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

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Submission: Concerns Regarding the Proposed E-Mobility Amendment Bill

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

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Introduction

This submission is made in response to the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026 (the Bill).

We support the Government's objective of improving safety outcomes for all road and path users and acknowledge the serious community concerns that have prompted this reform.

However, we have significant concerns about whether several elements of the Bill are proportionate, well-targeted, and workable in practice. In particular, we are concerned that measures designed to address the real problem of non-compliant, high-powered e-motorbikes will disproportionately impact compliant riders - including young people using e-bikes for legitimate, practical, and everyday transport purposes.

This submission raises concerns across 13 distinct areas and makes specific recommendations in each:

1. E-mobility as a legitimate transport solution
2. Reported injury data
3. Conflict with Commonwealth Law
4. Licencing requirement
5. Minimum age requirement
6. Cross-jurisdictional consistency
7. Rider safety
8. Battery safety
9. Proportionality of penalties and enforcement
10. Operational clarity
11. Transitional timeframe
12. Retailer and Age Verification Obligations
13. Implementation of non-legislative recommendations

Several of these concerns are grounded in direct contradictions within the Government's own published documents — including a conflict between the Bill and Commonwealth law, a conflict between the Bill's proposed footpath speed limit and TMR's own published safety guidelines, and a tension between the Bill's enforcement priorities and the Queensland Government's Zero Emission Vehicle Strategy.

We also ask the Committee to consider the broader context in which this Bill has been introduced. Community concern about e-mobility — and in particular about illegal high-powered devices being used dangerously in public spaces — is legitimate and well-founded. That concern deserves a serious, evidence-based response. What it does not deserve is a legislative framework that has been designed at speed, in response to the loudest voices in a highly charged public debate, and that applies restrictions to the wrong devices, the wrong people, and the wrong behaviours. The history of rushed regulatory responses to complex transport problems is not encouraging. Rules introduced without adequate evidence tend to be poorly calibrated, poorly understood, and poorly complied with — which is, as the Explanatory Notes themselves acknowledge, exactly how Queensland arrived at the current situation in the first place.

This submission asks the Committee to be the circuit-breaker that the parliamentary process is designed to provide. Not to obstruct necessary reform — but to ensure that the reform actually addresses the problem it is designed to solve, and that the cost of getting it wrong does not fall on the compliant, everyday riders who had nothing to do with creating the problem in the first place. If the framework is poorly calibrated, it will not be the dangerous riders who pay the price — they will simply continue doing what they are doing. It will be the young person riding legally to school, the commuter who bought an e-bike under the Government's own rebate scheme, and the retailer selling compliant devices into a market suddenly full of regulatory uncertainty.

Our overarching position is that the Bill would be stronger, fairer, and more effective if it was more precisely targeted genuinely harmful behaviour, preserved appropriate flexibility for compliant users, and was accompanied by a parallel investment in education and awareness that addresses the root causes of non-compliance identified in the Explanatory Notes themselves.

We respectfully ask that the Committee give careful consideration to the issues raised.

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1. E-Mobility as a Legitimate Transport Solution

E-bikes and other forms of e-mobility are increasingly being used as practical, everyday transport options across Queensland. For many individuals and families, they provide a lower-cost alternative to car travel (particularly in the context of rising fuel and living costs), a means of accessing employment, education and training, a way to reduce reliance on multiple vehicles within a household, and a convenient solution for short-distance trips.

E-mobility also supports broader policy objectives: increasing participation in active transport, improving public health and wellbeing, reducing traffic congestion, and contributing to more sustainable transport outcomes.

Beyond transport, e-mobility plays a positive role in encouraging independence, outdoor activity and social engagement among young people. Families regularly report to us that access to an e-bike has encouraged their children to spend more time outdoors, increased physical activity and independence, enabled participation in school, work and social activities, and reduced reliance on passive or screen-based activities. In the current environment, where youth wellbeing is an increasing concern, these broader impacts should also be considered.

These benefits are not simply asserted — they are reflected in Queensland's own policy framework. The Zero Emission Vehicle Strategy 2022–2032 (ZEV Strategy) reaffirms Queensland's commitment to shift to zero net emissions by 2050, with a focus on accelerating the transition to cleaner, greener transport options across the State. In September 2024, the Queensland Government updated the ZEV Strategy to explicitly include e-bikes and e-scooters, introducing a $500 rebate for eligible e-bikes and a $200 rebate for e-scooters — formally recognising e-mobility devices as clean and active transport options worthy of direct government financial support. The resulting E-Mobility Rebate Scheme ran from 23 September to 25 October 2024, with the Queensland Government spending $1.93 million in rebates benefiting 4,774 Queenslanders, two-thirds of whom purchased e-bikes.

This creates a direct and significant policy tension. In late 2024, the Queensland Government actively encouraged Queenslanders to purchase e-bikes as a clean transport solution and backed that position with public funding. The Amendment Bill now proposes a regulatory framework that would prevent a substantial portion of the population — including the 14–15 year age group — from legally using those same devices, and would require almost all existing owners to replace devices purchased in good faith within six months.

It is difficult to reconcile a policy environment in which the Government subsidises the purchase of e-bikes as a public good with one that simultaneously imposes significant restrictions on their use. Regulatory settings that discourage or limit e-bike uptake — particularly among younger Queenslanders who are most likely to use them as a practical alternative to car travel — work against the State's own transport and emissions reduction objectives.

The practical consequences of restricting e-bike access for young people are already being felt in Queensland communities. In our local area, the local high school has banned students from bringing e-bikes onto school grounds. The direct result is that students who previously rode safely to school — independently, at no cost to the family, and without contributing to traffic congestion — are now required to use the school bus. That bus is overcrowded. Our own son is among those who must stand for the journey, travelling at unsafe passenger numbers daily. This is not an abstract policy outcome. It is a concrete, local example of a restriction producing the opposite of its intended effect: removing a safe, active, independent transport option and replacing it with a congested, crowded alternative that is less safe, more expensive to the community, and more environmentally costly. Multiply this across Queensland’s schools and communities, and the cumulative impact on traffic congestion, public transport demand and student independence is significant. E-bikes are part of the solution to Queensland’s transport challenges — not part of the problem. Regulatory settings that remove them from the equation do not make our roads safer. They make our buses fuller and our school drop-off zones more congested.

> **Recommendation:** *The regulatory framework proposed in the Bill should be assessed for consistency with the Queensland Government's ZEV Strategy and its stated commitment to supporting e-mobility as a clean and active transport option. A balanced approach that addresses unsafe and unlawful behaviour while continuing to support safe, practical and accessible use will better align with broader transport, community and environmental objectives — and ensure that the Bill and the ZEV Strategy are mutually reinforcing rather than contradictory.*

2. Engaging with the Injury Data - Targeting the Right Problem

The Explanatory Notes cite significant and concerning injury statistics: 6,089 emergency department presentations across Queensland hospitals between 2022 and 2025, a near doubling of injuries over that period, and 12 fatalities in 2025 alone. We acknowledge the seriousness of these figures and support the Government's objective of addressing the safety risks they reflect.

