

**From:** Shaun Elliott [REDACTED]  
**Sent:** Tuesday, 9 July 2013 9:09 AM  
**To:** Transport Housing and Local Government Committee  
**Subject:** Cycling Enquiry

Good morning,

Please accept this as a personal submission relating to your current enquiry into cycling issues-

Your terms of reference:

- short and long term trends in bicycle injuries and fatalities involving motor vehicles;
- evaluation, considering factors such as effectiveness, enforceability and impacts on other road users of existing and any other alternative road rules, such as the 1m rule, which govern interaction between cyclists and other road users;
- current penalties and sanctions, including where there are differential fine rates for cyclists compared to other road users; and
- the potential benefits and impacts of bicycle registration.

My submission:

I have cycled most of my life, ride motorcycles, own 3 different types of cars and have also driven heavy vehicles, so consider myself well rounded and unbiased in appreciating the issues relating to cycling.

I travel over 60km each way per day between my residence in the Brisbane Valley and my place of work in Fortitude Valley. As often as time permits I drive to Indooroopilly where I park and ride my push bike the remaining 14km, plus I do a number of extended rides per week, so I see a lot of cyclists on the roads and the bike paths. I have seen a number of injuries of cyclists and pedestrians hit by cyclists, but fortunately have not been one for a long time, though I have been run off the road twice in my local rural area.

Unfortunately my local roads are not cycling friendly at all, with no shoulder or fog line and luckily no gutters in most of it so when I was run off the road, I was able to roll/crash into the spoon drain and be relatively uninjured. Both times this was caused by trucks passing with another approaching and the truck behind me couldn't wait 5 seconds for the other to pass before overtaking me. The cycling provisions in Brisbane have improved greatly in the last 20 years, but I think it would be a great idea for all road upgrades to include widening of the road to provide a safer path for cyclists, cyclist crossing buttons at lights (particularly on busy cycling routes), and over/underpasses of busy arterial roads where possible (not the removal of, as what appears to be occurring on the Western Freeway bikeway with the removal of the Russeell Tce bridge, with cyclists diverted down to cross Russell Tce, a significant increase in risk as this is a very busy road).

I would support the 1m rule, however, don't see how it could be enforced (I have been a government enforcement officer). If I were lucky enough to have a Police Officer following behind coincidentally when somebody breached this 1m rule, the matter could be easily defended in court by the alleged perpetrator asking one simple

question: *"Mr/Ms Police Officer, how did you determine that I was less than 1m from the cyclist?"* The matter would be dismissed instantly as the officer could not have proven "beyond reasonable doubt" that an offence had occurred. It would be more effective for Police to actively enforce the following provision of the Transport Operations Road Use Management Act 1995-

### **83 Careless driving of motor vehicles**

Any person who drives a motor vehicle on a road or elsewhere without due care and attention or without reasonable consideration for other persons using the road or place is guilty of an offence.

Maximum penalty—40 penalty units or 6 months imprisonment.

Due care and reasonable would be determined by the magistrate.

I think we need to see more enforcement on the road to ensure the safety of cyclists, as well as all road users but to achieve this we need more Police and more Transport Inspectors on the road (though Transport Inspectors don't have power to enforce many of the provisions relating to safety on a road).

I believe equal fines should apply for the same offence provisions. If a cyclist runs a red light, they should be fined the same as a motor vehicle driver, however if the cyclist is unlicensed (as in doesn't have one, not suspended), the fine should be increased as points can not be taken.

I find the argument of registering bicycles laughable. I pay 4 registrations (3 car and 1 trailer), it used to be 5 before I de-registered my motorbike, and I own 6 bicycles, but I can only ride or drive one of them at a time. Should I pay registration for each of them? If I choose to cycle, I have little to no impact on the infrastructure, no impact on congestion and I am positively contributing to the health system by improving my health etc. Further, should we register the bikes of all kids who ride to school???

We could say goodbye to cycling as a sustainable and effective form of transport throughout the state and we could watch the obesity epidemic hit a new all time high, along with traffic congestion!!!

A more reasonable option I believe would be individual rider insurance required for all cyclists (as I have through my Bicycle QLD membership), this way it is transferrable from bike to bike and can be used for 3rd party injuries etc. The biggest problem with this proposal is the exorbitant costs associated with insurance these days and particularly for kids, so there could be a subsidised insurance scheme, or the government could negotiate with the Insurance Council to ensure reasonable insurance fees that are sustainable for the average family. Further, should I pay more because I ride more, or should I pay less because I am more experienced and less of a risk?

All the Best,  
Shaun Elliott

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