

TRANSCRIPT

ROAD SAFETY COMMITTEE

Inquiry into motorcycle safety

Geelong — 15 November 2011

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Mr R. Smith, manager, Australian riders division, Motorcycling Australia.

The CHAIR — Good morning, and welcome to the Victorian Parliament Road Safety Committee inquiry into motorcycle safety. The terms of reference have been pre-circulated, and I would like to invite the first witness for today to step forward, being Mr Rob Smith from Motorcycling Australia. Thanks very much for attending here today. By way of a brief preamble, parliamentary committees have the benefit of parliamentary privilege. You will get a copy of your commentary today from Hansard. We invite you to amend any typographical errors. The benefit of parliamentary privilege carries with it certain immunities which are not continued outside this room. I do not envisage that would be an issue in your evidence today. We thank you for attending. I thank you for the high quality of your submission to the inquiry, which will be helpful to our deliberations.

We have about 45 minutes, and there are a number of questions to be put to you. What I think might be helpful would be if you just feel free to speak briefly to us, highlighting what you thought would be the key ingredients that might come forward from our inquiry, and then we will ask you a series of questions. Are you comfortable with that process?

Mr SMITH — Sure, no problems.

The CHAIR — For the benefit of Hansard, you might introduce yourself, give us your background and your role and then lead into your commentary. Perhaps I should also add that if you have good eyesight, you can see the names in front of the members here. Feel free to be a little bit interactive. We are used to interjections, so for those at the back, you can interject, should you wish, but preferably later on.

Mr SMITH — Thank you. My name is Rob Smith. I am the manager of the Australian riders division of Motorcycling Australia. Motorcycling Australia primarily looks after the competition side of motorcycling, but it does have a separate department or unit, if you like, that dedicates itself to being a resource for road riders. My background is primarily in rider training. I have been a motorcycle trainer for 27 years, starting in the UK and then moving over to Australia in 1990, where I became an employee of VicRoads and subsequently became the chief motorcycle instructor for VicRoads. During that time I was part of a unit called the driver standards unit, which implemented the current licence test system. I think it would be fair to say that through the involvement with that I am probably the most knowledgeable person on the current licence test process in Victoria.

Following that, I did a three-year secondment at Monash University Accident Research Centre, carrying out a case control study and then a review of the motorcycle training available through the accredited provider system in Victoria. Following on from that, I became self-employed as a motorcycle safety consultant and was engaged in a number of projects, including road safety auditing and carrying out a road safety audit on the Great Ocean Road, which was probably the first of those audits. I conducted a number of others throughout the state on behalf of VicRoads and later on went on to do a certificate in accident investigation, specialising in motorcycles, and became a motorcycle specialist accident investigator for a company called DVExperts, which is a company of forensic engineers. Following on from that, I moved to Motorcycling Australia, where I now hold the position that I currently hold. I am a motorcycle rider of many years — 30, 40 years — but got my initial licence when I was 16 in the UK and have been riding pretty much every day ever since.

In terms of the things I would like to cover today, I think there are a number of things, one of which is the statistics that are currently being used to justify a number of different programs for motorcycles. There is no doubt that motorcycles carry with them risks, and I think I would be on pretty safe ground to say that everybody who rides a motorcycle is aware of those risks. No-one takes up motorcycling to be safer. However, the statistics, as they indicate it at the moment, show a downward trend in the crash rate rather than simply bald numbers.

The CHAIR — I will just interrupt here. You have provided us with an excellent submission, and that is published on the web, as I understand it, so we have all that information to hand. In speaking to us, if you would just be able to give us the key headings of the issues that you regard as of the greatest importance, just in bullet point form, then we have a dozen questions that we want to ask of you that will enable you to embellish some of these matters in the time we have available. Your report is an excellent submission to us, and we have got your thoughts on the crash data and the relativities and ratios.

Mr SMITH — Data, prevailing attitudes towards riders and training — I will stick to those. Those are the three simple ones, I think, at this stage.

The CHAIR — I will take the liberty of putting one question to you. Out of this inquiry, what would you think is the key thing that you would like to see unfold — the very first item that might transform outcomes in Victoria to improve the safety for the motorcyclist?

Mr SMITH — I would like to see a wider acceptance of motorcycles and motorcycling in the broader community as both relevant and legitimate.

The CHAIR — Thank you.

Mr TILLEY — With your wide experience in rider training, and certainly you informed us in relation to the licence testing processes — and I want to use a quote directly from your submission, if you may — you made the point that the quality of the training curriculum is mixed and the training courses in Victoria are superficial. I wonder if you could explain for us how those issues could be dealt with and how you might be able to provide us with some examples specifically in relation to that comment?

Mr SMITH — Currently there are a number of accredited providers delivering training throughout Victoria. In order to become accredited, they have to go through a process of evaluation with VicRoads that looks at the course content, their capabilities to deliver that course and their ability to carry out the necessary tests for both learner permits and licences. When we initially put that process together we had very clear ideas of what was supposed to be in that training. There are two issues. They are the training itself and the actual testing. We will deal with the training. At the time the training was based on skills. The reason for that was that VicRoads had decided to drop the on-road test that had gone before. The on-road test was the reason why there was a learner permit stage, the idea being that you obtained the learner permit, which then enabled you to gain some experience on the road, come back, do a further skills-based test and then an on-road test. The permit was there to provide you with the opportunity to gain that on-road experience.

Once the accredited provider system was put in place, or was mooted, we looked to get at the reliability of the on-road test. It was decided that because the people delivering the on-road test and the cost of delivering the on-road test were causing some issues, it may not be the way to go, plus at that time there was no evidence to suggest that an on-road test actually changed very much at all. In subsequent discussions with one of the key providers it was also decided that due to the fact that the on-road test was not commercially viable, the best thing to do would be to drop it and adopt the process that we have now, whereby a learner rider attends an accredited school, does a training program that is designed to achieve something we call basic skill fluency — which is the ability to operate the machine without having to consciously decide what you are going to do next — and then is tested on that in order to deliver a learner permit and a licence.

The content of the courses is designed around core competencies on the motorcycle. There are only so many things you can do on a motorcycle, unless there have been some new ones. We looked at the ability to make turns, the ability to ride slowly in traffic under control, the ability to ride through simple curves and the ability to stop. This was based on the research that came out of the Hurt report in the 1970s. The learner permit was designed to give very simple skills. The licence course was designed to develop those skills further and achieve a higher standard of competency. The requirement for all the providers was to deliver those competencies and in addition to prepare the rider for their first forays and trips out onto the road and into traffic.

Over time there has been a gradual degrading of the delivery of the training and the testing. We can deal with the training first. This is from my experience from observing rider trainers, and I have observed most of the rider trainers and talked to a lot of them. I know there has been a loss of knowledge. I would suggest that in many of the cases the fact that the rider trainers are not delivering the course content to the standard that I believe they should be is not necessarily down to them being lazy, corrupt or anything like that; it is just that they do not know. There is no-one around anymore that understands or knows the reasons why certain things are done.

If I can give you an example, during the learner permit course there is a requirement to make a sharp left turn at 90 degrees and a sharp right turn. The purpose of this was to teach a rider to make a left or right turn at an intersection, and part of that was a series of cones that required the approaching rider to do a mirror, signal, head check and manoeuvre. Over time the cones got dropped, and so there was no requirement for the riders to learn

that basic fundamental skill for riding in traffic. The left and right turn stopped becoming a left and right turn at an intersection and became a cornering exercise. By virtue of that, many providers use that simple exercise to teach riders how to ride through curves rather than how to prepare for a left or right turn in traffic at an intersection. We have the issue that a kind of Chinese whispers has occurred where riders no longer learn the things that they need to learn to go out onto the road.

If we take that one step further, a requirement was also to deliver a road-craft discussion whereby basic principles of roadcraft would be taught and discussed, and this would centre around something called SIPDE, scan, identify, predict, decide and execute. The whole purpose of that, again, was to deliver something that riders could actually use in practice on the roads in traffic to keep themselves safe. Over time it became okay to replace the discussion with a video. The video could be as long or as short as the provider decided it should be, so the riders then often lost the opportunity to interact and ask questions about that really important grounding in strategies that they were going to take with them onto the road. We now have a training process that I believe cuts corners and fails to deliver the tactical and strategic content that it was originally designed to deliver. We now have a substandard rider emerging from the end of the process who is not as well prepared as we had originally hoped for.

We now move on to the testing. The learner permit test was always supposed to be a very basic test designed to really make sure that the rider knew how to ride around without falling over and could do basic stops. We referred to them as quick stops, not emergency stops, because an emergency stop implied that there was a need to stop really fast in order to save their life. The learner permit was designed to be the first building block, and, as such, they were taught to ride and carry out quick stops, which was more about the technique than the overall outcome. We believed by showing people the technique they would then go away, practice and improve until they could do emergency stops. Indeed, in the licence course an emergency stop is carried out.

The licence test itself came from overseas, and I was responsible for initiating that. Called the motorcycle licence skill test it again focused on key avoidance manoeuvres. As a result, we have riding through curves, which was measured electronically; braking, which was measured electronically; and swerving, which was measured electronically. When I first put in the test I always envisaged that it would have a shelf life of around about 10 years. It was hoped that VicRoads would invest in upgrading, updating and improving the equipment, but that did not happen. As a result, we still have the same equipment being used to carry out those licence tests. Over time the equipment has worn out and got less reliable, and not only that but there are some operators who no longer operate it in the way that it should be operated. There are those who do favours. If they like the look of your face, they can make that test as easy or as hard as they choose. I hear anecdotally that there are those who do not do the test at all. This is obviously a major concern.

Mr TILLEY — Can I just stop you there. They are making an application to do the licence test for VicRoads, and then they are not doing that physical riding test?

Mr SMITH — That is what I am hearing.

Mr TILLEY — Is that via the bush telegraph, so to speak, or do you have any substantial evidence?

Mr SMITH — I have spoken to people who have got their licence or permit without having to do a test, and they have given me that information unaware that I have an involvement with motorcycle training.

Mr TILLEY — Any particular part of Victoria?

Mr SMITH — I generally took people from the Melbourne metro area. This is a major concern. There are two issues. There is the one that the test is not being applied properly when it is being applied, and the other issue is that it is not being done at all. These are audit functions, and I believe the problem with the audit functions was that there was a preoccupation with process rather than delivery. While the paperwork got bigger and more expansive and tried to cover off more and more things, those who actually knew what they were looking at disappeared from the ranks. In the end no-one knew what it was they were looking at when they went and looked at the delivery of either training or testing.

An example of that would be that I have done some work for one of the training organisations, and in looking at the lines painted on the bitumen, it was immediately obvious that the lines had been incorrectly painted. As a result the rider was given an unfair advantage over a rider at a school where the lines were painted correctly. In

other places, for example, where a rider was supposed to ride a certain distance at a low speed and use the clutch, throttle and rear brake to control the progress and the speed, the idle of the machine had been set so that all they had to do was get moving and then idle through until the end. They did not have to use the clutch, throttle and rear brake at all. The result was that it negated the skills.

The best example of actual knowledge of the substandard approach came when my wife attended to get her learners permit. On our first ride out I asked her what she knew. We had a little ride around in a car park and one thing and another. She speared across a T-intersection and mounted the curb on the other side of the road. When I asked her why, she said, 'No-one taught me to turn right slowly'. I questioned her about that, and she said, 'We didn't do that; we just never got shown how to make a right turn slowly from rest'. There is a big problem with rider training.

Currently we are looking at a new system with a graduated licensing scheme, which I believe is an opportunity to put right the things that have gone awry. If we go with a graduated licensing scheme, we have not only an opportunity to put right the process but also an opportunity to put right the audit. It is the audit function that I believe is the most important of all. We know how to train people to ride motorbikes; it is the maintenance of the standard that we really need to get right. Whatever we put in place, that is critical. If anything, there needs to be a recognition that there is a need for people who understand the delivery and content and are able to maintain the standard of the delivery and content.

Mr TILLEY — I could probably go on, but we have a number of questions we want to canvass with you.

Mr LANGUILLER — Thank you for your submission and your contribution today. You said that VicRoads had dropped the on-road testing and that there were two reasons for that. The first one you indicated, on recollection — and I want to be clear about this — was that VicRoads did not have any evidence to the effect that there would be any benefits. Is that the case?

Mr SMITH — That is correct.

Mr LANGUILLER — Are you aware of any research that has been done? To suggest that there was no evidence in my mind implies that there has been some proper, credible research; or was there no evidence because they had not done anything?

Mr SMITH — I think at the time there was no evidence because the capability to get the evidence did not exist. Back in the late 1980s and early 1990s we did not have simulators, and we did not have the ability to record performance, whereas nowadays, if we were to do similar research, we could.

Mr LANGUILLER — Thank you; that is clear. I will come back to another important question. In your experience of ABS, traction control and airbag technology on motorcycles, what do you think the future impact on people taking up motorcycling is likely to be?

Mr SMITH — Regarding ABS, as of 2017 all motorcycles over 150 cc will have to have ABS. We are going to get it whether we like it or not. ABS is without doubt one of the most important steps forward in motorcycle safety in recent times. The reason for that is that, regardless of how skilled a rider is, when the moment of truth comes it rarely comes announced. No-one is going to run out and say, 'Get ready to do an emergency stop because you're going to die if you don't'. You have to respond instantly at the time. Human beings, being what they are, respond usually through reaction, and when they react they grab the brakes.

The only people I know who can do a controlled emergency stop in a true emergency situation at any time are rider trainers or people who practise regularly. If you do not practise, you do not have that capability, and most riders do not practise. For them ABS will be significant. When I talk about practising, rider trainers practise their emergency stopping every single day, and hence they have a very high level of capability. I try to practise an emergency stop every week, and I do multiple emergency stops. I would probably do a reasonable job, but I could not guarantee it, so I think ABS is a great thing in that situation. We know that a lot of riders are seasonal, so they go through an entire winter period, which may be six to eight months or whatever, without practising anything at all. The ramp-up process to get back to where they were takes time and practice, and a lot of people just do not do that.

If we talk about traction control, this is an emerging technology that at the moment is available only on high-end motorcycles. It will be some time before it becomes available across the range. When it comes, we do not know what the outcome will be, because there have been no trials of its effectiveness that I am aware of in terms of overall road safety.

Mr LANGUILLER — Not in Sweden either, to your knowledge?

Mr SMITH — Not as far as I am aware. I have ridden a motorcycle with traction control, and it feels great. I am sure it will be very useful. However, until we get some proper trials of how effective it is in a variety of situations and on a multitude of different types of motorcycles, we will not know how effective it will be.

That is similar for airbags. Some motorcycles may well be able to accommodate airbags. We know that the Honda Gold Wing is able to utilise an airbag, but it is very limited in its effectiveness in certain situations. We know it works well in a 90-degree impact, but we do not know how well it works in an 18-degree impact. It may well be that it is not really that effective. Perhaps the best benefit of airbag technology could be found in protective clothing. Certainly in MotoGP it has proven itself a number of times, and it is becoming more and more available to the general public. As it becomes more available it will become cheaper and more accessible. I would buy one.

The CHAIR — Your submission characterises research into experience levels as being arbitrary and the results questionable. Can you expand on your statement and provide any examples of such research?

Mr SMITH — Tell me what page you are looking at.

The CHAIR — I am just noting that there is a reference to experience levels as being arbitrary and results questionable.

Mr LANGUILLER — It is about the eighth point.

Mr SMITH — A lot of research depends upon the definition of what is and what is not experience. There does not seem to be any consistency as to what is or is not experience. As a result we read, we take all this research and we say, 'Okay that sounds good', or not good or whatever, but we do not really know what it is that we are looking at. We are not really comparing apples with apples. There needs to be a consistent definition of what is and what is not experience.

The examples I have given in my submission indicate that there is some variation and that Monash University recently looked at or had a study which showed that an average kilometre reached of just 4000 per year equals 77 kilometres a week, or 15 kilometres a day. Whether that represents an experienced rider or not, I do not know because we do not know whether or not that 15 kilometres is in traffic or whether it is in the bush or whether it is repeating the same ride. There is no real useful definition and one has to be established if we are going to move forward with research and say, 'Right, this is what we accept as being experienced'.

The CHAIR — Thank you for the answer.

Mr ELSBURY — I tend to agree with what you have said about rider training, simply because I have got this new little bit of plastic now, and it was very interesting how I got that, but in any case further training will be undertaken as well before I try for another bit of plastic.

Mr SMITH — I can help you with that.

Mr ELSBURY — Your submission also recommends a radical overhaul of the data collection system in Victoria, putting your view of the current issues with the system. How do you suggest it be overhauled?

Mr SMITH — The current data collection appears to me to be a blunt instrument. We need to have a lot more detail about crashes. I call upon my experience with accident investigation and we do not know enough about the actual events. When I was doing accident investigation one of the things that we knew was speed range. We worked that out from a variety of things, whether it be skid marks, throw distance of debris or throw distance of the rider. We do not collect good information at the scene. Part of that is because all of those things are left and they disappear. A simple way to deal with that would be to take some pictures of every single motorcycle crash, and to record the locations with GPS.

When I was on VMAC some time ago, one of the things we suggested was that we actually buy the police some digital cameras so that they could take them with them to crashes and record some of the information and evidence at the scene to be looked at later. It did not get taken up.

Today with mobile phone technology, it is easy to take pictures at the scene. There is software available that can look at the pictures and tell you exactly what the differences are relative to, say, a point of impact. We need to get more scientific about the data collection. We need people who are trained to collect data, and we need to be helping the police to put together a system that ensures that the data is as reliable as it can possibly be and the quality of that data is as high as it can be. Only then can we really understand what is truly going on, because at the moment it seems to me that there is a lot of guesswork. We are making critical decisions about people's lives and programs to save people's lives based on that. If I can use the judiciary as an example, no judge would pass a judgement without having seen all the evidence and examined it thoroughly, yet we are making decisions without seeing all the evidence.

Mr PERERA — Why do you think the issue of inappropriate speed is contentious?

Mr SMITH — When we look at the issue of speed, it tends to be a catch-all term whenever we talk about speed but especially in relation to motorcycles. If the word 'speed' comes into things, everybody immediately assumes that that means excessive or illegal speed. For a motorcyclist inappropriate speed is as critical, or perhaps even more critical, than excessive speeds. If I ride around a corner at 50 kilometres an hour and the speed I should ride around it is 30, then that is an inappropriate speed. If the speed limit is 60, then I am still inside the speed limit, but it is not necessarily the appropriate speed. We are not good at drawing that distinction. The problem with that is that it needs two distinct strategies. We know how to deal with excessive speed or illegal speed — and that is an important issue — but we do not know how to deal with inappropriate speed, and that really comes down to training.

Mr LANGUILLER — Can you clarify that for me? I am trying to work through this issue of 'excessive', meaning the legal limit, and 'inappropriate', meaning whatever is required.

Mr SMITH — One is to do with regulation. If the speed limit is 100, and I do 110, I am speeding and it is illegal. If the speed limit is 100, and I go round the bend when it is wet and it will only provide me with friction for 80, then if I go round at 100 and I crash, it was an inappropriate speed but it was still legal.

Mr LANGUILLER — Thank you.

The CHAIR — I think the point has been well made. I would like us to keep moving on.

Mr TILLEY — In our conversation this morning we were talking about training, slow moves, and those sorts of things. By way of background, my experience with motorcycle training was a four-week continuous course run by the defence forces and the first two days we were not even able to straddle the seat of a motorcycle; and leading to participating in motorcycle display teams, by the name of the Red Knights, where you would do splitting the rails, five-way crossovers and all those sorts of manoeuvres. With all those things I am just talking about background.

What I am getting to is on-road riding and the differences, and I am very interested in the training. I want to talk specifically about filtering. In your submission there is no empirical evidence to suggest that it is dangerous. I am not talking about the training and experience of riders that have vast amounts of experience like yourself. I am fairly experienced myself compared to my colleague who has just recently done a couple of hours rider training. Talking broadly in relation to filtering what is your position in contrast to the arguments that have been made by others? Why is filtering a good idea? Are there any other alternatives?

Mr SMITH — To filtering?

Mr TILLEY — Yes.

Mr SMITH — That is quite a question! In the last few years I did a diploma with the Royal Society for the Prevention of Accidents in advanced motorcycle instruction. It is probably one of the best things I have done.

Mr LANGUILLER — Whereabouts?

Mr SMITH — In the UK. During that, if I did not filter when it was available, I would be penalised. This would be seen as not making the most of the opportunities to make progress. While I was doing it I was reviewed as to how I was doing it — whether the speed was appropriate or whether the gap selection was appropriate. In terms of speed they look at the speed differential, so if the traffic is moving at 30 kilometres per hour and I filter past them at 35 or 40, that is good. In the UK they apply a 20-20 rule, which means that up to 20 miles an hour you can pass at 20 miles an hour faster, so you can pass at 40. Above that, they view it as dangerous, and I do not really have a problem with that.

On-road training is something that has been neglected for a number of reasons. One reason is that there is no requirement for it in the licence testing process. The other is that there is no insurance available for people who deliver that kind of training. As a result we now have people out there delivering on-road training who we do not know anything about. We do not know what they are telling people. There is no insurance so we know they do not have any public liability, but they are out there doing it. They are probably teaching people filtering and I think it is remiss of us not to deal with that because riders are doing it every single day. To just say, ‘We are not going to address that; we are not going to talk about it because it is illegal’ is just sticking your head in the sand and saying it is not really there. You have to address it.

Filtering is really very important. Not only does it alleviate congestion, but it also has a lot of side effects, one of which is that if you allow riders to filter on a hot day you are more likely to get them to wear protective clothing because they can keep moving and there will be a through-flow of air, whereas if you make them sit in traffic on a 40 degree day between a whole load of cars that are pumping out a lot of emissions, choking up people and giving people all kinds of horrible diseases, you are going to get overheated riders.

Mr LANGUILLER — Is that anecdotal or empirical?

Mr SMITH — We know the effects of carbon monoxide and exhaust gas emissions physiologically. That is kind of like a no-brainer.

Mr LANGUILLER — I am talking about the prior comments you made in terms of sitting in traffic and wearing protective gear.

Mr SMITH — In terms of protective clothing, that is anecdotal. I do not believe it has ever really been considered. The real issue with filtering is that if we legitimise filtering, then there is a requirement for drivers to be part of that interaction and to look for riders. One of the key things that riders want is for drivers to look for them. If we legitimise filtering, then we can incorporate that regulation into driver training. It would be ‘When you are in traffic, look for riders because they will be filtering. They are allowed to’.

The CHAIR — What is the difference between lane splitting and filtering? At what speed does filtering take place? Is it when cars are stationary, at 5 kilometres an hour as they are drawing to a stop or at 30 kilometres an hour?

Mr SMITH — In a recent meeting we had on this exact subject, a speed suggested by the VicRoads representatives was 30 kilometres an hour. So at up to 30 kilometres an hour a motorcycle could pass moving traffic.

Mr PERERA — That is called ‘filtering’?

Mr SMITH — Yes. Above that, it could be termed ‘lane splitting’. Because we do not really have any hard and fast figure at the moment, it is hard to determine. For me, I think lane splitting is a more aggressive act.

The CHAIR — In response to the interjection from the floor, I ask that you please write down your comment for the moment.

Mr SMITH — Generally it is high speed. But until we actually get a definition, it is hard to be able to say that one is and one is not. But I see filtering as something that is done at a controlled speed, and I guess I put with that the simple premise that you do it at a speed that allows you to stop to avoid a collision.

Mr PERERA — That is filtering?

Mr SMITH — Yes.

The CHAIR — Rob, we have reached a point in time where we are only part way through the questions that we have relating to your submission. We cannot do justice to them by rushing through them over a brief time period. What I would suggest is if we could organise to meet with you again so that we can further explore some of your commentary in light of your excellent submission.

Mr SMITH — Sure; no problem.

The CHAIR — Thank you very much for your evidence today. We look forward to continuing the dialogue with you. We are meeting in Ballarat tomorrow, but we would be happy to make a time perhaps in Melbourne or we could come back to Geelong.

Mr SMITH — Thank you very much.

Witness withdrew.