

E-mobility safety and use in Queensland

Submission to the State Development, Infrastructure
and Works Committee, Queensland Parliament

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Who we are

The **Australian Lawyers Alliance (ALA)** is a national association of lawyers, academics and other professionals dedicated to protecting and promoting access to justice and equality before the law for all individuals.

Our members and staff advocate for reforms to legislation, regulations and statutory schemes to achieve fair outcomes for those who have been injured, abused or discriminated against, as well as for those seeking to appeal administrative decisions.

The ALA is represented in every state and territory in Australia. We estimate that our 1,500 members represent up to 200,000 people each year across Australia.

Our head office is located on the land of the Gadigal people of the Eora Nation. As a national organisation, the ALA acknowledges the Traditional Owners and Custodians of the lands on which our members and staff work as the First Peoples of this country.

More information about the ALA is available on our website.¹

¹ www.lawyersalliance.com.au.

Introduction

1. The ALA welcomes the opportunity to have input to the State Development, Infrastructure and Works Committee ('Committee') on e-mobility safety and use in Queensland.
2. The ALA acknowledges that e-mobility devices, especially e-scooters and e-bikes, are popular among the residents of and visitors to Queensland. E-mobility devices are a useful transport alternative in local communities, but it must be acknowledged that these powerful and heavy devices are sharing road infrastructure across Queensland with pedestrians, motor vehicles and other mobility devices. As such, e-mobility devices ought to be treated by the Queensland Government, the relevant government agencies and Queensland's law enforcement authorities as motorised vehicles, which have the potential to cause significant injury and damage to riders, other members of the general public and to property.
3. The use of e-mobility devices has grown exponentially in Queensland and across Australia, and will continue to grow. The ALA, therefore, supports and encourages the Queensland Government to formulate a legislative and regulatory response which balances the utility of these devices with the safety of the broader community. Protections are needed to ensure that anyone injured by an e-mobility device can receive treatment and fair compensation for their injuries.
4. The ALA welcomes this inquiry and the Committee's close examination of the regulation and insurance options for e-mobility devices. The ALA would not support a total ban on e-mobility devices in Queensland.
5. The ALA's submission will address the following matters:
 - a. The benefits of e-mobility devices;
 - b. Safety issues and data collection arising from incidents, injuries and fatalities involving e-mobility devices;
 - c. Opportunities to educate the public about the safe and responsible use of e-mobility devices;
 - d. Insurance considerations; and
 - e. Enforcement options.

Benefits of e-mobility devices

6. The ALA understands that there is a broad cross-section of the community and of all ages using e-mobility devices, including:
 - a. Students at both high schools and universities;
 - b. Workers travelling to and from their workplaces; and
 - c. Residents in local areas where public transport infrastructure is inadequate and some distance from their homes.
7. The benefits of using e-mobility devices include:
 - a. Reducing vehicles on local roads, especially around schools and other institutions;
 - b. Allowing busy working parents to manage their time by reducing pick up and drop off for older children; and
 - c. Greater connectivity in local areas.

Safety issues and data collection

8. The ALA has been unable to find substantial, centralised and official government or law enforcement data as to the incidence of injuries and fatalities in Queensland from accidents involving e-mobility devices. We note that the Department of Transport and Main Roads' data set does not seem to contain a central repository of data to adequately identify the volume of crashes involving such devices.
9. There is, however, some data available for Queensland – although, it is limited.
10. The RACQ undertook jointly-funded research with the Royal Brisbane and Women's Hospital Foundation, which was conducted by the Jamieson Trauma Institute. That research identified the following:²

² RACQ, 'Data shows e-scooter riders still not taking safety seriously', *News* (Web Page, 19 December 2023) <<https://www.racq.com.au/latest-news/news/2023/12/ns191223-data-shows-e-scooter-riders-still-not-taking-safety-seriously>>; Jamieson Trauma Institute, Queensland Government, *Electric Personal Mobility Devices Surveillance patient survey study demonstrates that reform urgently needed to reduce serious e-*

