

**REPORT OF PROCEEDINGS BEFORE**

**JOINT STANDING COMMITTEE ON ROAD SAFETY**

**INQUIRY INTO MOTORCYCLE SAFETY IN NEW SOUTH WALES**

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**At Sydney on Monday 12 October 2015**

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**The Committee met at 10.00 a.m.**

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**PRESENT**

Mr Greg Aplin (Chair)

**Legislative Council**

Dr Mehreen Faruqi

**Legislative Assembly**

Mr Adam Crouch

Mr Nick Lalich

Ms Eleni Petinos

**CHAIR:** Good morning and thank you for attending this public hearing of the Joint Standing Committee on Road Safety, also known as the Staysafe Committee. I am Greg Aplin and I am the Chair of the Committee and the Member for Albury. With me today are my colleagues from the Legislative Assembly, Mr Nick Lalich, the Member for Cabramatta; Mr Adam Crouch, the Member for Terrigal, Ms Eleni Petinos, the Member for Miranda; and my colleague from the Legislative Council, Dr Mehreen Faruqi. Today, the Committee will hear from a range of stakeholders on the issues that affect motorcycle safety in New South Wales. More importantly, evidence presented at today's hearing will allow us to strengthen motorcycle road safety strategies in this State. I invite witnesses to take an oath or to make an affirmation.

**BERNARD CARLON**, Acting Executive Director, Centre for Safety, Transport for NSW;

**MELVIN EVELEIGH**, Manager, Safer Roads, Centre for Road Safety, Transport for NSW;

**JOHN HARTLEY**, Assistant Commissioner, Commander Traffic and Highway Patrol Command, NSW Police Force;

**MIKE CUSH**, Network General Manager, NSW, Roads and Maritime Services; and

**ANDREW NICHOLLS**, Executive Director, Motor Accidents Insurance Regulation, State Insurance Regulatory Authority, sworn and examined:

**CHAIR:** Before we proceed with questions. I ask witnesses to confirm that they are happy to provide written replies within three business days to any questions taken on notice.

**Mr EVELEIGH:** Yes.

**Mr HARTLEY:** Yes.

**Mr CARLON:** Yes.

**Mr NICHOLLS:** Yes.

**Mr CUSH:** Yes.

**CHAIR:** The Committee may wish to ask supplementary questions. Please confirm that you can provide answers to those questions within five business days.

**Mr EVELEIGH:** Yes.

**Mr HARTLEY:** Yes.

**Mr CARLON:** Yes.

**Mr NICHOLLS:** Yes.

**Mr CUSH:** Yes.

**CHAIR:** Would you like to make a brief opening statement?

**Mr CARLON:** I will make a brief opening statement on behalf of the group. The Centre for Road Safety is responsible for leading the implementation of the NSW Road Safety Strategy 2012-21, which aims to reduce fatalities and serious injuries by 30 per cent. The strategy guides our activity across a range of areas. We also have a range of sub action plans and strategies, including the NSW Motorcycle Safety Strategy. Tragically already this year we have had 51 motorcycle fatalities, which is four more than for the same time last year. In 2014, our finalised figures show there were 59 motorcycle fatalities, and in the period 2005 to 2013, 20,000 people in New South Wales were hospitalised as a result of motorcycle crashes, and in 2013 more than 2,500 people were hospitalised. Motorcycle riders and passengers represent approximately 20 per cent of our fatalities and serious injuries although they represent only 4 per cent of motor vehicle registrations. The estimated cost of this trauma to the community is \$1.1 billion per annum.

Excessive and inappropriate speed remain the dominant contributors to fatalities and serious injuries—that is, they are a factor in more than 50 per cent of fatal crashes and 25 per cent of crashes resulting in serious injuries. Illegal alcohol is involved in 17 per cent of fatalities and fatigue in 7 per cent of fatalities. High visibility and proactive enforcement by police continue the focus on these priorities. With this backdrop, our efforts as a community to reduce this trauma are critical and we have delivered a number of key achievements as a result of the Motorcycle Safety Strategy. That has involved strong collaboration across government, especially with those agencies at the table as well as key stakeholders. A continued strong partnership approach will be

essential in the design and implementation of the next stage of the strategy if we are to have a significant impact on reducing the trauma outlined in this introduction.

Some of the key outcomes for the first three years of the Motorcycle Safety Strategy include improving the safety of roads. We have tested and analysed the efficacy of underarm barrier systems, conducted motorcycle road safety audits and improvement works on popular motorcycle routes and black spots, installed safety phones on Putty Road, and released the "Making Roads More Motorcycle Friendly—A Guide for Design, Construction and Maintenance", which is included in our submission. To improve road user behaviour, we launched the new Ride to Live campaign in October 2014, completed an in-depth motorcycle crash study, and conducted the annual Motorcycle Awareness Week. A motorcycle lane filtering trial was also completed with legislative changes implemented, including the creation of a new lane splitting offence and an expanded Check Twice for Bikes campaign. We also distributed the "Good Gear Guide" for safer clothing to motorcycle training centres and motorcycle community members.

To improve motorcycles and equipment, continued research and testing has been conducted on motorcycle helmets, and there has been collaboration with the Transport Accident Commission and the State Insurance Regulatory Authority on protective gear and safety features. A helmet subgroup was established and we are a major contributor to the Consumer Rating and Assessment of Safe Helmets program [CRASH], which evaluates and rates the relative safety performance of motorcycle helmets available in Australia. We are also involved in the Federal Chamber of Automotive Industries and other jurisdictions to improve safety through motorcycle design.

As stated in our submission, motorcycles are an increasingly popular transport mode of choice, with a 136 per cent increase in registrations since the turn of the century to 2014. This inquiry comes at a very opportune time as we update the Motorcycle Safety Strategy in collaboration with our partners and stakeholders to improve motorcycle safety. Our submission refers to a range of areas that we are happy to discuss today that are a fundamental part of the safe system approach to safer people, safer vehicles and safer roads to improve motorcycle safety in New South Wales. We are all here to answer questions.

**CHAIR:** Thank you. In your submission you state that while the number of motorcycle fatalities has remained relatively level since the turn of the century, the provisional results for 2014 highlight that motorcyclists account for almost 20 per cent of all road fatalities—and you referred to that in passing in your opening remarks—and are therefore overrepresented in road trauma in New South Wales and that is your focus. Please elaborate on some of the key factors responsible for this trend.

**Mr CARLON:** Motorcycling as a road user experience is inherently a risky activity. A motorcycle does not have the stability that a motor vehicle has and so there are inherent risks in motorcycle riding. It is an activity that is actually growing and so exposure and increased registrations are clearly contributing to that increase that we have seen. I think it is a combination of those two factors that leads to the overrepresentation. The speed-related fatalities are at a level that is significantly higher than the average, which is around 40 per cent, as we are talking over 50 per cent for motorcyclists. Clearly, the rise in the serious injury area, with the introduction and rise of registration and use of scooters in urban areas, has led to an increase in serious injuries and fatalities related to that, although still at a relatively low level, at around 9 per cent.

**CHAIR:** In your submission you state that while the trend in motorcycle casualties, which includes fatalities and injuries, has been increasing there has been a decreasing fatality rate trend for motorcycle fatalities per 10,000 registered motorcycles. That cropped up in several submissions we received. Do you agree with the proposition put in a number of those submissions that the motorcycle fatalities per 10,000 registered motorcycles is the best measure to more accurately depict the overall safety of motorcycling in New South Wales?

**Mr CARLON:** We have a vision in New South Wales and in the strategy for road safety to create a road environment where there are zero fatalities and serious injuries. From our point of view, any number of fatalities or serious injuries is an unacceptable outcome for the community. Whilst we can look at the figures and say that the rate per 10,000 may be declining, as it has been for all road users—we have had a remarkable change in the rate per 10,000 since the height of more than 1,300 fatalities back in 1978 down to today's level—we need to apply a continued effort to reduce those numbers. We know that these are preventable deaths, if we create a safe system, so from our point of view, whatever the measure, we think that to prevent actual deaths and actual serious injuries being experienced on the road, we need to put in all efforts to reduce those. The reality is

that, yes, per registration may be a valid measure but we have increased numbers of fatalities and that is the major concern for all in the community.

**CHAIR:** Staying with the element of risk, you state in your submission that the flat-lining trend for motorcyclist fatalities and an increasing trend for motorcyclist injuries represent a significant challenge for achieving the objective of reducing serious road trauma by 30 per cent by 2021, as outlined in the NSW Road Safety Strategy. What plans do you have in place to address that challenge?

**Mr CARLON:** The development of the motorcycle strategy was back in 2012, when it was released, but the actual research undertaken, the improvement in the quality of roads and the efforts to improve the standards of safety equipment, helmets, and the safety features of motorcycles are contributing to a long-term goal of reducing fatalities and serious injuries. We are very clear that we think more needs to be done and that is why we are now reviewing that strategy in order to put in place additional measures. We need continued effort in improving the road environment where motorcyclists are using preferred routes—improving the quality of those; I have mentioned the underrun barrier system, as well—and more of the sort of research that improves the quality of the road environment where motorcyclists are crashing as well as motorcyclist behaviours, including the new Ride to Live campaign aimed at changing behavioural aspects of managing risk. We know that the motivation for motorcycle riding is the experience and so it innately has risk associated with it. We want to change that culture to one where motorcyclists manage those risks to a degree where they are not crashing.

**CHAIR:** Indeed, it is the Committee's hope that we can inform the next phase of that strategy by undertaking this inquiry. I have a final question at this stage. You state that the injury numbers in the country rural areas had been stable until 2013 but with a 22 per cent increase from 2013 to 2014. To what do you attribute this significant increase?

**Mr CARLON:** Again, we do not have research that clearly identifies exactly what the cause might have been for that increase, but anecdotally there has been an increase in the frequency of riders and tours in regional areas. In those sorts of activities weather has a large part to play—when people are recreational riding—and we do have the majority of fatalities and serious injuries peaking on Saturdays and Sundays for recreational riders. That plays into the research we have conducted about returning riders and also infrequent riders and the skills that are necessary when you are an infrequent rider participating in recreational riding in country areas which may be unfamiliar to you.

**CHAIR:** I am sure members of the Committee will want to visit the aspect of the age groups during the course of today's hearing.

**Mr ADAM CROUCH:** You mentioned earlier the increase in the illegal use of alcohol. My question relates to the 2010 Staysafe committee and looking to legislative changes to reduce the legally prescribed alcohol concentration level applied to motorcycle riders to 0.02. According to the Government response, the former Roads and Transport Authority [RTA] advised the Committee that this matter was being addressed nationally under the National Road Safety Strategy 2011-2020. Has Transport for NSW consulted with other jurisdictions about this matter at this time?

**Mr CARLON:** Under the National Road Safety Strategy, yes, there is a discussion that happens at the national road safety task force—I might refer this matter to Assistant Commissioner Hartley as well. To clarify, the rates of illegal alcohol involvement in crashes have been coming down substantially over the years, as they have been for motorcyclists. Motorcyclists are slightly above, at 17 per cent and in 2014 it is around 14 per cent for the average across the total population, whereas around 10 years ago that was at 20 per cent. They are heeding the operational efforts of police and educational efforts in terms of Plan B, a campaign that has been conducted for all motorists, and this has had the impact of reducing the level of trauma associated with illegal alcohol and fatality crashes.

**Mr HARTLEY:** I can only add that my interstate colleagues and I regularly discuss the impact of alcohol on motorcycle and younger riders. I think there is a gap in the research because we need to ask, if they are under 0.05 or 0.03, are they tired after lunch and does that take them off their game? That is the question we are trying to answer: Is there enough evidence to say the limit should be 0.02 because they have had a few beers and are still under the legal limit but they are a bit off their game riding a big bike on a country road in the afternoons? That question has not yet been answered.

**Mr ADAM CROUCH:** In your submission you state that in June 2014 the Centre for Road Safety funded the installation of six emergency phones along Putty Road. Do you have any information about whether these have been used and been found to be helpful?

**Mr EVELEIGH:** Not as yet, no.

**Mr CARLON:** But feedback from the motorcycle community has been very positive around that initiative. We have also been working with motorcycling stakeholders to review other routes to determine whether we should be placing satellite phones in other locations of popular riding routes as well as where there may be blackspot locations in terms of reception.

**Mr ADAM CROUCH:** Such as the old Pacific Highway.

**Mr CARLON:** Yes.

**Mr ADAM CROUCH:** Are you considering a second set of advertisements in relation to the Ride to Live campaign?

**Mr CARLON:** Yes. The campaign will be ongoing and will continue to be developed. We have had a tremendous response in terms of the online engagement with the motorcycling community. Significant numbers of people have been engaging with the website, and with the tests we have on the website as well. That campaign was very closely developed with motorcycling stakeholders and as part of the level of collaboration we have with the motorcycling stakeholders we can now involve them in the development of those sorts of campaigns in order to ensure that they are credible and effective in terms of delivering messages about managing the risk when you are riding a motorcycle on the road. Their technical advice and engagement in terms of also spreading that message of Ride to Live and turning motorcycle riders into risk managers when they get out on the road is a critical element of changing the culture as well of motorcycle riding to ensure that it becomes safer.

**Mr NICK LALICH:** You stated that traction control in an electronic system to optimise a cyclist's grip and increase stability by stopping road spin even on slippery surfaces is currently only offered as an option on some motorbikes. Do you think we should be mandating that all bikes must have electronic stability control?

**Mr CARLON:** The Commonwealth are currently considering data for ABS. My understanding is that they are also looking at traction control but not as part of that process—separately. Their focus at the moment is on ABS in terms of its consideration for making an Australian design rule and making it mandatory.

**Mr EVELEIGH:** As regards mandating systems such as ABS or traction control, the systems themselves do provide more controlled braking capacity for a motorcycle—keeping them stable whilst braking is being carried out. It is possible for experienced riders to be able to stop a motorcycle faster without ABS in some cases. So there is that balance of looking at what suits some experienced riders and what suits the majority of the riding community. It is our view that for the bulk of the community the use of ABS and traction-control systems is very worthwhile propositioning going forward.

**Mr NICK LALICH:** I have found that ABS does not work when your vehicle hits corrugations. Your car is bouncing anyway so the ABS has not got a chance. I do not know what can be done about that. I suppose one has to be careful at all times. Can you explain why almost half of all fatal crashes in New South Wales occur in speed zones of 60 kilometres or less? Is there anything in place to address that or is that because of the number of vehicles on the road?

**Mr CARLON:** Clearly there are a significant number of fatalities in urban areas. There are projects in place in terms of improving intersections, and managing right hand turns especially at intersections. The Ride to Live campaign is very much focused not only on recreational riding about also on urban commuting. I think the issues to do with urban commuting, the increase in registrations and the fatalities and serious injuries that are happening in urban areas are of major concern. We need to focus very heavily particularly on those serious injuries that are happening in the urban context because we know that they are significant. Essentially you are vulnerable when you are riding a motorcycle and you have an impact. That said, on our analysis in 70 per cent of crashes the motorcycle itself is the key vehicle in terms of the initial movement that results in a crash occurring. That is not necessarily an at-fault figure but certainly in the analysis of the data a significant amount of risk is taken when riding motorcycle in this area, which is quite complex with lots of intersections and lots of

lateral movements of vehicles in lanes. This is an area where we need to focus our attention in terms of improving the safety of riders in that environment.

**Mr NICK LALICH:** The lack of data about off-road injuries was a concern raised in the 2010 Staysafe inquiry into vulnerable road users. The report also recommended the classification of vulnerable road users to more clearly identified rider typology—for example, recreational versus commuter riders—and the separation of motorcycles, motor bicycles and scooters. Have we done anything to separate those accidents?

**Mr CARLON:** Clearly in identifying and closely managing the data we are very clear about when crashes are happening and recreational riding. We can define that fairly clearly around the data that we have. We have data that separates scooter motorcycles from other motorcycles as well and we have identified an issue there that we have actually included in our submission to Staysafe in terms of growth in the use of scooters. In terms of off-road, for the Centre for Road Safety our domain in terms of safety is actually road and road-related areas, not on off-road but Andrew may want to comment on the off-road issues associated with claims.

**Mr NICHOLLS:** Essentially the Motor Accidents Scheme covers anyone who is injured by a registered motorbike whether they are on the road and anywhere in the Commonwealth of Australia. However, off-road recreational bikes which do not have registration do not come under the Motor Accidents Scheme so we do not have specific statistics around those.

**Mr NICK LALICH:** You get a lot of unregistered off-road bikes out the back of the Army camp at Ingleburn in the national park. If riders of those bikes need to go to a hospital does the hospital have to notify the police or Roads and Maritime Services of those injuries?

**Mr HARTLEY:** If the injury was not fatal then it would not be reported to us. It is off-road; we deal with things that happen on the public road.

**Mr CARLON:** But the health system does collect that data. In terms of our serious injury data we have been able to match with the health system all of those crashes that have taken place on a road or road-related area. So health actually does have the data of injury associated with other sorts of vehicles off-road.

**Dr MEHREEN FARUQI:** My questions relate to education. I understand that most of the education for safety awareness is for personal riders. Do you think there is a need to redress the attitude that responsibility for rider safety is solely attributable to the rider? What can be done to improve driver behaviour?

**Mr CARLON:** Yes. We have made quite a significant effort in communication and education resources being applied to motorists in terms of them being aware of motorcycle riders on the road. Certainly the messaging is quite strong. We do have campaigns that run for motorists. Certainly you would have noticed messages on the RMS carriageways, and there are clear messages about looking out for motorcyclists on the carriageways as well. We are focused in that area as well because there is a shared responsibility in terms of the safety of motorcyclists and motor vehicle drivers, trucks and buses as well. Certainly that is a concern and we actually do have programs where we are addressing that issue with motorists as well.

Clearly the conspicuity of the motorcycle rider on the road is an issue that is raised not only in our submission but also in the research. It is important that motorists are aware of motorcycle riders on the road. Technology is being developed and implemented around blind spots and being able to identify when motorcyclists come within range of a heavy vehicle—some light vehicles already have that technology as well. I think raising the level of awareness of all road users around motorcycles is a really critical role that we have to play and we should continue to reinforce that role.

**Dr MEHREEN FARUQI:** It has been a while since I did my driving test. But are motorcycle-specific questions included in the driving test part of the licensing process and is there motorcycle awareness content in the training syllabus for learner drivers? Victoria has specific questions in its learner driver syllabus. If not, is that something you are looking to include because that would force everyone to become aware of those issues?

**Mr CARLON:** My understanding is that there is information particularly in the handbook for motor vehicle drivers associated with motorcycle riders. But I will take the question on notice and get some information clearly back to the Committee about the extent of that.

**Dr MEHREEN FARUQI:** Concern has been raised in a couple of the submissions to the Committee about the loss of positions in Roads and Maritime Services that gave support to motorcyclists, particularly trainers of motorcycle riders. It seems that the current level of support is not sufficient. Has the position of the riding training coordinator, chief riding instructor, been devolved from Roads and Maritime Services?

**Mr CUSH:** It is fair to say that since 2011 there has been a significant change in resourcing. We have in fact come into being as Roads and Maritime Services and clusters have been established. There has been a significant change in the way functions are conducted right across the cluster. It is fair to say that there are fewer resources now providing direct support to rider training than there was. Roads and Maritime Services is aware of that and we are in the process of trying to redress that issue—it was particularly clearly addressed in one of the submissions. We hope to have those resources in place early next year.

**Dr MEHREEN FARUQI:** Will that mean a rebuilding of the rider training unit at Roads and Maritime Services or are you looking at other options?

**Mr CUSH:** I will take that question on notice if you do not mind. It is actually part of a different part of Roads and Maritime Services. I would not like to infer something that I am not specifically clear on.

**Dr MEHREEN FARUQI:** How long has it been since the training syllabus for motorcycle riding was updated?

**Mr CUSH:** As I understand it, it has not been updated for several years. It is one of the activities that Roads and Maritime Services is looking to redress—to update the syllabus and the resources.

**Dr MEHREEN FARUQI:** Currently there is not a process of continuous review. Given that safety is such a huge issue for motorcyclists, are you looking to set-up such a process?

**Mr CARLON:** The motor cycle strategy flag was when we got to the five-year period—the scheme was introduced in 2009—we would be conducting a complete evaluation of the scheme as well. So that is intended to be included in the motor cycle strategy and to be initiated immediately. We have already been discussing the reviews that are taking place in Tasmania and Victoria of their schemes. Certainly they have recognised that the New South Wales scheme is probably the best in the country currently. They are now looking to emulate that in their jurisdictions but at the same time they are looking to see where they can make improvements. Certainly we are working closely with them and part of our evaluation of our scheme in New South Wales will include any improvements that may come out of those processes in the other jurisdictions.

