



STATE DEVELOPMENT, INFRASTRUCTURE AND WORKS COMMITTEE

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

TRANSCRIPT OF PROCEEDINGS

Monday, 25 August 2025

Brisbane

MONDAY, 25 AUGUST 2025

The committee met at 9.00 am.

CHAIR: Good morning. I declare open this 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; and Mr Bart Mellish, 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 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 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.

These 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 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.

BOSLEY, Inspector Gareth, Queensland Police Service

GUILD, Acting Assistant Commissioner Adam, Queensland Police Service

HARSLEY, Deputy Commissioner Cameron APM, Queensland Police Service

CHAIR: Deputy Commissioner, I invite you to make a short opening statement before the committee has questions for you.

Deputy Commissioner Harsley: Good morning. Thank you for allowing us to attend today. I am Deputy Commissioner Cameron Harsley of the Queensland Police Service Regional Services, which includes the Road Policing and Regional Support Command. I am joined by Acting Assistant Commissioner Adam Guild and Inspector Gareth Bosley of the Road Policing Group, who may be able to assist the committee in today's proceedings. I would like to respectfully acknowledge the traditional owners and custodians of the land on which we meet today and pay respects to elders past, present and emerging.

Thank you for inviting us today and for the opportunity to contribute to this discussion about the safe use of e-mobility devices in Queensland. As you are aware, the rapid uptake of electric devices such as personal mobility devices, also known as e-scooters, and electrically power assisted cycles, also known as e-bikes—which I will refer to as e-mobility devices—has brought both benefits and challenges to our community. The value these devices offer—such as sustainable transport and accessibility—is recognised, but from a policing perspective there are also concerns about the growing number of incidents involving unsafe or unlawful use, particularly in high-pedestrian areas and on public roads.

Our officers are increasingly responding to reports of dangerous riding behaviour, crashes with pedestrians and the use of noncompliant or illegally modified devices. These incidents not only pose a risk to public safety but also place additional pressures on frontline policing resources. These devices can be a fun, sustainable and low-cost transport option, but it is the responsibility of all riders to be aware of the rules and regulations for their use and abide by the road safety laws. This includes: wearing a helmet; not exceeding the speed limit in relevant areas—which is 12 kilometres an hour on footpaths and shared footpaths and 25 kilometres an hour on all other bike paths and roads; riding only permitted, which generally includes footpaths, shared paths and local roads, where there are

speed limits of 50 kilometres an hour or less; giving way to pedestrians and maintaining a safe distance at all times; not riding under the influence of alcohol or drugs, which is an offence which carries a maximum penalty of 40 penalty units or nine months imprisonment; not drinking alcohol whilst riding; using only approved devices, noting there are many high-powered or modified devices in the community which are illegal on public roads and footpaths; not using a mobile phone while riding; riding with more than one person on the device, or as we call it doubling; and being at least 16 years old to lawfully use these devices or 12 years of age with parental supervision.

It is also essential that parents and guardians understand these rules and regulations and take active roles in ensuring their children use them safely and legally. Many riders are under-age or unaware of the risk of improper use. Parents play a critical role in educating their children about these obligations, supervising their use and modelling safe behaviour. By staying informed and engaged, families can help prevent crashes, reduce community complaints and support a safer environment for all road and path users.

Sadly, our front line is regularly confronted with e-mobility riders and others suffering trauma as a result of a traffic crash, which frequently involves speeding and dangerous behaviour. Safe riding is essential not only for the wellbeing of the rider but also for the safety of everyone sharing public spaces. A crash using an e-mobility device at high speed can be fatal. Riders must remain alert, follow road rules and make safe decisions to avoid crashes and injuries.

The Queensland Police Service is committed to ensuring that all road users can move safely and responsibly through our communities, whether on foot, in vehicles or using e-mobility devices. Our officers work daily to uphold the road rules, educate the public and intervene when unsafe or unlawful behaviour is observed. We conduct targeted operations in high-traffic and high-pedestrian areas to monitor the use of e-mobility devices, particularly where there is a history of crashes or complaints. These operations focus on speed compliance, helmet use, device legality and rider behaviour. Officers also engage with riders directly to provide education on safe riding practices and legal requirements.

Additionally, we collaborate with local councils, transport authorities and community groups to address emerging safety concerns and support public awareness campaigns. Our presence in schools and youth programs helps reinforce safe riding habits amongst younger users, who are often among the most frequent riders of these devices. We also maintain a strong enforcement action where necessary. This includes issuing infringement notices, impounding noncompliant devices and investigating serious incidents involving injury or reckless conduct. Our goal is not to deter unsafe behaviour but to foster a culture of shared responsibility on Queensland roads and pathways.

From November 2022 to 30 June this year, the Queensland Police Service issued 10,928 infringement notices to e-mobility users. The most common infringement notice issued to these persons is not wearing a helmet, accounting for over half the infringement notices—at 6,468. The second most common is riding on a prohibited road, accounting for just over a fifth of all infringement notices issued to date—at 2,179.

However, rider behaviour is not the only challenge. One of the growing concerns about e-mobility devices is the number of illegal or noncompliant devices being used within the community. A noncompliant e-mobility device is one that fails to meet the legal standards for safe and lawful use on public roads, footpaths or shared pathways. These standards include limits on speed, power output and design features. For example, to be able to legally use an e-bike on the road, the device must have an electric motor capable of generating no more than 200 watts of power in total and the motor is pedal assisted only, or the motor is capable of generating up to 250 watts of power but the motor cuts out at 25 kilometres an hour and the pedals must be used to keep the motor operating.

Many noncompliant e-bikes may come under the legal definition of a motorbike, meaning they must be registered and insured and require a special licence to use on public roads. However, these devices can be difficult for police to identify as they do not resemble traditional motorbikes. Enforcement is further complicated by the lack of distinguishing features—such as registration plates or serial markings on e-mobility devices—making it difficult for officers to determine whether a device meets legal standards. Compounding this issue is the fact that riders often cannot be easily identified, particularly when they are not carrying identification and wearing non-distinctive clothing or evade police.

The Queensland Police Service remains committed to doing everything we can to uphold community safety in the face of emerging community concerns about e-mobility devices. However, the complexity and rapid growth of this space present challenges that cannot be addressed by enforcement alone. We welcome a collaborative approach which brings together government

agencies, local council, industry and the public to develop a way which promotes the safe and responsible use of these devices. Thank you in advance for giving us the opportunity to present to the committee on the inquiry into e-mobility devices. I welcome any questions.

CHAIR: Thank you. We will go to the first question.

Mr MELLISH: We had a couple of submitters about the hire scheme—and I am getting into a very specific question straightaway—where stakeholders said they are having a lot of issues with helmet use, and you identified that as the No. 1 enforcement issue. Can you see any merit in a scheme where the hire schemes themselves are playing a much more active role in policing helmet use? It has been suggested by I think RACQ that CCTV cameras should track who is not using a helmet and sort it out from their end, rather than leaving it to the police to have to expend your resources to chase them.

Deputy Commissioner Harsley: I think the use of a helmet is a given on these devices. It is actually a legal requirement and it is where we are seeing police do the majority of the enforcement action—that is, not wearing a helmet. If the device is to be hired or used, it is probably a responsibility that a helmet is available for the user to wear prior to hiring the device, otherwise it is going to be unlawful action on the device.

Mr MELLISH: You mentioned in your opening some of the different statistics around enforcement. Do you have any statistics or anecdotal evidence showing a difference between private use and the hire schemes in terms of seeing different types of offences? It is unfortunate we could not get the Brisbane City Council before the committee. I understand they were not keen to appear. If you have any data in that regard, that would be useful.

Deputy Commissioner Harsley: Prior to attending today, there were a number of datasets that I asked for the police to provide to the committee. One of them is the number of infringements by district and offender age, and that is one set of data. Obviously, the data changes from time to time so there are some caveats on it, but I am happy to provide that data if it assists the committee.

CHAIR: That would be helpful. Leave is granted to table that.

Deputy Commissioner Harsley: Another set of data is the top 10 infringement notices for different offences from the 2022 to 2025 years. You can actually see the growth in enforcement action over that period. I am happy for the committee to have that.