However, it is important to consider what the data actually shows when read carefully, and what it does not show.

The fatality data does not support a blanket age restriction. Of the 12 fatalities in 2025, eight involved PMDs, three involved non-compliant e-motorbikes, and one involved a legal e-bike. Evidence from the inquiry indicates that the average age of an e-bike fatality is approximately 34 — typically an adult commuter who already holds a driver's licence. The fatality data does not identify young riders on compliant EPACs as a significant risk cohort. The Bill's most significant restriction — the blanket minimum age of 16 — is therefore difficult to justify on the basis of fatality data that relates almost entirely to other device types and older riders.

The injury data is predominantly an adult issue. Approximately 75% of e-mobility related hospital presentations involve riders aged 16 and over. While the proportion of injuries involving under-16s is a legitimate concern, the data makes clear that the majority of harm is occurring among adult riders — a cohort entirely unaffected by the age restriction. If the injury data is to drive regulatory responses, the most proportionate response would focus on the behaviours driving the 75% majority of harm, not on restricting the minority cohort.

The most significant injury risk factors are already illegal. Evidence from the inquiry indicates that more than half of serious e-mobility injuries involve either no helmet or alcohol — both of which are already offences under existing law. This strongly suggests that the underlying problem is one of enforcement of existing rules, not a gap in the regulatory framework that new age and licensing restrictions will meaningfully address.

The headline figures conflate very different device types. The Explanatory Notes and the Executive Summary also present inconsistent figures — the Notes cite 6,089 presentations over the 2022–2025 period across 36 hospitals, while the Executive Summary cites 6,300+ in the year to March 2025 alone. More fundamentally, the data as presented combines PMDs, non-compliant high-powered devices and compliant EPACs without disaggregation. A young person riding a compliant e-bike to school or work is not the problem the injury data identifies. Applying a blanket prohibition to that cohort, on the basis of data driven largely by non-compliant and high-powered devices, is not a proportionate or well-targeted response.

The data must be understood in the context of rapid usage growth. Australia sells approximately 200,000 e-bikes each year, with hundreds of thousands of devices already in use nationally. As participation grows rapidly, total incident numbers will naturally increase alongside it — even if the rate of injury per device in use is stable or declining. Without a denominator — that is, without injury rates expressed as a proportion of devices in use — the raw figures cannot support the conclusion that e-bike use is becoming less safe. The Government itself acknowledged in its response to Recommendation 3 that data collection needs to improve before informed regulatory decisions can be made. It is concerning that the most restrictive measures in the Bill have been implemented before that improved data foundation exists.

> **Recommendation:** *The injury and fatality data should be disaggregated by device type, rider age, and device compliance status before being used to justify specific regulatory measures. Restrictions that apply to compliant EPAC riders — and in particular the blanket minimum age restriction — should be justified by evidence specifically relating to compliant EPAC use, not by aggregate figures that relate predominantly to prohibited devices, non-compliant high-powered bikes, adult riders, and behaviours that are already illegal under existing law.*

3. Licensing Requirement – Suitability, Education and Equitable Access

The proposed driver licence requirement appears intended to ensure riders have a baseline understanding of road rules. However, a driver licence is designed to assess competency in operating a motor vehicle — not a bicycle or low-speed electrically assisted device. It does not specifically address shared path use and interaction with pedestrians, low-speed control and manoeuvring, or positioning and awareness in mixed-use environments. As a proxy for e-bike rider competency, it is an imprecise instrument that does not reliably achieve its stated purpose.

The Bill also provides that interstate and overseas licence holders are permitted to ride e-mobility devices to avoid adverse impacts on tourism. While understandable, this introduces a notable inconsistency. Individuals holding a licence from another jurisdiction may have limited familiarity with Queensland-specific road rules, infrastructure and riding conditions — yet are permitted to ride without restriction. At the same time, younger local riders who may have greater familiarity with their own environment and who use e-bikes for practical, everyday transport are excluded entirely. The licensing requirement, as structured, does not consistently reflect its stated purpose.

The requirement also creates an unintended equity gap for people who are unable to obtain a driver licence due to medical conditions or disability. The Explanatory Notes acknowledge this group exists but suggest they are not disadvantaged because they can access "alternative and safer modes of transport that are better suited to their circumstances, such as mobility scooters or other assisted mobility devices." This reasoning warrants closer examination. A compliant EPAC is itself a low-speed, pedal-assisted device that can serve as a legitimate and appropriate mobility option for people who are unable to drive a motor vehicle. For some individuals, a compliant e-bike provides a level of physical activity, independence and community participation that a mobility scooter does not — and the two are not interchangeable. Excluding this group from e-bike use entirely, not because they pose a safety risk but because the licensing system was designed for motor vehicle operation and does not accommodate their circumstances, is a disproportionate outcome the Bill does not address.

If not a licence — then what?

Taken together, the mismatch between a driver licence and e-bike-specific competency, the inconsistency in how the requirement applies across rider groups, and the exclusion of people with medical conditions or disability all point to the same underlying question: what is the most effective mechanism for ensuring that e-bike riders are safe and informed?

The answer is education — and the case for it is made by the Government's own documents.

Bicycle safety education in schools was once a consistent feature of how young Queenslanders learned to ride safely and interact with traffic. That foundation has largely disappeared, and the gap in foundational road awareness among younger riders is a predictable consequence. The Explanatory Notes themselves identify that previous rules were "not well understood or complied with" — which is, on its face, a diagnosis of an education and communication failure, not a structural failure of the rules themselves.

The Explanatory Notes go further, stating directly that non-legislative approaches such as education "are not capable of delivering the level of regulatory clarity and enforceability necessary to respond to the identified risks." This submission respectfully challenges that framing. The argument against education as a primary mechanism is well made — legislation provides clarity and enforceability that voluntary awareness campaigns cannot, and we do not dispute that legislative reform is necessary. However, the conclusion that education is therefore insufficient does not follow.

If the problem is that people did not know or understand the rules, the solution cannot be solely to change the rules again and enforce them more strictly without also addressing the underlying awareness gap. A framework that relies primarily on enforcement, without corresponding investment in education, risks repeating the same cycle — new rules that are not well understood, leading to non-compliance, leading to further reform. Education and enforcement are not alternatives — they are complementary. A driver licence does not teach someone how to ride an e-bike safely on a shared path. Targeted, practical, bicycle-specific education does.

The Bill places significant emphasis on enforcement mechanisms, penalties and expanded regulatory powers, while comparatively limited detail is provided regarding the role of education and awareness in supporting compliance. This imbalance is a missed opportunity. The most direct and effective path to improving safety outcomes for e-bike riders — particularly younger riders — is not to require them to hold a licence designed for motor vehicles, but to equip them with the specific knowledge and skills they actually need. The absence of committed funding and timelines for education initiatives is addressed further in Section 13.

