

2018 FEDERAL GOVERNMENT INQUIRY INTO  
EFFECTIVENESS OF NATIONAL ROAD SAFETY STRATEGY  
2011 - 2020.

**Attention :** Dr John Crozier

: Professor Jeremy Woolley

**Also :** The Hon. Melinda Pavey, MP. Minister for Roads, NSW.

: Mr Ken Kanoffski, CEO Roads & Maritime Services, NSW

: Mr Michael Fuller, New South Wales Police  
Commissioner

DISCUSSION PAPER NO. 1

SERIOUS FAILURES IN THE ADMINISTRATION & PERFORMANCE  
OF ROAD SAFETY IN NEW SOUTH WALES, IN THE PERIOD  
2004 - 2018, IN REGARD TO :-

- \* **Road Safety Management / Assessment**
- \* **Road Safety Investigation**
- \* **Road Safety Planning / Development**
- \* **Road Safety Reform / Reconstruction 2015 - 2025**
- \* **Local Govt. Road Safety Inv. & Development**
- \* **New South Wales, Effective, Road Safety Strategy  
Development 2015 -2025**

1.0 Note: The comments and discussion material which follow, should not be taken as criticism of any person or of any department within the New South Wales Government. Indeed the Labour Party in New South Wales held office up until March, 2011 when they were defeated by the incoming O'ffarrel Liberal/ National Coalition Govt.

The New South Wales Centre for Road Safety was formed on 28 May, 2007 but remained within the NSW RTA as an administrative unit. In 2011 the NSW CRS was transferred from the RMS to Transport for NSW, but once again it remained as a somewhat 'low profile' and 'low powered' group of 'professional administrative staff', under the

supervision of a Deputy Director ( Policy and Regulation), Transport for NSW.

Transport for NSW employs some 26,000 persons in total. It is understood that Transport chiefs were heavily focused on delivering for the New South Wales Government, 'transformational' and wide ranging improvements to all forms of transport in NSW including the 'Opal Card', managing 'new' disruptive technologies (Uber), managing also multi-billion dollar new road investments such as 'West Connex', 'North Connex', the Pacific Highway dual carriageway completion and the 'very challenging', complex and costly, George Street Tramway Project.

**It is not surprising therefore, that 'road safety investigation and development' in New South Wales was 'quietly' and 'unintentionally' moved further away from the central focus of Transport chiefs.** In other words, the CRS gradually became more of a 'back seat' player. Senior staff in Transport and Centre for Road Safety became somewhat complacent and somewhat 'in denial' and continued to avoid critical and urgent questions as to ;  
– **do we have and have we employed the best road safety experts and specialists in Australia ?... to ensure that, we can meet all of the road safety challenges, issues and responsibilities, now and in the future ?**

**Critically, also, in New South Wales, a 'very odd situation' began to develop in regard to – exactly which department of the New South Wales Government, was actually 'in charge' of road safety.**

**Whilst the Centre for Road Safety on numerous occasions announced that it, was the 'peak road safety body' in NSW, this was not actually the case in many respects.** In New South Wales, whenever a pedestrian death occurred, either in a Local Government Area or upon a 'State Road' or a 'major crash event involving a heavy vehicle, it was almost always, RMS 'investigative staff', that appeared 'on the scene' along with other emergency service staff, including NSW Police, Fire & Rescue, Ambulance and Crash Investigation Unit. Invariably, the **Centre for Road Safety** was simply **not present** during or after these very serious crash events involving, often, several fatalities in densely populated urban areas. eg. **In October, 2013, a major crash took place on Mona Vale Road in Sydney's Northern Beaches. The fuel tanker overturned and burst into flames on a major connecting road. Two innocent persons in an approaching passenger vehicle died at the scene and were incinerated. Four others were injured.**

Following this terrible and tragic event, the New South Wales Centre

for Road Safety was heavily criticised (at that time), for 'staying away' from this terrible scene which occurred only some 20 kms away from their office in the CBD. ( note, although this major fatality crash was serious enough, it could have been even worse than it was eg. had a school bus been approaching from the other direction or indeed, had a school bus, been following the fuel tanker when it struck a power pole , overturned and then burst into flames.)