CHAIR: Is leave granted to table that? Leave is granted. Thank you.

Deputy Commissioner Harsley: The third set of data which I asked to be prepared was the number of infringements by age and sex across the regions of Queensland police. You can do a comparison by gender and age group of infringement actions across the state which may assist the committee.

CHAIR: Is leave granted to table that? Leave is granted.

Mr KEMPTON: Thank you for that. That submission went way above policing. It was very global and very useful, so I commend you for that. A number of police officers I have spoken to said that as soon as they touch the siren they have a risk, if that person injures themselves, a juvenile or somebody else, that there is going to be an inquiry so it may act as a caution for them not to proceed. I do not know whether that is a myth or not. Should fully trained officers be entitled to exercise discretion in public safety without the risk of retribution?

Deputy Commissioner Harsley: We have a pursuit policy that governs when police can conduct the pursuit. Obviously, if we start a pursuit or engage with somebody it is contained; it is within police operations. If somebody is injured or there is a fatality, the coroner has the option to look at the actions of police in the lead-up to that fatality. Often the interception of these devices in particular is very difficult because they are in high-use public places where sometimes the interception of these vehicles would create a greater risk to road users. If it is a busy crowded walkway like Queen Street and police try to take an action and somebody tries to evade them, it could put more of the community in danger so we refrain from taking that action.

Mr KEMPTON: The observation is also that some offenders are well aware of this being the case in highly public places.

Deputy Commissioner Harsley: Yes, I would say that an offender who has been through the process of dealing with police several times would be well aware of when they may need to take an action that assists them rather than assisting the police or the public. That is the best way of putting it.

Mr KING: Thank you for coming in. You partially answered my question. I want to talk about people who are offending but not doing criminal acts. We held a public hearing on the Gold Coast and it appears that at one of the schools a lot of the children ride bikes that are illegal to operate—bikes without pedals; basically a motorbike, as you mentioned earlier. The principal said that a lot of these kids probably would not go to school if they did not have these—that is their transport—but they are illegal to use. You mentioned that individual bikes are very hard to identify because they have no compliance plate or registration. If they were registered, the Department of Transport and Main Roads would have to somehow identify them, they would have to be proven safe and there would be a licensing scheme. Would that make it a lot easier because you would actually just be chasing offenders and criminals, not people who are using them for a genuine purpose?

Deputy Commissioner Harsley: There is a real issue with where the identification of devices falls. I will ask Inspector Bosley to give you a picture of that because he sees it on the road every day.

Insp. Bosley: The issue we have is with both the for-hire devices and the private devices. With for-hire, whilst a user signs for the device, the level of data that is captured at the back end by the operator is often insufficient to allow us to identify a rider where there is, for example, a fail-to-stop crash. The issue we see with the private-use devices, particularly the ones you refer to which are, for all intents and purposes, an unlawful motorcycle—they are an electric motorcycle; they are vehicles that can travel up to 100 kilometres per hour—is that, as you astutely note, they lack any form of identification on the device and often the riders, in the clothing they wear at the time, are unable to be identified. The issue with the proposal is that these devices are the same as a motorcycle, and a 14-year-old would not be able to ride a motorcycle on a road. With some of these devices you can buy a registerable version and a non-registerable version. It is the same device, but one meets the requisite standards for registration while the other does not.

Mr KING: When it comes to the theft of these devices—parents are buying these things and they are quite expensive, several thousand dollars—there is no way to identify them. They all look the same unless they are modified to suit personal taste. Thank you. That is really informative. I appreciate it.

Mr JAMES: Inspector, do you think these illegal devices should be banned altogether?

Insp. Bosley: That is a legislative question which is subject to the minister's purview.

Ms BUSH: Good morning, Cameron, Adam and Gareth. Thank you for coming in. I will also focus on the shared scooter scheme. Obviously, Brisbane City Council are the host. They enter into contractual agreements with Lime and the various scooter companies. What involvement do you have with council in establishing what those contractual arrangements could look like, including the enforcement of helmets and speed limits? What does that relationship between you and council look like at the contracting end?

Deputy Commissioner Harsley: Previously I was the assistant commissioner for the Brisbane region. There was an issue, particularly in the safe night precinct area, with the use of them as a means of transport for people leaving licensed premises, but at that point in time the contractual arrangement with the council had already taken place. My involvement in what the contractual arrangement would be—obviously, we have to police them in a council area but, to my knowledge, there was not a lot of consultation about their use.

Ms BUSH: To put a fine point on it, when council put out tenders there was no consultation with QPS about what should be involved in that tender arrangement. In respect of the ongoing tenders they are contracting for now with new providers, there has been no consultation about what should be informing those contracts, given the bargaining power they have to force good behaviour?

Deputy Commissioner Harsley: Not that I am aware of, no.

CHAIR: I am particularly interested in the making of regulations or rules that people can comply with. It is pretty clear that you have to use a helmet, but there is a complication for police around these devices—e-motorbikes, to use your term, Inspector Bosley—being used on a footpath versus on a road. If somebody is on the road on that device, all bets are off—you can do whatever you need to—but I understand there is a gap in the regulations around using a footpath. Can you explain the difference to the committee and any solutions you may have?

Insp. Bosley: Essentially, compliant e-mobility devices can travel on the footpath up to 25 kilometres per hour. As these devices are noncompliant motorcycles, it reverts to the normal rules pertaining to a motorcycle. They are unlawful to use, but they should be on the road only. The issue we find, though, is in quantifying the device's compliance. As we heard, with e-cycles, the limit on a 250-watt motor is rated on a continuous output. Some devices will have higher instantaneous output

but their continuous output is 250 watts. They may have a 400-watt motor, but their continuous output is 250 watts—peak versus continuous. The issue we have is being able to test and identify the actual specification and compliance of these devices. In addition, often it is reliant upon officers looking at identifying marks on the device; however, in many instances these devices are software controlled. A device can be compliant if it retains factory default settings; however, those settings can easily be changed so the e-mobility device becomes noncompliant. Trying to establish what state that vehicle was used in at the time of detection becomes problematic.

CHAIR: Whilst they are quite simple to change, can they be simply changed back?

Insp. Bosley: Some devices have setting buttons, so you can have a lawful setting and an off-road setting and at the press of a button it automatically reverts, through software, throttling of the device.

CHAIR: Regardless of the outcomes of the committee, I am mindful of unintended consequences. Can you talk to the committee about your thoughts around a transitional arrangements? Would there be a period of time required to get illegal devices if used on a road made legal versus legal devices, to be able to change them back?

Insp. Bosley: In terms of the time period, that is really a policy and legislative question. I can say, however, that one of the issues we have around specifications is that we tend to be—and historically have been—device-specific. If we think about it in a different realm, such as using a mobile phone when driving a vehicle, we have a lot of other electronic devices in the vehicle which provide the same level of distraction that are not captured because we are very device-specific.

One of the potential avenues is looking at our specifications being device agnostic, so it looks at the capability of the device rather than what the device has to look like. We saw this in the early days when e-mobility devices came on the market. We had a range of two-wheel devices, single-wheel devices and three-wheel devices. The rules around the definition of PMDs are quite effective now. We have quite a tight definition around what a PMD is. However, when it comes to the e-cycle space—as I was saying, things like the level of power that the motor puts out and what we can test and prove from an evidential perspective—it is more problematic.

Mr KING: Recently we went to Townsville and looked at a new type of hire device with a lot of electronics and built-in safety features. They had dual front wheels so they were more stable, and if you were not wearing the helmet the vehicle would stop or slow down. That could be set by the operator. I thought that was an amazing initiative that is so simple, because people just choose not to wear the helmet. I know that with some in the hire scheme you have to unclic the helmet, but that does not mean you have to wear it. With this one, if the helmet is not sensed on the head the vehicle will slow down. What are your thoughts on whether that would be beneficial? I wish we could do that in the private world as well.

Deputy Commissioner Harsley: I think the way technology is going with these devices, the future is in making the technologies as safe as you can. If the technology has safety features in-built, it therefore alters the behaviour and increased the safety in the use of the e-mobility device. As we look at the future, the design and the use of it is really the first line of defence for the safety of the community.

