

From: Monty Woolley
To: robert.mcdonald@parliament.vic.gov.au
Date: 24/04/2012 01:38 PM
Subject: Submission: Road Safety Amendment (Car Doors) Bill 2012

Dear Members of the Standing Committee on Economy and Infrastructure,
Legislation Committee,

Whilst most cyclists and cycling groups will welcome this legislation, I object to your proposed penalties for drivers and their passengers for inadvertently opening a car door in the path of a cyclist.

As a cyclist myself, I observe other cyclists on a daily basis engaging in unsafe riding habits. My observation over time has been derived from the ever increasing popularity of the sport/pastime/exercise as is testified by the number of 'offences committed' from your own data which, more likely, would show the per capita incidents remain unchanged.

I observe many cyclists who ride their bikes on the roads (and bike paths) with the same demeanour as they drive their cars; they know the road rules but are unaware that they, as cyclists, only form one part of the many distractions a motorist must negotiate. I have suggested to many of my fellow cyclists to sacrifice one hour of their cycling time to drive their vehicle along their usual bike route for a reality check; to see how it feels to have an irate cyclist thump a fist onto the bonnet or roof or boot of your car; to hear the rather vocal abuse from cyclists; to watch cyclists shake their heads in disapproval of your own 'unsafe' acts such as left turns, passing too close and changing lanes to the left.

It must also be said that a driver, when asked what they most dislike about a cyclist, will invariably default to 'crashing red lights'. 'Turning right from the centre of the road' is a more valid response but is less mentioned. 'Their Lycra' is a response that reveals a rather disturbing underlying bias that forms part of road rage. Cyclists on the other hand target specific car brands as they prejudge a driver, also adding to the road rage problem.

Part of my own cycling regime involves driving my vehicle with cycle atop to my preferred start/finish point. Twice now in recent years I have been guilty of opening my door in the path of a cyclist, luckily only giving the cyclist in each case a bit of a fright. I didn't do it intentionally. It seemed reasonable for me to alight my own vehicle which was safely parked well away from the other road users. The point of making this statement is to highlight the fact that anybody can make this error, even a cyclist. It would now seem to also apply to passengers on the left-hand side of a vehicle that is parked in one of the Copenhagen-style shared zones. There is also a mismatch in the applied penalties to passengers who do not hold a driver's license.

Deliberate opening of a car door is a different story and is not mentioned in your proposal. However, it would be wrong to assume all incidents to fall into this category first, only to have some arrangement negotiated through the Magistrate's Court.

If a cyclist wishes to exercise his or her right to ride so close to parked vehicles (at whatever speed), they have made a dangerous decision. The attitude of entitlement to the road will almost certainly, eventually, lead to an accident. If there is not enough room between the driving traffic and the parked vehicles, then perhaps they should be dismounting or taking an alternate route.

Is there consideration by the Committee to apply penalties to cyclists for these types of behaviours?

To my fellow cyclists; the cars and trucks will always win, no matter what the penalty. Be careful out there!

On a lighter note, I also object to the Committee having introduced another new word to the English language. 'Door', like 'Speed', used to be a noun.

Neither introducing nor increasing a penalty will reduce the number of incidents. There should be a Cyclists' education programme along the lines of the lauded Driver education programme.

Regards
Montgomery Woolley
Cyclist and Driver