In the longer term, just like the graduated licensing system for light vehicles, it will be useful for us to work collaboratively at a national level to get model systems in place for improving the quality of driver training and introduction to licensing for all road users, including those who are doing rider training. The review of the syllabus and other elements will be part of that process. Certainly we see that, having done this with light vehicles in the graduated licensing system over the past few years, there is potential now to actually do this in terms of the rider licensing system as well to make sure that we are keeping that as up to date as possible but also are learning from the other jurisdictions in terms of the models that they are developing.

**Dr MEHREEN FARUQI:** There also has been concern raised about communication with the training contractors. How long has it been since Roads and Maritime Services [RMS] has had a meeting with contractors, or is there a process of ongoing communication and meetings with the training contractors?

**Mr CUSH:** I am sorry, I am unable to say when the last meeting was but, as I understand it, there is an ongoing process of interaction with the contractors. But I think you are alluding to, if you like, a meeting with all the providers. I am sorry, I cannot give specifics around that.

**Dr MEHREEN FARUQI:** Could you take that on notice, if you do not mind?

**Mr CUSH:** Certainly.

**Dr MEHREEN FARUQI:** Thank you. I have just a quick question on parking. Have any of the government agencies investigated the possibility of footpath parking—parking on footpaths—for motorcycles as is the case in Victoria? Would it be beneficial if you actually looked at that?



**Mr CARLON:** In terms of footpath parking, there has been an active discussion. I think the balance between pedestrian safety issues and availability of parking is always the balance that you need to strike in that conversation. Currently our view is, in terms of striking that balance, that it is preferable for motorcycles not to be parked on footpaths. It does encourage as well the use of the footway area for motorcycles to move along, so at this point that is not under consideration.

**Dr MEHREEN FARUQI:** Are you aware of any evaluation that Victoria has done on this particular law and what that shows?

**Mr CARLON:** Not specifically. I know that in the transformation of the central business district [CBD] that there were additional parking locations that were provided previously. Generally it is a local council issue in terms of the provision of those parking locations. From our point of view, on balance, the current discussion around footpath parking is a pedestrian safety issue that we would need to further investigate if we were going to change.

**Dr MEHREEN FARUQI:** I understand that motorcycle safety information is obviously distributed to local government and that a lot of the roads are designed by local government engineers. Is there any monitoring or auditing that you might have done to ensure that all best practice information is actually being used—for instance, to design roads?

**Mr CUSH:** My short answer is I am not aware of any specific monitoring in that respect other than that we are constantly in contact with local government about a range of issues on the local government network. Clearly under the Roads Act local government is the roads authority for the roads under their control. We respect their function in that area but we are constantly in contact on road safety and other issues with local government on an ongoing basis.

**Mr CARLON:** Can I just point out for the Committee that we do actually have a Safer Roads Fund as part of the Community Road Safety Fund. We are investing more than \$60 million in projects, of which \$9 million is dedicated to local roads. We also have a Motorcycle Fund as well for treatment of locations that have safety issues to do with motorcyclists. I am sure Mr Eveleigh could articulate some of the specific projects that are being done in that context. We do have funds available for treating and rectifying black spot locations and other treatments associated with either motorcycle risks or general risks associated with motor vehicle usage of those road networks in local government.

**Mr EVELEIGH:** There is a \$3 million allocation specifically to motorcycle safety. That can involve projects ranging from anything from realigning curves, making the route consistent in terms of the speed limit and the advisory signs that are provided, et cetera, et cetera. That is for State roads or local government roads.

**Dr MEHREEN FARUQI:** I am just clarifying: That is \$3 million for the whole of the State?

**Mr EVELEIGH:** Targeted at motorcycle safety.

**Dr MEHREEN FARUQI:** Yes. For four years?

**Mr EVELEIGH:** No, per annum.

**Dr MEHREEN FARUQI:** Mr Chairman, I have a lot of questions. I can keep going, but I might give some others the opportunity.

**CHAIR:** We will come back to those. I was interested in your response to a question in which you referred to the graduated licensing scheme [GLS] because a number of submissions called for a review of the GLS. I might be interested in any further comments you might make in respect to also drawing that into post-licence mentoring, if we can give that a heading. The 2010 inquiry's report into vulnerable road users noted then that the Roads and Traffic Authority [RTA] was trialling post-licence mentoring and recommended the need for further strategies to improve the skills of novice riders. I would be interested to hear of the plans that you have to help novice riders gain confidence in applying their knowledge on the road, and then if you could move on from there to returning riders: I inferred earlier that we would have some interest in that particular segment.

**Mr CARLON:** I think the introduction of the GLS system for riders—including the pre-learner training of seven hours over two sessions, the rider knowledge test, the minimum three months on the learner-

rider licence, and then the pre-provisional training and the six-hour course—I think all of those elements actually address significantly the skills that are required when entering into the road network for a motorcyclist. Certainly at that level we believe that that program, as other jurisdictions have already said, was probably the pre-eminent GLS program in Australia. Certainly we are committed to review in order to improve it and so we are recommending in the next strategy that we initiate an evaluation of that system and also move to improve it in whatever areas we can, in consultation both with the providers but all stakeholders as well. In terms of the returning rider—

**CHAIR:** Less frequent.

**Mr CARLON:** —or the less frequent rider; let us say those riders who have not been subject to a GLS, clearly the principles that are embedded in the GLS and the skills that are required to adequately or confidently manoeuvre a motorcycle on the network, when you are going through that process of learning, are done at a basic level in terms of people's skill levels because they do not have the level of experience whereas obviously returning riders or infrequent riders, or those who are already in the system, may have a lot of experience but in some aspects may not have skills. There is a range of courses that are available in the marketplace which motorcycle clubs and others are conducting. From our point of view we have done a literature review on returning riders in terms of looking at the research that is available in that area and the refresher courses that on average are around three hours or four hours.

We think that generally there is a need for training. Clearly the market is out there providing some training for experienced riders or returning riders. There are, I think, some key issues. We currently have done a bit of work to actually identify the competencies that we think should be embedded in those sorts of programs. I think we need to work, again, closely with the industry to ensure that the sorts of competencies—the principles of defensive driving, the braking at various speeds and in various conditions, emergency braking, counter steering in curves and motorcycle safety inspection, hazard avoidance skills, overtaking and also road law understanding—all of those key competencies are really critical both at the entry level but also for more mature riders.

For those who ride infrequently or are coming back in, having had a long period of maybe not using their motorcycle licence and then purchasing a new bike and getting out there, clearly we are very concerned about the age profile in terms of fatalities. There is a significant number of older riders and an increasing proportion in that older age group who are turning up in our fatality data. Clearly we need to work with the providers and we need to work with the stakeholders to try to improve the skills and competency. I think our campaign around risk management and Drive to Survive is a good example of where we need to be going in terms of giving messages around motorcyclists being a risk manager on the road.

**CHAIR:** Are you satisfied that you are getting the breakthrough with those messages, or how do you envisage reaching that particular target audience?

**Mr CARLON:** I think the feedback that we have been getting from the motorcycle community is very positive and we are getting strong feedback about the level engagement that we have with motorcycle riders through that campaign. I think that is critical. In terms of the training, clearly there are programs being offered commercially for motorcycle riders. Some are taking those up. We need to work with that industry to continue to drive that and potentially to make sure that we are focusing those courses on the competencies that are most critical for safe riding.

**CHAIR:** In another area where there has been some awareness activities is in the field of protective clothing, Staysafe Committee's report recommended an awareness campaign on protective motorcycle clothing, including point-of-sale advertising. What is currently being done to educate riders about the need for protective clothing and how to choose reliable safety attire?

**Mr CARLON:** I might get Mr Nicholls to start on this one because they have been intimately involved in the creation of resources and the provision of information as well. Then I can follow up on that.

**Mr NICHOLLS:** In 2010 the Heads of Compulsory Third Party [CTP], which is the organisation that involves all of the equivalent heads of motor accident schemes around Australia, commissioned a study into motorcycle protective clothing, which was conducted by The George Institute for Global Health. It resulted in a report that was made back to the Heads of CTP group. That report was subsequently passed on to both: the Centre for Road Safety and the Transport Accident Commission in Victoria, which has picked up a number of

actions that they have continued to look at. That is the start of a journey that we have been on to look at protective clothing. I do not know if Mr Carlon would like to add to that.

**Mr CARLON:** Yes. What that did end up delivering was—and I think in our submission we may have provided a copy of it—the Good Gear Guide. Certainly, that has been actively promoted with motorcycle stakeholders and individuals and fairly broadly distributed across the motorcycle community. I think the key issue from our point of view is that there is no rating system in place. We are working very closely with the Transport Accident Commission in Victoria. You can see, though, we notice that in the marketplace there are now some outlets that are advertising their gear with abrasion ratings on that gear. I think relatively it is fairly expensive and I think that is one of the barriers that we have associated with motorcycle safety equipment.

However, at that level there are rating systems in Europe and from our point of view the work needs to continue to define and provide in the marketplace good quality gear that actually will prevent people from being injured. But I think at the very base level, though, there is still a concern about motorcycle riders getting on a bike in thongs and shorts, which do not provide any protection. Clearly, the motorcycle gear may not have a significant impact in the reduction of fatalities when we are travelling at high speed and crashing; however, the serious injuries, we think, can be significantly impacted by an improvement in the quality of the gear that people wear when they get on a motorcycle. Certainly that is part of the push that we have, which is to try to educate people that the outcomes of not wearing is some protective clothing—enclosed shoes, gloves, jackets and long trousers—are really critical.

**CHAIR:** That takes me to the obvious question. Has Transport NSW evaluated outcomes in jurisdictions where high-visibility clothing is mandatory, as opposed to those where it is encouraged by rider education? I might add that many of the submissions put a view on this, with anecdotal preferring the high visibility and those who are most engaged in riding motorcycles not supporting that particular contention.

**Mr CARLON:** From our point of view, the visibility of riders is a complex set of issues that we need to come to grips with, including not just the clothing and the visibility of clothing but also day time running lights, which the majority of motorcycles have, technology, and education. One of the members referenced earlier education of motorists who are looking out for motorcycles on the road. At this point we certainly need to consider the total package of things that would increase the visibility or the conspicuousness of motorcycles on the road in order to avoid the problems that have been identified in many of the submissions that have come to you about people claiming, "I didn't see that motorcycle". Certainly, I think any of the new technologies should be seriously considered as part of that process around identification of motorcycles on the road by motor vehicles and also potentially the road signage that we use. We are investigating things like ensuring that there is identification on popular motorcycle routes of electronic notices for drivers to warn them that motorcycles are frequent users of that road. In general, it is a combination of all of those factors that we need to be addressing and packaging in a way either through education or regulation, depending on what will be most effective. We need to address those issues, yes.

**Mr ADAM CROUCH:** Mr Eveleigh, you mentioned earlier that \$3 million is allocated annually specifically to make roads safer for motorbike users, and that was part of the \$9 million for local roads as well or taken from that.

**Mr EVELEIGH:** It is not part of that \$9 million. It is actually an additional—

**Mr ADAM CROUCH:** It is separate.

**Mr EVELEIGH:** Yes.

**Mr ADAM CROUCH:** Obviously, living on the Central Coast, we have a lot of cyclists who use, for example, the Pacific Highway on the weekends. It is common knowledge. First, is that \$3 million utilised in its entirety over a 12-month period? Do we spend the entire \$3 million every year? Secondly, how do we look at the statistics and work out which roads are best targeted for that \$3 million annually? Again, local government is always complaining that it does not have enough money to fix our roads on the Central Coast. Do we get requests from councils like Gosford City Council, for example, to tap into some of that \$3 million to fix our local roads?

**Mr EVELEIGH:** First, do we spend the \$3 million? Yes. The program has been running for three years now and the \$3 million does get spent. It is part of a broader package of projects. As Mr Carlon

mentioned, it is a \$66 million Safer Roads Program. Motorcycle projects can come under our standard Black Spot project or even under an intersection project because there are different target areas of the broader program. The projects that are submitted are evaluated based on a benefit-cost ratio [BCR], where there is a model where all your crash data gets put in, the cost of the treatments and the benefits of the treatments and we rank all the projects based on a BCR.

**Mr ADAM CROUCH:** Those statistics are obviously supplied via accident, et cetera, that happen and you weigh that up. I gather black spot funding requirements have changed, where before it was reactive and they would look at accidents after they have occurred, where I believe with Federal black spot funding as an example now, the rules have been changed and we can look at potentially roads that could present problems in the future. Does that work the same way?

**Mr EVELEIGH:** Yes, we look at projects on a more proactive basis. We will have projects put forward and supported by a road safety audit to target the risks for motorcyclists.

**Mr CUSH:** I would not like the Committee to think that local government is constrained to only that level of funding. The Government annually provides local government with other funding, block grant programs, repair programs and more recently there are other programs that both the State and Federal Governments have initiated where local government as the road authority can decide its priorities for where it directs its own funding. So just to clarify what Mr Eveleigh said, there are other amounts of funding that local government are provided with and can access.

**Mr ADAM CROUCH:** In addition to the \$3 million annually?

**Mr CUSH:** Correct.

**Mr ADAM CROUCH:** Do we seek information on those roads from outside sources other than local government? Do we actually target motorbike users, clubs, et cetera and external groups for their feedback on roads, other than just what we receive from local government responses and crash information?

**Mr CUSH:** It is probably fair to say that we do not have to seek it.

**Mr ADAM CROUCH:** It comes to you actively?

**Mr CUSH:** Pretty well. I would not know the statistics except there is lots of correspondence we receive from associations, organisations and members of the public. Recently the Motorcycle Council wrote to us on a number of issues. Rather than responding individually, we are seeking to have a meeting with them to establish better communication with them and try to address all their issues face-to-face.

**Mr NICK LALICH:** I should probably be asking this question of motorbike manufacturers. Many years ago I was listening to an expert on motorbikes and road safety and he stated that if motorbikes were invented today they would not be allowed on the road; they would not be allowed to register. They would be okay for recreational, out in the bush and off-road if you want to call it that. They would not let him on the road. He indicated that it did not matter what you did to a motorbike—roll bars, cages, whatever you put around them—there is nothing you can do to save a rider from serious injury. Do you have any opinion on that? Do you talk to motorbike manufacturers? Safety cages are starting to get a bit much; it is a bit unwieldy to have a motorbike with a cage around you, but they say it would not save anybody. My dad used to say if you want a motorbike, you have a death wish. That is what you are doing, especially in built-up areas. I was never allowed to have a bike. If I did, take your bike and leave home as well.

**Mr CARLON:** I will start with the ABS story. The Commonwealth is about to engage in consultation around the regulatory impact statement [RIS]. The RIS clearly indicates that the benefit for the whole motorcycle rider community is around a reduction of more than 30 per cent of fatalities and serious injuries. There is a debate about the off-road element of it or the very advanced rider element of it, but the RIS is pretty clear. It provides a significant improvement in the safety of those bikes and there have been significant improvements over the years in the safety of motorcycles. So even though we may think and say, and clearly it is inherently a very vulnerable position to be in because you do not have the car around you, there are significant changes that can be made to the design of motorcycles that would decrease the risks associated with trauma.

I also note the in-depth motorcycle study that we have conducted as well, where we will now have further conversations with the manufacturers around the design of the fuel tanks because there are issues around the pelvic injuries that are sustained in a crash, depending on the design of the fuel tank. From our point of view, there is continuously the ability to improve the design and function of motorcycles even though they may be inherently a more dangerous vehicle to be riding on the road. That would be our focus; we can make improvements to reduce trauma by focusing on the vehicle, focusing on the roads and focusing on the behaviour of the individual.

**Dr MEHREEN FARUQI:** One submission has raised concerns about unlicensed riders also being overrepresented in crashes which involve high-risk riding. Can you elaborate on that? Do you have any statistics on how many unlicensed riders or what percentage there is and what the Government can do about this?

**Mr CARLON:** Around 17 per cent of our fatalities are unlicensed, I think. I will hand over to Mr Hartley about the enforcement activity. Clearly, there is an issue around unregistered and unlicensed riding. We need to continually engage in, basically, enforcement around that issue in order to reduce the risks to those people.

**Mr HARTLEY:** Every year around 60,000 drivers and riders are caught unauthorised in New South Wales just by police so that is a small percentage of those doing the wrong thing on the road. As far as motorbikes are concerned, they are very complex; they are difficult to pull over, every day just to engage to pull them over, so we prefer not to engage in behaviour that might cause more risk to somebody. We try to get at the kids' level, education about doing the right thing, where you can ride your bike legally at a younger age. There are parks opening up now, more and more across metro Sydney and on the outskirts where can take a child and their bike and go and ride and learn to ride properly. That is how we are working. We engage the community, engage the motorcycle groups to ensure that we educate, rather than have to detect or in the end go and knock on the door.

**Dr MEHREEN FARUQI:** Is there any specific data on why older riders are overrepresented? Is there something specific that points to older riders being more risky riders or taking more risks?

**Mr CARLON:** From the research that is available, motorcycle riding is a very vigorous activity.

**Dr MEHREEN FARUQI:** I have three at home so I completely understand what you are saying.

**Mr CARLON:** Motorcycle riding requires a certain level of fitness and acuity that is impacted by your physical decline or by your physical abilities. As you age, clearly that is an issue. If you are a returning rider or you are a very infrequent rider, actively managing a motorcycle when you are riding is a physically demanding activity. It is significantly different to driving a motor vehicle and I think we have mentioned fatigue as an issue. Commissioner Hartley mentioned the notion that someone may be under the limit for alcohol but then be riding later in the afternoon back from a recreational ride and that plays into multiple factors that potentially cause crashes. Inattention and tiredness are two factors that clearly would also contribute to that risk.

**Dr MEHREEN FARUQI:** Has the Government considered subsidies for people who want to do refresher courses or even advanced level courses or is that a barrier for people doing those courses?

**Mr CARLON:** Clearly there are submissions with regard to this which have come to Staysafe, and we are actively engaged with the motorcycle stakeholders. What is the most appropriate mechanism for government to be involved in to stimulate people into getting the skills they need if they are infrequent riders or returning riders? That is an active collaboration that we have in determining what the best approach might be. Certainly, having the skills to control a motorcycle, particularly for older riders, is an important aspect of the safety that we need to continue to consider.

**Dr MEHREEN FARUQI:** Some submissions have also raised concern about gaps in providing motorcycle rider training in rural and regional areas. Can you elaborate on what those gaps might be? I understand there might not be enough training providers. What other things could be happening there and how could they be addressed?

**Mr CARLON:** I think it is a function of the market that if the training courses are available they are available in places where there is sufficient demand for them. There may not be sufficient demand in order for them to be commercially viable in those locations. That said, I think rider training is an important aspect of

safety and we need to be very clear about what is actually being included in those training courses. That is why we are actively engaged in doing the literature review and identifying the specific competencies that we think would add to safety and working with the industry in terms of ensuring that those competencies are the focus of that training.

**Dr MEHREEN FARUQI:** Could the market aspect of it be addressed by Roads and Maritime Services [RMS] making sure that that training is provided in regional areas?

**Mr CARLON:** That is one option, yes.

**CHAIR:** Thank you for appearing before the Committee today. A couple of questions were taken on notice and we look forward to receiving the responses to those within three business days. I am sure there will be a couple of further questions forwarded as a result of today's questions leading to others and we will forward those to you. Thank you for your indication of a response to those within five days.

**(The witnesses withdrew)**

**(Short adjournment)**

**ELIZABETH ANNE DE ROME**, Senior Research Officer, Neuroscience Research Australia, affirmed and examined:

**DUNCAN CHARLES MCRAE**, Manager, Health Promotion and Advocacy, Youthsafe, sworn and examined:

**CHAIR:** I welcome the Australasian College of Road Safety witnesses to our hearing this morning. Thank you for appearing before the Staysafe Committee today to give evidence. Do you have any questions concerning the procedural information sent to you in relation to witnesses and the hearing process?

**Dr de ROME:** No.

**Mr McRAE:** No.

**CHAIR:** Before we proceed with questions, may I confirm that you will be happy to provide a written reply within three business days to any questions that you might take on notice?

**Dr de ROME:** Yes.

**CHAIR:** Thank you. There may be some supplementary questions from the Committee. Would you be able to provide answers to those questions within five business days?

**Dr de ROME:** Yes.

**CHAIR:** Would you like to make a brief opening statement to commence?

**Dr de ROME:** Yes, thank you. We wanted to make a few points that came out of our major submission. The first is that, in tracking trends, we would strongly support greater usage of crash rates per 10,000 registered vehicles, rather than numbers. So that over a long-term, it will enable us to track the relative risk of motorcycling, rather than looking at numbers that rise as the riding population increases. We would also strongly support moves towards using injury data, rather than fatalities, as the basis of road safety policy development. Certainly, that is reflected in what the Centre for Road Safety was talking about. We would also support increased focus on data analysis by crash type, rather than injury outcomes. With motorcycles the difference between a fatality and an injury crash or a no injury crash is quite often nothing to do with what happened in the crash. It relates to what the rider hits or what hits the rider's body. So it would provide a much better database. We would also strongly recommend increased focus on research into unlicensed riders. That should be a high priority. As Commissioner Hartley said, this is not an enforcement issue and it will not be solved by looking at it as an enforcement issue. We need to know who they are and why they are riding unlicensed.

