

# **Chapter 1**

## **Introduction and overview**

### **Referral**

1.1 On 30 October 2014, the Senate referred the following matter to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 9 September 2015:

- Aspects of road safety in Australia, having particular regard to:
- a) the social and economic cost of road-related injury and death;
  - b) the importance of design standards on imported vehicles, as Australian vehicle manufacturing winds down;
  - c) the impact of new technologies and advancements in understanding of vehicle design and road safety;
  - d) the different considerations affecting road safety in urban, regional and rural areas;
  - e) other associated matters.

1.2 The Senate has granted extensions of time for reporting on 13 August 2015, for reporting by 26 November 2015, on 15 September 2015 for reporting by 2 March 2016 and on 29 February 2016 for reporting by 16 March 2016.

### **Conduct of the inquiry to date**

1.3 After the inquiry was advertised on the committee's website and in *The Australian* on 4 February 2015, the committee received 75 submissions from interested organisations and individuals. Submissions are listed in Appendix 1 and are available on the committee's website.

1.4 Appendix 2 lists the persons and organisations who gave evidence at the committee's public hearings, which were held in:

- Sydney on 2 July 2015;
- Melbourne on 3 July 2015;
- Adelaide on 26 October 2015
- Perth on 18 February 2016; and
- Canberra on 14 August 2015, 25 February 2016 and 22 March 2016.

### **Acknowledgement**

1.5 The committee thanks the individuals and organisations who have so far contributed to the inquiry.

## Need for the interim report

1.6 The community's deep interest in road safety has been reflected in the current inquiry, which has seen the committee receive a high volume of submissions from local government, third party insurers, road safety advocates and road user groups. In light of the volume of evidence available to it, the committee is keen to present its first findings, and encourages ongoing engagement from interested parties as the inquiry progresses.

1.7 The abolition of the Road Safety Remuneration Tribunal by legislation on 18 April 2016 will have a profound and adverse impact on safety in the heavy vehicle industry. The reverberations of the tribunal's ceased operation, combined with new evidence from the committee's hearings on 25 February and 22 March 2016, require more time for the committee to adequately discharge its reference and present a final report. Therefore, Chapter 4 of this interim report provides a snapshot of key issues identified but does not reach conclusions on all issues.

## Structure of the interim report

1.8 This chapter considers the social and economic cost of road deaths and injuries, including the impact on vulnerable road user groups including motorcyclists and cyclists.

1.9 Chapter 2 considers the role of design standards and emerging road safety technology.

1.10 Chapter 3 evaluates road safety challenges in regional and rural areas and the adequacy of driver education throughout Australia.

1.11 Chapter 4 highlights emerging issues for the heavy vehicle industry, including licensing, training and accreditation, including for overseas drivers.

## Background

1.12 The committee heard that Australia does not have a unified road safety system. Each state and territory is responsible for its road network and on a range of matters has implemented model legislation that is overseen by cross-jurisdictional agencies. To provide for a 'coordinated and integrated' approach, the national Transport and Infrastructure Council (TIC) was established by the Council of Australian Governments in 2013.

1.13 TIC works towards a 'national transport and infrastructure system that is efficient, safe, sustainable, accessible and competitive'.<sup>1</sup> Matters currently on the TIC agenda include the progress of the National Heavy Vehicle reforms, new vehicle

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1 Transport and Infrastructure Council, *About the Council*, [www.transportinfrastructurecouncil.gov.au/about/](http://www.transportinfrastructurecouncil.gov.au/about/) (accessed 9 June 2015).

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technology such as intelligent transport systems and options for a single national Australian driver's licence in all jurisdictions.<sup>2</sup>

1.14 Three model laws of relevance to this inquiry are overseen by TIC:

- Australian Road Rules: model legislation implemented in all states and territories since 1999 with minor jurisdictional variations, intended to encourage cross-jurisdictional consistency and increase safety for road users;<sup>3</sup>
- a national driver licensing scheme administered by states and territories since mutual recognition of licences was agreed in 1997;<sup>4</sup> and
- Australian Vehicle Standards Rules: model legislation introduced in 1999 requiring ongoing compliance with the Australian Design Rules (the ADRs) and additional rules on matters not specified in the ADRs.<sup>5</sup>

### ***Safe system: National Road Safety Strategy***

1.15 Australia's road transport system is founded on a safe system approach, outlined in the *National Road Safety Strategy 2011–2020* which is endorsed by TIC.<sup>6</sup> Under the strategy, jurisdictions commit to achieving a 30 per cent annual reduction of road-related deaths and serious injuries. The safe system approach takes a 'holistic view of the road transport system and the interactions of its various elements, and works towards a system in which human mistakes do not result in death or serious injury'.<sup>7</sup>

1.16 The National Road Safety Strategy has influenced the *National Cycling Strategy 2011–2016* overseen by the Australian Bicycle Council, which aims to double the number of people cycling in Australia by 2016.<sup>8</sup>

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2 Transport and Infrastructure Council, *Communiqué*, 6 November 2015, pp 2–3, [www.transportinfrastructurecouncil.gov.au/communique/files/Council\\_4th\\_Communique\\_6\\_November\\_2015.pdf](http://www.transportinfrastructurecouncil.gov.au/communique/files/Council_4th_Communique_6_November_2015.pdf) (accessed 18 April 2016).

