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Date 18 August 2025

Mr Peter Rundle MLA
Chair
Community Development and Justice Standing Committee
Parliament House
4 Harvest Terrace
West Perth WA 6005

Dear Chair and Committee Members,

SUBMISSION TO THE PARLIAMENTARY INQUIRY ON E-RIDEABLES

About MTA WA

The Motor Trade Association of Western Australia (MTA WA) is the peak industry body representing the interests of automotive businesses across the state, with more than 1600 member businesses. Our members span the full scope of the motor trade: automotive sales, repairs, service, dismantling and recycling, collision repair, motorcycle and off-road vehicle sectors.

MTA WA works to ensure the automotive industry operates within a fair and safe framework, supporting consumer protection, public safety, and industry sustainability. We engage with government, regulators, and the automotive business community on key transport, safety, and economic issues impacting the automotive and mobility sectors.

General Position

The MTA WA appreciates the opportunity to provide this submission to the parliamentary inquiry on e-rideables. This is a unique opportunity for Western Australia to set the national benchmark for e-rideable legislation, compliance, and management. By leading the way, WA can create a model framework that the rest of the country will draw from, ensuring safety, clear rules, and sustainable integration of these technologies into our communities.

MTA WA supports the regulation of e-rideable devices to ensure the safe integration of emerging mobility technologies into our public spaces and transport systems, and is particularly concerned about the increasing proliferation of non-compliant e-rideable devices and conversion kits, many of which are being used illegally, without proper controls or awareness of the risks involved.

Key Recommendations

1. Prohibit the sale of non-compliant e-rideables and conversion kits

Non-compliant devices and modification kits undermine WA's regulatory framework, posing unacceptable safety risks. Banning their sale both in-store and online will close the loophole that allows unsafe products to enter the market, similar to the ACCC ban on miniature motorbikes.

2. Expand targeted e-rideable education campaigns

Education must go beyond general awareness. MTA WA recommends school programs, public road

safety campaigns, and targeted online content for high-risk groups. This should include safe riding practices, equipment use, and legal requirements for compliant devices.

3. Mandate ORV registration for non-road-registerable motorcycles, including electric motorcycles

Amend the *Road Traffic and Control of Vehicles (Off-Road Areas) Acts* to require all motorcycles, including purpose-built electric motorcycles not suitable for road registration, to be registered as Off-Road Vehicles (ORVs) and used only in approved ORV areas. This aligns with MTA WA's July 2025 Mandatory ORV Registration Policy and will strengthen enforcement, safety, and funding for ORV infrastructure.

4. Develop a coordinated public information campaign on approved ORV areas

In partnership with local government, industry, and the Department of Transport, launch a campaign highlighting permitted riding locations, safety gear requirements, and legal consequences for illegal use. The campaign should promote the benefits of ORV registration fees, including improved safety, reduced illegal riding, and increased funding for ORV facilities.

Background & Concerns

The WA Government has taken welcome steps to define e-rideables in law. However, there remains an unchecked market for non-compliant and high-powered devices.

These devices often:

- Exceed legal speed limits (capable of 60 km/h+),
- Weigh more than 25 kg, or
- convert bicycles into unlicensed motorcycles.

Many are sold via online marketplaces with little to no consumer information, regulatory compliance, or warnings.

The danger is real and increasing. These non-compliant devices have been linked to:

- Serious injuries and multiple fatalities,
- Risk to pedestrians in shared public spaces, and
- An unregulated, underground market bypassing product safety controls.

The issue mirrors Australia's earlier experience with miniature motorcycles, which led to 14 deaths between 2005 and 2016 before the ACCC moved to ban their supply.

Rationale for Action

The *Control of Vehicles (Off-Road Areas) Act 1978* provides a clear framework for regulating the use of off-road vehicles in specific areas. This framework is crucial to ensure that high-powered devices, which are not suitable for public roads, are used only in approved, safe, and managed environments.

