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LEGISLATIVE COUNCIL ECONOMY AND INFRASTRUCTURE COMMITTEE

Inquiry into the Increase in Victoria's Road Toll

Melbourne—Monday, 10 August 2020

(via videoconference)

MEMBERS

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Mrs Bev McArthur

Mr Bernie Finn—Deputy Chair

Mr Tim Quilty

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Mr Lee Tarlamis

Mr Mark Gepp

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Mr David Limbrick

Ms Melina Bath

Mr Andy Meddick

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WITNESS

Mr Bob Barnard.

The CHAIR: Welcome to the Economy and Infrastructure Committee's public hearing for the Inquiry into the Increase in Victoria's Road Toll. I wish to welcome any members of the public that are watching via the live broadcast. My name is Enver Erdogan, and I am Chair of the committee. Mr Bernie Finn is my deputy. Mr Mark Gepp, Mr Rod Barton, Mrs Beverley McArthur and Mr Tim Quilty are also members of the committee and are online.

Before we begin I will read a short witness statement. All evidence taken at this hearing is protected by parliamentary privilege as provided by the *Constitution Act 1975* and further subject to provisions of the Legislative Council standing orders. Therefore the information you provide during the hearing is protected by law. However, any comment repeated outside the hearing may not be protected. Any deliberately false evidence or misleading of the committee may be considered a contempt of Parliament. All evidence is being recorded. You will be provided with a proof version of the transcript following the hearing. Transcripts will ultimately be made public and posted on the committee's website.

We welcome your opening comments but ask that they be kept to a maximum of 5 to 10 minutes to ensure we have plenty of time for discussion. Can I please remind members and witnesses to mute their microphones when not speaking to stop and minimise any interference. If you have any technical difficulties, please disconnect and contact the committee staff using the contacts you were provided. Can you please begin by stating your name for the benefit of our Hansard team and then start your presentation. Mr Barnard, over to you.

Mr BARNARD: Thank you, and good morning. It is a pleasure to be with you. My name is Robert David Barnard, as a full name—Bob Barnard. My company is Motorsports Services. You have my submission—two submissions—so I am going to briefly talk about who I am and why I am here and a little bit of background of why I am involved. I got my engineering degree, civil engineering honours degree, from London University in 1968 and moved shortly after that to Australia. I joined the highways department of South Australia, where I stayed for 11 years on a variety of projects, planning and building roads and freeways. I spent three years as the technical aide to the commissioner of highways on various studies, and finally at that time I became the deputy executive engineer for the Road Traffic Board of the state of South Australia. In 1985 I had a career changing moment. I was commissioned to design and build the 1985 Adelaide grand prix circuit and operate it. Since that time and the success of that, I have been designing and building tracks around the world for the last 35 years, including the Phillip Island motorcycle grand prix in 1989, building the Eastern Creek in Sydney and rebuilding the Daytona speedway in Florida in 2004. I have lived and worked in lots of places around the world in the last 35 years—driving all over the place, you might say.

I want to briefly talk about the role of a track designer because it is completely different to a normal road safety approach, where the prevention of the accident is your number one key. I have to start from the premise that there will be an accident—somewhere, sometime, at any point around a race circuit, there will be an accident. I do not care what the reason is; my care to say, 'Okay, that vehicle is out of control. How fast is it going, where is it going to go and how do I design safety features to make sure that they are not injured or at least not fatally injured?'. We ameliorate the possibility. I like to say if we could design roads like we design racetracks the road toll would be a lot less, but we could not afford it in either space or cost. In this field I am an accepted expert witness in motorsport injury litigation in Australia, the United States, the United Kingdom and Canada I currently have cases. So I get involved very much into the safety and causes of accidents.

Because of my experience with the motorcycle grand prix at Phillip Island I have got many lasting friends in the motorcycle world in Australia—and around the world, but very much in Australia. That is what prompted me to make a submission to your inquiry. Living in the United States for 20 years I saw firsthand a lot of the wire rope barriers. Personally, I have to say I have never understood the concept of this and the rationale behind it. It goes against everything I understand as a road designer and a track designer. Barriers should be something that will dissipate the forces involved over as large an area as possible and not involving point loads, which the cable seems to do. It is not a barrier I would like to hit in a car, let alone on a motorcycle, where the rider is exposed. That is a big difference in what I do on tracks between designing tracks for cars and designing tracks

for motorcycles and go-karts, where the rider is actually on the vehicle not in the vehicle. So that is briefly who I am and why I am here. I am very happy to answer any questions from you about my experience.

