

# TRANSCRIPT

## STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

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

Melbourne — 31 May 2016

#### Members

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Ms Colleen Hartland

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#### Witnesses

Ms Sue Blakey, Vice-President, Bike Safe Macedon Ranges;

Mr Brett Ellis, President, Macedon Ranges Cycling Club; and

Mr Robert Kretschmer, Treasurer, Bike Bendigo.

**The CHAIR** — I declare open the Standing Committee on the Economy and Infrastructure public hearing and welcome everybody who is present. Today we are hearing evidence in relation to the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015, and the evidence today is being recorded. All evidence taken today is protected by parliamentary privilege, and 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 same privilege. Welcome to our witnesses who are present here today. I might get you to introduce yourselves and state who you are representing, and then I believe you might have a presentation to go into. Ms Blakey, I might hand over to you.

**Ms BLAKEY** — Thank you very much. My name is Sue Blakey. I am the vice-president of Bike Safe Macedon Ranges.

**Mr ELLIS** — My name is Brett Ellis. I am the president of Macedon Ranges Cycling Club.

**Mr KRETSCHMER** — Good morning. I am Robert Kretschmer, Treasurer of Bike Bendigo. We are a volunteer community group seeking to get more people on bikes — any kind of bike — and make Bendigo the cycling capital of regional Australia.

**The CHAIR** — Fabulous. Very good. Who is going to take us through our presentation?

### **Visual presentation**

**Ms BLAKEY** — Perhaps I might start. Who is Bike Safe? Bike Safe Macedon Ranges is a not-for-profit incorporated body. We based ourselves on the Bike Safe Geelong model, with their assistance and support. We formed in 2013. We formed in response to being run off the road as cyclists, abused, threatened and seriously injured. As individuals, before we formed we had approached councillors who would seek to look into things, but never did. We saw that council strategies had been put in place, but were never implemented. We had silence from VicRoads for any help with any maintenance issues, or from council for the same matter. Even now, cycling continues to be excluded from council and local VicRoads funding priorities in our region.

Where are we and why are we unique? As I see it, it is because in the Macedon Ranges we have seven individual population centres. We do not have a central Bendigo or Ballarat major population centre.

The Calder bypass went through in 2000. The corridor since then has become highly populated. This has brought a lot more commuter traffic from our ranges to Melbourne, both on four wheels and two wheels, as you heard in the previous presentation, and we have a greater number of tourist daytrippers — we are 1 hour north-west of Melbourne.

Most of our roads are rural roads, which means we have got a tremendous diversity of commuter traffic and tourist traffic. Commuter traffic includes slow farming equipment, fast high-speed buses, delivery trucks, cars and quarry B-double vehicles.

So what is Bike Safe doing? We are working towards a safer environment by encouraging change in the at times antagonistic attitudes and behaviours towards cyclists.

How are we doing it? We are lobbying for infrastructure improvements, working with the Macedon Ranges Shire Council — for example, to erect permanent signage. That picture shows my excitement over the first sign we managed to get up. We have collaborated very gratefully with Road Safe Central Victoria to apply for grants to run twice-yearly safety campaigns. You have heard about Pass with Care in the summer, and as we move into winter we have Light Up the Road.

Part of the Light Up the Road campaign in winter is about showing cyclists the need to be bright and light, but also trying to show cyclists the view from a driver's perspective, which sometimes the cyclist might not consider. I will send you a very short video that we created to support our campaign. It is also available on our Facebook page as well, so we can send you a link for that too.

We have alerted Macedon Ranges Shire Council and VicRoads to dangerous maintenance works issues, and this shows a before and after example. That is particularly interesting because a cyclist cannot ride over that bumpy stuff, so they are forced into the centre of the road with traffic, or if they go to the left side of that, they would be forced into the path of turning vehicles frequently.

What else have we been doing? We have also been engaging with the public at community events and lifting our profile there. We have organised meetings to discuss local cyclist issues and fed these back to council, we have participated in the council's walking and cycling strategy and we annually request our council to include funding as per that strategy's recommendations.

Who has been helping us to do all this? Some of those you have already heard from, but obviously our council has helped us and Road Safe Central has helped us, as have SES, Victoria Police, VicRoads, Bendigo Bank, V/Line, schools, buses, local cycling clubs and local newspapers, but the road ahead still indicates that we have got a lot of work that we have to do.

This shows an example of bike lanes in our current towns. In situations like that it is very clear that bike lanes can actually be detrimental for a cyclist, because a driver sees a bike lane and thinks that we should be in it irrespective of whether we can be in it or we cannot be in it.

