



7 May 2012

Mr Robert McDonald
Secretary
Economy and Infrastructure Legislation Committee
Parliament House
Spring Street
East Melbourne Vic 3002
robert.mcdonald@parliament.vic.gov.au

Dear Mr McDonald

Parliamentary Inquiry - Road Safety Amendment (Car Doors) Bill 2012

Please find attached a joint submission from the Public Health Association of Australia (Victorian Division) (PHAA), Heart Foundation (Victoria) and Monash University Accident Research Centre to the Economy and Infrastructure Legislation Committee's *Inquiry into the Road Safety Amendment (Car Doors) Bill 2012* (the Inquiry).

As indicated in the PHAA's letter to you of 23 April 2012, while we were unable to provide a submission to the Inquiry before the deadline of 27 April, we have endeavoured to provide one as soon as we could after that date.

We are happy to answer any queries the Committee may have regarding our submission and, as previously advised, we would also welcome the opportunity to appear before the Committee at the public hearing scheduled on Wednesday 23 May.

If you would like to discuss any aspect of the above further, please contact Ms Elissa Campbell of the PHAA on 0429 178 449.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Bruce Bolam".

Dr Bruce Bolam
President
Public Health Association
of Australia (Victoria Branch)

A handwritten signature in black ink, appearing to read "Kathy Bell".

Ms Kathy Bell
CEO
Heart Foundation (Victoria)

A handwritten signature in blue ink, appearing to read "Marilyn Johnson".

Dr Marilyn Johnson
Research Fellow
Monash University
Accident Research Centre



Submission to the Inquiry into Road Safety Amendment (Car Doors) Bill 2012, Legislative Council Standing Committee on Economy and Infrastructure, Parliament of Victoria

This is a joint submission on behalf of the Public Health Association of Australia (Victorian Branch), Heart Foundation (Victoria) and Monash University Accident Research Centre (MUARC).

1. About us

The Public Health Association of Australia Inc (PHAA) provides a forum for the exchange of ideas, knowledge and information on public health. The Association is also involved in advocacy for public health policy, development, research and training. The Victorian PHAA Branch has members in public health related occupations in health service, research, government and community sectors. The PHAA also has a national *Injury Prevention Special Interest Group* that has provided expert input to this submission.

The Heart Foundation has been an independent charity for over 50 years. Its mission is to reduce suffering and death from heart, stroke and blood vessel disease. Through its research, health promotion programs and policy development, the Heart Foundation promotes healthy public policy to support better health for all Australians.

The Monash University Accident Research Centre (MUARC) is Australia's largest transport safety research centre. Established in 1987, MUARC has developed research-based solutions that have led to making Australians safer. We are committed to the excellence of our research, the independence of our recommendations and the engagements we have with the communities we serve.

2. Car dooring as a public health issue

Bicycle use has many positive physical, psychological and social benefits for public health, most especially by enabling achievement of recommended levels of daily physical activity.

However, injuries arising in association with bicycle use cause a significant avoidable burden of illness in Victoria – a burden, which is growing over time given the increased incidence of serious bicycling injuries to Victorians over recent years.¹ Over the last decade in Victoria, there have been 1,088 police reported cyclist-vehicle door crashes, from 2000 to 2010 there was a 125% increase in dooring crashes.²

This burden of illness highlights the need for targeted, injury prevention strategies for cyclists. In common with many preventative initiatives, research has demonstrated the potential of multifaceted interventions to reduce this burden, including:

- Built environment planning and policy that establishes an urban street user hierarchy that gives the highest priority to walking, biking, and public transit (see 5 below)
- Designing and engineering safe and accessible roadways, bicycle facilities and parking.

1. M. Sikic et al. (2009), Bicycling injuries and mortality in Victoria, 2001–2006. *Medical Journal of Australia*; 190(7): 353-356.

2. M. Johnson et al. Cyclist collisions with opened vehicle doors. In preparation

- Reducing speed limits – world’s best practice is 30km/h in residential areas, shopping strips and around major trip generators.³
- Educating roadway users about rules, rights, and responsibilities
- Enforcing proper behaviours and use of roadway facilities
- Improving connectivity and access to transit facilities
- Promoting biking and physical activity throughout the community.

Car dooring is a cause of significant preventable morbidity and mortality and therefore a legitimate issue of concern for public health. We therefore support the draft legislation making it an offence to cause a hazard by opening the door of a vehicle. Passing the Act will potentially have a significant positive impact on cyclist injury prevention by creating an enhanced enforcement provision for car dooring offences and increasing awareness of the burden of injury to cyclists caused by such actions.

