

TRANSCRIPT

ROAD SAFETY COMMITTEE

Inquiry into motorcycle safety

Melbourne — 17 October 2011

Members

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Mr T. Languiller

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Mr M. Thompson

Mr B. Tilley

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Witnesses

Deputy Commissioner K. Walshe, regional and road policing,
Superintendent R. Stork, manager, road policing strategy, and
Acting Senior Sergeant J. Chester, project officer, road policing strategy group, Victoria Police.

The CHAIR — This is Deputy Commissioner Kieran Walshe, Superintendent Bob Stork and Acting Senior Sergeant Jamie Chester. Welcome to this public hearing in the Road Safety Committee's inquiry into motorcycle safety. We have received 68 written submissions since the inquiry commenced. The purpose of the hearings is to obtain further evidence from selected witnesses covering the terms of reference. We thank you for your attendance here.

You are reminded that anything you say or publish before the committee today is protected by parliamentary privilege. However, once you leave the hearing anything you say or publish outside this room is not so protected. Hansard will be recording today's proceedings and will provide a proof version of the transcript for witnesses so that any typographical errors can be corrected.

I would ask observers to respect the rights of witnesses and the responsibilities of the committee by keeping noise and movement to a minimum. I would also remind observers that the use of mobile telephones, cameras and recording devices is not permitted and ask everyone to ensure their mobile phone is currently switched off or on mute. I invite you, Deputy Commissioner Walshe, and your fellow officers to make any relevant comments you would like to by way of an introduction, following which we will be pleased to ask questions of you.

Deputy Comm. WALSHE — Thank you, Chair. We have some copies of what we will be presenting in addition to our written submission, which I will just ask to be handed out to the committee. What we wanted to do this morning, in addition to providing our written submission, is to just provide a bit of an overview of motorcycle safety and what has been occurring over the last few years in Victoria.

If we look at motorcycle trauma from 2008 to 2010, the point we wanted to make was that in 2010 there were 11 more deaths than there were in 2009. That really represented a 30 per cent increase on 2009 motorcycle deaths. There was one pillion passenger. Motorcycle deaths made up 17 per cent of road user fatalities for 2010. VicRoads estimates the economic impact of motorcycle trauma in 2010 was \$585 million, with each fatality costing at \$1.8 million.

The causes of motorcycle trauma are as follows: for 71 per cent of fatalities the rider was at fault with either speed, high-risk rider behaviour, attitude or inexperience; 27 per cent of fatalities were caused by speed alone; 11 of the deceased riders were unlicensed, and 8 of the deceased riders were unregistered. Our automated number plate recognition system demonstrates the importance of identity relating to licensing, registration and speed.

The CHAIR — With regard to the 11 unlicensed deceased riders, out of what cohort of riders are you referring to there?

Deputy Comm. WALSHE — Out of the numbers of riders — —

The CHAIR — Out of 48.

Deputy Comm. WALSHE — Out of the 48 who were deceased in that year. We are talking roughly 20 to 25 per cent of riders being unlicensed. In our submission to the inquiry we propose that all motor vehicles, including motorcycles, need to be identifiable from both the front and rear. We are also of the view that there should be mandatory wearing of five high-visibility items — helmet, jackets, pants, gloves and boots. We believe there should be the creation of an Australian standard for protective clothing.

We believe that VicRoads should implement a graduated licence system for learner riders. We also submit that there should be a separation of motorcycle licences from other vehicle licences. That enables improved intelligence for Victoria Police in our operating environment. We also believe that there should be a separation of motorcycle and scooter registration from other vehicle registration. Again, that would give us a far better degree of intelligence.

Victoria Police is represented on the motorcycle advisory group, which is there to advise VicRoads. We talk about motorcycle safety. We advocate for research of the benefits or the shortcomings in lane filtering activities.

The VAGO report recommends that road safety agencies have a consistent definition of 'off-road' to assist with intelligence, tasking and coordination, infrastructure for trail bikes et cetera. The development of the strategic

action plan for powered two-wheelers, which is due in 2013, should be prioritised. There should be some consideration for the Australian New Car Assessment Program, or star rating system, for new motorcycle purchases, such as consideration of ABS. Older riders and returning riders should be linked in the renewal of registrations against licence renewal.

Another concern in relation to motorcycle safety is the lack of speed identification. In 2010, 19 131 motorcycles were detected speeding through speed cameras. Forty-nine per cent of the motorcycles were unable to be identified for infringement. Ninety-five per cent of the shots rejected were based on forward-facing motorcycles, whereas 94 per cent of speeding cars are issued with an infringement. The average speed of a motorcycle with no front plate was 13.27 kilometres per hour over the limit, and the highest detected speed was 147 kilometres per hour. Again, the recent VAGO speed camera inquiry recommends front identifiers to deter motorcyclists from speeding.

We looked at impoundments from the period 2008 through to 2010. We can see that there has been an increase over that period of time. In 2009 there were 52 motorcycles impounded, and in 2010 there were 103. To date, for the period from 1 January to 29 September 2011, there have been 113 motorcycles impounded for excessive speed.

Licensing and registration — as of May 2011 there were 162 238 motorcycle registrations; however, there are 336 518 licenses being held. The VACC states that between 2002 and 2010 motorcycle and scooter registrations increased by 58 per cent, and motorcycle and scooter licenses increased by 36 per cent. Between 2005 and 2010 scooter sales rose by 32 per cent.

Protective clothing — the benefits of protective clothing are recognised universally. They protect the rider from abrasions at lower speeds. High-visibility protective clothing makes riders easy to be seen by other road users. Whilst it is mandatory to wear an Australian standard-approved motorcycle helmet, Victoria Police is advocating for the mandatory wearing of high-visibility jackets, pants, boots and gloves.

