

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

Submission No: 2456

Submission By: RATS Cycling Club



RATS Cycling Club Inc.
Incorporation Number: IA 15244
Australian Business Number: 84 838 939 170

PO Box 7018
Loganholme QLD 4129
Website: <http://www.ratscc.com.au/>
Email: [REDACTED]

Submission to the State Development, Infrastructure and Works Committee

Queensland Parliament
SDIWC@parliament.qld.gov.au

Re: Proposed E-Mobility Legislation — Unintended Consequences for Recreational and Competitive Mountain Biking

With around 500 members, RATS Cycling Club is one of Australia's largest and most active cycling clubs. Founded in 1993, we have spent more than three decades building, supporting and celebrating the riding community across Southern Brisbane, Logan City and the Redlands.

We support the intent of this legislation. The incidents that prompted this inquiry — children on illegal e-motorbikes, drunk riders on high-powered devices, non-compliant scooters and hire devices used recklessly on footpaths — have caused genuine harm. Several of our own members have had serious and potentially deadly near-miss incidents with illegal devices on shared trails. That problem needs to be fixed, and most of the 28 recommendations address it well.

The fundamental problem with the Bill as drafted is one of scope. Legal, compliant EPACs — pedal-assist bicycles with a 250W motor that cuts out at 25km/h, complying with EN15194 — played no material part in the incidents driving this inquiry. They are, in functional terms, bicycles with a small motor. They have been treated as bicycles under Queensland law, without age limits, without licence requirements, and with the same footpath access as any other bicycle. The Bill proposes to change that — applying its most burdensome measures to legal e-bikes alongside illegal devices — without an evidence base that justifies treating them differently from the analogue bikes that continue to face no such restrictions. We also note that the consultation process was extremely short. Rushed legislation produces poor law, and this submission asks the Committee to get four specific measures right before the Bill passes.

WHAT WE ARE ASKING FOR

We strongly support enforcement against illegal devices and will actively assist with any measures that achieve it. We ask the Committee to:

1. **Remove the licence requirement and age threshold** as they apply to legal, EN15194-compliant e-bikes. These devices have been regulated as bicycles without such restrictions, and there is no evidence base for changing that. Apply these measures to PMDs and illegal devices, where the evidence supports it.
2. **Explicitly exempt dedicated off-road recreational trails** — including mountain bike single-track, fire roads used for recreational riding, and rail trails — from the footpath speed limit, in the legislation itself. The 10km/h limit was designed for shared urban footpaths, not

off-road trails. Its application to trail environments creates genuine danger and bears no relationship to the incidents that prompted this inquiry.

3. **Grandfather existing compliant e-bike owners** with respect to the new EN15194:2017+A1 compliance labelling requirement. Bikes already certified to EN15194:2017 meet the same performance thresholds. The A1 update is a documentation standard, not a safety change. Owners of compliant devices should not be required to obtain post-sale labels or risk classification as a prohibited bike.
4. **Clearly define** in the legislation the difference between a legal e-bike (EN15194 compliant, pedal-assist, 25km/h motor cutoff, 250W) and an illegal e-motorbike (de-restricted, throttle-assist, high-powered). The entire framework rests on this distinction being clear and consistently applied. Currently it is not.
5. **Further to the bill amendments, make a formal recommendation** to the Federal Government to ban the importation of illegal e-motorbikes and non-compliant e-bikes — addressing the problem at its source.

THE CORE PROBLEM: WRONG SCOPE

The Legislation Conflates Fundamentally Different Devices

The incidents driving this inquiry were caused primarily by four categories of device and behaviour: illegal e-motorbikes with de-restricted or aftermarket motors; non-compliant PMDs such as e-scooters capable of exceeding 25km/h; legal hire devices ridden recklessly, drunk, or by children without supervision; and children on illegal or non-compliant devices on urban footpaths and roads. Legal, EN15194-compliant e-bikes — pedal-assist only, 250W continuous power, motor cutoff at 25km/h — are a materially different category. At the point their motor cuts out, they are heavy bicycles. They are not capable of the speeds or power outputs that caused the incidents under review.

