



Minister for Transport and Main Roads  
Minister for Digital Services

Our ref: MC134500

6 September 2023

Mr Paul French  
Co-convenor  
Brisbane CBD BUG  
brisbanecbdbug@gmail.com

1 William Street Brisbane 4000  
GPO Box 2644 Brisbane  
Queensland 4001 Australia  
**Telephone +61 7 3719 7300**  
**Email** transportandmainroads@ministerial.qld.gov.au  
**Website** www.tmr.qld.gov.au

Dear Mr French

I refer to my interim response of 23 June 2023 about safety concerns for bicycle riders and proposed changes to the *Queensland Road Rules* (QRR).

The Department of Transport and Main Roads (TMR) has completed investigations into the issues raised by the Brisbane Central Business District Bicycle User Group.

The Palaszczuk Government takes the safety of vulnerable road users very seriously and is working hard to ensure our approach to road safety in this area is best practice.

Your suggestions for amendments to the QRR are appreciated. As you are aware, the QRR are based on the *Australian Road Rules* (ARR), which is national model law. All jurisdictions have adopted the majority of the ARR into their road rules and, to preserve uniformity, it is always preferable to consider issues nationally, in the first instance.

As part of the *National Road Safety Strategy 2021–30*, the National Transport Commission (NTC) has been tasked with conducting a Safe Systems review of the ARR which will include consideration on how to better protect vulnerable road users. Any changes identified through the NTC's review would be adopted in the QRR, once finalised.

I have provided a detailed response in relation to each of your suggested QRR changes in the enclosed document. TMR will raise some of the issues that you have identified as part of the NTC review for consideration nationally and potential changes to the ARR. In other cases, I trust you will find TMR's analysis helpful in understanding the current rules and the rationale for why no change is necessary. I thank you for the time and effort you have put into bringing these issues to my attention.

With regards to your comments about the interaction of heavy vehicles and vulnerable road users, TMR is committed to delivering actions and interventions to increase the safety of vulnerable road users interacting with heavy vehicles, including working with industry about the use of safety features, such as blind spot technology.

In response to one of the Coronial recommendations following Ms Rebekka Meyer's tragic death, TMR sought national support for the introduction of mandatory *Australian Design Rules* (ADR) for blind spot technology for new heavy vehicles. There was no support for mandating such a requirement through ADR in isolation, but there was agreement to continue to work on ADR being progressively harmonised with international standards set by the United Nations Economic Commission for Europe.

The Australian Government is in the process of finalising the first suite of ADR amendments that relate to Safer Freight Vehicles. These changes will apply to new heavy vehicles and are designed to increase the availability of vehicles fitted with advanced safety features. This includes safety features that will drive road safety improvements for vulnerable road users such as enhanced devices for indirect vision, side underrun protection, electronic stability controls, advanced emergency braking and lane departure warning systems.

In support of this approach, the *Queensland Road Safety Action Plan 2022–24* includes an action for TMR to work with industry and community stakeholders on the Queensland implementation of an Australian version of the United Kingdom's Construction Logistics and Community Safety (CLOCS) standard. This CLOCS-A standard will enable safer interactions between heavy vehicles and vulnerable road users by driving improved take-up of heavy vehicle safety technologies, training of drivers around bicycles and vulnerable users, and improved signage on heavy vehicles.

In relation to the Brisbane 2032 Olympic and Paralympic Games project work issues you have raised, these matters fall under the portfolio of the Department of State Development, Infrastructure, Local Government and Planning. As such, I have forwarded a copy of your correspondence to the Honourable Dr Steven Miles MP, Deputy Premier, Minister for State Development, Infrastructure, Local Government and Planning and Minister Assisting the Premier on Olympic and Paralympic Games Infrastructure, for consideration and direct reply.

In relation to the enforcement issues that you have raised, these issues fall under the jurisdiction of the Queensland Police Service. As such, I have also forwarded a copy of your correspondence to the Honourable Mark Ryan MP, Minister for Police and Corrective Services and Minister for Fire and Emergency Services, for consideration and direct reply.

I trust this information is of assistance. Thank you again for taking the time to write to me with your suggestions.

Yours sincerely

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal line and a small upward stroke.

