Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026

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I write this submission as a stakeholder in the electric bicycle (e-bike) industry and as a participant in the broader micromobility ecosystem.

E-bikes represent a **critical part of Australia's future transport mix** - offering affordable, low-emission and congestion-reducing mobility. It is therefore essential that any regulatory response is **proportionate, evidence-based and targeted at actual risks**, rather than perceived or aggregated concerns.

1. Data Does Not Support the Current Narrative

A key concern is that the **data presented does not align with the conclusions being drawn**.

- Approximately **75% of e-bike related hospital admissions involve riders over the age of 16**, indicating that **adults (not children) are the primary cohort involved in incidents**
- Of the approximately **25,000 injuries attributed to "bikes/scooters/skateboards"**, only around **20% are confirmed to involve e-mobility devices**
- The **average age of an e-bike fatality is approximately 34**, typically involving adult commuters who already hold a driver's licence
- There is **limited clear evidence presented regarding pedestrian injury risk**, despite this being a central concern in public discourse

These points suggest that the issue is **not predominantly youth-driven** and that **e-bikes are being implicated in broader micromobility statistics that lack proper segmentation**.

2. Disproportionate Risk Compared to Other Transport Modes

- There are an estimated **300,000–500,000+ e-mobility devices in use across Australia**
- Annual fatalities associated with e-mobility remain **extremely low (approximately ~12 per year)**
- By comparison, **total road deaths exceed 300 annually**, including significantly higher fatalities from cars and motorcycles

This indicates that **e-mobility represents a very small fraction of total transport risk**, yet is receiving disproportionate regulatory focus.

3. Behavioural Factors Already Covered by Existing Laws

A significant proportion of incidents are linked to **non-compliance with existing laws**, not a lack of regulation:

- Over **50% of injuries involve either no helmet use or alcohol involvement**
- Both of these behaviours are **already illegal and enforceable**

This suggests that the issue is **primarily one of enforcement**, rather than the need for additional regulation.

4. Misclassification of Devices

The inquiry repeatedly groups together:

- E-bikes
- E-scooters
- Electric motorcycles
- Other powered devices eg. skateboards

These devices have **fundamentally different characteristics**, including:

- Stability
- riding position
- braking performance
- typical usage environments

A **pedal-assist e-bike limited to 25 km/h is materially different from a high-powered throttle-controlled device**, yet policy responses appear to treat them similarly.

This creates a risk of **misdirected regulation impacting compliant low-risk devices**.

5. Illegal “motorcycles’ Are the Core Issue

Evidence suggests that the primary safety concern relates to:

- **High-powered motorcycles**

These are already **illegal under current laws**.

Regulatory focus should therefore be directed toward:

- **enforcement of existing rules**

not additional restrictions on e-bikes.

6. Licensing Proposals Are Problematic and Inconsistent

The suggestion of requiring a driver’s licence raises several issues:

- A person can legally ride a **conventional bicycle at high speeds without any licence**
- Yet a **25 km/h limited pedal-assist e-bike may require one**, creating a clear inconsistency

Additionally:

- Licensing requirements may **exclude individuals who cannot obtain a licence**, including some elderly and disabled riders
- This directly conflicts with the role of e-bikes as an **accessible and inclusive transport solution**

7. Youth Restrictions Are Not Supported by Data

The data does not support the assertion that children are the primary risk group.

- The majority of incidents involve **adult riders**
- Parents are generally aware of rules and actively seek **safe, compliant products**

It is important to distinguish between:

- **illegal electric motorcycles being used by minors (already unlawful)**
- compliant e-bikes

If deterrence is required, a more effective approach would be:

- **targeted penalties for misuse**
- **parent accountability measures**

This would encourage families to engage with **reputable retailers and compliant products**, rather than restricting access entirely.

8. Infrastructure Is a Key Missing Factor

Many safety issues arise from:

- **shared pedestrian pathways**
- lack of **dedicated cycling infrastructure**

Improving infrastructure would likely deliver **far greater safety benefits** than additional regulation.

9. Technical Misunderstanding of Power Limits

The current **250W motor limit is not an effective or evidence-based safety control**.

