



# **STATE DEVELOPMENT, INFRASTRUCTURE AND WORKS COMMITTEE**

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

**Staff present:**  
Ms S Galbraith—Committee Secretary  
Ms R Duncan—Assistant Committee Secretary

## **PUBLIC HEARING—INQUIRY INTO E-MOBILITY SAFETY AND USE IN QUEENSLAND**

### **TRANSCRIPT OF PROCEEDINGS**

**Monday, 8 December 2025**

**Brisbane**

## MONDAY, 8 DECEMBER 2025

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The committee met at 10.31 am.

**CAPRA, Mr Chris, Executive Principal, Palm Beach Currumbin State High School**

**FOESSEL, Senior Constable Kurt, Queensland Police Service**

**CHAIR:** Good morning. I formally open the public hearing. It is great to be in your company again, Chris. I would like to hand over to you for an opening statement and then we will have questions.

**Mr Capra:** Thank you, Chairman McDonald, and thank you for giving us the opportunity to meet for the second time. I would also like to express my thanks to the chair for giving me an hour and a half a couple of weeks ago to give me, on behalf of the electorates of Burleigh and Currumbin, the opportunity to continue to inform the parliamentary inquiry's hearing into the improvement of the use of these devices moving forward. I am the executive principal of Palm Beach Currumbin. However, I am here not just to represent Palm Beach Currumbin State High School, but the broader electorates of Burleigh and Currumbin and in working with the government agencies of Queensland Police Service and Transport and Main Roads and our two elected officials on the southern end of the coast.

To give you an update of where we have moved since the last time you visited my school where we hosted the inquiry, we have now moved on to over 300 e-bikes in the school. We believe that there are days where we are touching more like 500 so it has continued to increase and will only do more so over this Christmas period. We have unfortunately had a local fatality. I now have two students at my school who have permanent brain injuries as a result of accidents. We are still receiving a hospitalisation a week and, just as I was listening to Assistant Commissioner Guild and Inspector Bosley talking before, I have received a text message, if I could read it out—

Chris 2 of our Yr 9 footy boys were hit by a car at Laguna Ave on their E-bike Friday ... is undergoing surgery to save his foot today.

I also received an email from a member of the public, again stating why is the school permitting the use of these devices in the broader community, so it is still very topical and what I mentioned at the last hearing continues to happen.

Since our last meeting we have gained a lot of media attention. Kurt and myself have both addressed Channel 7, Channel 9 and the *Today Show* around the use of e-mobility devices and, for the record, we are of the belief that *60 Minutes* were, for a lack of a better term, trolling our local communities to find a story about the incidents that happened over the last Christmas holidays.

Building on what the Queensland Police Service have had to say in the previous session, we have had two lots of X-Ray Surety happen at the school—one for four days and one for two. What would be of interest to the committee is that our previous record social media hit on our school site regarding the success of our rugby league team this year was 120,000 hits. After X-Ray Surety the school received 527,000 hits on our social media which is an increase of over 300 per cent on our previous top story. The overwhelming commentary on that social media was very positive towards both the school and the Queensland Police Service.

As mentioned in the previous session, the greatest response that we had was a massive spike in helmet compliance, which was fantastic to see. The school has continued to run termly assemblies with the Queensland Police Service in attendance. We have continued to use Queensland Police Service and TMR social media strategies as a part of our social media. We have adopted the Transport and Main Roads signage which is now in existence on our gates, so it is consistent across schools and across Queensland government, and we have issued school disciplinary consequences for students we identify who are not doing the right thing and who are proving a safety risk to the community.

In terms of media attention, we have had a *Gold Coast Bulletin* article which was very positive in its outlook towards the Department of Education and Queensland Police Service and, as previously mentioned, we have had Channel 7, Channel 9 airplay and I did mention that *60 Minutes* were trying to run an alternate story with a different narrative.

Probably the biggest change in the school's application of trying to ensure that our students are being safe out in the community and ensuring that our community is safe is the school has joined on with E-Bike Safety Australia. E-Bike Safety Australia run a comprehensive education program aimed at students developing their road sense and their safety using these devices. They are prevalent in New South Wales, including the public high school in Cronulla. There would be similarities between the public high school in Cronulla and Palm Beach Currumbin. I would like to compliment my Parents and Citizens Association for assisting with funding in buying this education program. The school and Parents and Citizens Association is investing \$14,000 into the provision of an online training program.