**MARK BAILEY MP**  
**Minister for Transport and Main Roads**  
**Minister for Digital Services**

Enc (1)



## Detailed response to proposed QRR changes

The Department of Transport and Main Roads (TMR) has investigated each of the proposed changes to the Queensland Road Rules (QRR), suggested by the Brisbane Central Business District Bicycle User Group (CBD BUG).

Detailed responses are included below along with any proposed next steps, where relevant.

### 1. Reinstate 40km/h speed limit in Local Traffic Areas

The *Road Safety Action Plan 2022-2024* includes an action to "Review the speed limit hierarchy across Queensland with a view to reducing fatal and serious injury crashes through lower speeds. This includes targeted speed reductions in areas where there are high numbers of vulnerable road users, improving the balance between Movement and Place".

TMR has recently delivered a funding program to encourage and assist road authorities to investigate and implement speed limits in areas of high pedestrian and bike rider activity. This has resulted in lower speed limits at multiple streets and precincts in Queensland, including new 40km/h precincts in South Brisbane and Newstead.

The guidelines for setting speed limits were updated recently to improve the selection of lower speed limits and consider the Place function of a road. For example, there is now clearer guidance for the setting of 30 km/h speed limits if a speed zone is a local access street in an urban or semi urban environment, or a high active transport user area.

The provision of a lower speed limit may not on its own address all road safety problems or even alter travel speeds. For example, arbitrarily imposed limits that are too low attract poor levels of compliance. For this reason, road authorities can conduct speed limit reviews, following the process set out in the guidelines, to properly consider the various elements that contribute to the speed and overall safety of the specific road environment.

TMR will monitor progress of the implementation of lower speed limits and assess further requirements for additional changes in consultation with local governments.

### 2. Make signalling a right turn or merging into the right lane optional for bike riders

Bike riders are exempted from the requirement to signal left as this is a lower risk manoeuvre, which typically does not cross lanes of traffic or require the rider to give way to other road users. This exemption balances the need to inform other road users of a bike rider's intentions with the practicalities of giving hand signals on a bike.

However, bike riders are required to signal right, and this is critical to ensure the rider's safety. Turning right, typically involves crossing lanes of traffic and often requires the bike rider to give way to other road users, including stopping in a lane of traffic on approach to an intersection. Making a right turn signal ensures other road users are aware of a rider's intended movements and can react appropriately.

If a bike rider does not feel safe removing their hand from the bike's handlebars to provide a right signal, there are other options available to them under the QRR. For example:

- The rider could move to the far left of the road, or ride onto the adjacent footpath, and stop. They could then signal right while stationary and proceed with the turn once the path is clear.
- At cross intersections riders are permitted to perform a hook turn, as outlined in section 35 of the QRR.
- A bike can also be fitted with indicator lights which could be activated without removing the rider's hand from the handlebar.

There are no plans to remove the requirement on bike riders to signal a right turn or merge.

### **3. Modify the give way rules for shared zones so:**

- a) drivers must give way to bike riders and pedestrians, and**
- b) bike riders must give way to pedestrians.**

Shared zones are low speed treatments that are specifically designed for interactions between various road user types. The speed limit in a shared zone is typically 10km/h and often the road environment is designed to encourage slower speeds. For example, raised road surface, different pavement, traffic calming, and clear signage and markings.

The rules for shared zones prioritise pedestrian safety because they are the most vulnerable road users in such environments. Under section 19 of the QRR, any reference to a driver includes a rider, unless stated otherwise. As such, under section 83, bike riders are already required to give way to pedestrians in shared zones in the same way that motor vehicle drivers are.

Given the low speed in shared zones, there should be minimal, if any, speed differential between vehicle types (including motor vehicles, bikes and Personal Mobility Devices (PMDs)). It should also be possible to brake to avoid a collision in all circumstances. TMR is not aware of any issues involving interactions between bikes and motor vehicles in shared zones. As such, in these environments all drivers and riders have equal status and must share the road accordingly. All drivers and riders are also required to negotiate these areas with due care and attention so as to avoid a collision.

There are no plans to create further give way provisions in shared zones.

