

The Senate

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Rural and Regional Affairs  
and Transport  
References Committee

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Aspects of road safety in Australia

Interim report

May 2016

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Senator the Hon Bill Heffernan, Deputy Chair	New South Wales, LP
Senator Joe Bullock (to 13 April 2016)	Western Australia, ALP
Senator Alex Gallacher (from 18 April 2016)	South Australia, ALP
Senator Sue Lines	Western Australia, ALP
Senator Peter Whish-Wilson	Tasmania, AG
Senator John Williams	New South Wales, NATS

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Senator Alex Gallacher (to 17 April 2016)	South Australia, ALP
Senator Gavin Marshall	Victoria, ALP
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Senator Janet Rice	Victoria, AG

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Ms Erin Pynor, Senior Research Officer (from 26 October 2015)

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# **List of recommendations**

## **Recommendation 1**

**1.44** The committee recommends that the Commonwealth Government commit \$150 000 for three years from 2016-17 to fund the continued operation of the Australian Trauma Registry.

## **Recommendation 2**

**1.66** The committee recommends that the National Transport Commission amend the model Australian Road Rules to mandate a safe passing distance for drivers overtaking cyclists of one metre where the speed limit is 60 kilometres per hour or lower and 1.5 metres where the speed limit is higher.

## **Recommendation 3**

**1.74** The committee recommends that the National Transport Commission re-establish a national consultative committee on motorcycle safety.

## **Recommendation 4**

**1.75** The committee recommends that the National Transport Commission develop and implement a national strategy for motorcycle safety.

## **Recommendation 5**

**2.45** The committee recommends that the Commonwealth Government commit increased financial support to Australasian New Car Assessment Program (ANCAP) over the forward estimates.

## **Recommendation 6**

**2.46** The committee recommends that the Commonwealth Government work with state and territory governments to ensure that display of Australasian New Car Assessment Program (ANCAP) safety ratings becomes mandatory at point of sale.

## **Recommendation 7**

**2.49** The committee recommends that the Commonwealth Government continues to fund Monash University Accident Research Centre to produce the Used Car Safety Ratings.

## **Recommendation 8**

**2.61** The committee recommends that the Australian Design Rules be immediately amended to require all new light vehicles sold in Australia from 1 June 2017 be fitted with automatic emergency braking technology.

## **Recommendation 9**

**3.32** The committee recommends that Commonwealth Government increase funding to the Black Spot Programme and increase the percentage allocated to regional and remote areas.

### **Recommendation 10**

**3.33** The committee recommends that the definition of 'black spot' be revised to account for the dispersed nature of accidents in regional and remote areas.

### **Recommendation 11**

**3.40** The committee recommends that Commonwealth, state and territory governments work with police agencies to increase the number of point-to-point speed cameras in regional and remote areas.

### **Recommendation 12**

**3.50** The committee recommends that the Australian Curriculum includes road awareness training for both primary and secondary school students.

### **Recommendation 13**

**3.52** The committee recommends that the Commonwealth Government in the 2018–2020 National Road Safety Strategy Action Plan commit to the introduction of accredited post-licence driver education programs.

### **Recommendation 14**

**3.57** The committee recommends that Austroads work with state and territory driver licensing authorities to introduce compulsory first aid training as a condition of receiving a learner's permit or renewing a drivers licence.

### **Recommendation 15**

**4.20** The committee recommends that Australian Skills Quality Authority conduct an audit of all heavy vehicle driver training facilities (registered training organisations) in Australia.

### **Recommendation 16**

**4.29** The committee recommends that all visa holders undergo driver skill tests before their heavy vehicle driving licences are recognised in Australia.

### **Recommendation 17**

**4.36** The committee recommends that the Western Australian and Northern Territory governments continue to work with the National Heavy Vehicle Regulator towards their adoption of the National Heavy Vehicle Law.



# Chapter 1

## Introduction and overview

### Referral

1.1 On 30 October 2014, the Senate referred the following matter to the Rural and Regional Affairs and Transport References Committee for inquiry and report by 9 September 2015:

Aspects of road safety in Australia, having particular regard to:

- a) the social and economic cost of road-related injury and death;
- b) the importance of design standards on imported vehicles, as Australian vehicle manufacturing winds down;
- c) the impact of new technologies and advancements in understanding of vehicle design and road safety;
- d) the different considerations affecting road safety in urban, regional and rural areas;
- e) other associated matters.

1.2 The Senate has granted extensions of time for reporting on 13 August 2015, for reporting by 26 November 2015, on 15 September 2015 for reporting by 2 March 2016 and on 29 February 2016 for reporting by 16 March 2016.

### Conduct of the inquiry to date

1.3 After the inquiry was advertised on the committee's website and in *The Australian* on 4 February 2015, the committee received 75 submissions from interested organisations and individuals. Submissions are listed in Appendix 1 and are available on the committee's website.

1.4 Appendix 2 lists the persons and organisations who gave evidence at the committee's public hearings, which were held in:

- Sydney on 2 July 2015;
- Melbourne on 3 July 2015;
- Adelaide on 26 October 2015
- Perth on 18 February 2016; and
- Canberra on 14 August 2015, 25 February 2016 and 22 March 2016.

### Acknowledgement

1.5 The committee thanks the individuals and organisations who have so far contributed to the inquiry.

## **Need for the interim report**

1.6 The community's deep interest in road safety has been reflected in the current inquiry, which has seen the committee receive a high volume of submissions from local government, third party insurers, road safety advocates and road user groups. In light of the volume of evidence available to it, the committee is keen to present its first findings, and encourages ongoing engagement from interested parties as the inquiry progresses.

1.7 The abolition of the Road Safety Remuneration Tribunal by legislation on 18 April 2016 will have a profound and adverse impact on safety in the heavy vehicle industry. The reverberations of the tribunal's ceased operation, combined with new evidence from the committee's hearings on 25 February and 22 March 2016, require more time for the committee to adequately discharge its reference and present a final report. Therefore, Chapter 4 of this interim report provides a snapshot of key issues identified but does not reach conclusions on all issues.

## **Structure of the interim report**

1.8 This chapter considers the social and economic cost of road deaths and injuries, including the impact on vulnerable road user groups including motorcyclists and cyclists.

1.9 Chapter 2 considers the role of design standards and emerging road safety technology.

1.10 Chapter 3 evaluates road safety challenges in regional and rural areas and the adequacy of driver education throughout Australia.

1.11 Chapter 4 highlights emerging issues for the heavy vehicle industry, including licensing, training and accreditation, including for overseas drivers.

## **Background**

1.12 The committee heard that Australia does not have a unified road safety system. Each state and territory is responsible for its road network and on a range of matters has implemented model legislation that is overseen by cross-jurisdictional agencies. To provide for a 'coordinated and integrated' approach, the national Transport and Infrastructure Council (TIC) was established by the Council of Australian Governments in 2013.

1.13 TIC works towards a 'national transport and infrastructure system that is efficient, safe, sustainable, accessible and competitive'.<sup>1</sup> Matters currently on the TIC agenda include the progress of the National Heavy Vehicle reforms, new vehicle

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1 Transport and Infrastructure Council, *About the Council*, [www.transportinfrastructurecouncil.gov.au/about/](http://www.transportinfrastructurecouncil.gov.au/about/) (accessed 9 June 2015).

technology such as intelligent transport systems and options for a single national Australian driver's licence in all jurisdictions.<sup>2</sup>

1.14 Three model laws of relevance to this inquiry are overseen by TIC:

- Australian Road Rules: model legislation implemented in all states and territories since 1999 with minor jurisdictional variations, intended to encourage cross-jurisdictional consistency and increase safety for road users;<sup>3</sup>
- a national driver licensing scheme administered by states and territories since mutual recognition of licences was agreed in 1997;<sup>4</sup> and
- Australian Vehicle Standards Rules: model legislation introduced in 1999 requiring ongoing compliance with the Australian Design Rules (the ADRs) and additional rules on matters not specified in the ADRs.<sup>5</sup>

### ***Safe system: National Road Safety Strategy***

1.15 Australia's road transport system is founded on a safe system approach, outlined in the *National Road Safety Strategy 2011–2020* which is endorsed by TIC.<sup>6</sup> Under the strategy, jurisdictions commit to achieving a 30 per cent annual reduction of road-related deaths and serious injuries. The safe system approach takes a 'holistic view of the road transport system and the interactions of its various elements, and works towards a system in which human mistakes do not result in death or serious injury'.<sup>7</sup>

1.16 The National Road Safety Strategy has influenced the *National Cycling Strategy 2011–2016* overseen by the Australian Bicycle Council, which aims to double the number of people cycling in Australia by 2016.<sup>8</sup>

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2 Transport and Infrastructure Council, *Communique*, 6 November 2015, pp 2–3, [www.transportinfrastructurecouncil.gov.au/communique/files/Council\\_4th\\_Communique\\_6\\_November\\_2015.pdf](http://www.transportinfrastructurecouncil.gov.au/communique/files/Council_4th_Communique_6_November_2015.pdf) (accessed 18 April 2016).

3 The Rules include speed limits, traffic lights, traffic signs and road markings and level crossings, with separate rules for pedestrians and cyclists.

4 Austroads, *Australian driver licensing*, [www.austroads.com.au/drivers-vehicles/registration-licensing-program/australian-driver-licensing#Section2](http://www.austroads.com.au/drivers-vehicles/registration-licensing-program/australian-driver-licensing#Section2) (accessed 23 June 2015).

5 NTC Australia, *Australian Vehicle Standards Rules*, [www.ntc.gov.au/roads/rules-compliance/australian-vehicle-standards-rules/](http://www.ntc.gov.au/roads/rules-compliance/australian-vehicle-standards-rules/) (accessed 9 June 2015).

6 Safe System is drawn the Office for Economic Cooperation and Development (OECD) report *Towards Zero: Ambitious road safety targets and the Safe System approach* which assists countries in developing road safety initiatives.

7 Transport and Infrastructure Council, *National Road Safety Action Plan 2015–2017*, November 2014, p. 3.

8 Mr Tony Arnold, Executive Officer, Australian Bicycle Council, *Committee Hansard*, 2 July 2015, p. 77.

1.17 Overall, the committee heard strong commitment to the safe system approach as outlined in the National Road Safety Strategy.<sup>9</sup> Some submitters queried whether it met the needs of all road users. For example, the Motorcycle Council of New South Wales expressed concern that the strategy fails to engage with the particular needs of vulnerable users such as motorcycle riders.<sup>10</sup> The committee heard from South Australia Police that in regional and remote areas, a safe system approach must be reinforced by education and enforcement.<sup>11</sup>

### **Social and economic cost of road trauma**

1.18 Each day, an average of four people are killed and 90 are seriously injured on Australian roads, according to Austroads.<sup>12</sup> During the calendar year 2015 there were 1 209 road deaths, a 4.9 per cent increase on the previous year.<sup>13</sup> In the three months to March 2016, Australia has already seen 316 road deaths.<sup>14</sup>

1.19 A steady decline in the number of road deaths in Australia in recent years is noticeable in Bureau of Infrastructure, Transport and Regional Economics (BITRE) data. In 2004, there were 7.9 deaths for every 100 000 Australians.<sup>15</sup> Since 2009, this number declined from 6.9 to an all-time annual low in 2014 of 4.92 deaths for every 100 000 Australians.<sup>16</sup>

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9 Mr Bernard Carlon, Acting General Manager, Transport for New South Wales, Centre for Road Safety, *Committee Hansard*, 2 July 2015, p. 15; Ms Samantha Cockfield, Senior Manager, Road Saety, Transport Accident Commission of Victoria, *Committee Hansard*, 14 August 2015, p. 49; Mr Robert McDonald, Senior Manager, Research Centre, Insurance Group Australia, *Committee Hansard*, 2 July 2015, p. 1.

10 Mr Brian Wood, Secretary, Motorcycle Council of New South Wales, *Committee Hansard*, 2 July 2015, p. 21.

11 Ms Bronwyn Killmier, Assistant Commissioner, State Operations Service, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40.

12 Austroads, *Austroads road safety program*, [www.austroads.com.au/road-operations/road-safety/safety-program](http://www.austroads.com.au/road-operations/road-safety/safety-program) (accessed 21 April 2016).

13 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia: December 2015*, p. 1, [http://bitre.gov.au/publications/ongoing/rda/files/RDA\\_Dec\\_2015.pdf](http://bitre.gov.au/publications/ongoing/rda/files/RDA_Dec_2015.pdf) (accessed 21 April 2016).

14 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia: January 2016*, p. 1; Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia: February 2016*, p. 1; Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia: March 2016*, p. 1.

15 Bureau of Infrastructure, Transport and Regional Economics, *Road Trauma Australia: 2009 Statistical Summary*, p. vi, [https://bitre.gov.au/publications/ongoing/files/RDA\\_Summary\\_2009.pdf](https://bitre.gov.au/publications/ongoing/files/RDA_Summary_2009.pdf) (accessed 21 April 2016).

16 Bureau of Infrastructure, Transport and Regional Economics, *Road Trauma Australia: 2014 Statistical Summary*, p. iii, [https://bitre.gov.au/publications/ongoing/files/RDA\\_Summary\\_2014.pdf](https://bitre.gov.au/publications/ongoing/files/RDA_Summary_2014.pdf) (accessed 21 April 2016).

1.20 Disappointingly, the number of road deaths per 100 000 Australians rose during 2015 to 5.1.<sup>17</sup> Early indications point to another road toll rise for 2016, as at March 2016 the rate stood higher again at 5.3 road deaths per 100 000 Australians.<sup>18</sup>

1.21 From an economic perspective, road related trauma places a substantial burden on the community. Robert Bosch Australia estimated that 'road trauma costs the Australian taxpayer around \$27 billion a year'.<sup>19</sup> Statistics from the Department of Infrastructure and Regional Development (the department) were consistent, calculating that \$27 billion 'is the equivalent of 18 per cent of health expenditure and 1.8 per cent of Gross Domestic Product (2012-13)'.<sup>20</sup>

1.22 Robert Bosch calculated that even if projected targets are achieved, road trauma will have a giant accumulated financial impact for Australia:

Even if the target 30% reduction of fatalities is reached in the final year of Australia's National Road Safety Strategy 2011-2020, road trauma will still have cost \$264 billion dollars.<sup>21</sup>

1.23 On a smaller scale, RAC advised that 11 000 fewer deaths between 2008 and 2020 on Western Australian roads alone would result in cost savings of approximately \$6.6 billion.<sup>22</sup>

1.24 Of course, the effects of road trauma are not only financial but also physical and emotional.<sup>23</sup> As Toll Group articulated, '[t]he human cost in terms of grief, loss and trauma is incalculable'.<sup>24</sup> The Amy Gillett Foundation illustrated that:

The ripple effect of each crash creates extensive social costs far beyond the individual involved and affects their family, friends, workplace and community.<sup>25</sup>

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17 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; December 2015*, p. 1, [http://bitre.gov.au/publications/ongoing/rda/files/RDA\\_Dec\\_2015.pdf](http://bitre.gov.au/publications/ongoing/rda/files/RDA_Dec_2015.pdf) (accessed 21 April 2016).

18 Bureau of Infrastructure, Transport and Regional Economics, *Road deaths Australia; March 2016*, p. 1, [http://bitre.gov.au/publications/ongoing/rda/files/RDA\\_Mar\\_2016.pdf](http://bitre.gov.au/publications/ongoing/rda/files/RDA_Mar_2016.pdf) (accessed 21 April 2016).

19 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 1.

20 In reaching the figure of \$27 billion, the department uses a willingness to pay approach (see para 1.29). Department of Infrastructure and Regional Development, *Submission 51*, p. 4.

21 Robert Bosch Australia, *Submission 44*, p. 1.

22 RAC, *Submission 59*, p. 2.

23 See, for example, Motor Accident Commission of South Australia, *Submission 37*, p. 2.

24 Toll Group, *Submission 33*, p. 5.

25 Amy Gillett Foundation, *Submission 35*, p. 3.

1.25 The University of New South Wales Transport and Road Safety Research Unit emphasised the loss of productivity that attaches to road death or injury:

...road traffic injury remains one of the largest causes of hospitalisation and death for Australians under 45 years of age: a significant period of productive life.<sup>26</sup>

1.26 The committee heard that trauma costs can be greater in rural and regional areas due to a lack of appropriate support services. The National Rural Health Alliance (NRHA) reported a marked disparity in the level of rehabilitative services for physiological trauma in regional and remote Australia:

Those who have survived a severe crash have been demonstrated to be at high risk of psychiatric trauma, including PTSD. In rural and remote Australia, where access to appropriate mental health care is already limited, those needs place an even greater burden on limited resources. Compensation rarely provides sufficiently for the medium to long-term needs of those injured in road accidents, resulting in reliance on disability support services, including greater reliance on already stretched publicly funded services in rural and remote areas.

1.27 According to NHRA, limited availability of services prolongs the recovery process, which can result in economic disadvantage and social isolation:

For those recovering from injury, their economic status can be further eroded through lack of access to employment support services or loss of work entirely. Put simply, injury due to a road accident may result in entrenched poverty for the individual and for their family.<sup>27</sup>

### ***Method of calculation***

1.28 The method of calculating the cost of road trauma was raised in submissions to the committee. For example, the Centre for Automotive Safety Research at the University of Adelaide argued that 'BITRE costing is acknowledged as conservative and to be an underestimate of the actual cost of crashes'.<sup>28</sup>

1.29 The committee heard arguments in favour of using the willingness to pay (WTP) calculation rather than a benefit to cost ratio method. For example, the department explained the ability of WTP to capture the non-economic costs to individuals that flow from road deaths or injuries, which also include costs to 'insurers, government, emergency services and police, correctional and road authorities':

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26 University of New South Wales, Transport and Road Safety (TARS) Research, *Submission 50*, p. 2.

27 Ms Fiona Brooke, Policy Adviser, National Rural Health Alliance, *Committee Hansard*, 14 August 2015, p. 28.

28 Centre for Automotive Safety Research, University of Adelaide, *Submission 40*, p. 1.

The stated willingness-to-pay value is expected to capture the costs that would be borne by the average road user in the event of a road crash leading to death or hospital admission. These costs are assumed to include an individual's losses in income, and non-economic or non-pecuniary costs such as pain and suffering, but exclude costs not incurred by the individual and their families.<sup>29</sup>

1.30 WTP is already being used in New South Wales and a number of countries such as New Zealand and Canada. It is also the preferred model outlined under the *National Road Safety Strategy 2011–2020* which states that '[t]here is a need for Australia to develop and adopt suitable willingness-to-pay estimates at a national level'.<sup>30</sup> Apparently taking this feedback on board, BITRE told the committee that their 2014 road trauma review used:

... a revised method of valuing avoided trauma that combined private values derived for an individual's willingness-to-pay... with the other costs of road trauma estimated by BITRE.<sup>31</sup>

1.31 The Ulysses Club questioned whether the model is appropriate for calculating the risks attached to motorcycle riding. The organisation argued that the model fails to consider the less measurable lifestyle and emotional benefits that can be derived from motorbike riding, citing a recent academic finding that:

...enjoyment was given as a major factor in choosing to ride a motorcycle, even for commuting purposes. Other studies have reinforced this factor yet this is rarely if ever when making willingness to pay in valuations.<sup>32</sup>

### ***Serious injury***

1.32 The committee heard that better data on road trauma, particularly on serious injuries, would facilitate much-needed evaluation of road safety measures.<sup>33</sup> Recognising this need, the department told the committee that '[t]here is currently no nationally consistent collection of data on serious injury road crashes'.<sup>34</sup>

1.33 ANCAP Australasia told the committee that better injury data would improve the specificity of its vehicle safety ratings, and over time, could lower the injury rate:

Road fatalities have dropped by nearly 30% over the last decade, but it is unclear if serious injury rates are falling and anecdotally it seems that they may not be. Without adequate data it is difficult for ANCAP (and vehicle

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29 Department of Infrastructure and Regional Development, *Submission 51*, p. 5.

30 Australian Transport Council, *National Road Safety Strategy 2011–2020*, p. 49.

31 Department of Infrastructure and Regional Development, *Submission 51*, p. 5.

32 Ulysses Club, *Submission 36*, p. 3.

33 Austroads, *Submission 69*, p. 1; Insurance Australia Group, *Submission 42*, p. 2; ANCAP Australasia, *Submission 31*, p. 5; Australian Automobile Association, *Submission 54*, p. 4.

34 Department of Infrastructure and Regional Development, *Submission 51*, p. 4.

manufacturers) to identify specific elements of vehicle safety that would lead to a significant lowering of the serious injury rate.<sup>35</sup>

1.34 The committee asked the department to respond to the Australian Automobile Association's (AAA) recommendation that 'the measurement of serious injuries must be addressed urgently in order to be able to assess the effectiveness of actions in reducing road trauma'.<sup>36</sup> The committee received the following response:

Australia does not presently have the systems in place to reliably measure serious (non-fatal and disabling) injuries from road crashes. This is a complex issue and the long-term solution lies with progressive efforts by states and territories to establish databases linking hospital case data with road crash data, and to adopt common standards for case inclusion that will enable national aggregation. The National Road Safety Action Plan 2015-2017 (the Action Plan) calls for closer examination and testing of this approach. Austroads is establishing a research project intended to test the strengths and limitations of adopting a data linkage approach at the national level.

