

26 July 2013



Ms Kate McGuckin
Research Director
Transport, Housing and Local Government Committee
via email: thlgc@parliament.qld.gov.au

Dear Ms McGuckin

Queensland Parliament – Inquiry into Cycling Issues

This document is the submission from the Amy Gillett Foundation (AGF) to the Transport, Housing and Local Government Committee of the Queensland Parliament in response to the Inquiry into Cycling Issues.

We congratulate the Queensland Parliament's leadership in undertaking this Inquiry into Cycling Issues. This document is our submission that directly responds to the Terms of Reference as agreed to on the 7 June 2013 by the Legislative Assembly.

The AGF is a national charity with one purpose – to reduce the incidence of death and serious injury of bicycle riders. The AGF Manifesto for safer bicycle riding in Australia sets out the key actions that need to be taken to create a safe cycling environment while maintaining an efficient road network for all road users. One of the key tenets from the AGF Manifesto is to Work 2gether. We welcome engagement on issues related to bicycle rider safety and encourage members of the Committee and their staff to contact us directly if additional information is required. The AGF Manifesto is attached as Appendix A and we invite the Committee to review the document as part of this Inquiry.

We are available to present to the Committee as a witness to this important Inquiry.

Yours Sincerely

A handwritten signature in black ink that reads 'Tracey Gaudry'.

Tracey Gaudry
Chief Executive Officer

Everyone has the right to ride safely for work and play

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1 Short and long term trends in bicycle injuries and fatalities involving motor vehicles

1.1 Queensland

In 2012, 10 bicycle riders died in Queensland, more than in any other jurisdiction in Australia, despite being the 3rd most populous state.

In fact, almost a third (30.3%) of all bicycle rider deaths in Australia in 2012 were in Queensland¹. This trend is set to continue in 2013, as at 7 July there have already been 4 bicycle rider deaths in Queensland². The percentage change in bicycle rider deaths from 2011 to 2012 was an 11.1% increase, the only jurisdiction in Australia to have an increase in bicycle rider deaths in that period. Figure 1 below illustrates the number of bicycle rider deaths in all states and territories in the five year period from 2008 to 2012.

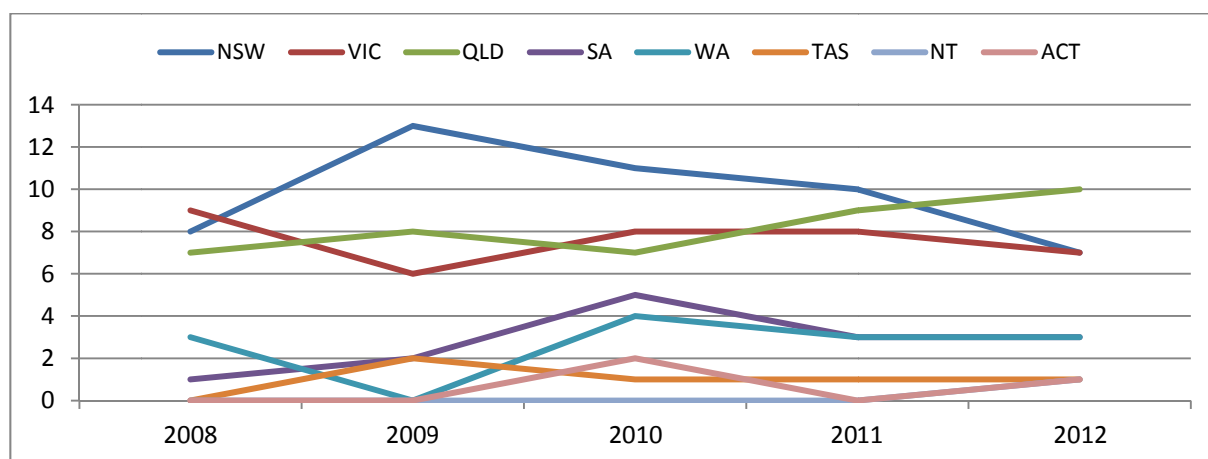


Figure 1. Bicycle rider deaths by jurisdiction from 2008 to 2012

It may be tempting to rationalise the increase in bicycle rider deaths in Queensland as a function of the increased number of people who are cycling. However, this assumption is incorrect. While there has been an increase in the number of people cycling in Queensland, increased participation trends are evident across Australia and have not resulted in increases in fatalities. Figure 2 below illustrates the proportion of each jurisdiction's population who rode a bicycle in the previous 12 months in the five year period from 2006 to 2012.

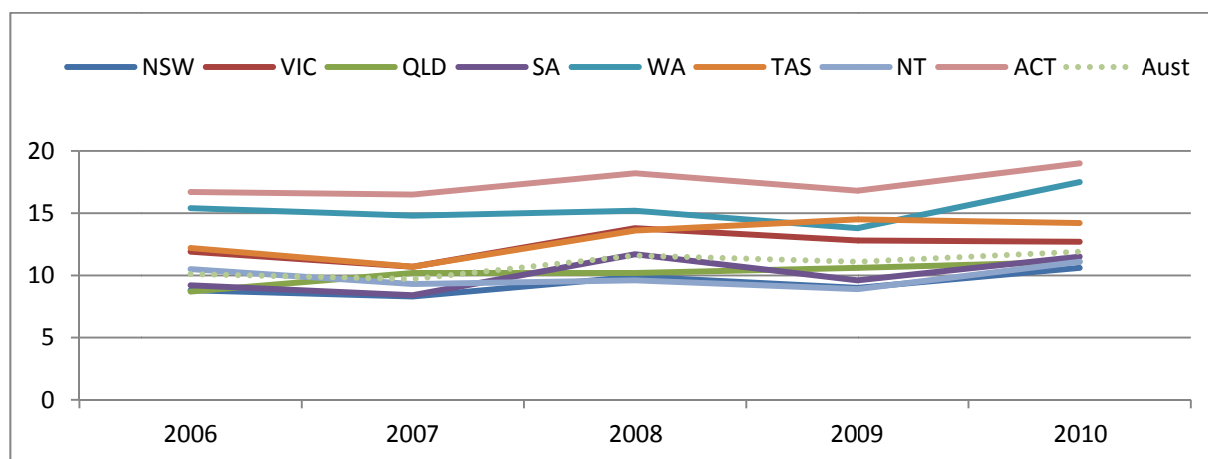


Figure 2. Bicycle rider participation by population by jurisdiction from 2006 to 2010

As evidenced in Figure 2, the rate of cycling by population in Queensland is reportedly amongst the lowest in Australia and is slightly below the national average.

1.2 Fatality and Injury factors

In the last two months alone (May -June 2013), eight bicycle riders tragically died on Australian roads. **All eight bicycle riders died as a result of a collision with a motor vehicle.** At least half of the collisions involved the bicycle rider being *hit from behind*.

A recent fatality report⁹ examined the 122 bicycle rider deaths in Britain in 2012, and concluded that 106 (87%) were due to a collision with a motor vehicle (some fatalities are still under investigation). In about a quarter of fatal cyclist accidents, the front of the vehicle hit the rear of the bicycle.

A naturalistic cycling study in Melbourne⁸ identified that car drivers were at fault in 87% of incidents (collisions, near collisions) with cyclists, with sideswiping (passing by too closely) the most frequent type of incident at 40.7%.

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

Road rules are a fundamental component of a safe road user environment. They have the potential to contribute to a safe physical space as well as a safe legislative space. However, these safety gains are only realised if there is a high level of awareness and education about road rules, the safe behaviour underpinned by law becomes the practised 'norm', and the laws are actively enforced with penalties imposed on road users who infringe and endanger other road users. This repeatedly has not been the case for road rules intended to 'protect' bicycle riders.

We have structured our response to this point in the Terms of Reference into the following sections:

- 2.1 Minimum overtaking distance
- 2.2 Speed Reduction
- 2.3 Education
- 2.4 Enforcement

2.1 Minimum overtaking distance

2.1.1 Introduction

Legislative amendment, with appropriate education and enforcement, to mandate a minimum overtaking distance when drivers pass bicycle riders is currently the single most important action needed to reduce bicycle rider fatalities.

The failure to allow a safe overtaking distance when passing bicycle riders is the responsibility of **drivers**.

A motor vehicle, travelling in the same direction, hitting a bicycle rider from behind is the most common crash type that results in a bicycle rider being killed³. In these crash types, the responsibility is with the driver; the bicycle rider has no ability to protect themselves and often cannot take any evasive action to avoid a collision.

The most important road rule to provide protection for bicycle riders and improve their safety is the amendment of the road rules to legislate a minimum passing distance that must be observed by drivers when overtaking bicycle riders, referred to in the Terms of Reference as the 1m rule. The introduction of this road rule is a great start to behaviour change and increasing road user awareness and mutual respect between bicycle riders and drivers on the roads.

A legislated requirement of a minimum passing distance of one metre that must be observed by drivers when overtaking bicycle riders would remove the subjectivity of *sufficient* passing distance in the current road rule. This change to the Queensland road rules and ultimately the model Australian Road Rules is a critical and fundamental change essential to improving the safety of bicycle riders.

In this section we will provide the rationale for why minimum overtaking distance legislation is fundamental to improving cycling safety. We will review the main counter-arguments presented about this legislation and provide an overview of the international precedents. First, we highlight the deaths of three Queenslanders whose lives may have been saved by this law.

2.1.2 Recent deaths in Queensland

Since 2011, three deaths in Queensland highlight the fatal impact of a driver not providing enough space when attempting to overtake a bicycle rider. These senseless tragedies have been highlighted here to provide some of the real stories of bicycle rider fatality crashes in Queensland.



Richard Pollett
25 years

Killed
27 Sept 2011
Moggill Rd, Kenmore

Richard was killed when the driver of a cement truck travelling in the same direction attempted to overtake him. The driver thought he had enough room to overtake safely. The rear tyres of the truck struck Richard Pollett and despite the fatal outcome, a jury in the Brisbane District Court returned a not guilty verdict and the driver was freed without charge.



Tanya Roneberg
37 years

Killed
11 May 2013
Captain Cook Hwy,
Cairns

Tanya was killed while riding alone on a training ride at approximately 7am. She was struck from behind by a utility vehicle travelling in the same direction on the Captain Cook Highway, Cairns. The 19 year-old driver has been charged with drink driving and dangerous operation of a motor vehicle.



Sue Bell
58 years

Killed
22 June 2013
Shaw Rd, Townsville

Sue was killed while riding with friends when the driver of a truck attempted to overtake them and clipped the riders. Sue died as a result of the completely avoidable collision and her three friends were injured.

Over the last five years, the AGF's *a metre matters* campaign has provided widespread awareness and educational messaging about the need to provide a minimum of one metre when overtaking bicycle riders. However, education alone has not been enough to protect bicycle riders, as evidenced by the not guilty verdict handed down in the District Court in Brisbane following the death of Richard Pollett.

The rationale for this legislation *a metre matters*, *why it needs to be the law* is provided in the following pages.

*“One metre should be the barest minimum allowed by law.
It is not safe to overtake if there is not a distance of at least one metre.”*

Dr Bruce Flegg MP¹⁰

2.1.3 a metre matters: why it needs to be the law



The Amy Gillett Foundation is calling for action to amend the Australian Road Rules to legislate that **drivers allow a minimum of 1 metre when overtaking bicycle riders on the road.**

Why is this important?

The human trauma costs of cycling in Australia are unacceptable. Bicycle riders need better protection on Australian roads. Every year bicycle related crashes result in 35 fatalities and over 9,500 serious injuries.

While the number of people riding is increasing, up to 4 million in 2011, and the national target is to double by 2016 – participation gains must not lead to more people being killed or injured.

What will the minimum 1m law mean?

The law will provide a protective space that will significantly reduce the risk of bicycle rider crashes. A minimum overtaking distance of 1 metre provides absolute and practical clarity. It:

- will improve safety for bicycle riders
- recognises bicycle riders as legitimate road users that are more vulnerable than other road users
- recognises that bicycle riders need the protection of space when sharing roads with drivers
- provides drivers with a clear, easily recognised measure when overtaking bicycle riders – otherwise drivers must slow down and wait
- reduces the risk of bicycle rider-driver crashes, and bicycle rider crashes resulting from being side-swiped (but not hit) by motor vehicles
- is enforceable; it allows a law enforcement officer/witness to readily evaluate a driver's actions
- will maintain efficiency for all road users across the road transport system
- will optimally incorporate more distance separation (1.5) for higher speed zones, though standardised legislation is more readily implemented, communicated and enforced
- provides bicycle riders with space in which to move to avoid obstacles such as glass, pot holes etc., that motorists may not be aware of
- will ultimately reduce bicycle rider fatalities and serious injuries.

In Australia, most states and territories already recommend that drivers leave at least 1 metre when overtaking a bicycle rider, but the law does not require it and many drivers are not aware of the recommendation. Minimum of 1 metre (or 3 feet) safe passing distance legislation, or established legal precedence, exists in several European countries and nearly half the states in the USA.



2.1.4 a metre matters: road rules – the specifics

Existing model Australian Road Rules (ARR) and their adoption as legislation in states and territories do not adequately protect bicycle riders.

