



TRANSPORT, HOUSING AND LOCAL GOVERNMENT COMMITTEE

Members present:

Mr HWT Hobbs MP (Chair)
Mr JB Grant MP
Mr DJ Grimwade MP
Mr A Shorten MP
Mr JR Woodforth MP
Mr TS Mulherin MP

Staff present:

Ms K McGuckin (Research Director)
Ms D Cooper (Principal Research Officer)
Ms R Stacey (Principal Research Officer)
Ms K Longworth (Principal Research Officer)

PUBLIC BRIEFING—INQUIRY INTO CYCLING ISSUES

TRANSCRIPT OF PROCEEDINGS

TUESDAY, 1 OCTOBER 2013

Brisbane

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Committee met at 12.04 pm

WASH, Mr Benjamin, Chief Executive Officer, Taxi Council Queensland

CHAIR: Good morning all. I call this public hearing of the Transport, Housing and Local Government Committee to order. Thank you for your interest and for your attendance here today. My name is Howard Hobbs, the member for Warrego and chair of the committee. The Deputy Chair, Mrs Desley Scott, the member for Woodridge, is unable to attend. Mr Tim Mulherin, the member for Mackay, is replacing her today. Carl Judge, the member for Yeerongpilly, is also unable to be here today. The other committee members are: Mr John Grant, the member for Springwood; Mr Darren Grimwade, the member for Morayfield; Mr Anthony Shorten, the member for Algeester; and Mr Jason Woodforth, the member for Nudgee.

Today's public hearing is to assist us with our inquiry into cycling issues. The committee is to investigate and report on a range of issues to improve the interaction of cyclists with other road users, including existing and alternative road rules, current penalties and sanctions and the potential benefits and impacts of bicycle registration.

The committee has advised the public of the inquiry by writing directly to stakeholders as well as by advertising on the parliamentary website. This hearing is a formal proceeding of the parliament and is subject to the Legislative Assembly's standing rules and orders. The committee will not require evidence to be given under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. You have previously been provided with a copy of instructions to witnesses so we will take those as read. Hansard will record the proceedings and witnesses will be provided with a transcript. Today's proceedings are being broadcast live on the parliament's website. I therefore ask you to please identify yourself when you first speak and to speak clearly and at a reasonable pace.

I remind all those attending the hearing today that these proceedings are similar to parliament to the extent that the public cannot participate in the proceedings. In this regard, I remind members of the public that under the standing orders the public may be admitted to or excluded from the briefing at the discretion of the committee.

Before we commence I ask that mobiles be turned off or switched to silent mode. Before I call on the witness, I would like to thank all the individuals and organisations that took the time to make submissions to this inquiry. I will invite the witness to make a brief opening statement and then open it up to the committee to ask questions. I now call on our witness, Mr Benjamin Wash, from Taxi Council Queensland. Thank you for coming along. Would you like to make an opening statement?

Mr Wash: To be quite brutal and frank, when I first received the invitation I did not see that there was a great deal of value in providing a submission, but nonetheless I sent it out to my members and there was actually quite a response so it is as a result of the response from my stakeholders that I am here to make a statement. Essentially, the areas that our industry found were of greatest importance with regard to cycling and cycling related issues were in the high traffic precincts like Fortitude Valley or Brisbane city and the other issues were surrounding loading and unloading of wheelchair accessible taxis in a number of places around Queensland not just in Brisbane. That is all I have to say, thank you.

CHAIR: Thank you for that. I guess the challenge that we have is that there are going to be more and more bicycles around the place in due course. There has been a bit of a war going on out there to a certain degree between cyclists and motorists and we have been asked to review and look at ways that we can improve cycle laws and also take into consideration motorists and their needs as well. That is the challenge that we have. In the main city area, Mr Wash, there are a lot of bikes. You are saying that those bikes in peak hour should be off the road onto bicycle ways where possible?

Mr Wash: Obviously where there is a cycleway I think from an industry point of view we believe the most appropriate place for a bicycle to be is off the roads and on a cycleway for the safety of motorists and cyclists alike. But where there is shared space we would just ask that,

similar to clearways being provided for in high traffic zones where you remove on-street parking during those peak periods, you equally look at potentially no-go zones for cycles during those peak times.

As an industry we are all too aware of the impact of picking up and dropping off at the customer's wish during peak times and sometimes the customer is unhappy because it is a clearway and we cannot stop. Equally there should not be anything that inhibits the flow of traffic during peak times. We then have situations in loading zones and on ranks where there has been instances recorded or reported by my members that when loading and unloading of wheelchair accessible taxis—so you have people in a vulnerable state as a result of their incapacity—there have been some near misses with cyclists who were not paying due care and attention. We respect their right to be in a shared space and on the road but we do not think right of way laws should in any way compromise someone who has a disability. Those are the most vulnerable people and they are the ones that we need to take the most care with.

CHAIR: You say that cyclists should not be on the road in peak hours. How do you propose that the ones who cycle to work get home?

Mr Wash: I have no alternative solution. These are suggestions that have come through. I understand what you are saying but we are just highlighting the fact that there are difficulties in those peak times. One of the frustrations that seems to come out of it is the uncertainty around what rules apply to cyclists, such as when are they allowed to be on a footpath versus when they are allowed to be on the road. Our members have expressed sentiments that there seem to be no rules, that cyclists will often flout red lights or they will ride along the road until such time as it appears that it is more convenient for them to then cross as a pedestrian then ride down the footpath and join the road again to avoid traffic jams. I cannot say that I have a solution for you, but I can certainly say that it is something we have noted. It is that inconsistency and lack of understanding of who has what right that creates the greatest frustration for my members.