The Bill applies the licence requirement, age threshold, and footpath speed limit to compliant EPACs and PMDs alike — treating a legally purchased mountain bike with a 250W pedal-assist motor identically to an illegal throttle-powered e-motorbike used recklessly on a school footpath. That is not proportionate regulation. It is blunt instrument policy that punishes the wrong category while the actual problem — the illegal devices — are already covered by existing law and the Bill's own prohibited bike framework.

Legal E-Bikes Should Be Regulated as Bicycles — Because They Are

Analogue bicycles require no licence, have no age limit, and face no footpath speed limit beyond the obligation to give way to pedestrians. A legal e-bike that cuts motor assistance at 25km/h and then requires the rider to pedal an increasingly heavy bike to go faster is, in practical terms, a bicycle. Queensland law has treated it as such. There is no evidence base for changing that treatment. The government cannot point to a demonstrated elevated risk from EN15194-compliant e-bikes compared to analogue bicycles that would justify the proposed additional restrictions. In the absence of that evidence, applying these measures to compliant e-bikes is not evidence-based regulation. It is precautionary overreach that penalises a compliant category for the behaviour of non-compliant ones.

The Compliance Labelling Standard: A Documentation Change, Not a Safety Change

The Bill requires all EPACs to carry a manufacturer-applied compliance label certifying conformity with EN15194:2017+A1. The core performance requirements of this standard — 250W continuous power, 25km/h motor cutoff, pedal-assist only — are identical to those of the base EN15194:2017

standard that existing legal bikes already meet. The A1 amendment updated battery safety documentation requirements and technical testing protocols. It did not change what makes an e-bike legal in terms of power and speed. A bike certified to EN15194:2017 is, in every material performance respect, compliant with the updated standard. Requiring owners to obtain post-sale certification labels — or risk having their legal bike classified as a prohibited bike subject to seizure and destruction — is a disproportionate response to a documentation gap, not a safety failure. Existing owners of EN15194:2017-certified bikes must be fully grandfathered.

Penalising Compliance Destroys the Incentive to Comply

Queensland currently has a large cohort of e-bike owners who have done everything right — compliant devices, unmodified motors, responsible riding. This legislation punishes them for it. If a legal e-bike becomes practically unrideable on trails, it loses most of its value overnight. The primary deterrent against de-restricting a motor is currently the threat of confiscation and destruction — meaningful when the bike is worth \$5,000–\$15,000 and is a valued, usable asset. Remove the usability, remove the value, and you remove the deterrent. A rider choosing between a compliant bike worth nothing and a de-restricted bike worth nothing has little reason to stay legal. This legislation doesn't just fail to fix the illegal device problem — it actively erodes the conditions that keep many riders on the right side of it.

MTB and Off-Road Trails Must Be Explicitly Exempted

Under Queensland law, a “footpath” is any area open to the public with one of its main uses being pedestrian use, and a “shared path” is any area designated for both cyclists and pedestrians. Most mountain bike trails, fire roads and rail trails fall within these definitions. The Committee Chair has indicated informally to other stakeholders that MTB trails are not the intended target of the 10km/h limit. Intent and drafting are two different things. Until dedicated off-road recreational trails are explicitly carved out of the footpath classification in the legislation, the 10km/h limit applies to them by default. Good legislation does not require an informal verbal assurance to function as intended.

The 10km/h footpath limit was designed for shared urban paths where pedestrian safety is the primary concern. It has no logical application to a mountain bike trail where e-bikes and analogue bikes ride together, pedestrian traffic is absent or managed, and most trail features physically require momentum to navigate safely. Queensland's own Transport and Main Roads research confirms that bicycles become unstable below approximately 11km/h — and that is on flat, smooth concrete. Applied to a rock garden, a switchback or a fire road descent, 10km/h is not a safety measure. It is a guarantee of falls and injuries. A proper legislative exemption for dedicated off-road recreational trails is the only solution that provides certainty. We ask the Committee to draft that exemption and include it in the Bill before it passes.