> **Recommendation:** *Consider whether greater emphasis on targeted bicycle and e-bike education, awareness programs for young riders, and practical skills-based training — delivered through schools, retailers and community channels — would more directly support the intended safety outcomes than a driver licence requirement. The Bill should be accompanied by a clearly articulated and funded education and awareness strategy that directly addresses the awareness gap identified in the Explanatory Notes as a root cause of current non-compliance. Consider also whether an alternative pathway to lawful e-bike use — such as a medical exemption, a purpose-*

> *built assessment process, or an extension of the special circumstances permit framework — could be made available to individuals who are unable to obtain a driver licence for medical or disability-related reasons but who are capable of safely operating a compliant EPAC.*

4. Conflict with Commonwealth Law – The Federal Classification of Compliant EPACs

A fundamental and unresolved tension exists between the Bill's proposed regulatory treatment of compliant EPACs and the classification of those same devices under Commonwealth law. This tension goes to the foundation of the licensing and enforcement framework and warrants direct consideration before the Bill is finalised. It is also the foundational legal conflict underpinning many of the proportionality concerns raised throughout this submission — applying with equal force to the licensing requirement in Section 3, the enforcement framework in Section 9, and the retailer provisions in Section 12.

The Federal position is clear and unambiguous.

Under the Road Vehicle Standards Act 2018 (Cth) (RVSA) and the Road Vehicle Standards (Classes of Vehicles that are not Road Vehicles) Determination 2021, a compliant EPAC meeting the EN 15194 standard is formally classified by the Australian Government as not a road vehicle. Importers of compliant EPACs — including Australian retailers and distributors — are required to obtain an Advisory Notice that a Thing is Not a Road Vehicle, issued under section 233 of the Road Vehicle Standards Rules 2019, before their devices can be imported into Australia. This notice is a formal, binding determination by the Commonwealth Department of Infrastructure that the device does not meet the definition of a road vehicle under section 6 of the RVSA.

The practical consequence of this classification is significant. A compliant EPAC is treated under Commonwealth law in the same way as a conventional bicycle. No road vehicle import approval is required, no Australian Design Rules compliance is needed, no registration is required, and — critically — no driver's licence is required to operate the device.

The Bill treats the same device as a road vehicle for regulatory purposes.

The Queensland Bill proposes to require riders of compliant EPACs to hold a valid driver's licence. A driver's licence is an instrument that exists specifically to authorise the operation of road vehicles. It is obtained by demonstrating competency in operating a motor vehicle and is subject to conditions, suspensions and disqualifications that apply in the context of road vehicle use. By requiring a driver's licence as a condition of riding a compliant EPAC, the Bill implicitly treats that device as a road vehicle — directly contradicting its classification under Commonwealth law.

The Bill also introduces seizure, forfeiture and disposal powers, evidentiary presumptions, and an enforcement framework that mirrors the approach applied to motor vehicles. Cumulatively, these provisions impose on compliant EPAC riders and owners a regulatory burden that is functionally equivalent to that applied to road vehicle users — despite the Federal Government having formally determined that the devices in question are not road vehicles.

This creates a direct conflict for industry.

For importers and retailers of compliant EPACs — including businesses that, like CRUZR, have invested in obtaining formal Advisory Notices from the Commonwealth confirming their products are not road vehicles — the Bill creates an untenable position. They are required by Federal law to import and supply their products on the basis that they are not road vehicles. They are then subject to a State regulatory framework that treats those same products as road vehicles for the purposes of rider licensing, enforcement and penalties.

This is not merely a technical inconsistency. It creates genuine uncertainty for businesses about the legal status of their products, for retailers about how to advise customers, and for riders about what

rules actually apply to them. It also raises questions about whether the State framework, to the extent it conflicts with the Commonwealth classification, is constitutionally sound — particularly given the primacy of Commonwealth law under section 109 of the Australian Constitution where an inconsistency exists.

The Committee's own recommendation acknowledged this issue.

The Parliamentary Committee recommended (Recommendation 11) that the Queensland Government update state legislation to provide that all e-mobility devices with an electrical power source be defined as a "motor vehicle" to simplify enforcement. The Government's response supported this recommendation only in principle, noting that compliant e-mobility devices have not been reclassified as motor vehicles. This acknowledgement — that compliant EPACs are not motor vehicles under Queensland law — makes the imposition of a driver's licence requirement even more difficult to justify, as a licence is specifically designed for motor vehicle operation.

> **Recommendation:** *The Queensland Government should seek a formal legal opinion on whether the Bill's licensing, enforcement and penalty framework, as applied to compliant EPACs, is consistent with the Commonwealth classification of those devices as not road vehicles under the Road Vehicle Standards Act 2018. At minimum, the Government should acknowledge this tension publicly and work with the Commonwealth to ensure that State and Federal regulatory frameworks are aligned — so that industry, retailers and riders receive consistent and coherent signals about the legal status of compliant e-bikes in Australia.*

5. Minimum Age Requirement - Proportionality and Practical Impact

The Bill proposes a blanket minimum age of 16 for all e-mobility devices on the basis that existing rules were not well understood or complied with. While safety is a legitimate objective, a blanket prohibition may not be the most appropriate response.

In Queensland, a 13–15 year old can:

- Have a job and earn money
- Ride a push bike on the road (with no licence or education requirement)
- Do work experience in workplaces
- Travel independently within their communities
- Be held criminally responsible for their actions — under section 29 of the Criminal Code Act 1899 (Qld), children aged 10 and over can be charged with criminal offences, with the courts determining whether they had capacity to know right from wrong

But under the proposed Bill, they cannot ride a legal e-bike in public — even under parental supervision.

The injury data does not support singling out this age group. As detailed in Section 2, the injury and fatality data does not identify young riders on compliant EPACs as a significant driver of the harm these reforms are designed to address. Approximately 75% of e-mobility related hospital presentations involve riders aged 16 and over, the average e-bike fatality age is approximately 34, and more than half of serious injuries involve behaviours already illegal under existing law. A restriction that applies to the minority injury cohort while leaving the majority cohort untouched is difficult to justify on safety grounds alone.

The Government's own recent legislation contradicts this position. The Queensland Government passed the Making Queensland Safer Act 2024, which introduced "adult crime, adult time" provisions and removed detention as a last resort from the Youth Justice Act 1992 — on the explicit basis that young people must face consequences for their actions and that accountability fosters long-term safe behaviour. The Government cannot simultaneously argue that young people aged 10–15 are mature enough to be held criminally responsible under adult-equivalent standards,

and that they are too immature to be trusted on a pedal-assisted bicycle limited to 25 km/h. These two positions are in direct contradiction, and the Bill does not acknowledge or resolve that tension.

The transport impact is already real. In our local area, a school's ban on e-bikes has resulted in students who previously rode independently now crowding onto school buses that are operating at unsafe passenger numbers. This is the predictable consequence of removing a practical transport option without providing an alternative. A blanket age restriction does not make young people safer — it makes their transport options worse.

This is the age group at which young people begin part-time employment, apprenticeships or trade training, and independent travel to school, sport and other commitments. E-bikes play an important role in enabling safe, independent transport for this cohort, particularly where public transport is limited or impractical. A blanket minimum age of 16 removes that option for young people who are doing the right thing — and the statement that existing rules were "not well understood" suggests the underlying challenge is one of awareness and education, not the age of riders.

