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31 March 2016

LCLC@parliament.vic.gov.au

Secretary, Economy and Infrastructure Committee
Parliament House
Spring Street
Melbourne 3000

Inquiry into proposed legislation relating to Minimum Distances When Overtaking Bicycles

Dear Sir/Madam

I am making this submission on behalf of the BMW Motorcycle Club of Victoria (BMW MCC Vic), the largest single make/single chapter motorcycle club in Australia with a membership of nearly 1,100 and 1,600 registered motorcycles.

The Terms of Reference are, unfortunately, not entirely able to be complied with in this submission since it is apparent that the proposed amendments to the Road Rules have not been created with proper and adequate consultation with all road user groups.

Our members have concerns that the proposed rules will have a negative impact on the safety of motorcyclists and other road users. It is a basic precept that the improvement of road safety for one group should not be at the expense of the safety of another vulnerable road user group.

Primary submission

The compatibility of single track motorcycles with bicycles is undisputed, and their ability to share the road is apparent in both the almost total lack of accidents occurring between the groups and the lack of reference to motorcycles in all submissions to date and in the background to the proposed change of road rules.

Motorcycles are unlike other motorised road user groups in that riders are infinitely capable of judging their separation from other vehicles; there is no justifiable requirement to include motorcycles in giving a one or one and a half metre separation from bicycles. The current RR 144(a) '*sufficient overtaking distance to avoid a collision*' is perfectly adequate for motorcycles and bicycles, so we submit that

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motorcycles should be included in the proposed RR 144(2)(b) and exempted from complying with the proposed minimum overtaking distance rules.

Safety considerations

Separation from bike lanes

The proposal to include minimum separation for bicycles within a marked bike lane will severely impact upon the ability of motorcycles to safely filter if required to comply with the proposed distance rules. The safety of motorcyclists was a primary reason for the introduction of filtering legislation; to remove this ability would increase the risk to motorcyclists in traffic. Even forcing cars or trucks away from the adjacent bike lane will reduce the space between traffic lanes, making safe filtering impossible for motorbikes.

Since cyclists already have the protection of a bike lane it is questionable that further lateral separation is required, especially in rural 100kph roads (eg the Nepean Highway) where a single traffic lane is adjacent to a well-defined bike lane. A 1.5 metre separation from the bike lane would put a car or truck across the centre line into the oncoming traffic lane.

Exposure of motorcycles to oncoming traffic

The proposed rule allowing vehicles to cross a solid centre line to pass bicycles (when safe to do so) is fraught with risks to oncoming traffic. The ability of a motorist to judge the distance of an oncoming motorcycle is a known problem, even were the driver to actually see the motorcycle. In a country road with a posted limit >60kph the 1.5 metre separation from two lines of bikes would put the overtaking vehicle completely into the next lane, with associated increased chance of misjudging an oncoming motorcycle and a subsequent collision.

Ability of motorcycles to safely pass bicycles

Motorcycles are frequently used as safety marshals in cycling events and pass pelotons without issue whilst remaining within the same lane. This is further evidence that motorcycles should be exempted from the proposed minimum passing distance and required only to pass at a safe distance.

Interstate experience

It has been well reported that experiences to date in other States have been less successful than expected, with cyclists being held to account in NSW, Queensland and South Australia rather than drivers found at fault.

It is noteworthy, however, that all these reported incidents completely exclude any with motorcycles. We strongly encourage the committee to take the proposed new road rules to a proper public consultation and from the outset, remove motorcycles from the specific distance requirement.

John Eacott
President
BMW Motorcycle Club of Victoria Incorporated.