- a. Between 1 January 2024 and 30 September 2024, there were 1,050 presentations to participating Queensland Injury Surveillance Unit (QISU) emergency departments as a result of e-scooter incidents.
- b. The rate of hospital presentations to participating QISU emergency departments due to e-mobility device incidents has been steadily increasing year on year.
- c. The majority of the presentations to emergency departments involved private e-mobility devices come up but just over one-third of presentations still involved hired e-scooters.
- d. There are significant gaps in understanding of safety and road rules by users of e-mobility devices, with a significant number failing to wear helmets, travelling at speeds in excess of 25 kilometres per hour and/or riding an e-mobility device while under the influence of alcohol.
- e. A disproportionately large number of hospital presentations involve children.
- f. Severe injuries can be suffered, including head and facial trauma, as well as orthopaedic injuries, with a substantial proportion of those injuries requiring surgical intervention.
- g. Males account for the overwhelming majority of presentations to emergency departments in Queensland for injuries related to the use of e-mobility devices.

11. Sunshine Coast Health has also published data in relation to e-scooter presentations.³ That data indicates that 56.8% of presentations to emergency departments were for patients under the age of 18. Sunshine Coast Health's data also confirmed just how significant injuries suffered from accidents involving e-mobility devices can be, with 61% of patients sustaining at least one fractured bone and with most suffering multiple injuries.

scooter injuries (Web Page, 2 December 2024) <<https://metronorth.health.qld.gov.au/jamieson-trauma-institute/jti-news/emodes-reform-needed>>.

³ Sunshine Coast Health, Queensland Government, 'E-scooter emergency presentations numbers released by Sunshine Coast Health', *News* (Web Page, 20 August 2024) <<http://sunshinecoast.health.qld.gov.au/about-us/news/articles/e-scooter-emergency-presentations>>.

12. The ALA also notes that between 2023 and 2024, 176 children were treated for a e-scooter related injuries in the Sunshine Coast alone, with Queensland recording the highest e-scooter fatality rate for children.⁴
13. Research from 2023 identified that alcohol use, speed and a failure to wear a helmet are significant contributing factors to hospital presentations in Brisbane. However, the research also identified that the data is poorly recorded.⁵
14. Most disturbingly, it is reported that eight lives were lost in 2024 as a result of e-mobility device incidents.⁶
15. **The ALA submits that what is clear on the available research and data is that the growth of e-mobility devices has most certainly led to an increase in hospital presentations, injuries and, unfortunately, fatalities. ALA members are concerned by those reports of deaths and serious injuries from e-mobility devices in Queensland.**
16. Much like safety concerns with motor vehicles, we are seeing very similar behaviours and causative factors with e-mobility devices. As far as it is possible to tell, behavioural elements like speed, alcohol and the value of wearing a helmet are significant.
17. Unfortunately, the failure to have a central repository data set identifying any reported accidents involving e-mobility devices, including those leading to hospitalisations, makes it difficult to really identify the true extent of the safety issues.
18. **The ALA contends that the Queensland Government should ensure that the Department of Transport and Main Roads collects and publishes relevant e-mobility device data, including identifying the different types of e-mobility devices involved in accidents, the**

⁴ Adam Vidler, 'E-scooter accidents sending two children to one Queensland hospital every week, study finds', *9News*, 4 June 2025 <<https://www.9news.com.au/national/e-scooter-hurting-two-children-a-week-sunshine-coast-call-for-better-regulation/21785608-6988-409b-a746-2c581789720b>>; Natasha May, 'E-scooter injury toll revealed in study just 'tip of the iceberg' in Australia, doctors warn', *The Guardian*, 4 June 2025, <<https://www.theguardian.com/world/2025/jun/04/e-scooter-injury-toll-revealed-in-study-just-tip-of-the-iceberg-in-australia-doctors-warn>>; Annie Guest, 'Children account for one in three e-scooter deaths', *ABC Listen*, 4 June 2025, <<https://www.abc.net.au/listen/programs/am/children-account-for-one-in-three-e-scooter-deaths/105373820>>.

