

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

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

Melbourne — 3 May 2016

Members

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Witnesses

Ms Phoebe Dunn, CEO, and

Dr Marilyn Johnson, Research and Policy Manager, Amy Gillett Foundation.

The CHAIR — I will begin by declaring open the Standing Committee on the Economy and Infrastructure's public hearing and welcome everybody who is present here this morning. Today we are hearing evidence in relation to the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015. The evidence today is being recorded. All evidence taken today is protected by parliamentary privilege. Therefore you are protected for what you say in here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege.

Welcome, Ms Dunn and Dr Johnson. You might like to just state your name and the capacity in which you are witnesses here today and then move into some introductory comments. We will then have some questions to finish up with. Over to you, Ms Dunn.

Ms DUNN — I am Phoebe Dunn, CEO of the Amy Gillett Foundation.

Dr JOHNSON — I am Dr Marilyn Johnson, research and policy manager at the Amy Gillett Foundation and senior research fellow at Monash University.

The CHAIR — Fabulous.

Visual presentation.

Ms DUNN — Thank you very much for the opportunity to provide evidence at this very important hearing for a road rule that is fundamental for safer cycling in Victoria. The Amy Gillett Foundation is a national organisation with a mission to reduce the incidence of serious injury and death of bike riders in Australia. Our mission is safe cycling and our vision is zero bike rider fatalities. We draw on evidence and international best practice and collaborate with government, business and the community to create a safer environment for bike riders, while maintaining an efficient road network for all road users.

The AGF's manifesto for safer cycling focuses on the following critical factors needed to make our roads safer for cyclists: first, the application of the safe system approach to the cycling environment — that being safer people, safer roads and speeds and safer vehicles. The safe system approach is central to current Victorian road safety strategies and the Toward Zero campaign. The AGF's manifesto is built on the safe system approach to strive for a safer cycling environment.

The second element is working together for safer bike riding. We strongly believe in the need to work together to achieve a safer road environment for all road users. Our terrific partnership with Toll Holdings is testament to that. Toll is Australia's largest trucking and transport company and is taking a leadership position on road safety in Australia through its partnership with the Amy Gillett Foundation. They are taking real action to create a safer environment for cyclists and all road users.

The third component of our manifesto is that a metre does matter. This is the reason we are here today and it is central to our submission and our testimony. Zero bike riding deaths by 2020 is a bold goal and is central to what we are trying to achieve. Our core focus is safety. We know that the primary reason people do not ride is fear: people are too scared to be out on the roads on their bikes. We are striving to overcome that constraint so that safety becomes an enabler.

The intention with minimum passing distance is very simple: it is to create a safe space on the right-hand side of every single person on a bike, on every road in Victoria and in Australia. There is no hiding from the fact that cyclists are vulnerable road users. Put simply, cyclists do not have the safety envelope created by the metal body of a car; they have no protection. A Metre Matters seeks to create that protection.

A metre matters because it puts safety first. It applies to every bike rider on every road in Victoria. It does not discriminate by postcode. It is a practical measurement for drivers, an objective, quantifiable, minimum distance replacing a nebulous, subjective notion of sufficient distance. It reduces the risk of crashes when drivers overtake bike riders, which is the one thing people fear most about riding a bike. Over 1 in 10 crashes in Victoria involved a vehicle overtaking a bike rider. It acknowledges that bike riders are legitimate and vulnerable road users who need space when sharing the road with drivers. Importantly, it mandates current Victorian guidelines. The current VicRoads policy recommends motorists give a minimum of 1 metre in speed zones up to and including 60 kilometres, and more for speeds over 60 kilometres per hour.

Better infrastructure is critical for safe cycling, but we cannot afford to wait for safe cycling infrastructure to be built. Separated bike lanes will never be on every street in Australia. An immediate way to make bike riders safe is for drivers to give them space. While Victoria has some of the most enviable cycling infrastructure in the country, especially within places such as the cycling utopia in the City of Yarra, it is not true for the whole of Victoria. A Metre Matters is about making the roads safer for every bike rider on every road now.

This next slide shows the national situation in Australia for the implementation of A Metre Matters laws. A Metre Matters is now in the majority of states and territories across Australia. There are also equivalent laws internationally, including in more than half the states in America, parts of Canada, South Africa and European countries including France, Spain and Portugal.

