
Appendix One: Response of Government to Parliament

INQUIRY INTO MOTORCYCLE SAFETY IN VICTORIA
RESPONSE TO RECOMMENDATIONS IN
FIRST REPORT - MOTORCYCLE VISIBILITY, MARCH 1992

Tabled: - 24 November 1993

RECOMMENDATION 1.

The Minister for Transport implement road safety measures to increase motorcycle conspicuity by:

- a) Encouraging motorcycle riders to use yellow, white, red and fluorescent colours for their motorcycles and their clothes;*
- b) Recommending to the Federal Government that daytime running light specifications include a minimum intensity of 1600cd, a minimum size of 1800mm diameter and a requirement for two lights; and*
- c) Encouraging measures which increase the frontal or overall size of motorcycles.*

RESPONSE

Recommendation 1 (a) and (c) relating to increased conspicuity are supported, provided these are not mandatory measures and will not incur involuntary costs to the motorcycle rider. VicRoads in consultation with the motorcycling community is seeking to develop innovative designs for items of motorcycling apparel which highlight the conspicuity of the wearer. Conspicuity will also be enhanced by any measures which increase the apparent frontal or overall size of motorcycles.

Recommendation 1 (b) is not supported. Evidence regarding the minimum and maximum intensity desirable for effective daytime running lamps and their size is not conclusive enough for Australian conditions to warrant changes to the current ADR 19/01 requirements. ADR 19/01 optionally provides for two daytime running lamps or the passing beam of the existing headlamp, at the manufacturers discretion, to be hard wired in recognition of the costs and design implications involved in providing additional lamps.

RECOMMENDATION 2

VicRoads and the Transport Accident Commission, in consultation with the Victorian motorcycling community, plan on-going public education programmes which encourage motorcycle riders to use appropriate conspicuity measures.

RESPONSE

This recommendation is supported. VicRoads in consultation with the motorcycling community is seeking to encourage the development of innovative designs for items of motorcycling apparel which highlight the conspicuity of the wearer. It is anticipated that after appropriate trialing, public education in respect of the availability and importance of these garments will take place.

RECOMMENDATION 3

VicRoads and the Transport Accident Commission, in consultation with the motorcycling community and motoring organisations such as the Royal Automobile Club of Victoria, develop on-going education programmes which encourage car drivers to be aware of motorcycles.

RESPONSE

This recommendation is supported. See response to Recommendation 6 in part 2 of this document.

RECOMMENDATION 4

The Minister for Transport advise the Federal Government of the possible dangers inherent in specifying daytime running lights for motorcycles be hard-wired, and request they delay implementation of Australian Design Rule 19/01 until the report of the International Committee on Daytime Running Lights is available and its implications for Australia are examined.

RESPONSE

Issues and concerns regarding Australian design requirements and the need to address uniform legislation and practices will be conveyed to the Federal Minister for Transport and Communications.

Implementation of ADR 19/01 cannot be delayed as it is already mandated.

RECOMMENDATION 5

The Minister for Transport advise the Federal Government that the light specifications included in Australian Design Rule 19/01 are inappropriate for Australian conditions.

RESPONSE

See response to Recommendation 4.

RECOMMENDATION 6

The Minister for Transport amend the Road Safety (Vehicles) Regulations 1988 to exclude Australian Design Rule 19/01 from roadworthiness requirements for motorcycles registered in Victoria.

RESPONSE

This recommendation is not supported. The *Road Safety (Vehicles) Regulations* 1988 do not specifically set roadworthiness requirements.

The *Road Safety Act* 1986 provides that the Minister for Transport may require, by notice in the *Government Gazette*, that all vehicles comply with standards for registration. Special Gazette Notice S 15 of 1 March 1988 sets standards for registration and requires that all vehicles comply with any ADRs applicable to them at their time of manufacture.

In the interests of national uniformity, State Ministers at the Australian Transport Advisory Council (ATAC) agreed to adopt the 3rd Edition ADRs without change as in-service requirements. To exclude that portion of ADR 19/01 which requires new motorcycles to have daytime running lamps hard wired from Victoria's standards for registration would be contrary to this agreement and would not result in any change to the construction of motorcycles as compliance with ADR 19/01 would still be required under the *Federal Motor Vehicle Standards Act* 1989.