Have our campaigns succeeded? I have been riding in our region for 17 years, and I have noticed a significant change from when Bike Safe was formed in 2013. I am noticing that cars are giving me a wider distance. There is more courtesy replacing antagonism. I am seeing more riders wear bright colours and lights, which thrills me every time I see that. I feel like we are really having an effect, as every time I go past our permanent signage.

Why is this new bill important to us? Where infrastructure is non-existent in our region — for example, on many of our rural roads — laws like this could really contribute to our adding a level of safety. We encourage definitely a public awareness campaign, perhaps through the TAC, perhaps in the same mould as the motorbike awareness campaign that has run. Could there be one for cyclists?

How would these laws help us? Consider this: in a car park cars pass each other very close, very slow — they are very close. On a freeway there are much faster speeds and they give a lot more space and a lot more distance. They are driving to their road conditions. Most rural roads, as you have already heard, do not have shoulders, and if they do have shoulders, we cannot necessarily use them. I believe that drivers are often unaware of road conditions that impact cyclists. There is debris, there is gravel and there are potholes. Any of these obstacles require a cyclist to swerve around, but they may be typically invisible to a driver who is speeding past and they might be forgotten and gone in a matter of moments.

In an environment without road shoulders, a cyclist's frequent and only option is to move more towards the centre of the road. Cyclists have to modify their behaviour if they hear approaching vehicles from behind, but if it is windy, it is very hard to hear that there is any traffic behind you. If you are travelling at speed — frequently cyclists will travel at 50 kilometres per hour — it is really dangerous to consider looking back first to see if it is safe to move out. It is not something that a cyclist would do. We have to ask that if drivers have to drive to their road conditions, then cyclists must also ride to their conditions.

Bike Network indicates that perception is not a basis to change the law. The Queensland trial indicates that perceptions may have played a role in increasing safety for cyclists, so I say that whether or not more research is required and whether or not accurate measurements are had to assess and whether or not it would be hard to enforce, it is clear that fear governs behaviour irrespective of real or perceived. Fear is one reason why many people do not ride the roads, but many ride the roads despite their fear.

If a driver is in fear of breaching 1 metre or 1.5 metres, they are more likely to go wider, and this can only be good for cyclists. This was anecdotally reported in the Queensland trial. These new laws would actually support drivers in our region who are already doing the right thing by trying to give a cyclist space. This law would legally allow them to cross the road when safe to do so and therefore appropriately share the road. These new laws would compel those drivers that do not share the road generously to pass with greater care, allowing more distance.

Then the question is: is it practical on our country roads? Absolutely. All drivers must drive or ride to the road conditions. It should be permissible to allow drivers to cross double lines or drive onto painted road islands in order to pass cyclists when safe to do so. These new laws are a tangible aid to influencing driver behaviour on the roads where cycle-friendly infrastructure is absent, as in most of rural Victoria.

In conclusion, how would these laws help us? By giving a tangible measure where, if a cyclist, in the worst-case scenario, is knocked off their bike, it is a clear breach of the law. As you have heard, sufficient distance to avoid

collision is just too vague and subject to interpretation. These laws would assist cyclists to confidently ride according to their conditions, knowing that cars are allowed to cross unbroken lines or painted traffic islands as required and when safe. This law offers opportunity to make legal behaviours that keep everybody safer, potentially influence future infrastructure and encourage greater numbers of would-be cyclists, which is ultimately better for the economy.

New laws like this would assist drivers and riders like me. Bike Safe is about increasing awareness of all road users and encouraging a safer environment for cyclists, and these new laws, if passed, will help with our mission. Whatever the prevailing attitude to riders, whatever the law is or will be and whatever the infrastructure or lack thereof, as others in this forum have previously stated, cyclists are at far greater risk of serious personal injury in a collision than drivers. We are vulnerable. Riding on rural roads can be as wonderful as it is frightening. Anything that helps me avoid ending up lying on the road broken next to my broken bike followed by months of rehab, if I can ride again, is worth investing in. Bike Safe Macedon Ranges wholeheartedly encourages these laws to be legislated. We need them, and we request that it be made so. Thank you very much for listening.

**The CHAIR** — Thank you, Ms Blakey. Gentlemen, do either of you have some introductory comments that you might like to make before we move on to questions from the committee?

**Mr ELLIS** — If I could, I would like to explain our situation. You have probably heard from some from the Macedon Ranges; we seem to be here in force a little bit. We are actually a social riding club. We used to be a racing club. In actual fact we used to be the Kyneton Cycling Club until 30-odd years ago, when one of the members on a ride was actually hit from behind and killed. It just knocked the guts out of the club; the club folded. It then restarted some 10 or 15 years ago as a racing club, and there was never really the inclination there, so we have now become a social riding club. We are still affiliated with Cycling Victoria and Cycling Australia.

