



# Department of Transport

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Ref: [BORG-1-21-7133]

Alice Wickett  
**Coroner's Registrar**  
Coroners Court of Victoria  
65 Kavanagh Street  
SOUTHBANK VIC 3006

Dear Ms Wickett

## **RESPONSE TO RECOMMENDATION – Investigation into the death of SCOTT ADAMS CORONER'S REF: COR 2019 001005**

I note your correspondence of 2 March 2021 and the findings and recommendation of Coroner Bracken made on 1 March 2021, arising from the investigation into the death of Mr Scott Adams.

The Department of Transport (DOT) takes this opportunity to express condolences to the family and friends of Mr Adams for their loss.

Pursuant to Section 72(2) of the Coroners Act 2008 (Vic), DOT has prepared this submission to provide the Court a written response to the recommendation made in the State Coroner's report into the death of Mr Adams.

**The Coroner's first recommendation is:**

***VicRoads, The Transport Accident Commission, The Vehicle Safety Standards Bureau, Victoria Police, Bicycle Industries Australia, consider the circumstances in which Scott Adams died as set out in the Finding and individually and together assess the adequacy of the current regulation of the motorisation of bicycles and their use including the ready availability of conversion kits taking into account the actual power provided by such kits vis-a-vis any purported power they provide with a view to improving public safety and the safety of people riding such bicycles.***

**The Coroner's recommendation will be implemented.**

The Department of Transport has coordinated discussions between Victoria Police, Bicycle Industries Australia, the Transport Accident Commission (TAC) and the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications (DITRDC) to review the findings and recommendation arising from the coronial investigation into Mr Scott Adams' death. The meetings were held on 4 May and 10 May 2021.

The meetings with Victoria Police, Bicycle Industries Australia, the TAC and the DITRDC raised important issues regarding the suitability and enforcement of Victoria's current power-assisted bicycle laws.

With respect to bicycles fitted with internal combustion engines (ICE), DOT is not aware of any ICE with a maximum power output of 200 watts or less that would be capable of propelling a bicycle and rider. To be a viable source of propulsion an ICE must inherently be capable of producing significantly more power than 200 watts to access the required torque. Therefore, installation of such conversion kits would render the bicycle a motor vehicle on the basis that the motor would exceed 200 watts.

DOT acknowledges the challenges that law enforcement are experiencing with the current laws, however, also recognises that power-assisted bicycles are growing in complexity and that this will only increase into the future.

On this basis, DOT is going to take a risk-based approach to power-assisted bicycles more broadly. This will ensure the Victorian community is able to benefit from modern and innovative forms of transport while maintaining the Victorian Government's commitment to improving road safety.

Of particular concern to DOT is the lack of awareness of the current laws relating to power-assisted bicycle. To address this issue, the Department will look at the potential for an education and awareness campaign around what is legal and safe for use in Victoria.

DOT is supportive of a national approach to the regulation of power-assisted bicycles. A nationally consistent, technology-neutral response will provide industry and the community with the clarity required for better compliance without stifling innovation. The Department will raise the identified issues regarding power-assisted bicycles with the National Transport Commission for its consideration of future reforms.

Yours sincerely



**Megan Bourke-O'Neil**  
Deputy Secretary, Policy Precincts and Innovation

16 / 06 / 2021