There is momentum for change around the country and, as I have said, this legislation would merely mandate what is recommended practice here in Victoria. It is supported by motoring bodies in other states, for example, the NRMA and the RACQ, and here in Victoria the RACV recommends that motorists leave a metre when overtaking cyclists. What we are seeking in Victoria is for the Victorian Parliament to commit to the introduction of A Metre Matters laws without delay so that Victoria comes into line with the majority of Australia.

The terms of this reference focus on how these laws have been implemented in other jurisdictions. In Victoria we have a long history of success in road safety campaigns, and I mention by way of example seatbelt use, drink and drug driving, speeding, and more recently mobile phone use. These campaigns have followed changes to the law designed to make our roads safer. They have three essential components: education, so that people in Victoria know the rules; attitudinal change — we need to have the public conversations that change attitudes; once it was okay to drink and drive; and enforcement — we know that enforcement is an essential component for safer roads. These three elements are needed for behaviour change campaigns. Awareness is not enough.

You heard earlier from Professor Haworth in relation to the CARRSQ evaluation. We know from that evaluation that the Queensland trial demonstrated that the minimum overtaking distance works. The CARRSQ research has provided the evidence that we have been waiting for. It shows — and there are some statistics up on that slide for you — that 77 per cent of cyclists say that drivers are giving them more space, 88 per cent of drivers were observed to have given at least a metre in 60-kilometre zones and under, and 79 per cent of drivers were observed to have given at least 1.5 metres in 60-kilometre-plus zones. On top of that, as you heard, over 95 per cent of Queenslanders were aware of the new rule. These figures are supported by our own independently commissioned community attitudes research, and also similar experiences are demonstrated in South Australia and the Australian Capital Territory.

Introduction of A Metre Matters into Victorian law needs to be supported by a comprehensive education and awareness campaign which draws attention to the new law. That has been the lesson from Queensland. It is also highlighted in community attitudes research that we have commissioned. Sixty-seven per cent of people in South Australia and 70 per cent of Queenslanders said that education and communication are essential for the changes to be effective.

This slide includes examples that help to humanise the road safety messages. After all, a bike rider is someone's sister, daughter, friend or father. Many bike riders are also motorists. There is no-one that someone will not miss, and everyone has the right to get home safely.

Ultimately cycling safety awareness should feature in the overarching Towards Zero safety campaign. An effective education campaign is one that engages the community; contains simple, clear messages; and encourages the desired behaviour as well as discourages the wrong behaviour.

I note that recently in Queensland when they launched the second phase of the education campaign, Stay Wider of the Rider, this was strongly supported by the RACQ. Links to the Australian campaigns that have coincided with or have accompanied laws to include minimum overtaking distance laws are included in our submission, but we do want to take a moment to share one of those with the committee. It is the Tasmanian campaign, and it takes a more unexpected approach in this video.

Enforcement is another element in achieving behaviour change. As I have said previously, awareness-raising alone is not enough. We know from the independently evaluated outcomes of the Queensland trial that this law is enforceable. It is no different to any other road rule that specifies distance — for example, tailgating.

As I have said, A Metre Matters amends the existing, subjective nebulous test to an enforceable objective minimum distance, and while we acknowledge that it is not necessarily easy to enforce, the Queensland experience demonstrates that it is enforceable and that it is effective. Importantly Queensland police have indicated that it has created a safer environment for cyclists.

Enforcement policies and strategies need to include appropriate training of and equipment for police. We also recommend that the strategy be developed in consultation with police in other jurisdictions. Our submission makes reference to methods used by police in Austin, Texas to both educate people about and enforce the law. We are also aware of technology in use by some American and Canadian police forces to enforce the law with a device known as C3FT, which measures the distance from the handlebars of bikes to passing cars. The following video provides a brief description of that technology.

I turn now to our recommendations. For the reasons outlined in our submission, we are making the following recommendations. First, that the Victorian road rules be amended to provide for minimum overtaking distances without delay, without the need for a trial and without exceptions, with a minimum of 1 metre in speed zones up to 60 kilometres and 1.5 metres in speed zones over 60 kilometres per hour. A Metre Matters should apply to all bike riders in Victoria across Australia regardless of postcode.

Second, the complementary road rules be amended to allow motorists to cross over unbroken centre lines when it is safe to do so. This complementary law has been introduced in other Australian jurisdictions with the A Metre Matters laws. Third, that the law changes be accompanied by a public awareness campaign that educates all road users on the new laws and their benefits.