We try very hard to be inclusive, and unlike some clubs, where you get cliques forming, we are a very generous and open club, or we hope we are. We try very hard to get women, who are currently at probably less than 20 per cent of our membership. We have different categories of rides that are scheduled every weekend so that people can ride at 20 kilometres of ride up to 60 kilometres. You can pick whichever, and you just work it out for yourself.

One of the reasons we find people do not continue with riding is because of safety, in particular female riders. They ride out on the road and they are okay when we are sitting around them as a group, but as soon as we disperse, as soon as they ride on their own, they feel those cars. We have a lot of big four-wheel drives and a lot of utes, big trailers and horse floats that are on these very narrow roads. In some cases there are no edges to these roads. I know of roads where the white line disappears because it has either broken away or the grass has started to grow across the white line. They are not well maintained.

And you have got double white lines. In those circumstances, if a car cannot cross those double white lines, they have to sit behind us, sometimes for kilometres, because there is no easy way to get past. In general I agree with the comments that a lot of people in the last few years have improved and will break the law to go past you. I do not like to see them basically putting themselves at risk doing that. There are still a number of people who are either too scared to cross double white lines — because it is something that has been drilled into us over many, many years as drivers — and they will ride close, but that means that they then start to get within centimetres. There are also people out there that are belligerent. We have had them go past us with a clear, open road, hand on the horn and just fly past the whole group, 20 or 30 riders ranging from 16 and 17-year-olds all the way up to 80-year-olds. We cover that range of people. We have a full gamut of people who ride in the club.

Within the last two years we have had two members — not on club rides — being hit from behind, both of them sustaining quite nasty injuries. One of the guys had his pelvis fractured and an elbow fractured, so he was off work for close to 10 weeks. The driver, who basically cut in on the inside of him because he could not be bothered waiting, nearly knocked him out into moving traffic along the Calder Highway. The driver got one demerit point and a \$220-odd fine. And that was not even related to hitting him; it was related to some other thing that they could charge him with. There needs to be some protection there for us cyclists.

In discussions within the club no-one has said that if a car comes within that 1.5 — because most of our riding is either in the 80-kilometre or the 100-kilometre zones, and as you say, we have a dispersed series of towns

when we ride around in the beautiful countryside — and goes 1.4 and you can identify it, we are not going to complain. But when they are sitting at 20, you know they are there, you know they are travelling fast and it is very scary.

On the Newham to Lancefield road, when we were racing on an occasion, I know if I had put my elbow out like that, I would have been able to scrape it down the entire side of a bus — he came that close. The scariest part was that my son was 30 metres in front of me, and I watched him do exactly the same. That was really hard. I still ride. People say to me, 'If it's dangerous, why do you ride?', and I go, 'Because I know friends that have died sitting in their armchairs who are 10 years younger than me. I am fitter and healthier than I have ever been'. It is certainly an issue.

I do not think punishment or the punitive approach is really the way to go; I think education is. I think this gives us a great opportunity to say, 'There is this law, it is new and we need to focus on it'. Let us educate drivers. Someone said something like, 'Do drivers understand the law?'. I do not think a lot of them do. I think bikes confuse them. I had a lady approach me once, because she knew I was into cycling, and she said, 'Why do cyclists have all these lights on the backs of their bikes? They confuse me when I approach them'. We have spent so long trying to get people to wear bright clothing. One of the photos that Sue had up there was actually of our club members, and the first two riders had the old club kit and the new club kit, both of which we try to make as bright as possible. There is a lot of white, a lot of yellow and a lot of red to try to be seen in that area.

I think education is the key, and I think it is also trying to break down that barrier of us and them. There is this thing about lycra. I think actually women riding play a big role in this. When it is a group of men going out hard, training and all the rest of it, then it is easy to become antagonistic towards them. I think when there are women involved in the sport, then suddenly it becomes a lot more acceptable to the community in general. But of course we have to make it safe enough for women to want to ride.

I would also like to commend Bike Safe Macedon Ranges for the work they have done in that region. It has been incredibly valuable. It has been very noticeable, and part of it has been trying to actually make cyclists seen as part of the community rather than as this little distinct group that rides off to the side. I suppose in conclusion, on behalf of our club members, my friends who are cyclists who are not club members and cyclists in general, I do believe these proposed road rule changes will make a difference.

