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PARLIAMENT OF TASMANIA

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LEGISLATIVE COUNCIL SELECT COMMITTEE

## Road Safety in Tasmania

### Members of the Committee

**Hon Rosemary Armitage MLC**  
(Chair)

**Hon Tania Rattray MLC**

**Hon Josh Willie MLC**  
(from 2 September 2021)

**Hon Jo Palmer MLC**  
(until 13 July 2022)

**Hon Dr Bastian Seidel MLC**  
(until 7 January 2022)

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## Establishment of the Select Committee

On 29 June 2021, the Legislative Council of Tasmania resolved to establish a Select Committee with power to send for persons and papers, with leave to sit during any adjournment of the Council, and with leave to adjourn from place to place, to inquire into and report upon ways in which to improve road safety in Tasmania.

Further information on the motion moved by Hon Rosemary Armitage MLC may be found on the Hansard record of debate.<sup>1</sup>

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<sup>1</sup> Hansard Parliament of Tasmania Legislative Council (Tuesday, 29 June 2021), p 12-18, <https://www.parliament.tas.gov.au/ParliamentSearch/isysquery/fd03a380-81e3-44f9-8043-544d69d7f900/11-12/list/> [Accessed 17 May 2022]

## Abbreviations, Acronyms and Glossary

<b>ACO</b>	Assistant Commissioner Operations, Tasmania Police
<b>ACT</b>	Australian Capital Territory
<b>Active travel</b>	The recognition that walking and cycling are important means of transport
<b>AECS</b>	Accident Emergency Call Systems
<b>AgFest</b>	Agfest is a renowned annual agricultural field day held in Carrick, Tasmania
<b>AGTTM</b>	Austrroads Guide to Temporary Traffic Management <sup>2</sup>
<b>AIPM</b>	Australian Institute of Police Management
<b>ANCAP</b>	Australasian New Car Assessment Program
<b>APM</b>	Australian Police Medal
<b>ARRB</b>	Australian Road Research Board
<b>ARDD</b>	Australian Road Deaths Database
<b>AusRAP</b>	Australian Road Assessment Program - has examined 21,921 km of national highway with a speed limit of 90 km per hour or above, awarding Star Ratings based on their level of safety. Sections of road are rated on a scale of 1 to 5-stars, with 1 star being the least safe and 5-star being the safest <sup>3</sup>
<b>Austrroads</b>	Austrroads Guides inform the design, construction, maintenance and operation of the road network in Australia and New Zealand <sup>4</sup>
<b>Automated Traffic Enforcement Program<sup>5</sup></b>	The Department of State Growth, in partnership with Tasmania Police, will implement a new program of mobile speed cameras across Tasmania to reduce the level of speed related road trauma and support the Government's target of fewer than 200 deaths and serious injuries by 2026
<b>BAC</b>	blood alcohol concentration
<b>B-double</b>	a truck and trailer combination consisting of a prime mover coupled to two trailers
<b>BITRE</b>	Bureau of Infrastructure and Transport Research Economics
<b>CBD</b>	central business district
<b>CCF</b>	Civil Construction Federation
<b>CCTV</b>	closed-circuit television
<b>CEO</b>	Chief Executive Officer
<b>COVID-19</b>	novel coronavirus SARS-CoV2
<b>DECA</b>	Driver Education Centre of Australia (a division of Wodonga TAFE facility, Vic)
<b>DIER</b>	Department of Infrastructure, Energy and Resources
<b>DSG</b>	Department of State Growth
<b>Fit2Drive</b>	In Victoria, Fit to Drive has delivered road safety workshops for almost 140,000 young people since 2014 <sup>6</sup>
<b>Four Wheeled</b>	Includes cars, trucks and buses
<b>GLS</b>	graduated licensing system
<b>GPS</b>	global positioning system
<b>HC</b>	heavy combination
<b>HR</b>	heavy rigid
<b>HVDL</b>	heavy vehicle driver licensing (program)

<sup>2</sup> See 'Guide to Temporary Traffic Management: Set', <https://austrroads.com.au/publications/temporary-traffic-management/agttm-set> [Accessed 7 April 2022]

<sup>3</sup> <https://www.aph.gov.au/DocumentStore.ashx?id=383a0af2-4360-4e13-a5b6-ba8cd2ddd679&subId=304734#:~:text=Ratings%20Report%20%7C%202013-About%20AusRAP,advocating%20for%20safer%20road%20infrastructure>, p.6 [Accessed 17 May 2022]

<sup>4</sup> <https://austrroads.com.au/> [Accessed 17 May 2022]

<sup>5</sup> [https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/automated\\_traffic\\_enforcement\\_program#:~:text=The%20Department%20of%20State%20Growth,and%20serious%20injuries%20by%202026](https://www.transport.tas.gov.au/road_safety_and_rules/automated_traffic_enforcement_program#:~:text=The%20Department%20of%20State%20Growth,and%20serious%20injuries%20by%202026). [Accessed 17 May 2022]

<sup>6</sup> <https://fittodrive.org.au/> [Accessed 17 May 2022]

<b>IPMF</b>	Injury Prevention and Management Foundation
<b>Keys2Drive</b>	In Tasmania, the Keys2drive free lesson provides learner drivers and their parents/supervisors a free driving lesson with an accredited driving instructor <sup>7</sup>
<b>KPIs</b>	key performance indicators
<b>LAMS</b>	learner approved motorcycle
<b>LDMP</b>	In Tasmania, the Learner Driver Mentor Program (LDMP) helps learner drivers, who do not have access to a supervisor and cannot pay for professional lessons to get a driver licence <sup>8</sup>
<b>LED</b>	light emitting diode
<b>LGAT</b>	Local Government Association Tasmania
<b>Love 40</b>	Road safety education campaign conducted by RSAC - means driving at or below the school zone limit of 40km/h to keep children safe (includes around stationary school buses with their lights flashing) <sup>9</sup>
<b>MAIB</b>	Motor Accidents Insurance Board
<b>MLC</b>	Member of the Legislative Council
<b>MotoCAP</b>	Motorcycle Clothing Assessment Program
<b>MR</b>	medium rigid
<b>MUARC</b>	Monash University Accident Research Centre
<b>NSW</b>	New South Wales
<b>NT</b>	Northern Territory
<b>OH&amp;S</b>	occupational health and safety
<b>P1</b>	P(rovisional) 1 licence holder
<b>P2</b>	P(rovisional) 2 licence holder
<b>PAT</b>	Police Association of Tasmania
<b>PMDs</b>	personal mobility devices
<b>PORT</b>	Public Order Response Team, Tasmania Police
<b>Qld</b>	Queensland
<b>RAAP</b>	In Qld, the Road Attitudes and Action Planning (RAAP) is a free road safety awareness and education program delivered by QLD Fire and Emergency Service for Year 11 and 12 students <sup>10</sup>
<b>RACT</b>	Royal Automobile Club of Tasmania
<b>RAP</b>	In SA, the Metropolitan Fire Service runs the Road Awareness Program (RAP) for the community <sup>11</sup>
<b>Rescue Ed Express</b>	In NSW, Rescue Ed Express is a road safety and education initiative of Fire and Rescue NSW where firefighters deliver an interactive road safety presentation to potential learner drivers in high schools <sup>12</sup>
<b>RIMS</b>	Road Information Management System
<b>RPOS</b>	Road and Public Order Services, Tasmania Police
<b>RSAC</b>	Road Safety Advisory Council
<b>RTO</b>	registered training organisation
<b>RYDA</b>	Rotary Youth Driver Awareness (RYDA) program
<b>SA</b>	South Australia
<b>Safe System Approach<sup>13</sup></b>	The Safe System (otherwise known as Vision Zero, Towards Zero or Sustainable Safety) views human life and health as paramount to all else and should be the

<sup>7</sup> [https://www.platesplus.tas.gov.au/learner\\_support](https://www.platesplus.tas.gov.au/learner_support) [Accessed 17 May 2022]

<sup>8</sup> [https://www.platesplus.tas.gov.au/learner\\_support](https://www.platesplus.tas.gov.au/learner_support) [Accessed 17 May 2022]

<sup>9</sup> <https://www.rsac.tas.gov.au/campaign/love-40/> [Accessed 17 May 2022]

<sup>10</sup> <https://www.qfes.qld.gov.au/safety-education/programs/road-safety/road-attitudes-action-planning> [Accessed 17 May 2022]

<sup>11</sup> <https://www.mfs.sa.gov.au/community/educational-programs/rap> [Accessed 17 May 2022]

<sup>12</sup> <https://www.fire.nsw.gov.au/page.php?id=9272> [Accessed 17 May 2022]

<sup>13</sup> <http://www.towardszerofoundation.org/thesafesystem/#principles> [Accessed 4 March 2022]

first and foremost consideration when designing a road network. The principles underpinning the Safe System acknowledge that:

- people make mistakes which can lead to crashes; however, no one should die or be seriously injured on the road as a result of these mistakes;
- the human body has a limited physical ability to tolerate crash forces – any impact greater than 30km/h increases the risk of dying significantly;
- road safety is a shared responsibility amongst everyone, including those that design, build, operate and use the road system; and
- all parts of the road system must be strengthened in combination to multiply the protective effects and if one part fails, the others will still protect people.

At the centre of the system is people – people that are fragile and will at times make mistakes that can lead to crashes. With that understanding, the road system needs to put layers of protection in the form of safe roads, vehicles, speeds, people around the fallible and vulnerable human in order to prevent deaths and serious injuries.

**SafeT360**<sup>14</sup> SafeT360 is an interactive custom-built road safety exhibition that uses virtual reality and interactive messaging all packed into a real travelling truck and trailer. Visitors to the exhibition will leave understanding where a truck's blind spots are, how long it takes a truck to stop, the dangers of distraction, and other tips about how to keep themselves and their loved ones safe around trucks.

<b>SCPO</b>	School Crossing Patrol Officer
<b>SES</b>	State Emergency Service
<b>SIM card</b>	subscriber identity module card
<b>SOG</b>	Special Operations Group, Tasmania Police
<b>Symmons Plains</b>	Location of the Symmons Plains Raceway, a motor racing circuit located about 30 km south of Launceston, Tasmania
<b>TAFE</b>	Technical and Further Education
<b>TFS</b>	Tasmanian Fire Service
<b>TMAA</b>	Traffic Management Association of Australia
<b>TMC</b>	Tasmanian Motorcycle Council
<b>TTA</b>	Tasmanian Transport Association
<b>TT-Line</b>	Better known by its trading name Spirit of Tasmania is a Tasmanian Government Business Enterprise which has been operating ferries from mainland Australia to Tasmania since July 1985
<b>UK RCAIB</b>	United Kingdom Road Crash Accident Investigation Board
<b>Vic</b>	Victoria
<b>VRUP</b>	Vulnerable Road User Program
<b>WA</b>	Western Australia
<b>WHO</b>	World Health Organization

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<sup>14</sup> <https://www.safet360.com.au/> [Accessed 17 May 2022]

## Executive Summary

This inquiry was established to take a closer look at the serious issue of road safety and provide sound, evidence-based and data-driven recommendations to the Government with 94 submissions received from a broad cross-section of the community.

While on average 300 people are killed or seriously injured on Tasmanian roads each year, 2022 has been an *annus horribilis* as at the time of writing this Report, the Committee noted that there had been a ten year high of road fatalities on Tasmanian roads.

In 2021, Tasmania failed to meet its National Road Safety Strategy targets. In 2011, 24 people lost their lives on our roads, while there were 272 serious crashes. In 2020, 36 people died and 283 were seriously injured: in 2021, 35 people died with 242 seriously injured. The impact of these deaths on our roads goes far beyond those killed – it affects families, friends and entire communities.

The National Road Safety Strategy 2011-2020 targeted a 30 per cent reduction in fatalities and serious crashes in all jurisdictions. In Tasmania, the rate of fatalities and serious crashes went up. During that period, there were improvements in technology, infrastructure, driver training and licencing, and police were given better, more targeted enforcement options.

Tasmania has the worst road safety record of any state, with 6.6 deaths per 100,000 population. This is far higher than the best-performing state, Victoria, which has 3.17 deaths per 100,000. If we could match Victoria, we could save 19 lives a year.

While there are no silver bullets or easy answers it was felt there needed to be a deeper understanding of what was behind the figures with input from a broad cross-section of the community, including academics, motoring groups, police representatives, and civil construction representatives et.al.

While general deterrence is a factor in road safety, it appears the perception of being caught for speeding or other offences has been low and that general overall speed on Tasmanian roads has increased. The Committee felt that the introduction of automated enforcement technology would assist in improved road behaviour, as well as increased public education and a dedicated traffic enforcement command.

The following figures are a snapshot of relevant Tasmanian road safety data over the period. As indicated by [Figure 1](#), the annual Tasmanian road fatality figure has remained more or less constant with an average of 33 deaths per year.



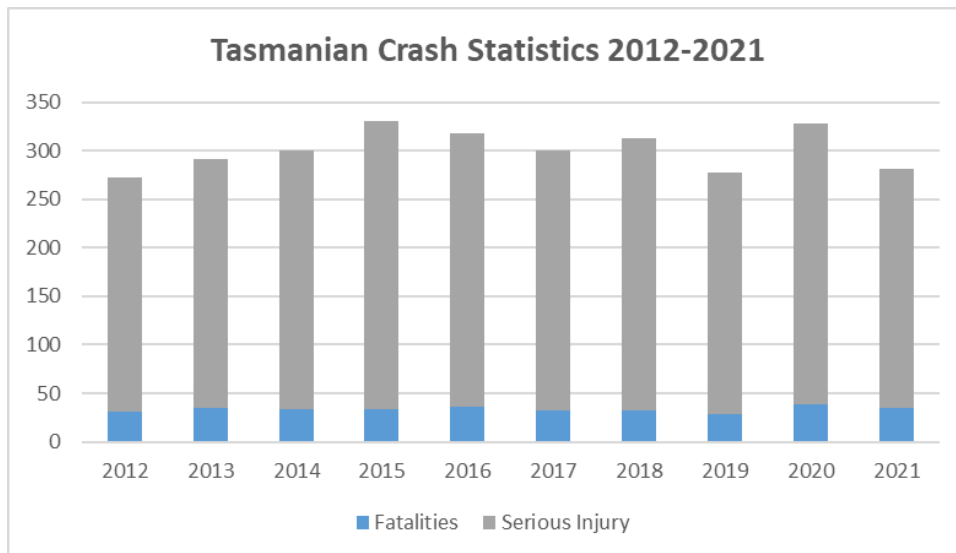


Figure 1

Based on the available data on the Australian Road Deaths Database (ARDD)<sup>15</sup>, whilst the Tasmanian road toll has significantly decreased over the period there has been a plateauing over the past decade (see [Figure 2](#)):

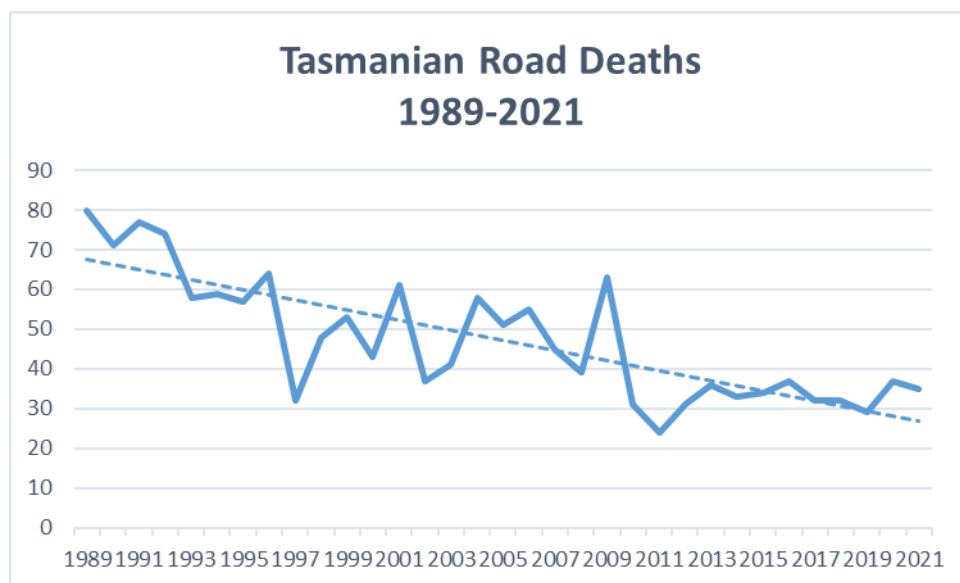


Figure 2

An analysis of the road deaths by user indicates that four wheeled<sup>16</sup> road crashes account for nearly two thirds of the total, followed by nearly a quarter by motorcycles,<sup>17</sup> with pedestrians and cyclists taking up the remaining 10% and 3% respectively (see [Figure 3](#)):

<sup>15</sup> See Bureau of Infrastructure and Transport Research Economics (BITRE), Australian Road Deaths Database – ARDD, [https://www.bitre.gov.au/statistics/safety/fatal\\_road\\_crash\\_database](https://www.bitre.gov.au/statistics/safety/fatal_road_crash_database) [Accessed 4 October 2022]

<sup>16</sup> Includes driver and/or passenger deaths for car, truck and bus crashes

<sup>17</sup> Includes motorcycle rider and/or pillion passenger

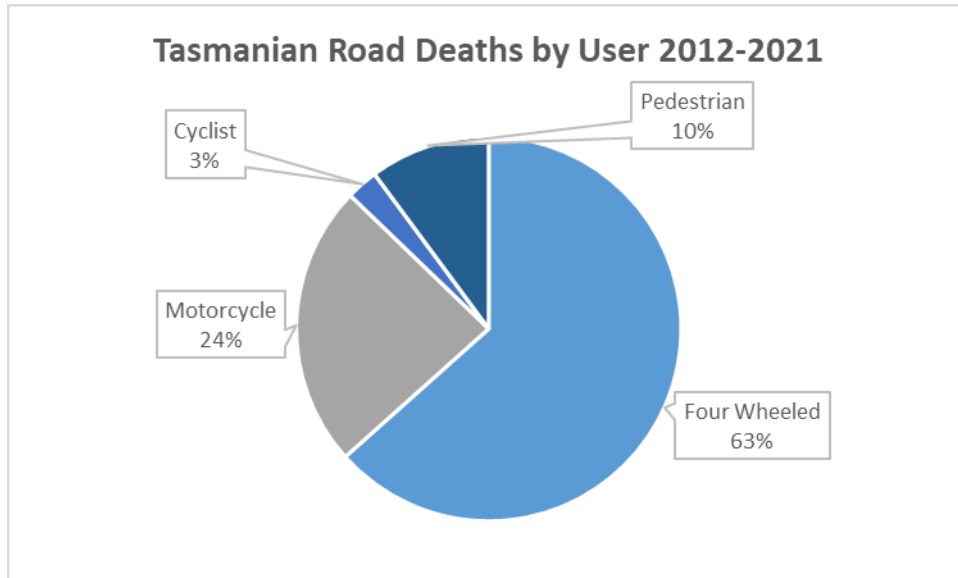


Figure 3

In total, the most represented age group for Tasmanian road deaths over the period are 40-64 year olds (35%) with 17-25 year olds and 26-39 year olds being both 18% respectively (see [Figure 4](#)):

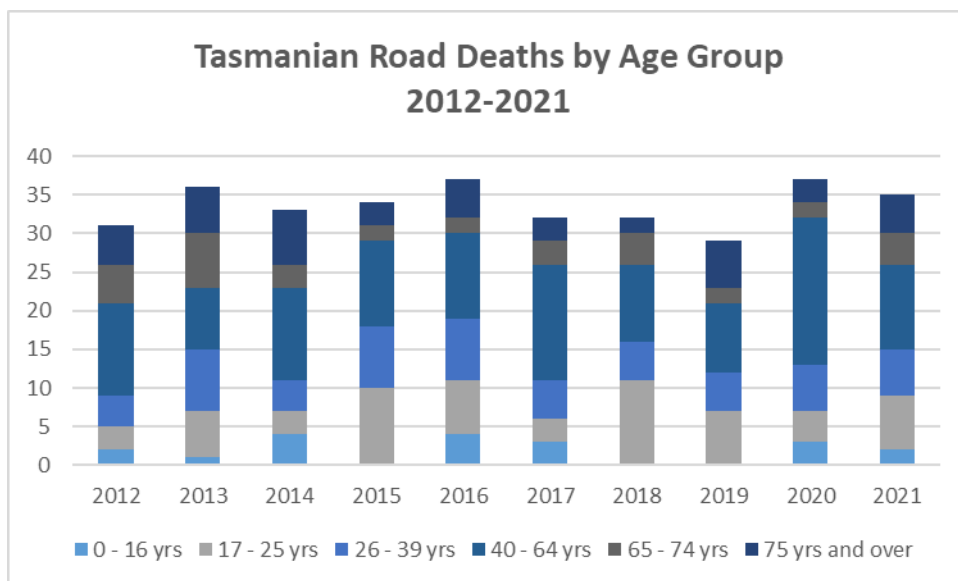


Figure 4

On average, the Tasmanian fatality rate per 100,000 persons has remained around 6.4 (noting the 6% increase in population and 19% increase in total vehicle registrations over the period) (see [Figure 5](#) and [Figure 6](#)):

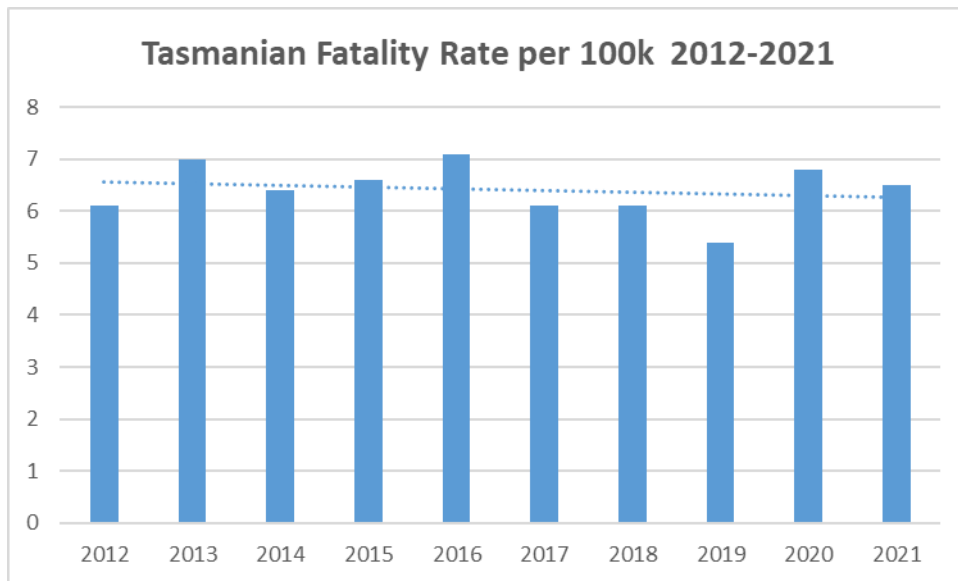


Figure 5

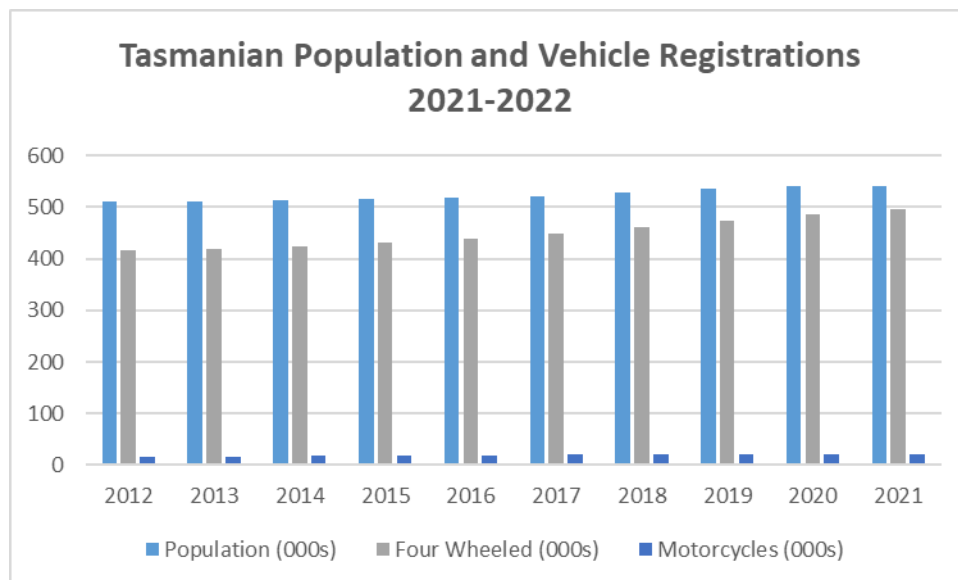


Figure 6

As to be expected most Tasmanian road deaths occurred on the National/State Highway system, and arterial/sub-arterial roads (35% and 36% respectively). The remaining deaths occurred on local and access roads (see [Figure 7](#)).<sup>18</sup>

<sup>18</sup> A comprehensive breakdown of deaths by road type is only able to be calculated with 2014 ARDD data onwards.

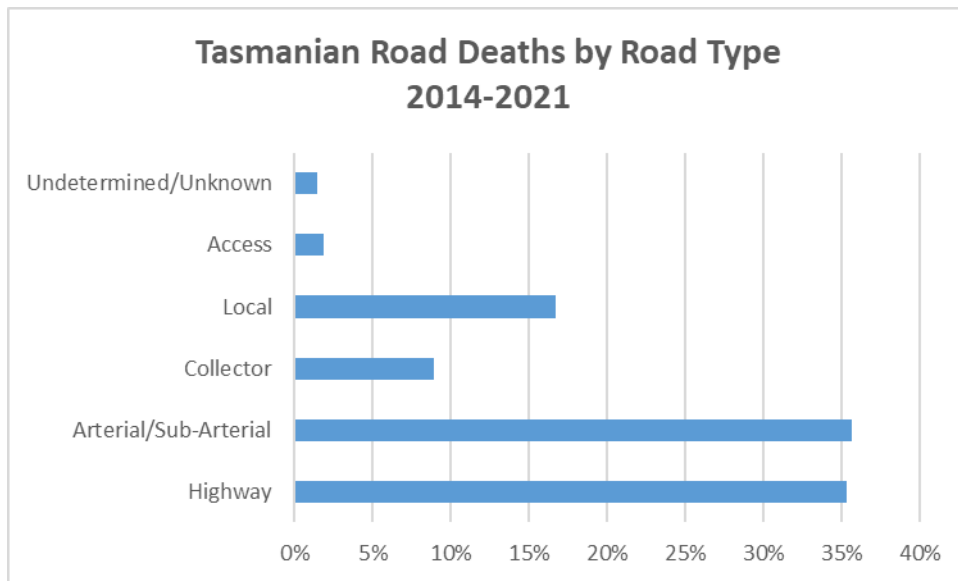


Figure 7

Eighteen percent (18%) of all Tasmanian road fatalities involved large road vehicles with articulated trucks and heavy rigid trucks making up nearly 90% of those crashes (see [Figure 8](#)):

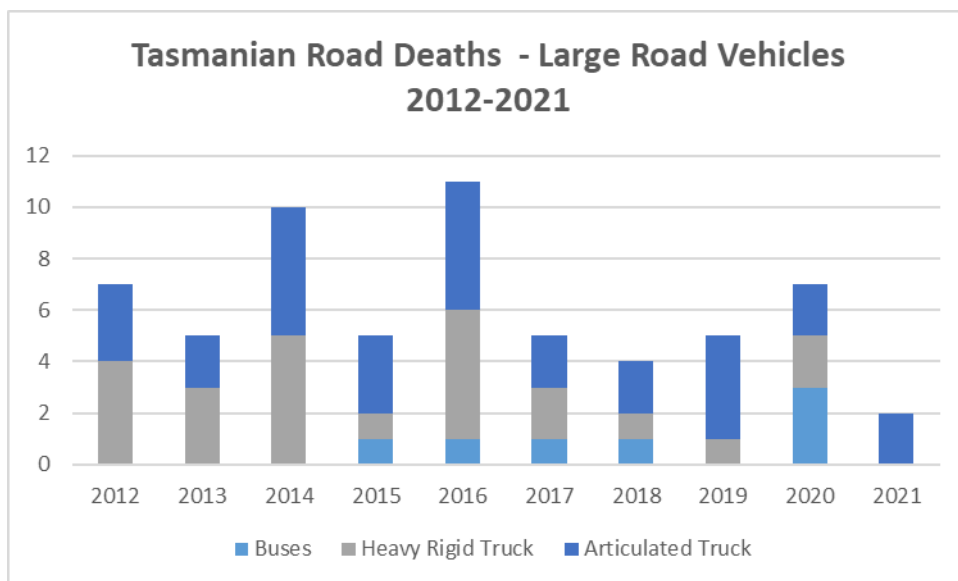


Figure 8

The following breakdown shows Tasmanian road fatalities by crash type, by significant holiday period and by part of week: predominantly multiple vehicles are involved and crashes mostly happen during week days. The Easter Break and Christmas Holiday periods accounted for 8% of the 2012-2021 period’s road deaths.

Year	Vehicles Involved		Holiday Periods		Time of Week	
	Single	Multiple	Easter	Christmas	Week Day	Weekend
2012	10	21	0	3	18	13
2013	17	19	2	2	13	23
2014	17	16	1	1	17	16
2015	17	17	0	2	21	13
2016	14	23	0	3	20	17
2017	13	19	0	0	17	15
2018	11	21	1	4	18	14
2019	15	14	2	1	19	10
2020	12	25	0	1	22	15
2021	19	16	1	2	25	10
<b>Total</b>	<b>145</b>	<b>191</b>	<b>7</b>	<b>19</b>	<b>190</b>	<b>146</b>
<b>%</b>	<b>43%</b>	<b>57%</b>	<b>2%</b>	<b>6%</b>	<b>57%</b>	<b>43%</b>

Finally, the following infographic shared by the Road Safety Advisory Council (RSAC) highlights the increases in speeds and low level speeding across the Tasmanian road network from 2016 to 2020:<sup>19</sup>

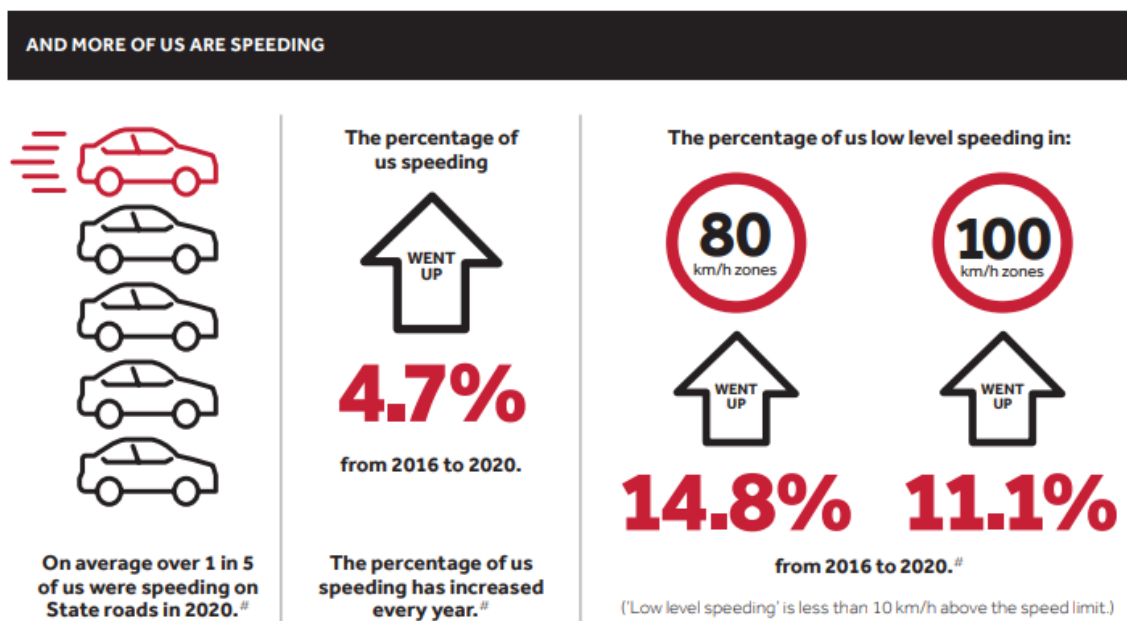


Figure 9

It is sincerely hoped that the Report’s recommendations, on behalf of the community, are supported and actioned by the Government and other responsible parties: the improvements to road safety matters combined is envisaged over time to reduce road trauma in Tasmania.

On behalf of the Committee I would like to thank all individuals and organisations who participated in the Inquiry for their time, effort and patience in making submissions and providing information during public hearings.

<sup>19</sup> Email to Hon Rosemary Armitage MLC Chair from RSAC Chair - Road Safety Report, 21 October 2022

The Committee also acknowledges the valuable contribution of former members Hon Dr Bastian Siedel MLC and the Hon Jo Palmer MLC.

I also extend the Committee's thanks to the Inquiry Secretary Simon Scott and Executive Assistant Allison Scott.

A handwritten signature in blue ink that reads "Rosemary Armitage". The signature is written in a cursive style with a large initial 'R'.

**Hon Rosemary Armitage MLC**  
**Chair**

24 October 2022

## Summary of Findings

The Committee found that:

- F1. The ‘fatal five’ remain significant contributors to Tasmanian road deaths and serious injuries: speed, (non-use of) seatbelts, (misuse of) alcohol and drugs, (driver) distraction and (driver) fatigue.
- F2. Between 2012 and 2021, 336 lives were lost on Tasmanian roads and 2,678 people were seriously injured.<sup>20</sup>
- F3. The installation of median and roadside barriers on Tasmania’s high speed and high-volume roads was reported by the Government to prevent or reduce the severity of run-off road and head-on crashes.
- F4. The average age of the Tasmanian vehicle fleet of over 13.3 years (compared to the Australian average age of 10.6 years) continues to increase.
- F5. The slow take-up of new vehicles in Tasmania means the adoption of the latest vehicle safety features is not being attained.

The Committee also found the following additional 89 findings relative to broad road safety related matters:

Area	Findings
<b>Road Safety Governance in Tasmania</b>	
Road Safety Advisory Council	F6. Road Safety Advisory Council provides advice to Government however there is no accountability for Government to deliver on their recommendations.
Motor Accidents Insurance Board	F7. Motor Accidents Insurance Board motorcycle premiums are set by the Tasmanian Economic Regulator.
Transport Services Group <sup>21</sup>	F8. There is lack of coordination between the relevant road safety stakeholders that deal with road safety matters. F9. Speed and not driving to the conditions on sub-optimal road infrastructure contribute to Tasmanian rural road deaths and serious injuries. F10. To improve road safety outcomes, there is a need for professional people, independent of government, to carry out and make recommendations from road safety audits.
Road Safety Funding	F11. With respect to fines collected from Tasmanian road safety enforcement measures it is not clear whether that revenue is readily available for safe system road safety infrastructure improvements.

<sup>20</sup> See [Tasmanian Crash Statistics](https://www.transport.tas.gov.au/road_safety_and_rules/crash_statistics), Department of State Growth Transport Services, [https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/crash\\_statistics](https://www.transport.tas.gov.au/road_safety_and_rules/crash_statistics) [Accessed 4 October 2022]

<sup>21</sup> The group is made up of two divisions, Road User Services and State Roads which collaborate with other areas of the Department of State Growth to deliver the positive outcomes for Tasmania and Tasmanians.

Area	Findings
<b>Tasmanian Road Safety Management</b>	
Road Design	<p>F12. There is a need for clearer and consistent road markings to highlight the direction of traffic for short section dual highways.</p> <p>F13. More driver education is required to promote safer overtaking practices in short section dual highways.</p> <p>F14. The motorcycle riding community is not supportive of the continued use of wire rope barriers in Tasmania.</p> <p>F15. Road barriers are effective in road crash prevention (especially in separated dual-highway applications).</p> <p>F16. Wire rope barriers whilst purportedly cheaper to install than other safety barriers must be maintained at an appropriate level to perform as intended.</p>
Road Maintenance	<p>F17. The State road maintenance budget and delivery is of importance to the Tasmanian community.</p> <p>F18. Peak Tasmanian road safety stakeholders support increased road maintenance funding by State and Federal governments.</p> <p>F19. Road work traffic control should ensure road works signage is properly managed to minimise confusion to road users.</p> <p>F20. More prevalent and timely notifications of planned road works would benefit Tasmanian road users.</p>
Road Signage and Markings	<p>F21. Increased usage of visual road signage (i.e. on the road surface and road signs) may assist in minimising road safety incidents and crashes.</p> <p>F22. Other jurisdictions (both Australian and internationally) utilise yellow centre lines to delineate roads.</p> <p>F23. There are potential safety benefits in adopting rumble strips more broadly on the Tasmanian road network.</p>
Other Traffic Management Features	<p>F24. An increased use of plateaus in urban areas (e.g. around major urban intersections and pedestrian crossings) would be beneficial to road safety.</p> <p>F25. An increase in the number of slow moving vehicle and heavy vehicle lay-bys would improve the safety of Tasmanian road users.</p>
<b>Tasmanian Safer Roads and Mobility</b>	
Better Integration of Cycling and Pedestrian Needs	<p>F26. There is a need to balance the competing safety interests of the various road users in Tasmania whilst maintaining road functionality.</p> <p>F27. Cyclists in Tasmania are a vulnerable road user group and targeted road planning is required to maintain their safety.</p> <p>F28. The use of separated pathways in Tasmanian road design improves safety for active transport users.</p>
<b>Tasmanian Safer Vehicles</b>	
Visibility of Vehicles on Tasmanian Roads	<p>F29. The fitting and use of after-market LED light bars to vehicles can distract and negatively impact oncoming drivers.</p>
Vehicle Fleet	<p>F30. Improvement in vehicle safety features has had significant impact in minimising road trauma.</p> <p>F31. Current Government fleet policy positively impacts the future used car market: since 2018 (subject to certain qualifications) all vehicles on the Tasmanian Government Vehicle Fleet</p>



Area	Findings
	<p>Contract must have a 5-star Australasian New Car Assessment Program safety rating.</p> <p>F32. A fifth of Tasmania's fleet (which is about 82,000 vehicles) is more than 18 years old.</p> <p>F33. Over the past decade there has been an increase of 84,000 (19%) in total Tasmanian vehicle registrations (average trend change of 2.1% per annum).</p> <p>F34. Other Australian jurisdictions have stricter vehicle road worthiness checks (e.g. annual vehicle re-registration check).</p>
Motorcycle Considerations	<p>F35. Other Australian jurisdictions have different classes for motorcycle registrations based on engine capacity and/or power to weight ratios.</p> <p>F36. Refresher courses are available for motorcycle riders who are returning to this mode of transport after a lengthy absence.</p> <p>F37. The Motorcycle Clothing Assessment Program (MotoCAP) is an independent, free resource motorcyclists should consider when purchasing safety gear.</p>
Bicycle Considerations	<p>F38. Bicycle rider insurance is offered through a number of cycling organisations as part of their membership fee.</p> <p>F39. Registration of bicycles may deter the uptake of cycling in Tasmania.</p>
E-Scooters	<p>F40. Community concerns exist around the safety and sharing of footpaths with e-scooters.</p> <p>F41. The uptake of e-scooters as a transport option in Hobart and Launceston continues to grow.</p>
Other Safer Vehicle Considerations	<p>F42. Advances in vehicle safety technology will improve Tasmanian road safety outcomes.</p>
<b>Tasmanian Safer Road Users</b>	
Road Users Attitudes	<p>F43. There is merit in the State Government adopting a targeted approach to road safety similar to the COVID-19 messaging to improve road safety outcomes.</p>
Speed Management	<p>F44. There is an inconsistent approach to managing speed limits on State and local roads and how they are set.</p> <p>F45. Some Tasmanian roads that cross multiple local government boundaries have inconsistent speed limits.</p> <p>F46. Road infrastructure is taken into account when setting speed limits in other Australian jurisdictions.</p> <p>F47. There is lack of expertise available to some Tasmanian councils to appropriately assess speed limits on non-State managed roads.</p> <p>F48. There is a need for all Tasmanian road users to be aware of the maximum speed limits on unmarked roads through better and consistent signage.</p> <p>F49. There are divergent views as to how optimum safe speeds on Tasmanian roads should be calculated and applied.</p> <p>F50. There is a different maximum speed for probationary riders on motorcycles and other probationary vehicle drivers in Tasmania.</p>
Enforcement	<p>F51. Tasmania Police previously had a dedicated centralised traffic enforcement command.</p>

Area	Findings
	<p>F52. Traffic policing appears not to have the same resourcing as other important Tasmanian policing matters.</p> <p>F53. There is a lack of clarity in Tasmania Police resource allocation and deployment for specific enforcement and road safety initiatives.</p> <p>F54. There are no performance targets to measure key enforcement actions and analysis of this data will allow assessment of patterns to be developed over time.</p> <p>F55. Vehicle defect notices utilised by past Tasmanian policing practices appeared to satisfy the community requirement of 'safety before revenue'.</p> <p>F56. The staged roll-out and use of traffic enforcement cameras throughout Tasmania should improve road safety.</p> <p>F57. The use of traffic enforcement cameras complements police enforcement of Tasmanian Road Rules.</p> <p>F58. Fixed traffic enforcement camera technology has been utilised in Tasmania but mobile technology has not been deployed for five years.</p> <p>F59. During 2016 to 2021, analysis of traffic data indicates the average vehicle speed on state roads has risen. The number of vehicles driving at or below the posted speed limit on these roads has fallen.</p> <p>F60. National and international research has shown that speed is directly linked to road trauma. Just a one km/hr increase in average vehicle speed across the road network is expected to result in an increase in road trauma of around four per cent.</p> <p>F61. Inattention and other driver distractions contributes to Tasmanian road deaths and serious injuries.</p> <p>F62. Notwithstanding the period of the COVID-19 pandemic, there has been an apparent decrease in large scale random breath testing undertaken by Tasmania Police since 2008-09.</p> <p>F63. Since the commencement of this Inquiry, the Government has introduced amendments to the Tasmanian Road Rules to accommodate circumstances where it is unsafe to slow down to 40km/h on a road with a speed limit over 80km/h: the driver must slow down as safely as possible.</p> <p>F64. The adoption of mandatory lateral separation distances when drivers are passing cyclists has improved road safety.</p> <p>F65. Better visibility of school crossings (flashing beacons) or School Crossing Patrol Officers (e.g. illuminated signs) may improve the safety around school crossings in general.</p> <p>F66. The Department of State Growth uses a software program (Lucidity) for reporting hazards and incidents around school crossings.</p> <p>F67. School Crossing Patrol Officers may benefit with being fitted with body-cameras similar to Tasmania Police.</p> <p>F68. Emerging technologies (e.g. dash cam cameras for speeding offenders) and mandated driver education programs may be of assistance in correcting recidivist driver behaviours.</p>

Area	Findings
	F69. There may be benefit introducing incentives for recognising good driver behaviour (e.g. discounted driver licence renewals).
Better Road Safety Education and Training Opportunities	<p>F70. Ongoing public education of local road rules and road safety issues is still valued by the Tasmanian community.</p> <p>F71. Embedding road safety within all Tasmanian workplace health and safety programs may be of benefit in ensuring contemporary safe driving practices are regularly imparted into the Tasmanian workforce.</p> <p>F72. There may be benefit in ensuring that Tasmanian school children are educated into the meanings of road signs as part of the curriculum.</p> <p>F73. Other Australian jurisdictions utilise confronting road crash re-enactments to educate senior school students on the impact and costs of road crashes.</p> <p>F74. Other Australian jurisdictions employ fire and emergency service personnel (in preference to police officers) to deliver road safety education to senior school students.</p> <p>F75. Better education is needed to ensure that Tasmanian drivers appreciate the constraints faced by sharing the road with heavy vehicles (e.g. blind spots and greater stopping distances of heavy vehicles under load).</p> <p>F76. The SafeT360 is an excellent initiative in providing an interactive resource to educate young people in how to keep safe around heavy vehicles.</p> <p>F77. The Rotary Youth Driver Awareness Program continues to be of benefit to Tasmanian senior school students.</p> <p>F78. It is difficult to ascertain the quality of driving instruction provided by non-professional tuition to Tasmanian learner drivers.</p> <p>F79. Defensive and/or advanced driving instruction being more accessible to Tasmanian drivers may have positive impact on road safety.</p> <p>F80. About 10 per cent of all crashes on Tasmanian roads involve non-Tasmanian residents.</p> <p>F81. Motorcyclists in general are acknowledged as being over-represented in Tasmania's serious injuries and fatalities.</p>
<b>Tasmanian Post-Crash Response</b>	
Post-Crash Considerations	<p>F82. Other jurisdictions have an independent body to oversee investigation of road crashes.</p> <p>F83. The impact of attending to serious crashes and incidents and being exposed to road trauma may have a lasting negative impact on first responders.</p> <p>F84. There may be avenues to better support road crash victims and their families.</p> <p>F85. Suicide on Tasmanian roads remains a complex issue with little public research being undertaken to understand trends, impacts and strategies to detect and minimise.</p>

Area	Findings
	F86. Unlike death due to medical episodes, road suicides are included in the road toll. <sup>22</sup>
<b>Other Road Safety Related Matters</b>	
Local Government Road Safety Matters	<p>F87. Some Tasmanian councils lack the capacity to apply for road blackspot funding.</p> <p>F88. Local government is dissatisfied with the current State distribution of Heavy Vehicle Motor Taxes to road safety projects.</p> <p>F89. The current Heavy Vehicle Motor Taxes amount of \$1.5 million is not indexed nor has been changed over the past decade, despite the increase of heavy vehicles on Tasmanian roads.</p> <p>F90. There is continuing difficulty for local government to attract and retain road safety specialists.</p>
Crash Data Collection	<p>F91. There is a need for better collection and sharing of Tasmanian crash data collection to relevant third parties.</p> <p>F92. Austroads is currently progressing a national road safety data collection system.</p>
Tasmanian Transport Industry	F93. The Tasmanian Transport Industry is an important contributor in the continuing efforts of improved road safety in Tasmania.
Austroads Temporary Traffic Management Implementation	F94. There is a lack of trainers in Tasmania to deliver Austroads temporary traffic management training.

<sup>22</sup> Under the Australian Roads Deaths Database (ARDD) maintained by the Australian Government Bureau of Infrastructure and Transport Research Economics, a road death or fatality is a person who dies within 30 days of a crash as a result of injuries received in that crash (see ARDD Data Dictionary (April 2022)), [https://www.bitre.gov.au/sites/default/files/documents/ardd\\_dictionary\\_april2022.pdf](https://www.bitre.gov.au/sites/default/files/documents/ardd_dictionary_april2022.pdf) [Accessed 4 October 2022]

## Summary of Recommendations

The Committee makes 49 overarching recommendations:

Area	Recommendations
<b>Road Safety Governance in Tasmania</b>	
Road Safety Advisory Council	R1. The Government consider whether the Road Safety Advisory Council (RSAC) should be more independent of Government. R2. RSAC improve the transparency of decision-making including sub-committee decisions. R3. All RSAC recommendations to Government should be publicly reported and tracked.
Motor Accidents Insurance Board	R4. The Government and the Tasmanian Economic Regulator consider amending the present schedule for motorcycle registrations and insurance premiums in line with other Australian jurisdictions.
Transport Services Group	R5. The Government consider investigating a mechanism for mandatory road safety audits to be undertaken around all road accidents involving a fatality and/or serious injury. R6. The Government consider a mechanism for information sharing between relevant third-parties (e.g. Tasmania Police, Transport Tasmania, affected local councils, etc.) relating to investigation of serious road crashes. R7. The Government consider resourcing the State to have professionals trained in conducting road safety audits on behalf of State and local councils.
Road Safety Funding	R8. The Government allocate the revenue collected from road safety enforcement to road safety improvements.
<b>Tasmanian Road Safety Management</b>	
Road Design	R9. The Government implement clearer and consistent road markings for short section dual highways to highlight the direction of traffic to promote safer overtaking practices. R10. The Government consider the feasibility of installing post-cushioning on wire rope barriers to minimise the crash impact on motorcyclists.
Road Maintenance	R11. The Government consider an increase to the State road maintenance budget in line with peak Tasmanian road safety stakeholders' recommendations. R12. The Government consider mechanisms for contractors to better inform Tasmanian road users of planned road works.
Road Signage and Markings	R13. Tasmanian road authorities consider the use of additional visual road signage (i.e. on the road surface and road signs). R14. Tasmanian road authorities consider adopting rumble strips more broadly on the Tasmanian road network.
Other Traffic Management Features	R15. Tasmanian road authorities consider adopting plateaus around major urban intersections. R16. Tasmanian road authorities consider installing more slow-moving and heavy vehicle lay-bys.

Area	Recommendations
<b>Tasmanian Safer Roads and Mobility</b>	
Better Integration of Cycling and Pedestrian Needs	<p>R17. The Government accommodate 'movement and place' ideals in road infrastructure planning, as appropriate.</p> <p>R18. Tasmanian driver education continue to feature the safety needs of cyclists on Tasmanian roads.</p> <p>R19. Increased separated pathways and networks to improve safety for cyclists and encourage this as a transport mode.</p>
<b>Tasmanian Safer Vehicles</b>	
Visibility of Vehicles on Tasmanian Roads	R20. The Government consider compliance relevant to regulation/vehicle standards for LED headlamps and after-market LED light bars.
Vehicle Fleet	<p>R21. The Government and RSAC continue to develop and implement the 'Safer cars for younger drivers' and 'Light vehicle safety strategy' initiatives as contained in the Towards Zero Action Plan 2020 – 2024.</p> <p>R22. The Government consider mandating minimum information to be made to a purchaser on a vehicle's ANCAP safety rating both at the point of sale and when advertising.</p> <p>R23. The Government consider increasing compliance to vehicle road worthiness with the view of reducing unsafe vehicles on Tasmanian roads.</p>
<b>Tasmanian Safer Road Users</b>	
Road Users Attitudes	R24. The Government consider adopting a similarly targeted approach to road safety akin to the COVID-19 messaging to improve road safety outcomes.
Speed Management	<p>R25. State road authorities collaborate to implement a consistent approach to managing speed limits on State and local roads.</p> <p>R26. The Government consider raising the maximum speed for probationary motorcyclists from 80 km/h to 100 km/h in line with other probationary road users in Tasmania.</p>
Enforcement	<p>R27. The Government consider re-establishing a dedicated centralised traffic enforcement command for Tasmania Police to increase their efforts of effectively policing road rules.</p> <p>R28. Senior traffic police should conduct more frequent high profile media and messaging on enforcement activities.</p> <p>R29. Traffic policing operations should be based on shared intelligence.</p> <p>R30. The Government to support a more dedicated approach by Tasmania Police to address vehicle defects with a view of upholding 'safety over revenue'.</p> <p>R31. The Government continues its intended roll-out and use of traffic enforcement cameras throughout Tasmania.</p> <p>R32. The Government continues to investigate strategies to minimise Tasmanian road deaths and serious injuries underpinned by inattention and other driver distractions.</p> <p>R33. The Government support Tasmania Police to recommence large scale random breath and drug testing campaigns.</p> <p>R34. The Government consider investigating improved safety around school crossings including the feasibility of body cameras to School Crossing Patrol Officers.</p>

Area	Recommendations
	<p>R35. The Government should monitor and consider adopting traffic enforcement camera technology advancements.</p> <p>R36. The Government consider the feasibility of rewarding good driver behaviour.</p>
Better Road Safety Education and Training Opportunities	<p>R37. The Government continues to invest in ongoing community education of Tasmanian road rules and road safety.</p> <p>R38. The Government allocate additional funding to provide road safety education messaging through a variety of media channels.</p> <p>R39. The Road Attitude and Awareness Program may be of benefit in complementing existing youth driver awareness programs in Tasmania.</p> <p>R40. The Government continues to support evidence-based general road safety education and explore additional initiatives to reach more school-based children.</p> <p>R41. The Government assess the mandatory supervised hours for learner plate drivers to determine if it is delivering on its intended road safety outcomes.</p> <p>R42. The Government consider initiatives to make defensive and/or advanced driving instruction more accessible to Tasmanian drivers.</p> <p>R43. The Government redouble its road safety messaging at State entry points to improve road safety on Tasmanian roads.</p> <p>R44. The Government explore initiatives to have a positive impact in reducing the incidence of motorcycle-related road crashes and incidents.</p>
<b>Tasmanian Post-Crash Response</b>	
Post-Crash Considerations	<p>R45. The Government explore the feasibility of adopting an independent body to oversee investigation of road crashes.</p> <p>R46. The Government collaborate with road safety organisations to provide support networks for road crash victims and their families.</p>
<b>Other Road Safety Related Matters</b>	
Local Government Road Safety Matters	<p>R47. The Government explore additional support options to assist local councils to apply for road blackspot funding.</p> <p>R48. The Government increase the share of the Heavy Vehicle Motor Taxes pool to local government.</p> <p>R49. The Government collaborate with stakeholders to attract and retain road safety specialists with the view to improve Tasmanian road safety.</p>

## Background

Road safety is arguably of significant local, national and global importance. In September 2020, the UN General Assembly adopted resolution A/RES/74/299 ‘Improving global road safety’, proclaiming the Decade of Action for Road Safety 2021-2030, with the ambitious target of preventing at least 50% of road traffic deaths and injuries by 2030.<sup>23</sup> In that resolution the UN General Assembly noted that:

*the overwhelming majority of road traffic deaths and serious injuries are preventable ... they remain a major public health and development problem that has broad social and economic consequences ... that road safety requires addressing broader issues of equitable access to mobility and that the promotion of sustainable modes of transport, ... that the number of road traffic crashes remains unacceptably high, and that crashes represent a leading cause of death and injury around the world, killing more than 1.35 million people and injuring as many as 50 million people a year, with 90 per cent of those casualties occurring in developing countries, and concerned also that road traffic crashes are the leading cause of death around the world for children and young people between 15 and 29 years of age.*<sup>24</sup>

The World Health Organisation (WHO) and the UN regional commissions, in cooperation with other partners in the UN Road Safety Collaboration, have developed a Global Plan for the Decade of Action, which was released in October 2021.<sup>25</sup> The Global Plan describes what is needed to achieve that target, through implementing an integrated ‘safe system approach’ divided across five ‘pillars’ and supported by a number of recommended actions:

- **road safety management** – improving safe road infrastructure to reduce road trauma;
- **safer roads and mobility** – investment in public transport systems to facilitate safe and efficient movement of large and growing populations through multimodal transport and land use planning;
- **safer vehicles** – ensuring vehicles are designed to protect the safety of those inside and those outside them;
- **safe road users** – improving safe road use through minimising the key behaviours contributing to road injury and death (i.e. speeding, drink-driving, driver fatigue, distracted driving, and non-use of safety belts, child restraints and helmets) through a combination of legislation, enforcement and education; and
- **post-crash response** – providing appropriate, integrated and coordinated care as soon as possible after a crash occurs (e.g. strengthening professional medical care, enacting Good Samaritan laws to ensure protection for lay responders etc.).