3 The Rules include speed limits, traffic lights, traffic signs and road markings and level crossings, with separate rules for pedestrians and cyclists.

4 Austroads, *Australian driver licensing*, [www.austroads.com.au/drivers-vehicles/registration-licensing-program/australian-driver-licensing#Section2](http://www.austroads.com.au/drivers-vehicles/registration-licensing-program/australian-driver-licensing#Section2) (accessed 23 June 2015).

5 NTC Australia, *Australian Vehicle Standards Rules*, [www.ntc.gov.au/roads/rules-compliance/australian-vehicle-standards-rules/](http://www.ntc.gov.au/roads/rules-compliance/australian-vehicle-standards-rules/) (accessed 9 June 2015).

6 Safe System is drawn from the Office for Economic Cooperation and Development (OECD) report *Towards Zero: Ambitious road safety targets and the Safe System approach* which assists countries in developing road safety initiatives.

7 Transport and Infrastructure Council, *National Road Safety Action Plan 2015–2017*, November 2014, p. 3.

8 Mr Tony Arnold, Executive Officer, Australian Bicycle Council, *Committee Hansard*, 2 July 2015, p. 77.

1.17 Overall, the committee heard strong commitment to the safe system approach as outlined in the National Road Safety Strategy.<sup>9</sup> Some submitters queried whether it met the needs of all road users. For example, the Motorcycle Council of New South Wales expressed concern that the strategy fails to engage with the particular needs of vulnerable users such as motorcycle riders.<sup>10</sup> The committee heard from South Australia Police that in regional and remote areas, a safe system approach must be reinforced by education and enforcement.<sup>11</sup>

## Social and economic cost of road trauma

1.18 Each day, an average of four people are killed and 90 are seriously injured on Australian roads, according to Austroads.<sup>12</sup> During the calendar year 2015 there were 1 209 road deaths, a 4.9 per cent increase on the previous year.<sup>13</sup> In the three months to March 2016, Australia has already seen 316 road deaths.<sup>14</sup>

1.19 A steady decline in the number of road deaths in Australia in recent years is noticeable in Bureau of Infrastructure, Transport and Regional Economics (BITRE) data. In 2004, there were 7.9 deaths for every 100 000 Australians.<sup>15</sup> Since 2009, this number declined from 6.9 to an all-time annual low in 2014 of 4.92 deaths for every 100 000 Australians.<sup>16</sup>

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9 Mr Bernard Carlon, Acting General Manager, Transport for New South Wales, Centre for Road Safety, *Committee Hansard*, 2 July 2015, p. 15; Ms Samantha Cockfield, Senior Manager, Road Saety, Transport Accident Commission of Victoria, *Committee Hansard*, 14 August 2015, p. 49; Mr Robert McDonald, Senior Manager, Research Centre, Insurance Group Australia, *Committee Hansard*, 2 July 2015, p. 1.

10 Mr Brian Wood, Secretary, Motorcycle Council of New South Wales, *Committee Hansard*, 2 July 2015, p. 21.

11 Ms Bronwyn Killmier, Assistant Commissioner, State Operations Service, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40.

12 Austroads, *Austroads road safety program*, [www.austroads.com.au/road-operations/road-safety/safety-program](http://www.austroads.com.au/road-operations/road-safety/safety-program) (accessed 21 April 2016).

13 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia: December 2015*, p. 1, [http://bitre.gov.au/publications/ongoing/rda/files/RDA\\_Dec\\_2015.pdf](http://bitre.gov.au/publications/ongoing/rda/files/RDA_Dec_2015.pdf) (accessed 21 April 2016).

14 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; January 2016*, p. 1; Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; February 2016*, p. 1; Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; March 2016*, p. 1.

15 Bureau of Infrastructure, Transport and Regional Economics, *Road Trauma Australia: 2009 Statistical Summary*, p. vi, [https://bitre.gov.au/publications/ongoing/files/RDA\\_Summary\\_2009.pdf](https://bitre.gov.au/publications/ongoing/files/RDA_Summary_2009.pdf) (accessed 21 April 2016).

16 Bureau of Infrastructure, Transport and Regional Economics, *Road Trauma Australia: 2014 Statistical Summary*, p. iii, [https://bitre.gov.au/publications/ongoing/files/RDA\\_Summary\\_2014.pdf](https://bitre.gov.au/publications/ongoing/files/RDA_Summary_2014.pdf) (accessed 21 April 2016).

