

17 April 2026

Our ref: [HS&KS:MC]

Committee Secretary
State Development, Infrastructure and Works Committee
Parliament House
Cnr George and Alice Streets
Brisbane QLD 4000

By email: [REDACTED]

Dear Committee Secretary

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

Thank you for the opportunity to provide feedback on the Transport and Other Legislation (Managing E-mobility Use and Protecting Our Communities) Amendment Bill 2026 (**the Bill**). The Queensland Law Society (**QLS**) appreciates the opportunity to contribute to the inquiry on the Bill and the additional time allowed to make this submission.

This response has been compiled with input from the QLS Health and Disability Law Committee, Human Rights and Public Law Committee and Accident Compensation and Tort Law Committee. QLS also received input from members, who raised concerns about the practical impacts of the Bill in their community.

QLS welcomes the Government's commitment to respond to community concerns arising from the use of e-mobility devices in Queensland and the devastating impacts of accidents, injuries and fatalities on families and communities, along with the increasing burden on the health system and insurance schemes.¹

Members with lived experience also report that obstruction of footpaths and of Braille trails by e-mobility devices can pose significant barriers for people with disability.² These barriers may also be experienced by older people and create restrictions on freedom of movement within the community.³

QLS supports proportionate and targeted reforms which improve safety for Queenslanders. As noted in our submission⁴ to the Inquiry into e-mobility safety and use in Queensland (**the**

¹ Such as the National Disability Insurance Scheme, National Injury Insurance Scheme and workers' compensation scheme.

² Blind Citizens Australia has previously commented on this issue in their 'BCA Position Statement on electric scooters and electric bikes', 3 Nov 2020 <[2020-BCA-Position-statement-on-e-scooters-and-e-bikes.docx](#)>.

³ We note CI 60 inserts a new s 253A Unreasonably obstructing bicycle paths, footpaths etc in the Transport Operations (Road Use Management – Road Rules) Regulation 2009.

⁴ <<https://documents.parliament.qld.gov.au/com/SDIWC-1AF9/IQ-3C82/submissions/00001200.pdf>>

Inquiry), proposed policy and legislative responses must also balance the benefits provided by legal personal mobility devices (**PMD**) and electrically power-assisted cycles (**EPAC**).

In our view there are several aspects of the Bill that require further consideration to ensure reforms are workable, do not have unintended impacts and accord with recommendation 1 of the Inquiry report.

QLS acknowledges the Committee consulted extensively during the Inquiry. However, given the complexities associated with the reform proposals, and the matters outlined below and by many lived experience, community and other key stakeholders to this inquiry on the Bill, we strongly recommend further consultation be undertaken to ensure the Bill is best directed to the mischief which has given rise to community concern. As currently drafted, we consider that the Bill may go too far in its limitations on use of legal devices and a more nuanced approach should be adopted, while continuing to protect the community from illegal, high-powered devices and dangerous use of EPAC and PMD.

Key recommendations

QLS recommends:

- Further consultation on the Bill given the complexities associated with the reform proposals and stakeholders concerns about its practical effects.
- Specific consultation with people with disability, disability advocates and other lived experience stakeholders about the unintended impacts of the Bill.
- The Government further explore the evidentiary justification for the requirement for all EPAC and PMD users to hold a valid driver's licence and ensure that any criteria is reasonable and does not have a discriminatory effect.
- The specific reference to EN15194:2017+A1 be amended.
- Further consideration of the need to fill insurance and compensation gaps in relation to third parties injured by PMD and illegal devices.

Unintended impacts of the licensing requirements

During the Inquiry, QLS noted that a licence scheme was worth investigating in respect of e-scooters. We confirmed in our appearance at the public hearing that any licence would not need to be exactly like a motor vehicle licence and referred to examples of existing bespoke licensing arrangements.

The Inquiry recommended (recommendation 13), that riders of e-bikes and PMDs be "required to hold at least a Queensland Class C learner licence which requires completion of the PrepL online learning and assessment program." Reference was also made to updating the PrepL online course to cover information about e-mobility devices.

The Bill will introduce a minimum rider age limit of 16 years and require a person to hold a valid driver licence before riding an EPAC or PMD.

QLS appreciates that utilising existing licensing processes to ensure road rule knowledge holds attraction for reasons of convenience and that the requirement will have minimal effect on many riders of EPAC and PMDs who already hold car licences. However, for those who do not hold a valid car licence who already use legal e-mobility devices or intend to do so in the future, the requirement will introduce barriers, ranging from expense and administrative burden for those

who can obtain a licence to a prohibition on legally riding, for those who cannot hold a valid licence.⁵ Cost and accessibility impacts may be more acutely felt by older people and those in regional areas.