The CHAIR: Thank you, Mr Barnard. I do note for the committee, Mr Barnard has joined us all the way from Spain. Is that true?

Mr BARNARD: Yes, it is true. Yes, it is 4.30 in the morning here.

The CHAIR: We really appreciate your commitment and passion. I might start off with the first question, if that is okay?

Mr BARNARD: Sure.

The CHAIR: I did appreciate that you made some comments about the difference between our approach and Spain's, and you mentioned that no family member is involved in teaching in Spain and it is done through schools. Can you please talk about how the driving schools are done over there?

Mr BARNARD: It is very much a closed shop. And it is very expensive; it is something like €800-plus to go through the whole system. That may not even include the cost of the testing. So you cannot just sort of go and teach your own daughter or son to go and drive; you have to go through a driving school. Before you even start you have to go and get a very comprehensive medical, including a hearing test, a sight test and an aptitude test, which is a bit like an arcade game, which they sort of spring on you. And even though I have been driving and racing for a long time, I must admit, it started off pretty easy—you are basically trying to drive two cars up two roads and it starts off nice and simple and they go up straight together, and then they start to curve and then they both start to curve in different ways. So you end up driving two cars on two roads and you are allowed to go off the road only a limited number of times, so it is an aptitude test on your driving skills before you even start. You get a full medical, you get that signed off and then you go to the driving school and start to get lessons before you even get in the car.

The interesting thing is they do not really put L-plates on the car until you have got your licence, and you run with L-plates for the first year. And then you end up with a book like this, which is 260 pages of literally how to drive a motor car, from taking the key and turning the thing on and how it works and why it works and what you do. And the test itself is then conducted by the driving schools in a centre, where you go and take it—like 50 people at a time. It is a 30-question theory test. You can only get three wrong, and I must admit for the first time in my life I failed a test—and I am not being egotistical. I got seven wrong because even though I had studied this book, which has 600 sample questions, when I sat down there were hardly any of those questions on the exam paper. I then went back and read the book again and passed it next time. But there have been people who have taken nine times to go through this test, and it costs you €90 every time. A lot of people just, frankly, give up and do not take the test, because in places like Barcelona and that there is very good public transport, so they do not do it. So it is very exacting. And even though I have been driving around the world for 50 years I still had to do a practical driving test, which again was a little bit daunting. You actually take some driving lessons where the guy teaches you how to drive like your old granny basically or a 16-year-old who does not, so I had to detune myself about how to do this. And that whole process took over six months.

So it is an interesting thing—with that and with the vehicle testing, you would have to think, 'Well, these are some of the safest roads in the world'. Sorry, I have to tell you that looking at the results of some investigations, the road toll for a similar sort of population in Catalonia is actually quite similar. So I hate to say it—I mean, it is a fantastic system, but it does not necessarily, because I think once people get that piece of paper they are off, you know? So that is the system, and as I said, it is very much a closed shop. The government is not involved until they actually issue the licence.

The CHAIR: So it is a higher barrier to entry. You actually answered the supplementary question I had: in the end the safety results in terms of fatalities are quite similar to ours. So although it is markedly more challenging to get your initial licence, the actual outcome is not necessarily markedly different. Is that what you are telling us? I just want to—

Mr BARNARD: Yes. The annual road toll is something like 250 a year—a little bit less than one a day. The interesting thing that I find is if there is a fatality, it is immediately spread through social media to say that someone has died on this freeway or whatever. And again, it is very similar in terms of the proportion of rural

accidents to urban accidents. So I was quite interested to look at that—not in any great depth, I have got to tell you, but just because of this hearing I thought, ‘Well, let’s go and have a look and see how it compares’.

