STATE DEVELOPMENT, INFRASTRUCTURE AND WORKS COMMITTEE

Mr JJ McDonald MP—Chair
Ms JM Bush MP
Mr TA James MP (via videoconference)
Mr D Kempton MP (via videoconference)
Mr SR King MP
Mr BJ Mellish MP

Staff present:
Ms S Galbraith—Committee Secretary
Ms R Duncan—Assistant Committee Secretary

PUBLIC HEARING—INQUIRY INTO THE TRANSPORT AND OTHER LEGISLATION (MANAGING E-MOBILITY USE AND PROTECTING OUR COMMUNITIES) AMENDMENT BILL 2026

TRANSCRIPT OF PROCEEDINGS

Monday, 27 April 2026

Brisbane

MONDAY, 27 APRIL 2026

The committee met at 8.50 am.

CHAIR: I declare open this public hearing for the committee's inquiry into the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026. I am Jim McDonald, the member for Lockyer and chair of the committee. With me here today are: Ms Jonty Bush MP, the member for Cooper and deputy chair; Mr Terry James, the member for Mulgrave, who is joining via videoconference; Mr David Kempton, the member for Cook, who is also joining via videoconference; Mr Shane King, the member for Kurwongbah; and Mr Bart Mellish, the member for Aspley.

The purpose of today's hearing is to assist the committee with its examination of the Transport and Other Legislation Amendment Bill (Managing E-mobility Use and Protecting Our Communities) Bill 2026. This hearing is a proceeding of the Queensland parliament and is subject to the parliament's standing rules and orders. Only the committee and invited witnesses may participate in the proceedings. Witnesses are not required to give evidence under oath or affirmation, but I remind witnesses that intentionally misleading the committee is a serious offence. I also remind members of the public that they may be excluded from the hearing at the discretion of the committee.

These proceedings are being recorded and broadcast live on the parliament's website. Media may be present and are subject to the committee's media rules and the chair's direction at all times. You may be filmed or photographed during the proceedings and images may also appear on the parliament's website or social media pages. Please remember to press your microphones on before you start speaking and off when you are finished. Please turn your mobile phones off or on to silent mode.

At the outset, I thank everybody for the changes to witnesses we had to make for today's hearing. Two of our members are appearing via videoconference because they had appointments they could not change up in North Queensland.

BURKE, Professor Matthew, Chief Executive Officer, Bicycle Queensland

COX, Mr Chris, Convenor, Brisbane West Bicycle User Group

DEMACK, Mr Andrew, Director of Advocacy, Bicycle Queensland

HEYMANS, Mr Paul, President, Brisbane Valley Rail Trail Users Association (via videoconference)

CHAIR: Welcome, Professor Matthew Burke, Mr Andrew Demack and Mr Chris Cox as well as my friend Mr Paul Heymans from the Brisbane Valley Rail Trail Users Association. I probably should not have been so familiar, Paul, but I say 'my friend' because the Brisbane Valley Rail Trail runs through my community and you are often in touch with me about matters. If you would like to make an opening statement, then the committee will have questions for you after that.

Prof. Burke: We at Bicycle Queensland thank the committee for the opportunity to appear today. We are, of course, the state's peak advocacy body for bicycle users with over 12,000 paid-up members and more than 40,000 actively engaged supporters from right across Queensland from north to south. We seek to be a trusted partner to government on active transport. Like others in the bicycle industries and the road safety community, we are disappointed not to have been consulted on this specific legislation.

As thousands of submissions to this committee have shown, Queenslanders are overwhelmingly opposed to this bill. Our analysis suggests that 90 per cent of the submissions that are online thus far—thousands of them—agree with our positions. The draft law cracks down on compliant e-bike ownership and use despite all of the evidence presented to your inquiry that safe legal e-bikes are not, and have never been, the problem. Your committee's report recommended e-bike restrictions, including a 10-kilometre-per-hour limit on footpaths, mandatory car licence holding and a ban on riders under 16. You also recommended sales of overspeed devices solely through a motor trades licence.

The government chose to go much further than your inquiry recommendations in problematic ways. Firstly, the bill extended your recommendation for 10-kilometre-per-hour limits on footpaths to now encompass all shared paths and almost all Queensland bikeways built for road safety. The explanatory notes say this is explicitly to get riders onto roads and, by inference, pushed into dangerous car traffic. This dramatically increases road danger.

Second, the bill chose to mandate only the very narrow EN15194:2017+A1, a newer standard which only came into effect in Europe in August 2025, thus over 200,000 safe legal e-bikes will be noncompliant on 1 July with no real pathway to compliance.

Third, the bill rejected your motor trader recommendation for overspeed devices. This keeps wide open the loophole by which all illegal devices are currently sold in Queensland, which is the 'for private property use' only loophole. The bill allows the worst Queensland retailers to stay in business and to still sell the same illegal devices on 1 July. The bill contains no pathway to compliance for all of the law followers and do-gooders who have done the right thing and bought a safe legal e-bike but do not have a manufacturer's permanent mark. The bill contains no buyback scheme, so there is no incentive for people to hand in illegal devices previously sold. The bill provides no new funding for the Queensland Police Service to search, seize and impound illegal devices. The bill does not fix your actual problems.

Bicycle Queensland seeks urgent changes to the bill including (1) adopting a more appropriate standard and including a clear, no-cost pathway to compliance for Queenslanders with a safe legal e-bike without a permanent mark and (2) including provisions that actually deal properly with the illegal devices. Consider a buyback scheme. Stop the sale of illegal devices in Queensland stores. Bicycle Queensland asks that only safe legal devices be on sale in this state on 1 July. The 'private property only' loophole should be firmly closed. The motor trades licence recommendation should be revisited. Drop all licensing, speed limits and age bans for safe legal e-bikes. There has never been any empirical evidence to support these provisions. They are an unreasonable imposition on the families, seniors and people with a disability who use safe legal e-bikes in Queensland. Riders lose control at 10 kilometres per hour or less. There will be more of the highest risk crashes, with Queenslanders on e-bikes and PMDs forced off bikeways built for bikes and pushed into dangerous on-road traffic. We note it is cars and trucks that primarily kill both pedestrians and cyclists.

And (4) invest in the active infrastructure and safer roads that Queensland needs, including more shared paths and protected bike lanes. We ask that you help save legal e-bikes in this state and fix the problem with illegal devices.

Mr Cox: Brisbane West Bicycle User Group's submission advocates not just for people who already ride bicycles but the 50 per cent of Queenslanders who are interested in riding or riding more but are deterred by barriers such as safety, driver behaviour, lack of infrastructure and worried about their physical fitness, the heat and the hills. The western suburbs of Brisbane are a hilly area with limited separated cycling infrastructure; however, legal 25-kilometre-per-hour, limited-pedal-assisted electric bicycles have resulted in significant growth in active transport.

While I used to be overtaken on the hills of the Western Freeway Bikeway by much fitter men on road bikes on my way into the CBD, today I see women in business clothes, sometimes carrying children, riding to work. I see older residents riding e-bikes along streets and paths, some of whom no longer drive. I see families riding together with electric cargo bikes initially and, as the kids get older, their own safe legal e-bikes. I see high school students riding e-bikes to school, many travelling over five kilometres each way, which is a distance that is a turn-off on a regular bicycle, particularly in summer with uncomfortable school uniforms. E-bikes have broken down barriers for people to leave the car at home and engage in riding bicycles.

It must be stated as clearly as possible that electric pedal-assisted bicycles are bicycles. They do not make you ride faster; they help you ride further. We are dismayed that the proposed bill seeks to add new barriers that will discourage this positive shift in how people in the suburbs travel. A 10-kilometre-per-hour speed limit on shared paths and footpaths is at best impractical and at worst unsafe. On empty footpaths and shared paths it is nonsensical. Banning children from riding legal electric bicycles when they are capable and trusted by their parents to ride bicycles is bewildering.

Electric bicycles are bicycles. Requiring a driver's licence or a learner's permit to ride an electric bicycle is excessive. Why is a driver's licence suddenly the price of entry to travel around your community? Electric bicycles are bicycles. At a time when fuel costs are hurting Queensland families, chronic physical inactivity is affecting public health, worsening traffic congestion is crippling our

suburbs and injuries and deaths as a result of motor vehicle collisions is increasing, the introduction of these unjustified, unnecessary barriers and criminalisation of safe legal electric bicycles is appalling. These elements of the bill must be thrown out.

Electric bicycles are bicycles. We need more investment from the Queensland government in road infrastructure to make riding bicycles safer, not creating new barriers like those proposed in this bill that will further entrench car dependence.

CHAIR: Thanks, Chris. Paul, do you have an opening statement?

Mr Heymans: Thank you for the opportunity to appear before the committee today. Since 2015 the Brisbane Valley Rail Trail Users Association has worked to develop and enhance the rail trail and advocate for the communities who benefit from it. The Brisbane Valley Rail Trail is recognised as Australia's longest rail trail, stretching 161 kilometres from Ipswich to Yarraman. A 2024 University of Queensland study revealed that the rail trail attracts approximately 200,000 visitors per annum, contributing an estimated $18 million to $25 million directly to our regional economy. With the ongoing fuel crisis, it is likely these figures are now even higher.

Cyclists represent around 85 per cent of all users, with more than half riding EN15194 compliant e-bikes. As the committee heard from Melanie Andersen and Nigel Walker on Friday, the legislation as currently drafted, will have a profound negative impact on the trail's commercial viability. To be frank, it will be devastating. Therefore, we respectfully request a clear carve-out for rail trails and regional tourism trails in Queensland.

Firstly, a mandatory Queensland driver's licence would exclude international tourists, interstate visitors, adults without a licence, older riders who no longer drive and people with disabilities who rely on compliant e-bikes for mobility. Secondly, the minimum age of 16 would affect families who comprise a significant portion of rail trail visitors. Children aged 11 to 15 frequently and safely ride compliant e-bikes on the rail trail under parental supervision. Families with children comprise about 25 per cent of the hire bike market.

Thirdly, a 10-kilometre-per-hour speed limit on the rail trail would be unsafe for riders and disproportionate to actual risk. Pedestrians constitute only about 10 per cent of users and are mostly located near the towns. We are not aware of any incident where a pedestrian has been injured by an e-bike, or any bicycle for that matter, on the rail trail. The 'give way to walkers' rule currently in place on the rail trail is far more practical.

However, if I may be so bold, I would like to propose a far less complex and more practical solution that could resolve these concerns for everyone. The EN15194 standard was originally created to distinguish low-power, pedal-assist bicycles from emerging high-powered, throttle-controlled electric motorbikes enabling EU member states to disregard compliant e-bikes in motor vehicle legislation. It therefore seems ironic that compliant, pedal-assist bicycles, designed specifically for safety, are being treated the same as those devices.

A compliant e-bike merely amplifies a rider's effort by about 50 per cent, similar to riding with a tailwind. In all other respects, it behaves like an ordinary bicycle and should be regulated as such. Exempting compliant e-bikes from licensing, age and speed restrictions would simplify administration, neutralise political unpopularity and decrease the probability of legal challenges. In addition, it would provide relief for the estimated 230,000 Queenslanders who ride compliant e-bikes responsibly, as well as the many small tourism operators whose businesses depend on them.

International research consistently finds that compliant e-bikes have accident risks similar to, or lower than, ordinary bicycles. Most injuries categorised as 'e-bike accidents' are caused by external factors, not by the compliant e-bike itself. Please, by all means enforce the rules against noncompliant electric motorbikes, but we respectfully ask the committee to recognise that compliant e-bikes are not the cause of the problems this bill aims to address. They are not electric motorbikes and they should be treated in law the same as ordinary bicycles. Thank you for the opportunity to speak today.

CHAIR: Thank you, Paul. I will go to the member for Cooper for the first question.

Ms BUSH: Good morning, gentlemen. I will hand over to the member for Aspley for the first question.

Mr MELLISH: My question is to Bicycle Queensland, but, Chris, you might want to comment as well. We have been through the committee process and now the bill process. Do you feel that the bill is reflective of the evidence received from stakeholders throughout the committee inquiry process?

Prof. Burke: First of all, I think there has been a problem here that the government has confused the actions of the inquiry and the appearances before the inquiry and the submissions to the original inquiry with consultation with the bike community on the specifics of this bill. We only heard of footpaths being affected in your own public messaging, Chair. That is not what we were delivered. Licensing certainly came out of nowhere. There is almost nowhere in the world that does this. Stakeholders right across the road safety space, let alone the bike industry, are dead against licensing, except for the RACQ, who seem to have a weird additional licence that they have invented which looks like something they could run as a commercial opportunity for themselves. We are not in favour of this as a solution, I must say. Yes, what has been the real interaction with stakeholders? Our phone has been remarkably silent at our offices throughout this whole thing.

In terms of where we go from here, there are off-ramps that are available. There are off-ramps available to all of the key issues. There has been very little interaction from government, particularly at higher levels, in seeking to look to stakeholders for those off-ramps.

Mr Cox: Just briefly on behalf of the other bicycle user groups that did contribute to the committee, the main message that we gave was that, yes, electric motorbikes are a problem and the high-speed use of e-scooters was a problem but we also made it really clear that compliant legal electric bicycles and bicycles are separate to that. The committee seems to have failed to take that message onboard. Where that broke down, I do not know. There were some very good witnesses who appeared during the original committee inquiry that gave very clear explanations about how legal electric bicycles work. There was plenty of evidence that said that they were not posing a problem and were not a threat. We feel particularly let down by that committee process—that it has ignored our feedback.

Mr MELLISH: Would some of these issues—maybe some, not all—have been able to be addressed if the draft bill was consulted on before the draft bill was introduced?

Prof. Burke: Of course. Options like even working out how to define a 'footpath' in the legislation, which is notably missing. That is one off-ramp—one possible way that could have been dealt with to meet the desires that the majority report had to restrict speeds on footpaths. It could have been conducted that way. It seems that the only solution that had been looked at until very, very recently was to sign shared paths which the councils on Friday told you is in the hundreds of millions of dollars. They were very coy on the total costs.

We have done back-of-an-envelope estimates based on our discussions with a number of local governments across Queensland. We believe it is in the hundreds of millions of dollars to assess and then sign shared paths. I rode on the weekend at Yarrabilba. There are so many paths that have been built because you could create a wide footpath under our legislation and create shared path infrastructure but you did not need to sign it. Now suddenly all of those links—I must have ridden on about 30 short sections at Yarrabilba on the weekend—would need to be signed at each end and be assessed.

Some simple stakeholder engagement would have revealed those things. I am pretty sure that the bill never had a regulatory impact statement detailing those costs prior to the adoption of those measures in the bill. That lack of stakeholder engagement has led to this mess. Again, there are off-ramps that are available but the time seems too short. The government seems so keen to get this in place in the next couple of weeks and have this bill land. We are scared that the sloppy work that has gone on is going to lead to licensing. It is going to lead to the bike paths being unusable basically for people with safe legal e-bikes and, basically, it is going to lead to the death of safe legal e-biking in this state.