The lack of a clear measurement of a ‘sufficient distance’ (ARR144) means that drivers can make subjective decisions – which continues to lead to fatal outcomes for bicycle riders.

Specifying that drivers must allow a **minimum of 1 metre at all times** when overtaking bicycles/bicycle riders will provide clear guidance to drivers about ‘sufficient distance’.

The primary rule (and its equivalent state/territory road rule) which requires change to address minimum overtaking distance when passing bicycle riders currently states:

ARR144 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.

At a minimum ARR144(a) should be amended to include a sub-rule that states:

- *For the purposes of this rule, a ‘sufficient distance’ for a driver passing a bicycle is taken to be **not less than 1 m***

While standardised legislation is more readily implemented, communicated and enforced, the ARR144 rule amendment **would optimally include a split sub-rule** to require a higher minimum distance when overtaking bicycle riders on higher speed roads. The rule would state:

- *For the purposes of this subrule 144(1)(a), a ‘sufficient distance’ for a driver passing a bicycle means:*
*(a) a distance of **not less than 1 m** if the applicable **speed-limit does not exceed 60 km/h**; and*
*(b) a distance of **not less than 1.5 m** if the applicable **speed-limit exceeds 60 km/h**.*

Notes to ARR144 should include:

- *A sufficient distance for a driver passing a bicycle is measured from the right side of the bicycle/bicycle rider to the left side of the driver’s vehicle including mirrors or other projections including trailers and other attachments.*

Simple amendments to other road rules are also needed to distinguish bicycles/bicycle riders from vehicles/drivers in the context of being overtaken, including:

- *When overtaking a bicycle rider a driver **may** drive on a dividing strip, or on or over a single continuous line, or 2 parallel continuous lines, if the driver has a **clear view of any approaching traffic and if it is safe to do so**.*



2.1.5 a metre matters: the facts

Issue	Facts
An overtaking distance law is a backward step that would leave bicycle riders more vulnerable	<p>Currently rules state that drivers need to allow 'sufficient distance'. This is determined by the driver's discretion and provides drivers with no guidance about how to overtake bicycle riders safely. A minimum overtaking distance law allows a margin of error for bicycle riders and drivers.</p> <p>Countries in Europe including France and Belgium, and nearly half the states in the USA have minimum overtaking distance legislation (refer to section 2.1.6).</p>
Why 1 metre and not more, or less?	<p>1 metre is the minimum. This is a practical and identifiable distance.</p> <p>Counter arguments often state a 'fixed distance' law. This is not the case, a minimum distance prescribes 'at least' 1 metre.</p> <p>In lower speed zones, 1 metre minimum allows room for safe overtaking while maintaining efficient flow of vehicles on urban roads.</p> <p>The AGF recommendation is for 1m minimum in speed zones up to and including 60km/h, and 1.5m minimum in speed zones over 60km/h.</p>
Why don't some 'benchmark European bicycle friendly countries have this law?	<p>These countries, such as Holland and Denmark, have a considerably advanced bicycle rider friendly culture achieved through decades of combined measures including 30km/hr urban speed limits, default liability schemes which go far beyond the proposed minimum overtaking distance legislation (the driver is automatically held responsible in the event of a collision with a bicycle rider, unless they can prove otherwise), considerably greater cultural acceptance of bicycle riders: e.g. everyone in Holland is a cyclist at some point on almost a daily or at least weekly basis - therefore every driver knows how to behave around a cyclist</p>
The notion of a measured distance would make evidence gathering difficult	<p>It is standard practice to use measurements in the Australian Road Rules that are clear, effective and enforceable, e.g. drivers must not travel in a bicycle lane or bus lane for more than 50m; drive at least 2 seconds behind the vehicle travelling in front of you.</p> <p>1 metre can be easily approximated physically or visually and exactness would not need to be proven to the 'centimetre'.</p>
Existing law prohibits driving across single or double solid lines	<p>Existing laws allow drivers to cross solid lines when there is a clear view of traffic, it is necessary and reasonable to do so safely. The proposed law would include permitting this action when overtaking bicycle riders. There is precedence for this inclusion in the UK road rules.</p>
The proposed legislation will have a significant impact on drivers	<p>All ARR's have an impact on the free use of the road by all road users, in order to maximise safety and maintain the efficiency of the road transport system. This proposal is no different.</p> <p>The proposed minimum overtaking distance simply requires drivers to be patient and wait, that is 'give way' in order to leave at least 1 metre.</p> <p>Give Way is a fundamental premise in the Australian Road Rules, and legislated Queensland road rules.</p>
What's the benefit for	<p>The amendment will provide drivers with practical information about how to</p>

Issue	Facts
drivers?	overtake bicycle riders safely. Currently the guidance is unclear and allows uninformed subjective judgement, with potentially fatal outcomes.
Will this affect the legal right of bicycle riders to filter to the left of vehicles upon approach to intersections?	<p>The proposed amendments apply to drivers of motor vehicles overtaking bicycle riders, not to bicycle riders when filtering.</p> <p>We do not propose to remove the filtering law for bicycle riders.</p>
Separation is where the largest safety gains can be made	<p>A Safe System is achieved through a combination of effort across safer roads (including separated bicycle lanes & paths), safer speeds, safer vehicles and safer people (that is, behaviour). No single element can possibly achieve optimal road safety targets – 30% reduction in serious injuries & fatalities by 2021.</p> <p>With the existing road system in Australia and Queensland, it is NOT possible to pay for or build the infrastructure to separate bicycle riders from drivers everywhere. When separation is not achievable, 'space' in a shared environment is fundamental. Requiring drivers to leave a minimum of 1 metre is the best way to provide a safe 'space' for bicycle riders when sharing the road.</p>
<i>Hit from behind</i> crashes are a very small proportion of total crashes	<p>There are vast differences in the circumstances relating to crashes causing bicycle rider injury, serious injury and death. <i>Hit from behind</i> crashes are the most common crash type causing bicycle rider fatalities.</p> <p>Reducing <i>hit from behind</i> crashes will directly reduce the number of fatality crashes.</p>
Is it easily communicated?	Yes. At present most states/territories recommend that drivers leave at least 1 metre when overtaking bicycle riders (Qld and ACT provide no measure in their guidance). This communication is clear and easily understood, and consistent nationally.



2.1.6 a metre matters: precedents

2.1.6.1 Australia

States and Territories in Australia currently provide the following guidance for drivers when overtaking bicycle riders.

State	Link	Guidance
ACT	http://cdn.justice.act.gov.au/resources/uploads/JACS/Road_Safety/PDFs/2013_ACT_Road_Rules_Handbook.pdf	Motorists should exercise care when: overtaking cyclists - leave plenty of room in case they need to avoid a rough surface or obstacle on the road
QLD	http://www.tmr.qld.gov.au/Safety/Driver-guide/Sharing-the-road-with-other-road-users/Cyclists.aspx	When you overtake a cyclist ensure you give them lots of room. Be patient as you approach and only overtake when safe.
NSW	http://www.rta.nsw.gov.au/roadsafety/bicycles/index.html	Motorists are encouraged to allow at least a one-metre gap when they overtake a cyclist
NT	http://www.transport.nt.gov.au/__data/assets/pdf_file/0006/19923/section3.pdf	When you overtake you must: give at least 1 metre clearance when overtaking a bicycle. If this clearance is not possible do not overtake until it is safe to do so. After overtaking, make sure you are well clear of the bicycle before moving back.
SA	http://www.dpti.sa.gov.au/roadsafety/safe_road_users/cyclists	Give cyclists plenty of room; a minimum of 1m clearance when overtaking.
Tas	http://www.cyclingsouth.org/images/stories/Documents/str-final.pdf	Leave space when overtaking. When passing bicycle riders, either riding single file or two abreast, give at least one metre clearance in urban areas and two metres clearance on the open road.
VIC	http://www.vicroads.vic.gov.au/Home/SafetyAndRules/SaferRiders/BikeRiders/SharingTheRoad.htm	Be patient and give bike riders a clearance of at least one metre when passing them, more if travelling over 60km/h.
WA	http://www.ors.wa.gov.au/Demographic-Pages/I-Am-A-Driver/Sharing-the-Road	As a driver, you should share the road with cyclists and be aware of their movements at all times. Cyclists may need to ride slightly away from the kerb or gutter at times due to debris and other hazards. They should be given at least one metre of space when being overtaken. Remember that bicycles are regarded as a vehicle, so cyclists have the same rights as a motor vehicle driver.

2.1.6.2 Precedent – USA

Laws that require drivers to leave a minimum 3-feet (0.91m) lateral distance when overtaking bicycle riders have been implemented in **22** states in the United States. 1 state has implemented a 4-foot rule (Pennsylvania); another has introduced a 2-foot rule (Virginia). In Texas, despite the lack of a state law,

several cities have implemented the law including Austin, Fort Worth, Beaumont, El Paso, Helotes, New Braunfels, San Antonio and Denton.

In 19 other states there exist laws that require drivers to allow a 'safe distance when overtaking a bicycle rider'.

State	Statute	Summary of Laws
Arizona	A.R.S. § 28-735	Exercise due care by leaving a safe distance between the motor vehicle and the bicycle of not less than three (3) feet until the motor vehicle is safely past the overtaken bicycle.
Arkansas	A.C.A. § 27-51-311	Exercise due care and pass to the left at a safe distance of not less than three (3) feet and shall not again drive to the right side of the roadway until safely clear of the overtaken bicycle.
Colorado	C.R.S. 42-4-1002	Allow the bicyclist at least a three (3) foot separation between the right side of the driver's vehicle, including all mirrors or other projections, and the left side of the bicyclist at all times.
Connecticut	Conn. Gen. Stat. § 14-232	A "safe distance" means not less than three (3) feet when the driver of a vehicle overtakes and passes a person riding a bicycle.
Delaware	21 Del. C. § 4116	Proceed with caution and reduce the speed of the vehicle to a safe speed and leave a reasonable and prudent distance by providing a minimum of three (3) feet of clearance while passing such bicyclist.
District of Columbia	Rule 18-2202.10	Exercise due care by leaving a safe distance, but in no case less than three (3) feet, when overtaking and passing a bicycle.
Florida	Fla. Stat. § 316.083	Must pass the bicycle or other non-motorized vehicle at a safe distance of not less than three (3) feet between the vehicle and the bicycle or other non-motorized vehicle.
Georgia	O.C.G.A. § 40-6-56	Leave a safe distance between such vehicle and the bicycle and shall maintain such clearance until safely past the overtaken bicycle. The term "safe distance" means not less than three (3) feet.
Illinois	625 ILCS 5/11-703	Leave a safe distance, but not less than three (3) feet, when passing the bicycle or individual and shall maintain that distance until safely past the overtaken bicycle or individual.
Kansas	K.S.A. § 8-1516	Pass to the left at a distance of not less than three (3) feet and do not drive to the right side of the roadway until the vehicle is safely clear of the overtaken bicycle.
Louisiana	La. R.S. 32:76.1	Pass with not less than three (3) feet and maintain such clearance until safely past the overtaken bicycle.
Maine	29-A M.R.S. § 2070	Pass with a distance between the motor vehicle and the bicycle of not less than three (3) feet.
Maryland	Md. TRANSPORTATION Code Ann. § 21-1209	Must pass safely at a distance of not less than three (3) feet.
Minnesota	Minn. Stat. § 169.18	Leave a safe distance, but in no case less than three (3) feet clearance, when passing a bicycle or individual and maintain

State	Statute	Summary of Laws
		clearance until safely past the overtaken bicycle or individual.
Mississippi	Miss. Code Ann. § 63-3-1309	Leave a safe distance of not less than three (3) feet between the vehicle and the bicyclist and maintain such clearance until safely past the bicycle.
Nebraska	LB 1030	Always allow three feet to the left of the bicycle when passing. Reduce speed and move into the next or oncoming lane to pass. If there is oncoming traffic, reduce speed and follow the bicycle until oncoming traffic clears.
Nevada	Nev. Rev. Stat. Ann. § 484B.270	Must pass to the left with no less than three (3) feet between any portion of the vehicle and the bicycle.
New Hampshire	RSA 265:143-a	Leave a reasonable and prudent distance between the vehicle and the bicycle. The distance shall be presumed to be reasonable and prudent if it is at least three (3) feet when the vehicle is traveling at 30 miles per hour or less, with one additional foot of clearance required for every 10 miles per hour above 30 miles per hour.
Oklahoma	47 Okl. St. §11-1208	Pass with a safe distance between the motor vehicle and the bicycle of not less than three (3) feet until the motor vehicle is safely past the overtaken bicycle.
Pennsylvania	75 Pa.C.S. § 3303	Pass to the left of the pedal cycle within not less than four (4) feet at a careful and prudent reduced speed.
Tennessee	Tenn. Code Ann. § 55-8-175	Leave a safe distance between the motor vehicle and the bicycle of not less than three feet (3') and shall maintain the clearance until safely past the overtaken bicycle.
Utah	Utah Code Ann. § 41-6a-706.5	A motor vehicle may not knowingly, intentionally, or recklessly operate a motor vehicle within three (3) feet of a moving bicycle, unless the operator of the motor vehicle operates the motor vehicle within a reasonable and safe distance of the bicycle.
Virginia	46.2-839.	Any driver of any vehicle overtaking a bicycle,...electric power-assisted bicycle... proceeding in the same direction shall pass at a reasonable speed at least two feet to the left ... and shall not again proceed to the right side of the highway until safely clear of such overtaken bicycle, ...electric power-assisted bicycle... .
Wisconsin	Wis. Stat. § 346.075	Exercise due care, leaving a safe distance, but in no case less than three (3) feet clearance when passing the bicycle and maintain clearance until safely past the overtaken bicycle.

