

Inquiry into e-mobility safety and use in Queensland

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SUBMISSION TO THE
**PARLIAMENTARY
INQUIRY**
INTO E-SCOOTER AND E-BIKE SAFETY

Submitted by Henry Garrett, Attwood Marshall Lawyers

Introduction

As Australian cities embrace cleaner, smarter transport, e-mobility devices like e-bikes and e-scooters have surged in popularity. However, alongside the convenience and environmental upside comes a growing public safety debate.

I am a Senior Associate of the personal injury department of Attwood Marshall Lawyers, and I have noticed a significant spike in enquiry from people who have suffered injuries in accidents involving an e-bike or e-scooter.

The growing numbers are of great concern to the public, particularly in circumstances where someone can suffer life-threatening injuries and have very limited options for compensation. To combat this, we are proposing that laws are introduced that requires registration of all e-bikes and e-scooters to broaden the options for people who are impacted by a collision.

The Upside: Benefits of E-Mobility Devices

E-scooters and e-bikes offer a range of advantages, including:

- Environmentally Friendly: They reduce car dependency, cut emissions, and lower congestion.
- Cost-effective & Accessible: Especially attractive to students, delivery workers, and low-income commuters.
- Efficient for Urban Travel: Ideal for short trips; they reduce public transport overload.
- Convenience & Flexibility: Shared e-scooter schemes operate in major cities like Brisbane, Canberra, and Melbourne, supporting 24/7 mobility.

Cities like Brisbane have seen a massive uptake, with millions of e-scooter trips logged annually¹. In Sydney, some high-traffic streets see up to 20,000 e-bike trips weekly.²

The Risks: Safety Concerns on the Rise

While popular, these devices are sending thousands to emergency rooms:

- Injury Rates: Queensland emergency department visits involving e-scooters almost doubled between 2021 and 2023³, reporting an increase from 691 admissions in 2021, to 1,273 in 2023. Young riders (aged 15–24) are overrepresented. Looking at the Sunshine Coast Health Trauma Service data collected between January 2023 and January 2024,

¹ <https://www.abc.net.au/news/2022-10-27/brisbane-e-scooter-e-bike-commuter-trial-november-2022/101584472>

² <https://www.smh.com.au/national/nsw/sydney-s-share-bikes-take-22-000-city-trips-a-week-20181130-p50jbk.html>

³ <https://www.abc.net.au/news/2024-07-15/e-scooter-injuries-at-qld-emergency-departments/104090966>

there were 118 presentations related to e-scooter incidents (which amounts to one every three days)⁴.

- Types of Injuries: Common injuries include head trauma, fractures, and internal bleeding. Failing to wear a suitable helmet can often contribute to the severity of these injuries.
- Pedestrian Conflicts: Riders on footpaths pose a significant risk to vulnerable pedestrians, especially the elderly and vision impaired.
- Children as Riders or Passengers: We have all noticed the unbelievable number of young riders on our roads and footpaths, most of them still in school, but they are expected to abide by road rules and understand the life-changing impact an accident at high speed can have. These responsibilities are being afforded to them far too young.
- Access to Compensation: E-mobility devices do not hold their own insurance policy. This means if an 'at-fault' rider or driver of a device causes property damage or personal injury to another, they can be held personally liable for those costs. A prevalent outcome is the parents of the underaged rider or driver are left bearing the costs on behalf of their underage child. As for personal injury, unless the collision involves a registered vehicle under the state CTP laws, the injured person does not have a claim.
- Alcohol/Intoxication: The children of our nation aren't all to blame. Boozed adults are using these devices to transport between clubs and pubs or return home following a night out. Riders or drivers over the legal limit are causing just as many collisions, but there are no equivalent preventative measures as we do for usual road users, such as random breath testing by Police. The public are feeling too comfortable to hop aboard an E-bike or scooter, irrespective of their level of intoxication, because enforcement is virtually non-existent. Without consistent checks or serious consequences, the message being sent is that riding these devices under the influence is acceptable, which is a dangerous precedent that puts everyone on our roads and footpaths at risk.

Current Rules in Australia and How They Compare Globally

Australia's e-mobility laws vary by state:

State/Territory	Shared E-Scooters	Private E-Scooters	Footpath Riding	Helmet Required
QLD ⁵	Legal	Legal	Yes	Yes

⁴ <https://www.sunshinecoast.health.qld.gov.au/about-us/news/articles/e-scooter-emergency-presentations>

⁵ <https://www.qld.gov.au/transport/safety/rules/wheeled-devices/personal-mobility-devices>

State/Territory	Shared E-Scooters	Private E-Scooters	Footpath Riding	Helmet Required
VIC ⁶	Trial (selected areas)	Legal	No	Yes
NSW ⁷	Trial only	Illegal	No (proposed 15km/h limit debated)	Yes
WA ⁸ , SA ⁹ , TAS ¹⁰	Mostly legal	Legal	Some allow it	Yes

Comparison with other countries:

- UK: Private e-scooters remain illegal on public roads, pavements, and cycle lanes.
- France/Germany: E-scooters are legal but must follow strict speed limits (20–25 km/h) and are banned from sidewalks.
- Singapore: Strong enforcement, including registration requirements and clear fines for non-compliance.