CHAIR: Thanks, Matthew. I will go to the member for Cook.

Mr KEMPTON: I am sorry I cannot be there today. It is difficult to do this through electronic means. I cannot really accept that the work the committee has done has been a mess or sloppy. I understand that there are a lot of competing interests here. We heard from a tourist operator last week. As a result of positive comments made, we are now re-examining some of our work. We are not here to put anybody out of business or to take away the rights of users, but we do have a public safety issue that we need to deal with. We are really keen to work to see some changes around bike trails. We do not want to disrupt family engagement, but just remember that the bottom line here is that we are really trying to save the lives of young people.

What I am most interested in by way of a question is that we seem to talk a lot about this 10-kilometres-per-hour speed limit where there is interaction. I am not talking about remote bike trails; I am talking about where there is considerable interaction between the visually impaired, the elderly, families with prams and children. If the average walking speed is about six kilometres per hour, I just do not see how increasing that beyond 10 actually increases safety. I would be really keen to hear from you.

Prof. Burke: We have already had a Queensland government trial of 10 kilometres per hour on a major piece of infrastructure that meets exactly the definition you just talked about, member for Cook. It is called the Kurilpa Bridge. We signed it for 10 kilometres per hour and it failed. Cyclists were unable to stay on their bike safely and ride safely at that speed. An investigation was done by the Department of Transport and Main Roads. They lifted that minimum speed to 20 kilometres per hour, and we have not had issues from that point.

I looked up the latest scientific research on this. The last study to show that cyclists are unsafe at 10 kilometres an hour or less was a video analysis study done in Beijing by a group of Chinese university professors, again, finding that cyclists are safe and upright and can ride a narrower swept path above 10 kilometres per hour but below 15. That is what they suggested. Under 10 kilometres per hour you introduce risk and danger. We know from other studies that cyclists are taking their eyes off the urban environment around them and the other road safety risks in that environment to narrowly focus down at their bike and to focus mainly on the cognitive task of staying upright.

Mr KEMPTON: Then that would mean that there are some areas frequented by the list of people I mentioned before where it would not be appropriate to have e-bikes or any bikes. Is that logical?

Prof. Burke: Yes, and there are already spaces in Queensland where we prevent bikes from being on the footpaths—not just the Queen Street Mall around the corner from these premises but also the footpaths around the Cleveland town centre. The council there has assessed that they have some safer on-road environments and there they would prefer pedestrians to have a protected space. That works quite well. I will hand over to my colleague, Andrew Demack.

Mr Demack: These can be assessed place by place. Rather than saying a blanket 10 kilometres an hour on footpaths across Queensland, there is a process that the state already has, that TMR already has, for assessing high-active-transport spaces and providing a way of signing pedestrian-only areas or low-speed areas for bikes. Those provisions already exist and are often used by councils. Redlands is an example. There is no need for a blanket 10 kays an hour when these measures already are in place and you can already carve out pedestrian-only areas. When I talk about carve outs, it would be much simpler to carve out the high-intensity spaces and provide pedestrian-only areas or provide low-speed areas for shared zones like we have in many places around the inner city, rather than having blanket a 10 kays across the state.

Mr KEMPTON: To follow up on that, the councils and yourselves have said that signage is cost prohibitive.

Mr Demack: Signing the whole network, yes, but signing place-by-place sections is much easier.

Prof. Burke: Yes, small discrete locations as we currently do for pedestrian priority, South Bank being a good example where we have taken that approach.

CHAIR: I think it is pretty clear wherever you go out into the community and you look at a footpath, a shared path or a rail trail together, you all say, 'That should be 10' or, 'That should be without a speed limit on it.' It is about getting this right. This is the process we want to go through to make sure that we get those specifics because it certainly was not the committee's intention to have it shared—

Prof. Burke: And we would argue that 95-plus per cent of the network will not require any speed limit.

CHAIR: That is why we need to get it right.

Mr KING: Chris, in your submission you say that you have about 489 kilometres of bicycle infrastructure in Brisbane and it is all shared pathways that will be affected by this 10-kilometre-an-hour speed limit. We also have a trail in Moreton Bay that goes from Petrie through to Kippa Ring along the rail line. It is the same sort of thing. How many of your members would be forced off shared pathways and onto roads as a result of these changes? Is there a concern amongst your members that this may push people away from cycling altogether?

Mr Cox: Absolutely. Bike riders are law-abiding people. They are trying to do the right thing. On shared paths they are very careful. We know that when pedestrians are there we slow down. We can see when there is a family with a child and we know to be careful. If they are walking a dog, we know to be careful. There is some common sense there—and I know common sense is not that common—amongst the bike-riding community.

One of the things that is really clear as a cyclist is that if you have a crash then you are likely to get hurt, too. Nobody wants to crash. When you are on a shared path and it is a long six- or seven-kilometre stretch that is a shared path and there is not a single pedestrian around, expecting someone to travel at 10 kilometres an hour is not workable. People will not do it. You will have chronic noncompliance because it does not make sense, which will then lead to imbalanced policing because that is an opportunity to go and do a blitz to try to make a point that this is a rule and we have to show that it is enforced. There are so many problems with this. Yes, a significant proportion of our members who ride e-bikes will just go onto the road. I think even more of them will just stop riding altogether because it is no longer safe for them. They will get back into their cars, contributing to the real danger on our roads.

CHAIR: Thanks, Chris. I will go to Paul.

Mr Heymans: I do not think a compliant e-bike presents any more risk than an ordinary bicycle. You could have a situation where the e-bikes are doing 10 kilometres per hour but the ordinary bicycles are not and they are going to be overtaking the e-bikes. If you put a speed limit on a particular section of path, it would apply to all the bicycles using it. There is no evidence that e-bikes are more involved in accidents on any trails. Compliant e-bikes are not the problem.

Mr JAMES: Matthew, earlier you spoke about the definition of footpath. What if we clarified the definition of footpath, and in particular separated shared paths out of that, and you had a default speed limit there—for example, 20 kays per hour. Not unlike in the suburbs when you are driving your car, there are no signs that say that the speed limit is 50 but everyone knows the default speed is 50 kays per hour.

Prof. Burke: Can I get a clarification: are you talking about the speed limit being on the shared paths or are you talking about the speed limit being only on the footpath?

Mr JAMES: A speed limit on the footpath of, for example, 10 kay.

Prof. Burke: This would be a much more workable solution to achieve what the committee was originally trying to do to create road safety on footpaths for pedestrians. A definition of a footpath could revolve around something of a narrow width. Anything that is built wide tends to be for sharing because you tend to be allowed to pass each other safely within that width. Narrow footpaths are not designed for sharing so the first would be something about width. The other would be that it is directly adjacent to businesses, premises or dwellings. That is the international way that most footpaths are defined in legislation. Something similar could be adopted in Queensland. You will then probably need to define a shared path more clearly, but I think some distinction can be made and suddenly you have freed up most of the cycling network built for cyclists to actually be ridden by cyclists at the speeds that bikes go.

Mr JAMES: And that would save the councils a lot of money with the signage?

Prof. Burke: That would save hundreds of millions of dollars in signage.

Ms BUSH: Paul, rail trails are obviously an iconic part of Queensland's tourism. In your submission and your opening statement you talked a little about the impacts for you on tourism. Can I get a bit more from you on that? I think half of your customers are now using e-bikes and I think Nigel said something similar at around 75 per cent. We have heard the chair talk about the importance of getting this right. What is the cost of not getting this right for those small towns that rely on that e-mobility tourism trade?

Mr Heymans: E-bikes have become very popular on the rail trail. I have actually been quite amazed at the number of e-bikes. I have been counting them mentally as I pass them. I myself ride an e-bike. The e-bikes open up the possibility of accessing the rail trail to a whole cohort of people who could not previously access it. The Brisbane Valley Rail Trail is a bit of a challenging trail. It has become less so as it has been developed, but it is certainly a challenge. E-bikes enable people who are less fit or are like myself—I am 76 years of age. I ride an e-bike so that I can keep up with the 60-year-old youngsters I ride it. It has opened up the rail trail to a huge amount of the market.

I have two e-bikes. They are worth $10,000 each. They are high-end e-bikes. Jim McDonald has ridden one of them. He rode with us when he met with us on the rail trail. They are not a safety issue in any way. The people who own them tend to spend a bit of money on the rail trail in all the local cafes. People have already been saying on social media that if there was a 10-kilometres-per-hour limit on the rail trail then they would not bother with it; they would just go down to the Northern Rivers or something like that so we would lose business to our competitors. For the local businesses, it would be devastating. Most of the local businesses have geared up for e-bikes. They now offer charging stations. It has opened up a whole new market for the rail trail that has increased the usage.

CHAIR: Matthew, I do not accept that there has not been consultation about this. We went through a near nine-month consultation through the inquiry. There is a report with 28 recommendations and the vast majority have been well accepted by the community. Four issues have come to light now and we are having this consultation to get it 100 per cent right. We want to make sure that the speed issues are addressed. We have covered that a lot this morning. I would like to unpack really quickly the issue of the compliant device.

Prof Burke: Great.

CHAIR: The legislation actually mentions a specific number. We have great feedback about how that can be grandfathered and also go back to the 2009 EN15194.

Prof. Burke: The pathway to compliance for those bikes that do not have that standard or do not quite meet that but are totally compliant—they are low powered, low speed—

CHAIR: So there is the EN series, if you like, and then the other bespoke bikes and custom bikes.

Prof. Burke: Or bikes that simply did not get marked with that because it was not required in the Australian market.

CHAIR: How do we capture that in the legislation?

Prof. Burke: I think later today you will hear from Peter Bourke of Bicycle Industries Australia and We Ride Australia. We are a big fan of what they are proposing, which is tamper-proof stickers of some description being able to be applied by retailers. I have to say that the reputable retailers are up for this, through Bicycle Industries Australia—so members of that organisation. It may be that my individual bike is numbered to that store and they know that that is my device and that they have done some tests, if need be. Many of those will be people who have bought from a bricks-and-mortar store and can go back to that store and get it. You will need tonne-of-bricks kind of penalties for rogue retailers, noting that we do have some in Queensland who have been selling illegal e-bikes to kids—e-motorbikes, illegal devices—and really make sure that they are not stickering noncompliant devices. We will have to have a fair bit of vigilance about that because there have been some rogue retailers.

That would be a pathway to compliance. That still will not deal with the illegal devices that are out there. We are worried your problem is going to grow. With the illegal devices, by not stopping their sale and keeping those bricks-and-mortar shops open—they have no intention of shutting; they have no intention of bringing all their stock into compliance—we think you may actually continue to grow the problem in this state. If we do not deal with that your real problem may actually continue to grow. We would urge you to really shut that private-property-only loophole. Over 200,000 devices have probably been sold under that loophole. There are not a lot of cattle stations in Currimundi or Coolangatta or Corinda or the centre of Cairns. It is that loophole we need to shut.

CHAIR: We thank you for that advice. Some of the recommendations are about very clear pathways to destruction of those bikes as well. Unfortunately, the time for this session has expired. Thank you all for your appearance today. No questions were taken on notice. Thank you very much for your submissions. They are very clear. Together with others, I believe there is great information through this consultation process to get this 100 per cent right. Enjoy the balance of your day.

CHESTERMAN, Mr Andrew, Chief Executive Officer, Endeavour Foundation

CHESTERMAN, Dr John, Public Advocate, Office of the Public Advocate

MOSS, Ms Michelle, Chief Executive Officer, Queenslanders with Disability Network

RUSTEN, Ms Lisa, Director of Services, Council on the Ageing Queensland

CHAIR: Would you like to make a brief opening statement, after which the committee will have questions for you?

Dr Chesterman: Thank you very much for the opportunity to be here to speak with the committee about the e-mobility legislation that is currently before parliament. This is something of a family affair today. I am delighted to be sitting alongside my brother Andrew. We have two other brothers but, alas, they are not in the jurisdiction.

As members of the committee know, as Public Advocate for Queensland I undertake systemic advocacy to promote and protect the rights and interests of Queensland adults with impaired decision-making ability. I am very pleased to be invited here today to discuss the bill that the committee is looking into. As I wrote in my submission, while legislating to regulate the use of e-mobility devices in Queensland is a much needed community safety initiative, I am hoping that we can enable people with cognitive and other disabilities to continue safely to operate the e-bikes and personal mobility devices that have become integral to their social inclusion. This includes Andrew's son, my nephew Matthew, who is 22 years old and loves riding his e-tricycle.

As members of the committee know, at present the bill will require riders of e-bikes and operators of personal mobility devices to hold a driver's licence. For some people with significant cognitive disability this will present an insurmountable barrier. They will not be able to get a licence and will have to stop riding the devices that they typically ride safely away from roads and that give them so much joy. I note that in its 20 April 2026 analysis of and response to public submissions, the Department of Transport and Main Roads acknowledges concerns about the impact of the licensing requirement on particular cohorts of people, including people with disabilities and older people. The department's response then states—

> To address these concerns, the Committee may wish to consider an exemption process for specific cohorts, such as individuals with disabilities or older riders. This approach could balance the need for safety and road rule knowledge with the importance of maintaining accessibility and mobility.

In my submission I have suggested that we create an exemption from the licensing requirement for people who obtain a doctor's certification stating two things: first, that their disability prevents them from getting a licence and, second, that they are able to operate the device in question safely, subject to any relevant conditions. This would then entitle the person to a special circumstances permit.

I also propose enabling a range of devices that come within the term 'motorised mobility device', to be expanded by regulation in future should technological developments require it. At present, as the committee knows, that term 'motorised mobility device' applies to mobility scooters and motorised wheelchairs, and these devices are not going to be subject to the same licensing requirements that will apply to e-bikes and personal mobility devices. As I say, I propose that the range of devices captured by that phrase 'motorised mobility device' should be able to be expanded by regulation should the government consider that new devices warrant inclusion in that category. Thanks again for the opportunity to be here. I would welcome any questions or comments the members of the committee might have.

Mr Chesterman: Thank you for the opportunity to appear today. As John said, I am not only the chief executive of Endeavour Foundation, which is one of Australia's largest disability providers, but also the father of a 22-year-old son with an intellectual disability who rides a speed-limited, pedal-assisted bright orange e-trike.

I want to begin by acknowledging the intent of the e-bike and e-mobility legislation, and it is largely appropriate. Improving community safety, addressing illegally modified devices and responding to reckless behaviours are important aims. However, the legislation as it is currently drafted will have significant unintended consequences for people with disability. My son's bike, like others like it, is not a motorbike. It is not capable of high speeds. It is not used recklessly. It is simply how he and others get around safely, maintain independence and participate in everyday life. Under the proposed changes he would likely lose access to that independence because he would be

required to meet the licensing and medical fitness standards designed for motor vehicles. His trike, interestingly, is also unable to meet the standards proposed because of its size and geometry, so it falls outside that standard.

