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24th October 2017

The Hon Darren Chester, MP.
Minister for Infrastructure and Transport
PO Box 6022,
House of Representatives,
Parliament House, Canberra ACT 2600



Dear Minister,

Ministerial Inquiry into the Effectiveness of the National Road Safety Strategy

In the interests of improving motorcycle road safety, the Motorcycle Council of NSW would like to make the attached submission to your inquiry.

Regards,

Brian Wood
Secretary

Ambassadors CMC, Australian Hayabusa Club, Aus Motorcycles, Bikers Anon, Bikers Australia Inc., Blue Mountains Bikers, BMW Touring Club of NSW, Bombala Motorcycle Association, Central Coast Scooter Club, Clubman Tourers Motorcycle Club, Cooma Alpine Tourers, Ducati Owners Club of NSW Inc, Dual Sport Motorcycle Riders Association, Dykes on Bikes, Easyriders Australia (Sydney), Girls Ride Out, Harleys for Humanity, Hawkesbury Nepean Motorcycles, Harley Owners Group (Liverpool), Hunter Ducati Owners Group, Illawarra Riders, Inverell Motorcycle Restorers, Just Girls Motorcycle Group, Katana Australia, Kawasaki Sportsbike Rider Club, Kings Cross Bikers Club, Club Laverda NSW, Kobbles Kruiser Klub, Maharlika Riders, McMod, Midstate Motorcycle Club, Natureland Classic Motorcycle Club, Nepean Motorcycle Club, Netrider, Newcastle Combined Clubs, NSW Riders, ORoadSports, OffRoadExplorer, Patriots Australia, Pinoy Motorcycle Club, RATS Down Under, Riders Against Bureaucracy, Saturday Night Riders, Sidecar Owners Club (Sydney), Sydney Knights, Sydney Motorcycle Club, Ulysses, United Districts Motorcycle Club, United Motorcycle Club, United Tourers Motorcycle Club, United Trikers, XS650

Ministerial Inquiry into the Effectiveness of the National Road Safety Strategy

Submission

dated

October 2017

MOTORCYCLE COUNCIL
OF NEW SOUTH WALES
INCORPORATED



**Darren Chester MP
Minister for Infrastructure and Transport
Parliament House
Canberra ACT 2600**

Motorcycle Council of NSW

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About the MCC of NSW

The Motorcycle Council of NSW Inc. (MCC) is an internationally recognised umbrella group for motorcycle clubs, associations and ride groups, in the state of New South Wales.

Established in 1981, the MCC of NSW is the peak body for motorcycle clubs in NSW. It represents over 50 clubs, with more than 36,000 riders.

In 2001 the MCC was the first rider group in Australia, and possibly the world, to develop a motorcycle road safety strategy, 'Positioned for Safety'. This was followed up by a second strategy 'Positioned for Safety 2010' in 2006.

Submission

The MCC of NSW offers the following comments from a motorcycling perspective in regards to the National Road Safety Strategy:-

Item 1. *The need for a national motorcycle road safety strategy*

While most States and Territories have motorcycle safety strategies, there is no national strategy, even though there have been recommendations by the Senate to develop one.¹

In the lead-up to the Federal Election in September 2013, the Coalition released 'The Coalition's Policy to Improve Road Safety' in which the section 'Work with Motoring and Motorcycling Organisations' states: 'We will work in partnership with key stakeholders to develop and implement a motorcycle safety strategy'. There has been no indication from the Government that it is acting on this election promise.

Without a national motorcycle road safety strategy, it is not possible to determine the most effective countermeasures to address motorcycle injury and death.

Before the MCC developed its first motorcycle safety strategy 'Positioned for Safety' in 2001 and its second strategy 'Positioned for Safety 2010', there were many myths and much misinformation about the causes and outcomes of motorcycle crashes in NSW. The development of these two strategies by the MCC went a long way towards dispelling these myths and misinformation.

The only two motorcycle countermeasures in the current national road safety strategy are mandatory ABS and protective clothing. The November 2016 status report found that motorcycle fatalities and serious injuries have reduced by 12.8% compared to the baseline. This is less than the average reduction of 15.8%. It has never been the case that the reductions in motorcycle fatalities and serious injuries have exceeded the average. Sufficient countermeasures need to be introduced so the reduction in motorcycle fatalities and serious injuries can catch up to the average, not only for the current strategy but also previous strategies.

