

## **Inquiry into e-mobility safety and use in Queensland**

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## **Submission to Parliamentary Enquiry into e-Mobility Safety and Use in Queensland**

Submission date: 9<sup>th</sup> June 2025

**Submission made by EveryBody eBikes**, specialist electric trike and bike supplier and distributor throughout Australia.

EveryBody eBikes (formerly known as Blind Freddy Electric Bikes) has been supplying e-mobility devices to consumers for over 15 years. We are renowned for providing solutions to riders who have mobility issues and people living with a disability. This submission is made on behalf of our many new and returning customers, who are seeking e-mobility solutions to keep themselves active and healthy, including those funded by government bodies such as the National Disability Insurance Scheme (NDIS).

### **1. Benefits of e-mobility including PMDs in Queensland.**

EveryBody eBikes is not your average ebike shop. We specialise in three-wheeled solutions as well as two-wheeled ebikes, with a focus on keeping people actively mobile through riding. Our business name “Every BODY ebikes” highlights the need to enable all ages and all abilities to participate in the joy of safe riding, no matter their level of confidence, previous riding history or geography. Our vision to be Australia’s largest supplier of inclusive cycling options continues to drive our business to invest in new technologies, innovations and adaptations to enable those not able to ride a standard 2-wheeled bike to be able to participate, to remain connected to their neighbourhood and to experience the joy and positive health benefits of riding, widely documented and cited in health and well-being scientific literature.

We regularly share in the experience of customers who thought their riding days were over, with the key benefits including, but not limited to:

- Improved societal connectedness
- Improved mental well-being
- Improved physical well-being, even with incidental exercise
- Improved social inclusion
- Reduced loneliness
- Improved engagement with family and friends
- Improved confidence and engagement with community
- Improved access to local neighbourhoods
- Improved activity-related goals and ambitions through incremental use and informal metrics of riding performance

Although many of our customers are seeking folding ebikes or trekking ebikes that can be used when travelling and commuting, we also encourage young families to adopt cargo bikes to reduce their carbon footprint, instil sustainable transport ideals with their family

members and share the enjoyment of community living by reducing vehicle transport for trips under 5km.

For our customers who have mobility issues, the benefits of active mobility options to keep the body moving and delay the onset of sedentary solutions such as mobility scooters and powered wheelchairs is essential to their physical and mental health. Many of our customers consider themselves to still have some mobility and they seek to maintain not lose that mobility as they age or their condition changes. For many of our less able riders, walking in their local neighbourhood is no longer an attainable goal, yet riding a bike still offers that sense of connection and inclusion that they seek.

As a provider of e-mobility solutions for all ages and all abilities, we see these key benefits repeated across our client-base.

## **2. Safety issues associated with use of e-mobility, including increasing crashes, injuries and community concerns.**

Many submissions to this enquiry will highlight the broad statistics and examples associated with increasing crashes and injuries sustained by users of e-mobility devices. We will leave this section to those who have lived experience in this regard.

As an ebike specialist business, we experience a different side to the issue of illegal e-mobility devices. We are contacted daily by owners of illegal e-mobility equipment seeking after-sales support. We feel that many riders who have equipment that is not legal are unaware of the risks to themselves or to other users in shared spaces. The key safety issues we see relating to the use of inappropriate e-mobility include, but are not limited to:

- ***Lack of education with parents supplying e-mobility devices to their children*** – we keep copies of the Qld Police e-mobility guidelines (which includes the fines for inappropriate use) and share these with parents when they visit the shop. Some are thankful but many are abusive when we are unable to provide or repair inappropriate equipment. Those who are thankful generally have no idea around maximum speeds, maximum continuous rated power ratings or the risks to rider and equipment associated with converting a bike designed to be propelled by humans not oversized motors. More education not just around the absolute limits to be controlled but also the implications of using an illegal device particularly around insurance cover and liability. This is often unknown or unclear to the consumer. Consumers should not be solely reliant on a shop owner to tell them about these issues. Better education through multiple channels is required.
- ***Inability to safely maintain equipment*** – most ebike service providers are not insured to be able to work on bikes that have throttles or over-sized motors. The

riders have nowhere to turn to get basic mechanical support for brakes, punctures, wheel rebuilds etc. This leads to riders electing to continue to ride unsafe equipment as they do not have the skills to maintain their equipment themselves. This contributes to the number of incidents and crashes associated with use.