The policy rationale for the driver licence requirement is set out on pages 5-6 of the Explanatory Notes to the Bill:

- Riders must have basic road rule knowledge.
- The requirement to hold a valid licence will mean riders who have had their licence suspended or disqualified will be prevented from using an e-mobility device.
- Riders will need to be medically fit to reduce potential risks.

We query whether excluding suspended/disqualified drivers from riding PMDs or EPAC is necessary, given that it was not a reason for the licence recommendation made in the Inquiry report and that such devices could be a useful alternative to requiring a work licence during a licence suspension. We suggest that this policy decision may require further consideration.

We also query whether restricting all persons under 16 from both PMD and EPAC is necessary, given the Department of Transport and Main Roads briefing to the Inquiry indicated that legal e-bikes were not presenting a problem.⁶ A more nuanced response may be required that would still allow families to cycle together and otherwise allow appropriate use of EPAC by young people.⁷

In respect of the potential impacts of the licencing requirement on people with disability, we submit that further consultation is required to ensure that any licence requirement is not unjustifiably limiting the ability of Queenslanders with disability from participating in the community and accessing a convenient and economical mode of transport.

Submissions made to the Inquiry included submissions from Queenslanders with Disability Network (QDN)⁸ about the vital role e-mobility devices have in the lives of people with disability, giving them greater independence and access to essential services and employment.

Some people with disability would not meet the medical fitness requirements to obtain a driver's licence (including a learner licence) but can and do safely ride PMD or EPAC. The Department of Transport and Main Roads cautioned that introducing licensing requirements may create barriers to e-mobility use for some people with disability⁹ and while the Statement of Compatibility recognises the limitation of rights the licensing requirement will impose, the justifications for the limitation largely focus on restricting young riders rather than engaging with the impact on persons with disabilities.

⁵ We endorse submission made by Queensland Advocacy in relation to barriers presented by the licensing requirement.

⁶ [Transcript - 11 June 2025 - SDC - Briefing - Inquiry into e-mobility safety and use in Queensland](#), page 2. We acknowledge that one of the 12 tragic deaths referenced in the Explanatory Notes to the Bill as occurring in 2025 involved a legal e-bike, though we are not sure in what capacity that device was involved.

⁷ In this regard, we note the submissions to this inquiry of the MAIC-QUT Road Safety Research Collaboration in relation to the differences between PMD and legal e-bikes/EPAC

⁸ Pp 21-22 Inquiry report.

⁹ Inquiry into e-mobility safety and use in Queensland report, page 92.

Recommendation

QLS endorses QDN's submission to the Inquiry which supported Co-Design policies and infrastructure with people with disability to ensure lived experiences guide policy development and responses. Further consultation is necessary to allow this to occur before laws regarding legal EPAC and PMD are significantly changed.

In addition to further targeted consultation on the Bill, QLS considers there is insufficient evidentiary justification for the requirement for all EPAC and PMD users to hold a valid car driver's licence. As submitted by QLS previously, a licensing scheme of some type should be investigated, particularly for e-scooters. This would require considering:

- Data on incidents/accidents and whether the requirement to hold a licence will materially impact the levels of harm being caused.

For example, in respect of safety issues, the Inquiry report referenced health data with injuries associated with speed, lack of helmet use, and risk-taking behaviours (including alcohol and drug consumption) as major contributing factors. These factors are unlikely to be addressed by a licensing framework in and of itself; and¹⁰

- Reasonable alternatives to achieve the same outcome as requiring a car licence— for example:
 - holding a car licence is not the only way to support rider education of road rules (this could be delivered in multiple formats in accessible ways);
 - how/if medical fitness for a driver's licence should be considered in the context of operation of an EPAC or PMD (and why); and
 - any other processes or exemptions which should be implemented to ensure there is no unjustifiable indirect discriminatory effect on people with disability, older adults and/or young people.

Ongoing collaboration with lived experience experts, Transport and Main Roads and local councils may also identify further opportunities such as enhanced storage and parking requirements and increased community education on the impacts of poorly parked e-mobility devices on people who are blind or have low vision or other mobility impairments.

We welcome steps taken by the Transport and Main Roads to inform its e-mobility Parking plan in this regard and recommend these initiatives continue to form part of the broader regulatory response.

Other considerations

Along with a variety of other submitters, QLS hold concerns with several other aspects of the Bill.

We echo the concerns raised by Legal Aid regarding the proposed seizure powers in relation to unattended devices and the timeline for release applications.