Mr KING: It is more technical, I suppose, but if we were recommending something about the importation that could be part of it. Thank you.

Mr KEMPTON: Taking the last discussion with the chair to the next logical step: if you can purchase a machine and at the press of a button make it legal or illegal, surely we need to go back to the point of purchase so that those machines are not available and that modifying them—messing with the whole device—would be a criminal act in itself. Unless we address it at the point of sale, it seems your job will be impossible.

Insp. Bosley: The issue we have is that, ironically, there is an Australian Standard that the safety helmet must be worn but there is no Australian Standard or standardisation in relation to the device for compliance. Under the current framework, there is no way to mandate that requirement.

Mr KEMPTON: Our job again.

Mr MELLISH: Inspector Bosley, at our Gold Coast hearing we heard from some of the sellers of e-bikes, rather than e-scooters. The sellers' website will list the \$5,000 or \$6,000 vehicle and they will sell you with the vehicle a \$20 to \$30 twist grip, trigger or button to basically increase the power of the device by eight or nine times above the legal limit. Is that something that should be tightened up, in your view? Would it make it easier to police going forward?

Insp. Bosley: Again, that is a matter for legislators. What I would say is that obviously this is about managing risk and that these devices, unlike a compliance motor vehicle which is designed to travel at higher speeds with suspension, braking, dynamics of the chassis, these are smaller, lighter devices which have an inherently greater level of risk associated with them and that obviously as speed of the device increases the risk increases exponentially, not only for the user but also, given consideration to where the devices are used, which is typically in pedestrian shared areas, for pedestrians.

Mr JAMES: Generally at every hearing we hear the same issues time and time again. In relation to drink-riding in this instance, is there a difference between riding on the footpath and riding on the road pavement?

Insp. Bosley: In essence, the footpath is a road related area. The same rules apply to either the road or the adjacent footpath.

Mr JAMES: Is there a potential issue with the definition of a road? A road reserve goes from property boundary to property boundary. Does the current legislation relate to that or is it just relating to the bitumen surface itself, the carriageway?

Insp. Bosley: The notion of a road related area under legislation is broader than simply property to property line. It also includes other areas that may be used for the passage of vehicles such as car parks and the like. It is encompassing of public space.

CHAIR: I would like to follow up on that with regard to operational action by police. If they detect somebody riding on a footpath versus riding on the road, are they able to do an RBT on somebody riding on the footpath? What are the different requirements in that regard?

Insp. Bosley: Under current legislation we cannot RBT PMD users.

CHAIR: Why is that?

Insp. Bosley: It is not under legislation. We do not have the authority to under legislation. If we believe someone is grossly impaired, under the influence of liquor, then it is the case that we must arrest outright on indicia.

CHAIR: What legislative changes would be required for us to enable that?

Insp. Bosley: It would be the expansion of the definition of a vehicle.

Mr KING: My question is about the apprehension or seizure of these things. If someone is operating one of these vehicles in a council area on council paths, does council have the right to seize the device or is that the right of only the police?

Insp. Bosley: I would be unable to speak on local laws as they vary across the state.

Mr KING: I will not go into specifics, then.

CHAIR: It is a good line of questioning. You mentioned at the start about a collaborative approach. At the moment, police are the ones doing the enforcement. Would it be helpful to see enforcement being able to occur at a council level by council local law officers—or even in schools, where schools could take action for people riding illegal devices?

Deputy Commissioner Harsley: I think when it comes to road use of these devices it is like road use of any vehicle: it is a community responsibility. Everyone has a part to play because, inevitably, you are either a road user or on a road or on a footpath so there is a danger to the community as a whole. Educating young people in school about their responsibility of road use and regulations is very important. It is important, too, if these devices are being used in council areas, that we have an approach of the best thing to ensure community safety, because there is a responsibility on all of us including local councils.

Ms BUSH: I want to pick up on the member for Aspley's question to you—I note you said it was a policy matter, and that makes sense—about the fitting of devices that are able to ramp up the electric bikes to the higher speeds. Has QPS undertaken any research, or are you aware of any research, that speaks to the upper limit these products should have if they were to be used on the road or on footpaths? What is the upper limit that you feel is a safe limit and then where it starts to fall over?

Insp. Bosley: There is no research that I am aware of as to the safety in terms of vehicle dynamics. What I would say, though, is that, from operational experience and the injuries we see, certainly as you increase the speed of devices when they are manoeuvring through pedestrians—and we have to consider that in not all instances are the devices piloted by someone who is perhaps best meaning or fully concentrating at the time, along with the risk of a collision between a device and

rider that have a significant weight and a pedestrian—the faster the collision, the greater the injury. We see, certainly through our collaboration with the Jamieson Trauma Institute at RBH, through their presentation data, the level of facial and other serious injuries arising from not only riders falling from the devices at speed but also contact between riders and other pedestrians.

CHAIR: I have a question around people doing the wrong thing and evading police. Are there any statistics the police have captured around e-mobility devices that have actually evaded police when asked to stop?

Insp. Bosley: No. In many of these instances, because the device is entirely anonymous—and the rider—there is insufficient detail to record an evade offence for that to then be tallied.

CHAIR: Are there any schemes that you are aware of around the world where these devices have been identified, whether that be through a chip or some sort of marker at point of sale that can be tied back to the owner, or any systems that you could inform the committee of?

Insp. Bosley: Not that I am aware of, no.

CHAIR: The next question I have is around the stopping of these devices by police and then being able to impound them. Talk us through the impoundment process. Are there any law changes that need to happen for police to be able to stop somebody doing the wrong thing on one of these devices—or riding one when not doing the wrong thing? Then what are the consequences of the impoundment and the daily costs? Just take us through that process.

Insp. Bosley: Currently, an e-mobility device is not classified for hoon related offences. Most of our vehicle seizure and confiscation sits in hoon related offending. In terms of stopping these devices, it is reliant upon the user being willing to stop. If they fail to stop, there are often very limited identifying details to be able to follow up that offence and take action. In terms of the seizure of the device, we can seize the device where it is evidence of an offence. For example, if we commence a court action and we need to prove for the court the power of the device or its compliance, we can seize the device for testing and compliance. However, there is no strict power of seizure to prevent the continuation of the offence.

CHAIR: There is no strict power of seizure. Can police impound these devices now?

Insp. Bosley: Devices have been impounded previously, particularly with juvenile offenders, to prevent the repetition and continuation of the offence. However, one would have to look at that in comparison to, say, seizing a vehicle because someone is not wearing a seatbelt. It is the suitability of that action at that point in time under the current legal framework.

CHAIR: Obviously there is a storage issue. That is the next logical thing. Can you talk to us about any issues you are confronted with in that regard?

Insp. Bosley: Currently, where hoon related offending vehicles are seized, they are stored typically by tow providers in outdoor holding yards. PMD and e-mobility devices are typically stored at police stations. There are obviously considerations that must be taken around the safe storage of devices, particularly with lithium ion batteries. Obviously, we have a large storage room which contains a whole range of property, so there has to be consideration about how we store those safely to prevent any risk of damage to facilities or other property.

Operationally, there is an aspect we have in that, given the size of the devices, if we do seize the device then transporting it back to a police station has with it certain logistical constraints. That often imposes on the front line the requirement to call out vans et cetera, because they are too large to fit in a normal sedan. That obviously also has operational impacts, particularly when we have significant calls for service currently.

CHAIR: If they were impounded, would there be an impoundment cost charged to the owner?

Insp. Bosley: If we seize it as evidence, no, it is held in police storage.

Ms BUSH: An emerging theme I am hearing through these inquiries is that councils are actually receiving quite a sum—millions of dollars—through the share scooter schemes, but I am hearing from them this concept that it is police who are doing the enforcement. There is this abrogation of responsibility sometimes from councils. Are you aware of jurisdictions that have a greater enforcement role with councils? Are there areas where councils can actually step up and do some of those lower level ticketing arrangements? Have you explored that? Have police done any work investigating that?

Deputy Commissioner Harsley: Often local councils will employ police under a special service arrangement or otherwise request police attendance to enforce a range of council issues. It is a matter for the council to approach the police. I am aware of the issue about homelessness in Brisbane

certain parts of the state. They use police to assist them with that issue and enforcement. I am not overly aware, unless Gareth can help me, of where we are used to help councils enforce e-mobility scooters at all.

