



Brisbane Central Business District Bicycle User Group

CBD BUG

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Hon Bill Byrne

Minister for Police, Fire and Emergency Services and Minister for Corrective Services

PO Box 15195

CITY EAST QLD 4002

Dear Police Minister

On 20 March 2016, ABC News reported on reception and enforcement of the minimum distance passing rule (QRR s144a) in Queensland.¹

Police commented "it's not an easy law to enforce" and Queensland Assistant Commissioner Mike Keating stated "the person has to be willing to give evidence themselves, then we have to find the offender so it's a complex investigation it's not simply oh that's a video we can take action from that" and that "more riders than drivers have been caught breaking road rules in the past two years."

Mr Keating's first statement is incorrect as under the State Penalties Enforcement Act 1999 (s13 and s14) "an infringement notice for an infringement notice offence involving a vehicle may be served on the owner of the vehicle". The fact that police are getting basic facts such as these wrong at the top level tends to explain why the Queensland Police Service is not prosecuting many unequivocal breaches of this law.

Mr Keating's comment on road rule breaking is false, absurd and unhelpful. It only inflames "tribal loyalties" which cause so many problems on the road. It utterly contradicts the media strategy of the Department of Transport and Main Roads, which is attempting to "humanize" people who ride bikes so that they can be seen as "people" rather than "cyclists". Recommendation 11 of the 2013 "Inquiry Into Cycling Issues", supported by the Department of Transport and Main Roads, stated: "The Committee recommends that the Minister for Transport and Main Roads fund an extensive community awareness campaign both prior to and following the introduction of the new minimum overtaking distance regulations and that this campaign incorporates humanizing cyclists in a way the general public can identify with them." Instead Mr Keating's comment perpetuates a tired and false stereotype of people who ride bikes as "law-breakers".

Mr Keating's statement deserves your condemnation and he should be advised of his errors.

Based on the traffic infringement notices (2010/11 to 2014/15), there were 7,568,174 notices issued in total, and 34,045 for bicycle related offences. That was 0.45% of the offences. Method of travel to work figures from the Census and the travel surveys put the cycling modal share figure at about 1.5% over that time, so this is less than a third of that number. In the last two years the figure is 14,062 / 3,669,827 = 0.4%.

¹ <https://www.facebook.com/abcnews24.au/videos/1163944136972461/?fref=nf>

Based on the figures, people who ride bikes are more law abiding. It should further be noted that the majority of fines for cyclists are actually for offences specific to bicycles: not wearing a helmet and not having a bell attached to the bicycle.² About 80% of fines for cyclists are for helmet law offences.

Regards

Dr Richard Bean
Co-convenor
Brisbane CBD BUG
6 April 2016

cc Minister for Main Roads
cc Police Commissioner
cc ABC Media Watch

² <https://data.qld.gov.au/dataset/traffic-infringements-by-offence-type/resource/7cb07339-4f67-4efe-8a6f-e25c779fbfe9>