

Inquiry into e-mobility safety and use in Queensland

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INQUIRY INTO E-MOBILITY SAFETY AND USE IN QLD

SUBMISSION

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EXECUTIVE SUMMARY

The growth of e-mobility in Queensland offers exciting opportunities but also brings significant safety and regulatory challenges. A clear distinction must be made between legal, compliant devices and the increasing presence of illegal, unsafe vehicles on public roads. Many of these illegal vehicles are modified, imported, and sold through unregulated markets, posing serious risks to users and the wider community.

Legislation already exists to address this issue. What is lacking is consistent and effective enforcement – federally, through Customs intercepting non-compliant imports and the ACCC prosecuting false and misleading advertising; and at a state and territory level, through enforcement of the *Road Vehicles Act 2018*, the removal of illegal vehicles from public roads, and the closure of businesses unlawfully selling them.

Because this problem has been allowed to grow unchecked for so long, the only effective path forward is through strong, immediate enforcement.

The successful 2019 crackdown on illegal “Monkey Bikes” presents a good case study, demonstrating that the industry can be cleaned up within months when enforcement is prioritised. Given the serious safety risks and recent rise in injuries and fatalities, a complete ban on illegal devices is warranted. The government must take immediate action to prevent the removal of speed limitations and introduce significant penalties for those who breach it, including confiscation and disposal of any illegal vehicles.

An entire illegal industry has been allowed to disrupt reputable and compliant companies around Australia. It has caused significant damage to the community - including serious injury and fatalities - with minimal consequence.

For years, the industry, including many small businesses who pride themselves on doing the right thing, has been forced to compete with this illegal trade, which avoids compliance with safety standards and significantly undercuts legitimate operators.

This submission has been prepared to support the Queensland Government’s Inquiry into e-Mobility Safety and Use, and to provide industry insight and practical recommendations to help restore safety, fairness and compliance in the e-micromobility sector.

INTRODUCTION AND BACKGROUND

The Motor Trades Association of Queensland (MTA Queensland) is the peak body representing the interests of businesses across Queensland's automotive industry. Our members operate across a diverse range of sectors, including vehicle sales, repair, servicing, parts, recycling, and emerging technologies such as electric vehicles and e-mobility devices. We are dedicated to supporting innovation in transport and mobility, while ensuring that changes are implemented in ways that protect public safety, uphold legitimate business interests, and maintain community confidence.

On 1 May 2025, the Queensland Legislative Assembly agreed to a motion that the State Development, Infrastructure and Works Committee inquire into and report on e-mobility safety and use in Queensland. The inquiry will consider the following terms of reference:

1. Benefits of e-mobility (including both Personal Mobility Devices (PMDs), such as e-scooters and e-skateboards, as well as e-bikes) for Queensland;
2. Safety issues associated with e-mobility use, including increasing crashes, injuries, fatalities, and community concerns;
3. Issues associated with e-mobility ownership, such as risk of fire, storage and disposal of lithium batteries used in e-mobility, and any consideration of mitigants or controls;
4. Suitability of current regulatory frameworks for PMDs and e-bikes, informed by approaches in Australia and internationally;
5. Effectiveness of current enforcement approaches and powers to address dangerous riding behaviours and the use of illegal devices;
6. Gaps between Commonwealth and Queensland laws that allow illegal devices to be imported and used;
7. Communication and education about device requirements, rules, and consequences for unsafe use; and
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.

As the representative of the Queensland automotive industry, MTA Queensland welcomes the opportunity to provide a submission to this important inquiry. Our input draws on insights from members who are actively working with or impacted by the growing e-mobility sector. This includes concerns around safety, compliance, regulatory gaps, and the disruption caused by illegal e-mobility devices.



1. BENEFITS OF E-MOBILITY (INCLUDING BOTH PERSONAL MOBILITY DEVICES (PMDs), SUCH AS E-SCOOTERS AND E-SKATEBOARDS, AS WELL AS E-BIKES) FOR QUEENSLAND

The focus must remain on the benefits of **legal e-mobility**. There are limitations to e-bikes at 25km/h and e-scooters at 20km/h maximum speed; these must be recognised by government when discussing regulations around use. Too often, the conversation centres solely on use regulations and not on the enforcement of existing legislation and laws around vehicle types and restrictions. If use regulations are aligned with design law, benefits can be more easily established.

When used correctly, e-bikes provide health benefits through physical activity, as they are required to have "pedal assist" from 6km/h. If an e-bike travels over 6km/h without pedalling, it is no longer a bicycle – it is an **illegal motorcycle** and should be compliant with Australian Design Rules, as well as being registered, insured and ridden by a licensed rider. This means a driver's licence is required for mopeds, and a motorcycle licence for scooters or motorcycles. Otherwise, these vehicles are solely for use on private property - not including state or national parks, which are considered public land and roads.