RECOMMENDATION 7

The use of daytime running lights for motorcycles remains voluntary.

RESPONSE

This recommendation is supported in part. New motorcycles designed and constructed to comply with ADR 19/01 should continue to comply in-service. Motorcycles predating ADR 19/01 could have practical problems in using daytime running lamps all the time. Therefore, mandating such a requirement for all motorcycles is inappropriate.

RESPONSE TO RECOMMENDATIONS IN
ROAD SAFETY COMMITTEE REPORT:
INQUIRY INTO MOTORCYCLE SAFETY IN VICTORIA

Tabled: - 24 November 1993

RECOMMENDATION 1

The motor vehicle driver licence record system be changed to enable the clear identification of motorcycle licence holders and the category of their licences to facilitate policy development particularly in the road safety area.

RESPONSE

This recommendation is supported. The present VicRoads licence information database was designed in 1983 to computerise the then manual record system. At that time, information on the pattern of motorcycle licence issue was obtained from the accounting computer system not the licence computer system as suggested. With the advent of the combined (single) licence system whereby one fee is payable regardless of vehicle licence category held, it is no longer possible to track motorcycle licences separately through the accounts system. This makes it impossible to identify a person who is active as a motorcyclist.

The function of the computerised licence system was never intended to be the repository of statistical licence history information but simply to hold a register of licences. While it is possible to amend the system such that licence category information for motorcyclists can be extracted on a particular date it is not possible to do this accurately retrospectively.

The Licensing area within VicRoads is aware of this shortcoming and has undertaken to review the information requirements when a new database is developed for the total driver licensing system in Victoria. However in the current economic climate a new database may not be available for several years.

RECOMMENDATION 2

VicRoads implement a research programme to determine the distance travelled by motorcycle riders and other road users with different age and licence characteristics in order to correctly identify risk factors for road safety purposes.

RESPONSE

This recommendation is supported. VicRoads' Corporate Research and Development funding has been allocated to conduct research exposure studies and the extent of current under-reporting of crash injuries for all motor vehicle types including motorcycles. VicRoads is also investigating data available from the Australian Bureau of Statistics *Survey of Motor Vehicle Usage* and expects to have significantly improved estimates of distances travelled. This is scheduled for completion at the end of June 1994.

In addition, negotiations are currently taking place between VicRoads and Monash University Accident Research Centre to design and implement an in-depth research programme into the life-style, rider motivation and risk patterns for all motorcycle riders. Both studies are complementary and will enhance knowledge of motorcyclists' exposure to risk. This is also scheduled for completion at the end of June 1994.

RECOMMENDATION 3

VicRoads and the Transport Accident Commission develop motorcycle safety measures to primarily target male, novice riders under 26 years.

RESPONSE

This recommendation is supported. Research evidence clearly indicates that this particular group is the most at risk. An advertising campaign by TAC specifically aimed at encouraging drivers to look for motorcyclists took place during May and November 1993. Publicity will continue in line with the priorities identified by the Road Safety Coordinating Council as recommended by the Initiatives and Countermeasures sub-committee.

RECOMMENDATION 4

The Minister for Roads and Ports not introduce drink driving legislation which differentiates between motorcycle riders and other car drivers.

RESPONSE

This recommendation is supported. Because the percentage of motorcycle rider fatalities with a blood alcohol content of between 0.01 and 0.05 is of the same order as that of car drivers, there is no justification at present for a lower BAC for motorcycle riders. Of more concern is the anomaly created by the common probationary licence end date which permits a novice motorcyclist who holds a full motor car licence to avoid the restrictions placed on a probationary motorcycle licence holder. This will be addressed as a priority issue when licensing requirements are revised.

RECOMMENDATION 5

The Minister for Roads and Ports ensure that motorcycle rider training is given high priority in Government motorcycle safety policy.

RESPONSE

This recommendation is supported. Motorcycle rider training has been given a high priority as one of the key issues to be addressed by the Government.