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<sup>23</sup> See World Health Organization, Decade of Action for Road Safety 2021 – 2030 <https://www.who.int/teams/social-determinants-of-health/safety-and-mobility/decade-of-action-for-road-safety-2021-2030> [Accessed 9 March 2022]

<sup>24</sup> See United Nations General Assembly <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N20/226/30/PDF/N2022630.pdf?OpenElement> [Accessed 9 March 2022]

<sup>25</sup> See World Health Organization, Global Plan for the Decade of Action for Road Safety 2021-2030 [https://cdn.who.int/media/docs/default-source/documents/health-topics/road-traffic-injuries/global-plan-for-road-safety.pdf?sfvrsn=65cf34c8\\_33&download=true](https://cdn.who.int/media/docs/default-source/documents/health-topics/road-traffic-injuries/global-plan-for-road-safety.pdf?sfvrsn=65cf34c8_33&download=true) [Accessed 9 March 2022]



In addition, WHO recognise five key risk factors and two additional areas for concern for road traffic injuries and death.<sup>26</sup> These include:

- speed;
- drinking and driving;
- motorcycle helmets;
- seat belts;
- child restraints;
- distracted driving; and
- drug driving.

Based on the WHO Global Status Report on Road Safety 2018<sup>27</sup>, Australia has a good standing across a range of road safety laws (drink driving, speed, helmets, seat belts): the stand out exception is that across Australia it does not meet WHO criteria with respect to vehicle child restraints and the requirement for children to use a child seat at least until 10 years/135 cm. National child restraint laws in Australia are based on age and not size. In Tasmania, children aged 4 years up to 7 years must use a forward-facing car seat with an inbuilt harness, or booster seat with a properly fastened and adjusted seatbelt or safety harness. Children aged 7 years and older must use a properly fastened forward facing car seat or adult seatbelt. Notwithstanding, it is recognised and emphasised in Tasmania that children over 7 years should continue to use a booster seat until they are tall enough to use an adult seatbelt.<sup>28</sup>

At the time of commencing this Inquiry in July 2021, it was sobering to note that despite the National Road Safety Strategy 2011-2020<sup>29</sup> target of a 30 per cent reduction of fatalities and serious crashes in all jurisdictions, the rates of such incidents in Tasmania had risen. Of particular concern to the Committee was that in 2020 there were at least 36 fatalities and 272 serious crashes in Tasmania a year when it could be expected that there would be less vehicles on Tasmanian roads due to the prevailing COVID-19 pandemic.

With the aforementioned in mind, the Committee was keen to place on the public record the state of play with respect to road safety in Tasmania.

## **The 2010 Legislative Council Select Committee on Road Safety Report**

The Legislative Council Select Committee on Road Safety (2008 Committee) was formally established on 26 August 2008, to inquire and report upon the issue of road safety, namely:

- the main causes and effects of road traffic crashes and off-road motorcycle crashes in Tasmania;
- the short- and long-term care of crash casualties and the adequacy of the current data collection;

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<sup>26</sup> See World Health Organization, Fact Sheet 3: Road Safety - Key Risk Factors, [http://www.who.int/violence\\_injury\\_prevention/publications/road\\_traffic/1\\_Road\\_Safety\\_Basic\\_Facts.pdf](http://www.who.int/violence_injury_prevention/publications/road_traffic/1_Road_Safety_Basic_Facts.pdf) [Accessed 9 March 2022]

<sup>27</sup> See World Health Organization (17 June 2018). Global status report on road safety 2018, <https://www.who.int/publications/i/item/9789241565684> [Accessed 9 March 2022]

<sup>28</sup> See [https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/road\\_rules/child\\_restraints\\_-\\_a\\_guide\\_to\\_car\\_seats](https://www.transport.tas.gov.au/road_safety_and_rules/road_rules/child_restraints_-_a_guide_to_car_seats) for further details

<sup>29</sup> See [https://www.roadsafety.gov.au/sites/default/files/2019-11/nrss\\_2011\\_2020.pdf](https://www.roadsafety.gov.au/sites/default/files/2019-11/nrss_2011_2020.pdf) for further details

- the adequacy and effectiveness of current road safety measures in Tasmania;
- road safety measures, adopted, proposed or recommended interstate and in some overseas countries which have relevance to circumstances in Tasmania;
- the methods and means whereby road traffic crashes in Tasmania may be reduced;
- appropriate measures to control the use of motorcycles off road for the purpose of reducing casualties; and
- any matters incidental thereto.

In December 2009, the 2008 Committee commended its views and six recommendations in an Interim Report to all parties for their consideration and adoption as policy prior to the 2010 State Election.

On 13 October 2010, the 2008 Committee released its final report containing 52 recommendations for improving road safety in Tasmania, focussing on the following areas:

- Road Safety Strategy and Governance;
- Statistics and Data Collection;
- Novice Driver Training, Education and Licensing;
- Alcohol and Drugs;
- Speed;
- Mobile Phones;
- Occupational Road Safety;
- Heavy Vehicles;
- Traffic Law Enforcement;
- Vehicle Safety;
- Mandatory Use of Headlights;
- Roads;
- Cyclists;
- Casualty Recovery and Rehabilitation;
- Off-Road Motorcycles; and
- Pedestrians.

On 21 June 2011, the Government response to that Report was tabled.<sup>30</sup> The current Committee noted a number of the recommendations remained relevant and of interest to this Report including (but not limited to):

No.	Recommendation
1	The Motor Accidents Insurance Board (MAIB) being encouraged to continue their funding for road safety initiatives
6	A road trauma registry be developed for Tasmania
7	Driver education and road safety strategies focus particularly on inexperience, inattention, alcohol and excessive speed
14	The number of random drug tests be increased
20	A penalty imposed on contractors (or other persons who are responsible) for failing to comply with regulations and other requirements, and who fail to remove speed limit signs at the conclusion of roadworks
21	Variable speed limit signage be used more extensively
30	Penalties imposed for driving whilst disqualified should be such as to provide a greater deterrent and reflect the seriousness of the offence

<sup>30</sup> See Tasmanian Legislative Council Select Committee – Road Safety website: <https://www.parliament.tas.gov.au/ctee/Council/road.htm> (under [Government Response to Report](#)) [Accessed 7 October 2022]

No.	Recommendation
31	There be an ongoing commitment to provide additional resources to Tasmanian Police to ensure there is an even greater increase in the visible presence of police on Tasmanian roads
32	The State Government develop policies designed to reduce the average age of the vehicle fleet on Tasmanian roads to ensure a greater proportion of vehicle have modern safety features
33	All vehicles be required to undergo a roadworthiness inspection at 10 years from the date of production, again at 15 years and annually thereafter
37	The Midland Highway be progressively upgraded to a four-lane divided carriageway along its entire length
40	Government support be provided for research into the most appropriate types of avoidance barriers
43	Planning for cycleways be considered in road design, upgrading and maintenance
47	Adequate resources and services be made available to treat the psychological and emotional consequences of road crashes

### **The 2013 Legislative Council Select Committee on Rural Road Speed Limits**

For completeness, the Legislative Council Select Committee on Rural Road Speed Limits (2013 Committee) was formally established on 20 November 2012, to inquire and report upon the issue the Government's then proposed rural road speed limit reduction from 100km/h on sealed roads and the potential impacts/benefits on the communities.

In addition to the Report's 17 findings, the 2013 Committee made the following recommendations to the non-urban sealed network in Tasmania:<sup>31</sup>

No.	Recommendation
1	The Government affirms its commitment not to proceed with a strategy that would reduce default speed limits on rural roads
2	That road standards are set according to usage as an alternative to the policy of reducing speed limits to match sub-standard infrastructure
3	That road funding be increased for continual rural road improvements and that priority be given to those sections of roads with the greater serious crash history
4	The Government prioritise improved driver education and training programs as part of its road safety strategy. There should be a focus on the improved training and education for secondary school students, new drivers and their personal instructors
5	Data collection standards for serious crashes be improved to capture expert opinion on causal factors to guide road safety policy
6	Tasmania Police and the Department of Infrastructure, Energy and Resources work more collaboratively on the collection and management of crash data into the future

<sup>31</sup> See Legislative Council Select Committee on Rural Road Speed Limits website: <https://www.parliament.tas.gov.au/ctee/Council/rrspeed.htm> (Final Report) [Accessed 7 October 2022]

No.	Recommendation
7	In the event the Government decides to pursue the reduction in speed limits on any non-urban sealed roads in the future, a consultative committee with community, transport, road safety and other regional stakeholders be established

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## Conduct of Review

On 17 July 2021, the Committee advertised for submissions and received 94 responses from across the Tasmanian community including (but not limited to) individuals, special interest groups, local government representatives, medical professionals, emergency services and the State Government.

The Committee resolved to hear verbal evidence from a cross-section of 18 community and the Government respondents at three conducted hearings (25 October 2021 and 2 February 2022 – Hobart, and 29 November 2021 – Launceston).

25 October 2021	29 November 2021	2 February 2022
Royal Automobile Club of Tasmania (RACT) Traffic Management Assoc. Local Government Association Tasmania (LGAT) Police Association of Tasmania Mr R Metcalfe Mr M and Mrs C Temby	Mr R Sherriff Mr N Coates Tasmanian Motorcycle Council Mr B Oliver Mr B Smith APM Tasmanian Transport Assoc. Mr M Eastley	Mr A Ogilvie Mr S Lincoln Bicycle Network Mr A Gill Tasmanian Government Road Safety Advisory Council Department of State Growth

On 2 February 2022, in addition to other respondents, the Committee heard from Hon Michael Ferguson MP (Minister for Infrastructure and Transport), Mr Scott Tilyard (Chair of the Road Safety Advisory Council) and a range of officials from the Department of State Growth. The transcripts of these hearings are available on the Committees website.<sup>32</sup>

The Committee notes that over the course of the inquiry Parliament was under prorogation twice and suspended once:

- 5 April and 3 May 2022 as a result of the resignation of Hon Premier Peter Gutwein MP;
- 1 August and 16 August 2022 as a result of the resignation of Hon Jacqui Petrusma MP; and
- 13 September and 27 September 2022 as a result of a condolence motion and sign of respecting with the passing of the HM Queen Elizabeth II.

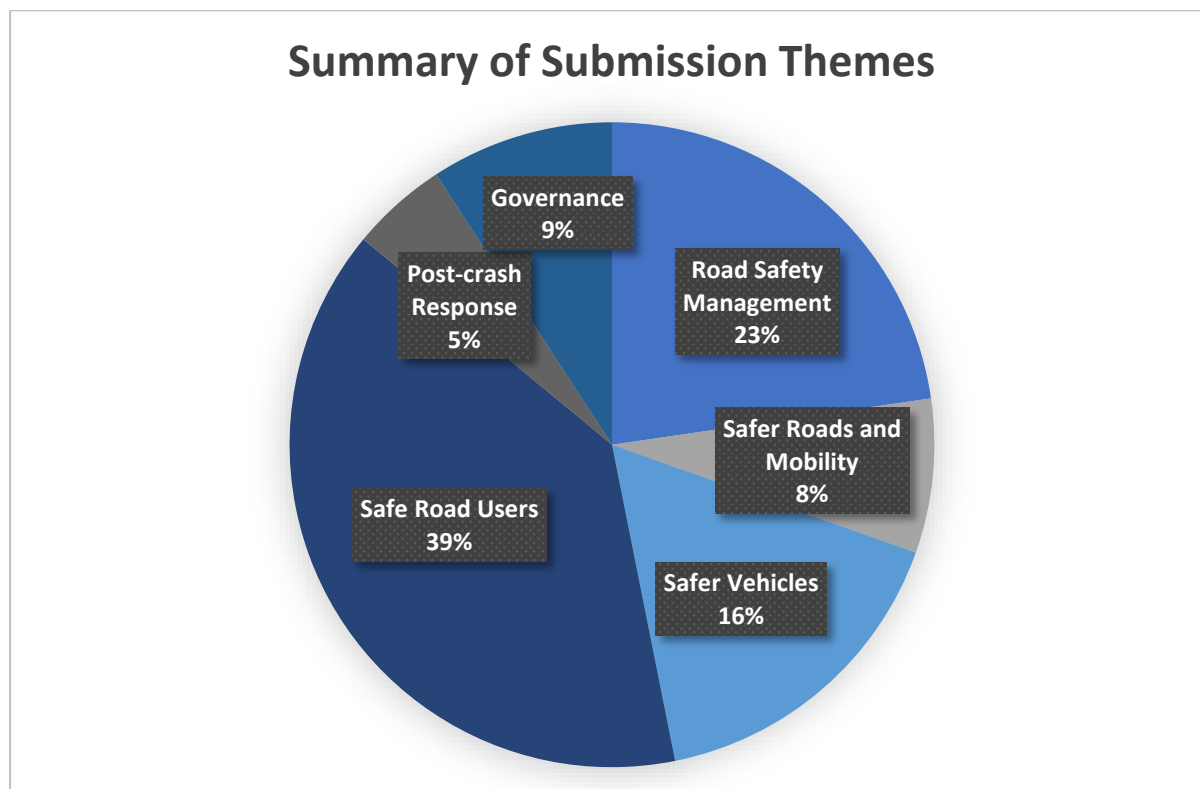
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<sup>32</sup> See Legislative Council Select Committee - Road Safety in Tasmania, <https://www.parliament.tas.gov.au/ctee/council/LC%20Select%20-%20Road%20Safety.html>

# Committee Conclusions

## Overview

In categorising the themes covered by the submissions to the inquiry, the Committee found that the cross-section of responses approximated against the Global Plan pillars and an additional road safety governance category as follows:



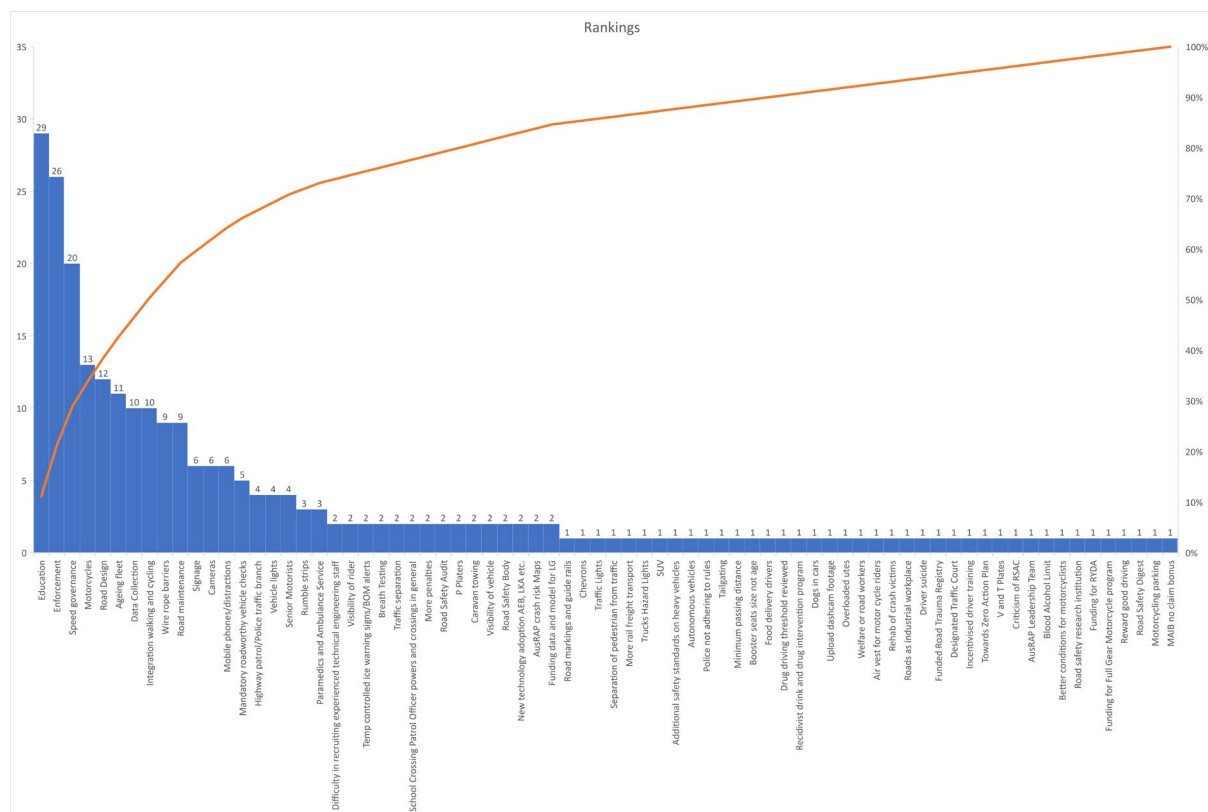
Nearly forty per cent of all commentary from respondents was focussed on improving safe road use in Tasmania through a combination of legislation, enforcement and education. Another quarter was around improving Tasmania's road infrastructure to reduce road trauma and a quarter divided on safer vehicles, roads and mobility. Less discussion was around improvements for post-crash experience in Tasmania.

A more detailed examination of the commentary found that road user education and the enforcement of road safety laws were of prime concern to respondents, followed by:

- better speed governance arrangements;
- motorcyclists' concerns;
- road design;
- strategies to deal with ageing vehicles on Tasmanian roads;
- road safety data collection;
- better integration of vulnerable road users into the road system (i.e. pedestrians, bicycles and motor cycles);
- use of wire rope barriers on Tasmanian roads; and
- road maintenance in general.

Other topics of concern included:

- road signage;
- use of speed cameras;
- strategies to deal with mobile phones and other driver distractions;
- mandatory roadworthy vehicle checks;
- the introduction of a dedicated police traffic branch;
- vehicle driving lights;
- senior motorist licence checks; and
- the use of rumble strips.



The Committee also recognised that there were extensive and varied range of other road safety observations and suggestions which are covered to a degree in the findings. The Committee invites the reader to explore the submissions and Hansard transcripts for further details.<sup>33</sup>

At the public hearings, the Committee heard from Messrs Mark Mugnaioni (Chief Executive Officer) and Gary Bailey (Chief Advocacy Officer) of the RACT with respect to their submission views that if Australia (let alone Tasmania) does not do something different in the implementation of road safety strategy and policy, many more people will die or end up in hospital with serious injury, costing the Australian taxpayer in excess of \$300 billion a year:

<sup>33</sup> Available on the Committee’s website: <https://www.parliament.tas.gov.au/ctee/council/LC%20Select%20-%20Road%20Safety.html>

*Mr WILLIE - We have talked a little bit about it; but in your submission, I found it particularly alarming that nationally, failing to improve our current situation will result in 12,000 people killed, 360,000 admitted to hospital at a cost of over \$300 billion over the next decade alone. Why is this issue failing to get traction across the country? If that was a disease, governments would be throwing the kitchen sink at preventing that.*

*Mr MUGNAIONI - I think this comes back to the point I made in my opening statement; this is about a community preparedness not to accept the status quo. I think when you consider road trauma there's always a reason. You can always find something. It was raining, someone was tired, someone was running late. Fundamentally, when you step back from individual circumstances and you look at it as a system of activity, we know that there are things that can be done. One of the fundamental challenges that we did call out in our submission is that this is not something that any single department of government is responsible for. All three layers of government are responsible, but equally across different government departments. Not only is it State Growth but it's Health, it's Education, it's Justice. It's something that sits across the board and certainly from our perspective, will only be solved by whole-of-government approach in exactly the same way as we have with a problem like COVID-19, where it has required cooperation between different levels of government and different parts of government with a single will to address a problem.*

*Mr WILLIE - You talked in your submission too a bit about implementation failure because it is across government; is that one of the causes, people are working in silos, they're not pulling in the same direction?*

*Mr MUGNAIONI - Absolutely. Even if we look at something as simple as trauma statistics -every state defines those differently. When we get to a federal level and we are talking about where federal funding for infrastructure improvement goes, we are talking different numbers in every different state. That's a relatively simple example of where we are working in silos that is not helping us come to a consistent and holistic solution.*

*Mr WILLIE - Just on that, that might be useful for the committee; you'd like to see a more nationally consistent approach with some of those things?*

*Mr MUGNAIONI - We do, absolutely. All of the Australian auto clubs are part of the Australian Automobile Association which we use as our voice in Canberra. We have been calling for that at a federal level for at least the duration of the last 10-year plan, where it be mandated that road funding comes with the requirement to report on road safety in a nationally consistent way, so we can see and compare the benefits we're getting from funding for different roads.*

*Ms PALMER - On that question, how are different states recording it differently?*

*Mr MUGNAIONI - It's a very good question. Even if I take something as simple as a fatality, which you would think would be a fairly binary data point, whether a person dies immediately at the scene from their injuries, or they die from a secondary issue that arises as a result of road trauma injuries, different jurisdictions will count that in different ways. It's some technical differences which, superficially, might not seem that*



*important but, actually, when you're talking about the sort of numbers we're talking about nationally, they are quite significant.*

*Ms PALMER - One state may be inclusive of any reason that someone died as a result, however far down the track, and another state may say no, that's different, that's not part of it.*

*Mr MUGNAIONI - Exactly. This is part of the federal Office of Road Safety, which has now been commenced but has not fully executed on the original intention. It is an area we think there needs to be a focus so that we've got a coordinating point for each of the states.<sup>34</sup>*

In addition to the public submission, the Committee heard from the Government<sup>35</sup> as to what it had and what it was planning to do in making Tasmanian roads safer:

*Mr FERGUSON (Minister for Transport and Infrastructure) - Thank you very much, Chair. Again, thank you for the opportunity to discuss the important issue of road safety and importantly, driver safety.*

*Between 2011 and 2020, 312 lives were lost on Tasmanian roads and 2,695 people were seriously injured. The Tasmanian Government does not accept any level of road trauma in our state as acceptable - that's why the Towards Zero Tasmanian Road Safety Strategy 2017-26 outlines our long-term vision of zero serious injuries and deaths on our roads.*

*While zero is what we aspire to, our shorter-term target is fewer than 200 serious casualties on our roads by 2026, and this reflects the complexities and the challenges of improving road safety across the state. We certainly accept there are no easy fixes in road and driver safety. There are, however, proven strategies that we know will work.*

*To achieve our target, the Government is investing over \$75 million of taxpayers' money in road safety under the action plan which is 2020-24. The Government has a strong focus on improving our roads and encouraging safe driver behaviours and best practice enforcement.*

*The action plan itself was developed in partnership with the Road Safety Advisory Council, and used independent research and modelling to identify the initiatives that will gain the greatest reductions in serious injuries and deaths.*

*Through extensive community engagement and stakeholder consultation, the action plan was shaped into six key themes that contain 42 initiatives targeting Tasmania's high-risk road safety areas. Those key themes are as follows:*

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<sup>34</sup> See [Transcript of evidence, 25 October 2021](https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%2025%20October%2021.pdf) Messrs. Mugnaioni and Bailey (RACT), p.7-8, <https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%2025%20October%2021.pdf>

<sup>35</sup> Hon Michael Ferguson MP (Minister for Transport and Infrastructure), Messrs. Craig Hoey (Manager Road Safety, Department of State Growth (DSG)), Martin Crane (General Manager Road User Services, DSG), Gary Swain (Deputy Secretary and Transport Commissioner, DSG), Scott Tilyard (Chair, Road Safety Advisory Council) and Jonathan Higgins (Assistant Commissioner, Tasmania Police)

- *Making our rural roads safer*
- *Improving safety in our towns and cities*
- *Saving young lives*
- *Encouraging safer road use*
- *Making visitors safe, and*
- *Improving safety through vehicles and technology.*

*The action plan acknowledges that road safety is a shared responsibility - it falls on every member of our community. We know that best practice infrastructure provides ongoing, long-term safety benefits and an environment that is forgiving of human error or - to put it another way - that mitigates for human error.*

*Tasmania has a network of more than 18,000 kilometres of roads, managed by both state and local government.*

*Under the action plan, funding is available to reduce conflict between road users and vehicles and to provide mass action infrastructure treatments on high-speed rural roads.*

*Under the action plan, the Government has uplifted the Vulnerable Road User Program to \$1 million annually, and has introduced the Safer Rural Roads Program that delivers \$2 million annually for treatments on high-speed rural roads. These programs are grant-funded initiatives that assist community-based road safety at a grassroots level by particularly supporting local councils to deliver their local infrastructure treatments.*

*The Australian Government is a vital partner here as well, providing support for this road safety infrastructure through its own road safety program, and this complements the \$1.5 billion of existing state road and bridge infrastructure projects for all road users. We also know that people make mistakes and some undertake high risk behaviours, often deliberately. A combination of education, training and enforcement initiatives, therefore, are important. We need those to encourage safe behaviour on our roads.*

*One of the Government's major achievements under the action plan is the successful development and implementation of its major first year deliverable, which was a package of enhancements to the graduated licensing system. These enhancements create a safer system for young and novice drivers and include the development of the Plates Plus Tasmania platform that Mr Hoey in moment will be able to speak to, the companion digital logbook app and the hazard perception test.*

*These tools provide novice drivers with the best practice education and communication platform to ensure they are properly prepared for the challenges of independent driving. There has been a lot of progress achieved in the last two years under the action plan, but there are still major road safety challenges facing our community, and I know the committee understands this.*

*Speed is one of the main risk factors in road crashes, and it is the leading contributor to death and serious injury on our roads. Under the action plan, the Government is working*

*to address the proven problem of speed by establishing the enhanced Automated Traffic Enforcement Program this year. The Automated Traffic Enforcement Program will supplement our existing transport enforcement efforts, particularly through police. This will be through the implementation of eight cameras this year, and we are currently in procurement. The program will also have the ability to increase the amount of enforcement it delivers, and potentially target other offences, such as illegal mobile phone use or not wearing a seatbelt, with these smart cameras.*

*Put simply, road safety and driver safety is the responsibility of each and every one of us. In closing, I want to assure the committee, as the minister, that we really take this very, very seriously. It is a policy area that is very confronting. We recognise that governments all around the country, going back many years, have always attempted to put in place contemporary evidence-based approaches, but ultimately you need to be willing to accept fresh evidence, and the fresh eyes the committee is bringing to this subject is welcome.*

*I certainly look forward to the Committee's work and your report, and any ideas or recommendations that might be forthcoming. We will be keen to review them and consider them, and also take the advice of the Road Safety Advisory Council.<sup>36</sup>*

...

*Mr WILLIE - Minister, as the obvious starting point is, over the last 10 years we have seen improved roads, we have seen cars that are safer, speed limits reduced in areas that were problematic, and improved licensing arrangements and training, yet we are not seeing the road toll and serious crash numbers decrease in any significant way. Why do you think that is?*

*Mr FERGUSON - I will ask our colleagues at the table, particularly Mr Tilyard, to respond in a moment, but we are seeing a number of factors at play here. Around the nation, other states and the Commonwealth are also disappointed with the trajectory of road fatalities and serious injuries. Queensland, last year, had one of its highest death tolls in recent years. In a year in which we saw obviously significantly more social distancing, you would have expected reduced trips.*

*We are certainly seeing more vehicles on the road than has ever been the case. The submission that the Acting Premier<sup>37</sup> wrote indicated, I think, over those 50 years, we have seen a fivefold increase in the number of vehicles on our roads. There are more people who are driving, and the population has grown.*

*But the fact that we have seen a disappointing outcome, to say the least - that we have not been able to achieve those continued gains - causes us all to reflect on going back to evidence-based good advice about where our educative actions can be directed, where our infrastructure investments can be directed, and if there are any road rule changes that could improve. We are certainly exploring those things.*

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<sup>36</sup> See [Transcript of evidence, 2 February 2022](https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%20%20February%2022.pdf) Hon M Ferguson MP, p.11-13, <https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%20%20February%2022.pdf>

<sup>37</sup> Hon Jeremy Rockliff MP (as at 2 September 2021)

*There are one or two areas that I would point to, though. One is that by the incremental increase to wire barriers, through some of our very busy highways that are rated at 110 kilometres per hour, we are virtually eliminating the risk, which has been a long-established risk - for example on the Midland Highway, head-on collisions. I think the submission reflected that in the years 2014 to 2018, I think it was, something like 250 impacts have been had by vehicles on those wire rope barriers.*

*That actually represents around 250 potential lost lives or serious injuries. None of us can ever know what the road toll would have been without these initiatives, but I agree with you. We are disappointed not to have seen the trajectory heading in the right direction in recent years.*

*Mr WILLIE - So, the government puts it down to more vehicles on the road, and a higher population?*

*Mr FERGUSON - I am certainly pointing to those as important facts, to understand that the level of activity on our roads is higher than it has been before; but it is certainly no excuse.*

*The other thing I wish to point to, was that we are seeing improvements in the statistics for young people, which has been quite pleasing. We do put that down to a better education system.*

*There's going to be many factors at play, and I will invite our experts at the table to provide their own responses to you, Mr Willie. We will be very much guided by good advice about how we can continue to see the gains of past decades being achieved here and now.<sup>38</sup>*

Mr Scott Tilyard (Chair, Road Safety Advisory Council) made the following points:

*Mr TILYARD - It's a good question, because everybody wishes they had the answer. Not just in Tasmania but around the country ... some of the major road safety initiatives over the last 40 or 50 years. There is clearly a relationship between when those were implemented, and drops in serious casualty crashes.*

*For the last 10 years in Tasmania, we have seen a plateau. As the Minister mentioned earlier, generally on average, we are seeing just over 300 serious casualty crashes per annum, which, of course, includes fatalities, and that is where we have been fluctuating for some time.*

*What we are doing, is working - but it is not working as quickly as we would like it to work. That is the reality. We do have a target under our strategy to try and reduce to below 200 serious casualty crashes by 2026, and on current performance we won't get*

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<sup>38</sup> See [Transcript of evidence, 2 February 2022](https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%20%20February%202022.pdf) Hon M Ferguson MP, p.13-14, <https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%20%20February%202022.pdf>

*there. We do need to keep doing the good things that we are doing, but we need to be doing new things and other things, as well.*

*You are right in saying that our roads are safer than 10 years ago. That is a fair comment. There has been a lot of infrastructure work done on our roads right around the state. That's continuing. Major infrastructure works are expensive, and take a lot of time. The benefits do take some time to flow through.*

*Vehicles are generally safer as well, although we do have the oldest vehicle fleet in the country, as you probably know. The average age of a Tasmanian vehicle is around 13 years.*

*That surprises some people because you certainly see a lot of newer cars on the road, but there is a lot of much older vehicles out there being driven around as well. It is a fair assumption to make that newer cars are safer cars, because of the sort of technology that is being incorporated in new vehicles. That is a bit of difference between us and most of the other jurisdictions around the country.*

*There has been a lot of work being put into enforcement, by police ...*<sup>39</sup>

Mr Gary Swain (Deputy Secretary and Transport Commissioner, DSG) commented on the Government's investments into road safety in Tasmania:

*Mr SWAIN - On the various investments ... there is obviously a lag effect with a lot of our investments, not just infrastructure, GLS,<sup>40</sup> motor cycle training, the initiatives put in place. It really takes some time to track through. Road safety is a long, patient game with no easy wins. Regarding the apparent discord between absolute targets and road safety outcomes that are linked to the level of vehicle activity on the network which is linked to the amount of economic activity on the network, governments around the nation have landed on absolute targets off the premise that a single death is unacceptable. That takes you to an absolute target even though the road safety literature understands that road safety outcomes do move with economic growth simply because there is more activity on the network.*

*Mr WILLIE - How does that marry up with other states? Tasmania has the highest deaths per 100,000, yet you would have more activity, more vehicles, more incidences of crashes in the mainland jurisdictions. It just doesn't marry up with that statistic.*

*Mr SWAIN - I guess it is going to be a factor in each jurisdiction separately in terms of their own economic growth. I think the comparators are really important because they give us targets to strive for but you do have to be a bit careful. Wherever you have big urban conglomerations like Sydney, Melbourne and Brisbane you have generally slower speeds and you tend to have lower crash rates per 100,000 than you do in moderate cities*

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<sup>39</sup> See [Transcript of evidence, 2 February 2022](https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%202022%20February%2022.pdf) Mr Tilyard (RASC), p.14-15, <https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%202022%20February%2022.pdf>

<sup>40</sup> graduated licensing system

*or smaller towns. The ACT, for example, has a very low crash rate because they have a very low car density on their roads and they have a lot of public transport.*

*Then you obviously have a range of different of investments made over time, both in the road network and in road safety initiatives. What we do, and the Council does very actively, is look at what is happening in the rest of the country and try to pick the best-of-breed solutions. ... As you adopt something that may be in lag and may take several years to work through. There are a whole range of factors that go into why states are different. It's not meant to be an excuse but it is hard to make direct comparisons.<sup>41</sup>*

Mr Craig Hoey (Manager Road Safety, DSG) spoke on a range of issues and interventions around road safety in Tasmania:

*Mr HOEY - Just noting ... the 50 years since we've had seat belts, so it's a milestone.*

*We've talked about Tasmania, how it's performing on road safety, noting that it's not necessarily comparing apples with apples. Some of the other jurisdictions, the composition of traffic in more urban areas influences their road safety behaviour. But the issue there is we've continued to plateau while making some good gains in the past, so there are jobs ahead of us.*

...

*High-speed roads, 80 kilometres per hour. Here, once again, almost two-thirds of our road trauma is occurring on the higher speed roads. That reflects that environment, where you have a higher speed environment there is more likelihood to have a crash and the outcome will be more severe. So, there is a need to look at that area.*

...

*We really have a dispersed crash problem across Tasmania. What the data is saying and the analysis is that, in terms of strategic areas, it is about focusing on young road users and drivers, lane departure prevention, vehicle safety, driver safety, driver licensing enforcement, motorcycle riders have got to be in the mix, high speed and mass action treatments.*

*In terms of road governance, it is important to recognise that the Road Safety Council was established 10 years ago. It includes stakeholders from our peak bodies. In terms of the organisation, State Growth supports the Minister and also the Road Safety Advisory Council.*

*We have an education committee that reports to the Road Safety Advisory Council and Tasmania Police is involved with the council as well. Its key role is to look at all the evidence and crash issues, and provide advice to the government and also oversight the road safety levy and, once again, providing advice to government. Reflecting on the composition, we have the key stakeholders - I imagine many would have put representations into this - but who work collectively as part of the Council towards improving road safety.*

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<sup>41</sup> See [Transcript of evidence, 2 February 2022](https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%20%20February%2022.pdf) Mr Swain (DSG), p.16-17, <https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%20%20February%2022.pdf>

*Our work is driven by the 10-year road safety strategy, with a target of 200 or less serious injuries or deaths by 2026, underpinned by the safe system approach ... The strategy itself is evidence-based. It was developed through crash modelling and independent advice ... We had a two-year consultation phase with the community, we went out to all the regional areas. We had a discussion paper and the strategy is based on both the evidence and counter-measures, and also the public consultation and input into developing it.*

*It is underpinned by 13 key directions. ... the key things with those strategic areas are young drivers, motorcyclists, road infrastructure, capacity-building among local government is also important to enable effective change at local level, improved vehicle safety and the ongoing analysis of creating speed that reflects the inbuilt safety of our road network.*

*Importantly, with the action plan, we talk about the safe system, and I'm passionate about this action plan because the safe system is those four pillars, and you can see people eroded over a little bit. So, we looked at, with this action plan, a little bit different, trying to bring these themes out, doing all the work that road safety does, including the initiatives under the levy and so, we've got those themes we've talked about. It's about trying to make our rural roads safer, improving safety in towns and cities which has more of a focus on our unprotected road users... encouraging safe road uses, the behavioural aspect, making visitors safer and improving safety through vehicles and technology, which has a lot to do with the Australasian New Car Assessment Program (ANCAP) and the 5-star safety rating for vehicles.*

*That thematic packaging initiatives that are connected - the Saving Young Lives theme is a very good aspect where it goes from Kidsafe Tasmania right through to the GLS and the full-year program so at each stage of road use young people are exposed to road safety. It is underpinned by 42 initiatives ...<sup>42</sup>*

Mr Craig Hoey (Manager, Road Safety, DSG) further stated at the public hearings:

*MR HOEY ... Another aspect of the action plan is looking at it over a five-year funding so looking at the amount of money that might be available through the levy and then there have been some questions about how that is allocated. This is the actual dollar allocation but sitting behind that is the evidence about which countermeasures are going to be most effective in addressing our road safety problem and also on community focus.*

*... Saving Young Lives is attracting over \$12 million over the life of the action plan and institutions like RYDA and the Learner Driver Mentor Program (LDMP) are all being funded ...*

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<sup>42</sup> See [Transcript of evidence, 2 February 2022](https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%202%20February%202022.pdf) Mr Hoey (DSG), p.46-47, <https://www.parliament.tas.gov.au/ctee/council/Transcripts/RST/LC%20Select%20Road%20Safety%20in%20Tas%202%20February%202022.pdf>

*We have also divided up the infrastructure road safety levy between the rural roads and towns and cities, both of which have grants programs for local government, reflecting the important role that local government has in road safety.*

*Infrastructure has been mentioned. There are costly long lead times but it gives you the long-term safety benefits. Tasmania has a big network – 18,000 kilometres - a very dispersed population so a significant amount of the levy has been allocated towards roads.*

*Two of the programs I've just mentioned there are the Vulnerable Road User Program which assists local government. These are particularly for crossing points or conflict points on the network where pedestrians, cyclists and motorcyclists have more of a crash risk and also under this current action plan a new initiative is the Safer Rural Roads Program where we are looking at mass action programs. There's funding direct to local government to identify lengths of road that can be improved with low-cost proven road safety infrastructure. That is being informed by our crash profile.*

*... the Graduated Licensing System was an early deliverable under the action plan and it's been a very good, robust approach. We've had a lot of evidence and supported those regulatory changes with the education platform and streamlining the licensing pathway so that it's a clear graduation of activities or restrictions.*

*They are lifted as you get through to your final stages of licensing in a graduated form. Importantly, it includes the public education component where we are really encouraging the supervisory drivers to employ and promote quality hours in terms of their engagement with the younger people or the supervisory driver and their role is really important.*

*The platform, as mentioned, includes a number of components so it's not just a knowledge test on the road rules, it's about awareness of some of the issues you are facing on the road, how you prepare yourself for driving, a hazard perception test and finally a knowledge test as part of that platform.*

*... Education has been a really important component of this committee ... the Plates Plus platform. It's between four and six hours of online learning. It's an online system and young road users go through three elements which are attitude, sharing the road, and signs and rules. You need to go through each of those elements and unlock a key before you can move on to the next element so you can't just pick and choose. It takes you through a learning journey until you get to the end where you then are able to do the knowledge test.*

*... the Fatal Five, for example, and that's one of those, driver attitude, and you work your way through those five elements. They are supplemented by video content and engaging activities to both inform and test that knowledge as you go through ... so it is much more engaging than the old previous platform. It is done on-line, and you can be self-paced. You work your way through at your own time or whenever you have got access to the internet.*



*Another element of the GLS is that it has a perception test. Quite a lot of road safety education and talk is about a simulated environment. It has a perception test. They are both computer-generated graphics. They look quite impressive, almost life-like.*

*They are looking to put you in the driver's seat and work new drivers through some of the hazards you are going to expect on the road environment and testing your awareness and perception that they are occurring: pedestrians walking out unannounced, wet road conditions, vehicles giving sufficient distance before turning across the road.*

*... What I hope you are getting from that is the enormous change that has gone on in the education that has been given to young drivers.*

*In terms of automation, and we have talked quite a bit about automated transport enforcement program. ... Almost a third of crashes have speed as a contributing factor. One in four alcohol and seat belt is almost one in 10.*

*The automated enforcement has the flexibility to enforce all those sorts of behaviours. You are covering an extensive amount of our contributing factors to road trauma.*

*...*

*Reflecting again on saving young lives, I think it is a really important theme of the action plan. All these elements contribute to a safer system for young road users, reflecting that some are drivers, some are pedestrians, bike riders, and so forth.*

*Going from right at birth, having a safe car seat, educating parents about how to do that. It is provided to the Bicycle Network, to the ride to school program in schools. The RACT are funded to provide education, RYDA, the Driving for Jobs is more at the Grade 11 and 12, the targeted schools. The Learner Driver Mentor Program ... is providing mentors with those drivers who have got disadvantage. Then the full-year program is the Glenorchy Bucaan House assistance for disadvantaged younger people to obtain their licence. That has just been extended to Launceston.*

*Finally, in public education, there is extensive public education that goes on, keeping people informed and educating on the Fatal Five generally, but also when road rules are changed, campaigns go out to inform the community about those changes.*

*We are targeted. It is evidence based, based on the crash stats. We use a range of media. Television is no longer the dominant media as it once was, so there is YouTube, TikTok, ... also trying to get to events for the younger audience as well, in the drink driving.<sup>43</sup>*

Of note, the RACT in its submission to the Committee outlined 38 recommendations for the Tasmanian Government to consider as part of the Government's ongoing commitment to Tasmanian Road Safety. In replying to a Question Taken on Notice, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) stated:<sup>44</sup>

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<sup>43</sup> See [Transcript of evidence, 2 February 2022](#) Mr Hoey (DSG), p.46-50

<sup>44</sup> Letter to Hon Rosemary Armitage MLC Chair - Road Safety Public Hearing - Responses to Questions taken on Notice, 22 March 2022

***Consider and provide a response to the Committee regarding the recommendations contained in RACT's submission to the Committee***

*The Tasmanian Government shares the commitment of RACT to reduce the number of serious casualty crashes on Tasmanian roads. The Tasmanian Government has carefully considered RACT's 38 recommendations.*

(A copy of the Government's response is at [Appendix A](#)).

### **Committee Findings**

- F1. The 'fatal five' remain significant contributors to Tasmanian road deaths and serious injuries: speed, (non-use of) seatbelts, (misuse of) alcohol and drugs, (driver) distraction and (driver) fatigue.
- F2. Between 2012 and 2021, 336 lives were lost on Tasmanian roads and 2,678 people were seriously injured.
- F3. The installation of median and roadside barriers on Tasmania's high speed and high-volume roads was reported by the Government to prevent or reduce the severity of run-off road and head-on crashes.
- F4. The average age of the Tasmanian vehicle fleet of over 13.3 years (compared to the Australian average age of 10.6 years) continues to increase.
- F5. The slow take-up of new vehicles in Tasmania means the adoption of the latest vehicle safety features is not being attained.<sup>45</sup>

### **Road Safety Governance in Tasmania**

A number of submissions to the Inquiry highlighted different views and recommendations on the bodies that had a remit on road safety in Tasmania including (but not limited to):

- formally establish an AusRAP leadership team in Tasmania (Department of State Growth, Transport Tasmania, Local Government Association Tasmania (LGAT), Tasmania Police, Motor Accidents Insurance Board (MAIB), RACT, Australian Road Research Board (ARRB) and others) and contribute to the national programme chaired by Austroads;<sup>46</sup>
- produce and publish the AusRAP Crash Risk Maps on an annual basis for all roads across the State;<sup>47</sup>
- setting appropriate Star Rating performance targets for all new and upgraded road and transport infrastructure (e.g. 4-star or better for state highways; 4-star or better for pedestrians and cyclists around schools, town centres);<sup>48</sup>

<sup>45</sup> See '[Vehicle Fleet](#)' for further commentary in this Report

<sup>46</sup> See submission [#68 \(iRAP\)](#) in general

<sup>47</sup> See above no. 46

<sup>48</sup> See above no. 46

- the introduction of funding for locally based and accredited road safety officers to assist with reducing road trauma in the region;<sup>49</sup>
- consider establishing an independent state roads authority, independent from the Department of State Growth and inclusive of local government inputs, to manage the state road network;<sup>50</sup>
- improved funding and governance of road safety in Tasmania including annual reporting by the Road Safety Advisory Council (RSAC);<sup>51</sup>
- better and more regular reporting on towards Zero Action Plan 2020-2024 outcomes to be made available on the RSAC website;<sup>52</sup> and
- the lack of apparent support to motorcyclists by the RSAC sub-committee for education and enforcement.<sup>53</sup>

### Road Safety Advisory Council

Established in October 2010, the Road Safety Advisory Council (RSAC) makes recommendations to the Tasmanian Government about road safety policy and public education programs, expenditure of the Road Safety Levy and oversees advertising campaigns. The Council's vision guided by Towards Zero -The Tasmanian Road Safety Strategy 2017-26<sup>54</sup> is for a Tasmania where there are zero serious injuries or deaths from crashes on our roads. The Strategy is supported by the Towards Zero Action Plan 2020-2024.<sup>55</sup>

During the public hearings, the Council received some feedback from Mr Brett Smith APM as to the RSAC's approach, and transparency and accountability in general:

*Mr SMITH - ... That in itself, I don't think it is a stand-alone strategy. There is the cautioning program. We continue to send very strong messages around the 'fatal 5', but we're not consistent with it. We don't follow through with it. The 'fatal 5', in my view, is symptomatic of this attitude thing, just singularly focusing on enforcement. Again, looking at the RSAC Towards Zero plan, a lot of it is around enforcement, around catching people, as opposed to educating people.*

*... it is really important to make sure that we provide education but at a range of junctures. It is not only about the young people that the RSAC plan talks about. What about the older people who have issues with their driving? There are quite a few people right across the age spectrum who have issues with their driving. Why isn't that important?<sup>56</sup>*

...

*Mr SMITH - This is it. The other thing about the RSAC report - I don't want to appear to be bagging it out because I am not, I just see things in it - it talks about the European*

<sup>49</sup> See submission #17 (Ray Metcalfe) in general

<sup>50</sup> See submission #89 (Police Association) in general

<sup>51</sup> See submission #74 (ACRS) in general

<sup>52</sup> See submission #17A (Ray Metcalfe) in general

<sup>53</sup> See submission #45 (Tasmanian Motorcycle Council Inc.) in general

<sup>54</sup> See [https://www.rsac.tas.gov.au/wp-content/uploads/2018/08/TOWARDS\\_ZERO\\_-\\_TASMANIAN\\_ROAD\\_SAFETY\\_STRATEGY\\_2017-2026-10.pdf](https://www.rsac.tas.gov.au/wp-content/uploads/2018/08/TOWARDS_ZERO_-_TASMANIAN_ROAD_SAFETY_STRATEGY_2017-2026-10.pdf)

<sup>55</sup> See <https://www.rsac.tas.gov.au/wp-content/uploads/2019/12/TOWARDS-ZERO-ACTION-PLAN-2020-2024-FINAL.pdf>

<sup>56</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.3-4

*approach to accepting that people make mistakes therefore we have to build stuff around it to protect people from making mistakes. Shouldn't it be more about limiting the mistake-making in the first place? Shouldn't it be about reducing that rather than just accepting that people make mistakes because I think that adds to the complacency of road users on the road in my opinion?*

*Dr SEIDEL - Specifically on this one, how would you feel if it would be compulsory for people who have had an accident to seek medical attention and to have medical clearance for that? In case there could be a medical issue for not seeing that tree. How else are we saying, 'It's just an accident, happens to all of us.'? That is fine, but also is there a cause for why that accident happened in the first place?*

*Mr SMITH - That is certainly worthy of further exploration. In the absence of any evidence, and of course there would be a whole range of downstream issues associated with that. Getting medical clearance and getting into your GP with a six-week wait at the present time is probably going to cause a bit of an impost. Philosophically, it's probably worth consideration. Again, it is another one of those strategies that puts road safety in the forefront of people's minds which is really important.<sup>57</sup>*

*Ms RATTRAY - ... where you talk about the need to establish clear leadership in this important endeavour and consideration into establishing a state road's authority independent of the Department of State Growth. Is not the Road Safety Advisory Council an independent body that would provide leadership? I am interested in your thoughts and do not want to cast any aspersions on the work of the Road Safety Advisory Council but do you not see that body offering leadership?*

*Mr RILEY - When I wrote that report I was very much focused in my mind on COVID-19. When you look at the way the Government has responded to COVID-19 and the strong leadership of the Premier, we have changed people's behaviour in relation to the way they interact and the way they go about cleanliness which is a significant thing. If we could somehow take that leadership and put it in the traffic area, we could have a similar significant impact and reduction of fatalities and serious injury crashes.*

*When you look at a cost benefit analysis, and now we have reflected on it, that is probably not a good suggestion. When I looked at the four foundations toward zero strategy, which I have looked at since I have submitted that report, the safe road users are probably the piece exposed the most and that is enforcement and education. Now I have reflected on this, that senior leadership figure needs to actually start within the policing scope. We need a state-wide leader who has responsibility and accountability for enforcement. Once that piece is delivered on then we can reflect on whether it needs to be bigger than that.*

*The Road Safety Advisory Council does a lot of good work, a lot of good direction, but there is no accountability of those things that are delivered on. They will come up with a raft of things and then agencies can either deliver on it or not. If they are not delivered on*

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<sup>57</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.7

*there is no accountability back to the Road Safety Advisory Council. At the moment it is not empowered. Does that make sense?*

*Ms RATTRAY - Yes, it does make sense.*

...

*Mr RILEY - Hopefully, that will go forward. If that is the model it needs good leadership within Tasmania Police and, the Road Safety Advisory Council, when it divvies up tasks amongst government agencies, there needs to (be) some accountability to deliver on those tasks and if they are not delivered, why not? Why are not agencies responding?*

*Ms RATTRAY - That person or that role is key to the outcomes that will be generated right across the area of road safety.*

*Mr RILEY - The chair is the key person, the leader and immediately in the current construct provides that leadership piece.*

*CHAIR - He does say 'as chair of the Road Safety Advisory Council, I am committed to improving road safety in Tasmania in reducing the harm and devastation that crashes cause'.*

*Mr RILEY - When that council decides on actions, delivers and produces some direction then government agencies should be accountable for whether they deliver on those or they do not and if not, why not?<sup>58</sup>*

The Committee also heard from Mr Paul Bullock (President, Tasmanian Motorcycle Council Inc.) and his views on RSAC's Education and Enforcement Sub-Committee's grant powers:<sup>59</sup>

*Mr BULLOCK - That just shows the small numbers that you are dealing with. In the documents we've given you, we have had nine fatalities this year. In February we asked for funding to do a road safety campaign for motorcyclists. It was rejected, for their reasons, I don't know, and it was asked for from the Road Safety Advisory Council.*

*However, the Road Safety Advisory Council has just about been split into two groups. They've got a subcommittee, and the subcommittee is police enforcement and education. I have never seen a subcommittee of any group or whatever that spends the group's money without going to the full committee to have it advised and passed.*

*Ms RATTRAY - Is it ratified though, do you know? I mean, it could be ratified.*

*Mr BULLOCK - They come into Road Safety Advisory Council and say this is what we did. They gave \$20,000 to the North West Football Association and that comes under education for young people, 17 to 25, about drink driving. That's taken out of the road safety levy money, to sponsor a football team; but they won't give any money to support or help the motorcyclists who have been killed on the road.*

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<sup>58</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.11-12

<sup>59</sup> See RSAC Education and Enforcement Sub-Committee Terms of Reference, <https://www.rsac.tas.gov.au/about-us/sub-committee-terms-reference/> [Accessed 7 April 2022]

*Mr WILLIE - I don't think it was to sponsor the team. I have had a briefing from the Road Safety Advisory Council. I think it was for education, wasn't it, trying to change cultures?*

*Mr BULLOCK - And there's another \$20,000 following that has just been done.*

*Mr WILLIE - Okay.*

*Mr BULLOCK - Because I am no longer on the Road Safety Advisory Council, the current president was advised that it is another year's \$20,000.*

*Ms RATTRAY - So they have rolled over that sponsorship?*

*Mr BULLOCK - Yes, but it doesn't go to the Road Safety Advisory Council to say they have accepted and agreed to it. They do it themselves. That is because Paul Kingston is the CEO of MAIB and chair of this subcommittee. I don't believe it should be done. I think it should all be done through the Road Safety Advisory Council and they authorise or not - but that is how it goes...<sup>60</sup>*

...

*Mr BULLOCK - Yes. They are the actual figures. Here's another one - the Road Safety Advisory Council. That was a very good thing. Does it need to be thrown out? Replaced? Updated? Because the agenda for meeting number 43, which was in March this year -*

*Ms RATTRAY - Before you retired?*

*Mr BULLOCK - Yes. One to five was to endorse minutes of the action of the previous ones, and the next ones were crash statistics, RSAC media. Endorse one, automated speed enforcement - and the rest are all 'to note'. Not to vote on, not to do anything, and that's where that subcommittee comes in. You don't have a say. You don't find out about it. I had to ask how much did you give to North West football? It was \$20,000. ...<sup>61</sup>*

## **Committee Findings**

F6. Road Safety Advisory Council provides advice to Government however there is no accountability for Government to deliver on their recommendations.

<sup>60</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.2-3

<sup>61</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.13-14

## Committee Recommendations

- R1. The Government consider whether the Road Safety Advisory Council (RSAC) should be more independent of Government.
- R2. RSAC improve the transparency of decision-making including sub-committee decisions.
- R3. All RSAC recommendations to Government should be publicly reported and tracked.

## Motor Accidents Insurance Board

Established in 1974 under the *Motor Accidents (Liabilities and Compensation) Act 1973* (the Act), the Motor Accidents Insurance Board (MAIB) is a Tasmanian Government Enterprise.

The purpose of the MAIB is to administer the funding and payment of the State's compulsory third party motor accident insurance scheme. The scheme provides medical and income benefits on a no-fault basis to people injured as a result of a motor accident while enabling access to common law.

MAIB's Injury Prevention and Management Foundation (IPMF) each year funds projects to reduce the number and severity of motor accidents. The IPMF was established under the Act in 1993 with the objective of promoting measures to reduce the number and severity of motor accidents.

To achieve this objective, the MAIB may conduct or participate in, and/or provide financial support to people and organisations through sponsorships of appropriate projects. The IPMF is funded by setting aside up to one percent of gross annual premiums.

The IPMF Charities Committee was established in January 2002 and supports a number of Tasmanian not-for-profit charities. The MAIB's sponsorship of charities assists Tasmanians living with brain injuries as well as road trauma support services.

MAIB also funds the:

- Tasmania Police's road enforcement activities;
- Metro Tasmania (New Year's Nightrider Service); and
- Road Safety Advisory Council (RSAC).<sup>62</sup>

With respect to claim management, a claim may be made with the MAIB by:

- Tasmanian residents injured in Tasmania;
- Tasmanian residents injured outside of Tasmania but within Australia, provided a Tasmanian registered vehicle is involved in the accident;

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<sup>62</sup> See 'About the MAIB', <https://maib.tas.gov.au/about-maib#corporate-governance> [Accessed 8 April 2022]

- non-residents of Tasmania injured in Tasmania, provided the accident involves a motor vehicle registered in Tasmania; or
- non-residents of Tasmania in a non-Tasmanian registered vehicle injured within Tasmania, who are eligible for the daily care component within the relevant legislation.<sup>63</sup>

At the public hearings, the Committee heard some feedback from Mr Colin Riley (President, Police Association of Tasmania) with respect to how MAIB was funding Tasmania Police's road enforcement activities:

*Mr WILLIE - It's to do with the reference in your recommendation to the University of Adelaide report for the MAIB, about their annual funding that they provide to Tasmania Police and State Growth. Does that propose a major shakeup?*

*Mr RILEY - I'm not sure if the committee has seen the report*

*Mr WILLIE - No, it's not a public document.*

*Mr RILEY - It's not a public document. It was done specifically for MAIB. It parallels what you're looking at here. There is information in that document that would be relevant to this committee.*

*Mr WILLIE - You're recommending we write to MAIB and request that document?*

*Mr RILEY - I would think so. In my opinion, MAIB wanted to get an assessment of how their money was being expended, and that was the purpose of that report.*

*Mr WILLIE - How's it being expended now? They obviously fund Police and State Growth.*

*Mr RILEY - They provide funding and they fund a specific number of police officers in Tasmania Police. From memory I think it's 16 police officers and then those police officers do road safety taskforce duties. That's been going on since about 1996. Those 16 police officers should be in addition to the Government's allocation. The Government funds so much money and we have so many police officers; and then MAIB funding should be in addition to that and not moving the deck chairs sideways and potentially using that money for another purpose.*

*Mr WILLIE - We'll try to get the report. Reading between the lines, if traffic management's being downgraded and then being reassigned, perhaps MAIB is not happy providing the funding for those 16 officers for a different purpose.*

*Mr RILEY - The report may contain things like greater accountability, performance indicators and things like that to provide some feedback as to how the money is being spent.<sup>64</sup>*

<sup>63</sup> See 'Who can claim', <https://maib.tas.gov.au/been-in-an-accident?id=who-can-claim> [Accessed 8 April 2022]

<sup>64</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.10-11



The Committee also heard from Mr Paul Bullock (President, Tasmanian Motorcycle Council) of their dissatisfaction on how MAIB set its premiums for motorcycle insurance:

*Mr BULLOCK - How many millions have they spent for cyclists, and how many hundreds have they spent for motorcyclists? For anything over a 125 (cc), they raised the limit from 90 to 125 for the small bikes. For the posties, their bikes used to be 90, but they raised the motorbike engines to 110, so the Government changed it to 125, and that gets cheap registration. Anything from 125 through to the Harleys and the Indians all pay \$600-plus a year for registration. It's just ridiculous. If you have a look - and we have asked MAIB and so on to do it - but he said the regulator has set it for the next four years, so you have 125s to 250; 250 to 500; 500 to 750, or whatever. They were the old ones before the power-to-weight ratios and everything came in. We want them to bring it up to date, so 125 is below 600, 660; or it's over 660. Make it simple for everyone.*

*CHAIR - I assume they would make the recommendations to the regulator.*

*Mr BULLOCK - If it came from the motorcyclist fraternity they're not interested. That's how unbelievable I've found it.<sup>65</sup>*

### **Committee Findings**

F7. Motor Accident Insurance Board motorcycle premiums are set by the Tasmanian Economic Regulator.