Ms BUSH: I guess that is an option where they do not have the powers to enforce and so they bring police in to use. Obviously, police have powers under the PPR. Councils can issue on-the-spot tickets and fines for illegal parking and things like that. Has that been explored, to your awareness, with councils in Queensland or elsewhere?

Assistant Commissioner Guild: Every district has a different way of enforcement across the state. As you mentioned, they can issue compliance for parking. Specifically for what we do with enforcement action, there are no joint operations that I am aware that would involve council. There is risk around intercepting these devices. That is why police are involved. A lot of the times they do fail to stop. Sometimes we may have to use the 'use of force' option to get them to stop. There are a whole range of things to consider.

CHAIR: Coming back to the definition of 'vehicle', you can buy motorbikes that are legal and able to be registered and then you have trail bikes that are not able to be registered. Is it a matter of changing the definition? Those trail bikes are an illegal vehicle if police deal with them on the road. Is it a matter of changing the definition to be modernised to broaden it to these e-motorbikes?

Insp. Bosley: No. I liken the e-motorcycles to unregistrable trail bikes. Essentially, we do not see parents purchasing 14-year-olds an off-road ICE trail bike to ride to school. However, because of the connotations around it being e-mobility, there seems to be a misunderstanding around what the regulations are and what is permissible and that many of these devices are akin to an off-road trail bike.

CHAIR: In terms of the question that the member for Kurwongbah asked earlier, we have seen schools where there are quite large numbers of these and there is some, to use your term again, Deputy Commissioner, collaboration where there an education process and enforcement process and bringing people to compliance. It is clear that there are many parents who have not been aware that they are buying something that is illegal. Can you talk to the committee about any best practice across the state where you have seen that collaborative approach work really well that could be replicated elsewhere?

Assistant Commissioner Guild: There are programs that we are involved in across our districts, working with our partners—TMR and others—in relation to education, but it is really a front-end education program through schools and, as you mentioned, some schools have very large representations of those illegal devices.

CHAIR: Thank you very much for your time here today. Unfortunately, the time has expired. If the committee has any more questions for you, we will send them to you. There are no questions taken on notice. Thank you, Deputy Commissioner, Acting Assistant Commissioner and Inspector, for your information and advice today. Enjoy the rest of your day. It was a very informative session. Thank you also to all those hardworking public servants accompanying the team today. You had them well informed.

TURNER, Mr Craig, Executive Director, Harm Prevention and Regulation, Office of Fair Trading, Department of Justice and Attorney-General

CHAIR: Good morning. I invite you to brief the committee. Then we will have some questions for you.

Mr Turner: The Office of Fair Trading is Queensland's marketplace regulator. We aim to achieve a fair and safe marketplace through the administration of more than 60 acts of parliament that set out the rights and responsibilities of consumers, businesses, incorporated entities and certain licensed occupations. These laws include specific legislation related to industries such as real estate agents, motor dealers, security providers, second-hand dealers and pawnbrokers, as well as the tattoo industry. The OFT also administers legislation governing incorporated associations, cooperatives and charities. However, relevantly, the OFT also administers the Australian Consumer Law, ACL. The ACL is a national law operating under a single-law, multiple-regulator model and is administered by the Commonwealth through the Australian Competition and Consumer Commission, ACCC, and both states and territories through their consumer protection regulator, such as the OFT in Queensland.

The ACL operates under an intergovernmental agreement signed by each of the states and territories' first ministers and premiers. The agreement includes obligations to work collaboratively to ensure approaches are generally consistent and to avoid duplication. Formal arrangements are in place between ACL regulators to manage the administration of the law. A consumer ministers network meets annually to discuss consumer policy matters and is supported by a senior officials network, along with a number of operational groups, focusing on compliance, policy and consumer education.

Amongst other things, the ACL prohibits a trader from making a false or misleading representation that a good has an approval benefit or particular use. For instance, a claim by a trader that an illegal e-bike is able to be lawfully used on a road is likely to be a breach of the ACL.

In consultation with its stakeholders, the OFT publishes regulatory priorities at the start of each financial year. I am pleased to advise that one of our seven regulatory priorities this year is looking at systemic harmful misrepresentations in the marketplace. I am also aware that, in consultation with the OFT, in June 2025 the Department of Transport and Main Roads sent letters to suppliers of e-bikes highlighting that illegal e-bikes being marketed as legal for use in public places is against the ACL. The letter warns that the OFT can investigate allegations of false and misleading representations, with penalties of up to \$50 million for corporations and \$2.5 million for individuals.

The ACL also enables the Commonwealth minister to make mandatory standards that impose requirements that are reasonably necessary to prevent or reduce risk or injury to any person. The purpose of a mandatory standard, at least under the ACL, is to make minimum safety or information features on products compulsory for their legal supply in Australia. Mandatory standards are only made where evidence indicates a risk of serious injury, illness or death associated with a product. The intergovernmental agreement provides that, before submitting a recommendation to the Commonwealth minister to make a mandatory standard, the ACCC will undertake any required research, conduct any regulatory impact analysis and due consultation, including with industry, as well as the state and territory regulators, such as the OFT. However, it should be noted that illegal and unsafe use of a device does not necessarily render the product inherently unsafe.

Various government agencies are responsible for monitoring and regulating safety of different categories of products. The ACCC will generally address the safety of consumer products that do not fit into specialist categories; for example, those relating to electrical safety. I understand that amendments to the Queensland electrical safety laws in 2024 now allow certain prescribed extra-low-voltage equipment to be captured in regulation as electrical equipment but only where it is placing or may place persons or property at electrical risk. Items that may be considered for prescription include e-bike or e-scooter batteries and battery management systems, although their prescription will be subject to any consultation.

Mr MELLISH: Thank you, Mr Turner, for the information you have provided to the committee. At our Gold Coast hearing primarily, we heard from a few of the sellers of e-bikes in particular, and a lot of them said—we have heard from other submitters as well—that there is a heavy nod and wink when they are selling these things that they are selling them for illegal road use, and they are advertising a \$5,000 vehicle with a \$40 or \$50 throttle kit that can easily make them pretty quickly into very illegal, very dangerous vehicles. Has the Office of Fair Trading investigated or spoken to any of these sellers about some of the claims? Whilst not explicitly saying they are selling an illegal product, it is very heavily implied.

Mr Turner: The OFT receives around 21,000 complaints a year. It varies—19, 20. On last year's data, we received 53 complaints relating to e-bikes—five in relation to misrepresentation, none of which related to the matters we are discussing here today. They are mostly consumer guarantee issues. From the perspective of consumers making complaints it has not really been on our radar, but we are aware of these types of issues. The issue for us relates to misrepresentation rather than the safety of the product. If a trader—a person in trade or commerce, and that is critical under the ACL—is making a representation that it is legal for use on the road and it is not legal for use on the road, there is a major issue.

In situations where an e-bike may be legal for use but is sold with a kit that would then render it illegal, the representation made at that time is critical. If they are saying you can still ride it on the road and you cannot, that is a major issue for us. Through omission or being silent on that issue, it may also be a misrepresentation. As I suggested previously, as it is now a priority for us this year we will be looking to all of those matters. Being a priority, it means that we will be approaching breaches of the legislation quite seriously with a view to enforcement action, probably in the first instance, but that would have to depend on the circumstance of the case—the type of representations that were made.

Mr MELLISH: People are not going to complain that the bike is faster than they thought it was going to be when they bought it, so I can understand that you are not getting those sorts of complaints.

Mr Turner: Yes.

Mr KEMPTON: Craig, I see the difficulty, as has been with just about every submitter, of identifying these vehicles because they change quickly, and the number of complaints and so on. It is a grey area and very difficult for you. It seems to me that the federal government allows the import of these devices that are illegal and you are charged with, under a federal government arrangement, the Australian Consumer Law, but surely if the federal government continues to allow the import the horse has bolted. Is that not where we need to start this issue?