- **Older riders or riders with compromised mobility** – the walk assist function , which is legal on an ebike, is designed to assist the rider when they are walking beside the bike. The power provided by walk assist is not sufficient to propel the bike if the surface roughness is higher (e.g. grass, gravel) or on even slight inclines. A person with compromised mobility may not be able to get off their device and push it or even navigate back down a slope to reroute their trip. For these riders, their safety is compromised when limited to only a walk assist control on a legal e-mobility device. When conducting a risk-assessment for the individual, allied health therapists will often advocate for a revised easy-start feature to be provided, to provide sufficient power to start the e-mobility device when stationary on a hill, or to achieve the same start boost as offered by a mobility scooter or powered wheelchair. This additional power boost is currently “illegal” in Queensland but is deemed essential to reduce crashes or incidents when the person has a disability. A simple test taking an electric tricycle to the road side of a driveway gutter clearly shows that walk assist for those less abled is insufficient to mount a curb designed under Australia Planning legislation.

### **3. Issues associated with e-mobility ownership such as risk of fire, storage and disposal of Li-ion batteries.**

As an importer and supplier of e-mobility devices, EveryBody eBikes requests all equipment to be:

- fitted with industry-recognised quality Li-ion battery cells
- supplied with guidelines for the safe management, storage and disposal of their batteries and chargers
- verbally discuss the safe management of charging, storing and disposal of li-ion batteries
- offer solutions and locations for the safe and appropriate disposal of li-ion batteries in local council facilities

EveryBody eBikes has lived experience of the impact of flood on li-ion batteries and share this with customers who are interested in the impact of water ingress.

Many of our customers are unaware that there are differences in the quality of the cells inside the battery casing. We believe there is room for improvement in education of consumers, but not specifically only aligned with a formal certification. As a provider of

small runs of customised and limited market products, we are unable to invest in formal certification for all our batteries, and rely on the design documents and QA checking of models before they are imported to confirm that the cells used for our products are in fact the best available.

*We would like to see a more equitable way for small importers to be able to label and confirm the fitness of their products for purpose besides using a certification process that is proprietary and too expensive for small providers.*

*We would like to see an exemption for small-scale providers who can demonstrate the internal cell quality of the batteries used in their devices.*

Recently, we have experienced issues arising from the negative impact of media reports which do not clearly specify whether the e-mobility device was a scooter or an ebike or etrike. Furthermore, the media reports do not list the supplier or source of the device that has caused the fire, for instance.

*We believe there is an ongoing need to more clearly differentiate low quality devices and devices purchased online through drop-ship companies to assist consumers in making qualified decisions around risk.*

We have also experienced issues relating to the risk of fire with customer's body corporate organisations. This has led to people being told they are unable to store and charge their e-mobility device in the garage or communal spaces, when those same bodies have no issues with mobile phones, laptops, power tools, mobility scooters and powered wheelchairs etc which use the exact same technology.

*We would like to see education expand to adequately inform organisations such as body corporations of the risk of charging and storing e-mobility devices.*

#### **4. Suitability of current regulatory frameworks for PMDs and ebikes.**

Throttles on Ebikes are not allowed under the current regulatory framework.

*We would like to see an exemption system be available to riders with compromised mobility, either confirmed through their disability-specific functional assessment or as reported by a medical professional.*

*We believe there should be an option for throttles to offer the same level of power as a mobility scooter or powered wheelchair, to 10km/hr, to deliver more power at low speed levels to ensure safety when used in hilly or uneven terrain. The throttle is used as a start boost function to allow riders to get the bike moving when crossing roads or on hills. Once the bike is moving then the rider can pedal to enable the pedal assist function which allows the bike to go up to 25kph.*

With heavier users considered to be "bariatric" with a BMI over 30, their weight in combination with the weight of the reinforced equipment required to safely enable

participation, means that both maximum continuous rated power to sustain normal speeds under 25 km/hr often requires more than 250W motor. These riders, who should not be discriminated by the legislation, are often the people who are most motivated to start or return to riding for their mental and physical well-being. The current legislation imposes barriers to use for bariatric riders.

*We seek an exemption for bariatric riders to access more powerful motor to enable them to participate fully with sufficient torque to be safe users.*

## **5. Effectiveness of current enforcement approaches and powers to address dangerous riding behaviours and the use of illegal devices.**

Our business and home is along Kedron Brook. Every day we ride to and from work via the Kedron Brook cycleway and nearly every day we share that space with pedestrians, dog walkers, families with prams or young children on balance bikes or learner bikes. The users of this wonderful resource are all ages and yes, all abilities, including wheelchair users and those who require an attendant to propel them on their special needs trike. But everyone is out there to enjoy the open air and share in the well-maintained space that connects communities. More recently though, this space is also being used by riders of electric motorbikes or riders of bikes retrofitted with conversion kits that far exceed the legal limits, the abilities of the riders and the designed forces of the host bicycle. These riders are often speeding, doing wheelies, cutting across the lanes used by pedestrians and cyclists and more recently fitted with extremely bright headlights that blind oncoming users.

