

**INQUIRY INTO USE OF E-SCOOTERS, E-BIKES AND
RELATED MOBILITY OPTIONS**

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Date Received: 22 July 2024

Partially
Confidential

I am a middle-aged professional who purchased a folding e-bike a few years ago. My partner and I both work from home and it allowed us to move to a one-car household. I use it mostly to go back and forth to the local shops, to the gym, and for a quick supermarket or meal run.

We have personally benefited from:

- the reduced costs of a bike over a car
- gaining space in the garage
- simple maintenance
- convenient parking
- a generally more enjoyable commute (rain notwithstanding)
- health benefits

I am concerned that New South Wales's conservative approach to e-bikes means that we are losing an opportunity to do something which could be transformational - particularly in our increasingly dense cities. Having recently travelled to Europe and North America, the lack of integration of e-bikes into our mobility in NSW is clear. E-bikes are widespread in similar countries.

The core problem with these bikes comes down to one of individual responsibility and a variation in risk assessment and tolerance between riders. Speaking very broadly, the problem is that e-bikes are too slow for roads and yet too fast for paths. This personal responsibility element is what makes legislating rules difficult.

Some considerations I apply when riding are:

- What is the safest option for me – road or path?
- Can I ride on the path without putting pedestrians in danger?
- Can I ride on the road without negatively impacting traffic?
- How likely am I to get a ticket if I ride on the path?
- Is one route more convenient than others?

I worry that the voice is disproportionately anti e-bike because the most vocal voices are those that are not directly benefitting from e-bikes and are those that have not themselves used e-bikes. The response seems to be purely reactionary – e-bikes are new, they do not look safe, so let's ban them.

I am also concerned that a conservative approach to e-bikes would have a disproportionate impact on:

- Youth. E-bikes are a convenient way for young people to get from place to place. For example, we live near the beach, and I regularly see kids with a surfboard strapped on the side of their bikes.
- Gig-workers/delivery riders. E-bikes are commonly used by delivery riders. People want the convenience of cheap, quick meals from the local restaurant, but do not consider how much of an impact e-Bikes had on this business model.
- Low-income households. E-bikes are a bridge between options like public transport or walking and higher cost options like a motorbike or car.

My recommendation is as follows:

- Allow e-Bikes in pedestrian spaces. Equalize the rules between mechanical push bikes and e-bikes.

- Remove the limitation on the use of throttles on e-bikes. Throttle should be allowed for assisted starts and as long as the rider is pedalling.
- Require liability insurance by all e-bike riders with penalties that apply for lack of coverage.
- Focus enforcement efforts on:
 - General safety – it's the minority of riders who raise the greatest risk to pedestrians and to themselves; focus on reducing reckless behaviour.
 - Speed – ensure that speed is appropriate for the conditions; rules should be subjective (condition based) rather than a fixed kmph number.
 - Youth education – young riders may not be aware of the risks to themselves and to others.
 - Helmets
 - Mechanical safety – e.g., require qualified assessment at initial purchase and every three years thereafter.
 - Electrical safety – ensure that batteries meet a certain standard to avoid runaway heating issues. This is related to e-bikes and is something that needs proper consideration. If not properly addressed by NSW, stratas and insurers may simply ban e-bikes rather than taking steps to mitigate the risks of battery fires.
- Clarify rules for e-Bikes with motors greater than 250W ("high power e-bikes")
 - These bikes currently sit in a grey area between bikes and motorbikes.
 - Require rider licensing. Either create a new licensing scheme or include riders of high-power e-bikes under existing motorbike licensing.
 - Draft new mechanical requirements for high-power e-bikes. This is currently missing from legislation.
 - Restrict these bikes from pedestrian spaces.