Recognising the importance of rider training, efforts have been made to increase the availability of rider training through private sector involvement. Expressions of interest were invited and a number of rider training organisations were appointed, in October 1993, to deliver rider training in the metropolitan area of Melbourne. Expressions of interest have also been called to service rider training requirements in rural areas of Victoria.

Other initiatives being planned include, incentive measures to encourage rider training and uniform licence testing.

See also responses to recommendations 23 and 24.

RECOMMENDATION 6

VicRoads and the Transport Accident Commission, in consultation with the motorcycling community and motoring organisations such as the Royal Automobile Club of Victoria, develop on-going public education programmes which encourage car drivers to be aware of motorcycles.

RESPONSE

This recommendation is supported. The Transport Accident Commission's latest road safety campaign *Look Bike - Hard to See, Easy to Kill* is a major step towards addressing the issue of motorcycle awareness by car drivers. The campaign was conducted in May 1993 and November 1993. In addition to these efforts, more campaigns are being planned to involve organisations other than the Transport Accident Commission.

RECOMMENDATION 7

VicRoads install more right-turn phase traffic control measures at intersections identified as high risk for motorcycle collisions and evaluate the safety benefits of adjusting the sequence of right-turn phase traffic control measures on motorcycle safety.

RESPONSE

This recommendation is supported. At intersections identified as high risk for any right turning vehicle VicRoads is continuing to install controlled right turn phases. Where these have demonstrated a particular problem for motorcycles ongoing monitoring of the effect of the treatment will take place and modifications will be made if appropriate. Between July 1992 and November 1993, 91 intersections have had right-turn movements treated. A similar number is expected to be treated in the next twelve months.

The withdrawal of the Federal Government from the funding of accident black spots will seriously limit the ability of VicRoads in the long run.

RECOMMENDATION 8

VicRoads undertake more research to identify the factors which contribute to the high risk of serious injury for riders who carry pillion passengers and are involved in crashes.

RESPONSE

This recommendation is supported. See response to recommendation 2 (paragraph 2).

RECOMMENDATION 9

The Minister for Roads and Ports introduce legislation which limits learner and first year probationary licensed riders to motorcycles with engine capacities less than 260cc and power-to-weight ratios less than 150 kilowatts per tonne.

RESPONSE

This recommendation is not supported. The proposed legislation cannot be enforced because manufacturers do not provide information on the power-to-weight ratio in all cases.

An evaluation indicated that up to four times more accidents could be saved if there were better compliance with the present sub-260cc engine restrictions for novice riders. In 1992, 10% of novices owned motorcycles with engine capacity greater than 260cc and yet in 1987/90, 18.7% of accident involved novices were riding motorcycles with engine capacities greater than 260cc.

The enforcement of existing rules (i.e. ensuring adherence to existing restrictions on 260cc motorcycles for novice riders, promotion of training and licence requirements and registration of motorcycles) through measures that are already in the planning process makes for a more cost effective alternative than additional regulation.

RECOMMENDATION 10

Victoria Police develop a highly visible enforcement programme against novice riders who breach legislative controls on motorcycle use.

RESPONSE

The Victoria Police will develop highly visible offence specific programmes targeting novice riders, relating to motorcycle engine capacity and unlicensed or unregistered riding.

This will involve both on-road and off-road Police at District level as well as the Special Solo (Motorcycle) Section.

RECOMMENDATION 11

Transport Accident Commission charges for motorcycles with volumetric capacities less than 260cc and power-to-weight ratios less than 150 kilowatts per tonne registered by learner and first year probationary licensed riders be set at a rate to encourage their use relative to more powerful motorcycles.

RESPONSE

This recommendation is supported in relation to the 260cc limit. The thrust of the recommendation, that Transport Accident Commission charges be set to encourage novice riders to ride smaller and less powerful motorcycles relative to more powerful motorcycles is accepted. However it is administratively difficult, at this time, to develop the proposal because of the following:

1. Power and weight information is not available for all motorcycles on VicRoads' registration database.
2. TAC insurance attaches to the vehicle. Premiums are based on the crash histories of groups of vehicles and do not depend on owner or driver characteristics.