¹⁰We recognise that additional data collection, particular by front line services such as police and hospital and health workers should include targeted resourcing: See page 39 of the Inquiry report.

The Society also holds concerns about the reverse-onus offence imposing liability on parents unless they can satisfy the elements of proposed s78D(2) of the *Transport Operations (Road Use Management) Act 1995*, as referred to by YFS Legal.

Along with numerous other submitters, QLS is concerned about the changes to the definitions of EPAC in the Bill and that the legality of devices that meet current definitions will not be grandfathered. The Society considers it unreasonable to make legal devices currently owned by Queenslanders, and about which no specific safety issue has arisen, illegal after a 6-month transition period, particularly given that the proposed changes to definitions are relatively minimal in terms of EPAC device function.

It is essential that the currently lawful property of Queenslanders is not unnecessarily made illegal, given the serious consequences of devices being deemed noncompliant, including offences and seizure and destruction powers.

There is also a particular concern regarding the use of EN 15194:2017+A1 in proposed s 353B of the *Transport Operations (Road Use Management - Road Rules)*, given that the "+A1" is the most recent iteration of the standard and many EPAC purchased in Queensland until very recently will not comply. We welcome the Department of Transport and Main Road's comments at the public briefing to this inquiry that it was not necessarily the intention to exclude devices that were compliant with the prior standard and that the reference to the standard will be looked at.¹¹

We recommend that the standard be referenced as EN 15194 as stated in recommendation 10 of the Inquiry, without further specificity as to the version of the standard and that the standard, as amended from time to time, be applied in respect of EPAC entering the Queensland market after commencement of the amending legislation.¹²

We consider that the disability community and other relevant stakeholders should also be consulted further in respect of the practicalities and administrative burden of e-tricycles and other non-EPAC low-powered e-bikes requiring special circumstances permits, as proposed by the Bill.¹³

We consider that the PMD industry and user groups should be consulted about the practicalities of bringing currently legal PMDs into compliance with the new requirement that their speed be limited to 25km/h.

We note that a number of other submitters have also raised concerns about the application of a 10km/h speed limit to EPAC on footpaths and, particularly, shared paths given the impracticality of using a bicycle for commuting or leisure at such a low speed (for example on rail trails), along with loss of stability.¹⁴

¹¹ [Transcript - 2 April 2026 - SDC - Briefing - Transport and Other Legislation \(Managing E-mobility Use and Protecting Our Communities\) Amendment Bill](#), page 4.

¹² Alternatively, that all version of EN 15194 be included in the Regulation and that each new iteration is added to the Regulation as it is made.

¹³ For an example of the use of e-tricycles, see the submission of the Office of the Public Advocate to this inquiry. Amending the definition of 'motorised mobility device' as suggested in that submission may be another solution, though the broader use of tricycles and recumbent e-bicycles that don't meet the definition of EPAC still require further consideration.

¹⁴ See page 5 of the TMR Guideline Speed management on shared paths, August 2020 for a discussion on bicycle operation requirements

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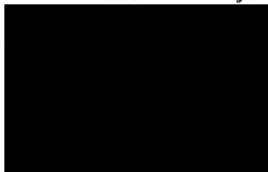
We share concerns about the practicality of these speed limits and the unintended consequence of diminished safety resulting from more EPAC riders being diverted to roads that do not have sufficient bicycle infrastructure. For example, QLS received feedback from a member in Townsville about the extensive network of shared paths that will become subject to the 10km/h limit and therefore impractical for EPAC cyclists.

Finally, we remain concerned about the lack of consistent insurance coverage, and therefore adequate compensation, for third parties injured by illegal devices and negligent use of PMD (particularly e-scooters), as discussed in the QLS submission to the Inquiry and in the QLS evidence at the public hearing. The Bill does not address this issue and we remain of the view that potential solutions, including compulsory third-party insurance, should be thoroughly investigated and consulted upon.

In closing, we reiterate that there are significant aspects of the Bill relating to legal devices that require further consideration and consultation with relevant experts and people with lived experience. Delaying reforms in relation to currently legal devices would not preclude actions to reduce the dangers presented by devices that are already illegal and which are of greatest concern to the community.

If you have any queries regarding the contents of this letter, please do not hesitate to contact our Legal Policy team via policy@qls.com.au or by phone on [REDACTED].

Yours faithfully



Peter Jolly
President

<https://www.tmr.qld.gov.au/_/media/busind/techstdpubs/cycling/speed-management-on-shared-paths.pdf?rev=d2925223f28c48df9d38158c7140ae42&sc_lang=en&extension=pdf&size=866131&hash=71340E5C2E4B1C1014947DD9BBF4BB25>