

Personal Background

I have been cycling regularly since December 2011 in Brisbane, and in the past also on holidays in countries including Israel, Chile, Denmark, Brazil, and Poland. I have averaged about 100 km a week of cycling and driving (each) over this time.

I took up regular cycling for health reasons and also due to the relatively high cost of public transport in Brisbane. My commute trip was usually entirely within zone 1 starting at the Toowong train station; this currently costs \$3.28 each way. Thus, assuming a work year of 46 weeks, and 10 trips per week with the 10th trip free, my commute was costing \$1,358 to sit on the train each year. I had to walk past a cloud of cigarette smoke on the way to and from the Toowong train station at the shopping centre, and the train was frequently very crowded; either I had to stand or share a train seat often pushed up against the person sitting next to me or in front of me. Then, in December 2011, the Brisbane City Council opened a CityCycle station near my home. For just \$60.50 a year (assuming I could complete my trips or change my bike in under 30 minutes) I was able to ride a well-maintained utilitarian bike to and from work along a route free of cars, avoid the problems of train commuting, and improve my health. Since then I have cycled regularly using the CityCycle and other bikes for commuting and fitness, and for social reasons.

I have participated since then in online discussions on such sites as Brisbane Cyclist, various Facebook groups, and Twitter. My background is in mathematics, statistics, and IT, so I have used my skills to perform analysis of Census data from various countries and bike sharing scheme data from Brisbane and dozens of other cities worldwide. I have analyzed Census data through history and spatially to see what kind of features and interventions support high and low cycling modal shares. In the last year, bike sharing data has provided a way of measuring the “cycling friendliness” of such cities as Brisbane and Melbourne compared to the rest of the world. Data from sites such as Strava provides a way of measuring the “friendliness” of routes within a city such as Brisbane.

I am also very interested in the history of cycling laws and facilities in Australia, particularly as far as their effects can be quantified. One of the primary issues in this inquiry, a minimum distance passing law, has been suggested as far back as 1992 in Queensland. The Brisbane City Council and the Queensland government have published targets for cycling modal share since at least 1995.

Motivation for Inquiry

This inquiry has arisen largely out of the verdict in the case concerning the death of the cyclist Richard Pollett on Moggill Road in September 2011. The truck driver who collided with Richard was charged with “dangerous driving causing death” but acquitted in May 2013 after pleading not guilty. The verdict was discussed at The Urbanist blog in two articles entitled “Are Cyclists Mere Obstacles To Motorists?” calling for the implementation of a minimum distance passing law.^{1 2}

The verdict provoked comments calling the result an outrage as it seemed that, to quote the CBD BUG, “under the law it now appears motorists can treat a cyclist with the same disregard as they would a witch’s hat and leave no margin for error by passing as close as they like.” I read the follow up article on The Urbanist by a law student who attended the trial and I was nauseated by the lack

1 “Are Cyclists Mere Obstacles To Motorists?”, <http://blogs.crikey.com.au/theurbanist/2013/05/08/are-cyclists-mere-obstacles-to-motorists/>

2 “Are Cyclists Mere Obstacles To Motorists? A Rejoinder”, <http://blogs.crikey.com.au/theurbanist/2013/07/20/are-cyclists-mere-obstacles-a-rejoinder/>

of the identification with the cyclist. She wrote that he “had the opportunity to turn out of Moggill Road ... but chose not to do so” and that it was “equally possible that [the truck hit Pollett] or he fell of his own accord.”. These comments were redolent of victim-blaming. I cannot imagine the first comment being made about the operator of a motor vehicle. The comments about the truck driver being “boxed in” and the narrowness of the road from the media were repeated. The insinuation was that factors other than the driver's behaviour were to blame.

In the wake of the verdict, the Brisbane CBD BUG called for a one metre passing law to be legislated and held a memorial ride. On 9 May, David Sharp of Safe Cycling Australia petitioned the Queensland government to require motorists to “maintain a minimum safe distance of 1.5 metres between their vehicle and a cyclist when overtaking”.³ By 26 July, the petition had received 5,604 signatures from Queenslanders. Prior to these events, the Amy Gillett Foundation had been calling for a one-metre rule for many years.⁴

The verdict set a disturbing precedent – one wonders whether the Department of Public Prosecutions would be willing to proceed with a prosecution for similar matters in the future. In a similar case in New Zealand recently (Jane Farrelly) the New Zealand police made no charges. A New Zealand MP called for a law change to make a 1.5 metre passing distance mandatory.⁵

Historical Context

The inquiry concerns laws and has a particular focus on the Queensland Road Rules, but safety is inherently linked with infrastructure and the issues of law and infrastructure cannot be separated.

The basic approach Queensland should adopt is to learn from the experience of countries with high safety standards and cycling modal shares (for example, The Netherlands, Denmark, Germany) and copy what they've done. There is no need to reinvent the wheel. I highly recommend the book “City Cycling” by Pucher and Buehler (2012). It contains excellent citations and strategies for improving cycling modal share in cities. Two of the chapters are co-authored by Dr Jan Garrard of Deakin University who has already been mentioned in Submission 6 (Arundell). I will also be quoting from online articles by Dr Garrard throughout.

Dr Jan Garrard⁶

The route to high levels of safer cycling is well-developed, clearly sign-posted, and not particularly difficult, it's simply that it can feel a little alien to a nation whose personal mobility is so all-pervasively car-oriented.

What's holding cycling back in Brisbane and Queensland?

The Queensland government often states that they want people to cycle more and sets targets, but on the other hand sets up many barriers to greater cycling participation and encourages trips by car. The targets are never met and are frequently forgotten about. No kind of “historical review” is ever

3 “Minimum safe passing distance”, http://www.parliament.qld.gov.au/apps/Epetitions_QLD/CurrentEPetition.aspx?PetNum=2109&IIndex=-1

4 “A Metre Matters”, <http://www.amygillett.org.au/a-metre-matters/>

5 “Police call on cyclist's death stuns her family”, July 2013. http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10899557

6 “It's not just about bike lanes”, ABC, September 2011. <http://www.abc.net.au/environment/articles/2011/09/08/3312420.htm>

performed.

Cycling has many health benefits and reduces noise and air pollution. Some benefits are covered in the Queensland Health submission to this inquiry. The “Health Benefits” chapter of “City Cycling”, which is by Garrard, Rissel and Baumann, three Australian academics, mentions psychosocial health benefits, improved mental health and well-being, cognitive functioning, social health benefits, cycling as a means of reducing health inequalities, and reductions in greenhouse gas emissions.

Obesity rates in Queensland are the highest of any state in Australia, according to a 2013 COAG study. Adults in Queensland had a 30.5% obesity rate in 2011-12 with a total of 65.5% of the adult population obese or overweight.^{7 8}

Road crashes cost Australia \$18 billion a year, a significant proportion of Australian's GDP.⁹

Bicycle Transport Alliance

As long as we are not prepared to spend 1-2% of the cost of road crashes trying to shift people from cars to other modes of transport the carnage will continue.

Switching a proportion of trips to bikes could lower this considerably. The Netherlands has lower accident and injury rates than Australia for both motorists and cyclists.

Jan Garrard has also written about research on the positive return rate of cycling infrastructure.¹⁰ According to her article, the median benefit-cost ratio (BCR) for walking and cycling projects is five - “you get five dollars in benefits for every dollar spent.” This contrasts with BCRs below one for projects such as the East-West road tunnel in Melbourne. This message doesn't seem to be reaching the highest levels of Queensland government.

There are low rates of cycling in Queensland compared to other countries. Census 2011 figures indicate the highest city figures are in the Brisbane LGA (around 1.9% commuting by bike). The highest modal share figures in Queensland are in areas such as West End and Highgate Hill in Brisbane, Port Douglas, and Cairns North. In each of these places the commuting modal share is over 7% and the percentage of female riders is over 30%.¹¹

7 “Healthcare 2011-12: comparing healthcare across Australia”,

<http://www.coagreformcouncil.gov.au/reports/healthcare/healthcare-2011-12-comparing-performance-across-australia>

8 “57.7% of Queenslanders are overweight or obese”, <http://www.qt.com.au/news/577-queenslanders-are-overweight-or-obese/1756536/>

9 “\$18 billion cost of road carnage”, <http://btawa.org.au/campaigns/traffic-speed/18-billion-cost-or-road-carnage/>

10 “Cutting cycling funding is economic nonsense”, Jan Garrard. <https://theconversation.com/cutting-cycling-funding-is-economic-non-sense-7547>

11 “2011 Census Trip to Work Data Analysis”. <http://www.brisbanecyclist.com/forum/topics/census-trip-to-work-data-analysis>

Professor Fiona Bull of the University of Western Australia¹²

Australia has a terrible record regarding the proportion of people who either walk or cycle to work: one in 20. In Britain it's closer to one in six; in Germany and France, one in three; and in China, almost one in two people either walk or cycle to work. "We've created communities and cities that are dominated by the car. We need to change this and design communities that promote walking and cycling."