This issue, of course, extends well beyond my focus group of one: my son. Endeavour Foundation's Queensland operation has many people with disability who regularly use e-bikes, e-trikes and similar e-mobility devices to get to and from work, to and from programs. A very quick survey that I asked for had 12 out of our 17 work sites with at least one participant arriving to work on an e-mobility device. Intellectual disability often affects learning, problem solving and adaptive functioning. Requiring that online learner test or applying medical standards intended for drivers risks placing currently legal, speed-limited, low-risk devices out of reach for many people.

Our request is simple: that the legislation be refined so it improves safety without unintentionally removing independence, access to employment and community participation for people with intellectual disability and medical conditions that would inhibit their ability to obtain a licence. Should the government decide that some form of licensing is required, Endeavour Foundation would be pleased to participate in the design of a simple, easy-read instrument. Thank you for the opportunity.

Ms Rusten: Council on the Ageing has a key priority, which is supporting an age-friendly Queensland where people of all ages, particularly seniors, can live safely, enjoy good health and participate fully in society. This means fostering inclusive and accessible environments. E-mobility does have the potential to support accessible, sustainable and active transport as part of age-friendly communities; however, without stronger regulation, infrastructure, public education and accountability it risks excluding older Queenslanders from public spaces and fails to adequately address concerns regarding safety. Safety in shared environments is imperative and does have social impacts when it is not available, including near misses and anxiety, where older residents report frequent near misses and collisions in shared environments like footpaths and shopping precincts, noting that quiet, fast-moving devices are unpredictable and high-risk.

We are also supporting regulatory reform and accountability. We do support licensing of riders; however, would also see some sense in some kind of medical exemption for people with disabilities and older Queenslanders. Insurance is also a consideration, given that traceability following collisions is often very difficult and is a major barrier for older Queenslanders. In relation to physical operation, the highest priority is physically separated lanes for pedestrians, cyclists and PMD users to eliminate that conflict in shared zones.

Ms Moss: Good morning, committee. Thank you for the opportunity to appear today. Queenslanders with Disability Network is the peak body for people with disability across Queensland and our statewide network of over 3,000 people with diverse disability. We know that one in five people with disability live in our state, being 20 per cent of the population. For many Queenslanders with disability, e-scooters, e-bikes and e-trikes are not simply a convenience; they are critical mobility tools that support independence, access to employment, education and connection to community. At the same time, people with disability are also pedestrians. Our members are disproportionately impacted by unsafe footpaths and shared environments, and we hear consistently about risks from high speeds, unsafe behaviour and poorly parked devices.

QDN recognises these concerns and the policy objectives in the bill that support practical, proportionate measures that improve safety and ensure people with disability can move safely around their community. However, this is a two-sided issue. The same reforms designed to improve safety also have the potential to restrict access to mobility for people with disability. It is critical that the response to safety does not come at the expense of inclusion and people's rights.

QDN has received significant feedback from members across the state and the broader disability community on this issue, and I just want to touch on two key issues that have been raised. QDN supports the intent of aligning devices with recognised safety standards and the issues that have already been raised this morning by the first panel about the inability to meet compliance for significant numbers of currently safely used devices. In addition to this, QDN wants to raise issues around modified or adapted devices used by people with disability. Many of our members rely on customised e-mobility devices, adapted for stability, control or physical access. These devices are safe in practice and provide an important part of people's mobility options. One of our members, who is a person who is short statured, has shared that her device that was adapted for her physical needs would be at risk of not being able to be considered compliant. That enables her to get to work, be part of community and do all the things that she needs to do.

I think there are three key issues: the lack of clarity of how adapted devices would be assessed and approved; the potential cost burden on people with disability; and the risk of people losing that access. While the bill proposes limited permit pathways, QDN sees that there is a need for the

committee to consider the need for alternative certification options and pathways. Without that practical pathway, people with disability may be disproportionately excluded from lawful use of those e-mobility devices.

The second issue that has also been raised by a number of people this morning is around the licensing requirements and medical fitness. We recognise the intent of improving safety through road rule awareness; however, this requirement creates a significant barrier and disproportionately disadvantages people with disability. Many individuals are unable to attain a driver's licence due to the lack of accessibility. Medical fitness to drive a motor vehicle is not the same as the functional capacity to safely use a low-speed e-bike, e-scooter or e-trike. We see that people with disability are able to safely operate e-mobility devices. Whilst they may not be able to get a car licence, it will mean that people will be excluded from low-cost, independent transport that enables them to get to doctors appointments, to work or to the shops and for many to participate in recreational activities with their family and friends.

Mobility scooters and wheelchairs do not reflect lived experience and are not an equivalent or appropriate substitute, so should licensing be kept within legislation we see that consideration needs to be given to an exemption process for people with disability or alternative proportionate measures that do not create additional administrative or cost burdens to people with disability if they have to prove their disability to retain access. In closing, QDN supports the objective of improving safety in shared environments; however, as raised by others, we do not want to see unintended barriers that are disproportionate for people with disability. Thank you.

CHAIR: Thank you all for your continued advocacy for your communities.

Mr MELLISH: It seems that this bill is uniting families in their opposition to it. My question is to both Chestermans and, Michelle, you might wish to comment as well. Under this bill, e-mobility devices will no longer be a legal mode of transport for many people with a disability. What do you see as the potential flow-on health effects of that?

Dr Chesterman: The issue at stake here is, broadly defined, for people with disability, social inclusion—the inability to take part and utilise these various devices which enable people with a range of disabilities to do things they would otherwise not be able to do, such as ride an electrically assisted e-trike. The inability to do that inhibits people from doing something that sees them become a member of the broader community. It serves little purpose in the sense that, if you have someone who is assessed to safely ride, for instance, a bright orange e-trike on Kedron bike path, that is very different to assessing someone as being safe to drive a car. At the moment, the argument that I and others are putting is that we need to create an exemption there for people with disabilities through the process that I suggested.

CHAIR: Thank you very much, Dr John. Member for Cook?

Mr MELLISH: Others might want to—

CHAIR: Sorry, does anybody else want to respond?

Ms Moss: I would just add to the points I have already discussed. It is about people being able to get to work. It is about people being able to get to their doctor appointments. It is about the fundamentals of social and economic participation in our community, and safety should not be at the risk of exclusion from inclusion in community.

CHAIR: We certainly want to get both the medical exemption and the bike standards right.

Mr Chesterman: I do have one more point. We talk about the minimum riding age being 16. E-mobility devices provide powered assistance, and in our submission we have suggested that the minimum age unintentionally excludes younger people. The age barrier would exclude people with muscular dystrophy or cerebral palsy, who actually need the assistance.

Mr KEMPTON: Michelle, you really summed up the challenge we have with the interactions between e-bike riders and people with a range of disabilities. Andrew and John, I was interested in the exemption from the doctor for a person with a disability to be able to ride without a licence. You mentioned noncompliant e-mobility devices. How would that exemption apply, or how would it be determined?

Mr Chesterman: I will just talk to the noncompliance. The noncompliant devices are still speed limited and pedal assisted, and they are like a trike. A trike, because of its geometry, is noncompliant but in every other way satisfies the compliance rules.

Mr KEMPTON: So they would not exceed the speed limit?

Mr Chesterman: Correct.

Mr KEMPTON: I just wanted to clear that up. Thank you.

Ms Moss: I think it is about adapted devices because of a person's disability needs. I would ask that the committee consider that in its deliberations. There will be others today who will be able to talk to that issue. It is really important. People with a disability often have to jump through many hoops to prove that they have a disability and to prove the impacts of that disability. The NDIS changes that were announced last week speak to the impact on people. It needs to be proportionate and not add extra cost so the burden is not carried by people with disability and their families.

Mr KING: A lot of people older than 75 may have handed in their licence. Lisa, could you speak further on the disadvantages for people who have handed in their licence and no longer need a car? They would not be able to ride these compliant devices anymore.

Ms Rusten: We have had specific examples of people deliberately selling their motor vehicles, surrendering their licences and taking up riding electric bikes. Again, this is back to the question: what is a sensible exemption? Based on medical grounds, a doctor's certificate setting out exactly what that person can do I think is appropriate. Interestingly enough, when we went out with our original submission and put that scenario, the feedback still came back very strongly that safety is the overriding concern.

Mr KING: People in my community have approached me about that very issue. The other one they have raised is the 10-kilometre-an-hour speed limit, potentially forcing aged people to ride on the road in amongst traffic. Would you care to comment on that as well?

Ms Rusten: Riding on the road is a strong disincentive. This would actually mean that people who are no longer licensed—older people—would be very restricted in their mobility. That has knock-on effects around social isolation and other issues. It is difficult to comply with 10 kilometres an hour with an e-bike—older people have told us that—but having to ride on the road is a major disincentive for them.

Mr JAMES: Some very good points have been made there, particularly with the exemptions, so I have no further questions.

CHAIR: Thanks, Terry. Michelle?

Ms Moss: I just wanted to add to the question around the 10 kilometres, because that issue has been raised by our members and in the feedback that QDN has received. It is difficult to maintain that speed at a safe level, particularly where people have mobility challenges. I just wanted to add that to the record, thank you.

CHAIR: Thanks, Michelle. In light of Terry's not asking a question, I will ask two questions. Andrew and Dr John, you mentioned before a medical exemption and also approval by a medical practitioner for a particular device. I am interested to know if there is any existing process that could be used by the clients as opposed to having to go through another certification by a doctor. Obviously, they need medical approval from the doctor to get that bike or assistance device in the first place. Can you talk to us about that?

Dr Chesterman: Certainly. The proposal I made was that certain criteria could be spelt out so that if a person with a disability satisfied them they could get what is called a special circumstances permit, which already exists. I know that the question is more about whether there is a way to build this in so they do not need a further GP visit to make this assessment. That is one of the thresholds that, over time, people would become accustomed to and they would factor this in to their regular visit to a doctor. Obviously, we are not talking about prohibited devices but about getting the doctor to specify that 'this person is safe to ride this device' and with certain conditions such as 'not on the road'. That seems a sensible compromise to make.

Mr Chesterman: In our submission, we did not make a recommendation about a medical exemption, but we did say that there could be exemptions to licensed riders who meet one of the following three conditions: one, they only ride when accompanied by a competent person such as a support worker, adult friend or family member who holds a licence; two, they require an e-bike or e-truck to travel to or from a place of work within a specified distance; and, three, they can demonstrate their understanding of essential road safety rules via perhaps an alternative accessible road safety test designed for people with intellectual disability.

CHAIR: Just unpacking that a bit further, are you familiar with the PrepL as it currently stands? It is designed to be very accessible to people with learning difficulties as well.

Mr Chesterman: Yes, Chair, I am. I actually had a look at the online form. There are many questions in the PrepL which bear no correlation to bike riding such as seatbelts, overtaking at a certain speed and recommended speed signs. I had a look at it and printed off many of the questions. From the nature of the questions I have seen, I do not think many people with an intellectual disability, like my son, given that it requires between four and six hours of online study, would find it accessible.

CHAIR: One of our recommendations from the original inquiry was to modify that system to have something in place. Dr John?

Dr Chesterman: In my submission I looked briefly at the PrepL and came to the same conclusion as my brother. I would also point out that what Andrew said about conditions that could be required could be built into my recommendation for a special circumstances permit. I make that point in the interests of family harmony.

CHAIR: It is very good to see that you both play very well together. Michelle?

Ms Moss: I just wanted to acknowledge John and Andrew's discussion on people with an intellectual disability or a cognitive disability. We need to approach that in a way that focuses on people's needs. There is a broader range of people with disability that will be covered under this. We do not want to have prohibitive measures that would impact upon a broader population of people who may not necessarily have an intellectual disability but who have other types of disability who would be challenged by that licensing requirement. I just ask the committee to consider that broad spectrum of people with disability.

Ms BUSH: Good morning, everybody. My question is probably to Andrew and to Michelle. Andrew, I read your submission and you talk about potential increases to the Queensland Taxi Subsidy Scheme as a result of people transitioning back to taxis. It broke my heart, to be honest, to think about people losing independence. My question is kind of in two parts to you both.

Firstly, how critical is it that people with a disability are moving—that we as a government are in fact doing everything we can to keep people with a disability moving and agile throughout their life? Secondly, I am hearing a lot of discussions—and I see it in DTMR's response—about carve-outs and amendments. Maybe there is an alternative pathway to licensing, and it may be a medical exemption and it may be compliance. The reality is that that will probably cost millions of dollars to the whole supply chain, which will be borne either by the government, if they fund it, or by consumers, which is more likely. There is no consumer who will more likely face that cost than people with a disability. I would like you to set out for me the importance of moving and also why your clients are so discriminated against in terms of facing adverse costs that we as able-bodied people do not face. How will this bill exacerbate that?

Mr Chesterman: In terms of the Queensland Taxi Subsidy Scheme, we made a point in our submission that should people no longer be able to get themselves to and from a workplace they may well have to rely on the Taxi Subsidy Scheme. The second part of your question was about moving, physical activity and the outdoors. For me, that is about inclusion, having options and simply having access to what everybody else can do.

Ms Moss: Obviously, the importance of moving is about people's health and wellbeing. It is about being connected. It is about belonging to community. That has significant flow-on benefits to people and their health and wellbeing. The impact of costs is an important consideration for people with disability. We know that there is already a range of assessments for people with disability that are very costly. We know that for people in regional, rural and remote communities there is a significant impact, particularly around the options for transport. Andrew was talking about taxis, but we know that in some of our regional and rural communities the taxi option is very limited as well. The first and last mile of people's journeys in metropolitan areas and the south-east corner are equally as important. What happens in some of those communities if people are not able to use their e-mobility device in the absence of an effective and accessible public transport system? There is a role that those mobility devices play for people with disability.

We do not want to see the cost of compliance being placed on people with disability. We do not want to see the cost of assessments being placed on people with disability. I hear and appreciate what John and Andrew are talking about in terms of doctors, but there is also an extreme impact in terms of expenses for people with disability as part of those medical appointments. If extra tests are required, that would have an impact. It needs to be a balanced and measured approach.

Dr Chesterman: May I also quickly respond on the cost. It is a good question and good observation. Obviously, this has come from a good place, where community safety has been the driving force behind this legislation. It was impacting on certain cohorts of the population more than

others, and it is not unusual for that to be borne by people with a disability. The response would be, first, to reiterate the point about how important social inclusion is. We cannot underscore this enough: people who might have very few interactions during the day might have one or two interactions as a result of utilising a device that takes them into the community. That might be extremely significant to them. The other point is the implication of that cost being borne by people with a disability, and that would be a reason for any exemption process to not come with its own charge.