We have often stopped and talked to the riders, at our risk, about their use of illegal devices, usually suffering a barrage of abuse as a consequence. We have no means to report the riders or identify them or their parents. We know the Queensland Police have far more compelling responsibilities to fill and even if they were motivated to stop these riders, the risk to them riding at excessive speeds to catch them would place other users of the shared space at greater risk.

*We believe the effectiveness of current enforcement approaches is low to minimal. But we can't offer advice on how to improve this except through education and fines, if the riders can be caught.*

With regard to the use of illegal devices, we believe the use should link directly back to behaviours. If someone uses an electric tricycle with a throttle and the throttle is used only to help get the trike into motion on grass, on a hill or when the rider is nervous or scared, we believe that they should be able to use this equipment to improve their safety while maintaining their ability to get out and about.

*We believe the grouping of dangerous riding behaviours and the use of illegal devices in the same question may well offer different interpretations and those who have*

*compromised mobility should not be negatively impacted by the unsafe behaviours of another completely different group of users. The assessment should be individualised and linked directly to the intended use and needs of the rider.*

## **6. Gaps between Commonwealth and Queensland laws that allow illegal devices to be imported and used.**

EN15194 legislation adopted by Australian Commonwealth relates only to electric bikes (two-wheeled devices). There is no legislation at the Commonwealth or State level that specifically applies to three-wheeled devices.

Where possible, we adopt the principles of EN15194:

- the device is pedal assist and the motor only assists up to 25 km/hr.
- the maximum continuous rated power is 250W
- walk assist is limited to 6 km/hr without pedalling

But where appropriate, we wish to discuss safety features that are individualised to meet the needs of the rider, who may live with compromised mobility. *And we seek exemptions for these riders to be able to participate safely in the community.*

As an importer which distributes to NSW as well as other States and Territories, we find the burden of differences between legislation at the State level to be difficult to implement.

*We would prefer to have a standardised approach to e-mobility legislation that does not require multiple versions of the product to satisfy users in different locations.*

*We would prefer Queensland adopts the same position as NSW with regard to the maximum continuous rated power of up to 500W, still limited to 25 km/hr. This allows for heavier riders, cargo bikes and passenger trikes as well as people with compromised mobility to be able to safely participate.*

## **7. Communication and education about device requirements, rules etc.**

More education is required in schools, within family groups and community members, advertised through the media and clearly and concisely presented to the interested parties.

The communication needs to cover, but not be limited to:

- Statistics of crashes and fatalities associated with e-mobility use
- Fines associated with illegal device use and how this impacts riders, underage riders and their parents

- Impact on insurance cover particularly liability to riders or people/property impacted by a rider using an illegal device
- Impact on the safety associated with the misuse of equipment designed for non-motorised use (e.g. impact on frame, wheels, drivechain of converting a mechanical bike to an electric bike with a rear-hub conversion kit and illegal motor – note we have been asked to work on bikes that have 2000W motors!)
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**8. Broad stakeholder perspectives including from community members, road user groups, disability advocates, health and trauma experts, academia, the e-mobility industry and all levels of government.**

Our broad perspectives are based on first-hand experience working with riders and potential riders of all shapes and sizes, ages and abilities. As our vision is to be the largest supplier of inclusive cycling options to the public, we see the need to provide solutions to enable people to use a bike or trike at all stages in their riding journey. They want appropriate, safe and robust solutions that are fit for purpose and enable the community member to get out into their neighbourhood and maintain their activity levels.

We feel that at times, the majority scenario of young kids riding illegal devices has negatively impacted the older or less able riders in our community. One size does not suit all and if this then requires those with compromised mobility to be able to seek an exemption supported by their medical professional, NDIS status or allied health provider, then that surely offers every BODY an option to enjoy riding safely. e detriment of the rider who wishes to ride safely and sustainably.

We work to find solutions to transport individuals, to support whole families and the elderly. Our “wobbly riders” come from all sectors of society and their conditions are caused by many and varied impacts, not only related to disability but also to confidence and concern over safety and use of shared spaces with car users and pedestrians. Without exception, they are seeking separated spaces to ride safely, shared and connected paths to offer viable options to reduce car trips.

*Underpinning everything we do, is the desire to enable people to be more active, in ways that are manageable and enjoyable. People come to us seeking sustainable, safe and stable ways to access their community, to retain their connectedness with society and to regain or improve their physical and mental well-being. If that means they need to present acknowledgement that their needs require some adaptations to keep them safe, surely Queensland can facilitate that. Its not about speed with our customers, it is all about safety.*

**Thank you for your consideration.**

**EveryBody eBikes, 6/51 Prospect Road, Gaythorne Q 4051**



**Andrea Herklots and Richard Herklots, Co-owners and Directors.**

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