⁵ Vallmuur K, et al. (2023) Electric personal mobility devices surveillance study: Injury presentations to emergency departments in Brisbane, Queensland, *Injury* 54(6), 1524–1531 <<https://www.sciencedirect.com/science/article/abs/pii/S0020138323003789>>.

⁶ StreetSmarts, Queensland Government, *Get the facts* (Web Page, 4 March 2022) <<https://streetsmarts.initiatives.qld.gov.au/pmd/get-the-facts>>.

demographic details of those injured, the demographic details of those responsible for the incidents, likely causative factors of those incidents, and the locations of those incidents.

19. **Relatedly, the ALA refers the Committee to a resource produced by the ALA which compiles data, incidents, legislation, regulations and insurance requirements from all jurisdictions across Australia with regards to e-mobility devices, especially e-scooters.⁷**

Education opportunities

20. Queensland has a long history of very effective road safety campaigns involving motor vehicles. These have led to behavioural changes and changes in community expectations of road users.
21. Some really successful campaigns have included: “No excuse for speeding”; “If you drink and drive, you're a bloody idiot”; “Take a Break” campaigns; “If it’s flooded, forget it”; and “#LiftLegend”.
22. To obtain a motor vehicle licence one must undertake a learner’s permit written assessment, complete a certain number of hours of road driving, and use of L plates and P plates.
23. Yet for e-mobility devices, which can travel on the roads and footpaths with pedestrians and other vehicles at up to 25 kilometres per hour (legally) and speeds well in excess of this (illegally), Queensland has failed to implement any successful education campaigns and registration requirements.
24. At present, we note that there are multiple separate Queensland Government websites relating to personal mobility device use in Queensland.⁸ There are also multiple different plans, such as the e-mobility parking plan, designated e-mobility parking area guidelines, personal mobility device safety action plan, and rules for riding personal mobility devices –

⁷ Australian Lawyers Alliance, *E-scooters* (June 2025) <www.lawyersalliance.com.au/Web/Advocacy/Papers/e-scooters.aspx>.

⁸ See, egs, Queensland Government, *Rules for personal mobility devices* (Web Page, 19 February 2024) <www.qld.gov.au/transport/safety/rules/wheeled-devices/personal-mobility-devices>; Department of Transport and Main Roads, Queensland Government, *Personal mobility device plans* (Web Page, 20 December 2023) <<https://www.tmr.qld.gov.au/safety/road-safety/road-safety-strategy-and-action-plans/personal-mobility-device-plans>>; StreetSmarts, Queensland Government, *Rules for riders* (Web Page) <<https://streetsmarts.initiatives.qld.gov.au/initiatives/pmd-rules>>.

not to mention multiple different local council areas having their own guidelines, plans and public information.

25. There is no coherent, overarching public education strategy between the Queensland Government and local councils regarding the safe and responsible use of e-mobility devices.
26. The ALA is not aware of any in-school education, bearing in mind the disturbingly high rate of hospital presentations for e-mobility device incidents involving children under the age of 18. **The ALA would support the development of a school program to educate Queensland students about how to safely ride e-mobility devices.**
27. The ALA is also not aware of any social media campaign aimed in particular at young people about the safe and responsible use of e-mobility devices. **The ALA would support the development of a social media campaign, with input from young people, about the safe and responsible use of e-mobility devices in Queensland.** We note that the recent NSW parliamentary inquiry on the use of e-scooters, e-bikes and related mobility options recommended such a social media campaign targeted at young people in NSW.⁹
28. Relatedly, the ALA is also not aware of any education campaign or communication strategy targeted at parents of children using e-mobility devices in Queensland relating to safe and responsible use, supervision and tools for communicating with their children about e-mobility device use. **The ALA would support the development of resources for parental education and communication strategies with their children, and made available through schools, retailers and online.**
29. The ALA strongly supports the Queensland Government developing such education campaigns in collaboration with the Queensland Department of Education and key researchers in this field, including the Jamison Trauma Institute, RACQ and QISU.
30. We note that the aforementioned NSW parliamentary inquiry also made a recommendation for food delivery platforms to provide their food delivery riders with mandatory ongoing safety training, with compliance enforced through regular audits and penalties.¹⁰ **The ALA supports a similar approach for Queensland.**

