

## Submission by Spinal Life Australia

### Re Transport Legislation (Road Safety) Amendment Bill 2022

Given the majority of members/clients that Spinal Life supports require wheelchairs for mobility to participate and be a customer in the community, this Amendment interests us greatly.

Spinal Life was formed in 1960 and with regard to hospital records for people who sustained spinal cord injury, 1995 was a milestone period because up till then, the number of people who sustained paraplegia and used manual wheelchairs were disproportionately greater than those with quadriplegia who required motorised wheelchairs. But medical research and practice changed after 1995: more people with more serious injury who entered the Spinal Injuries Unit at PA Hospital were saved and the numbers evened out and became roughly 50/50 paraplegia/quadruplegia and that trend has continued to the present day with an annual total of new injuries of 70 to 90 people in Queensland.

As a result, Spinal Life has developed considerable knowledge and expertise around mobility devices, noting the technology and battery changes for Motorised Mobility Devices (MMDs) in particular.

Overall, we feel the proposed Amendment is a good response to the issues at hand. We wish to comment on some specifics as follows:

1.

Increasing the scooter weight limit from 150kg to 170kg had us questioning 'where is the research' to back that up, i.e. was 170kg sufficient? Then we realised the National Transport Commission (NTC) has proposed changes to the national model legislation, the Australian Road Rules, to remove regulatory restrictions for MMD users and make the existing legislative framework simpler and more consistent. The national changes will recognise motorised wheelchairs and mobility scooters as separate devices, collectively referred to as MMDs - and increase the maximum unladen mass of MMDs to align with the Technical Specification for MMDs developed by Standards Australia (SA TS 3695.3:2018).

In our view, a scooter weight limit of 170 kg is likely to be acceptable for public transport because a very large scooter will not fit on a bus and may not fit on a train.

However, we make the point that when MMD users are out on public paths of travel, weight is immaterial. We wrote to Dept. Transport and Main Roads in 2021 seeking consideration to remove the 150kg maximum weight and instead adopt the commonwealth Disability Standards Accessible Public Transport (DSAPT) weight limit of 300 kg combined weight of MMD and user.

2.

We support the move to ensure MMD operators are consistently classed as pedestrians under the Queensland Road Rules and other transport legislation.

3.

We support introducing a maximum speed capability of 15km/h for MMDs to ensure a broader range of devices can be used while maintaining the existing 10km/h speed limit when travelling on a public path. However, a case could be made for speed limits to be put on par with e-scooters which is 12km/h for use on footpaths.

Lastly, we are exceptionally pleased the existing gratuitous MMD registration and Compulsory Third Party (CTP) insurance arrangements will be retained – and that importantly, users requiring MMDs over the previous unladen mass limit of 150kg and whose devices now meet the amended definitions will be eligible for gratuitous registration and CTP insurance. The Registration and CTP insurance has long been regarded as an invaluable service and we wish to express sincere appreciation for their continuance to Dept. Transport and Main Roads for the former and the Motor Accident Insurance Commission for the latter.