Looking interstate, using these census figures, the best capital city for cycling is Darwin and the best state is the NT. These locations have an exemption from helmet wearing for footpaths and bicycle paths. Byron Bay's commuter modal share is very high at 12% – this may be related to a lack of helmet law enforcement.¹³ Infrastructure is fantastic in the City of Yarra in Melbourne – some suburbs like Princes Hill have cycling to work rates of around 16%. Infrastructure and cycling in Brisbane and other Queensland cities is being left far behind by cities worldwide: Christchurch¹⁴, London¹⁵, New York¹⁶, and Paris¹⁷.

Historical figures on commuting to work as a percentage of 15-70 year olds in Australia¹⁸ are available. The percentage ranged from 0.74% to 0.76% in three 1981-1991 censuses, but from 0.57% to 0.64% in four 1996-2011 censuses after implementation of mandatory helmet laws.

There are low rates of female participation in cycling in Queensland. The percentage of female commuter cyclists is about 19% in the Brisbane LGA. This figure is around 50% in places where cycling is "normal" and "safe", as seen in the "Women and Cycling" chapter of "City Cycling".¹⁹

Australia has low rates of participation by the elderly in cycling compared to the Netherlands and other countries. According to "City Cycling", "of all trips made by persons 65 and older, the bike accounts for 23 percent of trips in the Netherlands, 15 percent in Denmark, and 9 percent in Germany, but less than 1 percent in the United States and the United Kingdom." In Australia, the closest available statistics showed "only 8% of people aged 40 and over ride in a typical week; 4% of women aged 40 and over cycle in a typical week."²⁰

There have even been low rates of female participation in submissions to this inquiry. "Cycling lobbyists tend to be very focussed on the needs of people like themselves". This quote from Submission 6 to this inquiry (Arundell) is correct and highly pertinent to this inquiry and to cycling advocacy in general.

12 "Too much inactivity is killing us", The Australian, July 2012. <http://www.theaustralian.com.au/news/health-science/too-much-inactivity-is-killing-us/story-e6frg8y6-1226430305327>

13 "Crackdown on cyclists unlikely", December 2012. <http://www.byronnews.com.au/news/crackdown-on-cyclists-unlikely/1689373/>

14 "Christchurch Cycling – Copenhagen Style". <http://cyclingchristchurch.co.nz/cycle-centric-ideas/christchurch-cycling-copenhagen-style/>

15 "Boris unveils billion pound plan to civilise London", <http://www.bikebiz.com/news/read/capital-s-cycling-czar-unveils-ambitious-plan-to-get-london-cycling/014484>

16 "Despite opposition, bike lanes prove their popularity in New York City", <http://tlcminnesota.typepad.com/blog/2013/06/bike-backlash-overblown-despite-opposition-bike-lanes-prove-their-popularity-in-new-york-city.html>

17 "Urban Cycling – Paris's quiet revolution", <http://www.bicycling.com/news/featured-stories/urban-cycling-paris-s-quiet-revolution>

18 "Australian Cyclist Numbers", <http://www.cycle-helmets.com/cyclist-travel.html>

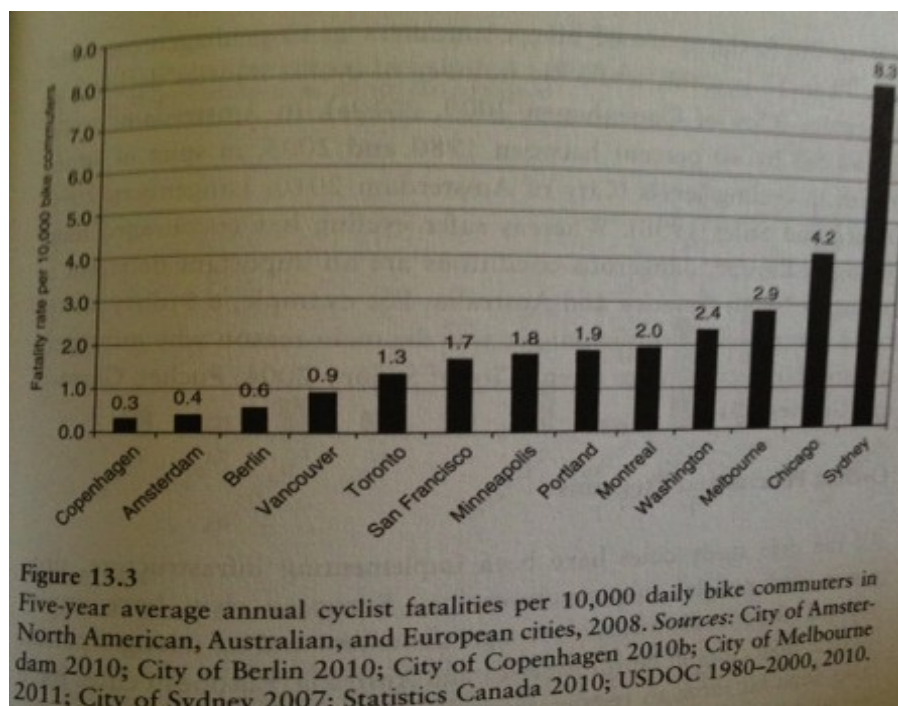
19 "Women and Cycling", Garrard, Handy and Dill, Chapter 10 of "City Cycling" edited by Pucher and Buehler.

20 "Queensland Cycling Participation", http://www.austroads.com.au/abc/images/pdf/NCP2011_QLD.pdf

Due to this, I have felt the need to write my submission for people who'd like to cycle but feel they can't because of a perceived or real lack of safety on Queensland roads. For example, the Heart Foundation found in 2012 that "a lack of safe cycle paths is stopping women from riding."²¹ I don't like to emphasise it but as Jan Garrard states, "Australia's overall fatality rate hides an inconvenient truth - our cyclist fatality and serious injury rates are several times higher than world's best practice, and increasing."²² Australia's current road accident death rate (rolling 12-month average)²³ is 5.6 deaths per 100,000 population; compared to: Netherlands 3.9; Denmark 3.1; Germany 4.5.²⁴

Analysis of fatality data provided in "Questions on Notice"

The following figure (Figure 13.3, page 295) from Pucher and Buehler's "City Cycling" plots the five-year average annual cyclist fatalities per 10,000 daily bike commuters. It is from the chapter "Big City Cycling", where "Big City" is defined as having at least half a million residents in their metropolitan area. The Gold Coast in the 2011 Census recorded about 495,000 residents in its LGA and is also included in my analysis.



In the 2006 and 2011 Censuses, Brisbane recorded 5,986 and 8,592 bicycle-only commuters, respectively; for the Gold Coast the figures were 1,833 and 2,062. (The ABS TableBuilder²⁵ unfortunately only provided the 2006 figures aggregated by Place of Work.) Using the data provided in the answers to the Questions on Notice²⁶, and averaging the 2006 and 2011 figures, the estimated five-year average annual cyclist fatalities per 10,000 daily bike commuters for Brisbane

21 Heart Foundation, <http://www.heartfoundation.org.au/news-media/Media-Releases-2013/Pages/women-lack-cycling-networks.aspx>

22 "It's not just about bike lanes", Jan Garrard. <http://www.abc.net.au/environment/articles/2011/09/08/3312420.htm>

23 BITRE, June 2013. http://www.bitre.gov.au/publications/ongoing/road_deaths_australia_monthly_bulletins.aspx

24 Wikipedia, list of countries by traffic related death rate. http://en.wikipedia.org/wiki/List_of_countries_by_traffic-related_death_rate

25 "Table Builder", <http://www.abs.gov.au/websitedbs/censushome.nsf/home/tablebuilder>

26 "Answers to Questions on Notice", <http://www.parliament.qld.gov.au/documents/committees/THLGC/2013/INQ-CYC/qon-24Jun2013.pdf>

and the Gold Coast were 1.9 and 6.2 respectively. Brisbane is performing better than Sydney, Melbourne, and the Gold Coast, but nothing like the cities of Copenhagen, Amsterdam and Berlin.