CHAIR: Thank you, all, for your continued advocacy for your communities. Certainly, the advice we have received is that bespoke, custom devices for your clients cannot ever be made to meet EN15194, so we know there have to be exemptions. We will try to get that right, and we have some good advice about that. Thank you again. If you have any other thoughts around the existing visits to medical professionals et cetera that could fit with this, please reach out to the committee. Enjoy the balance of your day.

HERKLOTS, Ms Andrea, Director, EveryBody eBikes

HERKLOTS, Mr Richard, Director, EveryBody eBikes

ROBBIE, Mr Sean, Private capacity (via teleconference)

VESEY, Mr David, Private capacity

CHAIR: Andrea and Richard, thank you for being here today. The secretariat has shared with us a number of documents that you provided in relation to a number of your clients. The committee has received them, but unfortunately we are not able to table them today. We are happy to take them as correspondence so we can share them. There are rules around publications with children and some other vulnerable people that we have to follow, so please leave them with us and we will make sure the committee gets them. Your advocacy is very well recognised. I invite you to like to make a brief opening statement, after which the committee will have questions. Sean, I can hear you are very keen online so I will let you go first.

Mr Robbie: Thank you for having me. I use an e-scooter on a daily basis and I also ride an e-mountain bike for fun on the weekends, so I use multiple different devices and have done for the last six years. I have been able to use both devices to help me get around and go to the shops, go to work and into the city—really anywhere that I need to go. I use them to go to sporting events and to socialise. Having them taken away from me through the introduction of a licensing requirement is my main concern. It would effectively shut me out from ever being able to use these devices again. I use these devices the same way most people use a car. If that has not been taken into consideration, then I really urge that you do. Perhaps there could be a potential exemption for people with medical disabilities who are unable to obtain a licence. I do not believe that the intention of this bill is to discriminate against people who are medically unfit to drive; however, what you are proposing is discriminatory and will disproportionately affect the disabled community.

Ms Herklots: Thank you, I will be brief; I know that we are running over time. Thank you very much for inviting us to present today as witnesses. We are a little bit unusual. We are a small family owned business based here in Brisbane. We design and import, we adapt and we sell electric bikes and electric trikes. People refer to us as the home of inclusive cycling because we are considered the specialists in the development of electric power-assist adaptations for all ages and all abilities, including young riders well under 16 who have a disability, adults who ride an e-bike or trike to build their confidence and endurance, and adults living with a disability or a medical condition that prevents them from riding on two wheels.

We take the approach of trying to use innovative design and modification to get people riding, sometimes for the first time. We enable kids to keep up with their peers, older riders to embrace e-bike adventures such as we have heard with the BVRT, and keep people riding into their sixties, seventies, eighties and nineties. Our oldest customer, who was 99½, rode for another year and then passed away but he had a lot of fun in that last year. We offer solutions that are safe, but they have to be stable and they have to be appropriate based on the rider's skills, their confidence and their abilities.

There are recommendations in the inquiry that we believe—and we reiterate what was said before—will have unintended consequences for people within our cohort, so we are here to represent our community. Our community has approached us to speak on their behalf because they have lived experience. David is here with us and Sean is on the video call. Apologies from Christine, who was unable to attend due to a medical emergency.

Our customers need solutions. They have to be safe and inclusive and they need to have a simple, clear pathway—a no-cost pathway—to keep people continuing to ride. We need riders who are less able-bodied to keep moving, as was tabled in the last session. They want to maintain their independence and they desperately want to remain connected to their neighbourhoods.

This is not a small cohort. It is a growth sector in our economy. As baby boomers retire and seek ways to keep active they are looking for e-bikes and e-trikes. Based on our likely market share in Queensland, we estimate that over 500 e-trikes were sold in the last year—probably more—and that market is expanding—since COVID, 3,000, 4,000, 5,000—and then in addition you have all of your online sales. We urge the committee to consider the unintended consequences for this cohort, whether it is disability or just limited mobilities, and try to keep people being as active and mobile as possible in their later years or when living with a disability.

Mr Vesey: I gave up my licence to drive about two years ago. I stopped driving five years ago. I acquired an e-trike through Andrea's company after consultation with quite a few physiotherapists and OT specialists. They recommended a semirecumbent e-trike for me. If the legislation goes ahead in its current form I will not be able to drive an e-trike legally. I was riding a two-wheeler bike up until about four months ago. I started to have an increased number of falls so I had no option to continue riding a two-wheeler bike. A trike allows me to commute to work, have independence and attend various functions.

Mr MELLISH: Thanks, Richard and Andrea, for showing me around about a month or so ago when I visited your excellent facility. You gave me a go on some of the very stable devices that you manufacture. Almost as soon as this bill was introduced we heard the department and the government talk about exemptions they were keen to push around on a device basis but not on an individual basis, but we have not heard much clarity around that. Are you concerned that the department has been unable to explain how any exemptions process would work? Indeed, they have been unable to confirm if they are exploring an exemptions process.

Ms Herklots: Certainly it is something that we find very concerning at the moment, and not just us. We are getting phone calls every day from customers who are worried about the bikes they already have, whether it is children with disability or they are riding themselves. There are many facets to your question around who would be doing the assessment of the devices and what authority they would be making the assessment under.

One of the things that does not get talked about is what is the insurance liability and overhead for the approvers if they get it wrong. We have a cohort that requires customisation to existing bikes and trikes. There is a lot of modification that goes into equipment such as the trike that David uses, which is not standard, off-the-shelf. As far as we are aware, we are one of the only companies in Australia that actually has liability insurance to enable us to do modifications. They originally rejected that request because they thought we were doing e-bike conversions with 3,000-watt motors for e-motorbikes. When we explained what we did and why we did it we were able to secure that insurance, but we are very much in the minority in that regard. We are worried about the process. We are worried about the authority behind that process and we are also worried about the combination of device paired with rider. That is not a given as well.

Mr Herklots: The older riders that we have are very concerned about the legalities of what is going to happen, so there is a lot of hesitancy in the market at the moment with people saying, 'I do not want to go ahead and proceed with a purchase because I am not sure what the end result is going to be.' I think young kids are not so worried about the legality of things, but certainly the older riders are particularly worried about not wanting to do something that is illegal and not wanting to be riding an illegal device, so we are seeing that quite a bit as well.

Mr KEMPTON: Andrea and Richard, on your letterhead you have a range of devices and you have just said they are customised. For people with disabilities—and I speak very generally—wanting to get a doctor's exemption to say they are capable of operating a device, how would the doctor know or understand that the operator would be capable of operating each device unless we have some sort of a standard? If not, then does that add to the cost of compliance?

Mr Herklots: We do a lot of work with NDIS participants. In that situation they would have an OT or physio who attends a trial and a number of the different types of trikes would be trialled with the participant and the OT present to determine whether they are safe to use the device. That is people with disabilities going through something like the NDIS or people who are getting NIISQ insurance things. The vast majority of our customers now are retail customers, older people who no longer feel safe on a two-wheel bike and want to ride something more stable. I cannot speak on their behalf, but I think a lot of them would not feel very comfortable with the fact that they have to go to a GP to prove they can transition from a two-wheel bike to a three-wheel bike. For people with disabilities that is a different situation, especially if they are getting funding through the NDIS, but for other people I do not know how that would work.

Ms Herklots: To expand on that, within the disability sector where we do work with OTs and physios, even within the allied health community there are known specialists who actually have an understanding of assistive technology; it is not across the board. In terms of the medical exemption being issued by a doctor, I am not sure that in all cases the doctor would have the experience, background or formal accreditation to be able to say that people are safe to use a particular device. That comes back to the process we talked about before. If we do not know who is actually making the approvals then how do we actually say somebody is safe to do that? The OTs and the physios can do that, but a lot of our customers who are using trikes out of choice or because they just feel a little bit unsteady would not necessarily have had the excuse to work with an OT or a physio, and that

is an excessive burden. There is also a timeline issue because a lot of the allied therapy community is absolutely booked to the hilt with appointments, so is there going to be a delay in people being able to get that assessment and how onerous is that assessment going be if that is the pathway they are offered?

Mr KEMPTON: What would you recommend as a solution?

Ms Herklots: To ask people who have received approvals through the NDIS for assistive technology to get an additional approval would be ridiculous. Sometimes we have people who are waiting three to five years to get approval. They have already jumped through all of the hoops. I think there is a potential for key skills to be identified within the trike-riding community and for people to be given a small assessment but, again, there is no infrastructure in place to enable that. Dare I say it, not everyone can ride a trike. Bart was very good at riding a trike when he came and visited. To be perfectly honest I was quite surprised, because he is tall and he rides a two-wheeled bike. It is not a given that you can ride a three-wheel, unless it is a three-wheel sit-down trike such as the trike that David rides.

CHAIR: Richard, the member for Cook asked about the solution, and I pick up on the answer you gave to the deputy chair about a no-cost pathway. I did ask Dr John and Andrew before. Is there something within the existing system that is the trigger that sees a bike created or constructed and purchased that we can point to without having to go through another assessment?

Mr Herklots: I am not entirely sure of the question.

CHAIR: There is obviously a referral to a physio or OT to get one of these devices. Is there something within the existing medical system that we can point towards to save people from having to go through this? This cohort are not a danger to the community. One of the biggest issues we have had is speed and a lot of these people are riding a lower speed device. To save them from having an unfortunate accident, we are trying to get the solution right.

Mr Herklots: I think there are two things here. There are the people who are getting devices through NDIS or through NIISQ and there is a process in place already. They have to have OT approval—the OT or the physio is the person who submits the application—but that is quite a small part of our customer base. The vast majority of people we are talking about are just older people or people who want to ride a trike for some reason. For those people, there is currently no process in place to say, 'Are you allowed to ride?' It is just like if someone comes into 99 Bikes or whatever and says, 'I want to ride a bike.' They go out, they have a ride and if they fall over okay: 'Well, okay, you cannot ride a bike'. That is the process. In our particular business we have a very large space where people can ride. We test them with different things. We observe them. In many of the cases, when we are doing NDIS trials and things like that, we have more experience in terms of seeing how someone can ride and being able to assess how someone can ride than the OT because they do not do that many bike trials. We do not want to put a burden on people who just want to come in and buy a trike because they live on Bribie Island, it is nice and flat and they just want to be able to get out and ride a trike and go to the shops.

Ms Herklots: Essentially, an e-trike should be treated just like an e-bike is being treated, which is just like a bicycle. It is just a bicycle with three wheels instead of two, which means it can never be compliant with EN15194 of any generation, because that is for two-wheel devices only. The intent we see from the e-mobility inquiry was around capping maximum speed, providing appropriate power for the device—not enough power that people are going to be able to accelerate very fast—and giving them a tool to get started when either sitting on the bike or walking beside it and that that is at walking pace. Those three pillars of the principles of EN15194 are present within trikes. It is the geometry of the design of the frame that is not compliant. If we actually have an e-trike that is consistent with those pillars, there should be a way for that assessment to be clearly documented so that people do not have to do any further assessment.

CHAIR: Sean, did you have something to add online?

Mr Robbie: Yes, I agree with the points that have been raised. I just find it hard to believe that these consequences have not been thought through. There is definitely a need to improve the current situation, where obviously horrible injuries and sometimes deaths have occurred. I think the overall issue is being approached in the wrong way. In my submission I talk about the need for enforcement and that being really important to help us through this problem. I think a mixture of enforcement and education is really the way we need to get around this—not by imposing extra restrictions on people who are already doing the right thing. If you are going to impose rules on people who are safely using these and being productive members of society then I do not see where the benefit is overall, because you will lose those people and their quality of life will drop. That is just how it is.

I cannot see any other way to ensure quality of life for those who are impacted. One of them will be me. I will definitely find it much harder to get to work. I will not be able to go to certain social events that are too far away from me. I will become way more reliant on the family members I am lucky enough to be able to call up as an option. There are so many negative health effects that will occur if these laws come through because it is socially isolating. That is what it will come down to. If people are excluded through these new laws, that is what will happen: overall quality of life will go down. I honestly do not believe that is the intention of the bill. I think the bill is intended to protect the community at large, but I think if we can enforce the current laws and not impose restrictions on legal safe e-mobility users then that is what we need.

CHAIR: Thanks, Sean. There has been a lot of fear created about some of the uncertainty there and we want to make sure we get it right.

Mr KING: Thank you all for coming in today and sharing with us. It is really good to hear from people with a lived experience. Do you feel there was any consultation with people with a lived experience prior to the drafting of the bill?

Mr Robbie: I was not aware that anything was being written up. I certainly received no communication. I had no idea until I saw it on the news, really.

Mr Herklots: I was on the original committee and we did make a submission. I obviously cannot speak for people with lived experience but we deal with people with lived experience on a daily basis.

Mr Vesey: I think a lot of people have eloquently put the argument for what needs to be done. I cannot really add to that but from my own experiences I know that I cannot go very fast on an e-trike without it becoming unsafe, so the speed issue is not really relevant. It is not a recreational vehicle; it is something I need to use to get to work and I enjoy that. I do not think that in the current form banning the use of e-trikes will be helpful.

CHAIR: In terms of the speed of trikes, can all of the trikes do 25 kays or is the speed limited at 10 or 15?

Ms Herklots: As I said before, we try to pair the trike set-up to the abilities of the rider. For someone like David getting to and from work—he has the joy of being close to Cemetery Hill. If anybody knows Dutton Park they will know that you need a bit of oomph to get up that hill. We actually set up his trike to be appropriate for his commute to and from. When we are dealing with children with disability who are using trikes, quite often the maximum speed is set down to maybe 10 kilometres per hour. In those cases, at times the power is controlled not by the rider but by their attendant who is holding on to a rear-steering arm, for example. Families have called in a panic thinking they will not be able to use that trike again. We have no instances where people go over 25 with pedal assistance, with power assistance. To be perfectly honest, if you are riding a trike and you are hitting 25, that is probably the fastest you should be riding on trikes. They are tricky beasts. Clocking along at 25 is a decent outcome. I personally would not want to do that on an upright trike.

Mr Herklots: Electric trikes are the same as electric bikes in that you can go down a hill as fast as you want. They are not limited like a power wheelchair or something, where they are geared. You can coast down a hill faster than 25 kays per hour. Again, it is not something we suggest, although I did hear of someone riding the recent Tour de Brisbane who was definitely exceeding 25 kays an hour on their very large trike through the tunnel. The trikes are limited to 25 kays per hour or less, depending on the rider.

You can also have a situation where people with disabilities, people with muscle conditions and things like that, are riding a very heavy trike—obviously a lot heavier than a road bike or even a standard e-bike in some cases—and they have limited muscle strength. They may have one-sided weakness so they can only pedal with one leg. In those cases there are situations where we believe 250 watts—nominally rated—is not sufficient for them to be able to be safe in getting around on Cemetery Hill and places like that. We would suggest there should be some way of making the trike safer for people in terms of the torque they require and in terms of having a start-boost function that allows them to get going.