Whilst the schools in New South Wales have allowed the students to undertake this training program at home, the school is actually going to facilitate the students attending these programs on a Monday afternoon. Once the students have successfully negotiated the program, which will be facilitated by Queensland Police Service officers and my staff who have undertaken the training program, they will be issued with a school licence. After they are issued with a school licence they will then be issued with a school numberplate. The students will not be allowed to bring their devices onto the school ground without a numberplate. We are going to try to roll this out over term 1 next year so by term 2 if the students do not have numberplates they will not be able to park them on the school site. Historical records would show students who are not parking their bikes on the school site drastically increase the risk of those bikes being stolen. When you have a \$4½ thousand to \$5,000 device that is locked up with a \$30 lock there is a substantial chance that an enterprising criminal is going to decide that this is a cash flow opportunity for them. That is my five-minute opening address. Thank you, Mr Chairman.

**CHAIR:** Thank you, Executive Principal. Kurt, do you have something that you would like to add?

**Snr Const. Foessel:** If you would indulge me for a few minutes I just wanted to establish some credentials around myself other than my 37 years of police service. I was a Queensland champion junior cyclist—road and track; I am a triathlon competitor; recreational mountain bike rider; QPS qualified at the bicycle course; QPS qualified motorcyclist, including two tours, including CHOGM—I do not know if you were there, Mr McDonald; and also QPS trail bikes as well. I know my way around bikes is what I am trying to say other than my police service.

It is a great honour to be here today to contribute to the development of future policy and legislation—normally an honour preserved for people of far greater rank than myself. I would like to thank my chain of command, Assistant Commissioner Kylie Rigg, Superintendent Brett Jackson, Inspector Scott Knowles and Senior Sergeant Brad Rix for their support in allowing me to participate today. Thanks to Minister Gerber, member for Currumbin, and member for Burleigh, Hermann Vorster, for their ongoing support.

I am honoured to represent my community of Elanora where I have resided in the residential police beat with my wife, Michelle, for several years. The Elanora beat area encompasses three local schools—one primary school and two high schools—within a radius of two kilometres. Each day there is approximately 4,800 students traversing through the beat area to get to school and back. In May of 2023 I became aware of an issue with e-bikes when they were being stolen from local shops and schools. Since then there has been an exponential growth in these devices, probably 30 to 40 per cent each year, and, as Chris said, somewhere between 300 and 500 devices in one school.

Executive Principal Chris Capra from PBC and Acting Principal Rebecca McDonald and their teams have been very responsive and very proactive in dealing with the issues surrounding e-bikes. I will refer largely to e-bikes because that is probably the major portion of what we deal with in our community. Since then I have been very active in the southern Gold Coast to educate our students about road safety. I have had access to PBC, Elanora, Miami and Varsity doing presentations. The three key messages that we have been giving are: No. 1, wear a helmet. Helmet compliance is very low considering it was a law that was enacted in 1993. The second message is to ride responsibly and the third message is respect pedestrians, which is one of our largest complaints, as I think the member for Cooper mentioned before. After the presentations I will go to the bike storage area with the principals and point out what I call the top-tier bikes—what are the most, in my view, dangerous bikes that we currently deal with. I have some material here that I can share with members of the committee which are part of my presentation.

**CHAIR:** Thanks, Kurt.

**Snr Const. Foessel:** I will go into the bike storage area with the principals and identify any of these bikes and then that allows them to identify the students and take further action by contacting the parents. We also have a prepared pro forma from Transport and Main Roads which I then send

to the school to email out to all the parents. Part of the strategy behind going into the bike storage area is that I do not have to chase anyone—avoid pursuits at all costs is my view. I think it is quite a dangerous thing.

It is important to note, as we have previously—the commissioned officers who have gone before me—that not all poor behaviour on e-devices can be attributed to students and young people. Adults are more frequently using these devices and observations are that helmet compliance is still low. I also hope to share some anecdotal evidence I think is relevant to the committee in developing the right outcome for our community—ultimately the people of Queensland.

I would like to acknowledge the Gagg family who recently lost their 17-year-old son, Hudson, in a fatal incident in Tallebudgera, not far from my police beat area. Hopefully the work of this committee will prevent other families having to go through the trauma suffered by the Gagg family and the driver of the vehicle involved. I will give it back to you, Mr McDonald.

**CHAIR:** Kurt, thank you very much. Thank you for your service. I place on record my thanks to the hierarchy for allowing you to come and speak to us today because we want to get best practice case studies that we can share across the state and what you are doing down there very respectfully and by working with the community is a great example. We will move to questions.

**Mr MELLISH:** Thank you, Chair, and thank you again for appearing. I am sorry I was unable to visit the school on the last trip, but it sounds like it was really worthwhile. Thank you for appearing again. You would be aware that the committee has a fair few months left to run. Would there be any merit, in your view, in the committee recommending interim measures while the committee is still ongoing? Are there any immediate actions you could see government should be taking now?