**The CHAIR** — Thank you, Mr Ellis.

**Mr KRETSCHMER** — Thank you for the opportunity to make a submission to the process and to appear today. Firstly, I would like to draw your attention to the Bike Bendigo handout. This image captures the variety of participants who join our monthly community bike ride. You will see mums, dads, sons, daughters, people who are younger, older, female, male, experienced, beginners and my own four-year-old sitting in the bike with his toy monkey looking away from the camera just at the right moment. This monthly ride is away from traffic along shared paths and ultimately ends with new friends and a significant amount of lunch money spent at local cafes. I chose this photo for the handout as these are the people safe passing distance laws are most likely to benefit.

If we consider Australian society as a whole, there are a number of different categories of people who might ride a bike. The first 1 per cent are the strong and fearless. They are typically male and will ride anywhere, anytime, no matter the road or level of cycling infrastructure. Safe passing distances or not, these people will keep on cycling.

The next group, about 9 per cent, are the enthused but confident. They will ride in most situations where there is some form of cycling infrastructure, such as bike lanes. Although still male dominated, there are more women in this group, but still only about 3 in 10 people who ride to work in Australia are female.

The next group is the group that we at Bike Bendigo are most interested in. They are what we call the interested but concerned. These people represent up to 60 per cent of the general population. They are interested in cycling but their biggest concern is safety, more specifically mixing with traffic. In part the danger is perceived, as cycling is typically a safe activity, but the number of near misses or close or uncomfortable passes experienced with or without injury is relatively high for their level of traffic tolerance. Providing separated infrastructure for this group is the ideal outcome, but it would take considerable time and money to build comprehensive, comfortable cycling networks. Assuming a safe passing law is introduced and cycling infrastructure built over

time, we can expect more people from this interested but concerned group to take up cycling for transport, for shopping, for health, for fun, to reduce pressure on road infrastructure and save car parks for those who need them, and to improve the livability of our cities and regions.

It is also our view that clear minimum passing distances will provide clarity to any drivers who are unsure what a safe passing distance is and that a legislative change such as this, with supporting communication and education programs, will serve to reinforce safe passing distances as a community-accepted social norm.

Specifically regarding the terms of reference, in terms of experience from other jurisdictions, and I know you have seen a lot of evidence to date, there is evidence to suggest that injury and fatality rates are going down, that people who ride have a greater sense that drivers are allowing them more space and in turn the level of vehicle collision is reduced. In terms of education, we are of the view that Towards Zero would be a logical statewide vehicle for communicating the changes through an ongoing campaign, due to it being a well-established and generally well-regarded brand. We would also like to see going along with that updated learner driver resources, training and testing to reflect the changes and to promote empathy and positive interaction with vulnerable road users, along with updates to any relevant programs and resourcing of local organisations, like the organisations we have seen speak today, including Bike Bendigo, to promote the positive messages from community, to community.

With regard to enforcement, we would like to see training that empowers enforcement agencies and officers to understand the changes and develop empathy for the experience of vulnerable road users. We would also encourage any person in an enforcement role to participate in cycling in a variety of on-road situations of differing infrastructure and traffic levels and perhaps to join one of our community rides so as to develop an improved understanding and empathy for the experience of vulnerable road users.

In summary, Bike Bendigo supports the introduction of minimum passing distance laws as proposed. Changes such as these, along with the ongoing building of comprehensive, comfortable cycling networks, add to the overall potential for those who are interested but concerned about cycling — up to 60 per cent of the community — to take up cycling to enjoy its health, transport and other benefits and, ultimately, get more people on bikes.

**The CHAIR** — Fabulous. Thank you all for your submissions. I would like to congratulate you, Ms Blakey, in managing to get a sign up. I know the battle. Some people who have not been through it do not understand the challenges of getting a sign, but it can be very difficult to do. So well done on achieving that.

**Ms BLAKEY** — It meant a lot.

**The CHAIR** — I am interested in all our witnesses' views on the role of local government, whether it is bike safety or bike infrastructure and the like, and just a better understanding of the experiences of your groups in working with local government to achieve outcomes that are going to be beneficial for cyclists and what could be better done into the future. I would be interested to hear your views.

**Ms BLAKEY** — I would say in our region it continues to be a challenge. Comparatively speaking it might be said that we are new. When we first formed and had our first meeting with our council, for instance, I remember one of the officers said to us, 'We hear you. We understand, but consider us a little bit like teenagers or toddlers. We are trying to deal with this population growth and we have been a regional body and lots of people are moving out and expecting urban infrastructure and support. We are just trying to get a handle on this'. It was kind of like, 'Be gentle with us as we all come along for the ride', and that process continues.

**The CHAIR** — A bit of constant attention to try to get a way forward.

**Ms BLAKEY** — It was a bit, 'We put up a sign', I love you. You have not included any funding in the budget, so we do not love you'. Odd bedfellows.