The removal of any supervised riding allowance also limits the ability of parents to assess their child's maturity, capability and individual circumstances. A blanket restriction removes parental discretion entirely, regardless of context or level of supervision — despite the parental responsibility framework elsewhere in the Bill being premised on parents being best placed to manage their children's behaviour.

> **Recommendation:** *Consider whether a minimum age of 14, supported by appropriate conditions (e.g. helmet use, speed limits, education) would better balance safety objectives with practical transport needs — and better align with how responsibility and capability are recognised in other areas of a young person's life. Any age-based restriction should be supported by injury data that specifically implicates the cohort being restricted, disaggregated by device type and compliance status.*

6. Cross-Jurisdictional Consistency – Age, Licensing and Practical Implications

We support efforts to align definitions and technical standards across jurisdictions, particularly in relation to the adoption of EN15194 and the reinstatement of clear PMD performance limits. The Explanatory Notes themselves cite jurisdictional harmonisation as a key justification for adopting the European standard. If consistency with other jurisdictions is sufficient reason to adopt a technical standard, the same principle should logically apply to age and licensing settings — where Queensland's proposed approach diverges significantly from the national picture.

Age limits — Queensland is the most restrictive jurisdiction in Australia.

The Bill proposes a blanket minimum age of 16 for all e-mobility devices. Only Western Australia currently applies a comparable restriction. Most other Australian jurisdictions impose no minimum age for compliant e-bike use. New South Wales — Queensland's largest neighbouring jurisdiction — currently has no minimum age for personal e-bike use, and an expert review led by Transport for NSW is considering a minimum age somewhere between 12 and 16, with findings due by June 2026. No final decision has been made. Queensland is therefore not aligning with an emerging national consensus — it is proposing the most restrictive age setting in the country, in advance of any evidence-based national framework being established.

Licensing — Queensland stands alone.

The inconsistency is even more pronounced on licensing. New South Wales explicitly confirms that riders are not required to hold a driver's licence to ride a compliant e-bike, treating them in the same way as standard bicycles. This is consistent with the position in Victoria, South Australia, Tasmania, the ACT and the Northern Territory. No other Australian jurisdiction requires a driver's licence to ride a

compliant EPAC. Queensland's proposed licence requirement is without national parallel, and directly contradicts the approach of every other state and territory — including NSW, with which Queensland shares its most populated border region.

The border problem — a practical absurdity.

These inconsistencies create a directly practical problem for communities along the Queensland-NSW border. A 15-year-old rider in Tweed Heads is currently permitted to ride a compliant e-bike without a licence on the NSW side of the border — and under the NSW framework being developed, may continue to be permitted to do so. That same rider, crossing into Queensland, would be committing two separate offences under the Bill: riding under the minimum age, and riding without a driver's licence. The rider has not changed. The bike has not changed. Only the state border has been crossed.

This is not a theoretical concern. Border communities in this region move across jurisdictional boundaries routinely — for school, work, sport and daily life. A regulatory framework that creates this degree of inconsistency at a heavily traversed border, without any safety justification specific to Queensland, undermines public confidence in the framework and creates genuine enforcement difficulties for police operating in cross-border areas.

> **Recommendation:** *The Queensland Government should seek closer alignment with neighbouring jurisdictions — particularly New South Wales — on both age and licensing settings, and should await the outcome of the NSW Transport for NSW review before finalising Queensland's own position. At minimum, the final age and licensing settings should be informed by a cross-jurisdictional assessment of what settings other jurisdictions are adopting and why, so that Queensland's framework reflects a considered national picture rather than the most restrictive position available.*

7. Rider Safety - Unintended Risk Transfers

The Bill places a strong emphasis on pedestrian safety, which is an important objective that this submission supports. However, some elements of the proposed framework may unintentionally shift risk rather than reduce it. The legislation appears largely aimed at protecting pedestrians — but if e-mobility is a viable transport option, where is the protection for riders?

The proposed 10 km/h speed limit on shared paths is not only impractical — it is directly contradicted by the Queensland Department of Transport and Main Roads' own published guidance. TMR's Guideline: Speed Management on Shared Paths (August 2020) states that studies of bicycle operational stability have shown that a bicycle can become unstable at speeds below 11 km/h, and explicitly concludes that requiring people riding bikes to travel at speeds which may detrimentally affect their stability and safety "is not an equitable or safe path management strategy." TMR's earlier Technical Note 130 (November 2014) goes further, concluding that a review of national and international literature demonstrated that speed limits for cyclists are not used or recommended as a safety device.

The Bill's sponsoring department has therefore formally advised, in its own published guidelines, that a 10 km/h cycling speed limit is both unsafe and contrary to evidence — yet the Bill proposes exactly that. This is an internal contradiction within the Government's own framework that warrants direct resolution before the Bill is finalised.

Beyond the 10 km/h limit, two further elements of the framework may transfer risk rather than reduce it:

- Expanding access to roads with speed limits up to 60 km/h, to reduce footpath traffic, exposes riders to higher-risk traffic environments — particularly where dedicated cycling infrastructure is limited or absent.

- Lower speed limits on shared paths may encourage riders to move onto roads as a more practical alternative, increasing their overall risk exposure rather than reducing it.

TMR's own data reinforces this concern. The Speed Management on Shared Paths Guideline found that people riding bikes travel on average at 20 km/h — double the proposed limit. Non-compliance is therefore not only foreseeable but predictable, and a speed limit that is routinely and predictably exceeded provides little safety benefit while undermining the credibility of the broader framework.

> **Recommendation:** *A more balanced approach that considers both pedestrian and rider safety, alongside the role of e-bikes as a transport solution, may better support the long-term objectives of safety, compliance and sustainable mobility. The Government should reconcile the Bill's proposed 10 km/h footpath speed limit with its own published guidance — which identifies that limit as unsafe for cyclists — and consider whether a higher threshold, or a more flexible context-based approach with appropriate signage, would better balance pedestrian safety with realistic and safe riding behaviour.*

8. Battery Safety - Timely Action Required

Battery safety was identified in the inquiry as a significant and growing risk, particularly in relation to lithium-ion battery fires. The inquiry recommended progressing mandatory safety standards and supporting improved disposal and education initiatives. However, these measures are not clearly reflected within the current legislative framework.

The Government has indicated support for advocating to the Australian Government for mandatory national safety standards. While national consistency is important, this approach may delay action on an already identified and increasing safety risk.

A model for immediate state-level action already exists. NSW Fair Trading has declared lithium-ion battery powered e-bikes, e-scooters, e-skateboards and hoverboards as "declared electrical articles" under the Gas and Electricity (Consumer Safety) Act 2017, requiring products sold in NSW to meet internationally accepted product safety standards and be tested and certified before they enter the market (UL2849 for e-bike electrical systems and UL2271 for e-bike batteries).

Industry is already adapting to this framework. Responsible operators supplying compliant devices — including businesses operating in Queensland — have already invested in certification against these standards. SGS, an approved certification body accredited under AS/NZS ISO/IEC 17065, notes that its electrical type testing scheme is recognised under both the NSW Recognised External Approval Scheme and the Queensland Recognised External Certification Scheme — meaning the certification infrastructure to support Queensland adoption of these same standards already exists.