We urge the Committee to strongly support the proposal for the five-star rating system for motorcycle clothing and to resist calls for mandating the usage of motorcycle clothing. I can talk under water about that, if you would like me to. We would also strongly support what Mr Carlon said, that it is very timely to review the New South Wales rider curriculum and the test. The test has not changed since 1984 and it is time to review that. There are better ways of doing things.

Finally, we believe that professional development of the rider trainers is in great need of support in New South Wales together with quality assurance. The rider trainers are trained and then continue without any professional updating. It should be annual, as it is with any other professional group. Those are our points. I make one more, that is that our submission to this Committee went in without being proof read, which we are embarrassed by. If there was an opportunity to fix it, we would be grateful.

**Mr NICK LALICH:** Our Hansard people are good at fixing things and they do a great job.

**CHAIR:** Yes, there will not be a problem with that and we appreciate your candour.

May I open the questions by asking you: Your submission projects that there will be an increase in powered two-wheeler-style vehicles on New South Wales roads? Could you explain the implication of that trend?

**Dr de ROME:** Yes. There is some research suggesting that safety in numbers means that, as the general motorists get more used to seeing a new class of vehicle in the fleet mix, it might mean that people become more accustomed to seeing a motorcyclist and are more able to learn how to respond appropriately. When I began my research 15 years ago, motorcyclists were very rare. I think things have changed and you can see in the trends that the crash rate per 10,000 vehicles has consistently declined, as registration rates have gone up. It also means that we need to take account of changes in the demographic. For many years the population of motorcyclists has been aging. The average age of a learner at the moment is 33 but that is likely to go down as the vehicles increase. So we need to keep in touch with what is happening with the demographics as those sorts of numbers change and in terms of the traffic mix.

**CHAIR:** That is interesting because that leads on to a question that I had asked about specific prevention strategies. According to your submission, in 62 per cent of all multi-vehicle crashes involving a motor cycle, the other vehicle is the key vehicle and the majority of those crashes have occurred at intersections in an urban area. Does this call for more specific prevention strategies focusing on the behaviour of drivers of other vehicles and on traffic rules at intersections?

**Dr de ROME:** I would argue yes. If you drill down into that, you can see that young novice riders are more likely to have crashes at an intersection than older riders. I believe that is because older riders are more alert to the ways in which things can go wrong at an intersection. But if you have that mix of a motorist who is not looking, who is going to jump the lights—and they go straight through without looking—then yes, we have to have a much stronger emphasis on training drivers and penalties for drivers who look but do not see. I do not think it is about conspicuity.

**Dr MEHREEN FARUQI:** In your submission you note that the New South Wales Graduated Licensing Scheme used to be the best training scheme. I think your worry about it was that 1984 was when they did the program. Could you give us some more ideas or suggestions on what can be done to make that scheme the best again?

**Dr de ROME:** I will turn that question over to Mr McRae.

**Mr McRAE:** I was around when the scheme was rolled out in 1990 and 1991 and it certainly was then a world-leading scheme. Do not get me wrong, it is still world leading. What has tended to drop off in the last 10 to 15 years is that we have not kept up with best practice in education. The research coming out of Europe shows that the most effective model is a coaching model, rather than an instructional model. That is an area in which development could be carried out.

We need to consider why riders are not applying the road craft they are taught. We tend to think that people fall off motorcycles because they cannot control them. That is not the case. When people leave rider training they generally leave being able to stop, steer and manoeuvre a motorcycle. The problem is a lack of road craft, knowing what is an appropriate speed for a situation, when to slow down, giving oneself enough time and being in the right place.

That leads to the professional development theme because both Dr de Rome and I are involved in the Victorian motorcycle Graduated Licensing System [GLS] project. I have been going around looking at motorcycle instructors in the eastern seaboard. I have to say that they are not at the standard at which they were 10 to 15 years ago. The road craft standard of the instructors is not where it was when I started in this 25 years ago. If instructors are unable to deliver and explain and demonstrate best practice, what hope do we have of the people who are undertaking the courses to learn that? We need to work on coaching and road craft.

**Dr MEHREEN FARUQI:** Would you elaborate on the instructors? How could they improve? What role does government have to play? I notice in your submission you said that there had been a decrease in support staff in the NSW Motorcycle Rider Training Scheme and in another submission concern has been raised about the position of the co-ordinator of the Rider Training Unit being devolved and the Rider Training Unit in RMS no longer there. Even the old Customer Education Unit does not exist. Are those issues?

**Mr McRAE:** I worked for the Customer Education Unit for ten years and managed the Rider Training Unit for ten years. I do not want this to be a blame game. I understand that times have changed and certainly, in the nineties, there is no doubt there was excess staff employed in that space. But certainly in terms of quality assurance mechanisms, when the position of Chief Riding Instructor existed, that person would go out and monitor and support and provide guidance to instructors. The Chief Riding Instructor would visit instructors,



watch them and give them suggestions for improvement. So there was quality assurance of the type: "I am here to help you". At the other end there were the auditors, the monitoring officers, to see if the curriculum was being delivered to standard. Those resources have been reduced. They still exist, there is still a monitoring team within RMS, but the frequency of the visits is reduced.

It again comes back to the area of greatest risk. Within the RMS Heavy Vehicle Competency Based Assessment Scheme there have been issues of probity. Rider training has historically not had issues of probity because people do it as a passion and they do not cut corners because they care. They are not in it for a dollar. You would never go into rider training for money. I think a refreshed look at the area is probably the best way to do it.

**Dr MEHREEN FARUQI:** I have one more question. You mentioned the five-star rating system for protective gear. Are you alluding to an Australian standard for that, or something different?

**Dr de ROME:** No. I wrote the report that the gentleman in the previous witness group was talking about. I also wrote *The Good Gear Guide*, so I am the full bottle on this. We have done a number of major government reports on this. We do not believe that having a standard is the optimal way of going. When you have a standard, particularly in this country, the standard is developed in consultation with the industry. It tends to go to the lowest common denominator so it is the minimal standard. For saving lives that is essential. For saving lives a minimal standard is probably high enough.

I have investigated the effectiveness of motorcycle protective clothing in crashes, the Gear Study. I found, through that, that if you are wearing full-impact protection clothing, the serious injury rate is reduced by 30 per cent. It is not 100 per cent; it is 30 per cent. People still get injured. It does not prevent injuries; it reduces them. A standard would not get us anywhere.

I have recently tested, on an abrasion resistance machine, 10 of the most commonly worn suits in Australia. I am publishing my findings on Friday. Two passed at the minimal level of the European standard; eight failed miserably. They are supposed to give four seconds of slide time but quite a number of them got less than half a second. The gear that is out there is not good. We need to get the manufacturers competing to improve, without a set upper limit for performance. That is what we did with ANCAP, and it has worked fabulously, so that is what we want to do.

**Mr McRAE:** My observation in the 25 years of rider training is that people want to buy the good gear. They go to the market place with good money, spend good money and buy rubbish. They can spend \$2,500 on a suit that they think is going to protect them, and it is really just a fashion statement. That suit will not actually do the task that it needs to do.

The notion of a five-star rating is just to educate purchasers—to inform them so that they will know the difference in the purchase options and can make a decision. It will not necessarily be the most expensive item that will offer the best protection. We tend to make that sort of mistake when we are purchasing anything.

**Dr de ROME:** I would like to add to that because I have done research. There is no association between the cost of garments and their protective value, when you look across the spectrum of what is available. Cost and brand name is no indicator of whether the garment is fit for purpose. We have to find a market mechanism to force the manufacturers to improve their products, and to enable that through what the riders buy. The best quality product in the market in Australia today is probably the stuff in Aldi. I am serious; I have tested it.

We have to do it that way. If we mandate protective clothing—there is a big push for that—my fear is that we would create a market for fraudulently labelled garments, which would be brought in under our free trade agreements. You cannot deal with that. I really think the five-star rating is absolutely the way to go. I have studied this heaps of times.

**CHAIR:** Thank you. We appreciate your views.

**Mr NICK LALICH:** You stated that you feel that some of the best safety gear is from Aldi. Do you think that is the case because it is a European brand? Do Australian brands need to be upgraded? Do we need to look at where we are importing them from? I think Aldi has some very good stuff, especially tools for guys.

**Dr de ROME:** A member of the Motorcycle Council contacted Aldi about this particular garment when they first issued protective clothing, and told them he thought the garment was a bit unimpressive. He got me involved. I introduced Aldi to a manufacturing consultant who advises companies on how to make gear that will comply with the European standard, and that is what they have done. Nobody else in Australia, to date, has done that.

Most of the garments overseas do not comply, although a number of the British ones do. The European standard is a good standard, and we should use that as the benchmark—as the international standard—because the clothing has an international market. That is what I am trying to do, and that was why I helped Aldi. I did it quietly.

**Mr NICK LALICH:** There is no pecuniary interest.

**Dr de ROME:** No.

**Mr NICK LALICH:** In your submission you note that the New South Wales graduated licensing scheme used to be the best training scheme in Australia. By what benchmark has New South Wales slipped in motorcycle licence training, and what do you suggest we should do about that? Why has that happened?

**Mr McRAE:** Can I just de-couple two things: the graduated licensing scheme and rider training. Rider training has been around since 1991. Realistically, the GLS was established in 2009. The difference in those two components is that the rider training scheme is a seven-hour learner course and a six-hour provisional course. The graduated licensing that was introduced in 2009 introduced three-year P-plates and made another change—an over-30s exemption, where people could bypass the provisional stage if they were over 30 and had a five-year clean licence.

The rider training is a very good scheme. Other countries have built off our scheme. If you look at what is happening in Australia you find that they Australian Capital Territory and Tasmania basically use the New South Wales scheme. When I say that those states "basically" use our scheme, I mean that we gave them our curriculum; we said, "There are the books," and now they run the scheme. South Australia and the Northern Territory have contextualised versions of it.

The same thing happens with our handbook. Our motorcycle handbook is used by every state in Australia other than Victoria. We certainly have been a leader, but we look at what other jurisdictions in Australia are doing. For example, there is a project in Victoria. We have a seven-hour learner scheme in New South Wales. Victoria is looking at a two-day learner course, where the course takes the learners on the road for part of the time. I was a bit sceptical of that notion when I started on the project. Having been involved, now, for over 12 months and doing the pilots for that course, I am quite impressed.

Another component of the Victorian scheme is that, for the end test—as the gatekeeper from a learner's permit to a provisional licence—they have returned to an on-road test. New South Wales used to have a motorcycle-in-traffic test many years ago. We stopped that, essentially because our testing officers were falling off. The Victorian approach is to get the rider training providers to deliver the on-road traffic test. Our current Motorcycle Operator Skills Test [MOST] was designed based on the Californian system of the mid-eighties. The Chief Riding Instructor did a review of that—in the 2005, if my memory serves me correctly—and introduced a heavier weighting for failed head checks. That was the only change made to that test since it was introduced. In those areas we still have a good standard but I think we can do better.

**Mr NICK LALICH:** Is there any country in the world that you feel we should be looking at, which is way ahead in testing?

**Mr McRAE:** As part of the Victorian project we have gone through the process of looking at what the world is doing. The Europeans use a system called Goals for Driver Education [GDE] Matrix, which looks at the four elements of skills. The first level is basic control, then road craft tactics, strategies, and personal attributes and attitudes.

Benchmarking our training against that model is something we should certainly consider. That is what the Victorians have been doing in their project. There is standardised training across parts of Europe. They still have a large emphasis on high-level skill development. Having owned and managed a rider training company

that delivered advanced rider training I do not support it as a widespread strategy. I think on-road training is a much more effective thing.

The Europeans, for example, teach people to swerve around cars—pretend cars—at kilometres at 50 kilometres an hour as part of their training. I think that is creating a problem. I think there will be issues if riders think that they can swerve around things rather than travelling at a speed where they can stop. There is a lot we can learn from Europe—particularly the United Kingdom. The United Kingdom has a very good on-road training scheme that uses communication technology. Nobody is really utilising that in Australia at the moment. Having said that, we would have to think about the law with respect to our novice riders and mobile phones. There is a plus and a minus in that approach in that it can be distracting for a novice rider to have a voice inside their helmet telling them things.

**Mr ADAM CROUCH:** Your submission points to a question I asked the previous witnesses. It related to the trends with alcohol and motorcycle riders and fatalities. The previous witnesses said that they were pleased that it had dropped from 20 per cent down to 17 per cent, but the rate is still six times that of a car driver. Could you elaborate on what more you think we could be doing, because 17 per cent is still way too high? What more could we do?

**Dr de ROME:** I put the unlicensed riders and the alcohol together, because so much of that behaviour comes from the unlicensed riders. We do not know who they are. We do not know if they are people who did the course and then lost their licence for an offence, or had their licence suspended and just never went back and tried again. Maybe they have never had a licence. We do not know.

We have a group of riders who are so involved in unlawful and dangerous riding practices. When we separate them out from the analysis we end up with the knowledge that the most riders are sober, licensed riders and are far less likely to be engaged in any of these behavioural-related crashes. I think we have to separate them out. I would probably leave the alcohol rate as it is. Riders I know—I am old—would not drink at all. You just do not. If you are going to ride you do not drink.

There are reprobates. It does not matter what you do with reprobates, they are going to do what they want. It would probably create more angst than it is worth to change the alcohol limit. Focusing on the unlicensed riders has to happen. It is not happening and it has not happened. I have been saying this every time I turn up at these types of hearings.

**Mr ADAM CROUCH:** I have a quick follow-up question. Assistant Commissioner Hartley clarified something that I found concerning. I will speak hypothetically. If an unlicensed rider has an accident, comes off the bike and goes to hospital, that is not recorded in any way. We do not record that the person is unlicensed and has had an accident. Those numbers are not being recorded in any way.

**Dr de ROME:** No.

**Mr ADAM CROUCH:** That is quite concerning to me. There is this whole gamut of people who are potentially riding illegally, having an accident and going to hospital and being fixed up. That is never targeted in any way. How do we address that?

**Mr McRAE:** I think the underlying reason for that is the fear that if you recorded those events people would avoid seeking care.

**Dr de ROME:** That is what I was going to say.

**Mr McRAE:** If you had a situation where, if you fell off your bike it was immediately reported to the police—a couple of days later somebody would knock on your door and give you a ticket for unlicensed riding—you would not go to the hospital.

**Mr ADAM CROUCH:** I have one more question. Should we not be trying to find a way—rather than hitting them with a stick giving them a carrot—to say, "We know you have had a motorbike accident and we know you are unregistered. Can we help you? Can we educate you better rather than penalising you?" If we had a program whereby, if somebody had one of those accidents, we took them under our wing rather than hitting them with a stick then we would be more likely to be able to help them. They are just going to go out and have another accident, and they will still be unregistered.

**Dr de ROME:** That is a great idea. We do not know who they are. We are hoping to get funding for a cohort study in which I am involved that will follow 7,000 novice riders from when they first get their learners' permit until they go off their P-plates. We will see which ones pull out of the rider licensing process. They will have a car licence, so we can keep tracking them. That is one thing we are hoping will happen. An amnesty is a great idea because we must bring them into the system. At the moment they have nothing to lose.

**Ms ELENI PETINOS:** I live in Bundeena, which includes the Royal National Park. Unfortunately, I have seen far too many motorbikes on the side of the road or people coming off them. I am particularly interested in the aspect of your submission dealing with road surface conditions and the impact they have on single-vehicle crashes. Can you elaborate on the design factors and the significance of these trends in terms of single-vehicle crashes?

**Dr de ROME:** I have investigated motorcycle crashes, but not in depth in terms of the road environment. That should happen. I am surprised at how rarely single-vehicle motorcycle fatal crashes are fully investigated. All serious single-vehicle motorcycle crashes, and particularly fatal crashes, should be fully investigated, and not only by the general duties police officers who turn up and say, "He was going too fast", and that is the end of it. From the work I have done, I know that people make mistakes and sometimes they behave stupidly. However, no-one really knows what has happened in a high proportion of these crashes because they are not investigated by trained crash investigators. They must be pretty clued in to understand what has happened in a crash and to reach a conclusion. The roads the member referred to probably do need to be considered. However, in general, single-vehicle crashes must be fully investigated to give us a better understanding of what has happened. That involves an investigation undertaken by trained road engineers and trained crash investigators.

**Ms ELENI PETINOS:** Putting aside the involvement of road engineers or crash investigators, do you have any information about hazard prevention that the Committee should take on board?

**Dr de ROME:** Hazard prevention?

**Ms ELENI PETINOS:** Yes. I am talking about other design factors, not investigating what has happened. Should the Committee take into account any other factors?

**Dr de ROME:** Some themed road safety audits have been undertaken by Roads and Maritime Services. A road safety audit can be commissioned for a stretch of road such as the old Pacific Highway or the Royal National Park roads. That means trained people can anticipate what could go wrong for motorcyclists travelling on a particular road. It is the notion of anticipating what could go wrong rather than going in afterwards and determining what went wrong. A wide range of things could go wrong, but if we fixed one bit it might create issues somewhere else. We need a road safety audit system.

**CHAIR:** Your submission refers to the ageing of the motorcycle riding population and the need to take account of the changing demography in future strategic planning. Why do you believe older riders have different needs and what are the best ways to address them?

**Dr de ROME:** I always look at crashes per 10,000 registrations and the ownership. Older riders have about 112 crashes per 10,000 registered vehicles. Although there are not many under the age of 25, they have about 800 crashes per 10,000 registered vehicles. The demographic is very different. I have not come across that problem with returning riders. If you put exposure into the mix, it is not about them being a returning rider; it is about the skills base. I point out that 68 per cent of crashes with another vehicle were the result of something the other driver did. It is more to do with calibrating the training to suit the age group. Many things can be done with a graduated licensing system [GLS] for learner drivers because most of them are 18 years old. However, the average age of a learner motorcycle rider is 33. They have a lot more independence and responsibilities and they deal with things differently. The modelling of a GLS needs to take account of the age of the rider without imposing a blanket system for riders over the age of 30.

**Mr McRAE:** The thing about age is that we tend to confuse crash rates, percentages and risks with volumes. When 80 per cent of motorcycles are owned by people over the age of 40, it is obvious there will be an increase in older riders being injured. The reality is that Australia has an ageing population. In developing communication strategies we need to recognise the different demographics. Young people use motorbikes for commuting and recreation, and older riders use them for recreation. We need to understand what motivates them

and what messages will get through. We will not get through to all of the different cohorts with the same message because they are very different people.

**CHAIR:** Regrettably we have run out of time. Thank you for appearing before the Committee today.

**(The witnesses withdrew)**

**MICHAEL SAVAGE**, Manager, Roads and Transport Directorate, Institute of Public Works and Engineering Australasia Limited, NSW Division; and

**DAVID BRIANT**, Research and Policy Officer, Institute of Public Works and Engineering Australasia Limited, NSW Division, sworn and examined:

**CHAIR:** Thank you for appearing before the Committee today. Do you have any questions about the procedural information sent to you in relation to witnesses and the hearing process?

**Mr SAVAGE:** No.

**Mr BRIANT:** No.

**CHAIR:** Are you happy to provide written replies within three business days to any questions taken on notice?

**Mr SAVAGE:** Yes.

**Mr BRIANT:** Yes.

**CHAIR:** The Committee may wish to ask supplementary questions. Can you provide answers to those questions within five business days?

**Mr SAVAGE:** Yes.

**Mr BRIANT:** Yes.

**CHAIR:** Would you like to make a brief opening statement?

**Mr SAVAGE:** Our submission is reasonably comprehensive with regard to both motorcyclists and road asset owners. To put this into context, our purpose today is to put a local government slant on this issue. Local government is the road asset manager for the local and regional road network in New South Wales. The total value of that asset is more than \$65 billion. The Roads and Maritime Services' State road network involves about 18,500 centreline kilometres of road and about 2,000 kilometres of unsealed roads in the unincorporated area. In round figures, local government is responsible for 160,000 kilometres of road, and 80,000 kilometres of that is unsealed. Our submission indicates that there is slightly more unsealed road than sealed road. In addition, the year-on-year gross figure—depending on the research used—indicates that between 50 per cent and 55 per cent of deaths and serious injuries occur on the local road network. It is not simply a matter of looking at the State road network, and the volume of passengers and vehicles on the network is high. However, if you look at the statistics in relation to the responsibility of local government, I am not sure that we are putting the two things together as we should.