### **Committee Recommendations**

R4. The Government and the Tasmanian Economic Regulator consider amending the present schedule for motorcycle registrations and insurance premiums in line with other Australian jurisdictions.

### **Transport Services Group**

The Transport Services Group works to enable the safe, reliable and efficient transport of people and goods, to connect Tasmanian communities, promote freight efficiency and economic growth, and to improve the visitor experience.

The group is made up of two divisions, Road User Services and State Roads which collaborate with other areas of the Department of State Growth to deliver the positive outcomes for Tasmania and Tasmanians.<sup>66</sup>

At the public hearings, the Committee heard from Mr Ray Metcalfe about his views around the Department of State Growth's Transport Services Group and how that structure might be improved to increase accountability and coordination of road safety related activities:

<sup>65</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.13

<sup>66</sup> See 'Department of State Growth – Transport Services', [https://www.stategrowth.tas.gov.au/transport\\_services](https://www.stategrowth.tas.gov.au/transport_services) [Accessed 8 April 2022]

*Mr METCALFE - ... I would like to begin by thanking members for their commitment to improve road safety in Tasmania. I share your passion for this and hope that Tasmania will achieve zero road trauma by 2050. The current trends of annual fatalities and serious injuries indicate that we will never achieve this target. We need to adopt the Vision Zero approach that could deliver immediate results to improve these trends. This approach requires that road trauma must be treated like any other public health issue and its prevention must override all other infrastructure planning and economic considerations.*

*In my submission there are several examples of where the state and local governments have failed to act in this way. According to Austroad guidelines the majority of road statements in Tasmania have grossly unsafe posted speed limits. The Transport Services Group has not acted to set its posted speed limits in accordance with these guidelines. The state is knowingly putting lives at risk and must take responsibility for this, rather than allow driver behaviour, speeding, drugs, alcohol, distraction, seatbelts and fatigue to be blamed for road trauma. Poor driver behaviour and mistakes will never be eliminated, and they should not result in trauma. These behaviours are known as the fatal five but the road infrastructure, coupled with unsafe speed limits is the most fatal one for rural roads.*

*To be fair, the Towards Zero Action Plan does mention setting speed limits according to the infrastructure safety standards, but the Transport Services Group continues to post unsafe speed limits. A head-on collision at a closing speed of over 70 kilometres per hour will probably result in trauma, even if the vehicles are equipped with the latest vehicle safety technology. Therefore, roads with a posted speed limit of over 80 kmh require protection against head-on and run-off collisions.*

*The \$20 million allocated in the action plan to improve infrastructure safety will not achieve this. An Austroad spokesperson stated that nationally this would take several centuries to achieve.*

*In conclusion, my recommendations suggest, firstly, reducing speed limits immediately on the high traffic volume roads where infrastructure cannot prevent trauma in the event of a crash. When the road infrastructure can safely sustain a high speed, the speed limit could then be increased. Secondly, requiring measurable time phased targets reach action in the Towards Zero Action Plan and making stakeholders accountable to achieve them. Lastly, improving the collaboration and communication between stakeholders, including within the infrastructure services group, and establishing a road safety audit policy.*

*Dr SEIDEL - Thank you for your submission, Ray. It is always great to get submissions from individuals rather than just from organisations. There is some value there. You mentioned in your introduction that road safety is a public health issue. Is it clear to you who in Tasmania is responsible for road safety? It is very clear who is responsible for public health. Who is responsible for road safety? Is it clear to members of the public?*

*Mr METCALFE - It should be the Transport Services Group.*

*Dr SEIDEL - Do you think it is clear? There seem to be so many players there, inconsistent recommendations, people pushing responsibilities from one entity to another; but there is no clear structure there that is calling the shots as it is for public health.*

*Mr METCALFE - Yes, that is right. There is a lack of accountability, I believe. There is a lack of coordination between even individual departments within the Transport Services Group to achieve public road safety. That is part of the problem - lack of accountability and lack of coordination.*

*Dr SEIDEL - In your submission, you talked about regional road safety officers. Would you mind elaborating a bit more about what you are trying to achieve by appointing those? Can you give us any examples where it actually works nationally or internationally?*

*Mr METCALFE - Sure. In terms of examples, two years ago, at the end of August 2019, there was a fatality south of Huonville. At that time, shortly afterwards, I mentioned to the council that there was a hazard that should be addressed in addition to lowering speed limits. I asked, at that time, whether a road safety audit had been done post-accident and they took a while to get back to me and eventually said, no. The Austroads guidelines clearly state that if a fatal accident occurs, we must have a road safety audit to determine the cause. We can't assume that it is driver distraction or something like that. In my view, there were a number of hazards at that intersection which weren't addressed.*

*Dr SEIDEL - We'd normally do a root cause analysis, wouldn't we, that's what you are saying?*

*Mr METCALFE - That's right. We need professional people who are trained in road safety audits, independent of government or the executive, to carry out these audits, to make recommendations in terms of improving safety.*

*To answer the second part of your question, I haven't got anything with me that can demonstrate the efficacy of road safety audits internationally, apart from the fact that I know from reading the Austroads material that this is what they recommend.*

*Dr SEIDEL - In your submission, you also mentioned that it's important to engage other infrastructure stakeholders, including emergency service stakeholders. I imagine the ambulance service, in particular. Do you see there is a lack of interaction between ambulance services and the police, for example, and transport department when it comes to road safety, particularly when it comes to ambulance response times?*

*Mr METCALFE - I haven't got an example regarding ambulance services but, certainly, I do have a recent example where there was an accident in the Huon Valley. The police were called to attend and a possible cause was the infrastructure at that particular point. It was a rural road, with maintenance the responsibility of the council. The police said that they'd have no obligation to pass this information onto the council. That's just an example of the lack of coordination between, not necessarily health services and*

*emergency services, but I think that's indicative that this doesn't happen as a matter of course.*

*Dr SEIDEL - That's why you think a regional road safety officer would be valuable in that respect, to coordinate, to gather evidence and to make specific recommendations for the area?*

*Mr METCALFE - Yes, I do.*<sup>67</sup>

### **Committee Findings**

- F8. There is lack of coordination between the relevant road safety stakeholders that deal with road safety matters.
- F9. Speed and not driving to the conditions on sub-optimal road infrastructure contribute to Tasmanian rural road deaths and serious injuries.
- F10. To improve road safety outcomes, there is a need for professional people, independent of government, to carry out and make recommendations from road safety audits.

### **Committee Recommendations**

- R5. The Government consider investigating a mechanism for mandatory road safety audits to be undertaken around all road accidents involving a fatality and/or serious injury.
- R6. The Government consider a mechanism for information sharing between relevant third-parties (e.g. Tasmania Police, Transport Tasmania, affected local councils, etc.) that come about during the attendance and investigation of serious road crashes.
- R7. The Government consider resourcing the State to have professionals trained in conducting road safety audits on behalf of State and local councils.

### **Road Safety Funding**

As part of the Australian Government's ongoing commitment to improving road safety \$3 billion has been committed to the Road Safety Program over three years from 2020-21. This funding is offered to states and territories on a 'use it or lose it' basis in five, six-month tranches. As a condition of funding, states and territories are required to provide road safety data, and report against road safety metrics. States and territories are required to use their funding within each six-month tranche in order to receive their full allocation of funding for

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<sup>67</sup> See [Transcript of evidence, 25 October 2021](#) Mr Metcalfe, p.1-3

the next tranche. The resulting unallocated funds will be placed in a pool, with jurisdictions who spend their allocation able to seek further funds from this pool.<sup>68</sup>

Of late, \$13.8 million (\$10.7 million from the Australian Government with the remaining \$2.68 million provided by the Tasmanian Government) has been secured to support a further 11 road safety projects across the state's road network, including:

- \$6.74 million for shoulder sealing and widening of the Tasman Highway from Esk Main Road to Dianas Basin;
- \$1 million to deliver a channelised right-turn lane on the Midland Highway, Campbell Town; and
- \$783,967 to complete a new off ramp to Westbury Road from the Bass Highway.<sup>69</sup>

Submissions to the Committee included other suggested avenues for road safety funding (including (but not limited to):

- a congestion charge for vehicles entering the city centres in Hobart and Launceston (scaled according to size and weight of the vehicle);<sup>70</sup>
- a usage charge (per km) for larger mass vehicles;<sup>71</sup> and
- fines collected from automated speed enforcement be made available for safe system road safety infrastructure improvements.<sup>72</sup>

### **Committee Findings**

F11. With respect to fines collected from Tasmanian road safety enforcement measures it is not clear whether that revenue is readily available for safe system road safety infrastructure improvements.

### **Committee Recommendations**

R8. The Government allocate the revenue collected from road safety enforcement to road safety improvements.

<sup>68</sup> Australian Government, Department of Infrastructure, Transport, Regional Development and Communications, 'Road Safety Program', <https://investment.infrastructure.gov.au/about/national-initiatives/road-safety-program.aspx> [Accessed 8 April 2022]

<sup>69</sup> See 'Funding to fast-track more road safety projects in Tasmania', [https://www.premier.tas.gov.au/site\\_resources\\_2015/additional\\_releases/funding\\_to\\_fast-track\\_more\\_road\\_safety\\_projects\\_in\\_tasmania](https://www.premier.tas.gov.au/site_resources_2015/additional_releases/funding_to_fast-track_more_road_safety_projects_in_tasmania) [Accessed 8 April 2022]

<sup>70</sup> See submission #15 (Dr Rod Katz) in general

<sup>71</sup> See above no. 70

<sup>72</sup> See submission #74 (ACRS) in general

## Alternative Governance Oversight of Tasmania Road Safety

Amongst other submissions, the RACT, the Police Association of Tasmania and the Australian College of Road Safety advocated for the establishment of a separate Tasmanian state road authority (or similar body) that would be in charge of ensuring that the road network would be compliant with the Safe Systems principles. Similarly, Mr Mark Temby at the public hearings suggested that an alternative decision-making body:

*Mr TEMBY - In conclusion, we ask that when you do come up with your final recommendations, you consider an improved process for taking future change on board. We have talked about that delineation between DSG, Tasmania Police and local councils. In my opinion there is a need for a ministerial steering committee. It would be going across various ministries - Justice and Police, for example. That steering committee would incorporate departments like Tasmania Police, Courts, DSG, Transport Commissioner, and Towards Zero. I would keep it at that level. That needs to be the decision-making body.*

*The second layer to whole thing, which is a consultation level, is where you get your road user associations, the media, tourism association, local council association; because they are not really decision makers. They might have good opinions, but they are not decision makers.*

*That is about it. The processes in the past haven't worked, and we have been tossed to and fro like flotsam.<sup>73</sup>*

The Government in its response was supportive of its current governance approach but were open to governance improvements:

*CHAIR - We have received a few recommendations from the RACT. ... One recommendation came from both the RACT and the Police Association in regard to establishing of a state road authority independent from the Department of State Growth to manage the state road network. I wonder if you could make a comment on that?*

*Mr FERGUSON - The RACT is a member in good standing of the Road Safety Advisory Council. They have a privileged opportunity to road test proposals with their colleagues around the table. If the evidence is there, advice would come to me that this is recommended and government would make a policy decision around it.*

...

*It is not a current proposal. We have a strong and well-managed division within State Growth, specifically called State Roads. Nothing is forever. If we can refine our policy or governance approaches, we are open to doing so. Happy to respond further.<sup>74</sup>*

...

*Mr SWAIN - In a number of other jurisdictions, particularly in New South Wales and Victoria, the transport functions have been split into specific entities: three or four entities with different configurations; passenger transport, a policy and regulatory function, service delivery function. That happened maybe 15 years ago. To my*

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<sup>73</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.8

<sup>74</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.42

*knowledge, every one of those has been put back together because, while the thought was that a more specific focus would assist, what they found was that they didn't get integrated solutions.*

*This comes back to something that Scott (Tilyard) was referring to earlier: road safety is not about the application of power; it is about people working together to a common aim. If you look at how State Growth is organised, all the transport functions are in one department. As a management team, when we get together, road safety will be on the agenda as to how it has been applied in every branch within each division that performs on transport.*

*I think there are pros and cons with different models but you do have to think about how it plays out in practice and what the Australian experience is. Other jurisdictions have tried this.<sup>75</sup>*

## **Tasmanian Road Safety Management**

### Road Design

The Committee noted that safer road design featured in many submissions. Suggestions and observations included (but not limited to):

- where practicable, traffic merging lanes should have the capacity to allow entering vehicles to attain similar speed before merging;<sup>76</sup>
- the Bass Highway being upgraded into a dual lane separated carriageway;<sup>77</sup>
- traffic barriers being installed on all high-risk Tasmanian roads;<sup>78</sup>
- the upgrading of road sections so that they are safer for cyclists;<sup>79</sup>
- both negative and positive criticism levelled at 'two plus one' highway design (short section dual highway) in that it may be confusing for motorists but provided safer overtaking opportunities;<sup>80</sup>
- that improved road infrastructure has had a positive impact at reducing the Tasmanian road toll;<sup>81</sup>
- *active travel* considerations should feature as part of continuing road design to encourage higher adoption rates for shorter journeys being undertaken by people walking and cycling;<sup>82</sup> and
- the future of autonomous vehicles and its impact on road design.<sup>83</sup>

A cross-section of the above was further examined at the Committee's public hearings.

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<sup>75</sup> See [Transcript of evidence, 2 February 2022](#) Mr Swain (DSG), p.42

<sup>76</sup> See submission [#14 \(John Thirgood\)](#) in general

<sup>77</sup> See submission [#18 \(Warren Robertson\)](#) in general

<sup>78</sup> See submissions [#11 \(Brian Bennett\)](#) and [#21 \(Albert Ogilvie\)](#) in general

<sup>79</sup> See submissions [#27 \(Rodney Hartridge\)](#) and [#60 \(Gary McDonald\)](#) in general

<sup>80</sup> See submission [#49 \(Malcolm Eastley\)](#) in general

<sup>81</sup> See submission [#53 \(Barry Oliver\)](#) in general

<sup>82</sup> See submissions [#55 \(30 Please\)](#) and [#92 \(Royal Australasian College of Surgeons\)](#) in general

<sup>83</sup> See submission [#64 \(Rajan Venkataraman\)](#) in general

## Short Section Dual Highway

At the public hearings, Mr Colin Riley (President, Police Association of Tasmania) commented on the question of whether clearer road markings associated with the short section dual highways would be of potential assistance:

*CHAIR - .... We have noticed quite a few mainland drivers have been involved in crashes of late. From your consideration, do you think it is to do with the fact that on the mainland many of their roads are four-lane highways and then all of a sudden, we have two lanes, then go on to one. I am not sure how you are when you are driving, but sometimes you do use that time to talk to people, to do work. You are on the phone even though it is through your car which is a bit of worry because you do get distracted. Do you think sometimes you find that one lane becomes two lanes, you think all of a sudden is this two lanes or one lane? Do you think it is a confusion for many mainland people coming down to Tasmania, the difference to our roads to their roads? Hence the crashes.*

*Mr RILEY - My answer to you is anecdotal. I do not have any data, but can I say though I spend half my time travelling the state visiting police officers in different parts of the state. On some of those major roads there is only 30 centimetres separating vehicles travelling towards each other at 110 km/h, which is concerning, and it only takes a microsecond to be distracted and all of a sudden it is head on collision. I do not have the answer.*

*CHAIR - I have noticed on the odd occasion on the road that they have arrows, they are not everywhere. Do you think something like arrows, because you will be driving along and you have two lanes, and I am not sure about other members but you look and you think, I am on two lanes and you see another lane over further but sometimes it is a rural road and it is not a two-lane highway. Some of them have arrows pointing out to you are on a two-lane highway again.*

*Mr RILEY - Clear road markings are a very simple solution. Having travelled most of the roads around the state many times, I sometimes get confused whether it is a two-lane roadway or oncoming. That does happen. So yes, clear road markings, arrows on the road would certainly be beneficial.*

...

*Mr RILEY - ... the Bass Highway is a classic example where clear road markings in relation to direction is a low financial cost solution which probably would bring exponential positive outcomes, I would suggest.<sup>84</sup>*

Mr Barry Oliver was of a similar view:

*CHAIR - Sometimes when we have four lanes, they might go only for a very short distance. There are some very short overtaking areas. Then, all of a sudden, you're on two lanes. ... It can get quite confusing for us when we're driving. Do you think that's a real issue with interstate drivers? Should we have more arrows painted on the roads when we get back to two lanes to say, an arrow coming this way; that that isn't your lane? Do you think that would help interstate drivers? Or do you have any other*

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<sup>84</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.13-14



*suggestions? Obviously, they have a lot more four-lane highways, whereas we have four lanes going into two and some very short overtaking lanes.*

*Mr OLIVER - I agree, we should. I can think of a fatality that's occurred in recent years where the driver was clearly confused as to what lane they should've been in.*

*CHAIR - Some more arrows painted on the road - something simple.<sup>85</sup>*

Another issue identified during the public hearings was the apparent lack of understanding as to the driver etiquette required in allowing faster vehicles to pass vehicles in the slow lane safely as appropriate, as discussed with Mr Richard Sherriff and Mr Barry Oliver:

*Dr SEIDEL - I was also interested that you mentioned the short-section dual-lane design, which is quite unique to Tasmania, isn't it? You literally don't see that short a section for a dual highway anywhere else.*

*Mr SHERRIFF - On the mainland it is usually on the major highways, the dual-lane side drive. I think it probably, is and there have been some accidents exiting those.*

*Dr SEIDEL - Yes, that is right. I am not sure if that is something you have heard of or experienced, because the way the speeds are, is awkward. Some people want to overtake when there is a short section. They will often do more than 110 km/h unless the other party is slowing right down, which also has effects - and because it has an effect on a short section, there is not much room for compensating or common sense.*

*Mr SHERRIFF - That's a good issue to discuss. I had made reference to that, and I don't know what it is. I think it is more the nervous driver who approaches it and sees a wider section of the road and decides to drive a little faster, but it is an everyday occurrence that the cars that approach at a slower speed then speed up through the section, and often you have to exceed the speed limit to pass them. It can be quite dangerous. We need some education about that, and probably even some signage. It should be law - certainly etiquette - that a car approaching those passing sections at a slower speed should proceed through that section at the speed they approach it. I think some people are not aware of it. The nervous driver just sees a wider section of road. I don't think they are even aware there's a car wanting to pass them ...<sup>86</sup>*

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<sup>85</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.13

<sup>86</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.2-3

## Committee Findings

- F12. There is a need for clearer and consistent road markings to highlight the direction of traffic for short section dual highways.
- F13. More driver education is required to promote safer overtaking practices in short section dual highways.

## Committee Recommendations

- R9. The Government implement clearer and consistent road markings for short section dual highways to highlight the direction of traffic to promote safer overtaking practices.

### Wire Rope Barriers (Flexible Safety Barriers)

The Committee noted that the Community (in particular motor cycle users) had strong views as to the appropriate utilisation of wire rope barriers in Tasmania. The Committee also noted that of late Norway and Northern Ireland have removed (or are in the process of removing) wire rope barriers from public roads and replacing them with conventional W beam barriers or concrete cushions.<sup>87 88</sup> Closer to home, the Victorian Auditor-General's Office released its report 'Safety on Victoria's Roads – Regional Road Barriers' to which criticism was levelled at VicRoads inability to validate how the flexible safety barriers were effectively safe for motorcyclists, and whilst noting that the flexible safety barriers saved lives and reduced serious injuries on Victoria's roads, they were not as cost-effective as VicRoads and TAC intended. Of concern, it was found that VicRoads had '... failed to properly maintain and monitor the barriers it installed, which increases the risk that they will not perform as intended'.<sup>89</sup>

The Committee noted that a number of submissions to the Inquiry highlighted a disquiet to the use of wire rope barriers:

- as to the credibility of the Road Safety Advisory Council website's inclusion of wire rope barrier safety promotional video;<sup>90 91</sup>
- that they may represent a sub-optimal use of road space that might be better utilised for an extra traffic lane;<sup>92</sup> and

<sup>87</sup> See the Federation of European Motorcyclists' Associations (13 October 2020). *Victory: more wire rope barriers are removed in Norway*. Retrieved from <https://www.femamotorcycling.eu/wire-rope-barriers-removed/>

<sup>88</sup> See the Federation of European Motorcyclists' Associations (1 October 2021). *Victory In Northern Ireland: Wire Rope Barriers Will Disappear*. Retrieved from <https://www.femamotorcycling.eu/wire-rope-barriers-n-ireland/>

<sup>89</sup> See Victorian Auditor-General's Office (18 June 2020). *Safety on Victoria's Roads—Regional Road Barriers*. Retrieved from <https://www.audit.vic.gov.au/report/safety-victorias-roads-regional-road-barriers#:~:text=VAGO%20evaluation&text=We%20found%20that%20as%20at,18%20of%20the%20completed%20projects.>

<sup>90</sup> See <https://youtu.be/Kxkx1iR7CE> [Accessed 23 March 2022]

<sup>91</sup> See submission #1 (Terence McCarthy) in general

<sup>92</sup> See submission #14 (John Thirgood) in general

- that a maintained vehicle run-off is preferable to any barrier (similar to what is utilised in race tracks).<sup>93</sup>

At the public hearings, the Royal Automobile Club of Tasmania supported the use of wire rope barriers as they substantially reduce the risk of death and serious injury on Tasmanian roads:

*Ms PALMER - I want to ask about the comments you made in your submission around wire-rope barriers on parts of our highway. Two parts to that: do you think that should be aligned with certain speed limits, or should that be aligned with certain types of roads? Also, do you think that is the best barrier, being the actual wire ropes? We have had submissions that we will be looking at, and people we'll be talking to, who feel it is quite dangerous to have those there, so what is the organisation's point of view on that?*

*Mr BAILEY - Yes, I can answer that. We support the wire rope barrier, because all the evidence before us is that they substantially reduce the risk of death and serious injury. They have been installed on a substantial part of the Midlands Highway, and on quite a few occasions, if it wasn't for those barriers stopping a car when it has deviated, there could have well been a head-on, or running off the other side of the road. They are the two most common forms of crashes - and we don't say accidents, we say crashes - that cause death and serious injury. Sweden introduced them. I remember when these barriers were first raised as a potential lifesaver in Tasmania; I think it was when Jim Cox was the minister.*

...

*Mr BAILEY - He went to Sweden and brought it back. As a media person, I was certainly excited enough about it to publish the world's most boring photo on the front page, of an empty road with a wire rope barrier, but it certainly got a reaction. Sweden has recently won a global award for these. There are concerns by the motorcycle community, and I have had discussions with the Motorcycle Riders Association. There is far more that unites us than divides us in that area. They have a different view about it. They say they have the evidence. I would leave it to the Committee to make a decision.*

*Mr WILLIE - I think they agree on the barrier, it's just the material that is used.*

...

*Mr BAILEY - The wire rope barrier differs from the concrete barrier or the Armco in that the wire rope barrier significantly reduces the kinetic energy. It's slowing the vehicle up in what appears to be a straight line. I am not an expert on this, but I have been told by the experts that you can slide along a concrete barrier, but your speed is not reduced, and so there is still the capacity to hit something else at quite some speed, or you can bounce off into the path of another car. Once the wire rope barrier has you in its grip, that's where you stay. It is very rare to go through the barrier, or be wrenched off it and back into the path of another car. You will see it on our 2+1 Highway - which again is a Swedish innovation, and they regard as a very successful measure - notwithstanding the debate that the Midlands Highway should have been four lanes all the way. Nonetheless, I believe there's a growing data within the Department of State Growth on the number of impacts on the wire rope barriers. You have to read into that what*

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<sup>93</sup> See submission [#62 \(Mal Peters\)](#) in general

would've been the possible consequences from all those impacts if there had been a car coming the other way, for example - so, preventions of head-on. I don't have any data on the number of impacts on wire rope barriers by motorcyclists in Tasmania, but I am sure the Department of State Growth would.

Ms PALMER - Where should we see those wire rope barriers? I feel quite good when I am travelling the Bass Highway doing 100, 110 kilometres per hour and I see them, but there are other roads in all of our electorates that are off those highways where you think, I wish there was one here, it's very easy to go across. What are your thoughts on where they should be?

Mr BAILEY - Our view - which we share with the road builders here - is that on high-volume, high-speed roads, it takes a long time to roll these out. They're not complete on the Midlands Highway. They're not complete on the Bass Highway, and sadly a couple of the fatal crashes that have occurred have been where there hasn't been a barrier. What would be the outcome if there was a wire rope barrier there? There may well be speculation. We simply don't know. On local roads, you won't see them in the short term. That's why you need to deal with those roads in other ways. For example, sealing verges, improving some road alignments, signage and speed management all play a part. As Mark said at the outset, there is no one silver bullet, and that applies to individual roads. There is not one thing that is going to save lives. For example, 14,000 kilometres of our roads are controlled by local government, and half of our roads are gravel. At least we did lower the speed limit on gravel from 100 to 80 kilometres per hour.

CHAIR - Do you consider that there is adequate maintenance on the wire ropes? Obviously, they have to be tensioned, they have to be checked, and the more we have, the more budget needs to go into them. Do you have any advice or any evidence?

Mr BAILEY - We do not have any direct evidence, but inadequate maintenance has been raised by the Motorcycle Riders Association. We simply don't know. They do require regular inspection. When it is hit by a vehicle, it is repaired as quickly as possible, otherwise it creates a new danger.

Mr MUGNAIONI - We do need to ensure, where we have road network that is not up to speed, that we have an aspiration to improve its standing, to allocate more of our budget to new infrastructure rather than to maintenance.

CHAIR - I would assume there would be an age limit to them. Obviously, it is tensile strength.

Mr MUGNAIONI - As with all road infrastructure. We do think it is important that we don't lose sight of an appropriate balance between new infrastructure and maintenance. New infrastructure is great, but if we are not maintaining the infrastructure that we put in, that is not to anyone's advantage.<sup>94</sup>

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<sup>94</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.12-13

When questioned as to whether the Government provided sufficient budget for wire rope maintenance, Ms Rachael Matheson (Chief Executive Officer, Traffic Management Association) offered the following observations:

*CHAIR - My question is with regard to wire rope and the budget for wire rope. I notice that you mentioned allocation of between \$60-\$70 million for road maintenance, but you believe it should be increased to at least \$100 million. It has been raised with me that perhaps there's not enough money to make the wire ropes safe, and for the testing that needs to be done on an ongoing basis. Your contractors would do wire rope maintenance?*

*Ms MATHESON - They do maintenance and there have been some issues of late around the design of some of those and coming through and implementing them. That issue is with State Growth at the moment and we're having discussions around the actual design of those, to make sure that when they are implemented on the roads...*

*CHAIR - The design of the wire rope or the design -*

*Ms MATHESON - The implementation. There're a few issues around those at the moment, but we're tabling that directly with State Growth who is responsible for it if it does fail or there are faults with it.<sup>95 96</sup>*

The Tasmanian Motorcycle Council Inc. were not supportive of the use of wire rope barriers in Tasmania and cited among other issues safety, lack of maintenance and the understanding of the use of barriers on roads, as evidenced by the President Mr Paul Bullock's views:

*Mr BULLOCK - I get angry with some of the things they do. A big one is in a submission about wire rope barriers. They are 1.8 metres, the centre barriers from the traffic going past. I said to them, 'That is very good. What if I hit it, it stretches three metres so I have a head-on with a truck coming the other way?' 'Oh, the chances of that is so minute it doesn't matter.' In Victoria it is a set policy, and I think Tasmania has taken it on too, recommended 4 metres from the traffic is the wire ropes. Absolute minimum is 3 metres yet the Midland Highway is only 1.8 metres. Why? If you have an accident with a wire rope barrier, say you are coming down the Outlet and you hit that barrier, the first thing you want to do is get your lawyer to find out when it was last tensioned because they do not do any maintenance on them. If you have a low-slung car and that tension is not on those wires, it goes up and it takes the roof off your car and you are sitting in the car. People don't realise. If you go along, all those posts have little nobbles on them that the wire sits on. Now, if you see a wire down below that, it is loose. I drive along because -*

*Ms RATTRAY - Because you are looking for those things.*

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<sup>95</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.2-3

<sup>96</sup> See Joint Standing Committee of Public Accounts [Review of Selected Public Works Committee Reports: Midland Highway Works \(No. 27 and 28 of 2015\)](#) for further discussion on around ongoing maintenance, inspection regimes, standardisation and whole-of lifetime costs around the use of wire rope barriers within Tasmania, [https://www.parliament.tas.gov.au/ctee/joint/PAC/Reports/pac.inq.pws2015.FINAL%20Report%20\(25%20May%202022\).pdf](https://www.parliament.tas.gov.au/ctee/joint/PAC/Reports/pac.inq.pws2015.FINAL%20Report%20(25%20May%202022).pdf), [Accessed 14 September 2022]

*Mr BULLOCK - I see it all the time and you tell them and they don't do anything. So if you have an accident you just sue the Government.*

*Ms RATTRAY - Are you aware whether that is part of the Stornoway road maintenance contract to assess that?*

*Mr BULLOCK - Who has the Government put in place to do the maintenance?*

*Ms RATTRAY - That's Stornoway.*

*Mr BULLOCK - It would have to be a maintenance contract.*

*CHAIR - I am not sure they are the wire rope barrier.*

*Ms RATTRAY - That is what I mean. I am wondering who does actually assesses that. Is it Stornoway under their contract or is it another contract provider?*

*Mr BULLOCK - I don't know.*

*CHAIR - I do have answers. I asked the question in Parliament so I do have some answers that I can provide later on.*

*Mr BULLOCK - I see it all the time. They aren't kept up to date.*

*CHAIR - The annual expenditure, just so that you know, for 2020-21 was \$462,000. That was the annual maintenance expenditure for wire ropes.*

...

*Mr BULLOCK - the actual maintenance cost is 10 per cent. How many millions did they spend on the wire rope on the Midlands Highway last year? Where's the 10 per cent of that cost for maintenance. It's not there so they are putting in a dangerous piece of safety equipment which is ridiculous. The cost of putting cement down the middle of the road which you can make in Tasmania with Tasmanian manufacturing and put it down the highway will last 50 years but with the wire rope, it has a life span of 20.*

*Dr SEIDEL - Just to follow up on this one, so even for the newer sections on the Midland Highway you were not consulted?*

*Mr BULLOCK - No.*

*Dr SEIDEL - Because your concerns have been on the public record for quite some time.*

*Mr BULLOCK - From day one. We got the evidence from 2007, I think it was about the countries in Europe that banned it, pulled it out. Britain, when they came up for their life span they were replaced with cement because it has 50 years plus and there is no maintenance. It is there. If you hit it, you slide along it. If it is damaged by a truck - well, a wire rope will not stop a truck; a truck will go straight through it. So the evidence we gave you on the updates that was 2006 about the Netherlands and them pulling the barriers out. This one I entered in there with the car with the wire through the roof that*

*was on the Victorian government's website. It was given to the ambulance drivers and everything - if they come across something like that, they're not to touch that vehicle until those wires are de-tensioned. If you're in a car that has been involved with that, the ambulance won't touch you until they do it because they could be injured or killed -*

*Ms RATTRAY - If it lets go.*

*Mr BULLOCK - Yes. That is an example of a low-fronted car and non-tensioned wire. It's not nice.*

...

*Mr WILLIE - There must be instances where wire ropes have saved people though; that's why they keep rolling them out, isn't it?*

*Mr BULLOCK - If I go to the Road Safety Advisory Council and say, 'Look at that. If that wire rope wasn't there, that wouldn't have happened.' He said, 'That wire rope stopped that car from hitting from another one' so you're losing the battle because they're using it as their own little - 'No, it has saved lives. It stopped four cars from going across.' 'But there were no other cars the other side.' 'You don't know that.' It's a big circle; going - where?*

*People have been dismembered, cut to pieces. There was one on the straight up near Ulverstone. He left Devonport; he was drunk, hit the post, and he got cut to pieces. They were picking up pieces of him everywhere. That's terrible. He would have been dead if he had hit a cement barrier, but he wouldn't have been in pieces. That's it. There has been other people with amputations and it's not the wire - they call them cheese cutters - it's not the wire, it's the posts that actually cause the problem.*

...

*Mr BULLOCK - ... To fix that they put what is called a rub rail - that's the flat panel underneath the W-beam, and that stops people going through and hitting the posts. That's their solution to it. A lot of the councils' engineers say they don't know. You shouldn't use that on a straight because you're not going to go under it on a straight. It's on a bend where you go down and not the inside. You put it on the outside of the bend so you only have to do sections of the whole road; you don't have to spend the money doing all of it.*

*Dr SEIDEL - You're saying there's lack of knowledge there as well that leads to increased cost just to patch up a system that probably shouldn't be used in the first place?*

*Mr BULLOCK - The W-beams are preferred to the wire rope.*

...

*Mr BULLOCK - By just putting these panels on the bottom in the corners because when you come down you're sliding out. There's no good putting it on the inside corner because it's going to do nothing. You are just wasting money. Councils don't know about them. When we've spoke to the councils, 'Don't put them there.' You say, 'We'll save a lot of money.' I said, 'Right. Just do on the outside of the corners.'*

*CHAIR - You would dispute, then, what I received back from the Government on 22 September (2021):*

*The overall maintenance budget is sufficient to ensure that all wire rope barriers are in good and safe working order and that wire rope barriers are visually inspected on a regular basis, re-tensioned in accordance with manufacturers' recommended frequency and repaired as required when damaged and, depending on the level of damage to a wire rope barrier as a result of vehicle impact, they also need to be re-tensioned as part of the repair. That was this year, in September. They also said they are given high priority with the overall maintenance budget to ensure that barriers are checked and maintained in good and safe working order.*

Mr BULLOCK - I will dispute that.

...

Mr BULLOCK - This is what I gave you about the Hansard of Western Australia and Australian Transport Safety Bureau (ATSB):

*The maintenance cost of wire rope barriers, conservatively estimated at 10 per cent of installation cost every year. The Norwegian public road administration has argued that cable barriers cost a lot less than other barrier designs. While it is true that cable barriers are cheaper to purchase, maintenance costs have proven to be astronomical and thus the total cost ends up comparable to other designs.*

*The Australian Transport Safety Bureau are in charge of Australia. They are the ones who put it out to the engineers in the state governments and all the rest of it, so if the engineering departments or whatever in Hobart want to argue about it, fine. You take on the ATSB.<sup>97</sup>*

### **Committee Findings**

- F14. The motorcycle riding community is not supportive of the continued use of wire rope barriers in Tasmania.
- F15. Road barriers are effective in road crash prevention (especially in separated dual-highway applications).
- F16. Wire rope barriers whilst purportedly cheaper to install than other safety barriers must be maintained on an appropriate level to perform as intended.

### **Committee Recommendations**

- R10. The Government consider the feasibility of installing post-cushioning on wire rope barriers to minimise the crash impact on motorcyclists.

<sup>97</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock (TMC), p.5-9



## Road Maintenance

The Committee noted that road maintenance was a topic of interest across the submissions. Suggestions and observations included (but not limited to):

- better transparency and performance measures around pot hole repairs;<sup>98</sup>
- poor road maintenance is a hazard for vulnerable road users (e.g. cyclists and motorcyclists);<sup>99</sup>
- that increased heavy traffic invariably impacts road surfaces;<sup>100</sup>
- the practice of using fine gravel to repair road edges may be hazardous to vulnerable road users;<sup>101</sup>
- that the practice of some road maintenance crews leaving hazard signs out at road works that are seemingly unnecessary are a frustration to road users;<sup>102</sup>
- that there needs to be a better balance of Government funding between new road infrastructure and planned maintenance of existing road networks;<sup>103</sup>
- that planned road maintenance could be better linked to accessible and reliable crash and traffic data;<sup>104</sup> and
- a holistic approach to road maintenance and improvement programs to improve road conditions should include road quality, visibility, driver distraction, safety barriers, emergency stopping areas, rest areas and any other aspects that may impact on safe driving.<sup>105</sup>

A cross-section of the above was further examined at the Committee's public hearings.

## **Road Maintenance Budget**

At the public hearing, both the RACT and Civil Contractors Foundation (CCF) recommended that the Government should increase its road maintenance budget from around \$70 million to \$100 million:

*Mr MUGNAIONI - As with all road infrastructure. We do think it is important that we don't lose sight of an appropriate balance between new infrastructure and maintenance. New infrastructure is great, but if we are not maintaining the infrastructure that we put in, that is not to anyone's advantage.*

*Mr BAILEY - We said during the state election campaign that the state should increase the maintenance budget, which is around \$70 million, to about \$100 million. That is in line with the Civil Contractors Federation. I know they are not the same. Maintenance at the moment is not well enough funded. That will certainly be part of our budget submission, as I am sure it will be for other organisations. You can see from the recent*

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<sup>98</sup> See submission [#31 \(Peter Bowen\)](#) in general

<sup>99</sup> See submissions [#42 \(David Meadows\)](#) and [#80 \(Italian Motorcycle Club of Tasmania\)](#) in general

<sup>100</sup> See submission [#58 \(Dr W Peter Holm\)](#) in general

<sup>101</sup> See submission [#62 \(Mal Peters\)](#) in general

<sup>102</sup> See submission [#63 \(Bronwyn Baker\)](#) in general

<sup>103</sup> See submissions [#75 \(RACT\)](#) and [#85 \(Civil Contractors Federation\)](#) in general

<sup>104</sup> See submission [#87 \(Motorcycle Riders' Association Australia\)](#) in general

<sup>105</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

*problems on the Bass Highway that we have a problem there. It is not just funding; it is the skills and capacity component again to actually get the work done.*

*Mr MUGNAIONI - We also see that as one of the significant advantages of having 10-year plans for our major highways. It is not just about a plan for the infrastructure. It needs to be about a plan for the capacity to build that infrastructure when you get to it. These plans need to be quite holistic, to make sure they are not delayed by getting to the point of tender and not having enough people tender to actually get the work done.<sup>106</sup>*

...

*Ms RATTRAY - We heard from the previous witnesses about a suggested increase from the \$70 million allocated for road maintenance to around \$100 million. You've supported that in your submission. Can you give me some idea of where you see that extra \$30 million should be put? Is it general maintenance or is it road-widening verges? Is there some sort of conversation that you've had with State Growth and government and the industry around where that extra maintenance should be put?*

*Ms MATHESON - Yes. As an industry we would like to see it upgrading our roads, especially the road shoulders, the barriers in parts of the state where it's really necessary, especially the west coast of Tasmania. There are some pretty detrimental corners that road users are subjected to. Improving those roads is better for all Tasmanians. Our road workers are on the roads looking at those projects daily, so they can see where the maintenance is required. In our submission we have highlighted a few of those key points of where that money could additionally be spent to improve road maintenance.<sup>107</sup>*

### **Committee Findings**

- F17. The State road maintenance budget and delivery is of importance to the Tasmanian community.
- F18. Peak Tasmanian road safety stakeholders support increased road maintenance funding by State and Federal governments.

### **Committee Recommendations**

- R11. The Government consider an increase to the State road maintenance budget in line with peak Tasmanian road safety stakeholders' recommendations.

### **Road Maintenance Signage and Public Updates**

Anecdotally, the Committee noted that Tasmanian road users may find road maintenance speed limits at unattended roadworks counterproductive. At the public hearing, Mr Peter Dixon (CCF Member and Chair of the Traffic Management Association (Tas)) shed

<sup>106</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.13-14

<sup>107</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.1-2

light on the apparent gap between the understanding of what speed limits are appropriate for road worksites, why they are in place and if they are supposed to stay in place:

*Ms RATTRAY - Peter, you did touch on this, people taking more care and obeying the signs that say 40 kilometres, even though there is nobody working on the site. I have experienced some criticism and experienced myself, where there are sections of road that have obviously been under maintenance and repair. It appears they have finished and I do not have the facts around that, but the signs stay up for weeks and weeks and that does build a level of frustration from drivers. Is there any way of your industry working with whoever is undertaking the works to have a timelier conclusion if that is possible so there is not that frustration?*

*Mr DIXON - What we are looking at and the main reason is there is a bit of a gap between the understanding of what speed limits are appropriate for the sites, why they are in place and if they are supposed to stay in place. A lot of people like to set their signs up and leave them there for the duration. It is not really appropriate in this day and age, you need to have someone daily checking those signs, making sure they are still relevant to the road environment you are going through.*

*One of the major issues we have overall, is people who leave signs out overnight which are no longer relevant. For instance, the workman symbol, the red man with the shovel that everyone is familiar with, is only supposed to be onsite if you have a worker on the road. If you have ever driven past a site with a 40 sign and a workman symbol is out after the end of the day when there is no one there, it is very likely someone has just left that sign out, because this means roadworks. The education of those people conducting roadworks and the education of a lot of the drivers who go past is being skewed, whether they knew it meant workmen on site or it reinforces the wrong interpretation of that sign. It gets to a point where people drive past so many signs which are no longer relevant when they do drive past one that is relevant and that speed limit is there to keep the person safe, they go, 'I pass these every day on the way home and it just does not register anymore'.*

...

*Mr DIXON - ... As soon as you pass that 40 sign there is a regulatory speed sign and the speed limit is changed for that stretch until you reach the next speed sign, which is another issue. People putting end of roadwork signs up do not always put the end up. There are a lot of sites which are set up incompletely or inappropriately, especially overnight which does lead to frustration where you end up driving for two or three kilometres asking when am I going back up to 50, 60 or 80 kilometres per hour? You either end up not or two kilometres later you speed up again, because you assume you have not passed anything and someone must have left the sign out.<sup>108</sup>*

The Committee were also apprised of what developments were planned to inform Tasmanian road users of planned road works around the State by Ms Rachael Matheson (Chief Executive Officer, CCF):

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<sup>108</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.6-7

*Mr WILLIE - How important is it for people to plan their trip and know they're going to come across roadworks? I would imagine some of the frustration is because they are not prepared.*

*Ms MATHESON - ... one of Peter Gutwein's election commitments this year was to build a hi-vis army and part of that hi-vis army, one of the line items was for CCF to manage the Your Speed is Our Safety campaign for the next four years, with State Growth, the Traffic Management Association of Australia (TMAA) and the Road Safety Council of Tasmania, which will be linking in with them. We've started to run some commercials but we're going to line the commercials up with the roadworks roundup that comes out every week and we're going to target commercials on the radio at peak periods, which tells you that there are works on the Bass Highway, specifically calling out the sites in those commercials on radio, so it becomes more in the ear. You'll be driving along and you'll know there are roadworks ahead and you can start preparing if you're listening to it on the radio. That's one of the channels we're trying to really change, not just have a generic ad about Your Speed is Our Safety but actually tapping into the communities as to where the works are happening in all regions. You won't be in the car in Hobart hearing about a job up on the Bass Highway, you'll only hear it in that region as you're approaching it.*

*Ms RATTRAY - What about social media for prior warning?*

*Ms MATHESON - Yes, we're looking at different platforms.*

...

*Ms MATHESON - ... we're going to start using some of the different ways like TikTok and different platforms where advertising is becoming more and more, for those young kids before they get in the car. They've seen and know there are going to be some roadworks. We're trying to get into their heads a little bit more. We also think that by educating younger people who haven't even got their licence, if they're in the car with their parents they can identify signage to their parents and try to educate them if they're not aware or are getting frustrated.<sup>109</sup>*

### **Committee Findings**

- F19. Road work traffic control should ensure road works signage is properly managed to minimise confusion to road users.
- F20. More prevalent and timely notifications of planned road works would benefit Tasmanian road users.

<sup>109</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.5-6

## Committee Recommendations

R12. The Government consider mechanisms for contractors to better inform Tasmanian road users of planned road works.

### Road Signage and Markings

The Committee noted that road signage and markings was another topic of interest across the submissions. Suggestions and observations included (but not limited to):

- the opportunity to adopt more international signage standards as appropriate;<sup>110 111</sup>
- the adoption of yellow centre lines on roads to provide better visibility at night and in the wet;<sup>112</sup>
- the size and position of traffic and directional signage to better reflect the needs of the current Tasmanian road user;<sup>113</sup>
- the potential use of more arrows on the road surface where a secondary road enters a main carriage way;<sup>114</sup>
- better education around the use of reflectors and what they designate on highways;<sup>115</sup>
- the better management of funding for maintenance of line marking on Local Government road networks;<sup>116</sup>
- more robust technical guidance for use of traffic management devices in Tasmania;<sup>117</sup>
- guard-rails to have clearer delineators on their approach ends to make them more visible at night;<sup>118</sup> and
- reconfiguration of local traffic lights to deal with increased traffic and pedestrian movement.<sup>119</sup>

A cross-section of the above was further examined at the Committee's public hearings.

### General Road Signage

At the public hearings, commentary around the increased use of adjustable speed signs was tendered by Mr Ray Metcalfe:

*Mr WILLIE - ... We have seen the introduction of some speed signs that are adjustable, do you think that would be a way forward?*

<sup>110</sup> See by way of example United Nations Economic Commission for Europe 'Consolidated Resolution of Road Signs and Signals' (27 May 2010) <https://unece.org/DAM/trans/main/wp1/wp1fdoc/ECE-TRANS-WP.1-119-Rev.2%20e.pdf> [Accessed 23 March 2022]

<sup>111</sup> See submission [#12 \(Dr Martin George\)](#) in general

<sup>112</sup> See submission [#18 \(Warren Robertson\)](#) in general

<sup>113</sup> See submission [#23 \(Rod Finlayson\)](#) in general

<sup>114</sup> See submission [#37 \(George Chandler\)](#) in general

<sup>115</sup> See submission [#49 \(Malcolm Eastley\)](#) in general

<sup>116</sup> See submission [#86 \(Clarence City Council\)](#) in general

<sup>117</sup> See above no. 116

<sup>118</sup> See submission [#9 \(Don MacLean\)](#) in general

<sup>119</sup> See submission [#51 \(Maree Morris\)](#) in general

*Mr METCALFE - Yes, for example, the adjustable speed signs on the route from Hobart to Sorell is a real benefit particularly when you have high traffic backlog to slow people down before they reach the end of the tail. I do think that is a benefit.*

...

*Mr WILLIE - I am not sure how expensive they are, but you would like to see some of those rolled out on some of the main roads so people could adjust to the conditions and then have a real time signal for that?*

*Mr METCALFE - Where there are particular hazards like queuing traffic on a routine basis then I would certainly recommend those, yes.<sup>120</sup>*

In a similar vein, the Committee noted the opinions on adopting visible speed limits signs on the actual road surface through Messrs Albert Ogilvie and Brett Smith APM:

*CHAIR - Just a question with regard to the speed limit signage. I agree with you totally because I have a modern car, but sometimes it gets the speed wrong. The little message on the front tells you that the speed limit is a certain thing, and you know it's not that speed because the speed sign says 110 kilometres per hour, but the car still says it's 80 kilometres per hour. Often you question what the speed is. I have heard that in some areas, other states and overseas, the speed limit is painted every now and then on the road. Do you think that would be of assistance? What are your thoughts?*

*Mr OGILVIE - I do but I talked to my defensive driving instructor about that a considerable time ago and he said the drawback is that it is expensive and it wears out. It would help.<sup>121</sup>*

...

*Ms RATTRAY - I have a question around your suggestion of looking at increased visible signage on highways. For somebody who drives our roads a lot, I often am not sure what the speed is. It seemed to have been a long time ago since I looked at it and I am thinking, 'Is it 100?' ....*

*Mr SMITH - ... Any opportunity to put increased speed signage, increased information for people...<sup>122</sup>*

In addition, Dr Martin George submitted that the use of chevrons on the road may assist with minimising poor driving practices with respect to tailgating:

*One of the most important usages that chevrons now have are as warnings on motorways and dual carriageways across the UK. They are painted on to the road as a warning to drivers that they should leave at least a two second gap to the vehicle in front.<sup>123</sup>*

Finally, Mr Richard Sherriff suggested that the placement of additional warning signage on T-junction may be beneficial:

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<sup>120</sup> See [Transcript of evidence, 25 October 2021](#) Mr Metcalfe, p.5

<sup>121</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.7

<sup>122</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.5

<sup>123</sup> See submission [#12 \(Dr Martin George\)](#) in general

*Ms PALMER - ... I wanted to ask about the bit at the end of your submission about dual-lane highway designs, where you mention single-lane sections and the use of directional arrows that are painted on the road. I know some lanes and highways do have them. Are they not bright enough, is there not enough distance, or do you think they need to be used more? ...*

*Mr SHERRIFF - I think they are bright enough, but there needs to be more of them. We are on the highways all the time, but if you reflect back when the highways first changed and you go on them, it is quite confusing, particularly for tourists, now that we quite often have these passing sections and it goes from dual to single. They should use more of that, particularly when you come out of a T-junction. You get somebody who is used to driving on the right-hand side of the road, and they are coming out from a country drive, and they turn onto a highway which is just a normal two-lane section. There needs to be directional arrows to guide them to the correct side of the road.*

*Ms PALMER - So, at each T-intersection have an arrow showing that this side of the road is that way.*

*Mr SHERRIFF - Yes, on the major ones that come out, from places like Queenstown and where the major tourist routes are. I did make a comment about T-junctions. All the T-junctions onto our major highways have a give-way sign right at the turn; there is no warning. I am sure you have noticed you could easily - particularly at night - drive straight through, not realising that the road stopped. It probably needs some more signage back further: slow down, T-junction ahead. We only have a give-way sign right at the T-junction. I think there are some accidents at those ...<sup>124</sup>*

### **Committee Findings**

F21. Increased usage of visual road signage (i.e. on the road surface and road signs) may assist in minimising road safety incidents and crashes.

### **Committee Recommendations**

R13. Tasmanian road authorities consider the use of additional visual road signage (i.e. on the road surface and road signs).

### **Adoption of Yellow Centre Lines**

The Committee noted that there was support in the community to consider adopting yellow centre lines to denote that overtaking is not permissible on this road section (as is the case in some overseas jurisdictions).<sup>125</sup> In Australia, yellow centre road lines have been used in

<sup>124</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.2

<sup>125</sup> See by way of example 'Yellow Line (road marking)', [https://en.wikipedia.org/wiki/Yellow\\_line\\_\(road\\_marking\)](https://en.wikipedia.org/wiki/Yellow_line_(road_marking)) [Accessed 23 March 2022]

alpine areas with large amounts of snow to contrast with the white colour of snow (e.g. Snowy Mountains, NSW).

At the public hearings, the following argument for adopting yellow centre lines was proffered by Mr Malcolm Eastley:

*MR EASTLEY - ... one is that the two plus one construction on the highway between Hobart and Burnie basically, it's the Midland and Bass highways, has proved to be a problem with people mistaking which lane to be in. There is no doubt about that. It is not a new thing ...*

*CHAIR - I think the arrows help on those. We were talking earlier about when you go back to two lanes to actually have an arrow showing that the other lane is not yours, that it is actually coming back. Do you think there should be more arrows painted on the road to make it obvious to people that you are now on a two-lane highway?*

*Mr EASTLEY - ...not only more of them but bigger. They are not big enough basically.*

*Ms RATTRAY - And a better-quality paint, they don't last very long.*

*Mr EASTLEY - That is true. I will draw your attention to what they do in New Zealand. They have a problem there with a similar thing but their problem is that they have people from countries driving on the right-hand side as a major group of tourists. Everywhere they pull back on the road, they have those arrows but they also use yellow lines to denote the division between the two lanes.*

*CHAIR - Rather than white.*

*Mr EASTLEY - There is a convention, if you like, about the colour coding on roads. If you look at the new sections of road they put in, somebody in DIER knows what they are doing. You have got red on the left of you, where there is a dual lane you have got a white one which means you can overtake on that and there's yellow over there on the right-hand side. On the old lanes they only had white lines. In New Zealand, when it turns from dotted white lines where you can overtake to where you can't, they go to yellow. It stands out immediately and you can see it from a greater distance and it reminds that you should never be in a position where the yellow is on the wrong side of your car. You have to keep that on your right-hand side.*

*CHAIR - That is an education thing too, isn't it, to gradually let people appreciate that?*

*Mr EASTLEY - It is. The problem is that group on DIER that is putting in the new roading know what they are doing. Councils and the other crews haven't got a clue. They take a pocket full of yellow or white reflectors and put them in anywhere, so people don't get used to the convention. There would be not one person in 10 that understands that.*

...