**Mr Capra:** Speaking on behalf of my school and the community in which it sits, the community is probably not polarised but it would be split into two elements. One would be the parents of my school who are very pro these devices because it takes a lot of pressures off mums and dads to get students to after-school sport and part-time jobs. They would like a legislative framework that allows that to continue. Probably towards the other end of the spectrum would be the community members who utilise the Oceanway, pathways and shopping precincts who would like to see these devices banned.

As the principal, I have to straddle what is in the best interests of the greater community and my school community of which the two communities then become one. The reason I am undertaking the education process, licensing process and numberplate process for my community is that I believe that is the balance for my community that will work for everybody. That the students will be identifiable by numberplates will ensure that 95 per cent of them, in my estimation, will do the right thing and ensure that the community and their own safety is at the front of their forethought. The other five per cent will probably learn some lessons the hard way, but hopefully they only have to learn that lesson once. In terms of legislative changes, I am just telling you what I am doing in my school community. I probably do not know enough to propose that, but I will hand over to Kurt, who has a bit more of a background with that sort of thing.

**Snr Const. Foessel:** I believe that the first recommendations will come down at the end of March. I know that Operation X-Ray Surety is running until 26 January. As a result of the actions we have taken, we have seen significant improvement in helmet compliance, as you will probably see from some of the anecdotal evidence I will share with you later on. It is very important that we land in the right place with this, ranging from issues with parents who honestly or ignorantly believe they are purchasing legal devices for their students and children to ride to school, to people who utilise these for getting to work and other purposes. I am not sure, really, if any interim measures will assist us in the short term between now and when the inquiry recommendations are made.

**Mr KEMPTON:** Chris, I am interested in this process that you have undertaken. The last time we were down there, we spoke about the potential liability for bringing an unlawful piece of machinery into the school, particularly where you might have a thermal runaway situation where somebody is injured. In terms of you or the school issuing licence plates, how do you differentiate what is a lawful or legal device and what is not, given that these things are often tampered with? Simply putting a numberplate on it and all of your other mitigation issues will not take away the fact that these things are not only unsafe but also illegal. I am just not sure how that will work.

**Mr Capra:** At this stage, this is about identifying students and student behaviour. The students are undertaking a safety program. That is where the plates process is coming from. They undertake an online program which has been facilitated by us. After they have done that, we issue them a plate so they can be identified in the community. The plate actually does not identify whether the bike is legal or illegal. We do not actually have the capacity to police that or even understand it by looking at

it, without QPS being at our front gate every day explaining to the kids, 'Well, this bike is illegal,' and 'This bike is not.' It is my understanding, looking at what New South Wales have done, that what we are identifying are students and their road behaviour, not necessarily the legality or illegality of the bike.

**Mr KEMPTON:** You said that the problem was that these kids just would not come to school. After leaving your school we went to the Sunshine Coast, where they are banned with 100 per cent attendance. Is it valid that if you banned these bikes from your school you would lose this cohort, that all of these kids just would not come to school?

**Mr Capra:** 'All of them' is probably a bit of a stretch. We would see a decrease in attendance. The quantity would be unknown at this stage. As I mentioned before, the use of these devices does enable families and students more access to aspects of life and to be informed citizens or participating as engaged citizens than it otherwise would if they did not have access to them. I doubt it would be an absolute collapse in attendance, given that it is only 300 to 500, but in the short term there would be a reduction if the bikes were banned.

I will point out that at Palm Beach Currumbin, if my community supported me to do it and we did ban these devices, it is actually not going to solve the problem. All I am doing is pushing it next door. The students would store their devices on the Gold Coast City council property next door—it has public access because it is an aquatic precinct—or they would chain the bikes up at Salk Oval, which is a community precinct over the other side of Thrower Drive. All I would be doing is moving the problem from one that is inside my school gates to a community problem outside my school gates. It would then be in the jurisdiction of the Gold Coast City council and Queensland Police Service. I have made the decisions I have with community support to try to regulate student behaviour until this committee delivers its findings down the track.

**Mr KING:** I appreciate what you are saying about the volume of these things. I think the member for Cook touched on it, too. Is there anything you have done to potentially mitigate the risk of something happening in the school if there was a battery fault or something? I know it can happen just sitting, usually during charging, and the damage which can be caused when this occurs. They are stored obviously not under a building or something like that, but then they are in the sun. I am wondering if anything is being done around that. If they were on council property away from the school, it may be safe. I do not know; I am just wondering.