Adopting equivalent standards in Queensland would promote a level playing field, support responsible operators who have already invested in compliance, reduce the availability of unsafe or non-compliant devices entering the market, and provide timely consumer protection without waiting on a national process of uncertain timeframe.

> **Recommendation:** *We recommend that Queensland adopt the same battery safety standards already implemented in New South Wales — specifically UL2849 for e-bike electrical systems and UL2271 for batteries, alongside EN15194 for device compliance — as a state-based measure under existing electrical safety legislation, while national mandatory standards are being progressed. This would provide timely consumer protection, leverage existing industry compliance investment and certification infrastructure, and demonstrate that Queensland is treating the identified battery safety risk with the urgency it requires.*

9. Proportionality of Penalties and Enforcement

A consistent concern throughout this submission is whether the enforcement framework is calibrated to actual levels of risk — and whether the consequences it imposes are proportionate to the behaviour being targeted. When examined together, the penalty settings, seizure powers and hooning provisions reveal a framework that has been designed for motor vehicles and applied wholesale to a product that the Federal Government formally classifies as a bicycle. As established in Section 4, this is not merely a policy concern — it is a legal one, grounded in the Commonwealth's formal classification of compliant EPACs as not road vehicles under the Road Vehicle Standards Act 2018. The result is a series of enforcement outcomes that are difficult to justify on safety grounds.

Penalty framework — inconsistency and risk calibration

As currently structured, the proposed offence framework may result in outcomes that appear disproportionate in lower-risk scenarios. A young person using a compliant e-bike for short, practical trips — such as commuting to work or training — may be subject to penalties that exceed those applied to some common on-road driving offences, despite presenting a materially lower level of risk. This may reduce public confidence in the framework and impact overall compliance.

There are also internal inconsistencies in how different types of risk are treated. Under the proposed settings, a rider over 16 found to have consumed alcohol is subject to a tiered penalty framework with the ability to resume riding after a relatively short period — while a younger rider using a compliant e-bike for a legitimate, everyday purpose is subject to a blanket prohibition regardless of the nature or context of their use. This may lead to outcomes where low-risk, practical use cases are treated more restrictively than higher-risk behaviours involving actual impairment. A framework that penalises a 15-year-old riding to school more heavily than an adult riding while over the alcohol limit is difficult to defend on safety grounds.

Seizure powers — risk of impact on compliant riders

The proposed seizure powers allow a vehicle to be seized based on reasonable suspicion, which may be formed through visual assessment alone. Combined with the broad definition of "prohibited bike," this creates a real risk that compliant devices are subject to seizure simply because they share design characteristics with higher-powered or non-compliant vehicles — for example, fat-tyre frames or moped-style designs that are common among legitimate EPACs.

In these circumstances the burden immediately shifts to the owner to demonstrate compliance, access to the vehicle is restricted from the moment of seizure, and recovery depends on navigating an administrative process within prescribed timeframes — a process the owner may be entirely unaware of. A young person using a compliant e-bike to travel to school or work may have their device seized in a public location and find themselves without transport, required to engage with a formal release application process before they can recover property that was never non-compliant in the first place.

This is particularly concerning given that the Bill provides no mechanism for compensation or recovery of costs where a compliant device is incorrectly seized and subsequently forfeited. The owner bears the full risk of an incorrect enforcement decision, with no remedy if they are unaware of, or unable to engage with, the review process within the statutory timeframes.

Warrantless search powers — scope and proportionality

The Bill expands existing powers to allow warrantless searches in relation to suspected offences involving the sale of e-mobility devices to persons under 16. While warrantless search powers in retail contexts are not without precedent in Queensland law — the Police Powers and Responsibilities Act 2000 already contains comparable provisions for the sale of knives, controlled weapons and spray paint to minors under the Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024 — the application of those powers to e-bike sales warrants scrutiny.

The existing precedents involve products that are inherently dangerous regardless of context — knives, weapons and alcohol. The enforcement rationale for warrantless search in those cases is well

established: the product itself presents a direct harm risk, the transaction is typically immediate and evidence can be readily concealed. A compliant EPAC is a fundamentally different category of product — one that the Federal Government formally classifies as not a road vehicle and that is legal to import, sell and ride. Extending the same enforcement architecture used for weapons sales to the retail sale of a legally imported, federally classified bicycle represents a significant expansion of that logic that is not clearly justified by the nature of the product or the risk it presents.

The hooning provisions compound this disproportionality

The same concern applies with equal force to the hooning-related offences. The provisions as drafted apply to compliant EPACs the same framework historically used to address dangerous behaviour involving motor vehicles — including offences for filming, promoting or encouraging hooning behaviour. This is a further and particularly striking instance of the Bill applying a motor vehicle regulatory architecture to a product that under Commonwealth law is formally classified as a bicycle, equivalent to a conventional pushbike.

A person filming a friend performing a trick on a pushbike in a skate park does not commit a hooning offence. It is not clear why the same activity on a compliant EPAC — a device with identical legal status under Federal law — should attract criminal liability simply because that bicycle has a pedal-assist motor. A teenager filming themselves riding a compliant e-bike through a pump track or along a shared path is not engaging in the behaviour the hooning provisions are designed to deter. Yet under the Bill as drafted, that activity may constitute an offence.

Engagement in recreational riding and skill-based activities is a common and positive part of adolescent development, widely accepted across other forms of wheeled recreation including bicycles, skateboards and scooters — particularly in appropriate environments such as parks, pump tracks and designated recreational spaces. There is no principled basis for treating the same activity differently simply because the bicycle involved has an electric motor. The popularity of social and creative content among younger riders makes the uncertainty created by these provisions particularly significant — a young person documenting a ride with friends should not face criminal exposure for doing something that would be entirely unremarkable on a conventional bicycle.

The cumulative effect — a motor vehicle framework applied to a bicycle

Taken together, these provisions reveal a consistent pattern. A framework that penalises a 15-year-old riding to school more harshly than an adult riding while impaired; that allows a compliant e-bike to be seized based on visual assessment with no compensation if the seizure is wrong; that extends weapons-sale search powers to the retail sale of a federally classified bicycle; and that applies criminal hooning liability to a teenager filming a ride that would be unremarkable on a pushbike — is not a framework calibrated to the actual risk profile of compliant e-bike use.

It is a framework designed for motor vehicles, applied to a product that the Federal Government has formally and explicitly determined is not a motor vehicle. That fundamental mismatch is the source of the disproportionality that runs through each of these provisions, and it cannot be resolved by adjusting individual penalty settings. It requires a reconsideration of the foundational assumption that the motor vehicle enforcement model is appropriate for compliant EPACs at all.