### **4. Permit bike riders to travel ahead at an intersection from a lane marked “left turn only”**

Directional arrows or signage that designate certain lanes as 'left turn only' ensure safe and predictable vehicle movements through an intersection. Permitting bike riders to ride straight through an intersection from a left turn only lane would be extremely dangerous.

Dedicated turning lanes do not continue on the other side of the intersection. Meaning a bike rider that disobeys the requirement to turn left, and instead travels straight, will be competing for the continuing straight lane on the other side of the intersection with drivers that are travelling straight. This is a dangerous, unexpected, and unpredictable scenario.

Specific at-risk intersections are addressed through infrastructure treatments. For example, dedicated off-road facilities or a clearly marked shared bike/left-turn lane with a continuing bike lane on the other side of the intersection.

There are no plans to permit bike riders to travel straight using left turn only lanes.

### **5. Modify the rules for a multi-lane roundabout to require exiting drivers to give way to bike riders**

Multi-lane roundabouts are complex road environments. The existing rules work in conjunction to avoid the need for a rider to perform a 'right-weave' manoeuvre prior to entering a multi-lane roundabout (for example, to merge right into the right lane when intending to turn right at the roundabout). Right-weave manoeuvres are known to be potential conflict points for bike riders.

However, because bike riders are permitted to use any lane on a multi-lane roundabout to travel straight or turn right, there is a need to consider how they interact with other vehicles on and exiting the roundabout. Section 119 of the QRR requires bike and PMD riders travelling in the far-left lane of a multi-lane roundabout to give way to traffic exiting the roundabout. This ensures they do not turn across the path of a vehicle in an unexpected or unpredictable manner.



It is acknowledged that requiring a bike rider to potentially stop on a multi-lane roundabout and wait for passing traffic to clear introduces risk for the rider. However, the rules do not require a bike rider to use the far-left lane when travelling straight or turning left. Riders may feel more comfortable making a right weave manoeuvre prior to entering the roundabout to ensure they are in the correct lane to make their intended turn. In these cases, bike riders are not required to give way to exiting traffic and can clear the roundabout as any other driver.

TMR is of the view that the current rules represent an appropriate balance and allow riders to choose a path through a multi-lane roundabout that best suits their level of comfort and skill. However, given the current approach is not without risk, it is appropriate to revisit these rules to ensure risks to bike riders using multi-lane roundabouts are managed as effectively as possible.

As these rules are nationally consistent, it is appropriate that changes be considered to the Australian Road Rules (ARR), prior to any specific Queensland changes. TMR will raise this with the National Transport Commission (NTC) as part of their Safe Systems ARR review.

## **6. Prohibit parking in bike lanes**

Roads are a shared space and road managers must balance a variety of user needs. This is particularly true for legacy roads that may not be wide enough to support dedicated infrastructure for different vehicle types.

The QRR provides a flexible framework for bike lanes and on-road parking. This is reflective of the fact that it may not always be suitable to prohibit parking in bike lanes, and in these cases, a bike lane still adds value by creating some extra space for bike riders and making drivers aware of the likely presence of bike riders.

Road managers, often local governments, can choose to prohibit parking in bike lanes through no parking signs and/or yellow edge line treatments. This is utilised where parking in bike lanes presents a safety risk.

However, prohibiting on-road parking must be balanced with other community needs and, in many areas, on-road parking is required to support residential and commercial activity. If the QRR were to introduce a blanket ban on parking in bike lanes across Queensland, it is likely that local governments would need to consider removing bike lanes to preserve on-road parking in some areas. TMR is of the view that this would be a poor outcome.

There are no plans to introduce a blanket ban on parking in bike lanes via the QRR. Road managers remain best placed to assess and manage localised issues using appropriate infrastructure. The continued advocacy of groups like the CBD BUG helps to highlight these issues.

## **7. Permit PMD riders to use a bus lane**

PMD riders have more limited access to the road network than bike riders. This is reflective of the emerging nature of PMDs and different or unknown risk profiles. It is also acknowledged that riding a PMD is a less active form of travel than riding a bike and so road access and associated risk are not as easily offset by benefits to health through exercise.