Equally worrying, from a road safety investigation / development point of view, **it wasn't until January, 2017, when it was revealed, that the New South Wales Centre for Road Safety, had not been receiving all or any, NSW Crash Investigation Reports relating to crash fatalities in New South Wales as they became available.**

Such reports constituted an extremely important source of knowledge and 'new understanding' that would also have revealed exactly how and why a person or persons died in a vehicle crash and all of the exact circumstances and behaviourable factors that contributed to the fatality crash.

**That vital and crucial new information revealing the causes of actual crash fatalities across all types of ' road environments' in New South Wales, had the clear potential to improve future road safety outcomes in NSW and other Australian States, via the introduction of essential new road safety measures, new regulations, new recommended procedures, new or changed penalties and lastly, newly developed and innovative road safety solutions.**

However, the New South Wales Centre for Road Safety and its forebear, the Road Safety Branch of the NSW RTA for almost two decades, did not seek access to those crucial NSW Police reports.

In 2014, this author contacted the CIU (Crash Investigation Unit) at Huntingwood, in regard to a particular pedestrian fatality and the exact circumstances pertaining to that fatality. The CIU officer assisted with further information. At the end of the brief discussion the officer was asked – “ do the Police CIU crash reports include a defined separate space at the conclusion of the report indicating for example - Are there any implications for road safety development in the future as a result of the crash fatality findings ?

The officer indicated that 'no' , the CIU report did not include a space for any such further information.

## 1.1 DISCUSSION PAPER NO. 3- FURTHER DIFFICULTIES AND APPARENT FAILURES OF ROAD SAFETY MANAGEMENT

WHEN A GOVERNMENT DEPARTMENT IS ESTABLISHED WITHOUT DUE REGARD FOR THE NECESSARY INCLUSION OF HIGHLY REGARDED ROAD SAFETY EXPERTS AND SPECIALISTS, WHO ALSO HAVE THE NECESSARY SKILLS AND ABILITIES, TO DRIVE THE NECESSARY CHANGE & TO DRIVE, MUCH NEEDED AND LONG OVERDUE & ESSENTIAL ROAD SAFETY REFORM AND LASTLY TO BRING ON BOARD, THE LATEST AND MOST PROMISING, NEW INNOVATIONS IN ROAD SAFETY AND ROAD SAFETY DEVELOPMENT APPLICABLE TO ALL AUSTRALIAN STATES. ( Discussion Paper No.3 available in late January, 2018)

1.11 Discussion Paper No.3- will further demonstrate that in order to achieve genuine and far reaching road safety reform and vastly improved road safety outcomes in New South Wales and other Australian States, **it is both essential and fundamental that all Australian States move to the Western Australian model of a ‘stand alone’ State based, Road Safety Commission, with up to three Commissioners leading the organisation.**

For example, a proposed New South Wales Road Safety Commission would incorporate, for the first time in New South Wales, a highly regarded **-Expert Panel** . An internal Panel of recognised road safety Experts comprising for example, six of Australia’s leading road safety experts. The Commission would also invite ‘external experts’ and elected representatives etc. to regularly become aware of the Commissions activities and progress, via an **‘an open door policy’ and a policy of easily available information and consultation.**

## 1.2 **DRIVERLESS VEHICLES IN THE AUSTRALIAN LANDSCAPE A WORD OF CAUTION NEEDED AS WELL AS A PROPER REALITY CHECK FOR MANY**

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In 2016/17, much has been written about the road safety benefits of so called driverless vehicles and how this new technology will forever change the road safety landscape by eliminating up to 90% of vehicle crashes. That argument is now given as the reason why governments

should now commence spending hundreds of millions of dollars in preparation for fully driverless vehicles....that will be with us in less than five years time!

However, it doesn't take a lot of study of currently available material to clearly demonstrate the impossibility of the above **exaggerated and unsubstantiated claims made in respect of so-called 'driverless vehicles' on Australian 'public' roads**. Here are a few genuine and practical reasons as to why driverless vehicles, as such, will never be seen in metropolitan 'built up' and heavily urbanised areas of Australia.

1.) Whilst ADS (Automated Driving System) driverless vehicles can operate satisfactorily on 'closed loop', specially prepared 'signalised pathways', that have heavily restricted private vehicle access, the same is not true for a **'completely open system of currently available public roads in both urban and rural environments'**.

2.) Whilst Level 3/4, driverless vehicles may be permitted to operate on specific but highly restricted and limited sections of 'specially prepared and constantly 'checked' freeway sections only, they will always be required to have a standard type steering wheel, for fairly obvious reasons.