1.20 Disappointingly, the number of road deaths per 100 000 Australians rose during 2015 to 5.1.<sup>17</sup> Early indications point to another road toll rise for 2016, as at March 2016 the rate stood higher again at 5.3 road deaths per 100 000 Australians.<sup>18</sup>

1.21 From an economic perspective, road related trauma places a substantial burden on the community. Robert Bosch Australia estimated that 'road trauma costs the Australian taxpayer around \$27 billion a year'.<sup>19</sup> Statistics from the Department of Infrastructure and Regional Development (the department) were consistent, calculating that \$27 billion 'is the equivalent of 18 per cent of health expenditure and 1.8 per cent of Gross Domestic Product (2012-13)'.<sup>20</sup>

1.22 Robert Bosch calculated that even if projected targets are achieved, road trauma will have a giant accumulated financial impact for Australia:

Even if the target 30% reduction of fatalities is reached in the final year of Australia's National Road Safety Strategy 2011-2020, road trauma will still have cost \$264 billion dollars.<sup>21</sup>

1.23 On a smaller scale, RAC advised that 11 000 fewer deaths between 2008 and 2020 on Western Australian roads alone would result in cost savings of approximately \$6.6 billion.<sup>22</sup>

1.24 Of course, the effects of road trauma are not only financial but also physical and emotional.<sup>23</sup> As Toll Group articulated, '[t]he human cost in terms of grief, loss and trauma is incalculable'.<sup>24</sup> The Amy Gillett Foundation illustrated that:

The ripple effect of each crash creates extensive social costs far beyond the individual involved and affects their family, friends, workplace and community.<sup>25</sup>

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17 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; December 2015*, p. 1, [http://bitre.gov.au/publications/ongoing/rda/files/RDA\\_Dec\\_2015.pdf](http://bitre.gov.au/publications/ongoing/rda/files/RDA_Dec_2015.pdf) (accessed 21 April 2016).

18 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; March 2016*, p. 1, [http://bitre.gov.au/publications/ongoing/rda/files/RDA\\_Mar\\_2016.pdf](http://bitre.gov.au/publications/ongoing/rda/files/RDA_Mar_2016.pdf) (accessed 21 April 2016).

19 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 1.

20 In reaching the figure of \$27 billion, the department uses a willingness to pay approach (see para 1.29). Department of Infrastructure and Regional Development, *Submission 51*, p. 4.

21 Robert Bosch Australia, *Submission 44*, p. 1.

22 RAC, *Submission 59*, p. 2.

23 See, for example, Motor Accident Commission of South Australia, *Submission 37*, p. 2.

24 Toll Group, *Submission 33*, p. 5.

25 Amy Gillett Foundation, *Submission 35*, p. 3.

1.25 The University of New South Wales Transport and Road Safety Research Unit emphasised the loss of productivity that attaches to road death or injury:

...road traffic injury remains one of the largest causes of hospitalisation and death for Australians under 45 years of age: a significant period of productive life.<sup>26</sup>

1.26 The committee heard that trauma costs can be greater in rural and regional areas due to a lack of appropriate support services. The National Rural Health Alliance (NRHA) reported a marked disparity in the level of rehabilitative services for physiological trauma in regional and remote Australia:

Those who have survived a severe crash have been demonstrated to be at high risk of psychiatric trauma, including PTSD. In rural and remote Australia, where access to appropriate mental health care is already limited, those needs place an even greater burden on limited resources. Compensation rarely provides sufficiently for the medium to long-term needs of those injured in road accidents, resulting in reliance on disability support services, including greater reliance on already stretched publicly funded services in rural and remote areas.

1.27 According to NHRA, limited availability of services prolongs the recovery process, which can result in economic disadvantage and social isolation:

For those recovering from injury, their economic status can be further eroded through lack of access to employment support services or loss of work entirely. Put simply, injury due to a road accident may result in entrenched poverty for the individual and for their family.<sup>27</sup>

### ***Method of calculation***

1.28 The method of calculating the cost of road trauma was raised in submissions to the committee. For example, the Centre for Automotive Safety Research at the University of Adelaide argued that 'BITRE costing is acknowledged as conservative and to be an underestimate of the actual cost of crashes'.<sup>28</sup>

1.29 The committee heard arguments in favour of using the willingness to pay (WTP) calculation rather than a benefit to cost ratio method. For example, the department explained the ability of WTP to capture the non-economic costs to individuals that flow from road deaths or injuries, which also include costs to 'insurers, government, emergency services and police, correctional and road authorities':

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26 University of New South Wales, Transport and Road Safety (TARS) Research, *Submission 50*, p. 2.

27 Ms Fiona Brooke, Policy Adviser, National Rural Health Alliance, *Committee Hansard*, 14 August 2015, p. 28.

28 Centre for Automotive Safety Research, University of Adelaide, *Submission 40*, p. 1.

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The stated willingness-to-pay value is expected to capture the costs that would be borne by the average road user in the event of a road crash leading to death or hospital admission. These costs are assumed to include an individual's losses in income, and non-economic or non-pecuniary costs such as pain and suffering, but exclude costs not incurred by the individual and their families.<sup>29</sup>

1.30 WTP is already being used in New South Wales and a number of countries such as New Zealand and Canada. It is also the preferred model outlined under the *National Road Safety Strategy 2011–2020* which states that '[t]here is a need for Australia to develop and adopt suitable willingness-to-pay estimates at a national level'.<sup>30</sup> Apparently taking this feedback on board, BITRE told the committee that their 2014 road trauma review used:

... a revised method of valuing avoided trauma that combined private values derived for an individual's willingness-to-pay... with the other costs of road trauma estimated by BITRE.<sup>31</sup>

1.31 The Ulysses Club questioned whether the model is appropriate for calculating the risks attached to motorcycle riding. The organisation argued that the model fails to consider the less measurable lifestyle and emotional benefits that can be derived from motorbike riding, citing a recent academic finding that:

...enjoyment was given as a major factor in choosing to ride a motorcycle, even for commuting purposes. Other studies have reinforced this factor yet this is rarely if ever when making willingness to pay in valuations.<sup>32</sup>

### ***Serious injury***

1.32 The committee heard that better data on road trauma, particularly on serious injuries, would facilitate much-needed evaluation of road safety measures.<sup>33</sup> Recognising this need, the department told the committee that '[t]here is currently no nationally consistent collection of data on serious injury road crashes'.<sup>34</sup>

1.33 ANCAP Australasia told the committee that better injury data would improve the specificity of its vehicle safety ratings, and over time, could lower the injury rate:

Road fatalities have dropped by nearly 30% over the last decade, but it is unclear if serious injury rates are falling and anecdotally it seems that they may not be. Without adequate data it is difficult for ANCAP (and vehicle

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29 Department of Infrastructure and Regional Development, *Submission 51*, p. 5.

30 Australian Transport Council, *National Road Safety Strategy 2011–2020*, p. 49.

31 Department of Infrastructure and Regional Development, *Submission 51*, p. 5.

32 Ulysses Club, *Submission 36*, p. 3.

33 Austroads, *Submission 69*, p. 1; Insurance Australia Group, *Submission 42*, p. 2; ANCAP Australasia, *Submission 31*, p. 5; Australian Automobile Association, *Submission 54*, p. 4.

34 Department of Infrastructure and Regional Development, *Submission 51*, p. 4.

manufacturers) to identify specific elements of vehicle safety that would lead to a significant lowering of the serious injury rate.<sup>35</sup>

1.34 The committee asked the department to respond to the Australian Automobile Association's (AAA) recommendation that 'the measurement of serious injuries must be addressed urgently in order to be able to assess the effectiveness of actions in reducing road trauma'.<sup>36</sup> The committee received the following response:

Australia does not presently have the systems in place to reliably measure serious (non-fatal and disabling) injuries from road crashes. This is a complex issue and the long-term solution lies with progressive efforts by states and territories to establish databases linking hospital case data with road crash data, and to adopt common standards for case inclusion that will enable national aggregation. The National Road Safety Action Plan 2015-2017 (the Action Plan) calls for closer examination and testing of this approach. Austroads is establishing a research project intended to test the strengths and limitations of adopting a data linkage approach at the national level.

1.35 The committee heard that Austroads and state and territory governments may be undertaking work to address the 'complex issue' posed by a lack of serious injury data. Austroads do not provide detail in their submission, however, only stating that 'key priorities for Austroads members currently include... developing national monitoring of road injury and training'.<sup>37</sup> Mr Michael Bradley, Chief Executive Officer of the AAA, presented a view that in relation to the Austroads project:

...the outcomes of that are very unclear and the time lines are not short. It is going to take them at least a couple of years to work out how to do it. I think it is self-evident that trying to get a handle on the scale of the problem is a very important first step.<sup>38</sup>

1.36 ANCAP called for work by Austroads to be 'facilitated and expedited'.<sup>39</sup> In relation to work done by state and territory governments, ANCAP reported that 'progress has not been rapid'.<sup>40</sup> The committee also heard that there are limitations in relation to injury data collected by the Australian Bureau of Statistics (ABS), as:

The ABS data set is not updated regularly. The year-on-year statistics are available at a state-by-state level, but... they are measured differently,

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35 ANCAP Australasia, *Submission 31*, p. 5.

36 Australian Automobile Association, *Submission 54*, p. 4.

37 Austroads, *Submission 69*, p. 4.

38 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

39 ANCAP Australasia, *Submission 31*, p. 5

40 ANCAP Australasia, *Submission 31*, p. 5.

reported by different arms of government and cannot be translated into a national dataset.<sup>41</sup>

### *Australian Trauma Registry*

1.37 AAA and the Royal Australasian College of Surgeons (RACS) appeared before the committee on 25 February 2016 to seek support for the ongoing operation of the Australian Trauma Registry as a 'nationally consistent cross-jurisdictional collation of serious trauma occurrences in the country'.<sup>42</sup> The registry collates information on road trauma, serious injuries and related outcomes from each of Australia's 27 major trauma centres (hospitals).<sup>43</sup>

1.38 The ability to evaluate the success of the road safety strategy from its commencement onwards was among the primary benefits of the registry, according to the AAA. Mr Bradley told the committee:

We have got a road safety strategy which is six years old and we cannot measure the metric against which it is meant to be judged a success or a failure. We are advocating for the funding of a registry which is already established and can, today, give you the dataset back to 2010, at the start of the strategy.<sup>44</sup>

1.39 Rather than operating in an isolated way, the committee heard that the registry could incorporate other datasets in future. As a result, the committee sees merit in the argument that the registry's 'potential to inform government policy on preventative health strategies and to improve our health systems ... is huge'.<sup>45</sup>

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41 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

42 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

43 Dr Ailene Fitzgerald, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons, *Committee Hansard*, 25 February 2016, p. 9.