**Mr Capra:** You raise a good point. Because the number of e-devices went up so quickly, we do not have an official storage area for the students. At the moment they store them on vacant land between a science block and our front fence—you probably would have seen the area they are in—or in the bike racks, as a number of old-style analogue bikes, for lack of a better word, or pedal-power bikes are now very much in the minority. If there is a battery fire or a battery explosion, it is going to take out the bikes near them. The students would be quite safe because the area is an out-of-bounds area and the only time the students access that area is before and after school. It would be a problem for other schools if they were to hit the number of devices we have and they did not have the open area outside that we have. It is a good point.

**Mr JAMES:** Kurt, the QPS are currently stretched beyond their limits with everything they have to deal with and dealing with other organisations' issues; we seem to be putting more and more on your shoulders. Given the credentials that you outlined for yourself personally earlier, what if we looked at an alternative specialist organisation to support the police—not unlike the scalies with heavy vehicles, for example—just to look after this issue which has grown out of proportion? Would something like that assist?

**Snr Const. Foessel:** I am not sure how that would unfold. One of the things I am involved with is working collaboratively in a group that meets bimonthly. It is myself, Transport and Main Roads, Queensland Health, New South Wales city council, because we are a border area, and the City of Gold Coast. There is a whole group of us who meet and work together to try to work out what is the best way forward. I believe that has been duplicated in South Brisbane as well. To enforce this, you really need to have certain powers. As Chris mentioned before, the ID tags really remove the anonymity. The experience in Cronulla has been—I will state the figures as I remember them—that they were reduced from 35 complaints to two. The big thing for us is to remove the anonymity. We get a lot of complaints, particularly about disrespect of pedestrians more than anything. The deaths are certainly an issue, as well as students being injured riding to school. However, if we can remove that anonymity it will, I think, curb a lot of the behaviour that we are having.

There certainly are challenges with capacity around the QPS. I am in a position where I am very active in the community. I still do first response as well. However, the other side of that aspect is that this involves rapidly emerging technology. The most recent comparison I have is vapes. When

vapes came on the scene, it quickly became out of control. We had kids with eskies full of vapes coming to school, selling them to their friends. Then with legislation and a whole bunch of things coming in, that has gotten under control. I hope this will be the same way. It certainly is a challenge for us. I have invested in this, working with both our high schools, and hope to achieve a good outcome that could be duplicated.

**Ms BUSH:** I am really interested in what you have done around the school numberplates. I think it is a great concept because, Kurt, I totally agree with you—and a lot of pedestrians raise it with me: it is their anonymity that is the issue. I was curious, Chris, how you landed on that and how your school community fed into that. I recognise that the primary role is for you to manage the school environment, but has it been helpful, or will it be helpful, for police in the community on a Saturday to be able to recognise the student and trace it back? I am interested in the benefits of that.

**Mr Capra:** This came about from working very closely with the elected members, Minister Laura Gerber and Assistant Minister Hermann Vorster, in that we have direct lines with each other, between their electorate offices and the school. It was very much an issue for both of our members on the southern Gold Coast. Our own parents and citizens' association understood that with the sheer volume of students at our school we had to do something proactive. Whilst we are ecstatic that the inquiry has spoken to us twice, this really came about through our honest belief that if our students could be identified that in itself would see a massive change in student behaviour. We are of the belief that investing \$14,500 of fundraised money and Queensland government money through my grants account to educate 500 students would mean a massive return on investment. I am not sure what it would cost to reset a broken bone, but I am assuming we are saving the taxpayers of Queensland a lot of money to trial this. Whilst I understand the member for Cook has raised some very valid questions around possible ongoing legality, we believe that this is the best short-term solution until the inquiry hands down its findings, to get an immediate change in student behaviour.

**Ms BUSH:** I am interested in the project design and evaluation. Will there be an evaluation framework around it?

**Mr Capra:** There will definitely be an evaluation framework around it. Some of the key indicators will be (1) community complaints to the two electorate offices and the school and (2) the number of students who are missing school days because of serious accidents. Those are the two key indicators. If the parliamentary inquiry would like us to add in some other pre and post data sets for us to track how this goes, we are more than willing to do it because we are not looking at kicking off until about the second week of school next year.

**Ms BUSH:** I have nothing off the top of my head apart from maybe monitoring some of the social media and chatrooms. Are you partnering with the uni or anyone else on that or is it more in-house?

**Mr Capra:** At this stage we are partnering with E-Bike Safety Australia, who look like they have established their credentials in the jurisdiction of New South Wales at the moment but are slowly expanding out.

**Ms BUSH:** When do you anticipate looking at an interim evaluation? Did you say early next year?

**Mr Capra:** We are looking at rolling the program out in about the second week of school. We anticipate it will be fully rolled out by about week 8, which in the calendar I think will be the last week in March or first week in April. We would be in a position to determine its interim success probably in early May.