⁹ Portfolio Committee No. 6 - Transport and the Arts, Legislative Council, Parliament of NSW, *Report 25 - Use of e-scooters, e-bikes and related mobility options* (February 2025) 127, Recommendation 26.

¹⁰ *Ibid*, Recommendation 27.

31. That NSW parliamentary inquiry also recommended amending the NSW driver knowledge test.¹¹ **The ALA supports amendment of Queensland’s drivers licence requirements to include adding questions relating to e-mobility devices to the testing.**

Insurance considerations

32. It is an unfortunate reality that much of the public is unaware of the legal and financial implications of accidents involving e-mobility devices, including the substantial inconsistencies and gaps in insurance coverage.
33. Incidents involving e-mobility devices can lead to riders being injured, others being injured, and property damage. Many who use an e-mobility device in Queensland are probably unaware that they put the entirety of their assets (including their home) on the line if they cause injury to someone else while using that e-mobility device. **E-mobility device users need insurance cover to avoid being sued personally.**
34. Similarly, those who are run down by an e-mobility device could suffer serious injury and yet be left to meet their own lost wages and medical bills. **No one should be in the position of losing their own home or being unable to meet their living expenses after being the innocent victim of the negligent use of an e-mobility device by an impecunious, uninsured e-mobility device operator.**
35. The ALA notes that there is a difference between private and publicly hired devices.
36. Compulsory Third Party (CTP) insurance does not presently cover private or publicly hired e-mobility devices. CTP provides insurance coverage where an at-fault driver causes personal injury to others.
37. Private e-mobility devices may well have some insurance coverage under their home and contents policy. Alternatively, individuals can seek to obtain personal accident insurance, private health insurance, or public liability insurance. However, each of these has their own limitations.

¹¹ Ibid, Recommendation 28.

38. This leads to a Russian roulette situation for both riders and road users who are injured or whose property is damaged.
39. If the rider of a private e-mobility device does not hold any insurance coverage, the risks include:
- a. The rider becoming personally liable for the financial costs of injury or property damage.
 - b. Where the rider is a child, the practical reality is that there is simply no way to recover the financial costs of injury or property damage.
 - c. Even where the rider is an adult, in most instances they would not have the financial capacity to meet any costs associated with an injury or property damage they cause.
 - d. People injured in such instances are, therefore, left to the public health system or to use their private health insurance coverage – if they are lucky enough to have private health insurance. Even through the public health system or through private health insurance coverage, those injured are often left with out-of-pocket expenses for treatment and rehabilitation.
 - e. Further, those injured potentially lose income from being unable to work, which could lead to spiralling financial consequences.
 - f. For those suffering property damage, they may have no recourse whatsoever, and will therefore personally incur the financial costs of repair to or replacement of their property.
40. Hire e-scooter operators in Queensland do offer some insurance coverage, but it is significantly restricted and woefully inadequate. Such insurance policies include:
- a. A maximum limit of indemnity in annual aggregate terms. Lime Scooter's Third Party policy, for example, contains a maximum limit of \$5,000,000 in annual aggregate terms in Australia (not just Queensland).¹² Given the volume of hospitalisations in Queensland alone, the ALA submits that this liability limit is significantly restrictive.

¹² HDI Global SE, *Certificate of Currency: Rider Third Party Liability and Personal Accident* (Policy holder: Lime Network Pty Ltd) 4 <https://cdn.li.me/content/uploads/Certificate-of-Currency_Lime-2025.pdf>.