Ms Herklots: Just to add to that, just to put it into context, some of our customers weigh in excess of 180 kilos. The sort of equipment they are riding has to be reinforced to accommodate their weight. They want to be riding. They want to be active. That is part of their goals for their social environment and their own health and wellbeing. If you have a bike that weighs 70 kilos and somebody who weighs 180 kilos and you give them a 250-watt motor, you can imagine that you do

not go very far unless you are actually on a perfectly flat surface. Again, it is looking at the use case, looking at the abilities of the rider, looking at where they want to ride and their personal circumstances. It should not be packaged into the very tight definition of EN15194.

CHAIR: That certainly is the intention and we have heard that loud and clear. Thank you. The time for this session has expired. There are no questions on notice, but if you do have any other thoughts please reach out to the committee.

BOURKE, Mr Peter, General Manager, Bicycle Industries Australia

GARNSWORTHY, Mr Andrew, Chief Executive Officer, Pedal Group Pty Ltd

REINHARDT, Ms Johanna, Business Development and Partnerships, Lug+Carrie Pty Ltd (via videoconference)

CHAIR: Good morning. I invite you to like to make a brief opening statement, after which the committee will have questions for you.

Mr Garnsworthy: Thank you, Chair and committee members. We support this committee's intent to improve public safety and remove dangerous devices from our streets. We are, however, concerned that the rules as proposed will penalise the compliant majority. Legal e-bikes are not the problem. The majority of accidents and incidents are actually from illegal electric motorbikes. Instead of targeting illegal devices, the legislation imposes blanket restrictions on compliant e-bikes. The three components—the 16-year age limit, the 10-kay-an-hour speed on pathways, as well as licensing requirements—are our specific objections. It is interesting that no other country globally has licence requirements for legally complaint 25-kay-an-hour capped-speed e-bikes. Licensing on those legally compliant e-bikes does not actually address the underlying issue. For Queensland, active transport is critical: for health, physical health, mental health, kids off screens, road congestion, the tourism side of it, the rail trails, as well as setting up Brisbane for the best ever Olympics in 2032.

Our solution, to be succinct, is a four-point plan. It is a two-tier system: legal e-bikes capped at 25s kay an hour, 250 watts, are a class, none of the restrictions applying; however, speed pedelecs, as faster e-bikes up to about 40 or 45 kays an hour, should have licensing requirements. That is point 1. That is what many other countries around the world have done. The second point is just stopping the importation of these bikes. To date there has been limited actual change in this space. Thirdly, the loopholes—private property, off-road use loopholes—remain wide open with no changes. Last is enforcement at retail. There should be significant fines, penalties and enforcement for retailers doing the wrong thing. Thank you for the work you have done across this initiative. Please do not penalise the compliant majority of Queenslanders for the enormous benefits that e-mobility brings to Queensland.

Mr Bourke: Thank you very much to everyone on the committee. Like Andrew, I would like to start by just reminding everyone how fantastic e-bikes are. Safe, compliant e-bikes are fantastic for transport, for health, for recreation and for fun and, most importantly, they are fantastic for the economy. As Andrew has pointed out, we do not want to penalise the majority of people who are using them in a safe and compliant manner and actually making a very positive contribution to all those facets but especially the economy.

As I was coming here today I looked at why this inquiry was formed. In reality, it was about safe riding of safe product, and that is the key thing we want to see. Like the other presenters we have seen today, we do support what this inquiry is trying to achieve, but, as has been already highlighted, we are seriously concerned about the age limitations, the requirements for a licence and the requirements for a 10-kay-an-hour speed limit on shared paths. We have heard already this morning how detrimental that will be to so many individuals and how it will be detrimental to the community as a whole. We do not want to see Queensland as a community and the rest of Australia impacted by those issues.

To focus slightly more on the safe product, we are supportive of the requirement to have marking for any product that is sold for use on private land, but that is only a good requirement if there are actually controls on the sales. We understand the recommendation for an LMCT has not been included in the bill and we understand why, but that then means we are back to where we started before the inquiry. Prior to this inquiry, it was 100 per cent legal to sell a noncompliant product; it is just illegal to use it on the road. In the way the bill is currently written, it is 100 per cent legal to sell a noncompliant bike, but we are relying on the consumer not to use it on the road. From all the videos we have seen and the issues we have seen, it is about noncompliant product. We are still allowing that product into the market and nothing will change unless we control how that product is available. Yes, there are import requirements. We know they have to happen and the federal government needs to act, but this is where the sale or supply requirements at a state level is critical. Thank you. I welcome any questions.

CHAIR: Thank you, Peter. We go to you, Johanna.

Ms Reinhardt: Thank you for the opportunity to appear today. My name is Johanna. I am representing Lug+Carrie. We are an Australian company providing pedal-assist e-bikes here in Queensland. Our e-bikes are available via subscription and retail, and we have more than 3,000 people riding across Melbourne, Sydney and Brisbane, mostly families using electric cargo bikes. All of our bikes are pedal-assist and meet the highest quality and safety standards. As I am unable to attend in person today, because it is my son's second birthday, I also brought our community manager in Brisbane who is sitting in the first row in case you have any specific community and Brisbane question.

Today, based on our submission, I want to highlight three key concerns for our community of riders in Brisbane and us as a local business. First, in Brisbane, we support a growing community of more than 500 riders. They are families trying to do the right thing. They are early adopters, seeking alternatives to car travel, while prioritising the safety of their children. Many have told us that since the bill has come out that the proposed 10-kilometre-per-hour speed limit would make their daily commutes impractical, potentially forcing them onto roads where they feel less safe or discourage them from riding altogether.

Second, we are concerned that the proposed licensing requirements risk creating significant and unnecessary barriers to adoption. I moved here from Germany five years ago, and in Germany more pedal-assist bikes and pushbikes have been sold for a number of years—and I am not talking illegal motorcycles. This has been strongly encouraged through government support. In Australia, the adoption of e-bikes is helping to develop cycling into a genuine mode of transport, but it is a development that needs to be protected and supported. The public discourse on e-bike safety and bans, including this bill, does not appropriately distinguish between the use of safe e-bikes and unsafe illegal motorcycles.

Third, we support the adoption of the European standards which all of our bikes already meet. While all our bikes are certified, not all are labelled in the same way. We ask for compliance pathways to minimise administrative burden. Inconsistent regulatory approaches across states are creating real challenges for the industry as recent developments in New South Wales have shown where, for example, some premium e-bike brands had to withdraw. Thank you for your time. I also welcome any questions.

CHAIR: Thank you, Johanna. We appreciate it. We will go to the member for Aspley.

Mr MELLISH: We have heard from a range of other submitters and yourself this morning, Mr Bourke, around how this bill would actually do very little in terms of preventing those devices that are illegal or noncompliant from being purchased for private use. What should the government have put in the bill before it was introduced which would have prevented that problem or done something to reduce some of those devices from getting out there?

Mr Bourke: We put forward that we would like to see anyone who is selling one of these products is a licensed motor vehicle trader. We understand that that is not a Queensland requirement for the sale. Effectively, these products are not required to meet any safety standard. They are not required to meet any Australian Design Rules. There is limited ability to control the quality of the batteries in terms of fire safety. There is limited capacity to control their ability to stop, whether that is brakes or the strength of their spokes. There is no requirement to prove their quality at all. For us, this is a significant risk not only for the behaviour on the roads but also in their ability to do what they are designed to do because there are no checks and balances on them at all. Effectively, from us, there is no reason they should be sold at all. That is a very blunt instrument that I am asking for, but, as there is no way that we can guarantee that they are safe, there is no way that we should be allowing them out into community at all.

Mr MELLISH: Essentially, to follow up on that, those devices that we see on the news—the 1,000-watt bikes or, without going into specific brands, the Surrons or e-motorbikes—they are still going to be out there. People are still going to be able to buy those?

Mr Bourke: The limitations on their sale has not changed and will not change because of this bill.

CHAIR: Certainly those aspects of it were part of our original inquiry and efforts by our transport minister to see those mandatory import restrictions occur is happening, but that is outside the control of Queensland law. That is why it is not—

Mr MELLISH: It is not outside control of the bill which we are examining now, Chair, just to clarify.

CHAIR: It would not be appropriate to have it in the bill. It is not pointing to Queensland law changes; it is federal law changes. Does anybody else want to respond to the member for Aspley's question? If not, I will go to the member for Cook.

Mr KEMPTON: There has been a lot of discussion about the 10-kilometre-per-hour speed limit and the impact that has on riders. I am also concerned about the interaction between the riders and other path users, particularly the elderly, the visually impaired and so on. There was a tradition at one stage of ringing bells when you came near people on your bicycle and so on. These e-bikes are fast and they are quiet. Does anyone giving evidence here have any other suggestions about how we might manage the orderly interaction between slow path users and people on e-mobility devices?

Mr Bourke: One of the things we have lost in Queensland and across Australia is our desire or willingness to train anyone at any age on how to ride. Growing up, we all know we used to ride to school. We do not do bike education. We should be starting at that level and teaching the etiquette. As part of this committee's inquiry—I am not sure whether you have looked at it or not—we should be looking at training from an early age, in the same way we teach swimming.

As we work through, there is no doubt that we need to improve the etiquette of riders, and communication is etiquette. If anyone can anyone show me how to educate and get through to a 16-year-old as that is one of the challenges in general—but we should not be punishing the entire community for a particular subset. I agree that we need to do better on communicating and educating from an early age—bike education—moving all the way through to a very clear etiquette or community behavioural change programs throughout the entire community, through schools, through specific populations. However, we should be starting that at an early age and not just waiting until they are 16 to try to educate them on how to ride a bike and how to share and interact with other people.

Mr KEMPTON: If we were considering exemptions, would you support educational training as a prerequisite for an exemption?

Mr Bourke: In regard to education as a prerequisite, one of the challenges we would have is ensuring that it is all appropriate. If you are talking about education as an exemption to bring the age down to 12, we certainly would be supportive of promoting and growing the level of bike education throughout the entire education scheme, and that includes through primary school all the way through to secondary school. I certainly would be very supportive of promoting education campaigns at all levels.

Mr KEMPTON: I was thinking more about exemptions on bike trails and where children may be able to ride under supervision of adults. I certainly was not suggesting a reduction in the age.

CHAIR: Thank you for that clarification, member for Cook.

Mr KING: I was interested to hear you say that this bill will not stop the illegal bikes. I was talking to someone the other day who said they had bought a compliant bike but in the box was the throttle and the kit to upgrade it. I have heard that conversion kits have not been properly addressed. Do you think there may be a role for the Office of Fair Trading or something like that to stop the sale of conversion kits so a compliant bike can be made noncompliant?

Mr Garnsworthy: I would say absolutely. That loophole has not been shut down by the current bill as proposed, and it is a source of some of the underlying issues. The enforcement at retail is one aspect of it. If we can shut down the private property, off-road use loophole and get serious about enforcement at retail, particularly for the illegal electric motorbikes, then that will go a long way to actually removing the source of issues in the community to stop it.

Mr Bourke: To extend on Andrew's answer, one of the things we are focused on throughout this conversation is EN15194 as a standard. Right now, it is 100 per cent legal for a retailer to sell you a bike and then immediately show you how to unlock it, give you the conversion kit and leave the throttle in the box. The idea is that, once EN15194 is enforced, legally they cannot do that. They will not be able to do that. You, as a consumer, can then still choose to buy a throttle off Temu, off eBay, but you have to go through the process alone—you cannot be supported by your retailer to do that. Effectively, EN15194, the anti-tampering clause, identifies that the brand must do whatever is practicable to prevent the bike from being modified. Obviously, having a throttle in a box is not doing that.

In terms of kits, one of the things is that we do not have control over the sale of kits. We do not have control over the sale of import or the sale of kits. We simply, through this bill, would have control of the use of those. They would still need to meet EN15194, which they really cannot do. Therefore, it makes them illegal to use effectively, but then it comes down to the police.

CHAIR: As a follow-up to that, this is one of the reasons we have found challenges with the EN15194, because of that throttle issue. We have just heard from the disability and accessibility community about throttle-only. Is there a pathway or compliance that you have thought about with regard to enabling the throttle on those bikes for those people with accessibility and disability issues? Obviously it was a compliant bike, but it has the throttle to give them that bit of a help at the start. This is one of the big challenges and the details that we have been grappling with.

Mr Bourke: You are 100 per cent correct. We do not want to exclude any member of the population. We consider EN15194 a very good standard in terms of both mechanical and electrical, but it does have its limitations and we understand that. The population we are talking about—those with special needs—are challenged by that limitation of a throttle to six kilometres an hour. Currently, under the standard there is not an ability to do anything around that. There would have to be a specific exemption around that population. We have looked in other states at other European models of their cargo bike standard which is more around a load-carrying capacity. It does not have a difference on the throttle, but it has a difference on load carrying, which is a higher power to allow—I think Andrew mentioned a 180-kilo client. There would be a load-carrying capacity to allow them to move at an easier manner but, no, without a specific exemption within the standard, there is not that ability to have the throttle operating above six kilometres an hour without pedalling.

CHAIR: Thank you, Peter. I appreciate the advice. We will get this right. Johanna, that is a good segue to your business and some of the load carrying that you do. Is there something you would like to add to that?

Ms Reinhardt: I would perhaps respond to the behaviour change that was mentioned. Our parents start riding with their kids from a very early age. You can put a child on a bike when they are a year and older. We have been working with other governments in Victoria and New South Wales to do these behaviour change programs, mostly around active travel to and from school and kindergartens, where parents are encouraged to ride to school. In that capacity, the children are also learning from an early age how to cycle and how to navigate road space. It is definitely a good pathway in that respect, to encourage from early on how to share a path with pedestrians and other people that need to be protected. Children are not allowed to subscribe to our business, so that is nothing that we can tackle directly, but I think we should definitely try to grow the e-bike market and get more people to cycle.

Ms BUSH: There are lots of questions that I could ask you, but in the limited time I will start with this one: I want to talk about the compliance notices or the compliance plates that are being affixed to bikes retrospectively. The bill started with the suggestion that it would be on the retailers to send them back to the manufacturers. The retailer would dissemble the bike and send it back to the manufacturer who would have to fix it up and send it back to the retailers who then get it back to the customer. DTMR also acknowledge that there is no technology at all in this state to do the EN standard testing, so they would need to buy that in.

I see now in the departmental response that they are talking about potentially retailers doing some testing and fixing these compliance labels. I want to talk to you as retailers about the costs of that. I am interested in the costs because it feels like we are building this ship as we are flying it and that makes me very concerned about where this goes as a policy issue and the costs, directly and indirectly, that will be borne by consumers ultimately. As a retailer, how do you see that working? Can we even test an EN standard in this state, because my understanding is that that is a very rigorous process that we do not actually have the capacity to do?