**Ms BUSH:** Great. Best of luck. I think it is really interesting. Thank you.

**Mr KEMPTON:** I hate to keep harping on this, Chris, but there are a few things I would like to know. Who actually polices this and what are the consequences? These kids are now modifying devices to make them illegal, so will they take the numberplates off? Is there not a risk that the parents will buy them thinking that by putting a numberplate on suddenly they have a legal device? Maybe. Are you just going to make your problem worse? I am playing the devil's advocate.

**Mr Capra:** Thank you for those potential problems of practice. Again, it comes down to communication with our community about the purpose of the plate. It is up to the school to inform our parents that the plate is a device for monitoring student behaviour. We have currently issued school disciplinary absences—in layman's terms, suspensions—for consistent noncompliance with road rules and community safety, which is available to us under the education act about bringing the school's reputation and good management into disrepute. That is already there in the education act. In respect of students who are not doing the right thing in public who are identifiable as school students, we can impose a disciplinary consequence for their ongoing behaviour in public.

In answer to your question about the legality or illegality of the devices, I reiterate my earlier answer. I do not think the school is in a position to determine the legality or illegality of those devices; however, if Senior Constable Foessel was to be in my school grounds and said to me, 'Chris, it is my belief that these devices are illegal,' we would then lock them up and say to the student that afternoon, 'QPS has told us that your device does not meet the current legislative requirements, therefore, you need to take action to rectify that.' To be honest, if that were to happen, I have not got as far as what the next consequences are—whether or not I have a legal obligation to prevent that student from riding to school. I would have to seek further clarification.

**Mr KEMPTON:** If the offence is that a student is riding a bike with bad behaviour and it has a numberplate they would not be able to bring it onto school grounds so they might park it next door.

**Mr Capra:** No. There would be a consequence for their behaviour with the plate being able to be identified. At this stage, in response to your earlier question about the legality or illegality of the numberplate, we might rescind it and take it back. There is an app that has been developed for the students and for the school to enable us to track where the student was and possibly what the member of the public has reported to us about what the behaviour was.

**CHAIR:** Kurt, I look forward to hearing the anecdotal evidence that you mentioned. Did you want to do that in this public session or in a private session? You are happy. Okay, we will turn to you and let you take us through that. I have a sense from talking to your assistant commissioner of some of the work that you have done over a period of months—specifically the part of that four-week operation where there was education, they were told the police were coming and it produced a great result. That would be helpful.

**Snr Const. Foessel:** We have worked on a lot of strategies with the school. I raised the ID tags idea with Chris a little while ago. We have implemented the TMR branded safety messaging within the school bike racks. Elanora State High School have done the same to keep the message consistent. We are doing 'Coffee with a cop'. I have banners from the council along the lines of these which we use to engage with people. I have actually had members of the public come up and say, 'I have bought an e-bike, is this legal?' Usually if they buy it from a reputable shop then that is a great thing. Some of the other things we are experiencing is that you can buy an e-bike online for under \$1,000 and have it delivered to your home. The issue with that is that people are assembling them themselves. Sometimes they are young kids who do not have someone to help them so we are finding loose wheel nuts and all sorts of issues.

I have stopped a lot of people. Just last week—it happened to be on the day of the teacher's strike—I was out doing some random breath testing. I do Operation X-Ray Surety as a part of that and intercept young people on these devices. I saw one with a passenger who had a helmet. The rider did not. I stepped out to stop him and he just blew straight past me. He did not even look like he was stopping. He was not exceeding the speed limit; he just did not have a helmet. I did capture that on a body-worn camera. He is not a student at PBS, much to Chris's relief, but we hope to remove anonymity through this program.

In those intercepts I have had a lot of conversations with people. I will give you a few examples. The simple answer that we quite often hear is 'just ban them completely'. If you add up the dollar value, we have approximately \$1 million worth of electric devices at one school. To close that down overnight I think would be extremely challenging for anyone. I was involved in a community pop-up stand down at Coolangatta where we were working with the Department of Transport and Main Roads, the City of Gold Coast and all those guys. We are very close to the border. It is about 20 kays from PBC or something like that. I saw a PBC student with his helmet on riding responsibly and respecting pedestrians. I stopped him and had a quick chat to him. I said, 'Where are you coming from?' He advised me that he lives at Banora Point and rides to PBC. He rides from PBC to the sportsground at Mallawa Drive for his training and then rides home. He covers a distance of approximately 40 kilometres in one day. That takes a significant burden off his parents, as you can imagine—both parents are working these days. Conversely, I have kids who ride e-bikes who are 400 metres away from the school. I am not sure I quite understand why you would need an e-bike for that! That is something that should be taken into consideration.