All legal forms for micromobility offer significant benefits, including:

- Compliance with federal safety standards, increasing safety and consumer confidence
- Lower emissions and environmental footprint
- Reduced impact on infrastructure (road surfaces)
- Less congestion and lower parking demand
- Low cost of ownership and operation
- Supports first and last mile transport options, complementing public transport options and further enhancing congestion, parking and environmental benefits.

RECOMMENDATIONS



- A long-term strategy across all levels of government to support infrastructure planning for the safe use of PMDs.
- Promote the broader benefits and options for increased use, noting that these benefits can only be achieved through proper regulation and enforcement to ensure responsible use.
- Partner with industry to develop and provide educational resources that are mandatory at point of sale.

2. SAFETY ISSUES ASSOCIATED WITH E-MOBILITY USE, INCLUDING INCREASING CRASHES, INJURIES, FATALITIES, AND COMMUNITY CONCERNS

There is an urgent need to understand the serious accident and fatality data in Queensland. Safety concerns must be addressed through evidence-based research; the issue is far too important to be guided by opinion alone. The first priority is to enforce existing road and vehicle laws, followed by research to ensure that identified problems are based on evidence before assessing solutions.

The major risk factors for crashes/injury are lack of appropriate infrastructure, products that fail to meet safety requirements, speed capability, experience and user behaviour including aggression and unnecessary risk taking.

Lack of education: there needs to be ongoing strategies for safety campaigns and enforcement/penalty.

Inexperience: There needs to be a consistent model for effective user training or resources. The age of riders contributes to inexperience as they have no awareness or hazard perception on shared infrastructure. Essentially, they use the device the same as a non-motorised scooter or bike regardless of the difference in power and weight making them unsafe for pedestrians and other non-motorised transport sharing the same spaces such as footpaths, bike lanes etc and increases their risk of harm.

Behaviour: enforcement of current rules and penalties including restricting use when risky or repeated behaviours are present including use of helmets. There are very limited mechanisms to identify offenders should they be involved in an incident.

Speed: There is an ability to purchase and modify existing PMDs to operate at the same speed as motor vehicles. Importation and/or modification should be regulated under the same scrutiny as motor vehicles. Beyond a determined low threshold speed, devices should have to meet the same safety and regulation standards of motor vehicles, ensuring compliance with the Australian Design Rules and being registered as a motor vehicle.

RECOMMENDATIONS



- Develop safety campaigns with industry to educate riders and raise awareness of risks.
- Identification – provision of number plates on e-micromobility devices in line with mobility scooters; enabling the police to conduct enforcement and develop a formal reporting mechanism for misuse.
- Training or hazard perception test
- Strong penalties including restricted use for repeat offenders – including application of existing hooning laws for vehicles with steps to confiscate and destroy.

3. ISSUES ASSOCIATED WITH E-MOBILITY OWNERSHIP, SUCH AS RISK OF FIRE, STORAGE AND DISPOSAL OF LITHIUM BATTERIES USED IN E-MOBILITY, AND ANY CONSIDERATION OF MITIGANTS OR CONTROLS

There is currently limited to no control on the disposal of parts and batteries on PMDs. This raises concerns about improper disposal of battery and electric components as general waste in domestic bins at residential properties. Due to their small size, these items often go undetected in landfill, increasing the risk of fire and environmental contamination.

End-of-life program: all e-micromobility devices imported into Australia should be covered by an end-of-life program paid for at time of import and tracked through serial numbers of both the vehicle, battery and charger.

Recycling facilities: Due to the lack of enforcement or liability, there are a high number of cheap imports available to consumers. Due to their substandard quality, the vehicles, batteries and charges are expected to have a shorter operational lifespan. The influx of these products to landfill will reduce our opportunity to retrieve valuable resources.

Increased consumer protection can be achieved by the Government enforcing liability on companies that manufacture or import to ensure their products are fit-for-purpose and safe. These can easily be identified through an importer plate or label being affixed to the PMD to demote its suitability for the Australian market. This should be closely monitored and substandard quality products that do not comply should be banned. Penalties should apply to the manufacturer, importer and the reseller.

RECOMMENDATIONS



- Develop an end-of-life program for the vehicle, battery and charger.
- Ensure access to recycling and appropriate disposal facilities. Treatment of batteries and chargers needs to be included with Owner/Buyer information in the form of a guide.
- Enforcement of liability of manufacturers and importers to ensure the product is compliant, safe and fit for purpose.

4. SUITABILITY OF CURRENT REGULATORY FRAMEWORKS FOR PMDS AND EBIKES, INFORMED BY APPROACHES IN AUSTRALIA AND INTERNATIONALLY

Currently, there is a significant lack of effective regulation and compliance in the e-mobility sector. While the laws governing these vehicles already exist under the *Road Vehicles Standards Act 2018*, they are not being consistently or adequately enforced. Full compliance with European standards and Australian Design Rules (ADRs) must be mandated and enforced across all levels of government.