Mr Garnsworthy: It is extremely rigorous. Recently for e-bikes, with New South Wales, as part of their focus on batteries and fires, we have done extensive testing. To put some context around it, it might be $8,000 to $10,000 per model to be accredited. What we have seen is various wholesalers ultimately will reduce their offering to customers. That is point 1. It makes it not feasible to offer the full range of products to certain states in Australia. Point 2 is that, with the additional compliance costs, ultimately they will be passed through to the customer in some shape or form. That is not even referring to the processes around checking IDs, checking licences, checking from a retail sale perspective.

One of the knock-on or unintended consequences is that, given there is currently limited restrictions, it forces the range offering to customers in Queensland to be reduced, it forces the prices up and then, in parallel, for the actual source of risk—the illegal electric motorbikes—there is no change and the actual source of low-quality products being imported online is not affected either. It actually has the opposite effect given there are more dangerous products and there are more low-quality products, which has a knock-on effect of potential safety issues as well.

Mr Bourke: To extend on Andrew's answer, he is 100 per cent correct. We have seen in New South Wales a very—I want to use a different word—horrendous process of certification. It has cost up to $10,000 per product. That has required individual bike brands going to testing labs. Using a self-certification model, which is what has been proposed here, the costing structure is slightly different. It is reduced and it is not quite as rigorous but it is actually more achievable. For that, I do not want to change anything there.

One of the things that the member for Cooper mentioned was the retrospective testing. It is actually effectively impossible to test every individual bike that is not labelled because the bikes actually have to get tested to destruction. Therefore, it kind of defeats the purpose. Andrew is talking about testing a model range. What we have proposed and are suggesting is an opportunity to do testing through retailers and we have been talking to TMR about this. It could not be certified. I want to be very clear: it is not a certification in any way. It is effectively an assessment process against eight or 10 criteria.

There are actually 32 tests within the standard, so we are obviously not going through all of those tests. Effectively, the shops, for example, cannot test the power of the bike because of the way it is required to be tested. This assurance process that we are proposing is to actually assure that, at that point in time, at that reference, it meets these eight or 10 criteria—25 kays an hour, no throttle above six kays an hour, anti-tampering, it has brakes that work, it has spokes that will actually hold the weight that it is meant to carry and those sorts of things. That process, we believe, has the ability to provide a safe and quality product, an assurance that the bike can actually do what it is intended to do and that it is actually achieving what we are hoping to achieve.

Points of note to be aware of are: the current standard that is referenced, EN15194:2017+A1, requires EN15194 marking but not the year of the standard. It does require the year it is manufactured. EN15194:2017 requires the year it was manufactured; 2009 does not. TMR, in their recommendations, identified that the marking should be appropriate to the year that it is actually manufactured. Since 2017 that has been required to be marked on the bike, but there is still a small loophole that, by pretending that your bike was manufactured before 2017, you do not have to have those types of markings. Also, the 2009 standard is a much, much simpler and easier standard to meet. Therefore, there is that small consideration if TMR is utilising the year it is manufactured because of the markings required under the standard, under the 2009 version.

Ms Reinhardt: To add to that, I will give an example of what happened in New South Wales. We currently sell two brands and have two brands on subscription that both meet the EN standards already. In New South Wales, what happened is that we had to provide additional certification where the manufacturer does not want to bear these costs because the Australian market is too small for them. They are not interested in bearing those costs so we had to take those costs. The certification process and licensing process was not clear and had been pushed and so on.

Basically, we have to bear the cost, which we were happy to do, but it needs to be in a discussion and in a way that we are able to do it. For example, with the labelling we need to make sure, as Peter just said, that we are able to self-label. We cannot be dependent on the manufacturer to do all this and we need to keep these costs at a minimum. What is especially hard for us is that this is not harmonised across the different states so, if every state comes up with their own procedure, we need to do different testing requirements that increase the costs, which we then do have to pass on to the consumer, which obviously we want to avoid. I know it is hard to ask for harmonisation across states but it does really help us. The system in New South Wales is probably not the one to adopt but think about how to decrease the burden which, in the end, falls on us.

Mr Bourke: I want to reiterate Johanna's point and highlight a couple of points. Queensland makes up, in our estimation, about 0.09 per cent of the world market. In the last 24 months, the BIA has been involved in 24 inquiries, reviews and consultations across Australia. We know we are eight states and territories; we are not one country. This process with e-bikes across the country has certainly highlighted that. If we do not get harmonisation, it will be detrimental to the industry and therefore consumers.

CHAIR: Certainly it is something that we are very mindful of.

Mr JAMES: Andrew, I think you mentioned briefly about no licence requirement at 25 kays for legal e-bikes. Can you extrapolate on that and, in particular, how you propose we police this?

Mr Garnsworthy: Essentially, e-bikes that are capped at 25 kay an hour should be no different to normal bicycles. I was down on Corro Drive over the weekend and there were plenty of kids riding normal bicycles at 20 to 30 kilometres an hour on the bike path. Essentially, it is just trying to come up with a way of carving out legal e-bikes that are capped at 25 kay an hour and then the actual

source of the underlying issues with overpowered, overspeed bikes that go far beyond that. In terms of the question around policing, on the Gold Coast and Sunshine Coast it is fairly clear the bikes that are going 30, 40 or 50 kays an hour—they are not 25 kay an hour—and that can be enforced just as normal speeding is enforced by the police.

Mr MELLISH: Through your submission and appearance today and through others we have seen, we have heard about multiple issues with this bill as it currently stands in relation to 10 kilometres an hour, in relation to EN15194, in relation to noncompliant devices still being able to be purchased and in relation to other issues as well. Given that the government is keen to pass and enforce this bill by 1 July this year and that there are multiple issues still outstanding, should the government go back to the drawing board on this bill and actually consult with industry and the community on a draft version of this bill?

Mr Bourke: As I said at the start, as an industry we are very supportive of the intent of what is going on here. There are 28 recommendations. I believe probably 23 of them we are very supportive of and 24 we are comfortable with. There are a limited number that are causing concern. I think you have heard this repeatedly today: the age, the licensing and the speed are the key considerations, as well as the lack of control of the sale of product. The ability to correct those issues are what we think we need to have a significant focus on. I believe there has been some very, very good work but obviously that work is being undone by a couple of recommendations that are obviously going to be very detrimental. Greater focus on those is where I think we should be doing a lot more work. Before this bill goes any further, we need to correct those.

CHAIR: Something occurred to me when you were talking earlier, Andrew, about bikes. Do you have any data on how many e-bikes are bought for 16-year-olds and under?

Mr Garnsworthy: We have no firm data. We do not capture age data at point of sale. Anecdotally, quite low is the perspective. There is transparency. There is a 16-year age limit in WA that does not significantly impact our business. It is probably not great for 14- or 15-year-old kids who are looking to ride to school on a legal e-bike. However, a limited number of kids are riding legal e-bikes.

CHAIR: Thank you for that. I expected that. One of the challenges that we have seen when visiting highly populated areas such as Palm Beach, Currumbin, the Sunshine Coast and Brisbane schools is that these bikes are being used more as a regular form of transport and are being ridden on roads to and from school. We are trying to make sure that people are safe on those bikes and are not causing further problems and futureproofing the technology as it develops.

We have run out of time for this session. Thank you very much, Peter, Andrew and Johanna, for your submissions. If you have any other thoughts, please share them with the committee.

BRYANT, Mr Jayden, General Manager, Neuron Mobility

PETERS, Mr William, Head of Asia Pacific, Lime

CHAIR: I now welcome representatives from Neuron Mobility and Lime. Would you like to make a brief opening statement and then the committee will have questions for you? Once again, thank you for your submission.

Mr Peters: I am going to make a quick presentation on our joint submission and then I am very keen to take questions. Good morning, Chair and members of the committee. Lime and Neuron operate shared electric mobility services across Queensland cities, including Brisbane, the Gold Coast, Bundaberg, Rockhampton, Townsville and Yeppoon, to name a few, and we have done so since 2018. Thank you for the opportunity to speak to our joint submission today.

I want to be clear from the outset that we support the majority of this bill. We can speak only in terms of the shared bike provider side and we understand that the intent is here. We also want to acknowledge the fact that this is very important on the culture of cycling in Queensland across both private vehicles and shared. Today we are going to focus on those elements that will impact what we believe is quite significant from our side.

The majority of provisions in this bill—the bike provisions, the extended police seizure powers, the strengthening drink-riding offences and enforcement against the sale of unregistrable devices to minors—are necessary and we strongly support them. Getting dangerous illegal devices off Queensland streets is paramount. They are effectively illegal motorbikes that serve no purpose. Shared micromobility is entirely different. Our submission asks the committee today to consider amendments around clause 34, and I am going to speak particularly against the licensing requirement due to the fact that share schemes operate under a very different class of agreements with local governments.

The bill itself already recognises the distinction between shared and private devices. Section 48AA and section 78C apply specifically to share operators because share schemes are identifiable, contactable and accountable in many ways private devices are not. Our submission asks the committee to extend the established principles to clause 34. Share schemes deliver the outcomes the bill already seeks: verified identity, mandatory rider education, geofencing and speed limits, GPS tracking, comprehensive insurance covering riders, third parties and the public. We already share data with Queensland police on subpoena, and the result is a safety record of over 99.99 per cent of trips completed without an incident across eight years of operation in Queensland.

I want to spend a moment on insurance because this is where the bill, as currently drafted, carries a real and under-appreciated risk. Every Lime and Neuron trip in Queensland is insured. Our public liability, our personal accident, our third-party insurance is automatically on every ride. In stark contrast to private e-mobility vehicles, that coverage protects riders. It also protects pedestrians, drivers and other road users in the event of an incident. No Australian jurisdiction requires private device owners to hold any of this.

I also want to spend a moment briefly on who is actually using these services. I think we very much forget this as we are seeing a huge change across the world from London to Paris, to the LA games, to the Brisbane 2032 Olympics. This is where we are seeing a brand new generation of people embrace micromobility safely. That is the majority of people in Queensland using these devices. A very small minority is using and abusing illegal high-powered motorbikes. Approximately 49 per cent of Neuron trips in Queensland are replacing a car journey. One in three bike share users in Brisbane are tourists. Around half of Chinese adults, for instance, do not hold a driver's licence and around a quarter of adults in England do not either. With Brisbane 2032 ahead of us, this is not a small number of visitors. We also see students travelling to campus, hospitality and trades workers commuting at hours when public transport is limited, parents connecting to child care and people with medical conditions and, as we have heard today, disabilities who do not hold a licence but who rely on share devices to live independently.

In preparing this submission we heard directly from Queensland riders, and I was getting this data as early as this morning to include. We had a female Brisbane teacher tell us yesterday, 'It saves me so much time. I can't drive, so it's been a Godsend. I won't be able to use them as I don't have a licence.' A Brisbane man in his very late twenties told us he lost his licence due to a medical condition and that share bikes and e-scooters are how he completes his journey home from public transport. A Brisbane tradie told us he does not hold a licence and has already had to leave a previous job

because his commute became unworkable. These are not edge case that we need to sort out in 18 months time, these are how people are using these devices every single day. Across operators we have had millions of users take this up and it is something that we are seeing huge dramatic increases in across the world.

Our proposed share e-mobility licence framework—and we are looking at this set out in full in the submission—preserves the bill's safety objectives. We heard loud and clear that people want to make sure that anyone using our devices is identifiable, that they are insured, that they are riding safely. There are already speed limits. We have very strict contracts with every single local government area that we operate in. What we operate under delivers what the bill seeks to achieve. What I would be keen to talk about today is, while protecting the accessibility, the visitor economy and the insurance element, we hope to continue operating across Queensland for many years to come. We thank the committee for its consideration and welcome your questions.

CHAIR: I take it that that is also on behalf of Neuron?

Mr Bryant: Yes.

Mr MELLISH: Thank you for doing a joint submission. That makes it easier for the committee to look at. I am interested in the insurance component of the submission. How could the Queensland learner's licence requirement affect your ability to continue to provide CTP insurance to your customers?

Mr Peters: That is a very important question. All jurisdictions are going through insurance issues. I will take the committee back to 2022-23 when we saw a rise of private mobility vehicles. We were tasked in Victoria with how to protect third-party insurers. As we know, we are not covered under a very expensive state-based CTP scheme. From our perspective that would be a wonderful thing to do. We had to go and actually undertake the process of getting insurance to cover third parties. This is when a rider, for instance, could be doing the wrong thing and that third party is still covered. It is up to $1 million. In our initial conversations with insurers there was huge concern at that point. That was without all of the other verification and requirements that this bill is proposing today. In our assumptions here, that would be very challenging to procure with our insurers and it is something that we would have to take very seriously on notice. In essence, without speaking in riddles, we are very concerned with that.

Mr MELLISH: Essentially you would want to see some changes to the bill.

Mr Peters: Yes. I will give you an example. If the bill requires a driver's licence, how would we assume that that was not a suspended driver's licence unless that was verified? There are real applications around the delivery of every single state government providing access into TMR, for instance. Anywhere we operate around the world, across 230 markets, that provision would be new.

Mr Bryant: The only thing I would add to that is it would not just be state based. If international drivers' licences are to be accepted, which I believe they are, having a universal database for international drivers' licences is going to be very hard. I do not believe one exists. Verifying against a database that does not exist to make sure we are fulfilling our obligation as an operator, when there are extensive fines as well, puts us in a very difficult position.

Mr JAMES: I think my question might have been answered. I wanted Will to elaborate on the licence requirement, but he answered my question.

CHAIR: Did you get that?

Mr Peters: I might speak very quickly on the alternative options. Our intent is to make sure that the rider of a shared micromobility device has the education at the point of rental. Currently with a learner's licence, which is proposed, I do not believe there is a question on how to ride a shared micromobility device safely. We can provide that in real time in the jurisdiction they are operating in. For instance, if we have concerns that are different on the Gold Coast versus Bundaberg or in terms of Brisbane we can provide that at that point in time. They open up one of the operators' apps and we make them go through a test to make sure they understand the road rules and their responsibilities. We already have an identifiable piece of information on that rider, which is another way of making sure that they know that they are tracked on a Lime device. It actually discourages poor behaviour. This is not a person who is anonymous, for instance.

Mr KING: Thank you for coming in. I was interested when you said 'right throughout Queensland'. I did not realise you were in so many places throughout Queensland. Obviously you have a lot of investment. If the bill was to proceed in its current form, would that limit future investment from your companies? That would be a bit of a shame.