The Regulation Impact Statement for mandatory motorcycle ABS predicts that the reduction in fatal and serious injury crashes will be 33%. There are some (including the MCC) that consider this figure to be very optimistic, as it requires that one in three current crashes involve a locked wheel that caused the crash.

The MCC recommends that the Federal Government develop a national motorcycle road safety strategy that includes a thorough analysis of motorcycle crashes, their causes and outcomes, in order to be able to better establish the most effective countermeasures to injury and death.

Item 2. *The need to re-establish the Motorcycle Safety Consultative Committee*

¹ Eyes on the Road Ahead, 2004 Recommendation 36

There is a need to re-establish the Motorcycle Safety Consultative Committee so rider organisations can have input to the development of motorcycle safety countermeasures.

This Committee is also required to monitor current countermeasures, particularly mandatory ABS, to ensure that predicted reductions in fatal and serious injury crashes are achieved, and if they start to lag behind, recommend measures to bring reductions back on track.

Item 3. *Determining the causal factors of crashes*

The basis for determining the causal factors of crashes is flawed.

Road authorities claim that 'speed' is the biggest killer on our roads, claiming that speed is a causal factor in 40% of crashes. The MCC does not agree with this claim as it is not substantiated by any factual/evidence-based investigative findings.

The basis of this claim comprises Police reports that are prepared by General Duties Police who are not trained specialist crash investigators. Such reports, whilst ensuring an accurate outline of what happened in a crash, often fail to discover why the crash happened. Consequently, little or no reliable crash cause data is gleaned from police attendance at road crashes. Police routinely do their best to work out what was involved in crashes that they attend, so that they may provide basic evidence of the commission of any traffic offence/s that has/have occurred in the crash. Thus the purpose and extent of any 'investigation' that takes place at a crash is designed to suit traffic offence prosecutions and, in the case of serious traffic crashes, the possibility of criminal offences — rather than any effort to determine and/or better understand actual crash causation.

Only fatal and serious injuries crashes are attended by police with experience in criminal investigations, and they may also have assistance from scientific sources; even then, such attendance, whilst ensuring an accurate outline of what happened in a crash, often fails to discover why the crash happened.

Algorithms are then used to interrogate Police Reports to determine if 'speed' as a factor in the crash. These algorithms over-estimate the role speed plays in crashes — in particular, motorcycle crashes.

In the United Kingdom (UK) for example, specially selected and educated police conduct road crash investigations; these police do NOT initiate prosecutions for traffic offences, as is the case in NSW. The UK crash investigation police focus on 'causation' as their key task. In the UK back in 1997, the British Transport Laboratory undertook a project (TRL323) to better standardize reporting of road crashes throughout the UK; following this project that thoroughly re-examined road crashes in eight UK policing jurisdictions, they found that less than 8% of all road crashes involved exceeding speed limits as a causal factor. Report TRL323 clearly identified driver 'inattention' as the biggest causal factor in road crashes.

In the USA in 2005, the National Highway Traffic Safety Administration, in conjunction with Virginia Technical University, conducted a long-term 'Naturalistic Driving Study', involving over 42,000 thousand hours of captured in-car footage from 100 participant cars and 241 drivers. The results of this study showed that excessive speed was a causal factor in just 7% of 'adverse incidents' recorded. However, the study showed that almost 80% of adverse incidents involved driver inattention just prior to the

incident (i.e. within 3 seconds). Prior to this study (in a similar mind-set to NSW Road Authorities), driver inattention was thought to have been a causal factor in around 25% of adverse traffic incidents.

'Speed' is a factor in every single road crash (i.e. 100%) when it comes to outcome, but 'speed' is rarely the actual cause of a road crash. Sound international research has already long established this fact. The claim that speed is a factor in 40% of fatal crashes is a meaningless statement, because the statement is silent on whether the factor being referred to is one of outcome or cause. Road authorities need to start providing for proper cause-driven investigations of road crashes instead of perpetuating misleading statements that have no basis in fact.