Fourth, that the government establishes a stakeholder advisory group to oversee implementation. Finally, while we are advocating for Victoria to implement the A Metre Matters laws without a trial, if a trial is recommended, that there be a scientific evaluation framework developed and implemented, including baseline pre-trial data.

Just in closing I would like to make the following remarks. This legislation helps to legitimise the rights of bike riders to use the road and share the road. It helps to shift the debate from an 'us and them' mentality to 'how can we all share the road and all get to where we need to go to safely?'. It mandates what is already government policy. It is in the Victorian VicRoads guidelines. It has a positive impact on road congestion at a time when road real estate is at a premium. In Victoria the vast majority of cars have single occupants. More people riding means fewer cars on the road. Indeed, the CEO of VicRoads, John Merritt, has stated publicly that he wants to give every cyclist a banana to thank them for doing their part to ease road congestion. It has a positive impact on our health and on the environment. It is a simple law that does not discriminate by postcode and it is a law for every cyclist on every street. We all know that cycling is good. Let us help make it safer for people to ride a bike through this simple, low-cost measure.

I will leave you with the following image, and of course we would be happy to take questions.

The CHAIR — Excellent. Thank you very much, Ms Dunn. Obviously a lot of work has gone into your submission and also your presentation today, so I would certainly like to thank you for all of that work that has gone into this.

I want to begin just by asking about the VicRoads guidelines that you referred to, stating that a metre of space is what should be left. I am interested to know whether or not they are currently legally enforceable, or indeed what sort of legal standing these guidelines presently have.

Ms DUNN — The current test in the legislation is sufficient, and the guidelines give an indication of what VicRoads expects out of motorists in terms of what is sufficient, so 1 metre in 60-kilometre zones and more in zones over 60 kilometres. But they are guidelines, so it is not the law, and that is why a change to make this a permanent fixture in the Victorian law is important.

The CHAIR — Indeed. Thank you. Mr Eideh, did you have any questions?

Mr EIDEH — Yes, just a quick one. Can you comment on how a mandatory passing distance similar to the one implemented in Queensland could be applied on Victorian roads, particularly in the inner city, where we have narrow roadways being shared by trams, motorists and cyclists?

Ms DUNN — We believe these laws should apply on every street, regardless of the circumstances, and in every other jurisdiction in Australia which has minimum overtaking distance laws there has not been any exception for different types of road infrastructure or inner-city areas. It applies as a law the same way on every street, and we think that is really important.

Ms HARTLAND — You may need to take this question on notice, but I was quite interested in the presentation regarding Queensland's evaluation and the problems they had with not having good baseline data and then trying to do those recordings. If there was a trial, what would you recommend that Victoria do. I do not know whether you can answer that now, or you might like to send information back to the committee. I suspect it is quite detailed.

Ms DUNN — It will be detailed, and we would be more than delighted to send information back to the committee, but I might just pass to my colleague Dr Johnson, who will be more than happy to answer that question, I am sure.

Dr JOHNSON — Narelle was right in her presentation earlier. It is about what people do and what people think, so it would need to have two parts. Certainly on the observational data, there is some in Victoria but, like Queensland, the road design changes over time so how comparable that would be now to an after-trial, we do not know. We would have the same issues. But similarly, the surveys that they had would be a good basis. I would imagine that in Victoria you would want to draw on their experience and adapt it for a Victorian context.

Ms HARTLAND — That is why clearly having a stakeholders group would be really important, to be able to look at what is happening in Queensland and develop something that is suitable for Victoria.

Ms DUNN — That is right, and a stakeholders group will enable all stakeholders with an interest in this to also gather information from their counterparts in other states, such as the police and the research bodies, to help define and crystallise how this should be implemented in Victoria.

Ms HARTLAND — I have got two other quick questions. Some people have said that there should be exemptions if there are already bike lanes. What is your opinion on that?

Ms DUNN — We strongly say that this law should apply on every street in Victoria, no matter what, as it does in other jurisdictions around Australia. There are no exemptions in other jurisdictions which have A Metre Matters laws. One of the exceptions that we understand has been put to the inquiry is that it should not apply in zones under 50 kilometres. There is an important reason why we say that that exception should not be accepted by the committee. This graph shows that in relation to speed, the likelihood of death of a vulnerable road user increases dramatically when hit at speeds of 30 kilometres or more; and at a speed of 50 kilometres that risk of fatality is at 80 per cent. So we can see no justification, and we are not aware of any evidence, to suggest that there is a good reason why it should not apply in 50-kilometre speed zones. We cannot see any logic to that recommendation. We also note that speed zones around schools and shopping precincts are 40 kilometres per hour. I personally would not like to think that my children on their bikes would not be protected by this law.