Graduated license system — crash data shows that first-year riders are the most at risk of fatality or injury. The aim is to bring them in line with car licence testing regimes. Currently no evidence of riding is required to progress to the probationary licence. A car learner has to provide and demonstrate a minimum of 120 hours of supervised driving. Comprehensive assessment of skills is not necessarily undertaken. They must wear high-visibility protective clothing, must have a minimum number of hours on the road of supervised riding and must not ride during defined night-time hours.

The separation of registrations and licences — Victoria Police advocates that there should be non-automatic renewal of a motorcycle licence, separate licences from other road user types and separate scooter and motorcycle registrations. Currently we see that all licence types are renewed regardless of vehicle use and skill. The separation of motorcycle licences will address data and intelligence limitations that exist at this time. There is a growing demographic in the scooter community. This will also address the data and the intelligence gaps that exist at this time.

The motorcycle advisory group is a forum to exchange ideas between stakeholders, to advise on trends in motorcycling, to contribute to the development of strategies and action plans, and to provide advice to VicRoads regarding the motorcycle levy, expenditure and project and program guidelines. This is the reformation of an advisory group for motorcycles, made up of stakeholders. Again, it is to provide advice to VicRoads and is currently chaired by a former parliamentarian, Mr David Hawker.

In regard to lane splitting and filtering, we believe independent research as to the benefits or shortcomings of lane splitting and filtering should be undertaken that identifies what the risks involved are, looks at whether there is a reduction in congestion to the road network, looks at legislation and looks at enforcement. There is a continued call from motorcycle lobbyists to consider safe lane splitting and low-lane filtering into other road users. There is a lack of research as to the benefits, shortcomings and risks involved with this particular activity. Legislation directed to lane filtering may provide control of the activity. It is very difficult to enforce unless tasked by dedicated motorcycle patrols.

Road safety agency on and off-road — the VAGO report recommends that the road safety agencies have a consistent definition of 'off-road' to assist with intelligence, tasking and coordination. The road toll for fatalities is bound by the Australian Bureau of Statistics guidelines — that is, the counting rules for Victoria are bound by

those guidelines. A coordinated and defined approach between agencies would assist with data limitations in Victoria for patrol of off-road and road-related areas. Limitations to responsibilities to road infrastructure for trail bikes would assist Victoria in enforcement activities. We believe this sort of research would greatly assist Victoria Police in its role.

The prioritisation of the 2013 powered two-wheeler action plan is recommended by the Auditor-General. It fits within the government road safety strategy and links with the transport plan. It increases the knowledge of motorcycle environment and crash data. It will improve the awareness of riders and other road users and encourage safer use of motorcycles and protective clothing.

The consideration for an ANCAP-type rating — an amendment to the Australian design rules, legislative change to include anti-lock braking systems on new motorcycle purchases and the consideration of new safety technology such as automatic steering control for inclusion in strategic plans.

One of the other issues is the older returning riders. In 2010 the 40-plus age group accounted for 22, or 46 per cent, of the fatalities. Thirteen, or 38 per cent, were due to rider fault. The danger age group is between 50 and 54, who had 10 deaths in 2010, which is an increase of 233 per cent on 2009. At present there is limited detail on returning riders. This is the most concerning age group according to MUARC and the intelligence we possess through Victoria Police and other avenues. It could be due to skill deterioration, lack of skill or overconfidence. VicRoads suggests that this is a moving demographic of the ageing population. There is an anomaly with the VicRoads licence system whereby all licences are renewed simultaneously, and research needs to be conducted to minimise the risk for these riders.

These are concluding comments and a future projection. Commuter rider rates are likely to increase due to urban expansion, road congestion, public transport deficiencies and the cost of fuel. Older returning riders need to be identified to reduce the high trauma rate, and the national road safety strategy recommends that the education department has a role in prioritising road safety to students. I conclude with those comments, and we are available for any questions.

The CHAIR — Thank you. Just in passing, I have a preliminary question. Do each of you have your motorcycle licence?

Deputy Comm. WALSH — I do not.

Acting Sr Sgt CHESTER — Yes.

Supt STORK — I have held a motorcycle licence since 1980 and continuously owned a motorcycle for that period of time as well.

The CHAIR — Among our colleagues here we have a number who have ridden bikes in different contexts.

Acting Sr Sgt CHESTER — I might add to that. I have had my motorcycle licence since the age of 18. I have also had five to seven years experience at the Victoria Police special solo unit.

The CHAIR — We have one or two who might like some advanced lessons at some point. We have a number of questions that we will work our way through. What progress has been made towards addressing the recommendations made by the Victorian Auditor-General's Office in its report on motorcycle and scooter safety programs?

Acting Sr Sgt CHESTER — At this stage we have had two to three meeting with the road safety departments — TAC, VicRoads and DOJ. We are meeting with those partners once again next Tuesday to progress those. At this stage we are on track to progress them even further, and the motorcycle submission came up in the meantime, so we were busy on that. It is progressing, but we have had several meetings.

The CHAIR — Are any outcomes envisaged?

Acting Sr Sgt CHESTER — At the next meeting we will look at what we have put on the table and see whether we have made inroads from there. At this stage we are relying on VicRoads to give us a bit of a head start from there. VicPol and TAC will join in, but we are reliant on VicRoads giving us a start on several of those recommendations.

Mr LANGUILLER — The submissions of VicRoads and the Transport Accident Commission talk about an interagency data quality committee, which the committee understands your organisation also sits on. Is this a new or ongoing body? Can you explain what sort of work it does and how often it meets and provide examples of the types of issues it has dealt with?

Supt STORK — I think the committee you are referring to is within the TIS — the traffic incident system — that Victoria Police manages. I do not know exactly how often they meet, but they do meet regularly. It may be monthly, or it may be a little longer than that between meetings. It is a combined interagency meeting to identify issues around the collection of data in relation to all manner of collisions in the state.