Mr Turner: I guess that is a matter for policy. I could not really comment on that. I can, however, say that the representations that are being made are about its legality. As I understand it, some of these bikes, if they are imported into Australia, can be used legally on a private property. The issue that I think we are all looking at here is about representations that it is legal for use on a road.

Mr KEMPTON: But your job would be a lot easier if they started off as legal bikes and then the representation was about modification. As you say, it is a matter for policy.

Mr Turner: That may well be the case.

Ms BUSH: I agree with the member for Aspley's comment that, naturally, the person who is purchasing the item probably is not going to be the one making the complaint. I was curious about OFT and the powers you have under your legislation to commence those proactive inquiries and how you work out the strategic direction of the OFT. Obviously, you are hearing now that there are complaints made, and you mention that you will start looking at that, but what does that strategic focus look like from the OFT's perspective? Could QPS have been raising this with you to do proactive inquiries so you are not reliant then on households making complaints?

Mr Turner: I may have been incomplete in my assessment of our proactive program and the way we go forward. I did talk about our regulatory priorities. As part of our regulatory priorities, we also have enduring priorities. They are things that are so critical to us that they will always be a priority. One of those priorities is having an intelligence-led proactive program. We were fortunate enough to be in pretty deep conversation with the Department of Transport and Main Roads earlier this year. It would not surprise you that, based on that feedback and the advice given, systemic harmful representations in the marketplace is now one of our regulatory priorities. However, we also have the ability to do proactive work.

We will be doing some proactive programs, going around to retailers to assess this. We will be relying heavily on cooperation with DTMR and potentially the police in some of the issues that have just been raised in terms of identifying those bikes that do not meet the standard. It is not apparently clear. I can tell you that our officer-level discussions with DTMR at the moment indicate that we should be getting a list of bike types that are not lawful on the road. I understand that, in a general sense, if they are compliant with a European standard, they may be, but we will be working with DTMR to get a list of those.

We have not worked out exactly how we will go about our proactive program, but if the issue is verbal representations by sellers we will be designing programs where we will be eliciting those representations in a lawful manner with a view to stopping that from happening. If we find that, we

will take enforcement action, and that enforcement action is really supposed to be a deterrent not only for the person we prosecute but also for the industry. A big part of what we do is post enforcement: we do media releases, we put things on our website and we disseminate information through our networks to deter other traders from doing this.

Ms BUSH: Sorry, you might have mentioned that in your opening address and I did not hear the systemic work you are doing, but thank you for that. You clearly have the capability, but, in terms of the capacity and resourcing to roll out that kind of program, is that something you can just incorporate into your ongoing budget? Are there more resources required for you to do that systemic and proactive work at the level that may be required?

Mr Turner: Resources are great, but I have to be honest: these are things that we plan for every year. We put these into our proactive program based on the data and the intel we receive from our partners and from the public, so we have planned capacity to do these programs.

Ms BUSH: Have you conducted any enforcement of retailers or manufacturers yet, or is that part of what is coming? Has there been any enforcement action undertaken so far?

Mr Turner: In relation to misrepresentations about e-bikes, no, there has been nothing yet. We are planning on that on a number of operations during the financial year, but, as you would imagine, we are just into it. However, we have capacity. We have spare capacity in our program with this very thing in mind.

Mr JAMES: Craig, from where would you obtain most of the data? In relation to you saying you are going to do an investigation into this, where would your data come from?

Mr Turner: In relation to this, I think it would be from the interactions that we have with the Department of Transport and Main Roads. We would be relying on expertise in terms of what is and is not legal. We would also look at targeting major retailers of these types of bikes. You will find that if a representation is made in writing it is a lot easier to prove the criminal provisions beyond a reasonable doubt. If there was any intelligence where people had not made complaints to us but had anecdotally said to either the police or the Department of Transport and Main Roads, 'I bought it from X in this place,' that would form part of our targeting strategies, and we will be making those inquiries to do that.

Mr JAMES: There seems to be a need for a centralised database. We are hearing that different organisations—be it ambulance, emergency departments or the police—are creating their own database. Would a central database help with something like this? Who do you think would be the best department to manage that?

Mr Turner: I am not sure I am qualified to answer that question. In terms of injury prevention data, I understand there are a number of repositories now that people rely on. In terms of bikes that are available, it is a free market. Unless the bikes are inherently illegal, which they are not at the moment, they can be imported into the country. What I understand to be illegal is the representations being made. I am not sure if I can fully answer that question.

Mr KING: I noticed in your submission that there were some amendments to the electrical safety laws last year that mean that e-scooter and e-bike batteries can now be considered as electrical equipment if they pose an electrical risk. I just want to know where we sit. If you bought a second-hand scooter without a charger and you ducked down to Dick Smith, or somewhere like that, and bought a charger which overcharged the battery and caused a fire, are you the consumer liable for that fire because it was the wrong charger? The retailer who sold you that charger did not sell it to you specifically for that purpose.

Mr Turner: I might have to defer to my electrical safety colleagues.

Mr KING: I know they are coming. I suppose the point I am getting at is: should we have a standard plug? Electric vehicles—EVs—have a standard plug that you can only use for that vehicle. That is where I was going. That would be a safety measure. Once again, it would have to be mandated that they meet Australian compliance—if they do not have that plug they are not allowed in. What are your thoughts on that?

Mr Turner: To be honest, I do not have any thoughts on that. My focus is on the Australian Consumer Law. You were talking about second-hand sales. Your rights and responsibilities under the Australian Consumer Law still relate in most part to second-hand sales, as long as that sale is made in trade or commerce. If you are a second-hand dealer and you are making a business out of selling second-hand goods, you are obligated to meet the requirements of the Australian Consumer Law. However, if you are an individual operating on Facebook Marketplace the Australian Consumer Law does not apply to you.

Mr KING: When they are imported, the charger has to match the device and not allow overcharging. Otherwise, they should not be allowed into Australia.

Mr Turner: Again, that would be a matter for others.

CHAIR: I am concerned that no enforcement has happened to date, but we will talk about that later. In terms of the mandatory standards that would have to go to the ACCC for research, particularly around a regulatory impact analysis, have you made representation to them to have those changes made or to have that regulatory impact analysis done? Are you aware of any other state where that has happened?

Mr Turner: In relation to this issue?

CHAIR: Yes.

Mr Turner: We certainly have not. We believe that to be an electrical safety issue, and the recent changes bear that out. I am aware that New South Wales Fair Trading has recently done something in this regard. The vagaries of New South Wales and Queensland Fair Trading are that New South Wales Fair Trading regulates electrical safety. It is like ESO being within OFT. They have recently made that change down there. The changes were made under their Gas and Electricity (Consumer Safety) Act, I believe it was. They have pushed forward in that regard.

New South Wales Fair Trading also retained the ability to have an information standard under their Fair Trading Act, and they made an information standard relating to this. We do not have that information standard. That was given up at the time the ACL was put together in 2011. Product safety is generally—almost wholly—a matter for the federal minister.

CHAIR: In your opening address you talked about a letter going out to businesses to make sure they are complying with regard to that. When did that letter go out and whom did it go to? Can the committee see a copy of that letter?

Mr Turner: I referenced it. It was a letter from DTMR. It went out, I believe, on 3 June 2025. If it is open to me to provide, I can provide that. It might be better coming from DTMR.

CHAIR: Obviously you worked with them to have accurate content in that letter?

Mr Turner: Yes, that is correct. We were consulted on the letter.

CHAIR: If you could take that on notice, that would be great. Do you know whom it went to and how they identified the retailers?

Mr Turner: I do not know how they identified the retailers, but DTMR would be in a position to answer that question.

CHAIR: Would you have the retailers or would they have them?

Mr Turner: We do not keep a list of retailers. Australian Consumer Law is a light-touch regulatory model in that there are no licensing requirements—unlike, say, real estate agents and motor dealers. We do not have a database of retailers.

Mr KEMPTON: You said you will be far more proactive in this space now. This is an emerging problem that has almost reached crisis point due to the deaths and so on. Has it been a matter of policy, regional resources or the fact that the complaints have been consumer driven that the Office of Fair Trading has not been very active in the past? What are the constraints you face around regional resources and so on?