Ms HARTLAND — How do you think A Metre Matters could contribute to the TAC's Towards Zero goal?

Ms DUNN — As I said in our presentation, the basis on which we arrive at our policies is based on the safe system approach. We strongly think that cycling safety should be a focus and be part of the Towards Zero goal. First and foremost our vision is obviously, as I have said, for zero bike rider deaths, and A Metre Matters is one component of our manifesto to help us achieve that goal. It helps to raise awareness of vulnerable road users and educate drivers about the importance of leaving space. It is one part of the puzzle to create a safer road system. Implementation of that campaign and measures for a safer environment for cyclists will help to achieve the goals of Towards Zero.

Ms HARTLAND — I have one last question. While I was listening to you I was just thinking about evidence around trams, and obviously the super-stops et cetera. How would A Metre Matters affect trams passing cyclists?

Ms DUNN — Well, it is no different to how it affects the other road users at the moment. So if a cyclist is travelling in a bike lane, if there is a tram to the right-hand side of a motorist coming up beside the cyclist, the

motorist will have wait now — it is no different to what motorists should be doing now to ensure safety on our roads.

Ms HARTLAND — Is there any exemption for trams, in your understanding of how that would work, or in other states?

Ms DUNN — My understanding is that with the way that the super-stops are that the cyclists have to wait behind the tram when the tram comes to a stop.

Ms HARTLAND — But generally on the road with trams, not just at the super-stops.

Ms DUNN — No, there is no exception in other states.

Ms HARTLAND — Or in Victoria?

Ms DUNN — No.

Mr ELASMAR — Can I follow up on that? If a tram is travelling and there is a bicycle in the left lane and I want to pass between them and keep driving, I cannot do that because there is not even a 1-metre distance.

Ms DUNN — It would depend on the road circumstances, but at the moment if a cyclist is travelling and there is not sufficient space to leave a metre between the cyclist and the car because of the existence of a tram travelling in the same direction, then, yes, the motorist would need to wait.

Ms HARTLAND — Sorry, I have one more question on the trams. I am just trying to get this all sorted in my head. Because a tram is a fixed vehicle, it is not a motor vehicle as such, it is my understanding that in this legislation it will be exempt.

Ms DUNN — I think we are at cross-purposes a little bit. You are talking about the tram overtaking the cyclist.

Ms HARTLAND — Yes.

Ms DUNN — But you are talking about a car being in between the tram and the bike.

Mr ELASMAR — Correct.

Ms DUNN — So in the case of the tram, can you describe the situation where a cyclist would be right up next to the tram?

Mr LEANE — The only thing I can think of is that they might be turning right, and in that case the tram still has to wait for any vehicle.

Ms DUNN — Yes.

Mr LEANE — Like, a bike is a vehicle, as a vehicle is a vehicle. But as for incidents where a tram would have to wait when a cyclist is sticking to the left-hand side of the lane, like they usually do, there would be no incidents.

Ms DUNN — Yes. I do not think there is an issue here between the bike and the tram. In your scenario, Mr Elasmarr, where there is a car in between, then no. If I am on my bike I need a metre on my right, and if there is a tram on your right, then you need to wait.

Mr ELASMAR — So I cannot go?

Dr JOHNSON — No.

Ms HARTLAND — I think I have completely confused everybody, including myself. There is an exemption in the legislation around trams. I suppose what I was trying to get to was having people understand about how that works for the trams.

Ms DUNN — Again, that would be part of an education campaign.

Mr ONDARCHIE — Phoebe, I take your point about the shared road, but it is also shared responsibility. I note your advertising campaign around educating motorists. What is the foundation's view about education for cyclists in terms of their shared responsibility on the road?

Ms DUNN — Absolutely. Thank you for that question. We strongly believe in the fact that it is a shared road and that there are shared responsibilities. One of the key campaigns that we have rolled out in New South Wales — it was a three-year campaign and we received a significant government grant for that from the New South Wales government — finished in 2015. That campaign was about the need to share the road and for all road users to show mutual respect. It focused on eight drive rules but it also had eight ride rules, and that was about ensuring that cyclists are doing the right thing, cyclists are obeying the road rules and cyclists are showing respect for motorists as well as asking for respect in return.

