

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015

Melbourne — 30 May 2016

Members

Mr Joshua Morris — Chair

Ms Colleen Hartland

Mr Khalil Eideh — Deputy Chair

Mr Shaun Leane

Mr Nazih Elasmr

Mr Craig Ondarchie

Mr Bernie Finn

Participating Members

Ms Samantha Dunn

Staff

Secretary: Dr Christopher Gribbin

Witness

Mr Craig Hoey, Manager, Road Safety, Department of State Growth, Tasmania (*via videoconference*).

The CHAIR — I declare open the Standing Committee on the Economy and Infrastructure public hearing. We are hearing evidence with regard to the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015. Today's evidence is being recorded. All evidence taken today is protected by parliamentary privilege. Therefore you are protected for what you say today but if you repeat those same things, those comments may not be protected by the same privilege. Mr Hoey, at this point I will hand over to your good self. You might have some introductory comments that you might like to make. We might follow that with a few questions, so over to you.

Mr HOEY — Great. Thanks. Today I thought I would simply go through the casualty rate at the moment for cyclists in Tasmania, a bit about where the government is looking in terms of the passing legislation and some of the initiatives that we have done from a road safety perspective over the last 12 or 18 months. I will then welcome any questions you might have of me from Tasmania's perspective.

In terms of the road safety issue and the problem in terms of cyclists, last year, 2015, we had 13 serious casualty crashes involving cyclists — for 'serious casualty crashes' we combine both fatalities and serious injuries, which is being admitted to hospital for more than 24 hours. There were 13 of those and in addition to that 107 crashes reported to police that involved minor injury, first aid or property damage-type crashes. To put that into a little bit of context, the five-year average is 11 for cyclists for serious casualty and 108 for those minor crashes reported. That is a little bit of context. In terms of all crashes, last year we had 330 serious casualty crashes for the year, so cycling is about 4 per cent of those.

In terms of the response to Queensland's passing rules and the call from the Amy Gillett Foundation and other cycling groups for legislated or mandated minimum passing distances, back in 2014 the government took the position of wanting to review the outcomes of the Queensland trial before considering that sort of legislation — minimum passing legislation — in Tasmania to get an understanding of how it has worked in Queensland and now in other jurisdictions and also looking at that in the context of Tasmania and the types of crashes we are having, the types of road environment we have got, including the geometry of our road network. So now that the Queensland trial has concluded and the report is available, in the road safety area I will be looking at the outcomes of that against those sorts of contexts for Tasmania.

To give a bit of an overview, this issue has been live in Tasmania. The Amy Gillett Foundation and other cycling groups have been very vocal and made representations to government about the need for minimum passing legislation, but in the context of the government's approach of waiting until we got some further information from Queensland and also some baseline data from Tasmania, there were some initiatives put in place. Some of those ones included distribution of the Amy Gillett's 'It's a two-way street' material, we tried to get that distributed quite broadly. We had some more visibility about our cycling road rules education, specifically looking at some of the road rules and trying to get a little bit more awareness in the community about our rules relating to cycling.

We also included some more prominence of the questions in our learner driver tests. We have online visual driver testing for advancing to your L1, so we have got some of those questions in that test for learner drivers. We also passed a road rule in Tasmania to enable motorists to pass a solid centre-line in order to be able to pass a cyclist safely. That was a road rule change. Prior to that motorists were not able to cross that solid centre-line. We also included a public education and awareness campaign on that road rule change.

That obviously complimented another issue that was coming. In February/March we erected around about 270 advisory signs on our road network advising motorists of a safe distance to pass cyclists — that being 1.5 metres on roads above 60 kilometres and 1 metre on 60 or below roads. Those road routes were done in consultation with a small working group that included representations from local cycling groups, our local government association and also the Amy Gillett Foundation. We used local knowledge as well as some analysis of strava (GPS recording that is popular with cyclists) results to try to find some of those cycling routes that are popular amongst cyclists.

We have also delivered a major campaign, Distance Makes the Difference. It was a television and billboard-type campaign that encouraged promoting a safe distance for passing cyclists. I do not know whether you are familiar with that advertising campaign. It used humour, and there was no speaking involved in it. It tried to embrace the road space as a social space; like social spaces, we need to give people a minimum sort of room or distance. We exploited that to express it on the road to give a safe distance when passing cyclists.

We have also provided some money for bike education for primary school-age students. That is off the back of the initiative, I think in Victoria, that is very popular. We have also gone ahead and done our own, baseline data research on perceptions of safe cycling and the response of motorists to cyclists in Tasmania. I can draw on a little bit of that analysis if you like, or I am happy to take questions at this stage.

The CHAIR — We are happy to hear about that analysis if you would like to provide it to us.