Within legislation, an e-rideable must not exceed 25 km/h and/or 25 kg. Any device exceeding these thresholds falls outside the legal e-rideable definition and must either:

- Comply with Australian road safety standards and be eligible for road registration, or
- If appropriate, be registered as an Off-Road Vehicle (ORV) and used only in approved ORV areas as defined by the Act.

Some e-rideable and modified vehicles are not suitable in ORV areas or for road registration and must be banned. However, without strong point-of-sale restrictions, enforcement, and a compulsory ORV registration system, illegal vehicles will continue to circulate unchecked. These devices pose significant safety risks, undermine legitimate businesses, and bypass existing road safety standards.

A national precedent exists for this approach, the ACCC ban on miniature motorbikes (2005–2016) in response to multiple fatalities, demonstrating that decisive retail regulation can prevent injuries and save lives.

In addition, WA's voluntary ORV registration system has led to low compliance and minimal revenue in the ORV Special Purpose Account, and insufficient funding for the creation and maintenance of legal riding areas. This shortage of permitted areas contributes to illegal riding, noise complaints, and safety incidents. Compulsory ORV registration at the point of sale, coupled with improved enforcement, would create a self-sustaining funding model for ORV infrastructure, reduce illegal use, and support safer community outcomes.

Scope of MTA WA Recommendations

Policy Area	Recommendation	Expanded Scope & Rationale
Retail & Online Sales	Ban the sale of non-compliant e-rideables and conversion kits	Enforce a state-wide ban on devices and kits that exceed 25 kg or 25 km/h, both in physical retail stores and via online marketplaces. This includes stronger border and import controls, penalties for sellers, and collaboration with national consumer protection agencies to stop unsafe products at the source.
Consumer Education	Extend education campaigns across digital and school-based platforms	Expand current Road Safety Commission and Department of Transport programs to include targeted campaigns for schools, youth groups, and first-time purchasers. Leverage social media, online advertising, and in-store point-of-sale materials to promote legal requirements, safe riding practices, and protective equipment use. Industry and local governments should co-brand and distribute these campaigns to ensure consistent messaging.
Legislative Reform	Amend road traffic and ORV laws to mandate proper registration pathways	Require all motorcycles — including purpose-built electric motorcycles not eligible for road registration — to be registered as ORVs and used only in designated ORV areas. Introduce mandatory ORV registration at the point of sale, integrated into the Dealer Online System or DoTDirect, ensuring accurate data collection on ownership and location for law enforcement and safety planning.
Off-Road Usage	Promote ORV areas and safe riding practices	Launch a coordinated campaign, led by MTA WA in partnership with local governments and the Department of Transport, to showcase permitted ORV locations, emphasise the benefits of registration, and encourage safe riding. This should include mapping tools, signage, rider training resources, and promotion of community ORV events to attract riders into legal, managed environments. Increased funding from compulsory ORV registration would enable expansion and improvement of these facilities.

Conclusion

MTA WA urges the WA Parliament to:

- Support legislative amendments that close the loopholes currently allowing illegal e-rideables and conversion kits to enter the market.
- Fund education and awareness initiatives that reach high-risk groups, particularly youth and first-time users.
- Collaborate with the motor trade sector to identify compliance pathways for emerging mobility devices.

Unregulated e-mobility is undermining the safety of shared spaces. Clear laws, enforced at the point of sale, and backed by education, are essential to protect the public and ensure a level playing field for responsible businesses.

Comments on the Terms of Reference

1. Regulatory Framework Governing 'For-Hire' eRideables

The MTA WA does not currently have a formal position regarding the regulation of commercial 'for-hire' e-rideable services (such as public e-scooter rentals). These services operate under a separate licensing and compliance model governed by local government authorities and the Department of Transport frameworks.

We acknowledge that local governments and the Department of Transport are better positioned to assess operational data related to fleet management, geofencing, usage patterns, and compliance within the hire sector. These regulators also have direct access to incident reports and telemetry data, which should be central to evaluating risk, injury profiles, and potential gaps in regulation.