44 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

45 Dr Ailene Fitzgerald, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons, *Committee Hansard*, 25 February 2016, p. 9.

1.40 Seed funding for the Australian Trauma Registry, largely provided from outside government processes thus far, has now run out.<sup>46</sup> RACS advised the committee that there is some urgency to securing ongoing funding, recommending:

...funding is provided as soon as possible to ensure governments and trauma centres around Australia can continue to access nationally benchmarked data... Without further funding of the Australian Trauma Registry there will be no way to measure the incidence and cost of serious injury across the country which will result in poorer patient outcomes.<sup>47</sup>

1.41 The committee heard that three annual contributions of only \$150 000 would ensure the registry's continued operation.<sup>48</sup> RACS recommended in a supplementary submission 'that the Commonwealth support the Registry by providing \$450 000 for a three year period to allow the establishment of public and private partnership'.<sup>49</sup>

#### *Committee view*

1.42 The committee eagerly awaits the outcome of the Austroads research project, but agrees with submitters that better data on serious injury cannot wait. Investment in the Australian Trauma Registry has already led to the development of a functional model that has considerable potential for broader linkages as other models develop. Accordingly, the committee considers it a matter of common sense for government to provide the comparatively small amount required to secure its ongoing operation.

1.43 The committee encourages Austroads to work with the Royal Australasian College of Surgeons to ensure the two data collection systems align in future.

#### **Recommendation 1**

**1.44 The committee recommends that the Commonwealth Government commit \$150 000 for three years from 2016-17 to fund the continued operation of the Australian Trauma Registry.**

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46 In 2011, the National Critical Care & Trauma Response Centre in Darwin (Commonwealth funded) provided the majority of \$1 251 020 in seed funding, with assistance from the National Trauma Research Unit (via the Alfred Health). Between 2003 and 2006, development costs of \$288 636 were supplied by organisations including Royal Australasian College of Surgeons, Australasian Trauma Society, NSW Institute of Trauma and Injury Management and the Centre of National Research on Disability and Rehabilitation Medicine. Ms Ailene Fitzgerald, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons, *Committee Hansard*, 25 February 2016, p. 12; Royal Australasian College of Surgeons, answer to questions on notice, 25 February 2016, p. 2.

47 Royal Australasian College of Surgeons, answer to questions on notice, 25 February 2016, p. 1.

48 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 8.

49 Royal Australasian College of Surgeons, *Supplementary Submission 11*, p. 2.

## Vulnerable road users

1.45 Informed by evidence that cyclists, motorcyclists and pedestrians are disproportionately affected by road trauma, the committee in this section gives special consideration to proposed strategies for their protection. Road user vulnerability was defined in a 2004 parliamentary inquiry:

Motorcyclists, cyclists and pedestrians are classed as vulnerable road users because of their inherent lack of protection, and hence vulnerability, compared with occupants of cars and other motor vehicles. This vulnerability demands special consideration in terms of road safety planning.<sup>50</sup>

1.46 By way of example, these road user groups accounted for 60 per cent of the fatal road accidents in metropolitan Perth in 2014.<sup>51</sup>

1.47 Across the board, the committee heard strong support for safe road sharing initiatives, particularly, those that either:

- separate the different road user groups using designated spaces;<sup>52</sup> or
- where road user groups share space, foster awareness and an inclusive, respectful attitude between the groups.<sup>53</sup>

1.48 The committee heard calls for more holistic infrastructure spending to take into account the considerations of all road users. Bicycle Network submitted that:

The Australian Government must ensure that infrastructure projects funded through its funding programs demonstrate the consideration of all transport modes – particularly bike riding and walking.<sup>54</sup>

1.49 According to a number of submitters, other jurisdictions should follow South Australia's example and adopt reduced speed limits on local roads, especially roads without footpaths.<sup>55</sup> The committee heard that:

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50 House of Representatives Standing Committee on Transport and Regional Services, *National Road Safety – Eyes on the road ahead: Inquiry into National Road Safety*, June 2004, p. 118.

51 RAC, *Submission 59*, p. 4.

52 Mr Garry Grossbard, Road Trauma Advisory Subcommittee representative, Royal Australasian College of Surgeons, *Committee Hansard*, 3 July 2015, p. 37; Mr Matthew Fulton, Chief Executive Officer, WestCycle, *Committee Hansard*, 18 February 2016, p. 1.