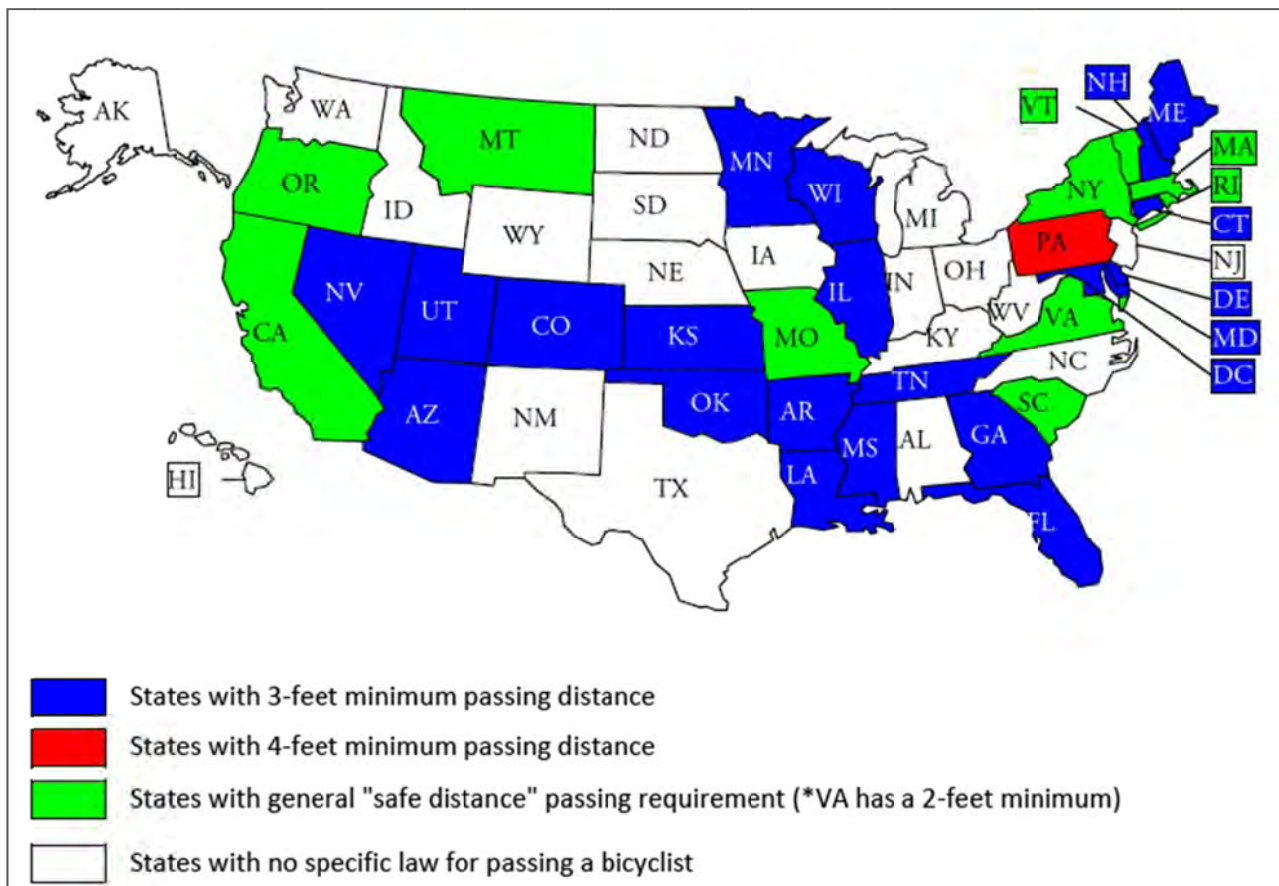


Figure 1 States in the United States with a minimum overtaking distance law⁴

2.1.6.3 Precedent – global

In contrast with Australia, countries in Europe and cities in Canada are at the forefront of creating balanced safe transportation systems incorporating motor vehicle, public transit, bicycles, and pedestrians. The combination of improved infrastructure, policies, urban speed reduction including widespread 30km/hr zones, vulnerable road user legislation (drivers have presumed or default liability) and education have led to higher rates of bicycling and increased safety rates in many European cities. These factors have been cited as reasons why some countries may not have introduced minimum overtaking distance laws.

Countries confirmed with minimum overtaking distance law in addition to the **US** include **Belgium** (1 metre minimum), **France** (1 metre in towns, 1.5 metre minimum out of towns), and **Nova Scotia (Canada)**.

Belgium¹¹

The legislation in Belgium, translated into English states:

1 DECEMBER 1975. - Royal Decree laying down general rules for the road traffic police and the use of public roads. [BS 12/09/1975]

Title II: Rules for the use of public roads

Article 40 ter. Behavior towards cyclists and drivers of two-wheeled mopeds

A cyclist or driver of a two-wheeled moped on public roads under the conditions provided for in these regulations does not endanger.

The driver of a car or a motorcycle

... must be double careful regarding cycling children and the elderly.

... must have a lateral distance of at least **one meter to between his vehicle and the rider (cyclist) or driver of a two-wheeled moped.**

... allow a crossing for cyclists and drivers of two-wheeled mopeds approaching at moderate speed in order not to endanger road users who are on are in danger and they do not interfere when they finish crossing the road at normal speed. If necessary, he should stop to let by driving them.

... allow a crossing for cyclists and drivers of two-wheeled mopeds do not drive up when traffic is obstructed so that he would probably have to stop.

France¹³

The legislation in France, translated into English states:

Article R414-4

I. - Before overtaking, the driver must ensure that it is safe to do so.

II. - It cannot undertake the passing of a vehicle if:

1° It has the ability to resume its place in the normal flow of traffic without disturbing it;

2° The relative speed of the two vehicles will perform exceeded in a sufficiently short time.

3° is not itself about to be exceeded.

III. - It must also, if necessary, notify its intention that the user wants to pass.

IV. - To overtaking they should depart enough to not risk hitting the user that wants to overtake. It should not in any case be approached laterally within **1 meter in urban areas and 1.50 m out of town** if it is an animal-drawn vehicle, a vehicle with two or three wheels, a pedestrian, a jumper or animal

Duty of Care (2008)

One of the four areas of work at the start of the reflection code of the street in France concerned the adoption of the precautionary principle (according to the Vienna Convention , 1968, ratified by France in 1992 but never transcribed in the Highway Code before 2008). Since the decree 2008-754 of 30 July 2008, this principle is in force in France. The following passage was introduced in the Highway Code:

"- **The duty of care** drivers vis-à-vis vulnerable road users: drivers must exercise extra care with regard to the most vulnerable users, as stated in Article 15 of Decree 2008

Article R412-6

Amended by Decree No. 2008-754 of 30 July 2008 - art. 15

I. All-moving vehicle or combination of vehicles in motion must have a driver. It must, at any time, adopt a prudent and respectful behavior towards other users open to traffic lanes. It must show extra care towards vulnerable road users especially.

Numerous campaigns to establish minimum overtaking distance legislation are running concurrently in countries including the United States of America, the United Kingdom, South Africa and New Zealand.

2.1.7 Effectiveness of minimum overtaking distance legislation

The effectiveness of implementation of minimum overtaking distance internationally manifests in the following ways:

- Consistency in ‘distance’ and ‘language’ from jurisdiction to jurisdiction improves effectiveness of the law. Of the twenty-one US States that have passed the law, the legal language defining the provision is largely consistent; at a minimum, each provision contains language which defines safe passing distance to be three feet.
- Increased opportunity to train police officers on bicycle safety and the enforcement of all bicycle related laws.
- Education of the law is as important for behaviour change as the enforcement element: specific educational programming to the road user community that has helped includes:
 - Licensing and road user handbooks,
 - awareness of penalties,
 - public campaigns and public service announcements,
 - permanent roadside signage,
 - apparel.
- Implementation of a fine, regardless of whether a collision occurs demonstrates that the behaviour is the focus, rather than punishment ‘after the crime’. Where there has been criticism of minimum overtaking distance legislation, it is often the case that police are not aware of the law or are reluctant to fine drivers.
- Minimum overtaking distance law could be strengthened by the introduction of what is known as default driver responsibility law in Europe, or a Vulnerable User Law. The Vulnerable User Law means the person operating the heaviest vehicle is responsible to operate their vehicle in such a manner that they are ensuring the safety of the more vulnerable users with whom they are sharing the road. Simply, if motorist hits a cyclist, the motorist is at fault; if a cyclist hits a pedestrian, the cyclist is at fault⁵.

2.1.8 Penalty for drivers

Australian Law is based on the philosophy of self-regulation. Our recommendations uphold this philosophy and support that both regulations and summary offences have a role to play in upholding self-regulation. In the instance of inadvertent unsafe/illegal behaviour (as determined by the Australian Road Rules), regulations (and the associated infringement) are relevant. In the instance where the behaviour causes harm to another party, we support summary offences under legislation.

2.1.9 Current Regulation status and infringement

The AGF asserts that the current infringement associated with ‘failing to keep a safe distance from a vehicle when overtaking the vehicle’, Queensland road rule 144 of 2 demerit points and \$154 is insufficient.

The infringement should be increased to align with other offences which impact the safety of non-occupant vulnerable road users. For example⁶:

- Drivers failing to obey traffic lights – 3 demerit points, \$330 fine
- Failing to stop at a stop sign – 3 demerit points, \$330 fine

Given that overtaking too closely to a bicycle rider can directly lead to a crash that results in a fatality or serious injury, we consider it to be a **critical risk offence** and a penalty of up to 10 demerit points is

warranted. As per other critical risk offences, it is reasonable for some offences when the driver overtakes too closely, such as actions that lead to a bicycle rider's death or serious injury, that the driver's licence should also be suspended.

The AGF recommends that:

1. *At a minimum*, the fine (penalty units) should increase as per the rationale for speeding offences with an increased fine and increased demerit points being linked to the injury outcome of a crash. Crashes that results in a fatality should be equivalent to the most severe penalty for speeding, currently 8 demerit points and \$1,026 fine.
2. The penalty may be partially reduced by the offender taking part in education about the road rules relating to bicycle rider safety and vulnerable road user safety.

2.1.10 Organisations in Australia who support minimum overtaking distance legislation

Australia-wide individuals, groups, organisations, businesses and political parties representing all Australians have called for the introduction of minimum overtaking distance legislation, specifically 1 metre minimum overtaking distance legislation.

Our efforts in particular are backed by the following organisations (National, Queensland, All states):

Organisation	Type	State
Cycling Australia	Cycling Org	National
BMX Australia	Cycling Org	National
MTB Australia	Cycling Org	National
Triathlon Australia	Cycling/Multisport Org	National
USM Events Ironman Asia Pacific	Company	Australasia
Europcar Australia	Company	National
Queensland		
Cycling Queensland	Cycling Org	Queensland
Triathlon Queensland	Cycling Org	Queensland
FKG Tour of Toowoomba	Cycling Org	Queensland
Optima Sports Performance	Cycling Org	Queensland
Tableland Cycle Sports Inc	Cycling Org	Queensland
Balmoral Cycling Club	Club	Queensland
Bikeline Racing	Club	Queensland
Cairns Cycling Club	Club	Queensland
Copper City Cycling Club, Mt Isa	Club	Queensland
Data#3 Racing Team	Club	Queensland
Gold Coast Cycling Club	Club	Queensland
Hamilton Pine Rivers Wheelers	Club	Queensland
Rockhampton Cycling Club Inc.	Club	Queensland
Sunshine Coast Cycling Club	Club	Queensland
Townsville Cycle club	Club	Queensland
Wynnum Redlands Cycling Club	Club	Queensland
Wynnum Redlands Cycling Club	Club	Queensland
Cairns Bicycle User Group	BUG	Queensland
Toowoomba BUG	BUG	Queensland