Mr Turner: It is certainly not a resource issue; it is more a targeting issue. We tend to target significant matters under our regulated industries such as security providers, real estate agents and motor dealers. As you could imagine, a house is the biggest purchase you can make. The protection of trust monies is sacrosanct. Second-hand motor dealers, again, are involved in very large purchases. In the security industry there is a high potential for physical harm. That is what we have traditionally focused on.

We are proactive in a lot of matters under the ACL. Again, our data did not suggest that this was an emerging issue. I do not doubt that the safety itself is an emerging issue, but from our point of view the misrepresentations have not appeared to be a major issue. We have taken on board what has been provided to us by the department of transport and motor vehicles.

Mr KEMPTON: Have there been any changes to the policy settings of the government of the day?

Mr Turner: Not that I am aware of. These regulatory priorities have been developed in consultation with all of our stakeholders and published by the office itself.

CHAIR: In relation to the ACL, I note there are fines of \$200,000 for ASX corporations, \$19,000 for businesses and a lesser amount for individuals. Whilst we have not had any enforcement at this stage, what would be necessary to identify those retailers? You said earlier that it would be best to put something in writing in terms of proof beyond reasonable doubt. Would that letter come from you, or would that letter be written by TMR?

Mr Turner: Maybe I misspoke. It would be easier for us to establish misrepresentation under the Australian Consumer Law if there is written representation because there is no ambiguity about that. I suspect that these representations are more verbal. We will be designing our proactive programs to address the issues around that. It would not shock you to know that in the past regulators have conducted things such as trial purchases. I cannot remember the name, but you go in and you look to purchase something.

Mr MELLISH: A mystery shopper.

Mr Turner: A mystery shopper—that is the one. Thank you. There is a line between that and entrapment. If representations are being made and we get that sort of intelligence, we will be going to those places, particularly those places that stock what are considered to be illegal bikes—and when I say ‘illegal’, I mean bikes that are illegal to use on the roads.

CHAIR: During the inquiry we discovered there were 300-odd illegal devices at a large high school. I suspect those people are happy with their bikes, so they are not going to contact you but they are illegal. As the Police Service said before, we need to have a collaborative approach. Obviously, the Office of Fair Trading will play a vital part in front-ending this and stopping that behaviour, so look forward to continuing to develop a program around that.

Ms BUSH: It dawned on me that you would not have oversight of the second-hand market at all. Even in my community I see people selling these bikes second-hand for \$8,000—they are not cheap items—and they do not mention that they cannot be ridden on the road. Who would oversee that? I know it is up to the consumer to do their own research, but from an institutional perspective who would do that?

Mr Turner: There are two different things. I assume you are talking about second-hand sales on Facebook Marketplace by individuals. I suspect that some work can be done from an education point of view. The OFT does a lot of work on education. Again, I hark back to our regulatory priorities. One of our regulatory priorities this year is to help businesses meet their regulatory obligations. That education can obviously bleed into the individual space in relation to what to look out for when you are going to purchase a bike like this.

We would probably look to partner again with Transport and Main Roads, and potentially the police, in terms of not necessarily messaging but reaching into the community. We do not have as much reach, as you could imagine, as those two entities. There is no doubt that we could put information together for the general consumer when approaching a bricks-and-mortar retailer or an online retailer, and that due diligence, or that understanding, would obviously bleed into private sales as well, although we do not regulate private sales.

CHAIR: My question is with regard to your ability to enforce compliance on online activities. We have heard evidence of Queensland-based businesses advertising their ability to power up these devices and make them illegal. Where does the Office of Fair Trading sit in terms of a business with a physical presence and a business with an online presence? Do you have to have a business with a physical presence and an online portal? Can you use that as evidence? Talk to us about that.

Mr Turner: Your obligations under the ACL are the same, regardless of whether you operate online or in bricks and mortar. You can operate online from another country, but if you are transacting in Queensland you are still bound by the Australian Consumer Law. Having said that, it can be very difficult to obtain compliance from companies that are housed overseas and do not have an office here. We still make every effort to have them comply, and some traders from overseas will take into account what we say. We will provide them with warnings.

If they had a Queensland-based office we could take prosecution action against them. Typically the problem for us, and I suspect with the police, is the service of documents in an overseas country. If we are able to do that then we can go through with enforcement. If they took no notice of an egregious breach, then we could step it up and highlight to the public that certain things are in breach of the Australian Consumer Law, if indeed they are. We do that now. When we talk about dodgy traders, we will put out a warning. The same principles apply to providing public information about the dangers and ramifications of dealing with online traders against whom you might not be able to get a consumer guarantee or your consumer rights.

CHAIR: In terms of businesses doing the wrong thing, what would you need from the community in terms of complaints? You said there were 53 complaints, but that was more about quality. What would you need from the community to make sure there is enforcement across the state? Do you have the capacity to do that?

Mr Turner: In terms of this, as you said, maybe people will not make complaints if their bike is nice and fast. The real source of information for us is those traders that are operating. A source of information in particular would be a list of bikes that we know are not legal on the road, that we know do not meet the European Standard that has been set as the quasi-benchmark for this. As I said before, we are currently working with the Department of Transport and Main Roads at officer level to get a list of those. It has been a very fruitful association to date. We will continue to do that.

CHAIR: There certainly has been clarity around PMDs. Have schools complained to you about the number of illegal devices the kids have out there? Would that inform you in terms of enforcement action?

Mr Turner: It would have to relate to a transaction or a purchase under the ACL. The mere fact that there is a preponderance of alleged illegal bikes probably is not a matter for the Office of Fair Trading.

CHAIR: That has provided a lot of clarity. Thank you, Mr Turner, for your time today. There was one question on notice with regard to the TMR letter about noncompliance. We will make that request also of TMR, but if you can assist in that regard that would be great.

Mr Turner: I have a hard copy of it here. I am not sure of the protocol with that.

CHAIR: I think you said you wanted to check with TMR first.

Mr Turner: Yes.

CHAIR: We might leave that just in case there is something. I now welcome representatives from the Office of Industrial Relations.

FOX, Ms Andrea, Executive Director, Policy and Workplace Services, Office of Industrial Relations, Department of State Development, Infrastructure and Planning

McLAUGHLIN, Mr Stuart, Director, Industrial Work Health and Safety and Electrical Safety Policy, Office of Industrial Relations, Department of State Development, Infrastructure and Planning

RICHARDSON, Mr Brian, Director, Equipment Safety and Licensing, Office of Industrial Relations, Department of State Development, Infrastructure and Planning

WICKS, Mr Rob, Executive Director, Electrical Safety Office, Office of Industrial Relations, Department of State Development, Infrastructure and Planning

CHAIR: I invite you to make an opening statement, after which the committee will have some questions for you.

Ms Fox: Good morning, Chair and committee members. Thank you for the opportunity to appear before the State Development, Infrastructure and Works Committee today. I am Andrea Fox, Executive Director of Policy and Workplace Services at the Office of Industrial Relations, which is part of the Department of State Development, Infrastructure and Planning.

OIR is comprised of four regulators that are responsible for the coordination and regulation of industrial relations, workplace health and safety, electrical safety, and workers compensation in Queensland. My division, Policy and Workplace Services, provides policy and legislative leadership to two of those regulators: Workplace Health and Safety Queensland and, importantly for today, the electrical safety regulator. Together, Policy and Workplace Services and the Electrical Safety Office support and oversee the operation of Queensland's electrical safety regulation in accordance with the Electrical Safety Act.

The electrical safety regulator plays a critical role in the administration of Queensland's electrical safety framework, including: compliance and enforcement under the framework; participation in the development of national and international minimum safety standards; administration of occupational and contractor licensing; accreditation of auditors and certifiers; and the delivery of education and awareness initiatives. The regulator works with industry and the public to reduce the risk of death, injury and damage to property from electric shock, fire and explosion through proactive education and enforcement activities.

We provided information, as you probably know, about our framework to the committee through the Department of Transport and Main Roads' initial briefing at the commencement of the inquiry. I am pleased to address you today and respond to your questions. I will just briefly explain where our scope is and is not as a regulator in this space.