Congestion effect

More cycling solves rather than causes congestion and attenuates delays for motorists, but this does not seem to be well understood among some who have made submissions to this inquiry. The “school holiday effect” reduces traffic by only a few percent, which has a big effect on congestion. Similar effects can be achieved by switching some trips from cars to bikes. This could be part of a public education campaign.

Ignorance of Road Rules

Queensland motorists are often completely ignorant of road rules – particularly rules 72-75 with respect to giving way to pedestrians when turning.²⁷ Jon Giles of Transport and Main Roads delivered a presentation to PedBikeTrans in October 2012, which indicated that 90% of motorists did not give way to pedestrians as required when turning right from Wickham St into Warner St in Fortitude Valley. The only pedestrian out of several thousand observed who crossed Warner Street without looking was a uniformed police officer. Driver training and education needs to be much better with respect to cyclists and pedestrians. It requires retesting where appropriate.

In February 2013, on 612 ABC, one of the guests was Acting Chief Superintendent Ray Roeder, on the “Know the Road Rules” segment. The officer advised that pedestrians can walk on bike lanes without adding the proviso that they can do so only when crossing by the shortest safe route.²⁸

The officer was also asked about motorists' use of the horn but failed to mention the guideline in the “Your Keys to Driving in Queensland” document²⁹: “Do not sound your horn at cyclists – it may startle them and make them fall.”

Safety

It is necessary to be very clear about safety issues as the terms of reference propose such “solutions” as bicycle registration and it is important not to adopt a “victim blaming” position. In addition, the attitude of authorities in Queensland can tend to be one of “helmets create safety for bicycle riders”. Some quotes from the “City Cycling” book follow to provide an international academic perspective. The whole chapter is definitely worth reading.

27 “Australian's Least Known Road Rule”, <http://the-riotact.com/least-known-road-rule/44616>; “Road laws vs pedestrian laws”, <http://blogs.abc.net.au/nsw/2009/05/road-laws-v-ped.html>; “Top 10 misunderstood road rules in NSW”, http://www.rta.nsw.gov.au/usingroads/downloads/top_10_misunderstood_road_rules.pdf

28 “Cycling – Know the Road Rules”, <http://blogs.abc.net.au/queensland/2013/02/cycling-know-the-road-rules.html>

29 “Your Keys to Driving in Queensland”, November 2011. <http://www.tmr.qld.gov.au/~media/Licensing/Learning%20to%20drive/Your%20keys%20to%20driving%20in%20queensland/Nov%202011/YKTDCOMPLETE.pdf>

“City Cycling”, “Cycling Safety” chapter by Jacobsen and Rutter
The most important issue in bicycle safety is that the danger posed by motorized traffic discourages cycling.
Most of the risk of severe injury while cycling is not intrinsic to the activity; motorists impose it on cyclists.
The driver endangers the cyclist, not vice versa, and it is rare for a cyclist or pedestrian to injure another road user (Elvik 2010) ³⁰ .
Helmets do not create safety; only a safe environment, free from the dangers created by motorized traffic and poorly designed roads, can do that.

Cycling safety campaigns often emphasise “mutual respect”. Personally, I find this a tired cliché. Cyclists and motorists should obey traffic laws, but often the intended meaning of the slogan is “cyclists should get out the way of motorized traffic, and get off the road”.^{31 32 33 34 35}

Punishments and deterrents

Motor vehicle misuse can have effects like assault with a deadly weapon but is not punished as such. For example, the Brisbane road rage case which was seen on the television program Today Tonight in December 2012 and by millions on YouTube³⁶ resulted in a lenient sentence of two years' probation and six months' license suspension for the offender. The victim, a former police officer from South Africa, commented that if this was any country other than Australia the actions would have resulted in a charge of attempted murder.³⁷

Various court cases and inquests in Australia and New Zealand show that deaths caused by a motor vehicle driver can result in low or no sentences; for example Vessey³⁸, Henderson³⁹, Frost⁴⁰, McGee / Humphrey⁴¹, Farrelly⁴², and el-Shazly⁴³. “Absolute disqualification” tends not to mean that in practice.⁴⁴ Courts treat motorist offences killing multiple people while drunk and/or speeding as

30 Elvik, “Why some road safety problems are more difficult to solve than others”, 2010.

<http://dx.doi.org/10.1016/j.aap.2009.12.020>

31 “Adapting to the environment, or changing it”, <http://aseasyasridingabike.wordpress.com/2012/11/11/adapting-to-the-environment-or-changing-it/>

32 “Quit it with this mutual respect rubbish”, <http://cambridgecyclist.blogspot.com.au/2012/11/quit-it-with-this-mutual-respect-rubbish.html>

33 “Showing respect to motorists”, <http://cambridgecyclist.blogspot.com.au/2013/04/showing-respect-to-motorists.html>

34 “The myth of mutual respect”, <http://cyclingsouthtyne.blogspot.com.au/2013/05/the-myth-of-mutual-respect.html>

35 “Cyclists – piggy in the middle”, <http://keeppushingthosepedals.blogspot.com.au/2012/12/cyclistspiggy-in-middle.html>

36 “Today Tonight: Unbelievable Road Rage Attack”, 18 December 2012. <http://www.youtube.com/watch?v=gYm9vCPLoG4>

37 “Road rage attacker sentenced”, Today Tonight, 31 May 2013. <http://au.news.yahoo.com/today-tonight/consumer/article/-/17410042/road-rage-attacker-sentenced/>

38 R v Vessey [1996], <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/qld/QCA/1996/11.html>

39 “Attorney-general's appeal successful” (2013), <http://statements.qld.gov.au/Statement/2013/3/28/attorneygenerals-appeal-successful>

40 R v Frost [2004], <http://www.austlii.edu.au/cgi-bin/sinodisp/au/cases/qld/QCA/2004/309.html>

41 “Kapunda Road Royal Commission”, http://en.wikipedia.org/wiki/Kapunda_Road_Royal_Commission

42 “Police call on cyclist's death stuns her family”, http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&objectid=10899557

43 “Inquest into the death of Hossam Mohamad Elshazly”, http://www.courts.qld.gov.au/_data/assets/pdf_file/0006/95451/cif-elshazly-hm-20110629.pdf

44 “Man disqualified for 98 years arrested for drink driving”, <http://www.abc.net.au/news/2013-07-19/man-banned->

lower order offences than multiple manslaughter or murder. The offender in the Cardross “road accident” was recently released after seven years in jail for killing six teenagers.⁴⁵ I cannot imagine that someone could walk into the Queen Street Mall, shoot dead six random teenagers, and be released from jail in seven years.

Dr Jan Garrard⁴⁶

Drivers in Australia, the USA and UK are far less likely [than in European countries] to be held accountable for injuring cyclists and pedestrians, including when the driver clearly is at fault. An analysis of pedestrian and cyclist fatalities in New York City found that most pedestrian and cyclist deaths were caused by dangerous driving (90 per cent), but few of the drivers responsible (26 per cent) received summonses for traffic violations. No comparable analysis has been conducted in Australia, but numerous instances have been reported that demonstrate a similar social and legal tolerance of the harm caused by drivers to cyclists and pedestrians.

The inherent message consistently sent is that officials treat a drivers' license as a “right” rather than a “privilege”, no matter what the police and courts actually say.

Recommendation

Education and enforcement needs to be focussed on the group that causes the vast majority of injuries and deaths, that is, operators of motor vehicles. Driver education needs more emphasis on the safety of pedestrians and cyclists. Even police need refreshers on road rules. It needs to be easier to lose licenses. Court punishments for drivers who severely injure or kill other road users while speeding or drink driving need to be commensurate with punishments for grievous bodily harm or manslaughter.

The “I am also a cyclist but” type of submissions and the registration issue that won't die

Other submissions to this inquiry propose banning riding two abreast; attaching license plates to bicycles; banning bikes from roads where the speed limit is more than 60 km/h; limiting the size of cyclist groups; forcing cyclists to give way whenever a motorist uses their horn; or mandating a bib with identification number. These suggestions are completely unworkable and have never been tried or worked anywhere else for obvious reasons. They are generally made by non-cyclists who consider cyclists as a social “out-group”, as explained by Cameron Munro in an SKM study, “Understanding the relationship between cyclists and drivers”.⁴⁷

Out-group Homogeneity Bias (Munro)

An assumption that out-group members are more similar than they really are, and by implication, in-group members as more dissimilar than in reality. Examples are: "all cyclists jump red lights" or "all car drivers dislike cyclists".