Australia trails some jurisdictions in terms of national consistency and enforcement, with major gaps in how rules are implemented across state borders.

Enforcement Approaches

- Low Visibility Enforcement: Most cities rely on passive enforcement; fines are rare. Brisbane in Queensland uses occasional police crackdowns, but the public are brazenly defying road rules, without any meaningful impact from police or road authorities.
- Lack of Rider Accountability: At present, it is far too easy for people using e-devices to have no accountability for damage or personal injury to others. The applications do not require a copy of your driver's licence or any form of identification, perhaps other than a mobile phone number. This creates barriers for police to prosecute offenders if they do not remain on the scene of an incident.
- Parking and Storage Issues: The lack of standardised infrastructure for e-scooter and e-bike parking has led to widespread issues with improper disposal. Abandoned devices often obstruct footpaths, creating tripping hazards. This not only poses safety concerns but also detracts from the amenity and visual appeal of our public spaces, particularly in areas frequently visited by tourists. A cluttered alleyway and sidewalks filled with

⁶ <https://www.melbourne.vic.gov.au/e-scooters#:~:text=Privately%20owned%20e%2Dscooters,and%20are%20similar%20to%20bicycles>

⁷ <https://www.transport.nsw.gov.au/roadsafety/road-users/e-scooters>

⁸ <https://www.wa.gov.au/organisation/road-safety-commission/erideables>

⁹ <https://www.myllicence.sa.gov.au/roadrules/personal-mobility-devices>

¹⁰ https://www.transport.tas.gov.au/road_safety_and_rules/personal_mobility_devices

discarded e-scooters reflects poorly on Australia's image as a safe, clean, and welcoming destination.

Lithium-Ion Battery Fire Risks

Fire risks are present when using an e-bike or e-scooter when they are overcharged and exposed to extreme temperatures. However, for the most part, the batteries have been fairly well designed across the board to ensure these situations do not occur. Fortunately, manufacturers under consumer laws are held liable for damage caused by a fire or explosion, depending on how it occurred and why.

Communication, Education & Rider Awareness

Public education is lagging behind the technology:

- **Road Rules:** This mainly pertains to minors who have no experience operating a motor vehicle on the road. They are not privy to the intricacies or road rules, or the consequences of not following them. Everyone remembers their first random breath test or speeding fine (if applicable). These experiences galvanise you into a responsible and respectful user of our roads.
- **App Providers Could Do More:** Providers like Lime, Beam and Neuron include some safety prompts but don't enforce rider behaviour. More must be done to protect users from themselves to ensure they are wearing a helmet and if in heavily trafficked areas, speed limits enforced more regularly. In Brisbane, Queensland, 'geo-mapped' zones have been trialled, where publicly provided e-devices are restricted to low speeds in certain areas – a step in the right direction.

Stakeholder Views

- **Health Professionals:** The Australia Medical Association¹¹ are present in the media about the need for reform on the use of e-devices. They echo the Australian Automobile Association and its affiliated partners' movement to ensure that states and territories should share their road safety data with the federal government to gather accurate data. With such data, they are in a much better position to implement changes to improve safety, therefore reducing injuries and death.
- **Pedestrian Advocacy Groups:** There is strong opposition to footpath riding¹², especially from disability and elderly rights groups.
- **Riders & Industry Groups:** There is push back against heavy regulation; prefer flexible access and improved infrastructure.
- **Insurance & Legal Experts:** Warn about liability gaps and a lack of clarity around accident responsibility.

¹¹ <https://www.ama.com.au/ama-rounds/2-february-2024/articles/ama-calling-transparent-road-safety-data-including-escooters>

¹² <https://www.abc.net.au/news/2025-06-04/calls-for-e-scooter-footpath-ban-after-perth-pedestrian-death/105374060>

- **Local Councils:** Want more say in device parking, speed limits, and clutter control but need state backing.

Conclusion

Attwood Marshall Lawyers is witnessing the darker consequences of the rapid rise of e-bikes and e-scooters in our community. From elderly pedestrians being struck and hospitalised to young children being hit by motorists with minimal protective clothing. These incidents highlight the need to update the current compulsory third party (“CTP”) scheme alongside the technology for these devices, which will inherently broaden the risk of serious injury for pedestrians and other road users.

To achieve this, education and working alongside police will need to be at the forefront of any progress. Earlier education on road safety must be introduced within schools to inform individuals of the risks they are taking when entering a roadway, as well as their responsibilities to pedestrians.

From state police, harsher penalties and enforcement efforts must be improved to provide real consequences for those who are involved in an accident, or riding while intoxicated.

As for our CTP scheme, we suggest that an electric bike or e-scooter being capable of being ridden on the road should have restricted registration, much like a mobility scooter, where there is an insurance company who indemnifies the ‘at fault’ rider in the aftermath of a collision.

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