**The CHAIR** — Indeed.

**Mr ELLIS** — I think there is a degree of buck shoving that goes on too when it comes to roads. No-one is quite clear as to exactly where VicRoads — they tend to want to push it onto each other a little bit in terms of how we spend the money and when we spend it and so on. I think there are certainly some massive infrastructure areas where there are serious problems — they never thought of cyclists at all when they did this.

In particular on one of the major roads between Gisborne and Woodend there is a bridge and when you are riding along that road and something comes off the freeway you are left in the middle of the road with cars going on either side of you travelling at 80 or 90. You are stuck there until you can actually move across. It is an awful position — —

**Ms BLAKEY** — The Alex Evans bridge.

**Mr ELLIS** — That is the one. It is an awful position to be in. I have seen kids from the local schools when they have been out riding, training for the Great Vic. You look at them up there and you are thinking, ‘Oh my God, this could be chaos’. Some of those are very scary.

We have tried to work collaboratively with the council on a number of these sorts of things, in particular with tourism. They are very keen to develop tourism in the area. They see cycling tourism — given the location and riding in the area is magnificent. We have had a number of conversations with them over that. They would like people to come but not spend any money on actually developing anything. It is sort of a little bit of a catch 22 in that regard, because the more people who come, the more they will probably spend money, but you have got to make it safe in the first place as well.

**Ms BLAKEY** — May I also say, and this might be a little off, forgive me and direct me, but another factor that we have noticed that challenges us somewhat is regarding VicRoads. You asked about local government so it might not be quite relevant — —

**The CHAIR** — No, the connection is important.

**Ms BLAKEY** — Okay. What has come to our attention is that VicRoads is not VicRoads over the whole state, by which I mean that there are some shires where a VicRoads sign might have gone up over there and it might be one kind of a sign. We have looked at that and said, ‘That would be great. Can we have that in our shire?’. Our local VicRoads area says, ‘No, that is what they do’. What we have suddenly started to learn is that there seem to be different chapters of VicRoads and how they run their jurisdictions can be different, which creates a challenge and a surprise for us. We were not aware before that that is in operation.

**The CHAIR** — One would have thought there would have been consistency across the state.

**Ms BLAKEY** — Apparently there will be to some degree, but then there might be the finer minutia points. For example, where a sign shows a cyclist and says, ‘Share the road’, it might be okay in that shire, but it might not be acceptable in our shire. So that has come as a bit of a surprise for us, and it makes it difficult knowing exactly where your level playing field sits.

**Mr KRETSCHMER** — We have always had a strong relationship with the City of Greater Bendigo, our local government area. We are a partner in delivering the Integrated Transport and Land Use Strategy for the city, so we have been involved in that conversation the whole way through. It was a three-year process. Also, that strategy lists the 1 in 5 campaign. That is to get people out of the car one day in five to potentially reduce traffic by 20 per cent, which means we do not need to keep building bigger and bigger roads and we can kind of maintain the regional feel of a city like Bendigo.

Part of the idea of developing Bike Bendigo was around this thing we called the trifecta. You have leadership from local government, you have planners and engineers doing great work and then you have the community to push that forward. So if you have that all happening at the same time and that is when you start making progress. Local government is in a unique position. It is the closest form of government to the community, and it has good links to community groups and a good ability to deliver behaviour change programs. I would suggest that local government is a good avenue as part of that communication and education strategy.

**Mr EIDEH** — I have a few questions. I am not sure who can best answer them. Firstly, what can we learn from the implementation of minimum passing distance laws in other jurisdictions?

**Ms BLAKEY** — Well, it seems to me that at the moment we have anecdotal evidence, which is the most that can be provided. The Queensland trial reported the perception of a greater distance. I have experienced it, and I think it has been backed up by other experiences as well. At the moment we have anecdotal evidence that there is increasing safety in bringing it in.

**Mr EIDEH** — Regarding infrastructure, are there any infrastructure or road considerations that should be considered in regional areas of Victoria to ensure the successful application of these laws?

**Ms BLAKEY** — Is there any area in rural Victoria?

**Mr EIDEH** — Yes. Are there any infrastructure or road considerations that should be considered in regional areas of Victoria to ensure the successful application of these laws? I am talking in a sense about the minimum passing distance laws.

**Ms BLAKEY** — I personally think that across all of Victoria we believe in consistency. We think there should be no exemptions at all. Again, for the same reasons that have been cited this morning — the creation of confusion. And it is especially important where there is no infrastructure supporting cyclists, walkers or what have you. I put this in inverted commas, but it is a relatively ‘cheap and quick solution’ to bring quicker safety to cyclists than, for example, another infrastructure alternative such as building a separated bike road next to the main road. In many ways this could be seen as a quick fix for the lack of any supportive infrastructure.