*Mr EASTLEY - ... There was a high-profile accident many years ago where the police couldn't identify why the driver was in the wrong lane...*



*CHAIR - The one on the Midland Highway?*

*Mr EASTLEY - Yes. ... What it shows is that if you are driving down a new section of road, if you are in the overtaking lane which you are quite entitled to do, you have got white reflectors on your left-hand side.*

*When you come to the next section of an old highway if you are driving with the white section on your left-hand side you are in the wrong lane and that shows quite clearly on that. I will give you that. Nothing was done about it. They moved that accident site to the top of the list and that was the first, or the next one that they renewed. They just hid the problem there from that particular site. They made no effort to change -*

*CHAIR - And they put the centre wire rope, didn't they? I think there is wire rope in there now, if that is the accident I am thinking about.*

*Mr EASTLEY - Yes, they fixed the site up. There was no longer a case where if you are over the white line you are actually in the wrong lane. You might like to turn that up the way my wife does, turn the map upside down and you will see what I mean. It is just so simple. In New Zealand what you would do is have a yellow line marking the demarcation. It is only necessary on the Midland and Bass Highways. It is not necessary on any other roads and they needn't get carried away there but there has been a number of different keys, if you like, that have led people to make the wrong decision. I gave you one: a person drove alongside the truck I was driving coming from Devonport into Deloraine and it was just the exit road from Deloraine towards Devonport, he just drove alongside me. I pulled over, a car coming the other way flashed his lights. This fellow just flashed them back and stayed where he was. He made no attempt to brake or swerve. The other fellow stopped on the side of the road. I am on the far left side and he just kept going. The thing there was that he just glanced over there, saw another road coming in and thought there's two lanes there, one lane there, simple as that. It needs those arrows and it needs a yellow line. There's already a double white line there and he ignored that but the change in colour might be the key. There's no reason why they can't do that. Paint is cheap and it only needs to be done on that highway.*

*Dr SEIDEL - ... you mentioned that in your submission as well. I was struck by that because it is a cost-effective, common sense approach to be very clear when it comes to those markings. It's probably even cheaper to have one single line compared to two double lines, isn't it?*

*Mr EASTLEY - As long as it's yellow.*

*Dr SEIDEL - So you said it is convention, or that it is convention, how come we don't have standards to ensure there is consistency there? It is a no-cost option really isn't it, or little-cost option there, that could make a huge difference.*

*Mr EASTLEY - ... There's nothing written as far as I understand in the legislation about it but it is one of those things that is a convention in several countries. New Zealand is the obvious one ...*<sup>126</sup>

The Government were of a view that there was insufficient safety evidence to adopt a yellow centre line as raised:

*CHAIR - In some of the hearings, the yellow centre line that they have in some countries was raised. I'm not sure whether they've got them in any states of Australia or not. Your thoughts on a yellow centre line? Particularly when we have mainland drivers that come down and all of a sudden they go from a dual highway to a single highway and then they're not sure whether they're on a single highway and they find themselves in the right-hand lane because particularly interstate drivers are used to driving on mainly dual highways. A yellow centre line - and I appreciate that many of the countries have them because of snow, obviously yellow stands out a lot. But also a yellow line when redoing roads. I do appreciate the cost but it was raised with us that this would make it very obvious to people that the centre line was yellow, so whether it was a dual lane or a single lane. I wonder if you have a comment on the introduction of the yellow centre line.*

*Mr SWAIN - I was just getting some advice. I believe - and we might need to look into this a bit further, that there isn't strong evidence that yellow on black is actually more visible and clearer to road users in all conditions than white on black. I think it probably comes down to it's more a historical practice and familiarisation thing for different driving communities in different parts of the world rather than there's a really strong -*

*CHAIR - I'm not talking about all the lines, just saying the centre lines so that it would be obvious that the centre line was yellow so you would know whether it was a dual highway or a single-lane because the middle line would be yellow. So, it's not whether it's more visible or not but you'd know that yellow was the middle of the road.*

*Mr SWAIN - I can take that on notice but to my knowledge there isn't a safety evidence base to suggest one's better than the other in that regard ...*<sup>127</sup>

In replying to a Question Taken on Notice, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) stated:

***Would the Tasmanian Government consider the use of yellow lines to mark the centre of the road to make it more readily apparent to road users that they are on a road where traffic is travelling in both directions on the same roadway (rather than, for example, on one side of a dual carriageway)?***

*The use of yellow centreline markings is not under consideration by the Tasmanian Government.*

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<sup>126</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.2-4

<sup>127</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.44-45

*The use of white centre line markings is prescribed in the Australian Standard (AS 1742, Part 2, Section 5 Pavement Markings, Clause 5.2.6 - Colours). It is desirable to maintain consistency with the other Australian jurisdictions. White markings generally provide the best contrast with the road surface complying with relevant Australian Standards and are also a condition for Australian Government funding. Inconsistent use of white and yellow lines across the network would create a safety risk and would confuse the travelling public.*

*Under Australian Standards, yellow markings are limited to no stopping restrictions, tram lane lines and longitudinal lines in snow prone areas.*<sup>128</sup>

### **Committee Findings**

F22. Other jurisdictions (both Australian and internationally) utilise yellow centre lines to delineate roads.

### **Rumble Strips**

The Committee noted that there was continued support for better usage of rumble strips (also known as sleeper lines or alert strips) as an aid to alert inattentive drivers of potential danger. An observation submitted included the apparent use in NSW of rumble strips between two white centre lines to accentuate no overtaking.<sup>129</sup> Another suggestion was to include side rumble strips on all roads, where practicable and in the absence of an otherwise appropriate safety barrier.<sup>130</sup> Of interest, the Bicycle Network were in support of appropriate rumble strips on sealed shoulders of major roads: in contrast, there has been criticism of rumble strips levelled by cyclists in the US and Canada – for example, on narrow shoulders that may force cyclists into the traffic, where it is less safe to ride.<sup>131</sup>

At the public hearings, the following was discussed around the potential implementation of side rumble strips:

*Ms RATTRAY - I think we're going to have trouble doing the side rumble strips on all roads, given that some of my roads are not even of standard width, Mr Ogilvie. I'm working on that.*

*Mr OGILVIE - You do see occasional roads with a strip of paint along the side of them. Once again, it will be purely incremental. Every little bit helps.*

*CHAIR - They actually can put the rumble strips as it's redone.*

*Mr OGILVIE - Yes, here and there where appropriate.*<sup>132</sup>

<sup>128</sup> Letter to Hon Rosemary Armitage MLC Chair - Road Safety Public Hearing - Responses to Questions taken on Notice, 22 March 2022

<sup>129</sup> See submission [#10 \(John Cashion\)](#) in general

<sup>130</sup> See submission [#21 \(Albert Ogilvie\)](#) in general

<sup>131</sup> See by way of example 'Rumble strip', [https://en.wikipedia.org/wiki/Rumble\\_strip#Cycling\\_complaints](https://en.wikipedia.org/wiki/Rumble_strip#Cycling_complaints) [Accessed 23 March 2022]

<sup>132</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.6

## Committee Findings

F23. There are potential safety benefits in adopting rumble strips more broadly on the Tasmanian road network.

## Committee Recommendations

R14. Tasmanian road authorities consider adopting rumble strips more broadly on the Tasmanian road network.

### Other Traffic Management Features

In minimising pedestrian accidents and fatalities in busy Tasmanian urban environments (e.g. around schools and uncontrolled intersections), a range of traffic management features including speed humps and plateaus were discussed at the public hearings:

*Ms RATTRAY - Your speed reduces quite considerably.*

*Mr OGILVIE - Otherwise it is a terrible bang. Of course, my point is it seems a little draconian but it's an uncontrolled intersection. To do that at every intersection, it would be incremental and it seems a bit of overdoing it, but it would absolutely bring everyone down to a safe speed. The amount of the hump could be regulated. They can be large or lesser.*

*Mr WILLIE - They use plateaus in some mainland jurisdictions around intersections. You go up onto a plateau and that has some impact on the speed.*

...

*Ms RATTRAY - It is probably not practical to do it in every area, but certainly high traffic volume areas, and those intersections.*

*Mr OGILVIE - You would look at black spots.*

*CHAIR - It stops that rat run, doesn't it? ...<sup>133</sup>*

...

*Mr WILLIE - Those other areas I mentioned, we have had the discussion about the older drivers, pedestrians. Obviously, school crossings are a high-risk area. Something that was of interest to me in the submission was some mainland jurisdictions using plateaus around intersections to reduce speed. Is that something that we are looking at here in Tasmania as well in terms of pedestrian safety?*

*Mr FERGUSON - It is something that is already occurring in different locations.*

*Mr WILLIE - In the main road in Glenorchy that they have done.*

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<sup>133</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.3-4

*Mr FERGUSON - Mainly it is an initiative of local councils often with the funding that the state has provided through the Vulnerable Road User Program (VRUP). Do you want to speak to that?*

*Mr TILYARD - Yes, it is happening, and I think there are bespoke solutions that councils are looking to. In the majority the relevant areas are going to be non-state roads, mostly I would imagine given that it is more your residential inner urban type roads that -*

...

*Mr SWAIN - Some traffic management treatments have been very tightly regulated under the Transport Commission, historically, so I hold the role of Transport Commissioner as the current deputy secretary. In recent years, particularly as some treatments have become mainstreamed and accepted as contributing to safety in particular circumstances, we have tried to free-up the regulatory environment so councils can make informed decisions. Now, what the Transport Commission will typically do is to say, if there is a co-ordination issue, where it is really important that councils make coherent decisions so that road users get conditioned to certain outcomes across the whole network, then there may be a Transport Commission directive on the use of a particular traffic management device.*

*Where it is pretty mainstream and council engineers have been exposed and they are trained to when it is appropriate to use and we are not seeing problems in differentiated designs and applications of a treatment that is generally with councils now. This is a case like that where when these first came in, they were quite tightly regulated and now they are a tool available to councils in particular for use where appropriate. There is a bit of guidance from the Transport Commission which says they should be used in keeping with the relevant Austroads guideline for that particular treatment.<sup>134</sup>*

...

*Mr WILLIE - And most of the pedestrian accidents, they are probably happening outside of the controlled intersection, are they? People crossing in the wrong place.*

*Mr SWAIN - ... but if you go back 10 or 20 years, there was a lot of investment in intersections because there were a lot of issues at intersections. Those obvious black spots have been cleaned up through state and federal upgrade programs that have gone on for many years and now the events are happening dispersed through the network. You are seeing infrastructure being applied to global treatments now like shoulder lengthening along whole corridors, for example, or tactile solutions along roads or line-marking upgrades in a whole town or area. Most of the acute intersection issues have been dealt with and upgraded and we are now left with mass treatments.<sup>135</sup>*

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<sup>134</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.38-39

<sup>135</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.39

## Committee Findings

F24. An increased use of plateaus in urban areas (e.g. around major urban intersections and pedestrian crossings) would be beneficial to road safety.

## Committee Recommendations

R15. Tasmanian road authorities consider adopting plateaus around major urban intersections.

### Slow Moving Vehicle and Heavy Vehicle Lay-Bys

Through the public hearings, the Committee were informed of the importance of accommodating Tasmanian road users through the utilisation of slow moving vehicle and heavy vehicle lay-bys. Ms Rachael Matheson (Chief Executive Officer, Traffic Management Association (Tas)) spoke briefly of some the dangers they may present to road maintenance workers:

*Ms RATTRAY - I've been a strong advocate for many years for lay-bys, slow-moving vehicle turnouts, ... Is that something that you get feedback from the people that work on the roads, that there are a lot of informal places on the sides of roads that people tend to pull over and let a faster moving vehicle go? Particularly people who are pulling caravans and that type of thing. They're so informal that you almost don't know they're there until you're on them, and then it can cause a bit of a safety hazard, trying to get around somebody that's pulled over. Is there any feedback from your organisations around that type of road maintenance, or infrastructure upgrade?*

*Ms MATHESON - I've had one member recently speak to me about that, where they came across a road worker very quickly coming around a corner, so those slip lanes are dangerous to maintain. For a road user, it is really important to have those lanes to break off onto to let other cars come through. It comes down to the design and where they locate them through planning. Some of these roads in our state, as we know, are on quite mountainous edges and so forth so there are limited spaces you can build roads, so they have to deal with what they've got at the best of times. We're predominantly advocating for when our guys are on those roads and maintaining those bays, specifically the protection of them when they're out putting their signs out. It's about teaching the road users how to look out for people on our roads that are working, and identifying the signs correctly and reading those signs correctly, so it's about education as well.<sup>136</sup>*

Ms Michelle Harwood (Executive Director, Tasmanian Transport Association) spoke of the developments planned by the Government to provide better infrastructure with respect to formal road rest areas around Tasmania:

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<sup>136</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.1-2

*Ms RATTRAY - I am interested to explore those designated rest areas, or areas where they are not only resting but they're checking loads and the like. We know the tragedies around unsecure loads. Things move, that's what happens; they might be tightened when you take off and leave, but halfway through. What work is your organisation doing with government and vice-versa? What conversations are you having around that? Is that being discussed through the Road Safety Advisory Council as well? I know that your organisation is a member of that.*

*Ms HARWOOD - ... When I started in the role, which was about four years ago, there had been a lot of conversations about the lack of facilities on Tasmanian roads for heavy vehicle drivers for those reasons exactly - to check their load, to pull over for a break, to check if there's an issue with the vehicle itself, if there's a tyre issue. Modern heavy vehicles derate if there's a mechanical problem, therefore there is only a limited time for a driver to find somewhere and pull over safely. There had been a number of industry conversations about it but there hadn't really been anything put forward by way of what we needed.*

*The transport association conducted some research where we looked at key freight routes. We haven't covered the entire state. We've looked primarily at Smithton through to Launceston and down the Midland Highway. We have compared the availability of facilities against the Austroads guidelines for rest areas. We have found the same things as an audit in 1996, which found that Tasmania was well behind and lacking in these facilities. Our research demonstrated that further. Indeed, we found that a lot of facilities that had been there which were commonly used by heavy vehicle drivers - what we would call informal facilities, places where people who had carved their own track out of desperation and had then used over time - we found that a lot of those had been eroded through network upgrades and bypasses. So, the opportunities for drivers to pull over for exactly those purposes were continuing to diminish.*

*We provided a report which recommended the establishment of a rest area strategy for Tasmania and the development of a number of facilities at different classes: some high-class facilities that had full toilet facilities and the like, and others which were just a space where somebody could pull over for a break or to check a load. Those recommendations were adopted and the minister, Mr Ferguson, released that strategy on the 20 November last year. That information I have provided to the Road Safety Advisory Council. With the launch of the strategy there was also an announcement of \$4 million from the federal government and one from the state government to advance facilities. We know that there are some of those in the planning stages, some of them have designs done but I don't have a time frame of when some of these will be done.*

*I also know that a lot of roadworks activity would have already been planned and I appreciate, now, the lengthy time that it takes to get something included in some of these plans.*

*...*

*Dr SEIDEL - ... You talked about fatigue management, but if you don't have designated rest areas with facilities and that are well lit I would imagine in the middle of the night to make sure people can check their load, it doesn't make any sense to have the plan that probably is not going to be implemented any time soon.*

*Ms HARWOOD - It is very frustrating for drivers as well because we have been telling them we have done this research and you have been heard, but they are waiting to see things and they are continuing to see facilities that they did once use become less available. It is really important. Not all of them need to be really full-on. They just need regularly-spaced areas because you don't plan when you are, all of a sudden, going to be extremely fatigued and needing to stop. If you at least know that there is going to be one in 15 kilometres or 10 kilometres you can make it that far, but if you are guessing and it is two in the morning and you are trying to work out where the next place is, it is a poor situation indeed. Yes, it is a priority for us.*

*Ms RATTRAY - Is it a priority for Government? That is the question.*

*Ms PALMER - Not if only \$5 million is being allocated.*

*Dr SEIDEL - Basically you are an essential service now, aren't you?*

*Ms HARWOOD - Yes.*

*Dr SEIDEL - If supplies chains are being held up then we know where the problems are worldwide now, so it comes as a cost.*

*Ms HARWOOD - It plays in together as well, the regulations on drivers for meeting their fatigue obligations, quite apart from them needing to rest when they need to, that is a separate matter to the regulations. If they are missing a rest break that is mandated under their work-rest hours, then there are quite severe fines applied to drivers for that. If they are unable to find a location, it is really grossly unfair.*

*The comment that you made around there being only that allocation for it, the commitment that we have had as well as those projects will be integrated within future infrastructure developments so that they are not needed to be a separate allocation. Some of the ones that we really want done, the more serious ones, the bigger ones, they will require significant investment.*

*On the Bass Highway between Deloraine and the Birrallee turnoff is a really strategic area for capturing a large volume of drivers. In each direction our recommendation was that a large facility be built on either side of the road that would accommodate 20 heavy vehicles and have toilets and parking and that type of thing, and that is going to be a cost. I don't know that that funding has been found or that it has been allocated. We would probably need to look to some of the federal grants programs that are available to assist with those facilities. A lot of the smaller ones could be improved even through maintenance.*

*Ms RATTRAY - Those conversations around additional funding and funding from the feds, has the Road Safety Advisory Council been supportive in that approach? Is that something they have been on board with? Is it just the industry trying to make its own voice heard through this?*



*Ms HARWOOD - To the extent that the initial \$1 million was approved through the Road Safety Advisory Council then, yes, they were supportive of it.*

...

*Ms HARWOOD - ... that was for the first rest areas that were announced to be developed. That includes one at Howth, for example, which will be quite a large facility. Yes, they were supportive of it.<sup>137</sup>*

### **Committee Findings**

F25. An increase in the number of slow-moving vehicle and heavy vehicle lay-bys would improve the safety of Tasmanian road users.

### **Committee Recommendations**

R16. Tasmanian road authorities consider installing more slow-moving and heavy vehicle lay-bys.

### *Other Road Safety Management Considerations*

Public submissions noted the need for temperature operated ice warning lights in black ice-prone areas or better education to Tasmanian road users on how to plan and what to do if they encounter black ice on the road whilst driving.<sup>138</sup>

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<sup>137</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.3-5

<sup>138</sup> See by way of example 'Snow and winter driving', <https://www.vicroads.vic.gov.au/safety-and-road-rules/driver-safety/snow-and-winter-driving> [Accessed 23 March 2022]

## Tasmanian Safer Roads and Mobility

### Better Integration of Cycling and Pedestrian Needs

The Committee noted that safer roads and mobility featured in many submissions. Suggestions and observations included (but not limited to):

- the better assimilation of active modes of travel (e.g. walking, cycling, e-scooters and e-bikes) into urban planning approaches and retrofitting existing Tasmanian city networks with active travel routes;<sup>139</sup>
- the minimisation of individual vehicles over time through the provision of better public transport modes;<sup>140</sup>
- improved local sections of road to accommodate cyclists and motorists;<sup>141</sup>
- considering amending the law so that cyclists ride into incoming traffic analogous to pedestrians walking into traffic when there are no footpaths;<sup>142</sup>
- the advocating for the default speed around residential areas to be reduced to 30 km/h;<sup>143</sup>
- the adoption of a ‘movement and place’ approach in addition to the current ‘safe systems’ framework with respect to Tasmania’s road safety action plans and road funding agreements;<sup>144</sup>
- an ongoing fund to retrofit separated cycling infrastructure to state and council-owned roads;<sup>145</sup>
- improved level of service for people at road crossings;<sup>146</sup>
- that parked cars in painted bicycle lanes presents a ‘dooring’ risk to cyclists;<sup>147</sup> and
- as the Tasmanian population ages, a targeted strategy for improving safety for older road users while also maintaining their independence is desirable.<sup>148</sup>

A cross-section of the above was further examined at the Committee’s public hearings.

### **Movement and Place**

Movement and Place is a framework for identifying which roads serve what purpose, recognising that some transport facilities are more about the movement function, and others about the place (land access) function, and that streets themselves act as places and serve multiple modes. The movement and place framework balance the accessibility needs of different types of road users across the network.<sup>149</sup> This approach has been adopted in other mainland jurisdictions to varying degrees including NSW, Victoria, SA, WA and Queensland.

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<sup>139</sup> See submission [#15 \(Dr Rod Katz\)](#) in general

<sup>140</sup> See submission [#24 \(Peter Needham\)](#) in general

<sup>141</sup> See submission [#27 \(Rodney Hartridge\)](#) in general

<sup>142</sup> See submission [#41 \(Andrew Margetts\)](#) in general

<sup>143</sup> See submission [#55 \(30 Please\)](#) in general

<sup>144</sup> See submission [#56 \(Bicycle Network\)](#) in general

<sup>145</sup> See submission [#70 \(South Hobart Sustainable Community\)](#) in general

<sup>146</sup> See submission [#71 \(Cycling South\)](#) in general

<sup>147</sup> See submission [#81 \(Ben and Pen Clark\)](#) in general

<sup>148</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

<sup>149</sup> See ‘Network Operations Planning: Movement and Place’, [https://austroads.com.au/data/assets/pdf\\_file/0022/392062/Module\\_5-4\\_NOP\\_Movement\\_and\\_Place.pdf](https://austroads.com.au/data/assets/pdf_file/0022/392062/Module_5-4_NOP_Movement_and_Place.pdf) [Accessed 25 March 2022]

At the public hearings, Ms Alison Hetherington (Public Affairs Manager, Bicycle Network) offered her organisation's view on the 'movement and place' concept's application in Tasmania:

*Mr WILLIE - I'm interested in this 'movement and place' concept you talk about in the submission. Could you provide some examples where that could take place, and maybe some jurisdictions that are doing it well, and what the benefits are?*

*Ms HETHERINGTON - I'm most aware of Victoria doing it, but I understand it's in place in New South Wales and Queensland and other states. It really is a widespread movement to acknowledge that roads aren't just there to move cars. Some people use roads as part of being in a place. If you look at Hobart, say somewhere like Elizabeth Street or Collins Street, and also place streets, people go there for the particular mix of shops, often hospitality venues. Also teenagers might gather in particular spaces, or there might be a community centre, where people like to sit outside. That road is not just for moving cars; it's part of the reason people go to that particular place, and it becomes part of the experience for them.*

*Some road designers talk about having 'sticky' streets, which are streets that acknowledge this sense of place, rather than movement, and put in the trees, the seating, the safe cycleways to advance and enhance that sense of place. Whereas Davey and Macquarie Streets are movement corridors. I understand the Hobart City Council and state government are working towards a central operating network plan. Part of that operating network plan is to start looking at some of these movement and place concepts, but we don't have it in place as a state government direction, and it needs to be, because that's what's happened in other states.*

*Mr WILLIE - Are we the only state not doing it?*

*Ms HETHERINGTON - I don't know if we are the only one, but we'd be one of the few states not doing it.*

*Ms RATTRAY - Are you involved in those discussions the Hobart City Council and state government are having around movement and place?*

*Ms HETHERINGTON - On the periphery, on the central Hobart operating network. I've been involved in some workshops at the start of the process, and I've put in a submission on behalf of Bicycle Network. They've just put out a discussion paper, talking about some of the concepts that are going to underpin this operating network plan. They certainly point to the need for cycleways. Part of the problem has been that a lot of plans have come out pointing to the need for cycleways but then the budgets aren't in place to actually build them, and the policy directions aren't in place to provide the space we need to build them properly.*

*Ms RATTRAY - Effectively, we need the policy to be put in place, and then that enables the policy to be part of a project, so then that becomes part of the budget.*

*Ms HETHERINGTON - Yes.*

*Ms RATTRAY - That's when we get the outcomes that your organisation is looking for.*

*Ms HETHERINGTON - Yes.*

*Mr WILLIE - It doesn't necessarily have to be expensive, does it? It can be a space issue, or - we've talked about it previously - about different barriers that could be used with existing corridors.*

*Ms HETHERINGTON - Yes, and the more other cities work on this, the more the costs come down. I am aware that Melbourne City Council, in the past two years, as part of their COVID-19 response, as well as part of their transport and road safety approaches, decided to fast-track a lot of cycleways that had been planned. They were in a 10-year plan, and when COVID-19 hit, they said let's just fast-track these over the next two years.*

*They've rolled out something like 40 kilometres of cycleways in central Melbourne, and I understand they've been able to bring the price right down as part of that. I don't know what it is exactly, but they've more than halved the price, I've been told. That's a system of bollards, on concrete separators, just quickly rolling it out, putting the painting and signage in place.*

*Ms RATTRAY - What about other parts of the state? We understand we've got a concentration of population in the south, but we also have to be mindful of the north and north-west?*

*Ms HETHERINGTON - Yes. Launceston is in a similar position to Hobart. Once you get out of those really built-up areas, you do have that issue, I suppose, of the benefit-cost ratio of different approaches. We would say for a lot of rural areas if the government adequately widened and sealed road shoulders, we would get much better outcomes for the people riding - but also for people driving, because if those road shoulders are a good one-and-a-half metres of sealed width, it means if someone loses control of their car, they have much more time and space to realise what is happening and get back on the road. The same with the by-the-line markings on the road edges on rural roads. That helps people riding as well, because the car driver then knows they've gone out of their lane, and can go back to their lane.*

*So, there are different approaches for rural and highly urban areas, but we would say any highly urban area where you have children, older people, people who are less confident on bicycles - and now scooters - you really need to have dedicated space for them, to protect them.<sup>150</sup>*

The Government view was that the current Safe Systems Framework and indeed the Hobart City Deal already accommodated movement and place ideals to a degree:

*Ms RATTRAY - Tasmania's Road Safety Action Plans are framed within the Safe Systems Framework but the Bicycle Network suggested that they should be framed within the context of Movement and Place. I don't know if anyone at your side of the table is aware*

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<sup>150</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.1-3

*of Movement and Place. Apparently, it is big elsewhere. I am interested in whether you have a comment on that. I am happy to take it on notice.*

*Mr FERGUSON - ... The Safe Systems is an agreed approach that has been adopted, not by me, but by the Road Safety Advisory Council.*

*Ms RATTRAY - They are not saying it shouldn't be used. They are saying it should be in addition to Movement and Place.*

*Mr FERGUSON - It is an interesting comment and I respect it. The Safe System approach intends to capture an integrated approach to making not just our roads safer but to making our network safer and to make it safe for all road users. The Government submission outlines the way in which it is intended to work, taking account of enforcement, education, safety of vehicles, the safety of drivers and non-driving road users as well, such as pedestrians. We are all committed to that approach. The bicycle council is a member in good standing of our Road Safety Advisory Council. If there is a good idea...*

*...*

*Mr FERGUSON - ... good ideas ought to be agreed and embraced by their peers after an opportunity to road test them.*

*Mr HOEY - Movement and Place and Safe Systems coexist. Movement and Place, as Gary and others have said, is about that road safety integration and land use planning. The concept is where you have areas of place where things are happening, around shopping and community, and you put in infrastructure and speed limits and all though sorts of things to reflect that mixed-use activity. Movement is where you have transport corridors and you should be looking at the infrastructure that assists the movement of traffic and trying to separate vulnerable road users in those environments. It is a practical approach to the application of a safe system.*

*Mr SWAIN - To a degree, this is really happening through the Hobart City Deal. We are having a lot of conversations with council about things like how to complete a safe cycling network for greater Hobart in context of where councils want to go with the evolution of their streetscapes and main centres. It is kind of happening through the City Deal, at least in the south. I expect it will happen more in Launceston, under the Launceston vision that has been developed there as well.*

*Mr FERGUSON - Whenever we do major infrastructure upgrades, other road users, apart from vehicles, are now actively taken account of. For example, active transport, pedestrian links ways, cycle ways, cycle lanes and paths are always considered in major upgrades. You are seeing that right around the state. It speaks to the quality of the work that happens in an integrated governance model that the Deputy Secretary outlined earlier where we have all the right people in the one room rather than a more siloed approach. I am not criticising the other models but it is a demonstrated benefit of the way that our departments of State Growth and State Roads are able to get the best community outcomes for our infrastructure investment.<sup>151</sup>*

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<sup>151</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.43-44

In line with the theme of movement and place, criticism was levelled at the competing balance between road safety and speed and time considerations in Tasmanian road planning. Mr Mark Temby and Mrs Catherine Temby offered the following:

*Ms RATTRAY - In your submission, at 4.1 you've given some background. You believe that undue weight is afforded to groups such as industry and motorcycle and car enthusiasts, commuter and freight associations, and that shifts the focus away from road safety to a focus on speed and relative time. Do you have any evidence to support that?*

*Mr TEMBY - Probably not direct evidence ...*

*Mrs TEMBY - With regard to the Grove straight where you have Willie Smith's with a high friction - lots of people going in and out - and then you have the Grove Store with a bus stop and an intersection, and it's 100 kilometres an hour. That is a direct consequence of lobbying by the transport industry because we were told that trucks can't get up that hill if they have to slow down. That's not true. Trucks have sufficient motors to get up hills. That's one example of lobbying. I could go into more detail of the business community. There's only a handful of people in the Huon Valley. I know I am talking about the Huon Valley but that is what I know and that is a definite example where it should be a safer speed, but it's the business community that's lobbied hard - Huon Aquaculture, Lindsay Doyle and a few others who lobbied hard. They think that it is going to save them money, but it is only a couple of seconds in difference. When you think of the difference in time, this handful, if it is handful, of the business community think that it is going to cost them money because it takes their drivers a longer time, or it is difficult for their trucks to get up the hill. It is minuscule. There will be much wringing of hands if there is an accident there. I really don't think it is worth, for the sake of this undue influence, to not have it as a safe condition. This bit about road safety and speed limits has been going on for years. Robert Armstrong brought it up. If you look back on a similar kind of thing as this inquiry -*

...

*... With regard to speed limits, and it is quoted in Hansard, I believe, that 'I'll cop it'. He felt that he was going to be adversely affected by a certain few in the community if he was to reduce the speed limits. I can't remember the words, but I remember reading it in a previous inquiry.*

*Mr TEMBY - If I could just quickly expand on that Grove Straight aspect too. You go up above Grove Straight, you have the Sandfly Bends. Down in the Huon it is nicknamed 'spare parts corner'. DSG got the speed limit there brought down to 80 km/h, because it had one of the highest accident, if not the highest, accident rate in the state. Not death or injury, but accident rate, because people crash. That was brought down to an 80 km/h zone. The quote from Frances Bender from down the Huon was that 'time is money'. One of the things I asked - and I was talking with Dr Seidel some time back - which trucks are doing 100 around those bends? It is a nonsense argument. They couldn't possibly do 100 kilometres per hour around those bends, so how was time money? What they are actually referring to is their own private travel. They are being held up from their own private travel. It is not the truck drivers.<sup>152</sup>*

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<sup>152</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.6-7

## Committee Findings

F26. There is a need to balance the competing safety interests of the various road users in Tasmania whilst maintaining road functionality.

## Committee Recommendations

R17. The Government accommodate 'movement and place' ideals in road infrastructure planning, as appropriate.

### Cyclists in Tasmania

Several submissions advocated the special needs for cyclists in Tasmania. At the public hearings, the Ms Alison Hetherington (Public Affairs Manager, Bicycle Network) noted the following:

*Ms HETHERINGTON - ... In our submission we cited the night 2019 National Cycling Survey results for the number of people who rode a bicycle in Tasmania. Since then, the 2021 figures are now available and show a jump in this number from 34.4 per cent of the people surveyed in 2019 to 43.8 per cent in 2021. This jump was to be expected as the COVID-19 pandemic lockdowns and restrictions have seen many more people riding bikes for exercise in a safe setting and for transport if they were avoiding public transport. The same survey has also given us our first Tasmanian specific data on the number of people who would ride more if they did not have to mix with cars and other vehicles. Forty per cent of respondents said they were interested in riding more but not on roads with traffic and another 15 per cent said they ride longer to avoid busy roads and use paths and quiet streets. This illustrates that the demand for off road paths and on road cycle ways remains strong.*

*I also wanted to note that the Engineers Australia have released a discussion paper on urban transport systems in December in which they acknowledge there needs to be a change in thinking away from the traditional predicting provider approach to road design, to the sustainable mobility management approach. They point out that increasing the number of cars on our roads cancels the road safety benefits of safer vehicles and that this focus on road capacity that has happened in the past has distracted us from improving road safety.*

*The Sustainable Mobility Management approach includes dedicated space for bicycles separated from cars and trucks and streets designed for speeds of 30 kilometres per hour where there is high use by people riding and walking. They point out that streets should be designed for those speed limits and not higher speed limits which is currently the case. The paper also illustrates the widespread change in thinking about how we design roads and allocate space to different users to ensure better safety outcomes, but also environmental health and congestion outcomes...<sup>153</sup>*

<sup>153</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.1

The Committee also noted the there was an apparent change in how other road users viewed the safety of cyclists on the Tasmanian roads in general:

*Ms PALMER - I was interested in the new figures that have come out and seen that increase. I think we have all seen that in our own communities over the COVID-19 period. Has that made a difference? Are things improving or not with regard to the attitude of those driving cars versus those on bikes. Has there been a change now that we are seeing so many more people who had not ridden before? Is that still a big issue?*

*Ms HETHERINGTON - There is research that shows there is strength in numbers regarding safety effects for bike riding. When you have more people riding bikes, drivers are more used to seeing it so they are more likely to be looking for them. In those areas where there are high numbers of bike riders the road safety benefits tend to be better than in those areas where there are lower numbers of people riding. In Tasmania, because we are so small and there is this high ridership and there are people who love going onto the mountain bike trails or going out for a road ride, they might not be riding for transport themselves but when they see someone doing it they are much more respectful of that person and their use of the roadway ...<sup>154</sup>*

The Government also agreed the importance of separated pathways for cyclists and the introduction of the ‘metre matters’ road rules in 2017:<sup>155</sup>

*Mr WILLIE - ...the University of Adelaide said there hadn't been a lot of progress on was with cycling accidents. So, in terms of what's being done there to address that? Obviously, separated pathways and -*

*Mr HOEY - Yes, there are a number of treatments that have been applied over the years and continue to apply. Separation, clearly, for unprotected road users is an important aspect. Also the Metre Matters legislation, a number of years ago, has proved very popular amongst cyclists. The feedback we have is that it's improved the behaviours and interactions between road users and cyclists. So, they are the two probably the key issues that we've addressed in terms of cycling.<sup>156</sup>*

## **Committee Findings**

- F27. Cyclists in Tasmania are a vulnerable road user group and targeted road planning is required to maintain their safety.
- F28. The use of separated pathways in Tasmanian road design improves safety for active transport users.

<sup>154</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.5-6

<sup>155</sup> A driver must be at least one metre from a cyclist when passing on roads that have a speed limit of up to 60km/h and one-and-half metres on roads with speed limits above 60, [Road Rules 2019, Rule144A](#)

<sup>156</sup> See [Transcript of evidence, 2 February 2022](#) Mr HOEY (DSG), p.39-40



## Committee Recommendations

- R18. Tasmanian driver education continue to feature the safety needs of cyclists on Tasmanian roads.
- R19. Increased separated pathways and networks to improve safety for cyclists and encourage this as a transport mode.

### Other Safer Road and Mobility Considerations

The Committee also noted that better road safety audits would be of benefit and that safer tourist roads featured in the submissions. Suggestions and observations included (but not limited to):

- a number of road safety issues identified along the Bass Highway;<sup>157</sup>
- conducting road safety audits of any area where crashes involving injury and fatality occur;<sup>158</sup>
- consider options to separate children from fast moving traffic so that they may walk or cycle to school safely;<sup>159</sup>
- that better use of rail transport be considered to limit heavy transport on Tasmanian highways;<sup>160</sup> and
- that safer tourism roads should also be factored into the mix.<sup>161</sup>

At the public hearings, the Committee heard views from Mr Mark and Ms Catherine Temby around considerations to be taken around safer tourism roads in Tasmania:

*Ms TEMBY - ... We also love the Huon Valley and we felt that a cycling route would be a good tourist operation from our perspective but it would be good for tourism and good for economic development. The route we were suggesting would take several days. People could stay overnight in various locations and it was already a Department of State Growth designated cycleway. However, when we looked at it and were starting to put it together we found all of these inconsistent speed limits and speed limits which were not consistent with the condition of the road.*

*Mr TEMBY - ... With tourist routes, they are applicable where we are in the Huon, the Huon Trail, Bruny Island, but they are also applicable, for example, up around Hagley and Deloraine. That has a heritage trail that tourists can follow but again the speed limits are generally 50 through the town and 100 between towns. The argument that I have had is if you want to do 100 go to the Bass Highway and then you can go from Devonport to Burnie and have a good old time.*

<sup>157</sup> See submission [#9 \(Don MacLean\)](#) in general

<sup>158</sup> See submission [#60 \(Gary McDonald\)](#) in general

<sup>159</sup> See submission [#50 \(Safe Streets to School\)](#) in general

<sup>160</sup> See submission [#63 \(Bronwyn Baker\)](#) in general

<sup>161</sup> See submission [#28 \(Mark and Catherine Temby\)](#) in general

*The local business associations, the statewide tourism association can talk about wine routes, heritage routes, scenic routes, et cetera. It is not unique. For example, if you look north of Sydney, from Hornsby up through to Newcastle, they have the old Pacific Highway and motorbikes use it and Winnebagos use it and bicycles use it. It is speed limited to either 60 or 70 km per hour for the whole length. It is going to take you hours to get from Sydney to Newcastle going that way but if you want to get there in a hurry you go on the freeway.*

*This is relevant to the tourism industry. We conducted two surveys of businesses, including a survey of businesses along the Channel Highway and Grandvewe Cheese, and they said it was okay to talk about them publicly.*

...

*Grandvewe Cheese said that the 90 km speed limit outside their business, they had numerous complaints from tourists that they were finding it difficult to get off the highway and back on to the highway. If you take a look at the Channel Highway, to me it is not a highway, it is a country road and it is very narrow and very windy. There is business support. Even though it was a limited survey, we had two-thirds businesses support for a consistent speed limit along the Channel Highway at a lower level.*

*Similarly, with the old Huon Road. We asked for a recommended speed limit from the residents we surveyed and the common speed limit was 60 to 70 km per hour, where it is now 90 km and we had 86 per cent support from the residents who we interviewed along that road ...<sup>162</sup>*

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<sup>162</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.5-6

## Tasmanian Safer Vehicles

### Heavy Vehicle Considerations

The Committee noted that safer heavy vehicles featured in many submissions. Suggestions and observations included (but not limited to):

- heavy vehicles negotiating steep inclines/declines should have flashing hazard lights to warn motorists that they are travelling slowly;<sup>163</sup>
- the compulsory fitting to heavy vehicles safety devices for indirect vision and monitoring/detecting other road users (additive safety devices) on vehicles;<sup>164</sup>
- harmonise Australia's national heavy vehicle safety standards with those regulated by the United Nations;<sup>165</sup> and
- recommending programs to incentivise transport operators and other workplaces where road transport is a workplace health and safety matter, to invest in upgrades to the current fleet and particularly technology solutions for safety.<sup>166</sup>

At the public hearings, the Committee sought further information around truck speed limiters from Ms Michelle Harwood (Executive Director, Tasmanian Transport Association):

*CHAIR – ... Do all trucks have speed limiters? Or is there a percentage? Do they have to have it or is that up to the individual owner as to whether the trucks have them or not?*

*Ms HARWOOD - It depends on their year of manufacture. There was an Australian design rule. I think I put it in my submission and I don't want to quote it in case it is wrong. They are required to be speed limited to 100 km/h. Some businesses speed limit theirs to below that and others that are operating under permit also need to be speed limited below that. The A-doubles, for example, are speed limited down to 90 km/h or 95 km/h.*

*Mr WILLIE - Does that include going down a hill? On the way here, I was following a truck. I got to an overtaking lane and I am sure it was doing 110 km/h.*

*Ms HARWOOD - They can over run the speed limiter down a hill but it should not be 110 km/h. The most it should be is 102 km/h or 103 km/h. If it is a one of the larger fleets they will have a speed monitoring system within it as part of the telematics. There will be an alert sent to their fleet scheduler that there has been an over speed.*

...

*Ms HARWOOD - There will indeed be a 'please explain'. Yes, they can over run on downhills. The driver should really be managing that.*

*CHAIR - They can override it?*

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<sup>163</sup> See submission [#3 \(Patrick Carracher\)](#) in general

<sup>164</sup> See submission [#56 \(Bicycle Network\)](#) in general

<sup>165</sup> See above no. 164

<sup>166</sup> See submission [#91 \(Tasmanian Transport Association\)](#) in general

*Ms HARWOOD - No, they can't override it. The question is very valid. Some people may tinker with the settings in a speed limiter model. That can be determined. Roadside inspectors can do a check of that. Tampering with the speed limiter does occur and is, quite rightly, a high-level offence.<sup>167</sup>*

### Visibility of Vehicles on Tasmanian Roads

The Committee noted that vehicle lights and the overall visibility of vehicles on Tasmanian roads were of interest. Suggestions and observations included (but not limited to):

- the misuse or application of light emitting diode (LED) light bars and spot lights on vehicles in contravention to the Tasmanian Road Rules;<sup>168</sup>
- the requirement for vehicles to use headlights in low light or fog conditions;<sup>169</sup>
- the consideration for rear fog lights to be fitted to vehicles as per European standards;<sup>170</sup>
- the consideration for vehicles to have headlights on in rainy conditions;<sup>171</sup>
- the desirability of ensuring that motorcycle drivers dress in high visibility colours to ensure their prominence on roads;<sup>172</sup> and
- encouragement to support brightly coloured (and thus) more visible cars on Tasmanian roads through reduced registration fees.<sup>173</sup>

The public hearings had the following discussion from Mr Richard Sherriff around the increasing use of LED vehicle driving lights:

*Mr SHERRIFF - It is quite obvious if you drive of a morning, particularly in fog, people drive with park lights on where it is useless. What is happening is that a lot of drivers are retrofitting headlights and there should be a standard on the low beam. A lot of lights now are just too bright. They are so bright - they are so bright they're dazzling. High beam is fine when you want some extra lights to help you, particularly for country driving, but there should be standard of so many lumens for low beam. Have you noticed that they're brighter, some of the lights?*

*Ms PALMER - Some cars - I don't know if it's new cars - they almost look blue.*

*Mr WILLIE - It probably goes back to that earlier point about vehicle inspections, and making sure there's a frequency around that program.*

*Mr SHERRIFF - Yes. That's right.*

*CHAIR - Especially when they hot them up and put all the extra rows of lights on. Sometimes you do flash your lights and that car has its lights up and they still don't do it; they're just still bright.*

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<sup>167</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.11-12

<sup>168</sup> See submission [#7 \(Robert Cassidy\)](#) in general

<sup>169</sup> See submission [#16 \(Richard Sherriff\)](#) in general

<sup>170</sup> See submission [#48 \(Graeme Barwick\)](#) in general

<sup>171</sup> See submission [#54 \(Chris Spiegel\)](#) in general

<sup>172</sup> See submission [#20 \(Peter Mudford\)](#) in general

<sup>173</sup> See submission [#37 \(George Chandler\)](#) in general

Mr SHERRIFF - Yes, particularly on low. I'm sure some of them have brighter lights than are reasonable on the road.

CHAIR - Is there a legal standard at the moment for lights?

Mr SHERRIFF - I'm not sure. There would have to be on lumens.

CHAIR - We can ask the police when they come. It would be good to ask about that. There's a legal standard, isn't there, for things like your window darkness and so on.

Mr SHERRIFF - Yes. Sometimes, with six cars coming towards you, you'll think the middle one has its lights on full but it hasn't. Sometimes if you flash them they'll put them up, and you realise then that they have some added lumens that they probably shouldn't have.<sup>174</sup>

### Committee Findings

F29. The fitting and use of after-market LED light bars to vehicles can distract and negatively impact oncoming drivers.

### Committee Recommendations

R20. The Government consider compliance relevant to regulation/vehicle standards for LED headlamps and after-market LED light bars.

### Vehicle Fleet

Based on the estimates from the annual Motor Vehicle Census by the Australian Bureau of Statistics, the Committee noted that the average age of the Tasmanian vehicle fleet continues to increase: 13.3 years compared to the Australian average age of 10.6 years.<sup>175</sup> This in itself brings challenges as the ageing fleet are not up-to-date with the latest safety features including (but not limited to):

- autonomous emergency braking;
- lane keep assistance;
- intelligent speed assistance systems to help drivers keep to speed limits; and
- eCall or Accident Emergency Call Systems (AECS) to trigger an emergency response by an in-vehicle sensor.<sup>176</sup>

<sup>174</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.8

<sup>175</sup> See 'Motor Vehicle Census, Australia', <https://www.abs.gov.au/statistics/industry/tourism-and-transport/motor-vehicle-census-australia/31-jan-2021> [Accessed 25 March 2022]

<sup>176</sup> See WHO, [Decade of Action for Road Safety 2021-2030](https://www.who.int/teams/social-determinants-of-health/safety-and-mobility/decade-of-action-for-road-safety-2021-2030), <https://www.who.int/teams/social-determinants-of-health/safety-and-mobility/decade-of-action-for-road-safety-2021-2030> [Accessed 9 March 2022]

The Committee noted that the ageing Tasmanian fleet was not lost on the community. Suggestions and observations included (but not limited to):

- discounts on registration for vehicles that meet ANCAP 5 Star safety ratings;<sup>177</sup>
- older vehicles should undergo a periodic mandatory roadworthy check;<sup>178</sup>
- encouraging vehicle owners to have regular vehicle servicing;<sup>179</sup>
- potential for State Government to buy-back of older vehicles;<sup>180</sup>
- in terms of road safety, newer highest ANCAP rated vehicles are safer;<sup>181</sup> and
- greater information on a vehicle's ANCAP safety rating should be mandated both at the point of sale and when advertising.<sup>182</sup>

A cross-section of the above was further examined at the Committee's public hearings.

### Ageing Tasmanian Fleet

The RACT through Messrs Mark Mugnaioni (Chief Executive Officer) and Gary Bailey (Chief Advocacy Officer) proffered these views with respect to Tasmanian fleet:

*Mr WILLIE - ... Our average is 12.8 years, compared to the national average of 9.8 years. About 20 per cent of Tasmania's fleet, which is about 82,000 vehicles, are more than 18 years old.*

*You talked a bit about the State government offering incentives through registration schemes. Is there anything else state government can do to try and improve that? Obviously, that is going to become an even bigger problem when we have driverless cars and more improvements in technology.*

*Mr MUGNAIONI - Unfortunately, like all of these challenges, probably a range of things needs to happen. In addition to potential incentives through the registration scheme, we also think the Government can lead by example in terms of how it manages its own fleet. We know that the Government fleet, once it is sold on, goes into the second-hand market, and has a positive impact on improving the age of vehicles.*

*One of the recommendations we have suggested is considering regular inspections of vehicles to ensure they are roadworthy. A lot of those aged vehicles, in addition to not being sacked because they do not have the technology improvements that newer vehicles do, may not be roadworthy. That could be something we consider in trying to encourage improvement in the age of the fleet.*

*There are different options, but fundamentally it is a critical contributor to road safety. We know that across the board, vehicle safety - of those three, safer drivers, safer cars and safer roads - is probably the area where we've had the best advances over the last*

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<sup>177</sup> See submissions [#15 \(Dr Rod Katz\)](#), [#61 \(ANCAP\)](#) and [#74 \(ACRS\)](#) in general

<sup>178</sup> See submissions [#18 \(Warren Robertson\)](#), [#22 \(Alison Carter\)](#), [#54 \(Chris Spiegel\)](#), [#59 \(David Hurburgh\)](#), [#60 \(Gary McDonald\)](#) and [#67 \(Nigel Beeke\)](#) in general

<sup>179</sup> See submission [#23 \(Rod Finlayson\)](#) in general

<sup>180</sup> See submission [#36 \(Andrew Abbott\)](#) in general

<sup>181</sup> See submission [#61 \(ANCAP\)](#) in general

<sup>182</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

*decade, but if we're not seeing those vehicles filter down to Tasmania we're not getting the advantage of those. This is also an area where federal jurisdiction comes into play, particularly around fuel standards. At the moment, our fuel standards in Australia mean that we are not getting the best of the new European technology, particularly, that are built for high standards. Again, it's just building in a systemic delay to being able to access that new technology in our jurisdiction.*

*Mr WILLIE - Is there a way of managing these things so as not to penalise people with lower incomes, maybe there could be an incentive to upgrade an 18-year-old car to a five-year-old car? I can see that it would be disproportionate in subsidies to people who maybe don't need them.*

*Mr MUGNAIONI - Agreed. That's certainly not the intention. It really is just about making sure that older vehicles we know are not safe are removed from roads. However, I recognise there is a social risk there and that it would penalise different parts of society more than others with an unintended adverse consequence.*

*Mr WILLIE - Is there any localised analysis of the road crash data here on the age of the vehicles involved, and would you or State Growth have that?*

*Mr BAILEY - We don't have that, but that is part of the crash data they have. They do have a lot of data, which we don't necessarily always see. They're not hiding it, it's just that it's a big job gathering that. There will be a lot of useful stories that would come out of that data, the age of the car and the condition of it.*

*Mr WILLIE - Do you know about any of their trends, whether most of them are older vehicles?*

*Mr BAILEY - No.*

*Ms RATTRAY - ... when I first arrived here and we were first allocated vehicles about 16 years ago, it was 40,000 kilometres for a turnover of your vehicle. Now, it's 60,000 or three years. The government has certainly pushed that out.*

*Mr BAILEY - If you're talking 60,000 kilometres, it's a five-star vehicle. It's a hell of a lot safer.*

*Ms RATTRAY - That's right. That puts it into the second-hand market. We were turning over vehicles, particularly members who travel and live quite long distances away from parliament and have big electorates.*

...

*Mr BAILEY - They've pegged it to five-star for all their vehicles, which is good. The other thing about vehicle safety, generally, and this will take a long time to flow through to the second-hand market, but the mandated technology that's going into cars in Europe by 2023 will monitor the speed limit on the highway on which you're travelling and, if you exceed it, it will automatically reduce your speed to the legal limit, which is a fantastic advance.*

...

*Mr BAILEY - ... There's a lot of new technology. You've got doors that won't open if the car detects a cyclist or pedestrian or another vehicle coming past. You've got cameras and sensors in the cabins of cars that detect fatigue and distraction and will let you know. In the heavy vehicle fleet, of course, all that is well and truly entrenched with the big operators. They have a huge focus on safety because safety is part of efficiency and is simply a good business practice.*

*Mr MUGNAIONI - Equally, the corporate sector has a significant role to play here as well. Certainly, from our perspective, there is absolutely no excuse for an employer to be putting an employee in anything less than a five-star, ANCAP-rated vehicle. Having that sort of approach will also assist the second-hand market in Tasmania.<sup>183</sup>*

The Government's response included Tasmania's low vehicle attrition rate and its support for five-star ANCAP safety rating requirements was discussed by Mr Martin Crane (General Manager Road User Services, DSG):

*Ms RATTRAY - I am interested in more recent data on the age of the fleet. The data that was provided is only up to 2017. Is that the last lot of detail that we have?*

*Mr CRANE - No, we have further data up to 2021, which talks about the age of the fleet being 12.9 years, I believe, which is the average age of the Tasmanian fleet. There's about 435,000 vehicles in that. That's not the full registered fleet; that's like the family vehicle fleet. That's what we're really interested in. The national average is around 10-point –*

*Ms RATTRAY - So we're still almost three years older.*

...

*Mr CRANE - Because of the safety features involved. If you look at seatbelts, and you can see that in 1996 I think it was, that's when the first airbags came in, and then you had the brakes come in in 2005, so you can map those safety features through when they were made compulsory, through the Australian Design Rules (ADR) process at the national level.*

*Just a couple of other comments on that, though. One rather unique part of Tasmania is that we have the lowest attrition rate in vehicles. When someone buys a new vehicle, they are often more likely to retain their older vehicle as a second vehicle in Tasmania than any other jurisdiction, so we have quite a lot of people having more than one vehicle. Their primary vehicle may well be a vehicle of higher more modern use. They may use that vehicle a lot more than their older vehicle, which is used as a secondary vehicle. That attrition rate is an interesting aspect, and it is part of the work that we are doing around our light vehicle strategy, which will be providing advice to the Minister in coming months.*

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<sup>183</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.14-16



*Mr WILLIE - Just on that, that age profile may be impacted by COVID-19, too, because it's very difficult to get a new car at the moment.*

*Mr CRANE - In the short term, we may see the average age go up a little bit, because of the supply side of new vehicles, and people keeping those older vehicles for a little while, but that's offset by things like being in COVID-19, where probably a lot less trips are taken by some people in terms of the vehicle fleet.*

*The supply side is a challenge, but if you look at the fleet, over 55 per cent of the vehicles are under that average age, for the basic family vehicle.<sup>184</sup>*

The Government's response to the question as to whether there were any planned initiatives to address the ageing Tasmanian fleet was covered as follows by Hon Michael Ferguson MP (Minister for Infrastructure and Transport) and Mr Scott Tilyard (Chair, Road Safety Advisory Council):

*Ms RATTRAY - Minister, is the Government looking at any initiatives to actually address the age of the fleet in Tasmania? I know newer vehicles are difficult to come by at the moment. At this table we are probably all waiting for a change in our own vehicles that are supplied. Is the Government looking at any -?*

*Mr FERGUSON - ...I would like to reiterate what Mr Crane has shared. There's a variety of facts at play here. The latest data that we have to hand, as Mr Crane has reflected, the age of 12.9 years was as of January 2021, so that data is now just over a year old. I would like to go back and ask the registrar to refresh that. I think we ought to be able to do that and come back to the committee with whatever it is right now. I think that would assist your own consideration.*

...

*Mr FERGUSON ..., I have actually asked for advice on initiatives the Government could consider. Stakeholders have put forward a variety of potential ideas and solutions to support what will become a light vehicle strategy.*

*... one of the elements in our Towards Zero Strategy is in fact a light vehicle strategy, so that we can actually target interventions around supporting not just the age of the vehicles but the condition of them and the safety. I expect to receive advice on that this half of 2022. When I receive that advice I certainly look forward to acting upon it and announcing initiatives that will support whatever the age of the fleet is. I suspect members here will agree we cannot control that, that is people's choice and their affordability, but we want to support people as best we can to keep vehicles on the road as safe as possible with as many modern features as possible.<sup>185</sup>*

...

*Mr TILYARD - ... One of the messages that we always give to people purchasing cars, particularly to the parents when their kids are starting to drive, is buy the safest car that you can afford. Don't just get the hand-me-down, Mum and Dad's old car that is 15 years old, which a lot of kids tend to inherit. Think about the safety of your children. Obviously,*

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<sup>184</sup> See [Transcript of evidence, 2 February 2022](#) Mr Crane (DSG), p.19

<sup>185</sup> See [Transcript of evidence, 2 February 2022](#) Hon M Ferguson MP, p.19-20

*that is paramount in every parent's thinking all the time. Buy the safest possible car that you can afford for the kids.*<sup>186</sup>

Mr Craig Hoey (Manager, Road Safety – DSG) spoke to the Australasian New Car Assessment Program's (ANCAP) recommendation for the Government to extend the five-star ANCAP safety rating requirements in its current vehicle fleet purchasing and use policies to the 'grey fleet':<sup>187</sup>

*CHAIR - While we're talking about considering good ideas, just looking at submission from ANCAP ... and one of their recommendations - and I'm just wondering your thoughts:*

*That the Tasmanian Government demonstrate leadership and extend the five-star ANCAP safety rating requirements in its current vehicle fleet purchasing and use policies to the grey fleet.*

*Your thoughts on their recommendation?*

...

*Mr HOEY - ... Normally when you are driving for a company you may be provided with a work car, but in many circumstances, you might be driving your private car. That is what is being picked up in how the employer is looking at the safety of those sort of vehicles.*

*CHAIR - You are paid a little extra to use your own vehicle.*

*Mr HOEY - I am not sure about the work arrangements but that is how an employer might incentivise the employee to be driving the safest vehicle possible.*<sup>188</sup>

In replying to a Question Taken on Notice, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) stated:

***Provide the Committee with updated data regarding the age of Tasmania's vehicle fleet***

*Using raw data from the Motor Registry system, the Department of State Growth estimates the average age of Tasmania's vehicle fleet is 14.8 years.*

*Austrroads and the Bureau of Infrastructure and Transport Research Economics in the Australian Government Department of Infrastructure, Transport, Regional Development and Communications will produce a replacement Motor Vehicle Census which is expected later this year. The Tasmanian Government looks forward to the release of this updated official data to monitor any changes in the vehicle fleet age over time.*<sup>189</sup>

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<sup>186</sup> See [Transcript of evidence, 2 February 2022](#) Mr Tilyard (RSAC), p.38

<sup>187</sup> Vehicles that are employee-owned and used on company business

<sup>188</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.41-42

<sup>189</sup> Letter to Hon Rosemary Armitage MLC Chair - Road Safety Public Hearing - Responses to Questions taken on Notice, 22 March 2022

## Committee Findings

- F30. Improvement in vehicle safety features has had significant impact in minimising road trauma.
- F31. Current Government fleet policy positively impacts the future used car market: since 2018 (subject to certain qualifications) all vehicles on the Tasmanian Government Vehicle Fleet Contract must have a 5-star Australasian New Car Assessment Program safety rating.<sup>190</sup>
- F32. A fifth of Tasmania's fleet (which is about 82,000 vehicles) is more than 18 years old.
- F33. Over the past decade there has been an increase of 84,000 (19%) in total Tasmanian vehicle registrations (average trend change of 2.1% per annum).