53 Professor William Young, Chief Scientific Adviser, ARRB Group, *Committee Hansard*, 3 July 2015, pp 1, 9.

54 Bicycle Network, *Submission 32*, p. 3.

Besides the 25 km/h speed limit in South Australia, other states and territories across Australia have yet to broadly apply world's best practice of 30 km/h speed limit (or less) for roads with high numbers of pedestrian and bike riders and for pedestrian and bike riding priority streets, mainly local streets.<sup>56</sup>

1.50 Victoria Police provided evidence that the introduction of 40 kilometre per hour speed limits was increasingly accepted by the community as a mechanism of reducing harm to pedestrians and cyclists, demonstrated by fewer infringements.<sup>57</sup>

1.51 The committee notes the evidence received as well as international research suggesting reducing certain speed limits has great potential to reduce death and injury of pedestrians and cyclists, and invites consideration of this approach by jurisdictions.<sup>58</sup>

### **Pedestrians**

1.52 The committee was surprised at the relatively low number of submissions representing the unique concerns of pedestrians as vulnerable road users. To an extent, this can be explained by the considerable overlap in the interests of cyclists and pedestrians, and the committee notes that proposals for more intelligent and intuitive road sharing will benefit both groups.

1.53 The committee thanks the Pedestrian Council of Australia, Link Place, Victoria Walks and Occupational Therapy Australia who all proposed targeted initiative on behalf of pedestrians.<sup>59</sup> The committee encourages the department to note the range of proposals put forward by the Pedestrian Council of Australia to increase the safety of pedestrians as road users. These include banning lane filtering and lane splitting, renaming 'shared zones', a review of illegal parking and the use of modified

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55 Chief Superintendent Robert, Officer in Charge, Operations Support Coordination Branch, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40. Dr David Logan, Senior Research Fellow, Monash University Accident Research Centre, *Committee Hansard*, 3 July 2015, p. 57; Mr Tony Arnold, Executive Officer, Australian Bicycle Council, *Committee Hansard*, 2 July 2015, p. 77; Mr Dick van den Dool, Director, Active Transport, GTA Consultants, *Committee Hansard*, 2 July 2015, p. 63.

56 Bicycle Network, *Submission 32*, p. 5.

57 Superintendent Michael Grainger, Victoria Police, *Committee Hansard*, 14 August 2016, p. 5.

58 See for example University of Adelaide Centre for Automotive Safety Research, *Submission 40*, p. 5; GTA Consultants, *Submission 45*, pp 3–9.

59 Link Place, *Submission 17*, p. 5; Pedestrian Council of Australia, *Submission 58*; Victoria Walks, *Submission 61*; Mr Harold Scruby, Chairman and Chief Executive Officer, Pedestrian Council of Australia, *Committee Hansard*, 2 July 2015, pp 29–35; Dr Angela Berndt, Industry Adviser: Driving, Occupational Therapy Australia, *Committee Hansard*, 3 July 2015, pp 37–38.

traffic light timers in Australia.<sup>60</sup> The council's recommendations in relation to point-to-point speed cameras are discussed in Chapter 3 of the committee's report.<sup>61</sup>

1.54 The committee also notes that the benefits of improved vehicle technology, discussed further in Chapter 2 of this report, have flow on benefits for the safety of pedestrians. ANCAP Australasia cited evidence that automatic emergency braking sensors can reduce impact speeds, reducing the likelihood of death or serious injury by vulnerable road users.<sup>62</sup> Further, based on their pedestrian testing, ANCAP ratings also communicate that certain frontal designs of vehicles are 'more sympathetic to pedestrians'.<sup>63</sup>

### **Cyclists**

1.55 The committee notes the potential of improved road safety for cyclists to incentivise active transport and better health outcomes, and reduce overall road system congestion. Unfortunately, the most recent biennial National Cycling Participation Survey found that cycling participation rates in Australia remain low: rising slightly from 16.5 per cent in 2013 to only 17.4 per cent in 2015. Cycling participation rates were highest in the Northern Territory (24.1 per cent) Western Australia (23 per cent) and the Australian Capital Territory (21.2 per cent).<sup>64</sup>

1.56 The committee is of the view that much more could be done to make cycling a safer activity for Australians. Since the *National Road Safety Strategy 2011-2020* was implemented, road deaths have dropped for all categories of road user except bicycle riders.<sup>65</sup> As the Amy Gillett Foundation highlighted, 2014 saw Australia double the number of bicycle fatalities:

There was a 55% increase in the number of bike riders killed in Australia (2012-2013) with an additional 45 losing their lives while riding their bikes in 2014.<sup>66</sup>

1.57 The economic costs specific to road death and injury by cyclists are significant. The Amy Gillett Foundation provided point in time estimates based on BITRE calculations 'that a fatality costs \$2.4 million and a hospitalised injury costs \$214,000':

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60 Pedestrian Council of Australia, *Submission 58*, pp 10, 17 and 18.

61 Pedestrian Council of Australia, *Submission 58*, p. 4.

62 ANCAP Australasia, *Submission 31*, p. 14.

63 Mr Nicholas Clarke, Chief Executive, ANCAP Australasia, *Committee Hansard*, 14 August 2015, p. 27.

64 Austroads, *National Cycling Participation Survey 2015*, p. 4, [www.onlinepublications.austroads.com.au/items/AP-C91-15](http://www.onlinepublications.austroads.com.au/items/AP-C91-15) (accessed 18 April 2016).

