

Submission to Inquiry into the Road Safety Road Rules 2009 (Overtaking Bicycles) Bill 2015***Andrew Hollis***

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1. Personal experience

As a regular road cyclist and a member of several cycling clubs, I have extensive first-hand experience of the issues faced by cyclists when sharing the road with motorised vehicles, including commercial vehicles, trucks, cars and large SUV type vehicles. I also have held a Victorian drivers licence for over 40 years so am used to observing the dangers faced by cyclists and for some years I also rode a motorbike. I have cycled for many years, and ride a high quality carbon road bike, as well as a hybrid bike and a mountain bike. All bikes are maintained in excellent condition. My memberships include *Banyule Bicycle User Group*, *Whitehorse Cyclists Inc*, *Melbourne Cycling Meetup*, and *Bicycle Network*. I also have a wide circle of cycling companions.

In December 2014 I was involved in an accident with a car on a busy road in suburban Melbourne where I was struck a blow from behind to my right ribcage, and fractured five ribs amongst other injuries, so I understand how vulnerable cyclists are when sharing roads with cars and trucks. On Saturdays, I regularly ride with a small group through the hills northeast of Melbourne mainly around St Andrews, Eltham and Hurstbridge. On roads where there is either no shoulder or only a small shoulder, vehicles often pass close, and I use a bike mirror to help with identifying these situations. However, it is clear that in many cases it is simply a lack of awareness from drivers that cyclists require adequate space to cover their need to move their bike quickly sideways in order to avoid road hazards such as: potholes; broken glass; branches and sticks; oil patches etc. In many cases it appears that drivers don't understand the safety issues for cyclists, and also that in a small minority of cases, cyclists are targeted by drivers deliberately brushing past them. Many of my cycling friends also have had these experiences.

The key factors in improving cyclist safety are a combination of:

- (i) Safe passing laws
- (ii) Community education, similar to the excellent TAC campaigns on motorcycle riders.

I have regularly ridden on roads in Queensland over several years, as I have immediate family living in both Brisbane and Cairns. For example, I travelled to Brisbane three times in 2015, each time for two weeks and taking my road bike and doing considerable riding on suburban and rural roads around Brisbane. The change in driver behaviour since the introduction of Queensland's safe passing laws and the accompanying education campaign has been remarkable. Vehicles are now able to overtake a cyclist across double lines (only when safe to do so), for example when a cyclist is riding slowly up an incline, the traffic flows more freely and cyclists appreciate the space and safety. The legislation has been operating for a sufficient period in Queensland that it can be used as an appropriate case study for how to introduce the change and also to bring the community along.

2. Australian situation

After a long period of inertia, the situation in Australia has developed rapidly, since the introduction in April 2014 of safe passing laws in Qld, followed by similar legislation in SA and NSW and active consideration in other states. Victoria has an opportunity to now build an outcome across southeastern Australia. It is apparent that momentum is building for a national approach.

3. International comparisons

Safe passing laws are common in developed nations. Some examples follow.

In the USA, what are known as “3-feet” or “safe passing” laws apply in many states, with variations around the distance required to be left by passing vehicles, with 4-feet in some states. The policy has a long history, with Wisconsin in 1973 being the first state to pass such legislation. Further information can be found from the *National Conference of State Legislatures* at:

<http://www.ncsl.org/research/transportation/safely-passing-bicyclists.aspx>

The *League of American Bicyclists* provides a Model Safe Passing Law to help support advocacy:

<http://bikeleague.org/content/model-safe-passing-law-0>

In Europe, safe passing laws (usually 1.5 metres) apply in many countries with a history of both road and recreational cycling, including Belgium, France, Netherlands, Portugal and Spain. Further details at: <http://www.safecyclingiom.com/minimum-overtake-distance/4588861521>

In South Africa, safe passing legislation operates in Cape Town, a city I recently visited. South Africa has a high road toll and the safety issues for cyclists receive considerable coverage.

<http://www.iol.co.za/motoring/industry-news/cyclist-gap-law-passed-in-cape-1610363>

4. Advocacy organisations

Cycling organisations across Australia have been strong advocates for safe passing laws, and the excellent work done by the *Amy Gillett Foundation* has led the way in this important area of road and community safety. <http://www.amygillett.org.au/>

I understand that *Bicycle Network* (Victoria’s main representative body) has been the only major cycling organisation which has not supported safe passing laws to date (2 March 2016).

5. Recommendation

That safe passing laws be introduced with an educational campaign, at least as a controlled trial.

I thank you for this opportunity to contribute to this important road safety topic for cyclists.



Andrew Hollis (2 March 2016)

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From: AH [REDACTED]
Sent: Friday, 15 April 2016 10:04 PM
To: LCLC
Subject: Update on submission to inquiry on Safe Passing Laws for Bicycles

Dear LCLC,

My name is Andrew Hollis, and I have already made a submission to your committee. When I made my submission, the Bicycle Network (BN) submission had not been prepared, and in fact their policy (much to my surprise) was that they were against safe passing laws, the only Australian cycling representative body to take such a position as far as I can tell. They have since very quickly amended their policy after considerable feedback from their members, and their subsequent submission does have qualified support for safe passing laws, with several conditional phrases. The submission also claims there is no evidence that such laws actually work, plainly ignoring the longstanding experiences of numerous international examples, including the USA, France, Italy, Spain, Netherlands, and, more recently, several Australian states and the ACT. It appears to be grudging support from BN.

I am a Bicycle Network member, but Bicycle Network's submission to the Inquiry does not represent my views and that of many of my cycling colleagues. For some inexplicable reason (at least, inexplicable to me), they have argued against applying the laws to roads with limits of 50 kph or less, which in fact covers most situations where cyclists share the roads with other vehicles. This in my opinion, and with my considerable experience riding on our busy roads, is bizarre.

I particularly disagree with the Bicycle Network submission's exemption clause in section 5.3, and in particular I note that any modification of the national standard (1m/1.5m) passing law will put Victorian riders at risk, and will be out of step with the other Australian states and territories which have introduced such safety laws. It is obvious that riding in a painted bike lane does not provide a safety barrier. Furthermore, school zones should not be exempted. It is hard to understand what purpose is served by these exclusions, other than complicating the issue for drivers and enforcement authorities, and almost ensuring the failure of such laws. The BN submission also calls for a FIVE YEAR trial, meaning the laws are unlikely to come into effect until probably 2022 at earliest. Again, we don't need to reinvent the wheel. Please study closely the operation of these laws in the other states, and I encourage you to take note of the outcomes from the Queensland trial which were recently released and give strong encouragement to the continuation of these safety laws.

Please take notice of the concerns of cyclists including those who are BN members and strongly disagree with their submission. I am happy to appear at any hearings and give examples of my experiences as a cyclist.

Thanking you
Andrew Hollis

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