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Gemma Kernich
A/Manager
Cycling & Walking
Department for Planning, Transport and Infrastructure
New Cycling Laws, Planning and Transport Policy,
Reply Paid 1533,
Adelaide SA 5001

Dear Gemma,

Proposed Changes to Cycling Rules

Thank you for the opportunity to comment on the proposed changes to the cycling rules. The proposed rule changes were discussed and recommended through the Citizen's Jury Report on Sharing the Road Safely and were supported in principle by the RAA, with the exception of the mandated clearances when overtaking.

RAA supports every South Australian having the opportunity to actively choose cycling as a mode of transport and encourages the ongoing development of safe accessible routes. RAA also supports education and the promotion of programs for novice riders and those returning to cycling with the ability to do so with confidence and safety.

RAA's response to the State Government's proposed new laws on sharing the road are as follows:

- ***Allowing cyclists to ride on the footpath, irrespective of age***

RAA response

RAA supports allowing cyclists to ride on footpaths when there is no on road bicycle facilities, provided cyclists keep to the left of the path, give way to pedestrians and ride at a speed that does not compromise the safety of pedestrians. Riding on the footpath is considered an effective and safe option for novice cyclists, particularly in situations where on road facilities are not available, provided cyclists understand their legal obligations and do not ride so as to endanger pedestrians.

Currently, children aged 12 years and under are permitted to ride on the footpath as are any accompanying adults or older children and this has appeared to operate effectively

without compromising pedestrian safety. Under the proposed changes, it will still be possible for authorities to prevent cyclists from riding on footpaths in locations where there is a high level of pedestrian activity and this is supported by RAA.

A critical part of this change would be ensuring cyclists are aware that riding on a footpath must of necessity be restricted to low speed and that pedestrians continue to have priority. Therefore, all the changes will require a comprehensive education campaign to ensure cyclists, pedestrians and motorists are aware of the changes.

- ***Defining the overtaking space between a vehicle and a cyclist as a minimum of one metre and 1.5 metres on roads with a speed limit higher than 60km/h***

RAA response

While it is important that motorists do allow adequate distance between their vehicles when overtaking cyclists (and the distances of one metre and 1.5 metres for higher speed roads are proposed), RAA does not support mandating these distances. RAA considers that it is better to explain why it is important to ensure that a safe passing distance is maintained rather than legislating clearances. The legislative approach and any subsequent enforcement have the potential to alienate motorists and cyclists rather than encouraging responsible sharing of the available road space. RAA expressed this concern in response the recommendation from the Citizens Jury Report on Sharing the Roads Safely and also made this point in response to the decision by the Queensland Government to introduce this in 2014.

RAA believes it would be more effective to develop a comprehensive campaign to promote the reasons for leaving a minimum 1.0 metre clearance on roads with a speed limit of 60km/h or less and 1.5 metres for those roads with a higher speed limit rather adopting the legislative approach.

- ***Allowing motorists to cross solid lines, double white lines and painted medians or traffic islands in order to pass cyclists when it is safe to do so***

RAA response

RAA does support allowing motorists to cross solid lines, double white lines and painted medians or traffic islands in order to pass cyclists when it is safe to do so. We receive complaints from our members regarding the difficulty in being able to legally and safely pass cyclists on single lane roads, particularly in the Adelaide Hills. Currently, motorists either pass cyclists in breach of the road markings or attempt to pass them within the lane and in doing so create a dangerous situation by passing too close. It is considered this change to the law will greatly contribute to better sharing of the road by cyclists and motorists. Cyclists should also be encouraged to ride in single file only (unless overtaking another cyclist) to facilitate safe overtaking and assist in sharing the road space on single lane roads.

Both drivers and riders will need to be educated about this change, in particular that this amended rule will only allow motorists to pass cyclists, in contravention of the existing road marking, and will not include any other slow moving vehicles.

Effective sharing of the available road space between cyclists and motorists relies on a culture of acceptance and also that both have obligations to respect each other's rights to safely occupy road space. This is important not only from a safety perspective but to also ensure that there is seen to be consistent treatment of all road users to counter the view that cyclists are exempt from rules that apply to motorists. In addition, the fines for cyclists disobeying general road rules should be reviewed so as to be the same as for the driver of any motor vehicle. The rationale for the increase is that cyclists who disobey road rules such as riding through red lights put themselves and other road users at risk. By contrast, in South Australia the fine for a driver entering an intersection against a red light is \$341 whereas for a cyclist the fine is \$53.

RAA supports a comprehensive education program coupled with training through the learner driver program and social media to promote the proposed changes. These changes should also ultimately be included in the Driver's Handbook and the Learner Driver Theory Test should be amended to include appropriate questions on the new rules.

Please contact me on 82024568 if there is any part of our response that you would like to discuss further.

Yours sincerely



Charles Mountain
Senior Manager Road Safety