1.35 The committee heard that Austroads and state and territory governments may be undertaking work to address the 'complex issue' posed by a lack of serious injury data. Austroads do not provide detail in their submission, however, only stating that 'key priorities for Austroads members currently include... developing national monitoring of road injury and training'.<sup>37</sup> Mr Michael Bradley, Chief Executive Officer of the AAA, presented a view that in relation to the Austroads project:

...the outcomes of that are very unclear and the time lines are not short. It is going to take them at least a couple of years to work out how to do it. I think it is self-evident that trying to get a handle on the scale of the problem is a very important first step.<sup>38</sup>

1.36 ANCAP called for work by Austroads to be 'facilitated and expedited'.<sup>39</sup> In relation to work done by state and territory governments, ANCAP reported that 'progress has not been rapid'.<sup>40</sup> The committee also heard that there are limitations in relation to injury data collected by the Australian Bureau of Statistics (ABS), as:

The ABS data set is not updated regularly. The year-on-year statistics are available at a state-by-state level, but... they are measured differently,

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35 ANCAP Australasia, *Submission 31*, p. 5.

36 Australian Automobile Association, *Submission 54*, p. 4.

37 Austroads, *Submission 69*, p. 4.

38 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

39 ANCAP Australasia, *Submission 31*, p. 5

40 ANCAP Australasia, *Submission 31*, p. 5.



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reported by different arms of government and cannot be translated into a national dataset.<sup>41</sup>

### *Australian Trauma Registry*

1.37 AAA and the Royal Australasian College of Surgeons (RACS) appeared before the committee on 25 February 2016 to seek support for the ongoing operation of the Australian Trauma Registry as a 'nationally consistent cross-jurisdictional collation of serious trauma occurrences in the country'.<sup>42</sup> The registry collates information on road trauma, serious injuries and related outcomes from each of Australia's 27 major trauma centres (hospitals).<sup>43</sup>

1.38 The ability to evaluate the success of the road safety strategy from its commencement onwards was among the primary benefits of the registry, according to the AAA. Mr Bradley told the committee:

We have got a road safety strategy which is six years old and we cannot measure the metric against which it is meant to be judged a success or a failure. We are advocating for the funding of a registry which is already established and can, today, give you the dataset back to 2010, at the start of the strategy.<sup>44</sup>

1.39 Rather than operating in an isolated way, the committee heard that the registry could incorporate other datasets in future. As a result, the committee sees merit in the argument that the registry's 'potential to inform government policy on preventative health strategies and to improve our health systems ... is huge'.<sup>45</sup>

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41 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

42 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

43 Dr Ailene Fitzgerald, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons, *Committee Hansard*, 25 February 2016, p. 9.

44 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 10.

45 Dr Ailene Fitzgerald, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons, *Committee Hansard*, 25 February 2016, p. 9.

1.40 Seed funding for the Australian Trauma Registry, largely provided from outside government processes thus far, has now run out.<sup>46</sup> RACS advised the committee that there is some urgency to securing ongoing funding, recommending:

...funding is provided as soon as possible to ensure governments and trauma centres around Australia can continue to access nationally benchmarked data... Without further funding of the Australian Trauma Registry there will be no way to measure the incidence and cost of serious injury across the country which will result in poorer patient outcomes.<sup>47</sup>

1.41 The committee heard that three annual contributions of only \$150 000 would ensure the registry's continued operation.<sup>48</sup> RACS recommended in a supplementary submission 'that the Commonwealth support the Registry by providing \$450 000 for a three year period to allow the establishment of public and private partnership'.<sup>49</sup>

#### *Committee view*

1.42 The committee eagerly awaits the outcome of the Austroads research project, but agrees with submitters that better data on serious injury cannot wait. Investment in the Australian Trauma Registry has already led to the development of a functional model that has considerable potential for broader linkages as other models develop. Accordingly, the committee considers it a matter of common sense for government to provide the comparatively small amount required to secure its ongoing operation.

1.43 The committee encourages Austroads to work with the Royal Australasian College of Surgeons to ensure the two data collection systems align in future.

### **Recommendation 1**

**1.44 The committee recommends that the Commonwealth Government commit \$150 000 for three years from 2016-17 to fund the continued operation of the Australian Trauma Registry.**

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46 In 2011, the National Critical Care & Trauma Response Centre in Darwin (Commonwealth funded) provided the majority of \$1 251 020 in seed funding, with assistance from the National Trauma Research Unit (via the Alfred Health). Between 2003 and 2006, development costs of \$288 636 were supplied by organisations including Royal Australasian College of Surgeons, Australasian Trauma Society, NSW Institute of Trauma and Injury Management and the Centre of National Research on Disability and Rehabilitation Medicine. Ms Ailene Fitzgerald, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons, *Committee Hansard*, 25 February 2016, p. 12; Royal Australasian College of Surgeons, answer to questions on notice, 25 February 2016, p. 2.

47 Royal Australasian College of Surgeons, answer to questions on notice, 25 February 2016, p. 1.

48 Mr Michael Bradley, Chief Executive Officer, Australian Automobile Association, *Committee Hansard*, 25 February 2016, p. 8.

49 Royal Australasian College of Surgeons, *Supplementary Submission 11*, p. 2.

## Vulnerable road users

1.45 Informed by evidence that cyclists, motorcyclists and pedestrians are disproportionately affected by road trauma, the committee in this section gives special consideration to proposed strategies for their protection. Road user vulnerability was defined in a 2004 parliamentary inquiry:

Motorcyclists, cyclists and pedestrians are classed as vulnerable road users because of their inherent lack of protection, and hence vulnerability, compared with occupants of cars and other motor vehicles. This vulnerability demands special consideration in terms of road safety planning.<sup>50</sup>

1.46 By way of example, these road user groups accounted for 60 per cent of the fatal road accidents in metropolitan Perth in 2014.<sup>51</sup>

1.47 Across the board, the committee heard strong support for safe road sharing initiatives, particularly, those that either:

- separate the different road user groups using designated spaces;<sup>52</sup> or
- where road user groups share space, foster awareness and an inclusive, respectful attitude between the groups.<sup>53</sup>

1.48 The committee heard calls for more holistic infrastructure spending to take into account the considerations of all road users. Bicycle Network submitted that:

The Australian Government must ensure that infrastructure projects funded through its funding programs demonstrate the consideration of all transport modes – particularly bike riding and walking.<sup>54</sup>

1.49 According to a number of submitters, other jurisdictions should follow South Australia's example and adopt reduced speed limits on local roads, especially roads without footpaths.<sup>55</sup> The committee heard that:

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50 House of Representatives Standing Committee on Transport and Regional Services, *National Road Safety – Eyes on the road ahead: Inquiry into National Road Safety*, June 2004, p. 118.

51 RAC, *Submission 59*, p. 4.

52 Mr Garry Grossbard, Road Trauma Advisory Subcommittee representative, Royal Australasian College of Surgeons, *Committee Hansard*, 3 July 2015, p. 37; Mr Matthew Fulton, Chief Executive Officer, WestCycle, *Committee Hansard*, 18 February 2016, p. 1.

53 Professor William Young, Chief Scientific Adviser, ARRB Group, *Committee Hansard*, 3 July 2015, pp 1, 9.

54 Bicycle Network, *Submission 32*, p. 3.

Besides the 25 km/h speed limit in South Australia, other states and territories across Australia have yet to broadly apply world's best practice of 30 km/h speed limit (or less) for roads with high numbers of pedestrian and bike riders and for pedestrian and bike riding priority streets, mainly local streets.<sup>56</sup>

1.50 Victoria Police provided evidence that the introduction of 40 kilometre per hour speed limits was increasingly accepted by the community as a mechanism of reducing harm to pedestrians and cyclists, demonstrated by fewer infringements.<sup>57</sup>

1.51 The committee notes the evidence received as well as international research suggesting reducing certain speed limits has great potential to reduce death and injury of pedestrians and cyclists, and invites consideration of this approach by jurisdictions.<sup>58</sup>

### ***Pedestrians***

1.52 The committee was surprised at the relatively low number of submissions representing the unique concerns of pedestrians as vulnerable road users. To an extent, this can be explained by the considerable overlap in the interests of cyclists and pedestrians, and the committee notes that proposals for more intelligent and intuitive road sharing will benefit both groups.

1.53 The committee thanks the Pedestrian Council of Australia, Link Place, Victoria Walks and Occupational Therapy Australia who all proposed targeted initiative on behalf of pedestrians.<sup>59</sup> The committee encourages the department to note the range of proposals put forward by the Pedestrian Council of Australia to increase the safety of pedestrians as road users. These include banning lane filtering and lane splitting, renaming 'shared zones', a review of illegal parking and the use of modified

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55 Chief Superintendent Robert, Officer in Charge, Operations Support Coordination Branch, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40. Dr David Logan, Senior Research Fellow, Monash University Accident Research Centre, *Committee Hansard*, 3 July 2015, p. 57; Mr Tony Arnold, Executive Officer, Australian Bicycle Council, *Committee Hansard*, 2 July 2015, p. 77; Mr Dick van den Dool, Director, Active Transport, GTA Consultants, *Committee Hansard*, 2 July 2015, p. 63.

56 Bicycle Network, *Submission 32*, p. 5.

57 Superintendent Michael Grainger, Victoria Police, *Committee Hansard*, 14 August 2016, p. 5.

58 See for example University of Adelaide Centre for Automotive Safety Research, *Submission 40*, p. 5; GTA Consultants, *Submission 45*, pp 3–9.

59 Link Place, *Submission 17*, p. 5; Pedestrian Council of Australia, *Submission 58*; Victoria Walks, *Submission 61*; Mr Harold Scruby, Chairman and Chief Executive Officer, Pedestrian Council of Australia, *Committee Hansard*, 2 July 2015, pp 29–35; Dr Angela Berndt, Industry Adviser: Driving, Occupational Therapy Australia, *Committee Hansard*, 3 July 2015, pp 37–38.

traffic light timers in Australia.<sup>60</sup> The council's recommendations in relation to point-to-point speed cameras are discussed in Chapter 3 of the committee's report.<sup>61</sup>

1.54 The committee also notes that the benefits of improved vehicle technology, discussed further in Chapter 2 of this report, have flow on benefits for the safety of pedestrians. ANCAP Australasia cited evidence that automatic emergency braking sensors can reduce impact speeds, reducing the likelihood of death or serious injury by vulnerable road users.<sup>62</sup> Further, based on their pedestrian testing, ANCAP ratings also communicate that certain frontal designs of vehicles are 'more sympathetic to pedestrians'.<sup>63</sup>

### *Cyclists*

1.55 The committee notes the potential of improved road safety for cyclists to incentivise active transport and better health outcomes, and reduce overall road system congestion. Unfortunately, the most recent biennial National Cycling Participation Survey found that cycling participation rates in Australia remain low: rising slightly from 16.5 per cent in 2013 to only 17.4 per cent in 2015. Cycling participation rates were highest in the Northern Territory (24.1 per cent) Western Australia (23 per cent) and the Australian Capital Territory (21.2 per cent).<sup>64</sup>

1.56 The committee is of the view that much more could be done to make cycling a safer activity for Australians. Since the *National Road Safety Strategy 2011-2020* was implemented, road deaths have dropped for all categories of road user except bicycle riders.<sup>65</sup> As the Amy Gillett Foundation highlighted, 2014 saw Australia double the number of bicycle fatalities:

There was a 55% increase in the number of bike riders killed in Australia (2012-2013) with an additional 45 losing their lives while riding their bikes in 2014.<sup>66</sup>

1.57 The economic costs specific to road death and injury by cyclists are significant. The Amy Gillett Foundation provided point in time estimates based on BITRE calculations 'that a fatality costs \$2.4 million and a hospitalised injury costs \$214,000':

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60 Pedestrian Council of Australia, *Submission 58*, pp 10, 17 and 18.

61 Pedestrian Council of Australia, *Submission 58*, p. 4.

62 ANCAP Australasia, *Submission 31*, p. 14.

63 Mr Nicholas Clarke, Chief Executive, ANCAP Australasia, *Committee Hansard*, 14 August 2015, p. 27.

64 Austroads, *National Cycling Participation Survey 2015*, p. 4, [www.onlinepublications.austroads.com.au/items/AP-C91-15](http://www.onlinepublications.austroads.com.au/items/AP-C91-15) (accessed 18 April 2016).

65 Link Place, *Submission 17*, p. 5.

66 Amy Gillett Foundation, *Submission 35*, p. 1.

Based on these figures, the economic cost of bike rider deaths and serious injuries is calculated as:

- \$120 million cost of bike rider fatalities in 2013 (50 bike riders killed)
- \$2.04 billion cost of bike rider serious injuries in 2008-09 (latest national figures).

1.58 Road safety for cyclists is not just an issue for major cities. The committee notes Victorian evidence that cyclists on regional roads account for almost half of bike rider fatalities.<sup>67</sup>

1.59 Submitters including Bicycle Network called on the government to 'take meaningful steps towards making bike riding safer', including making better data available so that regional communities can act to improve rider safety.<sup>68</sup> The department's own submission recommended that data was a problem area, stating:

...there is a limited amount of data collection and publication relating to participation rates and the extent to which people choose to cycle to work or study and/or for recreation or exercise.<sup>69</sup>

1.60 Infrastructure data collection that incorporates the positive benefits of 'active travel' methods including cycling was proposed by the Cycling Promotion Fund:

The positive health, environmental and community impacts of active travel mentioned above are aspects not normally considered in analysing the costs and benefits of investments in transport infrastructure, however a large body of literature now exists to show how these factors can be incorporated into cost-benefit analyses.<sup>70</sup>

### *Bicycle helmet laws*

1.61 The committee heard calls for mandatory bicycle helmet laws to be relaxed.<sup>71</sup> However, these were balanced out by evidence in support of the retention of our existing bicycle helmet laws including of reduced cyclist fatalities since their introduction.<sup>72</sup> Indeed, rather than reduce safety requirements for cyclists, the Royal Australasian College of Surgeons called for the introduction of greater regulation of

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67 Amy Gillett Foundation, *Submission 35*, p. 5.

68 Bicycle Network, *Submission 32*, p. 9; Amy Gillett Foundation, *Submission 35*, p. 5; Tasmanian Bicycle Council, *Submission 43*, p. 3; Cyclists' Rights Action Group, *Submission 49*, p. 1.

69 Department of Infrastructure and Regional Development, *Submission 51*, p. 20.

70 Cycling Promotion Fund, *Submission 60*, p. 5.

71 Mr Guy Keulemans, *Submission 10*, p. 1; Bicycle Transport Alliance, *Submission 20*, p. 4.

72 Royal Australasian College of Surgeons, *Submission 11*, Appendix 2, p. 2; Transport and Road Safety Research, University of New South Wales, *Submission 50*, p. 12.

lights and reflectors, especially during night riding.<sup>73</sup> On balance, the committee is not persuaded that amending bicycle helmet legislation is necessary or desirable.

### *Safe passing distance*

1.62 Based on positive evidence of its implementation and trial in South Australia and Queensland, the committee heard support for a safe passing distance of a metre between vehicles and cyclists in all Australian jurisdictions.<sup>74</sup> Under the 'metre matters rule', offenders face a fine for leaving less than one metre between themselves and cyclists in 60 kilometre per hour zones, and 1.5 metres in higher speed areas.<sup>75</sup>

1.63 The Amy Gillett Foundation described the implementation of a safe passing distance as 'the leading action' to reduce cyclist road deaths, articulating that:

Better infrastructure is critical to improving the safety of bike riders but we cannot afford to wait until Australia has this in place. The best way to make bike riders safer right now is for drivers give them enough space. If a bike rider can touch a car as it passes, it is too close.<sup>76</sup>

1.64 South Australia became the first jurisdiction to adopt safe passing distance legislation in 25 October 2015. Queensland announced that in April 2016 that it would legislate to maintain the rule after finishing a two-year trial period. The Amy Gillett Foundation provided evidence of the positive effects of the trial, stating that:

In Queensland there has been a positive shift in bike rider crashes since the minimum overtaking distance trial started in April 2014. In 2013, there were 13 bike rider fatalities, in 2014, there were 9 bike rider fatalities and to date there have been no bike rider fatalities in Queensland in 2015 (24 February 2015). Serious injury data is not currently available to determine if there has been a positive impact on nonfatal crashes.<sup>77</sup>

1.65 The Australian Capital Territory is undertaking a two-year trial scheduled to end in November 2017.<sup>78</sup> The department advised that

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73 Royal Australasian College of Surgeons, *Submission 11*, Appendix 2, p. 2.

74 Mr Matthew Fulton, Chief Executive Officer, WestCycle, *Committee Hansard*, 18 February 2016, p. 29; Bicycle Transport Alliance, *Submission 20*, p. 3, Ms Belinda Clark, Interim Chief Executive Officer, Cycling Promotion Fund, *Committee Hansard*, 3 July 2014, p. 63; Amy Gillett Foundation, *Submission 35*, p. 6.

75 612 ABC Brisbane, 'Queensland adopts law requiring one metre between cars and cyclists following trial', 7 April 2016, [www.abc.net.au/news/2016-04-07/cyclist-one-metre-rule-to-stay-in-queensland-mark-bailey-says/7305998](http://www.abc.net.au/news/2016-04-07/cyclist-one-metre-rule-to-stay-in-queensland-mark-bailey-says/7305998) (accessed 22 April 2016).

76 Amy Gillett Foundation, *Submission 35*, p. 6.

77 Amy Gillett Foundation, *Submission 35*, p. 6.

78 Mr Shane Rattenbury MLA, 'Positive attitudes towards safer cycling reforms as trial begins', Media release, 1 November 2015, [www.cmd.act.gov.au/open\\_government/inform/act\\_government\\_media\\_releases/rattenbury/2015/positive-attitudes-towards-safer-cycling-reforms-as-trial-begins](http://www.cmd.act.gov.au/open_government/inform/act_government_media_releases/rattenbury/2015/positive-attitudes-towards-safer-cycling-reforms-as-trial-begins) (accessed 22 April 2016).

The Australian Government and the states and territories have been monitoring the Queensland Government's two-year trial (commenced in April 2014) of a rule for a minimum overtaking distance of one metre (and 1.5 metres where the speed limit is over 60 km/h) for drivers overtaking cyclists.<sup>79</sup>

## **Recommendation 2**

**1.66 The committee recommends that the National Transport Commission amend the model Australian Road Rules to mandate a safe passing distance for drivers overtaking cyclists of one metre where the speed limit is 60 kilometres per hour or lower and 1.5 metres where the speed limit is higher.**

### *Motorcycle riders*

1.67 Twice the number of Australians rides a motorcycle today as in 2004.<sup>80</sup> Unfortunately, motorcyclists continue to be overrepresented in road trauma statistics. For example, in 2014, motorcycle riders were killed in a third of the fatal road accidents in metropolitan Perth.<sup>81</sup>

1.68 In their submission, the Australian Motorcycle Council renewed its call for an 'integrated national strategy' for motorcycling, 'as is done with cycling'.<sup>82</sup> This is in line with a 2004 recommendation of the House of Representatives Standing Committee on Transport and Regional Services that the Australian Transport Council develop and implement national strategies for all three vulnerable road user groups.<sup>83</sup>

1.69 The Motorcycle Council of New South Wales illustrated the benefits of a national strategy to improve data collection and analysis, arguing that '[w]ithout a national motorcycle road safety strategy, the social and economic cost of road-related motorcycle injury and death are difficult to determine'.<sup>84</sup>

1.70 The committee heard that 'motorcyclists remain under-represented at many of the road-safety and transport forums' and are 'all too often omitted from road planning considerations'.<sup>85</sup> To address this, the Australian Motorcycle Council also called for a national representative body to implement findings, similar to the Australian Bicycle Council. They submitted that a previous body, the 'small-cost' Motorcycle Safety Consultative Committee of the Australian Transport and Safety Bureau 'was

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79 Department of Infrastructure and Regional Development, *Submission 51*, p. 18.

80 Australian Motorcycle Council, *Submission 55*, p. 6.

81 RAC, *Submission 59*, p. 4.

82 Australian Motorcycle Council, *Submission 55*, p. 6.

83 House of Representatives Standing Committee on Transport and Regional Services, *National Road Safety – Eyes on the road ahead: Inquiry into National Road Safety*, June 2004, p. 121.