One parent I spoke to last week lives not far from the school, not far from the shopping centre—a single mum with kids with varying disabilities. She actually sold her motor vehicle and purchased e-bikes for herself and her children and they use them for mobility. If you look at the recent RACQ road report from 2024, the average cost of running a motor vehicle is between \$12,000 and \$20,000 so she can buy three or four e-bikes for \$6,000 and have no ongoing costs. It is of significant assistance to her as far as the cost of living goes.

If you are in doubt as to the confusion around e-bikes and e-scooters all you have to do is look in the comments section of some of the posts that have been recently put up about us. It is all over the place. People just do not understand. The member for Burleigh, Hermann Vorster, had a safety expo at Tallebudgera and I stopped a young person on an e-scooter. He was 14. He was totally oblivious to the fact that between 12 and 16 you have to be supervised so it was good to stop and educate him in relation to that.

Finally, this is a comment from someone I know. He has given his permission for me to pass his details onto the committee if you would like to speak to him. His comment reads—

We have a child with special needs, and he loves going on the back of our Ebike. Our Ebike is called Adventure 1. This has opened a whole new and wonderful world experience exploring and enjoying riding safely. We use pedal power, wear high visibility clothing, low-speed helmets, mirrors and horns. The kids that are running a muck are the ones that need to be disciplined. Leave the riders who do the right thing alone.

It is very hard to argue with. Another thing that we are experiencing is significant peer pressure. Being from the days where some of my friends had their tyres let down by the police—not me, of course—as far as peer pressure goes we might say, 'Harden up, just pedal to school like I did.' If you look at one example where a group of kids have an e-bike and one does not and they all want to go down to Duranbah, 20 kays away, to go for a surf and they don't invite Johnny because he doesn't have an e-bike and he cannot keep up. That should be taken into consideration as well because the peer pressure on parents is enormous. The kids are getting laughed at if they are not riding an e-bike. Those sort of things are important considerations.

Lastly, I investigated an incident at Tugun where a juvenile had run over two four-year-olds in a period of three weeks, belting through very busy pedestrian areas. He hit one so hard that they somersaulted through the air and another one got dragged along under his bike. It took us a little while to identify him but we identified him with the help of the school and he was dealt with under the Juvenile Justice Act. A numberplate would certainly have removed the anonymity and helped him to ride in a better way. That is all I have for the committee.

**CHAIR:** Thank you, Kurt. I had not thought about the issue of anonymity and the cultural change that it can bring about simply because it is there—and the potential.

**Ms BUSH:** As you were talking about that prevention work and education it comes to my mind—without invoking sub judice—that there are cases where young people have been charged with dangerous driving or the unlawful operation of a vehicle which is now an Adult Crime, Adult Time offence. There is the potential for a young person who is 12 or 13, in the case of a death, to have a life sentence which horrifies me, and I am sure would horrify parents. Is that another element that needs to be ventilated? Obviously that is the worst-case scenario for that family, let alone the fact that there has been a death.

**Snr Const. Foessel:** Yes, potentially that may be the case. There was an incident on the Sunshine Coast a little while ago and we are still waiting on the outcome of some other investigations. They are certainly issues of concern. Returning to the seizure and storage of these devices, if a device is seized by the police down on the Gold Coast, we generally require a tow truck. Our local towing contractor has a purpose-built facility for storing these devices in the event of fire and those sorts of things. If the parent wants to contest whatever the charge may be then the storage fees will fall back onto the service so there is a whole range of challenges there. Certainly when it comes to dealing with young people, as a community officer I am very reluctant to take any enforcement action on the school. Going into the school storage bike areas is probably about as advanced I would get as far as taking enforcement action in a school. It is certainly a concern for a young person to deal with that but there have been 13 lives too many lost in relation to this, as far as I am concerned. I understand five of those have been young people who have contributed to our road toll. It is a very sad statistic.

**CHAIR:** It certainly is. Thank you for your response. With regard to the issue of pedestrians which you mentioned a couple of times, what if we banned e-devices from the footpath? I have a real concern with youngsters who have little experience getting on these things. Thank you for sharing your background in cycling because it gives you a good standpoint.

**Snr Const. Foessel:** I think that is a matter for council. There are some challenges. There are speed limits for e-scooters but not e-bikes. There are also age limits for e-scooters but not for e-bikes. I am not sure if the committee is aware but there are balance bikes for toddlers which are equipped with electric motors available for sale in the market and I have seen them for sale in my community. It is mind-boggling why a parent would buy a balance bike with a motor. Certainly council have

discussed that in the collaborative meetings that we have had. It is a challenge for them because the Gold Coast Oceanway, in particular, is designed for people to ride along and to enjoy the benefits of our beautiful southern Gold Coast community in particular.