We encourage the Committee to consult this data directly from hire scheme operators and regulators when considering the future framework.

2. Usage and Policing in Entertainment Precincts and Pedestrian Areas

The misuse of e-rideables in entertainment precincts, particularly during weekend night periods, is a serious and escalating concern.

MTA WA is aware through industry, law enforcement and community reports of growing incidences of:

- e-rideable use by individuals impaired by drugs or alcohol,
- Reckless operation at high speed in crowded pedestrian zones (e.g., Northbridge, Fremantle, Scarborough), and
- Use of non-compliant or modified devices with performance well beyond legal thresholds.

These issues present significant risks to public safety, including pedestrians and the impaired users themselves.

We support increased enforcement of existing Road Traffic laws, including DUI provisions, and recommend targeted public safety campaigns addressing intoxicated e-rideable use. Consideration should also be given to expanding random testing and policing during peak-risk periods, particularly Friday and Saturday evenings in entertainment zones.

3. Compliance, Classification, and Modifications

MTA WA strongly supports the intent of the current e-rideable legislation, which sets clear boundaries for compliant use. However, these regulations are undermined by:

- The widespread availability of conversion kits and imported devices that exceed the 25kg/25km/h legal limits,
- The ease with which e-rideables can be modified to exceed safe operating thresholds, and
- A lack of visibility at point-of-sale, especially from online and private sellers who operate outside Australian consumer protection frameworks.

We recommend:

- Tightening import and retail controls,
- Greater resourcing to detect and penalise the sale and use of non-compliant vehicles, and
- Consideration of licensing or certification for sellers of powered personal mobility devices.

MTA WA supports maintaining the current 25kg maximum weight threshold, as defined under WA law. This limit remains appropriate for safety, enforceability, and ensures e-rideables are distinguishable from more powerful electric motorcycles or scooters that fall under separate classification and regulation.

4. Injuries and Insurance Claims

We are aware of a growing number of injuries and hospitalisations involving e-rideables, but MTA WA does not have access to comprehensive, centralised injury or claim data. These statistics are best provided by:

- The Department of Health (hospital presentations),
- Insurance Council of Australia and private insurers (claims trends), and
- WA Police Force (incident reporting).

We urge the Committee to seek robust data on:

- Time of day, severity, and frequency of incidents,
- Correlation with illegal use, modification or intoxication, and
- Whether the injuries involve pedestrians, riders, or third parties.

An evidence-based understanding of when, how, and why injuries occur is essential to informing any future reforms.

5. Benefits and Opportunities for Urban Mobility

MTA WA acknowledges the potential of compliant e-rideables to contribute positively to urban mobility and active transport. When properly regulated, these devices can offer an affordable, convenient, and sustainable option for short-distance travel.

We recommend that regulatory changes preserve the accessibility of compliant devices while ensuring safety and community amenity remain paramount. Investment in infrastructure, such as dedicated e-rideable lanes and secure parking, may support the safe growth of this emerging mode of transport.

E-rideable Policy

July 2025

Motor Trade Association of WA Policy Statement

Prohibit the sale of non-compliant e-rideable devices and conversion kits in WA.

Recommendations

1. Prohibit the sale of non-compliant e-rideable devices and conversion kits in retail outlets and online sales platforms.
2. Continue and expand on Road Safety e-ridable education campaigns in schools and to the public.
3. Amend legislation to mandate that all motorcycles, including purpose-built electric motorcycles, that are not suitable to be registered for road use, are registered as an off-road vehicle and used in an approved off-road vehicle area, as defined by the *Control of Vehicles (Off-Road Areas) Act 1978*.
4. In consultation with industry, develop an education and information campaign to promote permitted off-road vehicle areas available to users with a strong safety message on correct use and safety apparel.

Background

- An increase in the supply and development of high-powered e-rideable devices and conversion kits, both online and in retail stores, has contributed to non-compliant devices and vehicles being used illegally and inappropriately.
- These non-compliant devices have caused and contributed to an increasing number of incidents, injuries and unfortunately deaths.
- The supply of a similar unsuitable product can be compared to when Australia was introduced to the miniature motorbike. Between 2005-2016, there were 14 deaths attributed to the inappropriate use of miniature motor bikes in Australia, and in response, the ACCC banned miniature motor bikes.

