

From: Andrew Tivendale
To: robert.mcdonald@parliament.vic.gov.au
Date: 23/04/2012 09:57 PM
Subject: Submission to Car Dooring Bill Inquiry

Dear Committee Members,

I would like to submit on a topic which is as relevant to me as anyone in our community.

On March 24th of 2011 I was "doored" whilst on my way out to dinner with my partner. It was a life changing moment for me, her, my family, my friends, everyone who knew me.

I was to spend the next 55 days in a coma as a result of the "dooring". The medical staff at the Royal Melbourne Hospital as well as my family and friends can attest to how close to death I was at that time. My family were told numerous times as the weeks turned into months to "prepare for the worst". I beat all the odds by surviving, and the fact that I still have the mental capability to compose this submission is a miracle. I mean that quite literally, a miracle (even though it is a hard word for an atheist such as myself to use).

After regaining consciousness I was to spend a further three months in hospital, meaning I spent a total of five months in hospital, then a further six months in treatment as an outpatient.

This incident has profoundly effected me, and all those I love, and I would not have it happen to anyone, not my worst enemy. That being said, I am not vindictive, nor spiteful. My submission is not because I seek "payback" against the woman who caused me so much harm, or drivers in general.

The woman who so carelessly* opened her door on that night was fined \$122. \$122 for nearly killing me, taking a year from me, for putting everyone I care about through immeasurable trauma.

I believe the penalty should be dramatically increased. Not to be punitive, but to provide people alighting from cars with the motivation (a key word, motivation) to make sure they do so without harming anybody. It takes so little effort for someone to check before opening a door, and yet it simply does not happen, so often. Mainly, we need to educate our drivers better about the hazards to other, vulnerable road users. However a stiff penalty will certainly go a long way to decreasing these incidents, having people consider other road users before opening their doors. Their license should be effected, as should their pocket. This is not about punishment, just about giving car users a reason to behave in a manner which is safe for all road users.

The penalty should also be applied more vigorously. At the moment, if a person says in their statement to police "I looked" then the minimum fine is imposed. In my case (why I used the "so carelessly*" above) there is simply no way she could have looked. I was wearing a high-visibility reflective vest and had flashing lights front and rear. I was actually outside her window when she opened her door (her door then pushed me into traffic). If she had looked she would have seen me.

So please, help stop this happening to anyone else! Please help provide the motivation for people to look before opening a door. It is such a simple thing to do, takes so little effort, and there is really no excuse for not looking.

I would appreciate an opportunity to submit on this matter verbally, please feel free to contact me if the Committee chooses,

Sincerely,

Andrew Tivendale