Organisation	Type	State
Capital Consulting	Company	Queensland
Data Networking Services Pty Ltd	Company	Queensland
Golden Riviera	Company	Queensland
MAK Advertising	Company	Queensland
Paint My Bike	Company	Queensland
Pavé Cyclery	Company	Queensland
Progressive Coaching Systems	Company	Queensland
Rmediaworx Pty Ltd	Company	Queensland
Trinity Cycle Works	Company	Queensland
Water Wise Design	Company	Queensland
All States		
Bicycle NSW	Cycling Org	New South Wales
Cycling Tasmania	Cycling Org	Tasmania
Cycling WA	Cycling Org	Western Australia
Pedal Power ACT	Cycling Org	ACT
Bicycle Transport Alliance WA	Cycling Org	Western Australia
Adelaide Cyclists Online Community	Cycling Org	South Australia
Audax Australia - Wagga Wagga branch	Cycling Org	New South Wales
Bike North	Cycling Org	New South Wales
BikeGal.com	Cycling Org	New South Wales
Canberra Development Squad	Cycling Org	ACT
Drapac Professional Cycling	Cycling Org	Victoria
Wheel Women	Cycling Org	Victoria
Albany Cycle Club	Club	Western Australia
Bathurst Cycling Club	Club	New South Wales
Bayside Bandidos	Club	Victoria
Byron Bay Cycle Club	Club	New South Wales
Canberra Cycling Club	Club	ACT
Cobram Barooga Cycling Club	Club	Victoria
Darwin Cycling Club	Club	Northern Territory
Dulwich Hill Bicycle Club	Club	New South Wales
Eastern Veteran Cycling Club	Club	Victoria
Geographe Grinders	Club	Western Australia
Giant Celtic racing Team	Club	Victoria
Grafton Cycle Club	Club	New South Wales
Harlequin Wheelmen	Club	New South Wales
Holmesglen TAFE	Club	Victoria
Illawarra Cycle Club	Club	New South Wales
Kooragang Open Cycle Club	Club	New South Wales
Lake Macquarie Roadies Cycling Group	Club	New South Wales
Leongatha Cycling Club	Club	Victoria
Lidcombe Auburn Cycle Club	Club	New South Wales
Lidcombe Auburn Cycling Club	Club	New South Wales
Macarthur Triathlon Club	Club	New South Wales
Macedon Ranges Cycling Club	Club	Victoria

Organisation	Type	State
Mersey Valley Devenport Cycling Club	Club	Tasmania
Mildura-Coomealla Cycling Club	Club	Victoria
Muswellbrook Cycle Club	Club	New South Wales
Northern Veterans Cycling Club	Club	Tasmania
Northern Districts Cycling Club	Club	Western Australia
Northern Districts Cycling Club	Club	Western Australia
Northern Sydney Cycle Club	Club	New South Wales
Nowra Velo Club Inc	Club	New South Wales
Parramatta Cycling Club	Club	New South Wales
Regent Tennis Club	Club	Victoria
S.N.O.B Ciclisimo	Club	New South Wales
Skinny Lattes Cycling Club	Club	South Australia
South Perth Roulers	Club	Western Australia
Southern Highlands Rustic Riders	Club	New South Wales
Southern Masters Cycling Club	Club	Tasmania
St Hubert's Island Triathlon Club	Club	New South Wales
St Kilda Cycling Club	Club	Victoria
Sutherland Shire Cycling Club	Club	New South Wales
Sydney Cycling Club	Club	New South Wales
Tamworth Cycle Club	Club	New South Wales
Team Manjimup Crew	Club	Western Australia
The Captain's Crew	Club	Victoria
Tuesday Treadlers Cycling Club	Club	Western Australia
VetRide	Club	Victoria
Vipers Cycling	Club	Victoria
Wangaratta Cycling Club	Club	Victoria
Waratah Masters Cycle Club	Club	New South Wales
Warragul Cycling Club	Club	Victoria
Warrumbungle Wheelers Inc	Club	New South Wales
Werribee Riders Group	Club	Victoria
Whittlesea Cycling Club	Club	Victoria
Yarrawonga/Mulwala Cycling Club	Club	Victoria
Bathurst and District BUG	BUG	New South Wales
Prahran BUG	BUG	Victoria
Queanbeyan Region BUG	BUG	New South Wales
St George BUG	BUG	New South Wales
St Ives Cycling BUG	BUG	New South Wales
Tamar Bicycle User Group	BUG	Tasmania
Abbotsford Cycles	Company	Victoria
Access Hire	Company	Victoria
Anthony J Lewis Architectural Design & Drafting	Company	New South Wales
Belly's Bikes	Company	New South Wales
Bicycle Superstore	Company	Victoria
Bike Marrickville	Company	New South Wales
Black Elephant	Company	Victoria

Organisation	Type	State
Brindabella Family Practice	Company	New South Wales
Carbon Addiction	Company	New South Wales
Cargocycles	Company	Victoria
Chain Reaction Training	Company	Western Australia
Chocolate Foot	Company	New South Wales
Civil & Rigging Pty Ltd	Company	New South Wales
Crown Melbourne Social Club	Company	Victoria
Custom Creative	Company	New South Wales
Cycle Tours Global	Company	New South Wales
Ergo Wines	Company	New South Wales
Inspired Business group	Company	Victoria
ItaliaTech Pty Ltd	Company	New South Wales
Jules Fitness	Company	New South Wales
Karras Cold Logistics	Company	New South Wales
Ken Lane Menswear	Company	New South Wales
Lindsay & Edmunds Chocolates	Company	ACT
Missing Link Hatural Healing	Company	ACT
Mosaic Collective Graphic Design	Company	New South Wales
Mountains Christian College	Company	New South Wales
Pedal Wise Cycle Training	Company	Victoria
Performance by 3	Company	New South Wales
Permalong Pty Ltd	Company	New South Wales
Perrott Painting	Company	Western Australia
Reliance GP Super Clinic	Company	New South Wales
Riverworks Remedial	Company	South Australia
Sharon Stinson Psychology Services	Company	Victoria
The Bike Barn Parramatta	Company	New South Wales
The Full Cycle Of Albury	Company	New South Wales
The Hurt Box	Company	Victoria
True Wheel Cycles	Company	New South Wales
West End Bike Hub	Company	Victoria
Winners Sports Nutrition	Company	Victoria
Wireless Components	Company	New South Wales

2.2 Speed Reduction

One of the most effective ways to improve safety for bicycle riders on the road is to reduce speed limits, in particular in areas with high volumes of cycling traffic.

The AGF supports immediate measures that facilitate safe cycling in urban areas while recognising the need to maintain the viability of the road transport system.

Accordingly, AGF recommends that safe on-road conditions be provided for bicycle travel by adopting in the short term:

- 40 km/h limits in CBD and local streets to promote liveability, safety, active trips and safe cycling
- 50 km/h limits on collector streets where on-road cycle lanes are provided
- 40 km/h limits on arterial roads in areas of high pedestrian and/or bicycle rider activity (such as strip shopping centres) currently zoned as 60 km/h
- where on-road cycle lanes are provided, their width reflects the speed limit assigned to that section of road.

The AGF recommends that, at targeted locations, supporting infrastructure measures be introduced to facilitate consistent, connected and safe flow for all traffic using these roads. The beneficiaries of these changes will be all road users and not just bicycle riders.

Internationally, there is recognition of the benefits of moving to a 30km/h speed limit (see <http://en.30kmh.eu>) in urban areas. The Mayor of Paris has recently announced that it will have a substantial portion, 560km of roads or 37%, of the city under a 30km/h speed restriction. This is a step worth considering for the future.

The Amy Gillett Foundation's current policy statements are provided at Appendix C.

2.3 Education

Education is needed across a number of dimensions:

- For all road users about the road rules and how they apply
- Specific education for road users about rules relating to cycling
- Education in the licensing stage
- Specific training for bicycle riders about rules and responsibilities
- Specific training for bicycle riders in skills necessary to fulfil their road user obligations and maximise their safety.

Currently Queensland cycling-specific road rules are adopted from the model Australian Road Rules (ARR). Under the ARR there are around 70 distinct rules that relate directly to bicycle riders (**refer Appendix D**), including ARR15 that a bicycle is a vehicle. The Amy Gillett Foundation recommends that bicycle be distinct from drivers in specific rules including the proposed minimum overtaking distance rule.

For road rules to be effective, they must be understood by all road users. In the event that these road rules are not obeyed, enforcement is required, this is discussed below. However, education is critical to ensure that all road users understand the requirements of themselves on the road and the road rules contribute to the expectation of how other road users will behave.

The AGF recommends the allocation of 18% of the road safety communications budget to awareness and education between bicycle riders and drivers. Why 18%? Because bicycle riders comprise 18% (and growing) of all seriously injured road users.

To date, there has been very little public education that has specifically addressed cycling-related road rules. Increased education of road rules is required as one factor that will lead to improved road user behaviour and subsequently improved bicycle rider safety.

Key strategies are required to improve road user knowledge of cycling-related road rules: 1) mandatory cycling content in the driver licence process; 2) public education campaigns, and; 3) bicycle skills training.

2.3.1 Mandatory cycling content in the driver licence process

There are two main components of the drivers licensing process:

- Driver's licence handbook
- Testing – theoretical and practical tests

2.3.1.1 Driver's licence handbook

Currently in the Queensland driver's licence handbook references to bicycle riders and cycling facilities (e.g. bicycle lanes) are interspersed throughout the handbook. The AGF recommendation is that this information be consolidated in a separate section of the handbook that provide a clear reference to bicycle riders for new road users.

2.3.1.2 Testing – theoretical test

According to advice received from the Queensland Government Department of Transport and Main Roads (TMR)¹, there are significant gaps in the written testing process in relation to how learner drivers are tested about interacting with bicycle riders and cycling related infrastructure.

According to advice received from TMR, people sitting their written test will be given 1 of 10 sheets of random questions to test their knowledge of the driver's licence handbook. These sheets include 30

¹ Personal communication with Dr Marilyn Johnson, 11 July 2013

questions for the vehicle licence test, 10 questions for the heavy vehicle licence test and 5 questions for a motor bike licence test. It was not known how many questions were in the total question bank that the tests were drawn from.

Across all the potential questions, only one or two related to bicycle riders and TMR staff stated that it was therefore possible that someone could sit a test for their licence and not have to answer any questions related to bicycle riders.

This formal testing process must be amended to include the existing road rules about sharing the road with bicycle riders and interacting with cycling infrastructure.

When the AGF ran the Road Right Learner Driver program between 2008 and 2010 in conjunction with State Licensing Authorities, over 60,000 Learner drivers completed a 10 question quiz about bicycle-related road rules. **Only 64% of participants** answered all 10 questions correctly, highlighting the important need for improved bicycle-related License education.

The AGF acknowledge that there is a potential perception that additional questions may be considered onerous however, given the enormous potential for harm that can be caused by any driver of a motorised vehicle, we consider adequate questioning about vulnerable road users to be a minimum requirement.

AGF recommendation:

All driver licence written tests must include at least 5% or two (whichever is higher) questions that relates to bicycle riders or cycling infrastructure.

2.3.1.3 Testing – practical test

In contrast to the written test, the practical test in Queensland is inclusive of bicycle riders. Advice received from TMR staff was that if a person made one critical error during their driving licence test, they are unsuccessful. A critical error included failure to maintain a safe distance from a range of objects such as a parked car, telegraph pole and a bicycle rider.

TMR staff advised that during the test, a common sense approach was taken with regard to the distance considered acceptable, and that a sliding scale was used in relation to speed and a safe distance was considered 1.2m. However, most of the drivers being tested did not encounter bicycle riders on the road; therefore the test was unlikely to include interactions with bicycle riders. The experience of the staff member was that driver's licence tests were often conducted in areas with few bicycle riders on the road. When a bicycle rider was on the road, the test driver was likely to change lanes and give adequate room.

Test drivers were permitted to make eight non-critical errors, nine non-critical errors during their driver's licence test resulted in a fail. The TMR staff were less definitive on the likelihood of bicycle-related driving behaviour being deemed a non-critical error. For example, driving in a bicycle lane for more than 50m, while illegal, may be considered a critical error; however road position would be classified as a non-critical error, but this may or may not be applied in the case of driving in a bicycle lane. The determining factor was the likelihood of causing harm to another road user.

While it is encouraging that overtaking a bicycle rider too closely is considered a critical error and warrants a failed test, greater consistency is required over the discretion allowed in the non-critical behaviour of drivers in test results.

AGF recommendation:

Increased awareness and education about bicycle-related road rules is required, greater efforts for enforcement are required.

The AGF recommends mandatory cycling content in the driver's licensing process. All written tests for driver and motor bicycle rider licences must include questions about interacting with bicycle riders and cycling infrastructure. All practical tests must include interaction with cycling related infrastructure.

2.3.2 Public education and awareness

The AGF has taken a leadership role in educating road users about the road rules and safe behaviours that between bicycle riders and other road users. Under the new AGF platform **Cycle Safe Communities**, examples of the campaigns include *a metre matters* and *ride rules*, which are designed to inform road users about cycling-related road rules and behaviours.



Figure 2 Example of AGF safety campaign messaging

Cycle Safe Communities delivered by the Amy Gillett Foundation is an example of how governments, councils, organisations and community groups can take action to educate road users. Cycle Safe Communities contains ready to use campaign materials that are available online to bring to life cycling safety messages for the community. Each item has been identified to assist in the promotion and education of important safety messages for all road users. This community platform provides consistent messages on cycle safety that can be developed and expanded to include other material and resources. This will enable consistent messaging to be adopted and embedded in the Australian community.