84 Motorcycle Council of New South Wales, *Submission 27*, p. 1.

85 Ulysses Club, *Submission 36*, p. 4.



disbanded after delivering some successful programs and projects over a number of years'.<sup>86</sup> The Ulysses Club submitted that the achievements of the committee included:

During its period of existence this body succeeded in producing an internationally well regarded guide to motorcycle safety gear (The Good Gear Guide), running a Motorcycle National Safety Summit [in 2008] and formulated a draft Graduated Licensing Scheme for motorcycles. Unfortunately with the demise of the MSCC neither the Summit outcomes nor the GLS proposals were able to be followed through.<sup>87</sup>

1.71 The committee sees merit in the proposal for motorcycle safety to be addressed on a national basis, opening dialogue on a national approach to rider training and improving the road environment for this vulnerable road user group.<sup>88</sup>

1.72 The committee has not made equivalent recommendations in relation to new vehicle technologies such as anti-locking brake systems and electronic stability control for motorcycles. Without further research, the committee heeds the warning of the Motorcycle Council of New South Wales that '[j]ust because the technology has been developed for cars it is not immediately transferable to motorcycles'.<sup>89</sup>

1.73 On the other hand, the committee notes the Council's recommendation that '[t]echnology developed for cars needs to take into consideration the effect it has on motorcycle safety', urging for consideration of the ability of blind-spot monitoring and adaptive cruise control to detect the presence of motorcycle riders.<sup>90</sup>

### **Recommendation 3**

**1.74 The committee recommends that the National Transport Commission re-establish a national consultative committee on motorcycle safety.**

### **Recommendation 4**

**1.75 The committee recommends that the National Transport Commission develop and implement a national strategy for motorcycle safety.**

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86 Australian Motorcycle Council, *Submission 55*, p. 6.

87 Ulysses Club, *Submission 36*, p. 3.

88 Australian Motorcycle Council, *Submission 55*, p. 7.

89 Motorcycle Council of New South Wales, *Submission 27*, p. 2.

90 Motorcycle Council of New South Wales, *Submission 27*, p. 3.



# Chapter 2

## Vehicle design and technology

2.1 The terms of reference for this inquiry note that Australia's vehicle manufacturing industry is winding down. The committee has heard that this presents an opportunity for the Australian vehicle fleet to increasingly adopt world-class safety features, without the limitations of domestic manufacturing.<sup>1</sup> Accordingly, the committee in this inquiry has turned its attention to how design standards and safety assessments allow Australia to access the safest imported vehicles.

### Benefits of new technology

2.2 The desirability of incorporating new technology into vehicles to improve safety was frequently expressed in evidence and submissions to the committee. As the Transport Accident Commission of Victoria articulated, incorporating new technology can have a longer-term impact on road safety than improving driver behaviour, explaining:

Behavioural change—asking people to change their behaviour—is not sustainable, because people make mistakes, but once technology is in a car it is there forever.<sup>2</sup>

2.3 The return for investment in new technology in terms of reducing road trauma was highlighted by other witnesses. For example, Mr Nicholas Clarke of the Australasian New Car Assessment Program (ANCAP) stated that:

Right at the moment, with technology moving so rapidly in the car space, there is a huge opportunity to reduce road trauma by investing small amounts in cars.<sup>3</sup>

2.4 The importance of timeliness in adopting new technology was highlighted by Dr Jeremy Woolley of the Centre for Automotive Safety Research at the University of Adelaide who drew attention to the benefits for vulnerable drivers:

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- 1 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, pp 26–27; Mr Michael Cornish, General Manager, Road Safety and Strategic Communications, Motor Accident Commission, South Australia, *Committee Hansard*, 18 February 2016, p. 2; Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 4; RAC, *Submission 59*, Attachment 3, *Australian Automobile Association Submission to the Review of the Motor Vehicle Standards Act 1989*, October 2014, p. 10.
  - 2 Ms Samantha Cockfield, Senior Manager, Road Safety, Transport Accident Commission of Victoria, *Committee Hansard*, 3 July 2015, p. 44. See also Motoring Advisory Council, *Submission 47*, p. 4.
  - 3 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 20.

Every year of delay in adopting that technology means that there is a knock-on effect further down the track and less people will benefit from that technology in a timely manner. One of the great challenges we have is that the people who most need the technology—those most at risk, namely young drivers—tend to get the oldest cars and the most unsafe vehicles on our roads. So there is a lag associated with bringing in new safety features, and it is therefore important that we try to get the newest, safest vehicles into the fleet and out there as soon as possible.<sup>4</sup>

## **Barriers to new technology**

2.5 The committee accepts the important role that new vehicle technology can perform in increasing road safety. However, witnesses and submitters told the committee of at least four primary barriers to incorporating new technology.

### ***Removal before market***

2.6 The practise of 'de-speccing' vehicles was raised by witnesses as a key obstacle to consumers accessing vehicle technology that improves road safety. By way of explanation, the committee heard that in many cases, imported vehicles sold in Australia are not equipped with new technology that would be a standard feature if the same vehicles were sold elsewhere (for example, in Europe).<sup>5</sup> Mr Mark Jackman of Robert Bosch Australia explained that manufacturers attribute this to supply and demand:

There are models being sold in Australia whose equivalent models in other parts of the world have a feature that is not even available here. Manufacturers will tell you that it is about supply and demand: if we have the demand, we would then be able to increase the value of the car or show that it is worth while adding that in.<sup>6</sup>

2.7 Australia's Road Vehicle Certification System allows vehicle manufacturers to electronically certify that the vehicles they sell to the Australian market comply with the ADRs.<sup>7</sup> It is the manufacturers who undertake certification testing. To obtain compliance plates, test results are submitted to the Vehicle Safety Standards Branch of the Department of Infrastructure and Regional Development (the department).<sup>8</sup>

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4 Dr Jeremy Woolley, Centre for Automotive Safety Research, University of Adelaide, *Committee Hansard*, 26 October 2015, p. 2.

5 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 4; Mr William Golsby, General Manager, Corporate Affairs, RAC WA, *Committee Hansard*, 18 February 2016, p. 45.

6 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 3.

7 Department of Infrastructure and Regional Development, *RVCS: General information*, <http://rvcs-prodweb.dot.gov.au/> (accessed 22 June 2015).

8 Department of Infrastructure and Regional Development, *RVCS: Vehicle certification in Australia*, <http://rvcs-prodweb.dot.gov.au/> (accessed 22 June 2015).

2.8 Even where imported vehicles are sold as containing certain safety features, the committee heard doubt as to whether the features are fitted. As a solution, ARRB Group proposed that 'imported cars should be tested in Australia to ensure that the correct model is being sold to the market'.<sup>9</sup> To a large extent this testing would occur through the Australasian New Car Assessment Program (ANCAP), discussed further below.

### ***Unique Australian requirements***

2.9 Tailoring new technology in imported vehicles to the Australian driver experience was raised in some submissions and evidence to the committee.<sup>10</sup> Describing as 'obvious' that Australia should have only the safest vehicles, Professor William Young of the ARRB Group provided the caveat that:

...developing the characteristics of the vehicle for the Australian environment, for Australian infrastructure and things like that, means we have to have some different characteristics within the system.<sup>11</sup>

2.10 Similarly, Dr Woolley of the Centre for Automotive Safety Research at the University of Adelaide noted that while vehicle manufacturing would no longer be undertaken domestically, automotive expertise would continue to be required, stating:

...there is certainly a need for monitoring and for in-house capability in Australia to look at the performance of vehicles and to know, in Australian conditions, what their safety features are delivering for us in terms of real-world outcomes.<sup>12</sup>

### ***Cost***

2.11 The committee heard concerns that the cost of new technology could make safe vehicles unaffordable. The Motoring Advisory Council cautioned that:

The car is the second most significant purchase made by most families Australia wide. Any road safety legislation that places undue pressure on families to upgrade beyond their budgetary means would only put additional downward pressure on an already fragile economy.<sup>13</sup>

2.12 However, evidence suggested that the cost of new safety technology was low, and likely to be outweighed by the benefits, both to individual drivers and in reducing

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9 ARRB Group, *Submission 26*, p. 4.

10 Austroads, *Submission 69*, p. 10; Monash University Accident Research Centre, *Submission 67*, p. 24; Toll Group, *Submission 33*, p. 2.

11 Professor William Young, Chief Scientific Advisor, ARRB Group *Committee Hansard*, 3 July 2015, p. 4.

12 Dr Jeremy Woolley, Acting Director, Centre for Automotive Safety Research, University of Adelaide, *Committee Hansard*, 26 October 2015, p. 6.

13 Motoring Advisory Council, *Submission 47*, p. 3.

the social and economic cost of road trauma. In any event, the Monash University Accident Research Centre provided evidence to the committee that the cost of new technology reduces over time:

Where safety features have required the inclusion of additional components e.g. airbags or seat belt retractors, the assurance of a continued large volume market has resulted in progressive reductions in the cost of the components, as large volume production and associated design improvements have been implemented.<sup>14</sup>

2.13 In many cases, it would not cost the manufacturer any more to have new safety technology included as a standard feature on vehicles, as automotive supplier Robert Bosch Australia confirmed in evidence.<sup>15</sup> Regional President of Chassis Systems Control Mr Mark Jackman told the committee that in many cases 'the hardware cost is zero, because you are talking about using what is existing in the vehicle', meaning that incorporating new technology only requires 'developing a software algorithm'. For example, existing technology could be used to monitor and mitigate fatigue:

When talking about fatigue, for example: how long has the car been running; has the driver changed the radio or moved the air conditioning or changed the windows... We measure those fatigue incidents and we now say that we now officially think the driver is fatigued, and then we tell the car that it is fatigued. What the car does then is up to the car company. It can buzz the steering wheel, vibrate it, move the seat, give a warning, or all of the above, and potentially even pull the car over to the side of the road.<sup>16</sup>

### ***Training and research required***

2.14 The committee heard that further work is required to ensure that new safety technology is properly implemented, including training drivers in the appropriate use of safety features to maximise their benefits.<sup>17</sup> Further, the Motoring Advisory Council warned that to some degree, technology that makes driving easier could actually increase driver inattention and fatigue, as:

...today's cars have become so easy to drive that some crash risks have actually increased. In today's time poor society with mobile communications providing 24 / 7 accessibility at the press of a button, the car has become a mobile office. Mobile phone use while driving is a disturbing trend associated with drivers who are by comparison bored

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14 Monash University Accident Research Centre, *Submission 67*, p. 23.

15 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 11.

16 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 10.

17 ARRB Group, *Submission 26*, p. 5; Motoring Advisory Council, *Submission 47*, p. 4.

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behind the wheel. Fatigue is another crash statistic that has potential to increase as cars become significantly easier to drive.<sup>18</sup>

2.15 On balance, the committee is persuaded that incorporating new technology would reduce, not increase, driver inattention and fatigue. First, evidence before the committee suggests that features 'such as lane departure warning and fatigue monitoring' are directly targeted at 'reducing fatigue related crashes'.<sup>19</sup> Second, the broader benefits of new technology to prevent drivers from becoming fatigued or distracted from 'overtasking' are apparent. By way of example, Robert Bosch Australia explained the positive impact of new technology in allowing drivers to 'save [their] energy for the real tasks of driving':

A fatigued driver is less able to make critical decisions when they are necessary. So if you can avoid fatigue by making sure that the relatively simple tasks of maintaining the distance to the car in front of you, plus or minus metres, can be undertaken by the technology, it then comes down to you paying attention to the cow, kangaroo or whatever that has just run on the road.<sup>20</sup>

### **Increasing access to new technology**

2.16 The committee heard different views on the best way for Australia to overcome the practise of 'de-speccing' and to maximise the safety of its imported vehicle fleet, while also ensuring that the new technology in imported vehicles suits the Australian driving experience.

### ***Competition***

2.17 The committee heard from the Federal Chamber of Automotive Industries (FCAI) that supply and demand will gradually increase the availability of imported vehicles equipped with safety technology. In their view, 'competition in the market drives safety because this is what consumers demand'.<sup>21</sup> This view was reinforced by evidence from ANCAP Australasia that:

Consumers flock to the five-star cars. The manufacturer then runs the risk: if they do not get a five-star rating for their car, consumers may not buy that car.<sup>22</sup>

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18 Motoring Advisory Council, *Submission 47*, p. 4.

19 Centre for Automotive Safety Research, University of Adelaide, *Submission 40*, p. 4.

20 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 5.

21 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 58.

22 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 22.

2.18 On the other hand, the committee heard that Australian consumers often rely on incomplete or second-hand sources to learn about new technologies, which suggests that market forces may not improve vehicle safety without some intervention. Mr Jackman from Robert Bosch Australia hypothesised that:

I think we as a consumer group in Australia do not understand the technologies. And when we do not understand them we are very reliant on the contacts that we have with the sales people, with the internet reports and hopefully with the road safety agencies. They are the ones from whom we get this educational information.<sup>23</sup>

### ***Australian Design Rules (ADRs)***

2.19 Rather than rely on competition to increase access to safer imported vehicles, the committee heard calls for federal regulatory oversight.<sup>24</sup> A number of witnesses and submitters proposed that the Australian Design Rules (ADRs) were the best mechanism for ensuring that Australians had access to the safest new technology.<sup>25</sup>

2.20 Vehicles manufactured in or imported into Australia must be certified as meeting the ADRs, a set of national design and performance standards operating beneath the *Motor Vehicle Standards Act 1989* and the *Motor Vehicle Standards Regulations 1989*.<sup>26</sup>

2.21 The *Motor Vehicle Standards Act 1989* prescribes uniform standards for Australian manufactured vehicles and imported vehicles. The ADRs include requirements for 'vehicle safety, environmental performance and anti-theft protection'.<sup>27</sup> Indeed, it is an offence under the *Crimes Act 1914* to import vehicles that do not comply with the ADRs.<sup>28</sup>

2.22 As well to reflect community expectations of vehicle safety, the ADRs are updated to remain consistent with internationally based United Nations (UN) vehicle regulations which consider vehicle components and systems including 'braking, lighting, tyres, seatbelts [and] durability'.<sup>29</sup> The committee heard support for Australia

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23 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 3.

24 Professor Daniel Cass, Road Trauma Advisory Subcommittee, Royal Australasian College of Surgeons, *Committee Hansard*, 3 July 2015, p. 42; Ms Samantha Cockfield, Senior Manager, Road Safety, Transport Accident Commission of Victoria, *Committee Hansard*, 3 July 2015, p. 44.

25 Department of Infrastructure and Regional Development, *Submission 51*, p. 7.

26 Department of Infrastructure and Regional Development, *Importing Vehicles into Australia*, [www.infrastructure.gov.au/vehicles/imports/](http://www.infrastructure.gov.au/vehicles/imports/) (accessed 27 April 2016).

27 Department of Infrastructure and Regional Development, *Submission 51*, p. 6.

28 Department of Infrastructure and Regional Development, *Import options*, [www.infrastructure.gov.au/vehicles/imports/import\\_options/](http://www.infrastructure.gov.au/vehicles/imports/import_options/) (accessed 27 April 2016).

29 Department of Infrastructure and Regional Development, *Submission 51*, p. 10.



to maintain consistency with international standards.<sup>30</sup> The department elaborated, explaining that:

Harmonisation ensures that vehicles built to the most recent safety, environmental and anti-theft standards are supplied to the Australian market at the least cost and that Australia has access to the latest vehicle technologies.<sup>31</sup>

2.23 Australia has harmonised approximately 45 of 62 ADRs with the UN regulations, a process that has been ongoing 'since the mid-1980s'.<sup>32</sup> The committee heard that in recent years, the 'Government has accelerated the process,' which has led to:

Electronic Stability Control (ESC) mandated for light commercial vehicles (complementing the earlier mandating of ESC for passenger cars) and Brake Assist Systems mandated for light commercial and passenger vehicles, as well as commencement of a new programme to 'apply' UN regulations.<sup>33</sup>

2.24 Supporting its work to harmonise the ADRs, Australia is party to two international agreements relevant to road safety and participates in a working party on the development of the UN Regulations.<sup>34</sup> The committee heard that the role Australia plays internationally is 'to ensure that Australian perspectives and issues are taken into account'.<sup>35</sup> The committee understands this advocacy is particularly valuable in areas where 'Australian standards are higher' than UN standards, or where Australian conditions demand a unique approach such as in heavy vehicle design.<sup>36</sup>

2.25 The committee heard that the international collaboration is the most efficient way for Australia to develop and mandate new vehicle safety measures, especially since vehicle manufacturing no longer occurs locally. The department explained that it is more cost effective to seek 'support from other countries for development of a UN Regulation' than it is to develop 'a new Australian requirement... relating to a particular crash type'. Australia's work leading development of UN regulations mandating pole side impact protection standards for new vehicles is described as a

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30 Federal Chamber of Automotive Industries, *Submission 72*, p. 3.

31 Department of Infrastructure and Regional Development, *Submission 51*, p. 7.

32 Department of Infrastructure of Regional Development, *Submission 51*, p. 7 and Attachment 2, p. 2.

33 Department of Infrastructure and Regional Development, *Submission 51*, p. 7.

34 *Agreement concerning the Adoption of Uniform Conditions of Approval and Reciprocal Recognition of Approval for Motor Vehicle Equipment and Parts*, (1958) (Australia signed in 2010) and *Agreement concerning the Establishing of Global Technical Regulations for Wheeled Vehicles, Equipment and Parts which can be fitted and/or be used on Wheeled Vehicles* (1988) (Australia signed in 2008).

35 Department of Infrastructure and Regional Development, *Submission 51*, p. 8.

36 Department of Infrastructure of Regional Development, *Submission 51*, Attachment 2, p. 2.

successful example of this approach.<sup>37</sup> After the UN World Forum agreed the Global Technical Regulation on Pole Side Impact in December 2013, Australia introduced a new ADR in December 2015.<sup>38</sup>

2.26 To improve vehicle standards further, the committee heard that the government is working 'on a programme to remove Australian specific requirements from the ADRs, where they are no longer relevant and cannot be justified'.<sup>39</sup>

### *Effectiveness*

2.27 The value of the ADRs to road safety was illustrated by Dr Bruce Logan of the Monash University Accident Research Centre, who told the committee that:

...the Australian design rules have been very successful over the last 45 years in ensuring adequate minimum levels of vehicle safety. We believe the ADR process should continue to remain important in protecting Australian road users in a timely manner, wherever possible, in the face of rapid technological advancement and without stifling innovation.<sup>40</sup>

2.28 Likewise, the department submitted that without domestic oversight, imported vehicle standards could slip:

If Australia did not set design and performance standards in domestic law, vehicles could and would be exported to Australia, or be manufactured in Australia, that fall well below current standards for safety, environmental performance and anti-theft protection.<sup>41</sup>

2.29 The committee heard that there are some limitations to the ability of the ADRs to improve road safety. The ADRs do not cover all classes of vehicles, which can lead to time lag across classes as features are progressively adopted. ANCAP Australasia highlighted that the ADRs do not apply automatically to light commercial and sports utility vehicles (SUVs), which 'comprised nearly 50% of total new vehicle sales in 2014'.<sup>42</sup> The introduction of electronic stability control (ESC) through multiple regulatory processes appears to highlight this. Where ESC was mandated for new light passenger vehicles in 2011 (and 2013 for all light passenger vehicles), it was

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37 Department of Infrastructure and Regional Development, *Submission 51*, p. 8. See also Federal Chamber of Automotive Industries, *Submission 72*, p. 7.

38 United Nations Economic Commission for Europe (2013). Global technical regulation on pole side impact; *Vehicle Standard (Australian Design Rule 85/00 – Pole Side Impact Performance) 2015*, [www.legislation.gov.au/Details/F2015L02109](http://www.legislation.gov.au/Details/F2015L02109) (accessed 11 April 2016); National Road Safety Strategy, *Current projects*, <http://roadsafety.gov.au/projects/current-projects.aspx> (accessed 11 April 2016).

39 Department of Infrastructure and Regional Development, *Submission 51*, p. 7.

40 Dr Bruce Logan, Senior Research Fellow, Monash University Accident Research Centre, *Committee Hansard*, 3 July 2015, p. 52.

41 Department of Infrastructure and Regional Development, *Submission 51*, p. 9.

42 ANCAP Australasia Ltd, *Submission 31*, p. 7.

not mandated for new light commercial vehicles until 2015 (and 2017 for all light commercial vehicles).<sup>43</sup>

2.30 The time lag between the development of new technology and updates to the ADRs was frequently raised in submissions and evidence before the committee.<sup>44</sup> A recent example was Australia's work towards the UN Global Technical Regulation on Pole Side Impact which led to its completion in December 2013. The related ADR was introduced two years later in December 2015. It will be a further two years until the ADR for pole side impact performance applies to light passenger vehicles—from November 2017—and even longer until it applies to light commercial vehicles—from July 2018.<sup>45</sup>

2.31 Witnesses and submitters called for timely introduction of ADRs in line with the pace of international developments. Professor William Young of ARRB Group emphasised that the slow legislative progress 'is not satisfactory; we should be expecting higher standards in Australia for the particular conditions in Australia'.<sup>46</sup> The ARRB Group's submission called for exploration of 'methods to get ADRs introduced in a timely fashion to ensure quick take-up of new safety technology'.<sup>47</sup>

### **ANCAP**

2.32 The committee heard support for the Australasian New Car Assessment Program (ANCAP) as an alternative or additional method of increasing safety technology in new imported vehicles.<sup>48</sup> ANCAP Australasia explained its role in providing safety ratings for passenger and light commercial vehicles, covering up to 90 per cent of new car sales:

Vehicles are awarded an ANCAP safety rating of between 1 to 5 stars indicating the level of safety they provide in the event of a crash. The more stars, the better the vehicle performed in ANCAP tests. To achieve the maximum 5 star ANCAP safety rating, a vehicle must achieve the highest standards in all tests and feature advanced safety assist technologies.<sup>49</sup>

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43 *Vehicle Standard (Australian Design Rule 31/03 – Brake Systems for Passenger Cars) 2013; Vehicle Standard (Australian Design Rule 35/05 – Commercial Vehicle Brake Systems) 2013.*

44 See for example Monash University Accident Research Centre, *Submission 67*, p. 24.

45 National Road Safety Strategy, *Current projects*, <http://roadsafety.gov.au/projects/current-projects.aspx> (accessed 11 April 2016).

