

TRANSPORT AND OTHER LEGISLATION AMENDMENT BILL 2023

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Submitted by: Professor Jeffrey Soar
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I am writing to express my concerns about massive new fines for local cyclists introduced by Minister Mark Bailey.

One of these new provisions means if police think a bicycle rider is riding carelessly on a path the rider will have to appear in the Magistrate's court, where they can be fined up \$6,192 (40 penalty units) (French 2023). A rider can be given one of these infringements to appear before a magistrate even if they haven't been in a crash.

There is concern in the media about e-scooters, I would however contend that Queensland's cyclists are not noted for their bad behaviour. There is a shortage of research and official statistics do not record all incidents but there is some evidence to suggest that the incidence of bicycle riders involved in conflicts with a pedestrian is small (Haworth and Schramm 2011). O'Hearn & Oxley (2019) found that over the past ten years there does not appear to have been a substantial increase in the number of pedestrian injuries resulting from collisions with cyclists despite the surge in participation in cycling. The prevalence of injuries was small, especially when compared to injuries sustained by pedestrians from collisions with motor vehicles. These findings are not surprising because bicycle riders do not want to crash with pedestrians, as unlike motorists, the bicycle rider may be hurt in the crash too.

A problem is that because there are inadequate separated cycleways and the roads are so dangerous - pedestrians, bicycle and e-scooter riders are jammed in together on narrow and often unkept footpaths. It is often unsafe for cyclists to use roads with vehicles travelling at considerable speeds and footpaths can become increasingly crowded. A key concern about this new rule/fine is that because it is subjective it is easy to envisage its misuse by police standing on busy paths e.g. Goodwill Bridge during the peak travel periods issuing infringements to bicycle riders simply for riding past a pedestrian or other trivial issues - such as drinking from their water bottle while riding.

There needs to be more encouragement of cycling in Qld, these new fines will only discourage cycling. Anecdotally when I went to school most students cycled, today they are more likely to be driven in a car increasing traffic, pollution and making roads less safe for cyclists. Cycling has many benefits including health and fitness, lower environment impacts compared to all other means of transport, and strengthening communities. Despite that cyclists are subjected to inadequate infrastructure, harassment from car drivers and police, and now new massive fines.

Cycling needs more encouragement, more protection and not more fines. Policy and decisions need to be evidence-based.

Professor Jeffrey Soar

Brisbane

References:

French P. (2023) Brisbane CBD Bicycle Users Group Newsletter 20/10/2023

Haworth, Narelle, and Amy Schramm. "Adults cycling on the footpath: what do the data show?." Proceedings of the 2011 Australasian Road Safety Research, Policing and Education Conference. Insurance Commission of Western Australia, 2011.