**Mr EIDEH** — One final question: if this committee recommended a standalone cycling safety education campaign, would your organisation support this?

**Ms BLAKEY** — Would we support it? Yes, absolutely. For sure.

**Mr KRETSCHMER** — We would want to be part of it.

**Ms BLAKEY** — That is right.

**Ms HARTLAND** — The issue around infrastructure — obviously in the city, it is easy to establish the infrastructure. I think I am right in saying that from your evidence and previous evidence that on country roads it is just not physically possible to do everything that we take for granted in the city. So minimum passing laws would actually make a difference to country cyclists. Can you talk to that?

**Ms BLAKEY** — I am probably repeating myself really in that most of our roads are zoned over 100 kilometres an hour. And as you have heard, they can be winding and they can be treacherous, but they can also be very long and straight. There are many instances where it would be quite safe with clear visibility to cross over a double line or a road island, remembering of course that cyclists are very quick to pass and they have to ride to their conditions. I fear that I am repeating myself, but ultimately I feel that there would be no conflict at all in bringing this into legislation on any of the types of roads that we see. Remember that a lot of the attitude that we meet on the road is from a driver-centric position, implying that bikes may not have as much right to be there. That is part of an education campaign, I think, that could possibly help and influence. As I am sort of known for saying amongst my local circles, in some ways I say Bike Safe is about trying to change culture — that cultural attitude. Cultural attitudes are slow to change, and I am very excited and encouraged by the fact that we have been able to manifest such change in such a short space of time.

Bike Safe Geelong has had a wonderful response recently. They have been working longer than us and very hard with their local government, and we are very, very excited to see that the Geelong city council is actually funding a lot of changes in the Geelong region. You can say, ‘Is it chicken and egg?’. Yes, there is a lot of infrastructure there and they have got a lot of cyclists, but there was a time when there was no support from the council. We are younger and possibly we have more rural traffic. Again, one of those considerations is that we have got to stop for stock crossing the road.

**Ms HARTLAND** — They are not going to stop for you.

**Ms BLAKEY** — No, that is right. We have to be able to swerve around a calf or a cow on the road just as a driver must be allowed to as well.

**Mr KRETSCHMER** — Can I say that we have the full spectrum of roads, and any campaign needs to address that full spectrum. I also emphasise the importance of consultation in road building, design and that sort of thing. Local government can play a role as well as VicRoads in that.

**Ms HARTLAND** — Do you think this would work if it were just an education program rather than education with law?



**Ms BLAKEY** — Let me ask you: drivers are taught through TAC ads that driving 5 or 10 kilometres over the speed limit can have catastrophic results. It can make a difference for pedestrians, and yet do they believe the signs or do they believe what they hear? There is still that sense of ‘Yeah, but’. So I believe that a pure education program is not enough, and that is unfortunately why laws exist: because although many people do do the right thing, there are many who will just try to get around it because no-one is looking or because, ‘I am better than that’, or, ‘It is not going to happen to me’.

**Mr ELLIS** — I also think there need to be consequences to those laws. So it is one demerit point and a \$220 fine, but if I pick up my mobile phone, I do not have to hit anyone — I just have to pick it up — and I am going to get way more than that for that simple act. Yet you can run someone off a bike and that is the consequence of it. To me, it is a balance between those: we don’t want punitive action but at the same time when people do not obey the law, there are repercussions.

**Ms BLAKEY** — It is also important from, in our region, the tourist perspective. We get a lot of tourists up to our region, with Hanging Rock being internationally recognised, but apart from that we get cycling tours. For example, the St Kilda Cycling Club will come up to do their rides in our region. Further to that, we get a lot of the daytrippers and the overnights who are maybe even passing through. The cyclists are not so familiar with riding on rural roads, so they need to be protected in their ignorance in the same way that a driving tourist is going to be a lot more distracted. So distraction has to play into this as well. But if it is something that we all know: you see a cyclist, you give them plenty of space, it helps us.

**Mr KRETSCHMER** — Sorry, can I just add in terms of behaviour change theory, authority is one of the best ways to get change in people’s behaviour, and generally at the local government level you do not have that as a tool to use as much. So if you have the position of authority with the legislative change and then the grassroots to push up, then you reinforce that.

**Ms HARTLAND** — Just one last question, on the issue of Bicycle Network saying that there should be an exemption for lower speed levels, I brought up the example of safety zones around schools. I am imagining that in a number of rural areas there would be a lot of primary and secondary schools actually on main roads with a fairly high speed, so how do you think that would affect those schools?

