

**From:** Bryan Moss [REDACTED]  
**Sent:** Friday, 12 July 2013 3:33 PM  
**To:** Transport Housing and Local Government Committee  
**Subject:** Inquiry into cycling issues

The Research Director  
Transport, Housing and Local Government Committee  
Parliament House  
George Street  
Brisbane QLD 4000

12 July 2013

The Director

Please find following my submission to your 'Inquiry into Cycling Issues'.

### **Background**

I am a 36 year old married Father of 2 children. I am a self-employed Financial Planner/Insurance Adviser and have been riding on and off for as long as I can remember. After a number of years of not riding, I began riding to work in around October 2011 and shortly after got hooked on cycling again. I now ride to work pretty much every day as well as riding between 3-4 times a week for exercise and training (I don't compete, but I participate in fund raising rides like the MS Brissie to the Bay and the Ride to Conquer Cancer).

Most times that I ride I'm by myself, but 1-2 times per week I ride with 1 or 2 other people. My 'training' rides are held in the morning, and these usually start between 4:30am and 5:30am, and I'm back home between 7am and 9:30am. When I commute to work, which takes 15-20 minutes, I'm normally out the door in the morning by 8am and back on the road in the afternoon at 5:15pm.

I consider myself to be a safe, courteous and responsible road user (cyclist and driver). When on my bike I follow all applicable road rules, and often acknowledge with a wave patient/responsible motorists who don't create unnecessarily hazardous situations. While knowing when I have right of way, in certain situations I choose to give way to other motorists as I'd prefer to give way then be injured or killed (eg on my commute from work, I head along Robinson Road West, Geebung (going towards Aspley) and after the lights at the corner of Robinson Rd West and Murphy Rd, I wait for all the vehicles to clear the road before making my turn off Robinson Road into Priscilla Street. Being the front vehicle, I could easily ride in the lane in preparation for my turn, but prefer to pull to the left to wait).

Due to poor experiences on my commutes to and from work, I have changed the route I take a number of times in order to avoid certain areas where impatient motorists appear to be prevalent (see following section).

### **Recent issues**

Twice in the past 7 months I have contacted the QLD Police Service about poor driver behaviour that has been downright dangerous. There are other instances where I could have reported events, but these two have been the most dangerous and also times where I obtained the licence plate of the vehicle involved.

Following are extracts from my complaints:

#### *Incident 1 – 8 December 2012*

*Travelling along Hornibrook Ave, away from Redcliffe, just prior to Victoria Avenue. I was on my bicycle travelling the same direction, on the left hand side of the road when the car came up behind me and sounded its horn a couple of times. Given where I was in relation to this I can only surmise they used the horn as I was on my bike. As the car travelled past, either the passenger in the front or the back sprayed me with some type of liquid.*

I was asked by the Police Service to make a formal statement about this incident, which I did. I was advised that it was unlikely this could be taken further as it would basically be my word against theirs. I advised I was ok with that, but did request the Police speak to the driver about their behaviour and to give them a warning.

#### *Incident 2 – 10 May 2013*

*Vehicle and I were travelling along Kingsmill Street towards Pilba Street. I got to the roundabout on Cnr of Kingsmill and Hall street in front of the car and the driver decided that rather than brake to let me go that she'd take the roundabout at the same time as I, pushing me out wide and almost causing me to fall. Some words were then traded between us (from Kuran Street to Pilba Street where she turned right, without indicating). During this I pointed out that she should have given way at the roundabout, to which she replied that she didn't need to as there was no give way sign. I further pointed out that she should have given way as I was at the roundabout ahead of her. At which point I was informed to learn the road rules. I absolutely guarantee that if I was in a car, truck, bus, motorbike, she would have waited behind me at the roundabout.*

Unfortunately, this was not the first time I'd nearly been knocked off at that roundabout. On March 6 an impatient motorist almost collided with me as they decided that getting to the small roundabout first (and saving about a second) was far more important than giving me space to negotiate the roundabout. Then very shortly after that happened as I approached the end of Bunda Street to turn left into Pilba Street (Wavell Heights), another motorist decided that overtaking me as I turned left (they were also turning left) was also justifiable in order to get to where they were going 1-2 seconds faster. On getting to work I checked to make sure my rear flashing light was working,

which it was, so all I can surmise is that my life and family are clearly insignificant purely because I choose to ride to work rather than drive.

Since the most recent incident, and other ones I haven't documented in this submission, I have found a different way to commute that avoids Kingsmill Street. In relation to the May incident, I spoke to the Police Service about this complaint earlier today and was advised that the vehicle has been identified and that a crew will be sent to the drivers house to issue her with a formal caution – again, I was given the option of trying to take this further, but without video evidence know that it would be a 'he said she said' thing.