Nonetheless TAC insurance premiums are lower for smaller motorcycles than for larger motorcycles. For example, premiums for motorcycles garaged in the Melbourne metropolitan area are as follows:

<u>Motorcycle Engine Capacity</u>	<u>TAC Premium</u>
Up to 60cc	\$ 47.30
61cc to 125cc	\$184.80
126cc to 500cc	\$204.60
501cc Plus	\$293.70

TAC will investigate the possibility of a new premium category for motorcycles with engine capacities less than 260cc. Since almost 50% of motorcycles have engine capacities less than 260cc a new premium category would encourage use of smaller rather than larger motorcycles. TAC will also consider the use of power-to-weight as a criterion for setting premiums when this data is available.

RECOMMENDATION 12

The Transport Accident Commission impose charges for registration of motorcycles which are, on average, between 50% and 70% of those for registration of cars.

RESPONSE

This recommendation is not supported. TAC insurance premiums for motorcycles reflect the consistently higher claims cost experienced by motorcyclists than by those in other vehicles. Figure 1 shows the following:

- a) Premium rates for motorcycles relative to that applicable to a Melbourne garaged private car. For example, the premium rate for motorcycles with engine capacity 61cc - 125cc is shown to be 66 per cent of the Melbourne private car.

- b) Cost experience, also relative to that applicable to a Melbourne garaged private car. For example, the no fault claims cost experience for 500cc plus motorcycles is almost 5 times that of the Melbourne garaged private car.

Figure 1 indicates that claims costs far exceed premium income. Figure 1 also suggests that owners of motorcycles over 125cc should be charged more than cars to reflect actual claims costs.

RECOMMENDATION 13

The Transport Accident Commission introduce charges for registration of motorcycles with engine capacities less than 260cc and power-to-weight ratios less than 150 kilowatts per tonne which are lower than registration fees for other motorcycles.

RESPONSE

This recommendation is not supported. The Transport Accident Commission does not set registration charges. However, Transport Accident Commission insurance premiums for smaller motorcycles are significantly lower than those for larger vehicles there is already a clear cost incentive in favour of these vehicles as shown below.

<u>Motorcycle Engine Capacity</u>	<u>TAC Premium</u>
Up to 60cc	\$ 47.30
61cc to 125cc	\$184.80
126cc to 500cc	\$204.60
501cc Plus	\$293.70

TAC will investigate the possibility of a new premium category for motorcycles with engine capacities less than 260cc and will consider the use of power-to-weight as a criterion for setting premiums when the data is available.

RECOMMENDATION 14

The Minister for Roads and Ports act to have a definition of moped incorporated in the Road Safety Act 1986 and other appropriate legislation and that this definition be consistent with the definition for moped use in the Australian Design Rules.

RESPONSE

This recommendation is not supported. The Government believes that current definitions for ‘motorcycle’ by the *Road Safety Act* (1986) and by the Australian Design Rules are sufficient to delineate motorcycles from other types of motorised vehicles for purposes of specifying licensing requirements. Further, the term ‘moped’ is defined by the Australian Design Rules as a specific variant of a 2-wheeled motor vehicle.

Definitions

Motorcycle “means a two-wheeled motor vehicle and includes a motorcycle with trailer, forecar or sidecar attached.” (*Road Safety Act* (1986) s3).

Motorcycle (LC): “means a 2-wheeled motor vehicle with an engine cylinder capacity exceeding 50ml or a ‘Maximum Motor Cycle Speed’ exceeding 50km/h” (*Australian Design Rules*, 3rd Edition, 1988).

Moped - 2 Wheels (LA): “means a 2 wheeled motor vehicle, not being a power assisted pedal cycle, with an engine cylinder capacity not exceeding 50 ml (50cc) and a ‘Maximum Motor Cycle Speed’ not exceeding 50km/h; or a 2-wheeled motor vehicle with a power source other than a piston engine and a ‘Maximum Motor Cycle Speed’ not exceeding 50km/h”. (*Australian Design Rules*, 3rd Edition, 1988). The definition is similar to that recommended by an expert European committee advising member states of the European community on future road safety policies.

RECOMMENDATION 15

The Transport Accident Commission continue to charge lower fees for mopeds.

RESPONSE

This recommendation is supported. The TAC current and recommended premiums have lower rates for small mopeds.