> **Recommendation:** *Consider whether a tiered or more nuanced approach to penalties would better align enforcement outcomes with actual risk levels. Additional safeguards should be introduced in the seizure framework — including clearer thresholds for seizure of devices that appear compliant, mechanisms for on-the-spot verification where feasible, and a mechanism for compensation where a compliant device is incorrectly seized and forfeited. The hooning provisions should be refined to ensure they remain focused on genuinely harmful behaviour in public spaces and do not capture low-risk recreational or social riding activity that is indistinguishable in risk terms from the same activity on a conventional bicycle. More broadly, the Government should consider whether the enforcement architecture proposed in the Bill — designed for motor vehicles — is appropriate for a product that is legally and practically a bicycle,*

> *and whether a more proportionate framework calibrated to the actual risk profile of compliant EPAC use would better serve the Bill's stated safety objectives.*

10. Operational Clarity - Definitions, Labelling and Enforcement

Terminology and classification: The use of the term “prohibited bike” to describe a broad range of non-compliant devices, including PMDs and motorbikes, may create confusion, as these devices are not otherwise classified as bicycles. The Bill would benefit from clearer distinction between EPACs (bicycles), e-motorcycles (motorcycles) and PMDs (non-bicycle devices), as it currently blurs the categories in language, even though they are legally different. A broad application of restrictions risks unintentionally penalising compliant users while failing to effectively address unlawful use.

Standardised labelling: A prescribed and recognisable EPAC compliance label would support practical, on-the-ground enforcement outcomes. Without a standardised label, officers must rely on visual assessment and judgement, particularly for devices that share similar design characteristics (e.g. fat tyres or moped-style frames). A clear, standardised EPAC label would allow compliant riders to be identified at a glance, enabling officers to focus enforcement efforts where they are most needed. This would reduce unnecessary interactions with compliant riders, improve efficiency of police operations, and allow enforcement resources to be focused on genuinely non-compliant or high-risk devices.

Labelling accuracy — responsibility must sit with the supply chain, not the rider: The Bill creates an offence for riding a device that bears an EN 15194 compliance label but does not actually comply with the standard. A defence is available where the rider purchased the device from a retailer with the label already attached — but the burden of establishing that defence rests with the rider. This allocation of responsibility is misplaced. EPAC compliance involves technical specifications — motor power output, speed cut-off calibration, anti-tampering system integration, battery management system performance — that a typical consumer is entirely unable to assess or verify at the point of purchase. Retailers and importers are far better positioned to verify compliance before devices enter the market. They have access to technical documentation, certification records and manufacturer specifications. Placing the primary compliance burden on individual riders, rather than on the retailers and importers who sourced, certified and labelled the products, does not reflect where the capacity to prevent the problem actually lies. A framework that penalises a consumer for relying on a label placed by a manufacturer, certified by a testing laboratory, and sold by a licensed retailer is difficult to justify on fairness grounds and is likely to undermine public confidence in the labelling system itself.

EPAC definition: The adoption of the EN15194:2017 standard is a positive step. However, ambiguity remains regarding higher-powered systems that are electronically limited to meet speed thresholds. Some devices are designed with motors that exceed the 250W continuous rating but are configured through software to operate within EPAC limits. This results in inconsistent interpretations and enforcement challenges. Clear guidance is needed on whether compliance is determined by the inherent capability of the system or the operational limits imposed through electronic controls.

Motor wattage, speed limits and the case for a graduated framework

A commonly misunderstood distinction in the e-bike debate is the difference between motor wattage and speed. Motor wattage — specifically continuous rated power — primarily determines torque, not top speed. A higher-powered motor delivers more pulling force for climbing hills, carrying cargo, supporting heavier riders, and maintaining safe momentum in traffic — but it does not automatically increase the top assisted speed of the bicycle. Speed is determined by the speed cut-off setting, not the motor’s wattage. A 500W or 750W motor configured to cut off assistance at 25km/h will travel at the same assisted speed as a 250W motor. The difference is felt on hills and under load, not on flat terrain.

This distinction matters for Queensland. The Sunshine Coast, hinterland regions, and many parts of South East Queensland are hilly environments where a 250W motor can struggle to provide adequate

assistance for an average commuter — let alone a rider carrying children, groceries or cargo. The practical consequence is that many riders who need a genuinely functional e-bike for everyday transport are pushed toward devices that exceed the 250W limit not because they want to go faster, but because they need enough torque to get up the hill.

The European Union has addressed this challenge through a graduated regulatory framework. Under EU Regulation 168/2013, three relevant tiers exist: standard pedelecs meeting EN 15194 (250W, 25km/h cut-off) are treated as bicycles requiring no licence or registration; L1e-A powered cycles (up to 1,000W, limited to 25km/h) are treated as motorised vehicles requiring insurance; and L1e-B speed pedelecs (up to 4,000W, up to 45km/h) are treated as mopeds requiring registration and an AM category licence. This framework allows higher-powered devices to exist legally — simply under a more stringent regulatory tier — rather than treating anything above 250W as an illegal prohibited device. The key insight is that the EU regulates on speed and use case, not wattage alone.

Queensland's Bill takes the opposite approach. It creates a binary: either 250W/25km/h compliant with EN 15194, or a prohibited bike subject to seizure and destruction. There is no middle tier for the hilly-terrain commuter who needs 500W of torque but has no desire to exceed 25km/h. This is a missed opportunity to design a proportionate and functional regulatory framework — and one that the world's most experienced e-bike regulatory jurisdiction has already resolved.

Recommendation: Consider whether a graduated approach to motor power — with appropriate conditions applied to higher-wattage devices that remain speed-limited to 25km/h — would better serve Queensland riders in hilly terrain and those using e-bikes for cargo or family transport, without increasing the risk associated with excessive speed. The 25km/h speed limit is the appropriate safety control. The 250W wattage limit is a proxy for speed that does not reflect how these motors actually work in practice.

> **Recommendation:** *Consider whether the introduction of a prescribed, standardised EPAC compliance label, and clearer terminology across device categories, would provide a clear and recognisable identifier for compliant devices, support efficient and consistent enforcement, and improve overall compliance outcomes. Consider also whether greater emphasis on retailer and importer obligations around labelling accuracy — supported by meaningful penalties at the supply level for false or misleading compliance labelling — would more effectively protect consumers than provisions that expose riders to enforcement risk for relying on representations made at the point of sale.*

11. Transitional Arrangements and Commencement — Fairness and Practical Compliance

A consistent theme throughout this submission is the difference between how the framework operates in principle and how it may function in practice. Nowhere is this more evident than in the transitional arrangements, where the interaction between the Bill's commencement date, the transition period, and the practical compliance pathways available to existing owners and industry creates a compressed and potentially inequitable timeline that the Bill does not adequately address.

The transition period is insufficient for EPACs.

The Bill proposes a six-month transitional period commencing on 1 July 2026. For owners of devices that do not meet the EN 15194 standard, this means the window to achieve compliance closes on 1 January 2027. Given that e-bikes are a relatively high-value purchase with an expected lifespan of several years, six months is not a realistic timeframe for many owners to act — particularly where compliance cannot be achieved through modification.