IMPACT ON MOUNTAIN BIKE TRAIL RIDING

Safety on Trails

Meanwhile an analog rider on the same trail has no speed limit at all. A standard pedal bike can legally do 30–35km/h on a shared path. A legal e-bike — whose motor already cuts out at 25km/h, making it heavier to pedal at higher speeds — would be restricted to 10km/h on the same surface. Same trail. Same crash risk. Different rules. Because the legal e-bike has a small compliant motor. The same asymmetry applies to commuting, where e-bike riders using shared paths face a 10km/h limit that makes those routes both impractical and less safe than the roads they are trying to avoid.

Group Rides

For many of our members — particularly older riders, those returning from injury, and those managing time or fitness constraints — e-bikes are what makes riding achievable at all. If e-bikes

are restricted to 10km/h on shared trails and fire road connectors, group rides fall apart. E-bike riders fall so far behind that rides either slow to a crawl or the group fragments entirely.

Our women's rides run approximately five times a month with hundreds of participants over the last few years, and e-bike participation in those groups is highest for our Club. Those rides would almost certainly become unviable. Under the proposed age threshold, teenagers who currently join our rides on legal e-bikes to keep pace with more experienced riders would also be excluded. It is counterproductive and, for riders managing chronic illness, disability, or the limitations of age — for whom a legal e-bike has restored freedom, independence, and connection to the outdoors and to community — it is devastating. And this injustice is driven by a minority of an entirely different demographic that ride illegal e-motorbikes irresponsibly and harmfully in a completely different context.

Families and Junior Riders

Under the proposed age threshold, a 14 or 15-year-old cannot legally ride a pedal-assist e-bike — a device that is, at road speed, functionally a bicycle. Analogue bicycles face no such restriction. NSW is consulting with an expert panel on an appropriate age between 12 and 16 for PMDs and e-bikes. Queensland should do the same rather than applying a blanket 16+ threshold to compliant e-bikes without specific evidence that those devices present elevated risk for younger riders compared to the analogue bikes they can still ride freely. Supervised riding for younger children under direct adult supervision should also be considered to ensure compliance with road rules. However, in terms of mountain bike and off-road, those road rules do not generally apply, so the requirement for a licence or learner's permit seems entirely unnecessary in these locations.

Cost Impact on E-Bike Owners

E-MTBs cost between \$5,000 and \$15,000. If these laws pass as drafted, they become largely unrideable on the majority of SEQ trails — worthless on the second-hand market, and potentially uninsured the moment a rider exceeds 10km/h on a shared path. The Bill confirms offences on a compliant e-bike carry fines only — no demerit points or licence sanctions. But the fines are real: approximately \$494 on the spot, up to \$4,945 in court. For people who have done nothing wrong and who saved for years to afford a legal bike, that is a profound injustice.

IMPACT ON RACING

E-bike race categories are one of the fastest-growing areas of competitive mountain biking. The proposed laws would make racing on shared-trail courses illegal. Categories disappear. Fields shrink. Events become harder to justify running. This affects every rider regardless of what they ride — smaller fields and fewer events diminish the sport for everyone. Whole sporting communities would be shut down despite having done nothing illegal or unsafe.

IMPACT ON TRAIL INFRASTRUCTURE AND COMMUNITY LIVEABILITY

No Riders, No Investment

Trail and path infrastructure projects are funded and justified on usage data — counter data, Strava heat maps, projected participation. Legal e-bike riders are a large and growing share of that data. Legislation that creates significant barriers to their use doesn't just reduce riders on the ground — it removes them from the dataset. Fewer recorded users means a weaker case for investment. The consequence is not just fewer riders today. It is fewer trails tomorrow. Councils

have spent years building active transport networks on assumptions of growing cycling participation. Barriers to legitimate use erode that case — not just for trails, but for the broader path and transport network that connects communities.

Community Health and the COVID Evidence

Usage data from conservation reserves in an example Council area during COVID-19 was unambiguous. Trail use by walkers and riders tripled. Users described trails as a “pressure valve” — particularly critical in areas of smaller lot housing where residents had limited space to decompress. Barriers to e-bike access reduce these benefits most for the people who rely on them most: older residents, those managing injuries or health conditions, and those for whom motor assistance is the difference between accessing trails and not. These are exactly the people this legislation should be protecting, not excluding.