Comments on registration in Queensland tend to envisage some kind of identification system for nabbing law breaking cyclists. No such scheme exists worldwide, again for obvious reasons –

[from-driving-for-98-years-caught-at-rbt/4830706](http://www.abc.net.au/environment/articles/2011/09/08/3312420.htm)

45 “Cardross Road Accident”, Wikipedia. http://en.wikipedia.org/wiki/Cardross_road_accident

46 “It's not just about bike lanes”, September 2011.

<http://www.abc.net.au/environment/articles/2011/09/08/3312420.htm>

47 Munro, “Understanding the relationship between cyclists and drivers”.

<http://www.bicyclenetwork.com.au/media/vanilla/file/Rel-drivers-and-riders.pdf>

existing registration schemes in other countries are for theft prevention.

According to the Townsville BUG submission to this inquiry, “the latest Bicycle Usage Statistics available for Queensland from the Australian Bureau of Statistics indicates 84.6% of cyclists ages 15 years and over who rode a bicycle in the previous 12 months also had a motor vehicle licence”. Thus, almost all existing adult cyclists are paying motor vehicle registration already.

On Brisbane local radio 612 ABC in February 2013, the host Steve Austin asked local experts about bicycle registration. Ben Wilson of Bicycle Queensland and Dr Matthew Burke of Griffith University responded as follows.⁴⁸

Ben Wilson
If it had legs it really would have succeeded somewhere, so we don't want to be the one state that goes registering and then pushing people off the road, because the big reason we're in the room is health, and we won't get healthy people if we start making it harder to get kids on bikes [or] to get adults to use bikes. ... We'll have a health disaster that will cost us all far more money than what this registration might achieve.
Dr Matthew Burke
I think it'd be a very stupid thing to do. Basic economics - it would cost us far far more to administer such a scheme compared to the minor benefits that you might get in being able to identify the odd recalcitrant. I once worked as a bureaucrat for the then Queensland Transport Department. We regularly were asked to have a look at the idea and it was just a no-brainer that it was just dumb. You would never go down that track, and no-one has.

Vehicles do damage to the road proportional to the fourth power of the weight of the vehicle⁴⁹ – bikes usually weigh between 6 kg (a road bike) and 25 kg (a CityCycle) compared to a motor scooter around 100 kg, a motorbike around 200 kg, and the lightest four wheeled vehicles around 730 kg (e.g. Smart ForTwo). Even with the weight of the rider added in, the bicycles do far less damage to the road than the other vehicles and are operated at much lower speeds. They have little potential to do damage compared to the 1,300 deaths associated with motor vehicles in Australia each year⁵⁰ not to mention the 8,000 deaths associated with inactivity⁵¹. Registration would be preposterous and just act as yet another barrier to cycling participation.

Recommendation
The “bicycle registration” issue needs to be decisively rejected by the committee once and for all and this rejection needs to be public and unequivocal. The suggestion is unworkable and has not been implemented anywhere else in the world.

Overtaking distance

As a result of the Pollett verdict, the apparent lack of legal protection for cyclists is a further discouragement for potential cyclists. Motorists can now apparently act with impunity when overtaking as long as they have a reasonable belief that they've left enough distance. There is a lack of empathy for cyclists due to the low numbers of people who regularly cycle on roads (around

48 “The road ahead – how to improve Brisbane for cyclists”. <http://blogs.abc.net.au/queensland/2013/02/the-road-ahead-how-to-improve-brisbane-for-cyclists.html>

49 “AASHO Road Test”, http://en.wikipedia.org/wiki/AASHO_Road_Test

50 Road Death Statistics, to June 2013. BITRE. http://www.bitre.gov.au/publications/ongoing/rda/files/RDA_0613.pdf

51 “10,000 steps”, <http://www.10000steps.org.au/library/why-be-active/>

1.9% in the Brisbane LGA). There is a total lack of police enforcement for drivers passing too closely despite evidence. This has been seen in Stanley (Submission 22), the bus overtaking (Submission 12, Graham, Youtube video), and the truck (Giant Riders, Fig 2, Submission 16 by Scholl).

Australian Road Rule 144

Keeping a safe distance when overtaking

A driver overtaking a vehicle:

- (a) must pass the vehicle at a sufficient distance to avoid a collision with the vehicle or obstructing the path of the vehicle; and
- (b) must not return to the marked lane or line of traffic where the vehicle is travelling until the driver is a sufficient distance past the vehicle to avoid a collision with the vehicle or obstructing the path of the vehicle.

Apparently this road rule is not sufficient guidance for some Queensland drivers or for Queensland police, as seen in the pictures and video from the other submissions.

The idea of a minimum passing distance has been proposed in Queensland since at least 1992.

Peter McCallum, “Queensland Cyclist”, July 1992⁵²

In NSW at present the push is on for legislation to make a minimum passing distance of one metre between motor vehicles and bicycles. Legislation might be enough to convince drivers of the need to respect cyclists. We should therefore follow the NSW lead and try to get the same sort of legislation into the Queensland Traffic Act. The final and probably the hardest task in this campaign is to have roads redesigned so that bikes and cars are not brought into conflict.

Queensland Cyclist is the newsletter of the Bicycle Institute of Queensland [now Bicycle Queensland]

Viewers of the Tour de France this year on SBS were often reminded of the 1.5 m passing distance in France (outside urban areas; 1 m in urban areas). The operator of the website 3feetplease.com challenged the UK government to implement a 1.5 m minimum passing distance.⁵³ Australian cyclists deserve no less.

⁵² Peter McCallum, <https://groups.google.com/forum/#!msg/aus.bicycle/WyfbQ15mh0s/2YIaCX2mCQsJ>

⁵³ "US 3ft passing guru backs 1.5m rule for UK and challenges CTC to do likewise", <http://road.cc/content/news/10940-us-3ft-passing-guru-backs-15m-rule-uk-and-challenges-ctc-do-likewise>



Recommendation

A minimum 1.5 metre passing distance needs to be legislated for motor vehicles passing cyclists, with exemptions at intersections as proposed in the petition to the Queensland government. Give consideration to motorists being allowed to overtake cyclists over unbroken lines where this is safe.

Historical cycling targets

The following table lists some Brisbane and South East Queensland cycling targets since 1995.

Brisbane City Council "TravelSmart - a traffic reduction strategy for Brisbane" (1995)
“Reducing the proportion of trips by private vehicles from 75% in 1992 to 60% in 2011 by increasing the public transport mode share from 8.5% to 17% and cycling from 1.5% to 8% in the same period.”
Integrated Regional Transport Plan (IRTP) for South East Queensland (1997)
Increase public transport trips from 7% to 10.5% of trips, and cycling trips from 2% to 8% of trips by 2011.
Transport Plan for Brisbane 2002-2016
Increase cycling trips from 2% (2001) to 8% (2016)
Transport Plan for Brisbane 2006-2026
Increase cycling trips from 2% to 5% (2026)

More recently, the 2008 Brisbane plan was "5% share of trips by bicycle and 12% by walking (by 2026)". The 2012 Brisbane plan is 5% cycling and 15% walking (by 2026), hitting 2.5% cycling by 2016.

There is strong growth in some inner areas of Brisbane in terms of cycling. The suburb of West End has a modal share of approximately 8%. But I don't see how the targets can be reached given the chronic underfunding of cycling infrastructure state-wide. The \$120 million over 4 years promised by the Brisbane City Council is only around 2-3% of their total transport budget; the investments made by Transport and Main Roads are paltry (most recently, \$30.5 million out of \$5.6 billion).⁵⁴ The current attitude of the state government towards cycling was clearly expressed by the axing of the Richlands to Springfield Bikeway, which is to be replaced by car lanes.⁵⁵

In Queensland there is an unwillingness to invest the percentage of the transport budget required for cycling infrastructure. For example if the target is 5% cycling modal share, 5% of the transport budget should be spent there. Modal share gains do not happen by magic, much as the government would wish them to. Countries that have achieved high cycling modal share universally have world-class infrastructure with separation from motor vehicles where the speed limit is higher than 30 km/h, such as Denmark, The Netherlands, and Germany.

Recommendation
If the Queensland government or local governments provide a public modal share target for cycling, that proportion of the transport budget must be spent on cycling infrastructure fit for all ages. This can be enforced by legislation.