**Mr ELLIS** — I am trying to think. I can only think of perhaps one where it drops from 80 and then during school hours I think they have flashing lights anyway at that time which drops it back to 60. I really do not see that there should be any great exemptions or anything along those lines. I think the rule should still apply. Again, it comes down to: is a metre or a metre and a half going to cause that much issue for people?

**Ms BLAKEY** — A lot of our schools of course are in the towns, and the law says around schools there is a 40-kilometre zone, which applies to cyclists as well. I would not change any of the law around that for times or for places. I can think of two schools that are in 100-kilometre zones and of course the variable signs bring it down to 40 and that is exactly the same. I would say no exemptions. It has all got to remain consistent, so we disagree with Bicycle Network.

**Mr KRETSCHMER** — Yes. I would support uniformity, and also that schools are probably, apart from the city centre, where the most intense traffic occurs — —

**Ms HARTLAND** — Absolutely.

**Ms BLAKEY** — That is right. And as you said before, children on bikes as well need to be given even more berth.

**Ms HARTLAND** — Yes. That is it for me.

**Mr LEANE** — Thanks so much for helping us with our reference. I have to say, Mr Ellis, when you were talking about why you ride your bike, it made me think of one of my favourite sayings from Albert Einstein. He said, ‘Life is like riding a bike. You lose your balance if you don’t keep moving’. And I am not a cyclist, but I like that saying. I was very heartened that your Pass with Care campaign, you believe anecdotally at least, has made a difference, and I noticed on your slides that you attend the odd festival.

**Ms BLAKEY** — Yes.

**Mr LEANE** — I am interested in the exchanges you might have at those festivals as far as conversations with cyclists, with non-cyclists and with motorists. How engaged are people when you set up like that?

**Ms BLAKEY** — Very engaged. We get a lot of cyclists who come up and say, ‘What’s this about?’ and, ‘What are you doing?’ and, ‘This is great’ and, ‘Can I join? I’m glad to hear it’. And we also get drivers who go, ‘You really shouldn’t be on the road, you know? What are you doing? This is our space. It’s not your space. Your lights are too bright. You’re slowing us down’. There is sort of like a divine right to the road and that is part of the attitudinal change that we are there to gently sort of nudge back.

But, as I said, it is about changing culture. Cycling, I hazard a guess, has grown exponentially in the last couple of years and continues to do so, so much so that here we all sit debating what can we do to make it better. On the one hand — I made a note of it because it struck me — in 2013 the *Sydney Morning Herald* reported Albanese. He said — I will just find it because I was really struck by it — that the economy benefits by more than \$21 every time a person cycles 20 minutes to work and back. And so it went on. I do not want to distract too far off topic. But at that point in 2013 he said, ‘People will walk or cycle if it’s safe and convenient to do so’, and so in a sense, like our local council, we are all playing catch-up. All of a sudden this amazing thing has taken us. It is surprising. It has got all these benefits. What can we do as quickly as possible to make it more attractive and keep it going?

**Mr LEANE** — In your conversations, in various forms that they have taken in your campaign, does it seem to you that motorists do not understand their current responsibilities with passing cyclists on the road?

**Ms BLAKEY** — Do you know, my personal opinion is I suspect it is not right up there in their thinking. I suspect that I am being given more berth because of what we have been doing in our region.

**Mr LEANE** — Yes, good.

**Ms BLAKEY** — I also have to say that when I wear this when I ride, it does seem to make a big difference.

**Mr LEANE** — So for Hansard — —

**Ms BLAKEY** — Good luck on that one!

**Mr LEANE** — I will describe that. Ms Blakey has got a riding uniform which has a sign on the back which shows, ‘Pass with care a safe distance’.

**Ms BLAKEY** — I debated and debated whether I would do this, but I thought to myself, ‘If it’s an appropriate moment’, but I honestly have to say anecdotally it makes a difference.

**Mr ELLIS** — I tend to agree; I do not think people actually have any understanding of what the laws are with regard to bicycles. To be quite honest I think a lot of cyclists do not understand their rules, responsibilities et cetera. This is all the laws condensed down into one pamphlet when it is associated with bicycles — this is the Victorian Law Foundation. We now include it with every new member kit. We send it out with them along with our own safety instructions and so on so that we at least know what the rules are.

We have been stopped on a ride out in the backblocks near Sidonia where a farming gentleman got out of his ute and basically told us that we should not be on the road; we should be going around the oval on the dirt track instead. People get kind of upset when you say, ‘We are actually a vehicle. We are classed according to the road rules as a vehicle’, and they have no idea that we have those rights with it. So I do not think anyone has any idea. This should be promoted, this sort of brochure with a condensation of all the information related to cycling.