To ensure that consumers have access to safe and legal PMDs, enforcement must prevent the sale and use of non-compliant and modifiable devices. At present, consumers can purchase a PMD that is limited to 25 km/h for on-road use, but are often given the option by manufacturers to raise this limit to up to 100 km/h for supposed “private property” use. These modifications represent a clear public safety risk and should be banned, with significant penalties for breaches.

Such modifications are enabling dangerous and unacceptable behaviour, where vehicles are being used on the road network at speeds comparable to registered motor vehicles, but without the associated safety standards, licensing, or registration requirements. If private PMDs are to share infrastructure with pedestrians, cyclists, and vehicles, they must operate under a hard limit to their top speed, ensuring they are fit for purpose and operating within current rules.

Any device exceeding the legal PMD speed limit should be classified and regulated as a motor vehicle, subject to full compliance with ADRs and appropriate importation compliance labels attached to denote manufacturer compliance and liability.

Allowing high-speed PMDs onto the road network without applying the same regulatory expectations as other motorised vehicles -such as mopeds or Vespas - compromises safety for all road users. These smaller motor vehicles are subject to strict design rules, registration, and licensing requirements for a reason, and PMDs exceeding legal thresholds should be treated no differently.

[RECOMMENDATIONS]



- Use current laws under the *Road Vehicles Act 2018*
- Impose significant penalties and confiscation for speed limit modification or removal
- Imported vehicles need to satisfy Australian Design Rules
- Safety standards must be met including helmet requirements based on vehicle and speed.

5. EFFECTIVENESS OF CURRENT ENFORCEMENT APPROACHES AND POWERS TO ADDRESS DANGEROUS RIDING BEHAVIOURS AND THE USE OF ILLEGAL DEVICES

Use of illegal devices:

The existing *Road Vehicles Act 2018* must be actively enforced by customs at the border, the ACCC for false and misleading advertising, and by police to ensure only compliant vehicles are operating on public roads.

These non-compliant vehicles are dangerous, illegal motorcycles that do not meet Australian Design Rules and have been marketed in a way that is false and misleading to customers.

There is little to no enforcement for dangerous riding behaviours as the inability to identify the device or rider inhibits enforcement. Without a means of identification, there is no formal process to report incidents or unsafe behaviours as they occur.

Schools currently request driver licences for students to drive cars – this may provide a model for managing PMD use for school transport in line with current age restrictions.

RECOMMENDATIONS



- Enforce a complete ban, with immediate confiscation and disposal of illegal vehicles.
- Importers/retailers/e-commerce sites/rental companies who have been proven to be marketing these vehicles for road use, should be required to provide a full refund to consumers if they have been misled customers through false advertising under the Australian Consumer Law (ACL).
- Identification through a conditional registration scheme like mobility scooters

6. GAPS BETWEEN COMMONWEALTH AND QUEENSLAND LAWS THAT ALLOW ILLEGAL DEVICES TO BE IMPORTED AND USED

There is currently no national consistency in standards or enforcement for Personal Mobility Devices (PMDs). This fragmented approach has allowed significant non-compliance across jurisdictions. However, the ongoing regulatory reviews in Queensland and other states—alongside recent changes already implemented in New South Wales—present a valuable opportunity to establish a uniform national framework that prioritises safety and legal compliance.

Modification:

The importation of PMDs should be heavily regulated and subject to the same level of scrutiny applied to other motor vehicles. This would close current loopholes that allow consumers to purchase or import devices that can then be modified to reach speeds comparable to registered motor vehicles.

PMDs that are capable of operating beyond the legal upper speed limit should be treated as motor vehicles and therefore be required to meet the full safety and regulatory standards under the Australian Design Rules. Once compliant, they should be registered, display a vehicle plate, and carry compulsory third-party insurance—just like any other motor vehicle. This classification would not only enhance public safety but also clarify liability and enforcement responsibilities..

Customs must also play their part in allowing illegal vehicles to be imported under the guise of a “non-road vehicle” through self-reporting at time of import. Illegal vehicles have flooded the market due to the lack of co-operation between the federal and state/territory governments.

A simple check of importers and their marketing activities should have been a high priority for the federal government in curtailing this problem last year.

RECOMMENDATIONS



- Banning the import and sale of e-vehicles that can be modified to exceed a regulated upper speed limit.
- Design and compliance rules need to include the ability to modify the speed beyond a regulated upper limit.
- Consistency across all states in relation to importation, infrastructure use and riding age. This would also limit confusion for tourists or holiday makers.

