if you do not follow those rules. They are a really good education piece.

CHAIR: I was just thinking about the traffic safety advisory committees across the state—the intersection of Transport and Main Roads, councils, police and Education—and some of the great things done there. You would obviously rely on them for information around some of these concerns in their communities, but is there a higher level where your department, local government and the police get together to talk about those things and the harmonisation of enforcement and engineering?

Ms Downing: There are multiple levels of that happening. At the highest level we have our Queensland road safety board, which our deputy is chair of. That has police on it. We reach out and work with local government within those working groups. We have the PMD reference group which has all of those players that we talked about on. Then there is the regional space. There are multiple opportunities that are currently activated. Did you need to add anything to that, Nick?

Mr Mackay: We have an incredibly engaged stakeholder group in Queensland. It was no surprise to hear how many submissions you have had, and I am sure you will have more in the coming week. Local governments, in particular, are represented wherever there is a shared scheme. To your question earlier, Deputy Chair, in our submission we listed all of the local governments that are a member of our e-mobility safety working group. Every one of those local government areas has a shared scheme deployed and is an active participant in this space because they are a regulator themselves.

CHAIR: Again, the sense from the submissions is that the shared schemes are actually quite well managed now. With regard to the personally owned devices, have you got any other advice for the committee? It follows on from the deputy chair's question regarding any thoughts that you have had that we have not shared yet? Obviously there will be other things unpacked during the committee inquiry. Is there any burning issue that you would like to share with the committee in the last few minutes?

Ms Downing: You are absolutely right; I think the area of private device owners is the big challenge to face. We have all of our communication channels, but if they are not engaged and not interested, it is very hard to get to them. Sometimes we dive down the rabbit hole of reading social media comments so we can see a lot of the misinformation out there. I think that fixing that misinformation is probably a good start. I am not sure if you have anything to add, Daniel or Nick? I think education and getting access to them so that we can teach this is important.

CHAIR: I should have said was there anything you wanted to say before coming here today that you have not said? On a serious note, we give our thoughts to all those families who have lost loved ones through some of the tragedies that have occurred. We are very fortunate here in the people's house today to have some young students come in to see the workings of parliament. So hello to you all up there.

The time for this session has now concluded. Thank you, Transport and Main Roads, Deputy Director General and your team, for your presentation today. We do have a couple of questions on notice regarding statistics and the change in date of the media release and who made that change. That concludes our proceedings. Thank you to everyone who has participated today. 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. I declare this public briefing closed. Thank you all.

The committee adjourned at 11.00 am.