2.3.2.1 Nationwide *a metre matters* campaign delivery

Over the past four years the Amy Gillett Foundation has striven to deliver the *a metre matters* campaign to millions of Australians. A summary of the campaign's national delivery, activation & traction is provided below.

Media	Date Range	Location/Details	Volume/ Frequency
Outdoor Billboards	Mar – Jun 10	Tullamarine Fwy (MEL) Westgate Bridge (MEL) Mascot Airport (SYD) Brisbane Airport & Pacific Hwy Yatala (BNE)	50,842 Daily Views 81,000 Daily Views 18,794 Daily Views 38,970 Daily Views
Val Morgan Cinema	Feb – Apr 10	200 Screenings (NATIONAL)	Avg audience size of 200
TVC	Jan10 – Apr11	3,532 repetitions of 15 second TVC on Ten, One HD, Foxtel (NATIONAL)	Avg audience size of 300,000
TVC	Oct10 – Jan12	SBS Foundation grant awarded to AGF (NATIONAL)	Avg audience size of 60,000

Media	Date Range	Location/Details	Volume/ Frequency
TVC	Jul 11	30 second TVC shot and incorporated into SBS Tour de France broadcast (NATIONAL)	Avg audience size of 750,000 x 25 spots during the Tour
Sponsor Activation (radio)	Feb – Apr 11	Co-branded with Continental Tyres on Mel sports radio network 1116SEN (MEL)	Avg audience of 80,000
Retail In-Store	Jul – Aug 11	20,000 car bumper stickers produced and distributed across Big W stores (NATIONAL)	5,000 stickers sold with balance sold at AGF events
AGF Events	Nov 09 – Mar 13	Cycling jerseys produced and sold to AGF event participants carrying this primary message (MEL, ADEL, CANB)	15,000+ event jerseys
Sponsor Activation	Nov 12 – Apr 13 Dec 12	150,000 mirror swing tags co-branded with Europcar carrying the “amm” msg (NATIONAL) Coffee cup production by Brunetti Coffee (MEL)	150,000 vehicle rentals 20,000 “amm” branded coffee cups produced and sold across 5 store locations
Outdoor street signage (JC Decaux)	Mar 13 – Jul 13	1,247+ individual “City Lights” panel displays across the inner suburbs of (BNE, MEL, SYD)	3.5 million+ minimum views
Outdoor activation and multi-media	Apr 13-	Cairns outdoor billboard, radio activation (CAIRNS, QLD)	Avg eyeballs 150,000
TVC	June – Aug 13	A metre matters 15 second TVC - WIN television commercial state-wide (excludes Brisbane Metro) - Gold Coast to Cairns SBS are state-wide (includes Brisbane Metro) - Seven Queensland (Eastcoast) high rotation, Gold Coast to Cairns	TBA views
Outdoor Billboards	Jul – Nov 13 Aug – Sep 13	Major NSW metro & regional outdoor campaign (NSW) Large format oOh Media billboards in key locations (PER, BNE, MEL, ADL, HOB)	13 large format outdoor billboard locations 13 large format outdoor billboard locations
Print	Jul 13	Full page creative in Sydney Morning Herald & Daily Telegraph (NSW)	1.6 million+
Sponsor Activation	Jul 13 – Jun 14	Production and distribution of 12,000 co-branded AGF and Europcar “amm” stickers on back of every Europcar rental vehicle (NATIONAL)	TBC – likely to be 5 million+ over 12 month period
TVC	Jul 13	Fox Sports inclusion of AGF 15 second TVC nightly during 2013 Tour de France program	TBC audience actual reach
Print (outdoor, newspaper & other)	Aug 11 – ongoing	A variety of councils producing co-branded “amm” safety awareness in their communities, including Sth East QLD, Mornington, BikeSafe on Bellarine Peninsula, Warrnambool, Cairns	multi 100,000's

2.3.2.2 Queensland *a metre matters* campaign delivery

The Amy Gillett Foundation has invested in campaign activation in Queensland since 2010.

A widespread education campaign in Queensland is needed to provide information to all road users about sharing roads and paths with bicycle riders, safely.

To date the following represents some of the AGF's work in the Queensland community:

Media	Date Range	Location/Details	Volume/ Frequency
Outdoor roadside billboard	March – June 10	'a metre matters' roadside outdoor billboard erected alongside Pacific Highway, Yatala BRISBANE	25,000 Daily Views
All forms of collateral	10 – 12	Sunshine Coast Council, cycle safety campaign featuring 'a metre matters' QLD	Avg audience size of 300,000
Outdoor roadside billboard	Mar – June 11	Sir Kingsford Smith Drive, BRISBANE	18,970 weekly views
City Lights Outdoor billboard signage	Mar 13 – ongoing	300 x 'a metre matters' and ride rule billboard signs, BRISBANE	780,000 weekly views
Outdoor roadside billboard	May 2013 – ongoing	'a metre matters' roadside outdoor billboard erected along the main arterial CAIRNS	20,000 daily views
Vehicle livery	May 2013 – ongoing	'a metre matters' mini superside bus advertisement CAIRNS	10,000
Outdoor signage	May 2013 – ongoing	'a metre matters' LCD screen erected in CBD CAIRNS	10,000 daily views
External Event	May	BRISBANE CBD BUG's 'a metre matters' awareness memorial ride	1,000
TVC	July 2013 – ongoing	A metre matters 15 second TVC - WIN television commercial state-wide (excludes Brisbane Metro) - Gold Coast to Cairns SBS are state-wide (includes Brisbane Metro) - Seven Queensland (Eastcoast) high rotation, Gold Coast to Cairns	TBA views
Print	July 2013	Sunshine Coast Council road safety advertising newspaper feature	5,000 views
Outdoor roadside signage	September – October 2013	'a metre matters' roadside outdoor billboard erected on the Pacific Highway, Beenleigh	TBA



a metre matters messaging on buses in Cairns, May 2013



Brisbane airport – 8 week run March, 2010



Pacific Highway at Yatala, Brisbane, March 2010

2.3.2.3 Permanent Road Signage

The Amy Gillett Foundation recommends the Queensland Government approve a suitable permanent road-side sign depicting driver-bicycle rider normal interaction in regional areas. The purpose of this sign is to provide better awareness to motorists to look out for bicycle riders using regional roads, and to drive in preparedness to share the roads safely with bicycle riders.

A suitable permanent road-sign design (x 2 variations) that meets AustRoads guidelines is below:



2.3.5 Working 2gether – co-operation, collaboration, communication

Working together, collaborating and co-operating is fundamental to creating a safer cycling environment and the development of education/awareness tools.

A recent example of this in Victoria is ***Sharing roads and paths***, the new consolidated code of conduct for cyclists and road users interacting with cyclists. This new code replaces the multiple documents that were being produced across Victoria, each offering similar information but with numerous small variations and inconsistencies.

The short form document was the result of a collaboration facilitated by the Amy Gillett Foundation with key road safety stakeholders including VicRoads, Victoria Police, City of Melbourne, RACV, Cycling Victoria, Bike Safe, Monash University, Victoria Walks, Bicycle Network Victoria, Cycling Promotion Fund, Retail Cycle Traders Australia, Baw Baw Shire Council and Mornington Peninsula Shire and was funded by the Victorian State-wide Community Road Safety Partnership.

A similar initiative is proposed for all states and territories including Queensland to ensure the messages for road users are consistent and available in one location.



2.3.3 Bicycle skills training

Bicycle skills training is a basic component of a safe cycling environment. The AGF recommends adequately funded bicycle rider skills training for all bicycle riders. Bicycle skills training can increase the confidence and safety of new and returning riders and increase the skills for existing bicycle riders. Training can assist bicycle riders to select appropriate routes and provide skills for dealing with safety issues on particular types of routes. The UK funding levels for bicycle rider training are recommended as a starting point.

The AGF proposes government funded road safety education and bicycle skills training for all Australian children – during primary school years, and in their teenage years – as a key component for safer cycling now, for future bicycle riders, and for our next generation of drivers. Teaching young children to ride a bicycle and engage in the road network safely are key components to the approach taken in countries with high cycling participation. In the Netherlands, road safety education begins with children aged 4-5 years of age and is continued throughout primary and secondary school. The AGF supports this approach for

Australian children through the programs provided by AustCycle (www.AustCycle.com.au) – a joint venture between Cycling Australia and the AGF.

The AGF proposes government funded bicycle safety and skills education to disadvantaged communities as a way to encourage community members to integrate into their community using low-cost, active transport. A report on the effectiveness of the AustCycle programme, as delivered to over 6750 adults over a three-year period, has recently been completed and is awaiting sign-off from the Federal Department of Health and Aging⁷. This confirms the many positive features of a Government supported system that provides cycling skills and safety training on a scalable basis.

Queensland is known to have had a long standing interest in doing more in this area, however much of the responsibility has been left in the hands of local government and there has been no ongoing commitment to addressing this most fundamental aspect of road safety education. This has resulted in disjointed schemes and a lack of legitimacy in introducing these schemes into the school curricula.

For a relatively modest investment, the Queensland Government could support the AustCycle model and ensure a real contribution to road safety and responsible road use for the longer term.

2.4 Enforcement of road rules

Currently Queensland cycling-specific road rules are adopted from the model Australian Road Rules (ARR). Under the ARR there are around 70 distinct rules that relate directly to bicycle riders (**refer Appendix D**), including ARR15 that a bicycle is a vehicle.

For road rules to be effective, they must be understood by all road users. In the event that these road rules are not obeyed, enforcement is required, this is discussed below. However, education is critical to ensure that all road users understand the requirements of themselves on the road and the road rules contribute to the expectation of how other road users will behave.

A safer road environment requires societal behaviour change across all road users; active awareness, education and enforcement of road rules are fundamental to effecting actual behaviour change in Australia. As evidenced by the introduction of, and proactive awareness raising and enforcement of road rules related to drink driving, wearing seatbelts, wearing helmets and speeding, active police enforcement of the road rules has had an impact on reducing harmful behaviours.

AGF recommendation:

- **Mandatory police investigations of all reported bicycle rider-vehicle serious injury crashes**
- **Enforce existing rules for all road users –fines directly issued to drivers at fault in bicycle rider-driver incidents**

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

3.1 Bicycle rider vs. Driver penalties

Currently in Australia, there is no consistency or pattern in the allocation of fines (penalty units) or demerit points across road rule infringements and across road users. Fines (penalty units) and demerit points amounts differ from state to state.

Bicycle riders are vulnerable road users and the risk of physical injury is higher for bicycle riders than for other on-road road users. They are also relatively low in speed and mass and thus less likely to cause injury to other road users. The fines imposed for the same infringement should reflect this and be higher for motorised road users.

3.2 Bicycle rider vs. Driver penalties in Queensland

Queensland currently applies some of the lowest fines and demerits for bicycle infringements of any jurisdiction in Australia. Active enforcement of road rules, including the issuing of penalties for infringements are important tools in changing road user behaviour and improving safety for all road users.

Queensland also applies a differential penalty system for infringements between motor vehicles and bicycles. That is for the same road rule, the penalties (fines and/or demerit points) applied in the event of an infringement are generally lower for a bicycle rider compared to a driver.

We support this approach generally, given that the safety risk severity for bicycle rider infringements (to other road users) is generally lower than for the driver of a motor vehicle.

However, the AGF recommends that consideration be given to increasing the penalty to bicycle riders for some road rules infringements to reflect the severity of risk that non-compliance creates to bicycle riders' *own safety* and the broad safe road environment.

The table below illustrates the discrepancies between the current bicycle fines in Queensland and the national average.

Table 1 Current bicycle rider fines in Queensland and the national average

Action	Queensland penalty	National average penalty
Disobey red lights	\$110	\$214.13
Disobey stop sign	\$110	\$174.33
Disobey keep left sign	\$66	\$129.48

The three charts below show the fine amount for motor vehicles and bicycles in each Australian jurisdiction. The motor vehicle fines are shown in grey and the bicycle fines are shown in pink. The dashed grey line shows the national average fine for motor vehicles and the dashed pink line shows the national average fine for bicycles (Figure 4-6).