- b. The policies generally do not provide coverage to anyone under the age of 16.
- c. Policies can be voided where the rider is not wearing a helmet, is travelling over a certain speed, is intoxicated or is failing to ride in accordance with any local laws. If the rider causes injury to someone else, there is therefore no coverage, which is to be contrasted to CTP insurance.
- d. Personal accident policies contain very restrictive limits for coverage. For example, Lime Scooter's policy provides weekly injury payments where someone is unable to work because of an injury, with a maximum of up to \$500 per week and a maximum benefit period of 52 weeks. Anything beyond these limits becomes a financial impost on the injured individual or on our community.
- e. Other restrictive personal accident benefits can include a payment of up to \$1,000 for broken bones, \$250 per tooth for dental injuries to a maximum of \$1,000 limit. It is trite to say that the cost of rehabilitation after significant injuries (such as a broken bone) or the cost of dental treatment are far in excess of these limits.

41. The ALA believes that one of the most fundamental reforms that can be undertaken by the Queensland Government is around insurance coverage for both private and publicly-hired e-mobility devices. This includes e-mobility device owners having and e-mobility device providers having/offering:

- a. **Compulsory and comprehensive CTP insurance.**
- b. **Compulsory and comprehensive property damage insurance.**

42. There would need to be additional stakeholder engagement and investigation into how such compulsory insurance can be implemented both for privately-owned devices and for public devices for hire.

43. Compulsory insurance for public devices for hire is perhaps the easier issue, as it can simply be mandated that any operator wishing to provide such a service obtains a group CTP policy through Queensland's existing CTP scheme. This could be through the existing CTP insurers or, alternatively, a mandated Nominal Defendant levy, with the Nominal Defendant then undertaking any claims management.

44. For private devices, the ALA acknowledges that there are some important hurdles that will need to be overcome, including:
- a. How the insurance is actually obtained:
 - i. For new devices, there could well be a requirement for the retailer to arrange at least the initial coverage at the point of sale, much like in the purchase of a motor vehicle. This will not be without some challenge.
 - ii. For second-hand private sales, alternatives will need to be considered.
 - b. The identification of the relevant device and its insurer. For motor vehicles, registration plates are currently required. Further consideration will be needed in relation to e-mobility devices.
 - c. Actuarial data will be needed to identify the adequate premium rates. Although, this should not be an insurmountable challenge given the highly developed actuarial skills already in existence in Queensland's CTP scheme.

Enforcement options

45. The ALA acknowledges that one of the greatest challenges for e-mobility device regulation relates to enforcement, and the significant load already on the Queensland Police Service.
46. Nevertheless, the increase in use of these devices comes with the need for increasing enforcement activities – plus the funding and resources necessary for this to occur.
47. A significant challenge with enforcement activity relates to children, where warnings and fines may have very little effect. The ALA considers that, for such cohort of e-mobility device users, a greater degree of parental responsibility is required.
48. Consideration should be given to regulatory change to expand situations whereby parents may be liable for any fines issued to a child or charges relating to allowing children to use such devices. This is not a novel point, as parents may already be liable, in certain circumstances, for their children's conduct under Part 7, Division 16 of the *Youth Justice Act 1992* (Qld).

49. Further, consideration should be given to expanding police powers to confiscate e-mobility devices, not just for serious offences or repeat offenders. The *Police Powers and Responsibilities Act 2000* (Qld) could be amended to provide for more concrete powers of confiscation and a requirement that parents be notified and be responsible for collection of confiscated e-mobility devices.

Conclusion

50. The Australian Lawyers Alliance (ALA) welcomes the opportunity to have input to the State Development, Infrastructure and Works Committee on e-mobility safety and use in Queensland.

51. The ALA is available to provide further assistance to the Committee on the issues raised in this submission.



Sarah Grace

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Australian Lawyers Alliance