RECOMMENDATION 16

The Minister for Roads and Ports introduce legislation which allows holders of a current car driver's licence to ride mopeds or requires unlicensed riders to obtain a car driver's learner permit and to exempt moped riders from the further licensing requirements for motorcycle riders.

RESPONSE

This recommendation is not supported. The philosophy underlying Recommendation 16 concerning mopeds is contradictory to that of Recommendation 5 that priority be given to motorcycle training. On the one hand the committee states that "... collisions may be reduced by improved motorcycle rider training ..." (p37 of report) yet on the other hand it suggests that car drivers be able to ride a two wheeled vehicle without training.

A recent review¹ of moped safety policy and licensing requirements found that fatality rates increase as drivers proceed from cars, to bicycles, mopeds and to motorcycles. The removal of the requirement to hold a motorcycle licence in order to ride a moped in Victoria will lead to an increase in the fatality rate of moped riders by increasing the number of people using these vehicles without the appropriate levels of competence required for motorcycling.

The European experience, particularly French, indicates that mopeds are primarily used by teenagers (16 years of age) and motorcycles primarily used by young adults (20 years of age). The removal of the requirement to hold a motorcycle licence to facilitate access to mopeds will compound the problem of young people involved in road crashes.

The skills required to ride a moped are similar to those for a motorcycle.

Further, VicRoads has estimated driver injury costs (per kilometre travelled) as follows:

car rider	2-3 cents/kilometre
bicycle rider	15-20 cents/kilometre
motorcycle rider	33-40 cents/kilometre
moped rider	19 cents/kilometre

Consequently, on a safety/cost benefit basis there would be an additional injury cost in allowing car licence holders to operate mopeds.

An important factor in assessing potential injury risk is the amount of energy to be absorbed in a crash. With the combined mass of rider and moped being twice that of a bicycle, the greater maintainable speed of a moped (about 50-60 km/h) compared with a bicycle (about 20 km/h) would result in the absorbed energy from a crash involving a moped rider being of the order of six times that of a crash involving a bicycle rider.

Another problem with mopeds is that many have maximum achievable speeds not exceeding 60 km/h. With many arterial roads having higher speed limits of 70-80 km/h this will therefore create a significant speed differential which is a known contributory factor to crash involvement.

In summary, considering that this proposal would result in both increased costs per crash involvement, increased injury severity and a significant change in traffic mix, any potential benefits in terms of improved mobility are unlikely to outweigh these costs.

RECOMMENDATION 17

The Minister for Roads and Ports introduce legislation which bans moped use on roads where bicycles are also banned.

RESPONSE

This recommendation is not supported. In line with recommendations 14 and 16, the Government believes that there is no reason to alter current practices.

RECOMMENDATION 18

VicRoads examine the amenity and safety implications of permitting mopeds to use bicycle paths and make a recommendation to the Minister for Roads and Ports for incorporation in the Government's response to the Parliament on this Report.

RESPONSE

This recommendation is not supported. VicRoads has examined these issues. On both safety and amenity grounds there is no justification for allowing moped use of bicycle paths, many of which are jointly used by pedestrians.

SAFETY: The performance characteristics of mopeds mean that their speed and acceleration are both generally superior to bicycles. Allowing mopeds to mix with bicycles on bicycle paths would increase potential danger for bicyclists since it would undermine the rationale for separate bicycle paths i.e. to provide a safe place for bicyclists by separating them from other vehicle types and road users. Crashes between mopeds and bicycles or pedestrians would generate greater energy to be absorbed and consequently lead to increased injury severity particularly for bicycle riders and pedestrians.

AMENITY: The guidelines for design and construction of bicycle paths have not been developed with mopeds in mind. Further noise and fumes from mopeds would degrade the amenity of off-road bicycle paths for cyclists and pedestrians.

RECOMMENDATION 19

VicRoads investigate the appropriate type of helmet to be worn by moped riders and make a recommendation to the Minister for Roads and Ports for incorporation in the Government's response to the Parliament on this Report.

RESPONSE

This recommendation is supported. VicRoads has investigated this issue. Because the speeds able to be maintained by a moped are similar to those of a motorcycle in urban areas, VicRoads recommends that the level of head protection required be the same as that for a motorcycle rider. This is already provided for in current Regulations.