I will draw the Committee's attention to a few things in our submission, but not in any great detail. I refer first to the collection and distribution of data. We have made a number of comments in our submission about the quality and availability of data. I am happy to say that since we put the submission together, Transport for NSW has all but released a new data distribution system. However, we still have concerns about the quality of data and how it is being sourced. Some of the questions asked this morning have delved into that area. We still think there is a fair amount of work to be done in better identifying and sourcing some of this data.

One local government road safety resource that is being grossly under used in this area is local road safety officers. Local road safety officers are funded partly through Transport for NSW through the Local Government Road Safety Program. However, evidence from local government suggests that those officers are not being valued as they should be.

We and others in the industry argued at great length to go from an annual funding allocation for road safety officers, and that happened 18 months ago with a three-year local government road safety allocation. We are now 18 months out from the end of that and it has not become a rolling funding program. The difficulty that creates for road safety officers is that they become concerned about funding for their particular position and from now, with six months to go, they start looking for other employment and then they are lost to the industry.

As I said a moment ago, these people are a great resource and I would like to think that we could make greater use of them, particularly targeted to some of the education issues for both regional motorcycle riders, in particular, and regional communities.

**CHAIR:** I was going to explore some of the elements of data collection but you have touched on this already, so I might leave that to review what you have said and see if there is a supplementary question that arises. Your submission notes that there are differences in motorcycle crashes between rural and urban roads. Do you wish to comment on any difference in the risk factors which need to be addressed with regard to the urban and regional settings? Is the current motorcycle road safety action plan giving sufficient attention to rural areas? Is this an area you believe should be incorporated in the next three years of the action plan?

**Mr SAVAGE:** I will answer the last bit of your question first. There certainly is a lot of room for more focus on regional areas within the reviewed State Government plan. As I have explained, the total length of road that councils are responsible for is large and I think they are not getting the assistance they need, either financially or in terms of technical support, to address some of these issues. It is fine that the State Government and its instrumentality should deal with the State road network first, but sharing that information and wider distribution through local government is really important to make sure that we deal with this right across the State.

**Ms ELENI PETINOS:** Your submission recommends a national database of injury numbers for all vulnerable road users. Please tell the Committee how you envisage this would be managed and funded. Have the operational issues been deliberated in the relevant forums?

**Mr BRIANT:** Our point of view is that there is a national database for fatalities across Australia and we would like to see a similar database maintained for injuries. The fatality database is maintained federally and we would recommend that the injuries database be federally maintained and funded. That would obviously require agreement between the States on standards and definitions for injuries—I am referring to things such as minor versus serious and moderate crashes. Our position would be that it would help practitioners, local governments and road safety professionals in identifying comparisons. Data is only relevant if you can make comparisons across the spectrum—one lot of data in isolation does not really help, from my perspective as a data analyst—and that is why we would recommend that.

**Ms ELENI PETINOS:** You touched on the fatality database. Are you aware of any other jurisdictions that have an injury database?

**Mr BRIANT:** Do you mean internationally?

**Ms ELENI PETINOS:** Internationally, domestically.

**Mr BRIANT:** I am sorry but I am not an expert in that area. In our submission we referred to data collection in the United States, so I know there is information that is comparable to overseas. I will take that question on notice and provide that information.

**Ms ELENI PETINOS:** That would be fantastic. I turn to unregistered motorcycles. Your submission notes that New South Wales currently has around 222,000 motorcycle registrations and that there would be an equivalent number of unregistered motorcycles being used solely for off-road riding. Are greater risk factors faced by unregistered riders? If so, what are they and what do you suggest could be done through the three-year action plan to address the risks of unregistered riders in off-road conditions?

**Mr SAVAGE:** Your question raises a couple of issues. One is the standard of the vehicle being operated. For unregistered motorcycles there is no regular inspection, so there is the potential for increased risk in that area. Secondly, I think you will find that a large number of these riders will at some stage ride on a public road. For example, if they need to get from point A to point B they might cross a public road; this is quite common for farmers who use motorcycles going from one paddock to another having to cross a road or travel 100 metres up a road. The potential for accidents and serious injuries in these circumstances is increased because their focus is elsewhere. Those are two potential risks that are not managed in the same way as they are for motorcycles that are registered and operate in the public road system.

**Mr ADAM CROUCH:** In following up my colleague's question, I ask a question I have asked other witnesses. Would you support a moratorium on unregistered motorcycle users to help reduce accidents and capture accurate data on accidents?

**Mr SAVAGE:** Yes. Our answer is probably similar to what you have been given previously. Providing there is not a penalty but the moratorium is part of an education program and a data collection program, we would certainly support that.

**Mr ADAM CROUCH:** I turn to safety equipment such as helmets. Could you explain your recommendation for the regulation that the use and supply of helmets should be harmonised nationally?

**Mr SAVAGE:** We had a couple of conversations with bike users. One of the things we learned that neither of us was previously aware of is that we have a motorcycle helmet standard. Motorcyclists have to wear a helmet when riding a motorcycle but there is no check that helmets being sold and used comply with that standard and that all helmets provide the same standard of protection. That is a quality assurance issue. The previous witness commented on having some surety about the performance of other safety equipment. We consider that that is really important for exactly the same reasons as the previous witness stated.

**Mr ADAM CROUCH:** Funnily enough, my next question was whether you would be in favour of incentives for wearing the correct clothing and you have answered that. The first witnesses today were asked about anti-lock brakes for motorcycles and they talked about the experience of the rider as some riders are better off not using anti-lock brakes. I am interest in your opinion on whether there are categories of motorcycles that should require anti-lock brakes. Does this need further research or should we mandate their use?

**Mr SAVAGE:** A couple of things are related to this. There are not just anti-lock brakes but also traction control. One issue in relation to either or those, in addition to comments made previously, is how they operate on unsealed roads. As I said, we have 80,000 kilometres of unsealed roads. Would we put riders at risk in having a mandatory requirement for either or both of those? Our view is that it sounds like a safety plus, as it has been in cars, but there is no empirical evidence to suggest that that is the case. We would like to see more research results before we would commit.

**Mr NICK LALICH:** Your submission indicates that you are concerned that since October 2014 police no longer have to attend minor crashes, and this is one of my concerns also because in minor crashes both or one of the riders can be on drugs or under the influence of alcohol and yet police no longer investigate them. Please elaborate on your concerns about police not attending unless a person is killed or injured. Should riders be checked for alcohol consumption after all accidents?

**Mr SAVAGE:** I am not sure about that. One of the difficulties we see is that straight away those property accidents, even though they are minor, are not being recorded anywhere and so where there was a source of data before, that is being lost and, from that point of view, we are worse off than we were before. One of the views we take is that concentrating on accident statistics suggests that we are concentrating on where we have failed. We would like to be able to identify near misses and minor property damage with a view to concentrating on putting resources into some of those areas to prevent deaths and serious injuries. We are worse off than we were prior to that; having said that I understand that there is a cost for those resources but we are balancing the safety of road users against a cost.

**Mr NICK LALICH:** We have heard that motorcyclists are far more represented in crashes and fatalities involving drink-driving than are car drivers. Would you support the recommendation to reduce motorcycle riders' alcohol blood level from 0.05 to 0.02 as contained in the report of the 2010 Staysafe committee, which is now being addressed by the National Road Safety Strategy 2011 to 2020?

**Mr SAVAGE:** That is not something I have direct knowledge of. Again, given comments made by the police and the road safety specialist, it would be pretty hard to argue against that.

**Mr BRIANT:** It is common sense that if I was going to jump on a bike I would not drink—that is my personal position. From my previous experience as a road safety practitioner, it was the current thinking that rather than watching how many drinks you consume you are better to promote the line that if you are going to ride or drive then do not drink, period.

**Mr NICK LALICH:** So maybe make it no alcohol at all?



**Mr BRIANT:** I am not necessarily sure that is the case but I think we definitely should be promoting that riders and drivers should not be getting into a situation where they should drink and drive. I am not sure that mandating is necessarily the way to go, but I definitely think promoting education that says: "If you are going to drink, don't drive or ride."

**Mr NICK LALICH:** Do not ride?

**Mr BRIANT:** Both, I suppose.

**Dr MEHREEN FARUQI:** You note in your submission that the current levels of service and expenditure on road and bridge maintenance or replacement is unsustainable. Having worked as an engineer in local government I can completely agree with that. Can you suggest what could be done in particular to change the risk to motorcycle riders because roads are not being maintained or properly designed in the first place?

**Mr SAVAGE:** I think you have got to come back to the Safe System approach and look at the four pillars. One of those pillars we have just agreed we are not managing as well as we might, so I think part of the solution is to look at the other three. Two of those in particular—namely, how motorcycle riders assess the conditions they are riding in and, as much as I hate to suggest it, adjusting speed limits. So there is recognition that a piece of road is not to the standard we would like but it is much safer if you use it at 70 kilometres an hour instead of 90 or 100 kilometres an hour. I know that adjusting speed limits is very difficult. Putting signs up does not adjust speed limits; there needs to be enforcement. The other aspect we spoke about is safety equipment, whether it be helmets, safety clothing, ABS braking or whatever on bikes. Ultimately if the solution were to have perfectly safe bikes we would not need to worry about the others, but I think it is a combination of those other things because we are not going to seal the 80,000 kilometres of unsealed roads in the near future.

**Dr MEHREEN FARUQI:** In your submission you note the promotion to create an Australian standard in safety protection clothing. The Committee has heard from previous speakers that they would prefer a five-star rating system. Do you have a view as to whether one is better than the other or would both serve the same purpose?

**Mr BRIANT:** I think, from speaking with the previous speakers, having read their submissions and further considerations, the key thing is to actually create a five-star rating system first. That would be our starting point. Taking on board what the previous speakers said and what we have read from the Victorian parliamentary inquiry as to their recommendations around standards, we work in an industry where there is pretty much standards for everything. And, as Mick will attest, we are professionals who like to have standards that we can refer back to and know what our baseline is. The problem with that though—as the previous speakers did say—is that could create a sort of race to the bottom. Our position is that we would support a five-star rating first. But if a standard was created that was at a significantly high enough level that set a high benchmark I think we would certainly support a standard being created.

**Dr MEHREEN FARUQI:** In your submission you also talk a little bit about public education to improve attitudes between riders and drivers. Could you elaborate on that? I am particularly interested in improving attitudes of drivers as well.

**Mr BRIANT:** I think it is definitely an area that we need to focus on. This is not only evident in motorcycles versus other road users but it is also evident in the bike riders versus other road users debate as well. What happens is that people read the media and it whips them up into a frenzy around demonising certain road user groups. Our position really is—as we said in our submission—that all road user groups need to recognise that every other road user group is a legitimate road user group. We cannot focus on making it an "us versus them" mentality. We need to breakdown some of those barriers. Some of it could be through simply using strategic marketing approaches that you would administer through public education. That could be through a state-based approach, but from our point of view we would like to see a lot more through local government.

Something we have not really touched upon is the role of local government as practitioners, particularly road safety officers. I think they are undervalued in terms of their value in actually selling that message that all road users have a legitimate role within our transport system. We need to get it out probably at grassroots level where the community is actually involved in creating those messages, selling those messages and actually then absorbing and following through by creating the behaviour that everyone is considerate of each other. It is part of a new wave approach to transport and design and encouraging alternate uses of transport such as bike riding

and motorcycles—motorcycles are becoming part of commuting to and from work which was probably not the case years ago. From our point of view that is really where we stand. We think all road users need to be aware that they need to be more considerate of each other. If that is public education we think it can be done at a state and local level.

**Dr MEHREEN FARUQI:** When I worked at Port Macquarie council road safety officers [RSO] worked part-time and sometime later one road safety officer was shared amongst many councils. Is that still the case or has more funding been provided?

**Mr BRIANT:** I can speak from some experience. I was a RSO from 2002 to 2007. In that time I was a full-time RSO. Some councils share RSOs between different councils—so they might look after two or three different council areas. I believe there are around about 67 or 68 council employed RSOs servicing around 80 councils across the State. Our position is that we need to look after them a bit better and actually give them some certainty around the program. I know a lot of very knowledgeable people have jumped out of the industry in the last 10 years simply because of a lack of certainty. I moved out of the industry simply because of uncertainty—this is going back to 2007 when reports were being written around the value of the program and whether it should exist or not. At that time a number of us jumped out because we were concerned; here we are eight years later and we still do not have a permanent, fixed position on whether that program should continue. Members are rightfully concerned about that. In addition throw into that the Fit for the Future as well. What is the incentive to stay in the industry? That is our genuine concern.

**CHAIR:** I direct your attention to the aspect of your submission relating to conspicuity. Could you briefly describe what you would like to see in the next three-year action plan regarding the issues of conspicuity and high-visibility clothing? In doing so, could you also refer to your position on the use of headlights or dedicated running lights?

**Mr SAVAGE:** We would like to see some more research in this area and some more positive results. David and I met with a long-time motorcyclist in preparing for this and he pointed one thing that neither of us had considered—that is, putting a vest on has the potential to create a problem for the wearer. The problem is: "Right, I have got my vest on. Everyone can see me. I do not need to worry about that." The same applies to lights on during the day—car drivers are doing it as well. The evidence supporting either of those things being a major contributor to improved safety is not there yet. We would not like to see people forced into doing things that may in fact have just the opposite effect, even if that opposite effect is only for some riders or road users.

**CHAIR:** Unfortunately, time has got away. There may be some additional questions, which the secretariat will forward to you. Thank you for appearing before the Committee today.

**Mr SAVAGE:** Thank you for the opportunity.

**(The witnesses withdrew)**

**JACK HALEY**, Senior Policy Adviser, NRMA Motoring and Services, affirmed and examined:

**CHAIR:** Welcome to the Joint Standing Committee on Road Safety. I thank you for appearing today to give evidence. Before we proceed do you have any questions regarding the procedural information sent to you in relation to witnesses and the hearing process?

**Mr HALEY:** No.

**CHAIR:** Before we proceed with questions may I confirm that you would be happy to provide a written reply within three business days to any questions that you might take on notice?

**Mr HALEY:** That might be an issue because on Wednesday I will be overseas for three weeks.

**CHAIR:** The Committee would appreciate your best endeavours or your nomination of an alternate. There might also possibly be some supplementary questions. Would NRMA Motoring and Services be able to provide answers to those questions within five business days?

**Mr HALEY:** We will do our best.

**CHAIR:** Thank you. That is all we can ask. Would you like to make a brief opening statement?

**Mr HALEY:** No. That is fine. Let's get into it.

**CHAIR:** Your submission recommends that the New South Wales Government should partner with NRMA Motoring and Services and key stakeholders to undertake a motorcycle demonstration project on a section of road in New South Wales that is popular with riders. What would be the purpose of that project? What would you expect to achieve? Can you elaborate on how that project could be conducted? For instance, are there any models that you would refer to?

**Mr HALEY:** The Government is already doing good work in some areas—for instance, in trialling rub rails under W-beams to prevent motorcyclists sliding under barriers. There are a whole range of other initiatives that could be taken. We think it would be valuable to have a particular stretch of road that is commonly used by motorcyclists but we are not trying to dictate where that might be. It would be useful to have a whole range of different treatments demonstrated there and a pre and post analysis done to see what the influence on motorcycle crashes and injuries might be. That would give us a good guide as to which of the better approaches we can take to improve motorcycle safety.

**The CHAIR:** You would see that occurring on an existing stretch of road rather than a designated training park?

**Mr HALEY:** Yes. I think we need to get the effectiveness in actual usage, and the most effective way of doing that seems to be to choose a stretch of road that we know is popular with motorcyclists. That would then give you a good handle on how it actually works in practice.

**CHAIR:** Some other submissions have commented on the different road conditions in country versus city locations. How applicable would the findings of the motorcycle demonstration project be if the study then was conducted only in one location?

**Mr HALEY:** Well, I think you would try to choose the location so that it had, before the treatment, varying types of road surface and condition. Then you would change that to the best combination of services that we know from previous research is helpful and see what impact that has.

**Dr MEHREEN FARUQI:** Today we heard evidence from a number of people and also there have been submissions about specifically the need for road safety audits and improvement of road safety audits. I am wondering what your position is on that. Is there a special need in terms of motorcycle safety to have better road safety audits?

**Mr HALEY:** It is not my area. I would have to take that one on notice and get back to you.

**Dr MEHREEN FARUQI:** Sure. That is not a problem. I am really interested in the Victorian parking laws for motorcycles and that motorcycles in Victoria are allowed to park on footpaths.

**Mr HALEY:** Yes.

**Dr MEHREEN FARUQI:** What is your view on that?

**Mr HALEY:** I think where the footpaths are wide enough and there is no significant impingement on road safety or pedestrian movement, then it should be allowed.

**Dr MEHREEN FARUQI:** There have been some recent changes made to road design in the last few years. Do you think they have had a positive effect on motorcycle safety?

**Mr HALEY:** Can you suggest what they might be?

**Dr MEHREEN FARUQI:** I am sorry?

**Mr HALEY:** Do you have an example of that?

**Dr MEHREEN FARUQI:** I think in terms of barrier designs and issues like that there have been some changes to road design. Is that an area that you look into?

**Mr HALEY:** That would be one of the issues. I mention it in my submission that the government trial of rub rails is already occurring. I think we should review that as quickly as possible because the overseas experience is that they are quite effective at reducing motorcycle injuries. That is one treatment that appears to be effective. We need to evaluate that as quickly as possible. If it is shown to be effective, we should install that at known motorcycle crash points.

**Dr MEHREEN FARUQI:** Are there any other specific recommendations in terms of road design that you would recommend?

**Mr HALEY:** Road surfacing is the obvious one. There is a demonstrated reduction in crash rates where road surfaces are improved with high quality smooth road surfaces rather than having seams or joints in the road where motorcyclists normally ride.

**CHAIR:** In that respect, is there a better means or mechanism of gaining reports on difficult road conditions? How would you recommend that that be approached?

**Mr HALEY:** Again, I would probably take that on notice, but there is certainly potential for doing that through individual rider reports. But how you do that is—

**CHAIR:** I have observed governments reacting to difficult situations where it is clearly a potential hazard for a variety of road users. We are talking specifically about motorcycle users today. I would refer to, for instance, gravel across roads in vast quantities being one of the obvious hazards. I have seen it addressed but not specifically for motorcycle users. I would be interested in gaining input or finding out how the NRMA would consider we would gain information, and whether it would then be for councils or the Roads and Maritime Services [RMS] to address the issue. That follows on from Dr Faruqi's question.

**Mr HALEY:** Okay. I will take that one on notice, thanks.

**Mr NICK LALICH:** Your submission recommends that the New South Wales Government should conduct research on the effectiveness of traction control on motorcycles, especially concerning high-powered bikes. Can you please elaborate on why that should be prioritised? Are you aware of any research on the effectiveness of traction control on motorcycles being done in Australia or internationally? Do you have any comments on that? I get the feeling you are saying that it probably does not work.

**Mr HALEY:** No. That is not what I intended to say. The situation at the moment is that there are not enough bikes fitted with the system to be able to properly analyse them and get a significant result. But what I was trying to say is that, intuitively, given that as a single-track vehicle motorcycles are inherently unstable, a loss of traction from either wheel is a concern and creates a high risk of a crash. I guess what I am saying is that

as new motorcycles are coming on the market now fitted with traction control in greater numbers; there should be no delay in conducting an analysis when there is enough data around to reach statistically significant conclusions.

**Mr NICK LALICH:** You would wait for that data to become available before you would mandate traction control on all bikes?

**Mr HALEY:** I think you have to take an evidence-based approach and have the data before you mandate. I mean, everybody thought that the anti-lock braking system [ABS] on cars was the silver bullet, but it turned out not to be, so you have got to use the evidence.

**Mr NICK LALICH:** Thank you. Your organisation is a stakeholder in development of the current New South Wales motorcycle safety strategy. Would you like to comment on the achievements of that strategy to date? Have you considered any new information that you could put to the next three-year strategy?

**Mr HALEY:** No. I think the group has done an excellent job. I think we need to keep up the progress, set some clear goals and start working on the next iteration.

**Mr ADAM CROUCH:** Thank you very much for giving evidence today. My question, as a representative of the Central Coast, is a follow-up to Dr Faruqi's about identifying roads. We have heard evidence today about funding levels for roads and road safety. My question is: Has your research identified in any other jurisdictions best practice, or whether there is a better practice, or if there is a best practice system of monitoring and reporting on road designs, engineering of conditions on our roads, how we can improve the routes for motorcycle users, and safety features?

**Mr HALEY:** Again, I would have to take that one on notice. That is not my area so I will put that one down.

**Mr ADAM CROUCH:** I would appreciate that.

**Ms ELENI PETINOS:** Thank you for coming in and giving evidence today. My question will be centred around compulsory third party [CTP] insurance. Under the compulsory third party scheme, motor vehicle owners are required to purchase CTP insurance—our green slips. To what extent does the NRMA use any price signals to reward good riders? Does the NRMA's price for CTP insurance reflect the different groups of riders, such as returning riders who have been identified as a vulnerable group of riders in a number of submissions?

