



## Minister for Transport and Main Roads

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Dear Dr Bean

Thank you for your letter of 13 August 2018 to the Honourable Mark Bailey MP, Minister for Transport and Main Roads, about cars parking in bicycle lanes. The Minister has asked that I respond on his behalf.

Your suggestions to change the rules for parking in bicycle lanes and your passion for cycling safety is appreciated. A safer road culture relies on every road user playing their part, and it is only with the cooperation of the entire community that we will continue to reduce road trauma. Our thoughts and condolences are with the family and friends of Madison Jane Lyden and those involved in this tragic incident in New York.

The *Australian Road Rules* (ARR) contain the basic road rules for motorists, motorcyclists, people riding bikes, pedestrians, passengers and others. While ARR are model laws and have no legal effect, they provide a basis for the road rules of each Australian state and territory. However, not every provision in ARR has been copied exactly in each state and territory. The rule in ARR in relation to stopping or parking in a bicycle lane allows each state and territory to adopt rules relevant to the requirements in their jurisdiction.

In Queensland, under the *Queensland Road Rules* (QRR), there is no general rule that prohibits drivers from parking in a bicycle lane, therefore, drivers can park there. The exception to this is where there is a sign that prohibits stopping or parking. An example may be a 'no parking' or 'no stopping sign' in a section of a bicycle lane.

State transport legislation QRR will apply for state-controlled roads such as highways. However, these high-speed roads are less likely to have bicycle infrastructure. Transport legislation also allows local governments to regulate parking in their own local government area. As such, different parking rules may apply to non-state-controlled roads. Where a local law provides for different rules, QRR will not apply. The Brisbane City Council has made local laws in relation to parking in its council area and I note that you have also written to the Office of the Lord Mayor in relation to your concerns about cars parking in bicycle lanes.

It is recognised that there are many businesses that rely on patrons being able to park. Restricting parking in bicycle lanes may restrict the patronage of these businesses, especially as more bicycle lanes are deployed throughout the state. It is important to balance the need to encourage active transport while maintaining access to businesses and efficient use of road space.

With regards to riding a bike and bike riding safety, more broadly, the Palaszczuk Government recognises that riding a bike is a popular choice for recreation and commuting and is aware that some members of the community utilise it as their main form of transport. The government values bike riding for the important contribution that it makes to a sustainable and effective transport system, and to the health and wellbeing of individuals and communities.

As such, under QRR, bike riders are afforded access to Queensland's road network and are treated as legitimate road users with equal rights and responsibilities as motorists. Bike riders are also not required to travel in a bicycle lane where one is available. They can choose to travel on the road shoulder or on paths including footpaths and shared paths, unless there is a sign preventing their access. This gives bike riders the ability to take account of a range of conditions and personal safety considerations when riding, such as the road conditions, traffic volumes, riding with children, weather and visibility.

As you would be aware, the Department of Transport and Main Roads (TMR) also actively educates road users on the road rules and encourages all road users to share the road safely. To inform motorists about bike safety, TMR has undertaken the 'Stay Wider of the Rider' campaign to support the minimum passing rules, and the 'Share the Road' campaign which encourages all road users to show more tolerance, patience, courtesy and respect for each other. To inform bike riders of their responsibilities, TMR has a comprehensive Bike User Guide that is available from TMR's website at [www.tmr.qld.gov.au/Travel-and-transport/Cycling/Bike-user-guide](http://www.tmr.qld.gov.au/Travel-and-transport/Cycling/Bike-user-guide). This guide covers all aspects of cycling on Queensland's roads and outlines the responsibilities of bike riders.

I trust this information is of assistance.

Yours sincerely



**RICHARD CLEAL**  
**ACTING CHIEF OF STAFF**