**Mr LEANE** — That is really interesting. Do you find the same thing, Robert, as far as — —

**Mr KRETSCHMER** — Yes. I was going to say that it is a great feeling when you are riding along; you might have your four-year-old at the front of the bike and someone holds back and waits to go around the corner behind you. You do not know how to do it exactly, but you kind of wave and say, ‘Thanks for that, that’s great’. It gives you a nice feeling.

I think generally people on the road are very courteous to people on bikes. There are elements of the community that do not get that message, but something that can reinforce that and strengthen that for people is that when you hop on your bike in the morning to ride to work, your first thought generally is, 'How can I get there safely?' and when you hop in your car that is probably not your first thought. It is just that understanding of each other's position and being able to put yourself in the position of the other road user.

**Mr LEANE** — That is a good quote; we might use that in our report. I am going to prove that I am not a cyclist because I am going to ask you a really dumb question. In your evidence you spoke about, and it makes sense to me, when you are travelling fast not to look backwards, for obvious reasons. Am I living so far in the past? Was there ever a day when you could have a mirror on your bike — I am proving I am not a cyclist — or is it just not practical; it is just not — —

**Ms BLAKEY** — On a road bike, with the drop bars, and especially in a racing situation it is certainly not really practical because of wind draft, and typically also the mechanism around getting a mirror to stay in the right position can be quite a challenge. Remember that wind is a really big factor for us. If you are riding in a strong wind, it can blow you off the line. Your bits become loose and sort of drop off. That does not sound really good for Hansard, does it?

**Mr LEANE** — Can we use that quote?

**Ms HARTLAND** — Hansard are very creative. You have made them giggle, and that is very unusual.

**Mr LEANE** — Can we use that quote in our report? We will use that quote in the report too. I think what you are saying is that it is just not mechanically practical.

**Ms BLAKEY** — It is not really practical.

**Mr ELLIS** — The problem is that if it is small enough to avoid wind resistance, you do not see well. So it has got to be a reasonable size, and then you have issues of vibration as well.

**Ms BLAKEY** — Exactly.

**Mr ELLIS** — And of course we are on 100 psi tyres usually, so they are hard and you get a lot of bounce off the road and you look down and you — —

**Mr LEANE** — A safety issue in itself?

**Mr ELLIS** — Yes, and if you relied on it you would actually probably be putting yourself more at risk. I mean, we try when we are riding for the guy at the back to do a look on the basis that we then will yell 'Car back', and that informs people in front of you, because you cannot hear. With the noise of the tyres and things, you cannot always hear cars behind you, and it at least lets you know, so that you are not suddenly surprised by a car zooming past you. Where we can, if there is a double white line, we try and single file, but there is always this debate about: is it better to be single file and take longer to overtake versus two and they can do it quickly?

**Mr LEANE** — In that bigger group, too, on the weekend you might have a group of a dozen or more.

**Mr ELLIS** — Twenty or 30 sometimes.

**Mr LEANE** — So those 30 cyclists, in that situation — —

**Mr ELLIS** — It can be difficult, yes.

**Ms BLAKEY** — The other thing as well to remember is that, just as with drivers, there are many riders of various different experiences and knowledge and understanding — there are nervous riders and there are very confident riders — and that plays a lot into the distance or the way that they ride as well, and that is worth considering too.

**Mr KRETSCHMER** — It also plays into the amount of space that a driver will give to the person riding. I think there is research showing that if you are wearing lycra you will tend to get less space because you are seen as consistent and experienced, whereas if you are riding an upright you are more likely to get more space because you are perceived as not being professional or — —

**Mr LEANE** — Yes. I understand what you are saying.

**Ms BLAKEY** — One of my theories about driver behaviour on the road is around anonymity within a car. It is not John driving in front of me; it is actually the Holden or that car — and he got there first. Part of what we have been trying to do with Bike Safe is remove that anonymity, and as you rightly say, it is our sons and our daughters and all the rest of it. It is about removing anonymity to make it safer. That is a bit irrelevant to the bill, really.

**The CHAIR** — If there are no further questions, I will thank you all very much for your testimony today. There are some good lines there for the report, Mr Leane, so we will make use of those. You will receive a copy of the transcript for proofreading in the next little while, and that transcript will ultimately be put on the committee's website. Once again, thank you very much for your being witnesses before us today.

**Ms BLAKEY** — Thank you so much for the opportunity. We appreciate it.

**Mr ELLIS** — Thank you.

**Witnesses withdrew.**