Mr ONDARCHIE — Would you see that campaign as being commensurate with one metre?

Ms DUNN — Yes, and we believe that that is a very important component of laws to help shift attitudes, as I said, and help to encourage people to think beyond 'us and them' to 'how can we all share the road safely and get to where we need to go safely'.

Mr ELASMAR — A couple of minutes ago we saw a video where a car overtook I think in a 60-plus zone because he used the unbroken line and then the other one. My question previously to the professor was: if we have a similar situation but not an unbroken line — just one line, you cannot overtake; definitely he used the opposite road; you can tell from the video — what do we have to do?

Ms DUNN — The part of the law change that we recommend goes with the A Metre Matters changes is the ability for motorists to cross unbroken central lines only where it is safe to do so, and that is an important distinction; motorists just need to wait unless it is safe to do so. That is no different to now; that is the current law as it stands. Motorists are allowed to cross unbroken centre road lines to avoid an obstruction when it is safe to do so. For example — and I know you raised the question of country roads previously — it is no different to having to wait behind a horse float or a caravan or some other slow-moving vehicle. In fact for cyclists it is probably going to be easier to overtake a cyclist because you can see the road in front of a cyclist, so it is easier for a driver to ascertain what is in the lane in front. As Professor Haworth gave evidence, it is also easier to overtake a cyclist because the relative speed at which the cyclist is travelling is far less than the equivalent motor vehicle.

Mr FINN — I would like to ask Dr Johnson a question. It follows on from our previous witness this morning, who suggested that I ask you this question, so if you have any difficulties there, you have got to take it up with her. It concerns the significant discrepancy in infringement notices that were laid out in her research in Queensland, where 60 motor vehicle drivers were fined or had an infringement notice and over 2000 cyclists. Why would there be such a discrepancy in numbers, do you think?

Dr JOHNSON — It is interesting. I went to Queensland in July 2014 after the trial had started — —

Mr FINN — A good month to go to Queensland.

Dr JOHNSON — It was a good month. We saw a presentation from one of the senior police there, who had that previous weekend sent out 40 unmarked police cars for the express purpose of looking for and fining drivers who passed cyclists too closely. Of those 40 cars that went out, no-one issued an infringement because everyone that they observed had given cyclists enough room. So I think there are a couple of factors going on here. I think the education campaign and the law are working, so less drivers are actually passing cyclists too closely. It is also a fleeting event that, as Narelle mentioned, is quite difficult for police to observe. Whereas if someone is riding along a road without a helmet on, it is pretty easy to follow them, to stop them and to fine them.

Mr FINN — But I understand from Professor Howarth's comments that that was an extra 6000 helmet infringement notices. The 2000-plus were just road infringements — infringements of the road law as distinct from not wearing a helmet. Why would there be such an extraordinary differential between cyclists and car drivers?

Dr JOHNSON — It is interesting that if you look in detail at the CARRSQ evaluation, the pre and post number of non-helmet-wearing infringements issued went down, and there was a migration in the types of cycling infringements that were issued to other areas, like people not wearing lights on their bikes or people not stopping at stop signs. But again, it comes down to how easy is it to observe.

The other current offence that is not frequently issued for drivers is opening a door in the path of a cyclist. Again, it is example of something that happens quite quickly. Without witnesses, without video and without someone being there, it is quite difficult for police to infringe that notice. I think it speaks to the type of behaviours that are easy to observe compared to those that are not. Unfortunately a cyclist without a helmet on their head is the easiest thing to see on the roads.

Mr FINN — It was also suggested to us that you are involved in some sort of research anyway which told us that a certain sort of cyclist breaks the law. I am fascinated to know what sort of cyclist we have got here?

Dr JOHNSON — My PhD research at the Monash University Accident Research Centre was all about how cyclists and drivers interact on the road. That included how they interacted at intersections. I filmed hundreds of hours at intersections all across Melbourne. One of the things I analysed in that research was how frequently cyclists infringed at red lights. I analysed over 4000 cyclists who faced a red light, and of that group it was around 7 per cent who infringed, so 93 per cent of cyclists stopped at the red light.