The Electrical Safety Act and Electrical Safety Regulation contain some fairly significant regulatory levers for the regulator and minister to respond to critical risks to life and property. Electrical risks posed by equipment can be mitigated by ensuring that: equipment is manufactured to safe standards; manufacturers and importers are held responsible for the safety of equipment they supply; consumers are informed of safe use; persons working on the equipment are properly trained and maintain the integrity of the equipment; and the regulator can respond to any emerging risks.

The Electrical Safety Act traditionally regulates low-voltage and high-voltage electrical equipment and, in doing so, sets duties and requirements for the supply chain and consumers. The scope of our legislation is distinct from that of other legislation in that its purpose is to prevent death, injury and destruction of property through electricity. It does not, as a primary purpose, provide general consumer protection for quality of product. Rather, the scope is dictated by the level of risk attached to the electricity in terms of death, injury and destruction—which you will recall are the other central aims of our act. Expansion of the application of our legislation is therefore based on evidence of, and proportion of, risk. We do not regulate everything. It is very much about whether it is a high-risk area.

E-mobility devices and the accompanying lithium ion batteries are typically extra-low-voltage equipment that fall outside the scope of the electrical safety framework; however, in 2024, as you know, the Electrical Safety and Other Legislation Amendment Act introduced a power to include particular items of extra-low voltage equipment within the remit of our legislation, known as prescribed electrical equipment. This recognised that some new and emerging technologies operate at extra-low voltage and could place people and property at a commensurate risk.

As of April 2025, water equipment—including pool and spa pumps and lights—is the first and only type of extra-low-voltage equipment we have declared as prescribed electrical equipment. This reflects both the risks posed by electrocution and drowning and longstanding regulatory expectations around water equipment being performed by licensed electrical workers. Once declared, prescribed electrical equipment is subject to a range of regulatory and licensing requirements, as I have outlined, and therefore careful consideration is given to the impact of the inclusion of these in the legislation.

Despite not regulating lithium ion batteries and e-mobility devices to date, the regulator has taken a strong education and guidance stance to ensure the community is aware of the potential risks and actions and how to protect themselves. This includes actively liaising with government agencies to monitor incidents related to lithium ion battery usage and raising awareness with industry and community on electrical risks associated with incorrect use, handling, charging and storage.

Since 2020 a sustained communications program has been undertaken to raise awareness around e-scooter risks. This occurred via social media, direct email, website content, webinars and paid channels and included a mix of product safety, electrical safety recalls, fire hazards and general awareness messaging. This work generated more than 137,000 social impressions with high engagement, particularly on e-scooter content, strong satisfaction ratings across educational webinars and lots of very high open rates of our electronic direct emails.

Future communication and education activity will focus on deepening consumer understanding through a dedicated lithium ion behaviour change campaign. This will include a prioritisation of direct messaging for urgent issues as well as webinars and digital videos to extend the impact of education initiatives.

Within government the regulator chairs a cross-agency lithium ion working group made up of representatives from across Queensland government to exchange information and identify opportunities for collaboration. The regulator also actively engages in national problem-solving regarding electrical safety for lithium ion batteries and related equipment, including: a cross-jurisdictional working group chaired by New South Wales that reports through the Consumer Ministers Network; active support for recommendations of the National Electrical Safety Taskforce; and engagement with Standards Australia on the development of relevant and appropriate safety standards.

As we raised in our submission, the regulation of extra-low-voltage equipment is under national consideration through a recommendation from the National Electrical Safety Taskforce. This work reviewed the electrical safety regulatory framework for household consumer electrical products and made recommendations to improve safety levels.

I hope the information I have provided about us has been helpful, particularly with regard to the regulator's engagement in the lithium ion and e-mobility space. We welcome any questions from the committee.

CHAIR: Mr Wicks, do you have an opening statement?

Mr Wicks: No. I am sorry for any confusion; Ms Fox has covered off on the opening.

Mr KING: I am glad you were all in the room when I asked a question about chargers and overcharging. If I understand what you have said, as long as the charger is compliant and is not dangerous or inherently dangerous then there is no harm in buying one. It is really concerning to me that we are having these fires. There was a local one recently that, rumour has it, was caused by scooters in a storage area, but we do not know. It is sub judice so no-one can make any assumptions, but we are seeing scooter fires. Does it have anything to do with prescribing certain plugs, that you have to have a certain plug to charge a scooter. Is there any way we could look at that?

Ms Fox: You are correct in that what we see so far are patterns around which products eventuate in these fire experiences and which do not. A significant element is that the battery charger needs to match the product it is charging. There are definitely variations in quality in the types of things people are using. Some products are high quality, and we are not seeing them appear in these incidents, and some are not. We are also very aware, as the regulator in the space of battery chargers, about the ways in which damage to battery chargers makes this particular product quite vulnerable. They are particularly susceptible around heat, water and rough handling. I am very happy to get Rob Wicks, my colleague, to expand on what we have seen in this space.

Mr Wicks: As Andrea has illustrated, you are correct in your understanding that chargers currently fall within the remit of the electrical safety framework, of which Queensland is a participating jurisdiction. To answer your question about the way in which we could prescribe battery systems

themselves as discrete from charging equipment, which sits at a low-voltage classification, it is already in scope. The battery equipment and battery management systems that are commonly included in these pieces of equipment are currently outside our framework.

Andrea spoke in her opening comments about the engagement the electrical safety regulator has had at national-level discussions following the National Electrical Safety Taskforce review that sought to improve the uptake of extra-low-voltage equipment into the EE SS framework. That framework would provide the basis on which you would improve the minimum standards that the batteries and associated management systems would feature as a part of the requirements in order to bring the product into the marketplace in Queensland and nationally. That is the work we have been prioritising our engagement in, noting that Queensland is one state in a national marketplace and of course we would like to see that the products being imported and then supplied into Queensland are safe in the first place.

Mr KING: As technologies are emerging and we have seen other—not for these particular vehicles—sodium ion batteries and blade batteries, are there different chargers for different types of batteries? If I plugged the NiCad charger for my really old battery drill into a lithium ion battery, would there be a risk? I know that we are talking about battery drills and not scooters. Just to illustrate where I am going with this, is there a standardised plug for a certain type?

Ms Fox: I am happy for our director of equipment safety to answer that. It is a good question.

Mr Richardson: You are correct. It would be good if there was a specific pin on a charger for every specific device. Internationally, that has not been able to be achieved. They have common connectors. There would be quite a lot of cost involved in that. Part of the critical thing we need to consider is that the protection system needs to be in the battery equipment, not in the charger. Irrespective of what charger or connector you use, the battery equipment itself will go, 'Ooh, that's 60 volts. I'm only good for 40 volts. I'll turn off and not charge.' The current Australian Standard for e-bikes, e-scooters and e-skateboards has a test in there to test that. If you put an over voltage onto the battery equipment, it will either operate normally or turn off safely. The critical issue is to get that protection in the battery. Then the charge becomes almost irrelevant.

Mr KEMPTON: We have issues with e-bikes and e-scooters right through, but associated with those are the lithium ion batteries, which are low voltage but highly volatile. We have very graphic evidence from the Fire Department around thermal runaway and the risks. Unless these batteries are regulated at the point of import, the point of sale, the point of use and so on, and fully regulated by you, I just do not think education is going to cut it in terms of long-term safety. Do you have any comment?

Ms Fox: I would emphasise that we are of the view that a national approach is best in this and that I think all regulators are pretty much on the same page with that. That is indicated by our involvement in several national forums to try to resolve this.

Mr KEMPTON: You are suggesting that it ought to go to full regulation rather than education?

Ms Fox: No. I should clarify. There are a couple of elements here. One is that, in terms of us regulating extra-low-voltage equipment, we have a framework that we participate in as part of that and we have been a leader in it, which is this EESS that my colleague Mr Wicks has referred to. Obviously we are interested in any increase in scope to regulate equipment like this being within that framework, because that is the framework that we use.

As Mr Richardson has referred to, elements around standards are slightly outside of our scope. We have a cooperative relationship. We participate on a technical level, but obviously we do not lead the finalisation of that work. There needs to be momentum in both areas at once. Ultimately what we seek is definitely a national approach in this space, because equipment goes from one space to another. It is a confusing space for consumers and suppliers if there is not a consistent approach.