This is a critical distinction that the Bill does not adequately acknowledge. PMDs may in many cases be brought into compliance through software or hardware speed-limiting, allowing continued use without replacement. EPACs are a fundamentally different situation. Compliance with EN 15194

requires integrated design features — including anti-tampering systems, certified electrical components and manufacturer-applied compliance labelling — that cannot be retrofitted after purchase. For EPAC owners whose devices do not meet the standard, the only available pathway is replacement. There is no modification option. The Bill treats these two categories as though they face equivalent compliance challenges, when in practice they do not.

The commencement date compounds the problem.

The Bill commences on 1 July 2026 — which, at the time of this submission, is less than three months away. With a six-month transitional period beginning on that date, owners of currently lawful devices who cannot achieve compliance through modification may have as little as six months from today to replace a high-value purchase. In practice, owners are being asked to identify whether their device is compliant, determine whether modification is possible, locate a compliant replacement if it is not, and complete that transition — all within the same period in which they may first become aware of the new requirements. This is particularly concerning for:

- Owners who purchased devices recently and in good faith under the previous regulatory framework
- Households where an e-bike represents a significant financial commitment made in reliance on existing rules
- Riders in areas with limited retail access to compliant replacement devices

By comparison, New South Wales — which is implementing comparable EN 15194 compliance requirements — has announced a three-year transition period, explicitly recognising that this reflects the typical lifespan of an e-bike and provides households, retailers and manufacturers with sufficient time to adjust. Queensland's proposed six-month period stands in stark contrast to that approach, and is difficult to justify on fairness grounds when a neighbouring jurisdiction has concluded that three years is the appropriate benchmark.

The supply chain cannot respond in six months.

There is a further dimension to the transition problem that the Bill does not acknowledge at all — the practical capacity of the industry to supply compliant replacement devices within the proposed timeframe.

The e-bike supply chain operates on long lead times that are fundamentally incompatible with a six-month transition window. From the point at which a retailer or importer places an order for EN 15194 compliant devices, the process involves design finalisation and factory scheduling, which typically takes four to eight weeks for established models and longer for new designs; production runs, which are scheduled in batches and subject to factory capacity and component availability — with lithium-ion battery cells in particular subject to significant supply constraints; ocean freight from manufacturing hubs in China, Taiwan or Vietnam to Australia, which adds four to six weeks; and customs clearance and domestic distribution.

Certification adds further time before production can even begin at scale.

A critical step that precedes any mass production order is EN 15194 certification itself — and this is not a process that can be rushed. EN 15194 is a comprehensive standard that tests every major system of the e-bike: electrical system safety, battery performance, motor output, anti-tampering provisions, electromagnetic compatibility, braking performance, structural durability and charger safety. Testing must be conducted by an accredited laboratory, and the process requires a finished physical sample of the device to be submitted before testing can commence.

The laboratory testing process alone typically takes four to eight weeks from sample submission to the issue of a draft certificate — and that assumes no failures requiring redesign and retesting, which is common when a device is being tested against a standard for the first time. If any component fails — for example, if the battery management system does not meet the required performance level or the anti-tampering provisions are not correctly integrated — the manufacturer must redesign the

affected system, produce a new sample, and resubmit for testing. Each iteration adds weeks or months to the timeline.

The realistic compliance timeline for a new or redesigned EPAC model looks something like this:

- **Design and engineering for EN 15194 compliance:** 4–12 weeks
- **Prototype production and preparation of a test sample:** 4–8 weeks
- **EN 15194 laboratory testing and certification:** 4–8 weeks (assuming first-time pass)
- **Mass production run:** 4–8 weeks
- **Ocean freight and customs clearance:** 4–6 weeks
- **Domestic distribution to retail:** 1–2 weeks

Total from design commencement to product available in store: approximately 5 to 11 months under ideal conditions — and significantly longer if any stage encounters delays, failures or supply chain disruptions, which in the current global manufacturing environment is the norm rather than the exception.

The six-month transition period proposed by the Bill is therefore shorter than the minimum realistic timeframe for a new compliant product to move from design to shelf. This is not a matter of industry unwillingness to adapt — it is a physical constraint of the manufacturing and certification process. Even a business that commenced the compliance process on the day the Bill was introduced into Parliament could not guarantee compliant stock would be available to Queensland consumers before the transition period expires.

CRUZR speaks to this from direct operational experience. As an Australian e-bike importer that has navigated the EN 15194 certification process and the associated supply chain, we can confirm that these timelines are not theoretical — they reflect the practical reality of bringing a compliant product to market. The consequence of an inadequate transition period is not simply inconvenience for existing owners — it is a period of product scarcity in which compliant stock is insufficient to meet demand, prices rise due to constrained supply, and consumers in regional areas with limited retail access face genuine difficulty obtaining compliant replacement devices even if they have the means and intention to do so.

A government buy-back scheme is warranted

There is a particular inequity at the heart of the transition problem that the Bill does not acknowledge. In September and October 2024 — less than two years before this Bill's proposed commencement — the Queensland Government ran the E-Mobility Rebate Scheme, spending $1.93 million in public funds to encourage 4,774 Queenslanders to purchase e-bikes as a clean and active transport option. Two-thirds of those purchasers bought e-bikes. Many did so specifically in response to that government incentive, in good faith, under the regulatory framework that existed at the time.

Some of those devices — particularly those certified to earlier standards or carrying motors above 250W — may not meet the EN 15194 requirement proposed in the Bill. Their owners, who bought them because the Government said it was a good idea and offered financial assistance to do so, now face having to replace them within six months or be in breach of the law. This is not simply a transitional fairness issue — it is a specific, quantifiable harm caused by a direct sequence of government decisions: subsidise purchase, then criminalise use. The Government has a clear obligation to these purchasers.

Recommendation: The Government should introduce a targeted buy-back or replacement assistance mechanism for e-bikes purchased under or in the period immediately preceding the E-Mobility Rebate Scheme that will not meet the EN 15194 standard under the Bill. Queenslanders who purchased devices in response to a government incentive should not be penalised for doing so. The cost of such a scheme would be modest relative to the $1.93 million already spent on the rebate — and is a natural extension of the Government's own stated commitment to supporting e-mobility as a clean transport option.

> **Recommendation:** *The transitional period should be set with explicit reference to the actual lead times required for the e-bike supply chain to respond — not simply the minimum period that appears administratively convenient. A period of at least 12 to 18 months from commencement, and ideally aligned with the three-year benchmark adopted by New South Wales, would better reflect the operational realities of both consumers and industry and provide a genuine opportunity for an orderly transition. In particular, the compliance pathway for EPACs — which requires replacement rather than modification — warrants a distinct and more generous transitional arrangement than that applying to PMDs. A hardship or replacement assistance mechanism may also warrant consideration for households where the cost of replacement represents a significant financial burden.*

12. Retailer and Age Verification Obligations

The proposed prohibition on the sale of e-mobility devices to persons under 16 introduces practical challenges for retailers that the Bill does not adequately resolve — and raises a broader question about whether a retail sales restriction is an appropriate or proportionate mechanism for addressing the underlying concern.