3.) Major motor vehicle manufacturers worldwide, are only now (late 2017), beginning to more clearly and more honestly, indicate what exactly, their automated technologies are designed to do. For a start, Mazda International has just publicly announced worldwide, that **Mazda will never produce a motor vehicle that does not have a traditional steering wheel**.

The luxury vehicle manufacturer BMW has similarly announced that its future mass market vehicles will always be fitted with a traditional steering wheel.

In the last few weeks of 2017, a representative of Volvo Australia, in a private telephone conversation, clearly stated that its' 'driverless vehicle technology', **is not in any way, designed to operate the vehicle in any urban setting whatsoever, nor will it be designed to operate on any rural or semi rural road environment in New South Wales**. The representative went on to say that in level 3 & 4 driverless mode the vehicle's system will only be permitted to operate along limited and designated sections of 'approved freeway', which will be updated each day for the vehicle in question, once the governing system has checked the freeway's performance standards on a daily basis and that new information is then relayed back to the vehicle in question.

4.) Whilst some may disagree, the very fact of a '**mixed fleet**' of automated vehicles and driver operated, traditional vehicles trying to operate together in say a highly complex urban, road / intersection, environment, really spells the 'death knell' for so called 'driverless vehicles'. Careful examination of a multitude of new road safety issues and new, driver behavioural issues and responses to combining the two types of vehicles, in one complicated and complex urban road environment, including for example 'shopping centres', playing fields, school zones for child 'drop off' etc. etc., **clearly indicate the complete impossibility, in practice, of trying to combine the two together in a safe, organised and workable manner.**

5.) **THE 'DEAL BREAKERS' - ADSE (AUTOMATED DRIVING SYSTEM ENTITY) AND THE BURDONSOME REQUIREMENT FOR OWNERS OF AUTOMATION EQUIPPED LUXURY VEHICLES TO OBTAIN A SPECIAL LICENCE AND SUITABLE, SAFE TRAINING FOR SUCH AN ADVANCED TYPE OF VEHICLE—HOW IT WORKS ? WHAT YOU CAN AND CAN'T DO ? -WHAT YOU NEED TO WATCH OUT FOR IN 'NORMAL SITUATIONS AND IN EMERGENCY SITUATIONS ETC. ETC.**

Take for example a likely scenario in the future, wherein a wealthy parent purchases a level 4 automation equipped vehicle. He or She undergoes additional industry training and the new owner is then certified as a '*competent automated vehicle operator*'. This skill attainment is noted on the owner's existing NSW Licence **or a special licence is issued by RMS**. Lets' say, two years later for example, the owner's daughter gains a full ordinary licence and asks about taking the parent's vehicle for the day (the automation equipped vehicle).

The owner says, take it but don't use it in automation mode. Two hundred kms. away on a rural, narrow, two lane main road, the daughter's boyfriend asks to take over the driving and decides to place the vehicle in automation mode on a patchy , unmarked rural road that it wasn't designed for. The vehicle crashes soon after at close to 100 kph. Both young occupants are killed. (hypothetical scenario only)

#### BRIEF CONCLUSION

Apart from the above matters briefly discussed, there are further genuine negating issues relating to expected uptake of level 3 and level 4 ADS, equipped vehicles, particularly in regard to expected uptake by private owners, of such vehicles. Higher purchase costs will apply to such vehicles. Registration costs and inspection costs

are likely to be significantly higher as well. Motor vehicle manufacturers ( of ADS equipped vehicles) are likely to resist, **full legal liability**, once an automated driving system is engaged by the vehicle purchaser. Such higher costs, uncertainties and difficulties such as 'special licences required to operate ADS vehicles will most probably result in low or very low uptake of such vehicles into the privately owned motor vehicle fleet in Australia.

Recalling also that any 'supposed benefits' of such vehicles are strictly limited. ie. As Volvo Australia has clearly stated, a new vehicle owner will only be able to select the automated driving function for strictly limited Motorway sections of roadway and those 'preset' sections of Motorway may well vary from day to day, bringing with it further uncertainties and complications once again for the unsuspecting purchaser of such vehicles.

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NOTE: DISCUSSION PAPER NO. 2, DEALING WITH SPECIFIC NEW ROAD SAFETY REFORMS AND MAJOR PROPOSED CHANGES TO EXISTING ROAD SAFETY MANAGEMENT IN NEW SOUTH WALES WILL BE AVAILABLE LATER IN JANUARY, 2018

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