46 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 4.

47 ARRB Group, *Submission 26*, p. 4.

48 ARRB Group, *Submission 26*, p. 4; Mr Michael Cornish, General Manager, Road Safety and Strategic Communications, Motor Accident Commission, South Australia, *Committee Hansard*, 18 February 2016, p. 6.

49 ANCAP Australasia Ltd, *Submission 31*, p. 2.

2.33 Chief Executive Mr Nicholas Clarke summarised ANCAP's achievements in over two decades of operation, stating 'we have managed to convince the manufacturers that it is very worthwhile to focus on safety and... driven a lot of improvements in vehicle safety,' while noting that 'there is much more for us to do'. Among this work is a 'return to alignment with Euro [New Car Assessment Program] NCAP', a transition the committee heard ANCAP will complete at the end of 2017.<sup>50</sup>

2.34 ANCAP explained their current approach, which is to take the European vehicle safety ratings 'at face value'. This would have a positive effect on the Australian market, given the 'higher fitment levels of technology seen in the European market':

We think that allowing that to happen will put pressure on the other makers in the market and we will see better and safer cars in the market. By 2018, the hurdle to achieve a five-star rating will be very high, but it will not be beyond the reach of the major manufacturers and it will continue to sort the wheat from the chaff.<sup>51</sup>

2.35 Emphasising the beneficial role of local ANCAP testing even where vehicles are manufactured offshore, ARRB Group submitted that:

Supporting the Australasian New Car Assessment Program (ANCAP) to maintain a strong program of local testing and rating of vehicles will be essential to ensure Australia receives the benefits of new technologies as fully and quickly as possible.<sup>52</sup>

2.36 Drawing a link to road trauma, Western Australian third party insurer RAC highlighted a direct relationship between ANCAP ratings and fatalities and injuries, stating that people 'are twice as likely to be killed or seriously injured in a one-star car versus a five-star car'.<sup>53</sup>

2.37 The committee heard that ANCAP ratings would have even greater consumer impact if displayed on vehicles at point of sale.<sup>54</sup> RAC told the committee that:

ANCAP currently publishes star safety ratings online. However, vehicles safety ratings are not always visible on cars at the point of sale, and as such,

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50 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 20.

51 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 20.

52 Centre for Automotive Safety Research, University of Adelaide, *Submission 40*, p. 2.

53 Mr William Golsby, General Manager, Corporate Affairs, RAC WA, *Committee Hansard*, 18 February 2016, p. 46.

54 RAC, *Submission 59*, p. 6; Royal Australasian College of Surgeons, *Submission 11*, Appendix 2, p. 3

consumers do not have easy access to vital safety information when purchasing their new car.<sup>55</sup>

### *Comparing ANCAP and the ADRs*

2.38 A number of witnesses compared the effectiveness of the ANCAP and the ADRs in terms of introducing new safety technology to the Australian market. For example, it was the view of Robert Bosch Australia that ahead of the 'relatively slow legislative process' of the ADRs, ANCAP can be used to market additional features to Australian consumers.<sup>56</sup> Mr Nicholas Clarke of ANCAP Australasia advocated introducing new technology before it become mandatory to deliver outcomes faster:

We believe that if we can get that sort of technology into cars quickly, without the need for regulation, then we can reduce road trauma faster than we might otherwise.<sup>57</sup>

2.39 On the other hand, the limitations of ANCAP were outlined by the department, who submitted that the program was 'not subject to assessment through RIS [regulation impact statement] processes' and 'not designed in a way to ensure that all vehicles entering the Australian market meet adequate minimum standards'.<sup>58</sup> Monash University Accident Research Centre told the committee that ANCAP does not adequately cover all vehicle classes, stating that:

It is necessary to have safety regulations that cover ALL portions of the vehicle fleet, including trucks, buses, and motorcycles, to which NCAP has no relevance.<sup>59</sup>

2.40 Many witnesses noted the 'complementary' way in which the ADRs and ANCAP currently operate.<sup>60</sup> For example, development of an ADR for ESC was described as 'a tremendous regulatory success,' but submitters acknowledge that ANCAP also played a role.<sup>61</sup> Monash University Accident Research Centre argued that while ANCAP had 'a role in shifting the market', 'fitment rates remained poor for

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55 RAC, *Submission 59*, p. 6.

56 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 4.

57 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 20.

58 Department of Infrastructure and Regional Development, *Submission 51*, p. 9.

59 Monash University Accident Research Centre, *Submission 67*, p. 6. See also Dr Bruce Logan, Senior Research Fellow, Monash University Accident Research Centre, *Committee Hansard*, 3 July 2015, p. 52.

60 Department of Infrastructure and Regional Development, *Submission 51*, p. 10; Australian Automobile Association, *Submission 54*, p. 7.

61 *Vehicle Standard (Australian Design Rule 35/03 – Commercial Vehicle Brake Systems) 2009*; Monash University Accident Research Centre, *Submission 67*, p. 21.

some vehicle categories until moves were made to regulate'.<sup>62</sup> Insurance Australia Group put forward a stronger view, stating that 'ANCAP's requirement of mandatory electronic stability control pushed the federal government into making it a mandatory requirement'.<sup>63</sup>

### *ANCAP funding and scope*

2.41 The future funding and scope of ANCAP was frequently discussed in submissions and evidence. ANCAP told the committee that it has a continuing role in assessing imported vehicles, even where those vehicles meet or exceed the ADRs:

The wind down of local manufacturing will have little impact on ANCAP's activities and the maintenance of design standards. The majority of cars tested by ANCAP are imported and in the main are built to design standards in excess of those specified by regulation.<sup>64</sup>

2.42 The government in the 2014–15 Budget committed \$1.1 million to support ANCAP in each of 2014–15 and 2015–16, but the committee notes that funding is not guaranteed for the following financial year.<sup>65</sup>

2.43 A number of submitters argued that the performance record of ANCAP justified its ongoing funding.<sup>66</sup> Australian Automobile Association (AAA) submitted that:

Analysis of the ANCAP Safety Ratings for new cars sold in Australia shows that of the one million new light vehicles sold in 2014, 82 per cent had a 5-Star ANCAP Safety Rating. With a proven track record, there is strong justification for continuing funding for the Australasian New Car Assessment Program and promoting the purchase of vehicles based on safety ratings.<sup>67</sup>

2.44 AAA called for \$8 million over four years from 2016–17 to allow ANCAP 'to continue to release about 45 safety ratings per year and undertake 22 local assessments'.<sup>68</sup>

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62 Monash University Accident Research Centre, *Submission 67*, p. 21.

63 Mr Robert McDonald, Senior Manager, Research Centre, Insurance Australia Group, *Committee Hansard*, 2 July 2015, p. 1.

64 ANCAP Australasia, *Submission 31*, p. 9.

65 Bicycle Network, *Submission 32*, p. 4.

66 Bicycle Network, *Submission 32*, p. 4; Australian Automobile Association, *Submission 54*, p. 7; RAC, *Submission 59*, p. 6.

67 Australian Automobile Association, *Submission 54*, p. 7.

68 Australian Automobile Association, *2016–17 Pre-Budget Submission*, pp. 13, 19. [www.aaa.asn.au/storage/aaa-pre-budget-submission-2016.pdf](http://www.aaa.asn.au/storage/aaa-pre-budget-submission-2016.pdf) (accessed 13 April 2016).

## Recommendation 5

**2.45 The committee recommends that the Commonwealth Government commit increased financial support to Australasian New Car Assessment Program (ANCAP) over the forward estimates.**

## Recommendation 6

**2.46 The committee recommends that the Commonwealth Government work with state and territory governments to ensure that display of Australasian New Car Assessment Program (ANCAP) safety ratings becomes mandatory at point of sale.**

### *Used Car Safety Ratings*

2.47 In addition to ANCAP for new vehicles, the committee heard support for the ongoing funding of the Used Car Safety Rating program, which collates real world crash data to determine annual crashworthiness ratings for used vehicles in the Australian fleet.<sup>69</sup> The program, run by the Monash University Accident Research Centre, is hosted online at [www.howsafeisyourcar.com.au](http://www.howsafeisyourcar.com.au). The program offers consumers two distinct safety ratings based on driver protection and protection for other road users.<sup>70</sup>

2.48 Commonwealth funding to the program is supplemented by state and territory governments, motoring clubs and some third party insurers, as well as their New Zealand equivalents.<sup>71</sup>

## Recommendation 7

**2.49 The committee recommends that the Commonwealth Government continues to fund Monash University Accident Research Centre to produce the Used Car Safety Ratings.**

### **Upcoming new technology**

2.50 Witnesses told the committee that new technology available in some imported vehicles exceeds the amount mandated by the ADRs.<sup>72</sup> The FCAI provided examples, stating that:

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69 Australian Automobile Association, *Submission 54*, p. 7; Mr William Golsby, General Manager, Corporate Affairs, RAC WA, *Committee Hansard*, 18 February 2016, p. 46; Monash University Accident Research Centre, *Submission 67*, p. 16.

70 Used Car Safety Ratings, 'What is UCSR', [www.howsafeisyourcar.com.au/Rating-Process/What-is-UCSR/](http://www.howsafeisyourcar.com.au/Rating-Process/What-is-UCSR/) (accessed 13 April 2016).

71 Australian Automobile Association, *Submission 54*, p. 7.

72 Mr Nicholas Clarke, Chief Executive Officer, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 20. See also Ms Anne Still, Senior Manager, Policy and Research, RAC WA, *Committee Hansard*, 18 February 2016, p. 47.

...systems that are currently being delivered to the market in Australia include autonomous emergency braking, blind spot monitoring, adaptive cruise control, following-distance warning, lane-keep assist, lane-departure warning, self-parking, adaptive headlights, fatigue warning, and traffic jam assist.<sup>73</sup>

2.51 One example is considered by the committee in this report: automatic emergency braking, which at the time writing had been described as the new technology having the 'most potential' to prevent road fatalities (up to 30 per cent) and injuries (up to 40 per cent).<sup>74</sup>

### ***Autonomous emergency braking (AEB)***

2.52 Submitters and witnesses described the potential for autonomous emergency braking (AEB) in new passenger vehicles to reduce road trauma in Australia.<sup>75</sup> Robert Bosch Australia recommended that Australia keep up with international best practice, and noted that 'auto emergency braking is now mandatory' for a five star rating under the European New Car Assessment Program.<sup>76</sup>

2.53 The committee heard from FCAI that 'AEB is associated with a significant reduction in low-speed rear-end crashes'. They explained that AEB systems would:

...alert the driver to an imminent crash and can help use the maximum braking capacity of the car and can also apply the brakes independently of the driver if the situation becomes critical. The most basic form of AEB, and the most common, can detect other vehicles at low speeds only, typically in a range from about five kilometres per hour up to between 30 and 50 kilometres per hour.<sup>77</sup>

2.54 Submitters highlighted the results of a 2015 study finding a 38 per cent overall reduction in rear-end crashes for vehicles fitted with 'low speed' AEB

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73 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 58.

74 University of Adelaide Centre for Automotive Safety Research, *Submission 40*, p. 2. See also Robert Bosch Australia, *Submission 44*, p. 3.

75 Australian Automobile Association, *Submission 54*, p. 8; Victoria Walks Inc, *Submission 61*, p. 9.

76 Mr Mark Jackman, Regional President, Chassis Systems Control, Robert Bosch Australia, *Committee Hansard*, 3 July 2015, p. 4.

77 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 58.



compared to those without.<sup>78</sup> The department funded the international study alongside the Euro NCAP.<sup>79</sup>

2.55 Further development before mandating AEB through the ADRs was recommended by some witnesses.<sup>80</sup> AEB is described as a 'developing technology', with only some systems able to 'detect pedestrians or other vulnerable road users, such as cyclists'.<sup>81</sup> However, the committee notes that international precedents exist, including UN uniform provisions which the European Union has incorporated into regulations to take effect from November 2016 and November 2018.<sup>82</sup>

2.56 In Australia, AEB seems to be another example of where 'the industry has taken the lead, in the absence of any regulation'.<sup>83</sup> The FCAI advised that '[t]hirty per cent of passenger motor vehicles delivered in 2015 have AEB, up from 14 per cent' in 2014, comparable to fitment rates in Europe.<sup>84</sup>

2.57 By 2018, AEB will be a five-star requirement for ANCAP. ANCAP Australasia told the committee that future proofing the technology is impossible, noting that 'you have to start, a bit like we did with [anti-locking braking systems] 20 or more years ago and electronic stability control some years later'.<sup>85</sup>

2.58 The committee notes that the Bureau of Infrastructure, Transport and Regional Economics (BITRE) modelled the impact of AEB on light vehicles in Australia, reporting in 2014. If current adoption rates for AEB continue, 'the technology is expected to save 1 200 lives and prevent 54 000 hospitalised injuries

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78 Brian Fildes *et al*, 'Effectiveness of low speed autonomous emergency braking in real-world rear-end crashes,' *Accident Analysis and Prevention*, Volume 81 (2015), pp. 24-29; see also Monash University Accident Research Centre, *Submission 67*, p. 22; Federal Chamber of Automotive Industries, *Submission 72*, p. 25.

79 National Road Safety Strategy, *Completed projects*, <http://roadsafety.gov.au/projects/completed-projects.aspx> (accessed 13 April 2016).

80 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 59; Robert Bosch Australia, *Submission 44*, p. 5.

81 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 59.

82 UN Regulation 131, Uniform provisions concerning the approval of motor vehicles with regard to the Advanced Emergency Braking Systems (AEBS), 7 August 2013; Commission Regulation (EU) No 347/2012, *Official Journal of the European Union*, 21 April 2012, <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:109:0001:0017:en:PDF>, (accessed 13 April 2016).

83 Federal Chamber of Automotive Industries, *Submission 72*, p. 25.

84 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 58; Federal Chamber of Automotive Industries, *Submission 72*, p. 25.

85 Mr Nicholas Clarke, ANCAP Australasia Ltd, *Committee Hansard*, 14 August 2015, p. 27.

by 2033'. Persuasively, mandating AEB over the same period led to 'an additional saving of 597 deaths and 24 100 hospitalised injuries'.<sup>86</sup>

2.59 Illustrating the low additional cost of new safety technology, BITRE reported that 'the cost to manufacturers could be less than \$200 to include AEB as a feature in a vehicle'.<sup>87</sup>

#### *Committee view*

2.60 The committee is of the view that AEB has proven positive impact at domestic and international levels, and as a matter of priority, should be incorporated as a legislative requirement for all new vehicles sold in Australia.

### **Recommendation 8**

**2.61 The committee recommends that the Australian Design Rules be immediately amended to require all new light vehicles sold in Australia from 1 June 2017 be fitted with automatic emergency braking technology.**

### **Reform of the *Motor Vehicle Standards Act 1989***

2.62 Following the review of the *Motor Vehicles Standards Act 1989*, the government announced in February 2016 that it would undertake to reform the Act. The overview brochure for the reforms states that:

In addition to continuing the harmonisation of Australia's vehicle standards with international best-practice, the Australian Government is proposing to introduce a number of changes to the Act and associated administrative processes. These include:

- allowing individuals to import new vehicles from selected right hand drive countries with comparable vehicle standards to Australia;
- improving consumer access to imported specialist and enthusiast vehicles;
- simplifying the process for importing vehicles through the Registered Automotive Workshop Scheme while improving the quality of those vehicles;
- simplifying the pathways for importing vehicles granted concessions against the Act;
- streamlining the supply of mainstream (full volume) new vehicles; and

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86 Bureau of Infrastructure, Transport and Regional Economics (BITRE), *Impact of road trauma and measures to improve outcomes*, Report 140, December 2014, p. 59.

87 Bureau of Infrastructure, Transport and Regional Economics (BITRE), *Impact of road trauma and measures to improve outcomes*, Report 140, December 2014, p. 56, [http://bitre.gov.au/publications/2014/files/report\\_140.pdf](http://bitre.gov.au/publications/2014/files/report_140.pdf) (accessed 13 April 2016).

- clarifying suppliers' recall responsibilities for all vehicles.<sup>88</sup>

2.63 The Government stated that reforms to the Motor Vehicles Standards Act would be further refined, with legislation to be introduced 'as soon as possible'.<sup>89</sup> Accordingly, the committee has not considered each proposal in this interim report, and only outlines issues raised in relation to the personal importation of vehicles, including second-hand vehicles.

2.64 The committee awaits with interest future policy announcements by the Government, and will continue to monitor legislative proposals as they are released.

### ***Personal importation and second-hand vehicles***

2.65 The committee heard considerable apprehension in relation to the proposed 'softening' of regulations for the personal importation of vehicles, including second-hand vehicles.<sup>90</sup>

2.66 In 2015, the Government did not support a Competition Policy (Harper) Review recommendation to remove parallel import restrictions from second-hand vehicles, stating:

Following consultation as part of the review of the *Motor Vehicles Standards Act 1989* and having regard to consumer protection and community safety concerns, the Government has decided not to proceed with reducing parallel import restrictions on second-hand cars at this time.<sup>91</sup>

2.67 Despite this, the changes announced in February 2016 would simplify the importation and certification arrangements for vehicles. The Minister for Major Projects, Territories and Local Government the Hon Paul Fletcher MP announced that legislation to implement the changes would follow the announcement in 2016.<sup>92</sup>

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88 Department of Infrastructure and Regional Development, *Motor Vehicle Standards Act Reform*, February 2016, p. 2, [https://infrastructure.gov.au/vehicles/mv\\_standards\\_act/files/MVSA\\_Overview\\_Brochure.pdf](https://infrastructure.gov.au/vehicles/mv_standards_act/files/MVSA_Overview_Brochure.pdf) (accessed 14 April 2016).

89 Department of Infrastructure and Regional Development, *Motor Vehicle Standards Act Reform*, February 2016, p. 2.

90 Mr Robert McDonald, Senior Manager, Research Centre, Insurance Australia Group, *Committee Hansard*, 2 July 2015, p. 4; Federal Chamber of Automotive Industries, *Submission 72*, p. 3; Robert Bosch Australia Pty Ltd, *Submission 44*, p. 2.

91 The Treasury, *Government response to the Competition Policy Review*, p. 13.

92 The Hon Paul Fletcher MP, Minister for Major Projects, Territories and Local Government, 'More choice for car buyers and less red tape for the car industry under planned Government reforms to motor vehicle laws', Media release PF017/2016, 10 February 2016, [http://minister.infrastructure.gov.au/pf/releases/2016/February/pf017\\_2016.aspx](http://minister.infrastructure.gov.au/pf/releases/2016/February/pf017_2016.aspx) (accessed 14 April 2016).

2.68 While details of proposed legislative change remain unclear, key concerns heard by this inquiry related to proposed changes to personal new imports, which are 'expected to be introduced in 2018'.<sup>93</sup> The committee heard concerns that:

- older vehicles have proven links to 'increased injury severity' and higher 'death rates in rural and remote areas';<sup>94</sup>
- vehicles made overseas may be in poorer condition, including due to rust and corrosion from salt use on roads;<sup>95</sup>
- vehicles made overseas are not always designed to operate in Australia's environmental conditions;<sup>96</sup>
- vehicles made overseas may be technologically incompatible in a way that would prevent Australia from having a fleet of 'connected cars';<sup>97</sup>
- vehicles made overseas are difficult to service, as software will not be widely available to repairers; and<sup>98</sup>
- concessional schemes that facilitate the personal importation of vehicles carry high levels of consumer risk.<sup>99</sup>

#### *Committee view*

2.69 Based on the lack of specificity in the government's policy announcement, the committee declines to make a recommendation in relation to proposed changes to personal importation laws. The committee urges caution, however, in altering policy settings that have such a strong connection to the safety of Australia's vehicle fleet. At this stage, the risks appear considerable and the benefits unclear.

### **Heavy vehicles**

2.70 The committee notes evidence from witnesses that a small percentage of the Australian heavy vehicle fleet continues to be manufactured domestically.<sup>100</sup> By way of explanation, Toll Group provided evidence that the Australian freight task demands

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93 Department of Infrastructure and Regional Development, *Motor Vehicle Standards Act Reform*, February 2016, p. 2.

94 ARRB Group, *Submission 26*, p. 4.

95 Mr Robert McDonald, Senior Manager, Research Centre, Insurance Australia Group, *Committee Hansard*, 2 July 2015, p. 4.

96 Federal Chamber of Automotive Industries, *Submission 72*, p. 3.

97 Mr Tony Weber, Chief Executive, Federal Chamber of Automotive Industries, *Committee Hansard*, 14 August 2015, p. 58.

98 Robert Bosch Australia Pty Ltd, *Submission 44*, p. 2; Mr Robert McDonald, Senior Manager, Research Centre, Insurance Australia Group, *Committee Hansard*, 2 July 2015, p. 4.

