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Transport, Housing & Local Government Committee  
Parliament House  
George St  
BRISBANE QLD 4000

**Attention: The Research Director**

Dear Sir/Madam

## **INQUIRY INTO CYCLING ISSUES - LOGAN CITY COUNCIL'S RESPONSE**

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Please find enclosed Logan City Council's (Council) submission relating to your Inquiry into Cycling Issues.

Council's submission is based on the information provided in the website about the public briefing on 18 June 2013 to the Transport, Housing and Local Government Committee (Queensland Parliament). The main focus of Council's submission relates to the presentation by the Department of Transport and Main Roads and the Queensland Police Service.

### **REGISTRATION OF CYCLISTS**

Council cannot support the registration of bicycles, considering there is no evidence to suggest that such action would contribute to improving safety. Considering Logan City's population demographics, such action is also likely to place more mobility constraints on families. Families who cannot afford motor vehicles would be more reliant on cycling as their modal of transport. This action could deter growth in the active transport modal share and limit the potential for achieving cycling targets reflected in 'Connecting SEQ 2031'.

### **PENALTIES AND SANCTIONS**

Council has no set position on this matter based on the information tabled. The information provided in the presentation indicates States and Territories have no uniform approach on this matter. The penalties and fines apply to all road users who violate road rules.

The information presented does not give any correlation as to whether or not the measure would become a negative influencing factor when people consider cycling as a modal choice. Nevertheless, it could put some emphasis on parents to exercise their influence to deter their children from riding bicycles.

### **ROAD RULES**

In 1999, Australian Road Rules were introduced with the objective to make all road rules uniform. All jurisdictions are bound to agree to significant changes to preserve uniformity. Therefore, any changes to road rules must observe a uniform approach.



It is also important to note that all road rules apply to cyclists, unless stated otherwise. It is Council's understanding that the changes because of the Inquiry will potentially relate to the following three areas:

#### **Allowing Cyclists to Ride Bicycles across a Crossing**

It is believed that the proposed change will amend section 248 of Transport Operations [Road Use Management] Act 1995] (TORUM) which states:

- (1) *The rider of a bicycle must not ride across a road, or a part of a road, on a children's crossing or a pedestrian crossing. Maximum penalty—20 penalty units.*
- (2) *The rider of a bicycle must not ride across a road, or a part of a road, on a marked foot crossing, unless there are bicycle crossing lights at the crossing showing a green bicycle crossing light. Maximum penalty—20 penalty units.*

Council has no objection in considering making amendments to section 248, provided the change is clear that cyclists must still give way to pedestrians. Council believes it is a reasonable approach that consideration be given to allowing cyclists to ride across all general types of pedestrian crossings under similar conditions such as section 249 (Riding on a separated footpath) and section 250 (Riding on a footpath or shared path) in TORUM, such that cyclists are to still give way to pedestrians and not ride on parts specifically designated for pedestrians only.

#### **Not requiring a Bicycle Lane to enter Bicycle Storage Areas**

Generally, it is believed that the proposed change is about making amendments to section 247A (Entering a bicycle storage area) in TORUM which states:

*A rider of a bicycle approaching a bicycle storage area at an intersection that has traffic lights or traffic arrows showing a red traffic light or red traffic arrow must not enter the bicycle storage area other than from a bicycle lane, unless the rider is not required to ride in the bicycle lane under this regulation. Maximum penalty—20 penalty units.*

In relation to face value of the change, Council supports allowing cyclists to enter a bicycle storage area other than from a bicycle lane. However, it is uncertain what legislation prohibits or discourages this practice, apart from there not being any documented examples or standard drawings showing this type of treatment. Austroads Guide to Part Road Design - Part 4A Unsignalised and Signalised Intersections (2010, p166) states that 'a head start area may be used where there is no bicycle lane on the intersection approach'.

#### **Require Minimum 1m Clearance when Passing Cyclists**

It is believed the rule is proposed to be active only when there is no provision of an on road cycle lane facility.

A bicycle is considered as a vehicle in section 15 TORUM, while section 19 TORUM indicates all references to drivers in TORUM are also references to riders of bicycles unless stated otherwise. As such, cyclists are required to ride as near as practicable to the far left side of the road in accordance with section 129 (Keeping to the far left side of a road) in TORUM. Council believes that it is important to accentuate the validity of the section 129 for cyclists if a 1m clearance becomes a rule. As well as the obvious difficulties of enforcement of this rule, Council believes the introduction of the concept has merits, in particular, the terms of making awareness of the vulnerable road users (such as cyclists).

Section 140 (No overtaking unless safe to do so) in TORUM already outlines the general safety of overtaking - when overtaking a vehicle (including bicycles), a driver must not do so unless they can 'safely overtake the vehicle'. When a motorist approaches a cyclist, the road rules already set an expectation on both the cyclist and motorist, such that, the cyclist should keep as far left as practicable and the motorist only overtake if they can do so safely. Therefore, rather than creating a separate '1m rule' that is difficult to



regulate or enforce, it is recommended that the '1m rule' be adopted as part what 'safely overtake means' when a vehicle overtakes a bicycle.

Council also requests further investigation be made into the potential infrastructure provision problems or issues associated with the '1m rule' for e.g. pavement widening needs, cyclists on transit lanes when riding in the presence of buses, cycling on freight routes, etc.

#### **ROAD SAFETY STRATEGY FOR LOGAN (SAFEROADS4LOGAN)**

Cycling safety is a priority in the SafeRoads4Logan strategy. The strategy outlines the importance of having to act on education, engineering, enforcements and engagement. Council has identified some actions to share in terms of ensuring bicycle safety, namely:

- Partnerships with service providers to provide cycling education to younger persons;
- Provide education material to experienced cyclists on road safety, road rules pertaining to cyclists;
- Possibly the inclusion of education material for all cycling events in (or via) Logan. These would include the SANTOS Brisbane - Gold Coast ride, Logan Charity Bike Ride, Summer Sizzling Series and other such events; and
- Incorporate TravelSmart principles to school children.

Council requests that consideration must also be given to making investments for enhancing awareness of the rights of all road users through road safety strategies and action plans.

Yours faithfully



Kamal Ranaweera  
Road Infrastructure Planning Manager  
(on behalf of Chris Rose, Chief Executive Officer)