### *Other general issues*

While motorists are happy to sit behind a bus that's picking up passengers, or behind a slow moving truck, the same cannot be said of some motorists when it comes to bikes. It must be said, and just like with most things, it's the minority of motorists who are the problem, but the problems they can cause a cyclist can be catastrophic.

I have witnessed a truck tailgating a group of 3 cyclists heading down the steep hill at the top of Eatons Crossing Road (just after Bunya Rd) with his horn blaring in an obvious attempt to scare the cyclists. Given the cyclists were as far to the left as they could go, if one of them had panicked and lost control the truck would have just gone straight over the top of them. It's behaviour like that, and passing far too closely to cyclists, that needs to stop.

On a recent trip to Rockhampton (6 July 2013), I was cycling with one other person along Lakes Creek Road at around 6am. We were riding single-file and over as far to the left as possible and as we were overtaken by a car the driver sounded his horn to make it known we shouldn't be on the road. This isn't the first time I've had the horn, and sure as anything it won't be the last. It is, however, mind blowing to think that someone feels the need to do something like that for no reason – we weren't riding erratically, we both had functioning front and rear lights, and we were doing something we are legally allowed to do.

While I could draw on some other experiences, I think that the ones I've provided serve to illustrate the issues that I, and other cyclists, face on a frequent basis.

### **What to do??**

I'm not sure where this sense of entitlement about road use comes from, but I suspect many of the dangerous motorists feel it's due to the fact that cyclists don't pay rego, aren't licensed and that the vehicle is larger than the bike. This of course ignores the fact that I, like many other cyclists, hold a driver's licence and also pay rego on our cars. It also ignores the fact that on council provided roads rates covers the cost of these, and the State Government collects significantly less in rego than they spend on roads!

I feel that part of the solution to current issues is education, and part of the solution is legislation and enforcement.

### Some suggestions to consider could be:

- With the letters that go out for Driver's Licence and/or vehicle registration renewals, include a flyer reminding people that cyclists are legitimate road users and to give a refresher on some road rules that apply to cyclists. The TMR website has already has a great summary (<http://www.tmr.qld.gov.au/Travel-and-transport/Cycling/Bike-user-guide/Road-rules-for-cyclists.aspx>), but I'd be surprised if many people were aware of these rules;
- With the above, including a reminder to motorists that rego does not cover the costs of new roads and maintenance to existing roads
- The QLD Government be a leader in the country with the introduction of mandatory passing distances when motorists overtake cyclists, and these to be enforced (if you've been on a bike and had a vehicle just miss you, it's a scary thing. It's impossible to understand what it's like if it hasn't happened to you. Given there are hazards on the road (glass, potholes, drains etc) that we can see and try to avoid, motor vehicles must be forced to overtake safely by providing a minimum distance between themselves and the cyclist).
- Encouraging the use of helmet cameras (or similar) in order to document issues and then encouraging cyclists to use these as evidence for the Police, and for the Police to accept these as evidence of dangerous driving (reading Submission 22, it seems that the QLD Police don't/won't use these as evidence, which is crazy);
- Encourage cyclists to report dangerous drivers to the Police (the two times I've reported motorists I used the Hoon on-line form, but perhaps a cycling specific app could be used or some changes could be made to the existing form that relates to cycling issues);
- Making a mark at intersections so cyclists know where the road sensors are (to try and prevent red light running by some cyclists) – sometimes it's obvious where the sensors are but at other times it's not which means you need to wait for a car before the lights change;
- Making it more difficult to initially obtain and then keep a drivers licence. Including a section in the written test about the rights of cyclists. At license renewal time, making it compulsory to re-sit a theory test (including a section about the rights of cyclists). Perhaps the renewal test could be an on-line test. Given changes to road rules and conditions over time, I think it's fair to say that a lot of people are over-due for a refresher course. Also make it more difficult for those that have their licence suspended to get it back

I would also like to make a comment about the potential benefits and impact of bicycle registration. Personally I can't see any benefits, only negatives. Forcing cyclists, many of whom are already licensed and own at least one vehicle, to register their bikes will only drive people off bikes into cars, creating more congestion on the roads and therefore increasing road maintenance costs for local councils and the QLD Government. Also, which bikes need to be registered? All bikes, only those that are used on the roads (what if I have a mountain bike that I don't use on the road, but then decide to for some reason does it need to be registered, if so, when), kids bikes, who collects the registration, does it apply to new bikes only, City Cycle bikes..). I can't see this working or being effective. Sure it would stop some elements yelling out insightful comments like 'pay rego you {insert expletive}', but perhaps the same could be achieved through better education, legislation and enforcement.

