

TRANSCRIPT

ROAD SAFETY COMMITTEE

Inquiry into motorcycle safety

Melbourne — 19 October 2011

Members

Mr A. Elsbury

Mr T. Languiller

Mr J. Perera

Mr M. Thompson

Mr B. Tilley

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Witness

Mr T. Ellis, Ulysses Club.

The CHAIR — Mr Ellis, as you may have picked up, Hansard will be recording your comments. While this proceeding is under way, you have the benefit of parliamentary privilege. If there are any comments that you think are best directed to us in camera — that is, without the benefit of people in the gallery and other personnel — we can take in-camera evidence. You will get a transcript of your remarks. Correct it for typographical errors and then return it to the committee.

We are grateful for the insight and support of more than 68 individuals or groups who have taken the time to address our terms of reference, which are many and varied, and which will help the reflections of the committee as we come up with recommendations to the Victorian Parliament and the minister. I invite you to speak to your submission, following which we will ask some questions of you.

Mr ELLIS — My name is Tony Ellis. I am the Victorian representative on the Ulysses Club's national road safety committee. The Ulysses motorcycle club consists of around 30 000 fully paid-up members nationally. It is one of the largest motorcycle groups in the world. It also has branches overseas these days. Full membership is 50 years and over and I guess associate membership, although there is no real difference, is 40 years and over. We are basically a social club. However, there is a very strong safety element with Ulysses. For instance, Ulysses subsidises every two years a riding course for members, if they wish to take it up. You pay \$50 subsidy.

We also have a very strong input into motorcycle safety at various levels. I am also on the executive of the Australian Motorcycle Council, which is a peak body for motorcycle users in Australia, and a member of the commonwealth's Motorcycle Safety Consultative Committee, and also one BMW motorcycle club and various other ones. I think essentially the most important thing that we see — and this comes not just from Ulysses, but from the AMC and almost every other motorcycle group I have been associated with — is data. We really do not have good solid data.

Three years ago there was the motorcycle summit in Canberra where we had representatives from all over the country and internationally attend. The no. 1 recommendation out of that again was just the lack of good solid information. Some months later the OECD motorcycle safety summit was held in Lillehammer in Norway, and their recommendations were virtually identical to the ones coming out of Canberra — information. The big problem is, of course, that without this information, we get suggestions saying, 'This looks like common sense; it seems like a good idea', but they are not backed by anything and they are usually coming from organisations or agencies and they are just based on the prevailing orthodoxy of that agency. Police recommendations will almost always be about enforcement. TAC will be about exposure and maybe injury. VicRoads will be about road surfaces and black spots. There is no real attempt to synthesise them or bring them all together. We have started to have a little bit of that with the Victorian Motorcycle Advisory Council, in its previous incarnation, because things would come up, they would get tossed around. In fact, there were more riders, as it turns out, on the old VMAC than there are in the new MAG, despite the promise of increased representation.

The proposals may or may not be good coming from these agencies, but we have got no real way to evaluate them. There is no systemic approach. As I say, with VMAC, we started getting that. There were a lot of proposals that came up; they were discussed. There were lots of good proposals came through, some research. Unfortunately, a lot of that research seems to have disappeared with the advent of the new MAG. At the first meeting of MAG there were almost no references back to any of the projects that VMAC were undertaking. There was just nothing. There has not been any real continuity. We have a new chair who I think is going to be very good. He certainly gives that impression in dealings I have had with him both in and outside MAG, but we now report to VicRoads rather than being a ministerial reporting body.

The terms of reference certainly are a lot more rubbery. The ability to have any real input into how the levy money has been spent has disappeared, provided by some strategic guide to expenditure. Previously the terms of reference spelt out that we were able to review and provide advice on proposals at the individual proposal level, and we had some pretty robust debate. There were proposals that would come from VicRoads or VicPol or TAC, and they were sometimes knocked out. There were two cases where the minister overruled them. One was something we wanted to do and one was something we did not want to do, and the minister overruled those, which out of a large number I felt was pretty good.

One of the other issues is that because we have now got this arm's distance from the levy funding — and I am not talking about the rights or wrongs of the levy funding; I am talking about the fact that it exists, and there is money there — the concern is that we are now going to see proposals, I guess, which should be funded from

general revenue, funded out of the levy. There has been virtually no money spent by VicRoads on motorcycle safety outside the levy over the last few years. The funding for the administration of the learner approved motorcycle scheme came out of the levy. We were basically told, 'If you want to have that, that million dollars has to come out of the levy'. It was not put out of the levy when they introduced engine capacity limitations and horsepower limitations for learner car drivers, but it was for motorcyclists. I raised the question once, 'Exactly what proposals concerning motorcycle safety has VicRoads put up to the budget expenditure review committee?'. I got a very blank look. First of all, I would not be surprised if they had not even heard of BERC. Secondly, they had none. Not once since the levy has been in place has there been a specific one for motorcycle safety. There has been quite a lot for bicycles, and I am not saying, 'Don't spend money on bicycles'; what I am saying is that roadworks for bicycles come out of VicRoads' normal funding. They are budgeted for. They put proposals through BERC. For motorcycles, it all comes out of the levy, and I think this is a very sorry state of affairs, especially when you consider that the reason for the levy being put up was that it would be looking at specific things over and above the normal type of funding that was there, not to replace it. I consider that to be rather a problem.

The other thing I would like to mention is, do we really have a serious safety problem with motorcycles? I know you have heard how the figures that were going down are going up, but why is it motorcycles that seem to have this huge emphasis on the numbers injured? Other recreational pastimes are far worse. Flinders University's accident research centre came up with some figures a few years back which showed that you have a serious injury or death every thousand hours of horseriding and every thousand hours for downhill skiing, while it is every 10 000 hours for motorcycling. Without saying that we should not be trying to make it safer — I am very much of the opinion that we can make it safer and we should — but this demonising of it has been going on. When we look at it against other recreational pastimes, it does seem to me to be somewhat unfair. I hate to use the word 'overkill', but I think there is a certain amount of it there. There are people with vested interests in road safety, in making sure their agencies are well funded, in making sure their agencies are seen to be at the forefront of various things. Like Vision Zero — Vision Zero might be an excellent thing to look at, but is it ever going to happen? We have got new technology coming out, we have got things like radar systems in cars that will allow you to follow the car behind and the speed they are doing. I have yet to see any reference as to whether they will work with motorcycles or other vulnerable road user groups. A lot of things out there are being pushed forward which just really may not be suitable for us. I guess that is my initial statement.

The other thing I would like to draw your attention to is the appendices, which are really the bulk of my submission. It is the National Road Safety Strategy response by the Ulysses Club, which I think is excellent and contains a lot of information. There are the Motorcycle Safety Consultative Committee's recommendations on a national graduated licensing scheme, and finally there are the recommendations out of the national Motorcycle and Scooter Safety Summit. I have not included them in mine; I have referenced them. I think that rather than repeat them, you should get them straight from the horse's mouth.

The CHAIR — Thank you. Reference is made to 'inappropriate' as opposed to 'illegal' speeds in your submission: could you just expand on that, please?

Mr ELLIS — A lot of the times we hear that someone is speeding. They are going too fast for the conditions. In a lot of cases up in the hills, people going through the 'twisties', as they are called, will crash, but they will not be over the speed limit. However, they will be going too fast for that particular corner. You can go into a 20-kilometre-an-hour corner on a 100-kilometre road and be going way too fast and still be under the speed limit. There is this emphasis on illegal speed as opposed to inappropriate speed. New South Wales had quite a good campaign. It was called, 'If you brake here, you finish here'. It was about appropriate ways to corner. You know, get your speed down well before the corner; do not go into the corner too fast. I think you will find that with a lot of the single motorcycle crashes — there will always be some that are going to be amazingly stupid speeds, but there is not really any recording of the actual speed people were doing, and again this comes back to the data.

I have seen people come off at 60 kilometres an hour in a 100-kilometre zone, riding behind someone on an identical bike to mine, actually, once on a ride. He went into the corner and just made a silly mistake. He was not hurt, but he came off. He was doing well under the speed limit. He was not injured and there was not much damage, but had that ended up being reported to the police, it would have gone down as speed. The immediate assumption there is that it is illegal speed, and it is not. It is inappropriate speed. It was a silly speed but it is not illegal, and there is nothing that you can do about that, apart from trying to give them some ways to do it and

change the attitude. You can put all the speed cameras you want up there, but they are not going to stop someone doing that. I think that is what I mean by inappropriate rather than illegal. There is a huge emphasis on illegal speeds, but that does not do much to avoid a lot of single vehicle motorcycle crashes.

Mr TILLEY — Continuing the discussion on speed and everything, it leads to the point of training. My experience of first getting my motorcycle riders licence was in 1981, 1982 or something like that, compared to my colleague Andrew Elsbury, who is probably now on his 10th day. With people in the gallery there are varying degrees of experience and types of motorcycles that are operated at a certain time. We have to get to a point of personal responsibility. We have speed limits around the state, but in certain circumstances it is about roadcraft — how hot you go through a corner and how you operate your motorcycle. I am trying to explore that a little further with you. I have seen some terrible practices. I see people go around roundabouts where they square them off, and I think, ‘Dear me’.

Mr ELLIS — You are right. I think a lot of it is about training. It is about attitudinal training, and there is not a lot of that at all. We have to take personal responsibility. If I crash, it is down to me to work out why I crashed and what I did and to try to avoid that.

Mr TILLEY — As a club Ulysses frequently goes on rides. Are they classed as chapters?

Mr ELLIS — Yes, they have various chapters. You are a member of Ulysses; you are not a member of an individual chapter as such. You are a member of the overall organisation. There are quite a few chapters.

Mr TILLEY — I have seen men and women turn up, and particularly in Wodonga they have Sunday breakfast and things like that. Following on from the evidence we heard earlier about group riding, is there an element of coaching that goes on during your rides?

Mr ELLIS — There is always a certain amount of coaching. As Heather said, riders talk about it and discuss it. Ulysses subsidises rider training. You can do a rider training course every two years. BMW Motorcycle Club, which I am a member of, does the same thing. You can get a \$50 subsidy towards an approved training course every two years. If you do the course, you will get it refunded. In my case it means I can do a training course every two years and get \$100 back, \$50 from each club, which is well worth doing.

Mr TILLEY — That leads me to behavioural activities. Riding in the context of a group of like-minded people, sometimes some people may or may not take some risky behaviour. How does the club deal with that?

Mr ELLIS — Generally the clubs I have ridden with, and there have been three or four, will have a designated lead rider, and you do not pass them. If you do pass them, it means you are not taking part in that ride. There will be a tail-end Charlie to pick up anyone who is dropping out or has a problem and give them some support. In general in almost every club ride I have been on it is a fixed thing that you do not pass the lead rider. One exception is the BMW club’s icicle ride, which is self-navigated. It is an all-night ride in the middle of winter, and interestingly enough it is unusual for anyone to crash on that one. I am one of the rare ones, and hit a kangaroo a couple of years ago, but I still got to the next point before I had to stop.

The CHAIR — Who hit the kangaroo? You or the person in front of you?

Mr ELLIS — I hit it. I had slowed down to 40 or 50 kilometres per hour by then. I saw it and slowed down, but it did the usual kangaroo trick and came jumping out in front of me. I think someone hit a wombat one year on that ride, but generally, because of the way it is run and because of the attitude, it is quite a safe ride. People are aware of their limitations and are not encouraged to do it quickly. You have all night to do 200 kilometres, so you are not going to be travelling at high speed down the highway at night. If someone did come in after a couple of hours, rather than the 5 or 6 hours it takes, they would be looked at somewhat askance. It would be fairly dubious.

Mr PERERA — You mentioned that your club offers a \$50 subsidy for training.

Mr ELLIS — Yes.

Mr PERERA — What percentage of members make use of that opportunity?

Mr ELLIS — To be honest, not enough. We are trying to push it. We get quite a few people who do take it up, but all the same it is probably only around 10 to 20 per cent at this stage. The National Road Safety Committee is going to offer some training at our next annual conference up in Mildura, which attracts anything between 3000 to 5000 people. We are going to make a public display of doing some training up there to try and encourage it.

Mr PERERA — These members who have been riding for 10, 15 or 20 years can go anyway and get further training?

Mr ELLIS — It has to be approved training. You cannot just walk up to Fred around the corner and have it. But with all recognised training people, such as HART, Stay Upright or DECA — I cannot remember all of them, but there is quite a lot. We also offer \$50 first aid training courses as well.

Mr PERERA — Do you think they will gain from undergoing training after riding for 10, 15 or 20 years? Why do they need further training?

Mr ELLIS — You do get into bad habits. You will get into bad habits, and things change. You forget things. I found the last training course I did was good. It made me think about things a bit more in the way I ride, which I found excellent. The first training course I ever did was many years ago in Canberra. The ACT police used to run them for riders. The axiom was, 'We know you riders are going to go fast, so we will teach you how to do it without killing yourselves'. It was a very different attitude back then when I first started, 40-odd years ago. It was an attitude you could almost afford to have because there were far fewer vehicles on the road, and things were different. There was an unlimited prima facie speed limit in New South Wales, speed limit so people were going to go fast.

Mr PERERA — Those trainers could be in the same situation. They will have been riding for years, and they will have their bad habits, too.

Mr ELLIS — These were police trainers. I think you will find most of the current trainers are pretty good. The ones I have seen have all been very dedicated. A suite of training has been produced out of Motorcycling Australia, based on some of the English models, which I would say would be very good. I have a fairly high opinion of the guy who wants to do that, Rob Smith. He is regarded as one of the best trainers around. He is a former chief trainer for VicRoads.

Mr LANGUILLER — Thank you for your submission. In your submission you state that you would oppose mandating protective clothing. Can you explain and elaborate on that?

Mr ELLIS — Mandating protective clothing is to a certain extent a means of controlling motorcycles — reducing the amount of riding. If people can only ride with full protective clothing, you are going to see a big drop-off in the usage to people on scooters. In the city in particular, why? They are doing around the same speed as a scooter.

I live in Brunswick. I ride a motorcycle into the city probably three days a week. I am not doing much more of a speed than 50 kilometres an hour, and a good cyclist will get up to that. Yet, we are saying, 'You must wear full protective clothing'. I normally do. I wear boots, gloves, some overpants and a jacket, but why are we trying to mandate it there when we do not for bicycles? You will get some very nasty injuries coming off on a gravel road in lycra. Most motorcyclists will wear at least jeans, a jacket and gloves. You will not get the abrading injuries from hands.

I believe I know what it is like. I have had one injury crash in the 40 years I have been riding, and that was at walking pace. I pulled into the side of the road on some oil, came off and smashed my arm up quite badly near Warragul. The surgeon looked at it and said, 'Oh, you have come off a bicycle', because it looked like a classic bicycle injury, right down to the bit of gravel rash where my glove got ripped off and the impact fracture on the arm.

The necessity for mandating protective clothing is not there. On the highway you will find that probably 90 per cent of riders will wear full gear. I do not know too many people who would go for a run on the freeway without wearing pretty close to full gear. I was cynical at first when I started becoming involved with motorcycle safety, but I do believe a lot of the things are about reducing exposure. For my vote, the TAC

commercials are a classic for this one. They are not aimed at current riders; they are aimed at potential riders. They are aimed at the family and friends of riders, to try and prevent them taking it up in the first place. This came out of some work that was done for MUARC. There was a paper on licensing that quite explicitly spelt out that some of these changes to the licensing scheme will have a really good effect because there will be fewer people riding, therefore we can expect to see fewer injuries. That is what bothers me — there is not an attitude of making it better or making it safer. There is an attitude of putting things down by stopping it. That is what worries me with the protective clothing. There is an attitude there.

Mr LANGUILLER — Thank you.

Mr ELSBURY — Thank you for your presentation today. I know a few Ulysses riders out my way in Werribee. They are very active in the chapter or the group in that area. Looking at the fact that you are involved with the VMAG, I was wondering if you have any recommendations about VMAG.

Mr ELLIS — The main recommendation would be to make it more open. We finally managed to get a chairman to communicate in the old VMAC, which went a long way towards alleviating some of the problems. The idea of having people able to attend meetings would be a good one. If there is something which is commercial in confidence, and it will happen, people can be asked to leave. But for most of it, having people attending meetings is a very good idea. Some rumours used to come out of the previous one. There were rumours spread about levy money being used to buy police motorcycles, which was absolutely untrue. Had the meeting been able to be open, that would never have happened. It needs to be far more open and a bit more transparent.

Mr TILLEY — Who started the rumour?

Mr ELLIS — I do not know. I have suspicions, but I do not know where it came from. There was certainly debate about it and there was approval for police enforcement in principle until we could establish what it was. What came out of that was the yellow flag/black flag program, which had the potential to be quite good, but it got emasculated by not having part of it done. It was going to be based on the English red card/yellow card program that the police ran, which had a diversion program to divert people into half-days on classroom work and then half-days on roadwork with police. It would cost them the same as a fine, but they would not have got points. That would have been a good diversionary program, but the diversionary program was seen to be impractical and not possible. Without it, it ended up being a bit mickey mouse. What we did get out of it was some good statistics, which unfortunately seem to have disappeared into the ether. There was some very good work done on police crashes in the CBD.

There was a paper presented to VMAC. One of the things in there was that 18 per cent of all motorcycle crashes in the CBD were caused by taxis. The police recommended that some sort of training be put in place for taxidivers. A lot of the other crashes in the CBD are caused by people turning across from the right lane into the centre of the road parking places. That was found to be very significant. Unfortunately a lot of that work just seems to have vanished. We do not know where it is. Nothing has come forward since. We were also constrained from releasing a lot of that. We were told it was confidential and we could not release it or discuss it. That was the case with a lot of stuff which came out on VMAC. There was no reason for it. If something is commercial in confidence, well and good, but crash statistics are not. They are valuable, they are useful and they are something which probably should be disseminated. Unfortunately that has not been the case.

Mr ELSBURY — What outcomes would you like to see from this committee's inquiry?

Mr ELLIS — I would like to see a change in attitude towards motorcycling at some of the agencies. I think we have seen it with VicRoads. They are much easier to deal with and have improved, to be honest. There are things I will disagree with them about and things I will vehemently disagree with them about, but they have improved. The TAC I do not believe has improved all that much. Victoria Police — it depends who you are talking to. Some of the people who have been along to the VMAC meetings have been good. Some of the individual police that I have dealt with over the years have been wonderful, at all levels. Others are very closed minded. I do not know what the story can be with that. I would like to see more encouragement of riding. I think it has some very distinct benefits. I would like to see recommendations that Victoria's Road Safety and Transport Strategic Action Plan can be moved along a lot faster than it has been. There are a lot of good things in there, but it has bogged down and stalled a bit. There have been workshops and studies done on bus lane

usage; they seem to have not had any real results out of them. There has been stuff on road space usage; there has not been a lot come out of that either. A lot of this work seems to have stalled. What worries me, with the differences in VMAC, is that it is going to stay stalled under the new group unless the new group is able to have a few more teeth.

The CHAIR — You have just run through a couple of issues there, but we value information on any research that might guide the deliberations on the inquiry. Just now you referred to some research that has been undertaken but has not been divulged to the wider world. Could you take that perhaps on notice just by way of email to the secretariat, that comment on those areas of research that you are aware of that might correlate with our research interests?

Mr ELLIS — Yes, I will. There is quite a bit out there. There have been some on scooters and there have been some on crash studies. I can certainly do that. I will go back through some of the papers and produce full details.

The CHAIR — That would be helpful. We are keen to have an evidence-based approach to our work, and certainly the data with taxis and CBD crashes is — —

Mr ELLIS — I do not have that, unfortunately. You need to approach VicPol for that one. It was presented to VMAC, but I do not have a copy of it.

The CHAIR — Even just that statistical overview of on-road, off-road crash data?

Mr ELLIS — We do not have a lot off road. Ulysses is not an organisation that really deals much with off-road driving. I used to ride off road a lot myself in my younger days, so I have got a vague interest, but I am not an expert on off-road crashes or off-road riding.

The CHAIR — Thank you. Mr Ellis, feel free to decline to answer this question, but what has been your vocation when you have not been directing your energies towards the Ulysses Club?

Mr ELLIS — I am a senior project officer with Skills Victoria. I have a strong IT background. I worked interstate and in the country for many years. I was with the coal-to-oil plant down there in the Latrobe Valley for the life of the project — a senior Australian there in the IT area. Then I moved to Skills Victoria looking after IT.

The CHAIR — That is Skills Victoria?

Mr ELLIS — Yes. We look after TAFE and universities. These days I am more involved with the capital works side. Unfortunately you do not hold your meetings any more at 35 Spring Street, because our office is now on the ground floor. It would have been very convenient if had you stayed at level 8, 35 Spring Street for parliamentary committees.

The CHAIR — That is not too far to ride perhaps, and we have got some good parking out here for motorbikes.

Mr ELLIS — No, I came in by car today. I had some fairly serious meetings this morning out at Swinburne Uni, so I had to look respectable. There is always a problem when you are riding in.

The CHAIR — What is the bike that you ride?

Mr ELLIS — I have two. I have a Suzuki Katana — mid-80s — and a BMW R65LS — also mid-80s, both in fact by the same design house, a chap called Hans Muth. They are both eligible for classic registration, but I ride them far too frequently, I am afraid — when I can get hold of both of them. My daughter tends to want to pinch the BMW all the time.

The CHAIR — Mr Ellis, on behalf of my colleagues I thank you for your evidence given today, for the input by way of submission of the Ulysses Club, which will be of great assistance to our work. We appreciate your time.

Mr ELLIS — Thank you for listening to me, and thanks for all the interesting questions.

The CHAIR — Thank you.

Mr ELLIS — Thank you.

Committee adjourned.