

Dear Member of Parliament,

**Protection for 4 million Australians  
Call for legislation of 1 metre minimum when overtaking bicycle riders**

In 2011, 4 million people rode a bicycle in Australia, almost 20% of Australians.

The government is committed to doubling the number of people cycling by 2016 – which is great for health, leisure, the environment, congestion and community wellbeing.

But with 35 bicycle riders killed and 9,577 injured in the same year – the human trauma costs of cycling in Australia are unacceptable.

I am a mature aged male in mid sixties and have cycled for most of my life recreationally and competitively in Australia and overseas in many other countries, my experience on our roads is a constant challenge, ride alone on very edge of road and get squeezed off with vehicles overtaking often against oncoming traffic with zero clearance, ride as recommended 1metre in from shoulder and get abused and tooted for obstruction and incur aggressive response from drivers.

Riding the roads of Europe often narrower and more traffic than ours in Australia but with generally total awareness of the safe overtaking distance of a minimum of 1 metre being a natural and an every day experience, so different to the aggressive and close shave's experienced here in Australia.

Australian Road Rules are failing bicycle riders.

**Distance when overtaking bicycle riders**

**At present every state transport authority (excluding Queensland and the ACT) 'recommends' drivers leave at least one metre when overtaking bike riders.** □ This communication is clear and easily understood.

However, there is no active or prolonged encouragement for this recommended behaviour. At the same time transport authorities support that the road rules are designed to prescribe and enable enforcement of required safe behaviour.

Consequently translating what is already recommended driver behaviour into legislation is a logical and practical step to changing behaviour.

The existing Australian Road Rules including Rule 144, do not protect bicycle riders when being overtaken by drivers. Drivers are permitted to make judgement calls regarding a 'sufficient distance to avoid a collision'.

**ARR 144—Keeping a safe distance when overtaking**

A driver overtaking a vehicle:

- (a) must pass the vehicle at a sufficient distance to avoid a collision with the vehicle or obstructing the path of the vehicle; and
- (b) must not return to the marked lane or line of traffic where the vehicle is travelling until the driver is a sufficient distance past the vehicle to avoid a collision with the vehicle or obstructing the path of the vehicle.

The tragic death of 25 year old, Richard Pollett, highlights the inadequacies of this regulation. Richard was riding his bicycle when he was killed after being struck by a cement truck as the driver attempted to overtake him. The truck driver's lawyer said the driver was under "the honest and reasonable belief" that there was enough room on the road to safely overtake him. The truck driver was acquitted.

### **Bill to introduce a minimum overtaking distance of 1 Metre**

As a Member of Parliament, I call on you to lead the introduction of a Bill into your State or Territory Parliament for the amendment of the Road Rules and to lobby for the Australian Road Rules to be updated to set an improved **national** model. The amendment must introduce a regulation requiring a **minimum of 1 metre** when a motor vehicle overtakes a bicycle rider.

A **minimum** overtaking distance of **1 metre** provides absolute and practical clarity. It:

- Recognises bicycle riders are physically vulnerable and need the protection of space
- Provides drivers with a clear, easily recognised measure when overtaking bicycle riders – otherwise they must slow down and wait
- Reduces the risk of bicycle rider-driver crashes, and bicycle rider crashes resulting from being side-swiped (but not hit) by motor vehicles
- Is enforceable; it allows a law enforcement officer or witness to readily observe a driver's actions
- Would give consideration for a graded approach for higher speeds and very low speeds, though standardised legislation is more readily understood
- Will improve safety for bicycle riders
- Acknowledges bicycle riders are legitimate road users
- Will ultimately reduce bicycle rider fatalities and serious injuries.

This law already exists in countries in Europe and in 27 states in the US. The law is practical, enforceable, will reduce serious injuries and will **save bicycle riders' lives**.

Everyone has the right to ride safely on our Australian road system, I implore you to support legislating 1 Metre Matters for our Australian road system for cycling to be safely embraced by all.

Yours truly,

Laurie Lyster