- Motor wattage primarily relates to **torque (hill climbing ability and load carrying)**
- It does **not directly determine top speed**, which is already limited to **25 km/h via assist cut-off**

This creates a situation where:

- Riders may have **underpowered bikes in hilly or suburban environments**
- Without any meaningful improvement to safety outcomes

There is a clear misconception that **motor wattage is a primary safety risk factor**, when in reality **speed is the critical variable and this is already regulated**.

International comparisons further highlight the inconsistency:

- **United States:** up to **750W** permitted
- **Canada: 500W**
- **New Zealand: 350W**
- **Australia:** restricted to **250W under European EN15194 standards?**

Notably, the European standard was developed for:

- **flatter, dense urban environments**
- shorter commuting distances
- more established cycling infrastructure

Australia by contrast has:

- **more varied terrain and elevation**
- longer travel distances
- less supportive cycling infrastructure

Importantly:

- A **250W and a 750W e-bike are both limited to the same 25 km/h assist speed**
- Therefore, increasing motor power does **not inherently increase speed-related risk** but can improve **control, safety on inclines and overall usability**

As such, the current wattage restriction appears:

- **arbitrary in relation to actual safety outcomes**
- misaligned with Australian conditions
- and inconsistent with international standards

A more appropriate regulatory focus would be on:

- **speed limitation compliance (25 km/h)**
- and **clear classification between compliant e-bikes and high-powered electric motorcycles**
- **Or better yet, establish a new category for higher powered 750w devices where 16+ can access.**

rather than relying on **arbitrary power caps that do not address real-world safety risks**.

10. E-Mobility Benefits Must Be Preserved

The inquiry itself acknowledges that e-mobility:

- **reduces congestion**
- provides **affordable transport**
- delivers **environmental benefits**

At a time of increasing cost of living pressures and rising fuel prices, these benefits are **more important than ever**.

Conclusion

The available data does not support the conclusion that e-bikes represent a significant or escalating safety crisis.

Rather, the evidence indicates:

- a **low overall risk profile**
- issues driven by **non-compliance and illegal devices**
- and a need for **better enforcement and infrastructure**, not broad new restrictions

E-bikes should be recognised as a **safe, efficient and essential component of future transport** and regulation should reflect that reality.

Recommendation

- Focus enforcement on **illegal 'motorcycles' and modified devices**
- Invest in **cycling infrastructure**
- Avoid introducing **licensing or blanket restrictions** that disproportionately impact compliant users
- Ensure policy is **device specific, data-driven and proportionate**
- Establish a new category for 16+ of higher power ebikes of 750W whilst kids under 16 max allowance of 250w or 25km/h would be suitable.

Final Position: Clear, Simple and Enforceable Rules Are Sufficient

In conclusion, it is important to recognise that **the core framework for safe e-bike use already exists**.

What is needed is not an expansion of complex regulation, but rather a commitment to **clear, simple and consistently enforced rules** that address actual risk factors.

A practical and effective approach would be to maintain and enforce the following:

- **Mandatory helmet use**
- **Speed-limited pedal assist (25 km/h cut-off)**
- **No throttle-controlled operation for on-road use**
- **Appropriate motor power limits** with consideration given to increasing limits (e.g. up to 750W) to better reflect Australian terrain, load carrying needs and international standards

With respect to youth riders:

- If a minimum age requirement (e.g. under 16) is to be introduced, a **blanket prohibition is not the most effective solution**

- A more practical approach would be to introduce **parental responsibility measures**, such as penalties for misuse

This would immediately:

- Encourage parents to engage with **reputable retailers**
- Ensure appropriate, compliant products are selected
- Reduce reliance on **unregulated or modified devices**

From industry experience, parents are already **highly aware and proactive** and virtually all that we see in our business are already actively seeking guidance on safe and compliant options.

Furthermore, reputable manufacturers and retailers including ourselves are already implementing:

- **App based and software based Parental control systems enabling full disablement of all functions, remote tracking, locking and even speed restriction from 25km/h to as low as 6km/h**
- **Anti-modification safeguards**

These innovations demonstrate that **industry led solutions are already addressing many of the concerns raised**, without the need for overly restrictive regulation.

E-bikes are not the problem - they are part of the solution.

They provide:

- affordable transport
- reduced congestion
- environmental benefits
- increased mobility for a wide range of users

Regulation should therefore be **targeted, proportionate and grounded in real-world data**, ensuring that Australia supports the continued growth of safe, compliant e-mobility rather than restricting it based on misaligned assumptions.