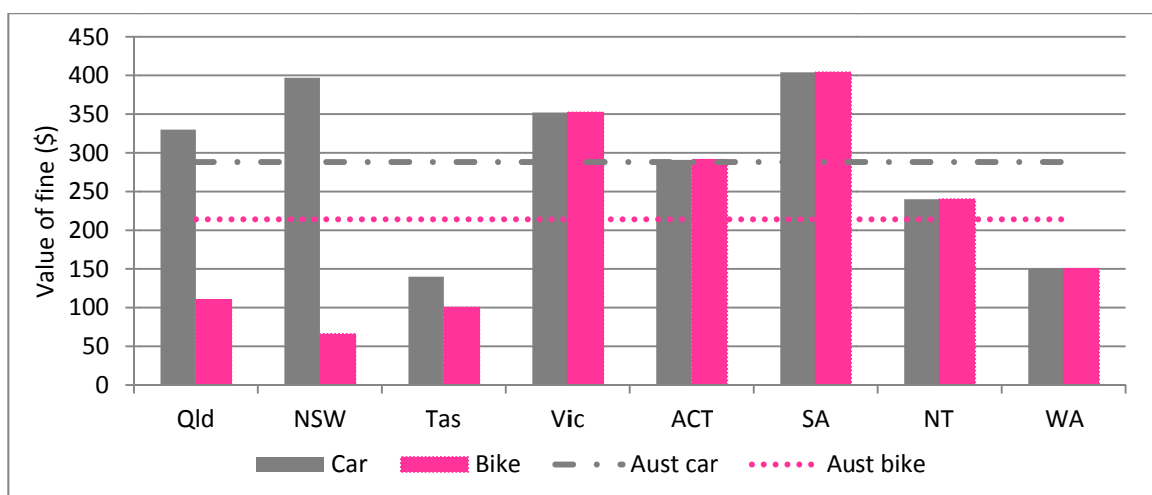


Figure 3 Current bicycle fines for disobeying a red light by jurisdiction

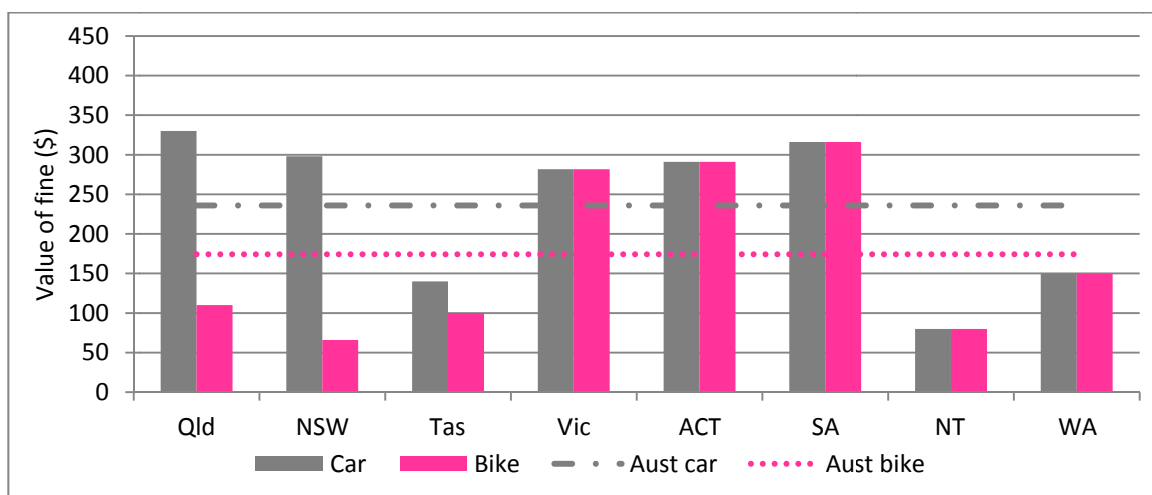


Figure 4 Current bicycle fines for disobeying a stop sign by jurisdiction

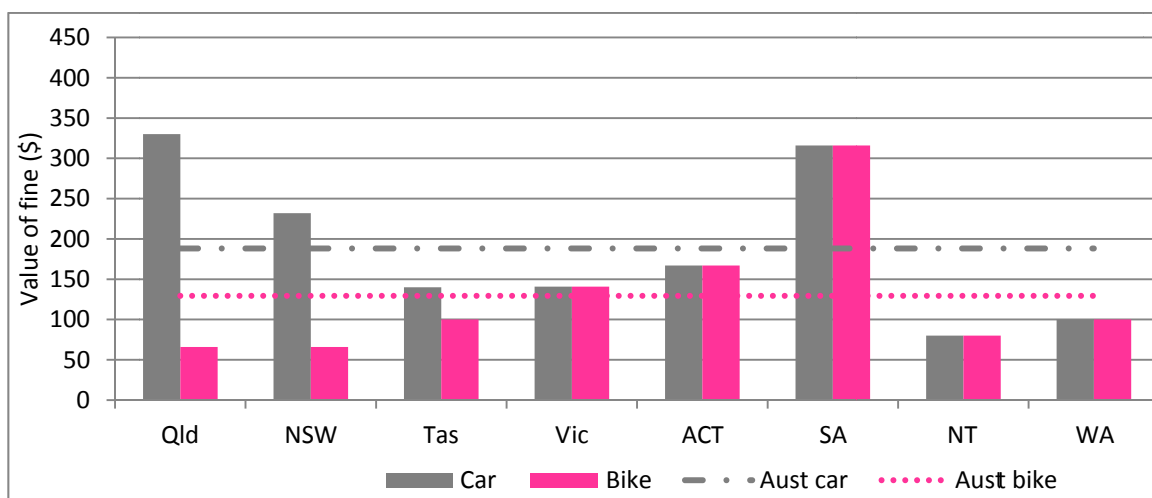


Figure 5 Current bicycle fines for disobeying a keep left sign by jurisdiction

4 The potential benefits and impacts of bicycle registration

Such a concept may be attractive to legislators seeking easy and cheap “solutions” when this emotive topic is raised, but is bicycle registration worth the expense and would it work to improve road safety and encourage non-motorised modes of transport.

More importantly would this legislative requirement reduce cycling levels thereby affecting other desired policy outcomes e.g. health benefits from increased physical activity.

Internationally there have been and, in a few instances, still are, some bicycle registration schemes. Most have ceased. In July 2011 the City of Ottawa investigated the feasibility of creating a bicycle licensing scheme. <http://ottawa.ca/calendar/ottawa/citycouncil/cpsc/2012/01-19/Inquiry%20CC%2008-11%20Monette%20-%20Bicycle%20Licensing%20inquiry.htm>. In January 2012, the City Operations team said:

“Given limited benefits and significant challenges, and primarily based on the fact that bicycle licensing would act as a significant barrier to cycling, it is recommended that bicycle licensing not be implemented in the City of Ottawa”



Where schemes have survived it is under the guise of an anti-theft measure for instance in Japan where registration is known as “Bicycle Crime Prevention Registration”. The Swiss parliament reviewed and rescinded their bike-tag scheme in 2010 following advice on the lack of a cost benefit.

To enable the Government to administer the registration of cyclists, changes in legislation would have to be considered along with extensive changes to computer systems.

There are more bicycles sold annually in Australia than cars (over 1.4 million bicycle imports for the 2012-13 financial year), many of which change owners frequently—and one in three adults owns a bicycle. To register them would entail the establishment of a system parallel to that presently existing for motor vehicles. In the UK in 2006 the Department for Transport’s stated that *“the cost of such a system would outweigh any possible benefits and so we do not propose to take this idea forward”*.

Below are some key considerations of the arguments in relation to bicycle registration.

Issue	Consideration
What does vehicle registration fund?	Motor vehicle registration as it currently stands in Australia is primarily to fund third party insurance schemes for victims of road crashes This suggests that registration for cyclists should be considered if

Issue	Consideration
	<p>there is an actuarially significant issue associated with bike riders causing harm to other road users.</p> <p>Registration of bicycles might theoretically be warranted if significant damage is incurred that is not compensated by existing insurance arrangements e.g. single vehicle accidents.</p> <p>There is little evidence, but it is currently unlikely that uncovered liabilities incurred by cyclists warrant setting up a universal insurance scheme</p>
What's the value to the registered party (the bicycle rider)?	<p>Coverage of liability for personal injuries caused to others</p> <p>A sense of legitimacy and a (misplaced?) sense of ownership of the road.</p> <p>Behaviour change programs that address this attitude about bicycle riders legitimacy is what is needed to address this misconception, not additional regulation.</p>
What are the barriers to the registered party (the bicycle rider)?	<p>Multiple bicycles:</p> <ul style="list-style-type: none"> • Multiple bicycles are commonly owned by bicycle riders • Many bicycles are owned, but not/rarely ridden • The assumption of a one to one relationship between bicycles and rider is erroneous • It is commonplace for bicycle riders to 'swap' bicycles <p>Children – is it socially appropriate/acceptable to apply a registration charge to a bicycle belonging to a child?</p> <p>The cost of bicycle registration may provide a financial barrier to cycling participation, in particular to disadvantaged community members.</p>
What's the value to road managers?	<p>License plates associated with registration provide a convenient way to identify vehicles that are stolen or detected in speed or red light cameras or other infringement situations where a notice is processed and served by mail rather than on the spot.</p> <p>Identification and penalty is arguably the most common argument used in support of bike registration. Any license plate fixed to a bicycle is unlikely to be of a similar size and visibility as those on motor vehicles.</p> <p>The license plate serves as a proxy for some other form of driver identification.</p> <p>In contrast, bicycle riders are relatively easy for police to stop in the event of a road rule infringement. Consideration could be given to a requirement that bicycle riders carry a form of identity card or license.</p> <p>Technology is likely to result in a more direct way of tracking driver identity in the future, thus overcoming issues of shared use vehicles and fraudulent transfer of infringement liabilities (e.g. Justice Einfeld case).</p>

Issue	Consideration
	<p>Finally, as evidenced by the behaviour of drivers of registered vehicles, registration is not sufficient to act as a complete impediment to unlawful behaviour – drivers continue to break the law.</p>
Data Collection	<p>The argument that bicycle registration would provide a centralised point of record for all bicycle riders and this would assist research into issues related to cycling safety is incorrect. The only data that would be generated by the registration of bicycles in Australia is a record of the number of bicycles owned. To date this data has been adequately derived from the bicycle importation and sales data available from the Cycling Promotion Fund.</p> <p>To use bicycle registration as a mechanism for data collection:</p> <ul style="list-style-type: none"> • Will not provide data on distance travelled, time spent riding on the road or exposure to crash risk • Will not provide data on crash involvement or injury outcome • Will not provide data on trips taken, trip purpose, mode shift • Will not provide data on routes travelled, cannot be used to review or improve existing infrastructure • Will not provide data on fitness improvement or benefits to health <p>Investment into government schemes to improve data collection methods for bicycle riders would be better achieved through improved linkages of existing data sets that provide detailed data on bicycle rider experiences for example, hospital trauma data, police reports, travel diaries and crash mapping.</p>
Cost	<p>It has been suggested that the revenue generated by bicycle registration will be used towards improving bicycle infrastructure. However, the AGF has not been able to locate any economic modelling to validate this claim.</p> <p>It is more than likely that the cost to administer and implement the bicycle registration system will not be covered by the bicycle owners. It is highly likely that there will be shortfall in the operating costs that will need to be covered state government revenue.</p>
Are there enough arguments to support the costs of registration of bicycles or licensing of bicycle riders?	<p>Licensing and registration need to be considered separately.</p> <p>Any licensing process would need to be supported by a universally available knowledge and skills training and testing regime. This would require a separate benefit –cost analysis.</p> <p>Any registration process would need to consider the age of owner (children form a significant number of riders and/or owners), issues of multiple bike ownership etc.</p> <p>There is little, if any, practical benefits to drivers of motor vehicles from registering bicycles.</p> <p>Establishing the costs for registration of bicycles would require new and different modelling. Traditional costing based on vehicle size</p>

Issue	Consideration
	<p>and weight would be meaningless.</p> <p>Registration has not been pursued in any other jurisdictions because any perceived benefit is outweighed by the direct costs and other adverse policy outcomes e.g. lower physical activity and negative environmental impact.</p>

5 Safer vehicles and bicycles

Safer vehicles and bicycles is not a specified item in the Terms of Reference for this Inquiry. We have provided, however, a brief statement about this area which the AGF believes is an integral part of the Safe System framework, and contributes to improved safety for bicycle riders.

There are a number of features of vehicles that could be enhanced to improve bicycle rider safety. These include:

5.1 Motor Vehicle Active Safety features

Motor Vehicle Active Safety features to help prevent crashes:

- Pedestrian and bicycle rider detection technology (e.g. http://www.motorauthority.com/news/1082749_volvo-shows-worlds-first-bicycle-rider-detection-system-in-geneva-video)
- Driver's side door opening warning devices to prevent "dooring" incidents
- "Heads up" displays
- ABS braking
- Swerving and auto-braking technology
- Speed limiting devices
- Rear view cameras (in particular to prevent crashes with bicycle riders and pedestrians when backing out of driveways and parking bays)
- Alco-locks – these could readily be required as standard on heavy and new vehicles.
- Restrictions on window tinting. Tinting – especially after-market tinting reduces the driver's ability to see peripherally. In addition, it reduces external road-users' ability to make eye contact or observe the visual field of the driver
- Vehicle design to address blind spots
- Regular servicing and maintenance
- Conspicuity features – day time running lights and vehicle colour requirements

5.2 Motor Vehicle Passive Safety features

Motor Vehicle Passive Safety features to help reduce the severity of injury in the event of a crash:

- Removal of front end modifications (e.g. bull bars / roo bars)
- Design of pedestrian and bicycle rider friendly crumple zones (see <http://deepblue.lib.umich.edu/bitstream/handle/2027.42/92202/102873.pdf>)

5.3 Bicycle Active Safety features

Bicycle Active Safety features to help prevent crashes:

- Improved mirror systems
- Regular servicing and maintenance e.g. brakes, tyres, steering, lights

- Recommendations for appropriate bicycle style and fit according to riders' experience levels (this may result in education programmes for retailers to emphasise a style of bicycle that provides an upright riding style. This may facilitate scanning and hazard perception. These styles of bicycles may also be slower and thus less likely to be involved in crashes.
- Conspicuity features – day time running lights, reflective and bright clothing could be considered (under French law, bicycle riders riding outside urban areas are required to wear reflective vests).

