

13 Oct 2025

Consultations
Energy Safe Victoria
PO Box 262
Collins Street West, Victoria 8007

To Whom it may concern,

Re: Sheppard Cycles Australia Submission

Sheppard Cycles are part of the Scott Sports Group, supplying Scott and Avanti branded E-bikes to our independent bicycle dealer network of retail stores in Australia and NZ. Our Scott branded bikes are also sold globally. Our quality E-bikes only use E-component systems from reputable, branded companies such as Bosch and Shimano.

Due to the regulatory changes in NSW, we took the conservative approach to withdraw all E-bikes from sale in NSW until we complete our testing (and certification) to **EN15194 2017+A1:2023 (Clauses 4.2, 5 and 6)**. This has restricted our E-bike sales in AU by over 20%, significantly damaging our business and that of our NSW dealers. The NSW experience has already contributed to the closure of some NSW retail bike businesses and reduced the supply of quality E-bikes to NSW consumers.

The testing process for NSW has been onerous, expensive and is ongoing. Even when certification for the NSW market is complete, due to the high cost and time-consuming nature of testing and certification, when we do re-enter the NSW market, it will be with a significantly reduced range (about 25% of our available products). The fact that NSW Fair Trading were still adjusting their regulations long after the first phase of the rollout and as close as 2-3 months out from the initial certification deadline, exacerbated these problems, confused businesses and testing laboratories and been poorly handled. The time frame provided for us to work with test labs, enact protocols for new testing (that had never been mandated in any state of any country) and get ready for the NSW regulatory system, was highly inadequate and has severely damaged our business and that of our dealers.

We thank ESV for providing us the opportunity to be a part of the consultation process, ensuring that the rollout of the regulations in Victoria, is much smoother than in NSW. We sincerely hope that VIC regulations align closely with the extensive work we have already conducted to comply bikes in NSW, as this will result in minimal additional costs and damage to both our business and that of our dealers, and more importantly continuity of quality products to E-bike consumers in Victoria.

Regarding the ESV Consultation Paper:

As e-bikes are highly personalized products, we do not believe that it makes any sense for the electrical regulators to use a framework designed for household electrical goods (**AS/NZS60335-2-114:2023 Household and similar Electrical Appliances**) as a focus for certification/regulation. This is not going to result in safer E-bikes for consumers.

By identifying a compliance standard that is unique from other states, this will exacerbate the issues we already face complying products for NSW and potentially force us to withdraw product from the VIC market as well. This will reduce consumer's access to quality products.

We believe that the VIC approach should consider the following points:

- Definitions of E-bikes (and what constitutes an E-bike 'model' for certification purposes) must be consistent across government departments and harmonized across Australian states and territories.
- Certification must be harmonized across Australia to reduce barriers to market in various states for quality products.
- Certification should be aligned with the world's leading standards (particularly **EN15194 2017+A1:2023**) and not unique to Victoria. Otherwise, it will force quality brands to exit the Victorian market.
- The industry must be supported to achieve the certification, with appropriate timeframes and clear guidance on what is needed to meet the requirements. ESV should acknowledge that e-Bikes are personalized items that are highly complex in nature and have very long supply chain lead times. When the regulatory framework is decided for VIC, there must be significant time allowed for distributors and dealers to sell through existing stock in the supply chain and the market, before new certification rules come into force. This will ensure continuity of quality products to consumers while brands are preparing to satisfy VIC testing/certification requirements.
- If Energy Safe Victoria cannot reference international e-Bike standards, it must adopt an updated AS15194, as aligned with EN15194 2017+A1:2023.
- The IEC62133 battery standard may be acceptable, but the certification process must include a transition from this battery standard as the industry moves away from it towards EN50604 and UL2271.
- If the Victorian Government chooses to utilize a framework or standard that is not consistent with other jurisdictions, it will force many leading brands from the market, leaving consumers with less choice of quality brands (as has already happened in NSW).

Regarding the specific question in the ESV Consultation Paper

Q1. Do you agree with our proposal to declare e-transport devices and associated lithium-ion batteries as “controlled electrical equipment” under the Act? Why or why not?

We doubt that implementing a certification regime for E-bikes in VIC will have a significant impact on reducing battery fires which is the main policy aim of the certification process.

The implementation of the process will do more to burden responsible manufacturers (whose products have been shown to be overwhelmingly safe) than curtail the poor-quality brands that are the prime offenders for battery fires. Many poor-quality products enter the market direct to consumer and the resulting lack of import controls on this poor-quality product would negate the impact of any certification process.

Q2. Are there alternative approaches you believe would effectively manage the electrical safety risks associated with lithium-ion battery powered e-transport devices?

The focus should be on the management of import controls including e-Bike definitions within the Road Vehicle Standards Act and the mandatory advisory notices through the ROVER import portal. This would ensure that poor quality products that don't meet minimum safety standards are not permitted to enter Australia.

Q3 and Q4. Not relevant to Sheppards as a distributor of E-bike

Q5. Do you agree with our draft definition for e-bikes and e-bike conversion kits?

No – we don't support the definition of an E-bike. ESV must utilise the same definition of an E-Bike as the Victorian Department of Transport. Anything that is not within this definition shouldn't be certified as an E-Bike.

Q6. Do you have any other suggestions for defining e-transport devices, including whether we need to clarify exclusions?

E-bikes must utilise the same definition as the Victorian Department of Transport.

We strongly support alignment with EN15194 or the expected adoption of the current draft AS15194 expected to supersede AS15914:2016. We support an exclusion for e-Bikes specifically designed built and promoted for use of people with a special need due to disability.

We don't support any other definition.

Q7. If you are a supplier/manufacturer/importer, what standards are your e-transport devices currently complying with?

We are certifying bikes for the NSW market to meet EN15194:2017+A1:2023. Clauses 4.2, 5 and 6.

As any bikes that features a power capacity greater than 250W continuous rated power, an assisted speed of greater than 25kmh, or a throttle capacity greater than 6kmh cannot meet EN15194, we do

not supply such product.

A key component of EN15194/AS15194 is the anti-tampering testing which ensures that the brand/retailer must implement processes to prevent the modification of speed, power or throttle control of the bike. All our products meet the EN15194/AS15194 anti-tampering requirements.

Q8. Do you have any comments on the electrical safety shortcomings of AS 15194? How do you think these shortcomings can be best addressed?

We support the decision that the current AS 15194:2016 standard does not meet the required outcomes. We support the current process to update AS 15194:2016 to reflect the requirements within **EN15194:2017+A1:2023** and believe that this will address ESV's key concerns with AS15194:2016. This will also align closely with testing that we have are currently conducting to satisfy NSW regulatory requirements and be less likely to result in time out of the VIC market for ourselves, our retailers and other quality brands.

In short, we support a requirement to meet AS15194 once it is aligned to EN15194:2017+A:2023.

We don't support ASNZS 60335-2-114:2023 replacing AS15194 as the Australia e-Bike standard.

Regards



Senior Product Manager – Avanti Bike