The CHAIR: Much appreciated. I might pass on to other committee members. Mr Barton, would you like to go next?

Mr BARTON: Thank you, Chair. Thank you, Bob. I am just curious about Spain. In Victoria you can get your drivers licence at 18 and never get tested again. Is that the same in Spain?

Mr BARNARD: Well, again, it is similar in some ways. I have to keep getting retested, because of my age, every five years. But again, when you talk about the age of getting the licence, there are severe restrictions on motorcycles, for instance, about what you can drive and how powerful it is until you get to something like 21 or 22—I do not remember the exact numbers.

That is what makes the test so complicated. All these numbers are quite different. So yes, you are restricted. And watching some of the guys go through the motorcycle test is quite interesting to watch because, going to the driving school, you can see them doing it. They are taken out on the road. They have got a headset, and they are talking to the instructor or the tester in the car as they take them through it. But you know, or you probably should, that motorcycle is king in Spain. If it is not a motorcycle, it is a scooter for Mum to go and get the bread at the shop or whatever. So there is an awful lot of motorcycles and scooters running around all the time in Spain.

Mr BARTON: What age does it kick in for you to have to go and get tested every five years? What age does that start at?

Mr BARNARD: I think that is 65 or 70. So I am giving myself away here. So it is quite late, but I do not think you get retested. One of the interesting things is that once I have got my car licence for three years I can then go and ride a motorcycle as well without a retest. That is, again, something that I have not really understood. I guess they figure they think you know enough about driving that you can do that. So yes, the capacity limits are there for different ages that you can get to.

The CHAIR: Thank you. I will pass over to Mrs McArthur for the next question.

Mrs McARTHUR: Thank you, Robert. I notice you are quite sceptical about wire rope barriers and believe they are particularly unsafe for motorcyclists and that a low guard needs to be installed to protect motorbike riders. So are you therefore appalled by the over-budget, unaccountable widespread rollout of wire rope barriers in Victoria? And I have a follow-up question.

Mr BARNARD: Frankly, I am astounded that you spent that amount of money on these things. I cannot imagine what you could have done to improve the road system with that sort of money. As I said in my notice, in my expert witness work unfortunately one of my cases was a young boy on a go-kart on a track that got totally decapitated by a very similar system. It was not a barrier. It was actually the perimeter fence of the go-kart club. Unfortunately there was nothing between him, from the racetrack, and the wire rope, and it was not just a normal wire fence. They had had some transmission wire cable left over from somewhere and they used that to make a five-strand fence. So if it was normal wire, it probably would have snapped when it hit the go-kart. As it did, it rode up the go-kart and literally just—you know. I saved you the photographs of the fence. I mean, to me, that is a very similar system of wire rope. As I said, I really do not understand the rationale for this. I did some research, and I do not see that it is any cheaper than guardrail. As you have seen, in all the likely impact places for motorcycles—and I have just done a very long drive through the Pyrenees in the last couple of days—anywhere on a corner, or a roundabout or somewhere, they add that lower barrier just to make sure you cannot submarine the guardrail. So they are very aware and very cognisant of the fact that you need to look after motorcycle riders as much as, if not more than, car drivers. That is what prompted me. I really do not understand the wire rope barrier concept, and I cannot see why it keeps being installed. Back to you.

Mrs McARTHUR: Yes, well, the Auditor-General, I think, has the same view, and others do as well. I am just wondering: we also have an issue, especially in my electorate on the Great Ocean Road, with international drivers. They make up 20 per cent of the accidents where ambulances are called. We do not have—and I know it is another issue that you are raising—data to tell us how many near misses there are or how many accidents were caused where the police were called but not an ambulance. Many other people have said we need better

data. Can you tell us: are there any circumstances in the countries that you are familiar with where international drivers do have to pass some form of test before they are allowed to hire a car?

Mr BARNARD: No, I do not know that. It is actually very easy to go and hire a car. If I can briefly go back to what you were saying, when I worked in South Australia for the highways authority I learned that the difference between a fatality and just an accident is a mere statistic. It is pure happenstance whether someone actually dies or not. So the actual death rate is not really a good example of what is going on.

