

From: Jan Garrard  
To: robert.mcdonald@parliament.vic.gov.au  
Date: 27/04/2012 03:08 PM  
Subject: Road Safety Amendment (Car Doors) Bill 2012

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Dear Mr McDonald

I am writing in support of the Road Safety Amendment (Car Doors) Bill 2012. As someone who cycles regularly as a means of transport and for recreation, I have experienced many near misses when drivers open their car doors without checking for cyclists. While this is a daily cycling hazard that creates considerable anxiety for me and other cyclists, I have been lucky compared with many of my family and friends who have been injured by dooring incidents.

Both my son and his partner were injured by dooring incidents when they were school students. My son was cycling (in daylight hours) to a shop where he was doing work experience, when a driver opened his car door into his path, causing my son to collide with the car door. My son was treated in the emergency department of the local hospital for an injured hand. The driver refused to accept responsibility for his actions and blamed my son for the collision, claiming that he was wearing dark clothes, riding a dark bicycle and cycling too fast – none of which was true. The case was heard in the magistrate's court where my young son had to give evidence and be questioned by the driver's solicitor in a way that effectively blamed my son for the collision and his injuries. The magistrate found against the driver and fined him the small available penalty.

This driver, like many others in Victoria (as demonstrated by high rates of dooring incidents and injuries), clearly felt no responsibility for checking for a cyclist before opening his car door. The implication is that it is the cyclist who must stay clear of car doors that are suddenly flung open. This is neither desirable nor always possible, particularly if cars have dark-tinted windows (cyclists cannot see if there is someone in the car), or if swerving to avoid a car door is likely to result in a collision with another vehicle.

Cyclists are highly dependent for their safety on other road users' behaviours - much more so than heavily protected car occupants. Dooring a cyclist is much more likely to result in serious injury than dooring another car. In countries that have much lower rates of cycling injuries than Australia, the operator of the vehicle that has the potential to cause the most harm has a clear responsibility for avoiding harm, and road rules and penalties, including for dooring, reflect this risk imbalance.

Australia (including Victoria) has cycling injury rates that are several times higher than in many other developed countries. Cycling injury rates in Victoria are also several times higher than injury rates for car occupants and little has been done to improve cyclist safety. As a consequence, cycling injury rates in Victoria are increasing (while for car occupants they are decreasing), and killed or seriously injured cyclists comprise an increasing proportion of overall road trauma in Victoria.

Much needs to be done to reduce cyclist injuries in Victoria so that improvements in road safety are shared more equally among all road user groups. Improvements are also needed to move Victoria closer to world's best practice for cyclist safety.

The Road Safety Amendment (Car Doors) Bill 2012 is one such measure. Increasing the maximum penalty, and introducing demerit points, will assist in raising

awareness, changing driver behaviour, and reducing injuries to people riding bicycles. It is not a stand-alone measure for substantially improving cycling safety, but it is a relatively low-cost measure for preventing these high-cost injuries. Road traffic casualties cost Victoria \$4.1b in 2003, with the Australian Bureau of Transport Economics estimating that each fatality costs \$1.8m and each serious injury \$397,000. The per capita cost of road traffic casualties in Victoria in 2003 was estimated to be \$800. The financial costs are large, and the personal costs often immeasurable.

Victoria can do much better in protecting vulnerable road users from injury. Introducing measures such as Road Safety Amendment (Car Doors) Bill 2012 is a long over-due measure with multiple benefits for people who ride bicycles and, indeed, the whole Victorian community.

Yours sincerely.

Dr Jan Garrard