**Mr Capra:** Building on what Kurt has said, the Gold Coast Oceanway would be responsible for the overwhelming majority of complaints I do receive. That footpath would be within the City of Gold Coast purview to maybe create a local ordinance, I am not too sure. The second one for me would be students riding three or four abreast on the road. We have to balance up: is the footpath a viable alternative, putting pedestrians in danger, or is having students with not much road sense travelling in packs the actual issue? That is probably the school's perspective. Unfortunately, between Kurt and I do not think we have given you a definitive answer because it is such a complex problem.

**CHAIR:** It is, and it is all about the rider or driver behaviour. If people were riding on the footpath with pedestrians, or were respectful of the pedestrians, then we would fix that problem. Do you have any thoughts about how we might be able to do that?

**Mr Capra:** If we look at some of the ages of some of our students who are using these devices—whether they are legal or illegal—their spatial awareness is still under development. Members of the community have informed me that some of my students have run into people on mobility devices. They were not doing it deliberately but clearly their ability to utilise these devices because of their weight and the width of the footpath led to members of the community contacting the school to state, 'Can you keep your kids off the footpath?'

**CHAIR:** You mentioned earlier, Chris, the regulations that might come about upon the inquiry's completion. Is there anything in particular that you would like us to recommend?

**Mr Capra:** Given the questions I have been asked by the member for Cook, I think you should ask him. He seems to be across it. I am a bit stressed! To be brutally honest, the questions the member for Cook has been asking are the ones that I would probably be wanting definitive answers for. You would have picked up from my answers today that I am out of my depth around the legality or illegality of these devices. That is why I keep coming back to the fact that, as a school principal, I can actually adapt and influence behaviour. In terms of what is a compliant device or not, I do sympathise with you, understanding that Western Australia has passed laws and so has New South Wales, but they are not retrospective and now they have two classes of devices. I am very happy to leave that with the committee.

**CHAIR:** Thank you for your answer. I appreciate it.

**Mr KING:** This relates to what you were saying earlier. We have touched on this over the course of the inquiry, particularly when we were with you, about how the council raises a certain amount of revenue from the hire schemes and about making separate active transport paths, particularly for the personal mobility devices. One of the complaints that I get from elderly people and people with a disability is that they are being 'monitored' by these new devices, but it is more just their speed and silence which contributes to the fright component. That is not really a question. We have been down that path before. If you think that would help, please comment.

**Mr Capra:** Building on that commentary, my own minister—I am one of the Minister for Education's constituents—rang me to explain that one of his constituents was concerned about the sheer number of students who rode past him at 1.30 on a Monday—we finish a bit early that day. He said it was daunting. This person was a doctor, so he is fairly well educated. It is a very nuanced problem with the council and its revenue streams with footpaths and with schools having such a large number of devices at critical times of the day.

My own mother rang me—my mum is 75—to ask me, 'What happens at your school at 1.30? I tried driving past your school and there were all these devices. It actually looks a bit like *Mad Max* out there!' I was actually surprised Mum knew what *Mad Max* was! In response I said, 'Yeah, look, it is the kids. They clump together because they are leaving at the same time.' As I said, it is a nuanced problem that the committee has been tasked with tackling.

**Mr KING:** And they are silent.

**Mr Capra:** The good thing about teenagers is that they are not silent. That is the one saving grace.

**Mr KING:** I have an e-vehicle and my dogs get quite confused when I come home. All of a sudden I am there even though they did not hear me come in and they could not bark at me.

**CHAIR:** It is important to note that compliant e-bikes, whether they be road or mountain bikes, that are pedalled and can go up to 25 kilometres an hour would solve the issue, Kurt, that you mentioned about riding to Duranbah. They have the capacity to go quite a way. There is a solution there right now—removing those devices that are illegal if they are ridden on the road. Do you have any thoughts around that?

**Snr Const. Foessel:** Yes. If I can, I would also like to address some of the questions the member for Cook asked previously in relation to the ID tags. Sometimes these are like an electronic magpie—they fly past people and scare the heck out of them. With the examples that I have given you, which I would describe as the top-tier bikes, they are the ones we want to get rid of completely. They should never be ridden on the road. As I said earlier, the trouble is parents are buying these devices—people are buying these devices—thinking that they are legal.