**Mr HALEY:** You have got the wrong company. You are after NRMA Insurance. I am at NRMA Motoring and Services, the roadside assistance business.

**CHAIR:** In principle?

**Ms ELENI PETINOS:** I understand that but the question still stands. If you do not have an answer to it, you do not have an answer but it is still a question directed to the NRMA.

**Mr NICK LALICH:** That could be taken on notice, if you like.

**Mr HALEY:** Yes, okay.

**CHAIR:** It could be an in principle response.

**Ms ELENI PETINOS:** If you do not have any comments to make at this point in time—

**Mr HALEY:** Somebody else might.

**Ms ELENI PETINOS:** —that is totally fine.

**Mr HALEY:** Okay. Somebody else might have a comment.

**CHAIR:** A number of submissions have commented on the need for further action to promote the use of protective clothing by motorcyclists and by scooter riders. Do you have any comments on that in principle? Would it be worth considering whether there is feasibility for offering insurance discounts to motorcyclists in principle? What do you think of that in order to promote the wearing of appropriate clothing?

**Mr HALEY:** Yes, well, just go back a step. I mean, we are part of the group that is trying to develop a rating system for motorcycle clothing, given that at the present time in Australia there is no way that you can tell which is the better clothing in terms of protection. We would agree that all groups need to wear appropriate protective clothing, and it is a concern that a lot of smaller capacity bike riders, who obviously are riding to work, do wear office clothing and we would like them to wear full protective gear. If there is some incentive scheme that is practical and can be applied fairly and equitably, we support that.

**Mr ADAM CROUCH:** I wish to ask a supplementary question. You mentioned before that your group is working to establish standards for clothing. Do you mind my asking who else you are working with in that particular group?

**Mr HALEY:** The people on the group currently are the Transport Accident Commission [TAC] in Victoria and the Royal Automobile Club of Victoria [RACV]. I think they are the only ones at the moment, but it is in the very early stages. It is up to the TAC, which has actually taken the lead at the moment, to kick that off.

**Mr ADAM CROUCH:** There has been no engagement with, for instance, Roads and Maritime Services [RMS] here in New South Wales at this stage?

**Mr HALEY:** Not at this stage, no.

**Dr MEHREEN FARUQI:** Many of the submissions highlight also some issues related to driver education in terms of their being aware of motorcycles or other road users. What do you think are some of the key things that could be changed and improved in terms of better education for drivers?

**Mr HALEY:** I think a consistent education campaign that would be useful and the Government is in an obviously good position to do that. We do our own education demonstration through our public education channels, such as the *Open Road* magazine and our digital areas. The other area that has come into prominence is the technology on vehicles which can detect other vehicles around the subject vehicle, and that may be useful for improving detection of motorcycles. But, again, I think it is early days yet. We do not have the evidence as to how effective that is.

**Dr MEHREEN FARUQI:** Would that also detect cyclists as well?

**Mr HALEY:** As far as I understand, it should, yes.

**CHAIR:** The NRMA Motoring and Services was a stakeholder in the development of the current New South Wales motorcycle safety strategy. Would you like to comment on achievements to date and what you would like to see as the priorities over the next three years?

**Mr HALEY:** Again, we are in the early stages of the second phase so I think education is obviously a major issue. In fact, I requested that the educational scooter riders be a priority, given the number that ride without proper protective gear. Education on the value of protective clothing and vehicle technology and motorcycle technology would also be a priority from our point of view.

**CHAIR:** As there are no further questions, I thank you very much for appearing before the Committee today. We have given you a little bit of extra time to give the answers to the questions on notice.

**Mr HALEY:** That is okay.

**CHAIR:** Thank you.

**Mr HALEY:** I draw to the Committee's attention, if you have not already seen it, to recent reports on the effectiveness of ABS braking on motorcycles, which I have here if you need them. They would strongly support the application of mandatory ABS on new motorcycles.

**CHAIR:** Thank you.

**CHAIR:** Thank you very much for appearing, Mr Hayley.

**Mr HALEY:** It is a pleasure.

**(The witness withdrew)**

**(Luncheon adjournment)**

**DAVID TROY COOKE**, General Manager, National Motorcycle Alliance, affirmed and examined:

**CHAIR:** Before we proceed, do you have any questions concerning the procedural information sent to you in relation to witnesses and the hearing process?

**Mr COOKE:** No.

**CHAIR:** Before we proceed with questions, can you confirm that you would be happy to provide a written reply within three business days to any questions you might take on notice?

**Mr COOKE:** Yes.

**CHAIR:** And there may be some supplementary questions from the Committee. Will you be able to provide answers to those questions within five business days?

**Mr COOKE:** Yes.

**CHAIR:** Would you like to make a brief opening statement?

**Mr COOKE:** I would. Firstly, on behalf of the Motorcycle Alliance and Motorcycling NSW, which owns the Motorcycle Alliance, and the 650 riders who responded to our survey that we have submitted as part of our submission, thank you for taking the time to read that and for having us here today. I will leave it at that and let you get into questions.

**CHAIR:** Thank you. Your submission states that the most important issue for the Committee to consider is improved access and government support for advanced rider training. What is considered advanced rider training and why do you think it is so critically needed?

**Mr COOKE:** It takes many forms. There are a number of different companies that provide advanced rider training after our post-licence training is already done. It may take the form of, for example, a company such as Stay Upright has a half-day intermediate course, which deals mainly with cornering techniques. From there you can go back and do a number of different advanced courses. There is also HART, Honda Australia Rider Training, which has a couple of different levels of courses available as well.

**CHAIR:** Your organisation surveyed members, as you indicated, regarding safety issues, including desirable levels of training and car driver behaviour towards motorcyclists. What are the key findings and what other comments would you like to make in relation to the survey responses?

**Mr COOKE:** I think one of the interesting things that came out of this was, if you look at question 1 of the information that we attached to the submission: What is the most important issue affecting your safety as a motorcyclist? Sixty per cent of people acknowledged that it was the behaviour of other motorists, other road users. That is not an uncommon thing. What I think is interesting is that 40 per cent of people said other things, and about 25 per cent said their own skill level was an issue. If you extrapolate that into some of the other answers, for example, question 5. One of the things that has come up a few times today is we talk about driver awareness of motorcyclists and other road users and what we can do to be more conspicuous and all of these things. But one of the interesting things that came out of this was at question 5: Do you think that if riders are equipped with better skills and better knowledge—by knowledge we are talking about road craft techniques—do you think they can more easily predict and avoid incidents when other road users make mistakes? About 90 per cent of riders have said yes to that. That is the sort of stuff that we teach in advanced rider training.

We teach road craft techniques. We teach motorcycle handling skills, how to get yourself out of trouble, how to position yourself on the road to avoid trouble in the first place. At our organisation we do not talk about accidents; we talk about crashes. An accident is when a meteor falls on your head; a crash is something that can be avoided. We are heavily involved in the work that the Motorcycle Safety Strategy Group does and we work very closely with the Centre for Road Safety and we are fully supportive of the work that is going on with roadside barriers and road engineering works and all of these things. We think they are all very important. Our take is we would like to be teaching people the skills not to crash into those barriers. How do we avoid the crash in the first place? Rather than looking at mitigating the result of the crash—and I am not



downplaying that work—why are we not also looking at how to teach people to avoid these crashes in the first place?

**CHAIR:** That takes me to one question. Your submission notes continuing concern regarding the older rider—you will have noted that we have been focussing on that to some degree— who returns to riding after a long time lapse. This concern has been highlighted in a number of submissions. Can you elaborate on what your concern is based on? Is it anecdotal evidence or research? What would you like to share with the Committee with regard to what needs to be done to bring those riders into line with current safety standards?

**Mr COOKE:** It is a difficult one to deal with because, firstly, it is almost impossible to isolate who these people are. Once we have a motorcycle licence we generally keep it. It does not disappear; even if we stop riding motorcycles we still have that rider classification on our licence. So, there is no real way for us to find out who these people are who are coming back into motorcycling and target them directly. It is not like we can get the RMS to do a specific marketing campaign via email or mailouts because we do not know who they are. My take on it is the things that are getting returning riders killed and injured are the same things that are getting all riders killed and injured. I do not necessarily totally agree with the concept that we need to come up with something that purely targets returning riders. I think we should target all riders. If we are going to talk about improving skills and, as we have said in our submission, if we want to have the best motorcycle crash rate in the world, we need the best skilled population of motorcyclists in the world. It is that simple. The work that is being done in terms of road improvements and all the other stuff is fantastic. Ultimately we can make the barriers as good as we like but if people are crashing into them we still lose people. So let us teach them how not to crash into them.

**Ms ELENI PETINOS:** I will pick up on the education point you have just raised. What is it that you would envisage would make us best practice?

**Mr COOKE:** I think there have been conversations this morning about the GLS in New South Wales and the learner and P-plater training schemes, and we have led the country in terms of the provision of those schemes. I agree as well that they could do with an update now. But the learner and P-plater training that we provide gets you going. It is enough to get you on the road and acting reasonably safely. From that point motorcyclists then go about learning more skills and they do it from their friends or from groups that they meet via Facebook or however they come across other motorcyclists. But one thing that is interesting about motorcyclists is they tend to take some pride in the fact that they are a motorcyclist and they tend to want to be good at it. The trouble is that some of them think they are good at it when they may not be. It is about a cultural change. It is about encouraging people to want to be the best motorcyclist they can be. Part of how we do that is by little things, by not referring to accidents. We call them crashes. It is like it is your fault. How could you have avoided putting yourself in that situation? Even if it is something that is caused by another road user, how can we not have been in that spot? How could we have potentially seen it happening and not been there? That is stuff that we can teach through road craft and all those sorts of things. Did that answer your question?

**Ms ELENI PETINOS:** It did, thank you. Does the current motorcycle safety strategy contain sufficient measures to engender a culture of continual skill development?

**Mr COOKE:** I will say no. It is improving. I have been in this role for about 2½ years so I was not part of the team that put the original safety strategy together; my predecessor was. So my way of thinking possibly is not reflected in the initial strategy as it was put together. That said, I agree with everything that is in the strategy. There is nothing in there that I disagree with; it is all good stuff. I just think this is another level that we could take things to. My background is in racing. I started racing motorcycles when I was a little tacker and still race motorcycles now. So if speed kills, I am a pretty good example that it does not necessarily if you know how to handle it. In terms of our competitive motorcyclists, we start kids at under five years old and we teach them the very basics. Our racing clubs have very strict procedures and coaching techniques that we teach kids, and we produce some of the best motorcycle racers in the world. So there is something that Motorcycling NSW and Motorcycling Australia network has in terms of competition training and how we teach kids to handle motorcycles, the technical side of handling a motorcycle. There is something that we have got very right there.

We know that handling motorcycles is not easy. So if we go back to the road scenario, driving a car you have a go pedal, a stop pedal and a wheel to turn it. That is all you have to worry about most of the time. Unfortunately cars these days are so much like cocoons that that is all drivers do worry about and a lot of them do not pay much attention to what is going on outside. While I support all the driver awareness campaigns in the world, I do not think we are ever going to solve that problem. We need to encourage motorcyclists to totally

understand how to control their motorcycles. There is a reason manufacturers give us a separate control for the front and the rear brake because they do very different things. Car drivers would never have any concept of that. The trouble is that a lot of motorcyclists do not either. So experienced, well trained motorcyclists understand the dynamics of their motorcycle and how to get the best out of it, and therefore how to keep themselves out of trouble. The more people we can engender those skills in, the more lives we will save.

**Ms ELANI PETINOS:** With respect to the three-year action plan, are you satisfied with what has been achieved to date under the plan?

**Mr COOKE:** The first three years, yes. I first raised this advanced rider training stuff with the Centre for Road Safety when I first met with them about 2½ years ago, so it was after that first three-year plan was started. It took a while for them to get on board with my way of thinking. Since then, Bernard Carlon and Julie—sorry, I cannot remember her last name—from the Centre for Road Safety have come to Eastern Creek and attended a day run by Stay Upright, one of the providers, and watched a day of advanced rider training take place. They were impressed with what they saw. I think Mr Carlon now is a bit more on the case and he has a couple of people working with me on this stuff. There is no direction yet in terms of what we can do and what it can look like. Ultimately, I would love to see advanced rider training subsidised by government to take one of those. Question 6 in our survey asked people the reasons why they did not undertake advanced rider training and the highest response was cost. This training generally has to happen off a road. In New South Wales or in Sydney Eastern Creek is our only facility.

We are in the middle of building, or hopefully building, a new racetrack at Nowra which we will also be able to use. Motorcycle NSW will own that. But at the moment Eastern Creek is our only facility. It costs about \$16,000 a day to hire that. So if you are a rider training school and you want to run an advanced course for 45 people, by the time you get your coaches, plus you have to pay for medical, plus all the other stuff that is involved, it is an expensive operation. These guys sometimes run at a loss. They lose money to run these courses. You talk to Warwick Shoeburg who started Stay Upright, and I have said to Warwick, "Why do you run these courses when you are going to lose money if you don't fill them up?" Even if he does fill them they are a break-even proposition at best. He said, "Because we can save people's lives."

**Ms ELANI PETINOS:** Do you have any statistics available on instances of the reduction of crashes from people who have been trained in advanced rider training?

**Mr COOKE:** To be honest, there is not a lot. I was asked this the other day by the Centre for Road Safety staff because they are looking for this sort of information now. There would probably be some stuff from other jurisdictions. The trouble is that the stuff that has been done overseas, other road safety people like to punch holes in it and say it is not particularly valuable. For example, as I would love to do to the report that came out of Monash a couple of weeks ago about the anti-lock braking system [ABS]. It is a disgraceful report and there is not a huge amount of a hard data that shows that it works. But when you talk to motorcyclists who have undergone training, they will tell you over and over again that the stuff that they learnt saves their lives.

**Mr ADAM CROUCH:** Thank you, Mr Cooke, for giving evidence today. I was going to ask you about road safety as well. I benefited from an advance driver training course that was paid for by the manufacturer of the car I purchased. It is probably one of the most beneficial things I have done as a driver. You have confirmed that it costs about \$16,000 a day to hire Eastern Creek. Based on that, what can be done to make this sort of training more accessible to riders? Is it something that the industry could be more involved in? Do manufacturers supply the same level of training as I got with my car when I purchased it? The next question would be, if this Committee could be given one key recommendation in relation to improving motorcycle rider education, what would that be?

**Mr COOKE:** I will start with the question about one key recommendation. I think you know what that is going to be. It would be to find a way to upskill our riding population as much as we can. In terms of the manufacturer involvement, motorcycle manufacturers do occasionally get involved in organising for their clients a day with one of the schools. That said, most of them have a direct financial relationship with one of the schools anyway. For example, Dave May is here today from Honda Australia Rider Training [HART]. Honda owns Honda Australia Rider Training and they lease the facility at St Ives that they use for that. That facility can run certain types of courses. HART also goes to Eastern Creek for the more advanced stuff that is not suitable for the St Ives facility. Yamaha provides motorcycles to Stay Upright to use, as well as some financial and marketing assistance. BMW supports the California Superbike School with motorcycles and marketing support. Suzuki has also been involved in this area. Most of the manufacturers at some stage have played fairly

significant roles in advanced rider training, in terms of funding, sponsorship, those sorts of things. Our organisation gets involved as well. We provide marketing support to them. We are a not-for-profit organisation so we do not have the money to throw at it but we provide what we can in terms of social media support and trying to change culture from within motorcycling in order to encourage people to take these courses.

**Mr NICK LALICH:** Do the motorcycling clubs run any sort of safety educational programs that probably would not cost that much, to get one of the experts out there and have a day at the club? Do they run anything?

**Mr COOKE:** Yes, some of the social groups get involved. Stay Upright has been involved with some of the different social clubs such as Girls Ride Out. It organises days for club members to come and learn something. I know the guys from Sydney Cafe Racers recently did a day at Eastern Creek with another school called motoDNA. So there is that kind of involvement. At this stage it is more a relationship, marketing-type thing. That said, the majority of motorcyclists do not belong to a club so it is much broader than that.

**Mr NICK LALICH:** In your submission you stated that motorcycle riders being required to wear visible clothing and to put their headlights on would not work. What is your suggestion for making motorbike riders more visible?

**Mr COOKE:** I take the opposite tack. I think it is a case of teaching motorbike riders to assume that they are invisible. Our approach is basically that we have to assume we have not been seen. I can think of three or four occasions in the last 20 years where I have been riding and a car was sitting at a T intersection waiting to pull out. I have made eye contact with the driver and I have seen them look at me but they still pull out. So I reckon you could dress me up as a clown and they would still be pulling out.

There is also the issue of perceived threat. If I was driving a police car or a semitrailer, drivers would be far less likely to pull out in front of me. But a motorcycle is not a perceived threat for car drivers; they do not see us as a danger to them. Drivers are far more likely to take chances around motorcycles than they are around things that could potentially hurt them. It is an underlying thing but it is nevertheless there. My take on it is, I just treat every vehicle on the road as though they do not know I exist. I assume that they have not seen me and I assume that they are going to do something to try and kill me. That has kept me in good stead for a long time now.

**Mr NICK LALICH:** It is a bit like a car driver. If you see a semitrailer you give way every time. He is bigger, so you let him go.

**Mr COOKE:** Yes, you don't take chances. We are at the other end of the spectrum.

**Mr NICK LALICH:** On your submission you expressed support for the adoption of European standards for helmets and the European ECE levels 1 to 4 standard for safety clothing. What are the merits of these standards?

**Mr COOKE:** I think the European helmet standard is superior to the Australian standard. I think Guy Stanford will give you more information on that in the next session. He is the expert on this. But I do not think there is any dispute from anybody within motorcycling that the European standard of helmet is much better. In terms of the European standard for motorcycle clothing, the work that Liz de Rome has been doing on having an Australian five-star rating type system would be far superior to what the Europeans are doing. In the absence of anything, then the European standard is better, particularly the first two levels that apply to the road type gear. The higher levels, Levels 3 and 4, are exclusively racing quality type stuff. But in the absence of anything, then I would always say to people, if you can find a garment that has the European approval, buy that over something that does not. That said, it is no guarantee of anything being better. I think the work that Liz is doing is important.

**Mr NICK LALICH:** So we should mandate that, do you feel?

**Mr COOKE:** No.

**Mr NICK LALICH:** We have not got the mandate?

**Mr COOKE:** Motorcyclists are pretty savvy and there are other issues around the mandating of safety gear, particularly if you come up with a minimum standard—and level 1 ECE standard is pretty low. It is designed around riders, on scooters, crashing at 40 kilometres an hour and sliding for 10 metres down the road. It is not going to help you that much if you crash on the road at 110. Level 1 ECE is not a particularly high standard. The danger of mandating it is it means the Government is saying that this is the stuff you should wear. And you will have riders think that is all they need and that is a good standard.

The other issue we have in Australia is our climate. Some of that gear is not suitable for us to wear on 35 degree days. It is dangerous because riders dehydrate quickly and that leads to a lack of concentration which leads to accidents. For example, I live close to the beach and if I want to go for a ride to the beach, I am not wearing leathers. I will ride to the beach in a T-shirt and a pair of shorts. The thing is, I ride as if I am naked because the last thing I want to do—I always wear gloves—but the last thing I want to do is to fall off when I am not wearing any gear. So you ride ultra carefully. I think it is important that we do not treat motorcyclists like children. We need to give them all the information we can to help them make good decisions and then encourage them to make those good decisions. We should not be treating people like kids.

**Mr NICK LALICH:** As a motorbike rider enthusiast, I ask my last question. What is your opinion on reducing the legal blood alcohol level to .02 for motorbike riders?

**Mr COOKE:** Are you going to do it for everybody? I would not support it. Firstly, I am yet to see any evidence from any of the people that keep raising this that it would actually make any difference. So, as soon as you start asking for the statistics and data on how many of these people who have died are sitting between .02 and .05 in their blood alcohol content [BAC], nobody will supply that data because I do not think they have got it. The other thing is, what you are saying to a responsible motorcyclist like myself is that if I want to go for a ride with my wife and stop and have a beer at lunch, that is an irresponsible thing to do. I do not think it is.