Given PMDs are not permitted on higher speed and trafficked roads, including where bus lanes are typically located, it would not be appropriate to permit PMD riders to ride in bus lanes. Doing so would likely create confusion and inadvertently encourage PMD riders to ride on prohibited roads, increasing the risk of unsafe interactions with motor vehicles.

There are no plans to permit PMD riders to use bus lanes.

## **8. Clarify the rule regarding bike riding to confirm a rider may stand up on the pedals**

The rider of a bike must be astride the seat facing forward (if a seat is fitted), ride with one hand on the handlebars and, if the bike has a seat, not sit on another part of the bike (such as the handlebars).

These requirements do not prevent a rider from standing on the pedals, such as when riding up a hill. TMR is not aware of any enforcement issues with the current drafting of these requirements, which are also nationally consistent.

There are no plans to make changes as a rider of a bike is already permitted to stand on the pedals while riding.

## **9. Remove the requirement for bikes to be equipped with a warning device additional to the rider's voice**

Warning devices, such as a bell, are inexpensive and have been proven to improve safety outcomes for bikes and pedestrians in shared environments. Studies have shown that the noise of a typical bike bell has a high level of association with bikes amongst pedestrians and the sound promotes a respectable sense of urgency (for example, to ensure there is a clear path for riders).

The requirement to have a warning device fitted is also not considered to be a barrier to bike use. Bells are cheap and readily available at retailers across Queensland. All bikes sold in Australia must also meet mandatory safety standards, one of which requires that a warning device is fitted.

There is no requirement that a bike rider must sound their warning device and rider discretion is allowed as to how best to warn other path users of their presence or intention to pass.

There are no plans to remove the requirement for bikes to be equipped with a warning device.

## **10. Amend Queensland's mandatory helmet law for bike riders to exempt people aged >17 years riding in parks and on footpaths and shared/cycle paths**

Mandatory helmet laws continue to be supported by research with Queensland's crash data reinforcing these findings. The weight of this research supports the view that helmet laws have had a positive impact, particularly in reducing bike rider head injuries, which have been found to be the most frequent cause of death and long-term disability from bike-related injuries.

The Queensland Government has a longstanding commitment to retain mandatory bike helmet laws. These laws are an important intervention for one of our most vulnerable road user groups. Inconsistent helmet rules based on the age of the rider or the location the rider is riding are also likely to be confusing and ultimately lead to less helmet use generally.

It is acknowledged the advent of bike and e-bike shared schemes has created some challenges relating to helmets. However, it is now typically a requirement of all such schemes that every device is deployed with a helmet for riders to use. Riders with hygiene concerns can also use their own helmet.

There are no plans to relax mandatory bike helmet laws.



### **11. Amend the meaning of an approved bicycle helmet to include the following standards: A) European (EN1078) & US (16 CFR Part 1203) Standards for bicycle helmets**

It is important to create a national market for bike helmets. This ensures industry can import and supply helmets across Australia and consumers can purchase a helmet in one jurisdiction and use in all jurisdictions.

TMR supports the addition of other bike helmet standards, so long as those standards yield an equivalent safety outcome to the current standard and are nationally adopted.

TMR understands that changes to the Australian standard (AS/NZS 2063:2008) are currently being explored by the Australian Competition and Consumer Commission, which may include the adoption of equivalent international standards. If this work results in any changes to the Australian standard, this will be recognised in the ARR and subsequently adopted to the QRR.

There are no plans to adopt additional bike helmet standards in advance of the ongoing national review of the Australian standard.

### **12. Realign the various road users' responsibilities regarding not causing a hazard or obstruction**

Given the QRR are based on the ARR model law there can be subtle differences in language across the provisions. This is because the ARR represent a harmonised set of rules and amendments are drafted by different state and territory Parliamentary Counsels on a rotating basis. While this can lead to differences in drafting style and convention, care is taken to ensure there are no practical implications.

TMR is not aware of any enforcement issues with the current drafting, TMR does acknowledge the issues you have raised in relation to sections 125, 236 and 253 of the QRR. However, the subtle differences in language across these provisions do not cause any practical issues or enforcement challenges.

It is always preferable to consider ARR changes prior to making localised road rule changes. As such, TMR will raise these subtle drafting differences with the NTC for consideration as part of their next maintenance cycle.