But I do have to tell you that I got very embarrassed coming to Spain because I have always used my American licence to hire a car and no-one has ever said anything. But we had been living here for about three months and we had a Spanish car, and I knew I had to change my licence over to Spain after six months. We actually got stopped on a Sunday morning for a random breathalyser test. Everything was cool except my licence. It then prompted me to get a Euro 500 fine. I had not got an international driver licence per se, as cheap as that is, because it has always been so easy. I said to the Guardia in Civil, 'Okay the rental cars don't care', and he said, 'Well, they just want your money, so they don't care'. So we finally did get an international drivers licence from America to do that.

But certainly there was no test, and that is what is interesting living in America. Of all the states, and I moved around America a lot building tracks in 20 years, there were only two states that actually bothered to do any testing. California had a written test. North Carolina had a very strange test, but no-one ever tested your driving skills in any of that time. So the only time I have ever taken a test was when I was 17 years old in England and 72 years old in Spain. To answer your question: I do not know anywhere where anyone does any examination when you hire a car.

The CHAIR: I might pass over to Mr Finn, then Mr Meddick.

Mr FINN: Thank you, Mr Barnard, for your commitment to get up at such an extraordinary hour of the morning to chat to us. A lot of people would actually get up at that hour of the morning to not chat to us, so thank you for that contribution that you made.

I am just wondering: you obviously have had a great deal of experience around racetracks around the world. You would have seen attitudes of racing drivers. You would have seen the preparation. You would have seen all the work that goes into making them safe and making them as good a driver as is humanly possible. How do we get the message through to the hoons, who see that on their televisions and then try to replicate it on the Tullamarine Freeway or somewhere similar, that you just cannot do that. It is just not safe. How do we get that message across to these people that the racing drivers are actually well prepared for what they are doing and that you just cannot jump into a car and do it?

Mr BARNARD: Okay. A couple of thoughts on that. You are correct. I mean most of the guys these days started racing in go-karts at four. I think I saw one the other day who was two and a half. So they have been doing it and learning car control for an awfully long time. Living in Australia one of the things that always struck me was that a lot of the accidents, not necessarily on the Tullamarine Freeway, are on rural roads—open surface roads. I mean, I worked in Alice Springs for four years and there was only one sealed road in the whole of the Northern Territory at that time. Often they do not get the opportunity of driving on ice like I did when I grew up, so their first skid is probably the last skid. They get into something they cannot do.

One of the things that is interesting from a racing driver school, I find, is a lot of the schools do basic half-day car control, especially in America, for people. Kids graduate, so the dad buys them a car at 17 or whatever. These things are basically designed to do the thing, and it may be worth thinking in terms of normal road driving. The first thing they teach you is that if you are on the Tullamarine Freeway and a car in front of you suddenly stops, you cannot slam your brakes on and swerve the car at the same time. It is just physically impossible. The tyres lock up and the car will not steer. That is one of the first things they teach you at racing driving school. It is very basic. Fortunately the only thing to hit is cones, so you survive. But that is one of the most basic things that people do not understand about driving a car. Fortunately you have got ABS and stuff like that on cars these days.

I do not know, apart from education. Using prominent guys from the racing world to go and talk about the fact that 'I have had 20 years of lessons and driving experience at all classes to get where I am now. I did not just get in a car and go and do this'. There have got to be—well, there are—plenty of high-profile racing drivers in

Australia that drive super V8s that surely have got an interest in road safety that can actually go and deliver that message. So they are two options I can see that may be of value.

I agree with you: these days you can go and buy a car with 500 horsepower and just go and put it on the road. Again, maybe, like the motorcycles, there needs to be some sort of control about what you can actually drive at what age—just a thought. In Spain, and I think in lots of other places, you cannot just go and buy a 1000 cc superbike and go and drive it. You have to start on a 125.

The CHAIR: In our state there are some restrictions on what you can drive until you have a full licence after 21, so there are currently restrictions on what is allowed and what is not in terms of the power of the vehicle. Do you have a follow-up question, Mr Finn?

Mr FINN: No. I am very happy with that response.

The CHAIR: Thank you very much, Mr Barnard. I will pass over to Mr Meddick, then Mr Quilty, and then Mr Gepp can finish off.