Road safety authorities need to implement proper road crash investigation with the key purpose of understanding true crash causation, and to cease the current inept methodology of road crash cause 'determination' by the application of contrived causal criteria to current road crash reporting — criteria that do not provide evidence-based data with respect to road crash causation.

Item 4. *The impact of new technologies*

ABS has not proven to be the safety 'silver bullet' many expected it would be for cars. An article in the ACRS Journal² states, 'Two examples from a few decades ago demonstrate how features that show promise initially can fail to live up to expectations. Antilock braking systems perform well on the test track, but studies have found reductions in the real-world crashes ranging from none to small and no effect on fatal crashes'. The MCC has concerns that the reductions in crashes predicted for mandatory motorcycle ABS will not be realised as:-

- there is no evidence that one in three current crashes are caused by a locked wheel
- there is no provision in the Regulation Impact Statement to educate and train riders how to maximise the benefits of ABS.

ABS in cars has, however, enabled the development of Electronic Stability Control (ESC) which is proving beneficial in reducing the crash rate in cars. Similarly, ABS on motorcycles has enabled the development of Motorcycle Stability Control (MSC), traction control, brake assist, and other Safety Assist Technologies (SAT) for motorcycles.

As these are relatively new technologies, there has been no research establishing their benefits in reducing motorcycle road trauma. As a single track vehicle, motorcycle dynamics in crashes are vastly different to those of dual track vehicles. Because the technology has been developed for cars, it is not immediately transferable to motorcycles.

The MCC favours an evidence-based approach to the introduction of these technologies.

Technology developed for cars needs to take into consideration the effect it has on motorcycle safety. A study by the American Automobile Association (AAA)³ concluded that blind spot monitoring (BSM) in

² Navigating toward zero fatalities: the role of NCAP's Journal of the Australasian College of Road Safety Vol 25 No 2, 2014

³ <http://newsroom.aaa.com/tag/blind-spot-monitoring/>

the vehicles they tested detected, on average, motorcycles 26% later and at a reduced distance of 14%.

'Positioned for Safety 2010'⁴ found that 11% of multi-vehicle crashes were due to lane side-swipe where the other vehicle was the key vehicle (page 15). If the MCC's recommendation to develop a national motorcycle road safety strategy were to be adopted, a similar result will probably be found to apply nationally.

The seriousness of lane side-swipe crashes is highlighted by the frequent use of variable message signs in NSW displaying the message 'Watch out for motor bikes in blind spots'.

The AAA study refers to NHTSA test document 'Blind Spot Monitoring in Light Vehicles — System Performance' (DOT HS 812 045). This test document states in the Introduction *'Not all BSMS have the same detection capabilities or operating conditions. In vehicle owner's manuals, many automobile manufacturers state that their systems are designed to detect only highway vehicles, not other objects such as bicycles, motorcycles, humans, or animals'*.

It is the MCC's view that given the seriousness of lane side-crashes, BSM systems that do not detect motorcycles are not fit for purpose and should not be permitted to be sold in Australia.

Other technologies that rely on detecting other vehicles, such as adaptive cruise control, need to be able to detect motorcycles just as well, if not better, than other vehicles.

The MCC recommends that the Australian Design Rules be updated so only technologies that do not disadvantage motorcycle safety are permitted to be introduced into Australia.

Some are predicting that autonomous vehicles will reduce the crash rate by 90%, as 90% of crashes involve a human element. None of these predictions takes into account a possible increase in crashes due to the technologies not being able to adequately detect motorcycles and other vulnerable road users.

Item 5. Motorcycle Protective Clothing

NSW is leading an Australasian consumer information programme (Moto-CAP) to test and rate motorcycle protective clothing. A 12-month trial programme commenced in July 2017. The scheme is designed to increase the use of effective protective clothing by motorcyclists. However, there is no guaranteed funding for the programme after the trial programme. Ongoing funding is required so that:-

- a reasonable percentage of clothing in the marketplace can be tested
- advice can be provided to manufacturers on how to improve their clothing to increase its protection and thermal comfort rating.

End of document

⁴ <http://roadsafety.mccofnsw.org.au/>