Note, having read some of the other submissions, I support everything that was said by Ben Stanley, in Submission 22. The way he has described things (close shaves, the pull out, the left hook, the right hook and the tailgating) are things that I have encountered too. I would encourage all members of the inquiry to fully read his submission and look at the evidence he has provided.

Finally, please find attached the hoon on-line forms that I submitted in relation to the aforementioned incidents as well as an e-mail sent to the Police Minister, Transport Minister and my local MP in March 2013, and the only response I got from this, which was by local MP.

Thank you for considering my submission.

Bryan Moss

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

QPS web online form submitted on	10/05/2013 8:36:36 AM
Web form URL	http://www.police.qld.gov.au/forms/hoonOnline.asp
IP address	██████████

**Informant Details**

Surname	Moss
Given Name	Bryan
Middle Name	Malcolm
Date of Birth	██████████
Queensland Driver Licence / 18+ Card Number	██████████
Street Address	██████████████████
Suburb	██████████
State	QLD
Postcode	██████
Country	Australia
Gender	Male
Phone Number	██████████
E-mail Address	██████████████████████████████

**Location and Time of Incident**

Date and Time of Incident	10/05/2013, 08:00AM - 10/05/2013, 08:15AM
Address where the incident occurred	Roundabout on Kingsmill Street, Chermside. Heading from Hamilton Rd towards Pilba Street

**Details of Sighted Vehicle**

Do you have a description of the vehicle	Yes
Make	Toyota
Model	Camry
Description of vehicle, including any distinguishing features	Sedan. I was focussed too much on: a) not getting hit and b) remembering the number plate that I didn't take note of the make and model. It looked similar to a new Camry. In very good condition, greeny/grey/blue colour
Year	Recent
Major Colour	Green light
Registration number	██████████
Registered State	QLD
Any distinguishing features	

**Report Details**

Describe the direction of travel by the vehicle and what the vehicle was doing at the time	Vehicle and I were travelling along Kingsmill Street towards Pilba Street. I got to the roundabout on Cnr of Kingsmill and Hall street in front of the car and the driver decided that rather than brake to let me go that she'd take the roundabout at the same time as I, pushing me out wide and almost causing me to fall. Some words were then traded between

of the incident	us (from Kuran Street to Pilba Street where she turned right, without indicating). During this I pointed out that she should have given way at the roundabout, to which she replied that she didn't need to as there was no give way sign. I further pointed out that she should have given way as I was at the roundabout ahead of her. At which point I was informed to learn the road rules. I absolutely guarantee that if I was in a car, truck, bus, motorbike, she would have waited behind me at the roundabout.
Describe the driver	
How many people were in the vehicle? Describe any of these persons.	1. Just the driver
Are there any witnesses?	Yes
Please provide details	I don't have specific details, other than to say other drivers perhaps. A local resident and some pedestrians saw part of the verbal stoush.
Is this vehicle and/or driver/rider known to you?	No
Detail if this is the first time you have witnessed this incident or does it occur on certain days and/or times?	Different car, but the same thing has happended previously. I think the main issue has to do with cars being parked on both sides of Kingsmill street creating a one-way funnel, causing drivers to get impatient and taking risks
As Police have not witnessed this incident, are you prepared to provide Queensland police with a statement for court if required?	Yes

**From:** policelink@police.qld.gov.au [mailto:policelink@police.qld.gov.au]

**Sent:** Saturday, 8 December 2012 1:52 PM

**To:** [REDACTED]

**Subject:** Re:Hoon Online Form

Dear Mr Moss,

Thank you for your email.

Based on the information you have provided in your submission and due to the serious nature of this incident, a police report may need to be created. This type of event can be only be reported by visiting your local police station. Please use [Police station locator](#) link to identify your local police station.

If you are unable to attend your local station please contact Policelink on 131 444 to discuss options for police to attend your location.

If you have any further enquiries, please do not hesitate to reply to this email or alternatively contact Policelink on 131 444. Policelink is open for telephone contact 24 hours a day, seven days a week.