Mr HOEY — The report is available on our Road Safety Advisory Council website. I can give you the web address. Perhaps I could send that to you. In terms of some of the stand-outs in the report, we did a survey of 600 road users, and we specifically needed to find 150 cyclists amongst that sample group. In terms of some of the responses from the cyclists, 37 per cent of respondents felt unsafe — 11 per cent felt unsafe always, and 26 per cent felt unsafe most of the time. That was due to the proximity of vehicles passing them. So in terms of positive responses, 45 per cent of respondents felt that most of the time they were not in danger of being hit by a car. I will just rephrase that: 8 per cent always felt not in danger and 37 per cent most of the time did not feel in danger of being hit by a car. However, 15 per cent, close to one-sixth of respondents, reported in the past year either being hit by a motor vehicle or being involved in a near-collision with a motor vehicle when overtaking.

In terms of the attitudes towards cyclists of motorists, 89 per cent did not mind that cyclists were on the road — so they were comfortable that they had a right to use the road — and just about 80 per cent generally felt cyclists act responsibly while on the road.

While we have not got minimum passing legislation in place in Tasmania, we asked the question of the respondents what minimum passing distances were in place. Most, 54 per cent, believed that the legal minimum passing distance when overtaking cyclists at 60 kilometres an hour or less is 1 to 1.5 metres, and 54 per cent believe that the minimum legal passing distance when overtaking cyclists at 100 kilometres an hour or higher was 1.5 metres. So that demonstrates that there is already a perception in the community about minimum passing legislation. Seventy-two per cent either strongly agreed or agreed that motorists should stay a minimum distance of 1 metre away when passing a bicycle at 60 kilometres an hour or below, and 80 per cent strongly agreed or agreed that motorists should stay a minimum of 1.5 metres away when travelling above 60 kilometres an hour. Thirty-eight per cent of respondents were aware that it is now legal to overtake cyclists crossing a continuous centre-line. That was sort of a response to our promotion of that law earlier in the year. I think they were probably the pertinent issues related to the passing rules.

As an aside, 65 per cent of respondents could remember seeing advertisements concerned with road safety and cycling over the last 12 months, and 30 per cent of respondents had recall about our Distance Make the Difference campaign. That was in December. The campaign launched, I think, in about November, so we were happy about that sort of result early on in the campaign.

So I am happy to answer any questions. I can provide that information by email to your administrative people if you did not catch all of that.

The CHAIR — That would be great, if you would not mind, to help us with the formulation of our report. I might kick off with a couple of questions. Is the Distance Makes the Difference campaign you referred to the one that used a bit of humour with regard to personal space and the like?

Mr HOEY — Yes, that is the one. It tried to compare the road environment to the social space.

The CHAIR — Indeed. Were there people in it on public transport and the like getting a little too close to others? Is that the one?

Mr HOEY — That is right. Falling asleep on a shoulder and getting too close at the ATM and the two guys at a urinal as well. So it had a bit of humour.

The CHAIR — Yes, it was rather humorous that one. I do recall it. Very good. It has been interesting, the experience in Tasmania. Obviously there have been some differing rule changes to other states in the way it has gone about it. Just to get some clarity: you can cross the middle line to overtake a cyclist; however, the 1.5 metres and 1 metre at the respective faster and lower speeds is not law. You have got the middle line rule, but you have not got the distance law — is that correct?

Mr HOEY — That is correct.

The CHAIR — Is there any specific rationale behind that, or is it just the way it has played out?

Mr HOEY — No, the rationale behind that is that the government's approach has been to wait for the evaluation of Queensland's and now other jurisdictions' actual legislated rule changes. There was an election commitment around signage on the roadside, so I guess we felt that to make that signage acceptable and usable by motorists it was a sensible thing to do to also amend the road rules to enable motorists to be able to cross the centre-line to give that safe space when passing cyclists.

We did a little bit of analysis on our roads and found that if the centre-line was simply put there for cycling, you would need 70 per cent fewer of those line markings. That is, the centre-line marking is there, really, for car interactions; it is to try to ensure that people are not overtaking cars in unsafe situations. If it was simply that the line marking was there for cars and cyclists, you would have a lot fewer centre-lines. So we felt that that was a reasonably safe way to go forward, and particularly with the caveat that we wanted some common sense by motorists. We had an education campaign around that as well to try to demonstrate where it is safe to pass the cyclists when crossing the centre-line. Does that make sense?

