



share & be aware

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Submission to the Standing Committee on Economy and Infrastructure Legislation Committee on the Road Safety Amendment (Car Doors) Bill 2012

About Road Safety Action Group Inner Melbourne (RSAGIM)

RSAGIM is a registered group established under the Victorian Community Road Safety Partnership Program. RSAGIM is a collaboration of inner Melbourne councils, community members and other organisations including Yarra Trams, working to make Inner Melbourne safer for pedestrians, cyclists, public transport users and motorcyclists. Our four member councils – Yarra, Melbourne, Port Phillip and Stonnington - have strong adopted policy positions that support active and sustainable transport. These policies are based on extensive community consultation and form part of those councils' commitment to a liveable and vibrant Inner Melbourne region. Inner Melbourne accommodates, and will continue to accommodate, higher density development that generates increasing numbers of road users. In addition, many cycling commuters make their way into the CAD through the Inner Melbourne region. This makes the Inner Melbourne region distinctive in metropolitan Melbourne for having a very high representation of pedestrians, cyclists and public transport users. Inner Melbourne's road environment is congested and sharing the road poses significant, and increasing, challenges.

RSAGIM approach – vulnerable road users

RSAGIM is funded by the Victorian Community Road Safety Partnership Program to pursue projects that support the safety of vulnerable road users - pedestrians, cyclists, motorcyclists and public transport users. The group is strongly supported by officers in our four member councils working in active transport and community safety. RSAGIM believes that we have a moral responsibility to make the use of active transport safer if we are encouraging increased participation. The group is committed to all road users sharing the road respectfully.

The group pursues its purposes by commissioning research to establish an evidence base to shape road safety initiatives that are locally relevant, collaborative, effective and aligned with wider safety strategies.

RSAGIM, formerly the Inner Melbourne Community Road Safety Council, has a strong foundation in community road safety research which has established that an integrated and combined approach is needed to achieve safety outcomes. Such an approach includes

engineering/infrastructure, enforcement and education/behaviour change. RSAGIM subscribes to the Safe System approach which holds that everyone has responsibility for reducing road trauma. There are four key elements to the Safe System – road users, roads and roadsides, speeds and vehicles. In the Inner Melbourne context, with an increasing proportion of vulnerable road users, sometimes described as unprotected road users, an even greater emphasis on behaviour change and safer roads and roadsides is needed. Whereas in Inner Melbourne we are fortunate to have fewer fatality crashes than in other parts of the metropolitan area, we observe a growing incidence in the number of serious injuries affecting vulnerable road users.

RSAGIM and car dooring

RSAGIM proceeds on the basis of evidence and research, promoting good practice and exploring safety initiatives that respond to the particularities of the Inner Melbourne context. Recognising that bicycle rider collisions with car doors are highly represented in injury statistics in Inner Melbourne, RSAGIM commissioned CDM Research to undertake research into this priority issue of concern for cyclists in Inner Melbourne. The report **Bicycle Rider Collisions With Car Doors: Crash Statistics and Literature Review** is attached to this submission.

Response to the questions posed in ‘Information for preparing a submission’

Drawing on the introduction above, RSAGIM suggests that the Committee considers the following matters in its deliberations

‘Car dooring’ in Victoria

- RSAGIM notes that car dooring is already an offence under the Road Safety Rules 2009 Subsection 269 (3). This rule establishes unequivocally that it is the responsibility of the motor vehicle occupant to ensure their door does not present a hazard to other road users.
- the current road rule is not well known or well understood. More needs to be done to increase awareness of the road rule

Penalties and demerit points

General comments

- the current penalty is not well known
- observing and detecting this particular breach of the road rules is not easy which makes enforcement difficult for Victoria Police
- enforcement should be practical
- enforcement should be made as easy for Victoria Police as possible – therefore we support the offence of car dooring to continue be a lodgeable infringement offence
- penalties should be set at a level that is a real deterrent.
- penalties should have a relationship to the severity of the consequence of the offence. Since car dooring can cause serious or fatal injuries, the penalty should be equivalent to an offence that might cause similar harm such as running a red light
- enforcement in isolation is established as not being effective in the road safety literature

- a combined approach that combines enforcement, education/behaviour change, engineering/infrastructure is needed to achieve genuine safety outcomes
- safer infrastructure can contribute to reduced incidence of car dooring. Safer infrastructure can take many forms from low to high cost. RSAGIM aspires to an Inner Melbourne that is safe for cyclists wherever they choose to ride. However, routes with very high volumes of cyclists should be a priority for government investment in safe infrastructure
- speed needs to be considered in relation to car dooring. The greatest apprehension of any cyclist is being thrown by a car door into the path of a vehicle travelling at a speed which is demonstrated to cause serious injury. Lower speed limits significantly improve safety for cyclists. A cyclist struck by a vehicle travelling at 40 km/hr or more is unlikely to survive¹
- education and enforcement is more effective when it is targeted and guided by evidence.

RSAGIM supports

- the offence of car dooring to continue as a lodgeable infringement offence.
- for the Road Rules and the Regulations to be consistent with each other
- for penalties to be set at a level that is a real deterrent
- for penalties to have a relationship to the level of harm that the offence can cause
- for an integrated approach to the issue of car dooring that combines education/behaviour change with enforcement

Further work required

The research commissioned by RSAGIM includes a review of approaches adopted internationally on the issue of car dooring. These are presented to the Committee for their reference and consideration, and upon publication to the broader community as a resource. RSAGIM respectfully asks when a response to the recent Speed Limit Review is anticipated, since speed is a significant factor in relation to car dooring.

Request to appear before the Committee

RSAGIM requests an opportunity to appear before the Committee. The President would like to appear with Dr Cameron Munro, author of **Bicycle Rider Collisions with Car Doors: Crash Statistics and Literature Review**

Conclusion

RSAGIM thanks the Committee for the opportunity of making a submission on an issue of great concern to all cyclists in Inner Melbourne. We look forward to working with all stakeholders with an interest in this issue to making cycling safer in Inner Melbourne.

¹ http://www.roadsafety.vic.gov.au/strategy/safer_road_users/cyclists/cyclists.html [accessed 27 April 2012]