

**Margaret Douglas**

Email: [REDACTED]

**The Secretary,**

**Economy and Infrastructure Standing Committee**

**Submission in support of minimum passing distance law**

**The current road rule “allow sufficient space to avoid a collision” does not work** to keep cyclists safe, as the families of the dead cyclists who have been hit from behind and the side by drivers in Australia will tell you.

**I support a change to the law** to specify a minimum passing distance of 1 metre at speeds up to 60kp/h and 1.5 metres at speeds above 60kp/h. I also support a change to the law that allows drivers to cross an unbroken line to pass cyclists provided it is safe to do so. This additional amendment will make the law practical for motorists, particularly on country roads that may have unbroken lines for long distances.

**The current law lacks clarity because it does not specify a clear measure** of what is a safe passing distance. “Sufficient” is a subjective term which cannot be measured, it is difficult to enforce. What a motorist thinks is sufficient may be completely different to what a cyclist thinks is sufficient. Most people would not know what VicRoads recommends on its website as a sufficient passing distance. Most police would not know what the recommended sufficient passing distances are.

**The proposed amendments will provide consistency across most Australian jurisdictions.** Victoria is currently out of step.

**I am a road cyclist and a motorist.** I ride about 5,000 kilometres a year mainly on rural roads in the Macedon Ranges. I have cycle toured in Tasmania, Queensland, France, Italy and Switzerland as well as a number of Asian countries. The point of my submission is not to quote statistics to prove by deaths that our current law does not work. The statistics significantly understate the danger of what it can be like to ride on the road in Victoria because the near misses and lesser injuries are not counted. As a cyclist I am most vulnerable to danger from vehicles that I cannot see. I know what it feels like to worry whether the vehicle roaring up behind me is going to move out in to the next lane and pass me safely or hit me. I don't worry about that when I ride in Europe, I worry about it all the time when I ride at home in Victoria.

**In my experience Australian drivers are amongst the most aggressive and impatient.** Their sense of entitlement to the use of the road to the exclusion of others places me and many cyclists in danger of serious injury, and as you know from the crash stats particularly on rural roads, some motorists kill cyclists rather than give them a safe passing distance. These deaths are completely avoidable.

**The difference between a near miss and a fatality when a driver comes too close to a cyclist whilst overtaking, is a matter of good luck, not good judgement.**

I personally have been run off the road by drivers, including truck drivers and bus drivers, driving within less than one foot of me. Perhaps they thought that was sufficient. Please bear in mind in deliberations that behind every statistic is a person whose life has been taken from them, whose family is bereft, because a driver was too impatient to wait until it was safe to overtake. All a driver has to say is they believed that they had allowed sufficient space, just like the truck driver who killed Richard Pollett in Queensland said he believed he had allowed sufficient space as the back wheels of his cement truck ran over and killed the cyclist.

**The danger to cyclists in our region became so unacceptable that we created and now run our own “Pass with Care” safety campaign** each summer with the support of RoadSafe Central Victoria. The campaign has improved local driver behaviour through education and awareness. However it should not be up to local cyclists to educate their local communities about what is safe driving behaviour around vulnerable users. This is the responsibility of government through clear, enforceable laws and education.

**A change to the law will have little effect unless it is supported by a clear, appropriately funded education and awareness campaign** delivered in simple terms across all forms of media, including changing the current on road cyclist signage.

**Portray cyclists as real people in the awareness campaign**, not small animated figures as is the case with the VicRoads Travel Happy campaign. Despite the money spent on that campaign, Victorians are far from happy travelers.

**Follow what has worked well in other States**, for example, Queensland “stay wider of the rider” and Tasmania “distance makes the difference...give a bus load of space” are smart simple messages that people can easily relate to. Unfortunately a metre matters sends a message that a metre is enough but at higher speeds it is not enough. Do not follow the NSW model where the important safety message has been lost amidst a debate about whether cyclists should be registered or carry photo ID.

**Deliver the message as being a safety benefit to both cyclists and motorists.**

Thank you for giving the community the opportunity to have input.

Margaret Douglas



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