99 Federal Chamber of Automotive Industries, *Submission 72*, p. 22.

100 Mr Bill McKinley, National Manager, Government Relations and Policy, Australian Trucking Association, *Committee Hansard*, 14 August 2015, p. 12; Toll Group, *Submission 33*, pp 6–7.

a 'unique' and 'customised approach'.<sup>101</sup> This means that this report's discussion about the future importation of vehicles applies to a lesser extent to heavy vehicles.

2.71 On balance, the committee heard evidence in support of maintaining the existing ADRs for manufacturing heavy vehicles domestically,<sup>102</sup> which takes into account the unique vehicle combinations and driving conditions in Australia.<sup>103</sup> Accordingly, the committee encourages ongoing updates to ensure that Australia continues as a world leader in harnessing new technology that ensures the safety of heavy vehicle drivers and other road users.

2.72 The committee encourages national and state governments to work together on heavy vehicle regulation to encourage innovation in vehicle design and to overcome the 'inflexibility of the regulatory process',<sup>104</sup> particularly to allow innovation in the design of safer vehicles, including high productivity vehicles which have a superior safety record.<sup>105</sup> The committee heard that for high productivity vehicles, 'designs need to be approved by a panel convened by the national heavy vehicle regulator (NHVR) and are permitted only on restricted networks'.<sup>106</sup>

2.73 Toll Group submitted that the approvals process should be modified so that high productivity vehicles, having a superior safety record, can be used more often, as:

...innovative technologies and vehicle designs can deliver significant safety benefits. High productivity vehicles (HPVs) have demonstrably better safety outcomes than conventional vehicles, but are under-utilised because of conservative permitting and access regimes and the need for greater education on how light and heavy vehicle drivers can successfully 'share the road'.<sup>107</sup>

2.74 The department stated that work is ongoing to improve heavy vehicle design:

Work also continues on further developing the Australian Design Rules to ensure that vehicles newly supplied to the Australian market support improved road safety outcomes.<sup>108</sup>

2.75 Issues for the heavy vehicle industry are discussed further in Chapter 4.

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101 Toll Group, *Submission 33*, p 7.

102 Australian Trucking Association, *Submission 38*, p. 5; Victorian Transport Association, *Submission 65*, p. 6.

103 Mr Bill McKinley, National Manager, Government Relations and Policy, Australian Trucking Association, *Committee Hansard*, 22 March 2016, p. 37.

104 Mr John Mitchell, Chief Executive Officer, Mitchell's Livestock Transport and Innovex Solutions, *Committee Hansard*, 18 February 2016, p. 12.

105 Toll Group, *Submission 33*, p. 2.

106 Department of Infrastructure and Regional Development, *Submission 51*, p. 7.

107 Toll Group, *Submission 33*, p. 2.

108 Department of Infrastructure and Regional Development, *Submission 51*, p. 23.

## **Conclusion**

2.76 As this chapter has outlined, vehicle design and technology have a large influence on road safety. However, where you drive can be as big a determinant of safety outcomes as the vehicle you drive. The next chapter considers the impact that geography can have on road safety.

# Chapter 3

## Road safety in regional and rural Australia

3.1 According to its terms of reference, the committee in this chapter focuses on the different considerations affecting road safety in urban, regional and rural areas. The committee notes that the terms urban, regional and rural are used differently in a variety of policy settings. In this report, however, the committee has chosen to use terminology used by the Bureau of Infrastructure, Transport and Regional Economics (BITRE) in preparing annual road crash statistics. Rather than referring to urban, regional and rural areas, BITRE measure deaths and injuries in major cities, inner and outer regional areas, and remote and very remote areas.<sup>1</sup> Therefore, discussion in this report uses the terms 'regional' and 'remote' to include rural settings.

3.2 Evidence before the committee demonstrated beyond doubt that persons driving on regional and remote roads are at greater risk of suffering road trauma than their urban counterparts. The Department of Infrastructure and Regional Development (the department) emphasised this difference, noting that:

- regional and remote areas account for 65 per cent of deaths and 40 per cent of hospitalised injuries from road trauma;
- annual hospitalised injuries per 100 000 persons are approximately 50 per cent higher in regional areas and 200 per cent higher in remote areas; and
- in major cities more than half the road deaths occur where the speed limit is 50 to 60 kilometres per hour, while in regional areas the majority of road deaths occur where the speed limit is 100 kilometres per hour.<sup>2</sup>

3.3 The committee heard that in regional areas, road deaths are twice the national average. In remote areas, this increases to at least four times the national average.<sup>3</sup> Put another way, Australia's regional and remote areas contain 30 per cent of Australia's population but tragically account for over half the road toll.<sup>4</sup>

3.4 Indigenous Australians living in remote areas are disproportionately affected by road trauma. The Royal Flying Doctor Service of Australia found that:

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1 BITRE applies the five 'remoteness regions' set by the Australian Statistical Geography Standard. Australian Bureau of Statistics, *Australian Statistical Geography Standard: Volume 5 – Remoteness Structure, July 2011*, 31 January 2013.

2 Department of Infrastructure and Regional Development, *Submission 51*, p. 14.

3 Department of Infrastructure and Regional Development, *Submission 51*, p. 14.

4 Ms Fiona Brooke, Policy Adviser, National Rural Health Alliance, *Committee Hansard*, 14 August 2015, p. 28.

Indigenous Australians living in remote and very remote areas, in particular, experienced higher rates of road transport injury deaths and injury hospitalisations than both their Indigenous counterparts in major cities, and their non-Indigenous counterparts in remote and very remote areas of Australia. Remote and very remote Indigenous Australians were 2.5 times and 2.3 times more likely, respectively, to be killed in a road crash, compared to non-Indigenous Australians in remote and very remote areas.<sup>5</sup>

3.5 According to the Motor Accident Commission of South Australia (MAC), South Australians outside of major cities are six times more likely to be killed in a fatal car accident than their urban counterparts.<sup>6</sup> South Australia Police submitted:

...our stats show that country people kill themselves quite often—more than metro people... And we do not believe it is all about engineering roads or safer systems on roads; it is about driver behaviour and driver education.<sup>7</sup>

3.6 The committee heard from SA Police that while 'there has been a consistent reduction in fatal and serious injury crashes in both metropolitan Adelaide and regional and remote South Australia', the rate of decrease outside of major cities 'is not as great'.<sup>8</sup> MAC agreed with this analysis, and offered the following additional reason for the increased severity of accidents in regional and remote areas:

[c]rashes...are actually considerably more severe in outcome when they occur in more remote locations. This is not surprising because the emergency response time is likely to be slower leading to greater severity...<sup>9</sup>

3.7 The committee examines two significant contributing factors that it considers can and should be addressed: road quality and driver behaviour.

## **Road quality**

3.8 Concerns about road quality featured heavily in evidence before the committee. Mr Andrew Scarce, a driving instructor with Road Class Driver Training, discussed the driving challenges presented by the poor condition of Australia's

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5 Royal Flying Doctor Service of Australia, *Responding to injuries in remote and rural Australia*, February 2016, p. 15, [www.flyingdoctor.org.au/assets/documents/RN017\\_Responding\\_to\\_Injuries\\_P14.pdf](http://www.flyingdoctor.org.au/assets/documents/RN017_Responding_to_Injuries_P14.pdf) (accessed 30 March 2016).

6 Motor Accident Commission of South Australia, *Submission 37*, p. 7.

7 Ms Bronwyn Killmier, Assistant Commissioner, State Operations Service, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40.

8 Ms Bronwyn Killmier, Assistant Commissioner, State Operations Service, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40.

9 Motor Accident Commission of South Australia, *Submission 37*, p. 7.



regional and remote roads, suggesting that 'most deaths on rural roads are not caused by extreme or risky behaviour but by simple mistakes on very unforgiving roads'.<sup>10</sup>

3.9 Monash University Accident Research Centre reported that in regional and remote areas, 'three quarters of serious injury arise[s] from single vehicle run-off-road crashes, usually on high-speed roads that frequently have poor roadside safety infrastructure'.<sup>11</sup> Evidence from other states was consistent with this analysis.<sup>12</sup> For example, the South Australian Police stated that:

Of those rural fatal crashes, 52 per cent were a single vehicle that had left the road, out of control, and hit a fixed object. So most of those involved no other vehicles; they have just left the road, out of control, and collided with something or rolled the car.<sup>13</sup>

3.10 It was put to the committee that regional and remote roads do not meet the standard of Safe System roads. Austroads submitted that to qualify as Safe System roads, roads in regional and remote areas should contain audible edge lines, flexible barriers (where volume dictates), a wider median on dual carriage roads or barriers down the middle of the road to separate lanes.<sup>14</sup>

3.11 The quality of Australia's regional and roads presents challenges not typically experienced in urban areas.<sup>15</sup> Environmental factors that can exacerbate infrastructure issues include corrugation, dust, potholes, wildlife and agricultural equipment. Insurance Australia Group provided the following observation:

In terms of our rural drivers, they often face extra challenges of travelling longer distances at higher average speeds, often on poorer roads, sometimes in older vehicles with the added hazards of wildlife and stock movements and that sort of thing...<sup>16</sup>

3.12 The committee also heard that main roads in regional and remote areas often function as both highways and community centres.<sup>17</sup>

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10 Mr Andrew Scarce, Owner/Operator, Road Class Driver Training, *Committee Hansard*, 14 August 2015, p. 52.

11 Monash University Accident Research Centre, *Submission 67*, p. 35.

12 RAC, *Submission 59*, p. 7; Superintendent Michael Grainger, Victoria Police, *Committee Hansard*, 14 August 2015, p. 2.

13 Chief Superintendent Robert Fauser, Officer in Charge, Operations Support Coordination Branch, South Australia Police, *Committee Hansard*, 26 October 2015, p. 42.

14 Mr Iain Cameron, Austroads, *Committee Hansard*, 2 July 2015, pp 54–55.

15 NRMA-ACT Road Safety Trust, *Submission 23*, p. 2; TARS, UNSW, *Submission 50*, p. 26.

16 Mr Robert McDonald, Senior Manager, Research Centre, Insurance Australia Group, *Committee Hansard*, 2 July 2015, p. 2.

17 Ms Samantha Cockfield, Senior Manager, Road Safety, Transport Accident Commission of Victoria, *Committee Hansard*, 3 July 2015, p. 49.

### ***Improving road quality***

3.13 Upgrading infrastructure in regional and remote areas was a key proposal put forward to provide the same level of safety on regional and remote roads as in major cities. For example, the Australian Automobile Association's (AAA) submission recommended a holistic approach to infrastructure that is informed by cost-benefit analysis:

Recommendation 3: Governments should invest in road safety infrastructure treatments that are shown to have a positive benefit-cost ratio. An investment of \$4.7 billion would bring 85 per cent of the national highway network to a level of 3-star or above, with a benefit-cost ratio of 3.49:1.

Recommendation 4: The entire National Highway Network should have a minimum safety rating of 3-stars, with all new road sections to be 4-star.<sup>18</sup>

3.14 AAA's proposal included a number of treatments which would be particularly conducive to improving road safety in regional and remote areas:

- roadside and central median barriers and shoulder rumble strips;
- protected turn lanes and additional lanes (2+1 with barrier);
- improved skid resistance;
- fewer roadside hazards; and
- sealed shoulders.<sup>19</sup>

3.15 The committee asked the department to respond to the AAA's recommendations and received the following response:

The Australian Government has committed \$50 billion for infrastructure investment from 2013-14 to 2019-20 onwards. This includes an additional \$200 million for the Black Spot Programme, bringing the total commitment to \$500 million over the five years to 2018-19.

The [National Road Safety] Action Plan [2015–17] calls for governments to prioritise and treat high-risk rural and urban roads with the assistance of analysis tools and also to assess risk on the roads carrying the highest traffic volumes. These approaches focus on achieving strong safety outcomes and benefit-cost ratios.<sup>20</sup>

3.16 As the department states, the first action in the National Road Safety Action Plan is to '[p]rioritise and treat high-risk rural and urban roads, focusing on the main

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18 Australian Automobile Association, *Submission 54*, p. 4.

19 Mr Craig Newland, Director, Road Safety and Technical Services, Australian Automobile Association, *Committee Hansard*, 14 August 2015, pp 46–47.

20 Department of Infrastructure and Regional Development, answer to question on notice, 14 August 2015.

crash types and vulnerable road users'. The plan specifies that spatial analysis tools including 'severe injury rate/cost heat maps' should be used to determine areas of 'high collective risk'. By end-2017, the plan anticipates that states and territories will have 'identified, prioritised and commenced treating the top 10% of priority locations'.<sup>21</sup>

3.17 While the department's submission and response mark the imbalance in trauma outcomes for 'rural and urban roads', it does not clearly outline how the government's committed infrastructure investment would address that imbalance.<sup>22</sup> Some submitters expressed doubt that regional and remote areas would be appropriately prioritised.<sup>23</sup>

### *Local government*

3.18 The committee has heard that upgrading the local road network would reduce a large proportion of road deaths and injuries.<sup>24</sup> Ms Terri-Anne Pettet, Manager of the RoadWise Program at the Western Australian Local Government Association (WALGA), explained that:

In Western Australia local governments are responsible for 128,000 kilometres, or 88 per cent, of the road network, where around 47 per cent of travel occurs. In 2012, 57 per cent of all the deaths and serious injuries in Western Australia—1,520 people—occurred on the local road network at a cost to the community of \$1.5 billion.<sup>25</sup>

3.19 Local government receives a share of the \$3.2 billion allocated to local, state and territory governments under the Roads to Recovery programme in the financial years 2014–15 to 2018–19.<sup>26</sup> The Commonwealth Government announced on 23 June 2015 that '[c]ouncils across Australia will receive an extra \$1.105 billion over the next two years', allocating funding by local government area.<sup>27</sup>

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21 Transport and Infrastructure Council, *National Road Safety Action Plan 2015–17*, p. 3.

22 Department of Infrastructure and Regional Development, *Submission 51*, p. 26; Department of Infrastructure and Regional Development, response to additional questions on notice from 14 August 2015, pp 1–2.

23 See, for example, RAC, *Submission 59*, pp 8–9; Chief Superintendent Robert Fauser, Officer in Charge, Operations Support Coordination Branch, South Australia Police, *Committee Hansard*, 26 October 2015, p. 43; Dr Jeremy Woolley, Acting Director, Centre for Automotive Safety Research, University of Adelaide, *Committee Hansard*, 26 October 2015, p. 6.

24 Mr Ian King, Chief Executive, Western Australian Road Transport Association, *Committee Hansard*, 18 February 2016, p. 21.

25 Ms Terri-Anne Pettet, Manager, RoadWise Program, Western Australian Local Government Association, *Committee Hansard*, 18 February 2016, p. 56.

26 Department of Infrastructure and Regional Development, *Roads to Recovery Programme*, <http://investment.infrastructure.gov.au/funding/r2r/> (accessed 20 April 2016).

27 The Hon Warren Truss MP, Minister for Infrastructure and Regional Development, 'Fuel excise change a boost for local roads', Media release WT184/2015, [http://minister.infrastructure.gov.au/wt/releases/2015/June/wt184\\_2015.aspx](http://minister.infrastructure.gov.au/wt/releases/2015/June/wt184_2015.aspx) (accessed 20 April 2016).

3.20 In WALGA's view, the cost of upgrading infrastructure is difficult to estimate because 'large parts of the ageing road network do not already meet the current minimum standards', meaning that 'the effort and investment to achieve safe roads and roadsides under the safe system approach is likely to be a substantial underestimate'. The committee heard that among local governments in Western Australia 'there was a clearly expressed need for additional funds, staff and training in the practical application of the safe system approach'. The committee was troubled to hear of 'a shortfall of up to \$100 million a year' just to maintain the Western Australian road network in its current condition.<sup>28</sup>

### *Black Spot Programme*

3.21 Several submitters proposed that the Black Spot Programme funding and methodology should be revisited to better address the condition of roads in regional and remote areas. The programme provides funding for infrastructure improvements in at-risk areas using cost-benefit analysis. To qualify as a black spot, a location must have seen two 'casualty crashes' in five years, and the project must be assessed as returning 'at least one dollar to the economy for every dollar invested'.<sup>29</sup> A requirement limiting the number of projects per local government area was removed 'to make it easier for regional areas to compete for additional funding'.<sup>30</sup>

3.22 The department advised that half of the programme's funding is earmarked for regional Australia:

The Government will also ensure that at least 50 per cent of funding is dedicated to fixing sites in regional Australia, where more than 60 per cent of road deaths and 35 per cent of serious injuries occur.<sup>31</sup>

3.23 The committee is concerned that this commitment refers to, but is not directly in proportion to, the actual number of road deaths that occur in regional and remote areas.<sup>32</sup> In the alternative, RAC proposed that road funding be allocated according to the 'star rating' of roads, which would inevitably increase funding to regional and remote roads.<sup>33</sup>

3.24 It was put to the committee that the programme's methodology is ill-suited to improving road safety in regional and remote areas, and should be more flexible. Mr

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28 Ms Terri-Anne Pettet, Manager, RoadWise Program, Western Australian Local Government Association, *Committee Hansard*, 18 February 2016, p 56–57.

29 Department of Infrastructure and Regional Development, *Submission 51*, p. 26.

30 Department of Infrastructure and Regional Development, *Submission 51*, p. 26.

31 Department of Infrastructure and Regional Development, *Submission 51*, p. 26; Department of Infrastructure and Regional Development, *The Black Spot Programme*, <http://investment.infrastructure.gov.au/funding/blackspots/> (accessed 10 November 2015).

32 Mr Iain Cameron, Austroads, *Committee Hansard*, 2 July 2015, p. 57.

33 RAC, *Submission 59*, p. 7.

Iain Cameron, Chairman of the Austroads Safety Taskforce explained that it is easier to identify black spots in major cities due to higher volumes and predictability:

Traditionally what we have done is that, when there is an awful pile of people who get killed or seriously injured at a particular spot, we have called that a black spot and we have dealt with that. The problem is...on long lengths of road, particularly country roads, we are chasing lightning strikes. These crashes are distributed, volumes are very low and we do not know exactly where the next one is going to occur.<sup>34</sup>

3.25 The committee endorses the Austroads proposal that the definition of black spots should consider the risks associated with longer lengths of road.<sup>35</sup>

### *Technology*

3.26 As discussed in Chapter 2, vehicle safety technology is improving. The committee heard that unless roads are upgraded, Australians in regional and remote areas will miss out on technological improvements.<sup>36</sup> As an example, Victoria Police explained that vehicles fitted with lane assist technology would be of limited assistance outside of major cities, as:

Most of them at the moment will require a white line to set a boundary for the lane assist to determine that it is leaving the lane. Most of our roads in rural Victoria—we classify them as C roads—do not have that capability. So we can put the best technology in the world on those roads but people are still driving at 100 kilometres an hour on a gravel-edged road which is tree lined.<sup>37</sup>

3.27 RAC foreshadowed the possibility of a two-tier road safety system, in which the new safety technologies available in major cities exceed those available to residents of regional and remote Australia:

It is important to note that [intelligent transport systems (ITS)] and the movement toward autonomous vehicles offer most promise in infrastructure and vehicle-rich environments. The low density infrastructure and vehicle environments of rural and remote WA may therefore gain relatively fewer benefits. With this in mind it is critical to ensure that there is appropriate investment and strategies in place to target rural and remote populations. This should ensure that the disadvantaged communities in road safety terms

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34 Mr Iain Cameron, Chairman, Austroads Safety Taskforce, *Committee Hansard*, 2 July 2015, p. 55.

35 Mr Iain Cameron, Austroads, *Committee Hansard*, 2 July 2015, p. 57; The Centre for Automotive Safety Research, The University of Adelaide, *Submission 40*, p. 3.

36 Dr Jeremy Woolley, Acting Director, Centre for Automotive Safety Research, University of Adelaide, *Committee Hansard*, 26 October 2015, p. 2.

37 Inspector Stuart McGregor, Victoria Police, *Committee Hansard*, 14 August 2015, p. 3.

do not become further marginalised by a growing focus on ITS and autonomous vehicles.<sup>38</sup>

### ***Committee view***

3.28 There is a marked and unacceptable difference in the quality of infrastructure in major cities and in regional and remote areas. The committee is strongly of the view that Australians' safety should not be compromised by living outside of major cities.

3.29 A complete change or a one-size-fits-all approach to speed on regional and remote roads was not supported by submitters to this committee. However, the committee heard a clear view that governments should not allow road users to drive faster than rapidly deteriorating road conditions allow.

3.30 The committee appreciates the department's advice that the government has committed \$50 billion to upgrading Australia's road infrastructure. The committee emphasises the need for tailored solutions in regional and remote areas that focus on road safety rather than driver convenience. The committee sees merit in considering each road on a case-by-case basis. To this end, the committee endorses the proposal for the Black Spot Programme to be adjusted to place a greater emphasis on regional and remote roads. A funding model that more accurately reflects the number of deaths and injuries will help close the gap in road deaths between urban and regional and remote road areas.

3.31 The committee appreciates the advice provided by the Victoria Police that, as a starting point, regional and remote roads should be upgraded to include white lines and sealed verges, and draws this to the attention of the Commonwealth's Black Spot Programme and state and local governments.