IMPACT ON THE LOCAL CYCLING ECONOMY

Retailers selling and servicing e-bikes face an overnight collapse in stock value and likely end to new sales. Owners of legal bikes would see their investment become largely unrideable with no warning, no phase-in, and no compensation. Insurance coverage for those bikes and their riders is also genuinely in question. We urge the Committee to seek clarification from AusCycling, Bicycle Queensland, and general insurers on whether membership insurance cover applies to a rider who exceeds the speed limit on a shared path.

IMPACT ON TOURISM AND REGIONAL ECONOMIES

Queensland’s mountain bike tourism industry depends significantly on e-bike participation. Bike parks rent e-bikes as their primary product. The Brisbane Valley Rail Trail — 167km, one of Queensland’s premier cycling experiences — is simply not accessible to many people without motor assistance. Trail-adjacent businesses depend on those visitor numbers.

The proposed laws would also restrict international tourism. Overseas visitors — including the significant numbers expected around the 2032 Brisbane Olympics — without a licence could not hire an e-bike, leading to reduced patronisation of these trails and bike businesses. Encouraging tourism around Queensland is a significant own goal at a moment when the state is investing heavily in tourism infrastructure.

Anecdotally from local retailers, legal e-MTBs now represent approximately 50% of mountain bike sales — a proportion that was expected to grow significantly. The broader Australian e-bike market is valued in the hundreds of millions of dollars annually by multiple industry analysts, and the mountain bike e-bike segment is among the fastest growing within it. If that market is effectively shut down, the economic case for new trail investment weakens sharply — including for regions like the Whitsundays and the Esk region currently planning new trail infrastructure. Derby in Tasmania shows what trails can do for a regional economy. No MTB rider will travel to ride at 10km/hr. They will find somewhere else.

The problem this legislation is trying to solve is real and urgent. The solution is targeted enforcement against illegal devices — which most of the 28 recommendations deliver. The four measures we have identified would prevent the legislation from going further than the evidence justifies — most crucially by capturing the wrong category of device and failing to distinguish between on-road and off-road — and causing serious and lasting harm to a community of responsible, law-abiding riders who have done nothing to deserve it.

Yours sincerely

Aaron McKinlay
President
The RATS Cycling Club

Michaela Mohr
Vice President
The RATS Cycling Club

Appendix: Excerpt from Transport & Main Roads findings on restrictions for shared pathways and footpaths

At slow speeds, riders stay upright by adjusting the steering and shifting their body weight continually in response to bicycle motion. At higher speeds, the forces set up by the rotating wheels make front wheel steering difficult, so a rider steers by leaning in the intended travel direction.

On well-designed paths and in good conditions, people riding bikes can travel comfortably at speeds of between 15–25 km/h with minimum risk or decrease in amenity to people walking.

An analysis by Transport and Main Roads of its permanent bicycle counters in the south-east Queensland region found that people riding bikes travel, on average, at a speed of 20 km/h. As is the case in on-road situations, the small percentage of riders travelling at excessive speeds (not appropriate to the prevailing conditions) presents the largest concern to the safe operation of shared paths.

Studies of bicycle operational stability during the last century have shown that a bicycle can become unstable at speeds below 11 km/h. The degree of stability depends on a number of factors: the skill of the rider; the design of the bicycle; and environmental factors such as path surface and slope.

Requiring people riding bikes to travel at speeds which may detrimentally affect their stability (and safety) on inadequately-designed paths, shared with other users insensitive to their operational needs, is not an equitable or safe path management strategy.

Any regulatory device which instructs people riding bikes to undertake a behaviour that will compromise their safety cannot expect compliance and damages the credibility of the device and should be replaced with a more suitable treatment.

2.1 Speed setting on shared paths

Setting a speed limit has proven high cost for little benefit, being problematic to enforce due to:

- technological limitations in measuring the speed of a person riding a bike from a standing