The other danger is that you will find situations where, for example, we run a tour every year for our members to the World Superbikes at Phillip Island. We spend three days on the road going through the Snowy Mountains. Every night we are off the road by about 4.30, before the kangaroos come out and we stop at a hotel and are in the bar, having a good time, as people do when they are away together. You may find some people that have gone to bed at 11 o'clock that night after having seven or eight beers and when they get on the bike the next morning, they might be .02. It does not mean that they are not capable of riding, it is just residual alcohol. We know already that—not just motorcyclists—people get caught the morning after and can still be .05. They have done the right thing, they have left the car where they were and have gone back to get it. They then get booked for drink driving on the way home. If you were to restrict motorcyclists to .02 you will expose us to those sorts of problems as well. Politically, I cannot see it going down very well. If you wanted to make it .02 for everybody, that is a battle too. But I think if you do something that says you are going to treat motorcyclists as a different category to everybody else, you are going to be risking some fairly hefty political backlash.

**Dr MEHREEN FARUQI:** Thank you for coming here today, Mr Cooke. One or two submissions have raised an issue with lane filtering and have recommended that it should not be allowed. I want to know your views on that.

**Mr COOKE:** Lane filtering is one of the huge success stories for motorcycling and for the safety strategy in the last few years. To my knowledge, we have not had a single serious injury or death revolving around lane filtering since it was introduced. I have not heard of anyone getting into trouble with it. The compliance has been very good. Last I spoke to police they had only issued about 38 fines for the lane splitting offence, which is doing it at a high speed. So I think motorcyclists have, in the main, done it very well. That said, we have been doing it for years illegally anyway so most people are pretty well practised at it. I submitted at the recent planning meeting for the next three year period on safety strategy that we should expand filtering to include riders on green P plates.

The reason we filter is not to get a head start or to get in front of everybody; it is so that we are not exposed to nose-to-tail accidents. The largest category of crash on our roads is nose to tail. For the average driver, a nose-to-tail at 30 kilometres an hour means a bit of a sore neck; for a motorcyclist, it means a wheelchair. That is why we filter. We have proven that it can be done safely. Car drivers have been pretty receptive on the whole. There is the odd one you hear about that is not happy about it but the bulk of people have accepted it and moved on. My personal experience with it is that car drivers have been very good, some have even moved out of the way and let me through. I think we could definitely look at expanding that to

P platers, particularly green P platers. Once you are on green P plates you are allowed to carry a pillion passenger. My attitude is, if we are saying they are a good enough motorcyclist to carry a pillion passenger, then we should be letting them filter as well.

**Dr MEHREEN FARUQI:** You raised earlier the cost prohibitive nature of some of the advanced training. From the Government side, what can be done to improve that? Do you think subsidising some of those programs by Government might be a good idea or how else would government support that claim?

**Mr COOKE:** I think subsidies is the first thing to tick off. They are expensive courses. You are looking at \$500 to \$550 a day to do one of these courses. That is a big impost and a big barrier to a lot of people. If we can somehow do something about the cost, that would be beneficial. We need to find a way where the schools can take these courses to regional areas. For example, Port Macquarie has a go-cart track that could potentially be used. Obviously the schools would need to have some of their costs covered to get up there and still be able to provide the courses at an acceptable price. Maybe we need to get the RMS to provide marketing support such as mail-outs to registered motorcycle licence holders in that area to let them know the course is coming. One of the things that frustrates me is that we spend so much money, in terms of motorcycle safety, doing things that do not achieve anything. An example is the report that was released by Monash University a couple of weeks ago about ABS. That was funded by the Federal Government and by VicRoads. I do not know how much money they got. It would be fair to say it is not a trifling amount. I read through the report over the last couple of days and I will not tell you what I think about it. There are so many holes in it, it is not funny. I look at that and think if that report cost \$100,000 in public money, how many riders could be trained with that money? If we allocated that money to motorcyclists who want to go and do these courses, we could save lives. Instead, we have paid another university to do another meaningless garbage study.

**Dr MEHREEN FARUQI:** You were talking earlier about the invisibility of motorcycle riders to drivers. How can we improve driver behaviour and attitudes towards those who share the road with them?

**Mr COOKE:** The whole share-the-road thing is at the heart of the Centre for Road Safety's ongoing program. But all one can do is keep bashing that line. But that said, we have been bashing that line for 30 years.

**Dr MEHREEN FARUQI:** In other countries there is a different culture. Obviously they achieved it somehow.

**Mr COOKE:** There is a different culture, but cultures take a long time to build.

**Dr MEHREEN FARUQI:** Absolutely.

**Mr COOKE:** It is like us trying to build a culture from within motorcycling to encourage people not to talk about "accidents" but to talk about "crashes". I go onto a bunch of different Facebook pages and as soon as someone posts that they have had an accident I put up a link to one of the rider training schools. When I first started doing that in some of these Facebook groups I copped a bit of a hiding. People were saying, "Who do you think you are?" Now I see other people doing it. These groups have started to change their culture within their own Facebook groups and within their clubs. They are latching on to it now because they are starting to realise that there is something in it.

It is cultural change and it takes a long time. The trouble is that cars these days are full of distractions for drivers, with the GPS units and phones. Cars are so quiet and isolated and they have massive A pillars. When I learnt to drive in an old Kingswood it had a tiny A pillar; I could see everything that was going on around me. These days the cars are hard to see out of.

People do not do head checks anymore. When you do your drivers' licence test if you do not do a head check when you change lanes, or something like that, you get marked down. But as soon as people pass their tests they stop doing head checks. Any motorcyclist would be able to tell you hundreds and hundreds of stories about drivers changing lanes without looking. I prefer to say to people, "Assume car drivers are going to do it. Do not sit next to them; do not sit in their blind spot. Make sure you get past them quickly and get out of the way."

I agree with you: in a perfect world it would be nice to get the "share the road" message to hit home even harder but I do not think we are ever going to totally solve that problem, unfortunately.

**Dr MEHREEN FARUQI:** I have one last question. A number of submissions have raised concerns with respect to the level of support that the training contractors are getting from Roads and Maritime Services. There used to be a rider training unit in RMS. Apparently there used to be regular meetings but that has not happened for some time. Do you think there is something to say for bringing those sorts of things back into Roads and Maritime Services?

**Mr COOKE:** I am not familiar with the situation. You are referring to the graduated licensing scheme training that happens for learners and P-platers. I do not know whether that has degraded or not. I have read the submissions and a lot of people have said that it has. The rider-training organisations have said the same thing to me. I think that sends a message that there is a bigger problem, and that this is just a symptom of it. Maybe the problem is that training is not acknowledged as a solution.

I presented at the National Road Safety Forum a month or two ago at Luna Park. I was asked about the motorcyclists' views of Vision Zero. Motorcyclists generally look at the concept with disdain. One of the first premises of Vision Zero is that we accept that crashes are going to happen—it is a given. That is part of Vision Zero so they look at how to minimise the outcomes. Motorcyclists look at it the other way. We look at the situation and ask, "How can we stop the crashes?" A side benefit is minimising the damage of crashes, but if you can stop a crash from happening in the first place that is even better. Yet none of the tactics to achieve Vision Zero include professional training for any road user. That makes no sense to me.

To get a driver's licence now you have to do 100 hours or 110 hours in the car with your parents. So we have a bunch of kids learning to drive from their parents, who cannot drive either. There is no professional training anywhere in the loop. So no-one is getting taught good road craft. The learners are only getting taught the impatience and bad habits of their parents.

**Dr MEHREEN FARUQI:** Not all of them. I teach my children.

**Mr COOKE:** Present company is excepted, obviously. The danger is that we get into a generational issue, where people are just learning the bad habits of their parents and there are no professionals in the system to provide a link. Motorcyclists have to do training to get our licences, so there is a shut-off valve there.

**Dr MEHREEN FARUQI:** Would you recommend something like that? That is helpful for the safety of motorcycles as well.

**Mr COOKE:** If there was any other area that government controlled where that many people died every year, a situation where there were no professionals involved to teach people how to do it without being killed would not be accepted. It just would not happen.

**CHAIR:** I believe Mr Crouch had one more question.

**Mr ADAM CROUCH:** We have heard conflicting evidence today in regard to vehicle stability. In your submission you praise the manufacturers for looking to introduce stability control and ABS et cetera for motorbikes, but you do not believe that these systems should become mandatory at this time. Can you explain to me why you have taken that position? Secondly, would you still encourage riders to purchase vehicles with those sorts of devices? Finally, should there be specific education and incentives for people to purchase those sorts of vehicles?

**Mr COOKE:** ABS, stability control and traction control are great things. They are definitely safety items. We heard evidence this morning that an experienced rider could out-brake an ABS system. I do not agree with that, and I am an experienced rider. I am a road racer; I do not think I can out-brake the best ABS systems on the market now. So that is a given.

ABS only kicks in when you have screwed up. People need to remember that it is a last resort. When you have lost control—when you have done everything wrong—that is when ABS comes in. That said, it is not a silver bullet. It will not solve every problem.

The reason I do not support mandating ABS is that we got into a whole lot of trouble with helmets—I am sure Mr Stanford will touch on this for you shortly—by having an Australian standard and mandating it. Then we got out of touch with the rest of the world and the standard fell far behind. The ACCC could not keep up with it and there were a lot of dramas. Having a standard ended up causing more trouble than it was worth.

With respect to motorcycles, Europe is mandating ABS from 2016. As of next year every motorcycle sold in Europe will have ABS. If anyone thinks that manufacturers are going to build different bikes for us they are fools. That is not going to happen. We are a tiny per cent of the world market. It would cost Kawasaki more money to shut down a production line and start making a different version of the ZX10 without ABS just for the Australian market than it would just to supply us with the same bikes. There is not a bike on the market in Australia now that is not already available overseas. So we will get the ABS bikes; we do not need to mandate it. We would just be creating a rod for our own backs. My point is that mandating is not necessary. It would just cause issues.

The other point is that there will be some bikes, such as some of the trail bikes and things like those, which are very popular in Australia, that do not go into the European market. Those bikes are cheap—\$5,000—and they do not come with that sort of technology. They are still running carburettors rather than fuel injection. It will take a lot longer for the ABS to filter through to those types of bikes because they are not computerised bikes. That said, ABS would be a problem in the environment in which those bikes are used. When you are riding dirt tracks and things like that, which is predominantly where these bikes get used, you do not want ABS. ABS would make you fall off.

**CHAIR:** Thank you very much for your submission and for your appearance today. Regrettably we have run out of time. We will submit any questions. I do not think you took anything on notice.

**(The witness withdrew)**

**CHRISTOPHER JAMES BURNS**, Vice-Chairman, Motorcycle Council of NSW Inc.,

**BRIAN WALTER WOOD**, Secretary, Motorcycle Council of NSW Inc., and

**GUY JOHN STANFORD**, Chair, Helmets Committee, Motorcycle Council of NSW Inc., affirmed and examined:

**CHAIR:** I would like to welcome you. Thank you for appearing before the Staysafe Committee this afternoon to give evidence. Before we proceed, do you have any questions regarding the procedural information that was sent to you in relation to witnesses and the hearing process?

**Mr BURNS:** No.

**Mr WOOD:** My involvement in the Motorcycle Council is as a volunteer, so it is really only a hobby. I am secretary of the Motorcycle Council. Our post office address is: Post Office Box 517, Parramatta 2124.

**Mr STANFORD:** In relation to motorcycles, I am a delegate to the Motorcycle Council of NSW and to the Australian Motorcycle Council, where I chair the Helmets Committee. My private address is 68 Violet Road, Mount Victoria.

**Mr BURNS:** I am a commercial building manager but I am also Vice-Chair of the Motorcycle Council of NSW. The address is 126 Annandale Street, Annandale.

**CHAIR:** Before we proceed with any questions may I confirm that you would be happy to provide a written reply within three business days to any questions that you might take on notice.

**Mr WOOD:** Yes.

**CHAIR:** There may be some supplementary questions from the committee. Would you be able to provide a written answer to those questions within five business days?

**Mr STANFORD:** Yes.

**CHAIR:** Would you like to make a brief opening statement?

**Mr BURNS:** I would. On 4 October 2015, James Pearce, 53 years of age, died in a motorcycle crash. It was on Oallen Ford Bridge. James hit a pothole on the edge of the bridge, then a railing and went over the edge of the bridge and onto the riverbank five metres below. It was reported in the media that a pothole had opened up in a new road on the edge of a brand new bridge built by the authorities and opened just three weeks earlier.

Witnesses are reported to have advised police that the rider was neither speeding nor riding in a reckless manner. It was a simple crash with complex causes. The pothole appeared in a new road on a new bridge. The railing was too low. The design did not take motorcyclists into account. There was no safety in the design. Was the price too low and the job not inspected properly? If the quality assurance and inspection system of design and installation was working properly how did a pothole appear within three weeks of a completed project? Was the project underfunded? Were shortcuts taken?

This unfortunate, preventable death sums up the complex issues of a lot of single-vehicle motorcycle fatalities. The primary contributor to this type of single-vehicle accident by a motorcycle is, more often than not, put down as speed because it fits neatly into the Roads and Maritime Services definition of speed. There is no investigation required when the rider was speeding. Lazy thinking creates a mindset that all riders bring these things upon themselves. How many other fatal crashes in New South Wales, which have had next to no investigation and where there were zero witnesses, have also been put into the category of speed being the primary cause? In fact, this cannot be quantified in a lot of cases.

As outlined in the Motorcycle Council submission to the Staysafe Committee inquiry in 2014 on speed zoning and demerit points, even the individual states cannot agree on how many fatalities can be attributed to speeding. In overseas studies estimates are as low as 6 per cent but in individual Australian states estimates vary from between 20 and 40 per cent. Speed is not the simple answer to a complex situation.



This leads us to the situation of a 20-something lad who was riding in the knowledge that the loose gravel on the Old Pacific Highway was a danger. He was travelling at 20 kilometres an hour, doing all within his power not to drop his new bike and injure himself when a kangaroo popped out in front of him and he kissed the bitumen. He had five stitches in his knee and there was \$1,000 worth of damage to his bike. Several weeks later he received a negligent driving charge in the mail. There was no site visit and zero investigation. He received the charge despite doing all within his power to ride in the safest manner.

Compare that situation to the situation of a rider who stopped at an amber light as the road rules designate. The rider was mown down by the driver behind him, who received no fine and no penalty—not even a slap on the wrist. The errant driver received nothing in the way of penalty. How does this instil some sense of responsibility in drivers, let alone riders? Some researchers would have you believe that all motorcyclists are drunken, drug-addled hoons with no respect for the law. That is quite the opposite of the truth. The average age of riders, as pointed out earlier, is 43. We are mostly professionals with a healthy respect for the law and a healthy regard for our own lives and limbs. If you remove the 17 per cent of unlicensed drunks you would find that the statistics change quite remarkably.

Motorcycle crashes, as outlined in the MCC submission, are incredibly complex, with a multitude of causes and no one, simple answer. Road conditions and repairs, wildlife, traffic on the wrong side of the road, distracted drivers, barriers, distractions of technology, level of rider training, protective clothing and the attitude of the various departments towards the cause of these crashes all play a part in the crashes and, ultimately, in the solutions. What New South Wales needs to continue the downward trend in fatalities is multiple solutions and the input of subject matter experts and riders to assist with making decisions on policy. Otherwise we risk ending up with the Victorian situation wherein it is hosting a working group on motorcycle clothing that has no rider group representation.

Motorcycle facilities are on the downward slide, but more can be done to assist. It is all about the mindset and finding proper solutions and root causes of accidents, collisions and crashes. Simply slamming riders with speeding fines and defect notices only makes the riding community jack up against the lawmakers and the enforcers. Ridiculously low speed limits on popular ride routes simply create more crooks. Repairing the road surface, changing the types of barriers, removing roadside hazards and educating and training riders and drivers alike creates a solution. Motorcycles are simple machines and there are complex causes of crashes and fatalities. Motorcycle subject matter experts need to be in at the ground level assisting the Government with solutions. We need better determination of cause through better crash data and better investigation. That is one of the keys to finding the root causes of all of these crashes. Page 11 of our submission quotes M. J. Giles as saying in 1999:

Existing road crash databases in Australia appear to be useful in estimating the magnitude of the road crash problem, albeit in terms of minimum crash numbers and outcomes. However these databases are deficient in two ways. Firstly, they have limited use in definitively identifying crash causation, such as vehicle, driver and road environment features that are most likely to result in particular outcomes. Secondly, crash information for the purpose of introducing specific crash prevention and injury reduction strategies appears to be limited, at best, or unreliable, at worst.

I thank the Committee for the opportunity to present our views.

**CHAIR:** Thank you for a very comprehensive opening statement, which cuts across some of the questions members intended to ask. Your submission puts a positive view with regard to safety. You noted that there has been a 145 per cent increase in registration of motorcycles and scooters in the past 15 years, but the fatality rate of riders per 10,000 registrations dropped by 60 per cent between 2001 and 2014. Do you believe that the fatality rate of riders per 10,000 registrations is the more appropriate measure to predict accurately the overall safety of motorcycling in New South Wales? If so, why would you be in favour of that approach?

**Mr BURNS:** We certainly believe that that should be the approach. Because the number of registrations is so volatile, we need to stay on top of what is happening. The car fleet is staying relatively static; there is a less than 5 per cent increase each year. We are talking about a 10 per cent increase every year. There has been an average of 62 fatalities—some of whom have been my friends—over the past 10 years. However, when that is combined with the number of registrations, obviously the measures we have been implementing—including training and education—are working. Of course, more can be done.

**CHAIR:** You mentioned briefly the increasing average age of riders towards 43 years. You claim that as many as half of that group may not have completed any learner training, although surveys show that many

have done some post-licence retraining. Is that situation acceptable? Do you believe it requires further attention in the next three-year action plan?

**Mr STANFORD:** This has been an ongoing issue. More than half the riders are in the older group. We know that a 50-year-old rider is 11 times more likely to die in the same crash as a younger rider. However, to say that this is all about older returning riders is missing the point. We have a greater degree of exposure of older riders, and that may slant the statistics. There was an issue some years ago, but most of the return riders are now on the road. It is a bulge going through the population. The returning rider issue has gone past us, but it has been captured in the general treatment of riders.

We have seen a steadily increasing rate of injuries, crashes and deaths per 10,000 registrations. We should not get carried away with saying that it is all about older riders; it is about all riders in general. How do we deal with that? Older riders tend to have more time. We could use the analogy of shark attack victims. They are generally surfers 50 years old and older. They have a lot more time to be out there doing what they are doing. It is not that suddenly 50-year-olds are the only victims of shark attacks. The fact that they have time means they have greater exposure.

**Mr BURNS:** The question referred to riders 43 years old and older not having had training. Many of them started riding before the learner training scheme and the Motorcycle Operator Skill Test [MOST] were introduced. There is evidence about that. The Ulysses Club subsidises further training, but there has not been a big uptake. That could well be a case of unconscious incompetence; that is, they have been riding for 30 years and think they are competent when they are not. We have all done advanced rider training off our own bat. If you want to push that further, we suggested an advertising campaign to the Centre for Road Safety along the lines of professional development. You would not let your career be put at risk because of a lack of professional development. The other strategy is targeting spouses, partners, brothers and sisters. For instance, I bought my partner an advanced riding course and she got an enormous amount out of it.

**Dr MEHREEN FARUQI:** We heard earlier that the cost of advanced rider training is a prohibitive factor.

**Mr STANFORD:** It certainly is.

**Dr MEHREEN FARUQI:** Do you have any ideas about what the Committee could suggest?

**Mr STANFORD:** Our club has developed a mentoring scheme. We put experienced riders and inexperienced riders together and brought in a professional, Duncan McRae—who appeared before the Committee earlier today. The results were extraordinary.

**Dr MEHREEN FARUQI:** We heard that most motorcycle riders do not belong to a club.

**Mr STANFORD:** No, but in this case we had a captive group. It grew from people saying "Can you do this?" in the car park. We had outstanding outcomes from that. That is what Duncan McRae referred to as the coaching model as opposed to the teaching model. I encourage the Committee to look at the coaching model rather than the teaching model. Our results have borne that out. We have extended that to other groups and other clubs have adopted what we do, and some of our members have assisted other clubs. It is a much more social peer-on-peer approach and it seems to have a good uptake. Members are required to do training, although there is a certain resistance and the cost issue. The Ulysses Club is the only club subsidising it. It is expensive.

**Dr MEHREEN FARUQI:** You also state in your submission that the New South Wales licensing and training system needs to be reviewed. You suggest that the Victoria and Queensland experiences might be useful. Can you elaborate on what lessons from those States would be useful?

**Mr BURNS:** As Duncan McRae stated earlier, Victoria is undertaking a review. The time is right for us to review our system because it has not been reviewed since about 1984. The graduated licensing scheme was introduced in 2009, so we would recommend that a review be undertaken. We should also maintain the rider training unit within Roads and Maritime Services and subsidies for the pre-permit learner training scheme and the MOST.

**Mr STANFORD:** We also seek to build professional development within that group in Roads and Maritime Services.

**Mr ADAM CROUCH:** Did you say earlier that the Victorian review has involved no engagement with any motorcycle association?