Yours sincerely,

Policelink

### **Queensland Police Service**

Policelink: 131 444 -- Policelink (Interstate): (07) 3055 6200 -- Policelink (International): +61 7 3055 6200

Policelink Fax: (07) 3055 6305 -- Policelink Email: [policelink@police.qld.gov.au](mailto:policelink@police.qld.gov.au)

Crime Stoppers: 1800 333 000 – Hoon Line: 13 HOON (134 666) – Scam Watch: 1300 795 995

Online: [QPS](#) – [Policelink](#) – [Triple 0](#) – [QPS Facebook](#) -- [Scam Watch](#)  
[Fuel Drive-Off](#) – [Lost Property](#) -- [Hoon Line](#) -- [Withdrawal of Complaint](#)

[REDACTED]



**Original Message...**

Sent:08/12/2012 13:06:33

# Hoon On-line Form

Please be advised that your completed Hoon on-line form has been received.

There is a 48 hour turn around time for you to receive a reply.

This Queensland Police reference number will be sent to your nominated e-mail address.

This report will also be sent to the nearest police station to where the incident took place.

The information you have provided will be assessed by police to determine if an investigation can be commenced.

Please be aware we are unable to provide you with a response time as this will be based on operational requirements.

## Informant Details

Surname	Moss
Given Name	Bryan
Middle Name	Malcolm
Date of Birth	██████████
Queensland Driver Licence / 18+ Card Number	██████████
Street Address	██████████████████
Suburb	██████████
State	QLD
Postcode	██████

Country	Australia
Gender	Male
Phone Number	██████████
E-mail Address	██

### Location and Time of Incident

Date and Time of Incident	08/Dec/2012, 06:45AM - 08/Dec/2012, 07:00AM
Address where the incident occurred	Hornibrook Esplanade, Woody Point (approx 100 m before Victoria Avenue, heading away from Redcliffe towards Brisbane)

### Details of Sighted Vehicle

Do you have a description of the vehicle	Yes
Make	Toyota
Model	Hilux
Description of vehicle, including any distinguishing features	Maroon, with a green P plate sign on the back
Year	
Major Colour	Maroon
Registration number	██████████
Registered State	QLD
Any distinguishing features	

### Report Details

Describe the direction of travel by the vehicle and what the vehicle was doing at the time of the incident	Travelling along Hornibrook Ave, away from Redcliffe, just prior to Victoria Avenue. I was on my bicycle travelling the same direction, on the left hand side of the road when the car came up behind me and sounded its horn a couple of time. Given where I was in relation to this I can only surmise they used the horn as I was on my bike. As the car travelled past, either the passenger in the front or the back sprayed me with some type of liquid.
Describe the driver	Male
How many people were in the vehicle? Describe any of these persons.	at least 2 others. Both male. One in passenger seat the other behind him
Are there any witnesses?	No
Is this vehicle and/or driver/rider known to you?	No
Detail if this is the first time you have witnessed this incident or does it occur on certain days and/or times?	Yes
As Police have not witnessed this incident, are you prepared to provide Queensland police with a statement for court if required?	Yes

\*\*\*\*\*

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**From:** Bryan Moss [REDACTED]

**Sent:** Wednesday, 6 March 2013 12:16 PM

**To:** Minister for Police and Community Safety; Minister for Transport and Main Roads; Nudgee Electorate Office

**Subject:** Getting to and from work safely - becoming an impossible dream?

The Honourable Jack Dempsey, The Honourable Scott Emerson, and Mr Jason Woodforth MP,

I cycle to work just about every day, enjoy riding on the weekends and all I really want to do at the end of my rides is get back home safely to my wife and kids, which I don't think is unreasonable as I'm sure you, your colleagues and everyone else in QLD wants the same thing for themselves.

Unfortunately, it appears that this is gradually becoming less and less likely. This morning, for instance, riding along Kingsmill Street (Wavell Heights), an impatient motorist almost collided with me as they decided that getting to a small roundabout first (and saving about a second) was far more important than giving me space to negotiate the roundabout. Then very shortly after that happened as I approached the end of Bunda Street to turn left into Pilba Street (Wavell Heights), another motorist decided that overtaking me as I turned left was also justifiable in order to get to where they were going 1-2 seconds faster. This situation, especially the one I described on Kingsmill Street, is a frequent occurrence.

On getting to work I checked to make sure my rear flashing light was working, which it was, so all I can surmise is that my life and family are clearly insignificant purely because I choose to ride to work rather than drive. Despite the best efforts of publications such as The Courier Mail, The Gold Coast Bulletin and A Current Affair to make out that people who enjoy riding are not legitimate road users and that actively aim to increase hostility between motorists and cyclists, the majority of motorists (thankfully), just like the majority of cyclists, do the right thing on the roads and by each other. I truly believe the 'war' that the aforementioned publications go on about it actually one that is between courteous road users and selfish road users that could be alleviated through greater education.