65 Link Place, *Submission 17*, p. 5.

66 Amy Gillett Foundation, *Submission 35*, p. 1.

Based on these figures, the economic cost of bike rider deaths and serious injuries is calculated as:

- \$120 million cost of bike rider fatalities in 2013 (50 bike riders killed)
- \$2.04 billion cost of bike rider serious injuries in 2008-09 (latest national figures).

1.58 Road safety for cyclists is not just an issue for major cities. The committee notes Victorian evidence that cyclists on regional roads account for almost half of bike rider fatalities.<sup>67</sup>

1.59 Submitters including Bicycle Network called on the government to 'take meaningful steps towards making bike riding safer', including making better data available so that regional communities can act to improve rider safety.<sup>68</sup> The department's own submission recommended that data was a problem area, stating:

...there is a limited amount of data collection and publication relating to participation rates and the extent to which people choose to cycle to work or study and/or for recreation or exercise.<sup>69</sup>

1.60 Infrastructure data collection that incorporates the positive benefits of 'active travel' methods including cycling was proposed by the Cycling Promotion Fund:

The positive health, environmental and community impacts of active travel mentioned above are aspects not normally considered in analysing the costs and benefits of investments in transport infrastructure, however a large body of literature now exists to show how these factors can be incorporated into cost-benefit analyses.<sup>70</sup>

#### *Bicycle helmet laws*

1.61 The committee heard calls for mandatory bicycle helmet laws to be relaxed.<sup>71</sup> However, these were balanced out by evidence in support of the retention of our existing bicycle helmet laws including of reduced cyclist fatalities since their introduction.<sup>72</sup> Indeed, rather than reduce safety requirements for cyclists, the Royal Australasian College of Surgeons called for the introduction of greater regulation of

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67 Amy Gillett Foundation, *Submission 35*, p. 5.

68 Bicycle Network, *Submission 32*, p. 9; Amy Gillett Foundation, *Submission 35*, p. 5; Tasmanian Bicycle Council, *Submission 43*, p. 3; Cyclists' Rights Action Group, *Submission 49*, p. 1.

69 Department of Infrastructure and Regional Development, *Submission 51*, p. 20.

70 Cycling Promotion Fund, *Submission 60*, p. 5.

71 Mr Guy Keulemans, *Submission 10*, p. 1; Bicycle Transport Alliance, *Submission 20*, p. 4.

72 Royal Australasian College of Surgeons, *Submission 11*, Appendix 2, p. 2; Transport and Road Safety Research, University of New South Wales, *Submission 50*, p. 12.

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lights and reflectors, especially during night riding.<sup>73</sup> On balance, the committee is not persuaded that amending bicycle helmet legislation is necessary or desirable.

#### *Safe passing distance*

1.62 Based on positive evidence of its implementation and trial in South Australia and Queensland, the committee heard support for a safe passing distance of a metre between vehicles and cyclists in all Australian jurisdictions.<sup>74</sup> Under the 'metre matters rule', offenders face a fine for leaving less than one metre between themselves and cyclists in 60 kilometre per hour zones, and 1.5 metres in higher speed areas.<sup>75</sup>

1.63 The Amy Gillett Foundation described the implementation of a safe passing distance as 'the leading action' to reduce cyclist road deaths, articulating that:

Better infrastructure is critical to improving the safety of bike riders but we cannot afford to wait until Australia has this in place. The best way to make bike riders safer right now is for drivers give them enough space. If a bike rider can touch a car as it passes, it is too close.<sup>76</sup>

1.64 South Australia became the first jurisdiction to adopt safe passing distance legislation in 25 October 2015. Queensland announced that in April 2016 that it would legislate to maintain the rule after finishing a two-year trial period. The Amy Gillett Foundation provided evidence of the positive effects of the trial, stating that:

In Queensland there has been a positive shift in bike rider crashes since the minimum overtaking distance trial started in April 2014. In 2013, there were 13 bike rider fatalities, in 2014, there were 9 bike rider fatalities and to date there have been no bike rider fatalities in Queensland in 2015 (24 February 2015). Serious injury data is not currently available to determine if there has been a positive impact on nonfatal crashes.<sup>77</sup>

1.65 The Australian Capital Territory is undertaking a two-year trial scheduled to end in November 2017.<sup>78</sup> The department advised that

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73 Royal Australasian College of Surgeons, *Submission 11*, Appendix 2, p. 2.

74 Mr Matthew Fulton, Chief Executive Officer, WestCycle, *Committee Hansard*, 18 February 2016, p. 29; Bicycle Transport Alliance, *Submission 20*, p. 3, Ms Belinda Clark, Interim Chief Executive Officer, Cycling Promotion Fund, *Committee Hansard*, 3 July 2014, p. 63; Amy Gillett Foundation, *Submission 35*, p. 6.

75 612 ABC Brisbane, 'Queensland adopts law requiring one metre between cars and cyclists following trial', 7 April 2016, [www.abc.net.au/news/2016-04-07/cyclist-one-metre-rule-to-stay-in-queensland-mark-bailey-says/7305998](http://www.abc.net.au/news/2016-04-07/cyclist-one-metre-rule-to-stay-in-queensland-mark-bailey-says/7305998) (accessed 22 April 2016).

