

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

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To:

State Development, Infrastructure and Works Committee regarding the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026

Submitted by:

3KM Technology Pty Ltd trading as Ario Australia

Approval level:

Approved on behalf of 3KM Technology Pty Ltd by the Country Manager

Date: 7 April 2026

Author: Binky Hu

Position: Country Manager

Email: [REDACTED]

Address: 222 Exhibition St Melbourne VIC 3000

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

Introduction

Ario welcomes the opportunity to make a submission on the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026.

Ario supports the Bill's core objective of improving safety outcomes for riders, pedestrians and the wider community. The committee's recent inquiry record makes clear that Queensland is dealing with a genuine safety problem: the executive summary refers to more than 6,300 e-mobility-related emergency department presentations in the year to March 2025, more than 200 major trauma cases, more than 60 intensive care admissions, and 12 fatalities in Queensland in the previous year. Ario agrees that the status quo is not acceptable and that stronger, more modern regulation is warranted.

At the same time, the legislation should carefully distinguish between:

- 1) illegal and modified high-powered devices that are effectively unregistrable motorbikes or non-compliant pseudo-e-bikes; and
- 2) compliant shared personal mobility devices and compliant electrically power-assisted cycles that are speed-limited, traceable, and operated under accountable commercial programs. The Bill does make that distinction in part through the new concept of a "prohibited bike", which captures non-compliant EPAC-like devices, non-compliant PMD-like devices, and unregistered registrable vehicles, while excluding lawful PMDs and lawful electrically power-assisted cycles.

That distinction matters. Queensland's own Department of Transport and Main Roads has already noted that there is significant public confusion about which devices are legal, and that illegal devices are commonly throttle-controlled, over-powered, or capable of speeds above 25 km/h, meaning they are not lawful e-bikes but effectively illegal motorcycles. Ario strongly supports decisive enforcement against those devices.

Ario supports the Bill's objectives and overall direction, but recommends targeted amendments to ensure the regime is effective, proportionate and practically workable, while remaining focused on illegal and high-risk devices rather than inadvertently constraining compliant shared micromobility.

1. Ario supports stronger action against illegal and non-compliant devices

Ario supports the provisions that strengthen enforcement against "prohibited bikes", including the new definition, roadside testing powers, offence provisions, and seizure and disposal powers. We also support the move to align lawful electrically power-assisted cycles with the EN 15194 standard and to require a permanent compliance label, because clearer technical definitions are essential to better enforcement and to reducing consumer confusion.

Ario also supports the Bill's measures to restrict sales of controlled vehicles to children under 16. The proposed retail obligations, employee instruction requirements, and prohibition signage obligations are sensible reforms that address the supply side of the problem instead of focusing solely on riders after harm has already occurred.

2. Ario supports a minimum age of 16, but does not support a blanket driver licence requirement for all PMD and EPAC riders

Ario supports the proposed minimum rider age of 16 for electrically power-assisted cycles and personal mobility devices. That is a clear, simple rule that aligns with community expectations and the committee's concerns about younger riders operating powered devices in complex environments. The Bill gives effect to that through new section 78B and corresponding provider obligations in section 78C.

However, Ario does **not** support the blanket requirement that every rider of a lawful PMD or lawful EPAC must hold a valid Queensland or non-Queensland driver licence, nor the corresponding provider obligation to ensure that outcome. As drafted, sections 78B and 78C would apply broadly to shared e-mobility users and would effectively make a learner licence the minimum access credential.

In Ario's view, that approach is not well calibrated to the policy problem the Bill is principally trying to solve. The primary safety risks identified by government and through the inquiry relate to illegal, high-powered and modified devices, together with unsafe behaviours such as excessive speed, helmet non-use and impaired riding. A blanket licence requirement does not directly target those risks. Instead, it imposes a broad access restriction on compliant, low-speed devices that are already regulated through speed limits, device standards and operator controls.

A learner driver licence is also a poor proxy for safe PMD use. The knowledge and competencies required to obtain a driver licence are designed for operating a motor vehicle in mixed traffic environments and do not meaningfully translate to the safe use of low-speed devices on footpaths, shared paths or low-speed urban streets. Conversely, a person may hold a valid licence and still engage in unsafe PMD behaviour, while another person without a licence may be capable of operating a compliant device safely. The requirement therefore lacks a clear and evidence-based connection to the behaviours the Bill is seeking to influence.

