

Inquiry into e-mobility safety and use in Queensland

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State Development, Infrastructure and Works Committee
sdiwc@parliament.qld.gov.au

Dear Committee,

INQUIRY INTO E-MOBILITY SAFETY AND USE IN QUEENSLAND

I write to make a submission in relation to the e-mobility devices inquiry. It is pleasing to see the State Government carefully examining the use and safety of these devices in our community.

BACKGROUND

I am a personal injury lawyer coming on 18 years and practice on the Sunshine Coast. I have had the opportunity to read the submission of the Australian Lawyers Alliance ("ALA"), an organisation of which I am also a member. I agree with the recommendations made by the ALA, and wish to express some thoughts given my long interest on the topic.

I have written several pieces on e-mobility devices for news outlets and legal publications. I have had the honour of making public comment in both TV and radio interviews, most recently during road safety week. Road safety is a particularly keen interest of mine having witnessed the incredibly tragic, life-long consequences of road trauma. Injuries impact not just the injured person, but their families, friends, colleagues and our community. It is incumbent on our society to ensure we implement strategies to minimise road traumas and ensure when they arise, we do what we can to ensure rehabilitation is available to improve the prospects of recovery.

DATA COLLECTION

Understanding the true extent of the safety issues relating to the use of e-mobility devices is incredibly challenging due to a lack of a central repository of data collection.

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Data can be pulled from various sources such as the Queensland Injury Surveillance Unit (QISU), research initiatives by private entities such as RACQ and the Jamieson Trauma Institute. However, the QISU only collects data from 30 participating hospitals in Queensland.

From the data that can be publicly accessed, there is sufficient evidence to identify that there is a continual increase in e-mobility accidents, hospitalisations and unfortunately deaths. The injuries being sustained are life-altering, including: brain injuries, significant or multiple fractures. In excess of 50% of injuries are suffered by children.

I would encourage the government require the Department of Transport and Main Roads to become the central repository of publicly accessible data for all accidents involving e-mobility devices (including fires from batteries). This is critical to be able to properly assess and identify major risk behaviours, risk groups, and locations.

BANNING OF E-MOBILITY DEVICES

Whilst this may seem like an easy “solution”, the ‘horse has bolted’ on banning these devices. The impact on businesses and individuals, who behave appropriately, would be unreasonable. Much the same as we do not ban motor vehicles, motor bikes or trucks, despite 2025 being the worst year for fatalities on Queensland roads.

There is utility to e-mobility devices, but our mindset needs to change. As I have stated in media interviews: e-mobility devices are like any other motorised vehicle on our roads, they are not a toy. Going back to this fundamental principle ought to guide the actions of government in dealing with the safety of e-mobility devices.

INSURANCE

The most fundamental change that needs to occur as a matter of urgency is ensuring adequate insurance is held by those operating e-mobility devices.

The present situation is that private devices may well have some coverage through home and contents insurance policies. However, not necessarily all private device owners have home and contents insurance. And not necessarily all such policies would cover damage that a rider would do whilst operating the e-mobility device.

The situation with the public hire schemes is that, they do have insurance coverage, however it is woefully inadequate. There are considerable restrictions which apply within those policies also. The anecdotal evidence from public media reports, the data that is available, and simply experience on our streets, shows that quite often riders would in fact breach a number of the restrictions in the public hire scheme policies. For example, the policies can be voided where the rider is not wearing a helmet, is travelling over a certain speed, is under a certain age or is not riding in accordance with local

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laws. Further, the coverage the policies do provide is highly restricted with caps on any income supplement payments and treatment costs.

The current state of affairs leaves both riders and the public at significant risk, including:

1. Injured people being unable to recover, or having very limited recovery for, their rehabilitation expenses, lost income and other compensation when they are injured through no fault of their own.
2. The data shows the very significant, and life altering, consequences of the injuries that people can suffer. This therefore places additional burden on the public health system, has personal financial consequences to individuals in an already costly living scenario, and impacts the broader community and economy.
3. A rider could become personally liable for the financial burdens of injury or property damage they cause. Whilst that may well be right, the reality is the overwhelming majority of people simply would not have the financial means by which to pay any such compensation or damage to an injured person.

I would strongly advocate for the introduction of mandatory insurance, similar to our compulsory third-party insurance for motor vehicles. This ought to apply to both private devices and the public hire scheme devices.

Such insurance coverage for public hire scheme devices will be easier to implement because registration numbers would not necessarily be critical as the operators of these devices could have bulk CTP style insurance covering all of their devices.

The ALA notes that there are some potential difficulties in the private devices segment, but that is not something that cannot be overcome, and certainly just because there might be some hurdles does not mean action should not be taken.

EDUCATION

I note the contents of the Departmental Brief of 19 May 2025, a 34-page document of which barely half a page deals with "Proactive Communication and Education" on page 17.

Given the available data of accidents, the use of e-mobility devices by children is high; albeit, the data as to usage is not clear. There is no licence required to own or operate an e-mobility device, despite being motorised vehicles that can travel 25km/hr (legally) and certainly the anecdotal evidence suggests many are modified and able to travel at speeds far in excess of this.

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Clearly, the message is not getting through. This is no surprise. I had to spend a considerable amount of time on Google researching what educational material is available. There is too much noise in this space. There are various resources online, but one has to actively look for it. There are some school programs such as Journi (a free online program for grades 5 and 6, which I only found by my research) and BRAKE's (an optional program schools can sign up for from early 2025).

Yet to obtain a licence, we require a comprehensive education, training and testing program. Certainly there is greater difficulty in respect of this for e-mobility devices given they can be purchased easily at retailers and in some local government areas can be hired through public hire schemes, and I would not be advocating for any licensing for e-mobility devices.

PARENTAL RESPONSIBILITY

Finally, there needs to be a degree of parental responsibility taken for anyone under the age of 18 who is using an e-mobility device.

I would encourage the government consider legislative reform expanding police powers to confiscate e-mobility devices and compel parents to physically attend and recover such devices where their child's device is being confiscated, allow for penalties to be issued and payable by the parent, as well as potentially fines for inappropriate behaviour of children on e-mobility devices.

I appreciate this might not sound palatable for some people. However, we must consider this in circumstances where these devices are quite expensive and it would be the parent who is purchasing the device and/or permitting their child to utilise such a device.

As I mentioned at the outset, and as I have made comment in media, e-mobility devices are like any other motorised vehicle on our roads, they are not a toy. It is high time therefore we treat them as such.

Thank you to the committee for consideration of this submission and to the government for taking the bold step of calling this inquiry.

I am available for any further comment and would be pleased to assist the committee further. Please do not hesitate to contact me.

Yours faithfully,



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