7. COMMUNICATION AND EDUCATION ABOUT DEVICE REQUIREMENTS, RULES, AND CONSEQUENCES FOR UNSAFE USE

The Government needs to heavily invest in safe rider campaigns and clearly highlight the dangers and consequences of using devices incorrectly or engaging in risky behaviour. Both parents and young people—including very young children—are increasingly using these devices as a primary mode of transport to and from school.

The wider community must be made aware that serious injuries and fatalities can occur on these devices. Caution must be exercised, as with any other form of motorised transport.

Recent fatalities have brought this growing problem to light, with the media playing a far more significant role in educating the public than government. This lack of clear public messaging from authorities must be urgently addressed.

Because this issue has been allowed to grow rapidly, and without consequences for breaches of the law (by importers, retailers, e-commerce platforms, rental companies, and the public), the only effective solution now is strong, immediate enforcement.

The 2019 crackdown on illegal “Monkey Bikes” is a clear case study; the industry was cleaned up within months due to strong government action and penalties.

RECOMMENDATIONS



- Substantial penalties for importers resellers and rental companies and the public need to be implemented and enforced
- Illegal importers should be subject to serious financial consequences of selling illegal road vehicles to consumers
- Consumers need to face serious financial penalty for riding an illegal road vehicle.
- Retailers who have misrepresented the vehicle's use or provided information to remove speed limiting mechanisms should incur harsh penalties under the Australian Consumer Law and be flagged for close monitoring of their activity or when appropriate banned from importing and selling products.
- There needs to be an immediate harsh response to the current dangers associated with these devices including confiscation, destroying and where appropriate compensation from the seller.

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.

For legitimate businesses, conforming to Australian Design Rules is an expensive, time-consuming, and highly regulated process. Importing road vehicles legally into Australia requires significant investment, with strict oversight and ongoing compliance obligations enforced by government authorities.

Yet an entire illegal industry has been allowed to flourish, disrupting reputable and compliant businesses across the country. These operators have caused significant harm to the community, including serious injuries and fatalities, **with little to no consequence.**

For years, the industry — including many small businesses that pride themselves on doing the right thing — has been forced to compete against an illegal trade that ignores safety standards and compliance, allowing them to undercut legitimate operators through significantly lower costs.

[RECOMMENDATIONS]



- Registration and licencing are key to policing and reporting
- EMD for the elderly that are compliant have registration so these units regardless of speed should also
- Urgent action needs to be taken to protect legitimate business and consumers there should be an immediate ban including confiscation, destruction and compensation from the seller where appropriate.
- Policing should be widened to include national parks staff and councils
- The Government needs to take action to support legitimate business in Australia that are complying with the law

CONCLUSION

The rapid growth of e-micromobility presents significant opportunities for Queensland, but it also brings serious challenges that must be urgently addressed. **The distinction between legal, compliant devices and the rising number of illegal, unsafe vehicles is critical to ensuring public safety, supporting legitimate businesses, and maintaining community confidence.**

Existing legislation provides a strong foundation; however, without consistent and robust enforcement at both federal and state levels, illegal vehicles will continue to endanger users and the broader community. Immediate and decisive government action is essential to prevent further harm, including a complete ban on illegal devices, stringent penalties for offenders, and a coordinated approach to import controls, compliance, and education.

MTA Queensland supports the Queensland Government's Inquiry into e-Mobility Safety and Use and offers this submission to contribute practical, industry-informed recommendations. Together, through enforcement, education, and regulatory reform, we can foster a safer, fairer, and more sustainable e-micromobility sector that benefits all Queenslanders.

CONTACT

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[BACKGROUND]



The Motor Trades Association of Queensland (MTA Queensland) is the peak body representing the interests of employers in the retail, repair, and service sectors of Queensland's automotive industry.

MTA Queensland has been performing its vital representative role for the automotive industry since 1929. In Queensland there are some 16,000 automotive businesses employing more than 90,000 people, that generate more than \$7.24 billion to the state economy annually. The automotive industry is estimated to contribute \$37 billion to the Australian economy each year. The Association represents and promotes issues of relevance to all levels of government. In 2019 MTA Queensland was announced as an ABA100 winner in The Australian Business Awards and a finalist in the Lord Mayor's Business Awards, for Business Innovation.

The MTA Institute (RTO 31529) is the leading automotive training provider in Queensland offering nationally recognised training, covering technical, retail and the aftermarket sectors of the automotive industry. The MTA Institute is the largest independent automotive training provider in Queensland, employing experienced trainers who are geographically dispersed from Cairns to the Gold Coast and Toowoomba to Emerald. In the last year, the MTA Institute delivered accredited courses to more than 2,000 students. The MTA Institute is the first trade RTO in Australia to be approved under the ITECA Industry Certification Program and was the winner of the Small Training Provider of the Year at the 2019 Queensland Training Awards.