### **13. Permit bike riders to ride on traffic islands**

Traffic islands help to create physical separation between opposing directions of traffic and to safely direct traffic. In many cases, traffic islands are not intended for use by any road user and use is actively discouraged (for example, fences or shrubs to prevent crossing the road). It is not appropriate that bike riders are able to use these traffic islands as doing so would place the rider and other drivers at unacceptable risk.

In some cases, traffic islands are designed for use by road users. A common example is a traffic island that separates a slip lane from through lanes at an intersection. These traffic islands are designed with appropriate kerb ramps to support pedestrians crossing (for example, people who use a wheelchair or pushing a pram) as well as bike and PMD riders. These traffic islands can also have signalised bike crossings and form important links on the bike network between separated bike lanes.

Section 290 of the QRR already supports bike and PMD riders riding on traffic islands, where specifically designed to allow such use. This works in conjunction with section 197 of the QRR which allows bike and PMD riders to stop on a traffic island. For example, if waiting at a pedestrian or bike crossing.

While TMR is not aware of any enforcement issues with the current drafting, it is acknowledged that the drafting of section 290 has the potential to be confusing. As such, TMR will raise this with the NTC for consideration as part of their next maintenance cycle.

It is worth noting that other forms of infrastructure also support bike and PMD safety when crossing roads. For example, pedestrian refuges are typically cut out from a traffic island at road level. This means these riders can cross the road using a pedestrian refuge and benefit from the protection from passing vehicles in the same way as a pedestrian.

#### **14. Introduce a rolling stop / give way rule for bike riders (Idaho Stop)**

Following the 2013 Queensland Parliamentary 'Inquiry into Cycling Issues' that recommended the implementation of the 'rolling stop' rule, TMR commissioned the *'Observational analysis of road user interactions: stop sign controls, left turn on red and zebra crossings'*. This report concluded that a rolling stop rule elevated tensions between motorists and bike riders, leading to a safety disbenefit. In addition to this, there is limited data and research on the risks and safety issues associated with the rolling stop rule. This is because the rule has not been widely implemented in other jurisdictions around the world, including Australia, where no other jurisdiction has implemented the rule.

To help foster positive and safe interactions between bike riders and motorists on the road, it is important that bike riders follow the same basic road rules as motorists such as obeying signage. Non-compliance with stop signs by bike riders may erode this equal standing or create confusion on the requirements of a stop sign for motorists.

To help enhance the safety and amenity for bike riders on the road, the 2013 report recommended that TMR work with local councils to review stop sign controls. It also recommended that enforcement of the non-observance of stop signs be focused on intersections where there is a demonstrated safety issue.

In response to these recommendations, TMR has since worked with:

- the Brisbane City Council to investigate the replacement of stop signs with give way signs where practicable on some popular Brisbane cycling routes; and
- the Queensland Police Service on appropriate enforcement of signage at dangerous sites.

There are no plans to introduce a rolling stop / give way rule for bike riders.

In relation to your comments about the difficulty bike riders have in activating traffic light sensors, the sensitivity of wire loops can be adjusted if they regularly fail to pick up the presence of a smaller vehicle such as a motorcycle or bike. If CBD BUG is aware of any traffic lights where bike riders regularly struggle to activate the signals, it is recommended that you contact the road manager (either local council or TMR, depending on the location) and adjustments can be made.

#### **15. Revise penalties for bike rider infringements to reflect their much lower potential danger to other road users compared to drivers**

There is a well-established precedent that consistent penalties apply for general road rules for all road user types. This means that most offences within the QRR attract the same penalty for offending, regardless of type of vehicle. This is important to ensure fairness and equity across all road user types.



The penalties for bike riders were aligned with the penalties for motor vehicle drivers in 2013 to send a clear message that the consequences of breaking the road rules are serious for all road users. The equalisation of penalties also legitimises the presence of bike riders on the road network. Bike riders have the same rights and responsibilities to comply with the QRR and face the same penalties for non-compliance.

PMD riders also face consistent penalties for non-compliance with general road rules.

There are no plans to reduce the penalties for road rule offences for bike riders.