## Committee Recommendations

- R21. The Government and RSAC continue to develop and implement the 'Safer cars for younger drivers' and 'Light vehicle safety strategy' initiatives as contained in the Towards Zero Action Plan 2020 – 2024.
- R22. The Government consider mandating minimum information to be made to a purchaser on a vehicle's ANCAP safety rating both at the point of sale and when advertising.

## Mandatory Vehicle Road Worthiness Checks

The Committee noted that mandatory vehicle road worthiness checks for vehicles over a certain threshold age featured and was supported in many submissions. Currently NSW and NT require vehicles over five years old to obtain the relevant road worthiness certificate before annual registration renewal or before transferring a registration from interstate (NT vehicles over 10 years old require a roadworthy inspection each year).<sup>191</sup> <sup>192</sup> Similar to Queensland,<sup>193</sup> Victoria requires that a vehicle being sold in Victoria or registered from interstate have a current Certificate of Roadworthiness from a licensed vehicle inspector.<sup>194</sup>

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<sup>190</sup> See [Tasmanian Government Motor Vehicle Allocation and Use Policy](https://www.purchasing.tas.gov.au/Documents/Tasmanian-Government-Motor-Vehicle-Allocation-and-Use-Policy.pdf), Department of Treasury and Finance (Version 7 May 2022) <https://www.purchasing.tas.gov.au/Documents/Tasmanian-Government-Motor-Vehicle-Allocation-and-Use-Policy.pdf> [Accessed 12 September 2022]

<sup>191</sup> 'Safety checks and vehicle inspections', <https://www.nsw.gov.au/topics/vehicle-registration/renew/safety-checks-and-inspections> [Accessed 25 March 2022]

<sup>192</sup> 'Check if your vehicle needs an inspection', <https://nt.gov.au/driving/regio/vehicle-inspections/check-if-your-vehicle-needs-an-inspection> [Accessed 25 March 2022]

<sup>193</sup> 'Safety certificates', <https://www.qld.gov.au/transport/registration/roadworthy> [Accessed 25 March 2022]

<sup>194</sup> 'Get a Certificate of Roadworthiness', <https://www.vicroads.vic.gov.au/registration/roadworthiness/get-a-certificate-of-roadworthiness> [Accessed 25 March 2022]

SA, WA, Australian Capital Territory (ACT) and Tasmania have less prescriptive regimes.<sup>195</sup>  
196 197

In particular, Tasmania requires a safety inspection is required for:

- transferring a mainland (interstate) registration to Tasmania;
- re-registering a vehicle whose previous registration expired or was cancelled more than three months ago;
- re-registering a vehicle that was written off and repaired; or
- registering a vehicle converted from left-hand to right-hand drive.<sup>198</sup>

At the public hearings, the concept of random vehicle roadworthy checks was discussed by Mr Richard Sherriff:

*Mr SHERRIFF - I can't remember when I have been pulled up to have my tyres checked or anything like that. Years ago it would be a regular thing. Going to Hobart, they would pull you across and check your tyres and I am sure you would be surprised at the number of cars that can't brake in straight line, they have faulty brakes. Under extreme, quick stops, you have real issues with that, particularly in the wet. There needs to be more emphasis on that.*

*I can remember many years ago, I went to Victoria and sold a car. It had to be checked before I sold it. There are a lot of cars sold privately that probably ought to be checked before they're sold. It is a bit like boats. People are buying boats, and they're riddled with holes and they aren't aware of it; it's just patched up. There should be more emphasis on mechanicals - certainly on brakes and tyres.*

*Dr SEIDEL - Do you think a compulsory road worthy check at the point of sale would be appropriate, whether that it is a private or commercial sale?*

*Mr SHERRIFF - Yes, it would.*

*Mr WILLIE - Is that feasible, given the amount of vehicle sales?*

*Mr SHERRIFF - I suppose the car yards would have to certify they have their own thing. There would be a charge for it. If you are going to sell your vehicle, you would have to get a roadworthy certificate for it.*

*Ms PALMER - Or perhaps vehicles over a certain age?*

*Mr SHERRIFF - Yes, cars over a certain age.*

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<sup>195</sup> 'Organising a roadworthy inspection', <https://www.sa.gov.au/topics/driving-and-transport/vehicles/vehicle-inspections/roadworthy-inspections> [Accessed 25 March 2022]

<sup>196</sup> 'Get a vehicle inspected', <https://www.transport.wa.gov.au/licensing/get-a-vehicle-inspected.asp> [Accessed 25 March 2022]

<sup>197</sup> 'Roadworthy inspections', <https://www.accesscanberra.act.gov.au/s/article/motor-vehicle-inspections-tab-roadworthy-inspections> [Accessed 25 March 2022]

<sup>198</sup> 'Transferring to or from interstate and importing', [https://www.transport.tas.gov.au/registration/buying\\_selling\\_or\\_transferring/transferring\\_to\\_or\\_from\\_interstate\\_and\\_importing](https://www.transport.tas.gov.au/registration/buying_selling_or_transferring/transferring_to_or_from_interstate_and_importing) [Accessed 25 March 2022]

*Ms PALMER - Which tend to be the cars that our younger drivers can afford.*<sup>199</sup>

This led to the following discussion around the capacity of Tasmania police to effectively conduct such vehicle checks through Mr Brett Smith APM:

*CHAIR - ... Another one, lack of car checks. It was raised with us that we don't get police pulling us over now and checking our tyres, checking our brakes, so that would have stopped even before your time I would imagine.*

...

*Mr SMITH - It's effectively traffic policing. In the broad array of all of the work that police do, it is largely part of discretionary time. But if your discretionary time is chewed up with non-discretionary time, particularly where there is a shortage of resourcing, your discretionary time is down to this. Checking cars and that –*

*CHAIR - And putting yellow stickers, or are they orange or red?*

*Mr SMITH - They used to be orange and red. I'm not sure what they are now.*

*CHAIR - Do they still have those? I don't see cars around with them anymore.*

*Ms RATTRAY - We don't even have a rego sticker.*

*Mr SMITH - I don't think they have stickers but there are defect issues that now get –*

*CHAIR - But you would have to pull them over to find them.*

*Mr SMITH - Yes, but of course that will only happen if someone has been pulled over for something else usually. Could there be more work done in vehicle standards? Of course there could, but it is largely resource dependent.*<sup>200</sup>

### **Committee Findings**

F34. Other Australian jurisdictions have stricter vehicle road worthiness checks (e.g. annual vehicle re-registration check).

### **Committee Recommendations**

R23. The Government consider increasing compliance to vehicle road worthiness with the view of reducing unsafe vehicles on Tasmanian roads.

<sup>199</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.5

<sup>200</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.9

## Motorcycle Considerations

The Committee noted that motorcycles were of keen interest in many submissions. Suggestions and observations included (but not limited to):

- that whilst motorcycle registrations and licensed motorcyclists in Tasmania had risen steadily for the period 2011 to 2021 (29% and 20% respectively), there had been a significant decrease in serious injuries of motorcyclists since the peak in 2015 (drop from 101 to 47);<sup>201 202</sup>
- that evidence suggests that motor-vehicle drivers are more often at fault in collisions involving motorcycles for a variety of reasons;<sup>203</sup>
- the difficulty posed by motorcyclists not wearing sufficiently visible clothing to assist other road users in distinguishing them from the background;<sup>204</sup>
- the support of air vests being utilised by motorcyclists to offer protection in case of crash;<sup>205</sup>
- a change in motorcycle registrations to encourage young riders to buy and licence a safer machine;<sup>206</sup>
- Tasmanian agencies to conduct and publish motorcycle road safety audits considering road hazards covered in the VicRoads publication ‘Making roads motorcycle friendly: A guide to road design, construction and maintenance’;<sup>207 208</sup>
- better data capture is needed to improve motorcycle safety initiatives;<sup>209</sup>
- the support in raising the maximum speed restriction of provisional licence holder of a motorcycle to be equivalent to a provisional licence holder of a car (i.e. 80kmh to 100kmh for P1);<sup>210</sup>
- the development of an off-road motorcycle park to encourage less ‘dirt bikes’ on public roads;<sup>211</sup> and
- the lowering of the legal blood alcohol count of motorcyclists in recognition that riding a motorcycle requires exceptional perception reaction skills to avoid becoming involved in a crash and that ‘... motorcyclists with a blood alcohol concentration (BAC) of 0.03 have been found to have around three times the (already much higher) fatality risk of sober motorcyclists, and twenty times the fatality risk with a BAC of 0.08...’.<sup>212</sup>

A cross-section of the above was further examined at the Committee’s public hearings.

The Committee heard from Mr Paul Bullock (President, Tasmanian Motorcycle Council Inc.) around motorcyclist numbers and education:

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<sup>201</sup> ‘Tasmanian crash statistics’, [https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/crash\\_statistics](https://www.transport.tas.gov.au/road_safety_and_rules/crash_statistics) [Accessed 25 March 2022]

<sup>202</sup> See submission [#1 \(Terence McCarthy\)](#) in general

<sup>203</sup> See submission [#2 \(Stephen Bardsley\)](#) in general

<sup>204</sup> See submission [#20 \(Peter Mudford\)](#) in general

<sup>205</sup> See submission [#39 \(Professor emeritus Dr Marcus Ramsay Wigan\)](#) in general

<sup>206</sup> See submission [#49 \(Malcolm Eastley\)](#) in general

<sup>207</sup> See <https://www.vicroads.vic.gov.au/-/media/files/technical-documents-new/miscellaneous-guidelines/making-roads-motorcycle-friendly.ashx> [Accessed 28 March 2022]

<sup>208</sup> See submission [#64 \(Rajan Venkataraman\)](#) in general

<sup>209</sup> See submission [#69 \(Dr Michael Czajka\)](#) and [#87 \(Motorcycle Riders’ Association Australia\)](#) in general

<sup>210</sup> See submission [#72 \(Christopher Broad\)](#) in general

<sup>211</sup> See submission [#83 \(Bruce Douglas\)](#) in general

<sup>212</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) p.4

*Dr SEIDEL - You mentioned the number of Tasmanian motorcyclists has increased. Isn't it also the number of motorcyclists who come from interstate, like motorbike touring, which is probably disproportionately higher than the number of cars you would get when they come in groups and so forth?*

*Mr BULLOCK - No. We got the figures off TT-Line and we were looking at around 7,000 bikes a year coming into Tasmania, that is excluding the Tasmanian bikes on the boat.*

*Ms PALMER - And that is visitors?*

*Dr SEIDEL - There is no rental market?*

*Mr BULLOCK - There are a couple but they are not large at all. There's not a great deal. They bring their own bikes nearly all the time. Tasmania has some of the most beautiful roads anywhere. It takes you five minutes to get out of the city and into some nice roads, whereas on the mainland they ride straight for hours. It is a big incentive for people when they come over here.*

*We had a lot of accidents from mainlanders when they came over initially, but the Motorcycle Council produced Ride Tasmania safety pamphlets and they were given to people who got on the boat. We went to the Government; and if they booked for the boat to come over with their bike they were given the Ride Tasmania safety pamphlet. They have videos on the TT-Line about motorbikes and riding on Tasmanian roads. State Growth has just done a video and that is being cut down to being a 30 second ad on TV about Tasmanian roads. That was a film that was done a few years ago that they put on the Spirits, so they had all the footage. We asked them to take out different parts of it and use in their advertising, which they finally did. It is a good video.*

*Dr SEIDEL - So the direct peer education has made a significant difference?*

*Mr BULLOCK - Yes, since the Motorcycle Council has been involved in it. I have argued and fought that anything you want to do as far as advertising, should be done from the motorcyclist's point of view. Other motorcyclists will listen to motorcyclists.*

*.... We have Malcolm Campbell, the racing driver. He is in the video that the Government has put out there, telling people to be aware.*

*...*

*... they have put it together and it is from motorcyclists. Motorcyclists listen to it because it is a warning from people who are experienced riders ...<sup>213</sup>*

Mr Scott Tilyard (Chair, Road Safety Advisory Council) noted the following with respect to mandating motorcyclist safety gear and advanced safety features on motorcycles:

*Mr WILLIE - Just on motorbikes and a few other areas: in the University of Adelaide evaluation, they said that not a lot of progress had been made in older drivers and we've had a little discussion on that. Pedestrians, bike riders and motorcyclists. I guess if we*

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<sup>213</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.3-4

*can start with motorcyclists. They're one in five serious casualties but they make up less than one in 20 of the vehicle fleets. What's being done to try and address that, given the disproportionate nature of those accidents and what can be done in terms of motorcycle safety?*

*Mr TILYARD - ... There's a lot that we're trying to do because it is an issue. But as I said, in terms of the over-representation, the fact is that they're far more vulnerable than car drivers. That said, in recent years, in particular, with newer bikes there are more and more safety features being built into the bikes. So, that will improve over time.*

*We're seeing motorcycling as quite a popular activity so a lot of people are starting to get into it. The training is better than it's ever been and we're looking at doing a further review of the graduated licensing system for motorcyclists as one of our projects going forward in the near future because, while there's been a lot of work done in that space and it is a lot better than it used to be, there are always newer and better approaches being developed. We monitor closely what the other jurisdictions have done and we're keen to take on the good new elements of those that are appropriate in the Tasmanian context and incorporate them into our training system and licensing system here in Tasmania as well.*

*Along with all the marketing and education that we're trying to do to encourage people to drive more responsibly on their motorcycles, it's across the whole ambit of everything - training, education, safety equipment. The only mandatory safety equipment you have to wear is a helmet, an Australian design approved helmet. Obviously, most people are sensible and –*

*Mr WILLIE - Is that being looked at?*

*Mr TILYARD - There's never been any mandating in terms of jackets, trousers, boots and those sorts of things. Most sensible motorcyclists do wear the proper motorcycling equipment but not everyone does. You still see people riding down the road in their shorts and T-shirts, especially during summer. There are certain things that can be done and we are doing to encourage people to wear the appropriate equipment.*

*A friend of mine had a motorcycle crash recently, ended up in hospital and he's a very experienced motorcyclist. He got some terrible bruising but no skin off or anything like that. He credits the fact that he wasn't more seriously injured to the fact that he had the good-quality protective -*

*...*

*Mr TILYARD - ... Good-quality protective equipment. But, unfortunately, there are people out there who don't always do that and there are some people who can't afford to. That's why we've got the program I mentioned previously with the council over at Glenorchy for disadvantaged young people to equip them with some of this gear. These are usually young people who are on their trail bikes annoying people, making noise and riding illegally sometimes. It's about equipping them with the appropriate equipment and the training to help them actually get their licence and ride responsibly on the road.*



*Mr WILLIE - Are we likely to see bigger improvements as technology improves with bikes too, in terms of braking and lane departure technology and a whole range of other things?*

*Mr TILYARD - Yes, for sure. A lot of this is already out there on some bikes. Obviously, ABS is available now on a lot of bikes and even traction control on some motorcycles.*

*There are motorcycles now that basically have so many safety features it is difficult to fall off them. In fact, some of them can actually stand up while they are stationary because of the technology.*

...

*Mr TILYARD - We will see more of that technology. It is improving in cars. It is improving in bikes as well and we are starting to see some electric motorcycles as well now. So, there are a lot of advances in motorcycling which will make it safer for people who can afford to purchase those bikes.<sup>214</sup>*

The Committee further noted that the Motorcycle Clothing Assessment Program (MotoCAP) is an independent, free resource supported by governments and private road safety organisations across Australia and New Zealand. MotoCAP tests gear using rigorous, scientific methods to provide ratings for motorcyclists to choose the right gear with the best protection and comfort for their ride).<sup>215</sup>

The Committee heard commentary about the perceived issues of low capacity motorcycles, young riders and licence costs as it relates to road safety through Mr Malcolm Eastley:

*Mr EASTLEY - ... The second one, I have been involved with motorcycling for 60 years and I have never had a fall on the road. I was involved very early on, in the 1970s, with a proposal that saw the 250cc limit come in. That went Australia-wide and it came from the Launceston motorcycle.*

*It is time now to look at that again. The problem with motorcycles is that there are different categories giving problems. Returning riders are not getting enough refresher courses but also every year, there's a fresh crop of young people coming through. They've had dirt bikes. Their parents have bought them dirt bikes. But when they reach the age where they need a licence, they really have a problem.*

*We've got to look at it from their point of view. To get a licence and get on the road, rather than on a dirt bike, they've got about a \$700 fee for their licence training. You have to have the proper equipment, clothing, a motorcycle is \$600 a year to register for any motorcycle unless it is a 125cc or less. The theory there was that 125 scooters and very small bikes were needed to keep young people in jobs; they have a problem getting to work and it is the cheapest transport they can find.*

...

*Mr EASTLEY - ... The registration costs on the 125cc is \$300; it is half what is on another one.*

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<sup>214</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.37-38

<sup>215</sup> See MotoCAP Safety Ratings website, <https://www.motocap.com.au/>, [Accessed 28 March 2022]

*The 125s are no longer a category that is suitable on the road on highway use. They are just too small. They are okay around town but they're underpowered and dangerous in some situations.*

*CHAIR - They are more city vehicles, the 125s? Just for around the town.*

*Mr EASTLEY - ... if you are delivering pizzas or something they might be okay because he's not going to get over 60 km/h.*

*CHAIR - Just going from home to work in the CBD-type thing?*

*Mr EASTLEY - Exactly. On the highway, I have been involved in mentoring and I have been the fellow at the back preventing them from being tailgated, basically, doing 80 km/h and that is about all the 125s will do on the highway at times with a bit of wind. It is dangerous, it really is.<sup>216</sup>*

*...*

*Mr EASTLEY - The other thing is if we can make that category of motorcycles now a 250cc class for the registration cost change, which it is on mainland states. There is usually a class in there. The 250 is the light bike now and above that is the normal registration. I would like to see them consider making it 250cc. It makes it more attractive for these kids coming through.*

*CHAIR - It would halve the cost of the registration.*

*Mr EASTLEY - It is an incentive there for them. If they can see their way through to get on a registered bike, they are getting the training and they've got to have the equipment. Motorcyclists are a bit tribal. Once one or two do it, their mates will do it anyway. It's just one of those things. But at the moment they are in a situation where they can't see a logic behind going to all that expense -*

*CHAIR - There's no benefit to them, is there?*

*Mr EASTLEY - No, not really when they can get away from the police at the moment anyway. Police are not allowed to chase them. It's too dangerous.*

*CHAIR - I guess if you are going to pay \$600 you may as well have a 1000cc bike.*

*Mr EASTLEY - The other thing is the LAMS (learner approved motorcycle) limited bikes - a 660cc with a power-to-weight ratio. But they are the same registration as the 1000cc bikes. I would like to see a three-step situation. It won't cost MAIB anything. I think they'll get more registrations if they make it a cheap 250cc limit because they'll pick up those. But put a step in between the 650s and the 1000s. It will encourage more people to stick with a medium-sized bike and not some of these things that are capable of 300 km/h.*

*CHAIR - What speed would a 250 do?*

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<sup>216</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.4-5

*Mr EASTLEY - An ordinary 250 will do 100 km/h and sit on that in the line of traffic. The 250s that caused the problem in the past were race replicas, basically, but they are still outlawed under LAMS anyway. They fail the power-to-weight ratio. They are difficult to ride and I would never allow one of my kids on one of those learning to ride. If they stick to the 250s -*

*CHAIR - Like your Honda 250s, a standard type of bike.*

*Mr EASTLEY - Yes, they've been making them for years, they still make them. But the high-powered ones are peaky and they're difficult to ride. They're just not necessary.*

*Ms RATTRAY - They make a lot of noise.*

*Mr EASTLEY - They make a lot of noise and you're better off with a bigger bike, quite frankly. But it's that 125cc limit which really is a problem. There's quite a few 125s around but there's only one -*

*Ms RATTRAY - They're the posties, aren't they?*

*Mr EASTLEY - Yes, posties qualify. But at the end of the day, there's only one make you can buy, that's a little Honda. Nothing else qualifies. All the other bikes that come in are trail bikes. They've got no compliance plate, they can't be registered.*

*I think it makes sense to look at that system and we can cut down on motorcycle crashes in the same way we did back in the 1970s when they brought in the 250cc limit. That was good for a start, but it became bad after they brought in these race replicas. It took too long to bring in the LAMS limit. The LAMS limit really does work well.*

*Nobody wants to take away the option of people buying a 1000cc bike if they think they need it. I don't need it. The original problem was that you could spend \$1000 and buy something with the performance of a Ferrari. That's not necessary. On the other side of the coin, the 125s are underpowered. I think we can improve that.*

*CHAIR - Particularly depending on the size of the person on them, as well.*

*Mr EASTLEY - I'm a big fella and I've got a 125, fair dinkum, and they're not suitable to be out on the highway, they're just not.<sup>217</sup>*

A comparison of State and Territory motorcycle registration classes is tabled for convenience below:

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<sup>217</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.6-7

State/Territory	Motorcycle Registration Classes 2022/23
ACT <sup>218</sup>	<ul style="list-style-type: none"> <li>• Up to 300 cc or electrically powered</li> <li>• Between 300 cc and 600 cc</li> <li>• Greater than 600 cc</li> </ul>
NSW <sup>219</sup>	<ul style="list-style-type: none"> <li>• All classes</li> </ul>
NT <sup>220</sup>	<ul style="list-style-type: none"> <li>• Less than 125 cc</li> <li>• 125 cc to less than 250 cc</li> <li>• 250 cc to less than 600 cc</li> <li>• Greater than 600 cc</li> </ul>
Qld <sup>221</sup>	<ul style="list-style-type: none"> <li>• All classes</li> </ul>
SA <sup>222</sup>	<ul style="list-style-type: none"> <li>• Between 50 cc and 250 cc (Metropolitan rate)</li> <li>• Between 251 cc and 660 cc (Metropolitan rate)</li> <li>• Between 50 cc and 250 cc (Country rate)</li> <li>• Between 251 cc and 660 cc (Country rate)</li> </ul>
TAS <sup>223</sup>	<ul style="list-style-type: none"> <li>• Up to 125 cc</li> <li>• Greater than 125 cc</li> <li>• Up to 11kW (electric)</li> <li>• Greater than 11KW (electric)</li> </ul>
Vic <sup>224</sup>	<ul style="list-style-type: none"> <li>• Up to 60 cc</li> <li>• 61 cc to 125 cc</li> <li>• 126 cc to less than 500 cc</li> <li>• Greater than 500 cc</li> <li>• Electric motorcycles</li> </ul>
WA <sup>225</sup>	<ul style="list-style-type: none"> <li>• Not exceeding 250 cc/ Power to weight ratio not exceeding 150 kW/t)</li> <li>• Exceeding 250 cc/ Power to weight ratio exceeding 150 kW/t)</li> </ul>

### Committee Findings

F35. Other Australian jurisdictions have different classes for motorcycle registrations based on engine capacity and/or power to weight ratios.

F36. Refresher courses are available for motorcycle riders who are returning to this mode of transport after a lengthy absence.

F37. The Motorcycle Clothing Assessment Program (MotoCAP) is an independent, free resource that motorcyclists should consider when purchasing safety gear.

<sup>218</sup> See <https://www.accesscanberra.act.gov.au/s/article/motor-vehicle-registration-and-renewal-tab-forms-and-fees> [Accessed 14 September 2022]

<sup>219</sup> See <https://www.nsw.gov.au/driving-boating-and-transport/vehicle-registration/fees-concessions-and-forms/vehicle-registration-fees> [Accessed 14 September 2022]

<sup>220</sup> See <https://nt.gov.au/driving/rego/fees/registration-fees#motorcycle> [Accessed 14 September 2022]

<sup>221</sup> See <https://www.qld.gov.au/transport/registration/fees/cost#common> [Accessed 14 September 2022]

<sup>222</sup> See <https://www.sa.gov.au/topics/driving-and-transport/motoring-fees/vehicle-registration-fees> [Accessed 14 September 2022]

<sup>223</sup> See [https://www.transport.tas.gov.au/fees\\_forms/registration\\_fees](https://www.transport.tas.gov.au/fees_forms/registration_fees) [Accessed 12 September 2022]

<sup>224</sup> See <https://www.vicroads.vic.gov.au/registration/registration-fees/motorcycle-fees> [Accessed 14 September 2022]

<sup>225</sup> See <https://www.transport.wa.gov.au/licensing/license-a-vehicle-new-to-wa.asp> [Accessed 14 September 2022]

## Bicycle Considerations

With respect to bicycles and through Ms Alison Hetherington (Public Affairs Manager, Bicycle Network), other considerations noted by the Committee at the public hearings included blind spot alarms on heavy vehicles, the concept of registration and insurance:

*Mr WILLIE - The only other thing that hasn't been covered is the heavy vehicle reform that you mention in the submission. You talk about a number of technologies that are available to make heavy vehicles safer for cyclists. Do we know what the Tasmanian fleet of heavy vehicles looks like?*

*Ms HETHERINGTON - I don't, I'm sorry; I presume they sort of mirror the Australian fleet, but I'm not sure if they're any better or worse than the Australian fleet.*

*Mr WILLIE - The normal vehicle fleet in Tasmania is older than other areas.*

*Ms HETHERINGTON - Yes; and a lot of the things that we're asking for aren't new additions, on newer trucks. The Heavy Vehicle Association could tell you how much older our fleet is than the rest of Australia's.*

*Mr WILLIE - Is it hard to retro-fit some of the things you mention in the submission?*

*Ms HETHERINGTON - No, I don't think so. It's things like putting in mirrors that increase your blind spot area. That kind of thing I wouldn't imagine is too difficult to retro-fit. Some of the other things, the new technology, I don't think you could. That's something that comes in with newer trucks. They have blind-spot alarms that have that detection - if there is someone in their blind spot, they alert the driver to that greater area. The other thing we're very keen on is to have audible turning alarms on trucks, because the majority of some of the really serious crashes with bike riders occur when the bike rider comes up on the left of the truck and the truck is turning, and the bike rider can't see the indicators and the truck driver can't see the bike rider. If there was an audible left turning alarm, like there is with the backing up alarm, then at least the bike rider will know to get out of the way.*

*Mr WILLIE - Are there any particular areas in Tasmania you would advise members not to ride in because of heavy vehicles?*

*Ms HETHERINGTON - We always say to be careful. On the Bass Highway, unfortunately, there was a crash not so long ago when a truck left its lane and hit a rider, riding in the shoulder. That's something all bike riders are very aware of and try to ride as far left as possible; but again, on shoulders that aren't wide enough to begin with and aren't cleaned that regularly, it can be difficult to get as far left as possible. For a lot of people who live in those areas, there may not be another choice. The good thing that is happening up in the north-west along the Bass Highway is the coastal pathway that's getting put in place. It will give people some ability to get off that highway to get from town to town, to get to workplaces and to schools et cetera.<sup>226</sup>*

...

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<sup>226</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.7-8

*Ms RATTRAY - I'm going to be brave and ask about the registration of bicycles. It's obviously something that comes up from time to time. I'm interested in your view of registering riders.*

*Ms HETHERINGTON - We don't support the registration of bicycle riders because we believe it's a deterrent to riding a bicycle. It's overly expensive and we have not been told by police forces anywhere in Australia that they have such a problem with bicycle riders that they need to be registered....<sup>227</sup>*

...

*CHAIR - It also gives a registration that could have a number but it gives the benefits of the motor accidents as well. It's for those people who believe that we should know whose bike that is, particularly when, on occasion, you might get a group of bike riders riding four across rather than in a single file when there are a lot of cars.*

*Ms HETHERINGTON - And the police can fine them because that's against the law.*

*CHAIR - Yes, that's the thing so they would actually have a number, as a motorbike has a number on it.*

*Ms HETHERINGTON - But the police can pull them over. That's what I am saying, the police have not told us that they have such a problem with people on bikes evading the law when they do something wrong that they feel the need for registration. That's what it comes down to. If someone who is driving who gets annoyed when they see people on bikes breaking the law, they report it.*

*CHAIR - But they can't take a number.*

*Ms HETHERINGTON - No, but the police won't do anything even if they did have a number. It's the same way that if you ring up the police and say, 'I just saw someone speeding' or 'I saw someone leaving their lane as they were driving' or doing something silly, they'd say, 'Thank you', they'd note it and then nothing else would happen.*

*CHAIR - Unless you give them details and then ask for an incident number, then they do need to do that.*

*Ms HETHERINGTON - But then you need to go to court and have evidence that stands up in court to show that that incident occurred.<sup>228</sup>*

...

*CHAIR - Would you support a motor accident insurance fee for riders? It would still be a form of registration but to cover accidents that might occur to bike riders.*

*Ms HETHERINGTON - The Motor Accident Insurance Board covers bike riders –*

*CHAIR - If they are hit by a car.*

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<sup>227</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.6

<sup>228</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.7

*Ms HETHERINGTON - If they are hit by or are involved in a crash with a car.*

*CHAIR - I'm thinking if they have an accident that doesn't involve another vehicle.*

*Ms HETHERINGTON - There are insurance products out there. It is similar if you're walking down the street and something happens to you and you need medical insurance. It's up to you really whether you have that extra medical insurance.*

*Bicycle Network Tasmania and other cycling organisations include insurance as part of their membership fees. People have the option if they're worried about health care in case of a crash that they can take out that sort of insurance. Otherwise they're covered by Medicare like, as I said, someone walking down the street and something happens and they get covered.<sup>229</sup>*

### **Committee Findings**

F38. Bicycle rider insurance is offered through a number of cycling organisations as part of their membership fee.

F39. Registration of bicycles may deter the uptake of cycling in Tasmania.

### **E-Scooters**

During the time on the inquiry, new rules for personal mobility devices (PMDs) commenced on 1 December 2021 to allow PMDs on footpaths, shared paths, bicycle paths and some roads in Tasmania. The public hearings heard a range of views on e-scooters and the potential safety issue associated with such quiet vehicles. Mr Nigel Coates offered his views on e-scooters and bicycle lanes:

*CHAIR - Talking about vulnerable road users - the bikes and the bike lanes - do you find that it makes a difference? How are we going in this local area? Are we proposing to put more in? Do we have enough width? Have they improved?*

*Mr COATES - Width and road space is the challenge. Hiking organisations are pushing us to put in separated bike lanes.*

*CHAIR - Will e-scooters make a difference to that? Will they then be using those as well? Do you think that will be an issue?*

*Mr COATES - The legislation around e-scooters is quite interesting, and doesn't enable them to be used on roads higher than 50 km/h. A lot of our bike lanes are probably on 60 km/h arterial roads.*

*CHAIR - But they will be on the footpath then, won't they?*

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<sup>229</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.6-7

*Mr COATES ... Obviously, there is an interest there and we are looking at that closely. In Hobart we have that trial of two vendors being able to operate in our cities. In terms of the public using e-scooters, once the legislation is there they will legally be able to use them on the roads.*

*CHAIR - Around the suburbs, because most of those are 50 km/h.*

*Mr WILLIE - They are using them already.*

*Mr COATES - That is right.*

*CHAIR - Do you see an issue with them sharing the bike lanes, for the vulnerable road users?*

*Mr COATES - I don't think so. I don't think e-scooters and bikes will be an issue sharing that space. I think it will work okay. The challenge on our road space is always that to provide dedicated space, you need to take something away - and what you need to take away is often parking, which is very sensitive. People don't like losing parking on the roads to provide a facility, even though parking doesn't have any safety contribution.<sup>230</sup>*

Mr Paul Bullock (President, Tasmanian Motorcycle Council Inc.) commented about generic licensing and scooters on Tasmanian roads:

*Dr SEIDEL - You are representing motorcyclists, so my question is really about scooters and mopeds. Currently, you would need a licence for these?*

*Mr BULLOCK - Yes, you need to have a licence for any of those.*

*Dr SEIDEL - What do you think would impact road safety if people could use their car licence to drive a scooter, as they can in South Australia, Queensland, Western Australia and the Northern Territory?*

*Mr BULLOCK - They are with a lot of mates. They all want to use their licence. They reckon, pay the licence and they can only drive one vehicle or whatever at a time, and they would love to do it, because I pay about \$600 for my bike.*

*Dr SEIDEL - ... Based on your experience, do you know whether it would affect road safety? Has it made any difference in the other states where you can drive your scooter having a car licence? It's not more dangerous?*

*Mr BULLOCK - I would not let them do it, for the simple fact that before we had the new training they were having accidents. When we introduced this new training, on-road with an instructor, they became aware of the dangers around them and all the rest of it. We have dropped so much, it is fantastic. So, you couldn't open it up.<sup>231</sup>*

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<sup>230</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.9-10

<sup>231</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.12



Mr Malcolm Eastley commented about the potential danger of quiet electric motorcycles on Tasmanian roads:

*Dr SEIDEL - Specifically on that, because we might just see electric motorcycles taking as well, it's probably time for a review on class because e-bikes will have a different classification altogether, I imagine, where the ccs don't apply any more.*

*Mr EASTLEY - Yes, I think that needs looking at in the long run. There are a few issues there with electric vehicles. One thing is they're not safe because they're quiet. People don't hear them coming. One of the reasons you see Harley-Davidsons with no exhaust pipes on them is basically that it's safer, people hear you coming. I don't subscribe to that entirely but, at the end of the day, e-bikes and electric pushbikes are a problem in that way.*

*As far as power goes, you would have to do a power-to-weight ratio thing that's similar to the LAMS thing. I don't know what would wind up being at 250 but the equivalent of a 250 conventional motorcycle should come in as the same thing under an electric bike. Personally, I don't believe electric bikes will catch up much, apart from commuting around towns. They're not going to be suitable for the sort of thing that motorcyclists do.<sup>232</sup>*

Mr Albert Ogilvie spoke to the issue of pedestrians, footpaths and the interplay with other vehicle users:

*Mr OGILVIE - That covers all that you have asked me about and I have dealt with, but you haven't raised the magic question of scooters. I had a look at your terms of reference obviously and you are talking about road safety. I have had a look at the rules and they certainly authorise their use on roads. You might have an angle in there and you might not want to touch it, I understand that. I'm not going to have a shoot from the hip comment about it beyond saying - and I'll give you this –*

...

*Mr OGILVIE - The Victoria Walks website<sup>233</sup> - four or five pages - a very good analysis of the issues of pedestrians and footpaths. You get that into the question - that's all in our regulations - about foot-powered scooters, bicycles, skateboards, mobility devices and all the interplay between that.*

*CHAIR - Wheeled vehicles, basically.*

*Mr OGILVIE - Yes. That would be a thing you'd need to look into. I'm not going to offer any comment about the scooters either way in this contentious period, but I'll table that, which gives you the website. There'd be a lot more to look into. That's just one set of opinions, but it dealt with it very interestingly and they came to a fairly interesting conclusion.<sup>234</sup>*

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<sup>232</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.7

<sup>233</sup> See 'Shared paths – the issues', Victoria Walks, [https://www.victoriawalks.org.au/Assets/Files/Shared\\_paths\\_the\\_issues.pdf](https://www.victoriawalks.org.au/Assets/Files/Shared_paths_the_issues.pdf) [Accessed 23 June 2022]

<sup>234</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.9-10

### **Committee Findings**

F40. Community concerns exist around the safety and sharing of footpaths by e-scooters.

F41. The uptake of e-scooters as a transport option in Hobart and Launceston continues to grow.

### **Other Safer Vehicle considerations**

The Committee also noted that a number of other safer vehicle considerations proffered in the submissions. Suggestions and observations included (but not limited to):

- the inherent dangers of being crashed into by a large four-wheel drive vehicle (in particular whether the use of bull bars in the urban environment is sustainable);<sup>235</sup> and
- that relevant Tasmanian agencies should start now to adopt standards in all its road-building and road upgrade plans that will equip Tasmania's roads for autonomous vehicles.<sup>236</sup>

### **Committee Findings**

F42. Advances in vehicle safety technology will improve Tasmanian road safety outcomes.

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<sup>235</sup> See submission [#5 \(Bob Holderness-Roddam\)](#) in general

<sup>236</sup> See submission [#64 \(Rajan Venkataraman\)](#) in general

## Tasmanian Safer Road Users

### General Safer Road Use Themes

The Committee noted that safer road use featured in nearly half of all submissions and the top three areas of concern being education, enforcement and speed management. Suggestions and observations centred on (but not limited to):

- general observations about road users' attitudes;
- speed management interventions;
- better enforcement of road safety rules and legislation (including a dedicated Traffic Court and police traffic branch); and
- better education and training opportunities for road users.

A cross-section of the relevant submissions and witness summaries follows.

### Road Users Attitudes

The global E-Survey of Road Users' Attitudes for Australia covered a range of road safety themes including: self-declared behaviour, attitudes and opinions on unsafe traffic behaviour, enforcement experiences and support for policy measures. The survey addressed different road safety topics (e.g. driving under the influence of alcohol, drugs and medicines, speeding, distraction) and targeted car occupants, motorcycle and moped drivers, cyclists and pedestrians.<sup>237</sup>

Of note, with respect to self-reported road safety behaviours, the Committee noted some unacceptable avoidable risks being taken by Australian road users at least once during a 30-day period including (but not limited to):

- reading a text message/email or check social media whilst driving (19.1%);
- driving faster than the speed limit inside built-up areas (44.6%);
- drive without using seatbelt (6.3%);
- talk on hand-held phone whilst driving (12.4%);
- riding a moped/motorcycle when driver may have been over legal limit for drink-driving (30.5%);
- non-use of pedestrian crossing when pedestrian crossing is nearby (65.3%);
- cycling without a helmet (29.7%);
- cycling whilst wearing headphones (37.0%); and
- riding a moped/motorcycle without a helmet (29.0%).

A common theme at the public hearings was the view that road user attitudes and conduct with respect to proper road safety behaviours across the State were apparently wanting and reflected some of the trends aforementioned.

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<sup>237</sup> See 'Australia ESRA2 Country Fact Sheet', <https://www.esranet.eu/storage/minisites/esra2019countryfactsheetaustralia.pdf> [Accessed 5 April 2022]

The Committee heard from Mr Mugnaioni (Chief Executive Officer, RACT):

*Mr MUGNAIONI - I think there's also a range of driver behaviour that a lot of drivers would think is entirely acceptable, but frankly is not. Recent research that we undertook of our members, we had a survey with more than 5,000 members responding. A significant number of them said that they felt that it was okay to speed whilst overtaking, for example. It's these sorts of creeping behaviours, if you like, that I am sure people would have learnt are not appropriate when they got their licence; but that can be some considerable time ago. People start to lose that over time, so I think there are a variety of things we need to do to address that.*

*Ms RATTRAY - In defence of those people that have to speed to overtake sometimes, you start to overtake and then the person beside you decides to speed up. Then you are caught on the other side of the road, and you don't want to stay there any longer than you possibly need to. I think there is a bit of a defence for that one. ...*

...

*Mr MUGNAIONI - And I think it is a good example of why these are complicated problems to solve, because that's an infrastructure question. We need to make sure that we have the right number of overtaking lanes so that overtaking can be done safely. It's a driver behaviour question, so that if someone is trying to overtake you, you don't speed up and you let them pass. There are multiple strands to those challenges and we are not going to solve them by any one thing. Even if we had dual carriageway everywhere, it's not necessarily going to solve that problem. We need to address multiple layers.*

*Mr WILLIE - I have heard that scenario that has been described as inattention; the person realises they are going slow because they have been inattentive and they subsequently speed up to keep up with the traffic.<sup>238</sup>*

Mr Dion Lester (CEO, Local Government Association Tasmania and Road Safety Advisory Council Member) views on not making driver behaviour the sole focus for road crashes was discussed:

*Ms PALMER - I wouldn't mind hearing a bit more about your thoughts on driver behaviour. It's something that we have talked to pretty much everyone about because you can't legislate for people to be good and kind and unselfish on the roads. I notice that you have information in here about working perhaps more in schools and at secondary schools and years 11 and 12. Do you think that needs to be the main focus? What are your thoughts on how we can change that cultural behaviour on our roads?*

*Mr LESTER - Driver behaviour is important and the activities of the Government and Road Safety Advisory Council are already targeting at-risk groups, working with local football clubs about educating and those sorts of things, so that work is very good. What we have to be careful of is not making driver behaviour the sole focus because people make mistakes. They're called accidents for a reason. That's where having a safe system*

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<sup>238</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.6-7

*can forgive both lack of attention but it can also forgive bad behaviour. Where you have driver behaviour as an issue, if the system is safe then they should be less likely to do damage to themselves or someone else. It is a combination of that education, the punitive side of things and ensuring you are still investing in that but also ensuring that you are investing in the safe system. It is more forgiving of that behaviour and things such as the upcoming investment in speed cameras and mobile phone technology are really excellent activities to try to address some of the poor driver behaviour.*<sup>239</sup>

Mr Brett Smith APM opined that people across the community did not take road safety seriously enough:

*Mr SMITH - ... The whole thrust behind what I have written and why I have submitted what I have is that, in my observation in my nearly 40 years as a police officer and even as a road user, I do not think people across the community take road safety seriously enough. If we are to change the way we want to approach road safety, the purpose of what I have written is saying that we should be thinking about doing things differently. If we continue to do the same the things and expect a different result - a well-known quote from Einstein -*

...

*Mr SMITH - ... In my experience, what I have seen is that we tend to treat the symptoms of road safety, particularly the fatal five - speeding, drink driving and so forth - when we should be focusing on what I consider the primary cause and that is attitude. I am talking about the people who drive motor vehicles. I am also talking about the attitude of government towards road safety, of community right across the broader spectrum.*

*CHAIR - Interesting you should use that word. Barry Oliver, who was in here earlier, said that the one word that he felt summed it all up was 'attitude'.*

*Mr SMITH - Attitude. I am suggesting is that whilst it would be very easy to put forward what I consider to be, and, as I have written in my submission, some very simple technical solutions such as raising fines, speed limits and all of those sorts of technical things, we need to think about it differently. We need to think about how best we can change people's attitudes. The example I used was COVID-19, when - and I think most of us would agree - our whole attitude changed towards our own hygiene practices. This was as a result of really solid, constant, consistent messaging by people in the right positions and with the right levels of credibility. And it is constant.*

*That's really the thrust of my submission. I am very cautious to offer any tangible solutions other than those I have offered in the submission because I think there needs to be a little more research done. They're just broad-brush thoughts.*

*CHAIR - Constant saturation.*

*Mr SMITH - Yes, constant saturated messaging. As I said, I am sure you have all been down to Bunnings or any place where a heap of people go and people's attitudes have changed.*

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<sup>239</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.11

*If we can do that with COVID-19, then why can't we adopt a similar approach with road safety? That's the general philosophy of what I am saying.*

*Ms RATTRAY - Thanks, Brett. Who are the right people to deliver that message?*

*Mr SMITH - You have to have credible people. I think you need people in relative positions of authority and power, with the right balance.*

*Ms RATTRAY - The Commissioner or the Premier?*

*Mr SMITH - Certainly the Premier. What we consider to be good role models who we know that the community will listen to.*

*Mr WILLIE - A bit like the vaccine rollout. We have had political leaders, community leaders, civic leaders -*

*Mr SMITH - Yes, that's the same stuff, Josh, that's what I am saying. But you can't just do this for one month and then let it go for another six months. You have to keep going and going and going. One of the problems is that it's going to be expensive. Well, it depends how serious we want to take road safety.*

*CHAIR - Deaths and incapacity are expensive.*

*Mr SMITH - They are indeed.*

*Ms RATTRAY - We heard earlier today that the motorcycle riders' safety campaign has the likes of Malcolm Campbell - this is how you ride. Not everyone will remember Malcolm Campbell but you and I will. Do we use somebody who has a presence or has a reputation as well?*

*Mr SMITH - In my personal opinion, it can be a double-edged sword. I will go to the Road Safety Advisory Council strategy, Towards Zero, has a motorcycle racing person who uses the line 'You just can't afford to be complacent', which is true. But there's also a line which I find a little concerning. It can be read a number of ways depending on people's view:*

*It was really hard to effectively pass my motorcycle riding test. It was much harder than racing around on the race track.*

*...*

*Mr SMITH - I can't think who it is but it's someone local. What I am saying is that you have to be careful of that type of messaging. Having someone that races cars and motorbikes out the front delivering a message I think it is a little risky, more particularly for the younger male generation. It could be read a number of different ways. So, you have to be very careful about how you select your role model.*

*Ms RATTRAY - Hence, my question. It is about finding that right person to deliver that message, which I believe and totally agree is an important aspect.*

*Mr SMITH - I don't want to sound negative toward the RSAC plan at all. I do have some views on it, of course. By and large, you have to be careful about who is giving the message and what the message is.*

*Dr SEIDEL - I am going to be a bit controversial now on purpose because I would argue that COVID-19 messages would only reach 90 per cent to do the right thing voluntarily; 10 per cent have to be mandated to do something. If we apply the same standard to road safety, we still have quite a gap. We have 10 per cent of road users who probably would not do the right thing. I would argue wouldn't it be easier to, say, mandate the technical things: roadworthy certificates for cars every year; making sure driver training is compulsory and extensive; making sure the car standards are better compared to what we currently have? Isn't the argument that we can actually mandate that against the resistant? And once it becomes the norm, it is just easier to build upon those laws.*

*Mr SMITH - What I am suggesting is there is no one single fix here. There is a combination of things and it has to be a combination of the right type of control measures put in place through legislation, as well as the attitudinal change. The reality is that I don't think you are going to get your 100 per cent agreement on all of this, it just won't get there. That is certainly a utopian viewpoint, I would think. What I am talking about in my submission is changing the hearts and minds of people to think that it's the right thing.<sup>240</sup>*

...

*Mr WILLIE - I was interested in this idea of changing attitudes still, and what the messaging would be like. Would it be like the AIDS epidemic where you have the Grim Reaper - a fear-based type or more a positive reinforcement from community leaders?*

*Mr SMITH - It could be a combination of both I think. This is where the government would need to contract and do the right market research to get the right messaging for the right community cohort. I could pluck a few ideas out of the air but they are just Brett's ideas. What I am talking about is philosophically having -*

*Mr WILLIE - Evidence-based.*

*Mr SMITH - having a messaging-based approach. You could have a message that could be if you want to save \$150 over the driver's licence renewal, don't get caught for three years. That's an example of giving someone something back to drive safely.*

*Ms RATTRAY - Incentive.<sup>241</sup>*

...

*Mr SMITH - Indeed. In fact, one of the most annoying experiences I have had in my career was that I was working some years ago at a country station. I pulled a guy up who was speeding. He overtook five cars and I was one of them in an unmarked car. He had himself, his wife and three kids in the back. It was just an absolutely blatantly stupid act. I pulled him over. I was cranky about it and I gave him a serve as a police officer. He wasn't interested in that. He was interested in how I spoke to him in front of his kids. He*

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<sup>240</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.1-3

<sup>241</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.9-10

*wasn't interested in what sort of role model he was in front of his own children. Of course he made a complaint and you can just guess how that ended up.*

*But the point is that there is this level of indignation when people are pulled up by the police. There is this sense of entitlement. I mentioned it in there. A lot of people when they know you are a cop they will come up and tell you about their worst experience getting pulled over by the police. I say, 'Well, why did you get pulled over?' 'Because I was speeding but don't worry about that I want to talk about what the police officer said'. You get it all the time. What sort of an attitude is that? That just tells me what sort of people they are, very sadly, and it need not be like that.<sup>242</sup>*

Ms Michelle Harwood (Executive Director, Tasmanian Transport Association) stated that unsafe behaviours on Tasmanian roads had an impact on both truck and train drivers:

*Ms HARWOOD - ... What we don't have is an ability to control the behaviour of other road users. We have really limited capacity to influence what other road users are doing when they are sharing that space around heavy vehicles or even, from a rail perspective, what they are doing at level crossings. It is a real concern for our industry, the limited awareness of the physical and operational capabilities of these much larger vehicles or of trains.*

*Our members see the unsafe behaviours of other road users on a daily basis. Some of the common ones that are subject to a lot of discussion are poor decisions, pulling out in front of heavy vehicles, late indications, late notice, late decision-making, tailgating, inadequate following distances, overtaking when it's unsafe to do so, unsafe speed for conditions and a lot of examples of driver distraction of all sorts, a lot of people using mobile phones.*

*There is a significant impact on our drivers, both the truck drivers and train drivers, who are constantly seeing this every day with the limitations that they have to make allowances for those poor decisions other people are making. Train drivers, in particular, as we have put in our submission, have really limited actions. They can't swerve to avoid somebody.<sup>243</sup>*

Mr Albert Ogilvie commented that recalcitrant offenders of good road safety practices were unlikely to ever be reformed as good drivers and thus the road safety system had to account for that as much as practicable:

*Ms PALMER - I was interested in the comments you made that there are bad drivers who do not heed the road safety message. You went on to talk about, in your opinion, you feel we have reached a stalemate in the huge amount of marketing and money that is spent trying to emotionally engage people to be responsible on our roads. You would have dealt with such an array of different characters in your office.*

*Mr OGILVIE - Certainly. That is good.*

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<sup>242</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.10

<sup>243</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.2



*Ms PALMER - I am just wondering, because that does tend to be something that is asked a lot. 'We need more on TV; we need more advertising; we need more examples that emotionally tug at people'. Do you feel we have reached a point where that is not working? Is that what you are saying?*

*Mr OGILVIE - It is sort of what I am saying ... Did anyone happen to see today's paper report on the lady? How do you stop that? All the rules in the world. Someone caught up in drugs. She is not reading the road traffic rules, and she is not thinking about speed humps, or anything. I am full of sympathy for the whole situation. That is what, and I think the quote I have put in there from the Road Safety Strategy people: 'Human beings are imperfect'.*

*You will get the impulsive, recalcitrant person. I'm not saying we should stop doing what we are doing, but some will slip through the net. That's my belief.*

*Ms PALMER - What do we do for those people?*

*Mr OGILVIE - We've got to try to make the roads error-proof or crash tolerant. How could you stop it? How can you stop someone who is addicted to drugs and gets in a car and drives? I've got no idea how anyone could ever stop that.*

*CHAIR - No, you've got to get back to the cause of the drugs, don't you, because you're not going to stop the driving.*

*Mr OGILVIE - Or just a foolish young or old person. I actually looked up the word 'recalcitrant' last night just for fun - stubborn resistance to authority. I'm saying there are two categories. There are the recalcitrant people who are misbehaving and there's just the person who blinks at the wrong time or gets distracted and has an accident through human frailty. I don't see how you'll ever eliminate them. Everything we've done to date is excellent. Keep doing it and improve it but add on. It's the whole drift from the Scandinavian countries and ours too who are trying to prevent injuries occurring once that happens.*

*Forty years ago I read a book by Ralph Nader called Unsafe at Any Speed. ...*

*...*

*Mr OGILVIE - That was a bit of an odd foray on his part. He was very good on this road safety business. He wrote about a certain car - I've forgotten the name of it now but it was a make of car that was causing untold numbers of crashes in the US. He campaigned about it then. He said that if a crash occurs with a car hitting something, it's the second collision that causes the injury. That is to say, when the body hits some part of the car. The first crash is the car hitting a pole. The second crash is the head hitting a windscreen. He got onto the concept of packaging the human being within the car so that even if the car had a crash the human being has airbags and seat belts and racing cars have helmets and so on. That's the same concept. That's good and that's to be encouraged. That's in my submission as well.*

*I am trying to answer your questions. Keep the punitive rules, improve the in-car safety, which is happening, and work on making roads error-tolerant.<sup>244</sup>*

Ms Rachael Matheson (Chief Executive Officer, Traffic Management Association (Tas)) and Mr Peter Dixon (Civil Construction Federation Member and Chair of the TMAT) discussed the abuse that road traffic controllers received from some disgruntled drivers:

*Mr WILLIE - You talked about your members experiencing abusive situations, being swerved at, violence - which points to a broader cultural problem with road users, does it not? Can you talk a bit about that?*

*Ms MATHESON - It does. We will ask Peter to speak on this. Peter works for Spectran, who is a member of the CCF, and is also the president of the Traffic Management Association of Australia (TMAA) where a lot of these complaints are filtered through to. He has had firsthand experience with his employees, so I will get him to speak to that directly.*

*Mr DIXON - Abuse received for traffic controllers is far from a rare occurrence. A lot of that is an unfortunate truth of the industry as it is. No one really goes to work to cop a mouthful at the side of the road, but unfortunately it does happen. Speaking to my employees, it happens a lot more than is reported properly, basically due to how frequent it is. I have an example of an incident that happened, part of three different ones from the same day. I will go over the others as they are relevant.*

*The crux of it was, in the middle of a site which was set up correctly and to the approved traffic management plan, there was a rear-end collision where a car only slightly nudged the car in front and really only damaged his own vehicle by hitting the toe ball of the car in front, lost his temper, pulled out, sped around the car, even though everything was stopped, and swore at the traffic controller for causing the crash - even though he was well within the advanced signage - and sped off. The traffic controller relayed that information through the radio, alerted the site and they shut down operations as they were not safe. That is something that happens very frequently.*

*There is a bit of gap in what motorists expect when they get to roadworks. Some people are just impatient and don't want to know it. Some people are not aware they have passed three signs saying prepare to stop and they go, 'Oh, that actually means I have to stop'. Some people assume that signs have been left out, that they are there every day and they have never had to stop before. It is definitely something that happens all the time. Getting a bit of education out to the motorists would be very beneficial towards getting a safer environment for everyone, for daily bullying like that, and also your cyber side of it with social media. There are plenty of opportunities for people to raise their voice on social media and say 'I had to wait for 10 minutes over here just because somebody hit someone in front of me and it is all the roadworks' fault'.*

*CHAIR - Do they take registration numbers if they get abused?*

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<sup>244</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.4-5

*Ms MATHESON - When it is possible. If it is particularly bad, if someone gets hurt or something is damaged then yes, it is all recorded. Usually when it is happening the vehicle in question is moving too quickly, the controller is more focused on getting themselves safe and where is he going to go, and getting the records of the vehicles is not as easy as it sounds.*

*CHAIR - Are there cameras there because it is a bit like -*

*Ms PALMER - Smile, you're on camera. You see that in lots of shops, don't you?*

*CHAIR - A bit like parking attendants, they have body cameras. I know it is a bit difficult for everyone, so you wouldn't have a foreman or one person there with a body camera? Would something like that be worthwhile?*

*Mr DIXON - We've investigated that in the past. I believe there are privacy concerns in operating body cams on our traffic controllers. There are CCTV solutions employed on some sites but due to the remote nature of them, they're not as common as would be beneficial. The technology is there. It's not fully adopted everywhere yet.*

*Mr WILLIE - When somebody is hurt, how is that recorded and how many instances are we seeing of that occurring on our roads each year?*

*Mr DIXON - Injuries and personal loss: every company has a slightly different method for recording their own incidents. This is an example of a near miss form. It's recorded, date, time, location. In instances where people are hurt there is obviously a very thorough investigation on every site, whether or not WorkSafe needs to be notified, there are clear guidelines down as to when things need to be escalated to relevant authorities.*

*Internal with Spectran that I work with, we do follow up on any personal injury for insurance purposes and to ensure that every possible control can be put into place to prevent a recurrence.*

*Mr WILLIE - Do you know roughly how many people have been hurt on our roads through their job being a traffic controller?*

*Mr DIXON - To my knowledge it is fairly rare for traffic controllers to become injured in the course of their duty. We do put a lot of controls in place to make sure that happens and there is a lot of luck and trust in the public to keep people safe at the same time.*

*There are a lot of holes in the training regimes and other things that we do work around and we have a thorough plan of how everything is set out. So to keep everyone safe a lot of work goes into it.*

*I have been in the industry for about 10 years and to my knowledge in our business, we have had three injuries in that period. One can be linked directly to an impatient motorist not stopping and literally running over the foot of one of my controllers. The other was poor training where a controller got struck by a vehicle because instead of letting it go and reporting it downstream, he actually stepped in front, which was very unfortunate.*

*That's just when they started so I don't know the details on that too well, and the third was -*

*Ms RATTRAY - We have had a death.*

*Mr DIXON - Yes, there was a death in 2014 up in Launceston, the details of that were released from the coroner. That was a case where pretty much every step of the process that could have been taken was slightly mismanaged by everyone. The driver behaviour and the nature of the works and everything. Nothing really worked on that site and it is a good case study of what not to do. I believe everyone in the industry has taken that and gone, 'Right, we need, as a whole, to get a bit better'. That was just after I started so I am aware of what happened but the way things were before I am not too clear to say.<sup>245</sup>*

Finally, through Traffic Management Association (Tas), the Committee heard what the new traffic management guidelines had with respect to assisting road workers dealing with difficult driver abuse situations:

*CHAIR - Under the new guidelines does it look at teaching the workers how to deal with difficult drivers? Does it have that psychological component in it to actually assist when some of them do have these problems with certain drivers who give them grief?*

*Mr DIXON - There is guidance in there to that effect. There are a lot of fitness to work components to it as well. Unfortunately, it's something that's not going to go away no matter how close we get. We make sure that the people we send out to any particular site have the fortitude to deal with the kind of traffic that they will have. If you are working on a site that interrupts peak hour, which we try to avoid at all costs but some sites do, then you are going to end up with more aggressive people who want to get to work. That's when you send someone who is more accustomed to that. The guide itself doesn't specify any kind of psychological testing.*

*CHAIR - I thought it might have actually had some component that assisted, that taught people skills to deal with that.*

*Mr DIXON - The guide itself is in 10 parts: parts 6 and 7 are relevant to field staff and people conducting stop/slow and there are components in there that would assist in providing guidance to traffic controllers and people working on the road to deal with that sort of thing.*

*CHAIR - Do you have both genders? Do you have females because I know in many industries that the females are much more able to deal with difficult male drivers, that they don't necessarily attack the female as they would the male?*

*Ms MATHESON - I don't know what the percentage is but we do have females. Probably out of all the civil occupations, the traffic component would have a bigger uptake of*

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<sup>245</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.3-4

females employed in that. Of course we'd like to see more women in those roles but we have had some examples and one a couple of years ago at New Norfolk I think it was, she was part of our Your Speed is Our Safety campaign launch two years ago and she stood there and spoke of her story. It was a near miss, the car came at her and it was quite frightening for her. She is still in the industry and she hasn't walked away from it but anyone who is confronted by that would walk away.