Mr MEDDICK: I do not have any questions, thanks, Chair.

The CHAIR: Mr Quilty?

Mr QUILTY: Thank you. I note that I was recently in Spain—well, a couple of years ago, on holiday—and they have a 120-kilometre limit on the highway. I could not actually enjoy it very much because it was my first time driving on the other side of the road—it was quite stressful for me—but I did note that it was interesting, and most of the traffic was exceeding that limit. My question for you is: can you expand on your variable speed limit concept for the committee? For example, on roads like the Hume Freeway what do you think the speed limit should be for motorcycles, cars, commercial vehicles and trucks? How would that work?

Mr BARNARD: That is one of the interesting things in Spain. Talking about the Hume Freeway and stuff, I mean I drove in Victoria, having racetracks in Phillip Island and Eastern Creek et cetera. One of the things that struck me is with a 60-mile-an-hour speed limit—100 kilometres—everyone is doing 100 kilometres and you end up with what we call in the business a slug of traffic, which is all doing the same speed, no-one can sort itself out. There is radar, so no-one wants to stick their nose out to overtake, and as soon as somebody up front does something stupid then the whole schmear is going down the tube.

So the concept in Spain, as you say, is the road does have an absolute limit: 120 on the freeways, 90 on rural roads et cetera. But then—and this is what makes the test so difficult—it depends. If you are in a normal car or a van that is based on a car, you are allowed to do the speed limit. As you rightly say, people do exceed the speed limits. There is lots of radar around, but they are very nice and they actually tell you where it is, and they have just started putting in average speeds as well. I am always amazed that people do actually travel at excessive speeds. They must have a get-out-of-jail-free card, because I certainly do not want to see another Guardia Civil. But for instance, okay, if it is 120, then an autobus can do 100; a commercial vehicle, a heavy goods vehicle, can do 90; if you are towing a caravan or something that is over 3500 kilograms, I think you are limited to 80. There is a whole variation of rating the speed to the vehicle if you are on a freeway.

And they are very, very strict in terms of sticking to the right-hand lane. If you are not overtaking, you go and get in that right-hand lane. The test is very hot on that. So you do not get people sitting in the outside lanes. There are speeders that go past, but the traffic does sort itself out, so you very rarely get yourself in that situation where you are in this big lump of traffic that is all doing the same speed and you are trying to watch what everyone is doing up in front. Personally I think that is a better way than saying, 'Okay, there's a blanket speed limit. It's 100 kilometres an hour. We don't care what vehicle it is. We don't care whether the truck could stop in half a mile or your car could stop in 10 feet'. I have never come across that before anywhere, and I thought it was a very sensible approach, even if it did make taking the test very, very difficult—to remember all those things.

If you know Wayne Gardner, I will tell a little story on him. He was driving down to Portugal in his son's van to go to a race and the van was only supposed to be doing 100 kilometres an hour. He got to Madrid, and I said, 'How did you get there that fast?'. He said, 'Oh, yeah, I'm doing 140'. I said, 'Oh, really? The speed limit's 100'. And 10 minutes later there was the text—'You're right'—because of course the cops had stopped him.

But inevitably, being Wayne Gardner, he talked himself out of it. But anyway, if that answers your question, I think it is a concept worth thinking about. It may be very difficult to get people to understand, but, you know, I think it makes more sense than just a blanket speed limit.

Mr QUILTY: Thank you.

The CHAIR: I will pass over, for our final question, to Mr Mark Gepp.

Mr GEPP: Thanks, Bob, for getting up so early on the other side of the world. Just a very quick—

Mr BARNARD: Just to let you know, I mean, I have clients all over the world, so it does not matter what time zone it is. They do not seem to care what time zone I am on, so, you know, whether it is America or Australia.

Mr GEPP: Well, we are very appreciative.

Mr BARNARD: That is okay.

Mr GEPP: We are very appreciative, and just a very quick story. When I was eligible to get my licence—I was living in South Australia at the time—and that was in the day when, on my 16th birthday, that morning I went and sat for my learner's. That afternoon I had a driver's test for my car and my motorbike licence, passed both of them, and there were no restrictions thereafter. So by the time the sun went down on my 16th birthday, I had full, unregulated licences for both car and motorbike. Thank goodness things have changed a little bit.