Rationale

- In WA, a compliant e-rideable is defined as a small electric vehicle with a maximum speed of 25 km/h and a maximum weight of up to 25 kg.
- Non-compliant e-rideable devices are capable of speeds exceeding 60km/h, putting the user and pedestrians at risk.
- Illegal e-rideable devices are being sold to consumers and used on public roads and paths, causing injury and death.
- Non-compliant conversion kits allow the e-rideable to exceed the maximum speed limit or increase the e-rideable's weight above 25kg.

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- Non-compliant conversion kits used on bicycles increase the speed and weight of the device, creating an illegal, unlicensed motorcycle.

Scope

- Prohibit the sale of non-compliant e-rideable devices and conversion kits in retail outlets and online sales platforms.
- An e-rideable must meet specific legal definitions to be sold and used in WA.
- Purpose-built electric motorcycles that have been registered to be used on the road or as an off-road vehicle and used in an approved off-road vehicle area, as defined by the *Control of Vehicles (Off-Road Areas) Act 1978*, are exempt from this policy.

Mandatory Off-road Vehicle Registration Policy

July 2025

Motor Trade Association of WA Policy Statement

Off-road vehicles (ORV) to be registered at the point of sale. ORV as defined by the Control of Vehicles (Off-road Areas) Act 1978.

Recommendations

1. Off-Road Vehicle (ORV) registration and renewal applications to be available online either through DoT Direct or through the Dealer Online System developed and managed by the Department of Transport WA.
2. The Motor Trade Association of WA (MTA WA), in conjunction with the Local Government, develop promotional material showcasing the benefits of registering an ORV at the point of sale.
3. MTA WA to promote a voluntary industry-led initiative to register all ORVs at the point of sale until legislation can be amended, and
4. Government to amend legislation to include compulsory registration of ORVs at the point of first sale.

Background

- ORV registration in Western Australia is voluntary, and therefore, the percentage of registered ORVs is low.
- ORV registration revenue is collected by the Department of Transport WA on behalf of Local Government and deposited into the ORV special purpose account.
- The Department of Transport WA does not retain funds from the registration of ORVs.
- The funds available in the ORV special-purpose account are insufficient to provide adequate funding for the development and maintenance of ORV areas.
- State and local governments must manage permitted ORV areas in accordance with the Control of Vehicles (Off-road Areas) Act 1978.
- The process to apply for a new ORV area to be established or an existing area to be closed must be done in accordance with legislation, and this process includes the review and recommendations from the minister's advisory committee.
- It is widely reported that the illegal use of ORVs is negatively affecting the community through noise pollution, dangerous driving, causing injury and in some cases death.
- Law enforcement and criminal investigations are hampered by the lack of documented vehicle details on a nationally searchable database.

- Due to increased liability and responsibility of managing an ORV area, local shires are reluctant to consider and pursue community interest in the development of an ORV area, which is further exacerbated by the lack of available funds in the special-purpose account.

Rationale

- The registration of ORVs will contribute to the collection of the owner and vehicle details.
- Registration fees collected from ORVs are directed into a special-purpose account for the sole purpose of creating or improving ORV areas.
- An increase in available funds in the ORV special-purpose account can provide funding for the necessary maintenance of existing ORV areas and contribute to the development of new ORV areas.
- Local shires will be encouraged to make an application for an ORV area to be permitted due to the increase in available funds.
- The collection of vehicle details will assist authorities in dealing with stolen vehicles and provide a better understanding of the vehicles that are sold.
- The collection of owner details will provide data on the location and demographics of vehicle owners, assist in law enforcement, and allow education and awareness of ORV areas.
- It is anticipated that an increase in suitably maintained ORV areas will reduce illegal use of ORVs.

End.

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