Mr TILLEY — Firstly, I would like to thank you for the evidence you have given to the committee today. It was very clear, concise and to the point. The submissions we have received to date, in particular from the Auditor-General and from VicRoads, particularly relate to off-road use and give a view that Victoria Police is limited by its resources where it concentrates on particular areas of road safety. In view of these things, and in relation to the agency having responsibility, where would we find some commentary specifically going to that question? Your submission specifically states that a single agency should have responsibility for collecting accurate data on off-road users. What type of data do you believe should be collected? Do you have any suggestions as to which agency should be responsible for this? Should one of the agencies have responsibility for collecting accurate data on all riders, whether on or off-road?

Deputy Comm. WALSH — The on-road data is certainly collected by Victoria Police in terms of any fatalities or injury collisions that occur. The off-road data is an issue that we are aware of, but under our requirements we are not required to collect that sort of data. I do not know that I have given a lot of thought as to who should be responsible, and it is probably a matter that needs to be worked through with the road safety executive group, which I am a member of, to determine how best to progress that and move forward. It is a matter about when things get reported. There is no requirement on anyone to report any collisions off-road. They generally would come to the notice of police only if there is some serious injury or fatality, as occurred on the weekend. Outside of that people could have minor collisions with some minor injuries that may not necessarily be reported. There are some difficulties in there in determining what the obligations are on riders, bearing in mind that they can be riding off-road and do not have any licence requirements either.

Mr TILLEY — In regard to some of the relationships that have been developed in the past with Victoria Police and in particular DSE and some of the programs that have been operating in parts of Victoria, do you see a contribution that those multi-agency joint relationships could make to benefit this particular aspect?

Deputy Comm. WALSH — I certainly can. DSE of course is not a part of the road safety partnership in the state, because we focus on on-road road safety and making the roads safe for all road users regardless of what type of activity they engage in, from motor vehicles to motorcycles to pushbikes to pedestrians. It may well be that we need to give some consideration as to how we engage with the Department of Sustainability and Environment with what takes place in the national parks and the public land they are responsible for.

Supt STORK — I will add a little to that. The deputy commissioner has applied the definition around 'off-road' quite literally, which is quite correct. I know it is a grey area. It came up with the Auditor-General in the response we provided there. There is also an interpretation that off-road may be a recognised track or a road in another sense, and we do have obligations in those situations. If you are referring to those, there is an obligation on the rider to report. We know that often riders do not report. I was in charge of special solos for a number of years as well, and we do police those areas in relation to those types of issues across the state, as police do in a local sense as well. We find that typically when they have a collision, and it may be in a road-related area, they pick themselves up, get back to their trailer, lay down their bike and go home. They may not report that day, they may not report that week and it may not be reported at all, but there is a clear obligation to report in accordance with the requirements under the legislation. In the strict off-road sense, it is a different matter, but there is a differentiation about how you define 'off-road'.

Mr TILLEY — This may be unrelated, but it relates to road craft on-road and off-road in particular. I wish to understand whether Victoria Police continues in its training with a combination of off-road to develop your road craft in balance and countermeasures before you get onto the road conditions. Do you see in your experience that there are benefits from off-road riding transferring to on-road road craft?

Acting Sr Sgt CHESTER — There certainly is in my experience. When you do the Victoria Police course you start on the trail bike, the off-road bike, to maintain and get your skills together to ride the motorcycle. Once you have completed a series of tests through that off-road process, it enables you to get onto the bigger on-road bike and your skills are therefore of better quality once you get onto the on-road bike. There is certainly merit in that.

Supt STORK — We run two courses. There is an off-road course as well as the on-road course, so what Jamie is mentioning is that an off-road bike is part of an on-road training course that relates to road craft, as you were mentioning. We also run a dedicated and solely off-road course. They are two different matters.

Mr ELSBURY — Can you elaborate on the comment in your submission that the increase in road trauma has not been proportionate to the rate of registration and licences?

Deputy Comm. WALSHE — Bob, you might be best to address that.

Supt STORK — Can you ask the question again?

Mr ELSBURY — In the submission you say that there is an increase in road trauma amongst motorcyclists and scooter riders but that it has not been proportionate to the rate of registrations and licences. I want you to elaborate on that.

Deputy Comm. WALSHE — I think the issue there is that we have seen a significant increase in the numbers of registrations. Particularly if you look at motor scooters, there has been a rapid rise in the take-up of motor scooters, and I think that a lot of people are using them now for commuting purposes, so whilst we are seeing an increase in road trauma we are seeing a greater increase in the licences and in registration take-up.

Mr ELSBURY — There are more people on the roads but percentage wise we are not seeing an increase in road trauma necessarily from that segment?

Deputy Comm. WALSHE — Not necessarily from that sector.

Supt STORK — What we do not know is how many licence-holders actually ride.

Mr ELSBURY — Like in my case, if my wife finds out, I am — okay, gotcha.

Supt STORK — Looks like you are in a lot of trouble.

Deputy Comm. WALSHE — When you look at it, it is 2 to 1. There are twice as many licence-holders as there are registered motorcycles, so there are a lot more people out there who hold licences.

Mr ELSBURY — Of course that is your thing with the splitting of the two licences so that the motorcycle licence is no longer an automatic thing, so that if you are no longer using the motorcycle licence, you would not be paying for it.

Deputy Comm. WALSHE — That is correct.

Supt STORK — When I got my licence, they were separate, and you paid separately. Then they are merged.

Mr ELSBURY — When did that happen?

Acting Sr Sgt CHESTER — Late '80s.

Supt STORK — I was going to say about the mid-80s but certainly some time ago.

Mr PERERA — Thank you very much for your submission this morning. One of your recommendations called for a motorcycle advisory body which includes Victoria Police representation to be created, which you reiterated this morning. For the record, how would this body differ from the recently established Victorian motorcycle advisory body?

Supt STORK — Yes, that is what we were referring to, sir. So when we wrote the submission, VMAC had concluded, and the motorcycle advisory group had not commenced. It has now; we have actually been invited, and we have representation at that group.

Mr PERERA — It is no longer an issue; it has been resolved.

Supt STORK — No.

Deputy Comm. WALSH — It was an issue when we wrote the submission, as Bob said, but it has now been overtaken with the formation of the motorcycle advisory group.

Mr PERERA — For the record can you elaborate on what sorts of things you can bring into that body?

Deputy Comm. WALSH — Bob represents Victoria Police on that group.

Supt STORK — Under the former VMAC and now the new motorcycle advisory group, one of the things that we had a lot of success with, I believe, is the yellow flag/black flag project. It was a community awareness and enforcement project where we regularly ran operations in relation to motorcyclists and motorcycle activity — so scooters and motorcycles. We intercepted and spoke to large numbers of motorcyclists around awareness as well as enforcement — for example, the need, we believe, for motorcyclists to wear protective clothing. We regularly see motorcyclists who are not wearing gloves or not wearing other items of protective clothing. We know that any sort of differential over about 30 kilometres an hour results in quite serious injury for a motorcyclist. Even at low speed, coming off the bike at 30 or 40 kilometres an hour on a bitumen road, the hands are the first thing that come down and contact the surface as a reaction, yet we see a lot of motorcyclists who simply do not wear gloves.

Through that VMAG process, that was actually a project that was very well regarded from our point of view. It gave us a lot of opportunity to provide awareness around that type of thing, but we recognise that we also have an enforcement role, and we know that enforcement very clearly changes rider/driver behaviour. That is why we have included in the submission a need for mandated protective clothing, because we know that if it is mandated and people are not wearing it and get a ticket, they will start wearing it. There is a good compliance around helmets, but those are the other items.

The CHAIR — One question on the clothing side: you mentioned that it should be high visibility. Most motorcyclists wear darker coloured clothing. This might be evident among a number of the observers in the room today. What sort of colours are you recommending for them?

Supt STORK — We have simply said high visibility. We are not experts around the actual visibility of the clothing or how that might be portrayed. With our own solos we have moved to that high visibility clothing. What we are saying is that they need to be seen.

The CHAIR — How would you further define the high-visibility nature of police motorcycle clothing?

Supt STORK — It would have to be high visibility, reflective and able to be seen at night in poor light conditions. Many cyclists incorporate it now within the clothing that they actually purchase and wear, even though in the sunshine you do not necessarily see it, but in poor light or once reflected through headlights, it actually lights up. There are opportunities to do that type of thing. We are not engineers and we are not experts, but we do believe that a high visibility would be of benefit.

The CHAIR — In your own case, what do you favour yourself?

Supt STORK — As far as high visibility? It is similar to what we wear as police solo riders: something that reflects and can be seen, including your gloves and other items of clothing.

Acting Sr Sgt CHESTER — If I might just add to that, when the solo unit went through the process of getting the high visibility protective jackets together, they went through the process with WorkSafe. WorkSafe was very valuable with their input in the development of those jackets. They have since had a redevelopment from WorkSafe, and their input has been invaluable towards that.

Mr ELSBURY — I have actually got a question in relation to safety clothing. I have not observed it, but I have been told about Kevlar undergarments that people can put on underneath just a normal everyday business suit. If we bring in a mandatory wearing of safety equipment, those poor people are going to be pulled over every 5 minutes for not wearing the equipment and then have to unbutton the top or drop the daks a bit so that they can prove they are wearing the right gear. Is there any way that we could possibly — I know it is exceptionally difficult — recognise that sort of equipment that is available on the market.

Supt STORK — We have spoken to a number of groups about the high visibility and having a standard around the clothing. It has actually had a lot of debate. We understand that there are some issues around that. We have actually been told that we cannot legislate and have an actual standard. I guess to understand our point of view, what would be good for police, enforcement and therefore the driver behaviour change, is upon interception being able to check and say, 'That jacket has a standard; yes, that's okay' or 'No, it's not'. It is not something that would come in overnight. It is something that would need to be staged over quite a period of time.

Mr ELSBURY — So long as they can show you an Australian standard or a Victorian standard — because there is no Australian standard — for protective equipment, they can show you a tag and say, 'That is what I have got on. I'm kosher'.

Supt STORK — We know it is compliant, and we know they are safe wearing that piece of equipment. Similarly with the scooter riders and both sexes that ride scooters, there are opportunities to have overgarments to go over that to provide you with that protection and visibility as well. When you go to your meeting or when you arrive at work you can take it off and place it in your scooter. Many people do that now.

Mr LANGUILLER — Thanks very much for your very good submission. It was remiss of me not to have mentioned that, and I amend it. Can you provide some specific examples of work being undertaken by your agents in relation to off-road riding?

Deputy Comm. WALSH — We have some targeted operations in some parts of the state, predominantly on the weekends and particularly, say, around holiday weekends — when there is a public holiday — where we can deploy some of our resources into those areas. We have been focusing on that around education. I know staff in the north-eastern part of the state around Benalla and up there have been actually doing that in an endeavour to try to use it as an educative program to speak to people who are engaged in off-road riding about the manner in which they do it and some of the safety. Outside of that we do use our special solo section for some off-road enforcement as well around the safety issues and that sort of thing. Jamie might be better off to explain the depth of that.

Acting Sr Sgt CHESTER — What we find is that the recreational riding of off-road bikes traditionally is on the weekends, and they are in terrain that is very hard to access. As the boss said, during the — —

The CHAIR — Bruce Springsteen?

Acting Sr Sgt CHESTER — No, Mr Walsh. We base the focus of off-road enforcement around those weekend areas and especially the long weekend areas where people get away to various spots around the state. As I said to you before, the terrain is quite inaccessible. It is in state forests and parks where normal vehicles cannot get in to patrol, so enforcement is based around those weekend activities and over holiday periods.

Mr LANGUILLER — It happens often in my electorate, in Sunshine and St Albans, but I am not sure that that is necessarily off-road as per the legislation.

Acting Sr Sgt CHESTER — There is a road-related area. If there is a motorcycle that is going to be riding in that area, it is a road-related area, so we patrol those areas of course. Along with the state forests and things like that we also do the local creeks. Kids get out on the local creeks after school and during the week, so there are ongoing patrols for those areas as well as the mountainous areas and the state forests.

Supt STORK — Sir, I grew up in that area, and I have worked out there extensively. Typically the bike riders will still ride to those paddocks in North Sunshine or to the river, so they are still an issue for us. The other thing is that we deploy extensively around bicycle paths as well with the special solo unit, again to address motorcycle use on bicycle paths in the metropolitan area.

Mr TILLEY — This question relates to manufacturers, particularly ABS and police recruitment. The committee might have to seek some additional information on this, but my question relates particularly to the on-road motorcycle Victoria Police is currently using. There is a stipulation that ABS braking has to be part of the conditions of use of police motorcycles. Are you able to give us some insight into that?

Deputy Comm. WALSHE — Jamie, can you answer that, because I do not have the technology.

Acting Sr Sgt CHESTER — The transport branch at Dawson Street are in charge of the specifications around the purchasing and procurement of motorcycles and vehicles for Victoria Police. They see it as a requirement to have ABS fitted as standard to police motorcycles. That is a standard requirement for those particular motorcycles. I might just add the current motorcycles that we have are BMWs. These particular vehicles were purchased because they came standard with ABS, whereas some of the other motorcycles that we have trialled in the past do not necessarily come with ABS.

Deputy Comm. WALSHE — The work that would have been done by our transport branch would be in line with our obligations under the Occupational Health and Safety Act for a safe workplace. The transport branch and the business services department have for some time been trying to make sure that they improve vehicle safety, whether it be motorcycle or motor car, within the organisation.

Mr TILLEY — Just so it is clear, the reason I asked that question is we heard some evidence earlier today in relation to some of the issues relating to ABS and motorcycles. On debating the benefits of ABS braking, the evidence is still out there, and that is the reason why I am asking.

Supt STORK — Sir, did it relate to off-road versus on-road use?

Mr TILLEY — No, in particular to the on-road conditions.

Supt STORK — We have had ABS fitted for around about 10 years.

Deputy Comm. WALSHE — On the bikes, yes.

Supt STORK — On the on-road bikes, yes.

Mr PERERA — Can you please provide an update on progress made to date by your agency on the road safety and transport strategic action plan for powered two-wheelers 2009-2010 initiative.

Acting Sr Sgt CHESTER — At this stage I am not aware of significant progress. I am aware that VicRoads is the holder of that particular plan. I do not have any further information on its progress, but I think we are of the understanding that it links up with the strategic plan for Victoria, which is still currently under development, so I think once that is cleared up and has progressed, then the motorcycle plan will link up with that overall, holistic strategy for Victoria with regard to road safety.

Mr PERERA — So it will definitely come in after that implementation?

Acting Sr Sgt CHESTER — My belief is that is the priority once the state road safety plan has been put in place. It will link up with that and sit alongside the transport plan as well.

Mr ELSBURY — The next question is by no means a reflection upon Victoria Police, but some submissions received by the committee have referred to an anti-motorcycling bias in some of the road safety agencies. How would you respond to this?

Deputy Comm. WALSHE — Our focus is around road safety and reducing road trauma, and I would make no excuses for any direct targeting or focus by Victoria Police on any sector of road users if that focus or targeting is around reducing road trauma and increasing responsible road user behaviour. Our biggest concern is reducing road trauma, but we also have to change the culture and have everybody demonstrating responsible road user behaviour.

Acting Sr Sgt CHESTER — Yes, I agree with Mr Walshe. That is certainly our focus, especially when I was operational at the special solo unit, which was aimed directly at reducing road trauma for all road users.

Motorcycles are certainly part of the road user group, whether they be on-road or off-road. Certainly our focus is to reduce the overall road trauma.

Mr LANGUILLER — I think you may have heard me ask this question before, but if I may put it to you again for the purpose of the record, can you advise the committee how your agency is complying with the requirement under the new Multicultural Victoria Act that all government departments report annually on their achievements and initiatives in multicultural affairs. I am very cognisant of the work you do, and I commend it. I also put on record that I am particularly happy with the work that you have done in the western suburbs. But if you might make further comment on that, I would appreciate it.

Deputy Comm. WALSH — Victoria Police has a very strong record of working with multicultural and new and emerging communities. We have a very broad, structured, multicultural liaison network across the state as well as some very robust, centralised research, policy and strategy development. Victoria Police is absolutely committed to ensuring that we provide a service for all Victorians.

If we look at some of the data around diversity in Victoria, I think we have people from something like 200 different backgrounds and ethnic cultures who speak around 240 different languages and dialects and follow around 145 different religions and beliefs. So for us at Victoria Police it is about making sure that we structure, focus and engage to ensure that we deliver a service for everybody. I think Victoria Police reports very well in its annual report each year as to the achievements that we bring to the community.

Mr TILLEY — I just want to go back to your presentation; this probably directly relates to enforcement, certainly with the alarming figures in relation to speeding and those matters. Can you expand a little bit in relation to front and rear identification and suggest to the committee some of the ways front identification can be applied to motorcycles.

Deputy Comm. WALSH — Obviously there are a multitude of ways that it can be done. With technology today there can be electronic transponder front identification. It does not necessarily have to be a registration plate; there are other means out there. That sort of transponder electronic identification can be linked to enforcement and the existing enforcement technology. We have had a number of occasions where motorcycles — motor vehicles as well, but this is about motorcycles — are exceeding the speed limit, and as I said in my preliminary comments the average speed over the posted speed limit is 13.72 kilometres per hour. We have motorcycles that exceed that.

We have photography that has been taken from our speed cameras of motorcyclists covering the rear numberplate by all different means — even by putting their leg back and having their boot over the numberplate, those sorts of things. That is that level of irresponsible road user behaviour that I mentioned before. We believe that motorcyclists should be held accountable for their behaviour and their compliance with the road rules. As the majority of fixed and mobile camera detections are done from front on, we believe that there should be some form of frontal identification for motorcyclists.

Mr TILLEY — On the next one, in particular the evidence given is in relation to lane filtering and splitting. Would you be able to give us some expanded views on those two particular issues?

Supt STORK — We differentiate the filtering to splitting, so stopped at the lights and moving up. I understand the view around safety, so being able to move to the front and to be away, not necessarily illegally away but to be able to be clear of other traffic as a safety feature. What we are saying is some research and looking into that. That is as opposed to the splitting, which we say is just downright dangerous, and we see that occurring regularly, even as we drive our own cars. I saw two bike riders on the weekend without gloves, and in the last week I have seen that very thing at 100 kilometres an hour on a freeway. That splitting and riding on the white line between vehicles is just dangerous, and the difficulty we have is in enforcing and in changing that behaviour.

Deputy Comm. WALSH — With regard to the filtering, we think that there should be some research undertaken which could then possibly inform legislation and inform a way forward with regard to that. We do acknowledge the comments from motorcycle riders from a safety perspective. They believe that if they can get themselves to the front, because motorcycles accelerate a lot faster than the majority of motor cars, it is a safety issue for them. We acknowledge that, but clearly there needs to be something that can give us a more positive way forward with regards to lane splitting.

Mr TILLEY — In relation to that, how would Victoria Police respond in urgent duty driving? Say if there was a change of legislation or a review, if a member of the police force is undertaking urgent duty driving and there are changes specific to legislation, you would still be invoking rule 305. Would that still be seen as fair? Because you will get the riding community seeing members of the police force invoking rule 305 for specific reasons. If there are changes to splitting and certainly filtering, I mean it is the public perception out there changing those views.

Deputy Comm. WALSH — If you look at urgent duty driving in a motor vehicle, police do things differently, which the average motorist is not entitled to do. I would not see it as being any different in urgent duty driving. In that case there are exemptions in place, and again, even whilst there are exemptions in place, the focus from us in Victoria Police is that everything has to be based on safety and based on risk. Our urgent duty driving, our pursuit policies, are all focused around risk and around safety not only to the driver or rider but to the other road users and other members of the community as well.

Mr TILLEY — I can certainly say that I would not want to do the job that solo riders of Victoria Police do on the motorcycles as what they do in the cars.

Supt STORK — That is a fair comment, and our training is particularly strict around solo training. We look at skills, knowledge and attitude. As the former OC of that training, probably one of the biggest benefits that we have is we can invoke the attitude part, whereas in the general community we cannot. If our solo riders do not have the right attitude, they do not pass the course. That is a huge benefit for us in terms of the training and understanding what they can and cannot do in terms of their own safety. We drum in very strongly the safety-first principles.

Can I just come back to lane filtering? There have been a number of comments in a wide range of areas around the use of bus lanes and bicycle lanes by motorcyclists. Can I just say from a Victoria Police perspective, we do not support that at all. I am also a cyclist, and the use of a cycling lane by motorcyclists would be quite dangerous. The use of motorcyclists within bus lanes is also in our view quite problematic.

Mr ELSBURY — Especially with the cycle lanes. They are undertaking a vehicle 9 times out of 10. I had that happen to me just last week on Collins Street with a motorcyclist that undertook me and the car in front of me almost collected him at the next intersection because they were turning through.

Supt STORK — It is an emerging issue for us. Some motorcyclists use the bicycle lanes, and scooter riders in particular use the bicycle lanes.

The CHAIR — While noting the difficulty in doing so, is there any enforcement data in relation to lane splitting?

Supt STORK — I do not believe we could separate it out. I know what you are wanting to — —

The CHAIR — Are there any fines that are issued for lane splitting?

Deputy Comm. WALSH — We would not be able to identify that from our data without going back and having people actually report when they issue an infringement.

Mr ELSBURY — It is actually a number of offences that are committed when you do the lane split, isn't it? It is not called lane splitting.

Supt STORK — No, it is not, and it depends on how it is done.

Acting Sr Sgt CHESTER — It is basically overtaking another vehicle on the left within the same lane of traffic or same lane. Whilst the vehicle is moving that is lane splitting, but lane filtering is while the vehicle that is being overtaken is stationary. The offence would be overtaking on the left while the vehicle is moving.

Mr ELSBURY — Just on that in relation to one of the comments that I have had from motorcyclists, they are all taught to be as visible as possible, which means moving into the right-hand side of the left lane where practical, but on numerous occasions they have had a vehicle come into that space because they decide, 'He is not going fast enough', or, 'He has pulled over to let me go past him'. That is also an issue that is coming up. Is

there a need to educate drivers about the fact that this is a lane and that even though it is a motorcycle and it is much smaller, it has got just as much right to be in that lane as you have.

Deputy Comm. WALSH — Absolutely. I think there is a need to educate all road users, whether they be motorcyclists or motor car drivers, that they need to be aware of their surroundings, they need to be aware of the environment and they need to understand that all road users have equal rights to the road space.

Mr ELSBURY — Just on that as well, on a thought that has come into my mind in the last couple of weeks after having undertaken a learners permit. Would you see any value in P-plate drivers having to undertake some sort of motorcycle training, just to be able to increase their perception of what is around them? I can tell you now that my awareness of motorcycles has gone up significantly since getting my learners permit.

Acting Sr Sgt CHESTER — I think that is what we are talking about regarding the training that VicPol members go under, but also towards the graduated licence system. It gives that opportunity for the learner rider but also the probationary rider to do the hazard perception test and to learn these skills.

Mr ELSBURY — I am also talking motorists, just someone who is driving a car. You know, a Honda Civic can do just as much damage as a Commodore, so for people who are going for their car licence actually getting that little bit of insight into what it is like to be a motorcyclist and just how exposed you are.

Acting Sr Sgt CHESTER — I think the more knowledge that you put out there and the more education, whether it be overall through the road safety partners or specifically the TAC, to actually get more knowledge out there for all road users is a very good idea.

Deputy Comm. WALSH — I think that it could be done in some way that there was no extra cost impact placed upon the motorist. If it could be done in an educative way through the provision of a DVD or access to a website where they could be required to log onto a website, you could set it up where you need to register on the website to undertake some familiarisation or awareness training. That can be recorded and it could become a part of getting your motor car licence.

Mr PERERA — Regarding lane splitting, since the TAC advertisement, is there an improvement or is it early days or is it measurable?

Deputy Comm. WALSH — Anecdotally from my experience on the roads I do not think there has been any improvement. I think there is still a vast degree of irresponsible riding in the use of lane splitting, which is placing themselves and other road users at risk.

The CHAIR — Is there evidence to suggest that there is an accident frequency resulting from lane splitting and filtering?

Deputy Comm. WALSH — An accident frequency?

The CHAIR — Yes. Is there data on that?

Deputy Comm. WALSH — I do not know that we have had that level of data, but we did have a good example of it on the West Gate Freeway that was actually on — it is their show. One of my friends was actually at the scene on highway patrol when someone decided to try to lane split between two semi-trailers. It did not work, and it came off in a very negative manner for the cyclist and his family.

Supt STORK — I can think of another one in the last year that involved a truck as well. I do not know whether it was splitting, but it was certainly the same direction in a 100-kilometre zone.

Deputy Comm. WALSH — But again our point is that if there was some research undertaken, then the researchers would be able to then go through and analyse some of the motorcycle collisions — it occurred over a period of time — to analyse and identify what the root cause is, whether the lane splitting has been one of the root causes of that particular collision.

The CHAIR — We would be interested in any data that related to that.

Supt STORK — Okay.

The CHAIR — I note that 11 deceased riders were unlicensed, representing some 25 per cent or so of deaths. In relation to that cohort, is it ascertained what the cause of accident was in those circumstances?

Deputy Comm. WALSH — I do not have that data. It was just an element to demonstrate that there is a degree of unlicensed motorcycle riding taking place as there is a degree of unlicensed motor car driving taking place, but 11 of those who were deceased were unlicensed.

The CHAIR — Mention was made earlier on in relation to the road safety executive group. Are you able to provide more information on this group?

Deputy Comm. WALSH — The road safety executive group is senior representation from Victoria Police, VicRoads, the TAC and the Department of Justice. We meet periodically, about once every two months or so, and are looking at road safety issues and working our way through partnership issues to improve road safety and reduce road trauma.

The CHAIR — Is it likely that this group will have interaction with VMAC?

Deputy Comm. WALSH — Not directly with VMAC, no.

Supt STORK — When VMAC existed, recommendations could on occasion go from VMAC to the road safety management group, which is the working party that reports to the executive group, so that certainly could occur.

Mr LANGUILLER — Superintendent, you talked about rider or driver attitude. I would like to make that generic, because just in passing I say I drive often around the Western Ring Road and my anecdotal experience is that driver empathy to other drivers corresponds to the size of the vehicles they drive. I drive a Ford Territory and sometimes I feel very small when I have got a B-double 10 metres behind. But quite seriously, can you elaborate further on driver attitude? I am cognisant of the difference between your agency and the general public and civil liberty issues and so on and so forth, but what applicability could that have, and can you expand further?

Supt STORK — I mentioned it in the context of our solo training, so we look at skills, knowledge and attitude — attitude with regard to our police solo riders, so in that context you can have a bad day and that can equate to bad riding. In our training we focus a lot on those three factors: the skills, the knowledge and the attitude that they may have. Are they right for riding the bike on that day, for example? They may actually have an approved driver authority to ride a solo, but if they have had an argument or a blue with their wife that morning or if things are not quite going right for them or they have a cold or they are not up to riding, we push always around the safety aspect. When I was in charge of the solos, if someone said to me, 'I'm just not right to ride today', we would not make them ride. That is one aspect of it.

Another aspect may be skill and knowledge not quite up to the capability and the belief that they have. The police solo course, the on-road course, at four weeks is quite intense, and if the members are not displaying the correct attitude, they do not pass the course. With our solo training, it is not around speed; it is actually around the skills and knowledge. We teach the guys to ride slow. We teach them to undertake skills and training that build their own ability to ride a motorcycle. I could say to you that anyone can get on a bike and ride quickly; it is not hard to ride a motorcycle quickly. It is hard to ride a motorcycle slowly and with full control, and we focus on the control. We focus very heavily on the road craft aspect that has come up a couple of times, so around position, around being clearly seen on the road network, about having a presence and capitalising and leveraging the presence. I understand that a BMW 1150, or now 1200, is a large bike and it has a police sign on it, which is also helpful, but the manner that you ride that bike and your placement and how you position yourself are all critical aspects around road craft and our solo training.

I think it is fair to say that we have had a very big culture shift within Victoria Police around training and how we do that training, and that culture shift occurred for us in around about 2002. Whilst motorcycling is a very enjoyable pastime and undertaking, there is also a large extent of individualism and there is a large culture around riding motorcycles. It also links into the attitude aspect, so they are all things for consideration. I do not have the answers for you, but they are certainly considerations. That attitude and the way you ride is not necessarily restricted to motorcyclists, obviously. It can also be motor cars, trucks — right across the board.

Deputy Comm. WALSH — And there can be a lot of elements that underpin that sort of behaviour and that sort of attitude around workloads, schedules, frustration of traffic, frustration of roadworks, those sorts of things — just general impatience and lack of tolerance. The issue that we have been trying to push is about a shared responsibility on our roads — that everyone has a responsibility to behave and drive in a responsible manner. If everyone did that, used the roads the way the roads are meant to be used, we would certainly have a vast reduction in road trauma.

The CHAIR — What is the data to date in relation to motorcycle deaths for the year 2011? How is it trending, noting that there was a spike over the 2009–10 period.

Supt STORK — As of today we have had 39 fatalities this year. The year to date on last year I think — —

Deputy Comm. WALSH — We are down eight.

Supt STORK — We are down eight.

Deputy Comm. WALSH — Year to date last year was 40 and we are 32 today.

Supt STORK — And a five-year trend, 33, if you look at the five-year trend.

The CHAIR — So it is trending on a par at the moment.

Deputy Comm. WALSH — With the five-year trend, yes.

Acting Sr Sgt CHESTER — It is probably worth suggesting too that the craft of riding a motorcycle, especially on roads, is quite seasonal. What we have found is that trauma rates go up during the warmer-type months from October to the end of the year and then again earlier in the year. During the winter months the riding is a lot less, I suppose, so just pointing that out, we are tracking quite well at the moment, but there is still work to be done over this period where the weather gets warmer and people get out on their motorcycles.

Deputy Comm. WALSH — It is a particular focus for us for October. We picked October because if you look back at road trauma and road fatalities over the last three years, there has been a spike every year in October. Last year in October we had 36 people killed on Victorian roads, and 10 of those were motorcyclists.

What we are trying to do is to drive that down. Our focus around the road user, and in particular motorcycles on-roads, during October has increased, and we will continue to have that focus all the way through the holiday period, the warmer period, right through until, say, March-April next year.

The CHAIR — Is there a profile on the unlicensed riders?

Deputy Comm. WALSH — An age profile?

The CHAIR — Yes.

Deputy Comm. WALSH — A demographic? There probably is, but I do not think we have it. I do not have that data with me, but it is something we could provide for you, if you wish.

The CHAIR — Yes. We will just put it to one side for a moment. There is a device known as ISA. Are you familiar with ISA?

Deputy Comm. WALSH — No.

The CHAIR — It is a — —

Supt STORK — Speed device.

The CHAIR — A speed device, yes.

Supt STORK — Monitoring.

The CHAIR — That monitors speed. It can be attached to a bike or a car, so to speak, and it would record, according to a GPS overview, speed and location; over a period of time it could feed back information. If you are familiar with it, Superintendent, do you see any particular potential for its application?

Supt STORK — I had not really thought about it. It is my understanding of the device — I have not used it, although on at least one occasion I have driven a car that had one fitted — that I guess it is a reminder of the speed limit for the location you are in. Anything that would assist you as a reminder around the speed that is applicable to a location would be helpful, I have no doubt about that. I am not sure that we would recommend that it be a mandatory requirement.

The CHAIR — Yes.

Supt STORK — I am not familiar with its application on a motorcycle.

The CHAIR — I might ask if you would do some further research on that topic, so to speak, on any potential application in individual settings for maybe recidivist offenders, who may need some constructive assistance in returning to the road.

Deputy Comm. WALSH — We will certainly have a look at that, yes.

Mr TILLEY — Just going back to road craft, Victoria Police train in positioning, balance and all those sorts of things, but the representation was made to the committee when it visited DECA recently that advanced rider courses could be subsidised if they were signed off by Victoria Police.

Acting Sr Sgt CHESTER — I am certainly aware that there was some subsidy provided through the flag operations that were part of the older VMAC project. Funds were provided from that levy for riders that applied through DECA for training and were subsidised through the flag operations.

Mr TILLEY — I am just trying to find a way that we can transfer some of those skills and attitudes from police drivers to the public.

Acting Sr Sgt CHESTER — I might just add to that that the advertisement for those particular processes and projects for the subsidy was not well received. In fact, quite a low number of people put their hands up to actually put in for the subsidy to do their courses. But the feedback from the people that went there was quite good.

Supt STORK — I think, from memory, very few males took it up. I think there was a higher take-up from females.

Mr ELSBURY — I wanted to just raise very quickly the involvement of alcohol in motorcycling, given the balance, reflexes and skill that you need to be able to sustain over a long period of time to safely get yourself from point A to point B. We have had VicRoads in here today telling us that people with a blood alcohol level of zero made up 69.1 per cent of fatalities and that around about 26 per cent of motorcyclists who were killed had a blood alcohol level of over .05. Do you think a lower or a zero blood alcohol limit would assist in keeping motorcyclists from that potential peril?

Deputy Comm. WALSH — I would be interested to look at the data in comparison to motor car drivers to see if there is any overrepresentation at the motorcycle rider level. I do not have that sense that I can give you at this point in time.

The CHAIR — That is great. Thank you very much for your attendance here today. We appreciate the calibre of your evidence and your forthright insights on a range of matters that will help to improve road safety outcomes for Victorian motorcyclists into the future.

Deputy Comm. WALSH — Thank you.

Witnesses withdrew.