Further, adopting a driver licence as the baseline credential introduces unnecessary friction and exclusion. It would prevent access for a range of otherwise lawful, low-risk users, including adults who do not drive, some international visitors, and urban users who rely on micromobility precisely because they are not private car users. It would also create inconsistencies with other low-risk modes, such as bicycles, which do not require licensing despite operating in similar environments.

Taken together, these factors suggest that a blanket driver licence requirement is not a proportionate or well-targeted response to the risks identified, and may undermine broader policy objectives relating to safety, mode shift and emissions reduction.

For shared schemes, there are more proportionate alternatives available. Shared devices are already capable of real-time speed limiting, geofencing, digital onboarding, user declarations, warnings, suspensions, bans, and end-of-trip compliance controls. Ario's own operating model is built around real-time IoT telemetry, predictive safety tools, and remote parking compliance systems designed to reduce unsafe behaviours and protect public space.

Ario recommends that sections 78B and 78C be amended so that, for lawful PMDs and shared schemes, the mandatory requirements are:

- minimum age of 16
- verified user identity and proof of age
- mandatory in-app safety induction and road rules acknowledgement
- mandatory acceptance of operator terms and enforcement sanctions
- operator capability to suspend or ban non-compliant users.

If the Government wishes to retain a credential-based requirement, it should be broadened beyond driver licences to include accepted government-issued photo ID and digital identity products, and the Act should provide a clear statutory safe harbour for providers that undertake prescribed onboarding and verification steps.

3. Ario supports stronger parking enforcement and targeted data-sharing powers, subject to privacy, process and attribution safeguards

Ario supports the Bill's new parking offence and the principle that shared providers should assist councils and police to identify users responsible for unlawful obstruction. Proposed section 48AA would allow an authorised officer, where a contravention is reasonably suspected, to require the provider to supply rider information, trip times, the recorded end location, any user-supplied end-of-trip photograph, associated metadata, telemetry and device identifiers.

Ario supports that framework in principle. Shared operators are in a unique position to help resolve poor parking quickly, investigate repeat offenders, and support local enforcement. However, the data-sharing power should be accompanied by explicit safeguards to ensure it is workable, proportionate and fair in practice.

Ario recommends that the Bill or supporting regulatory framework provide for:

- A standard request form and clear authorised-officer process;
- Clear use limitations so information obtained under section 48AA may only be used for the relevant parking contravention or directly related enforcement action;
- Reasonable response timeframes for providers;
- Appropriate retention and deletion requirements for rider data and related materials; and
- Protection where apparent non-compliance is materially caused by GPS drift, map error or other technical inaccuracy rather than rider misconduct.

The Bill should also more clearly address how enforcement is to operate where a device was lawfully parked at trip end but is subsequently moved by a third party before it is found by an authorised officer.

As drafted, section 48AA contemplates that the place where a device was parked at the end of the ride may differ from the place where it is later found. However, it does not expressly provide that enforcement action should not be attributed to the last rider, or to the provider, where contemporaneous operator records reasonably indicate the device was lawfully parked at trip end and later relocated by another person. Nor does it prescribe how apparent discrepancies caused by GPS drift, map error or other technical inaccuracy should be treated.

Ario therefore recommends that the Bill or supporting regulatory framework make clear that:

- Enforcement action should not be attributed to the last rider where end-of-trip evidence reasonably indicates compliant parking at trip end and subsequent third-party movement;
- Providers will have a defence or safe harbour where they can produce contemporaneous records showing lawful trip-end parking;
- Authorised officers should apply a standardised evidence-based process when assessing rider responsibility, including consideration of end-of-trip photographs, metadata and telemetry; and
- Data obtained under section 48AA should be subject to clear use, retention and privacy safeguards.

These amendments would preserve the effectiveness of parking enforcement while ensuring that liability is attributed fairly and only where the available evidence supports that outcome.

4. Ario supports a lower-speed environment around pedestrians, but the shared path settings should be more nuanced

The Bill would create a 10 km/h rule on road crossings and on unsigned footpaths and shared paths for PMDs, and would also set a 10 km/h rule for electrically power-assisted cycles on crossings and on unsigned footpaths and shared paths.

Ario supports a 10 km/h rule on footpaths, pedestrian crossings, and other high-conflict pedestrian environments. That is consistent with the Bill's intent to better protect pedestrians and reflects the reality that predictability and low speed matter most where riders and pedestrians mix closely.

