

Inquiry into e-mobility safety and use in Queensland

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Contents

1 Introduction	2
2 Safety risks	3
2.1 Dangers associated with e-mobility vehicles	3
2.2 Benefits of e-mobility devices	3
3 Current rules and other jurisdictions	4
4 Enforcement approaches	4
4.1 Legislation	4
4.2 Importation and Compliance	4
5 Legislation and changes required to current laws	4
5.1 Legislation change 1 - Ban “Shared Pathways”	5
5.2 Legislation change 2 - eVehicle users need to be licensed	5
5.3 Legislation change 3 - eVehicles need to be registered	6
5.4 Legislation change 4 - eVehicles must carry 3rd party insurance	6
5.5 Legislation change 5 - Councils allowing eVehicle schemes should bear costs	6

1 Introduction

I make this submission as a ratepayer and pedestrian, one required to interact with e-mobility vehicles on a regular and increasing basis.

I am a cyclist and support the concept of eVehicles, but recognise the overwhelming evidence that e-mobility vehicles and pedestrians have conflicting requirements.

I personally have a relative who was run down on the footpath in Brisbane City and needed to be hospitalised with multiple fractures.

Summarising this submission;

- e-mobility vehicles should not be allowed to mix with pedestrians
- e-mobility vehicles must carry 3rd party insurance
- e-mobility vehicle users should be licensed
- e-mobility vehicles should carry registration
- Councils should be liable for costs where they allow e-mobility vehicle schemes that lead to injury

I am appalled that it has taken this long for the government to take irresponsible behaviour by e-mobility vehicle users, the accident rate and the many emergency department presentations associated with e-mobility vehicles seriously.

It is over two years since the RACQ and the Royal Brisbane Hospital conducted a comprehensive study of hospital presentations showing thousands of presentations due to serious eVehicle accidents (this study only included a limited number of emergency departments).

Nothing was done.

Even before this, medical authorities and the general public expressed alarm on many occasions.

Nothing has been done.

The most recent study involving the Sunshine Coast Hospital and an increasing interest by the media will hopefully ensure that this time something IS done.

If a pedestrian was run down and injured, or worse killed, by a motor bike whilst on the footpath, and it emerged that the motor cyclist was unlicensed, unregistered and uninsured there would be a public outcry.

There is no difference between this scenario and the situation presented by e-mobility vehicles.

2 Safety risks

We should start by recognising that e-mobility vehicles are powered vehicles with a proven record of causing serious injury and death. It is no surprise that there is now talk of a class action against Brisbane Council.

2.1 Dangers associated with e-mobility vehicles

The most extreme dangers, as documented in reputable studies are of course Hospitalisation and Death.

Dangers associated with e-mobility vehicles vary according to the type of vehicle and the context in which they are used.

There are three main types of vehicle:

- eBikes
- eScooters
- eSkateboards

All three have been known to seriously injure pedestrians. The more that the purpose in operating the e-mobility vehicle is recreation (riding for the fun of riding) rather than transport the more distracted the operator seems to become.

Privately owned eBikes seem the most responsibly used, hire eScooters have been shown (using emergency department admissions as an indicator) to be the worst. Hire eBikes are somewhere in the middle.

eSkateboards are a grey area as their numbers are relatively low, but many seem to be home built and so are suspect from a compliance point of view.

e-mobility vehicles belonging to hire schemes introduce a number of hazards that have been well documented, including:

- Tripping hazards
- Irresponsible behaviour
- Blocking footpaths
- Weaving in and out of pedestrians without due care
- Danger to traffic

2.2 Benefits of e-mobility devices

Many of the stated so-called benefits of eVehicles have never been properly established. For the time being they remain conjecture.

The most common stated (yet unproven) benefit of eVehicles is that they are a green alternative, and reduce pollution.

The embodied energy in building an e-mobility vehicle is often ignored when establishing its green credentials. More research is needed.

Reducing pollution depends on how the vehicles are used. For example studies conducted in Paris, France before they banned eScooter schemes there showed that eScooters were mainly ridden for recreation or, less often, to avoid walking relatively short distances. There was no evidence that eScooters significantly reduced the use of other forms of transport. Basically, an eScooter's best way to improve the environment would be to not exist in the first place. More research is required to establish the facts.

eBikes on the other hand have been shown to reduce pollution in congested cities such as in China. They still require recharging however and more research is required into how this energy is generated.

3 Current rules and other jurisdictions

We should not be looking at rules in other jurisdictions, rules elsewhere in Australia and overseas are still evolving. Approaches that have been tried are now seen as having failed. As an example a number of cities that originally allowed eScooter schemes have now banned them. These include Paris, Madrid and Melbourne. Western Australia is now looking at bans as are other cities overseas.