When I looked at who it was that did go through, it was those cyclists who were facing that red light on their own. It seems that when there is someone else who watches you, people are less likely to break the law. People were more likely to go through if they were turning left, and in follow-up survey work that I have done people say that they feel safer turning left on a red than they do to wait for traffic, particularly if there are large vehicles at the intersection with them. Then of course, as it is to be expected, there were more men who infringed than females, but that is probably a function of the proportion of males and females who are on bikes on roads in Victoria and in Australia. There are just more men out there.

Mr FINN — Thank you very much for that. Now, Ms Dunn, in your submission you have suggested that the law should apply on all roads, including roads with bike lanes. I draw your attention to Royal Parade. The outer lanes — for this proposed law to be upheld would mean allowing a vehicle to pass a cyclist and that vehicle would have to actually mount the kerb. How are we going to get around that do you think?

Ms DUNN — I am not aware of that specific example, but in that instance it is no different from now. If you cannot pass a cyclist safely, if you cannot pass leaving sufficient distance, which is the current law and the recommended 1 metre that the VicRoads guidelines has in it, then the motorist just needs to wait.

Mr FINN — So you are suggesting that motor vehicles — and keeping in mind that Royal Parade has a significant number of cyclists — should just wait?

Ms DUNN — That is right.

Mr FINN — So we would have traffic jams not just on the Tulla and on the West Gate and on the Monash but on Royal Parade as well.

Mr ONDARCHIE — They would be banked up to Campbellfield.

Dr JOHNSON — One of the questions that I would have in trying to deal with a situation like that, a specific location, is: what is the alternative? How close do we let drivers pass then? I promise you I need that space, so if that is not safe, then the question is no longer about, 'What do I do and what does the car driver do on the road?'; it is, 'What is that road design?'. So if you look at it from a safe systems approach, then we are expecting people to be safe in an imperfect environment, and now the question needs to be: 'Well, how do we change the environment so that we can make it safe for everyone?'. If there are locations like that where there are squeeze points and it is not safe, then the question needs to go back to the authority that is responsible for the road and how we change the design. Because we cannot on hand be saying to people, 'Let's go out — —

Mr FINN — I will tell you what, some of the cyclists on Royal Parade will not be very happy when they start chopping the trees down.

Dr JOHNSON — The question is, though, that if we have got on one hand policy saying, ‘Let’s get everyone to ride and be healthy’, and the other not protecting people when they are out on the road — if it is not going to work with what is there, we need to question the space.

Mr FINN — Fascinating. Would a part of any law change that you seek include the enforcement of a law — hopefully the current law, but a law anyway — which would see cyclists ride in single file?

Ms DUNN — Well, as we have tried to impress in our evidence today, cyclists are legitimate road users, and the current law in Victoria is that cyclists are allowed to ride two abreast. It is part of what we are recommending in our whole mantra about sharing the road — that cyclists need to show some respect to motorists, as motorists need to respect riders. The capacity to ride two abreast is part of current Victorian law; we are not proposing a change to that. But in every situation and particularly in certain areas there is the need for cyclists to be aware of their surroundings and be aware of who is behind them and who is around them and show some respect to motorists as well.

Mr FINN — Given the recognition that you seek, of the equal rights of cyclists on the road, would you therefore support the registration of cyclists — bicycles — in the same way that vehicles are currently registered?

Ms DUNN — No, we do not support registration of bicycles or cyclists.

Mr FINN — I did not think you would. I had a feeling you would not.

Ms DUNN — There is a good reason for that though, if I may, Mr Chair, through you?

The CHAIR — Certainly. Then we will move on to Mr Leane.

Ms DUNN — Registration is not about paying for the right to use the road; registration is, in Victoria and in Australia, about third-party insurance. So it is a common misconception that it is about rights and paying registration somehow makes your right to use the road more legitimate. Motor vehicle registration, as I said, in Australia is primarily used to fund third-party insurance schemes to support people affected by road crashes. The right to use the road, paying for roads and maintenance, and identification and penalty of bike riders are the most common arguments used in support of bike registration, but these arguments are largely emotive, if I may, and do not correlate with the purpose of motor vehicle registration. Registration has not been pursued in other jurisdictions because any perceived benefit is outweighed by the administration costs and other adverse society outcomes, such as lower participation and negative environmental impact.