Mr Bryant: As Will mentioned earlier, both of our companies have been operating in Queensland and investing in Queensland since 2018. Neuron, across our brand, operates all throughout the regional cities as well. It is much more of a public transport service scheme in those cities because they do not have many public transport alternatives. It is either a car or you walk or your private device.

I want to emphasise that the impact of the driver's licence requirement cannot be underestimated. Put yourself into a tourist's shoes and you are visiting Brisbane or the Gold Coast or one of the regional cities and you are asked to upload your personal identification. If you are from another country, maybe you have an international driver's licence or maybe you do not. I know personally if I was visiting another country and I had to upload my personal ID and wait for verification—whether that takes five minutes or one hour, I do not know—I would stop. I would hop in an Uber. I would find any other alternative form of transport that I could.

The impact that this will have on the share services schemes will be massive. It is not a matter of whether we can continue to invest. From Neuron's perspective—I do not want to speak on behalf of Lime here; I am personally in charge of this market—I am estimating that it will be a 50 per cent drop in users who utilise our schemes. Obviously, from a business reality perspective, that puts it at risk. We would love to continue investing. We have been growing in Queensland and trying to get people adopted onto micromobility for many years now, but the impact of the driver's licence requirement is severe.

Mr KING: I would hate to see you limit the current investment you have and perhaps withdraw from places.

CHAIR: In terms of insurance aspects, I recognise is a very good thing for both your clients and those who may interact with them. Can you talk to us about some of the other safety aspects of your devices in terms of geofencing and slowing down controls and that sort of thing? Also, can you identify 100 per cent of the people who hire your devices?

Mr Peters: Thank you for those two questions. I will start on the important question first and then I will come back to the controls. To my knowledge, we have not been able to not identify a rider in my tenure at Lime. In terms of the safety controls, we have a toolkit. I will start with an example. There were some illegal motorbikes on the Gold Coast that were ripping up a park. They were out there causing great community concern. They were throwing different things at bicycle riders. On Lime devices and Neuron or other operators this is not possible because we geofence any area which has public concern. We also can slow down vehicles when they enter zones. These are all listed in our contracts. If there is a zone, for instance, of a large-scale event where we are getting a large population in there, we can actually make sure that those vehicles are parked in their designated spots. Also, we can ensure the safe passage of people to those venues, so reducing car congestion. From my perspective, as a city grows and becomes an international city, the best tool that we have is being able to have nimble, point-to-point transport which is the investment we provide around the world.

Mr Bryant: From our perspective as well, to my knowledge, I am not aware of any case where we have not been able to work with police to identify any riders. We capture payment details, contact details and so on. Maybe we could rework that to be even more stringent as an alternative as well. I think Will touched on the fact that this industry has been innovating. It is very different compared to 2018. The safety technology that has been introduced is continually being refined. It continues to get better. There are a lot of things that are different within the industry compared to private devices.

CHAIR: I think it is important to ask: if somebody just goes to one of your devices on the street here in Brisbane, they cannot just start it. They have to go to an app and set up an account. Do you want to talk on that briefly?

Mr Bryant: That is exactly right. On the device itself there are a whole bunch of safety rules, but there is an onboarding process for every single rider. They get served with the local riding rules. They need to go through and tick and accept that they understand that they need to be 16 and over. They need to follow these speed limits. They need to legally wear a helmet. There is a very strict safety education piece that it goes through, and they are incentivised to take that as well.

Mr Peters: I would add that we also see the opportunity over the next few years to educate people as they come through. When they actually come to a share scheme this is the first time that a lot of people have ridden a bike or a scooter. It is very affordable. It is cost effective. They do not need to outlay a large sum of money. It is really a gateway to make sure that people utilise micromobility. It cannot be overstated that, if we put barriers in at the entry point of where we want people to be using devices safely, I think we do need to look at that policy objective. Legislation should not be a

blunt instrument. It needs to be looking future forward, especially now. I think there is no better time than a fuel crisis where people literally cannot afford to drive and they are looking for cheap, affordable methods. They are new and we are educating them. That is pleasing to see, but this would significantly limit that opportunity.

Ms BUSH: I want to pick up on the issue of parking enforcement and investment. One of the issues that came up in our original inquiry was some of the parking issues, and I will be frank with you: not a day goes by when I do not open the front door to my office and there are three scooters out the front of my door, but I will take that up offline with you. There were some recommendations in there around councils having to do some more work on that, although I see that councils have pushed back and said that they do not really have the funding and the resources to do some of that enforcement work. I want to read to you the department's response, which is interesting—'enforcement will be at the discretion of local governments'—which now feels like we are walking back from that recommendation that councils should be doing more to help enforce parking issues. I know that councils get tens of millions of dollars from you in the contracts that they undertake with you. Would you like to see councils spending more of that funding and other revenue into better parking, better signage and better investment in infrastructure so that we have conflict-free spaces?

Mr Peters: Yes. From a parking perspective, that is what we have been working on. Since we last appeared here, it has been a top priority, as was a brand new helmet—ensuring that we were making sure that helmets were available. That is ongoing work and we are working every single week with all of our stakeholders, whether that is Brisbane City Council in our case but Gold Coast as well, and it is identifying spots to build parking. When we re-entered Brisbane it was my goal to have every device parked in a dedicated parking spot. That is still the goal, and we are working towards that. We have prepaid a sum to make sure that that is funded at no cost to the taxpayer, so we are doing everything we can from our side to make sure that devices are in parking spots.

Mr Bryant: The only thing I would add to that is that both operators and the industry as a whole want every device to have a home so that the public can recognise we have that social licence to operate, because this is the No. 1 challenge from the shared scheme perspective—and I fully acknowledge your experience there—and that is working with the councils hand in hand and working with the operators hand in hand identifying those locations and rolling out that infrastructure as quickly as possible. The technology exists for it to be located in that. We just need to get to that end point and then that challenge is resolved.

Ms BUSH: Thank you. The point I was making was that this bill really just embeds the status quo on that. There is no real change.

Mr Peters: Could I add one comment to that?

CHAIR: There has been a partnership and additional parking provided over the last six or 12 months in the BCC, but—

Ms BUSH: But not through this bill. That was my point.

CHAIR: Yes, William?

Mr Peters: It is to that. We are looking at how we can reutilise parking spaces to no-stopping zones and the rest of it, but there has been good progress with the councils we are working with since the last time we spoke.

Mr MELLISH: You mentioned just before that you had prepaid an amount based on parking and infrastructure improvements. Just to clarify, is that to do with your licence fees—that is, you have paid for future years and current years—and is that to Brisbane City Council?

Mr Peters: I cannot speak to contract specifics on that, but that is in all of our contracts. We would like to build in as much parking as possible.

CHAIR: Thank you, William and Jayden, for being here and thank you for your joint submission. It is very useful for the committee. You have taken no questions on notice, so no homework for you both and that is great. The time for this session has finished. Enjoy the balance of your day.

BERTOLACCINI, Dr Kelly, Lecturer, Transport Engineering, School of Engineering and Built Environment, Griffith University, Queensland Transport Academic Community

BUNING, Dr Richard, University of Queensland Micromobility Research Cluster, Queensland Transport Academic Community (via videoconference)

HAWORTH, Professor Narelle, Chair, MAIC-QUT Road Safety Research Collaboration

CHAIR: I now welcome representatives from the Queensland Transport Academic Community. We are joined by Dr Richard Buning from all the way over in Copenhagen, I understand.

Dr Buning: That is right.

CHAIR: It is good to see you again, Richard.

Dr Buning: Thanks for having me back.

CHAIR: I invite you to make a brief opening statement, after which the committee will have questions for you.

Dr Buning: I am a senior lecturer in the University of Queensland Business School and a leader in our micromobility research group. Yes, I am currently in Denmark studying e-mobility. My colleague Dr Bertolaccini from Griffith University is also here and part of our submission. Our submission from the Transport Academic Community is part of 15 transport scholars from across the state.

I want to be clear at the outset that our submission is not opinion; it is a research supported truth and we share the intent and concerns on injuries and fatalities. First, I want to address the submission I made from statewide research I am currently completing for TMR. Based on more than 4,000 responses from across the state, we estimate there are nearly a million e-mobility devices—990,000 devices—in the state. Sixty per cent of these devices are e-bike style and 37 per cent are e-scooters, and their use is popular in cities and regions. We estimate around roughly half of the e-bikes are noncompliant. These Sauron e-dirt bike style devices are actually less than one per cent of devices. So one-third of Queensland households owns at least one device, and we estimate they are ridden more than six billion kilometres annually. The increase we have seen in injuries over the last five years is indeed proportionate to the increased ownership and use over that same time. We also asked what transport mode people would use if their device was banned. Over half said they would use a private car. That is roughly 500,000 Queenslanders who are using e-mobility as a car replacement. Our full results will be out in July.

Second, our joint submission states that this bill is too blunt. It will not achieve the desired safety outcomes. New laws alone will not produce road rule compliance and safety. Multiple research projects confirm it. Safer behaviour is created by separate infrastructure, signage, education and enforcement. The bill does not distinguish between compliant pedelecs, private and shared e-scooters and high-powered devices, which all present different risks and require different regulation. Compliant bikes are great for our communities and must be excluded from all of the reforms. The 10-kilometre speed limit on footpaths for bikes is not supported by research or design guidelines, and footpaths and shared paths are not the same and they must be differentiated in form.

Lastly, the licensing must be excluded from the bill as it will create mobility and injustice for diverse pedelec and e-tricycle users like people with disabilities, medical conditions, the elderly and tourists. E-mobility in Queensland is widespread. It is a legitimate, sustainable and inclusive transport mode. I am happy to take your questions.

CHAIR: Thank you, Richard. Narelle or Dr Kelly, did you have anything you would like to add?

Prof. Haworth: Yes, I would like to add some points from our submission. Our submission is from the MAIC-QUT Road Safety Collaboration, which used to be called CARRS-Q, the Centre for Accident Research and Road Safety—Queensland. Our focus is on safety—not the broader focus on transport but the narrower focus on safety. I would like to remind everybody that the bill is talking about e-mobility use, and amongst e-mobility we have two major categories. We have e-bikes and we have personal mobility devices. One of the problems that we have with many of the suggestions and parts of the bill is that they are treating the two as the same when, from our evidence, they are actually quite different, and I think that has caused a lot of unnecessary angst.

We do support the general intention of the bill to deter unsafe and illegal behaviours by e-mobility users and to modernise those e-mobility definitions. We also support strongly the recommendations in the committee's report—not in the bill—regarding the need for greater investment in appropriate, safe infrastructure for e-mobility users, but we would like to point out, first of all, the safety differences between personal mobility devices and legal compliant e-bikes and why it is inappropriate to use the same sorts of regulations for both types.

If we look across all of the research literature, there is very little research that shows any safety difference between a compliant e-bike or the European pedelecs—the standards being spoken about—and purely human-powered bikes. E-bikes are bicycles, as one of the earlier submitters said, and I think that is important. There is no evidence that we should be applying rules to legal e-bikes that we do not already apply to bicycles. Personal mobility devices are different though. They are quite different in terms of their dynamics, and I think that is one of the things that then leads on to a number of the other points.

A bicycle has, by its own design, quite large wheels with spokes—two of them, or three for a tricycle, but let us just talk about the bicycle. The way that a bicycle works is that it generates gyroscopic forces above about 12 kilometres per hour. So at above 10 or 12 kilometres an hour, you can ride a bicycle without any steering input; it will maintain its stability. A bicycle does that. Once you get below 12 kilometres an hour—maybe 10—the bicycle rider actually has to make physical adjustments to keep the bike upright. What then happens is that those physical adjustments lead to the bike going from side to side. So, instead of taking up a narrow proportion of a footpath or a shared path, the bike is taking up more room and so there are more pedestrians whom it is likely to be disturbing.

From the point of view of vehicle dynamics, we can say from the research that a 10-kilometre-an-hour speed limit on a footpath is going to be not only more problematic for the rider of the bicycle but also more problematic for the pedestrians that they are sharing with. I think that is important. Going back to the lack of safety outcome difference between a legal e-bike and a normal e-bike, that means that we are not talking about a lower age limit or a licensing requirement for a normal bike, so why talk about it for an e-bike?

One of the other points that we would like to make is that there has been a lot of research by our organisation and others about the effect of penalties, so we have learnt a lot about penalties. The main purpose of a penalty is to deter people from doing the wrong thing. There are three ways in which that deterrence works—three important things. First of all, it works better if the penalty is applied quickly, it works better if people are more likely to think that they are going to get caught and it works better if the penalty is above a certain level. If the penalty is $2, it is not going to make any difference, even if it is swift and so on. What we find is that the most important factor in getting people to obey a rule is their perceived likelihood that they are going to get caught, so that is what we need to work on. Once the penalty is above a certain level, it does not make any difference how big it is; it has no more penalty affect. They are the main points in our submission, and I am certainly happy to take any questions.

CHAIR: Thanks, Narelle. Dr Kelly, did you have anything to add?

Dr Bertolaccini: Thank you for having me. Richard's opening statement did speak for both of us. I do just want to reiterate though that I am personally worried and our group is worried that these laws will have the opposite effect of what is intended and that more people will end up being hurt while cycling as they are forced on to roads and crossings where they are exposed a lot more to fast moving vehicles. We know that once those speed limits get above 30 kilometres per hour the rates of fatality when you get hit are really high, so I am really worried that this will force more cyclists on to the road—or to just stop altogether—and lead to more critical crashes. Thank you.

CHAIR: Thanks, Dr Kelly.

Mr MELLISH: Your submission highlights how the confusion on the rules contributes to noncompliance. You were just talking about how the 10-kilometre speed limit and the shared path restriction would contribute to noncompliance. If people are not going to want to abide by those rules, how might that contribute to noncompliance more broadly?

Prof. Haworth: Most bicycle riders, whether they are riding e-bikes or not, are pretty compliant, but when we—and I will take responsibility as well—find ourselves in a situation where our safety is at risk we will make a decision based on our safety. Usually that will overrule what the law says. If I am going to cause more threat to a pedestrian at 10 kilometres per hour then I might ride faster. It is challenging: am I going to ride on the road or not? Perhaps on a higher speed road I am going to ride on the footpath, particularly when there are no pedestrians there, because I value my life. We have

to look at people not obeying the law not just because they are risk-takers—I would be the last person to be called that—but also simply because they are judging risk and making what they consider to be the sensible decision in those circumstances. I hope that answers your question.

Mr KEMPTON: I do not have a question but I would like to thank you all for your input. This is a very complex issue. Data collection moving forward so we can respond as this issue unfolds is going to be really important, so thanks once again.

CHAIR: It certainly was CARRS-Q that drove a lot of the improvements in hospital collection data, so thank you for that. It is a point well made.

Ms BUSH: Narelle, you very succinctly put forward a few arguments that I have been grappling with in my mind, so I thank you for that. You outlined a number of risks associated with the bill. What are the risks of implementing a bill like this that does not have the accompanying investment in active transport infrastructure that you mentioned is really important—that is, just doing the stick and not the carrot work as well?

