

DRAFT SECOND READING SPEECH

HON MICHAEL FERGUSON MP

Vehicle and Traffic (Regulatory Reforms) Bill 2023

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Mr Speaker, I move that the Bill now be read a second time.

The Bill is about managing the safety and amenity risks posed by bicycles with a petrol-powered auxiliary motor (or motors).

Petrol-powered bicycles are often home built with a petrol-powered engine (such as a lawn mower engine) attached to a standard bicycle.

They can be ridden at high speeds – much faster than regular bicycles. Although they can travel at high speeds, they are often fitted with regular bicycle brakes and other handling characteristics that are not designed for higher speeds. They can also take a lot longer to stop.

Currently, these petrol-powered bicycles do not need to be registered to be ridden. This means that they do not need to meet vehicle safety standards or exhaust and emissions standards. There are no restrictions on where they can be ridden, so these non-standard, high-speed bicycles can currently be ridden on the road or off-road, including on shared paths, bike paths and tracks.

The capacity for these bicycles to be ridden at high speeds increase the safety risk and the crash severity. State Growth data shows that between 2013 and mid-2023, there were 48 reported crashes involving these bicycles and four of these were serious. This number of crashes is probably much higher, as many are believed to go unreported.

In addition to the safety concerns of these petrol-powered bicycles, this government has received many community complaints about them being excessively noisy and being ridden at excessive speeds, particularly on paths that are enjoyed by everyone in the community, such as walking tracks and bike paths. They have also been used by people engaging in anti-social behaviour in malls and parks. The community has spoken, Mr Speaker, and this government has listened.

The Bill will make these petrol-powered bicycles a motor vehicle within the Vehicle and Traffic Act 1999, which means that they will now need to be

registered before they can be ridden. They can only become registered if they are equipped with fully functioning equipment, which meets the vehicle safety standards.

It is probable that many of these bicycles currently in use in the community will not meet the vehicle standards and will not be eligible for registration. If they cannot be registered, their safety cannot be guaranteed, and therefore, they will no longer be permitted to be ridden.

I'm sure that many Tasmanians have previously purchased these bicycles in good faith, to be used primarily as a pedal cycle, but have attached an engine to offer some assistance with riding, particularly up hills, for as we know, Tasmania's topography in some areas can be challenging on a bicycle. But it is important that these bicycles meet vehicle safety standards, even when they are used as a pedal cycle without the motor running.

Mr Speaker, this government is not going to enforce these new requirements on petrol-powered bicycle users immediately. We will give them some time to adjust to the new laws. We recognise that some people may rely on these vehicles to access jobs, school, and friends and family and recreational activities.

Therefore, parts of this Bill will be enacted in six months' time. This essentially means that those that own and/or use petrol-powered bicycles will be given six months to comply with the new laws. During that time, they can have their petrol-powered bicycles assessed for registration and make any necessary improvements to meet the vehicle standards, or alternatively, have the engine removed.

Mr Speaker, there will be some petrol-powered cycles that come close to meeting the vehicle standards within the six-month grace period, or do so already. Under these circumstances, the owners may be eligible for a permit that authorises the bicycle's use in restricted circumstances for a further 12 months. During that time the owner will need to upgrade the bicycle to wholly meet the vehicle safety standards. If the bicycle fails to wholly meet the vehicle safety standards after that 12-month period, it can no longer be lawfully used. It is not envisaged that any further permits will be issued.

Mr Speaker, when the laws commence in six months, the use of petrol-powered cycles that have not been registered or issued a permit will no longer be legal.

For those petrol-powered cycles that have been registered or issued a permit, they will be considered as a 'motor bike' under the Road Rules 2019. This means that riders will have to observe the road rules applying to motorbikes, such as

only riding the bike on roads, wearing a motorcycle helmet, and obeying the laws that apply to all drivers and riders, such as adhering to speed limits, as well as drink and drug driving laws.

These changes do not apply to e-bikes or pedalacs.

The second matter dealt with by this Bill, Mr Speaker is that it amends the Vehicle and Traffic Act 1999 to allow for more powerful e-bikes to be ridden in Tasmania in the future. Currently, the maximum power output for e-bikes is 200 watts and this will remain. This Bill just creates some flexibility in the legislation in the event that the national standards for e-bikes are reviewed to allow greater maximum allowable power output.

The third and final matter dealt with by this Bill, Mister Speaker, is that it introduces Ministerial powers for the nomination of the body that will consider complaints from members of the public about advertising on hire and drive vehicles.

Previously, these complaints were considered by the Australian Standards Board. This Board has now been de-registered.

The Tasmanian Government takes very seriously the continuing protection of the public so that it is not subject to offensive advertising on hire and drive vehicles. We are committed to ensuring that the community can report advertising it considers offensive.

The Bill proposes that the Minister responsible may nominate the entity responsible for determining whether advertising on a hire-and-drive vehicle is offensive, and that such nomination be notified in the Gazette. This replaces references to the Australian Standards Board.

This will enable a timely reaction to changing organisational responsibilities, and remove the need for Parliamentary consideration of what is, essentially, an administrative matter.

Mr Speaker, I commend this Bill to the House.