They generally come with three modes. In the first mode, they are locked into that legal mode: the pedals are the primary source of power, the throttle cuts out at six kilometres an hour, the motor is 250 watts and the motor cuts out at 25 kilometres an hour. What we are regularly seeing, though, is that with the assistance of either the internet or sometimes unethical retailers those devices are quickly unlocked to the second and third mode and can travel along at 50 kilometres an hour. Technically they are compliant, but the challenge is making sure those devices remain compliant.

In relation to the member for Cook's question, an illegal or noncompliant device would not be issued with an ID tag. At the school, all of the details and all of the data is recorded. One advantage is the serial numbers of the bikes are recorded and the school retains them. If the bike gets stolen, we have those records. That kind of assists us in the process too. Part of the program is that the bikes are inspected to make sure they are compliant.

**Mr KEMPTON:** Given the situation you are in, I think the effort you have made is commendable. The reason for my questioning is we need to make recommendations, so we are teasing out all of the information. I am very interested in what you are doing and what the responses are. I am certainly not being critical of what you have done, which is a significant amount of work, since we last spoke to you.

**CHAIR:** Using your term 'top tier', do you think there is anything the committee could do to assist in stopping them from riding them? You were present when we were asking the inspector and the assistant commissioner earlier about changes that could help from an operational perspective on the front line. What would make it easier for you? If you cannot answer that now, Kurt, I am happy for you to take it on notice also.

**Snr Const. Foessel:** As far as legislation goes, I think the legislation is already in place for those devices. If you see the mountain bike style one on that photo, that kit can be purchased for anywhere between \$400 and \$800 and then that bike would be capable of doing up to 100 kilometres an hour. Some of those kits are 2,000 watts and do not allow for adjustments to brakes or frame strength. I think the legislation is already in place for those.

The key factor, I think, would be the onus on parents. This is a community issue that requires a community response. Police alone cannot be responsible for enforcing and policing this. We really need the cooperation of the parents to ensure their children are wearing helmets when they ride these devices and we need them to take some responsibility for that as well. I also think we need to educate these parents. I would challenge the committee to get on Instagram and look at some of the advertisements for e-bikes from retailers. You will find that probably 95 per cent of them are not wearing helmets or are doing dangerous or illegal stunts in their advertising, which certainly does not help our cause at all.

**CHAIR:** Absolutely. I could not have said it better. Everyone has a part to play in this—the parents particularly but also schools, councils, police and even mates. There are people dying every week, unfortunately. We want to change people's behaviour.

With regard to the safety of pedestrians on the road, if you think about anything over the coming weeks could you get back in touch with us? Sometimes something like identification can change behaviour, and sometimes the solutions are not so obvious. I thank you for your contribution to this. From where we started back in July, the thinking has matured greatly. Again, I thank you for sharing with us that wisdom and also the experience that you have had. Chris or Kurt, is there anything else you would like to add before we close?

**Snr Const. Foessel:** In closing, I personally think that if we can get to a point where these devices are ridden responsibly and safely in accordance with the laws they could be of significant benefit to our community—reducing traffic congestion and enabling mobility through some of the examples I have given. I really hope that the committee can land in the right spot with it.

I do not think the answer is a complete ban. As a result of one of our local private schools banning them from the school grounds, we have seen them become a hotspot for theft. As I said, I do believe that if we can hit the right spot they would be of significant benefit to our community.

**Mr KING:** It would take a lot of cars off the road.

**Snr Const. Foessel:** Absolutely.

**CHAIR:** One of the questions I asked the police was about having an age limit of 16 and a requirement to have a learner's permit. What would happen at your school if we made that a requirement? Would there need to be a transition period of a couple of years?

**Mr Capra:** I actually think you have answered your question. You would need to transition to students needing to have their learner's permit at the age of 16, which then comes with demerit points and a way of being able to identify the students. It would not be a school-driven thing; it would be a statewide-driven thing. It is an idea that has merit and would be worth considering and pursuing further. It probably still does not answer the question of, say, 14- and 15-year-olds using them. As Kurt would be able to tell you, every year I have a number of senior secondary students who are reported to the school for driving a car to school whilst still on their L-plates and we have to track that down. This would probably be no different if you were to go down that track. It is another accountability mechanism.

In closing, thank you for listening to me—Chair, three times, and the committee twice. This has probably been a problem since federation, but it would be great if Australia could come up with some consensus around this for a high school that is so close to the New South Wales border.

**CHAIR:** That is a very good closing comment. Thank you very much. That brings to a close this hearing today. Thank you very much for your contributions. We have to move a motion to seek leave to table the documents. Are all in favour? That is carried. Thank you very much. Once again, Chris and Kurt, thank you very much for your contributions and we wish you all the best for the day and all the best for Christmas.

**The committee adjourned at 11.25 am.**