CHAIR - Very frightening.

Ms MATHESON - Very frightening so yes, females because it is a lot of shift work, they can work around their families. It could see more women taking up roles in this industry but again it comes down to the person wanting to put themselves in an environment like that, especially if they have a family to go home to at night.<sup>246</sup>

### Committee Findings

F43. There is merit in the State Government adopting a targeted approach to road safety similar to the COVID-19 messaging to improve road safety outcomes.

### Committee Recommendations

R24. The Government consider adopting a similarly targeted approach to road safety akin to the COVID-19 messaging to improve road safety outcomes.

### Speed Management

As per the Global Plan for Road Safety:

*Managing speed is critical to the effective implementation of the Safe System approach. It is a cross-cutting risk factor and is addressed through actions relating to different elements of the Safe System, such as multimodal transport and land use planning, infrastructure, vehicle design and road user behaviour. Appropriate speed management not only directly impacts crash likelihood and severity, it also affects the effectiveness of other safety interventions.*

From the submissions, a range of speed management related suggestions and observations were noted by the Committee:

- the introduction of 'governors' to limit the maximum speed of road vehicles to a threshold amount (e.g., 130 km/h);<sup>247</sup>
- the prevalence of drivers excessively speeding on unsealed roads and/or not driving to the conditions;<sup>248</sup>

<sup>246</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.11

<sup>247</sup> See submission [#5 \(Bob Holderness-Roddam\)](#) in general

<sup>248</sup> See submissions [#6 \(Peter Godfrey\)](#) and [#62 \(Mal Peters\)](#) in general

- posted speed limits on some Tasmanian roads not necessarily matching the increased residential developments in situ;<sup>249</sup>
- the reduction of default speeds in rural and urban areas: i.e. rural speed 80 km/h (70 km/h on unsealed roads), urban speed 40 km/h (unless 30 km/h is more appropriate);<sup>250</sup>
- the reduction of default speed to 80 km/h on single lane highways without safety barriers;<sup>251</sup>
- the reduction of default speed on roads prior to school crossings so that the step down is not as large (i.e. 50 km/h to 40 km/h rather than 60 km/h to 40 km/h);<sup>252</sup>
- setting of speed limits which may be inconsistent with the actual road conditions;<sup>253</sup>
- the reduction of default speed to 30 km/h around residential areas, school zones and school buses;<sup>254</sup>
- more community engagement with respect to speed moderation strategies;<sup>255</sup>
- a more consistent approach by Government in the consistent application and use of speed limits across Tasmania;<sup>256</sup> and
- that the long-standing SA Government policy on the default speed around school zones was 25 km/h.<sup>257</sup>

### Speed Limit Setting

At the public hearings, the RACT through Messrs Mark Mugnaioni (Chief Executive Officer) and Gary Bailey (Chief Advocacy Officer) discussed the issue of speed setting on Tasmanian roads:

*Ms RATTRAY - ... This is a really important issue. Before the hearing commenced, we were having a brief discussion about roads around the state. I am interested to know what sort of input RACT has into State Growth. You talked about bringing Tasmanian roads up to the three-star rating, the ANCAP rating. Can we have some sort of discussion about that? I see the terrible state of some of our roads in Tasmania, even some newly developed roads are really not in that good shape. ...*

*Mr MUGNAIONI - The RACT absolutely agrees with that proposition. To be clear, it's not just state-owned and managed roads. Most of the road infrastructure in Tasmania is owned and managed by local government as well. We think it's critical that a holistic and consistent approach to all of our roads, irrespective of who owns them, is taken, in terms of quality in approach to tendering, prioritisation of where resources need to be spent, and the speeds that are set for all of our roads.*

*We are obviously not unreasonably expecting all roads to be fixed immediately. It is a long-term issue we need to solve. Where we can't fix a road immediately, what we can do*

<sup>249</sup> See submissions [#9 \(Don MacLean\)](#) and [#63 \(Bronwyn Baker\)](#) in general

<sup>250</sup> See submissions [#15 \(Dr Rod Katz\)](#) and [#24 \(Peter Needham\)](#) in general

<sup>251</sup> See submission [#18 \(Warren Robertson\)](#) in general

<sup>252</sup> See submission [#25 \(Simon Lincoln\)](#) in general

<sup>253</sup> See submissions [#28 \(Mark and Catherine Temby\)](#), [#44 \(Maureen Shadbolt\)](#) and [#60 \(Gary McDonald\)](#) in general

<sup>254</sup> See submissions [#50 \(Safe Streets to School\)](#), [#55 \(30 Please\)](#), [#56 \(Bicycle Network\)](#), [#71 \(Cycling South\)](#) and [#81 \(Ben and Pen Clark\)](#) in general

<sup>255</sup> See submission [#74 \(ACRS\)](#) in general

<sup>256</sup> See submission [#86 \(Clarence City Council\)](#) in general

<sup>257</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

*immediately is change the speed so that the speed is set safely for the conditions of the road, and recognise that our roads are in different conditions.*

*Ms RATTRAY - To butt in there, is that really a cop-out for government and local government, both state and, perhaps, federal to some extent as well, to say that if you can't fix the roads and bring them up to an appropriate standard, you can just drop the speed limit, that'll be fine? Isn't that giving them an easy way out?*

*Mr MUGNAIONI - It could be seen that way. We certainly don't think that it is a permanent solution to road and infrastructure challenges, but we do think it is important that we don't take an aspirational speed limit on a road that can't bear it. If I think about the Lyell Highway, for example, it's 100 kilometres per hour almost the entire way and we know that the road infrastructure that is in place at the moment doesn't bear that speed limit. We're not proposing a reduction of speed limits in lieu of fixing the infrastructure; we're simply requesting that speed limits be set appropriate to the road conditions at the time with an aspiration that we work towards a considered plan of fixing the infrastructure.*

*Ms RATTRAY - Again, don't you consider that just having the speed-reduced sign saying this stretch of road needs an 80 kilometres per hour approach and driver education is, again, a better solution than blanket 90 kilometres per hour for that road? I heard on the radio this morning that the piece on the east coast, they've reduced that from 100 kilometres per hour to 80 kilometres per hour, permanently. Again, we have a situation on a state road, saying, we're not going to upgrade it to make it fit for purpose, we'll just reduce the speed limit.*

*Mr MUGNAIONI - Yes, I think there are a couple of different issues at play there. We recognise that there are only a finite number of resources to go around and we have a large road infrastructure network that we need to invest in. We are well off having the standard and quality of infrastructure that we need. We need every major road in Tasmania to be a minimum of three stars, recognising that this takes time. The standard that is required to achieve three-star changes over time, as technology and infrastructure standards change nationally and globally.*

*We certainly do not advocate for permanent reduction to road speeds in lieu of improving infrastructure. However, we do recognise that it is far better to have appropriate speed where a road is not currently up to three stars, rather than to have a speed that is appropriate for a much better road where we haven't actually done the work.*

*We would also say that the setting of speeds is quite a technical and science-based exercise. We would be loath to see a non-scientific approach being taken to the setting of speeds.*

*Equally, one of the things we would call out in our submission is we think there needs to be a much more consistent approach between state and local roads as to how speeds are set, and the frequency with which they are set, and the procedural and facts-based approach to how they are set. At the moment, particularly for some local roads, we think*

*it is more reactive rather than proactive, and it needs to be a much more considered approach.*

*Ms RATTRAY - My understanding, and somebody correct me if I am wrong, is that any road that has a speed reduction - whether it be a state road or one under the management of local government - that all gets put through State Growth.*

*Mr BAILEY - It does. The Transport Commissioner, as the deputy secretary within the Department of State Growth, has the final responsible statutory duty to set speed limits. For state roads it is a reasonably simple proposition. For example, they use a risk rating tool that is approved by Austroads, which is the national peak body that sets these standards, and Tasmania is a signatory to that. They can rate the risk on state roads.*

*The problem is that with local government, you are relying on a council to take the initiative to perhaps ask their local constituents, is this road safe at a certain speed or not? Do you want it reduced? They then have to evaluate it, and they don't often have the tools to do so. Then they ask the Transport Commissioner, who makes the final decision.*

*Interestingly, there have been some excellent examples of local government reacting to local concerns about the safety of roads. The most recent is Glenora Road, which is controlled by the Derwent Valley Council. They asked local residents what they thought about a reduction in the speed limit from 100 to 80 kilometres per hour and they got strong majority support. Without hesitation they asked the Transport Commissioner, can we have the speed limit dropped, and he did, and the sky didn't fall.*

*There is a really inconsistent approach to speed setting in Tasmania. This was pointed out by the previous upper House inquiry into road safety 11 years ago, and nothing has really been done since.<sup>258</sup>*

*Ms RATTRAY - Fresh eyes.*

*Mr BAILEY - Fresh eyes! We really hope so, it is really important.*

*Back to your earlier remark about an easy way out. I can say, with all my dealings with people with considerable expertise and a real commitment to make our roads safer, that no-one is looking for an easy way out. The setting of speed limits is, in many ways, the only instrument you have to make some of our roads safer, because you simply cannot bring all our roads up to standard in the timelines we have.*

*There is an additional problem now across Australia, and this was mentioned by Infrastructure Australia only last weekend. We simply don't have the skills and the capacity to deliver our projects on time. We have had a couple of outliers where this has happened. The Perth bypass was an excellent example that was delivered on time. But I know that several major road tenders haven't attracted bids because there is simply not the capacity to do it.*

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<sup>258</sup> See <https://www.parliament.tas.gov.au/ctee/Council/Reports/RoadSafety1.pdf> and <https://www.parliament.tas.gov.au/ctee/Council/Reports/RoadSafety2.pdf>



...

*Mr BAILEY - I know there is a deep and abiding commitment within State Roads. They want to build the safest and best roads possible.*

*Mr MUGNAIONI - The inquiry will see that we do have a very strong focus on speed in our submissions. We know that if we take all of the crash data on fatalities and serious injuries in Tasmania, more than half come down to two factors: speed and distraction.*

*If we are able to make significant inroads on both of those, we know this will have a fundamental impact on saving lives of Tasmanians.<sup>259</sup>*

Messrs Dion Lester (CEO, Local Government Association Tasmania and Road Safety Advisory Council Member) and Michael Edrich (Senior Policy Officer, LGAT) presented the Committee with their view on setting speed limits on roads that Tasmanian councils manage:

*Mr WILLIE - ... Have you got a view on setting speed limits and how does that work with local government and the state government, in setting speed limits for some of the roads managed by a local government?*

*Mr LESTER - Certainly, we know speed and speed limits are a critical road safety tool. It is something that, at the moment, it is a mixture between who sets it. The Transport Commissioner ultimately decides on speed limit changes, but it is a state government function.*

*Mr WILLIE - Do the local councils have input into those decisions on the roads they manage?*

*Mr EDRICH - My understanding is, they can propose changes. They can bring them to the Transport Commissioner. I think community members can make representations or submissions and proposals. But local councils do not control speed.*

*Certainly, from talking to road managers are generally agnostic about speed limits, other than the technical information is pretty clear that reducing speeds have road safety benefit without a doubt.*

*It is where you strategically apply those on your road network and how you do that to deliver transport efficiently and achieve your road safety goals. Our goal is for zero.*

*Mr WILLIE - We heard from the RACT this morning and I do not want to verbal them, because I cannot remember absolutely correctly, but their view was speed limits was not a replacement for infrastructure upgrades, but the conditions of roads may warrant changes in speeds. I am interested how the council makes representation to the State Government that the condition of the road may warrant a speed change and potentially, that road might be upgraded in three or four-years' time.*

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<sup>259</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.2-5

*Mr LESTER - This question goes to one of capacity and the ability for councils, or the difficulty and challenge for councils in having that skills and experience in assessing their road network, to look at that. Speed is one of a number of tools and the RACT are right in the sense, to get all roads in Tasmania to a sufficient safe standard would cost literally billions of dollars. You need to look at what other tools you have available.*

*In some instances that might be a speed reduction. The problem is that, as a sector we have difficulty in undertaking that assessment to be able to determine. That is where the collaborative aspect of our argument, if you like, or submission comes into it, is to how we can work as a level of government with the state around looking at our network and what is appropriate in different spots.*

*In some cases, it will be infrastructure upgrades, and in some cases, it will be speed reduction and some cases it will be a combination of both.*

*At the moment, in many cases, we do not know what we do not know. We do not have the skills in the sector broadly to undertake that assessment.*

*CHAIR - You can't measure what you don't know.<sup>260</sup>*

With respect to reducing speed limits in Tasmania, Mr Ray Metcalfe spoke to the following:

*Ms RATTRAY - We also have the Road Safety Advisory Council and various other groups. We've heard from RACT this morning, who have a strong involvement in looking for any aspect of safety on our roads.*

*You said that you believe we should have a reduced speed limit, and that there were only 50 km in total of the Tasman Highway that was sufficient to cater for a 100 kmh maximum speed, suggesting reducing the speed limit. A few years ago, there was an attempt to reduce speed limits around Tasmania. It didn't end well at the time. How do you think you could go in engaging with the community to gain some acceptance for a blanket speed reduction?*

*Mr METCALFE - It needs to be phased in. We can't reduce all speed limits according to the infrastructure risk rating overnight. For example, if we have a policy whereby we reduce speed limits as a result of a road trauma, such as what happened south of Campbell Town on two occasions, we could do that and I think that could gain public support to reduce fatalities and demonstrate that we are achieving those things. What was the second part of the question?*

*Ms RATTRAY - I am interested in how you might engage with the community. Without community acceptance, these types of changes often don't achieve the outcomes they were set out for. People pushback, if you like.*

*Mr METCALFE - There are two things that occur to me. One is on Vines Saddle - that speed limit -*

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<sup>260</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.7-8

*Ms RATTRAY - Is that somewhere in the Huon?*

*Mr METCALFE - It's on the Huon Highway. On that stretch of highway, there are several kilometres where State Growth asked for community feedback in their preferred speed limit on that section of road. There had been a number of accidents, particularly during winter, snow and so on. They were able to reduce that speed limit to 80 km/h on that stretch of highway.*

*Ms RATTRAY - The same thing has happened in the Derwent Valley, I believe, with community support with a stretch of road there.*

*Mr METCALFE - Yes, that is another way. The Western Australian Government - I think I quoted them - had exactly that same problem several years. They were able to introduce a gradual reduction in speed limits. They didn't go from 110 km/h to 80 km/h overnight but they gradually reduced the speed limit to educate people to start driving slower. That's been quite successful so we could use their model.*

*Ms RATTRAY - As I am a very high-level road user, I get somewhat confused about the stopping and starting of speed limits. You can't quite remember whether you're still in the 80 km/h or you're back in the 100 km/h, or whether you're in a 90 km/h or where you are. Do you see that that causes some confusion amongst drivers as well?*

*Mr METCALFE - It could. One of the things that Austroads has said to me is that the speed limit should be consistent with the infrastructure. If you're travelling down the Midland Highway, for example, and you are, say, south of Tunbridge with run-off barriers and median barriers, the speed is 110 km/h and that's fine. Then you come to, say, south of Ross and you have a two-lane highway. We can educate people over time to slow down to a reduced speed limit. According to Austroads, that should be at least 90 km/h if not lower. Although it's going to be frustrating for drivers, we have to promote the benefits in terms of road safety and demonstrate with statistics that we are achieving these reductions in trauma.*

*Ms RATTRAY - There's been a significant campaign by the Department and those who are focused on road safety about driving to the conditions. Do you not consider that that's been a successful campaign?*

*Mr METCALFE - Not in terms of the main highways in Tasmania. It probably does impact people. I know from my own experience that people do drive slower during wet weather. In terms of infrastructure safety, I don't see that. For example, on the Midland Highway the average speed will be 120 km/h for most drivers even though -*  
...

*Mr METCALFE - It is 110, but a lot of people I see drive at 120 km/h. On the Tasman Highway the same thing: the speed limit is generally 100 km/h in a rural zone and people drive at 110 km/h.*

*CHAIR - Do you mean when they are overtaking?*

*Mr METCALFE - No, just driving normally.*

...

*Mr WILLIE - The RACT submission where they surveyed their members showed that creep in behaviour in travelling over the speed limit ...<sup>261</sup>*

...

*Mr WILLIE - Where they have reduced speed limits successfully overseas are there any strategies that have not been adopted in Australia? Apart from the ones you have already described regarding working with communities.*

*Mr METCALFE - The main thing is setting the speed limit according to the infrastructure risk rating.*

*Mr WILLIE - There are some countries doing that?*

*Mr METCALFE - Even jurisdictions in Australia are doing that. You may be aware that Tasmania has double the fatality rate or trauma rate compared to the ACT.*

*Ms RATTRAY - Triple Norway.*

*Mr METCALFE - Yes, with Sweden the best.*

*Mr WILLIE - The ACT is doing this now for all roads?*

*Mr METCALFE - All roads, yes.*

*Mr WILLIE - Interesting.*

*CHAIR - Following on with the speed, with the Midland Highway and areas that do not have a median barrier or the wire rope, if there was a wire rope between them on areas like that then you would not feel the need to reduce the speed?*

*Mr METCALFE - The problem is that trauma will probably occur when you have a closing impact speed of over 70 km/h. On every road where you have high traffic volumes and you do not have a median or a run-off barrier then we need to reduce the speed limit. If we do, we could maintain 110 km/h or even greater because the infrastructure will prevent serious trauma.*

*CHAIR - A question on page 8 of your submission in your examples, the Lyell Highway on the outskirts of Queenstown you are saying has a posted speed limit of 100 km/h but the mean speed is probably 30 km/h for a distance of four kilometres. What would you propose you would do in an area such as that? Would you propose it would lower to around 80 km/h? Josh was saying if you had signs, a lot of those signs tell you 45 km/h and they are only advised for corners and things. They are not legislated that people can only do that speed; it is an advised speed as opposed to a legislated speed. What would your thoughts be in an area where you have that problem?*

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<sup>261</sup> See [Transcript of evidence, 25 October 2021](#) Mr Metcalfe, p.3-5

*Mr METCALFE - I would suggest lowering the speed limit when exiting Queenstown to something like 40 kmh until you get east of Mt Lyell and then raising it to 100 km because for me, seeing a speed limit of 100 kmh going up a hill riding a motorbike is a challenge.*

*CHAIR - Some people think because the sign says 100 km they have to do 100 km.<sup>262</sup>*

The consistency of speed limits on Tasmanian roads was commented on by the Mr Mark and Ms Catherine Temby and that recommended changes to speed limits at the local level were accommodated:

*Dr SEIDEL - ... My question is specifically to point number 4 in your submission. You are referring to the National Road Safety Standards there. Under point 2 you talk about the consistency of speed zones over certain distances and you give quite a specific example on the Huon under 4.13 where there are six changes over a distance of nine kilometres, which is crazy, isn't it? It is really difficult to follow if you have nine kilometres of road and six speed changes.*

*Do you have any further examples from other areas in the state or even within the Huon Valley?*

*Mr TEMBY - I will just go to the Huon Valley. Going back to 2015, we did a road speed limit audit of the Channel Highway. We recorded the odometer readings and the speed limit changes as we went. Some of these things have been corrected over time. For example, it used to be 90 kilometres per hour going down to Nichols Rivulet/Oyster Cove from the crossroad there. That has now been dropped to 70 km per hour. That was one of our recommendations at the time. There are a number of recommendations we made through that Road Safety Audit Report that have been accommodated.*

*The Channel Highway is a very good example of how you get these variations occurring, because there is a separation between local council and the Department of State Growth. If you try to get consistency or a lower speed limit, for example, in a rural/residential area, the decision gets thrown between council and DSG as to who is responsible. For example, the Old Huon Road everyone knows from South Hobart through to Longley. It will change on the Hobart Council end where it has speed limits of 50 and 60 broadly, 50 down at the urban end, 60 more broadly. There is a 70 zone where it goes through bush just before it gets to Fern Tree, but when you get to the Kingsborough Council boundary, it goes from 50, 60, 70 to 90 and that is a steep descent, mossy roads, winding down through to Longley and it continues up the other side up to Lower Longley and that is all 90 kilometres per hour. That is because Kingsborough Council has a maximum speed limit of 90 km/h. The Huon has a maximum speed limit of 100 km/h. You get variation occurring on that Nichols Rivulet Road I was talking about and it is very confusing.*

*When we did that audit of the whole Channel Highway, there were areas there where for 200 metres it went down to 60 km/h and you were thinking why has it gone to 60 because there was nothing there. There was not a petrol station or anything, but it just went down*

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<sup>262</sup> See [Transcript of evidence, 25 October 2021](#) Mr Metcalfe, p.5-6

to 60 for 200 metres and then went back up again. There is that inconsistency. I am sure other electorates could think of similar things.

*Dr SEIDEL - You did the audit as a private citizen?*

*Mr TEMBY - Yes. What we were trying to do at the time was trying to see if there was a possibility of doing a bike touring group that went along the Huon Trail. That gets into one of the other aspects here of a tourist route. There is some work being done with tourist routes up through Penguin and such, it is not limited to the Huon. There are a lot of people thinking along similar lines. When we tried to align it with the Huon Trail that was the initiative for doing this sort of road speed limit, to see what was going on. When we started doing the road speeds, for example, you go off the Channel Highway and this is where you get some of the Targa routes, Wattle Grove Road for example where there were two deaths during Targa recently. That is a 100 km/h zone. You can do 100 km/h up and over the hill, but if you go on the Channel Highway it is 80 km/h. The highway actually has a lower speed limit than the back roads. Another one was Lymington Road, on the other side of Cygnet, going around the Cygnet Coast Road was 100 km/h and the dirt length had no speed limit whatsoever.*

*Ms RATTRAY - All gravel, all unsealed, are 80 km/h.*

*Mr TEMBY - It defaulted you see, but that was also a cycling route. It was in 'Where's My Ride Tasmania', and there was a cycling route we promote as a state and it is the wrong word, but it was an unlimited speed limit. It defaults to the 80, or the 100 -*

*Ms RATTRAY - But if it is not signed and you are not a Tasmanian you may not know it.*

*Mr TEMBY - That is right. We made representations to Council over that and they spoke to Department of State Growth, it is now all speed limited and a good result.<sup>263</sup>*

Of note, there were views and observations expressed around not necessarily reducing speed limits, including Mr Richard Sherriff:

*Mr SHERRIFF - ... The easy political fix is to say we are going to reduce speed limits, but that doesn't always work well, and you probably ought to talk to David O'Byrne about that. He was proposing to do that a few years ago.*

*Sometimes, increasing a speed limit can have a positive effect. A case in point is that for many years, provisional drivers had to drive at 80 kilometres per hour, under the thought that if they drove above that they would be a danger to themselves and other drivers. That was increased to 100 kilometres per hour, and it has been a very positive move. It has improved traffic flows, and it has also helped the provisional driver. They haven't got impatient drivers trying to pass them on highways and things like that.*

*Then, a reduction of speed limits doesn't always work. The Southern Outlet is a case in point. The one out of town at 90 kilometres per hour has created a lot of congestion. You*

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<sup>263</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.2-4

*have two lanes of slow traffic, and if you are in the right lane it is sometimes very hard to find a gap to exit the Bass Highway.*

*So, you have to really think about what you are doing with speed limits and things like that.*

*The Tasman Highway is often discussed. The nature of that highway usually dictates the speed at which you drive anyway. Sometimes you are driving at 70 and 80 kilometres per hour in some of those kerbed areas, but you need those straights at 100 kilometres per hour to be able to pass at an appropriate speed. If you reduce that to 90 kilometres per hour, you are going to have trucks and everything moving about 90 kilometres per hour, and you'll have conga lines of traffic, which will create impatience.*

*Driving to the conditions is a very important educational tool. There probably ought to be more signage on that road to keep reminding people to drive to the conditions.<sup>264</sup>*

Mr Nigel Coates was asked of his views of the Midland Highway speed limits near Launceston:

*CHAIR - It has been suggested to us as well with regard to signage - now, obviously, Launceston City Council, you've got your 90 going up the highway but sometimes that can actually cause more grief than good. Have you found that has been helpful changing that 110 going out of Launceston to 90? Has that improved because you still hear a lot about accidents occurring on that same stretch of road? You're involved in that section with the data. Has it improved, has it stayed the same, or become worse?*

*Mr COATES - It is a state road so it's a state initiative to do that.*

*CHAIR - Yes, but council still has involvement, though?*

*Mr COATES - Yes, that's right.*

...

*Mr COATES - Speaking personally, I find it a lot more comfortable driving up there now. You feel less like you're on a race track and trying to juggle space with other vehicles but I'm not sure if the data reflects that or not.*

*CHAIR - I wasn't sure whether you had seen it because I'm aware that council obviously put submissions in and puts evidence towards the changes to the roads in the municipality  
....<sup>265</sup>*

Mr Paul Bullock (President, Tasmanian Motorcycle Council Inc.) was of a view that reduced speed limits should be limited to dangerous sections of Tasmanian roads:

*Mr WILLIE - My follow-up question is, you have a representative on the council but you are unhappy with some of the council decisions.*

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<sup>264</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.1-2

<sup>265</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.8

*Mr BULLOCK - I was on there for seven years arguing with them. I will argue against their expert from Melbourne, the professor who is on there. All he was interested in doing was dropping the speed limit. I turned around and my argument to him was 'righto, whatever decisions we come up with, they have to be acceptable to the public. What you are saying isn't acceptable and won't be'. 'Oh'.*

*Ms RATTRAY - We have already had that discussion a number of years ago if you recall, about reducing the speed limit.*

*Mr BULLOCK - I said, if you want to put it on a section, like you want to do from Scottsdale to St Helens, no, they won't accept it; but if you want to put in on Weldborough Pass or sections, okay, they will accept that. Not on the whole highway.*

*CHAIR - Just on dangerous sections.*

*Mr BULLOCK - You can't do more than 40 on it, so what's the use of mucking around putting speed restrictions or anything on there. Leave the thing alone.*

*Ms RATTRAY - It's confusing for people.*

*Mr BULLOCK - You've got that many different speed limits over the place.*

*Ms RATTRAY - I've noticed that councils are having a lot more input into reduction of speed limits in particular areas. I know from Derby now, used to be from where the township finished ...*

*CHAIR - Your question is with regard to?*

*Ms RATTRAY - I was asking Paul whether he has found that local government has been having more input into that.*

*Mr BULLOCK - There are arguments on both sides and the first thing you have to find out, is whose road is it; because 90 per cent of it would be State Growth.<sup>266</sup>*

The Committee heard from Mr Malcolm Eastley regarding his view of the Monash University Accident Research Centre's published work on optimum speeds on rural roads based on 'willingness to pay' values of road trauma:<sup>267</sup>

*Mr EASTLEY - I have been promised a meeting by the chair of the RSAC and the manager so that we can fully explain the problems with the Cameron report and why it was so dangerous, basically, and didn't give the results that they intended. The basic problem there is that it was completely back to front. There was a complete misunderstanding by the RSAC about the processes involved in the research. The issue is that the trials of any research are what is the scientific result. It is there to judge whether*

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<sup>266</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.10

<sup>267</sup> See 'Speed enforcement – Effects, mechanisms, intensity and economic benefits of each mode of operation', Cameron, M & Delaney, A (Nov 2008), <https://www.monash.edu/muarc/media/assets2/publications/2008/speed-enforcement-effects,-mechanisms,-intensity-and-economic-benefits-of-each-mode-of-operation> [Accessed 26 June 2022]



*the research itself is robust. What it pointed up was that the work by Max Cameron was deficient in some ways. When it was released there was no transport representative on the RSAC so it fell to me. I was the only person ever to talk to Max Cameron about the shortcomings of it.*

*From a transport industry point of view, if they were successful in dropping the average speed limit from 85 down to 80 - the average speed on country roads is only 85 under the 100 limit - that would have meant a 6 per cent increase in time costs. Paid at the end of the day that becomes 10 per cent when you have overtime costs. On top of that they were under the impression that going slower reduces fuel costs. In the case of trucks on hilly country that is just not true. Fuel usage is more evaluated by litres per hour not kilometres per litre which we use on straight running up and down the highway. There is probably going to be, or very likely going to be, a 10 per cent increase in fuel costs as well, and they weren't considered in the research.*

*The research assumed that there would be a five kilometre drop in average speeds across the board. We told them that was unlikely even at the early stages because the average speed is only 85, and dropping the speed limit from 90 to 100 would never achieve that.*

*When the trial results came in, it was more than clear that that happened. After you take into consideration the control area, which had a very small drop in average speeds, that measures the background issues, when you apply that to the results they got, the result was that in Kingborough and in Tasman the average speed dropped very slightly by about 1 km/h on straight sections but increased by 5 km/h on curved sections. What that meant was that instead of a 20 per cent reduction in crash costs which they were assuming, there was going to be a 10 per cent increase in crash risk, completely back to front. I will give a copy of this to you later if I may.*

...

*Mr EASTLEY - ... It shows the expected benefit in crash costs across the different things they were going to do. The big one was going to be the speed reduction, and it did not happen, it went the other way. That shows just how drastic it was in the complete difference in what they were doing.*

*One of the problems they had was that dropping the speed limit in the research is based on what the average speed is and the average speed was only 85 km/h on country roads as measured by DIER and provided to Cameron. Cameron's calculations showed that the optimum average speed was going to be 86 which is about spot on with what you are getting with the 100 km/h limit. The RSAC people mistook the words 'optimum average speed' for 'speed limit', just a silly error and that appeared in their correspondence and all their activities. It is there in black and white. I have given you a copy of that.*

*Hopefully, this committee can hurry up the meeting with the chair. I believe I'm best placed to explain to them what their research meant. At the end of the day, Max Cameron was asked repeatedly to re-energise his arithmetic or withdraw the report. He refused to do that, and at the end of the day he just said 'it has been accepted by the RSAC and that's the end of the story.' Eventually MUARC withdrew that report. You will find no copy of it*

now on the MUARC website and it has been withdrawn from Max's own website as well.<sup>268</sup>

...

*I think the handling by MUARC was, I'm not afraid to say this, pretty terrible. They did not advise any other research people around the country as to what the trial results showed and what they had done. The council didn't deal with MUARC on the next issue; they went to CASRA in Adelaide. Adelaide had no idea and weren't told by MUARC or by the RSAC that there was a problem with the trial results shown. The recommendations from CASRA came down with the same background information that has always been used in the research. The only scientific research here now is the trial results out of Kingborough and Tasman. They are the only trial results done in Australia basically on that issue. It has been buried, basically.*

*The comments made by the people recently, including the chair, show that there is still a problem in the RSAC with data and with their understanding of how the research works. I am pretty upset about that because it involves a 10 per cent increase in death and in accidents. It is as plain as the nose on your face this issue should have been dealt with a long time ago.<sup>269</sup>*

The Committee heard from Mr Barry Oliver that in his view the drivers' attitude to keeping to the speed limit was a determinant cause of road accidents:

*CHAIR - What do you think would be the biggest cause of accidents? Do you think it is speed; do you think it is inattention; do you think it is things like mobile phones? Noting that some of the states now have covert cameras where they look into your car to see if you've got a phone on your lap. What would you think would be the biggest cause that we have of accidents now? Lack of experience or inattention?*

*Mr OLIVER - Inattention is certainly one of the big ones but in a lot of cases it is a word that's not been mentioned so far today –*

*CHAIR - Inexperience?*

*Mr OLIVER - No, attitude. I go back to the comment I made about the people who are not going to take any notice whatsoever. It's not that many weeks back that the police had a weekend blitz. I can't remember the figures but it was in the hundreds who were caught speeding, using the phone, inattentive driving, all the rest of it. A lot of those people are just going to continue to do that.*

*CHAIR - Even when they are caught. They found, using covert cameras, in Queensland that the same people were caught over the course of four days.*

*Mr OLIVER - It doesn't make any difference. I live at Newnham so every day I have to travel down the East Tamar into the city. Once you go onto the East Tamar Highway it is*

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<sup>268</sup> A copy of the report 'Optimum speeds on rural roads based on 'willingness to pay' values of road trauma' is available on the Australian College of Road Safety website: <https://acrs.org.au/article/optimum-speeds-on-rural-roads-based-on-willingness-to-pay-values-of-road-trauma/> [Accessed 29 March 2022]

<sup>269</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.1-2

*an 80 km/h speed limit all the way through to the main street overpass. Every day, without fail, I drive down there on cruise control at 80 km/h and I get passed not just by 10 km/h; people are just totally ignoring the speed limit. They don't care.*

*Today for example, I don't know how many cars passed me that would have been doing at least 100 km/h. There was the young woman who raced up behind me, clearly frustrated because she couldn't move into the right-hand lane to go past, so she tailgated me, like two metres off my backside, and then when she got the opportunity to move over into the right-hand lane, came up alongside and gave me a one-fingered salute.*

*CHAIR - And you were doing the right thing.*

*Mr OLIVER - Because I was doing 80 km/h. With that sort of an attitude, what hope have the police got? None.*

*Dr SEIDEL - Do you think those people are fit to drive?*

*Mr OLIVER - I really wonder at times if people are mentally stable enough to be driving. I really do, but of course we do not do anything about that do we?*

*CHAIR - Or what they might be taking or have taken or be on.*

*Mr WILLIE - On that, if you have people who are being caught with traffic offences repeatedly, should they be forced to do a course like this at a certain trigger point? Will that improve anything, given their attitude?*

*Mr OLIVER - My concern would be if their attitude has been all along just to ignore the fact that they have been caught repeatedly, are they really going to take it on board?<sup>270</sup>*

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<sup>270</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.10-11

## Committee Findings

- F44. There is an inconsistent approach to managing speed limits on State and local roads and how they are set.
- F45. Some Tasmanian roads that cross multiple local government boundaries have inconsistent speed limits.
- F46. Road infrastructure is taken into account when setting speed limits in other Australian jurisdictions.
- F47. There is lack of expertise available to some Tasmanian councils to appropriately assess speed limits on non-State managed roads.
- F48. There is a need for all Tasmanian road users to be aware of the maximum speed limits on unmarked roads through better and consistent signage.
- F49. There are divergent views as to how optimum safe speeds on Tasmanian roads should be calculated and applied.

## Committee Recommendations

- R25. State road authorities collaborate to implement a consistent approach to managing speed limits on State and local roads.

## Speed Limits for P-Plated Motorcyclists

The case for raising the maximum speed for probationary riders on motorcycles from 80 km/h to 100 km/h was couched by Mr Paul Bullock (President, Tasmanian Motorcycle Council Inc.):

*Mr BULLOCK - ... We argued with State Growth when they raised the speed for learners in cars to 100 km/h on the Midland Highway. We said we couldn't go along with that at the time because of the number of accidents we were having, so how could you increase the speed limit? Now, after that training is done, State Growth will not even look at raising it. We said it's dangerous doing 80 km/h on the Midland Highway with B-doubles going past you and everything. You cannot do it.*

*Even the police motorbike inspectors we spoke to said it's dangerous, so we have asked the Premier to look at raising the speed limit to the same as the cars.*

*CHAIR - This is for learners, or for Ps?*

*Mr BULLOCK - For Ps.*

*CHAIR - For Ps on bikes?*

*Mr BULLOCK - Yes, because they can only do 80 until they go up in the class, whereas a car -*

*CHAIR - In a car you can do 100?*

*Mr BULLOCK - Yes.*

*CHAIR - I didn't realise there was a difference.*

*Mr BULLOCK - Yes, but because we said we didn't want it raised initially because of the facts of the accidents, now we have proven that the new training has been fantastic, we have halved the amounts of claims - but they will not look at doing anything for motorcyclists.<sup>271</sup>*

Mr Brett Smith APM was not opposed to the Tasmanian Motorcycle Council Inc. suggested increase in maximum speed for probationary riders on motorcycles:

*CHAIR - As a past police commander, could I ask you a couple of almost police questions? The other thing that was mentioned today was that P-plate drivers now can do 100 on the highway but motorcycle P-platers can't. Do you believe that a motorcycle P-plater should be able to do 100 as (well)? It was mentioned that they can still only do 80 whereas if you are in a car you can do 100 on P-plates? Do you believe they should be able to do the same, or do you think being on a bike is more dangerous and it is better to keep them at 80?*

*Mr SMITH - I used to be a motorbike rider and I gave it up because I got run off the road by a garbage truck. If you come off at 80 and you come off at 100, it depends -*

*CHAIR - I think it was more that you were on the highway at 80 whether you are holding up traffic, causing more hassles. You can only do 80, even the other P-platers can do 100.*

*Mr SMITH - Philosophically I am not opposed to people driving at a higher speed so long as they are switched on.*

*CHAIR - To keep with the flow.*

*Mr SMITH - To keep the flow going because slower drivers will create impatience for people who lack self-discipline behind the wheel. That ultimately ends up with people in trouble.<sup>272</sup>*

Mr Mal Eastley also supported the increase in speed for probationary drivers on motorcycles:

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<sup>271</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.12-13

<sup>272</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.8

Mr EASTLEY - Exactly. On the highway, I have been involved in mentoring and I have been the fellow at the back preventing them from being tailgated, basically, doing 80 km/h and that is about all the 125s will do on the highway at times with a bit of wind. It is dangerous, it really is.

After the last inquiry, it was a public submission we put through that the speed limit for P-plate drivers on the highway be raised from 80 km/h to 100 km/h. It has worked very well, particularly where you're merging in traffic. It is time it was raised for motorcyclists as well. For some reason they didn't raise it on motorcycles.

CHAIR - We have had that raised with us today. It's good you have followed it up.

Mr EASTLEY - I have been the mug at the back looking after these P-platers for quite some time and I refuse to do it on a 110 km/h highway. It is just not safe. We have to teach them out on the other roads to be safe. It's time that was looked at and changed.<sup>273</sup>

### Committee Findings

F50. There is a different maximum speed for probationary riders on motorcycles and other probationary vehicle drivers in Tasmania.

### Committee Recommendations

R26. The Government consider raising the maximum speed for probationary motorcyclists from 80 km/h to 100 km/h in line with other probationary road users in Tasmania.

### Enforcement

As per the Global Plan for Road Safety:

*Although traffic laws are an essential part of ensuring safe road user behaviours, these laws must be enforced, and appropriate penalties issued to deter road traffic violations. Enforcement strategies should be backed up by message-tested communications to guarantee public understanding and support, and the involvement of local stakeholders to maximize compliance...*

From the submissions, a range of enforcement related suggestions and observations were noted by the Committee:

- better enforcement of issues that distract or cause driver inattention whilst driving (e.g. mobile phone usage etc.);<sup>274</sup>

<sup>273</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.5-6

<sup>274</sup> See submissions [#1 \(Terence McCarthy\)](#), [#16 \(Richard Sherriff\)](#) and [#40 \(D Neville Calvert\)](#) in general

- increased police presence on Tasmanian roads (marked and unmarked) and in certain locations (e.g. school crossings);<sup>275</sup>
- the use of camera technology to detect tailgating, mobile phone usage; non-wearing of seatbelts etc.;<sup>276</sup>
- dedicated police highway patrol;<sup>277</sup>
- introduction of stiffer fines and demerit points for long weekends and the Christmas/New Year period;
- the reintroduction of mobile and fixed-location speed detection cameras;<sup>278</sup>
- the introduction of a dedicated Traffic Court to deal with alleged traffic offences;<sup>279</sup>
- giving the police/Court powers to impound or otherwise confiscate motor vehicles and motor cycles for serious offences and/or to obtain payment of unpaid traffic fines;<sup>280</sup>
- a crackdown on unregistered vehicles and/or unlicensed drivers;<sup>281</sup>
- providing school crossing patrol officers with better avenues to report poor driver behaviour at school crossings;<sup>282</sup>
- extending the zero-blood alcohol concentration to all classes of drivers;<sup>283</sup>
- a method of rewarding good driving practices rather than just penalising those road users who break the law;<sup>284</sup>
- an online portal to allow dangerous driving to be reported and/or dash cam footage uploaded where police could follow up as appropriate;<sup>285</sup>
- funding for Tasmania Police to include minimum passing distance enforcement in its operations;<sup>286</sup>
- stiffer penalties for recidivist offenders (driving without a licence, driving under the influence of alcohol and/or drugs, evading pursuit etc.);<sup>287</sup>
- the introduction of laws limiting the use of a motor vehicle if convicted of causing death or serious injury to a victim on the road;<sup>288</sup>
- ramping up detection and enforcement activities around roadworks and the Government consider increasing the penalties for people who abuse or attack road workers;<sup>289</sup>
- the introduction of legislation that requires dogs/animals to be either restrained adequately or behind a cargo barrier when being transported in a vehicle (potential lethal projectile);<sup>289a</sup>
- as the Tasmanian population ages, a targeted strategy for improving safety for older road users while also maintaining independence is needed;<sup>290</sup>

<sup>275</sup> See submissions [#10 \(John Cashion\)](#), [#22 \(Alison Carter\)](#), [#23 \(Rod Finlayson\)](#), [#25 \(Simon Lincoln\)](#) and [#73 \(Driver Mentoring Tasmania Inc.\)](#) in general

<sup>276</sup> See submissions [#12 \(Dr Martin George\)](#) and [#56 \(Bicycle Network\)](#) in general

<sup>277</sup> See submission [#60 \(Gary McDonald\)](#) in general

<sup>278</sup> See submission [#17 \(Ray Metcalfe\)](#) and [#18 \(Warren Robertson\)](#) in general

<sup>279</sup> See submission [#21 \(Albert Ogilvie\)](#) in general

<sup>280</sup> See above no. 279

<sup>281</sup> See submission [#22 \(Alison Carter\)](#) in general

<sup>282</sup> See submission [#25 \(Simon Lincoln\)](#) in general

<sup>283</sup> See submission [#46 \(James Talbot\)](#) in general

<sup>284</sup> See submission [#48 \(Graeme Barwick\)](#) in general

<sup>285</sup> See submission [#52 \(Andrew Biner\)](#) in general

<sup>286</sup> See submission [#56 \(Bicycle Network\)](#) in general

<sup>287</sup> See submission [#66 \(Christine Brooks\)](#) in general

<sup>288</sup> See submission [#52 \(Andrew Biner\)](#) in general

<sup>289</sup> See submission [#85 \(Civil Contractors Federation\)](#) in general

<sup>289a</sup> See submission [#38 \(Chris Boron\)](#) in general

<sup>290</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

- that regulations around booster seats for children should be changed to reflect the user's size and not age;<sup>291</sup>
- that community compliance around the existing child restraint regulations on correct fitting and correct use need to be bolstered;<sup>292</sup>
- that the importance of understanding the gross combined mass of vehicles and caravans and its impact on excess sway/roll-over incidents needs to be better enforced and educated;<sup>293</sup>
- the safety of food delivery drivers noting the recommendations coming out of the NSW Joint Taskforce on Food Delivery Safety<sup>294</sup> and their applicability to Tasmania;<sup>295</sup>
- the introduction of 'V' (visitor i.e. interstate visitors who may not be familiar with Tasmanian roads) and 'T' (tourist i.e. not possessing an Australian State or Territory motor vehicle drivers' licence) plates on rental cars with the view that this may promote better tolerance from local drivers;<sup>296</sup>
- better policing of unsecured loads and rubbish in the back of tray-top utility vehicles and similar; and<sup>297</sup>
- the introduction of point-to-point speed cameras which promotes sustained speed enforcement over a length of road rather than just a single spot.<sup>298</sup>

A cross-section of the aforementioned was covered in the public hearings.

### Police Presence on Tasmanian Roads

The Committee heard from Mr Colin Riley (President, Police Association of Tasmania) of their perspective of whether a dedicated traffic enforcement branch within Tasmanian Police was warranted:

*MR RILEY - ... When we look towards a zero strategy, there are four foundation pieces, the safe roads and roadsides, and from our perspective there's good direction in that space and things are progressing. Safe vehicles, that's pretty much a national piece and that's progressing. Safe speeds, that has a lot of political baggage with that and it is what it is. The final piece is the safe road users, and I suppose the purpose for me being here is that there could be better connectivity between enforcement and education in relation to that.*

*A typical example, if we had a campaign about the importance of wearing seatbelts, what is critical is that we back that campaign up with enforcement activities that target seatbelt-type initiatives. With safe road users, which we need connectivity between enforcement and education, police are a key player in that and we need to own our piece of that.*

<sup>291</sup> See submission [#57 \(Kidsafe Tasmania\)](#) in general

<sup>292</sup> See above no. 291

<sup>293</sup> See submissions [#23 \(Rod Finlayson\)](#) and [#31 \(Peter Bowen\)](#) in general

<sup>294</sup> See [https://www.safework.nsw.gov.au/\\_data/assets/pdf\\_file/0009/988362/Food-delivery-rider-safety-final-report.pdf](https://www.safework.nsw.gov.au/_data/assets/pdf_file/0009/988362/Food-delivery-rider-safety-final-report.pdf)

<sup>295</sup> See submission [#64 \(Rajan Venkataraman\)](#) in general

<sup>296</sup> See submission [#14 \(John Thirgood\)](#) in general

<sup>297</sup> See submission [#7 \(Robert Cassidy\)](#) in general

<sup>298</sup> See above no. 297



*Police have a role to apprehend people who aren't complying with the road rules but, secondly, to increase the perception that you will be caught if you breach the road rules. If we get that right, then people obey the road rules.*

*CHAIR - They will be caught, eventually, maybe not the first time.*

*Mr RILEY - Yes. When we look back over, say, the last 50 years, our members and police have done a reasonably good job in assisting with the reduction of road fatalities. If we go back to the 60s, there was approximately 100 deaths a year in relation to road crashes. Over the years, there have been a significant number of IT improvements and practices, including putting limits on the amount of alcohol you can have in your system at any one time, seatbelts, speed cameras and so on. Police have played a significant part in the enforcement of each of those strategies. It's not the strategy itself, it's actually enforcement that has brought around a positive point.*

*We got to the point about a decade ago, where there are approximately 30 fatalities a year, on average, which is still far too high, and we've effectively plateaued for 10 years. We're at the point of asking now, how do we work out how we walk away from that 10-year plateau of 30 fatalities a year to bring it down even lower than that?*

*I note that when you do a comparison between the states, when you look at annual fatalities, per 100,000 population, we are unfortunately, one of the worst performing states.*

*CHAIR - Twice as bad as Victoria.*

*Mr RILEY - We have been consistent with that for an extended period of time. There are a whole series of tactical initiatives outside policing. One of the key ones may be remedial driver training or a diversionary process, where we do the same thing in the drug area, where rather than just imposing a fine, we divert people through refresher training and so on. That is a side issue.*

*Ms RATTRAY - It is an important issue though. Are you going to talk some more about that?*

*Mr RILEY - I will come back to that. What we directly have an influence on is detection and deterrence. Our members are out on the street doing that.*

*I want to give just a brief history of where we have come to in the traffic enforcement within Tasmania Police. If we went back into the early 1990s, we actually had a dedicated branch of Tasmania Police, which was a district. It was a traffic district of people that purely focused on traffic enforcement around the state. It was centrally controlled and a stand-alone district by itself. It was relatively proactive and self-contained.*

*Then we moved to a point where we decentralised that model and we gave each of the three geographic districts around the state, the responsibility for traffic enforcement. They had their own traffic work areas in each part of the state and with that in the mid-*

*1990s came the MAIB funding, which employed additional police officers to focus specifically on traffic enforcement. There were about 16 funded.*

*In 2007, Tasmania Police gained some extra funding for additional police. At that time we had significant public order issues around entertainment precincts. As a result of that the extra police, in 2007, led to the development of other Public Order Response Team or what we call the PORT. PORT dealt with entertainment precincts and bringing back into control public order issues.*

*Ms RATTRAY - That is spilling out of nightclubs and that type of thing?*

*Mr RILEY - Yes*

*Ms RATTRAY - Or an event, a music festival?*

*Mr RILEY - Exactly, all those big events. We have the traffic and we have a PORT. Then we had the global financial crisis, which is approximately 2007 to 2009 and the organisation took a 10 per cent reduction in police officer numbers. We brought traffic and the PORT together and merged the two bodies, taskings, functions and the priorities.*

*We came up with what is called the Road Public Order Services. That body was then responsible for public order as well as traffic policing and was decentralised with each of the three districts having what was called a RPOS work area.*

*RPOS, obviously, had a multitude of taskings that sat outside traffic enforcements. They did all these other things also, including entertainment precincts, major public events, all those types of things. They also became tasked with a reserve capability or a capability used in emergency situations. They were picked up holus-bolus and reallocated tasks outside public order and outside traffic. When you look at the current COVID-19 response, the RPOS members do a large amount of work -*

*CHAIR - They are doing everything.*

*Mr RILEY - They are doing the airports arrivals, airport transportation to the hotels, even helping with the hotels, the quarantine and all that. I am hesitant to use the term 'dogsbody' but effectively the RPOS became the generic go-to for anything extra you needed to do. What it has meant is that we have come from a highly-centralised body of police officers who were very passionate and educated about traffic enforcement and come now to a position where we are a decentralised, generic dogsbody tasking for multiple things.*

*Through that journey, it would be remiss of me if I did not mention the fact the Liberal Government has increased police numbers significantly, 113 to replace the initial cuts with 10 per cent plus another 125, plus another 50 and plus another 20. The police service has actually grown over that time.*

*Ms RATTRAY - Why haven't those really useful areas been re-established then? Like the traffic division.*

*Mr RILEY - The scope of what police officers do just seem to keep growing and growing but the budget chapter clearly outlines four key outputs: emergency management, which we should be just doing as our bread and butter. There is public order and then there is criminal investigations - and we have complete work areas that focus on criminal investigations - and then we have traffic. The traffic now doesn't have a clear work area that is just responsible for traffic. Every time we take on an additional task we spread the police even thinner. At the moment traffic is one of the four key outputs but it doesn't have a dedicated centralised person in Tasmania Police who is responsible for delivering on it. A lot of that workforce gets used for other tasks as they come in the door.*

*At the moment when we look at what we call RPOS, in southern Tasmania there are approximately 50 who are in that RPOS area - Road Public Order Services. There are about 29 in the north of the state, and there are 21 in the west of the state. Those numbers have responsibility for traffic enforcement as well as public order and, as I said before, they get used for anything else that needs to be done. At the moment we are looking at COVID-19.*

*I note that some of the RPOS get used for other tasks. For example, in the south of the state there is a whole team in that RPOS of 50 who are used for crime reduction. Its target is to focus on recidivist offenders. You have a whole team that is focused purely on crime reduction in the state.*

*We have gone from a skilled, centrally-controlled, statewide capability to a decentralised, I would say, deskilled, devalued traffic enforcement police. Even more recently, we have had a proposal to take some of those numbers and allocate them to 24-hour police stations. We recently had the introduction of what is called safe staffing levels at 7/24-hour stations so that means 44 police on duty anywhere in the state. There is difficulty achieving 44 on duty out of 39 to 59 police officers. One of the strategies is even taking some of those RPOS out and permanently putting them onto the 7/24-hour police stations, which would unfortunately deteriorate the traffic enforcement police even further.*

*Some of the argument could be that once you bolster the 24-hour stations - the seven of them - and you have 44 on duty at any one time, they could also do traffic enforcement. That is very problematic because they are the first responders: family violence, assaults, domestics, public order issues. They are the ones responding and then trying to ask them to do a proactive task on top of that, speed reduction, et cetera, it is just not going to happen.*

*That is where we have got to now. If I look a little bit inside the organisation and noting that 99.5 per cent of police officers in this state are members of the Police Association, what is lacking internally is a very clear, strategic road enforcement plan, a high-level document. And then tactical plans, objectives and strategies that sit below that based on analysis and have very clear deployment criteria performance indicators. That is lacking.*

*The reason it is lacking is that when you have competing priorities, the proactive traffic enforcement side of the house gradually gets pushed down the priority list to do other things that get a high priority.*

*CHAIR - Things that are happening now, like your assaults?*

*Mr RILEY - COVID-19, for example, so the traffic gets deprioritised and we focus on COVID-19. The problem is when you look at the four outputs, more people die in the traffic portfolio than they do with the criminal investigations, the public order and emergency management as it stands now. Unfortunately, it seems inverse that you are removing a resource away from a portfolio that has most of the deaths in the state.*

*CHAIR - So RPOS are the ones who would be responsible? You see your unmarked police cars on the highway - they will be the ones driving on the highway in their flash Subaru, that is RPOS?*

*Mr RILEY - RPOS, that's right. We had this whole-of-state district with motorcycles, plain unmarked cars and all that, and we have gone to an RPOS model and they are the ones that are doing the highway patrols. I would like to say that doing directed, task-based intelligence -*

*CHAIR - Are there as many now? The last few times I have driven, I haven't noticed any or any marked police cars, whereas in the past, I had seen quite a few.*

*Ms RATTRAY - I see them regularly.*

*CHAIR - Depending on the time of day you drive.*

*Mr WILLIE - Probably COVID-19-related duties.*

*CHAIR - It is probably is.*

*Mr RILEY - With the planning and with clear tactical strategies that are based on analysis and clear performance target and indicators, performance measures, there is far better bang for buck reinforcing this than there is in infrastructure. Infrastructure costs a lot of money and there is a lot being done in that space; but you get better bang for your buck if you are focused on enforcement and education of the public through police. I will flag that.*

*The next point I was going to talk to is, what are the solutions? How do we get to a point where we get that 30 on average which has taken over 10 years to a point where we're bringing that down even lower than 30 fatalities a year, not to mention the serious injury crashes? From our perspective, it needs to be a dedicated traffic enforcement area that has statewide coverage and has a central person within the organisation who directs the traffic tasks, has responsibility and is accountable for what is going on in the traffic space. That doesn't exist at the moment.*

*That resource could be 40 to 50 police officers - I am sensitive to suggesting something like this - and then there has to be a shifting of the deck chairs and you have to find the 40 to 50 police from somewhere else in the organisation and somebody else misses out. I am now going off on a red herring but we have 1,359 policers in the state. There is no clarity around how many police we actually need. My sense is we are moving deck chairs*

*around to fix the most important priority at the moment, and then in a couple of years' time we shift the resource somewhere else. There needs to be clarity around exactly how many police we need.*

*Ms RATTRAY - A strategic plan for that Department. It is how many officers you need to effectively undertake the role and functions of policing in this state.*

*Mr RILEY - Yes, a central point of responsibility and accountability who has to deliver on strategies when the strategies are worked out. At the moment we have an Assistant Commissioner Operations, who has state-wide oversight. That one person is responsible for crime, public order and traffic. It is a big portfolio. ...*

*When you go one step down from ACO there is no statewide commander with responsibility for traffic. There is a body, a committee; but the level of accountability from that committee is nowhere near where it should be if you had a person who is centrally responsible and is reducing the traffic fatalities and serious injury crashes.*

*If you look at the other states, they have dedicated traffic areas. Someone could argue that we are so small here that we don't need one. I would argue when you are having so many fatalities and deaths in that portfolio, it probably needs to have the learnings of other jurisdictions and what they have done. They have given it priority, where it has the central person who is responsible for it.*

*Ms RATTRAY - Do you liaise with the other states? Is your organisation, PAT, having meetings and discussing how they approach these particular matters? ...*

*Mr RILEY - It is an interesting point. All the presidents are on the Board of Management of the Police Federation of Australia. There are 65,000 police officers around Australia. We sit around that board of management and we talk about a lot of things.*

*It's unusual for a Police Association president to be talking at a forum like this about capability and gaps in capability, because that is more of a responsibility of the organisation. Our focus is more about wellbeing, but we're seeing the consequences of the capability issue, which is impacting on the wellbeing of our members. That's why I'm speaking here. In the normal course of events, the president wouldn't be talking about this. When we come to these forums, this is not the type of thing we would actually talk about. The policing jurisdictions talk amongst themselves and they work out what's best practice and what the current technology is and so on.*

*Mr WILLIE - Are there any states that have a similar model to Tasmania?*

*Mr RILEY - To the best of my knowledge, no. I could be wrong, but to the best of my knowledge they've got dedicated traffic enforcement areas.*

*Ms RATTRAY - We often model ourselves on, or compare ourselves to, South Australia because they are relatively small compared to the bigger states. Do we not have any synergies there, that you're aware of?*

*Mr RILEY - Not that I'm aware of. We are the smallest, without a doubt. I can't talk to you about what the areas are doing but I do know they meet, I do know they talk about current strategies and what's cutting edge and what's the best thing to do. Regardless of what's happening in other jurisdictions, when I look at this in Tasmania, we have more people dying on our roads than the other three outputs.*

*... there's a problem and we need to find solutions to the problem, try to implement those and have accountability for it. Going forward, we would see a centralised, statewide person within the organisation that has responsibility for traffic. In addition to that, there's still the Road Safety Taskforce, which is funded by the MAIB.*

*The RPOS to a lesser extent, still serves its purpose because it becomes the commander's reserve at the district levels. When you've got a major public event - Falls Festival or something like that - the RPOS are injected into the area to help with those types of activities, because the local police officers don't have sufficient capacity to deal with it. Still retaining those two, but with a dedicated traffic enforcement piece.*

*That's pretty much covered all the things I was going to say to you. Tasmania is a very bespoke policing jurisdiction and we're unique in our staffing capability and capacity. We are extraordinarily unique. We have a lot of police officers who have secondary roles in this state. We are the only state whose members are in the Special Operations Group as a secondary job and they have a primary job as a detective, or traffic police officer, for example. We've got many police officers with secondary roles as negotiators, and in bomb response. The other jurisdictions, because of their size, have people who are full-time Special Operations Group (SOG). When you look at the structures we have now with RPOS and all that, it is unique. It's not a copy of other states.*

*CHAIR - We'll have specialists, is it 20?*

*Mr RILEY - Yes. Fortunately, the Government has agreed to increase police numbers. In July 2024, there'll be a full-time SOG group of 24, which is good.*

*CHAIR - We'll still need more than that, will we? Will there still be officers who are doing two jobs, or will that be sufficient, to have 24 in the SOG?*

*Mr RILEY - We're going down that rabbit hole there but, in essence, there'll be full-time members in the Special Operations Group and there'll be part-time members. I suggest they will continue as part-time -*

*CHAIR - They could be traffic and other areas.*

*Mr RILEY - They could be in every area. At the moment, all the SOGs, except for four, have a daytime job and then they get called out to do the SOGs, negotiators, bomb response and so on. I just think that traffic is such an important area that it needs to be dedicated commander-control, dedicated leadership and someone who's accountable and delivers statewide the strategies that have been agreed on within the organisation.*

*CHAIR - Currently, we can have traffic guys that are doing the highways, doing all sorts of things and all of a sudden, they're called on, they're taken and then there's really no-one to replace them in that traffic area while they're doing their other jobs, whether it be public response, as RPOS, whatever they've gone to.*

*Mr RILEY - Yes. What's happening today, and this is happening with COVID-19, is that RPOS piece, which is traffic enforcement, has been redirected to do other tasks - quarantine hotels, domestic, international, transporting people. While we're doing that -*

*CHAIR - Traffic is missing out.*

*Mr RILEY - The traffic enforcements - ...*

*Mr RILEY - The four outputs - traffic is a proactive piece. It's the proactive piece of getting out, in detecting, deterring and creating an expectation that you'll be caught. If you take all that away and you take the whole resource away and use it for another purpose, over time, the public then loses the thought that they are going to be detected and they start to drift in their behaviour and the way they're driving.<sup>299</sup>*

Similar views with respect to introducing a dedicated traffic enforcement branch was shared by Mr Brett Smith APM:

*Mr SMITH - Yes. There's another matter on what you talked about, Dr Seidel, about going from the enforcement side of things. I'm not convinced that my former organisation - there needs to be a dedicated enforcement approach to traffic policing by Tasmania Police. I've advocated that for years with the current RPOS (Road and Public Services) model which you've probably heard about. It came about in 2012 because of the state Budget situation and that was a consequence of one area that got cut. But, of course, they tend to be the stop-gap for everything else. So while they are the stop-gap for everything else, road safety has taken a back seat.*

*CHAIR - Manning the stations.*

*Mr WILLIE - In COVID-19 times.*

*Mr SMITH - Exactly right. So I think there needs to be similar to what we have done with serious and organised crime. We've sectioned off people to do that. We need the same for road safety.*

*CHAIR - Dedicated traffic people?*

*Mr SMITH - I do, yes. When you look at the models around the country, and even in my current work with the AIPM<sup>300</sup> at the moment, the dedicated approach to traffic enforcement by a lot of other jurisdictions. There are some very good models there to look at as well.*

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<sup>299</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.1-8

<sup>300</sup> Australian Institute of Police Management

*Ms RATTRAY - Any one in particular?*

*Mr SMITH - New South Wales or Victoria, and Queensland as well, that type of model. It might be unpalatable to Tas Pol for a range of reasons but if we are serious about it, we should commit to it.<sup>301</sup>*

...

