



Minister for Main Roads, Road Safety and Ports and
Minister for Energy, Biofuels and Water Supply

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Mr Paul French
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Dear Mr French *Paul,*

Thank you for your letter of 26 April 2017 regarding the Coroner's findings on the joint inquest into the deaths of Mr Ian Jensen and Dr Timothy Kepui.

The Department of Transport and Main Roads was not invited to be a party to this inquest, and as such did not make a submission in relation to the findings or recommendations before publication. However, my department considers any recommendations made by the Coroner and responds to these as part of the six-monthly coronial recommendation reporting.

With regards to the use of the term 'accident' in the Coroner's findings of the inquest, I agree that it is not the appropriate term to use when it comes to road crashes. Using the term 'accident' implies that the event was inevitable and there was nothing that either party could do to avoid it. 'Crash' is the more appropriate term as it encompasses a wider range of potential causes for road crashes. I have asked Mr Neil Scales, Director-General of my department, to provide advice to the Coroner about the Safe System approach.

As you know, the *Queensland Road Safety Strategy 2015–21* is based on the Safe System framework (the framework) to avoid simply 'blaming' crashes on individual behaviour and choices. I agree that all four elements – safe speeds, safe roads and roadsides, safe vehicles and safe road users – should be considered, not just road users.

In line with the framework, my department is committed to ensuring the right speed limit for a location and road mix. This is particularly important for cyclists, as it is acknowledged that a crash with a cyclist at a higher speed is more likely to result in serious injury or death. My department is undertaking a number of initiatives to help achieve lower speed limits in areas of high pedestrian and cyclist activity, and is reviewing the manual used to set speed limits to deliver greater emphasis on safety and opportunities for more appropriate speed limits. My department will be proactively identifying locations of high pedestrian and cyclist activity where a lower speed limit would be appropriate and working with the relevant road authority to achieve lower speed limits.

Technical guidelines are used to decide which option will best suit a particular intersection. Traffic engineers assess each intersection, taking into account factors such as traffic volumes, available land, needs for pedestrians and cyclists, the intersection's crash history and the intersection's overall place in the transport network in deciding intersection options. Typically, roundabouts require more space, do not operate well if traffic flows from adjacent approaches are not balanced, and are not considered to be safer for pedestrians and cyclists when compared with traffic signals. However, speed is the key factor in determining safety for vulnerable road users.

With respect to the McCarthy and Barolin Streets intersection with Goodwood Road, I am advised the average annual daily traffic (AADT) volume is 14,446 vehicles per day (2016 data) and the speed limit is 60 km/h. There is difficulty in exiting the side street onto the main road due to high through traffic volumes (unbalanced flows), therefore road design experts do not consider this a suitable location. However, my department is currently constructing an on-road bicycle lane along Goodwood Road, which is a principal cycle route, to improve cyclist/vehicle separation and improve cyclist safety.

With regards to the Coroner's recommendation, learner road rules tests already include a number of questions about the minimum distances for overtaking a bicycle rider and sharing the road with bicycle riders. Research suggests that retesting has limited use in accurately identifying people with unsafe driving habits. A sound knowledge of road rules does not necessarily mean a person will demonstrate good on-road behaviour. Generally, a person will conscientiously show both compliance with and knowledge of the road rules and acceptable driving ability during a test. This means both road rules and driving tests are limited in their ability to assess whether a person's driving behaviour will be safe in a non-test driving environment.

The Queensland Government considers that it is more productive to develop methods of determining and addressing the factors that contribute to road user awareness and attention to the road rules. Factors most likely to contribute to crash involvement, such as inattention and disobeying road rules, are not efficiently targeted through retesting road users. The *Queensland Road Rules Communications Action Plan* is in place to more effectively communicate road rules information to the public. Key road rule topics, such as the minimum passing distance for bicycle riders and sharing the road with vulnerable road users, such as bicycles, are a key focus throughout this plan's delivery. Information on road rules, as a part of the action plan, will be communicated through publications, social media and online.

The Queensland Government has run two campaigns to specifically educate road users about the new minimum passing distances (MPD). The 'Stay Wider of the Rider' campaign first ran in April 2014 to increase awareness of the MPD rule. In April–May 2016 the campaign was re-run to coincide with the end of the two-year trial and continuation of the minimum passing distance rule. The campaign appeared largely online using digital and social media, but also included outdoor and radio advertising. A survey conducted with 250 motorists and 150 bicycle riders in 2016 found that 94 per cent of motorists and 83 per cent of bicycle riders agreed that, since seeing the campaign, they knew what the MPD rule was. Social media posts are regularly run on the 'Join the Drive to Save Lives' Facebook page to further educate road users about the rule, particularly in higher speed zones.

Regarding your concerns about failing to prosecute the motorists involved in these incidents, I have forwarded a copy of your letter to the Honourable Mark Ryan MP, Minister for Police, Fire and Emergency Services and Minister for Corrective Services, for consideration and reply.

I trust this information is of assistance and I thank you for raising your concerns about the Coroner's findings on the joint inquest into the deaths of Mr Jensen and Dr Kepui.

Yours sincerely



MARK BAILEY MP
Minister for Main Roads, Road Safety and Ports and
Minister for Energy, Biofuels and Water Supply