5.4 Bicycle Passive Safety Features

Bicycle Passive Safety Features to help reduce the severity of injury in the event of a crash:

- Protective clothing including helmets, gloves and footwear. These can be encouraged through better design, marketing and education.
- New technology – there are a number of developments using accelerometers. For instance they can be used to deploy airbags for vulnerable road users (see <http://www.hovding.com/en/>). They could also be used to set off an emergency beacon to call support services after a crash (This sort of technology is currently used for the elderly as a fall detection technology). The role of government here is arguably to establish standards and policies that will encourage the introduction of this sort of technology where a net benefit can be established and to reduce the costs of establishing that benefit to the extent possible.

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Appendix A: AGF Manifesto for safer bike riding in Australia



Appendix B: A Metre Matters Campaign – Queensland



Appendix C: AGF Policy Statements



Appendix D: Queensland bicycle rider relevant road rules

Queensland Cycling Specific Road Rules

The road rules for road users in Qld are specified by the Australian Road Rules as approved by the Australian Transport Council and published by the National Road Transport Commission. The most recent version of these rules is the February 2012 version. Some amendments to these rules have been made by the Qld government and these are reflected in the list of rules below.

A bike rider must obey traffic control signs and signals including red lights, stop and give way signs.

A vehicle includes a bicycle. (Rule 15)

A rider is a person who is riding a bicycle but does not include a passenger or a person walking beside and pushing a bicycle. (Rule 17)

Cyclists can make hook turns at all intersections unless signage prohibits hook turns by bicycles (Rule 35).

Hand signals must be given when turning right (Rules 48, 49, 50)

Cyclists may ride in an emergency stopping lane unless prohibited by a sign. (Rule 95)

Cyclists riding through multi-lane roundabouts who travel on the far left line of traffic must give way to any vehicle leaving the roundabout (Rule 119)

Cyclists must ride as near as is safely possible to the far left side of the road — on a multi-lane road or a road with two or more lines of traffic travelling in the same direction as you, you can occupy a lane and travel in the right hand lane when necessary (for example, to make a right turn) (Rules 129, 130)

A bike rider must ride on the left side of an oncoming vehicle unless the rider is on a foot-path, nature strip or shared path and is permitted to be there. (Rule 131)

A driver (except the rider of a bicycle) must not overtake a vehicle to the left of the vehicle (with some exceptions). The rider of a bicycle must not ride past, or overtake, to the left of a vehicle that is turning left and is giving a left change of direction signal (Rule 141).

A driver overtaking a bicycle must pass at a sufficient distance to avoid a collision or obstructing the path of the bicycle; and must not return to the marked lane or line of traffic where the bicycle is travelling until the driver is a sufficient distance past the bicycle to avoid a collision or obstructing the path of the bicycle (Rule 144).

A bike rider may cross a continuous white edge line in order to ride along the road shoulder but must give way to vehicles on the roadway when moving back onto the road across the continuous white edge line. (Rule 150)

Cyclists cannot ride more than two abreast unless overtaking. When riding two abreast riders should not be more than 1.5m apart. This rule also applies on bike paths, shared paths and shoulder of the road (Rule 151)

A cyclist may ride in bicycle, tram, bus and transit lanes unless prohibited by a NO BICYCLES sign. (Rules 153 - 158)

A bike rider must stop before passing the rear of a stopped tram at a tram stop. Once the tram doors are closed and pedestrians have crossed between the tram and kerb, the rider may then proceed to pass the tram. (Rule 164)

A bike rider must sit astride the rider's seat facing forward and have at least one hand on the handlebar (Rule 245)

The rider of a bicycle must not carry more persons on the bicycle than the bicycle is designed to carry. Each person must wear an approved helmet. eg: no dinking (Rule 246)

The rider of a bicycle riding on a length of road with a bicycle lane designed for bicycles travelling in the same direction as the rider must ride in the bicycle lane unless it is impracticable to do so (Rule 247)

Bike riders must enter a bicycle storage area from a bicycle lane (unless it is impractical to ride in the bicycle lane).

The rider of a bicycle must not ride across a road, or part of a road, on a marked foot crossing, unless there are bicycle crossing lights at the crossing showing a green bicycle crossing light (Rule 248)

The rider of a bicycle must not ride on a part of a separated footpath designed for pedestrians. (Rule 249)

In the ACT and Tasmania cyclists of any age are permitted to ride on footpaths.

The rider of a bicycle riding on a bicycle path, footpath, separated footpath or shared path must keep to the left of any oncoming bicycle rider on the path (Rule 251)

A bike rider may not ride on a road or footpath where signs or road markings specifically ban bicycles. (Rule 252)

A bike rider must not cause a traffic hazard by riding into the path of a driver, rider or pedestrian. (Rule 253)

A bike rider may not hold onto to another moving vehicle while riding the bicycle. (Rule 254)

A bike rider must maintain a distance of at least 2m between the bicycle and the rear of a motor vehicle when following the motor vehicle for more than 200m. (Rule 255)

The rider of a bicycle must wear an approved bicycle helmet securely fitted and fastened on the rider's head, and any passengers (eg: child in child seat) must also wear an approved helmet (Rule 256).

The rider of a bicycle must not tow a bicycle trailer with a person in or on the bicycle trailer, unless the rider is 16 years old, or older; and the person in or on the bicycle trailer is under 10 years old, the bicycle trailer can safely carry the person; and the person in or on the bicycle trailer is wearing an approved bicycle helmet securely fitted and fastened on the person's head (Rule 257)

The bike must have at least one effective brake and a warning device such as bell or horn (Rule 258)

In poor light conditions or at night the bicycle must have a flashing or steady white light that is clearly visible for at least 200 metres from the front of the bicycle; and a flashing or steady red light that is clearly visible for at least 200 metres from the rear of the bicycle; and a red reflector that is clearly visible for at least 50 metres from the rear of the bicycle when light is projected onto it by a vehicle's headlight on low-beam. (Rule 259)

At bicycle crossing lights if the light is red, you must stop before reaching the light. You must only cross when the light is green and if the lights change to yellow or red while you are in the intersection, you must cross it by the safest, most direct route. (Rules 260, 261, 262)

A person must not cause a hazard to a cyclist by opening a door of a vehicle, leaving a door of a vehicle open, or getting off, or out of, a vehicle (Rule 269)

A bike rider must secure any loads to the bicycle in a way that does not cause the bicycle to be unstable, make sure the load does not stick out from the bicycle in a way that is likely to injure a person, obstruct the path of other drivers or pedestrians, or damage a vehicle or anything else and avoid hanging things off the handlebars.

A cyclist may not lead an animal while riding a bicycle either on a path or a road.

A bike rider must obey traffic control signs and signals including red lights, stop and give way signs.

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The rider of a bicycle must not ride across a road, or part of a road, on a marked foot crossing, unless there are bicycle crossing lights at the crossing showing a green bicycle crossing light (Rule 248)

The rider of a bicycle must not ride on a part of a separated footpath designed for pedestrians. (Rule 249)

In Queensland, cyclists of any age are allowed to ride on a footpath unless prohibited by a 'NO BICYCLES' sign — you must give way to pedestrians and ride in a manner that does not inconvenience or endanger other footpath users. (Rules 250 and 288) QLD

The rider of a bicycle riding on a bicycle path, footpath, separated footpath or shared path must keep to the left of any oncoming bicycle rider on the path (Rule 251)

A bike rider may not ride on a road or footpath where signs or road markings specifically ban bicycles. (Rule 252)

A bike rider must not cause a traffic hazard by riding into the path of a driver, rider or pedestrian. (Rule 253)

A bike rider may not hold onto to another moving vehicle while riding the bicycle. (Rule 254)

A bike rider must maintain a distance of at least 2m between the bicycle and the rear of a motor vehicle when following the motor vehicle for more than 200m. (Rule 255)

The rider of a bicycle must wear an approved bicycle helmet securely fitted and fastened on the rider's head, and any passengers (eg: child in child seat) must also wear an approved helmet (Rule 256).

The rider of a bicycle must not tow a bicycle trailer with a person in or on the bicycle trailer, unless the rider is 16 years old, or older; and the person in or on the bicycle trailer is under 10 years old, the bicycle trailer can safely carry the person; and the person in or on the bicycle trailer is wearing an approved bicycle helmet securely fitted and fastened on the person's head (Rule 257)

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A cyclist may not lead an animal while riding a bicycle either on a path or a road.

AGF Policy Statements

The AGF updates its bicycle rider policies regularly. Please visit www.amygillett.org.au to download the most recent release.

Safer road users

Cyclists education (skills)

The AGF supports adequately funded cyclist skills training for all cyclists.

Bike skills training can increase the confidence of new and returning riders and increase the skills for existing bike riders. Training can assist cyclists to select appropriate routes and provide skills for dealing with safety issues on particular types of routes. The UK funding levels for cyclist training are recommended as a starting point.

Child riding education

The AGF supports road safety education and bike skills training for all Australian children.

Teaching young children to ride a bicycle and engage in the road network safely are key components to the approach taken in countries with high cycling participation. In the Netherlands, road safety education begins with children aged 4-5 years of age and is continued throughout primary and secondary school. The AGF supports this approach for Australian children through the programs provided by AustCycle.

Bike lights

The AGF supports the use of front and rear bicycle lights for all cyclists.

The current law states that all cyclists must use front and rear bike lights in times of low light or at night. The lights must be visible from 200m and a red reflector must be fitted to the rear of the bicycle. Recent research evidence has also reported an association between day time bike light use and a reduction of injury severity. The AGF supports the use of bike lights by cyclists at all times to increase cyclist visibility to other road users.

Cyclist conspicuity

The AGF encourages all cyclists to increase their conspicuity by wearing light coloured high visibility clothing.

Cyclists wearing light coloured or high visibility clothing have been reported to be more visible to other road users, including drivers. Increased visibility has been associated with a reduced likelihood of collision when compared to darker coloured clothing. Older drivers in particular have more difficulty seeing riders who are not wearing high visibility clothing. 'Biomotion' reflective clothing may be effective in drawing attention to cyclists (i.e. clothing that picks up movements of the legs of cyclists, such as ankle reflectors).

Helmets

The AGF supports the current Australian legislation for mandatory helmet use by all cyclists.

Bicycle helmets protect a cyclist's head in the event of a crash that involves a head strike. Medical and epidemiological evidence has clearly demonstrated that cyclists who were wearing a helmet at the time of a crash sustain less severe head injuries than cyclist who are not wearing a helmet.

Crash type - cyclist-vehicle door (dooring)

The current AGF position on dooring is that vehicle occupants are responsible for this collision type and should be penalised appropriately, including a monetary penalty and demerit points. The penalty acts as an important deterrent subject to it being widely promoted.

This crash type occurs when vehicles are parked in parallel bays and drivers and passengers open their door to exit/enter the vehicle and also when a passenger opens their door to exit when a vehicle is stationary in traffic. This crash type can be avoided by vehicle occupants looking for cyclists before opening their door. Cyclists can minimise the risk of this crash type by riding away from the door zone, checking for vehicle occupants through the rear windscreen and side mirrors and riding within their skill level. Motor vehicle manufacturers should be encouraged to develop warning systems or door locking systems that prevent door opening when a vehicle (including a bicycle) is approaching.

Bicycle registration and licensing

At this time AGF does not recommend the registration of bicycles or the licensing of cyclists.

There is insufficient evidence to determine if any safety benefits would be gained by introducing bicycle registration or a licence for all cyclists.

However, licensing processes typically include an educational component and the AGF does support road safety education and bike skills training for all bicycle riders. This support for education and training is separate to licensing. The AGF supports developing proficiency standards as guidelines for schools, workplaces and other organisations that encourage cycling.

Cycling cameras

The AGF supports cyclists video recording their cycling trips.

Video recording an incident between a cyclist and another road user provides objective evidence of the event that may be used to more accurately convey the circumstances, especially from the vulnerable user's perspective. It is possible that video recording of behaviour on the road and holding road users accountable for their action may contribute to changing the culture on our roads.

Safer speeds

The AGF supports measures that facilitate safe cycling in urban areas while recognizing the need to maintain the viability of the road transport system. Accordingly, AGF recommends, where separated bicycle paths cannot be provided, that safe on-road "pathways" be provided for bicycle travel through:

- 40 km/h or lower limits in local and collector streets that will not only promote safety, but also liveability, environmental amenity and health and well-being
- 50 km/h limits on arterial roads where designated bicycle "pathways" are provided, with 40 km/h limits along segments (for example, near schools and along ribbon shopping centres) with high pedestrian and bicycle activity
- Where it is impractical to provide cycling amenities on arterial roads for reasons of constrained road widths, that the designated bike "pathways" are re-directed along parallel local streets with 40 km/h limits or along separated bike paths.