*Ms PALMER - ... What I wanted to ask you is if there was one pool of money that became available to be thrown at this, at reducing the death toll and the awful accidents - because lives are also changed when you are alive but you have horrific accidents - what do you think would make a difference? Is it education in the community? Is it dedicated police traffic units? Is it money spent invested into younger drivers? I find all those points really valid but I wonder in your opinion as a former officer, which do you think would actually make a difference? A real impact.*

*Mr SMITH - It's an easy one: messaging. My former colleagues are probably all yelling at me now saying 'don't forget the traffic police'. The reality is it is messaging. It can have the single biggest influence - and consistent messaging can have the single biggest influence over people's attitudes. Having said that, we still need to do a range of other things to support it through the back end and that includes fixing the roads and adding more police to the equation. I would say that the best place to start is messaging.<sup>302</sup>*

Community views supporting more police presence and enforcement on Tasmanian Roads was entered by Mr Mark and Mrs Catherine Temby, and Mr Richard Sherriff:

*CHAIR - I would like to ask you a question on this Tasmania Police Officer Allocation Model?*

*Mrs TEMBY - My concerns with regards to the actual enforcement, that there have been times when there has been insufficient coverage of police resources. I have done a fair bit of talking and emailing with regards to finding out about the allocation of police resources. I have been informed by Inspector Jason Elmer, among others and I have also emailed the honourable Mark Shelton, who was the minister at the time. They were assuring me there is a methodology to allocating police resources.*

*This was raised by a number of people in the community, for example in Geeveston, in Dover and beyond. A lot of the business community have raised concerns about people speeding and driving recklessly and have said they have reported incidences and not being sufficient response time, if at all. That is why I was questioning about the level of resources.*

*CHAIR - I am wondering though how the Police Officer Allocation Model actually works. Have they told you how it works? We heard today from the Police Association of Tasmania that RPOS, which is a road public order series, takes all the officers together*

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<sup>301</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.4-5

<sup>302</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.10



*and some go to roads. It is just a pool as opposed to specific traffic as there used to be in other specific areas. ...*

*Mrs TEMBY - Yes, that was the explanation given to me when I questioned about the resources. Our question, with regards to resources, is while there are some great results from very specific road operations done, they are not done with sufficient flexibility in order to achieve the deterrents required. What I am trying to say is, there are areas, for example, the Arve Road, where people can drive recklessly and feel fairly certain they are not going to be caught. What we have been trying to say is, if you take a more strategic approach you could be ad hoc, half an hour here, half an hour there at different times of the day and different days of the week, so that people won't know whether or not they might be caught. That is a better use of police resources. You don't need to have more police. You need to use them more wisely.<sup>303</sup>*

...

*Mr SHERRIFF - I can't remember when I have been pulled up to have my tyres checked or anything like that. Years ago it would be a regular thing. Going to Hobart, they would pull you across and check your tyres and I am sure you would be surprised at the number of cars that can't brake in straight line, they have faulty brakes. Under extreme, quick stops, you have real issues with that, particularly in the wet. There needs to be more emphasis on that.<sup>304</sup>*

In passing, Mr Brett Smith APM was of the view that unmarked and marked police cars are of utility in police enforcement on Tasmanian roads:

*CHAIR - We see a lot of unmarked police cars on the highways, but do you think sometimes more marked police cars improves behaviour as opposed to the flash, black Subaru? You only spot it when you see it when it pulled over and the little flashing light is in the grill.*

*Mr SMITH - Yes, I have always been big on high visibility - a combination of high visibility and covert. One thing I have always liked to see is a vehicle pulled up on the side of the road and an unmarked car with blue and red flashing lights behind it. A lot of people will say, 'I didn't know the cops were driving those these days'. That again creates that heightened awareness. ... I had an Amarok for a work vehicle. There were only a couple in the fleet. Many a time you would pull people over and they would say, 'Didn't know the cops were driving Amaroks these days'. There is always a lesson there.*

...

*Mr SMITH - ... There is no one size fits all. It's a combination of things. What I think is missing in the current equation is more emphasis on changing people's attitude.<sup>305</sup>*

In replying to a Question Taken on Notice, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) stated:

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<sup>303</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.4

<sup>304</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.5

<sup>305</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.12

***Would the Tasmanian Government consider establishing a fully funded and dedicated traffic section within Tasmania Police?***

*Each District has a Road and Public Order Services (RPOS) Unit that is responsible for traffic policing.*

*All police officers throughout the State also undertake traffic policing as part of their duties.*

*It's important to note that the current RPOS model is not solely traffic focused and was created by combining public order teams and traffic policing branches, due to a reduction in resources under the previous Labor Green Government.*

*With increases in fatal crashes, it is timely for Tasmania Police to review the way roads are policed, in the interest of improving road safety.*

*Each geographical command (North, South, and West) is currently developing best practice staffing models for their respective districts. This will include ensuring there are adequate resources dedicated to road policing, and that safe staffing levels at 24-hour stations are maintained.*

*This may include implementing a dedicated traffic policing section that differs from the current RPOS model.*

*If Tasmania Police move away from the RPOS model, any future structure will be focused on road safety enforcement. This would include MAIB funded road safety taskforce members and would enhance road policing capability to ensure high visibility policing is increased on our roads.<sup>306</sup>*

**Committee Findings**

- F51. Tasmania Police previously had a dedicated centralised traffic enforcement command.
- F52. Traffic policing appears not to have the same resourcing as other important Tasmanian policing matters.
- F53. There is a lack of clarity in Tasmania Police resource allocation and deployment for specific enforcement and road safety initiatives.
- F54. There are no performance targets to measure key enforcement actions and analysis of this data will allow assessment of patterns to be developed over time.

<sup>306</sup> Letter to Hon Rosemary Armitage MLC Chair - Road Safety Public Hearing - Responses to Questions taken on Notice, 22 March 2022

## Committee Recommendations

- R27. The Government consider re-establishing a dedicated centralised traffic enforcement command for Tasmania Police to increase their efforts of effectively policing road rules.
- R28. Senior traffic police should conduct more frequent high profile media and messaging on enforcement activities.
- R29. Traffic policing operations should be based on shared intelligence.

## Police Enforcement of Tasmanian Road Rules

The Committee heard from Mr Colin Riley (President, Police Association of Tasmania) about the enforcement of road fines and penalties:

*Ms RATTRAY - I'm interested in your recommendation around penalties. You said that: Research shows that the effectiveness of fines indicates the examination of penalties have found that fines alone provide little deterrence.*

*Yet we heard previously that if you increase the fines then that's a deterrent. I'm interested in why you see it's not a deterrent. Most people don't like to be hit in their back pocket.*

*Mr RILEY - A percentage of the people that police are interacting with aren't financially well off.*

*CHAIR - They're not going to pay anyway.*

*Mr RILEY - They're not going to pay the fine. All I'm suggesting is that rather than focusing on them paying a financial penalty, especially the recidivists, the effort is far better spent on them going into a re-education program or a diversion program to improve their driving behaviour. If they don't participate in the program then certainly impose the financial penalty.*

*CHAIR - Or you don't get your licence back until you've entered that particular program.*

*Mr RILEY - Yes.*

*CHAIR - A bit like drugs and alcohol.*

*Mr RILEY - I'm going back many years, but in good country policing, for example, if you pulled somebody up with bald tyres and the fine is \$300, you would tell them, 'Here is your infringement notice. If you replace the tyres in a couple of days and come back to me, I'll then dispose of the infringement notice'. It's not about the money. It's actually about changing the behaviour and the practice.*

*CHAIR - The tyres would cost as much as the fine.*

*Mr RILEY - Correct; it's better to spend the money on the tyres, otherwise you'd have a financial problem and then you've got the problem that the tyres still need to be replaced. There is a large percentage of the population that can't afford to pay in the first place. Whether they pay it or not is another thing all together. Education is the secret; how do we educate. It's about active police in the community and it's about putting those who are showing recidivist behaviour through a program to be re-educated.*

*Ms PALMER - ... Do you have any data, or any examples of a successful program like that anywhere in Australia? Someone who is a repeat offender and instead of giving them fines, which they're not going to pay anyway, let's get them to do a course. Will they do the course? Do we have any evidence that it does work, that we can refer to?*

*Mr RILEY - Nothing that I can, but I certainly can go away, do the research and potentially provide you with something.*

*Ms PALMER - It sounds like a brilliant and obvious thing to do. However, I wonder is someone who is a repeat offender on our roads and therefore already has that attitude of a lack of care on our roads, are they going to go to a course and what sort of result are we going to get from that? Is there any evidence behind that initiative?*

*Mr RILEY - I suppose the only piece that I look for with some hope that it would work is in relation to the drug diversion program, where we're diverting people away from penalties into an education process, or a health program to improve outcomes.*

...

*Ms RATTRAY - Your reference to an approved dash camera fitted, like we do with the mandatory interlock system after drink driving on your third repeat.*

*Mr RILEY - Just on fines, for example, in Sweden the penalty is dependent on the salary. They have a completely different model where they don't go for penalty points, they impose a penalty that's commensurate with the amount of salary that you earn.<sup>307 308</sup>*

In a similar vein, Mr Mark and Mrs Catherine Temby advocated for low level driving offences to be summarily dealt with by police and not necessarily dealt with at a court level:

*Mr TEMBY - ... One is to review the police and court-imposed fines. If you look at the combination of administrative penalties and statutory penalties, they should be working together, be it from the courts or from the police. With that there needs to be a reduced pressure on the court time and can be achieved through some penalties being shifted from the court system into the police system such as things like driving under the influence or*

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<sup>307</sup> In Finland, traffic and speeding offences are based on income. England and Wales trialled a similar system for six months in 1992 but the Home Office discontinued it, mainly because of difficulties in assessing the incomes of offenders and due to the opposition of magistrates to the fettering of their freedom to impose the size of penalty they wished: see the Scottish Government 'The Summary Justice Review Committee: Report to Ministers' (20 February 2015), <https://www.webarchive.org.uk/wayback/archive/20150219153920/http://www.gov.scot/Publications/2004/03/19042/34209> [Accessed 30 March 2022]

<sup>308</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.8-9

*dangerous driving offences. There are precedents in New South Wales, et cetera, where that direction has been trialled and is in effect now.*

...

*Mr TEMBY - That does happen, like a car being confiscated or an immediate loss of licence.*

*What I am talking about here is where you get low-level driving under the influence (DUI), say it might be below 0.1 and that is handled entirely from go to whoa by the police. First offence with less than 0.1 and you will wear a \$600 fine, have your licence suspended for three months, full stop, it is done.*

*With the high-level offences that might be a second or third offence above 0.15, they will go to court. You will see in the submission later on or where you have read it there was a review of the court system going back a couple of years and it went down a similar sort of path.*

*If you take a look at the way the police do their referrals between a Magistrates Court and a Supreme Court, there is no consistency in that referral to those specific courts. Looking at that from a Tasmanian police perspective with the way they are trying to communicate with the general public as far as education is concerned, what are the messages they are trying to send? The Magistrates Court would be mid-range. The Supreme Court might be where injuries occurred or dangerous driving has been involved, or where there needs to be consideration of many aggravating factors. In my opinion that sort of delineation between the police, Magistrates Courts, Supreme Court could be better utilised.<sup>309</sup>*

...

*Mrs TEMBY - You've spoken legislation, penalties. The final thing being enforcement. Councillor Christine Campbell witnessed, or reported an accident near her house. As it turned out, the driver was unlicensed. She spoke to the local police, and the local police said they know of unlicensed drivers who regularly drive in the area.*

*I have taken a burnt-up piece of tyre that I have picked up off the road. As we collect litter, we collect alcohol containers - which are increasing. This tyre, just a fragment of rubber and wire. I have taken that into the police and they say they know of these people. They don't care. Nothing we can do. I have spoken to businesses that say that the police just move them down the road.*

*As I say, the legislation, the penalties, and the enforcements need to be evaluated, reviewed and improved.<sup>310</sup>*

Of note, Mr Brett Smith APM stated that the relying on enforcement was not a panacea in improving road safety outcomes in Tasmania:

*Dr SEIDEL - I'll follow up on this one again because, as you said, you have been in the force for 40 years, you have seen things not working and we are still talking about*

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<sup>309</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.1-2

<sup>310</sup> See [Transcript of evidence, 25 October 2021](#) Mr and Mrs Temby, p.8

*Towards Zero. All we have done so far, let's say, has failed. What can you clearly state hasn't worked but has been tried that we need to move away from?*

*Mr SMITH - I think what hasn't worked is the apparent singular focus on enforcement. I don't think it gets the desired result. I made a mention in my submission of a couple of things about enforcement that you can purely rely on. I think it is necessary that we need a suite of other things as well. Just relying on it, that hasn't worked.*

*The Tasmania Police cautioning system, whereby if you hadn't had an offence in three years, you write into the district commander and say, 'I'm terribly sorry, I won't do it again', a note of caution. I have read so many of those over the years and there is a strong sense of entitlement about a caution. In other words, 'I have a life' or 'I've got one "get out of jail free" card'.<sup>311</sup>*

### **Committee Findings**

F55. Vehicle defect notices utilised by past Tasmanian policing practices appeared to satisfy the community requirement of 'safety before revenue'.

### **Committee Recommendations**

R30. The Government to support a more dedicated approach by Tasmania Police to address vehicle defects with a view of upholding 'safety over revenue'.

### **Dedicated Traffic Court**

The Committee heard from Mr Albert Ogilvie of his view that a dedicated Traffic Court would be of benefit and the potential merit of courts using diversionary programs for some recidivist offenders:

*Ms RATTRAY - ... I'm interested in your suggestion about a special traffic court. Obviously, there's a significant backlog of cases that come to the courts. I'm wondering how you see that working, and what backlash from the community there might be - that a traffic offence gets a priority over something that the community might feel is even more important and that takes a long time to come to court.*

*I also acknowledge that getting some of those 'lesser' matters through the court system would be useful as well. Do you see any backlash from the community around that?*

*Mr OGILVIE - I think it's a valid point. You could say why should we discriminate in favour of road traffic cases but to my mind the tragedy of deaths and injuries on the roads is so great that it warrants special attention. We do have a special children's court. I'm not sure if we have any other special courts.*

...

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<sup>311</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.3

*Mr OGILVIE - We've got the coroners courts, but my thought - and this is a general comment, as again I'm sure you're far more across all this than I am - is that the Tasmanian and Australian performance on road crashes is not overly impressive. On the world scene we're middling, we're not near the top of the list, and even a country like the United Kingdom is ahead of us in results. So, to my mind it needs special attention. The deaths on the roads are terrible: 30-plus a year, 2,000-odd in Australia per annum. I would have thought the benefit would outweigh any public reaction.*

*In fact, I personally wouldn't think people would object to that. They wouldn't see it as causing them a disadvantage. It might depend on the manpower. It would depend on whether sufficient magisterial manpower is provided - of man or woman - but to my mind the benefit of getting offenders in and dealt with promptly would be very likely to produce better results and, with a specialist magistrate, his or her oversight and sentencing skills would improve. That's my belief.<sup>312</sup>*

...

*Ms PALMER - Slightly off that topic but in your many years with the law, does punishment work? There's that extreme example you spoke about, the woman in Launceston who is being dealt with at the moment. It's been splashed across our papers but it's not an isolated thing.*

*Mr OGILVIE - No.*

*Ms PALMER - Are we severe enough? Are we too harsh? Are we going about it the wrong way?*

*Mr OGILVIE - I certainly had many repeat offenders as clients. Many. I don't know whether harsh penalties work but they'll even drive while suspended.*

*Ms PALMER - Yes.*

*Mr WILLIE - Do the courts use diversionary programs where they send them off to a defensive driving course? They don't use those sorts of things?*

*Mr OGILVIE - No. Never heard of that in my life.*

*Mr WILLIE - Is there a role for the courts if there's recidivism that's evident?*

*Mr OGILVIE - A specialist traffic court might well go into that line. That's a novel suggestion. Yes, wouldn't that be good. They talk about rehabilitation for drug offenders. Send bad drivers to a defensive driving course.*

*Mr WILLIE - Or restorative justice, where they go and see the impact of their behaviour and maybe talk to frontline workers who pick up the pieces.<sup>313</sup>*

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<sup>312</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.2-3

<sup>313</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.6

The Commission heard from the Government<sup>314</sup> with respect to a dedicated traffic court and the role of the Registrar around conditional re-entry into licensing for individuals who have lost their licence:

*Ms RATTRAY - ... suggest that there should be a special court for traffic offences, that they should be pushed through in a more timely way than they are because of the nature of some of the traffic incidents. Do you have a view or is that something you've not exercised your mind to, Minister, at any stage? We have a children's court, because I asked about the practicality of that and how that would be seen in the community as taking preference over other court areas. Do you have a view?*

*CHAIR - And this other idea, you might add, about the defensive driving courses being mandated.*

*Mr FERGUSON - ... It's not an idea that's been put to me before. Of course, I wouldn't be the minister responsible; it would be our police minister and or our justice minister who would consider that. That would be a fairly significant policy shift and I'm not sure, in the question, that I've heard a strong argument about what benefits that would provide or at what cost to other court services. But like anything, we need to have fresh eyes on a range of policy levers. If there's an evidence base that could support better road safety outcomes, we would certainly consider those. That feels like an idea that is not super valuable but I would invite Mr Tilyard for his own point of view.*

...

*Ms RATTRAY - We know how difficult it is to get through the court system and I acknowledge that.*

*Mr TILYARD - Again, this is only my personal view, and I have worked as a prosecutor in the courts, some years ago now, but there are already traffic courts within the current court system -*

...

*Mr TILYARD - and there have been for many years that deal with traffic matters, including mobile phone usage. If people plead not guilty, then it goes off for a hearing before a magistrate.*

*People have strong views on issues like mobile phone usage. I feel that there could be a benefit to having a court dedicated to certain things. I know that, for example, former chief magistrate Michael Hill was a long-time proponent of having a drink-driving court, which I'm sure he'd still be keen to see happen at some stage. And some of the jurisdictions have dedicated family violence courts. From time to time there are important social issues and people call for dedicated courts specialising in this type of offending behaviour.*

*Personally, in the context of some of those other issues, I don't think there would be a substantial benefit in having a dedicated mobile phone usage court. I think that's adequately catered for in the current system. But again that's my personal view.*

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<sup>314</sup> Hon Michael Ferguson MP (Minister for Infrastructure and Transport), Mr Martin Crane (General Manager Road User Services – DSG), Mr Gary Swain (Deputy Secretary and Transport Commissioner – DSG) and Mr Scott Tilyard (Chair, Road Safety Advisory Council)



*Ms RATTRAY - It's always a good opportunity to test some of the suggestions that are being put forward. The other initiative that's been put forward is a mandated defensive driving course for all licence holders. ...*

*CHAIR - I think it was for offenders, wasn't it? For offenders in the traffic court. Yes.*

*Mr FERGUSON - Okay, that's interesting.*

*Mr TILYARD - Just a comment. I think back to what was a common feature of our justice system, particularly when I was a prosecutor, and that was a prescribed course that people were sent on if they were caught drink-driving. That course ran for many years but ultimately it was discontinued. One of the reasons behind it was because of the mandatory element. I think to genuinely learn you've got to want to learn. We were sending people along to these courses who quite frankly didn't want to be there or didn't feel they needed to be there, and often they were quite disruptive to other people who were going there and happy to be involved. That's one of the underlying issues with any sort of mandatory training like that.*

*Ms RATTRAY - Now we have a mandatory interlock system for third (time) offenders.*

*Mr TILYARD - True, although because that's technology that's a slightly different issue, with respect. If you're sending someone along to educate them, they've got to be receptive to learning and that's one of the challenges with the mandatory element. If people are being forced to do something then for a lot of them, the outcomes is probably not going to be that positive.*

*Mr FERGUSON - ... Mr Crane who manages Road User Services, I wonder if you would make some comments about the role of the registrar when it comes to people coming back onto the fully licensed system and what powers he or she has - in this case, he - to impose special laws?*

*Mr CRANE - ... A few years ago, we passed some legislation <sup>315</sup> to introduce a case management approach to licensing, so we now have case managers who look after individual licences. Under the powers of the Registrar, the Registrar can make decisions around conditional re-entry into licensing, which could include going to a particular course or something like that if that was deemed to have a benefit in that situation. Depending on what their offences were in the first place in terms of whether they were excessive speeders, they had lost their demerit points several times. There are people in Tasmania who have done that and who have gone through and clocked up. There are opportunities for a tailored approach from the Registrar to apply some conditions. It is all about driver safety for the driver but it is also the rest of the travelling public and it is an opportunity for someone to get back to the relevant standard that we want them at to be safe on our roads.*

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<sup>315</sup> See section 11(2), *Vehicle and Traffic Act 1999*: <https://www.legislation.tas.gov.au/view/html/inforce/current/act-1999-070#GS11@EN>

*Ms RATTRAY - Does that happen very often? In my circle I have never heard anyone say they have any conditions on their licence.*

*Mr SWAIN - We can do that. It is a tailored thing but they are available to the Registrar and they certainly can do that in the number of people they can have in a vehicle. They can put a condition that sometimes, particularly when people are struggling at the end of their driving life, they may need to have a supervisory driver. There are challenges. The whole purpose of that model is about safety and keeping people on the road for as long as possible while they are safe to be on the road for themselves and the rest of the travelling public.*

*Ms RATTRAY - I was thinking more about offenders rather than people who have reached that stage in their life where they only need to drive to their local store and home again and don't travel at night, that sort of thing.*

*Mr SWAIN - They can have that condition placed on their licence. There are opportunities in the roles and responsibilities of the Registrar to have a tailored approach to bringing people back in that could include the use of additional training.*

*Ms RATTRAY - Perhaps an initiative could be a licence is a privilege not a right. How many times do we hear that but people don't seem to heed it.<sup>316</sup>*

## **Traffic Enforcement Cameras**

A number of submissions supported a variety of traffic enforcement camera interventions including:

- that camera installations should be installed in high risk intersections;<sup>317</sup>
- that there should be detection equipment that is transportable and employed in other locations as necessary;<sup>318</sup>
- discourage the practice of broadcasting speed camera locations (self-defeating);<sup>319</sup>
- the employment of point-to-point cameras (as employed in NSW and other mainland jurisdictions);<sup>320</sup>
- that camera technology also detects the unlawful use of mobile phones whilst driving and non-use of seat belts;<sup>321</sup> and
- that revenue generated from the use of cameras be reinvested to fund the camera program, road safety promotion, the rehabilitation of crash victims and in general making Tasmanian roads safer.<sup>322</sup>

At the public hearings, the Committee heard from the Messrs Mark Mugnaioni (Chief Executive Officer) and Garry Bailey (Chief Advocacy Officer) RACT with respect to the support of using more cameras on Tasmanian roads:

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<sup>316</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.28-30

<sup>317</sup> See submission [#1 \(Terence McCarthy\)](#) in general

<sup>318</sup> See above no. 317

<sup>319</sup> See submission [#5 \(Bob Holderness-Roddam\)](#) in general

<sup>320</sup> See submissions [#10 \(John Cashion\)](#) and [#17 \(Ray Metcalfe\)](#) in general

<sup>321</sup> See submissions [#17 \(Ray Metcalfe\)](#) and [#56 \(Bicycle Network\)](#) in general

<sup>322</sup> See submission [#17 \(Ray Metcalfe\)](#) in general

*Mr WILLIE - We've talked about education, speed limits, distraction and infrastructure. What about law enforcement? You talked in your submission about the deterioration of the speed camera network. Just recently, in the last couple of years, we have seen police diverted to COVID-19-related duties. What impact is law enforcement having over this plateau?*

*Mr MUGNAIONI - I think the role of law enforcement in ensuring that we get improved numbers can't be overstated. I think it is incredibly important. But equally, from our perspective, is making sure that we are judicious with the resources we have got. Our speed cameras, for example, we think are a fantastic tool to be able to combat not only speeding but distraction. They have been proven to work in New South Wales. We have got the data that is a proven position. We don't necessarily consider that they need to be managed and operated by police. We think police might have a better role to play elsewhere. But we are very supportive of elevated numbers of, particularly, highway patrols being visible on our roads. We know that has an impact on driver behaviour as well. We recognise that police will always have a range of conflicting objectives that they need to achieve but we would certainly not want to see road safety de-prioritised for other priorities.*

*Mr WILLIE - In terms of value for money, law enforcement in that bigger piece of the puzzle, is it quite expensive compared to, say, lowering a speed limit on a rural road?*

*Mr MUGNAIONI - It certainly is more expensive. But this is where, again, needing to think differently, by using automated cameras, for example, you can achieve similar results that, before that technology was available, you would have needed a much larger number of police on the roads to be able to achieve. So, we are certainly not advocating for cameras instead of police. We think we need the right balance between the two and we need to manage both in a way that's optimal for the resources that we have got.*

*Mr BAILEY - Might I add to that too. In our own surveys for the RACT, we asked the question about new-generation speed cameras for our members - 210,000 members. More than 5,000 responses, which is pretty robust, I would suggest. And 83 per cent supported cameras; 95 per cent supported the revenue going back into the speed camera network and other road safety issues.*

*That absolutely mirrors the situation in New South Wales when they did a pilot program with the new cameras. They detected 100,000 drivers using a mobile phone when they shouldn't. That program, and they surveyed the community three times, ended up with 80 per cent support. So, the days when people criticised that technology as mere revenue-raising is an absolute nonsense. Tasmanians want it because they want to feel safe.*

*Ms RATTRAY - Some people want it that badly they steal them. Just outside Launceston that time, they stole the camera.*

*Mr BAILEY - You need some security around them, obviously.*

*Mr WILLIE - If the revenue is going into road safety education and those sorts of things, the revenue will end up declining if it works.*

*Mr BAILEY - In every other state, that is the practice. That is how the camera network is funded. That is still a matter for some argument. We put the argument that revenue should go back into the network during the state election campaign. That was one of our two asks. The other one was 10-year plans for our highways, and we got that.*

*The interesting thing, just on enforcement, is the ultimate attitude of every police officer, and I know this from a lot of discussions with them over many years, is they want Tasmanians to get home safely. Safety is their prime consideration. It is about deterrence and education as well as enforcement.*

*The interesting thing, when you look at the police data, is they issue far more warnings than tickets because they want to educate people. They want to pull someone up and say 'you are breaking the law, if you do it again you will be fined and you'll lose points, but I am just giving you a warning this time'. You could argue whether that should be tightened up a bit but it really indicates the prime focus of our police force is to educate people and save lives.*

*Mr MUGNAIONI - I think in our submission we note that we have received assurances from the Government that it will be rolling out 16 speed cameras in the not-too-distant future and we think that is a fantastic start and we absolutely applaud that. We don't necessarily think it needs to stop there, though. These effectively pay for themselves and it's a voluntary tax from people who are not doing the right thing and putting everyone else in danger. We know that, again, in a lot of Scandinavian countries the proportion of cameras they have on the roads compared to ours is substantially greater and it has had an impact on behavioural change.*

*Now, interestingly, particularly if I take Sweden as an example, they don't have all of their cameras on all of the time because they don't want them to be seen as a purely revenue-raising activity; they want them to be seen as a data-gathering activity and a behaviour-change tool. There's absolutely no reason we couldn't be doing that here in Tasmania - learning those lessons and bringing them back for our own benefit.<sup>323</sup>*

The Committee also heard from Messrs Richard Sherriff and Brett Smith APM as to their views on increasing the use of cameras to assist in enforcement measures on Tasmanian roads:

*CHAIR - About the mobile phones, have you seen that in Queensland, they now have covert cameras? What is your opinion on those? Covert cameras were installed in July, with the new laws coming into effect on 1 November (2021). In the first four days of the ban, 57 drivers were caught on their phones or without a seatbelt, and 57 drivers were also caught two or more times in the first four days. What would your opinion be about covert cameras that look down into the car and spot that you have a phone sitting on your knee?*

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<sup>323</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.9-10

*Mr SHERRIFF - That is modern technology. They have them in Victoria.*

*CHAIR - What do you think about something like that? Do you think that is impinging on rights too much, looking into your car, or is it worthwhile looking at?*

*Mr SHERRIFF - I suppose you have to balance that out. Is it impinging on somebody's right to be texting on a phone and probably have an accident? I think people would accept that sort of technology. About 95 per cent of the people don't text and they are not happy about those people who are doing it, so I think it would get support. I think they have a camera at the lights, where they have stopped and they can see in the car.*

*CHAIR - They have to be able to identify you as well though, wouldn't they, so they must have some way. Can they read the number plates?*

*Mr SHERRIFF - The registration plate, yes.*

*CHAIR - They can do that, can't they, when you are driving along. They can pick up a car; they ping if they're not registered.*

*Mr SHERRIFF - That technology is the sort of thing that will come and people are going to have to accept it.*

*CHAIR - It is quite a lot of revenue apparently that they raise so now they have caught nearly 2,000 people in the first week.*

*Mr SHERRIFF - It is staggering to think people are being caught twice at it. That is the difficulty we have with educating people on the road.*

*CHAIR - You get double demerit points apparently if you get caught twice.<sup>324</sup>*

Mr Smith APM added to the debate:

*CHAIR - I would like to ask you about the covert cameras that they are doing in other states and your opinion on those. They are looking into the cars and picking up people with phones on their laps and not wearing seatbelts. In Queensland they have just started and in four days they have picked up a couple of thousand people and many repeat offenders. Do you think something like that is worth trying?*

*Mr SMITH - It is another tool in the toolbox that would support a whole range of positive and some negative messaging as well. It is quite an age-old police idiom that if you are not doing the wrong thing you have nothing to worry about. That is a line we trot out all the time. The reality is that it is true.<sup>325</sup>*

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<sup>324</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.5-6

<sup>325</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.11-12

The Committee heard from Messrs Scott Tilyard (Chair, RASC) and Gary Swain (Deputy Secretary and Transport Commissioner – DSG) as to the Government’s planned Automated Traffic Enforcement Program:

*Mr TILYARD - ... One of the areas where we are somewhat underdone, and we have probably have slipped back a little bit, compared to most of the other jurisdictions over the last decade, has been on automated traffic enforcement in particular.*

*... we are just in the process now of reintroducing mobile speed cameras. We haven't had those in Tasmania for about 5 or 6 years. We have got our fixed cameras around the place but, again, we have got relatively few of those compared to what a lot of the other jurisdictions have.*

*The other jurisdictions have invested more in the automated enforcement area. Some quite significantly, particularly in the urban areas. That is something that we will be looking at increasing here in Tasmania, as part of the current ...*

*Of course, in more recent times, police have been heavily impacted particularly by COVID-19 and the sorts of duties the police have had to perform in airports, Spirit of Tasmania terminals, checking on people in home isolation. Those sorts of things have taken resources that would ordinarily be committed to traffic policing type functions around the state. Not entirely, but there has been a significant impact.*

*One of the important roles the police play, does complement the Automated Traffic Enforcement program. The automated program doesn't replace what police do it complements what police do. It is enhancing the perception that if you do the wrong thing you will get caught.*

*Ms RATTRAY - Is that only for speeding?*

*Mr TILYARD - For everything, really.*

*...*

*Ms RATTRAY - Does it look at mobile phones?*

*Mr TILYARD - The reason it is called the Automated Traffic Enforcement program is because it's not just about the speed, it is about traffic enforcement. The first phase is the mobile cameras that we are deploying. We are already looking at, further down the track, the cameras that detect illegal mobile phone usage and failure to wear seat belts. There are other opportunities with automated enforcement. Some other jurisdictions are already using this technology and have been for a while.*

*CHAIR - Queensland.*

*Mr TILYARD - Yes, and others. Speed is the major contributing factor to serious casualty crashes, so it is important that we focus on that first. That we get the mobile cameras out there because people have become complacent. If you have one of the cameras on poles in your locality you know where it is and people slow down for the cameras. We have only 10 statewide anyway. Once we get the mobile cameras out there people will not*

*know where they are going to be on a daily basis and they will be more circumspect with their driving.*

*What we do know over the last five or six years through high-speed zone monitoring that State Growth does is that average speeds have been creeping up in all of those high-speed zones across the state every year. A big part of that is because we have not been deploying those mobile cameras. People have become complacent. There is a direct relationship between increased speeding and serious casualty crashes. As soon as we get those cameras out, which will be fairly soon, I am pretty confident we will see those average speeds start to drop.<sup>326</sup>*

...

*CHAIR - It is out for tender at the moment. Is that the case?*

*Mr SWAIN - We are in the evaluation process. We got some good bids. We're in contract negotiations with a party that we hope to resolve this month, which will see us start to deploy through March. It is imminent, it has taken a lot of work from the team working closely with police.<sup>327</sup>*

Mr Scott Tilyard (Chair, RSAC) provided the following additional information to the Committee around the increases in speeds and low level speeding across the Tasmanian road network from 2016 to 2020:

*Analysis of traffic data shows that compliance with posted speed limits, the number of vehicles driving at or below the speed limit, on State roads has fallen over the period 2016 to 2021. The data also indicates the average vehicle speed on these roads has risen over the same period...*

*Importantly national and international research has shown that speed is directly linked to road trauma. Just a 1km/hr increase in average vehicle speed across the road network is expected to result in an increase in road trauma, those killed and seriously injured, of around 4 per cent.*

*This is why the Road Safety Advisory Council has continually advocated for speed management in Tasmania and strongly supports the Government's efforts to change drivers' attitude and behaviours around speeding.<sup>328 329</sup>*

Mr Craig Hoey (Manager, Road Safety – DSG) also stated that the likelihood of employing point-to-point cameras may need to be re-examined as previous investigations found them less cost-effective than other initiatives in Tasmania:

*CHAIR - ... Can I ask a question with regard to the mobile cameras that we're talking about? Are the mobile cameras separate to the cameras for the mobile phones and seat*

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<sup>326</sup> See [Transcript of evidence, 2 February 2022](#) Mr Tilyard (RASC), p.15-16

<sup>327</sup> See [Transcript of evidence, 2 February 2022](#) Mr Swain (DSG), p.16

<sup>328</sup> Email to Hon Rosemary Armitage MLC Chair from RSAC Chair - Road Safety Report, 21 October 2022

<sup>329</sup> See fact sheet on the Automated Traffic Enforcement Program (recently introduced mobile speed cameras) for further information: [https://www.transport.tas.gov.au/road\\_safety\\_and\\_rules/automated\\_traffic\\_enforcement\\_program](https://www.transport.tas.gov.au/road_safety_and_rules/automated_traffic_enforcement_program) [Accessed 24 October 2022]

*belts, or are they the same? Will the ones for the seat belts be fixed cameras? Obviously they are going to be fairly high to look into the cars...*

*Mr HOEY - They will provide a range of cameras to achieve mobile phone detection. You're right, they need an elevated camera but -*

*CHAIR - For the seat belts as well?*

*Mr HOEY - Yes, the seat belt as well. We expect them to be configurable, so whatever approach they use, whether it's car-mounted or trailer-mounted, they will be able to deploy for enforcement of mobile phones, speed, seat belts at one period and then they might just do speed in another period to achieve a certain amount of hours on the network in terms of enforcement. They'll be quite customisable and deployed in different configurations to enforce the different types of offences that they'll be detecting.*

*CHAIR - I wasn't sure. Are the ones in Queensland fixed or mobile? I've noticed that they've been out for a while and have done very well.*

*Mr HOEY - They have a mix in both Queensland and New South Wales, I understand. They'll put them on gantries and also have a mobile approach. A mobile approach is a trailer with an extended camera system to pick up those offences. The issue is trying to get a random deployment across the network, so you get that anywhere, anytime type of -*

*CHAIR - Do you find that's difficult? Wasn't that one of the problems previously when you had an unmanned camera, or will someone be with it? Wasn't that an issue that the cameras were unmanned and they were having a few difficulties - stolen, vandalised? When you say a trailer, will someone be in the car attached, or will the trailer be left? How is it going to work so that we don't have the same problem?*

*...*

*Mr HOEY - Since the cameras were last in Tasmania technology has advanced. In most other jurisdictions they use a variety of deployment techniques. They will be car-based, other covert arrangements and also trailer-based, which will be left. They have a more robust environment now with CCTV. They're not getting that sort of -*

*CHAIR - They're much higher up.*

*Mr HOEY - It's all to try to have a variety of approaches to create that random anywhere, anytime approach, so the road user realises there's a chance of being detected using a mobile phone or speeding or failing to wear a seatbelt.*

*CHAIR - Do we still have point-to-point cameras? We did have a couple at one stage. Are we still using those?*

*...*

*Mr HOEY - That's right. Point-to-point is generally very expensive and you need quite a high volume of traffic to make them cost-effective. In the Tasmanian context, they didn't stack up against other safety initiatives. That would be something to consider under this new program. As we get a better understanding of what is going on in the network, there*



*will be some investigation of those areas on the network that would be effective, point to point.*<sup>330</sup>

### **Committee Findings**

- F56. The staged roll-out and use of traffic enforcement cameras throughout Tasmania should improve road safety.
- F57. The use of traffic enforcement cameras complements police enforcement of Tasmanian Road Rules.
- F58. Fixed traffic enforcement camera technology has been utilised in Tasmania but mobile technology has not been deployed for five years.
- F59. During 2016 to 2021, analysis of traffic data indicates the average vehicle speed on state roads has risen. The number of vehicles driving at or below the posted speed limit on these roads has fallen.
- F60. National and international research has shown that speed is directly linked to road trauma. Just a one km/hr increase in average vehicle speed across the road network is expected to result in an increase in road trauma of around four per cent.

### **Committee Recommendations**

- R31. The Government continues its intended roll-out and use of traffic enforcement cameras throughout Tasmania.

### **Mobile Phones and Other Driver Distractions**

Another topic of interest throughout the submissions was how to deal with dangerous driver distractions, especially the use of mobile phones by drivers:

- increased penalties for unlawful mobile phone use in moving vehicles;<sup>331</sup>
- the use of cameras to detect unlawful mobile phone use (see [Traffic Enforcement Cameras](#));<sup>332</sup>
- the seemingly increasing prevalence of the practice of drivers using their mobile phones whilst driving;<sup>333</sup>
- that there are other distractions including young children that may impact the driver's attention; and<sup>334 335</sup>

<sup>330</sup> See [Transcript of evidence, 2 February 2022](#) Mr Hoey (DSG), p.17-19

<sup>331</sup> See submission [#5 \(Bob Holderness-Roddam\)](#) in general

<sup>332</sup> See submissions [#16 \(Richard Sherriff\)](#) and [#47 \(Road Safety Matters Organisation\)](#) in general

<sup>333</sup> See submissions [#25 \(Simon Lincoln\)](#) and [#76 \(Cheryl Swan\)](#) in general

<sup>334</sup> See by way of example 'Are child occupants a significant source of driving distraction', S Koppel, J Charlton, C Kopinathan and D Taranto, *Accident Analysis & Prevention*, Volume 43, Issue 3, 2011, Pages 1236-1244, (<https://www.sciencedirect.com/science/article/pii/S0001457511000066>) [Accessed 31 March 2022]

<sup>335</sup> See submission [#47 \(Road Safety Matters Organisation\)](#) in general

- a strong signal is needed to raise the awareness of the danger of distraction on roads, noting that many devices (e.g. smart watches) can now operate independently of a mobile phone and send and receive messages, make phone calls or check other applications.<sup>336</sup>

At the public hearings the Committee heard from Messrs Richard Sherriff and Malcolm Eastley that mobile phones (along with other potential driver distractions) was still of concern on Tasmanian Roads:

*Mr WILLIE - You made comment in your submission about mobile phone usage. I'm interested in whether you're aware of good strategies to address that; whether it was driver education or policing methods or cameras. Do you have a suggestion for the committee in terms of tackling that issue?*

*Mr SHERRIFF - The key to it is the policing, I would suggest to you. I don't think education will make any difference. When I come past Bunnings in peak hour when the traffic is slow, it's very common to look in your rear vision mirror and see the person behind you like that.*

*CHAIR - Looking down.*

*Mr SHERRIFF - I drive now with a bigger gap in front so I can sort of see if they were on their phone. It's a very common thing to see people on mobiles. I've got brothers and friends in the trades and it's not uncommon to see people looking down on the open road. It's a real issue.*

*Mr WILLIE - It would be pretty hard to police, wouldn't it?*

*Mr SHERRIFF - I think they've got cameras now and there needs to be more policing on the current laws. Police can tell if they're on the phone by looking at the phone anyway if they pull them up, because the time you're texting is on the phone.<sup>337</sup>*

...

*Dr SEIDEL - Isn't the issue more distraction per se? Currently, we are texting on our physical device and the alternative is to tap on the display - in modern cars you can literally do everything but you always see fingers going all over the place.*

*Mr SHERRIFF - Yes. GPSs and that.*

*Dr SEIDEL - Or people just put their mobile device on the holder, which is the same thing but they're tapping away so they're also distracted. They don't look down, they look sideways or somewhere else.*

*Mr SHERRIFF - Yes.*

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<sup>336</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

<sup>337</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.3-4

*Dr SEIDEL - Is there a point to ban the use of electronic devices whilst you are driving at a certain speed; or do you think that would be overkill?*

*Mr SHERRIFF - Mobile phone answering and that, if it's hands-free, I don't see as a major problem but certainly texting, messaging, is. That would be a fair distraction on a driver, I would think. It would be interesting to drill down on some of the crashes to see if there was texting or that sort of thing going on. That task needs to be done, to drill down and look at some of these accidents and what actually caused it. Sometimes it is easier for police to put it down as speed, but there are a lot of other factors in there.*

*Dr SEIDEL - A proper root cause analysis would be good, wouldn't it, to see what happens.*

*Mr SHERRIFF - Yes, you need to drill down on what it is. Was the accident within or at the prescribed or posted speed limit or was it above; was it excessive?<sup>338</sup>*

Mr Malcolm Eastley added the following comments:

*CHAIR - ... Just one more thing. Mobile phones. In other states, they're using covert cameras, taking photos of people with mobile phones on their laps, and seatbelts. Do you think that's a good thing? Do you think we're policing enough things? Are there enough obvious police vehicles on the roads now?*

*Mr EASTLEY - I think it's improving.*

*CHAIR - A lot of the officers have been taken off their normal jobs because they're so busy with COVID.*

*Mr EASTLEY - Driving a truck through Launceston, I've seen all sorts of things; people eating breakfast out of a bowl.*

*CHAIR - Putting on their makeup in the car.*

*Mr EASTLEY - With phones, there probably should be an interlock; when your ignition goes on, your phone goes off. That's a bit of technology that's probably needed. It's not just the fact that you're on the phone; you're thinking about something else all the time, you're not focused.*

*CHAIR - It's true. Even when it's hands-free, your mind is somewhere else.<sup>339</sup>*

The suggestion of increasing police powers to confiscate mobile phones was also mooted by Mr Simon Lincoln:

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<sup>338</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.4

<sup>339</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.12

*Mr LINCOLN - One little thing is, and I am sure someone will mention it. Going back to the mobile phone usage, it would be great if the police had a legislative power to confiscate a phone on the spot because I think -*

*Ms PALMER - I reckon that would change people's behaviour, wouldn't it?*

*Mr LINCOLN - I do. They're not allowed to take the SIM card out, it's just confiscated on the spot, for seven days. You have to go to the police station to get it back. I know that would probably not be what the police would want to do, but something's got to change. I am so surprised that there aren't more accidents with texting. It's a major problem.<sup>340</sup>*

In addition, Ms Alison Hetherington (Public Affairs Manager, Bicycle Network) was of a view that distracted drivers are a danger to vulnerable road users:

*CHAIR - The other area that I noticed comment was to do with mobile phone cameras. I note that in Queensland they have mobile phone cameras and they have caught a significant number. You find that is something very significant with bike riders, that people have near misses or crashes because people are looking at a mobile phone or texting and they are not noticing the rider?*

*Ms HETHERINGTON - Yes, absolutely. Last night I was riding behind a rider coming down Sandy Bay Road. He was perfectly positioned so that people turning left into the road could see him. A driver coming out just drove straight at him. He was lucky enough to have a very loud voice and the driver stopped suddenly, but that driver was not paying attention. That could have been a serious injury.*

*These sorts of things happen a lot. It is because when you are riding a bike you are very alert and aware of your surroundings. A lot of people like that rider in front of me last night get ready for the wrong thing to happen, so you are able to react really quickly when it does happen and you avert those crashes. That can't happen 100 per cent of the time. If we have distracted drivers that is a huge danger to people riding. Mobile phones, as we know, are one of the major causes of distraction.<sup>341</sup>*

...

*Ms PALMER - Would you see one of the biggest issues of driver distraction is mobile phones? Is that what your riders would be giving you feedback on?*

*Ms HETHERINGTON - Driver distraction is an issue. People talk about drivers leaving their lanes, turning and not looking, not paying full attention. Whether that can be completely attributed to mobile phones, I don't know. It's not really until we get the technology that exists in Queensland and in New South Wales to see how many people are actively looking at phones while driving. There was a trial in Hobart a couple of years ago by one of the camera operators that found statistics similar to New South Wales and Queensland where they had done trials before. That's why we're keen for the Government to get those cameras.*

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<sup>340</sup> See [Transcript of evidence, 29 November 2021](#) Mr Lincoln (SCPO), p.17

<sup>341</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.4-5

*Since this submission was put in I understand the Government has approved funding for cameras and it has gone out for tender. We are just waiting to see who is going to be given that tender to do that camera technology.*

*Parliament still needs to change the legislation to allow that camera technology to be legally permissible and for things like seatbelt use and registration because the computer algorithms that are run through the images captured can pick up all sorts of things. If you're on your P plates and you're limited by the number of passengers in your car, for example, they can run an algorithm that picks that up.*

*At the moment they're doing registration, seatbelt, speed and mobile phone use.<sup>342</sup>*

Finally, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) and Mr Jonathan Higgins (Assistant Commissioner Operations, Tasmania Police) spoke of their ongoing concern with the misuse of mobile phones by drivers:

*Ms PALMER - I want to ask about mobile phones. I don't know if we have had anyone come before the hearings in Launceston or Hobart who has not mentioned the impact of driver distraction via mobile phones.*

*Great to see that cameras are going to be rolled out but I am wondering if there are other strategies. Is that on your radar? It does seem to be a constant issue. Whether it is our 'lollipop people' managing crossings outside schools or whether it is representatives from the bicycle groups, it does seem to be a common theme that that is a major distraction for drivers. What's their plan here?*

*Ms RATTRAY - It has been suggested that they should be confiscated immediately.*

*Ms PALMER - I wasn't going to tell you what their suggestion was but the member has. But just wondering, is that on the radar? What's the plan there?*

*CHAIR - Trail bikes with cameras as they do in WA.*

*Mr FERGUSON - ... I wish to say briefly that we have made some changes in this area as part of the graduated licensing system, Ms Palmer. ... Mobile phones are a massive source of distraction and inattention, which is one of the top three in the fatal five in terms of your statistics as causes of crashes or contributing causes. One of the things that we've most recently done is brought into place a new rule that there can be no use of mobile phones whatsoever for learners or P1-licensed drivers.*

*Previously they've been allowed to use a mobile phone on Bluetooth only, hands-free. We've even dealt with that. We want those learners and P1s, in particular, to focus on their driving and not a device, even if it's remote and hands-free. Of course, adult drivers and P2 drivers can use Bluetooth through the rules that apply to all of us. The rationale for that, of course, was a P2 is a more advanced provisional driver. We want to prepare them for being a fully licensed driver.*

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<sup>342</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.6

*I will also briefly add that state, territory and federal transport ministers will be meeting ... to consider a national road safety strategy. As part of that there's a lot of consideration being given to future design rules around vehicles and interfaces, and mobile telephony is part of that....*

*Mr HIGGINS - ... It would be fair to say it's an ongoing frustration for police when they see it, which is why we use a range of tactics to enforce it but also to educate as well.*

*Three years ago we brought in unmarked motorcycles - you mentioned the cameras - with a camera on them, so they could actually go, with lane filtering, up through the lanes and see people and get them on their phones as they're stationed at the lights, which is one of the big bugbears. I'm thinking of the crossing guard talking about someone - they were stopped, waiting for him on the phone. That's part of it.*

*The other part is with our marked fleet as well and that ability to actually get up next to vehicles and see it without a motorist realising they're there. That's a very effective strategy as well. Another strategy we use, particularly in the towns and the cities, is having two people stationed, whether it's plain clothes or uniform, it actually probably doesn't matter, and having them at one light, detecting and pulling up further down the road. That's quite effective as well.*

*It's certainly a frustration and a challenge to enforce. The ability to be able to turn around in traffic can be quite difficult but that's the importance of having the cameras as well, to be able to capture that evidence. Motorcyclists tend to have them on their fronts or on their visors, on the sides of their helmets, to actually do that. That's certainly a priority for us. Inattention is one of the fatal five as well and we do target mobile phone use.<sup>343</sup>*

### **Committee Findings**

F61. Inattention and other driver distractions contributes to Tasmanian road deaths and serious injuries.