RECOMMENDATION 20

In order that traffic safety education be an on-going programme beginning with the very young, VicRoads and other relevant agencies continue to emphasise traffic safety education in pre-schools and provide consultants to encourage use of the relevant materials.

RESPONSE

This recommendation is supported. New initiatives in Traffic safety Education to address a range of safety and usage issues are presently under development. These include motorcycle safety specific material for students in Years 10-12 and comprehensive Traffic Safety Education packages for very young primary students.

RECOMMENDATION 21

VicRoads road safety consultants continue to be funded by the Transport Accident Commission or its successor.

RESPONSE

This recommendation is supported. The Transport Accident Commission's extensive investments include VicRoads' road safety programmes. The Transport Accident Commission will continue to evaluate its investments, including funding for road safety programmes and consultants.

RECOMMENDATION 22

In order for the Directorate of School Education to be able to achieve its goal of ensuring that all young people receive an education which enables them to participate fully in society, accurate statistics about the availability, uptake and effect of traffic safety education in schools be collected.

RESPONSE

This recommendation is supported. On a two-yearly cycle, VicRoads surveys the impact of Traffic Safety Education materials in Victorian schools as well as evaluating specific programmes following implementation.

RECOMMENDATION 23

The Minister for Roads and Ports implement policies which ensure that motorcycle training programmes are accessible to potential novice riders in Victoria. These services should be delivered by private organisations except where the cost means they are not commercially viable.

RESPONSE

This recommendation is supported. VicRoads has invited providers of motorcycle training programmes to submit expressions of interest and has appointed four agents to service the metropolitan area of Melbourne. Remote rural areas which may not attract private providers may be serviced directly by VicRoads. See Recommendation 5.

RECOMMENDATION 24

The Minister for Roads and Ports strongly encourage motorcycle rider training programmes in Victoria for learner and probationary riders under 25 years by providing incentives and ensuring availability of courses.

RESPONSE

This recommendation is supported. VicRoads has been directed to collaborate with motorcycle training providers to design a combined training and licensing package for novice riders. It is envisaged that the motorcycle learner permit and motorcycle licence training programmes may be offered as a package which will include the conduct of relevant tests. Minimum requirements such as number of hours of training and minimum completion time may need to be specified together with minimum competency standards. The incentive offered may be that those who undertake training would progress directly to licence level without the requirements and restrictions of the learner permit. Those who choose not to undertake training may need to progress from learner permit to licence as at present.

RECOMMENDATION 25

VicRoads eliminate the learner permit for riders who undergo appropriate training and pass the full motorcycle test.

RESPONSE

This recommendation is supported. See response to Recommendation 24.

RECOMMENDATION 26

The Minister for Roads and Ports ensure that VicRoads' budget includes specific funding for on-going monitoring and evaluation of the motorcycle rider training programmes.

RESPONSE

This recommendation is supported. The Government supports the monitoring and evaluation of road safety programmes including motorcycle initiatives within normal budgetary priorities and constraints. In the financial year 1993/94 an amount of \$339,000 has been allocated for this purpose.

RECOMMENDATION 27

The Ministers for Roads and Ports, and Police and Emergency Services ensure that motorcycle riders are represented on all relevant consultative bodies in Victoria including those which deal with road user behaviour, road and vehicle design and traffic management.

RESPONSE

This recommendation is supported. The motorcycle community will be included in consultation on road safety and road traffic management programmes.

RECOMMENDATION 28

VicRoads develop a special unit with the brief to review the motorcycle safety implications of all policy and operational decisions which are taken within the organisation.

RESPONSE

This recommendation is not supported. Instead of developing a special unit, VicRoads will develop a special emphasis on motorcycle safety through road safety and road traffic management functions.

RECOMMENDATION 29

The Road Safety Co-ordinating Council establish a new sub-committee to address the specific issues relating to motorcycle safety and regulation.

RESPONSE

This recommendation is supported. This has already been achieved with the formation of the Motorcycle Safety Forum.

Endnotes

- 1 Cavallo, A "Review of Moped Safety Policy and Licensing Requirements", VicRoads, GR 93-12, April 1993.