Mr KEMPTON: Given the seriousness of these batteries in the domestic situation and the nature of this inquiry, what would it take or what information would you need to take that extra step into regulation?

Ms Fox: That is a good question. Essentially you are asking what would need to happen to make this prescribed electrical equipment under our act and it would not need to go through a regulatory impact assessment process. Obviously we have some fairly significant regulatory powers. You do not bring equipment in without consideration of what it means to bring that equipment in. It places duties on various people—business owners and such. However, the amendment to our act was made to allow a threshold of risk of incident to bring these particular types of equipment in. As we are all speaking about today, it is highly likely that that equipment would reach that risk threshold.

What we would need to do is take that through that impact assessment process to hear from the public, from businesses and from ourselves as a regulator about the implications of us regulating it and to ensure government feels that the costs and benefits align. Obviously, while there has been some consideration in this space already by us and others as regulators, ultimately this is a decision for government.

Mr KEMPTON: I guess you could sweep a lot of other products in unwittingly.

Ms Fox: We would certainly want very careful clarification, yes.

Mr Wicks: Ms Fox has well explained the priorities that we have been focusing on. I think it is important to note that the decision of the government would ultimately result in the adoption of equipment into a framework. The majority of what you are hearing from us, I think, is that we are trying to encourage a national approach to pre-market controls so that we ensure the products that are coming in and being put for sale in marketplaces are safe when they arrive there.

The majority of the electrical safety regulatory framework that applies to prescribed electrical equipment would actually be just largely dealing with incidents post disasters—so after a fire, empowering inspectors to take enforcement action or investigate into the circumstances of the fire. Our reasoning behind suggesting a national approach and appropriately through the work that was recommended by the Commonwealth through the Electrical Safety Taskforce's review was that it featured those pre-market factors that, as Brian touched on, would include things like the battery management systems on the devices themselves and that the appropriate safety standards that underpin the manufacturing of these devices reflect the requirements that we need to see in order to make sure they are safe. I hope that makes sense and helps answer your question.

Ms BUSH: Going from the telescope to the microscope, I am interested in the depots, particularly the hireable scooter schemes that councils operate. Who is oversighting those depots, where you might have hundreds of scooters being charged? I imagine the risk for those would be higher. Who is doing that compliance and oversighting for those depots?

Mr Wicks: We recently conducted an audit program targeting those hire scooter providers to monitor their systems around how they were storing the electrical equipment and what their processes were for carrying out maintenance work and the like. Whilst we do not see any evidence that they are presenting large amounts of risk to the community in terms of fires and being linked to fire events, we certainly took a proactive approach to carry out those inspections on the storage facilities for the major community hire scooter providers.

Ms BUSH: Are the results of that audit publicly available or can they be made publicly available?

Mr Wicks: Not publicly available, no. We could provide a summary of the audit program, I am sure, to the committee. We would be happy to do that.

Ms BUSH: It may be useful. I am interested—and you might have heard my earlier questions around council, who are obviously then benefiting and are procuring these contracts—in their role in oversighting that or whether that is given to you. I am also aware that they have a lot of power in their contracting arrangements. Have they engaged with you around what conditions would be a minimum standard around charging and electrical safety, prior to issuing those tenders or at any point, given they are still tendering for new work now?

Mr Wicks: Not to my knowledge. We have not had that engagement with the council about their procurement processes. We would certainly welcome the opportunity to have that conversation.

Ms Fox: I would expand on that just to note that we would welcome involvement with it as a regulator in the space on an operational level. As Mr Wicks noted, we have not particularly seen the problems in their space. It has been in the private market space.

Ms BUSH: I understand there have been depots that have caught fire in other jurisdictions. Given the number and the volume, I welcome your comments that engagement from council would be beneficial.

CHAIR: In terms of the regulatory impact analysis that would happen, is that the same as what the former witness from the Office of Fair Trading was talking about—having a mandatory standard and approaching the ACCC about that? Is that the same process you are talking about—the national approach? Can you flesh that out a little bit for us?

Ms Fox: I hope I have understood your question correctly. I would draw a distinction between what we regulate and our focus compared to what he spoke about in terms of their regulatory focus and the interaction with the Commonwealth. In our space, if you are talking about us regulating this

type of extra-low-voltage equipment, it would be through that EESS process. We do not hang off the hook of a national regulator. That regulatory impact assessment process would be required to bring it into the EESS. In a very unusual circumstance, Queensland may choose to go forward in that direction and other regulators may not. Then we will be looking at a distinct impact assessment process only for ourselves. Again, we would reinforce the benefit of collective national cooperation around this.

CHAIR: You would rely on that cooperative body. You do not go to the ACCC that the Office of Fair Trading was talking about before?

Ms Fox: Correct.

CHAIR: In terms of the issue of thermal runaway that the member for Cook was talking about before, obviously these batteries are newer technology and are getting safer. Could you give your thoughts to the committee about how we can accelerate that process? We heard evidence about the little batteries that we put into a device at home and they are considered very safe. Obviously these newer batteries have risk associated with them. What can we help you with to speed up that process?

Ms Fox: I am going to throw that question to Mr Richardson and Mr Wicks in terms of where they think progress has got to in delivering safer product and innovating towards safer product and agreement around it. Obviously, consumer awareness and intelligence around this is a key driver—the more informed a consumer is in their choices. I am happy for you to elaborate on work in the international standards space.

Mr Richardson: You are correct. There is a lot of research and development going on in industry to try to find safer technology using solid-state battery technology or different chemicals. As previously referenced, the sodium type chemistry has less fire risk. There may be some chemical hazards involved. It is a trade-off of things. There is a lot of work internationally to try to improve that, while still trying to maintain the level of energy density so that you can have effective use of the equipment.

What would help in that process is having national and international standards that could keep pace with that change. The standards process does take quite some time, and there is sometimes some inertia in different areas. Having involvement within the national committees and the international committees to try to fast-track those standards so that there is a uniform way to assess the product would help. Manufacturer A may do a risk assessment and say, 'I'll apply these tests and say my product is safe.' Manufacturer B will apply a different risk assessment and say, 'I'll apply these tests to say it's safe.' Then as a regulator or a consumer it is hard to tell when comparing apples to oranges. To get a consistent standard that everybody has to comply to that is agreed by consensus as the level of safety we can get to and improve that over time as we get more evidence is how traditionally we have impacted on electrical safety of equipment. We just need to fast-track that with this new technology as it develops.

CHAIR: Is there strong evidence that the battery that is not on a charger is stable—that is, if it is in a normal safe environment, not left out in the sun? You have them all in a nice room somewhere and they are safe. Is there evidence around that or is there risk about the battery?

Mr Richardson: The higher risk would be whilst it is under charge—most definitely—because you have the power going into the battery. Depending on the quality of the battery, the build of the battery and the condition of the battery, a battery still sitting there not under charge may have a level of risk. It is a lower level of risk than charging, but I will not say there is no risk from having a group of batteries together. If there is some damage to the battery pack then there may be some internal incidents occurring. With some batteries, if they are not made correctly or the environment is not pristine—you have to have a very clean, sterile environment—contaminants could get in and over time it could cause the internal battery parts to have a problem.

Again, having a good battery management system within the battery—so more than just a simple battery management system—that says, 'Yes, it has the volts. I'll turn off,' but monitors the temperature and the controls and can turn off parts of the battery in itself will help with that process. We need a sophisticated approach to the batteries. Unfortunately, some of the batteries that are used in these devices are at the lower price end, so they do not have that sophistication.

CHAIR: To extend that then to the disposal of those batteries, is there a market for the disposal of those batteries? Can they be recycled?

Mr Richardson: Batteries can be recycled. There is a whole range of work going on, I think, nationally in relation to that. In relation to the electrical safety aspects of that—you would break the battery down, take the individual cells out and then repurpose them elsewhere—there would need to

be appropriate tests and assessments done to ensure that in the new use it is satisfactory. Some batteries that have lost a bit of energy capacity may be useful in another situation, but you need to make sure that battery management system is there.

CHAIR: That concludes the time for this session. Thank you very much for the evidence you have provided to the committee. If we do have further questions, we will be in touch. I hope you enjoy the rest of the day.

The committee adjourned at 10.46 am.