In our judgement the penalty could be changed by regulation. Our preferred option - the infringement penalty - would increase from 1 to 3 penalty units, and the Court penalty maximum from 3 to 10 penalty units.

In principle, we support demerit points to be applied to the licensed driver of a vehicle for any door related offence. This would be similar to existing offences such as unrestrained passengers where – if a passenger is not wearing a seatbelt – both the passenger and the driver are fined. It would also help ensure that the driver parks in a spot where they are not going to cause a problem to cyclists, particularly when dropping off passengers. We also know that - for some people - the financial impost of fines is not enough to encourage behaviour change as the real effect depends on a person’s ability to pay. As such, the mix of demerit points (which threaten a driver’s licence) and money have a greater impact when enforced.

As well as our support for a regulatory approach, we recommend the Victorian Government commit to a public education campaign to highlight drivers’ responsibilities to bike riders and the penalty associated with the change in legislation / regulation. This would build on Victoria’s strong track record over the past 30 years in bringing about changes to community attitudes and behaviour in workplace safety (WorkSafe), road safety (TAC) and tobacco control (Quit Victoria). These achievements have come from a comprehensive approach – combining legislation and public education – to successfully address public health / safety issues.

3. Further opportunities for reduction of car dooring

The recently commissioned report on Bicycle Rider Collisions with Car Doors—Crash Statistics and Literature Review, identified almost a third of all Melbourne car doorings during 2006-2010 occurred on four well-known major roads / streets (St Kilda Road, Collins Street, Chapel Street and Elizabeth Street) and almost half on only ten Melbourne streets. We therefore strongly recommend that immediate action is

³ J. Garrard (2008), *Safe speed: promotion safe walking and cycling by reducing traffic speed*, Report Commissioned by the Safe Speed Interest Group, National Heart Foundation of Australia, Melbourne.

taken by the Government to bring about environmental and behavioural change in these priority locations, maximising the benefits of the new Act. This need is particularly urgent because, of cyclists who presented to hospital following their crash, 16.2% were admitted to hospital.³ A focused intervention in those streets with the highest numbers of reported car doorings will result in a potentially significant reduction of the total burden of cyclist injury in Victoria.

4. Potential options for supportive injury prevention measures

A wide variety of environmental and behavioural interventions could be implemented to reduce car dooring in priority streets. These could include:

- Changes to the physical infrastructure of the road, specifically the introduction of Copenhagen-style or separate bicycle lanes
- Reducing car parking and increasing car parking charges or changing parking design to perpendicular or angle parking thus removing doors opening into the path of cyclists and enforcing appropriate parking practices
- Behavioural and educational interventions with drivers and cyclists to improve road safety..
- Development of appropriate drop-off zones for taxis and fines to the driver if passengers open their door into a cyclist.

5. Supporting and encouraging safe cycling and physical activity through the built environment

We recommend the Standing Committee on Economy and Infrastructure consider the (soon to be released) recommendations of the Legislative Council's Standing Committee on Environment and Planning, which is currently inquiring into the link between environmental design and health (*Inquiry into Environmental Design and Public Health*). That committee is due to report to Parliament by 31 May 2012.

While the *Inquiry into Environmental Design and Public Health* is examining the broader links between planning and health, there are opportunities for changes to Victoria's built environment to support and encourage safe cycling. As well as reducing injury, this has the added benefit of encouraging more people to be physically active. This is much needed as Victoria's most recent population health survey found more than one-third of adults do not achieve the recommended level of daily physical activity to gain a health benefit.⁴ As well as its health burden, physical inactivity has a high economic cost. The National Preventative Health Taskforce estimated that \$1.5 billion could be saved each year if Australians were physically active for 30 minutes each day.⁵

⁴ Victorian Department of Health (2011), *Victorian Population Health Survey 2009*, Melbourne, p. 8.

⁵ Preventative Health Taskforce (2009), *Australia: The Healthiest Country by 2020: National Preventative Health Strategy – The Roadmap for Action*, Australian Government, p. 111.

6. Conclusion

The Public Health Association of Australia (Victorian Branch), Heart Foundation (Victoria) and Monash University Accident Research Centre support initiatives that protect the safety of non-protected road users.

We recommend that:

- Penalty units be increased to 3 points under the existing *Road Safety Road Rules 2009*
- Consideration should be given to making car dooring an offence under the *Road Safety Act 2004*
- Environmental interventions be implemented on priority locations
- Broad behavioural campaigns are implemented that target the actions of drivers, passengers and cyclists
- the Standing Committee consider how the upcoming recommendations of the *Inquiry into Environmental Design and Public Health* can provide opportunities for changes to Victoria's built environment to support and encourage safe cycling.



Dr Bruce Bolam
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