The AGF recommends that, at targeted locations, supporting infrastructure measures be introduced to facilitate smooth and safe flow for all traffic using these roads. The beneficiaries of these changes will be all road users and not just cyclists.

Safer roads and roadsides

Bike paths on arterial roads

The AGF supports cyclists riding on arterial roads.

Currently many arterial roads in Australia have poor levels of safety for cyclists. Poor safety levels relate to high speeds, inappropriate lane delineation and design. Despite these issues, arterial roads are used by bike riders as they are often the only or best practical route for trips and it would be unrealistic and inappropriate to exclude bicycle use on arterial roads. The AGF supports the redesign of all roads, including arterial roads, to improve the safety benefits to cyclists and other road users. This includes the importance of speed (see AGF policy on Speed).

Bikes and bus lanes

The AGF supports permitting cyclists to travel in dedicated bus lanes.

All jurisdictions in Australia permit cyclists to ride in dedicated bus lanes unless signed, with the exception of Victoria and Western Australia. Austroads guidelines recommend that cyclists be permitted in bus lanes as the preferred option to cyclists in the adjacent vehicle lane.

Motorbikes in bike lanes

The AGF supports the exclusion of motorcyclists (other than permitted electric power assisted pedal bicycles) from all on-road facilities dedicated for cyclists.

Currently, on-road bike lanes and bike boxes at intersections are designated for the exclusive use of bicycles. The AGF supports this position as it creates a segregated space for cyclists and provides separation between cyclists and motorised traffic.

Safer vehicles

Cyclist/bike detection technology

The AGF supports technology that alerts drivers of other road users, in particular to cyclists and pedestrians.

Existing vehicle-to-vehicle technology provides advanced warning to drivers of potential road hazards. Current developments aim to expand this technology to include non-occupant road users such as cyclists and pedestrians. The AGF supports this expansion of the detection technology and the introduction of the technology across the Australian vehicle fleet.

Bike maintenance

The AGF supports and encourages regular bike maintenance.

Bicycle mechanical failure can be a contributing factor to cyclist crashes and some bicycle mechanical failures can be avoided by regular bicycle maintenance.

Bike trailers

The AGF supports the safe use of bicycle trailers and bicycle attachments typically used for conjoined riding with children.

It is important that any bike trailer is visible to other road users through use of a safety flag, bike light and reflectors. All children should wear a fitted bicycle helmet and be physically capable of riding in the bike trailer.



Amy Gillett FOUNDATION
Safe together

Queensland

Bicycle Rider Safety | Campaign activation

Queensland

2010 - 2012

- Sunshine Coast Council cycle safety campaign featuring 'a metre matters' in all forms of collateral

2011

- Large format outdoor roadside billboard featuring 'a metre matters'; Sir Kingsford Smith Drive, Brisbane

2013

March and ongoing

- AGF City Lights outdoor safety campaign featuring 300 x 'a metre matters' and ride rule billboards throughout metro Brisbane

May and ongoing

- Ongoing support to Cairns and Townsville via cycle safety campaigns (refer following pages)
- AGF presence at CBD BUG's A Metre Matters awareness ride memorial, Brisbane

July and ongoing

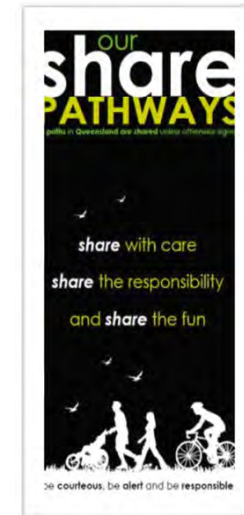
- Television 'a metre matters'
 - WIN television is running the commercial state-wide (excludes Brisbane Metro)
 - Gold Coast to Cairns SBS are state-wide (includes Brisbane Metro)
 - Seven Queensland (Eastcoast) high rotation, Gold Coast to Cairns
- Radio 'a metre matters'
 - HOTFM, SEAFM AND 4TOFM are running radio commercials in Cairns and Townsville
- Sunshine Coast Council road safety print advertising to feature in local papers during the 2013 U/19 National Road Cycling Championships

September

- Four week activation of an outdoor roadside billboard featuring the 'a metre matters' campaign; Beenleigh, Pacific Hwy



Queensland



Cycle safety campaign featuring 'a metre matters' in all forms of collateral

Support partner – Sunshine Coast Council

Queensland



Large format outdoor roadside billboard featuring 'a metre matters'; Sir Kingsford Smith Drive, Brisbane

Support partner – Ooh Media

Queensland



AGF City Lights outdoor safety campaign featuring 300 x 'a metre matters' and ride rule billboards throughout metro Brisbane

Support partner – Ooh Media, Bicycle NSW, BikeExchange

Queensland



‘a metre matters’ outdoor billboard – Bennleigh, Pacific Highway
Scheduled to appear for four weeks from September 9th 2013

Support partner – tba



Queensland

pass bicycle riders
safely

a metre matters

Tips for bicycle riders

- be considerate, only ride two abreast if space permits
- make eye contact with drivers
- regularly check behind you and be predictable - maintain a smooth riding line
- ride at least one metre from parked cars and watch for drivers opening doors
- indicate your intentions. Occupy the centre of the traffic lane when using roundabouts, or when getting ready to turn, use hand signals prior to turning
- scan ahead for potential hazards like pedestrians or drivers who may not have seen you and potholes or drainage grates
- make sure you can be seen – wear bright clothing, an approved helmet and lights and reflectors for night riding

More information about road rules and the Queensland Road Rules Handbook can be viewed online at www.tmr.qld.gov.au

Tips for motorists

- pass bicycle riders safely and maintain at least one metre between your vehicle and the bicycle rider. If it's not safe to pass 'brake and wait'
- drive carefully, do not cut in front or squeeze a bicycle rider off the road
- indicate clearly and let bicycle riders know where you are going
- bicycle riders can be difficult to see at intersections and in low visibility conditions. Check rear-view mirrors and know your blind spots, take a second look before opening car doors
- take special care when entering and exiting driveways and watch for bicycle riders
- bicycle riders are vehicles, they have as much right to use the road as you and can legally ride two abreast

www.sunshinecoast.qld.gov.au

Sunshine Coast Council

travel smart
SUNSHINE COAST

Amy Gillett FOUNDATION
Safe together

www.amygillett.org.au

‘a metre matters’ road safety advertising – Sunshine Coast Council
Scheduled to appear during the 2013 U/19 National Road Cycling Championships

Support partner – Sunshine Coast Council

Cairns

May

- AGF presence at Tanya Roneberg memorial ride.
- Circulation of 'a metre matters' stickers and poster throughout community

June

- Activation of outdoor media featuring the 'a metre matters' campaign
 - Billboard
 - Bus livery
 - LCD screen

July

- Radio 'a metre matters'
 - Austereo - encompassing HOTFM and SEAFM
- Television 'a metre matters'
 - WIN television is running the commercial state-wide (excludes Brisbane Metro)
 - Gold Coast to Cairns SBS are state-wide (includes Brisbane Metro)
 - Seven Queensland (Eastcoast) high rotation, Gold Coast to Cairns



Cairns



‘a metre matters’ roadside outdoor billboard erected along the main arterial into Cairns

Support partner - Paradise Outdoor Advertising

Cairns



'a metre matters' mini supside bus advertisement

Support partner - Transit Advertising

Cairns



'a metre matters' LCD screen erected in Cairns CBD

Support partner – The Jack

Townsville

July

- Radio 'a metre matters'
 - Austereo - encompassing HOTFM and 4TO FM
- AGF presence at funeral of Sue Bell (at the request of family members)
- Distribution of 'a metre matters' collateral to Townsville BUG
- Television 'a metre matters'
 - WIN television is running the commercial state-wide (excludes Brisbane Metro)
 - Gold Coast to Cairns SBS are state-wide (includes Brisbane Metro)
 - Seven Queensland (Eastcoast) high rotation, Gold Coast to Cairns



Everyone has the
right to ride safely
for work and play

www.amygillett.org.au



Amy Gillett FOUNDATION
Safe together

Manifesto

for safer bike riding in Australia



AGF Manifesto

for safer bike riding in Australia

Aim

To create a safer cycling environment in Australia

Background

The Australian cycling participation target is to double the number of people riding bikes by 2016. For the last decade, every year, more Australians ride their bike.

In 2011, 4 million people (18%) rode a bicycle. With a 45% increase in participation (from 2001 to 2010), cycling participation is at the highest level for 10 years.

Cycling participation is increasing – *but at what cost?*

In 2011, the cost of human trauma of cycling was:

- 35 bike rider deaths
- 9,577 bike rider serious injuries

Bike rider deaths have not significantly reduced in 10 years, despite life-saving improvements in road safety for other road users. Almost 1 in 5 (18%) of people seriously injured in all Australian land transport crashes are bike riders.

The human trauma costs of cycling in Australia are unacceptable. The way Australians are moving is changing – and our system is not coping. Significant changes must be made to the cycling environment if we are to safely double the number of people cycling.

Action

Everyone has the right to ride safely for work and play.

All we need is:

3, 2, 1, 0

- 3 take action on
3 critical factors
- 2 work 2gether for
safe bike riding
- 1 a metre matters
- 0 zero bike rider
deaths from 2020





3

Take action on 3 critical factors

Safer people

- **allocate 18% of road safety communications budget** to awareness/education between bike riders and drivers
- **mandatory cycling content in driver licence process** – practical training and theory tests
- **bicycle skills** training/road safety in school curriculum
- **police investigate** all reported bike rider-vehicle serious injury crashes*
- **Review, improve, enforce rules** for bike rider safety
- **improve legal and regulatory protection** for bike riders

Safer roads

- **reduce speeds**
- **minimum spend** for cycling facilities (federal, state, local)
- **targeted action** to:
 - reduce bike rider blackspots
 - reduce bike rider crash types
- **benchmark guidelines** for bike friendly towns and communities

Safer vehicles

- **new vehicle design standards** that increase bike rider safety
- **maintain safe vehicles and bicycles**

* all bike rider fatalities are investigated by police



2 Work 2gether for safe bike riding

Communicate
Collaborate
Cooperate
Coordinate

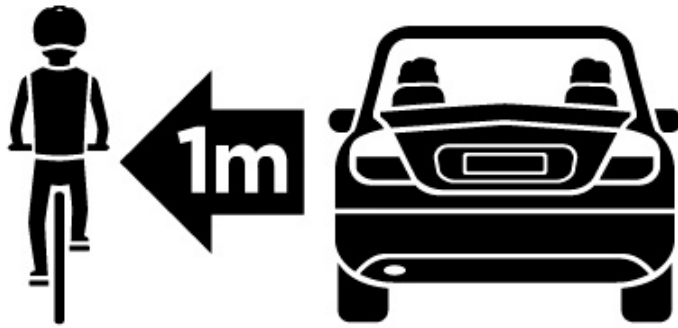
Let's work 2gether to take action for safer bike riding: the Amy Gillett Foundation, federal, state and local government, businesses and the community.

2gether we can use scientific evidence and international best practice to improve safety outcomes for all Australian road users.



1

a metre matters

**a metre
matters**

A great start to behaviour change; mutual respect and awareness are essential

- provides drivers with a clear, identifiable minimum distance when overtaking bike riders
- reduces the risk of bike rider-driver crashes
- increases bike riders' safety
- acknowledges bike riders are legitimate road users
- recognises bike riders are physically vulnerable and need the protection of space



0

Zero bike rider deaths from 2020

‘We need to understand as a society that we can demand freedom and mobility.

And we can **demand safety** at the same time’.

Professor Claes Tingvall

Director, Swedish National

Road Administration

Vision Zero initiative

<http://www.visionzeroinitiative.com/>





References

AGF mission: Safe bike riding in Australia

AGF vision: Zero bike rider fatalities

The AGF is committed to actions that improve safety for bike riders in Australia. Actions must be based on scientific evidence, rigorously reviewed information and international best practice.

We continue to push for change and we welcome all support, collaboration and cooperation.

This document was prepared using the following publicly available documents:

Cycling participation

- Australian Bicycle Council and Austroads (2011). Australian Cycling Participation, 2011. Available at:
<http://www.austroads.com.au/abc/images/pdf/AP-C91-11.pdf>
- Department of Communications Information Technology and the Arts (2011). Participation in Exercise, Recreation and Sport Annual Report 2010. Available at:
http://www.ausport.gov.au/_data/assets/pdf_file/0018/436122/ER_ASS_Report_2010.PDF

Bike rider deaths

- Australian Government. Department of Infrastructure and Transport. Road Deaths Australia—2011 Statistical Summary. May 2012. Available at:
http://www.bitre.gov.au/publications/2012/files/RDA_Summary_2011.pdf

Bike rider serious injuries

- AIHW, G. Henley and J. Harrison (2012). Serious injury due to land transport, Australia 2008-09. Injury research and statistics series no. 67. Cat. no. INJCAT 143. Canberra: AIHW. Available at:
<http://www.aihw.gov.au/publication-detail/?id=10737421997&tab=2>

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has the right
to ride safely
for work and
play**

**Join us for
safer bike
riding**

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