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Dear Energy Safe Victoria.

Thankyou for the opportunity to contribute to your consultation for your e-bike and battery safety standards.

Tribe Bikes are an Australian owned e-Cargo Bike company. We were founded over 5 years ago in NSW, and are now retail and wholesale electric cargo bikes all over Australia. Our bikes are primarily used by young families to carry children, however we have increasingly added models to our line up to solve other mobility needs for Australians, including to Aged Care providers to carry disabled and elderly passengers and those with commercial needs to move goods in urban environments.

Our bikes are designed in Australia and manufactured in China and we have many thousand happy Australian customers. We are a small company, but have big impact on our customers, offering high quality and affordable options to solve their mobility needs.

We are in the final stages of completing certification within NSW for our e-bike lineup and will be fully compliant by the February 2026 due date.

Firstly, I would like to state that we are broadly in favour of increasing safety standards for lithium ion batteries. Poor quality batteries are a blight on our industry and should be stamped out, however we have numerous concerns with the proposed implementation, which I will cover below.

### **State based action is only adding cost and complexity to providers, not fixing the root cause of the issue**

Whilst the state based approaches are well intended and within the relevant jurisdictions of the states, they unfortunately are doing very little to solve the root cause of the issue with battery fires, this being poor quality direct imports from China. Data provided by We-Ride Australia showed that almost all e-bike fires reported over a 12 month period were from bikes not supported by Australian manufacturers or distributors. The rise of direct access platforms like Alibaba, Temu and Ebay makes access to cheap imports incredibly simple for those looking for the 'cheapest option'.

A national approach to stamping out poor quality imports is the only way to properly curb the epidemic of poor quality bikes and batteries being dumped into Australia. Your consultation paper mentions Victorian and NSW Transport ministers jointly seeking national action on safety of personal mobility devices. We believe your efforts would be better spent on working with relevant states and federal agencies to implement national reform to fix the problem at the point of import, not piecemeal state based reform that does little to solve the problem.

### **Compliance of bikes as well as batteries**

One of the great benefits of bikes is their modularity. Swapping components such as gears and brakes is very simply and allow users to personalise their bikes to their needs. This has extended to e-bikes, most electrical components can be 'swapped out' with like components, allowing brands to adapt their lineup to their customer needs.

Prior to the NSW standards, this was common practice for us, for example, a lower powered motor may be offered as a lower cost option to users, or if a new more efficient model of motor got rolled out by our motor manufacturer, we could simply transition future production runs to that model. Motors, displays and other components are 'plug and play' allowing these changes to be simply adopted.

However, the requirement to now have bikes as well as batteries tested and certified has effectively eliminated this innovation. Whilst the major risk lies with the battery, the additional certification of the e-bike has added significant cost and hampered innovation for next to no impact on safety.

As a result of these changes in NSW we have been forced to rationalise our lineup and put pause to all R&D activity. Adding a different list of requirements for Victoria will only increase our lineup rationalisation.

We recommend you consider limiting the certification to batteries and chargers only.

### **Inconsistencies with NSW**

We are very concerned about the inconsistencies with the allowable standards adopted by NSW. Our compliance with the standards in NSW has been at significant cost. Re-completing testing to new standards would likely put us out of business. Specifically I note:

#### ***EN & UL standards not being suitable***

AS15194:2016 is an adoption of EN15194:2009, now 15 years old. EN15194:2017 has now superseded this as a more appropriate and up to date standard. Not accepting IEC international standards such as EN and UL in favour of a frankly out of date national standard is bureaucracy getting in the way of common sense. This is a major oversight. You are correct that AS15194 does not adequately cover battery related safety issues, this is because EN50604 is the IEC international related battery standard for EN15194 that covers this. The Australian standards were adopted almost 10 years ago when e-bikes represented a tiny proportion of bikes sold and are clearly no longer appropriate, particularly as standards to assess fire safety risks on.

We recommend you adopt the NSW allowed standards. If laws need to change to support this, then this should be your first priority, as the much of the world moves to IEC international standards in favour of local adaptations, it is time Victoria gets on board with this.

We also recommend both the EN and UL standards are adopted, whilst Australia more broadly aligns to the EN standard, when it comes to batteries it is much simpler to procure batteries already tested to the relevant UL Standards (UL2271 specifically) than the EN standard. This is because this standard is more widely used in the US where some states (eg New York) have already implemented strict battery safety standards. For your information, the cost of a fresh battery test for EN50604 or UL2271 is around \$██████. As a small business this is simply cost we cannot absorb, as a result where possible we have procured batteries already tested to either EN50604 or UL2271, with no preference as to which they are tested to, as they are both well regarded global standards.

### **Adoption timelines**

If Victoria takes the common sense approach, and adopts the NSW standards, compliance will be very simple. All e-bike importers will already comply and you could make your 'as at' date any time after February 2026. We are pleased the relevant Consumer Affairs Ministers have agreed to cooperate to harmonise the regulation of electrical products, and as a result expect to see some common sense applied to this.

However, if you continue with this approach to only support compliance with the AS standards, this will make compliance much more difficult. We are unsure if test labs in Asia will even test to AS standards any more, additionally, additional cost will likely force us out of business.

**Looking forward to future consultation**

As mentioned in the start of this submission, we are in favour of improving safety standards for Lithium Ion batteries. We just want to see it done in a way that has meaningful impact and reduces unnecessary costs to manufacturers and importers.

Regards,

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Co-Founder and Managing Director

Tribe Bikes