

31 October 2019

Review of the Road Transport Act 2013
Driver and Vehicle Policy
Customer Strategy and Technology
Via: RTActReview@transport.nsw.gov.au

AGF Submission: Review of the Road Transport Act 2013 Discussion Paper

The Amy Gillett Foundation (AGF) welcomes the opportunity from the New South Wales Government to respond to the Review of the Road Transport Act 2013 Discussion Paper. The AGF is a national organisation with a mission to reduce the incidence of serious injury and death of cyclists in Australia. We draw on evidence and international best practice, and collaborate with governments, business and the community to create a safe environment for cyclists, while maintaining an efficient road network for all road users.

Safety is the primary concern for the AGF. Specifically the inclusion of safety concerns when people are riding bicycles. Typically, in Australia, the focus of road safety is on motor vehicle occupants with little or no mention of active transport users including cyclists, pedestrians and other micro-personal mobility users (e.g. scooters etc.). To improve safety across all modes, it is imperative that all modes are acknowledged and required action specified to ensure that road safety actions mean road safety outcomes for all.

In our response to this Discussion Paper our main focus is on Q1 and the scope of this review. In particular, failure to explicitly include all modes of travel is to exclude non-driving modes. We encourage the New South Wales Government in this review of the Transport Act to identify the needs of people when we are cycling and walking.

We welcome engagement on issues related to the safety on our roads and encourage you to contact us if you have any questions or require additional information.

Yours sincerely

Acting Chief Executive Officer
Amy Gillett Foundation

Q1. Do you feel that the objects or scope of the Act need to change? If so, how?

Yes.

The use of the generic term 'road users' is problematic in Australia as it is usually synonymous with 'motor vehicle occupants'. While it can, and has been, argued that the term is inclusive of cyclists, pedestrians, micro-personal mobility modes, the focus in the remainder of the document, and the majority of government action, is on driving and drivers.

For the safety of everyone using our roads, at all times, using all modes, there is a need for the modes to be explicitly stated. This is particularly important if meaningful action is to be taken to improve safety for active, non-vehicle occupant modes.

Often the 'culture' about cycling is identified as being problematic. But this allows the discord between different modes to be simplified into a big, messy, 'social' issue that is difficult to address. However, the New South Wales Government has a direct role in shaping the culture norms about cyclists and this has been clearly demonstrated in the driver licensing space through a recent national study.

Driver licensing

In *Cycle Aware*¹, a recent national study of how new drivers are taught to drive in Australia with regards to sharing the roads with cyclists, a review of the NSW Hazard Perception Handbook, identified this statement:

“Unfortunately, not all cyclists know or obey the road rules. You may even find cyclists riding against the traffic, riding through red traffic lights and riding without lights at night. This means that your scanning needs to be constant and careful when driving in daylight or darkness.” (p.70).

This framing of cyclists as rule-breakers and drivers as being prepared and aware contributes to the way cyclists are presented in the community. More broadly than this statement, cyclists are presented in driver licensing documents, including in New South Wales, as unusual and not part of the typical road environment that a new driver will encounter. This problematizing of cyclists contributes to the broader social discourse on cyclists as “other” and somehow more reckless on the roads than drivers.

Driver licensing represents a tangible and achievable space that the New South Wales Government can take direct, meaningful and relatively low cost action on. There needs to be a complete revision of the language used in all the driver licensing documentation in relation to cyclists.

While this may be outside of the scope of this current review, it would be erroneous of the NSW Government to believe that the consolidation of these different documents is 'job

¹ Cycle Aware is an Australia wide research project that examined how drivers learn to interact with cyclists. Funded by the Australian Research Council Linkage Grant scheme, LP150100071. Chief Investigators are: Dr Jennifer Bonham (University of Adelaide), Dr Marilyn Johnson (Monash University) and Professor Narelle Haworth (Queensland University of Technology, CARRS-Q).

done' when the content of the driver licensing handbooks is harmful to the way cyclists are portrayed in New South Wales.

For more details on this topic we encourage you to read this [paper](#)² and find out more about this study at the [Cycle Aware](#) study website.

Beyond new drivers

In addition, a recent research study in the Australian Capital Territory identified that experienced drivers would like further training in relation to sharing the roads with cyclists when it came time for them to teach a learner driver. While there was more interest in further training from people who were also regular riders, even people who did not ride wanted additional training. In particular over half of all respondents wanted additional training in relation to passing cyclists and interacting with cyclists on roundabouts. See this [paper](#)³ for more details on this study.

² Bonham J, Johnson M and Haworth N. (2018) Transportation Research Part A: Policy and Practice. 117, 117-126

³ Bonham J and Johnson M. (2018) Cyclist-related content in novice driver education and training. Accident Analysis and Prevention 111, 321-327