### **Recommendation 9**

**3.32 The committee recommends that Commonwealth Government increase funding to the Black Spot Programme and increase the percentage allocated to regional and remote areas.**

### **Recommendation 10**

**3.33 The committee recommends that the definition of 'black spot' be revised to account for the dispersed nature of accidents in regional and remote areas.**

### **Driver behaviour**

3.34 As well as in major cities, driver behaviour was identified as a key contributor to accidents on regional and remote roads.<sup>39</sup>

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38 RAC, *Submission 59*, p. 7.

3.35 The department advised that high-risk behaviours including speeding, failure to wear seatbelts and unlicensed driving are more common in regional and remote areas.<sup>40</sup> Submitters suggested that what would be unacceptable in major cities is often considered a condition for driving on regional and remote roads.<sup>41</sup>

3.36 The committee heard debate about whether accidents on regional and remote roads more frequently involved locals or visitors. MAC noted that in South Australia there is a perception that the majority of persons killed outside of major cities are visitors.<sup>42</sup> To the contrary, South Australia Police confirmed that '69 per cent are residing in the communities in which they are dying or becoming seriously injured'.<sup>43</sup> The National Rural Health Alliance suggested that further analysis on this question is required.<sup>44</sup>

### **Policing**

3.37 The committee heard that policing and road safety strategies, such as random breath testing and speed cameras, may not be suited to regional and remote areas. Victoria Police reported that their effectiveness diminishes outside major cities, illustrating that:

As soon as a booze bus turns up and starts setting up, the grapevine advises everyone of its whereabouts—same with our automated speed-detecting services.<sup>45</sup>

3.38 Likewise, speed cameras were not considered to be effective outside of major cities due to their visibility from up to two kilometres away.<sup>46</sup>

3.39 The committee recognises the enforcement and speed monitoring challenges that particularly affect regional and remote areas, and the need for unique deterrent measures. The committee sees merit in using point-to-point speed cameras in those areas, particularly to minimise the impact of road trauma on vulnerable road user groups.<sup>47</sup>

39 Mr Andrew Scarce, Owner/Operator, Road Class Driver Training, *Committee Hansard*, 14 August 2015, p. 52; Ms Bronwyn Killmier, Assistant Commissioner, State Operations Service, South Australia Police, *Committee Hansard*, 26 October 2015, p. 40.

40 Department of Infrastructure and Regional Development, *Submission 51*, p. 15.

41 NRMA-ACT Road Safety Trust, *Submission 23*, p. 2; Superintendent Michael Grainger, Victoria Police, *Committee Hansard*, 14 August 2015, p. 1.

42 Motor Accident Commission of South Australia, *Submission 37*, p. 4.

43 Chief Superintendent Robert Fauser, Officer in Charge, Operations Support Coordination Branch, South Australia Police, *Committee Hansard*, 26 October 2015, p. 42.

44 National Rural Health Alliance Inc., *Submission 39*, p. 3.

45 Inspector Stuart McGregor, Victoria Police, *Committee Hansard*, 14 August 2015, p. 6.

46 Inspector Stuart McGregor, Victoria Police, *Committee Hansard*, 14 August 2015, p. 6.

47 Pedestrian Council of Australia, *Submission 58*, p. 4.

## Recommendation 11

**3.40 The committee recommends that Commonwealth, state and territory governments work with police agencies to increase the number of point-to-point speed cameras in regional and remote areas.**

### *Community awareness and education*

3.41 Submitters emphasised the need for awareness campaigns to educate drivers of the unique risks attached to roads in regional and remote areas. At the outset, the committee was advised that such campaigns 'are notoriously difficult to make effective',<sup>48</sup> although MAC has provided the committee with examples of their success.<sup>49</sup>

3.42 Good road safety advertising can reduce up to 12 per cent of crashes, according to analysis by MAC and Global Road Safety Solutions.<sup>50</sup> They have determined that advertising has at least three types of benefit:

**Type 1:** Influences behaviours directly. Examples may include campaigns which enhance the effects of enforcement by increasing general deterrence, and so changes behaviour.

**Type 2:** Influences behaviours via attitudes.

**Type 3:** Generates changes in attitude or belief which allow more effective other actions such as reduced speed limits, reduced BAC limits, increased enforcement or increased penalties, which will change behaviours.<sup>51</sup>

3.43 MAC's analysis is that the aim of influencing behaviour via attitude (type 2) is the most commonly pursued and the most difficult in which to achieve success.<sup>52</sup> Influencing behaviour directly (type 1) is considered most effective alongside changes in legislation or enforcement, such as random breath testing and mobile speed cameras.<sup>53</sup> The effect of generating change (type 3) was described as lacking 'clear evidence for direct behaviour change' but capable of increasing public acceptance of measures such as speed limit reduction.<sup>54</sup>

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48 Dr Jeremy Woolley, Acting Directory, Centre for Automotive Safety Research, University of Adelaide, *Committee Hansard*, 26 October 2015, p. 6.

49 Mr Michael Cornish APM, Motor Accident Commission of SA, *Committee Hansard*, 18 February 2016, p. 7; Additional information from the Motor Accident Commission of SA, received 31 March 2016, p. 8.

50 Motor Accident Commission of SA, additional information received 31 March 2016, p. 8.

51 Dr Jeremy Woolley, Acting Directory, Centre for Automotive Safety Research, University of Adelaide, *Committee Hansard*, 26 October 2015, p. 6.

52 Motor Accident Commission of SA, additional information received 31 March 2016, pp 3–4.

53 Motor Accident Commission of SA, additional information received 31 March 2016, pp 2–4.

54 Motor Accident Commission of SA, additional information received 31 March 2016, pp 5–6.



3.44 Insurance Australia Group recommended careful targeting of campaigns:

...there could be more targeted regional and rural specific strategies and current road safety strategies. They are more global, more broad, and I think there is room to have some specific rural and regional focus because there are some different issues experienced by those people.<sup>55</sup>

3.45 Particularly for regional and remote areas, the delivery of road awareness education should include community engagement where possible.<sup>56</sup> This is an invaluable part of establishing a culture of responsible road use. Mr Russell White, Chief Executive Officer of the National Road Safety Foundation, theorised that:

...if you were to ask most people in the street who is responsible for road safety, the answer you would get would be 'government' or 'police'. I do not think anyone would come up with the answer that as road users we are the ones who are responsible.<sup>57</sup>

3.46 The committee supports the endeavours of community-based driver education programs and especially notes those designed for primary and secondary students.<sup>58</sup> MAC advised that 'there is clear evidence of attitude, knowledge, and belief change from such programs'.<sup>59</sup>

3.47 Road safety is included within a number of units in the Australian Curriculum (for example, ACCPS018 'Being healthy, safe and active'). However, its presence in the education of primary and secondary students could be strengthened.

3.48 As Mr Russell White identified, road awareness should start much earlier than obtaining a learner drivers' licence:

Clearly, well before someone even gets to the stage of picking up the keys to a vehicle, we should be looking at what childhood or school based programs could be integrated into a learning curriculum—especially as these days fewer and fewer children are riding pushbikes to school.

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55 Ms Naomi Quinn, Manager Road Safety and Regulatory Policy, Insurance Australia Group, *Committee Hansard*, 2 July 2015, p. 15.

56 Royal Flying Doctor Service of Australia, *Responding to injuries in remote and rural Australia*, February 2016, p. 15; Ms Fiona Brooke, Policy Adviser, National Rural Health Alliance, *Committee Hansard*, 14 August 2015, p. 32; Professor Mark Stevenson, Executive Committee member, Australasian College of Road Safety, *Committee Hansard*, 26 October 2015, p. 27; Ms Terri-Anne Pettet, Manager, RoadWise Program, Western Australian Local Government Association, *Committee Hansard*, 18 February 2016, p. 57.

57 Mr Russell White, Chief Executive Officer, National Road Safety Foundation, *Committee Hansard*, 18 February 2016, p. 51.

58 Roadcraft Driver Education Specialists, *Additional Information: The Roadcraft model*, p. 2.

59 Motor Accident Commission of SA, additional information received 31 March 2016, p. 4.

Typically, a person's real experience of being on the road comes when they are taking to the road with their 'L' plates on the first time.<sup>60</sup>

3.49 The committee recommends a review of the Australian Curriculum to ensure there is a strong emphasis on driver behaviour at primary and secondary school level. The committee encourages a focus on 'human factors' including awareness and observation.<sup>61</sup>

### **Recommendation 12**

#### **3.50 The committee recommends that the Australian Curriculum includes road awareness training for both primary and secondary school students.**

3.51 The committee is optimistic about the potential of adopting a 'lifelong learning' approach to driver education. Mr Russell White identified that the current driver education system perpetuates 'a belief that the moment you get the driver's license that somehow the learning experience finishes', when in fact 'it is the exact opposite; it is just where things start'.<sup>62</sup> He proposed incorporating incentives such as:

...creating a gold level of licence or a gold level of driver who has committed to safety, who has done more training and is setting the right sort of example on the road.<sup>63</sup>

### **Recommendation 13**

#### **3.52 The committee recommends that the Commonwealth Government in the 2018–2020 National Road Safety Strategy Action Plan commit to the introduction of accredited post-licence driver education programs.**

##### *First aid education*

3.53 As previously noted, the time between accidents and the arrival of emergency services is greater in regional and remote areas.<sup>64</sup> St John Ambulance Australia reported that ambulance response times in regional Victoria are 39 per cent longer than in metropolitan areas.<sup>65</sup>

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60 Mr Russell White, Chief Executive Officer, National Road Safety Foundation, *Committee Hansard*, 18 February 2016, p. 50.

61 Mr Russell White, Chief Executive Officer, National Road Safety Foundation, *Committee Hansard*, 18 February 2016, p. 52.

62 Mr Russell White, Chief Executive Officer, National Road Safety Foundation, *Committee Hansard*, 18 February 2016, p. 51.

63 Mr Russell White, Chief Executive Officer, National Road Safety Foundation, *Committee Hansard*, 18 February 2016, p. 51.

64 Ms Fiona Brooke, Policy Adviser, and Mr Andrew Phillips, Policy Consultant, National Rural Health Alliance, *Committee Hansard*, 14 August 2015, p. 34.

65 St John Ambulance Australia, *Submission 8*, p. 2.

3.54 For this reason, the committee agrees with submitters on the need for online or in-person first aid training for learner drivers, and commends St John Ambulance Australia for its innovative solution and dedication to creating safer roads.<sup>66</sup> The committee understands that such schemes are currently operating in Europe.<sup>67</sup>

3.55 While online courses are no substitute for hands-on training, the committee agrees that they are the 'next best solution'.<sup>68</sup> St John Ambulance Australia explained that it already runs two web-based training courses:

*First@Scene* and *Clicktosave*...take approximately half an hour to complete. They are really pitched at a basic level, highlighting very basic concepts that can save a life. They are provided free of charge to the public.<sup>69</sup>

3.56 The committee considers that first aid training should be mandatory not only for learner drivers but for drivers seeking to renew their licence. A 30-minute online training course would not appear to place a significant burden on new or current drivers. However, it may significantly increase safety on Australia's roads.

#### **Recommendation 14**

**3.57 The committee recommends that Austroads work with state and territory driver licensing authorities to introduce compulsory first aid training as a condition of receiving a learner's permit or renewing a drivers licence.**

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66 Ms Fiona Brooke, Policy Adviser, and Mr Andrew Phillips, Policy Consultant, National Rural Health Alliance, *Committee Hansard*, 14 August 2015, p. 34; St John Ambulance Australia, *Submission 8*, p. 2.

67 St John Ambulance Australia, *Submission 8*, p. 3.

68 Mrs Belinda Ding, National Policy Manager, St John Ambulance Australia, *Committee Hansard*, 26 October 2015, p. 16.

69 Mrs Belinda Ding, National Policy Manager, St John Ambulance Australia, *Committee Hansard*, 26 October 2015, p. 15.



# Chapter 4

## Australia's heavy vehicle industry

4.1 The issues faced by the heavy vehicle industry have proved critical to the committee's inquiry. Contributors to the inquiry so far have included transport industry representative bodies at state and federal levels, freight companies, individual truck drivers and heavy vehicle safety specialists. The committee has particularly appreciated generous contributions by representatives of an industry that experiences acute time pressures.

4.2 Sadly, the committee was not surprised to hear that heavy vehicles are 'over-represented in road crash fatalities and injuries' and that 'hospital admissions and injuries are trending upwards'.<sup>1</sup> Toll Group told the committee that '[a]pproximately 350 truck rollovers are reported each year in Australia'.<sup>2</sup> As the Transport Workers Union of Australia (TWU) remarked, 'no other industry injures 5 350 people per year at the rate of 31 per day'.<sup>3</sup>

4.3 The sheer volume of adverse statistics in part reflects the enormity of the Australian freight task. In 2013, transport and logistics accounted for 8.6 per cent of the Australian GDP and employed 1.2 million people.<sup>4</sup> Australia's geography and level of demand for goods and services drives these statistics, as the committee heard:

Australia's vast distances and widely dispersed centres make it peculiarly reliant on road freight... Around 26,000 tonne kilometres of freight is moved annually for every person in Australia.<sup>5</sup>

4.4 The social benefits of the heavy vehicle industry were raised by numerous witnesses and submitters.<sup>6</sup> In particular, the importance of road transport to Australia's food security, health and wellbeing was illustrated by the Rural Health Alliance who submitted:

Remote communities are at heightened risk of food insecurity. Better transport links present opportunities to improve remote people's access to fresh, affordable and nutritious food which will in turn enable them to improve their health and wellbeing.<sup>7</sup>

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1 Toll Group, *Submission 33*, p. 2.

2 Enginistics, *Submission 21*, p.1.

3 Transport Workers' Union of Australia, *Submission 64*, p. 4.

4 Toll Group, *Submission 33*, p. 4.

5 Toll Group, *Submission 33*, p. 3.

6 See for example Transport Workers' Union, *Submission 64*, p.1; National Independent Trucking Association Inc., *Submission 9*, p. 2.

7 National Rural Health Alliance, *Submission 39*, p. 9.

4.5 The importance of improving conditions for heavy vehicle drivers was highlighted by Mr Ian King, President of the Western Australian Road Transport Association, who told the committee that '[w]ithout a driver, we do not have anything ... we do not have food in our country towns'.<sup>8</sup>

### **Safe payment systems**

4.6 The true challenge for transport companies is the 'low margin, high risk' nature of their work. The committee heard that the average margin is 'about 2.38 per cent on average across the country'.<sup>9</sup> The TWU submitted that the economic pressure is caused by the power imbalance between clients and operators in transport industry:

The high level of control exercised by clients over price, timing, destination and route causes operators to bear the costs that, ordinarily, are borne by customers. Denied a proper return, let alone a margin that exceeds the cost of capital, operators undercut each other, bid the price of transport down, and attempt to recoup the losses caused by clients from drivers by not paying them for all work performed; and by paying them through incentive rates.<sup>10</sup>

4.7 Mr Peter Anderson, Chief Executive Officer of the Victorian Transport Association explained the connection between low margins and poor safety practices in the industry, such as unqualified drivers and older equipment:

...it is rare for a company to make, what I would call, acceptable margins on a long-term scale... The company then has to make a decision around whether it chases the cash flow and presents something that is not truly representative of what they are [so that] the customer will then take up a much lower value bid. That decision can lead to drivers being employed without full training, without processes not being audited correctly, with equipment not being updated as it should.<sup>11</sup>

4.8 The National Transport Commission reported in 2008 in *Safe Payments: Addressing the underlying causes of unsafe practices in the road transport industry* that a safe payment system would 'allow for drivers to be remunerated at rates which

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8 Mr Ian King, President, Western Australian Road Transport Association, *Committee Hansard*, 18 February 2016, p. 21.

9 Mr Tony Sheldon, National Secretary, Transport Workers Union of Australia, *Committee Hansard*, 2 July 2015, p. 40.

10 Transport Workers' Union, *Submission 64*, p. 3.

11 Mr Peter Anderson, Chief Executive Officer, Victorian Transport Association, *Committee Hansard*, 3 July 2015, p. 29.

will allow them sufficient cost recovery without having to cut corners'.<sup>12</sup> The commission concluded that a safe payments system would not have an adverse effect on productivity or competition:

A safe payments system will not discourage transport operators from making productivity and efficiency gains in their businesses and will not prevent them competing on price, it will just set in place a system which will allow the drivers to perform their work legally and safely.<sup>13</sup>

### ***Road Safety Remuneration Tribunal***

4.9 The committee is deeply disturbed by the government's abolition of the Road Safety Remuneration Tribunal (the tribunal) by legislation on 19 April 2016. The committee heard strong support during this inquiry for the tribunal's continued operation, including that it 'has the support of drivers, their families and road transport companies'.<sup>14</sup> The National Independent Trucking Association submitted that:

We are seeking the support of the senate not to repeal the Road Safety Remuneration Act 2012 and the [dismantling] of the tribunal (RSRT), and the withdrawal of any orders made by the tribunal, when requested to do so by the government.<sup>15</sup>

4.10 Against the weight of evidence in support of the tribunal's continued operation, only one submitter supported its abolition.<sup>16</sup>

4.11 The tribunal's establishment in 2012 was informed by the findings of the Road Transport Commission as well as the House of Representatives committee report *Beyond the Midnight Oil: Managing Fatigue in Transport*, and the Safe Rates Advisory Group's directions paper *Safe Rates Safe Roads*. The tribunal's functions were defined in legislation as including:

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- 12 National Transport Commission (with the Hon Lance Wright QC and Professor Michael Quinlan), *Safe payments: addressing the underlying causes of unsafe practices in the road transport industry*, October 2008, p. 47, [http://www.rsrt.gov.au/default/assets/File/Subs\\_on\\_draft\\_RSRO\\_TWU/exhibits/MQ%205.2008.Quinlan%20et%20al.pdf](http://www.rsrt.gov.au/default/assets/File/Subs_on_draft_RSRO_TWU/exhibits/MQ%205.2008.Quinlan%20et%20al.pdf) (accessed 18 April 2016).
- 13 National Transport Commission (with the Hon Lance Wright QC and Professor Michael Quinlan), *Safe payments: addressing the underlying causes of unsafe practices in the road transport industry*, October 2008, p. 47.
- 14 Transport Workers' Union of Australia, *Submission 64*, p. 4. See also Victorian Transport Association, *Submission 65*, p. 2; National Independent Trucking Association, *Submission 9*, p. 2; Mr Steven Corcoran, *Submission 25*; Mr Cameron Dunn, Managing Director, FBT Transwest, *Committee Hansard*, 2 July 2015, p. 38; Mr Salvatore Patrocitto, Chief Executive Officer, National Heavy Vehicle Regulator, *Committee Hansard*, 26 October 2015, p. 36; Mr Ian King, Western Australian Road Transport Association, *Committee Hansard*, 18 February 2016, p. 27.
- 15 National Independent Trucking Association, *Submission 9*, p. 2.
- 16 National Road Transport Association, *Submission 73*.

- making road safety remuneration orders;
- approving road transport collective agreements;
- dealing with certain disputes relating to road transport drivers, their employers or hirers, and participants in the supply chain; and
- research into remuneration-related matters that may affect safety in the road transport industry.<sup>17</sup>

4.12 The tribunal made two enforceable orders that applied to road transport drivers in supermarket distribution or long distance operations. The first, in operation since 1 May 2014, imposed obligations including safe driving plans and contracts and policies on drug and alcohol use and work, health and safety.<sup>18</sup> The second was intended to commence on 4 April 2016 to provide minimum pay rates and unpaid leave for contractor drivers. The second order was subject to court orders to delay its implementation shortly before the government abolished the tribunal.

4.13 The TWU described the creation of the tribunal as a 'critical step in addressing heavy vehicle safety in Australia'. It was their submission that, separate from the role of Fair Work Australia and the NHVR, the tribunal was:

... the only body with the power to set rates of pay for contract in the road transport industry and hence the only body with the necessary power to tackle the underlying economic pressure placed on Australian Heavy vehicle drivers in the retail supply chain.<sup>19</sup>

4.14 Based on the evidence before it, the committee is persuaded that the repeal of the tribunal was a retrograde step for road safety in Australia. The committee will examine the reverberations of the government's decision throughout the heavy vehicle industry should this inquiry continue.

### **Heavy vehicle driver licensing**

4.15 The committee has been alarmed by recent events and evidence before it about heavy vehicle drivers who are given licenses and employment without the basic skills necessary to perform the task, which poses considerable danger to other road users. Worryingly, it appears to the committee that a number of underqualified drivers are overseas-born and may be in Australia on temporary visas, despite the fact that truck driving is not a permissible occupation on the consolidated sponsored occupations list for the temporary work (skilled) visa (subclass 457) program.<sup>20</sup>

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17 *Road Safety Remuneration Tribunal Act 2012*, s 80, paras (a)–(d).

18 Department of Employment, *Discussion Paper: The Road Safety Remuneration System*, March 2016, p. 2.

19 Transport Workers' Union of Australia, *Submission 64*, p. 4.

20 Mr Jim Williams, First Assistant Secretary, Department of Immigration and Border Protection, *Committee Hansard*, 22 March 2016, p. 16.