Mr SHORTEN: Picking up on your last point in your submission, can I suggest that what you are talking about is an education campaign so that motorists and cyclists know, as you have just said, their obligations. What we have always known—I guess we have rediscovered it—is that cyclists are legitimate road users but they are not seen to be that. Would you suggest a comprehensive education program or public information session?

Mr Wash: I think there would be a great deal of benefit in having a greater understanding from all parties concerned. Within our industry we are always seeking to create channels for people to be educated as to what the rights and obligations are of taxi users, equally the rights and obligations of cyclists. They are in a unique situation in the fact that they often share space with pedestrians as well. I know that many pedestrians feel as though they are children of a lesser God in shared space. So where you have an issue with cyclists not getting the sort of respect they need in a shared space on the road where you have got a bigger vehicle, equally pedestrians often feel that they get treated the same way down the line. I think if everyone is clear on what is expected of each party then I think that would be a very beneficial thing and we would certainly support that.

CHAIR: Assuming that we are going to have more and more cycle users on the roads and if rules were changed to try to clear the roads as best we can—for instance, cyclists now come down, they pull up at a red light, if they were able to actually clear away, to turn left on a red light provided it was safe or cross on a pedestrian crossing which they are entitled to now, to get them off the road so that when the lights change taxis and cars can take off in a reasonable manner, would that be an improvement?

Mr Wash: To be honest with you, I think so long as drivers and motorists, and especially taxi drivers, are aware of what they are entitled to do and there is a clear understanding that, yes, that is appropriate behaviour. I think again where the frustration comes in is where you see someone who might undertake that and once one person does it and it is appropriate then the next person might do it and it is clear that they are doing it to clear a crowded intersection so that they have passage or they can get an advantage. It is somewhat similar to lane splitting for motorcyclists, that is a very contentious issue for many people—even though it is allowable it can be contentious. I think going back to Mr Shorten's point about the education campaign. By and large, so long as it is not impeding traffic or creating any kind of safety difficulties as an industry we are not particularly fazed one way or the other. We are very mindful, and this is what came through clearly from my members in terms of feedback, of situations around loading and unloading of disabled or wheelchair accessible passengers. It may be at times that the unloading happens in a place because it is the only place where there is actually kerbing and channelling that allows for a wheelchair to access the kerb but it might be impeding on a cycle path or a designated space on the road where cyclists can

go. That has created some frustration. While we are mindful of the fact that is impeding their progress, there is little else we can do. It has got to cut both ways. Whatever the outcome is it has to cut both ways and I think everyone needs to be equally mindful of what the other parties' needs and wants are.

Mr GRANT: Just to clarify a question, I really want to hear and understand the physical arrangements where a cyclist could hurt a person getting out of a taxi to hop into his or her wheelchair. The taxi surely would have to be parked relatively close to the kerb and would be in many ways physically the same as just any other car. Are you getting a disabled person out through the road side of the car?

Mr Wash: Wheelchair accessible taxis in Queensland tend to be dual wheelchair vehicles with the exception of only maybe one or two out of some 650 wheelchair accessibles and they unload from the rear. So you are actually unloading from the rear. So if you are pulled up in a zone where you are unloading the vehicle, you are not unloading in or out of the traffic you are actually coming out through from the rear and the vehicle would fully occupy any designated space that may be between the carriageway and the kerb which would generally be a bicycle lane, if there is a dedicated bicycle lane. That is where the issue comes from in terms of literally impeding progress.

Mr WOODFORTH: From the public hearings we have had, we need to have an education campaign on both sides so that cyclists understand what they need to do to get things right and so do car owners. What I am hearing from the taxi council is almost as if you guys are saints. You are blaming everything on the cyclist, but you have only got to go out there for a day or two, especially in the city, to see that the taxi drivers are doing the wrong thing too, but you seem to make yourselves look perfect.

Mr Wash: I hardly think that I am coming here trying to say that taxis are perfect. We were actually asked to make a submission to this inquiry on cycling issues and, as I said, personally I did not feel there was a lot of value. But the feedback coming back from my members was these are the concerns that they have raised. I was not aware it was an inquiry into taxi issues.

Mr SHORTEN: Mr Wash, just in relation to your stakeholders, your members, was there much comment in relation to the shared bicycle awareness zones?

Mr Wash: We actually had no comment about that, no.

Mr MULHERIN: Mr Wash, what is the council's position on the potential rule requiring motorists to give one metre safe passage when passing a cyclist on the road; did your industry have any views around that?

Mr Wash: I did not receive any written views, but I have contacted everyone who gave submissions and asked about that. Generally there is no problem with. As professional drivers they accept that generally speaking the duty of care is on them as taxidriviers or professional drivers to generally be more aware than many other users of the road, including other motorists, because that is what they are doing for a living so they will hold themselves to a higher duty of care. There is no issue with the existing regulation around that.

Mr MULHERIN: The inquiry is also canvassing the concept of registration for bicycles. Did any of your members comment on that? What would you see the benefits are of having the humble bicycle registered?

Mr Wash: I can see that that would be a very contentious issue. From a taxi point of view if it could somehow affect our CTP on registration, I am sure that we would be able to more than welcome any kind of registration. I really do not think the industry would take a view on that one way or the other, because I do not see it as in any way impacting on our industry or the way we deliver our services.

CHAIR: Mr Wash, have your taxidriviers reported incidents of cyclists and/or motorists doing silly things? We have had quite a few hearings so far and we have heard some pretty horrific stories, but do you get many incidents reported through your system?

Mr Wash: There are very few reports which come through. We certainly do not get a lot through the Taxi Council with regard to cyclists, which is why I was kind of surprised when I received the feedback that I did.

CHAIR: Excellent There being no further questions, Mr Wash, thank you. We appreciate you coming today. It has been very helpful. We really appreciate the effort. The hearing is now closed.

Committee adjourned at 12.19 pm