Queensland must make their own future plan, one that puts pedestrian safety first.

4 Enforcement approaches

4.1 Legislation

We need to recognise that e-mobility vehicles are powered vehicles, not toys, and take a similar approach to that we take with any other powered vehicles. Arguably even stricter, as we currently allow them to operate, without insurance, on footpaths and in other pedestrian areas such as malls.

There must be consequences for breaking laws if they are to be taken seriously. At the least there should be the prospect of appropriate fines, bans on individuals operating e-mobility vehicles and confiscation of e-mobility vehicles operated illegally.

4.2 Importation and Compliance

We need to define what a complying e-mobility vehicle should be and there should be a registration system to recognise that e-mobility vehicles being imported and used meet these requirements.

5 Legislation and changes required to current laws

Decades ago the Motor Traffic Act legislation was introduced to protect pedestrians from motor vehicles, including moped motor bikes with similar mass and speed capabilities as today's eBikes and eScooters.

It should be recognised too that legislators had in mind that power assisted bikes would be “bikes” in nature with the addition of a small power source. Many of the electric bikes being operated today would be totally inefficient if propelled by pedalling alone.

Bicycles could operate with small motors to assist peddling, which at the time meant small chainsaw type motors which were inefficient and only transmitted a much reduced amount of power to the wheels. eScooters were not even on the radar for law makers. This concession was never meant to encompass the type of eVehicles we are now seeing on our footpaths.

Some of the eBikes now being sold are no more than electric motor bikes with a set of peddles to suggest compliance. They are heavy and inefficient if used as a manually propelled vehicle. This was never the intention of legislators.

5.1 Legislation change 1 - Ban “Shared Pathways”

The government needs to recognise immediately that eVehicles and pedestrians do not mix. The high profile studies done to date prove this, as do feedback from medical authorities. There should be no such thing as a “shared pathway” for e-mobility vehicle and pedestrians. The government would not (I hope) dream of a “shared pathway” that mixed pedestrians with other types of powered vehicles, including moped motor cycles so why do they turn a blind eye to electric vehicles capable of causing similar levels of harm?

5.2 Legislation change 2 - eVehicle users need to be licensed

eVehicles are powered vehicles with a proven record of causing significant injury and death. There needs to be some means to ensure that people operating these vehicles know the appropriate rules. Even those holding car licenses do not appear conversant with rules specific to eVehicles, or for that matter push bikes. e-mobility vehicle users operating mobile phones and riding when drinking are an everyday occurrence.

We also need to know that e-mobility vehicle users are responsible enough to operate powered vehicles in public spaces.

Indeed there are people using eScooters as an alternative form of transport when they have been drinking. A recent death in WA has been attributed to drunken behaviour.

“Education drives” as suggested by some in the industry are a tool only, but not enough. They assume a willingness by users to participate, unfortunately not all will.

Some accidents have been as a result of users not fully understanding the specific handling requirements of e-mobility vehicles. For example the small

wheels, short wheelbase and in some cases braking limitations of eScooters in particular have contributed to accidents.

5.3 Legislation change 3 - eVehicles need to be registered

We need know that eVehicles are legal. Many are not, some are capable of speeds well in excess of the legal limits. All a retailer has to do is tell a purchaser that the vehicle they are purchasing is “not to be used on the road” to get around selling it.

One of the complaints (apparently) from Police is that they cannot identify or pursue offenders. Clearly displayed registration numbers (not along the line of the vehicle where they cannot be seen from in front or behind as is the case on hire scooters) would allow offenders to be identified (there have been plenty of cases in Brisbane where eScooters have hit people and ridden off. It should be possible too to identify offenders by eTags, as I understand that is how owners of eScooters locate them.

5.4 Legislation change 4 - eVehicles must carry 3rd party insurance

This is arguably the most important action the government needs to take immediately. These are powered vehicles with an unfortunate record of causing serious injury and death. According to Studies by the Sunshine Coast Hospital, Royal Brisbane Hospital and the RACQ amongst others there have been thousands of emergency department presentations due to eVehicle accidents, the cost is currently born by rate payers and the public health system users should be bearing the cost.

5.5 Legislation change 5 - Councils allowing eVehicle schemes should bear costs

Some councils are keen to allow eVehicles knowing that they are not liable for the consequences. I suggest that the councils should be liable for costs to the health system and for any legal issues arising from allowing eVehicle schemes. This would make them look more closely at how they condone Vehicles use in their jurisdictions.