4.16 The committee has identified a number of issues arising from a major traffic incident on the M5 freeway in Sydney where a driver was unable to reverse or decouple a B-double heavy vehicle. Given that the driver of the vehicle was a foreign national and in Australia on a student visa, the committee urged the Department of Immigration and Border Protection to launch an urgent investigation into the misuse of student visas to employ people in the transport industry.<sup>21</sup> The committee was notified on 14 April 2016 that:

The Department is currently undertaking investigative activity in regards to misuse of the student visa program targeting employers, education providers and other facilitators of breaches under the *Migration Act (1958)* and associated regulations.<sup>22</sup>

4.17 The second issue of concern from the incident on the M5 freeway was allegations that a registered training organisation called 'ACT' in Tweed Heads, New South Wales had certified at least 111 drivers as competent to drive heavy vehicles without testing them for the necessary skills.<sup>23</sup> This included the driver of the vehicle on the M5 freeway who had his Queensland drivers licence upgraded to a heavy rigid drivers licence on the basis of his certificate of competency from ACT.

4.18 The committee heard from the Queensland Department of Main Roads and Transport that based on their own investigations, ACT 'had not followed the appropriate process and was providing competency certificates to participants without evidence that they had been appropriately trained'.<sup>24</sup> The Queensland Government issued show cause notices to the 111 drivers that had received licence upgrades on the basis of their competency certificates from ACT.<sup>25</sup> Mr Mike Stapleton, Deputy-Director-General of Customer Services, Safety and Regulation told the committee that 'it appears to us that there would be a nationality linkage' between the assessor and drivers.<sup>26</sup>

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21 Mr Jim Williams, First Assistant Secretary, Department of Immigration and Border Protection, *Committee Hansard*, 22 March 2016, p. 21.

22 Ms Christine Dacey, Acting First Assistant Secretary, Visa and Citizenship Management Division, Department of Immigration and Border Protection, correspondence received 14 April 2016.

23 Mr Mike Stapleton, Deputy Director-General, Customer Services, Safety and Regulation, Department of Main Roads and Transport, *Committee Hansard*, 22 March 2016, p. 64.

24 Mr Mike Stapleton, Deputy Director-General, Customer Services, Safety and Regulation, Department of Main Roads and Transport, *Committee Hansard*, 22 March 2016, p. 60.

25 Under section 125 of the *Transport Operations (Road Use Management–Driver Licensing) Regulation* (Queensland), if the chief executive considers a ground exists to amend, suspend or cancel a person's Queensland driver licence, they may give written notice inviting the person to show cause of why the proposed action should not take place.

26 Mr Mike Stapleton, Deputy Director-General, Customer Services, Safety and Regulation, Department of Main Roads and Transport, *Committee Hansard*, 22 March 2016, p. 65.

4.19 Following the Queensland discovery, the committee heard that the Australian Skills Quality Authority has 'commenced audit proceedings' in relation to the operations of the 'ACT' training organisation.<sup>27</sup> As this inquiry continues, the committee calls on the Australian Skills Quality Authority to assist further by examining the probity of heavy vehicle registered training organisations throughout Australia.

### **Recommendation 15**

**4.20 The committee recommends that Australian Skills Quality Authority conduct an audit of all heavy vehicle driver training facilities (registered training organisations) in Australia.**

### **Overseas drivers**

4.21 The committee is concerned at the ease by which overseas drivers can get behind the wheel of the largest and most dangerous vehicles in Australia.

4.22 The committee heard that driver licensing functions, including for heavy vehicles, are performed by Australian state and territory governments, with national oversight by AustRoads. Austroads administers the National Driver Licensing Scheme which ensures uniform classifications, eligibility and requirements including the issue, suspension and cancellation of licences.<sup>28</sup> State-based variations do exist, including on the treatment of overseas drivers, which the committee has heard has particular implications for the heavy vehicle industry.

4.23 Overseas drivers who do not hold a permanent visa can use their valid overseas licence to drive in Australia. Jurisdictions recognise all classes of licence a visitor had in their home country, including classes of heavy vehicle licence. In the Northern Territory overseas and interstate licences can only be driven on for three months, but there are no time restrictions elsewhere on driving as a visitor.

4.24 The committee understands that if an overseas driver is granted a permanent visa, they would need to apply for a permanent licence from an Australian jurisdiction within three months (or six months in Victoria). Unless their country was one of those recognised by Austroads, they would need to pass knowledge and driving tests for each class of licences sought.<sup>29</sup>

4.25 On the other hand, if an overseas driver fails a driving test in Queensland, New South Wales, the Australian Capital Territory, Victoria or Tasmania, they are no longer allowed to drive on their overseas licences. However, 'there are no provisions

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27 Mr Mike Stapleton, Deputy Director-General, Customer Services, Safety and Regulation, Department of Main Roads and Transport, *Committee Hansard*, 22 March 2016, p. 64.

28 Austroads, *Australian driver licensing*, [www.austroads.com.au/drivers-vehicles/registration-licensing-program/australian-driver-licensing](http://www.austroads.com.au/drivers-vehicles/registration-licensing-program/australian-driver-licensing) (accessed 15 April 2016).

29 Australian Trucking Association, *Submission 38*, p. 1.

to this effect in South Australia, Western Australia or the Northern Territory', meaning that overseas drivers who fail the driving test can continue driving on their existing licence before and up to three months after they are granted a permanent visa.<sup>30</sup>

4.26 Licences from approximately 27 countries have been recognised in Australia, primarily European countries as well as the United States of America, Japan and Singapore. This means that on application, those drivers do not need to pass knowledge or driving tests for each class of licence sought, as their overseas driving experience is recognised. Drivers from a further 16 countries can have their driver experience recognised but would still be required to sit a test, including Hong Kong, Taiwan and South Africa.<sup>31</sup>

4.27 Mr Mike Stapleton, Deputy Director-General of Customer Services, Safety and Regulation at the Queensland Department of Transport and Main Roads, explained that because India is not on the list of countries approved by Austroads, the following process would apply to obtain a heavy vehicle licence:

An Indian licence holder wanting to transfer, for example, an Indian licence that corresponds to a Queensland heavy-rigid HR licence would need to pass both a written road rules test and a Queensland practical driving test in a class HR vehicle. However, we would also recognise a class HR training course delivered by a recognised registered training organisation in a jurisdiction that has adopted the National Heavy Vehicle Driver Competency Framework, which is the national framework, in lieu of a Queensland practical driving test. Both New South Wales and Victoria have adopted these schemes in recent years.<sup>32</sup>

4.28 The committee has heard already evidence that driving heavy vehicles in Australia requires knowledge of a unique set of conditions.<sup>33</sup> The committee will give further consideration to the issue of overseas drivers, even from recognised countries, being automatically granted the equivalent classes of heavy vehicle licence on application in Australia.

## **Recommendation 16**

**4.29 The committee recommends that all visa holders undergo driver skill tests before their heavy vehicle driving licences are recognised in Australia.**

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30 Australian Trucking Association, *Submission 38*, p. 1.

31 Austroads, *Applying for a Licence*, [www.austroads.com.au/drivers-vehicles/overseas-driver-licences/applying-for-a-licence](http://www.austroads.com.au/drivers-vehicles/overseas-driver-licences/applying-for-a-licence) (accessed 18 April 2016).

32 Mr Mike Stapleton, Deputy Director-General, Customer Services, Safety and Regulation, Department of Main Roads and Transport, *Committee Hansard*, 22 March 2016, p. 59.

33 Mr Bill McKinley, National Manager, Government Relations and Policy, Australian Trucking Association, *Committee Hansard*, 22 March 2016, p. 37; Toll Group, *Submission 33*, p 7.

## Heavy Vehicle National Law

4.30 In 2014, most Australian jurisdictions adopted a uniform model for aspects of heavy vehicle regulation. State and territory authorities are still responsible for registration, inspections, driver licensing and dangerous goods, but fatigue management and certain vehicle standards now benefit from a national approach.

4.31 The Heavy Vehicle National Law (HVNL) and regulations took effect in February 2014 as a 'national rulebook in all Australian jurisdictions except the Northern Territory and Western Australia'.<sup>34</sup> HVNL authorises the National Heavy Vehicle Regulator (NHVR) to enforce heavy vehicle offences under the HVNL.<sup>35</sup>

4.32 The committee heard that work is ongoing to allow the HVNL to be adopted in Western Australia and Northern Territory, without compromising unique requirements in those jurisdictions. The NHVR told the committee that it:

...is in ongoing discussions with governments and industry in Western Australia and the Northern Territory with a view to those jurisdictions ultimately adopting the national law to create a truly national regulatory framework for heavy vehicles in Australia.<sup>36</sup>

4.33 The committee heard that the Northern Territory and Western Australia have been 'vocal' in the development of national measures to combat driver fatigue. Chair of the NHVR Mr Salvatore Petrocchio recognised the 'uniqueness' of the Western Australian driver experience, telling the committee that the NHVR had 'adopted a lot of' measures from that jurisdiction.<sup>37</sup>

4.34 The National Transport Commission conducted its first review of the HVNL in 2015, which led to amendments to the HVNL that took effect on 6 February 2016. The revised NHVL includes:

- new offences of using a restricted access vehicle on public roads without authority and tampering with labels affixed by NHVL examiners;
- revised penalties to ensure consistency across the NHVL;
- aligned standards for new and in-service vehicles; and

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34 Mr Salvatore Petrocchio, Chief Executive Officer, National Heavy Vehicle Regulator, *Committee Hansard*, 26 October 2015, p. 30.

35 National Heavy Vehicle Regulator, *Heavy Vehicle National Law and Regulations*, [www.nhvr.gov.au/law-policies/heavy-vehicle-national-law-and-regulations](http://www.nhvr.gov.au/law-policies/heavy-vehicle-national-law-and-regulations) (accessed 15 April 2016).

36 Mr Salvatore Petrocchio, Chief Executive Officer, National Heavy Vehicle Regulator, *Committee Hansard*, 26 October 2015, p. 30.

37 Mr Salvatore Petrocchio, Chief Executive Officer, National Heavy Vehicle Regulator, *Committee Hansard*, 26 October 2015, pp 32, 35.

- formal recognition of electronic work diaries, to be rolled out in 2017.<sup>38</sup>

4.35 The committee is pleased to note that the NHVR is 'working to progress arrangements' to implement Electronic Work Diaries to reduce the compliance burden on fatigue-regulated drivers.<sup>39</sup> The committee has heard support for this initiative as a method of reducing fatigue among heavy vehicle drivers. While electronic work diaries will be introduced as a 'voluntary alternative to written work diaries,' the committee encourages their widespread use throughout the industry.<sup>40</sup>

## Recommendation 17

**4.36 The committee recommends that the Western Australian and Northern Territory governments continue to work with the National Heavy Vehicle Regulator towards their adoption of the National Heavy Vehicle Law.**

### Heavy vehicle driver training

4.37 The committee has heard calls for careful consideration be given to the training requirements of heavy vehicle drivers. Mr Brendan Tenison-Woods, Director of the Driver Education Centre of Australia (DECA), observed that:

Whilst there was a wealth of research into car-driver training I did not believe there had been any training-needs analysis conducted into the skills set or training requirements of truck drivers.<sup>41</sup>

4.38 The committee heard that one of the primary concerns for DECA is the 'minimalist time frame' within which the bulk of heavy vehicle driver training is being conducted.<sup>42</sup>

4.39 The difficulty of coordinating policy on heavy vehicle driver training and licensing was highlighted by Mr Bill McKinley, National Manager of the Australian Trucking Association, who identified that:

...one of the issues involved in driver training is that it is simultaneously a licensing issue which is the responsibility of the states and a vocational

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38 National Heavy Vehicle Regulator, *Heavy Vehicle National Law Amendment Package 4 - Summary Table*, [www.nhvr.gov.au/files/201602-0293-hvnl-ap4-changes-summary-table.pdf](http://www.nhvr.gov.au/files/201602-0293-hvnl-ap4-changes-summary-table.pdf) (accessed 15 April 2016).

39 Department of Infrastructure and Regional Development, *Submission 51*, p. 24.

40 National Heavy Vehicle Regulator, *Electronic Work Diaries (EWDs)*, [www.nhvr.gov.au/safety-accreditation-compliance/fatigue-management/electronic-work-diaries-ewds](http://www.nhvr.gov.au/safety-accreditation-compliance/fatigue-management/electronic-work-diaries-ewds) (accessed 15 April 2016).

41 Mr Brendan Tenison-Woods, Director, Driver Education Centre of Australia, *Committee Hansard*, 22 March 2016, p. 48.

42 Mr Brendan Tenison-Woods, Director, Driver Education Centre of Australia, *Committee Hansard*, 22 March 2016, p. 48.

education issue which is the responsibility of various Commonwealth agencies.<sup>43</sup>

4.40 Based on this difficulty, the TWU and the Australian Trucking Association called for heavy vehicle licensing to be administered nationally by the NHVR.<sup>44</sup>

## Conclusion

4.41 The committee looks forward to the opportunity to continue its inquiry into road safety. Australia cannot afford the widespread social and economic costs of road death and ongoing policy uncertainty about serious injury. More work must be done to redress the balance between the interests of drivers and vulnerable road users. It is not enough for policymakers to join with other submitters to this inquiry in condemning the lack of data available on serious injury or cycling fatalities. It is the privilege and responsibility of government to be able to allocate resources to this vital task.

4.42 In the post-manufacturing environment, Australia should only import vehicles with the highest standard of safety features. The committee expects that the Australian Design Rules will retain their central place in ensuring that our vehicles have world-class features, and expects that regulatory lag times will reduce going forward. The committee would like to see autonomous emergency braking mandated as a matter of priority. Supporting the Australian Design Rules, ANCAP ratings should become more prominent so that a focus on safety is forefront in the minds of consumers.

4.43 The challenges of regional and remote areas demand greater investment by governments, particularly to introduce a level of parity in road quality. In regional and remote areas, more effort needs to be made to reduce road deaths. Smart infrastructure investment, whether through the Black Spot Programme or other mechanisms, must play a significant role, as will education awareness of the particular risks and challenges of driving on regional and remote roads.

4.44 Issues relating to the heavy vehicle industry are at the centre of the committee's decision to continue its inquiry. As hearings have progressed, new and worrying evidence has emerged about dangerous behaviours by individual drivers, together with systemic failures in administration and public policy. To make these matters worse, the abolition of the Road Safety Remuneration Tribunal will remove a much-needed layer of protection for the industry. These and other matters must have further scrutiny, which the committee is hopeful of undertaking in the new Parliament.

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43 Mr Bill McKinley, National Manager, Government Relations and Policy, Australian Trucking Association, *Committee Hansard*, 22 March 2016, p. 35.

44 Mr Tony Sheldon, National Secretary, Transport Workers' Union of Australia, *Committee Hansard*, 22 March 2016, p. 2; Mr Bill McKinley, National Manager, Government Relations and Policy, Australian Trucking Association, *Committee Hansard*, 22 March 2016, p. 39.

## Additional comments from the Australian Greens

1.1 The Australian Greens would like to acknowledge the committee's ongoing work on this inquiry into aspects of road safety in Australia. The interim report is an excellent summary of issues associated with road safety in Australia, including the social and economic cost of road-related injury and death; the importance of design standards; the impact of new technologies and vehicle design and different considerations affecting road safety in urban, regional and rural areas.

1.2 The Greens support all the recommendations in the interim report.

### Safety of cyclists, pedestrians and motorcyclists

1.3 The Australian Greens endorse recommendation 2 of the interim report relating to safe passing distances between cyclists and motor vehicles; and recommendation 3 recommending that the National Transport Commission re-establish a national consultative committee on motorcycle safety.

1.4 The Australian Greens believe that in the light of the considerable evidence presented to the committee,<sup>1</sup> further recommendations are required to improve the safety of vulnerable road users, particularly pedestrians, cyclists and motorcycle riders.

1.5 We particularly note that the aim of the *National Cycling Strategy 2011–2016* was to double the number of people cycling in Australia by 2016.<sup>2</sup> Accordingly, the Australian Greens agree with the committee in relation to 'the potential of improved road safety for cyclists to incentivise active transport and better health outcomes, and reduce overall road system congestion'.

1.6 Research is unequivocal that the biggest barrier to people cycling is that they do not feel safe.<sup>3</sup> As such it is critical that we improve safety and perception of safety by cyclists if we are to increase the numbers of people riding bikes.

1.7 Unfortunately, far from doubling, the most recent biennial National Cycling Participation Survey found that the cycling participation rate in Australia has dropped in recent years. Cycling was at 18.2 per cent in 2011 and only 17.4 per cent in 2015.<sup>4</sup>

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1 Bicycle Transport Alliance, *Submission 20*; Bicycle Network, *Submission 32*; Amy Gillett Foundation, *Submission 35*.

2 Austroads, *National Cycling Participation Survey 2015*, p. 4, [www.onlinepublications.austroads.com.au/items/AP-C91-15](http://www.onlinepublications.austroads.com.au/items/AP-C91-15) (accessed 2 May 2016).

3 Dr David Bissell, Australian National University, *Submission 18*, p. 3; Bicycle Network, *Submission 32*, p. 8; Amy Gillett Foundation, *Submission 35*, pp 8–9; Link Place, *Submission 17*, p. 4.

4 Austroads, *National Cycling Participation Survey 2015*, p. 4, [www.onlinepublications.austroads.com.au/items/AP-C91-15](http://www.onlinepublications.austroads.com.au/items/AP-C91-15) (accessed 2 May 2016).

1.8 The connection between safety and cycling participation is further underlined by the statistics relating to road deaths. Since the National Road Safety Strategy 2011-2020 was implemented, road deaths have dropped for all categories of road user except bicycle riders.<sup>5</sup> The Amy Gillett Foundation highlighted that:

There was a 55% increase in the number of bike riders killed in Australia (2012-2013) with an additional 45 losing their lives while riding their bikes in 2014.<sup>6</sup>

1.9 In addition to the human trauma, there is also a large economic cost to the community of road deaths and serious injuries to cyclists. The Amy Gillett Foundation provided estimates that:

...a fatality costs \$2.4 million and a hospitalised injury costs \$214,000. This leads to an economic cost of \$120 million for bike rider fatalities in 2013 (50 bike riders killed) and \$2.04 billion cost of bike rider serious injuries in 2008-09 (latest national figures).<sup>7</sup>

1.10 We note the evidence provided to the committee that road safety for cyclists is not just an issue for major cities.<sup>8</sup> Victorian evidence provided to the committee shows that cyclists on regional and rural roads account for almost half of bike rider fatalities.<sup>9</sup>

### ***Investing in infrastructure for pedestrians and cyclists***

1.11 The committee heard evidence of a range of measures and classes of measures that would increase the safety of cyclists.<sup>10</sup> These include road sharing initiatives that either:

- separate the different road user groups using designated spaces; or
- foster awareness and an inclusive, respectful attitude between the groups where road user groups share space.

1.12 The Greens support the contention of Bicycle Network that:

The Australian Government must ensure that infrastructure projects funded through its funding programs demonstrate the consideration of all transport modes – particularly bike riding and walking.<sup>11</sup>

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5 Link Place, *Submission 17*, p. 5.

6 Amy Gillett Foundation, *Submission 35*, p. 1.

7 Amy Gillett Foundation, *Submission 35*, p. 3.

8 Amy Gillett Foundation, *Submission 35*, p. 5.

9 Megan Garrett et al, *Road crashes involving bike riders in Victoria, 2002–2012: an Amy Gillett Foundation report*, September 2015, p. 47, [www.amygillett.org.au/wp-content/uploads/2015/09/Road-crashes-AGF-Report-FINAL-Sept-2015.pdf](http://www.amygillett.org.au/wp-content/uploads/2015/09/Road-crashes-AGF-Report-FINAL-Sept-2015.pdf) (accessed 3 May 2016).

10 See, for example, Bicycle Network, *Submission 32*, p. 3.



1.13 It is our view, supported by evidence put to the committee, that infrastructure projects which separate cyclists and pedestrians from other road users have the greatest probability of ensuring safety.<sup>12</sup> Fostering awareness and an inclusive respectful attitude is critically important but achieving such attitudinal change is likely to be slow in having an impact on the safety of cyclists and pedestrians. Significant changes in attitudes and the cultural change required to support these are sadly only most likely to occur only after the number of cyclists has substantially increased.

## **Recommendation 1**

**1.14 We recommend that the Australian Government through the Department of Infrastructure and Regional Development should allocate dedicated funding to the improvement of cycling and pedestrian infrastructure.**

### *Reducing speed limits*

1.15 The committee noted the evidence received as well as international research that contends that reducing speed limits on local streets and other streets with high numbers of pedestrians and cyclists has great potential to reduce death and injury by pedestrians and cyclists.<sup>13</sup> The committee heard that:

Besides the 25km/h speed limit in South Australia, other states and territories across Australia have yet to broadly apply world's best practice of 30 km/h speed limits (or less) for roads with high numbers of pedestrian and bike riders and for pedestrian and bike riding priority streets, mainly local streets.<sup>14</sup>

## **Recommendation 2**

**1.16 We recommend that the Australian Government actively encourage state and territory governments to reduce speed limits to 30 kilometres per hour on local roads and roads with a high volume of pedestrians and cyclists.**

### *Pedestrian safety*

1.17 The Pedestrian Council of Australia put forward a range of proposals to increase the safety of pedestrians as road users. These include banning lane filtering

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11 Bicycle Network, *Submission 32*, p. 3.