But I am really interested in this issue that you talk about in relation to education and what your view is. Is it too easy for us to just hand out a licence to some of our young people? I have made the comment earlier, to an earlier witness, that I am like every other parent. When my kids were eligible to get a car and a licence, they got the car that I was driving. I went out and got myself another car, which was obviously a newer model. So we are putting kids in older vehicles, and they are the most inexperienced drivers. Is there a particular focus, or particular attention, that you think we can pay to education, and are you aware in Spain if there is any particular regulation qualification for the testers, as they are putting their kids over there through their paces?

Mr BARNARD: Well, the testers—as I say, that whole system is very, very tightly regulated. So, I mean, the vehicle tester is a very serious guy. He is not your local policeman, you know. The difficult thing that I had was that we were in this rural town near me—Vilafranca, where the test centre was—and we got in the car and he started, and he was only speaking Spanish, and he said, 'Well, I am going to tell you to go left, right or straight on' or whatever, which was fine. And I was expecting him to say, 'Okay, let's go here', and he finally said, 'Just drive'. And my brain just froze and said, 'Well, okay, now where am I going to go?'. I was waiting for him to tell me. So yes, it is a difficult business, and, as you say, there are a couple of points there in terms of the hand-me-downs. I mean, that is how I got my car. And that sort of brings me to the other thing—the testing of vehicles like my vehicle, because it is 14 years old because I live on a dirt road and you do not want a nice car in Spain because people do bang doors into it. And I have had all my nice cars. But the vehicle testing system: it has to go in once a year, and as an engineer I am astounded at the detail they go into. They basically put the car on a shaker rig. Do you know what a shaker rig is? You put it on it—it is not just an inspection pit. This thing jolts the car—so it checks the suspension, the steering and the whole thing—and then they get in the car and make sure all of the seatbelts work. They do an extraordinarily thorough examination of the car, so that is part of that. But you are right, I mean, there needs to be something, as I alluded to, that sort of gets to the young driver to say, 'Just because you can get in and steer it and brake does not give you the ability to drive this car when you get to your first accident'. I mean that is basically what we are talking about. I do not know what the ratios are in that sense, but as I say, I have always had the feeling that in Australia, often the first accident is the last.

I raced amateur, but it was enough to save my life. If I can just spend 2 seconds: working in the Northern Territory, I was based in Alice Springs and we were doing a job at Ayers Rock. At that time the Ayers Rock road was just dirt or gravel. There were no speed limits in the Northern Territory at all. I had my Ford Falcon flat chat. We went over the top of a hump and the car took off and started to go sideways, and my logical brain was sitting there imagining this thing going down the road in a fireball. The car landed, my hands did what they needed to do and we just kept going down the road. That was all down to the fact that because I had raced and

put myself into very difficult positions—I have only crashed twice racing—my brain, my subconscious brain, knew exactly what to do.

So it gets back to what I was saying about not just doing a normal driving test or normal teaching; you need to be able to put those kids into some sort of situation that replicates, you know, a skid or a changed lane or a sudden braking or something like that to bring home to them that this is not easy. Your brain will learn how to do this if it is taught and it has got that experience. So it gets back to improving that driver education. I mean, that is all we can say. I mean, that is a horrible thing to say, but on the experience of going through a system in Spain, which I think is very, very good, you are not necessarily seeing the results come out the other end. So I am glad I am not sitting there in your chairs trying to work out how to do this. I know how to make racetracks safe and I think I know how to make roads safe, but driving instruction is not something that is my key.

Mr GEPP: Thank you.

The CHAIR: Thank you very much, Mr Barnard. On behalf of the committee I wish to thank you for your submission and presentation today. It was a different perspective. You are the only person I believe we have had from a motorsport background or from the professional designing of tracks across the world, so we really appreciate your expertise and your presentation today and thank you for coming on.

Mr BARNARD: Thank you for your time and interest. I really appreciate it.

Witness withdrew.