### **Committee Recommendations**

R32. The Government continues to investigate strategies to minimise Tasmanian road deaths and serious injuries underpinned by inattention and other driver distractions.

### **Breath Testing**

In line with recognising that the consumption of alcohol and/or drugs contributes to impaired driving, several submissions identified the following:

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<sup>343</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.27-28

- the potential legislated requirement that free breath testing machines to be made available at all establishments providing alcohol to the public;<sup>344</sup> and
- the decrease in random breath testing undertaken by Tasmanian Police since 2008-09 (notwithstanding the period of the COVID-19 pandemic).<sup>345</sup>

As to the introduction of breath testing machines in Tasmanian establishments serving alcohol, the Committee heard the following from Mr Albert Ogilvie:

*Ms RATTRAY - Thank you very much for your suggestions. We get a lot of submissions with a lot of concerns, but not always suggestions about how we might resolve that. Regarding breath-testing machines, some establishments have them, but I thought it was a really useful suggestion that we could look at to make it mandatory for all venues that serve alcohol to have breath-testing machines.*

*Mr OGILVIE - I came up with that idea and then my defensive driving instructor said that a number of establishments have them. I have never seen one in Tasmania. I do not know if anyone else has?*

*Ms PALMER - Yes, there are a few. Not a lot.*

*CHAIR - They function sometimes, I know at Festivale and other areas. They are not overly accurate. I think they have to be calibrated quite regularly to make sure they are okay. That could be a problem if they have not been calibrated and someone gets tested, then there can be a dispute between the business and the police, which could be quite difficult.*

*Mr OGILVIE - The Monash reference I gave said the coin-operated machines, which is different from what I said, had had a beneficial effect. That was encouraging. I had a personal breathalyser. I still have it. I don't ever use it now because I religiously take taxis when I am having a drink ... I often found when I checked it I was higher than what I thought I was. Very salutary to have that test.*

*Ms RATTRAY - I thought that was very useful. Obviously there would be a cost to venue owners, so possibly there would be some pushback. With any safety measure there always has to be a cost. It is up to the community to wear that cost.*

*Mr OGILVIE - My point is everyone's guessing. They've had few drinks and feel they're right.*

*Ms RATTRAY - A lot of that depends on your weight and whether you've eaten. There are a lot of factors.*

*Mr OGILVIE - I often go out with friends and I have come by taxi and they are driving and I say, 'Actually, you are taking a risk!' - but we don't know. I say, 'Are you all right to drive?' 'Oh yeah, I'm pretty right'. It is just straight guesswork.*

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<sup>344</sup> See submission [#21 \(Albert Ogilvie\)](#) in general

<sup>345</sup> See submission [#65 \(Stephen Coombs\)](#) in general

*This would give you an option of finding out before you have hit the road. I have often said, when you have an accident with drink driving about five bad things happens. You can lose your licence; you can damage your car; you can invalidate your insurance policy; you can injure someone else and I do not know if there is a fifth thing.*

*Mr WILLIE - You can lose your job.*

*CHAIR - You can lose your life.*

*Mr OGILVIE - Well, injure somebody. It is a horrendous set of risks to drive when you have been drinking - financial, physical, and personal.<sup>346</sup>*

### **Committee Findings**

F62. Notwithstanding the period of the COVID-19 pandemic, there has been an apparent decrease in large scale random breath testing undertaken by Tasmania Police since 2008-09.

### **Committee Recommendations**

R33. The Government support Tasmania Police to recommence large scale random breath and drug testing campaigns.

### **Older Drivers in Tasmania**

A growing issue identified by several submissions and the ageing population in Tasmania and the need to support older drivers:

- elderly road users are a special class of vulnerable road users due to a range of complex characteristics (e.g. reduced baseline health and mobility, age related cognitive impairment, use of medications etc.);<sup>347</sup>
- that a primary approach to older drivers should be focussed on helping individuals stay on the road safely to preserve their mobility and independence;<sup>348</sup> and
- whether mandatory assessments of continuing driving capacity for older drivers should be introduced.<sup>349</sup>

### **Slowing Down for Police Emergency Stops on Highways**

As a response to protect first responders and others involved from being struck by passing vehicles or debris at a crash scene, the *Tasmanian Road Rules 2019* were amended in

<sup>346</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.7-8

<sup>347</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

<sup>348</sup> See above no. 347

<sup>349</sup> See submissions [#5 \(Bob Holderness-Roddam\)](#), [#31 \(Peter Bowen\)](#) and [#54 \(Chris Spiegel\)](#) in general



December 2019 to the effect that all drivers and riders travelling on the same road as the emergency or enforcement vehicle must slow safely to 40km/h, unless there is a dividing barrier or median strip between them and the emergency vehicle.<sup>350</sup>

Mr Mark Mugnaioni (CEO, RACT), suggested at the public hearings the desire to amend the rule to be more in line with other states as to reasonability and safety:

*CHAIR - I have a question with regard to the recent legislation, or fairly recent, with regard to slowing a vehicle from 110 kilometres per hour on a highway down to 40 kilometres per hour. It has been raised with me that in other states, if you're doing 80 kilometres per hour, you slow down to 40 kilometres per hour but if you're doing over 80 kilometres per hour, you slow down to a speed that's reasonable to do so.*

*What has been raised with me is it was felt that driving along at 110 kilometres per hour and all of a sudden you come around a corner and you come across an accident or flashing lights - whatever type it might be - can actually be quite dangerous trying to slow down, particularly with vehicles behind you, to 40 kilometres per hour. Does the RACT have a comment on whether that should be, perhaps, lifted as in line with the other states to something that's probably safe to do or whether it's reasonable?*

*Mr MUGNAIONI - I believe the minutes of RSAC are now public for that conversation, so that has absolutely been discussed at the Road Safety Advisory Council and there was a strong recommendation that exactly the position you describe be adopted. I understand that that is going to be adopted moving forward, that there will be a difference in approach in terms of what you need to slow down to depending on the speed that you're travelling at the time.*

*As you identified, Chair, if you're travelling at 110 kilometres per hour, a B-double, there is absolutely no physical chance that you can actually slow down to 40 kilometres per hour even if you wanted to and, if you attempt to do so, that could actually be quite dangerous. My understanding is that State Growth intend to update the legislation to reflect that fact.*

*Equally, we're very pleased to note that, for the first time in Tasmania, RACT's patrols and other roadside emergency workers will be included in that legislation as well.<sup>351</sup>*

Ms Rachel Matheson (CEO, Civil Contractors Federation) applauded the increase in police presence around Tasmanian road works:

*CHAIR - My understanding from our last people giving evidence is that road workers will be included with emergency vehicles, the slow down. State Growth are now looking at the fact that, at the moment, it's slow down to 40 kilometres per hour from 110 kilometres per hour, which is obviously questionable that they'll be changing that and that road workers will be included as well as emergency workers, when people have to slow down when they see them. I think that's a good move in that direction that you've been talking about.*

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<sup>350</sup> Rule 79A, *Tasmanian Road Rules 2019*, <https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2019-061#GS79A@EN>

<sup>351</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.11

*Ms MATHESON - Yes, that is great to know that is happening. We're starting to see more police presence as well on some of our government sites. They come and sit there and it's a bit of a deterrent for people approaching zones. I would like to see more of that as well, where possible.<sup>352</sup>*

Mr Richard Sherriff commented on the reasonableness of the rule:

*Mr WILLIE - You made comment on the 40-kilometre speed limit travelling past police vehicles with their lights. Are you able to expand upon that?*

*Mr SHERRIFF - You should investigate that accident out the back of Westbury. I have no criticism of what was happening but I believe there was a police car operating at the time. There was a head-on of a vehicle that was braking or making an incorrect passing manoeuvre and it could have been caused by somebody obeying the law of 40 kilometres an hour past an emergency or a police car. You need to get the coroner's report to find out why.*

*I think it has happened in Victoria too. They have changed that for any highway with a speed limit of 90 kilometre and above, they have changed it from that 40-kilometre speed back to 80 kilometres. The 40 kilometres an hour cutting back is fine in speed limits of 80 and below. The emphasis has to be to pass those vehicles operating, like police, et cetera, with due care, but if you are on the highway and you have a conga line of traffic and somebody jams the brake on at 40 kilometres an hour, it is a big drop.*

*There was a comment in the paper that they put it down to inattention. That could very well be the case, particularly if you were following a truck and you didn't see what was going ahead. That is an important one that you should investigate. It may be that Tasmania might need to recommend that we do something with it here.*

*CHAIR - I have an idea they might be.*

*Mr WILLIE - You support the principle of it to protect emergency workers and whoever they have with them?*

*Mr SHERRIFF - Yes, absolutely. Road works have signage, 80 ahead and then 60 and then 40. You will notice that authorities made a comment that police were to pull vehicles up in areas where it is safe to do so. There has to be a bit of thinking on that side as well.*

*CHAIR - That is true because the road works do slow you down gradually. They go from 110 to 80 to 60 to 40.*

*Mr SHERRIFF - It is a good thing. Again, there needs to be more education on it for people to be aware of it. I think there would have been a line of traffic that morning and suddenly it was either an incorrect passing manoeuvre or braking to stop a rear end accident there.*

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<sup>352</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.6

*Ms PALMER - Just a comment, it comes back to driving to the conditions. If you see up ahead that there is an incident, you would like to think most people would take care and slow down rather than having laws that say you must drop from this to this to this. Again, it is about common sense and what decent courtesy would be, slow down, take it easy.*

*CHAIR - I guess 40 is quite a drop from 110 on the highway.*

*Ms PALMER - It is a huge drop.*

*Mr SHERRIFF - Particularly if you are behind a truck and you can't see what goes ahead and suddenly, even if you have a reasonable distance in it. It is worth looking at anyway.<sup>353</sup>*

Messrs Barry Oliver and Brett Smith APM also commented on the reasonableness of the rule:

*CHAIR - At the moment you have to do 40 km/h coming up to emergency vehicles on the highway, slowing down from 110 km/h. The question was raised as to whether that should be 80 km/h. I think in some states it is 80 km/h that you slow down to, rather than 40 km/h. You might be driving on the highway and all of a sudden you come around the corner and there's police or an accident or there are emergency vehicles of some type with flashing lights, and you have to slow down from 110 km/h to 40 km/h.*

*Do you think there should be either a bit of a difference with that, that maybe it should be 80 km/h rather than 40 km/h? Have you any thoughts on that? It was felt that it is dangerous to suddenly to slow down to such a speed because you can't have warning that you are going to slow down because you don't know where the accident might be.*

*Mr OLIVER - No, true. I guess what you are saying is that there is always going to be circumstances where you have limited forward vision.*

*CHAIR - Absolutely, coming around a corner, particularly.*

*Mr OLIVER - Yes, and the other issue is if you suddenly stand on the brake, you have to assume that the person behind you is watching what they are doing and left enough space to be able to react and then stop the vehicle before they run into you. If I look at it from a very personal point of view, my eldest granddaughter is a paramedic. I think about her on the side of the road so it's a hard one; it is really difficult.*

*CHAIR - Or 40 km/h if it is safe to do so.*

*Mr OLIVER - Yes, 40 km/h if it is safe to do so.<sup>354</sup>*

Mr Brett Smith APM stated:

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<sup>353</sup> See [Transcript of evidence, 29 November 2021](#) Mr Sherriff, p.6-7

<sup>354</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.11-12

*CHAIR - I want to ask you a couple of questions about things that have been raised with us over the last few weeks with regard to different submissions. The 40 km/h slowing down on the highway when you come across an accident scene or a police officer or an emergency vehicle. Do you think 40 is appropriate, or do you think it should be higher?*

*We have been hearing that to slow down, particularly if you have just come across it, come around the corner or all of a sudden you are behind a truck and you don't know it is up ahead, that you then have to slow down from 110 km/h to 40 km/h. The suggestion was made that perhaps it should be 80 and I think in some states it is 80 as opposed to 40. Do you have a thought about that?*

*Mr SMITH - I support the idea behind the law with it. It is largely about protecting the road workers, whether they be police -*

*CHAIR - But do you think it could cause more accidents if all of a sudden the car behind you doesn't notice that you brake suddenly to 40 and you have someone -*

*Mr SMITH - It probably could in situations where it was just around the corner and normally you will find with a police random breath test site for example, there will be a graduated reduction in speed particularly if it is done on the open road.*

*CHAIR - This is probably not so much something that is planned. It is more that someone has pulled someone over or an ambulance is on the side of the road.*

*Mr SMITH - I think if it is done in that situation, I suppose you have to rely on the discretion of the people whether it be ambulance or the police and so forth, but it is mostly the police controlling that. Do I think 40 is appropriate? Yes, I do because it is about protecting the workers. Could it be structured better and is it going to be perfect? Probably not but I think also that people in charge of those particular sites, whether they be the firies, ambos or the police or whoever, perhaps there could be some greater safety standards employed.*

*Ultimately, if someone was cleaned up in a process like that, it would be a matter for Workplace Standards. Again, I don't know what has happened since I left Tasmania Police but I am not sure whether there are any safety standards around the application of that. I am not sure.*

*Mr WILLIE - It is pretty hard to enforce isn't it, because if you are a police officer dealing with the situation, you are not going to get back in your car and chase the person that wasn't obeying the law.*

*Mr SMITH - I know there have been some prosecutions where a number has been taken -*

*CHAIR - They know you are going fast, just not the speed.*

*Mr SMITH - The number has been taken, they have caught up with it and so forth. This was discussed when it first came out and there was always conversation, 'How are we going to enforce that?'. The police are pretty resourceful; they will find a way to enforce*

*it. As I say, they have picked up number plates and done it that way. I am not sure what the result has been as a result of that judiciary-wise but, philosophically, it is a good thing to do. Could it be managed better? Probably.*<sup>355</sup>

The Government's response to the subject rule was articulated as such through Hon Michael Ferguson MP (Minister for Infrastructure and Transport) and Messrs Jonathan Higgins (Assistant Commissioner Operations, Tasmania Police) and Martin Crane (General Manager Road User Services – DSG):

*CHAIR - While we are talking about 40, another comment that was made by several people during our hearings was the 40-kilometre per hour limit on the highway when it comes to slowing down for emergency vehicles.*

*The concern was raised that, occasionally, a vehicle will be coming around the corner legally doing 110 kilometres per hour when, all of the sudden, there are flashing lights when someone has been pulled over, or where there is an accident. There could be a variety of reasons for the flashing lights, but they all of the sudden have to step on the brakes, which can cause some serious consequences. A car behind them may all of a sudden run up the back of them. Or, with their brakes, they veer to the left, they veer to the right.*

*In some states I think now it goes up to 60, rather than 40. Has consideration been given that maybe 40 kilometres per hour is causing a little bit of grief on the highways? Should it be a little higher? Or are we sticking with 40?*

*Mr FERGUSON - ... The Government introduced this rule, I think it was, in late 2018 and made law in 2019. We introduced new changes to the road rules to require drivers to slow to 40 kilometres per hour when passing emergency services vehicles displaying a flashing light or sounding an alarm.*

*At the same time, we said that we would monitor this closely and do a formal evaluation. The Committee and your witness will be interested to know that the review has been conducted.*

*As a result of the evaluation the Government intends to amend the rule to require drivers to slow to 40 when passing a stationary or slow-moving roadside assistance vehicle. That was the request by an organisation like RACT to be included in the rule. But it is also intended that we will clarify that slowing to 40 kilometres per hour on high-speed roads is required unless it is impractical to do so.*

*An example of a situation where it may not be practicable for a driver to slow to 40 kilometres per hour on a high-speed road would include when slowing to 40 would likely cause the driver to collide with another vehicle in front or behind them or a pedestrian or where it is simply not possible for a heavy vehicle to rapidly slow to 40 kilometres per hour. It is a clarification that is intended so it is not seen as a hard and fast rule; you must slow to 40 kilometres per hour and you must do it immediately. It is about providing*

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<sup>355</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.7-8

*clarity. That is the expectation unless there are some good reason why that in itself wouldn't be safe to do.*

*CHAIR - That covers coming around the corner and, all of a sudden, you can't possibly slow to 40 kilometres per hour without slamming on the brakes.*

*Mr FERGUSON - This would be a clarification that supports a common-sense approach here.*

*Mr HIGGINS - I agree with the Minister's comments. The clarification will be important. From my perspective, slowing down is important for members, community service workers and, in the future, some of the breakdown-type services as well, for their safety and the safety of the people they are dealing with, whether it is police having pulled over a car for speeding or a crash or anything else that by slowing it is increasing the safety of those people.*

*CHAIR - If practical to do so.*

*Mr HIGGINS - If practical to do so.*

*Mr CRANE - When we introduced the original changes in 2020, we had a very successful education campaign. If we were to change this we will have another education campaign to advise the public of the amendments to legislation to make sure that is part of the way we do our business.<sup>356</sup>*

Effective 1 August 2022, the relevant Tasmanian Road Rule has been subsequently amended so that when passing a slow-moving or stationary emergency service, enforcement, escort or roadside assistance vehicle that is displaying flashing red, blue, magenta or yellow lights or sounding an alarm on roads with speed limits over 80km/h:

- the driver must slow to 40km/h if it is safe to do so, or
- if it is unsafe to slow to 40km/h on a road with a speed limit over 80km/h, the driver must slow down as safely as possible.

### **Committee Findings**

F63. Since the commencement of this Inquiry, the Government has introduced amendments to the Tasmanian Road Rules to accommodate circumstances where it is unsafe to slow down to 40km/h on a road with a speed limit over 80km/h: the driver must slow down as safely as possible.

### **Minimum Passing Distance for Cyclists**

Tasmania has had minimum passing distance laws in place since 2017. These laws require drivers passing people on bicycles to ensure there is 1 metre between their vehicle and the

<sup>356</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.33-34

bike rider when the speed limit is 60 km or below, and 1.5 metres when the speed limit is higher than 60 km.<sup>357</sup>

At the public hearings, Ms Alison Hetherington (Public Affairs Manager, Bicycle Network) discussed the support for more police enforcement of this road safety rule:

*Ms RATTRAY - Can I ask about the really dedicated bicycle riders who train. I know they use what we call the sideling - the Tasman Highway, from Launceston to Scottsdale - as a training route.*

*Ms HETHERINGTON - Which has been famous by our champion cyclist, Richie Porte.*

*Ms RATTRAY - Absolutely, but the road verge is not even of Australian standard width, let alone able to accommodate these absolutely fantastic athletes who use it for their training. How do we accommodate those as well, other than education? Obviously there is a rule about the 1.5 metres and giving them a wide berth.*

*Ms HETHERINGTON - Which has been fantastic. Since the 1.5 metre rule has been brought in, a lot of people riding have anecdotally said it has made an enormous difference to their feeling of safety and comfort, and just that mutual respect on the road. When you see a car driver giving you the adequate space, it makes you feel valued as a member of society.*

*They are doing the right thing, giving you space. I often give a thumbs up, or a wave, just to acknowledge them.*

*Ms RATTRAY - I have had that too. I believe I am courteous but I have seen other road users who, I believe, have really not been that courteous at all and actually have been quite dangerous in overtaking.*

*Ms HETHERINGTON - Part of the attraction for a lot of people riding in the north and north-west of the state is that we do have fairly quiet roads. That's why the route out to Scottsdale has become well known because it is relatively quiet. If you are driving and you come across a cyclist you usually have enough time to get around them, or you might only have to wait five seconds for another car to go past on the other side before you can go around them.*

*They are a benefit that we have in Tasmania that is very attractive to a lot of people who want to ride, and it does actually bring tourists down here, but also creates the conditions where we are able to produce these world-class cyclists. I am very happy to say we have just produced one from the south of the state, with Nicole Frain winning the Australian road championships recently - but they have typically come from the north.*

*Ms RATTRAY - Well, the roads are windier.*

*Ms HETHERINGTON - Yes. Steeper.*

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<sup>357</sup> Rule 144A, *Tasmanian Road Rules 2019*, <https://www.legislation.tas.gov.au/view/html/inforce/2019-12-01/sr-2019-061#GS144A@EN>

*CHAIR - While you are talking about minimum passing distance enforcement, are you aware that the police do enforce that, or book people for not having that minimum passing distance?*

*Ms HETHERINGTON - We have worked with the police to get a guide in place to help people who are riding, who believe someone has breached the road rule, to get it brought to court. They have been very supportive in that respect.*

*We have put in our submissions some examples from elsewhere where police forces have actually gone out and undertaken operations in the same way they would for drink-driving or drug-driving, or speeding. This can be educational for drivers. It doesn't have to be going out and pinging people for revenue. They actually have motorbike riders with cameras on their uniforms that could do this already, because they do it for mobile phone use.*

*It is just getting the documentary evidence that would stand up in court, to back up the police issuing the fine, or a caution for drivers. It is part of the ongoing education of the law.*

*CHAIR - It is the evidence, basically.*

*Ms HETHERINGTON - And to make that concerted effort to say this is a safety issue that we think should be policed and we are going to make concerted efforts to do that.<sup>358</sup>*

### **Committee Findings**

F64. The adoption of mandatory lateral separation distances when drivers are passing cyclists has improved road safety.

### **Better Visibility of Cyclists and Motorcyclists**

Several submissions identified that the safety of cyclists and motorcyclists could be better served if there was better education and incentives for these class of drivers to be more visible on Tasmanian roads:

- the desirability of riders to wear high visibility colours on clothing and helmets; and
- more brightly coloured motorcycles.<sup>359</sup>

The following was discussed at the public hearings with the Bicycle Network:

*Ms HETHERINGTON - The law requires you to have lights in low-visibility conditions. Research is mixed on the benefits of high-visibility clothing. A lot of the problem is that*

<sup>358</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.3-4

<sup>359</sup> See submissions [#20 \(Peter Mudford\)](#) and [#82 \(Chris Merridew\)](#) in general



*when drivers are just not paying attention you could have a million flashing lights on you and wear the brightest high-vis possible, if they are not paying attention they are not going to see you. The research I have seen talks about how reflective material is the best in low-visibility conditions and it is better on the moving parts of the bicycle or the rider because it catches the attention of drivers. It is why a lot of people riding have flashing lights on the front and back.*

*I get complaints from people asking why they have flashing lights, it is distracting. It is so you see them. Some bright clothing may make you slightly more visible but the real issue is drivers need to be actively looking for people on bikes.<sup>360</sup>*

### **School Buses and School Crossings**

Understandably, safety around school buses and school crossings is of paramount importance to one of the most vulnerable road users being children.<sup>361</sup> At the public hearings, poor driver attitudes around school busses was discussed in passing by Mr Barry Oliver:

*Mr OLIVER - Yes, 40 km/h if it is safe to do so. But again, we have to get people to change their attitude. How many people slow down when they see the school bus sitting there with the indicators going?*

*CHAIR - On the side of the highway, particularly the rural school buses.*

*Mr OLIVER - I did the other day. This was Alanvale Road. The bus pulled up and I slowed down to 40 km/h because I could see kids getting off the bus. I am not to know if they will suddenly dart out but the person behind me was obviously upset about the fact that I'd jumped on the brake and eased up. This attitude has to change.<sup>362</sup>*

In addition, the Committee heard the concerns from Mr Simon Lincoln, a practicing school crossing patrol officer (SCPO), the apparent general disregard by some drivers of the importance of driving slowly around schools and whether 'light-up lollipops' would be of utility around school crossings:

*Mr LINCOLN - ... My role is a school crossing patrol officer, or crossing guard. I have been employed with the Department of State Growth for eight years. I appear here as an individual, my submission is as an individual, and in no way do I represent the department in any way, so my views are my views.*

*When I was reading over my statement, I would like to say the role is really rewarding. I am 51, and it is probably the best job I have ever held, not the best-paying job, but the best job. A lovely relationship with the children, parents and the school. It is just a really good job, actually seeing in real time that you are affecting people's lives and keeping people safe. It is not just some vague thing, it is an actual thing, and that in itself is a lovely thing to do.*

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<sup>360</sup> See [Transcript of evidence, 2 February 2022](#) Ms Hetherington, p.5

<sup>361</sup> See submissions [#25 \(Simon Lincoln\)](#) and [#84 \(Northern Suburbs Community Centre\)](#) in general

<sup>362</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.12

*The function of the job itself is in two parts. It is to supervise the children and the carers, number one; and number two is to stop the traffic when required. That is the crux of the role, and that is all I have for my overview.*

*Mr WILLIE - You have done the job for eight years. Have you noticed any trends during that time? Is driver behaviour getting better or is it getting worse? Are you seeing particular incidents occurring more often?*

*Mr LINCOLN - Unfortunately, it is getting worse. I would say there has been a very anecdotal increase in behaviour around mobile phones. When I started, people would be on the phone talking and I'd think, well, you shouldn't be doing that. It is really sad. I do not even think much of that anymore. In the last five years I have noticed texting. It has become a problem in itself. I am assuming the stopping distances if you are on the ball are marginal - but if you have your head down in your lap, it is not good.*

*Driver behaviour has become worse with respect to cars driving through the crossing. That is within the last two years, it is really marked. I am not sure what that is because in a way COVID-19, especially during 2020, knocked down the traffic but you could see the people's minds were elsewhere. They were just not concentrating on the road. Amazingly, when I am in the middle of the road and the children have crossed safely, a lot more people will actually go around you to drive off.*

*Ms RATTRAY - They won't wait until you get back to the side of the road.*

*Mr LINCOLN - That's right, and that is when I am at the most vulnerable on the road. You cannot do anything, you cannot go anywhere.*

*Mr WILLIE - We are seeing the 'Love 40' campaign rolled out annually now. Would you like to potentially see some more driver education and safety campaigns around mobile phone usage, distractions and those sorts of things around school zones?*

*Mr LINCOLN - I do think that is a good idea. I very vaguely touched on it in my statement, but I didn't want it to be all about this is how bad it is; there can be a few little suggestions. I don't know if it is possible when somebody drives through, whether a mobile tower can pick they've gone through a crossing, and text -*

*CHAIR - That is probably not a good thing.*

*Mr LINCOLN - That is probably not a good thing - but even in the evening, for example, 'You went through a crossing today, thanks for slowing down'. Just something to get their attention. You can see there are different groups of drivers - ones that will wave, they respect you and they are lovely community members. They wave, they say hello and you wave back. And there are the people who just don't care. You see them go through the crossing. It is frustrating. They are speeding going through. You see the same people every day.*

*It is so lovely to see the police down at the end of my crossing. It is really lovely. We love the police. I can say that not as an individual, but as a SCPO. We love them there.*

*With crossings, if there is a budget or just something that can be done to get it across the board just a bit more frequently, it would be really welcome.*

*Mr WILLIE - I spend a lot of time visiting schools and often stop to talk to the crossing guards, and all of them convey a message that there are a lot of near-misses. So, you do an important job.*

*Mr LINCOLN - Yes, and we realise that. It is not without risk, but you weigh that risk up, and you are doing your job, and you are looking. But around that, also, there is a little bit of complacency with parents/carers. Just the simple stuff, holding hands. Anecdotally, I can only say for my crossing that this seems to be not as enforced, and it is becoming a little bit more obvious, and that is really distressing. Especially if I'm the guard on this road, Josh, and there's a child coming up. If you can imagine, it is going that way, and the children running toward the crossing, and the parents back, and they are four years old.*

*Ms RATTRAY - They're quick.*

*Mr LINCOLN - It is really quick, and I see that coming up a bit more now. That simple hold the hand of the child is just not there.*

*Ms PALMER - Simon, I had a couple of things that I wanted to raise with you. Out of everything you sent in, what I would really like to see come out of this is a light on top - what we call the lollipop.*

*As soon as you see that on a road, even my kids in the car, you are always drawn to it - is it an ambulance, is it a fire? It is a universal thing that automatically says there could be something here, be careful.*

*I have no idea what dollars that would cost, but from everything that you put here, that was the thing that really jumped out at me. If you are approaching a children's crossing zone, and there is a light flashing on top there, I thought that would absolutely stop a great more deal of people, or distract them away from a phone, or whatever they might be doing that they are losing concentration.*

*Where did that come from? Is that just from your experience? Have you seen it somewhere before?*

*Mr LINCOLN - I haven't seen it. I don't profess to supply anything new. I couldn't really tell you where that came from. To me, it is just something that does seem doable. I am assuming boom gates would be a lot more expensive to set up. That would be the A-grade to protect me and the children.*

*Ms RATTRAY - That's the Rolls Royce. The red flashing light would be the Commodore.*

*Mr LINCOLN - I think so. I think that would just add a little bit of safety. It's a flashing, visual guide, really.*

*Ms PALMER - It's an alert, isn't it? I had that highlighted and circled. It really did jump out at me.*

*Also, when you talk about more effective barriers, what were you thinking of there? If the Rolls Royce is a boom gate, what else were you envisaging there?*

*Mr LINCOLN - It is really the boom gate, which I think had been discussed, maybe in my role as an SCPO, from other parts. I don't know whether the cost and the practicality of that...<sup>363</sup>*

On a similar vein, the question as to whether a SCPO should be able to issue warnings and/or how that process might better work:

*Ms RATTRAY - In regard to your suggestion about the SCPOs being able to issue warnings, how practical do you think that would be, given that you're already doing a really important job and you've got to be making notes? I'm interested in how practical you really think that is? A good initiative but I'm not sure.*

*Mr LINCOLN - You are correct, it is a tough one. At the moment, if somebody drives through we have a little note pad and we write the number down. Then we go home and email to the department. They assess that and send it on to the police.*

*Ms RATTRAY - Do you know if any action is followed by that? I've not heard of anybody receiving an infringement.*

*Mr LINCOLN - I know there is a process. It goes from me to my supervisor, it goes to State Growth. They have a road safety committee. I know they look at everything. I know all of those are taken seriously. Anecdotally, when I've had an incident and I've said to my supervisor, 'This has affected me', my supervisor has said, 'Yes, I will call'. I think it would be a division of the police, so that person would call, or contact –*

*CHAIR - Perhaps the road safety area.*

*Mr LINCOLN - Yes, of the police.*

*Ms RATTRAY - Do you know if anything happens?*

*Mr LINCOLN - A few years back the police came to one of our training courses. The police officer said that they obviously have myriad –*

*Ms RATTRAY - Responsibility –*

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<sup>363</sup> See [Transcript of evidence, 29 November 2021](#) Mr Lincoln (SCPO), p.11-13

*Mr LINCOLN - No, it wasn't that. Yes they do, but he was saying they have a certain way they can deal with that. They put it on a database, the registration number of the car, and I'm assuming the driver goes on their database. A warning letter can be sent out and a knock on the door. That's what I remember from what the police said to us. As an individual, not as a State Growth person, I would like feedback directly. I have never received feedback from the police, but it's just another department, that's the problem.*

*Ms RATTRAY - A question for this committee to follow up with, so thank you for raising it.*

*Mr LINCOLN - You said about practicality, that's what we do, we write it down, we send it off. No, it's not practical for us, we're not police. I think there is an opportunity for us. We are already writing down that information, going home and if we are certain of the number and the approximate age range of the person, then there is an ability to do it through State Growth. I'm sure an administration layer would have to be put in, but the power comes from the warning from us. So, they're driving through and they're thinking, 'Hang on a minute, they've got some power.' I don't mean that in a big-headed way. So there is that back-of-the-mind responsibility. Not a fine, just a warning that this is on the police database. There's definitely a layer there. The Rolls Royce of it would be if somebody within the department, not me but somebody with that power, could be at a crossing. Say there's trouble at Snug, there's trouble at West Hobart, you could call on us, so we have the control and then we could be there and could do the fine, either in real time or they're helping the guard out. It's like a two-layered approach, but with more teeth.*

*CHAIR - When you send your note off, do you have an official incident form that you fill in?*

*Mr LINCOLN - Yes, it is a departmental incident form.*

*Ms CHAIR - So that likely would go further?*

*Mr LINCOLN - It definitely goes up the chain. And it definitely goes to the police. For me as an individual, that's where it stops. I've never received anything.*

*Ms CHAIR - You have never sought information to see if no-one has actually...?*

*Mr LINCOLN - I probably have in that eight years. There have been probably one or two where I went to the police after my shift. That's how I definitely felt about one. I had not received any feedback from it.<sup>364</sup>*

The reduction of speed limits around school crossings and the immediate road length before during peak periods was discussed:

*Mr WILLIE - You discuss speed limits in your submission. What are your thoughts on 30 kilometres per hour speed limits around school zones, given that the evidence suggests*

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<sup>364</sup> See [Transcript of evidence, 29 November 2021](#) Mr Lincoln (SCPO), p.13-14

*a 90 per cent survival rate at that speed? Would that help you in your job each day, keeping children and family safe?*

*Mr LINCOLN - Yes, it sounds good. If the statistics are saying that, who is not going to want that? It is only a very short length of road that people have to adhere to 40 kilometres per hour. That would be good. Not for long lengths of time, obviously.*

*Mr WILLIE - No, just those peak periods.*

*Mr LINCOLN - Yes, just those peak periods, and that short distance. Some of the problem is, I think, because that stretch of road in Snug is a 60 kilometres per hour zone.*

*Everywhere else, except the East Derwent Highway, which I think I mistakenly said was 50 kilometres per hour, it is actually 80 kilometres per hour along that road. I have only done that crossing once in my time. It is 80 down to 40, everywhere else is 50 to 40. It is a bit of a mind game. In my opinion, servicing other crossings, it seems to be a bit of a leap from 60 kilometres per hour to 40 kilometres per hour. It's not as much of a leap from 50 kilometres per hour to 40 kilometres per hour.*

*I think Dean Winter may have a petition which I signed, and I don't usually sign petitions, but that was specifically in my area and that was a really good idea. I don't live in Snug, but it is an expanding community now. It is not one side of the road anymore it is on both sides and they cross anyway without me. That would do a lot of good in the community. If that was put down to 50 kilometres per hour it would be in line with everywhere else.<sup>365</sup>*

And finally an education campaign around the road safety practice of a responsible person holding the hands of children around busy roads was mooted:

*CHAIR - ... I am also interested in some of the measures adopted, when you say the simple fridge magnet in the shape of a hand. That's one of the things that you see most is people not holding small children's hands because they think if you're there it's a safer area. Do you find that is the situation?*

*Mr LINCOLN - Anecdotally, yes; but also, when people aren't using the crossing. People just won't walk up 50 metres - they will cross 50 metres down the road and they won't do it holding hands. Or they will - it's not a blanket statement, but it is creeping in where there's not that rigid 'hold my hand'.*

*CHAIR - It's not a habit for the children to hold the hand of a guardian.*

*Mr LINCOLN - Yes. Josh asked - have things been creeping up - yes, I would say that has. It is something I have noticed. In my statement there's probably three times where I have seen a child run out into the road and I happened to get them and pull them back. I fell over doing that. Another child ran out and I just grabbed them because the parent or*

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<sup>365</sup> See [Transcript of evidence, 29 November 2021](#) Mr Lincoln (SCPO), p.15

*the grandparent was letting them run up, not realising that - yes, I am there, but they're just little kids. They just do what they want. They don't know what they're doing, do they?*

*CHAIR - Because you're there, they're assuming that the intersection or the crossing is safe, without taking full responsibility.*

*Mr LINCOLN - Yes. And by the same token, if I'm in the middle of a road and I've crossed the children who have waited over safely, other children are coming up - and this is twofold for the drivers and the children - they see me, it's safe and they'll run across. The driver will see they've gone and, as I said before, they'll go to drive through while I'm there. They don't think that a child doesn't realise they haven't been called over; they'll just run across.*

*CHAIR - Certainly, some lessons to be learned ...* <sup>366</sup>

The Committee heard from the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) and Messrs Martin Crane (Crane, General Manager Road User Services – DSG), Gary Swain (Deputy Secretary and Transport Commissioner) and Jonathan Higgins (Assistant Commissioner Operations, Tasmania Police) about supporting SCPOs through police presence where applicable and providing feedback on reports received:

*Ms PALMER - I affectionately referred to a lollipop person before but the correct title is a school crossing patrol officer. We heard from this person as an individual, not as part of the department, talking about how they take their lives into their own hands at times. It's a very vulnerable space, where we have children as young as three and a half, or four, using our roads at specific times.*

*One of the initiatives he put forward which resonated with me personally that I would like to put on the record and put it to you is to have flashing lights on the end of the stop signs that they use. This gentleman was very clear in saying driving distraction, that people just don't register where they are, on the phone, talking to someone, whatever that distraction might be and the moment that you do see a red flashing light on our roads, it does draw your attention. I was wondering if that was something that could possibly be considered to try to offer another level of protection against driver distraction for these people. Their job, for two hours, three hours every day, is to get our kids to and from the safety of the school grounds to however they're travelling to and from school.*

*Mr FERGUSON - I think we will say that we would be happy to consider such an idea. It sounds like a classic suggestion that fits with our safe systems philosophy, which is that we want each element of the pathway on road use to be as safe as possible and then you mitigate for human error and human bad decisions. I'm happy for Mr Tilyard, or Mr Crane, who runs Road User Services to respond further but we won't commit today. There might be some reasons that that's not the best idea but we'll take it on board as a concept worthy of further consideration and response.*

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<sup>366</sup> See [Transcript of evidence, 29 November 2021](#) Mr Lincoln (SCPO), p.16-17

*Mr CRANE - ... We'd like to have a look at that as an option and see how it would actually be operationalised and then we could trial something like that to see whether we could get a better response from drivers, to get that distraction part of it down. They are a really important part of our safety approach for our most vulnerable people, our young people and they do a great job out in the community.*

*More recently, we have been supporting them with using our transport inspectors with their blue and red flashing lights at certain schools when we have issues. We always report issues to police when we need to, in terms of following up those drivers that may have driven through a crossing site. We take it very seriously and I think any incremental or small improvement that would actually assist in solving that problem would be worth looking at, so we're happy to take that on board.*

*Ms PALMER - This patrol officer certainly said there was a very different display of behaviour from motorists when police were present, at intersections. So I'm thinking if you can have that they could actually have - it's an impossible scenario to have police at every crossing intersection across our schools, but it is a bit of link to what people see as a bit of authority. I thought it was a very good suggestion.*

*Mr CRANE - That's why the transport inspectors are the only other people that can have the red and blue flashing lights. We put them on at those sites where we've had a couple of incidents and we do see a moderation of behaviour because of the red and blue flashing lights. It definitely brings people's focus to the job at hand, which is driving safely through those spots.<sup>367</sup>*

...

*Ms RATTRAY - We also heard, if the member doesn't mind, that there isn't any feedback to those - the lollipop people, if they put in an incident report. We just felt that they would like to know if something had happened or there had been a follow through on those incident reports. They've not ever received anything back from their incident report. Is that possible?*

*Mr SWAIN - Well it's possible but it shouldn't operate that way. It's possible that that's happened in individual cases but we now have a system called Lucidity for work, health and safety hazards and incidents and there's meant to be a feedback loop. We have a lot of school crossing patrol officers and this is the experience of one. You generally can't sign-off an event until the relevant actions have been completed, which includes feedback, but I'll take that on notice and look into that.*

...

*Mr HIGGINS - I did actually see that this morning, so I did have a snapshot look as to what happens and there is a good relationship with State Growth passing those incidents onto police. It doesn't always result with people going to court but of the half a dozen I pulled out straight away to have a look from northern and southern districts, which are both in my commands. Those particular instances over the last six months or so were allocated to an officer; they were followed up by a crossing patrol officer who was contacted. Also, the person alleged to be driving is also visited and spoken to. It is an*

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<sup>367</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.31-32



*educative behaviour change, which may not necessarily result in court. No one wants to go to court for those type of things. I was pretty happy that this is happening. But that does not happen in every case.*

...

*Mr SWAIN - Just in case my last answer was confusing: I meant some of the matters will be referred to police, which is what Jonathan has talked through. There will be others that aren't as severe but they still should get some feedback through our internal processes.*

*Mr FERGUSON - This is a really important area. Just yesterday I spent some time with a patrol officer and a group of children at St Thomas More's Catholic School in Launceston. It was great for us together to promote the Love 40 campaign, which we have seen as one of the great stand out campaigns that has been initiated by government and the Road Safety Advisory Council. Just reminding all of us, that with two months away from the habit of driving more carefully, more slowly around schools. We need to rehearse and reinforce that message.*

*One of the things that I have asked the Department to do is to give me some advice on equipping our patrol officers with body worn cameras, in the same way that police officers are, for those rare occasions where somebody has done the wrong thing. They might have gone through when the stop signal was raised, or might have shown some aggression or it might appear that they are going too fast.*

*I have just asked for some advice on the feasibility of equipping those staff members with body worn cameras, if that would assist in allowing a higher level of enforcement - noting that we cannot have police at every school during each busy period. So, that is happening in the background now. I look forward to receiving that advice and potentially acting upon that.<sup>368</sup>*

The Hon Michael Ferguson MP (Minister for Infrastructure and Transport) also advised the Committee that at this stage the speed limit of 40km/h around school zones was the preferred policy approach:

*Ms RATTRAY - Is there any consideration for Loving 30?*

*Mr FERGUSON - You have to drive to the conditions. The message we really strongly made yesterday was that 40 is the limit. It is not that you should drive at 40. We've modified our message a little this year to make it clearer that we don't just want people to remember 40, we want them also to remember to drive to the conditions here and now.*

*I do not have any different advice apart from what I have shared. It is yet another reminder that all of us, whether we are in government or not, independent or opposition, we have opportunities to spread these messages to our constituencies. We've all got deep reach into our communities.*

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<sup>368</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.32-33

*We need to remind our community that we will do our job in the parliament but we all need, all half million of us, to take a stock of the daily decisions that we make. We made that point yesterday: that you may well need to drive a lot slower than 40, a lot slower in some circumstances.*<sup>369</sup>

In replying to a Question Taken on Notice, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) stated:

***Review concerns that School Crossing Patrol Officers are not provided with feedback on incident reports they provide to DSG***

*The Department of State Growth uses a Workplace Health Safety and Wellbeing software program (Lucidity) for reporting hazards and incidents. State Growth also accepts written and verbal accounts of hazards and incidents, which are then recorded in Lucidity.*

*The School Crossing Patrol Officer Coordinator is contactable by mobile phone for incidents that require immediate attention. Depending on the nature of the incident, the SCPO Coordinator may debrief with the SCPO over the telephone, conduct a site inspection, accompany the SCPO to police to make an official report, and recommend any additional safety measures based on the outcome of investigations.*

*When a minor incident is reported, the SCPO Coordinator or authorised person will speak directly with the SCPO to check on their welfare and enter the details of the incident into Lucidity.*

*The Department supports a reporting culture and encourages SCPOs to report incidents even if incident particulars are unclear, for example a vehicle registration number has not been recorded. For instances where the registration number of a vehicle is known, details are forwarded to Tasmania Police.*

*Tasmania Police or Department of State Growth Transport Inspectors are requested to attend a crossing in cases where general unsafe traffic behaviour is observed.*

*Feedback from police regarding investigation of incidents is communicated to SCPOs. In other circumstances police may attend the crossing and speak directly with the SCPO or drive through the site on several occasions to deter inappropriate behaviour.*

*Every incident and hazard report completed by the SCPO is subject to a formal review process.*

*Reports cannot be closed until such time as corrective action(s) is identified and carried out.*<sup>370</sup>

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<sup>369</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.33

<sup>370</sup> Letter to Hon Rosemary Armitage MLC Chair - Road Safety Public Hearing - Responses to Questions taken on Notice, 22 March 2022

## Committee Findings

- F65. Better visibility of school crossings (flashing beacons) or School Crossing Patrol Officers (e.g. illuminated signs) may improve the safety around school crossings in general.
- F66. The Department of State Growth uses a software program (Lucidity) for reporting hazards and incidents around school crossings.
- F67. School Crossing Patrol Officers may benefit with being fitted out with body-cameras similar to Tasmania Police.

## Committee Recommendations

- R34. The Government consider investigating improved safety around school crossings including the feasibility of body cameras to School Crossing Patrol Officers.

## Penalties, Diversionary Activities and Intervention Programs

From the submissions, it is clear that there is a divide between the views held by those who want harsher penalties for offenders and those whereby diversionary activities and intervention programs might be better placed. With respect to harsher penalties:

- some submissions advocated harsher penalties for those who killed or cause serious injury to another road user;<sup>371</sup> and
- others believed that police on the roads should be of exemplar behaviour and follow the Tasmanian Road Rules to the letter.<sup>372</sup>

With respect to Tasmania's drug driving laws and recidivist offenders, the Community Legal Centres advocated for the following for the Tasmanian Government to consider:

- expanding drug treatment orders to include alcohol dependence (where the substance abuse has contributed to the offending behaviour) with the view of breaking the cycle so to speak;
- examining the applicability of moving to an impairment threshold model for illicit and legally prescribed drugs for drug driving related offences;
- in passing, noted that the evidence suggested that harsher monetary fines have little or no bearing on the risk of reoffending among drink drivers; and
- unless the sentence of imprisonment was sufficiently long, it was unlikely to address the underlying cause of the recidivist offence.<sup>373</sup>

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<sup>371</sup> See submission [#52 \(Andrew Biner\)](#) in general

<sup>372</sup> See submission [#7 \(Robert Cassidy\)](#) in general

<sup>373</sup> See submission [#93 \(Community Legal Centres Tasmania\)](#)

At the public hearings, Mr Colin Riley (President, Police Association of Tasmania) noted the following:

*Mr RILEY - ... In New South Wales there is a Traffic Offender Intervention Program<sup>374</sup> and this is where a defendant can request referral to an approved traffic course rather than incurring a financial penalty. There are things in other jurisdictions that are operating at the moment.<sup>375</sup>*

The Hon Michael Ferguson MP (Minister for Infrastructure and Transport) and Mr Gary Swain (Deputy Secretary and Transport Commissioner – DSG) discussed the following with respect to diversionary activities:

*CHAIR - Thank you. If I could ask you with regard to technology used for diversionary activities and this did come from one of our submissions. It says:*

*We've seen the effective use of alcohol interlocks fitted to the vehicles of serious offenders. Why can we not harness similar technologies for other traffic offenders?*

*Just wondering your advice with this -*

*For example, there is potential to mandate that serious or recidivist offenders have an approved dash camera fitted to their vehicle for a period of time to monitor their driving behaviour. This initiative could potentially be used in conjunction with other measures, such as the one demerit point for 12-months program.*

*I'm just wondering a comment that you might have with regard to the cameras for recidivist driving offenders?*

*Mr FERGUSON - ... There may well be some research into it, but this is yet another example of a useful idea that somebody has come forward with, that will have its pros and cons.*

*CHAIR - One of your associations actually, in the submission.*

*Mr FERGUSON - It will have its pros and cons. We want to look at all these concepts. We don't want to rush to ideas or concepts that haven't got an evidence base for them and if this one does then we will - I'd be guided on the evidence of that.*

*CHAIR - Whether there was any merit, or considered.*

*Mr FERGUSON - Is this something that has been researched? The implementability of it, I think, will be a key focus, as always, as to how useful it will be in a road safety outcome, but please feel free to go ahead.*

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<sup>374</sup> See NSW Traffic Offender Intervention Program for further details: <https://localcourt.nsw.gov.au/local-court/sentencing--orders-and-appeals/sentencing-in-criminal-cases/traffic-offender-intervention-program.html> [Accessed 15 September 2022]

<sup>375</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley, p.14

*Mr SWAIN - There's a company called, Telematics Australia, which is owned by all the road authorities around Australia, and coincidentally I'm actually the chair. It's looking at using communications and IT technology to support both regulatory and commercial outcomes. That sounds very convoluted, but it's things like, can a heavy vehicle access this road? The answer might be, 'yes it can if it stays to this speed and drives in the middle of the bridge, so it doesn't drive off the bridge'.*

*That same set of technologies can conceptually be applied to other things. For example, it could conceptually be applied to speed. If you had a recidivist repeat speed person you might, in the future, be able to apply a device like a mandatory alcohol interlock but we're only just getting to the point where that's kind of possible, at a reasonable cost and where telematics is a widely-adopted technology that manufacturers are also supporting. I think the answer is, 'yes,' but we're on the cusp of that over the next five or so years.*

...

*Mr FERGUSON - I should add, Chair, as well, that technology is again part of the national road safety agenda for future vehicle standards but also in vehicle technology. Enforcement and being able to enforce, for example, a condition, going back to an earlier question from Ms Rattray as well, about conditions that a registrar can apply, or a court could apply, as technology becomes better and more advanced we have more options available to us to consider good ideas like that.<sup>376</sup>*

### **Committee Findings**

F68. Emerging technologies (e.g. dash cam cameras for speeding offenders) and mandated driver education programs may be of assistance in correcting recidivist driver behaviours.

### **Committee Recommendations**

R35. The Government should monitor and consider adopting traffic enforcement camera technology advancements.

### **Good Driver Incentives**

As a final word on potential enforcement measures to improve safer road use, the Committee noted this exchange with Mr Brett Smith APM:

*Mr SMITH - Yes, that's something but you can do it in a range of other positive messages as well. I don't think it always has to be negative. Another strategy that I was contemplating since I wrote that is, where are the rewards for good drivers?*

*CHAIR - What sort of positive message would you have on the highway?*

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<sup>376</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.40-41

*Mr SMITH - I reckon if you don't get a ticket in three years we might give half off for your next driver's licence renewal, for example. An option. Something that reinforces positive behaviour rather than this high focus on this negative behaviour, so it is a bit more balanced.*

*If it is a bit more balanced I think people are willingly going to change their attitude rather than being forced.*

*Mr WILLIE - It is the carrot and stick.*

*Mr SMITH - It is, exactly.<sup>377</sup>*

### **Committee Findings**

F69. There may be benefit introducing incentives for recognising good driver behaviour (e.g. discounted driver licence renewals).

### **Committee Recommendations**

R36. The Government consider the feasibility of rewarding good driver behaviour.

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<sup>377</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.5-6

### Better Road Safety Education and Training Opportunities

The Committee noted that better road safety education and training opportunities was the number one issue across a third of the submissions received. Suggestions and observations centred on (but not limited to):

- some form of discount for licence renewals where a renewing licence holder re-passed the road rules knowledge test;<sup>378</sup>
- the need for continuing education of the vulnerability of motorcycle riders and cyclists on the road;<sup>379</sup>
- that driver training may need to be more specific to the vehicle's driving characteristics (e.g. higher centre of gravity for 4 wheel drive vehicles);<sup>380</sup>
- the introduction of a driver awareness program in all Year 11 and 12 Grade (and equivalents) across the State;<sup>381</sup>
- better public awareness raising around the dangers of faulty headlights and tailgating;<sup>382</sup>
- similarly, regular and frequent driver updates in the media about road safety awareness topics;<sup>383</sup>
- the introduction of situational awareness and phone and equipment (e.g. radio, heater, etc.) use while maintaining control of the vehicle into the driver training syllabus to complement the 'fatal five' warnings;<sup>384</sup>
- learner drivers attending defensive driving training (or similar) as part of their syllabus;<sup>385</sup>
- targeted messaging to different demographics around road safety topics;<sup>386</sup>
- better education around 'drive to the conditions';<sup>387</sup>
- increasing the overall average functional literacy rate of Tasmanians to have a flow-on effect on improved road safety outcomes;<sup>388</sup>
- subsidise defensive driving courses to increase take-up by road users;<sup>389</sup>
- education to interstate and overseas drivers to better understand the time it takes to go point to point in Tasmania due to the terrain and road conditions;<sup>390</sup>
- adopting best practice for learner drivers with the emphasis on professional driver training and more driving tests;<sup>391</sup>
- encourage defensive driving for motorcyclists;<sup>392</sup>
- mandating defensive driver training for drivers in Tasmania;<sup>393</sup>
- that having a driver's licence is a privilege and not a right;<sup>394</sup>

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<sup>378</sup> See submission [#1 \(Terence McCarthy\)](#) in general

<sup>379</sup> See submissions [#2 \(Stephen Bardsley\)](#), [#42 \(David Meadows\)](#), [#45 \(Tasmanian Motorcycle Council Inc.\)](#), [#70 \(South Hobart Sustainable Community\)](#) and [#72 \(Christopher Broad\)](#) in general

<sup>380</sup> See submission [#7 \(Robert Cassidy\)](#) in general

<sup>381</sup> See submissions [#8 \(Adrian Gill\)](#) and [#88 \(Local Government Association of Tasmania\)](#) in general

<sup>382</sup> See submission [#11 \(Brian Bennett\)](#) in general

<sup>383</sup> See submission [#23 \(Rod Finlayson\)](#) in general

<sup>384</sup> See submission [#26 \(Stewart Mulligan\)](#) in general

<sup>385</sup> See submissions [#26 \(Stewart Mulligan\)](#) and [#54 \(Chris Spiegel\)](#) in general

<sup>386</sup> See submission [#28 \(Mark and Catherine Temby\)](#) in general

<sup>387</sup> See submission [#32 \(Tracey Jones\)](#) in general

<sup>388</sup> See submission [#37 \(George Chandler\)](#) in general

<sup>389</sup> See above no. 388

<sup>390</sup> See submissions [#40 \(D Neville Calvert\)](#) and [#67 \(Nigel Beeke\)](#) in general

<sup>391</sup> See submissions [#47 \(Road Safety Matters.Org\)](#) and [#58 \(Dr W Peter Holm\)](#) in general

<sup>392</sup> See submission [#49 \(Malcolm Eastley\)](#) in general

<sup>393</sup> See submissions [#53 \(Barry Oliver\)](#) and [#84 \(Northern Suburbs Community Centre Inc.\)](#) in general

<sup>394</sup> See submission [#58 \(Dr W Peter Holm\)](#) in general

- better education around pedestrian safety around dusk and night;<sup>395</sup>
- better education around the impact of drugs impairment of driver's reaction times;<sup>396</sup>
- having learners/first offenders attend a morgue (or simulated morgue) to experience a 'crash victim';
- introduce a similar 'look left, look right, look bike' campaign as conducted in Victoria in the 1980s;<sup>397</sup>
- funding remedial driver retraining, targeted at drivers identified of high-risk driving behaviour utilising revenue generated from traffic enforcement fines;<sup>398</sup>
- that the Auditor-General regularly review the implementation of Government road safety policy so that key performance indicators linked to outcomes are met across infrastructure, education and enforcement;<sup>399</sup>
- the production and dissemination of a relevant road safety digest to assist with road safety education;<sup>400</sup> and
- the concept of incentivised driver training.<sup>401</sup>

A cross-section of the relevant submissions and witness summaries follows.

## Public Education

With respect to the safe road user, the Global Plan advocates for better awareness raising, training and examination to support better road safety outcomes. These factors were considered by the Committee and commented upon through the submissions and public inquiries. Targeted advertising and impactful road safety messaging was discussed with Mr Brett Smith APM:

*Mr SMITH - ... Any opportunity to put increased speed signage, increased information for people. A lot of our message-boarding stuff is just a plain message board. