

15 December 2015

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Cycling Strategy Update  
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Dear Naomi

## Updating Victoria's Cycling Strategy

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The Amy Gillett Foundation welcomes the opportunity to provide a submission to the update of Victoria's cycling strategy. We are delighted that the Victorian Government is taking steps to strengthen cycling in Victoria.

The Amy Gillett Foundation ('the Foundation') is a national organisation with a mission to reduce the incidence of serious injury and death of bike riders in Australia. We draw on evidence and international best practice, and collaborate with government, business and the community to create a safer environment for bike riders, while maintaining an efficient road network for all road users.

We welcome engagement on issues related to bike rider safety and encourage the Department of Economic Development, Jobs, Transport and Resources to contact us directly to discuss our response or if additional information is required.

Our response focuses on two elements in the strategy:

- Improving cyclist safety
- Strategically planning networks and prioritising investment.

## Recommendations

The Foundation strongly recommends that the following 11 actions be included in the strategy update.

The Amy Gillett Foundation recommends that Victoria's Cycling Strategy:

1. Set a target of zero deaths and serious injuries from bike rider crashes by 2020 and integrate this target with Victoria's *Towards Zero* Road Safety strategy.

2. Support the amendment of Victoria's road rules (RR 144) to mandate minimum overtaking distance when drivers overtake bike riders:
  - 1 metre in speed zones up to and including 60 km/h
  - 1.5 metres in speed zones over 60 km/h.
3. Support amendments to other road rules so that drivers can cross centre lines, straddle lane-lines and drive on painted islands, to provide a minimum passing distance when overtaking bicycle riders, if the driver has a clear view of any approaching traffic and if it is safe to do so.
4. Support a safer road environment for bike riders by pursuing speed limit reductions throughout Victoria, including:
  - 40 km/h limits in CBD and local streets to promote liveability, safety, active trips and safe cycling
  - 50 km/h limits on collector streets where on-road cycle lanes are provided
  - 40 km/h limits on arterial roads in areas of high pedestrian and/or bicycle rider activity (such as strip shopping centres) currently zoned as 60 km/h.
5. Allocate ongoing funding to the Foundation to support Cycle Safe Communities throughout Victoria.
6. Require cycling-related content in all driver licence tests including that:
  - a. written tests include at least 5% or two (whichever is higher) questions that relates to bike riders or cycling infrastructure
  - b. on-road tests include knowledge testing of interaction with cycling infrastructure (e.g. how long permitted to drive in bicycle lane), and that unsafe interaction with a cyclist be considered a critical error.

In addition, require that learner training includes 'learning to drive with bike riders' modules.

7. Investigate new technologies for roll out to Victorian drivers, such as the 'Rider Reminder' door handle prompts, produced by the TAC, and 'Cycle Safety Shield' being fitted to refuse collection vehicles in the UK, which help drivers be more aware of vulnerable road users.
8. Conduct or commission further analysis of biker rider crashes, fatalities and serious injuries in Victoria, to ensure the best possible understanding of these crashes in order to develop the most appropriate solutions.
9. Work with the TAC to assess existing online approaches for the self-reporting of bike rider crashes available in other Australian jurisdictions and consider if implementing a similar

system would provide a better understanding of bike rider crash factors and the magnitude of bike rider crashes in Victoria.

10. Ensure that as part of the Level Crossing Removal Program that continuous, on-road cycling infrastructure is included at all locations.
11. Convene a stakeholder advisory group under the auspices of Active Transport Victoria to provide expert advice and to monitor implementation of Victoria's cycling strategy and accompanying action plans, and include the Amy Gillett Foundation as a member of this group.

## Rationale

This section elaborates on each recommendation.

### Improving cyclist safety

- 1. Set a target of zero deaths and serious injuries from bike rider crashes by 2020 and integrate this target with Victoria's *Towards Zero* Road Safety strategy.**

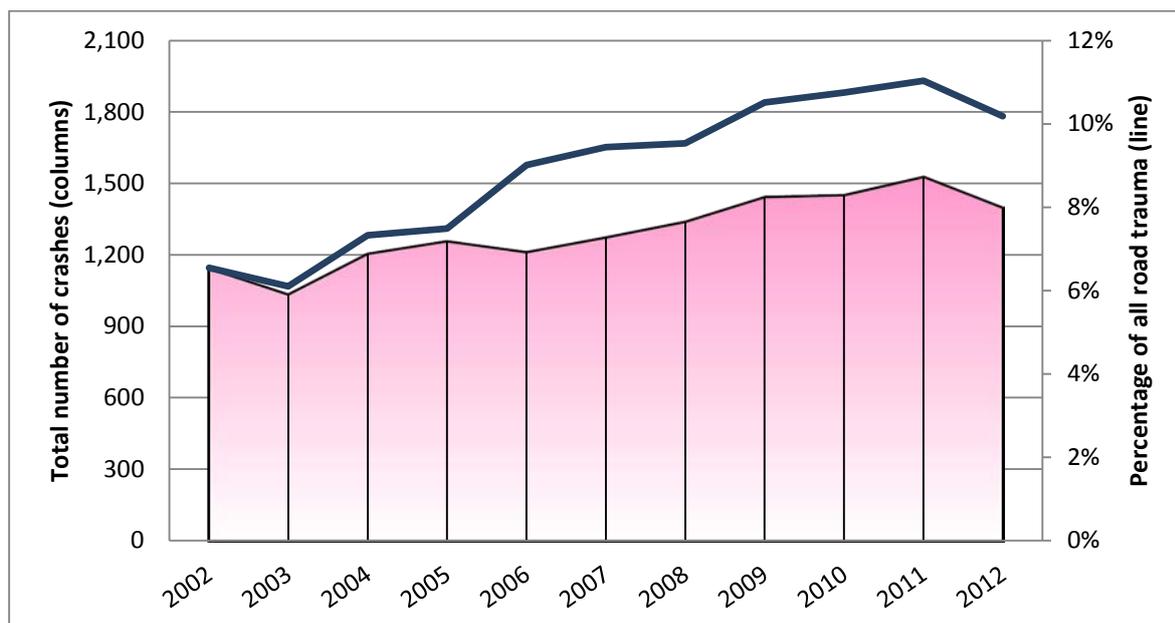
Victoria's cycling strategy must reflect that it is unacceptable for bike riders to die or be seriously injured in a crash on our roads. The cycling strategy should integrate with Victoria's *Towards Zero* Road Safety Strategy if Victoria is to effectively adopt the Safe System philosophy to road safety. Integrating these strategies will enable an holistic approach to minimising the risk of death or serious injury on the roads by taking into account the interaction between roads, vehicles, speeds and all road users. Explicitly linking cycling and road safety will serve to remind the community that bike riders are legitimate road users.

*Towards Zero* highlights that 'safety is a shared responsibility' and the cycling strategy should explicitly state actions to support *Towards Zero's* objectives to engage the community to bring about behavioural change on our roads.

Behavioural change is critical to reverse the alarming increase in the proportion of bike rider crashes in the overall Victorian road toll. Since 2002, the proportion of bike rider crashes in the total Victorian road toll has increased from a low of 5.8% (2001) to 11.0% (2011).<sup>1</sup> As shown in the figure overleaf, there has been a steady annual increase in both the number of bike rider crashes and the proportion of all road trauma crashes (Figure 1) since 2003 (1034 crashes).

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<sup>1</sup> Garrett, M, Johnson, M and Cubis, J. *Road Crashes involving bike riders in Victoria, 2002-2012: an Amy Gillett Foundation Report* July 2015 <http://www.amygillett.org.au/wp-content/uploads/2015/09/Road-crashes-AGF-Report-FINAL-Sept-2015.pdf>



**Figure 1 All bike rider crashes (fatalities, serious injuries and other injuries) in Victoria: total number of reported events and percentage of total road toll, 2002-2012.**

Following an increase in fatalities in 2014, Victoria (n=10) was ranked second behind only New South Wales (n=11) as having most fatalities that year – following a notable reduction in fatality crashes in Queensland (2013, n= 13; 2014, n=9).<sup>2</sup> The most recent national serious injury data also ranks Victoria second (n=2,508) behind only New South Wales (n=2,701) with Victoria reporting over a quarter (26.9%) of the national bicycle rider serious injuries.<sup>3</sup>

The Foundation recently completed a comprehensive analysis of Victorian bike rider crashes and showed that there are distinct differences in the crash profiles of fatal bike rider crashes compared to non-fatal crashes: the highest proportion of bike rider crashes occur in urban areas yet almost half of all bike rider fatalities occurred in regional areas. A quarter of bike rider deaths were caused by rear-end crashes with more crashes of this type than any other single crash type.

The study also found:

- On average bike rider crashes account for 8.9% (police data) and 14.7% (hospital data) of all road crashes
- 32.1% of reported bike rider crashes resulted in serious injury, 0.6% in death and 67.3% in other injuries
- 81% of bike rider crashes occur in urban areas, mainly metropolitan Melbourne

<sup>2</sup> Bureau of Infrastructure, Transport and Regional Economics. (2015). Road Trauma Australia, 2014 Statistical Summary. Department of Infrastructure and Regional Development. Canberra.

<sup>3</sup> AIHW, et al. (2012). "Serious injury due to land transport, Australia 2008-09. Injury research and statistics series no. 67. Cat. no. INJCAT 143. Canberra: AIHW."

- 48% of bike rider fatalities occurred in regional areas
- 60% of crashes occur at intersections
- 75% of bike riders involved in a crash were wearing a helmet
- 35% of fatal bike rider crashes involved heavy vehicles
- 23% of all crashes and 34% of fatal crashes occurred at night in low light conditions
- 9% of all non-fatal crashes were a result of a 'dooring' by a driver or passenger with this increasing over recent years. However in the City of Melbourne, dooring was the most common cause of a bike rider crash
- Where speed zones were recorded, the majority of all bike rider crashes (77%) occurred on 50 km/h or 60 km/h roads
- Most crashes occurred on Tuesday followed by Thursday
- Most crashes occurred in March, then February, with the fewest in July and June.

**2. Support the amendment of Victoria's road rules (RR 144) to mandate minimum overtaking distance when drivers overtake bike riders:**

- **1 metre in speed zones up to and including 60 km/h**
- **1.5 metres in speed zones over 60 km/h**

A combination of legislation, education and enforcement is needed to achieve behavioural change.

Mandating minimum overtaking distance rules is a simple, common sense measure to give bike riders a safe space and should be highlighted as an immediate action in the cycling strategy. It will help to address the actual and perceived safety issues highlighted in the *Updating Victoria's Cycling Strategy*, and therefore supports the Victorian Government's objective to get more people riding bikes safely.<sup>4</sup>

This amendment would simply mandate existing VicRoads guidelines for drivers:

*...(to provide) at least one metre when passing (bike riders) more if travelling over 60 km/h. If this clearance isn't possible don't overtake until it is safe to do so. After overtaking, make sure you are well clear of the bicycle before moving back.*<sup>5</sup>

The minimum overtaking distance would reinforce the need for those drivers who do not currently provide a safe distance to do so.

The gap between the existing rule, which requires drivers to provide a 'sufficient' distance, and the above guidelines, creates uncertainty for drivers. 'Sufficient' distance is subjective. The minimum

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<sup>4</sup> Victorian Government *Updating Victoria's Cycling Strategy* October 2015  
[http://economicdevelopment.vic.gov.au/\\_\\_data/assets/pdf\\_file/0006/1216239/Updating-Victorias-cycling-strategy-Information-brochure.pdf](http://economicdevelopment.vic.gov.au/__data/assets/pdf_file/0006/1216239/Updating-Victorias-cycling-strategy-Information-brochure.pdf)

<sup>5</sup> VicRoads *Bike Riders and Sharing the Road* <https://www.vicroads.vic.gov.au/safety-and-road-rules/cyclist-safety/sharing-the-road>; also in *Road to Solo Driving handbook* Part 4, p36  
<https://www.vicroads.vic.gov.au/licences/your-ls/your-learner-handbooks>

overtaking distance provides more certainty for drivers, bike riders and police. As one Queensland police Sergeant said:

*“The previous road rule was very difficult to enforce, there was no objective standard for what was ‘sufficient’. Now we have a clear cut definition.”*

Further, it is standard practice to use measurements in the Australian Road Rules that are clear, effective and enforceable. Distances are specified in at least 36 Australian Road Rules.

Amending road rules to mandate a minimum overtaking distance works. Almost two-thirds of bike riders in Queensland reported an increase in the space drivers give them since the minimum overtaking distance trial started in April 2014.<sup>6</sup> Over half of South Australian bike riders said drivers observed the amended rule to overtake bike riders with at least one metre distance on streets with speed zones of 60 km/h or less.<sup>7</sup>

Importantly, there is strong support from Victorians for the minimum overtaking distance, based on responses to the online survey conducted for the *Review of Cycling Road Rules and Legislation* in 2014.<sup>8</sup> Three-quarters of Queenslanders support the amended laws for the trial in Queensland.<sup>9</sup> There is also strong support from South Australians and Australian Capital Territory residents.<sup>10</sup>

These quantitative research findings are supported by anecdotal evidence from key stakeholders. A senior Queensland Police representative said that his initial scepticism had been overturned and that he ‘marvelled at the observable change in behaviour’ he had seen on the roads.

Victoria is lagging behind national momentum for change: following Queensland, a trial has commenced in the ACT; SA has mandated minimum overtaking distance rules; in Tasmania, drivers are now permitted to cross centre lines to pass a bike rider safely; and the NSW government is actively considering this issue. Jurisdictions with minimum overtaking distance rules have augmented their introduction with public awareness campaigns about these amendments.

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<sup>6</sup> Crosby & Textor, *Public opinion research into the Queensland Government’s trial of the minimum overtaking distance legislation commissioned by the Amy Gillet Foundation*, October 2015

<sup>7</sup> Bike SA survey, October 2015

<sup>8</sup> Online Victorian survey 2014, Tierney, P. *Review of Victorian Cycling Related Road Rules & Legislation: summary report for VicRoads*, March 2015.

<sup>9</sup> Crosby & Textor, *Public opinion research into the Queensland Government’s trial of the minimum overtaking distance legislation commissioned by the Amy Gillet Foundation*, October 2015

<sup>10</sup> 73% of respondents to a SA Government survey supported the proposed minimum overtaking distances. 65% of South Australians agree with the minimum overtaking distance, Crosby & Textor, *South Australian community attitudes towards bicycle riders and the minimum overtaking distance: benchmark research October 2015*. 88% of ACT residents were at least ‘somewhat supportive’ of a minimum overtaking distance, ACT Government Cycling Reform Pre-Trial Study, Micromex Research, September 2015

**3. Support amendments to other road rules so that drivers can cross centre lines, straddle lane-lines and drive on painted islands, to provide a minimum passing distance when overtaking bicycle riders, if the driver has a clear view of any approaching traffic and if it is safe to do so.**

These amendments are a vital component of the Foundation's call for mandating minimum overtaking distance laws. They will help to balance the safety needs of bicycle riders with the need to maintain efficient traffic flow.

Existing Victorian law<sup>11</sup> allows drivers to cross solid lines, straddle lane-lines and drive on painted islands, when there is a clear view of traffic, and it is necessary and reasonable to do so safely. The proposed amendment would include permitting this action when overtaking bike riders. Jurisdictions that have implemented or are trialling the minimum overtaking distance have amended road rules in this way.

**4. Support a safer road environment for bike riders by pursuing speed limit reductions throughout Victoria, including:**

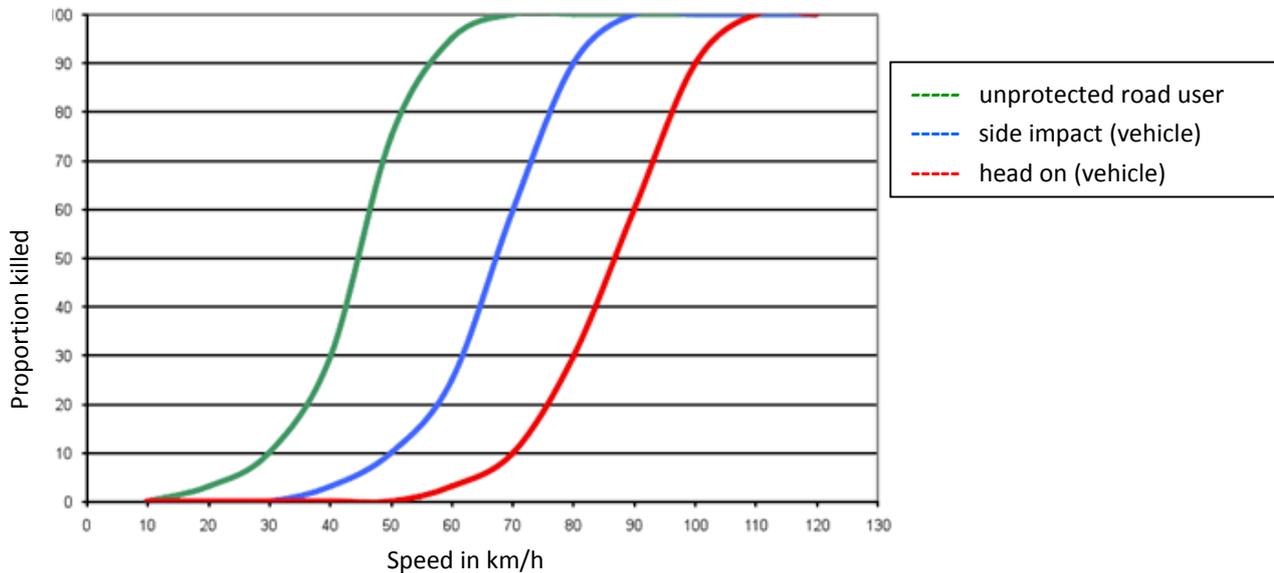
- 40 km/h limits in CBD and local streets to promote liveability, safety, active trips and safe cycling
- 50 km/h limits on collector streets where on-road cycle lanes are provided
- 40 km/h limits on arterial roads in areas of high pedestrian and/or bicycle rider activity (such as strip shopping centres) currently zoned as 60 km/h.

One of the most effective ways to improve safety for physically vulnerable road users, including bike riders and pedestrians is to reduce speed limits, particularly in areas with high volumes of cycling and pedestrian traffic.

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<sup>11</sup> Road Rule 139

Figure 2 (below) shows the approximate risk of being killed for different road users across all speeds. The green represents unprotected road users. At 50 km/h, 7 out of 10 unprotected road users will be killed, whereas at 30 km/h, 9 out of 10 will survive.<sup>12</sup>



**Figure 2 Approximate risk of being killed for different crash speeds and crash types (European Transport Safety Consortium 2008)**

The Foundation supports immediate measures that facilitate safe bike riding in urban areas while recognising the need to maintain the viability of the road transport system. Safer speeds are one of the four pillars of a safe road system and reducing speed zones will require comprehensive community engagement, framing road safety as a ‘shared responsibility’ as outlined in *Towards Zero*.

**5. Allocate ongoing funding to the Foundation to support Cycle Safe Communities throughout Victoria.**

Cycle Safe Communities is an online platform where organisations and individuals can access ready to use resources and merchandise from the Foundation’s key road safety campaigns: *a metre matters* and *it’s a two-way street*.<sup>13</sup>

Established by the Foundation in July 2012, there are now 117 participating communities, councils and organisations around Australia. By providing adequate sustainable funding, the cycling strategy

<sup>12</sup>Garrett, M, Johnson, M and Cubis, J. *Road Crashes involving bike riders in Victoria, 2002-2012: an Amy Gillett Foundation Report* July 2015 <http://www.amygillett.org.au/wp-content/uploads/2015/09/Road-crashes-AGF-Report-FINAL-Sept-2015.pdf>

<sup>13</sup> *A metre matters*: <http://www.amygillett.org.au/programs-resources/a-metre-matters>. *It’s a two way street* <http://cyclesafe.gofundraise.com.au/cms/2waystreet>

can leverage this successful program, expanding it beyond the existing 21 participating communities in Victoria and help embed consistent cycling safety messages across the state.

The program was developed to address the duplication of resources and effort as cycling safety messages were being reinvented by councils and local community groups. *It's a two way street* educates both drivers and bicycle riders that mutual respect and behaviours are crucial when sharing the road. The campaign features 16 *Ride and Drive Rules* that aim to improve the way drivers and bike riders interact with one another. Eight messages target driver behaviour— like leaving a metre when overtaking and safe door opening behaviour, and eight messages target bike riders— like using lights at night and stopping at red lights. Campaign materials include: a z-card for distribution through schools, libraries, councils and local community outlets; artwork for posters, stickers and banners; and a digital animation for road safety education sessions. The animation features the voice of Australian media identity Charlie Pickering.

The Cycle Safe Communities program demonstrates how governments, councils, organisations and community groups can take action to educate road users, in line with sharing responsibility for road safety. The Foundation received the 2014 Diamond Road Safety Award from the Australasian College of Road Safety, in recognition of this innovative contribution to road safety. More information on Cycle Safe Communities is available on our website: <http://cyclesafe.gofundraise.com.au/>.

**6. Require cycling-related content in all driver licence tests including that:**

- a. written tests have at least 5% or two (whichever is higher) questions that relates to bike riders or cycling infrastructure**
- b. on-road tests have knowledge testing of how interaction with cycling infrastructure (e.g. how long permitted to drive in bike lane), and that unsafe interaction with a bike rider be considered a critical error.**

**In addition, require that learner training includes 'learning to drive with bike riders' modules.**

It is possible to become a fully licensed driver in Victoria and without being required to answer a single question about:

- How to safely interact with bike riders on the road
- The purpose of different cycling infrastructure
- Skills tests about safe driving behaviour in relation to bike riders.

Between 2008 and 2010, the Foundation ran the Road Right Learner Driver program in conjunction with State Licensing Authorities. Over 60,000 Learner drivers completed a 10 question quiz about cycling-related road rules and the results highlighted the need for a bike rider component in learner training.

Given the enormous potential for harm that can be caused by any driver of a motorised vehicle, adequate knowledge and skill about interacting with vulnerable road users is a minimum requirement for safer roads. Victoria's formal testing process must be amended to include the existing road rules about sharing the road with bike riders and interacting with cycling infrastructure.

In addition, 'learning to drive with bike riders' modules should be included in learner training. One action is for the Foundation and other stakeholders to collaborate with driver education companies to develop a tailored 'learning to drive with bike riders' component of learner training in Victoria.

The Foundation is collaborating on *Cycle Aware: Driving with Bikes*.<sup>14</sup> Funded by the Australian Research Council, this project focuses on the education and training required by drivers to interact safely with bike riders. It aims to provide a critical knowledge base for state and territory driver education policies and a bike-rider aware module for learner drivers.

**7. Investigate new technologies for roll out to Victorian drivers, such as the 'Rider Reminder' door handle prompts, produced by the TAC, and 'Cycle Safety Shield' being fitted to refuse collection vehicles in the UK, which help drivers be more aware of vulnerable road users.**

Taking the lead on this aspect of bike rider safety would strengthen Victoria's leadership in raising awareness among drivers about sharing the road and safe interaction with bike riders. The Foundation would be pleased to work with the Victorian Government on evaluating the effectiveness of such technologies and investigating new initiatives.

**8. Conduct or commission further analysis of biker rider crashes, fatalities and serious injuries in Victoria, to ensure the best possible understanding of these crashes in order to develop the most appropriate solutions.**

Bike rider crash analysis is an important component in understanding how to create a safe cycling environment. However, the insight offered by crash data analysis alone is limited, and comprehensive data about cycling trips, or exposure data, is required to understand how changes in participation affect crash rates.

We encourage the Victorian Government to consider the limitations of police-reported crashes in both the update to and evaluation of Victoria's Cycling Strategy. While police data provides an important part of the solution, greater information is needed.

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<sup>14</sup> Australian Research Council Linkage Project (LP150100071). Bonham J, Johnson M, Bacchi, C and Haworth, N. (2015) <https://rms.arc.gov.au/RMS/Report/Download/Report/d6b15b2b-3a50-4021-8e6f-6c7ef1cba553/0>

In Victoria, over the period from 2002 to 2012, 2.41 times more bike rider crashes were reported to hospitals compared to all police-reported bike rider crashes.<sup>15</sup> Similar information around the magnitude of bike rider crashes, which can be determined by non-fatal hospital data, is critical to an effective Cycling Strategy for Victoria.

While Victorian law requires that injury road crashes be reported to police, research shows that not all bike rider crashes are reported to police. Reasons for non-reporting include: little or no property damage; perception of wasting scarce police resources; fear that a report may result in prosecution; crashes where the bike rider is the only injured party; misconception that crashes involving bike riders are not road traffic crashes; and misclassification of injury severity.

As a result, police-reported crashes are highly likely to involve a motor vehicle, often considered the trigger for reporting the crash to police. This trigger for reporting crashes to police is an important context when analysing bike rider crashes in the CrashStats.

In addition, information about minor bike rider crashes that may be reported to General Practitioners and Allied Health practitioners is not consistently collected or available for analysis. This is a potentially large resource investment but would provide Victoria with increased awareness of the problem areas.

**9. Work with TAC to assess existing online approaches for the self-reporting of bike rider crashes available in other Australian jurisdictions and consider if implementing a similar system would provide a better understanding of bike rider crash factors and the magnitude of bike rider crashes in Victoria.**

A potential solution to enhancing awareness of the extent and nature of bike rider crashes in Victoria may be an online registry. Online facilities for the public to self-report crashes are currently available in South Australia<sup>16</sup>, Western Australia<sup>17</sup> and the Australian Capital Territory<sup>18</sup>. This type of crowdsourced reporting option removes some of the barriers to reporting bike rider crashes, including waiting for police to attend the crash site and reporting at a police station. It would be valuable to evaluate these facilities to establish if they do capture more information than is currently being reported to police or hospitals.

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<sup>15</sup> Garrett, M, Johnson, M and Cubis, J. *Road Crashes involving bike riders in Victoria, 2002-2012: an Amy Gillett Foundation Report* July 2015 <http://www.amygillett.org.au/wp-content/uploads/2015/09/Road-crashes-AGF-Report-FINAL-Sept-2015.pdf>

<sup>16</sup> South Australia Police (2015). "Report a crash" <https://www.police.sa.gov.au/services-and-events/make-a-report-to-the-police/report-a-crash>

<sup>17</sup> Insurance Commission of Western Australia and Western Australia Police (2014). "Online crash reporting facility." <https://www.crashreport.com.au/ocrf/>

<sup>18</sup> ACT Government. "Report a car crash" [https://www.accesscanberra.act.gov.au/app/answers/detail/a\\_id/39/~/report-a-car-crash](https://www.accesscanberra.act.gov.au/app/answers/detail/a_id/39/~/report-a-car-crash)

## Strategically planning networks and prioritising investment

### **10. Ensure that as part of the Level Crossing Removal Program that continuous, on-road cycling infrastructure is included at all locations.**

The Level Crossing Removal Program is a significant investment in infrastructure in Victoria. It is essential that the surface infrastructure provides safe space for all road users, including bike riders. It is important that continuous on-road cycling infrastructure is included at all locations to ensure the safe travel for bike riders across the new road space. In particular, we draw your attention to this specific infrastructure program as an opportunity to provide cycling infrastructure that maximises the safety of all road users and distinguishes between bike riders and pedestrians.

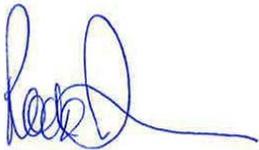
Our final recommendation is that the Victorian Government should:

### **11. Convene a stakeholder advisory group under the auspices of Active Transport Victoria to provide expert advice and to monitor implementation of Victoria's cycling strategy and accompanying action plans, and include the Amy Gillett Foundation as a member of this group.**

In conclusion, the Foundation makes these recommendations in the interests of Victoria becoming a true safe cycling state.

Please do not hesitate to contact me directly if you have any questions or require any additional information to assist with the update of Victoria's cycling strategy.

Yours sincerely



Phoebe Dunn  
**Chief Executive Officer**