If you ever have the misfortune to read some of the ill-informed and just downright scary comments that invariably appear on news websites when there is a story on cycling (almost exclusively bemoaning the actions of cyclists and lumping together all who cycle as reckless, red light running, and crying out that we should pay rego) you'd wonder why I and many others bother cycling at all.

The ill-informed minority will continue to make life difficult on our roads until such time as they're proven wrong (by the QLD Government), or they seriously injure someone which hopefully would result in an extended period of incarceration. This is where I hope you can help me get home to my family each day:

- Explaining (The Courier Mail etc) that there is a shortfall between what vehicle registration raises vs the outlays (ie rego does not pay for all road costs – especially Council funded roads, which are always forgotten in these types of 'discussions'). Hopefully this appeases the yobbo element that loves nothing more than to drive past a cyclist either screaming 'get the \*\*\*\* off the road' (happened to me about a 4 weeks ago) or 'pay rego you {insert appropriate expletive}'.

- With the letters that go out for Driver's Licence and/or vehicle registration renewals, that a flyer is included reminding people that cyclists are legitimate road users and to give a refresher on some road rules that apply to cyclists. The TMR website has already has a great summary (<http://www.tmr.qld.gov.au/Travel-and-transport/Cycling/Bike-user-guide/Road-rules-for-cyclists.aspx>), but I'd be surprised if many people were aware of these rules;
- Updating the cycling road rules to make it mandatory (or at least provide the suggestion) that motorists should give cyclists a metre to 1.5 metres clearance when overtaking (this is especially important, and one that on a daily basis I need to deal with as people try to 'squeeze' past me to beat me to a stop sign or red light!);
- Provide more police monitoring of behaviour in heavy cycling areas at busy times during the day (with appropriate penalties and/or education given to motorists and cyclists who are doing the wrong thing);
- Reviewing the parking situation along streets like Kingsmill Street, where cars are parked on both sides of the road causing traffic to become one way only, which in turn breeds impatience;
- Ensuring that traffic light sensors are able to detect cyclists (case in point, the set at the intersection of Albany Creek Road and Maundrell Terrace, and Graham Road and Bridgeman Road) so that cyclists do not have to wait at the lights for another vehicle to set off the sensor, thereby reducing the likelihood that they face an extended period waiting for a change of lights which may encourage them to ride through a red light (it's not an excuse for doing it, but I can understand why some choose to);
- The next time The Courier Mail does an anti-cycling story, stand up to them and challenge them to be factual and unbiased in their reporting by providing some relevant statistics about rego, or referring them to the road rules. Hopefully this will in turn lead to the ill-informed becoming informed and more tolerant on the roads;
- Finally, for all Police Officers to take accusations by cyclists seriously (which I realise can be difficult when there are no other witnesses). The first complaint I've ever made to the Police Service was in December 2012 after some fools decided it'd be a good idea to spray with me some liquid as they drove past. Being a confident cyclist I remained upright, but I can only imagine what would have happened if it occurred to a less confident cyclist. While the initial response I got from the Police Service was good and timely, I was advised that what happened to me was a form of assault, but as I didn't know for sure who in the vehicle did it, it would be hard to prove. In the end I was fine with that as I agreed with the rationale, but I did ask the Officer that I dealt with that I'd like the driver visited by the Police so he knows a complaint was made, which in turn may help him keep his fool passengers in line next time they drove past a cyclist. It's the last part that I never heard back about.

In the end, all I want to do is enjoy my riding and get back to my family when I'm done. It's not too much to expect, and it's a shame that I feel I need the support of two Government Departments and my Local Member to achieve this.

If you have any questions, please do not hesitate to contact me.

Regards

Bryan Moss

[REDACTED]

[REDACTED]

[REDACTED]

# Jason Woodforth MP

MEMBER FOR NUDGEES



22<sup>nd</sup> April 2013

Mr Bryan Moss

Dear Mr Moss,

Thank you for your letter regarding safety for bicyclists on Queensland roads.

I have read through your letter and as a fellow cyclist I am certainly appreciative of your outlook. I take the many important points raised in your correspondence seriously and have been working with relevant departments where possible to deliver safer streets for cyclists and pedestrians.

Once again thank you for your correspondence on this important public safety issue.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'J Woodforth', written over a horizontal line.

**Jason Woodforth MP**  
Member for Nudgees

Cnr Toombul and Melton Roads,  
Northgate Qld 4013  
PO Box 419 Northgate Qld 4013  
**P** 3260 5326  
**E** [nudgees@parliament.qld.gov.au](mailto:nudgees@parliament.qld.gov.au)

