

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

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Submission By: YFS Legal

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Committee Secretary
 State Development, Infrastructure and Works Committee
 Parliament House
 George Steet
 Brisbane QLD 4000

Online submission

Dear Committee,

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

YFS Legal welcomes the opportunity to provide this submission in response to the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026 (the Bill).

YFS Legal is a community legal centre based in Logan, Queensland, providing legal advice, representation and duty lawyer services to young people and vulnerable adults, including children and young people involved in the youth justice system in Logan, the Scenic Rim and surrounds.

We acknowledge the serious public safety concerns that have prompted this Bill, particularly the rise in e-mobility-related injuries and fatalities. However, we are concerned that several provisions of the Bill may have disproportionate and unintended consequences for marginalised young people and their families. We urge the Committee to consider targeted amendments that balance community safety with the rights, developmental needs and lived realities of these young people and their families.

Minimum Age Limit of 16 Years

The Bill introduces a blanket prohibition on the use of e-mobility devices by persons under 16. While we recognise the intent to reduce injuries among children, this approach is overly broad and risks excluding responsible young users from safe, active transport options.

In Logan and the Scenic Rim, where public transport access can be limited, many 14–15-year-olds rely on e-bikes and scooters for school, work and community participation. A blanket ban may exacerbate transport disadvantage and social isolation, particularly for low-income families. A 2024 report by the Climate Council identified Logan as having some of the poorest public transport access in any Australian capital city region, with less than 20% of residents in some suburbs able to access frequent, all-day public transport. In suburbs such as Eagleby and Marsden, services run as little as once per hour, leaving many young people reliant on alternative transport modes such as e-scooters and e-bikes.

The removal of the previous provision allowing supervised use of PMDs by 12–15-year-olds eliminates a valuable opportunity for young people to develop safe riding habits under adult guidance. This may inadvertently encourage unsupervised and unlawful riding, undermining the Bill's safety objectives.

We recommend reinstating a supervised riding framework for 12–15-year-olds or introducing a graduated access model. Education and community-based safety programmes should be prioritised over prohibition. A more nuanced approach would better reflect the developmental diversity of young people and the varying transport needs across Queensland communities.

Licence Requirement

The Bill requires all e-mobility riders to hold a valid driver's licence (including learner licences). This creates a significant barrier for young people and disadvantaged individuals who may face financial, logistical or medical obstacles to obtaining a licence.

There is limited evidence that such a requirement improves safety. Traditional bicycles, which share similar road environments, do not require a licence. The measure may suppress lawful e-mobility use without effectively deterring dangerous behaviour. It also risks excluding individuals who are medically ineligible for a driver's licence but are otherwise capable of safely operating a low-speed e-mobility device.

In our experience, many young people in Logan and the Scenic Rim delay or are unable to obtain a driver's licence due to cost, lack of access to supervised driving hours, or unstable housing. For these individuals, e-mobility devices offer a critical means of accessing education, employment and community services. The proposed licensing requirement may disproportionately impact these groups, further entrenching transport disadvantage.

We recommend removing the licence requirement or replacing it with a more accessible alternative, such as a basic e-mobility safety course or permit. If retained, exemptions should be available for those unable to obtain a licence due to disability or disadvantage. The Government should also consider investing in accessible road safety education tailored to young people and culturally diverse communities.

Parental Responsibility Framework

The Bill introduces a reverse-onus offence for parents of children under 16 who ride unlawfully: if a child under 16 rides an e-mobility device unlawfully, the parent is deemed to have committed the same offence unless they can prove they didn't know about it or took all reasonable steps to prevent it. This raises concerns because it places a legal burden on the parent to prove their innocence, which is a departure from the usual criminal law standard.

It also raises concerns under the reverse-onus principle, a fundamental legislative principle, that legislation should not reverse the onus of proof in criminal proceedings without adequate justification. This principle is important because it protects individuals from being unfairly penalised without proper evidence. Reversing the onus of proof can be justified in some cases (e.g. where the relevant facts are uniquely within the knowledge of the accused), but it must be carefully considered and proportionate. The reverse-onus model may disproportionately affect those least able to comply, without necessarily improving safety outcomes.

While we support parental involvement in promoting safety, this provision risks unfairly penalising vulnerable families. Parents in disadvantaged communities may struggle to supervise children due to work, health or family pressures.

The *Youth Justice Act 1992* (Qld) emphasises the importance of supporting, rather than punishing, parents in fulfilling their responsibilities. Principle 12 of the Charter of Youth Justice Principles states that “a parent of a child should be encouraged to fulfil the parent's responsibility for the care and supervision of the child, and supported in the parent's efforts to fulfil this responsibility.” The proposed offence appears inconsistent with this principle, as it imposes liability without necessarily providing the support needed to enable compliance.

We recommend removing this offence. Instead, the Government should invest in education and support services for families. If retained, the provision should include stronger safeguards, such as requiring prior warnings, limiting liability to cases of clear negligence, and ensuring access to legal advice for affected parents.

Infringement Notice Enforcement for 16–17 Year Olds

The Bill expands the *State Penalties Enforcement Act 1999* (Qld) to allow full enforcement of fines against 16–17-year-olds. While accountability is important, monetary penalties are often ineffective for youth with limited financial means.

This change risks entrenching debt and increasing justice system contact for young people, contrary to the principles of the *Youth Justice Act 1992* (Qld), which emphasises diversion and rehabilitation. Principle 6 of the Charter of Youth Justice Principles provides that “if a child commits an offence, the child should be treated in a way that diverts the child from the courts’ criminal justice system, unless the nature of the offence and the child’s criminal history indicate that a proceeding for the offence should be started.”

In our practice, we have seen how fines can accumulate rapidly for young people, particularly those experiencing homelessness or disengagement from education. The enforcement of these fines through the State Penalties Enforcement Registry (SPER) may lead to long-term financial hardship, licence disqualification and further marginalisation.

We recommend that e-mobility offences by minors be addressed through youth justice mechanisms, not SPER enforcement. If retained, the provision should include safeguards such as hardship waivers, limits on enforcement actions, and mandatory reporting on impacts.

Seizure and Destruction of Prohibited Bikes

The Bill grants police broad powers to seize and destroy “prohibited bikes,” including modified or non-compliant e-mobility devices. While we support efforts to remove dangerous vehicles, the scheme may disproportionately affect low-income families and young people.

Families may lose valuable property without compensation, even for minor or unintentional non-compliance. The procedural safeguards may be inaccessible to those with limited literacy or legal knowledge. The Bill’s reliance on rebuttable presumptions and certificate evidence provisions may further disadvantage individuals who lack the resources to challenge enforcement actions.

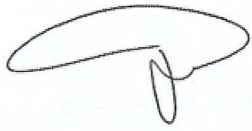
We recommend a tiered enforcement model, with destruction reserved for high-risk or repeat offences. Notification processes should be strengthened, and legal support offered to affected individuals. A review mechanism should be established to monitor the use and impact of these powers.

Conclusion

YFS Legal supports the Bill’s objective of improving e-mobility safety. However, we urge the Committee to adopt targeted amendments that protect vulnerable young people and families from disproportionate harm. Our recommendations aim to ensure that the Bill is effective, equitable and consistent with youth justice and human rights principles.

Thank you for the opportunity to make a submission on this topic.

Sincerely,



Christopher John

Chief Executive Officer



Candice Hughes

Principal Solicitor

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