**Mr BURNS:** No, I referred to the protective clothing working group being set up by the Transport Accident Commission, which Andrew Nicholls referred to the CTP heads of government.

**Dr MEHREEN FARUQI:** You have also outlined your concerns about the inadequate implementation by local councils of guidelines for road maintenance and design. On what information are those concerns based and what can be done to improve that situation?

**Mr BURNS:** Those concerns are based on anecdotal evidence. Roads and Maritime Services has released a comprehensive document about making roads more motorcycle friendly. That is based on a Victorian document. There seems to be a disconnect between the Centre for Road Safety, Roads and Maritime Services and local councils in implementing those guidelines. For instance, there is a parameter for the installation of wire rope barriers that includes a minimum radius. However, the Oxley Highway, which is the responsibility of the Walcha Council, has wire rope barriers on 55 kilometre an hour corners, which is in direct contradiction to what is advised. There is a lack of funding, a lack of money, a lack of expertise, and a lack of peer support from the higher levels of Roads and Maritime Services. Brian Wood deals exclusively with the road safety officers, and I personally believe that they could do with more peer support and better quality assurance.

**Dr MEHREEN FARUQI:** That was highlighted earlier by the Institute of Public Works Engineering Australasia.

**Mr NICK LALICH:** Would a wire rope safety rail be worse for bikers than a solid barrier?

**Mr STANFORD:** Significantly so.

**Mr NICK LALICH:** It would cut off your leg.

**Mr BURNS:** A rider at Taree was mozzying along on a classic AJS minding his own business when he hit a puddle of water in the middle of the road. He aquaplaned into a wire rope barrier and it took off his leg and flipped him over into the oncoming northbound traffic.

**Mr WOOD:** The issue with barriers is the posts, because they bring you to an abrupt halt. That is why New South Wales is starting to introduce rub rails at the bottom. If you are sliding along the road you do not come into contact with the posts; you are still on the surface and can slide along coming to a gradual halt. We are trying to encourage the installation of those lower rub rails. Our preference is not for wire rope because there is little that can be done to a wire rope barrier to make it more motorcycle friendly. The guardrail—or Armco as it is known—can have rub rails. Systems are being developed in Europe involving a guard being installed on the top of the rub rail so that riders do not come into contact with the tops of the posts.

**Mr BURNS:** It takes only one impact on a wire rope barrier by a car to wipe out the safety benefit until it is repaired. It takes weeks and weeks for those repairs to be done on the M4 and the M5. The integrity of a motorcycle-friendly W-beam barrier or a concrete barrier would still be intact and it would still do its job until that one small section was repaired. Ultimately, it comes down to the cost. It is cheaper to install wire rope, but the ongoing maintenance eventually blows that out of the water.

**Mr NICK LALICH:** Wire ropes could even cut through a car.

**Mr BURNS:** They do. I would not want to hit one in an MX5.

**Mr NICK LALICH:** Your organisation is in favour of clothing that contains impact protection to cushion a rider in a crash. However, you do not support high-visibility clothing. Would it be of any benefit to have coloured protective clothing?

**Mr BURNS:** As outlined in our submission, the Motorcycle Accident In-Depth Study [MAIDS] undertaken in 2004 shows that about 80 per cent of multi-vehicle crashes concur from the front. We have a big headlight at the front. As seen in the photographs we have provided, that headlight negates any benefit that may or may not be provided by high-visibility clothing. There are photos of riders wearing high-visibility clothing. If

the background is the wrong colour, they disappear. It is an ever-changing scenario. We are better off with the headlight on. The policeman in Western Australia was wearing high-visibility clothing when he was run over from behind.

**Mr STANFORD:** This has always been a vexed question. We have been encouraging motorists to look twice for bikes at intersections and so on. I think one of the issues is that we do not have the enforcement of all road rules; we have very limited enforcement of the road rules, primarily speeding and not a lot else. As a result people tend to become speedo gazers and we do not know what is going on in their minds. A large range of other road rules are never enforced. I live in the mountains and the issue of fog lights is strong because of the glare. I have nearly been sent off the road by not being able to see the road at night, but that is okay because the driver was not speeding. The area of looking out for others falls into the general area of road rules. But the message to the public is not about all road rules; it is about a very narrow area and primarily about speeding. Drivers who are speeding seem to be caught because you can put a robot in place and it becomes very simple to prove the offence; it has a number. Inattention does not have a number, so there is a difficulty.

**Mr ADAM CROUCH:** Continuing on the question in regard to protective clothing, you probably heard the evidence about setting up a five-star rating for safety clothing. Your submission supports the idea, but you would prefer the scheme not to be mandatory. Please explain why you would prefer it not to be mandatory.

**Mr STANFORD:** We are the organisation that brought the subject of protective clothing up quite early in the piece, in 2005. We obtained funding from the Motor Accidents Authority to run a seminar and invited all the clothing manufacturers to attend. We ran through some topics and over the next 12 months most of the junk disappeared from the marketplace. We had been in situations where a rider who fell off a bike had his gear fall apart as he slid down the road on a closed track. The work on protective clothing has come from there. A good rider is a good risk manager. We have tried to make riders understand the risks and how to manage them. Using good gear is a good way to manage risk. The work has progressed from there and Mr Wood is our man in Havana on the subject of protective clothing. The whole motorcyclist community is a bit distressed that the Transport Accident Commission [TAC] is heading off in its own direction without any consultation with riders. We certainly do not believe that mandatory is the way to go. It is about providing better quality equipment and being able to use consumer law so when somebody makes a claim about clothing that claim can be verified at law, which would save a multitude of problems. At the moment we are getting a lot of rubbish.

**Mr ADAM CROUCH:** What incentives would you recommend to encourage riders, be they new or returning riders, to purchase protective clothing? We know good riders will do the right thing, but what about those who believe they are invincible? We heard from a good rider who said he always wears gloves but will wear shorts and thongs. How can we encourage riders who are not as skilled as he is not to do the same?

**Mr BURNS:** Cost is a big inhibitor as far as protective clothing goes. We are talking about personal protective equipment, PPE. Drop GST on it, firstly. Secondly, Aldi have proven a CE level 1 jacket, which is good for about nine seconds of sliding time, can be produced for \$140, yet other producers are selling jackets for \$1,000 and these jackets are not worth their weight in cotton socks. Then introduce a five-star rating scheme, as Dr Liz de Rome pointed out earlier. That will automatically start to raise the bar, much like the five-star ANCAP scheme. If you bring in an Australian standard there will be a backlash because I personally would have to replace about \$4,000 of gear—four or five jackets, half a dozen pairs of gloves, a few pairs of pants and a few pairs of boots. What happens if you get caught not wearing the mandatory Australian standard gear? That would not lead to improvements. A five-star rating would lead to competition between the producers.

**Mr ADAM CROUCH:** The consumer would select a level of safety precautions.

**Mr BURNS:** Exactly. Consumers do not buy a one-star washing machine hence all the one-star washing machines are starting to fall off the market.

**Mr STANFORD:** Mr Burns is also referring to the risk compensation; because you believe you are bullet proof you think protective clothing will protect you from everything. It does not matter how good your protective gear is; as Dr de Rome said, all it can do is reduce your injuries. Encouraging people to wear closed boots and gloves to save themselves from grief can be awkward, particularly in stinking hot weather. A lot will only save the person from pain; many injuries are not life threatening, particularly those from slow-speed crashes around suburbs. But a bad road graze hurts and takes a long time to heal. Protective gear will get you back to work a lot quicker because generally you hurt hands or feet. Encouraging people to wear solid footwear is probably the right place to start.

**Mr WOOD:** It is also recognised internationally that Australian riders are the savviest on protective clothing because of the work that has been done in Australia. That research has been done in conjunction with rider groups. That is why we are lobbying for a five-star scheme. The *Good Gear Guide* was brought out some years ago and might have been mentioned. It contains good information for riders so Australian riders already have an elevated acceptance of the right type of protective clothing to wear.

**Mr ADAM CROUCH:** We have seen a huge increase in the number of SUVs being registered. I have one of those vehicles with a massive A-pillar and recently I had a close encounter with motorcyclist. How do we change SUV driver behaviour and making drivers aware that we are contributing to motorcyclist crashes because of our style of driving?

**Mr BURNS:** Look twice.

**Mr STANFORD:** It is a public information case and policing of behaviour at intersections. There was some dispute when speed camera lights went up at intersections, but from our point of view they are not such a bad thing because half our members are taken out by other vehicles at intersections.

**Mr ADAM CROUCH:** Penalties were mentioned too.

**Mr STANFORD:** This is a vexed question.

**Mr BURNS:** I believe that if you injure a party in a multi-vehicle accident you should lose your licence for three months.

**Mr ADAM CROUCH:** That was part of your submission.

**Mr BURNS:** Currently, I can get nicked for speeding at 45 kilometres an hour over the speed limit but not hurt a soul on a straight road in the middle of the country with no driveways, no pedestrians, no kids, no other vehicles and lose my licence for six months. Mr Aplin is aware that the first time I arrived here I was on crutches from an errant driver, whilst I was wearing hi-viz clothing, with a red jacket on a white motorcycle, who did not look. I spent 3½ months off work and I am still recovering years later. The driver who cleaned me up received a \$275 fine for failure to give way when changing lanes and lost three points. She has no idea what effect this has had on my life, my career and my partner and the subsequent strain on our relationship. We need to make these people fully aware of the impacts of hitting somebody. Firstly, cut their licence in half for three months so they can sit on the bench and think about what wrong they did. Secondly, we need to implement some sort of system that the person knows exactly what their actions did.

**Mr ADAM CROUCH:** Like a victim impact statement.

**Mr BURNS:** Exactly, that will generate social change. You cannot drive around thinking you are doing well because you are sticking to the speed limit. As was outlined earlier, more than 60 per cent of multi-vehicle crashes are in a 60 kilometres an hour zone or less and the majority of fatalities are in these zones. As vulnerable road users any collision over 30 kilometres an hour has the potential to kill; it is the sudden stop. One physical thing is the impact rips the aorta away from the heart, or in Sean Hawley's case splits the aorta off the kidney. We do not have the crumple zones so we need to make drivers pay attention. I am quite sure if somebody injured a motorcyclist and told people at work why they lost their licence for three months, word would soon spread and you would engender social change.

**Mr STANFORD:** This is one subject that we have discussed internally. One suggestion is there should be consequential road rules. At the moment we have road rules and you can be fined for an offence against the law, not a specific safety circumstance. Then you get into the problem of debating if you hit somebody who is 75 years old and they die, should that be a different penalty from somebody who is just injured? We think having a scale would be a bad way to do it, but if you injure somebody there should be a licence holiday straight up to think about what you have done. That would be a good place to start.

**Ms ELANI PETINOS:** Your submission expresses concern about the ambiguity in police reports of crashes with regard to the role of speed as a contributing factor and the mistranslation of data from the NSW Police COPS database to the RMS database. Can you suggest how a better reporting system might be promoted by the three-year plan?

**Mr STANFORD:** Data quality has been an ongoing problem. In his opening statement, Mr Burns mentioned somebody who does not work in the road safety industry and who looked at the data, on page 11 of our submission. This person said that the data is descriptive but does not go to cause. The RMS has a conversion section for its data saying that if the vehicle has performed a manoeuvre characteristic of speed, such as a motorcycle falling over, then the crash is classified as speeding. We think this overemphasises the influence of speed alone and leads to inappropriate conclusions which in turn lead to inappropriate interventions because the actual underlying cause is not known. That means this is an assumption based on an assumption. A lot of work needs to be done to improve the interpretation of the meaning of the data. The ACRS submission shows a large number of fatalities of drunken riders but if you take out the unlicensed and unregistered riders you are left with data that shows this is no better and no worse than other groups of road users. It is data for a particular group that is stiling, or causing a distortion of the other. Dr de Rome said there was a need to know who those people are and we emphasise that that is really important, because they make us look bad for a start. As a result of making us look bad, we end up with a series of interventions imposed upon riders which will not achieve anything. That is the problem; you spend effort and grief, both political and cash, and do not achieve a thing.

**Mr BURNS:** The stats show that 6 per cent of single-vehicle fatalities involve an animal strike. The rest of them are put down as speed. For instance, the night I cleaned up a wombat going down Brown Mountain on my way to the Phillip Island bike races several years ago, nobody would have known. I would have speared off into the shrubbery and the local policeman would have put it down to speed—dead men tell no tales. There are also other research papers—for instance, western Queensland highlights that 25 per cent of single-vehicle fatalities are attributable to animal strikes. Thunderbolts Way, one of the most popular roads for motorcyclists going up the coast to Port Macquarie, across the Oxley and then to Thunderbolts on the way back, has the highest mortality rate for hairy nosed wombats in Australia. These issues are not being investigated properly and, to be honest, dead men tell no tales. The local police assume that because you are on a motorcycle you were speeding and paid the ultimate penalty.

**Mr STANFORD:** The last time we looked at data on this we discovered that only 17 per cent of motorcycle fatalities are ever investigated, the others are just a paperwork entry of speeding. So being able to get to the root cause will help all of us direct road safety policy in a much more intelligent manner than is being done now. I think what we have now is a little bit overly simplistic. Yes, I understand it has got to be fairly prosaic but it is overly simplistic.

**Ms ELENI PETINOS:** One final question from me. Unfortunately, your comments about animal at risk and road factors resonate far too much with me. I live through the Royal National Park and I have seen my fair share of bad accidents. You gave such a fantastic introductory statement about other factors that impact motorbike riders. I want to flesh out your submission a little more in that you have said that even a skilled motorcyclist riding below the speed limit can be brought down by a road surface.

**Mr STANFORD:** Yes.

**Ms ELENI PETINOS:** Obviously the standard of road surface varies between metropolitan and country roads. To mitigate this risk you have recommended the need for a dedicated road hazard reporting system to disseminate information to Roads and Maritime Services and councils. Would you also envisage factoring in any differing standard for the difference between metropolitan and country roads?

**Mr STANFORD:** The magic word is "consistency" but Mr Burns will take it from there.

**Mr BURNS:** There are many issues that will bring you undone in both regional and urban environments. For instance, when I approach an intersection I am looking to see if a car is going to turn right in front of me and if the traffic on the left and right is going to pull across in front of me. I am watching my rear-view mirror to make sure that if I do brake that someone is not going to run-up my backside and run me down. I am also looking at the road surface. I am looking for flattened aluminium cans, a bit of gravel or some sand. Has the council put a pipe across the road in my braking area? Where is my escape route? What am I going to do if something happens? And this is only going through an intersection. I do this about 40 times every single morning on my way to work and 40 times on the way home. Out in regional areas you are doing much the same thing. As you approach a corner you scan through the corner. There is a hump in the middle of the road on the Putty Road—we have got a photo of that in the submission.

As you come out of the corner there is a ridge in the middle of the road and you cannot see it until you are right on top of it. I stood there for about 10 minutes taking as many photos as I could, watching motorbike rider's veer left and right around this thing that was right on the line. We need to be able to report that as an A-grade hazard to a central authority, which will then disseminate it to either council or RMS as appropriate. We don't know if that is a local council road; we don't know if it is a RMS road. It needs to be monitored by someone, not to just send a contractor to go and do a patch or repair and self-certify. They need to go out and have a look at it. Then they need someone to go out and QA the work that has been done. They need to give some of these pothole fillers a professional development course or even inspect 10 per cent of their jobs and find the good ones and the bad ones. To be quite honest, some of the work they do—there were only a handful of examples in the submission—if you were a tradesman you would not want to hang your name on it; it's shocking.

**Mr STANFORD:** To go back to one other aspect of your question. We have been looking to have this central information repository or call back point so that lengths of road can be actually managed. For example, you can have a map with a set of X's on it that shows there were crashes but as riders we need a bit more information such as time of day, the direction of travel and things like that. Riders themselves can actually look at this feedback information and say, "There is something really wrong with that corner" or it was late afternoon or there was sun glare. All sorts of factors can come into it; it is very complex. We need to have some process by which that feedback system can work because we are only talking here about what where crashes have happened. You then can add proactive road audits, which can also feed into the same system. We think that is necessary and it goes hand in glove with improved data analysis.

**Mr BURNS:** Ultimately that will be one way to proactively do it but your first question was: "Do we need a central database for reporting this?" Absolutely we do and it needs to be worked on in a timely manner. At the moment we have got nothing. It was a recommendation in 2004—vulnerable road users recommendation no. 5. They implemented a road hazard reporting scheme for bicycle riders; we still have not seen one. We have been advised to report it to the Transport Management Centre [TMC] but every time we ring up the TMC they try and fob us off to the local council. To the point where one poor bloke who was trying to report a diesel spill in one of the urban areas in Sydney made phone calls to about five different departments and it still did not get fixed. We need to fix it.

**Ms ELENI PETINOS:** Do you have a view as to who would be best positioned to administer this proposed system?

**Mr STANFORD:** We would have assumed the RMS but the RMS wishes to disclaim responsibility because it only looks after 20 per cent of the roads in New South Wales, the other 80 per cent are local council.

**Ms ELENI PETINOS:** Who would feed in the information? Would it be people such as you?

**Mr STANFORD:** Yes.

**Mr BURNS:** General road users.

**Mr STANFORD:** There are even phone apps. So you can take a GPS location, take a picture and say, "Here is the problem." But who do you send it to in order for it to be recorded so you can see a pattern of a road slowly breaking up?

**Mr BURNS:** And then, of course, a reference number on it as well so that you can track it yourself. The other benefit from this is that if we start flagging areas of concern in need of rectifying then the local council gets this information—they can see a cluster of five, six, seven or eight issues that need repairing. Instead of doing them as reported, councils can then do them on a cluster basis. They can send one truck out with two guys and fix-up half a dozen issues in one hit. Ultimately they will save money because there will be less return visits. So it is going to be a win-win for everyone—the public health outcomes for us and saving money for local councils and RMS.

**CHAIR:** We have run a little over time. The Committee appreciates your time, the evidence you have given today and the submission you presented.

**Mr BURNS:** One last comment?

**CHAIR:** Yes.

**Mr BURNS:** ABS is a very, very good thing if it is very, very good. Mandating ABS will bring in cheap ABS on cheap bikes and cheap ABS is worse than no ABS.

**CHAIR:** You made a very good point earlier about bikes being imported. Thank you, the Committee will take that on board.

**(The witnesses withdrew)**

**(Short adjournment)**



**ANN MARINA WILLIAMSON**, Professor and Director, Transport and Road Safety Research Centre, University of New South Wales, and

**RAPHAEL HILARY GRZEBIETA**, Professor of Road Safety, Transport and Road Safety Research Centre, University of New South Wales, affirmed and examined:

**CHAIR:** Welcome and thank you for joining us this afternoon at the Staysafe Committee to give us evidence for our inquiry. Before we proceed, do you have any questions regarding the procedural information that was sent to you in relation to witnesses and the hearing process?

**Professor GRZEBIETA:** No.

**CHAIR:** Before we proceed with questions, may I just confirm that you will be happy to provide a written reply within three business days to any questions that you might take on notice?

**Professor GRZEBIETA:** It depends on the length.

**CHAIR:** Indeed. Understood.

**Professor GRZEBIETA:** We are about to go to a road safety conference on the Gold Coast.

**CHAIR:** We would appreciate anything you can do, should there be any questions taken on notice.

**Professor GRZEBIETA:** Sure.

**CHAIR:** If there are supplementary questions from the Committee, would you be able to provide answers to those questions, hopefully within five days but, again, subject to availability?

**Professor GRZEBIETA:** Certainly.

**CHAIR:** Thank you very much. Would you like to make an opening statement?

**Professor GRZEBIETA:** I think all the material is already in here. I think I would be just taking up the Committee's time. I think it is more valuable if you have questions.

**CHAIR:** Excellent. Your submission states that the rise in the percentage of motorcycle deaths, relative to all road deaths, indicates that countermeasures that appear to be working for other road users are not having an effect with regard to motorcycle riders. What do you think needs to be done under the New South Wales Motorcycle Safety Strategy to introduce more effective countermeasures?

**Professor GRZEBIETA:** In terms of equipment and addressing issues in terms of some of things we have found, I think you could immediately legislate for anti-lock braking systems [ABS] for an assisted braking system and any other systems that keep a motorcycle upright. I think that would be necessary. I currently have an iPhone which, when I turn on, identifies my thumbprint and turns on. I think every single motorcycle should have a thumbprint to prevent illegal riding. I also believe that each motorcycle should have an alcohol interlock because we have seen that alcohol and drugs have a huge effect on the ability of a motorcyclist to stay on their motorbike and also to avoid hazards.

Motorcycles are particularly difficult vehicles to master and use. In a car, a car is forgiving; a motorcycle is not. The error margin is extremely small so we should not be allowing motorcyclists to numb their brains before they go out on a ride.

**CHAIR:** Very good, thank you. Some of the questions we have been putting to a range of witnesses who appeared before us today relate to a point that you raised in your submission, which is that the age distribution of motorcyclists has changed substantially in the decade from 2001-11. You note specifically that the proportion of casualties for motorcyclists aged 40 years and above has increased by approximately 50 per cent over that period.

**Professor GRZEBIETA:** Yes.

**CHAIR:** Can you say why that is happening and what strategies would best help the older motorcyclists to ride more safely?

**Professor GRZEBIETA:** I think it is a phenomenon that we are seeing around the world: People are getting older and they have more income, so they like to go back to their earlier years of riding a motorbike. The older generation, particularly those over 50, are participating in recreational riding. Our studies have found a lot of fatalities and casualties are recreational. I think that is what is happening. How we can curb it? I think it is important that anyone coming back and reinstating their licence or using the vehicle—I do not know how you would police it—but certainly should undergo some form of retraining or relicensing. I think that if a person has not ridden for a long time they need to do that. Riding a bicycle or skiing—for example, I love skiing and hopping straight onto the skis. It takes me a few runs before I get there. I think the same should apply to motorcyclists. I think that motorcyclists, before they can get full control of the vehicle, should have some sort of restriction applied there, if they have been off it for a long time.

**Ms ELENI PETINOS:** Good afternoon, professors. Your submission indicates that collisions with fixed objects are a leading cause of fatalities, particularly in single vehicle crashes. You cite trees, utility poles and posts and roadside barriers as key or critical factors. Are you satisfied that enough is being done by road authorities to address the roadside safety issues?

**Professor GRZEBIETA:** I think what is more dangerous, besides that the trees and barriers—barriers are a very small number, extremely small. The trees and polls and stiff objects are certainly a large factor. I think it is the kerbside—in other words, gravel is a problem and pebbles, those sorts of things. Road maintenance is important in those issues. Potholes certainly and minor undulations in the road will cause a motorcyclist to lose stability as well as coefficients of friction on the road, such as paint lines and tramlines—those sorts of things where the coefficient of friction suddenly drops or changes when a motorcycle is ridden. I think they are more important than roadside barriers, definitely.

In regards to trees and poles, they have already lost it. They have already come off their like. That means that something happened beforehand. What made them come off their bike? Was it avoiding a hazard? Was it speed? Was it not being able to control the motorbike properly through alcohol or drugs?

**Ms ELENI PETINOS:** Your submission also pointed out that intersection design, road user behaviour at intersections and roadside design have a significant influence on motorcyclist safety. Do you have any additional comments on the significance of those factors?

**Professor GRZEBIETA:** With intersections, what tends to happen is if the motorcyclist—and the most common type of crash that I have investigated and—likewise my colleagues at Transport and Road Safety [TARS]—have looked at is when a motorcyclist is going at a fast speed and the driver that comes out of the intersection does not see the motorcyclist. It is beautifully illustrated in the Transport Accident Commission [TAC] advertisement with Sergeant Peter Bellion where he explores a motorcycle hitting a vehicle. He shows how, through his reconstruction methodology, if the motorcyclist had dropped his speed to the speed limit the driver would have seen the motorcyclist coming through. That is one issue.

The other issue we found was motorcyclists blowing red lights. We also have seen some of that; likewise cars doing U-turns in roads. That has an effect as well because they do not see the motorcyclist coming. There are a number of things that we can do and tweak whereby we can change the situation. For example, roundabouts are a classic way of reducing vehicle speed and having motorcyclists also reduce their speed when they approach such intersections.

**Professor WILLIAMSON:** I would also reiterate that conspicuity is a serious issue for motorcyclists and it is often a factor; when other vehicles are around, crashes happen because they are a small target, you do not see them, a quick look and if they are going fast as well, it is a licence for a problem. Increasing conspicuity would be one way of solving the problem or at least helping those around to do their job.

**Professor GRZEBIETA:** I think also some of the new devices that are coming into vehicles are starting to pick up. There is a device called Mobileye, which is now being used throughout the commercial world. I have just come back from Chile and every single vehicle has this device. It can pick up a pedestrian, a cyclist or a motorcyclist at considerable distance. I think some of these devices will start coming in, particularly

at night. Conspicuity at night is awful. I can barely see pedestrians when I am driving around. I think a motorcyclist should be lit up like a Christmas tree so that you can see them.

**Professor WILLIAMSON:** There certainly is a role they can play to assist themselves to be more conspicuous. I just never understand what the argument is that says that they do not do it. Being all in black at dusk is just asking for problems.

**Ms ELANI PETINOS:** My final question relates to alcohol, which you touched on earlier. According to your submission, TARS research based on toxicological reports from the Australian National Coroners Information System has found that alcohol and drugs continue to be major risk factors in the occurrence of fatal accidents and serious injuries; 47 per cent of motorcyclists have consumed alcohol and/or drugs prior to a crash. Do you have in mind any specific actions which the motorcycle strategy could include in its future planning around drug and alcohol in the future with regards to drug and alcohol education?

**Professor GRZEBIETA:** Education. I do not know about education.

**Professor WILLIAMSON:** At the moment we are working—

**Ms ELANI PETINOS:** If not education, do you have another comment to make?

**Professor WILLIAMSON:** The issue for motorcyclists is to make sure that they are aware of the fact that they are more vulnerable. Just being on a motorcycle is more vulnerable. They are not protected, they are small targets, all that sort of stuff. That in combination with realising that because I am vulnerable, because it is harder to ride, I need to be in tip-top condition to do that so alcohol, fatigue, drugs—it would be better not to ride if you are not in tip-top condition.

**Professor GRZEBIETA:** I think one of the things that could be immediately done is enforcement, and that is targeting those areas where motorcyclists tour recreationally. On windy roads, coastal roads which are windy and mountainous roads which are windy there could be alcohol testing and drug testing immediately. That would have an effect, I assume. As I mentioned at the beginning, an alcohol interlock should be mandatory for every motorcycle. From now on any new vehicles that come in should be developed and fitted to these machines. I think that is probably about as far as we could go with alcohol and drugs.

**Mr ADAM CROUCH:** We have heard information before about penalties that relate to motorbike riders when they are involved in accidents and they have not been in the same league as if you commit the same crime in a car. Would you support the toughening of laws where cars effectively cause an accident with a motorbike? We have looked at penalising motorbike riders for doing the wrong thing. Were you in the room when we heard the evidence about drivers not being penalised to the same degree as motorbike riders?

**Professor GRZEBIETA:** No.

**Mr ADAM CROUCH:** Would you support toughening the laws for drivers to impact motorbikes? At the moment we are hearing that the laws are not the same for both. If you are a motorcyclist and you hit something you are immediately penalised. If you are a car driver and you hit a motorbike the penalties seem to be less steep. Would you be supportive of that if they were equal?

**Professor GRZEBIETA:** Absolutely. I think all laws should be equal. I think equal culpability. But I want to impress upon you that there are drivers who are at fault. We found that. I myself travelling on the Monash freeway almost took out a motorcyclist because it was in my blind spot. I was quite shocked at that. So there are situations where a driver cannot see. So, when crash reconstructions are carried out, and if the rider is going above the speed limit, that is the first thing that is checked by the police usually or the reconstructionist. Then the penalty will be less for the driver. Likewise the reverse; if the driver is going at a high speed and not seeing the vulnerable road user the penalty will be higher as well. But I agree, absolutely.

**Mr ADAM CROUCH:** With regard to communication to motorbike riders, in your strategy you have suggested that things need to be done to address the issue of high-risk behaviour. Can you elaborate on that?

**Professor GRZEBIETA:** We found in our study of fatalities that one in every two drivers was carrying out a high-risk behaviour, either speeding, alcohol, drugs, cannabis or a combination of those. The same is with motorcycle into barrier impacts. We found two in every three had that statistic. In other words, they

were carrying out a high-risk activity. To give you an example, there was one case that I looked at where a bike rider's girlfriend was left by the side of the road with a camera, and this rider was attempting multiple times to go through a curve—this is at the back of Adelaide on a mountainous road. She eventually videoed him killing himself on a barrier. Why would you do that? If we want to allow motorcyclists to be able to feel the adrenalin rush of speed, et cetera, it should be done on a racetrack where the racetrack has been set up in such a way that if the rider falls they slide and they suffer minor injuries.

**Mr ADAM CROUCH:** Given those statistics, do you believe that the current communication strategy that the New South Wales Government is using is adequately addressing the issues of rider safety?

**Professor GRZEBIETA:** I think they are doing everything they can but I think there is quite a strong lobby from the motorcycle associations, push back, I think there has been over many years. They do not want to acknowledge it.

**Mr ADAM CROUCH:** We have had quite a bit of discussion today about safety standards for clothing. Obviously you have done a lot of work on the harmonisation of motorcycle helmet standards. Given that and those findings, do you believe recommendations could also be made for standardising a safety standard for protective clothing for motorbike riders as well?

**Professor GRZEBIETA:** Absolutely. I think we desperately need it.

**Mr NICK LALICH:** TARS noted in its submission that more independent research needs to be carried out if motorcycle-related trauma is to be reduced. In which area of risk behaviour in particular do you see the need for further research to be undertaken?

**Professor GRZEBIETA:** I think it needs to be brought out the high-risk nature of some of the activities that are being undertaken by those who are seriously injured and those who are killed. I have seen some studies which have been carried out, funded by the motorcycling groups, and I could say that some of those studies have been quite biased. Any research that is carried out, looking seriously at the rider's safety, should be done by a group which has no potential for bias from the motorcycling associations.

**Mr NICK LALICH:** In your submission you express the view that one of the most effective measures to reduce motorcycle trauma would be to set the BAC—the blood alcohol count—for all motorcyclists and scooter riders at .02, not .05, which has been done in Sweden.

**Professor GRZEBIETA:** Yes.

**Mr NICK LALICH:** You say that this should be accompanied by regular random breath testing, which is the roadside breath testing, which we have, on popular motorcycle routes.

**Professor GRZEBIETA:** Yes.

**Mr NICK LALICH:** Do you have any evidence of the positive benefits of this action taken in Sweden? Has it worked in Sweden? Do you believe it should and should it be part of the national roads strategy?

**Professor GRZEBIETA:** I have just come back from Sweden where I did a major presentation on motorcycle safety to their motorcycling association. They deny that that is their problem in terms of fatalities. Half of the fatalities are alcohol associated, drug associated, speed associated. I do not think it is having that much of an effect. That is why I am thinking alcohol interlock. That is probably the way it may go in the future. There will be a number of motorcyclists who will just flaunt the law. They will do it. All the work we have done so far—we have breathalysing vehicles out there, we have drug testing processes out there already, yet we are not seeing a fall in the number of motorcycle fatalities. So we have to go to the next step. We have to look at technology and target those areas where the motorcyclists frequent mostly. Just make sure and tell them: you will lose your licence if you are over. It is .02 because you may take some medicine or something and there is a little bit of alcohol that is created in your stomach. So that is why it is not zero. But they have it in Sweden, and it is not working so well.

**Dr MEHREEN FARUQI:** Earlier you said there was some research to suggest that riders who were returning to motorcycle riding do so because of recreational reasons.

**Professor GRZEBIETA:** A lot of it is recreational. Some of it can be financial.

**Dr MEHREEN FARUQI:** But in terms of overall increases in motorcycle riders now happening across Australia, do you know of any research that deals with that? Are more people getting on motorbikes because of congestion on roads, as commuters rather than just recreational users? Is there any research that you know of?

**Professor WILLIAMSON:** Certainly there is more scooter riding around than there was, but I am not aware of anyone who has actually done any auditing of how things are changing. It is purely what you see as you move around the city.

**Professor GRZEBIETA:** Fuel costs increasing, is certainly having an effect.

**Professor WILLIAMSON:** And congestion.

**Professor GRZEBIETA:** And congestion and parking. How much does it cost to park in Sydney?

**Dr MEHREEN FARUQI:** You have done a lot of research on fatalities and serious injuries and risks. What data have you been using to analyse those issues?

**Professor GRZEBIETA:** We use the data linkage. We used the crash data as well as police data, and we used CHeReL to link that data, so we investigated the hospital data over the 10-year period. That was done by Dr Mike Banbak and Dr Rebecca Mitchell. We also investigated the National Coroners Information System, so we collected all the fatalities there. We also looked at US data and New Zealand data to see if there are similar characteristics and there are.

**Dr MEHREEN FARUQI:** I asked that question because earlier we heard evidence that we do not have a good reporting system. Just to give you an example on why a crash actually happened, a motorcycle rider may have been trying to avoid a pothole and that is why they crashed, and we never get to that. What area does your data in that sense?

**Professor WILLIAMSON:** The problem with the current crash link data is that it does not reflect fatalities. Yes, I think we have a good record, and there has been a huge amount of work done in that area. Serious injury and injuries that are even less serious, we are not nearly so good at, simply because we are relying on the police reported crashes. Most of those single vehicle motorcycle crashes, for example, may not be reported to police so they just do not appear in crash link. So we know from the data linkage studies that Dr Banbak, Dr Mitchell, Professor Grzebieta and I have also been participating in, when you try to link crash link data and the hospital data you do not get entire matches. You end up with a whole lot left in the hospital data that never appear in crash link. If you only use Crashlink, you are getting only part of the issue. For motorcyclists, at least half of them are not in Crashlink but they go to hospital. We are pretty sure it is a biased representation that the ones who go to hospital but are not in Crashlink are the single vehicle ones, potentially more serious but we are certainly not counting them. We are undercounting, for sure.

**Dr MEHREEN FARUQI:** In the hospital data you would not find out what the reason for the crash would be.

**Professor WILLIAMSON:** No, you just know they are there. The hospital data will tell you it is a motorcycle but you know nothing else.

**Dr MEHREEN FARUQI:** Do you think there is a need for a better reporting system?

**Professor WILLIAMSON:** Definitely for serious injury. This is an issue that we are hot on at the moment because it is in the National Road Safety Strategy that serious injury is the new area that we need to be looking at but we do not have the facility to do that. We need to change the way in which we do things in order to get good quality data. Understanding motorcycle injury would be of benefit but the same thing would happen for pedestrian injury and pedal cyclists. They are the vulnerable road users that do not always get reported to police.

**Professor GRZEBIETA:** The way we see it is, the person would come to the hospital injured and immediately there would be a notification to the police where those two things would get linked immediately at that point, rather than six months or a year or two later.

**Professor WILLIAMSON:** How could the police know, because nobody has told them? But if a system was set up through the hospital it would give the police a chance to be working on the things that they need to work on, instead of a whole lot of stuff that may not be useful. But we do need to put our minds to making this happen, because it is a simple way of making sure we can get at serious injury. It just requires some political will to make sure it does.

**Dr MEHREEN FARUQI:** We have also seen in a number of submissions today, as well as evidence, that there are concerns about the inadequate implementation by local government, for example, of the guide to road maintenance and design. We have heard some of the reasons for that, including inadequate funding or training. What is your view on that? There is no real audit of how local councils implement road safety in that sense for motorcycles. How can that be improved, where local government manages 85 per cent of the roads across New South Wales?

**Professor WILLIAMSON:** Design guidelines, definitely maintenance guidelines. I think there are some already—there was an attempt at that.

**Dr MEHREEN FARUQI:** There are, but the issue is, how do we know that they are being implemented?

**Professor WILLIAMSON:** You will have to do an audit, a project with auditing and go around the different councils, publish the results and then see what governments would do.

**Dr MEHREEN FARUQI:** Funding is an issue as well from what we have heard.

**Professor WILLIAMSON:** Of course, yes.

**Dr MEHREEN FARUQI:** The Committee has heard evidence that suggests that wire rope barriers are dangerous for motorcyclists. You state in your submission that that is not the case.

**Professor GRZEBIETA:** It is a red herring.

**Dr MEHREEN FARUQI:** You say they help in reducing fatalities?

**Professor GRZEBIETA:** They are. It is a red herring touted by the motorcycle groups. In Sweden, from where I have just returned, they have the two-plus-one system. There are wire rope barriers there and they have reduced their fatalities through those barriers by two whole numbers out of 100,000 deaths. They were previously at five per hundred thousand; they have come down to three per hundred thousand—half our rate in New South Wales. And I have forgotten the percentage nationally. With wire rope barriers, they found that on the two-plus-one system they were getting about a 60 per cent reduction in motorcycle fatalities. The main reason is that when you have barriers on both sides, it forces the motorcyclist to follow the car and prevents them from going over the double lines or whipping around other vehicles. It also reduces their speed to the speed limit usually of a car or if someone is going at a faster speed, obviously they have to be following the car or out in front of the car. But it has that sort of restrictive capacity to it.

**Dr MEHREEN FARUQI:** Do you think there are other differences in countries like Sweden where the roads might be at a much better standard than roads in New South Wales?

**Professor GRZEBIETA:** Yes, but you asked me about barriers.

**Dr MEHREEN FARUQI:** But because of those barriers being there and roads not being up to the standard, motorcycles may be likely to have more crashes and then run into those barriers and that is where higher risk factors eventuate in terms of the level of injury.

**Professor GRZEBIETA:** But what the barriers do is prevent other vehicles crossing across the median and taking them out. That often happens as well. I think where you start seeing these systems being installed, usually you will get a rumble strip, appropriate paving for recovery, plus the barrier itself because the systems

are relatively new at the moment and so the roads are being rehabilitated when these systems are going in. But I agree with you that, on some of the lower rated roads, you would not put a wire rope barrier in unless the road was appropriately maintained or renovated.

**Dr MEHREEN FARUQI:** We have talked a little about the culture in Australia being different to the European culture, in terms of the way in which our roads are dominated by cars and drivers. Do you think that needs to change? You have spoken about the risks taken by motorcycle riders. Do you think there is enough awareness and sensitivity in drivers to be able to be more aware and have better attitudes towards cyclists and motorcyclists and others who share the road? Is that something that needs to be addressed, in terms of driver education, attitudes and behaviours?

**Professor WILLIAMSON:** Certainly, you only have to drive down the road and see what people are doing when motorcycles and pedal cyclists are around. That is an avenue we might go down. It is not going to solve any problems but making people more aware that there are vulnerable road users with whom they are sharing the road is obviously one of the things that we need to do.

**Professor GRZEBIETA:** If I could elaborate on the question of the wire rope barriers. We found that guard rail w-beam was the worst. That was lethal. It was like a chain saw. So addressing those barriers first, particularly in the hotspot areas, we felt that that was probably going to benefit motorcycle riders a lot more than considering not using wire rope barriers in the other areas. So that was one aspect. The other is, what we found was that in a comparison of the number of wire rope barriers installed and people killed or seriously injured with wire rope barriers versus concrete versus w-beam, we found that the wire rope barrier was the least injurious of the other two.

**CHAIR:** I want to finish on the education campaigns. In your submission you gave us an analysis of national coronial data and you looked at the young cohort versus the older group or motorists who participate in group rides or were performing paid work at the time of a fatal crash. They were not as likely to have evidence of risky behaviour in the crash record. Could you elaborate on the comment that group riding might have a positive influence on discouraging risky riding and what do we extract from that to apply across the board?

**Professor GRZEBIETA:** There is a mentoring which occurs through group riding. That is what we saw in some of the data we collected. It needs more exploration. We just noted that. We did not go any further with that.

**CHAIR:** I was asking in order to try to extend that, because this is probably what we are hearing, to discuss and recommend.

**Professor GRZEBIETA:** In the group rides that go into the recreational area there are a number of clubs that do that and I think there is certainly potential for a mentoring situation of the older rider explaining to the younger rider how to better take a corner, how to better ride the bike, various behavioural situations that they can give tips on.

**CHAIR:** It has been raised in other submissions. I am keen to find out how you would extract the benefits or the lessons and then perhaps apply that to the younger cohort where you identified the more risky behaviour.

**Professor WILLIAMSON:** Also, those who are coming back to riding after a long period to be given an opportunity to ease in in a more protected way when there are a few more motorcyclists around. Also they are more obvious, you are more aware of them, they are not just a single rider, and they also tend to look after each other. You will always have someone at the end making sure the rest are riding and so forth. In either a learning stage or a relearning stage, it probably does have some real benefits that could, in fact, be encouraged more.

**Professor GRZEBIETA:** However, I am aware of a study in which Associate Professor Teresa Senserrick is involved and possibly Professor Rebecca Ivers, who has given testimony here. They have done a major study with VicRoads where they looked at coaching and they looked at four hours of coaching. They had a cohort group and a control group and a group that received that study and that information will be released in the next couple of days. I cannot tell you the result of that. I know what it is but I would encourage the Committee to have a careful look at that study.

**CHAIR:** Thank you for drawing that to our attention. Thank you for appearing before the Committee today, particularly so soon after your return from Sweden. Thank you both very much.

**(The witnesses withdrew)**

**(The Committee adjourned at 4.11 pm)**

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