12 Mr Garry Grossbard, Road Trauma Advisory Subcommittee representative, Royal Australasian College of Surgeons, *Committee Hansard*, 3 July 2015, p. 37; Mr Matthew Fulton, Chief Executive Officer, WestCycle, *Committee Hansard*, 18 February 2016, p. 1; Department of Infrastructure and Regional Development, *Submission 51*, Attachment 1.

13 See for example University of Adelaide Centre for Automotive Safety Research, *Submission 40*, p. 5; GTA Consultants, *Submission 45*, pp 3–9.

14 Bicycle Network, *Submission 32*, p. 5.

and lane splitting, renaming 'shared zones', a review of illegal parking and the use of modified traffic light timers in Australia.<sup>15</sup>

### **Recommendation 3**

**1.18 We recommend that the Australian Government review the implementation of measures to improve the safety of pedestrians proposed by the *National Road Safety Strategy 2011-2020*, informed by current statistics on road death and injury by pedestrians.**

#### ***Better data on cyclist and pedestrian travel***

1.19 The Greens support the views of submitters that better data relating to levels of cycling and walking is needed if we are to take meaningful and evidence based steps towards making bike riding and walking safer.<sup>16</sup> The Department of Infrastructure and Regional Development noted in its submission that:

...there is a limited amount of data collection and publication relating to participation rates and the extent to which people choose to cycle to work or study and/or for recreation or exercise.<sup>17</sup>

1.20 In order to improve the quality of data on walking and cycling, the Cycling Promotion Fund proposed data collection that incorporates the positive benefits of 'active travel' methods.<sup>18</sup>

### **Recommendation 4**

**1.21 We recommend that the Australian Government allocate funding to the collection of meaningful national data to enable evidence-based decision making on measures to improve safety and participation rates for walking and cycling.**

**Senator Janet Rice**  
**Australian Greens Senator for Victoria**

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15 Pedestrian Council of Australia, *Submission 58*, pp 10, 17 and 18.

16 Bicycle Network, *Submission 32*, p. 9; Amy Gillett Foundation, *Submission 35*, p. 5; Tasmanian Bicycle Council, *Submission 43*, p. 3; Cyclists' Rights Action Group, *Submission 49*, p. 1.

17 Department of Infrastructure and Regional Development, *Submission 51*, p. 20.

18 Cycling Promotion Fund, *Submission 60*, p. 5.

# Appendix 1

## Submissions received

<b>Submission Number</b>	<b>Submitter</b>
1	Mr Brendan Marsh
2	Mr Andrew Scarce
3	Mr Michael Frith
4	Mr Tony Corazza
5	Mr James Bodey
6	St John Ambulance Australia
7	Australasian College of Road Safety
8	Mr Mark Walland
9	National Independent Trucking Association Inc
10	Guy Keulemans
11	Royal Australasian College of Surgeons
12	Mr Jeff Butler
13	Mr Graeme Densley
14	Mr Adam Mularczyk
15	Tasmanian Motorcycle Council
16	Mr Les Dal Passo
17	Link Place
18	Dr David Bissell
19	Mr Ian Luff and Mr Stewart Nicholls
20	Bicycle Transport Alliance
21	Engistics Pty Ltd
22	Roadcraft Driver Education
23	NRMA-ACT Road Safety Trust
24	Ms Judith Kuerschner
25	Mr Steven Corcoran
26	ARRB Group
27	Motorcycle Council of NSW

28	Mr Chris van Wyk
29	Mr Robert Lacey
30	Mr Alex Kuiper
31	ANCAP Australasia Ltd
32	Bicycle Network
33	Toll Group
34	South Australia Police
35	Amy Gillett Foundation
36	Ulysses Club
37	Motor Accident Commission of South Australia
38	Australian Trucking Association
39	National Rural Health Alliance
40	University of Adelaide Centre for Automotive Safety Research
41	Mr Keith Littler
42	Insurance Australia Group
43	Tasmanian Bicycle Council
44	Robert Bosch Australia Pty Ltd
45	GTA Consultants
46	Mr Geoff Grose
47	Motoring Advisory Council
48	Mr Ray Kimpton
49	Cyclists' Rights Action Group
50	Transport and Road Safety (TARS) Research, University of New South Wales
51	Department of Infrastructure and Regional Development
52	Occupational Therapy Australia
53	Mr Peter Mackenzie
54	Australian Automobile Association
55	Australian Motorcycle Council
56	Mr Rod Hannifey
57	Mr Rob Bryden
58	Pedestrian Council of Australia Limited
59	RAC

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60	Cycling Promotion Fund
61	Victoria Walks Inc
62	Ms Sandra Browning
63	Mr Leon Hain
64	Transport Workers' Union of Australia
65	Victorian Transport Association
66	Australian Road Safety Foundation
67	Monash University Accident Research Centre
68	Mr Stephen Lake
69	Austrroads
70	Coroners Court of Victoria
71	Mr Ron Clarke
72	Federal Chamber of Automotive Industries
73	National Road Transport Association
74	Senator David Leyonhjelm
75	3M
76	Australian Automotive Aftermarket Association
77	Scotts Transport Industries Pty Ltd
78	Driver Education Centre of Australia Ltd
79	Department of Immigration and Border Protection

## **Additional information received**

- Received on 18 May 2015, from Mr Tony Arnold, Executive Director, Australian Bicycle Council. Additional information, Cycling safety in Australia;
- Received on 3 July 2015, from Mr Tony Ellis, Member, Motorcycle Advisory Group (VicRoads); Secretary, Australian Motorcycle Council. Additional information regarding 3 July hearing;
- Received on 6 July 2015, from Mr Tony Arnold, Executive Director, Australian Bicycle Council. Additional information, National Cycling Strategy 2011-2016: 2014 Implementation Report;
- Received on 6 July 2015, from Belinda Clarke, Interim Chief Executive Officer, Amy Gillett Foundation. Additional information regarding submission;

- Received on 6 July 2015, from the Amy Gillett Foundation. Answers to Questions taken on Notice on 3 July 2015;
- Received on 7 July 2015, from Mr Tony Arnold, Executive Director, Australian Bicycle Council. Additional information regarding 2 July hearing;
- Received on 16 July 2015, from the Motorcycle Council of NSW. Answers to Questions taken on Notice on 2 July 2015;
- Received on 24 July 2015, from IAG. Answers to Questions taken on Notice on 2 July 2015;
- Received on 9 August 2015, from the National Independent Trucking Association. Answers to written Questions taken on Notice on 6 August 2015;
- Received on 12 August 2015, from Roadcraft. Additional information, Roadcraft's philosophical approach to driver education;
- Received on 14 August 2015, from the National Rural Health Alliance. Additional information;
- Received on 14 August 2015, from Transport and Road Safety Research, University of New South Wales. Additional information, TARS Research;
- Received on 14 August 2015, from Roadcraft. Additional information, Some gems to consider;
- Received on 14 August 2015, from Roadcraft. Additional information, Towards developing safer, more aware and attentive drivers;
- Received on 21 August 2015, from the University of New South Wales. Answers to Questions taken on Notice on 14 August 2015;
- Received on 26 August 2015, from Dr David Bissell, Australian National University. Additional information, Understanding the impacts of commuting: research report for stakeholders;
- Received on 26 August 2015, from Roadcraft. Additional information, Roadcraft Model;
- Received on 26 August 2015, from Roadcraft. Roadcraft presentation, 2015;
- Received on 7 September 2015, from the Department of Infrastructure and Regional Development. Additional information, Regulation Impact Statement: Improved Protection of Vehicle Occupants in Side Impact Crashes;
- Received on 7 September 2015, from the Department of Infrastructure and Regional Development. Answers to Questions taken on Notice on 14 August 2015;
- Received on 7 September 2015, from the Australian Automobile Association. Answers to Questions taken on Notice on 14 August 2015;
- Received on 21 September 2015, from Victoria Police. Answers to Questions taken on Notice on 14 August 2015;

- Received on 30 October 2015, from Dr Arnold McLean. Additional information, Air Suspension Dynamic Load Sharing Promotes Heavy Vehicle Road Safety;
- Received on 22 March 2016, from the Victorian Transport Association. Answers to Questions taken on Notice on 22 March 2016;
- Received on 24 March 2016, from the Royal Australasian College of Surgeons. Answers to Questions taken on Notice on 25 February 2016;
- Received on 31 March 2016, from the Motor Accident Commission of South Australia. Additional information, Guidance for Effective Campaigns;
- Received on 4 April 2016, from the Driver Education Centre of Australia. Additional information;
- Received on 4 April 2016, from NatRoad. Answers to Questions taken on Notice on 22 March 2016;
- Received on 11 April 2016, from Scott's Transport. Additional information;
- Received on 11 April 2016, from Scott's Transport. Answers to Questions taken on Notice on 22 March 2016;
- Received on 21 April 2016, from the Department of Infrastructure and Regional Development. Answers to Questions taken on Notice on 22 March 2016;
- Received on 26 April 2016, from the Department of Immigration and Border Protection. Answers to Questions taken on Notice on 22 March 2016.

## **Tabled documents**

### **Thursday, 2 July 2015, Sydney, NSW**

- Tabled by NSW Police Force. Statistical data relating to Random Drug Testing.
- Tabled by Motorcycle Council of NSW.
  - Road Safety Strategic Plan 2002-05
  - Positioned for Safety 2010: Motorcycle Safety Strategic Plan 2007-10
  - The Hurt Report: Motorcycle Accident Cause Factors and Identification of Countermeasures. Vol 1: Technical Report
- Tabled by Pedestrian Council of Australia.
  - Point to point cameras for cars plan hooked (14 May 2015)
  - Porsche 918 hybrid sports car does 350km/h on Australian highway in Northern Territory (Fox Sports, 14 April 2015)
  - Porsche finds loophole in advertising guidelines (The Australian, 29 June 2015)
- Tabled by Mr Dick van den Dool, GTA Consultants. Tables and Charts.

### **Friday, 3 July 2015, Melbourne, VIC**

- Tabled by Robert Bosch Australia Pty Ltd. Driver & Motorcycle Assistance Schemes.

- Tabled by Amy Gillett Foundation. Correspondence about minimum overtaking distance.
- Tabled by National Transport Commission. NTC Work Program 2015-19.

**Monday, 26 October 2015, Adelaide, SA**

- Tabled by the National Heavy Vehicle Regulator. Summary of issues raised by the National Heavy Vehicle Regulator.

**Thursday, 18 February 2016, Perth, WA**

- Tabled by the Western Australian Local Government Association. Notes for opening statement (18 February 2016).
- Tabled by Mitchell's Livestock Transport and Innovex Solutions. The 30-metre B-triple vehicle: productivity and safety benefits of high productivity vehicles.

**Thursday, 25 February 2016, Canberra, ACT**

- Tabled by the Australian Automobile Association. Benchmarking the Performance of the National Road Safety Strategy (December 2015).



## Appendix 2

### Public hearings and witnesses

#### Thursday, 2 July 2015, Sydney, NSW

- ARNOLD, Mr Tony, Executive Officer, Australian Bicycle Council
- BLACK, Mr Frank, Member and owner driver, Transport Workers Union
- BOWERING, Mr Duane, Member and truck driver, Transport Workers Union
- BURNS, Mr Christopher James, Vice Chairman, Motorcycle Council of New South Wales
- CAMERON, Mr Iain Findlater, Chairman, Austroads Safety Taskforce
- CARLON, Mr Bernard, Acting General Manager, Transport for New South Wales, Centre for Road Safety
- DUNN, Mr Cameron, Managing Director, FBT Transwest; and Transport Workers Union
- HARTLEY, Assistant Commissioner John, Commander of Traffic and Highway Patrol, New South Wales
- HEAD, Mr Steven, Network General Manager, Sydney, Roads and Maritime Services
- LITTLER, Ms Sharyn, Vice Chairman, Motoring Advisory Council
- McDONALD, Mr Robert, Senior Manager, Research Centre, Insurance Australia Group
- QUINN, Ms Naomie Louise, Manager Road Safety and Regulatory Policy, Insurance Australia Group
- RATNAGOBAL, Mr Umesh, Manager, Government Relations, Insurance Australia Group
- ROBERTSON, Mr Michael Douglas, Managing Director, Engistics Pty Ltd
- SCRUBY, Mr Harold Charles, Chairmen and Chief Executive Officer, Pedestrian Council of Australia Ltd
- SHELDON, Mr Tony, National Secretary, Transport Workers Union
- STRANG, Mr Peter, Consultant, GTA Consultants
- STYLES, Mr Peter John, Chairman, Motoring Advisory Council
- VAN DEN DOOL, Mr Dick, Director Active Transport, GTA Consultants

- WALKER, Mr Evan, Principal Manager,  
Safer Systems, Transport for New South Wales, Centre for Road Safety
- WARREN, Ms Cecilia Anne, Senior Manager, CTP Scheme Design, Policy  
and Injury Prevention,  
Insurance Australia Group
- WILLIAMS, Mr Steve, Owner,  
Willtrans Pty Ltd
- WOOD, Mr Brian, Secretary,  
Motorcycle Council of New South Wales

**Friday, 3 July 2015, Melbourne, VIC**

- ALLAN, Dr Geoffrey, Chief Operating Officer,  
National Transport Commission
- ALLEN, Dr Trevor, Research Fellow,  
Monash University Accident Research Centre
- ANDERSON, Mr Peter, Chief Executive Officer,  
Victorian Transport Association
- BAULCH, Mr Peter, National Executive Member,  
Ulysses Club Inc
- BERNDT, Dr Angela, Industry Advisor: Driving,  
Occupational Therapy Australia
- BOURKE, Mr Peter, General Manager,  
Cycling Promotion Fund
- BROWN-SARRE, Mr Jerry, Acting Chief Executive Officer,  
National Independent Trucking Association
- CARPENTER, Mr Chris, General Manager, Government and External  
Relations,  
Bicycle Network
- CASS, Professor Daniel, Road Trauma Advisory Subcommittee representative,  
Royal Australasian College of Surgeons
- CLARK, Ms Belinda, Interim Chief Executive Officer,  
Amy Gillett Foundation
- COCKFIELD, Ms Samantha, Senior Manager, Road Safety,  
Transport Accident Commission of Victoria
- CUBIS, Ms Jacinta, Stakeholder Manager,  
Amy Gillett Foundation
- DAVIES, Mr Paul, Project Director, Reform Maintenance,  
National Transport Commission
- ELLIS, Mr Anthony John, Member, National Road Safety Committee, Ulysses  
Club Inc.;  
Secretary, Australian Motorcycle Council
- GROSSBARD, Mr Garry, Road Trauma Advisory Subcommittee  
representative,  
Royal Australasian College of Surgeons
- HODGE, Mr Stephen, Government Relations Manager,

Cycling Promotion Fund

- JACKMAN, Mr Mark, Regional President, Chassis Systems Control, Robert Bosch Australia
- LOGAN, Dr David Bruce, Senior Research Fellow, Monash University Accident Research Centre
- PEARCE, Mr Christopher, Industry Advisor: Driving, Occupational Therapy Australia
- POTTER, Dr Jeffrey, Project Director, Productivity, Safety and Environment, National Transport Commission
- RICHARDS, Mr Craig, Chief Executive Officer, Bicycle Network
- YOUNG, Professor William, Chief Scientific Advisor, ARRB GROUP

**Friday, 25 August 2015, Canberra, ACT**

- BAILEY, Mr Robin, Operations Coordinator, Roadcraft Driver Education
- BISSELL, Dr David, Senior Lecturer in Sociology, School of Sociology, Australian National University
- BRADLEY, Mr Michael, Chief Executive, Australian Automobile Association
- BROOKE, Ms Fiona, Policy Advisor, National Rural Health Alliance
- CLARKE, Mr Nicholas, Chief Executive Officer, ANCAP Australasia Ltd
- DOLMAN, Dr Gary, Head of Bureau, Bureau of Infrastructure, Transport and Regional Economics, Department of Infrastructure and Regional Development
- GRAINGER, Superintendent Michael, Victoria Police
- GRZEBIETA, Professor Raphael, Professor of Road Safety, Transport and Road Safety Research, University of New South Wales
- HOGAN, Mr Robert, General Manager, Vehicle Safety Standards Branch, Surface Transport Policy Division
- HOY, Mr Steven, Section Head, Standards Development and International, Department of Infrastructure and Regional Development
- HURNALL, Mr James, Technical Director, Federal Chamber of Automotive Industries
- JAMES, Mr Marcus, General Manager, Surface Transport Productivity Branch, Surface Transport Policy Division, Department of Infrastructure and Regional Development
- MCGREGOR, Inspector Stuart, Victoria Police
- MCKINLEY, Mr Bill, National Manager, Government Relations and Policy,

- Australian Trucking Association
- NEWLAND, Mr Craig, Director, Road Safety and Technical Services, Australian Automobile Association
- NICHOLLS, Stewart James, Business Development Director, Drive to Survive
- PHILLIPS, Mr Andrew, Policy Consultant, National Rural Health Alliance
- SCARCE, Mr Andrew, Owner/Operator, Road Class Driver Training
- WEBER, Mr Tony, Chief Executive, Federal Chamber of Automotive Industries
- WILLIAMSON, Professor Ann, Director, Transport and Road Safety Research, University of New South Wales

**Monday, 26 October 2015, Adelaide, SA**

- BALDOCK, Dr Matthew, Deputy Director, Centre for Automotive Safety Research, University of Adelaide
- DING, Mrs Belinda, National Policy Manager, St John Ambulance Australia Inc.
- FAUSER, Chief Superintendent Robert, Officer in Charge, Operations Support Coordination Branch, South Australia Police
- KILLMIER, Ms Bronwyn, Assistant Commissioner, State Operations Service, South Australia Police
- McINTOSH, Mr John Laughlan, President, Australasian College of Road Safety
- OOLLEY, Dr Jeremy, Acting Director, Centre for Automotive Research, University of Adelaide
- PETROCCHITTO, Mr Salvatore, Chief Executive Officer, National Heavy Vehicle Regulator
- POWER, Ms Amanda, Acting Chief Executive Officer, St John Ambulance Australia Inc.
- STEVENSON, Professor Mark, Executive Committee member, Australasian College of Road Safety

**Thursday, 18 February 2016, Perth, WA**

- CORNISH, Mr Michael, General Manager, Road Safety and Strategic Communications, Motor Accident Commission, South Australia
- FULTON, Mr Matthew, Chief Executive Officer, WestCycle
- GOLSBY, Mr William, General Manager, Corporate Affairs, RAC
- HACKETT, Mr Neil, Chairman, WestCycle
- HAYNES, Mr Michael Thomas, Board Member, Bicycle Transport Alliance

- KING, Mr Ian, Chief Executive, Western Australian Road Transport Association Inc.
- MITCHELL, Mr John Robert, Chief Executive Officer, Mitchell's Livestock Transport and Innovex Solutions
- PETTET, Ms Terri-Anne, Manager, RoadWise Program, Western Australian Local Government Association
- STILL, Ms Anne, Senior Manager, Policy and Research, RAC
- WHITE, Mr Russell, Chief Executive Officer, Australian Road Safety Foundation

**Thursday, 25 February 2016, Canberra, ACT**

- BRADLEY, Mr Michael, Chief Executive Officer, Australian Automobile Association
- CROZIER, Dr John, Executive Committee Chair, Trauma Committee, Royal Australasian College of Surgeons
- FITZGERALD, Dr Ailene, ACT Chair, Trauma Committee, Royal Australasian College of Surgeons
- NEWLAND, Mr Craig, Technical Director, Australian Automobile Association
- OWLER, Professor Brian, President, Australian Medical Association Limited

**Tuesday, 22 March 2016, Canberra, ACT**

- ANDERSON, Mr Peter, Chief Executive Officer, Victorian Transport Association
- BERGMANIS, Ms Tonia, Acting Director, National Heavy Vehicle and Rail Regulation Section, Department of Infrastructure and Regional Development
- EMMETT, Ms Sallie, Legal and HR Manager, Scott's Transport Industries
- FORSTER, Mr Phillip, Safety and Compliance Manager, Scott's Transport
- JAMES, Mr Marcus, Acting Executive Director, Department of Infrastructure and Regional Development
- JOHNSON, Mr Grant, Policy Director, National Road Transport Association
- LOWE, Dr David Robert, General Manager Business, Wodonga TAFE, Driver Education Centre of Australia Ltd
- MAHON, Mr Andrew, Acting Executive Director, Transport Access and Use, Department of Transport and Main Roads, Queensland
- MCKINLEY, Mr Bill, National Manager, Government Relations and Policy, Australian Trucking Association
- SCHWAB, Mr David, Company Secretary, Scott's Transport Industries
- SHELDON, Mr Anthony, National Secretary, Transport Workers' Union of Australia
- STAPLETON, Mr Mike, Deputy Director-General, Customer Services, Safety and Regulation, Department of Transport and Main Roads, Queensland
- TENISON-WOODS, Mr Brendan Charles, Director, Driver Education Centre of Australia Ltd
- WILLIAMS, Mr Darren, Chief Executive Officer, Scott's Transport Industries

- WILLIAMS, Mr James, First Assistant Secretary, Department of Immigration and Border Protection
- WROBLEWSKI, Mr John, General Manager, Transport Regulation, Department of Transport and Main Roads, Queensland