However, Ario recommends that the Committee reconsider a blanket default of 10 km/h across all shared paths. Shared paths vary significantly. Some are essentially pedestrian-heavy spaces, but others function more like active transport corridors with sufficient width and sightlines to safely accommodate higher speeds. A universal 10 km/h default on all unsigned shared paths may unnecessarily undermine the utility of micromobility, slow longer trips to a point where riders divert elsewhere, and produce inconsistent outcomes across the network.

Ario recommends:

- retain 10 km/h on footpaths and crossings
- allow higher default speeds on shared paths where risk is lower, unless otherwise signed
- empower local governments and road managers to set lower path limits in high-pedestrian or constrained locations through signing and geofenced operational requirements.

5. Ario supports the EPAC standard and labelling reforms

Ario supports the move to align lawful electrically power-assisted cycles with EN 15194 and to require permanent compliance labelling, as well as the new offence for false or misleading labelling.

6. Operator liability should be limited where prescribed controls are in place

The Bill would make a parent liable where a child under 16 commits an offence under section 78B or section 84B, subject to defences where the parent did not know and could not reasonably have known, or took all reasonable steps to prevent the conduct (78D).

For shared schemes specifically, the law should make clear that an operator is not liable where it has undertaken prescribed onboarding, age-gating and account verification steps, but the device is misused through credential sharing or other user misconduct beyond the operator's reasonable control.

7. Shared operators should be treated as part of the safety solution

Ario's overall view is that the Bill will work best if it clearly differentiates:

- illegal private or modified devices that should be removed from public places
- lawful, compliant shared devices that can be regulated through operator accountability, technology and local operating conditions.

Well-regulated shared schemes are uniquely capable of supporting public policy goals because they are traceable, speed-manageable, geofenceable and enforceable at the user-account level. That is not the case for much of the private market that is driving current concern.

Ario therefore urges the Committee to preserve the Bill's strong enforcement response to prohibited bikes, illegal sales and dangerous conduct, while refining the provisions that would otherwise unintentionally overreach into the compliant shared market.

Ario recommends that the Committee consider the following amendments:

1. **Retain** the proposed age minimum of 16 for PMDs and EPACs.
2. **Amend** sections 78B and 78C to remove the blanket requirement for PMD users to hold a driver licence. While age and user credential requirements are appropriate, they should be proportionate to the risk profile of PMDs and designed specifically for their use, rather than relying on a motor vehicle licensing regime, which is not a relevant or proportionate proxy for safe operation. Any credential framework should recognise a broader range of government-issued age and identity credentials (including proof-of-age cards and digital identity) and include a clear safe harbour for providers that undertake prescribed verification steps
3. **Retain** the prohibited bike framework, testing powers, retail restrictions and EPAC labelling reforms.
4. **Retain** the parking information power in section 48AA, but amend the Bill or supporting regulatory framework to make clear that enforcement action based on information obtained under section 48AA is not attributed to the last rider, or to a shared e-mobility provider, where operator records reasonably indicate lawful trip-end parking and subsequent third-party relocation, or where the apparent contravention is materially explained by GPS drift, map error or other technical inaccuracy, and require a standardised evidence-based process and clear data use, retention and privacy safeguards.
5. **Refine** the speed framework so that the 10 km/h limit applies in pedestrian-priority environments, including footpaths, crossings and similarly high-conflict areas, and provide for higher default speed limits on shared paths unless otherwise signed, with road managers and local governments empowered to set lower limits in locations where pedestrian activity, path geometry or other safety considerations warrant it.
6. **Amend** the Bill to make clear that a shared e-mobility operator is not liable for unlawful use where it has undertaken prescribed onboarding, age-gating and account verification steps, and the relevant conduct arises from credential sharing or other user misconduct beyond the operator's reasonable control.

Conclusion

Ario supports the Government's intent to restore safety, improve enforceability, and respond to legitimate community concern. With targeted amendments, the Bill can better distinguish between illegal high-risk devices and compliant shared micromobility, strengthen pedestrian protection, and preserve the substantial transport, tourism and sustainability benefits that shared micromobility can deliver.

Ario would welcome the opportunity to appear before the Committee or provide further practical drafting suggestions from an operator implementation perspective.

Yours sincerely,



Binky Hu
Country Manager
3KM Technology Pty Ltd