Prof. Haworth: As Kelly mentioned before, all of the evidence shows that, whether people are walking or riding, if they are hit by a motor vehicle travelling above 30 kilometres per hour the likelihood of serious injury or death is quite high. From a safety point of view we want to do two things: we want to slow down and we want to separate. If we bring in rules that penalise people or make it less attractive to ride in safer locations, then they may be riding in less safe locations and therefore be more likely to be hit by motor vehicles. Other people have talked about the number of people injured, pedestrians' perceptions of being safe and so on. Realistically, if we look at the number of people killed and seriously injured across Queensland, almost all of those incidents involve a motor vehicle. If we want to have safe e-mobility, we need to have lower speed limits and allow people to ride on the road or we need protected infrastructure where people can ride safely. Painting a white line on the road does not provide magic protection.

Ms BUSH: With the indulgence of the chair, do you mind if I pick up on that? I cannot think of the term off the top of my head—it is 'd-v' something—around having different objects riding or moving at different speeds and the inherent risks of that. You have talked about how the solution is trying to get everyone to the same speed. This bill will put scooters on the road doing 60 kays. It is going to put pushbikes on to the road probably doing 40. What are the risks? Can you talk about that concept and the risks around that?

Prof. Haworth: Yes, certainly. You are talking about delta-v, or the difference in velocity. It is sometimes called speed dispersion when they are going in the same direction. There are two issues with speeds. One issue is that, when you do have a collision, the amount of energy in a collision is kinetic energy equals ½ mv^2. If you double the speed at which a collision occurs, you are actually quadrupling the kinetic energy and the likelihood of injury goes up pretty much exponentially.

The other aspect which is important to think about is not only the actual speed but the difference in speed. If I am riding on the road at 15 kilometres per hour and somebody is going past in a car at 60 kilometres an hour, then that is a 45-kilometre-per-hour speed difference. It means that the slower I am going compared to the traffic the more motor vehicles are encountering me and the more they will be going past me, and every one of those has its own risk.

That is one of the advantages of e-bikes, particularly going uphill. If I am going uphill on my standard bike, I am going maybe six kilometres an hour because I am not exactly built for speed, so I will have lots and lots of cars going past me. However, if I am going up the hill at 25 kilometres per hour on an e-bike—I have not done the calculation yet—you can imagine how many fewer motor vehicles are actually passing me. By the way, every one of them is less likely to be annoyed by me too. I think we need to look at speeds and recognise that, yes, there are some dangers with speeds, but there are also perhaps some advantages if we can have e-bikes instead of other bikes because we are reducing that difference and therefore those interactions.

Dr Bertolaccini: In answer to your question about what would happen if these were implemented as they are, I think there is a big risk of increased exposure but there are also people who decide not to ride anymore. The ones who decide not to ride will be the ones who are more risk-averse, which statistically is more likely to include a lot of women. E-bikes anecdotally have been great for women. I have not seen an official study on that—maybe Narelle is aware of one—but I think this would be a big blow to women cyclists who on the whole, obviously not everybody, tend to be more risk-averse.

Dr Buning: Based on the testimony of some of the other witnesses last week as well, I think this may already be turning people who are considering buying a device away from e-mobility. From the research which I stated we are currently conducting from TMR, of the people who did not currently own a device, 20 per cent of those people said they were planning to buy a device in the next six months. One-third of households own a device and another group of households is looking to buy a device. That is just how popular they are. Perhaps the media campaigns and even just this inquiry of casting these things as bad and putting them all together may be already deterring people from wanting to buy them or use them.

CHAIR: Certainly these things have an important place and we just want to make sure that we do it safely.

Mr JAMES: Narelle, I take your point about reduced speed limits. I come from Cairns, and over the last few years we have reduced the speed limit in the CBD to 40 kays to prevent pedestrians in particular from being hit by vehicles. It has had a dramatic effect. It has brought the number of fatalities and/or injuries down dramatically, so that is a good point. Having said that, Richard, you spoke about separated infrastructure. Given that a lot of the roads, particularly in places like Brisbane, are very narrow, have you done any work or are you doing any work on the design of infrastructure to cater for future use, for example, of e-mobility scooters and bikes and how we achieve this?

CHAIR: We will go to you, Richard, but I can tell you that Dr Kelly was very excited by that question.

Dr Buning: My colleague Dr Dorina Pojani just completed a report to TMR on separated infrastructure. It was just given to them a couple of days ago. I was hoping to table it here today. I might still be able to give it to you after this meeting. I am not sure if there is a deadline for it.

Dr Bertolaccini: In addition to Dorina's work, which looked at new builds, I did some research with TMR about how we retrofit separate cycling infrastructure onto existing corridors. I know that many people, like up in Cairns, are trying to build in a very constrained environment. There is absolutely research on how to effectively retrofit onto existing corridors and take advantage of the space we already have without having to make entirely new-build infrastructure.

Prof. Haworth: I have a couple of points. First of all, a lot of people are riding on the footpath simply because of the lack of on-road protected infrastructure. Secondly, Queensland is one of the very few parts of Australia where people are allowed to park motor vehicles in bike lanes. Nobody else around the country will put up with that. One of the challenges we have is that, despite the evidence that has been collected about how good economically putting in bike facilities is and how good it is for retail and so on, there is pushback against the reallocation of road space from parking through to protected cycling and e-mobility infrastructure. We need to go back and look at that. Evidence from other countries shows that when you take out parking and put in bike lanes the retailers make more money, not less. I do not think that has sunk into the psyche in Queensland. There is road space; we are just storing cars there instead of letting people travel.

Dr Bertolaccini: My colleague in the audience, Matt Burke, has done research on business owners in the CBD and how they felt about cycle paths and things like that. I will also add that a big part of the research we did on the retrofit was that political issue: people do not want it. What we found is that, by and large, in nine of the 10 retrofits that we looked at in Queensland, all of the complaints went away within a month or two of implementation. A lot of times it is just a hesitancy for change, but a lot of times if they were well designed those complaints went away fairly quickly.

Mr KING: I have heard some terms today. I really like 'pedelec'. I had not heard that during the course of this—an analogue bike versus a pedelec. I have to say that Chris's quote this morning 'an electric bicycle is a bicycle' really resonates, which brings me to my question. What are the effects of the bill's failure to differentiate between pedelecs and electric motorcycles?

Prof. Haworth: I have spent a lot of my research life doing motorcycle safety research. I think it is certainly challenging. First of all, I do not even like the term 'illegal motorcycle'. Motorcycles have to comply with the Australian Design Rules for motor vehicles. There are a lot of requirements about braking systems, exhaust noise, indicators, lighting and all those sorts of things. Most of these what I would call illegally-powered two-wheelers will not fit any of the Australian Design Rules and they are not e-bikes either. They are just illegal. There is no way they are legal unless you create some new system of making them legal, not that I would advocate doing so. That is a challenge.

Motorcycles are not a safe form of transport. Your chance of being killed on a motorcycle per kilometre travelled is about 30 times that in a passenger vehicle. That statistic is pretty universal. Even if these high-powered illegal two-wheelers are not legally motorcycles, once they go at the same

sorts of speeds they are going to have the same sorts of injury and fatality outcomes, so we do not want them. Let's just keep people who are riding bicycles riding at the speeds at which it is safe to ride.

CHAIR: I will ask a couple of questions but I first want to again point to the original inquiry where we talked about devices that can go higher than 25 kilometres an hour being picked up as a motorbike in the existing situation. That can mean the new standard of pedal electric bike that goes higher than 25—it is essentially e-powered higher—and other bikes that would fit into that class. We look forward to that continued development.

My question is with regard to gyroscopic power, a term that you used, Narelle. Through the initial inquiry and now, we have realised that shared paths should not have a 10-kilometre-an-hour speed limit unless it is in a high-traffic area where it intersects with footpaths or similar. I accept that gyroscopic power on those shared paths. We received a lot of submissions through the initial inquiry that said we should ban e-bikes from footpaths altogether. We grappled with that and that is where we came up with the 10-kilometre-an-hour speed limit. My proposition to you is that, when you get under 11 kilometres, you do have to drive and steer and interact with the pedestrians, and if you cannot do that safely then you should probably be walking. That is the reason we had the 10-kilometre speed limit—to allow people to manoeuvre together and do it safely to make sure that variation of speed was closer.

Prof. Haworth: I will make a comment about that. Queensland is not just Brisbane. In lots of parts of Queensland, kids are having to get to school and people are having to move around where there are not low-speed roads. If there is a footpath that is beside a road that has an 80-kilometre-per-hour speed limit on it, I want to be on that footpath on my bike. Anybody is better off on that footpath than on that 80-kilometre-per-hour road. We need to consider the context. If the footpath is next to a high-speed road—and I would say high speed is more than 60 kilometres an hour; I would like to even say it was lower—then I think we should not be discouraging people from riding on the footpath there, assuming that we have no infrastructure on the high-speed road. That is a situation where it is much more sensible to be on that footpath. If there are not any pedestrians around then I do not think you need to do 10 kilometres an hour.

CHAIR: It is a good point. Do you have any idea for definitions of that? Obviously, we walk down the footpath in the CBD here and there are lots of pedestrians. It is a footpath but it is wider. Do you have any thoughts about definitions that we could borrow?

Prof. Haworth: It is an idea that is worth looking into. For me, the speed limit of the adjacent road is something we should consider from a safety perspective in terms of how we are treating that footpath. I hate to say it but maybe the old idea of the built-up area or what is outside the built-up area is something that could be considered there. We cannot afford to build safe cycling infrastructure on every road in Queensland, because it is such a large state. We do not want to penalise people in regional and rural areas. Maybe we have to think about these sorts of issues. The footpath may be the only safe infrastructure in many locations for e-mobility.

CHAIR: I would ask you to continue to think about that. It might be a matter of just saying, 'Slow down around pedestrians,' and, if there are no pedestrians, I accept the proposition in those sorts of areas. We will give some more thought to that. I would ask you to also give some more thought to that. There is a lot of mental rigour on offer here. The time for this session has expired but the member for Cooper has a question.

Ms BUSH: I was picking up on your last comment. I have a very different recollection of this committee inquiry. My recollection is—and you can look at the public record—that the committee heard nothing about pedal-assist e-bikes being a concern on footpaths. The concern was electric motorbikes. The concern from health providers and from the Department of Health was around electric motorbikes. There were no concerns and no injuries or even a fatality on pedal-assist bikes. We continue to conflate these classes of bike into the same device and we are having huge impacts. I am actually looking at a piece of research that DTMR commissioned QUT to do just a couple of years ago which highlighted the benefits of pedal-assist bicycles, and now we have the department obviously under the guidance of the minister walking back from that. my question to you is this: is there any way to salvage this? If you were the minister, what would you do with this bill?

CHAIR: Narelle, I am going to go to you for an answer but I will just get clarification: the term 'pedelec' is for bikes with a higher speed limit that is on offer in Europe in terms of—

Prof. Haworth: Perhaps I can clarify.

CHAIR: Thanks.

Prof. Haworth: When I use the word 'pedelec' or 'pedal assist', what we mean is those bikes which are now going to be considered compliant—so the 25-kilometre-per-hour cut-off after that and so on. The ones with the higher top speed and so on are often just referred to as a speed pedelec. They are a category in Europe which takes it up to 45 kilometres per hour. I really do not see much need or justification or safety case for them here. I think we really need to be thinking about the 25-kilometre cut-off. I am sorry, I forgot what I was supposed to answer.

Ms BUSH: It seems to me at this point that we have a lot of wholesale changes that need to be made in the bill to shape this into something that is workable. Is there a way through this, in your opinion, with the research?

Prof. Haworth: I think we need to go back to what the evidence says. I think the evidence does say that we have a problem with overpowered, overspeed vehicles, so we need to do something about that. The evidence suggests that there are a lot of them out there, so it will need quite a bit of work to deal with that. I would say that we do not need to do anything for legal and compliant e-bikes beyond that which is currently in the legislative framework for bicycles. That is how I would say it.

CHAIR: Thanks, Narelle. That is certainly the recommendation of the report—that anything that can do more than 25 kilometres should be treated as a motorbike; you have to have registration, a licence and the appropriate standards. That was a very welcome recommendation that the government supported. The time for this session has now expired. Thank you, Richard, for being here all the way from Copenhagen. Narelle and Kelly, thank you again for your submissions. We appreciate the advice.

McGRATH, Mr John, Private capacity

CHAIR: Welcome, John. You provided a submission. We have five minutes for you to make your points.

Mr McGrath: I am here on behalf of the silent majority—that is, the pedestrians who walk the sometimes narrow, often crowded CBD and inner-city footpaths who are in danger every day from being hit by a bicycle, e-bike or scooter. I have lived in the CBD since they were introduced seven years ago. I was at the City Botanic Gardens and am now at Spring Hill.

To let you know where I am coming from, six to eight weeks ago I was walking along Edward Street, a busy thoroughfare just near Queen Street, heading down toward the gardens. I was just about to turn right to go into an arcade, and all of a sudden I felt this rush of wind and this scooter went flying by. I thought to myself that, had I turned one second earlier, I would have been seriously injured by that young fellow on a speeding scooter and I probably would not be here today. Everybody seems to talk about these things, but I do not think enough people have spent enough time on footpaths to see and feel what it is like. By the way, I had a similar experience a couple of years ago—exactly the same thing: wind on shoulder, just about to turn, but I did not, thank God.

My disappointment with the inquiry was that I felt that not enough emphasis was given to pedestrians. For example, how many pedestrians were injured? Out of the 5,000-odd quoted in the inquiry, how many were innocent pedestrians simply walking along who were hit by an e-bike? In my view, any number is too many. Secondly, the 10-kilometres-an-hour speed limit is still very dangerous. Is there any scientific study to say how badly injured a person will be if they are hit at 10 kilometres an hour? I would suggest they would be in a very dangerous situation. I concerned. I believe everybody is talking about everything else except the safety of pedestrians. It seems to me that they are being treated as collateral damage.

In terms of regulations, when the e-bikes—

CHAIR: John, the committee has your submission and I appreciate the summary that you are giving. We are actually well over time.

Mr McGrath: Can I just finish on one thing very quickly?

CHAIR: Thank you.

Mr McGrath: It is clear that we cannot take bikes and scooters off footpaths all over Queensland. However, I would submit that you should differentiate Brisbane and the narrow, inner-city footpaths of the CBD, Spring Hill, Woolloongabba, West End, Red Hill and New Farm. Those sorts of places should be differentiated. They should not be on those crowded, often narrow footpaths. Pedestrians should not be put in the danger that they are today. Thank you.

CHAIR: Thank you, John. That is a point well made.

The committee adjourned at 12.13 pm.