76 Amy Gillett Foundation, *Submission 35*, p. 6.

77 Amy Gillett Foundation, *Submission 35*, p. 6.

78 Mr Shane Rattenbury MLA, 'Positive attitudes towards safer cycling reforms as trial begins', Media release, 1 November 2015, [www.cmd.act.gov.au/open\\_government/inform/act\\_government\\_media\\_releases/rattenbury/2015/positive-attitudes-towards-safer-cycling-reforms-as-trial-begins](http://www.cmd.act.gov.au/open_government/inform/act_government_media_releases/rattenbury/2015/positive-attitudes-towards-safer-cycling-reforms-as-trial-begins) (accessed 22 April 2016).

The Australian Government and the states and territories have been monitoring the Queensland Government's two-year trial (commenced in April 2014) of a rule for a minimum overtaking distance of one metre (and 1.5 metres where the speed limit is over 60 km/h) for drivers overtaking cyclists.<sup>79</sup>

## Recommendation 2

**1.66 The committee recommends that the National Transport Commission amend the model Australian Road Rules to mandate a safe passing distance for drivers overtaking cyclists of one metre where the speed limit is 60 kilometres per hour or lower and 1.5 metres where the speed limit is higher.**

### *Motorcycle riders*

1.67 Twice the number of Australians rides a motorcycle today as in 2004.<sup>80</sup> Unfortunately, motorcyclists continue to be overrepresented in road trauma statistics. For example, in 2014, motorcycle riders were killed in a third of the fatal road accidents in metropolitan Perth.<sup>81</sup>

1.68 In their submission, the Australian Motorcycle Council renewed its call for an 'integrated national strategy' for motorcycling, 'as is done with cycling'.<sup>82</sup> This is in line with a 2004 recommendation of the House of Representatives Standing Committee on Transport and Regional Services that the Australian Transport Council develop and implement national strategies for all three vulnerable road user groups.<sup>83</sup>

1.69 The Motorcycle Council of New South Wales illustrated the benefits of a national strategy to improve data collection and analysis, arguing that '[w]ithout a national motorcycle road safety strategy, the social and economic cost of road-related motorcycle injury and death are difficult to determine'.<sup>84</sup>

1.70 The committee heard that 'motorcyclists remain under-represented at many of the road-safety and transport forums' and are 'all too often omitted from road planning considerations'.<sup>85</sup> To address this, the Australian Motorcycle Council also called for a national representative body to implement findings, similar to the Australian Bicycle Council. They submitted that a previous body, the 'small-cost' Motorcycle Safety Consultative Committee of the Australian Transport and Safety Bureau 'was

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79 Department of Infrastructure and Regional Development, *Submission 51*, p. 18.

80 Australian Motorcycle Council, *Submission 55*, p. 6.

81 RAC, *Submission 59*, p. 4.

82 Australian Motorcycle Council, *Submission 55*, p. 6.

83 House of Representatives Standing Committee on Transport and Regional Services, *National Road Safety – Eyes on the road ahead: Inquiry into National Road Safety*, June 2004, p. 121.

84 Motorcycle Council of New South Wales, *Submission 27*, p. 1.

85 Ulysses Club, *Submission 36*, p. 4.

disbanded after delivering some successful programs and projects over a number of years'.<sup>86</sup> The Ulysses Club submitted that the achievements of the committee included:

During its period of existence this body succeeded in producing an internationally well regarded guide to motorcycle safety gear (The Good Gear Guide), running a Motorcycle National Safety Summit [in 2008] and formulated a draft Graduated Licensing Scheme for motorcycles. Unfortunately with the demise of the MSCC neither the Summit outcomes nor the GLS proposals were able to be followed through.<sup>87</sup>

1.71 The committee sees merit in the proposal for motorcycle safety to be addressed on a national basis, opening dialogue on a national approach to rider training and improving the road environment for this vulnerable road user group.<sup>88</sup>

1.72 The committee has not made equivalent recommendations in relation to new vehicle technologies such as anti-locking brake systems and electronic stability control for motorcycles. Without further research, the committee heeds the warning of the Motorcycle Council of New South Wales that '[j]ust because the technology has been developed for cars it is not immediately transferable to motorcycles'.<sup>89</sup>

1.73 On the other hand, the committee notes the Council's recommendation that '[t]echnology developed for cars needs to take into consideration the effect it has on motorcycle safety', urging for consideration of the ability of blind-spot monitoring and adaptive cruise control to detect the presence of motorcycle riders.<sup>90</sup>

### **Recommendation 3**

**1.74 The committee recommends that the National Transport Commission re-establish a national consultative committee on motorcycle safety.**

### **Recommendation 4**

**1.75 The committee recommends that the National Transport Commission develop and implement a national strategy for motorcycle safety.**

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86 Australian Motorcycle Council, *Submission 55*, p. 6.

87 Ulysses Club, *Submission 36*, p. 3.

88 Australian Motorcycle Council, *Submission 55*, p. 7.

89 Motorcycle Council of New South Wales, *Submission 27*, p. 2.

90 Motorcycle Council of New South Wales, *Submission 27*, p. 3.