Age verification — practical enforceability

In many cases, particularly in online retail environments, age verification relies on self-declaration at the point of purchase. This does not provide a reliable or verifiable safeguard, and the Bill does not prescribe what steps constitute reasonable age verification in practice. This raises questions the Bill leaves unanswered: what constitutes "reasonable" steps to verify age in an online transaction; how compliance can be demonstrated if challenged by a regulator; the extent of liability where a purchaser provides false or misleading information; and how these obligations interact with privacy requirements regarding the collection and retention of personal information.

The knife legislation comparison reveals the problem, not the solution

Queensland has dealt with comparable retail restrictions before. The Summary Offences (Prevention of Knife Crime) and Other Legislation Amendment Act 2024 introduced a similar framework for the sale of knives and controlled items to minors. That comparison, however, highlights how poorly suited the same approach is to e-bikes. Knives are inherently dangerous regardless of who uses them, are sold predominantly through physical retail environments, carry a low price point, and present a relatively straightforward age verification challenge. Compliant e-bikes are none of these things. They are federally classified as not road vehicles — the legal equivalent of a bicycle — are sold in high volumes through online channels where age verification is unreliable at best, carry a price point that makes the purchase decision months or years in the making, and are used overwhelmingly for safe, practical everyday transport.

Applying the same retail restriction framework used for weapons to a product that the Federal Government classifies as a bicycle is a significant overreach that does not reflect the nature of the product, the profile of the purchaser, or the evidence base for the restriction. If the underlying concern is that under-16s are accessing e-bikes, a retail sales restriction is in any case a weak instrument — the vast majority of e-bikes ridden by children under 16 were not purchased by the child but by a parent or household. The parental responsibility framework already in the Bill is the appropriate mechanism for addressing that situation. A retail sales restriction adds compliance burden to industry without meaningfully reducing the risk it is designed to address.

> **Recommendation:** *We submit that the retail sales prohibition as it applies to compliant EPACs should be reconsidered. The restriction is difficult to enforce in online environments, is not well-calibrated to the nature of the product or the evidence base for the age restriction, and adds compliance burden to responsible retailers without meaningfully reducing access by under-16s to devices that are predominantly purchased by adults on their behalf. If the Government proceeds with a retail restriction, clear and practical guidance on acceptable age verification methods,*

> *retailer obligations in cases of misrepresentation, and the implementation of signage in digital environments is essential to avoid inadvertent non-compliance by retailers acting in good faith.*

13. Implementation of Non-Legislative Recommendations – A One-Sided Reform Package

A review of the Government's response to the Parliamentary Committee's recommendations reveals a consistent pattern: measures requiring genuine investment, coordination or long-term commitment — education campaigns, infrastructure, battery safety standards, data collection — were either deferred to the Federal Government, referred for further consideration, or acknowledged without committed funding or timelines. Enforcement measures, penalties and restrictions, by contrast, have been progressed with urgency through this Bill.

The result is a reform package that delivers the most restrictive elements immediately, while the complementary measures that were identified by the inquiry as equally essential to achieving safety outcomes remain unscheduled, unfunded and in many cases unassigned. The community education campaign that the inquiry identified as critical to addressing the root cause of non-compliance — the fact that existing rules were not well understood — has no announced funding, no delivery timeline and no responsible agency named in the Government's response.

This is not a minor administrative gap. The Explanatory Notes themselves acknowledge that previous rules failed because they were not well understood or complied with. If that diagnosis is correct — and this submission accepts that it is — then a response that delivers enforcement without education is not a solution to the problem. It is a repeat of the same conditions that produced the problem in the first place, with heavier penalties attached.

Consider how the Government responded to the inquiry's key non-legislative recommendations:

- **Recommendation 3** — improve data collection to better understand e-mobility incidents: supported in principle, with an "initial review" to be undertaken of existing data sources. No timeline, no funding, no named agency.
- **Recommendation 4** — embed e-mobility into strategic transport infrastructure planning: supported, with a note that the Government will "investigate infrastructure" as part of Brisbane 2032 planning, and that "every effort will be made to invest responsibly" within a "constrained budget."
- **Recommendation 6** — mandatory national battery safety standards: supported by advocacy to the Federal Government. No state-level action committed.
- **Recommendation 27** — implement a wide-ranging community education campaign: supported, with a commitment to "explore opportunities to expand" existing campaigns. No funding, no scope, no delivery mechanism.

In each case, the Government's response is supportive in language and empty in substance. The enforcement provisions in this Bill, by contrast, commence on 1 July 2026 and carry penalties of up to $825,000 for some offences. The asymmetry between the urgency applied to restriction and the vagueness applied to education and infrastructure is striking — and it is inconsistent with the inquiry's finding that a coordinated, multi-agency approach encompassing all of these elements is required to achieve meaningful safety outcomes.

It is also worth noting that the Government's own response to Recommendation 1 explicitly stated that it "recognises the significant contribution compliant e-mobility devices make to the transport system" and committed to "reforms that enhance safety for all users while ensuring accessibility remains central." A Bill that restricts access without funding the education and infrastructure that would make that access safe is not consistent with that commitment.

> **Recommendation:** *The Government should publish a clear implementation plan for the non-legislative elements of the reform package — with committed funding, responsible agencies, and delivery timelines — before the Bill commences. Enforcement provisions should not take effect*

> *ahead of the education and awareness campaign that the inquiry identified as essential to their effectiveness. A legislative framework without its complementary education and infrastructure components is not the balanced and coordinated approach the inquiry recommended — it is the enforcement half of that approach, delivered alone, against a community that has not yet been given the information it needs to comply.*

Conclusion

A consistent theme throughout this submission is the gap between how the framework is intended to operate and how it may function in practice - for riders, parents, retailers, and enforcement officers alike.

We strongly support clear, enforceable rules for e-mobility use. We support meaningful penalties for genuinely dangerous behaviour. We support the removal of non-compliant, high-powered devices from public spaces. These are necessary and overdue reforms.

What we ask is that the framework be calibrated so that its reach matches its purpose - so that compliant riders are protected rather than penalised, that young people using e-bikes for practical transport are not excluded without proportionate justification, and that the burden of compliance falls where it is most appropriately borne.

Most fundamentally, we ask that the Government resolve the conflict between this Bill and the Commonwealth's formal classification of compliant EPACs as not road vehicles under the Road Vehicle Standards Act 2018. A State framework that treats a federally classified bicycle as a motor vehicle for regulatory purposes — requiring a driver's licence, imposing seizure powers modelled on motor vehicle enforcement, applying criminal hooning provisions, and restricting retail sale in the same framework used for weapons — is not simply disproportionate. It is legally and constitutionally uncertain, and that uncertainty falls on the riders, retailers and importers who are simply trying to comply with the law.

A well-designed regulatory framework does not simply restrict - it enables safe participation. We urge the Government to consider the amendments and recommendations raised in this submission in that spirit, and to ensure that the final framework reflects not only the community's legitimate safety concerns, but also the real and growing role that e-mobility plays in the lives of Queensland families.

We welcome the opportunity to discuss any aspect of this submission further. We are happy to appear before the Committee, provide additional information, or assist in any other way that would be useful to the Committee's work. This matters to us — as a Queensland business, as members of this community, and as people who believe e-mobility is part of Queensland's transport future.