



Department of Transport and Planning

GPO Box 2392
Melbourne, Victoria 3001 Australia

Ref: BSEC-1-26-3476

Your ref: COR 2022 005630

Sofia Hajdari
Coroner's Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006
Email: team10@courts.vic.gov.au

Dear Registrar

INQUEST INTO THE DEATH OF MOUSTAFA ABOUEID – UPDATE ON RESPONSE TO CORONER'S RECOMMENDATION

I refer to the Department of Transport and Planning's letter of 5 November 2025 regarding Coroner Lawrie's Finding following the inquest concerning the death of Moustafa Aboueid, and the Department's commitment to provide a further update on Recommendation 2 following additional consideration of the issues raised by the Coroner.

The Department again extends its sympathy to the family and friends of Mr Aboueid.

The Coroner's recommendation

Pursuant to section 72(2) of the *Coroners Act 2008* (Vic), Coroner Lawrie made the following recommendation:

"Recommendation 2

That the Victorian Minister for Transport and Planning seek to introduce amendments to Part 6A of the Road Safety Act 1986 to provide for the forfeiture of high power / high speed e-scooters that do not fall within the exemption to not be a motor vehicle within the meaning of the Road Safety Act 1986, if used on a public road or road related area."

As outlined in our initial response, the Department supports the intent of the recommendation and agrees that strong measures are required to reduce the presence and use of unsafe high-powered and high-speed e-mobility devices on Victoria's road network.

Since providing its response dated 5 November 2025, the Department has undertaken further analysis of the legislative framework governing seizure and forfeiture powers under Part 6A of the *Road Safety Act 1986* (RSA), including obtaining legal advice regarding the application of those powers to illegal e-scooters and e-bikes. The Department is also continuing to consult with Victoria Police regarding operational enforcement considerations.

In addition to the ability to seize e-bikes and e-scooters under sections 84F, 84G, 84H and 84I of the RSA (as outlined in the Department's previous response), further assessment indicates that existing seizure, impoundment and forfeiture powers under Part 6A of the RSA that apply to unlawful high-powered miniaturised motorcycles may apply to certain high-speed e-mobility devices (i.e. those that can exceed 25 km/h).

However, our assessment has also identified a number of practical and evidentiary issues associated with the operation of those powers. These issues include establishing whether a particular device falls within the relevant statutory definitions and/or whether there are reasonable grounds to believe the device has been used in the commission of a relevant offence.

The Department understands from discussions with Victoria Police that these requirements can create practical enforcement challenges, particularly where police are required to assess a device's technical characteristics and legal status in a roadside environment. As a result, their practical application is likely to be confined to circumstances where there is clear objective evidence of non-compliance, such as directly observed excessive speed, admissions regarding modification, or other readily identifiable indicators.

Victoria Police has advised that, while Part 6A may be capable of applying to some illegal e-devices, the regime was not designed specifically for e-mobility devices and can be difficult to apply in practice. Victoria Police considers that more tailored e-device seizure and forfeiture powers may provide a clearer and more effective enforcement framework.

Consistent with this feedback, the Department is providing advice to Government on the merits of more specific powers directed at high-powered e-scooters and e-bikes, particularly where such powers could provide greater certainty for enforcement agencies and road users.

Following your recommendation to the Commonwealth Government to consider a ban on the importation and sale of high-powered e-scooters, and Victoria's advocacy to the Commonwealth on this issue as outlined in our previous response, the Commonwealth has committed to introducing new national product safety standards for e-bikes and e-scooters. This will make the sale of unsafe devices illegal and is a significant development in efforts to reduce the availability and use of dangerous high-speed e-bikes and e-scooters.

The Commonwealth is consulting with the Department on the development of the national product safety standards, and we are pushing for speed and power to be key requirements of the new standards and for them to be aligned with international standards such as EN15194. Further, the Department is advocating for clear compliance markings to assist Victoria Police in identifying non-compliant devices and applying relevant penalties, including seizure.

Yours sincerely



Fiona Adamson
Secretary

14 September 2026

Cc: Hon Paul Hamer, Minister for Roads and Road Safety
Hon Vicki Ward, Minister for Public Transport