

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

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### Background and experience:

Having spent lived in Melbourne all my life, and commuted to school or work regularly since secondary school, I have experienced all good and bad aspects of sharing the roads with motorists. I currently ride to work every day in the outer suburbs, from Eltham to Fairfield and ride recreationally with my family or as a member of the Melbourne Bicycle Touring Club throughout Victoria (although this submission is on my behalf and not as an officer of the club).

It is in riding in the outer suburbs and regional areas that I believe these laws have their greatest effect, the reduced availability of bike lanes and paths in these areas requires bicycle riders and motorists to share the roads. Add to this the potential for higher motorists speed, the differing perceptions of a “sufficient distance” for passing becomes more apparent.

1. The outcomes of the implementation of similar passing laws in other states such as Queensland and South Australia will be available through government agencies and large groups such as the Amy Gillett Foundation. However online reporting amongst cyclists is positive in that many riders feel that they have been given more room under the new rules. Anecdotally riders report that Tasmanian drivers have always given more than a metre of space, even before their laws were implemented, I have experienced this in Tasmania, and would add that in much of country Victoria, local drivers are also generous in sharing road space. NSW is recently implementing metre passing laws, much of the focus of their law changes have been on cyclist behaviour and aggressive policing if rider compliance and not an change in motorists passing behaviour.
  
2. The educational campaign that would be required to effectively implement the Bill in Victoria. As the aim of implementing a minimum passing law is to increase safety and bring about behavioural change, the publicity and education around enactment of the new laws is most important. Many Victorian bicycle and road safety initiatives, such as the *Travel Happy* (<http://www.travelhappy.vic.gov.au/bike-riders.html>) campaign focus on cyclists mitigating dangers, trying to be more visible and not wearing headphones. The promotion and education of minimum passing laws needs to focus on the issue being addressed, that is sharing the road, leaving adequate space when passing and how the new laws allow drivers to pass easily when safe to do so. The recent implementation of minimum passing laws in NSW has been clouded by the other changes brought about at the same time and the focus in the publicity on increased penalties and impositions for cyclists, the safety and road sharing message of the rule change has been lost. The Queensland publicity on their rule trial, <http://www.qld.gov.au/sharetheroad>, focussed on the safety aspect and educating motorists on how the passing rule changed, a 2015 survey determined that two thirds of Queenslanders supported these rules.

A well communicated education campaign promoting behavioural change in giving clear space when passing is essential to making the changes work, adding other issues, such as helmets or ID's to the publicity confuses the issue and loses focus.

3. The enforcement policies and strategies that would be required to implement the Bill in Victoria are the same as for most of the laws covered by the Victorian road rules. While there is no expectation that police are armed with yardsticks to measure passing gaps, it is expected that were a pass is made dangerously, and it can be established that the minimum distance was not observed, the laws can be enforced. There should be no repeat of the case of Richard Pollett, who was killed by a truck driver in Queensland in 2011, but the driver escaped conviction claiming he thought he had left sufficient passing space. Defining a measurable minimum passing distance adds clarity to a law that already exists. Providing a measurable distance makes it consistent with the laws that already include minimum distances for parking near fire hydrants (rule 194) and other cars (rule 208), riding behind a motor vehicle (rule 255), riding beside another cyclist (rule 181). A full list of legislated road rule distances are available from the Amy Gillett foundation, <http://www.amygillett.org.au/wp-content/uploads/2015/09/Minimum-Overtaking-Distance-AGF-position-rationale-and-the-evidence-3.pdf>

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