The CHAIR — Yes, it certainly does. It is just interesting, the Tasmanian approach, because some of the opposition we have heard, or most of the opposition we have probably heard, with regard to these possible law changes is around that centre-line law. There have been certain witnesses we have heard from who have said that the reason they oppose the law change is not necessarily about the 1 metre and the 1½ metres, but rather it is the capacity for vehicles to cross that middle line, which is why I was interested in the Tasmanian approach, where that is the law change that has occurred, whereas the 1 metre and the 1½ metres has not yet been legislated. I suppose that is an interesting way of going about the law change compared to what we have heard from our witnesses.

Mr HOEY — Yes, we felt that with the network signage potentially we could create an unsafe environment where we were communicating to motorists that you have got to leave that 1 or 1½ metres and they are then becoming frustrated by being held back by not being able to pass the centre-line. We felt that it was a safe approach, given the analysis we did on the road network and the education promotion we did of the actual road rule change.

The CHAIR — Indeed, very good, thank you.

Mr LEANE — Thanks again. I am interested in the signage as well. I am trying to see if there was in your submission an example of what those signs look like.

Mr HOEY — Yes, I will send that through as well.

Mr LEANE — That would be great. I hope it is not a dumb question, but those signs are permanent signs; it was not a temporary campaign. They are permanent signs along popular cyclist routes — is that correct?

Mr HOEY — That is correct. They are standard advisory signs — black on yellow, and they are there in perpetuity. At some point they may be extended if other cycling routes are found, but at the moment we have finished the rollout, certainly at this stage.

Mr LEANE — Fantastic. One more question. In your submission you say that you want to make sure there is more prominence in the licence test around having questions regarding interactions with other road users, such as cyclists. What are the mechanics to ensure that happens — to ensure there are one or two questions in the test?

Mr HOEY — We have an online or electronic internet-based test for learner drivers. It comes from a database of maybe 100 or 200 questions. We have compulsory questions and non-compulsory questions, I guess. In short, there are questions, particularly on road rules, relating to passing cyclists and that sort of thing in that database, and they are pulled up from time to time to ensure that some sampling of learner drivers will experience those questions.

Mr LEANE — So that sort of category does not fall inside the compulsory question section.

Mr HOEY — I can confirm that. I do not know whether any are in the compulsory database, but I can confirm whether they are or not — —

Mr LEANE — But there is a trigger to ensure that every learner is exposed to that.

Mr HOEY — Yes.

Mr LEANE — Okay, thanks. If you could follow that up, that would be great.

Ms HARTLAND — A couple of things. Hobart is a mixture of one-way streets. How does it work in Hobart itself, in the CBD? People do not have to cross over lanes to pass people. Is there any different — —

Mr HOEY — Because we do not have the legislation for minimum passing, there is not a lot of signage in Hobart central. On some of our feeder roads there is. We also have a network in the city and in Launceston as well of bike lanes. They are painted bike lanes on some of our routes. Because it is not mandated at this stage, I really could not comment on that. It is not legislated at this point in time, so interactions in the central city — how that is working — is more behavioural at the moment, I guess.

Ms HARTLAND — Can I go on to ask: because you have not actually legislated for this and it has been around changing culture, do you think at some stage it is something that you are going to want to legislate?

Mr HOEY — That is going to be a matter for government. They have asked us to actively look at the results from Queensland and the work on our road network and contextual issues for Tasmania. The government will then consider their best approach.

Ms HARTLAND — One other thing. This is very Tasmanian obviously because you have got lots of winding roads: how does it work on those narrower and very windy roads, especially in the rural areas? You do not have to go far out of Hobart to be in those.

Mr HOEY — That is right, so that is where you start seeing the signage. You will have quite a bit of centre-line on those roads, so it is a behavioural thing. The promotion, via Distance Makes the Difference and the signs themselves, is to try to encourage good, positive behaviour on the roads. I am a cyclist as well, so I get to see some of this firsthand. A lot of my cycling colleagues feel that the approach has been effective and that Distance Makes the Difference has been effective, and they feel that motorists are taking a little bit more time and providing a bit more distance when passing. That is just my personal opinion and the opinion of my friends. I guess it is backed up a little bit in the questionnaire we had. Motorists are accepting of cyclists on the road and the majority believe it is already the law and were not necessarily providing a negative response to that.

It is not all sweet. Personally, I do not think it is all sweet. We still have road crashes, and whenever these sorts of issues are put in the paper as letters to the editor quite often it receives quite a passionate response from both sides. So it is not all wonderful news down here, but I think it has been a good approach.

The CHAIR — Thank you very much, Mr Hoey, for taking the time to provide evidence to the committee today. We look forward to seeing what happens in Tasmania. I remind you that you will receive a copy of the evidence that you have provided by way of transcript for proofreading. Eventually the transcript will be made available on the committee's website. Once again, thank you for taking the time to present to the committee today.

Mr HOEY — Great. Thank you for that.

Witness withdrew.