I also note that a lot of cyclists also drive cars, and the question is: how many bicycles would you have to register? Families who have more than one bike each as their children get older — you may have a commuter bike and you may have a recreation bike or a road bike if you are into long-distance riding — how many bikes would you have to register? There are a whole lot of questions that are not easily answered in the consideration of any bike registration scheme, and we do not support it, for the reasons I have outlined.

Mr FINN — Mr Chairman, there are many, many, many points that I could make on that.

The CHAIR — I am sure there would be — another day.

Mr FINN — I think it is probably best that I leave it. It is a wise idea.

Mr ONDARCHIE — How do you propose that I identify the rider that took out my mirror yesterday?

The CHAIR — Sorry, we will move on to Mr Leane. You have a question?

Mr LEANE — Yes, thanks. Given the time, I will just ask one. I am opening myself up to my colleagues criticising me for my year 10 level of mathematics graduation, but a standard vehicle lane is 3.5 metres, a sedan is 1.9, so that leaves — —

Mr ELASMAR — Point 6.

Mr LEANE — Point 6.

Mr ELASMAR — Or 1.6.

Mr FINN — He is getting advice from a teacher over there.

Mr LEANE — It is lucky I have got a teacher behind me. I assume that a cyclist would want to travel about half a metre away from the kerb for obvious reasons. I am assuming; it might be more, it might be less, but about that. So there is the capacity for a vehicle to pass a cyclist without actually touching the centre line — it is very close — in that very common situation. Unfortunately I am going to take up a point that Mr Finn has made.

Mr FINN — I will just take notes here.

Mr LEANE — In the diagram that you have on your water bottle there, when you put a second cyclist next to that cyclist, then we are taking up another half a metre.

Ms DUNN — That is right.

Mr LEANE — Therefore there is a circumstance where someone passing does cut in half a metre into the oncoming lane. I suppose to follow up, would you consider in any trial, given those circumstances, would you support, whether it is a guideline or a recommendation, that cyclists in most circumstances — I understand that there are different circumstances — do travel one out without being — —

As you said, you can have two next to each other at the moment, but would you consider in any trial that being trialled as well?

Ms DUNN — In no other jurisdiction where these laws have been trialled has that been part of the trial, and as I said, we do not recommend any exceptions to the model that we put forward. We want it to apply in the same way in every street in Australia. That exception does not exist in New South Wales, where road lanes are often narrower, in the ACT, in South Australia or in Queensland. So we do not recommend that the existing law that allows bicycle riders to ride two abreast be altered, but as I said, there are circumstances where bike riders need to be aware of their surroundings and be respectful of other road users.

Mr LEANE — So if even in the circumstance that Mr Finn mentioned on Royal Parade, as I said, that lane would have to be 3.5 — that is a standard measurement of a driving lane. Even if in those circumstances it was deemed that those cyclists should not be riding two abreast because of those circumstances, would that be acceptable?

Ms DUNN — That is why we recommend that there be a committee established to oversee implementation of the laws and give consideration to the types of suggestions you are making, but in taking it up to a higher level, this is a law for every bicycle rider on every street in Australia and Victoria, and we do not see a need and we do not recommend that there be any exceptions to the application of the law. It creates confusion and it does not help to give impact to the need for people to share the road and be safe together.

Mr LEANE — But I do not think I was actually getting at an exception; I was getting at the pure mathematics of it. I graduated year 10 maths, so forgive me if I am out a bit, but the pure mathematics actually supports your argument if there is one cyclist about half a metre away from the kerb — it actually supports your argument. Rightly or wrongly we are in an age where people — they might be in a hurry to go home and see their favourite TV show; it might be as urgent as that, or as non-urgent as that — do not like to be held up for any reason, even good reasons. You do not have to respond to me. I just think that if this was something the foundation did consider — this is a different jurisdiction to other jurisdictions — and came back to us on, I would appreciate that.

Ms DUNN — Okay.

The CHAIR — I am aware other committee members do have further questions, which we might provide to you on notice if that is okay. We will provide you with those in writing and you can respond in writing.

Ms DUNN — Yes.

The CHAIR — I just wanted to thank you very much for your attendance here today, for the testimony that you have provided to us. I will just remind you that you will receive a transcript of today's evidence for proofreading, and ultimately those transcripts will be made public and posted on the committee's website. Once again, thank you both very much for your contributions today. I will close our hearing.

Ms DUNN — Thank you.

Committee adjourned.