Cyclists have been calling for lower speed limits on residential streets since the 1970s. For example, the 1996 report "Towards a Safe Urban Speed Limit: Report of the Cyclists Urban Speed Limit Taskforce"⁵⁶ called for a default 30 km/h speed limit in urban areas, citing research from many sources.

Recommendation
Implement a default 30 km/h speed limit in urban areas. As a start, begin with the CBD of Brisbane before extending this to residential streets and BAZs ("Bicycle Awareness Zones").

Helmet Laws

Real safety is achieved through separation from motor vehicles by means of infrastructure and the "safety in numbers" effect, and not by the government mandating the wearing of bicycle helmets. This approach of mandatory helmets has not been copied by any country other than Australia and New Zealand in more than 20 years. In fact Australia is often cited overseas as an example of what not to do concerning helmet policy.

54 "State Budget", <http://www.brisbanecyclist.com/forum/topics/state-budget>

55 "Bikeway axed for Centenary Motorway Widening", Brisbane Times, October 2012.
<http://www.brisbanetimes.com.au/queensland/bikeway-axed-for-centenary-motorway-widening-20121010-27d4n.html>

56 "Towards a Safe Urban Speed Limit", <http://www.yeatesit.biz/transfiles/bfaurbanspeedlimits.pdf>

Boris Johnson, Mayor of London, April 2013⁵⁷
"The evidence is that in Australia, where they made helmets mandatory, actually what that led to was a decline in cycling overall."
Chris Boardman, the UK Olympic gold medal winning cyclist and Norman Baker, UK transport minister, April 2013⁵⁸
"The problem is a lot of people would not cycle if they were required to wear a helmet which is what happened in Australia, 50% drop overnight. If you then clap people out of cycling because they have to wear a helmet, there are fewer people cycling, that's not a safety benefit; and there's more deaths."

Concerning mandatory helmet laws, the most recent analysis is from the British Medical Journal editorial in June 2013 from Ben Goldacre and David Spiegelhalter.⁵⁹ Goldacre is the author of the popular science books, "Bad Science" and "Bad Pharma". The editorial commends a paper from Dennis et al in Canada⁶⁰ where some provinces have helmet laws and others don't as having superior methodology to other studies. The Dennis paper found that "the effect of Canadian helmet legislation on hospital admission for cycling head injuries seems to have been minimal".

Papers used to promote helmet laws in Australia are usually case-control studies which are fundamentally unconvincing as they look at hospital admissions data, or other papers which consider helmet efficacy. They do not perform a cost-benefit analysis of the law on a population basis. Examples of cost-benefit analysis studies are De Jong⁶¹, Hillman⁶², and Rojas-Rueda et al⁶³. It has been found that enforced helmet laws may reduce the safety in numbers effect (Komanoff⁶⁴, Robinson⁶⁵).

Bike Sharing

In the last couple of years, an objective measure of the poor infrastructure and the helmet law barrier to cycling participation has become available in Brisbane. This is the Brisbane CityCycle bike sharing scheme usage rates, which are woeful. Of course, population density in Brisbane is an issue affecting usage rates, but there are dozens of cities worldwide with heat, hills and humidity

57 "Boris Johnson says he won't be bullied into wearing a cycle helmet", <http://road.cc/content/news/80771-boris-johnson-rejects-calls-provide-helmets-barclays-cycle-hire-bikes-video>

58 "Transport minister Norman Baker: cycle helmet and safety", <http://www.bbc.co.uk/news/uk-politics-22297750>

59 "Bicycle helmets and the law", <http://www.bmj.com/content/346/bmj.f3817?ijkey=I5vHBog6FhaaLzX&keytype=ref>

60 Dennis et al, "Helmet legislation and admissions to hospital for cycling related head injuries in Canadian provinces and territories: interrupted time series analysis", <http://www.bmj.com/lookup/doi/10.1136/bmj.f2674>

61 De Jong, "The health impact of mandatory bicycle helmet laws", http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1368064

62 Hillman, "The cycle helmet: friend or foe?", <http://www.mayerhillman.com/Articles/EntryId/48/The-cycle-helmet-friend-or-foe.aspx>

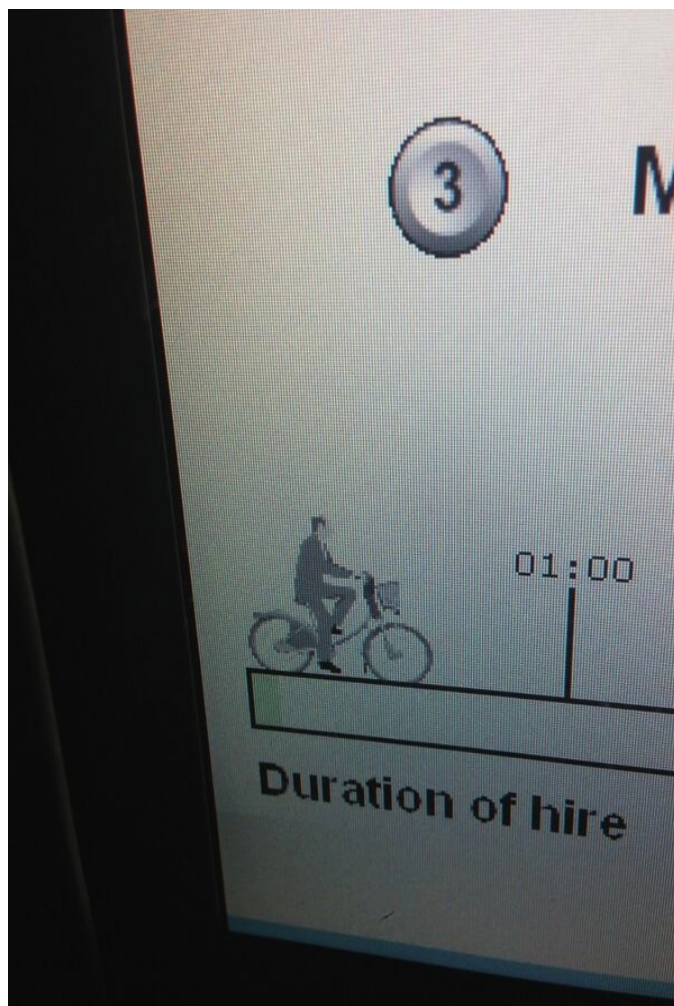
63 Rojas-Rueda et al, "The health risks and benefits of cycling in urban environments compared with car use: health impact assessment study", <http://www.bmj.com/content/343/bmj.d4521>

64 Komanoff, "Safety in numbers? A new dimension to the bicycle helmet controversy", Injury Prevention, 2001. <http://injuryprevention.bmj.com/content/7/4/343.2.full>

65 Robinson, "Safety in numbers in Australia", <http://www.ncbi.nlm.nih.gov/pubmed/16389930>

and all sorts of other issues which achieve 10 to 60 times the usage rate of CityCycle.

The following photo is a screen grab of a CityCycle station. The scheme software has been taken from a French system. The cyclist is pictured wearing normal clothes on the bike without a helmet.



Based on morning and evening usage station usage patterns, it is clear that the most popular routes for CityCycle are along the Bicentennial Bikeway between Toowong and the City where the rider has complete separation from cars and excellent infrastructure. This is ideal for commuting and is how I took up cycling again. But the scheme has been around for three years and the only effective intervention in terms of usage rates was the provision of free helmets. In addition, even if the usage rate of all the stations was lifted to that of the most popular station (for example, Station 95 at South Bank next to QPAC), the usage rate would be approximately one hire per day, still below any other scheme of size similar to Brisbane. Another ancillary benefit of increasing the usage is that the bike count statistics which are currently performed by manual means could be somewhat automated – it could be assumed that CityCycle traffic formed a significant proportion of bicycle traffic.

International experts, such as Oliver O'Brien, who maintains a site monitoring live usage in 100 bike share schemes worldwide⁶⁶, are in no doubt whatever about what is causing the low usage rate. O'Brien et al stated in their June 2013 paper: “[Australia's systems] are relatively unpopular in this study due to local bylaws requiring helmet use”.⁶⁷ Out of the 38 systems analyzed in the paper,

⁶⁶ Bike Share Map: Global View, <http://bikes.oobrien.com/global.php>

⁶⁷ O'Brien et al, “Mining bicycle sharing data for generating insights into sustainable transport systems”, Journal of Transport Geography (2013), <http://dx.doi.org/10.1016/j.jtrangeo.2013.06.007>

Brisbane had the lowest maximum concurrent daily use of bikes – at most 4.8% of the bikes were in use at any given time. There is huge potential for growth – Chicago, Rio de Janeiro, Taipei and New York City have schemes with maximum concurrent usage rates in the order of 90%.⁶⁸ Where Brisbane has a peak usage rate of approximately 1,000 trips per day, cities with schemes having a similar number of bikes achieve peak daily usage rates of 15,000 (Warsaw) or 37,000 (Taipei).

The average CityCycle usage rate has plateaued at a rate of 0.35 trips per bike per day since the last station was built in April 2012. Further interventions are needed to improve this.

Relatively cheap or free solutions for increasing uptake are lower speed limits in the CBD (as in Dublin), removing the 10 pm to 5 am closing, and instituting an exemption for helmets for the scheme (as has been done for the Tel Aviv and Mexico City schemes).

Recommendation

The Queensland government should have a trial exemption for making helmets optional for the CityCycle scheme, as its usage rate is more than an order of magnitude below its international peers. This would require a modification of section 256 of the Queensland Road Rules. In addition to this, implementing a 30 km/h speed limit in the Brisbane CBD and removing the 10 pm to 5 am closing will help uptake. The state government can work with the local Brisbane government on these issues.

History of helmet laws and relationship to infrastructure

The historical evidence shows that, unfortunately, the poor infrastructure in Australia has been inherently and indubitably linked with the mandatory helmet legislation. In particular, the promised changes that were to be delivered with the legislation were not and this has been an absolute disaster for cycling in Australia. Who could realistically claim that we are living in some kind of cycling safety utopia in Australia now?

More needs to be done in terms of infrastructure as Queensland is decades behind other places. The excuses of heat, hills, humidity, and distances don't hold water for explaining our low cycling rates. Brisbane's climate could be considered ideal for cycling in some ways; its latitude is similar to Taipei and Rio de Janeiro where bike share schemes are highly successful.

68 Oliver O'Brien, Twitter, July 2013. <https://twitter.com/oobr/status/358716237351620608>

Peter McCallum, March 2006⁶⁹

When the compulsory helmet laws were enacted Bicycle (Institute of) Queensland opposed them, but only until some preconditions were met. These included proper funding for bicycle facilities on roads. Our main problem was that we felt that government would be able to say, "we've made helmets compulsory" the bicycle safety problem is solved. It also enabled authorities to attribute blame for accidents (regardless of the kind of injury) to cyclists who didn't wear helmets. Unfortunately, the Black Spot program that was funded as part of the 10 point road safety package that introduced compulsory helmets is really badly skewed towards funding motor vehicle accident sites. I can only recall one case of a project being funded specifically for cyclists. That was in Cairns and had the backing of the then chair of the committee, a Queensland senator. I think the main problem is that the road authorities and even many cyclists believe that making helmets compulsory solves the problem of cyclist accidents. But we all see examples of poor road design every day that force cyclists into situations that endanger their lives. *If we had legislation that made good road design compulsory, that made it a punishable offence to neglect the needs of cyclists, then maybe the balance would be redressed.*

Peter Vesel, May 2004⁷⁰

The bicycle "Institute" groups traded the compulsory helmet laws for a bit of funding. Essentially groups such as Bicycle Institute of NSW (as it was) were told no helmets no cycleway funding.

And they fell for it.

In the light of these statements and what I have read and heard⁷¹, I am a little sceptical of organisations claiming to perform cyclist advocacy or doing research to promote cycling safety where those same organisations receive direct or indirect government funding. These organisations tend to be constrained in what they say publicly as their independence from government is compromised; they tend to repeat the government line on many positions and not dissent from it.

Recommendation

The Queensland government should enact legislation to make good road design compulsory at a state and local level. Good bicycle infrastructure design should exceed current Austroads minimum standards, and ideally be based on the Netherlands CROW "Design manual for bicycle traffic" standards instead.

Austroads standards versus international best practice

The following figure is from the March 2011 Austroads "Cycling Aspects of Austroads Guides"⁷² (AP-G88-11) document. It shows mixed traffic being a safe option for cyclists for roads up to 60 km/h, depending on the volume of traffic.

69 "Helmet debate", <http://www.cyclingforums.com/t/326797/helmet-debate-helmet-debate>

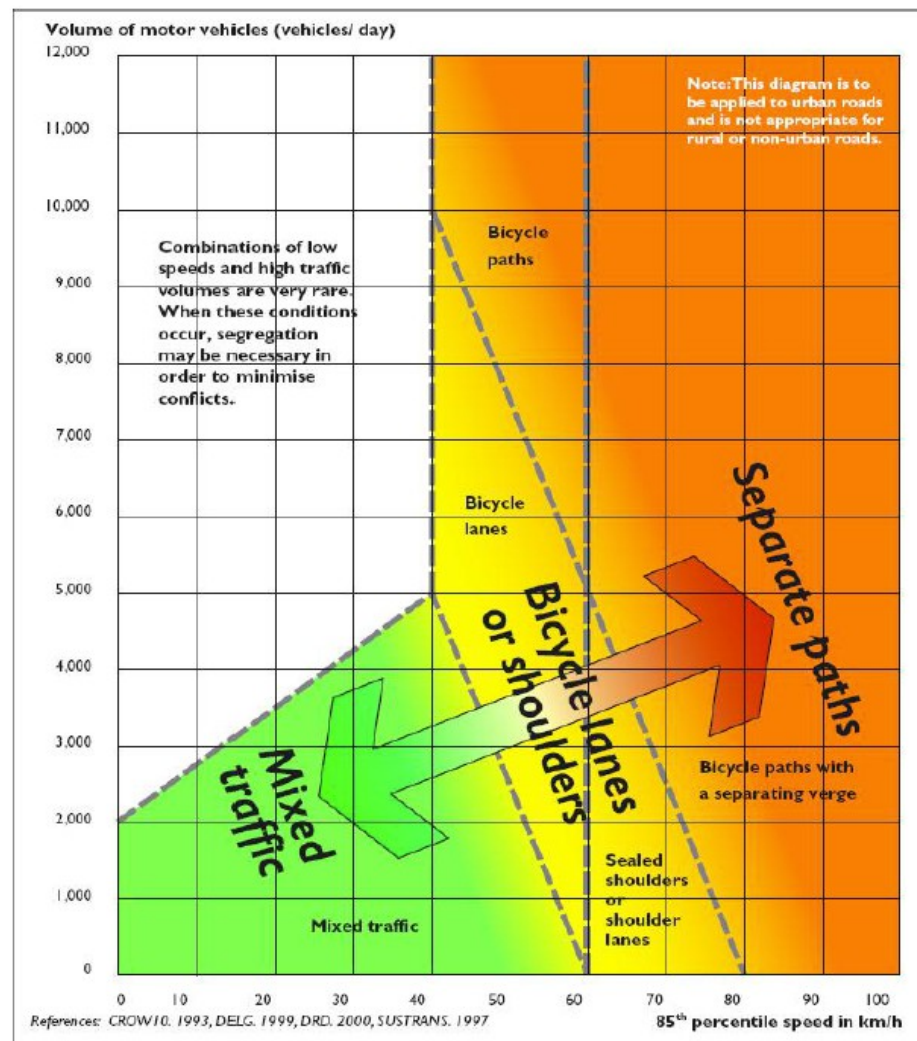
70 "Compulsory helmets for car drivers", <http://www.cyclebanter.com/showthread.php?p=448546>

71 "Governments capture bicyclist advocacy organisations", October 2008.

<http://www.bikeqld.org.au/pipermail/bikeqld/2008-October/005758.html>

72 "Cycling aspects of Austroads Guides", <http://www.austroads.com.au/abc/cycling-aspects-of-austroads-guides>

A 1993 version of the Netherlands CROW design guidelines (“Sign up for the bike”) is cited at the bottom. However, the CROW “Design manual for bicycle traffic” (road sections inside the built-up area)⁷³ actually presents quite a different picture.



Source: Figure 4.7 of Austroads (2009b). RTA (2005, Fig 3.2).

Figure 2.1: Separation of cyclists and motor vehicles by speed and volume

An online discussion of the CROW guidelines⁷⁴ mentioned “riding next to 50 km/h cars is dangerous and unpleasant for cyclists”. However, it is considered acceptable by the Austroads guidelines.

This is the actual CROW Option diagram for built-up areas.

⁷³ “Design manual for Bicycle Traffic”, CROW, June 2007. ISBN 978 90 6628 494 4.

⁷⁴ “Sustainable transportation in the Netherlands”, <http://wiki.coe.neu.edu/groups/nl2011transpo/revisions/22911/16/>

Record 25: Design manual for bicycle traffic

Table 14. Option diagram for road sections inside the built-up area

Road category	Max. speed of motorised traffic (km/h)	Motorised traffic intensity (pcu/day)	Cycle network category			
			basic network ($I_{\text{bicycle}} > \text{work } 750/\text{day}$)	cycle route ($I_{\text{bicycle}} 500-2500/\text{day}$)	main cycle route ($I_{\text{bicycle}} > 2000/\text{day}$)	
	n/a	0	solitary track			
Estate access road	walking pace or 30 km/h	1 - 2.500	combined traffic		cycle street or cycle lane (with right of way)	
		2.000 - 5.000				
		> 4.000	cycle lane or cycle track			
District access road	50 km/h	irrelevant	cycle track or parallel road			
	2x1 lanes					
	2x2 lanes					
	70 km/h		cycle track, moped/cycle track or parallel road			

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Local infrastructure efforts

As a case in point, the following pictures are of Sylvan Road, Toowong, a “major cycling route” in Brisbane which would not pass Enrique Penalosa's test (“A bicycle way which is not safe for an eight year-old is not a bicycle way”). This is essential infrastructure in Brisbane, as it links the Western Freeway Bikeway and the Bicentennial Bikeway, two of Brisbane's best bikeways. A local Brisbane politician, the current BCC Chairperson of Active Transport, claimed on 612 ABC radio this year that it “works pretty effectively”. He clearly has not ever tried to use it himself and would not send his children there to ride alone.

This pictures shows the road near 131 Sylvan Road, Toowong, in July 2013. The total lane width is 2.8 m and cyclists are supposed to ride in a 50 km/h zone between the moving traffic and the parked cars. In practice, the cars have just turned left or right off a 60 km/h zone road (Milton Road) and are doing a speed more like 60. The solid white line is not respected, as in the photo. There is quite enough space for both cyclists and vehicles; the problems be easily fixed by simply removing some car parking and/or reducing the speed limit to 30 km/h.



This picture is of a 90 cm wide bike lane, at the corner of Sylvan Road and Jephson St, Toowong, July 2013. Again, it is next to 50 km/h traffic on one road and 60 km/h traffic on the other. It does not even meet Austroads guidelines of a minimum bike lane width of 1.2 m.



This picture shows Merivale Street, South Brisbane, in May 2013, during the Brisbane Truck Show. Apparently blocking the footpath almost completely for pedestrians and cyclists before and even after the show (for two days) was considered acceptable by the Brisbane City Council.



The following pictures show the intersection of Walker St and Moorak St, Taringa, in July 2013. Green paint has been used across and around the intersection. The idea is possibly to “protect” cyclists using Moggill Road who are travelling through the intersection; however, the speed limit on this section of road with the green paint is 60 km/h, with the actual speed of motor vehicles often higher. The bike lane then suddenly narrows and ends just past the intersection (again, less than the Austroads minimum mandated width of 1.2 m) where the cyclist is presumably supposed to just cope with the 60 km/h traffic. This kind of “infrastructure” is a joke. It appeals only to the bravest of cyclists. The second photo is from a discussion of this intersection at Brisbane Cyclist.⁷⁵

⁷⁵ "BCC Self Congratulatory Dross", <http://www.brisbanecyclist.com/forum/topics/bcc-self-congratulatory-dross>



There are serious nomenclature issues in government statements. The Brisbane City Council claims there are “over 1,200 km of bikeways” in Brisbane. This is so far from reality it's not funny.⁷⁶ This counts “Bicycle Awareness Zones” and “green lanes”, otherwise known as “green stripes of death” on discussion boards. “Infrastructure” such as Sylvan Road and Moorak Street should not be included. The Boondall Wetlands is a great bikeway, Brisbane's “best” by the percentage of females on Strava method, but disconnected from most other places. By contrast Sylvan Road has a lower than average percentage of females cycling on it.⁷⁷ This is a good proxy indicator for bikeway safety.

Recommendation

Correct nomenclature should be used when compiling bikeway statistics at a local and state level.

Tax incentives for bicycle use

Purchasing a bike for trips to work in the UK is tax deductible;⁷⁸ whereas here the Fringe Benefit Tax incentivised the purchase of motor vehicles instead. The UK's policy was forward thinking and our FBT was retrograde.

Recommendation

The State Government should work with the Federal Government to devise tax incentives to increase bicycle use.

⁷⁶ “Visit Brisbane”, <http://www.visitbrisbane.com.au/Travel/Sights-Activities/Bikeways-and-Walkways.aspx>

⁷⁷ “Strava”, <http://www.brisbanecyclist.com/forum/topics/strava?commentId=4154450%3AComment%3A69669>

⁷⁸ “Tax free bikes for work through the Government's Green Transport Initiative”, <http://www.cyclescheme.co.uk>

Idaho Stop and Stop sign design

It is frustrating that police book cyclists at stop signs where no safety issue exists. Ivory Lane and Butterfield Street / Fagan Street in inner Brisbane are favourite targets for the Queensland police to lie in wait. Motor vehicles impose danger on cyclists, not the other way around. The following picture is of the Bicentennial Bikeway where it crosses Archer Street in Toowong (a 40 km/h zone, but the adjacent Coronation Drive is 60 km/h).



Cyclists do not stop here because, frankly, it's a stupid design. In practice, it is treated like an Idaho Stop. An Idaho Stop requires bicycle riders to slow down and allows them to treat Stop signs as Give Way signs where this is safe.⁷⁹

There is a “Give Way” sign on the other side for vehicles. The “Caution Vehicles Exiting Driveways” signs between the Regatta and Toowong Shopping Centre are silly – it's the legal responsibility of the vehicles to proceed slowly and give way in these situations.

Recommendation

Consider an exemption from Australian Road Rule 67 (“stop signs”) for bicycle riders, based around the “Idaho Stop” concept. Redesign intersections on well-known bike routes to allow for free flowing bicycle traffic. At intersections like Archer Street, remove the stop sign and use paint and other traffic calming devices. If a Stop sign is still considered necessary at such intersections, legislative change on give way rules for *motor vehicles* is needed.

⁷⁹ "Idaho Statutes", <http://legislature.idaho.gov/idstat/Title49/T49CH7SECT49-720.htm>

Riding across pedestrian crossings

Cyclists should have the ability to ride across pedestrian crossings. The rule requiring cyclists to dismount is frequently ignored, especially by cyclists who are “clipped in”.

The Moggill Road intersection where it crosses the Western Freeway bikeway is most inconvenient for cyclists. Thus, cyclists do not dismount and remount there.

I have personally observed the Queensland Police Bike Squad disregarding this rule.

Recommendation
Modify Australian Road Rule 248 to allow riding across the road on a crossing, while giving way to pedestrians.

Timing of traffic lights

At the south end of the Go Between Bridge between West End and Milton where pedestrians and cyclists cross, there is a crossing activated by a button. After pressing the button, pedestrians and cyclists must wait for a minute for the green man to cross. Cars are coming from Montague Road up the Go Between Bridge with a nominal speed limit of 60 km/h which is frequently exceeded. However, cyclists and pedestrians frequently ignore the light as the delay is so long. The following quote from the book “Traffic” states that one minute delays “virtually compel pedestrians to jaywalk”. The design favours free flowing traffic above active transport, incentivising car use. Thus, the Go Between Bridge timing is similar to the worst sports in London.

“Traffic: Why We Drive The Way We Do” by Tom Vanderbilt
At one of the worst spots in London, the crossing to the Angel tube station across the Al Street in Islington, Desyllas found that pedestrians who make it to the center island can wait as long as sixty-two seconds for a “Walk” signal. The city is virtually compelling pedestrians to jaywalk.

Recommendation
Reduce delays for pedestrians and cyclists at signalised crossings, especially when several crossings are linked. Ensure that the lights to cross the series of crossings are in sync to minimize the wait for pedestrians and cyclists.

Stopping in bicycle lanes

Australian Road Rule⁸⁰ 187 reads as follows. This section is missing from the Queensland Road Rules.

80 Australian Road Rules, <http://www.ntc.gov.au/filemedia/Reports/ARRFeb12.pdf>

Australian Road Rule 187, Section 2

(2) A driver must not stop in a bicycle lane unless:

(a) the driver:

(i) is driving a public bus, public minibus or taxi, and is dropping off or picking up, passengers; and

(ii) is permitted to drive in the lane under the Australian Road Rules or another law of this jurisdiction; or

(b) the driver is permitted to stop or park in the bicycle lane under another law of this jurisdiction.

As discussed in many other submissions to this inquiry, bringing Queensland into line with the Australian Road Rules would make cycling more convenient and safer.

Recommendation

The Queensland government should make the Queensland road rules consistent with the Australian Road Rules by adding the offence provision concerning stopping in a bicycle lane to Rule 187.

Parking issues

Daily Telegraph⁸¹

As the pair rode around a boat and trailer parked on the side of the road in Pagewood about 10.30am, they were hit by a car travelling in the same direction.

...

Residents on Bunnerong Rd said they had long fought to get the boat moved from where it has been parked for the past two years.

Although it is parked legally, residents said it obscured the view and had been the scene of many near-accidents.

There is no reason why public space should be used to store private property for free for years on end. Christian Siebert's article for the Centre for Independent Studies "There's no such thing as a free parking space" is most instructive.⁸² The first of five ill effects of "free" parking that he cites is "distorting transport choices".

⁸¹ "Cyclist who died after being struck by car had a heart of gold", Daily Telegraph, June 2013.

<http://www.dailytelegraph.com.au/news/nsw/tragic-cyclist-maria-defino-who-died-after-being-struck-by-a-car-in-pagewood-had-a-heart-of-gold/story-fni0cx12-1226661221802>

⁸² Siebert, "There's no such thing as a free parking space", Winter 2008. <http://www.cis.org.au/images/stories/policy-magazine/2008-winter/24-2-2008-christian-seibert.pdf>

Christian Siebert

One of the problems with minimum parking regulations is that by bundling the cost of parking into the cost of everything else, they distort the relative cost of using a car compared to other ways of getting there, such as public transport. They discourage people from walking, cycling, or taking a train, bus, or tram.

The “Mega cities” chapter of “City Cycling” states that “the example of Tokyo highlights the need for disincentives to car use as part of any policy package for increasing cycling.” This is not something Australian politicians and planners have come to grips with as yet. Cycling accounts for 16.5% of all trips in Tokyo.

Other submissions to this inquiry have stated that in the example of Sylvan Road, Toowong, a much better design was proposed, but car parking had priority over cyclist safety. I found this ridiculous. We could solve most problems just by removing a line of parking from the street. This would, however, require political will. We could follow Copenhagen, where the city is “eliminating car parking spaces at a rate of 2-3% per year which includes minimal parking even out of the city centre”.⁸³

Recommendation

Restrict free parking of private vehicles in public space or charge for it. In particular, work with local government to restrict the storage of boats and other large vehicles in public space.

Laws concerning using phones while driving

Research has consistently shown hands-free phones are no safer than non-hands-free versions.⁸⁴ David Strayer, a neuroscientist at the University of Utah, found “that talking on a phone while driving creates the same level of crash risk as someone with a 0.08 blood-alcohol level”.⁸⁵ The law should be amended to reflect this reality and there should be a public education campaign against the practice.

Decisive action is needed now to prevent the proliferation of “voice dictation of texts” type features. Ironically, the New York Times headline is “Voice activated technology is called safety risk for *drivers*” but the reality is that vulnerable road users such as cyclists and pedestrians will suffer. This is where I am most concerned by possible conflicts of interest between the cycling safety advocacy organisation, the Amy Gillett Foundation and their sponsor, Subaru; the New York Times article states: “auto companies argue that these systems are safer because they are hands-free” and “automakers increasingly see profit potential in the new systems”.

83 "Smarter Travel in Six European Cities: A Precedent Study", [http://limerickcity.ie/Transport/StrategiesandPlans/SmarterTravel/3%20European%20Precedent%20Study%20\(separate%20volume\)%2015.02.11.pdf](http://limerickcity.ie/Transport/StrategiesandPlans/SmarterTravel/3%20European%20Precedent%20Study%20(separate%20volume)%2015.02.11.pdf)

84 "Hands-free talking and driving as dangerous as cell phone use", <http://www.examiner.com/article/study-hands-free-talking-and-driving-as-dangerous-as-cell-phone-use>

85 "Voice activated technology is called safety risk for drivers", <http://www.nytimes.com/2013/06/13/business/voice-activated-in-car-systems-are-called-risky.html>

Recommendation

Australian Road Rule 300 should be modified (at least for Queensland) and shortened to forbid mobile phone use while driving. Although it is socially acceptable, talking on a mobile while driving creates the same level of crash risk as a 0.08 BAC and this is unacceptable from a road safety perspective for vulnerable users. Convenience cannot override safety in this case. Voice activated technology in cars, such as for dictation of texts, should be forbidden in legislation.

Strict liability

The acronym “SMIDSY” - “Sorry mate I didn't see you” is well known among cyclists. Dr Jan Garrard commented on the different legal situation concerning collisions in European countries as follows. “[There is] a legal responsibility for car drivers to avoid collisions with cyclists and pedestrians. In these countries the onus is on drivers to prove no-fault when in collisions with pedestrians and cyclists.”⁸⁶

This issue was examined at the Urbanist blog recently.⁸⁷ The conclusion was that it is not a panacea for cycling safety but definitely seems to be missing from the mix in Australia.

Recommendation

Examine ways of introducing “strict” or “presumed” liability to provide a duty of care for vulnerable road users. This duty applies for the more vulnerable user – for example, motor vehicles for cyclists and cyclists for pedestrians.

Relative convenience of driving

Another aspect of transport in Denmark and the Netherlands is the high tax rate on petrol. If the federal government ever really decides to get serious about funding cycling infrastructure they could simply reverse the decision to abolish petrol excise indexation⁸⁸. This has been estimated to cost \$5 billion a year. Of course, I realise that Queensland had a fuel *subsidy* until recently which encouraged car use even more than other states, but felt this needed to be mentioned.

Recommendation

Work with the Federal government to examine ways of funding cycling infrastructure through petrol excise tax.

Penalties

I can't see any rationale for increasing these for cyclists. It must be borne in mind that it is motor vehicles which are causing death and major injuries on our roads and cyclists are not contributing to these at all.

⁸⁶ “It's not just about bike lanes”, <http://www.abc.net.au/environment/articles/2011/09/08/3312420.htm>

⁸⁷ “Are Dutch motorists strictly liable if they collide with cyclists?”, The Urbanist, June 2013.

<http://blogs.crikey.com.au/theurbanist/2013/06/13/are-dutch-motorists-strictly-liable-if-they-collide-with-a-cyclist/>

⁸⁸ “What did abolition of petrol excise indexation cost us”, <http://blogs.crikey.com.au/theurbanist/2012/03/15/what-did-abolition-of-petrol-excise-indexation-cost-us/>

Roundabout give way rule

Australian Road Rule 119

119 Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout

The rider of a bicycle or animal who is riding in the far left marked lane of a roundabout with 2 or more marked lanes, or the far left line of traffic in a roundabout with 2 or more lines of traffic, must give way to any vehicle leaving the roundabout.

As highlighted in other submissions, this is dangerous for cyclists on multi-lane roundabouts as it requires cyclists to give way to all exiting cars. It is virtually unworkable. Instead, the rule could be modified so that cars should give way to cyclists in such situations. This issue has been raised by cycling advocates since 1999 when the Rule was first proposed.⁸⁹

Recommendation

Modify Australian Road Rule 119 to require motorists to treat bicycle riders the same as motor vehicles.

Cycling Champions

There is a lack of “cycling champions” at a political level in Queensland and Brisbane. There is a lack of politicians ready to take risks. This is an issue mentioned in the “Strategies” chapter of “City Cycling”. In other countries, politicians such as Andrew Montague, Janette Sadik-Khan, Enrique Penalosa, Michael Bloomberg and Boris Johnson have promoted cycling in their cities and countries in the face of strong opposition. In Australia we have Clover Moore and Jackie Fristacky.

In Brisbane, there is no shortage of politicians who have lined up to attack CityCycle but no Queensland politician as yet has had the courage to stand up to identify the real problems. This is sad and quite frustrating. I don't know that legislative change could fix this but I thought it was worth highlighting, for the sake of readers of my submission.

Recommendation

Australian cycling is in great need of champions at the local, state and government levels among decision-makers, campaigners and politicians.

⁸⁹ “New Australian Road Rules”, October 1999. <http://www.bikenorth.org.au/archives/chainmail/199910/4.php>