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TRANSPORT, HOUSING & LOCAL  
GOVERNMENT COMMITTEE  
PARLIAMENT HOUSE  
BRISBANE QLD 4000

**SUBMISSION BY EMAIL**

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**Submission by Coral Isles Cyclists Inc. to the Inquiry for  
improving the Interaction of Cyclists with other Road Users.**

I make this submission on behalf of Coral Isles Cyclists Inc. of Bundaberg. (*CIC*) At the outset we would like to express our Club's appreciation for the decision by the Legislative Assembly to request that the Transport, Housing & Local Government Committee inquire into and Report on certain particular issues to improve the interaction of cyclists with other road users.

Our Club is actively involved in encouraging safe cycling and mutual respect between all road users. The benefits of cycling to the community in terms of increased health and fitness, a reduction in greenhouse gas emissions and less pressure on transport infrastructure are well documented.

The Traffic Act (Qld) provides that roads are designed for "*road users*" and then defines "road users" to include "motor vehicles, bicycles and pedestrians" all of whom are entitled to be on our roads and to be subject to the sanctions and protections which the law can, and must, provide.

In response to the particular issues which the Committee is to report on, we would make the following submissions.

## **1. Short and Long Term Trends in Bicycle Injuries and Fatalities involving Motor Vehicles.**

The Australian Government Department of Infrastructure and Transport May 2013 update on Road Deaths in Australia ) found at [http://www.bitre.gov.au/publications/ongoing/rda/files/RDA\\_0513.pdf](http://www.bitre.gov.au/publications/ongoing/rda/files/RDA_0513.pdf) ) refers to deaths by road user. We note that the incidence of bicycle related deaths seems modest compared with that of motor vehicles (driver and passenger), however any measures to reduce the road toll by a single death are worthwhile.

The statistics do not reveal the number of “close calls” which have been widely reported in the print and electronic media. As cyclist numbers increase, we believe that these incidents and bicycle related deaths will surely increase both in frequency and number and the corresponding number of deaths will also increase.

The low statistical likelihood of death or injury whilst cycling on our roads will not result in less bicycle users on our roads as the alternative, namely inactivity with its’ resultant health problems caused by increased obesity, is unacceptable.

For these reasons, we believe that it is incumbent upon all arms of government and the wider community to encourage an increase in bicycle use by infrastructure, campaigns and laws that recognise and promote the necessity of all vehicle users to consider each other, particularly those who are more vulnerable.

## **2. Evaluation, considering factors such as effectiveness, enforceability and impacts on other road users of existing and any other alternative road rules, such as the 1metre rule, which govern interaction between cyclists and other road users.**

The study undertaken by the Department of Transportation in New Jersey, United States entitled *The 3ft. Law: Lessons Learned from a National Analysis of State Policies and Expert Interviews* (Rutgers Edward J. Bloustein School of Planning and Public Policy) analysed a number of studies and statistics in relation to the United States’ experience of the 3ft. (1metre) law and its impact on cycling safety. In support of the 3ft law, a recommendation in support (at Page 75) said that :

*It has become clear throughout the length of this study that the 3ft law carries the expectation of minimal enforcement. In fact, the law appears to be one that is difficult*

*to enforce at all. Yet, the 3ft law remains a popular strategy for bicycle advocates to improve the safety of their respective State's cyclists. Is the time and effort required of bicycle advocates to pass such legislation, therefore a waste of time? The answer is no – as long as those involved with the legislative process see the most vital attribute of the 3ft law is its potential as an educational tool. The power behind the 3ft law is its ability to increase the overall awareness bicycling safety and the rights and responsibilities of all road users, including cyclists.* (the emphasis is ours)

We would endorse this statement. Should the 1 metre rule become law, education of all road users is critical.

The study also noted (at Page 76) that

*“Oregon, often the nation's leader in progressive biking policy, provides a stronger standard for States to follow. There, the distance for safe passage is defined by the motorist's determination of how much space they must give a cyclist in order to pass them clearly and safely in the circumstance where a cyclist fell into the roadway. This compels the motorist to conceptualize that situation and actively decide on how much space is required. In almost all cases, this would be a distance greater than 3ft or perhaps even greater than 5ft. **This is the type of real life scenario all advocates should be thinking about when drafting legislation, rather than a number that has arbitrarily been determined as a “safe” passing distance.**”*

(again the emphasis is ours)

We would commend your Inquiry to the conclusions drawn by the New Jersey study and in particular the second paragraph which states:

*“Advocates in States that have passed the 3ft law have largely considered the law to be a success for the cycling community. They claim the strength of the 3ft law lies in its application as an education tool that can be utilised to encourage shared road usage between cyclists and motorists. Advocates argue the law provides a tangible cushion that cyclists feel they can rely on and acts as clear guidance to motorists on how they should pass a cyclist safely. The intended result is more cyclists on the roadways and an increased number of positive interactions between them and educated motorists.”*

CIC would also propose that the Committee consider certain other amendments to the road rules including:-

- 1) introduction of a “rolling stop” law which affords a cyclist an opportunity to assess any safety issues as they approach a stop sign whilst not losing their momentum caused by coming to a complete stop and therefore delaying other vehicles waiting for a cyclist to commence moving through the intersection. Cyclists have far greater visibility and situational awareness unhindered by the physical confines of a motor vehicle. Rather than a “*us and them*” scenario this law would create improved traffic flow for motor vehicles, particularly where a large group of cyclists was involved;
- 2) Adoption of the Rule which exist in a number of States in the United States which would provide that when turning left at a Stop sign or Red light a cyclist would not be required to stop. A Rule such as this would result in improved traffic flow and less frustration for motorists and as cyclists would not be riding across the traffic flow there would be no element of danger.

In addition, we think that there would be noticeable benefits in placing permanent signage emphasising the advantages of the 1 metre rule on roads where there is no bicycle lane (which is most of the roads in Bundaberg) particularly along roads which are frequently used by cyclists riding for recreation, to school or work.

However, any legislative amendments **must** be accompanied and reinforced by conduct of advertising campaigns to initially educate all road users, motorists and cyclists and the like, and also to promote and encourage involvement in cycling. The end result will be that a reduction in traffic volumes and the impact of motorised traffic on transport infrastructure. The benefits are increased public health and significant savings in taxpayer funded medical services;

We also consider that it would prudent and advantageous for greater emphasis to be placed on cycling safety in testing for Driver Licences. By this we mean more questions about some of the Rules which are specific to cycling such as riding 2 abreast, not having to indicate when turning left, hook turns at traffic lights and specific rules which relate to cycling on double lane roundabouts.

### **3. Current penalties and sanctions, including where there are differential fine rates for cyclists compared to other road users.**

We note that penalties already exist for all road users, including cyclists. Any change in penalties and sanctions should reflect the fact that cycling is beneficial to society both in terms of the environment and the health of members of the community. Any penalty should reflect this and encourage cycling as a clean and healthy pastime.

Another important factor is that many infringements of the road rules by motor vehicles will have far greater, even catastrophic, consequences when compared to the same infringement by a cyclist. Penalties and sanctions for any road user should reflect the gravity of the unlawful conduct and the likely adverse consequences rather than a “*one size fits all*” or blanket penalties for motorists and cyclists. For example, speeding on a bicycle is rarely possible.

### **4. The potential benefits and impacts of bicycle registration**

Bicycle registration has arisen often in the debate about cycling on our roads. It is our view that any potential positive impact of bicycle registration would be negated by the adverse impacts.

We would urge the Committee to consider the following non-exhaustive list:-

- 1) Bicycles do not pose a serious danger to other road users except isolated cases where a bicycle and pedestrian may be involved;
- 2) Bicycles by their very nature do not impact at all on transport infrastructure such as roads and utilise far less road space whether moving or stationary than motorised modes of transport;
- 3) Registration would impose a significant financial burden on households. For example, if a family of two adults and four children was required to register their bicycles, they would be faced with six additional registration bills;

- 4) The financial burden would act as a deterrent to people continuing or taking up cycling as a healthy pastime;
- 5) Compulsory Third Party Insurance, an essential component of vehicle registration, would not be required for bicycles.
- 6) As with any new scheme or program it is likely that significant resources, logical and financial, would be required to administer bicycle registration. Enforcement would also be an issue. For example, would a Police Officer be required to penalise a ten year old child for riding an unregistered bicycle;
- 7) By virtue of our membership of an affiliated Cycling Club, we are required to be registered with Cycling Queensland and as part of our membership, we carry insurance in the event of any adverse event.

### **Conclusion**

In conclusion, Coral Isles Cyclists Inc. would like to express its' appreciation to the Queensland Government and Department of Transport and Main Roads for establishing this Inquiry and for giving all stakeholders an opportunity to make submissions.

We would hope that ultimately the Inquiry and its outcomes results in safer roads for all of us and a traffic environment which engenders mutual respect and understanding between all road users.

Approved by Coral Isles Cyclist President and Secretary [www.coralislecyclist.com.au](http://www.coralislecyclist.com.au)

President: Edgar Whitworth:

Secretary: Bernie Kemp

