

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

Name: Mr Robert Johnston

Date Received: 19 August 2024

Thank you to the Committee and NSW Government for their efforts.

My submission relates primarily to e-bike regulations.

I have a policy background and can appreciate there are various considerations associated with updating e-bike regulations.

In the near future I hope to get an e-bike, so I do not want them banned. In saying that, there are opportunities to improve the current situation where I see e-bikes riding dangerously near pedestrians.

This is not an exhaustive list but are some suggestions that I have noted when observing e-bikes every day:

- Current e-bike rules are not easily found all on one page and could be simplified. Definitions of e-bikes, road rules for bicycles, penalties for bicycle offences, special additional rules for cyclists, FAQs, and guidance about how to safely charge the e-bike, are all on different pages. Suggest putting it all on one simple drop page that then becomes the top hit when Googling “NSW e-bike rules”.
- These are some of the many pages that should be consolidated and simplified on one page:
<https://www.transport.nsw.gov.au/roadsafety/bicycle-riders/ebikes>
<https://www.transport.nsw.gov.au/roadsafety/bicycle-riders/road-rules-for-bicycle-riders>
<https://www.transport.nsw.gov.au/operations/active-transport/e-bikes>
<https://www.nsw.gov.au/driving-boating-and-transport/roads-safety-and-rules/bicycle-safety-and-rules/cyclist-penalties>
<https://www.nsw.gov.au/driving-boating-and-transport/roads-safety-and-rules/bicycle-safety-and-rules/cyclist-road-rules#toc-special-rules-for-bicycle-riders>
<https://www.fire.nsw.gov.au/page.php?id=9431>
- Types of e-bikes (power-assisted pedal cycle and electrically power-assisted cycle) are very similar in name, as are their definitions. These names and definitions could be clearer to help differentiate the two types.
- On the road rules for bicycle riders page, it does not mention e-bikes. It just says on another page that e-bike users should follow the normal bicycle rules. Consider making it clear on the road rules page that it includes e-bikes. And add any future additional rules that apply only to e-bikes at the bottom, but on the same page as the normal rules.
- The current bicycle rule “you must not carry more people than the bike is designed for” is problematic. I was surprised to read the actual wording because ever since I was young I always assumed that “doubling” was not legal. But due to the design of e-bikes – with their long bench seats designed for more than one rider – doubling IS indeed legal on these e-bikes. But this rule needs to be updated. Traditionally, it has been difficult to build up speed when doubling with a passenger on a pedal cycle. But e-bikes have the power to, and are often seen carrying more than one person. This doubles or even triples the total weight of the bike, and therefore the momentum and potential for injury if it hits a pedestrian. Consider changing the law to say that, other than the rider, there can be no passenger on e-bikes older than 10 years old, UNLESS the passenger has a disability exemption. This would be a relatively simple way to reduce the weight and therefore momentum and potential for injury. It is also quite simple from a compliance perspective, being easy for police to spot and enforce.

- I see examples of negligent riding by e-bike riders almost every day on shared paths. There needs to be more education (tv commercials) that e-bike riders can be charged for negligent riding on shared paths. Penalties for cyclists already includes negligent riding. On the “special rules for bicycle riders” page it notes that on a shared path a rider should ride at a speed that does not endanger yourself and those around you. This should also say “you could be fined for negligent riding if you are seen to be riding at a speed or in a manner that could endanger yourself or those around you.”
- Consider introducing a speed limit for all e-bikes riding in the vicinity of pedestrians – for example, on shared paths all e-bikes need slow to 10km/h if within 2 metres of a pedestrian and to walking pace if within 1 metre of a pedestrian.
- To improve awareness and accountability, there should be a digital form that is needed to be filled out every time an e-bike is sold in NSW. The form should need to be completed by someone over 18. It should require identification and contact details, and have checkboxes saying e.g. “I understand the road rules are xxx” or “I understand this e-bike is 750W and can only be ridden on private property” or “I understand this 250W e-bike has been sold with street legal settings and I could be fined for illegally modifying it which could endanger others”, etc. This could be similar to the Federal Government forms that needed to be filled out in all mobile phone shops when selling sim cards.
- Northern Beaches Council has introduced an e-bike code which had some very straightforward education about using your bell and slowing down when you are near people.
- Suggest providing additional guidance about where to safely charge e-bike batteries.

I hope these suggestions are of use to the committee. Thank you for your consideration and best wishes with any updates to the regulations.

Robert Johnston.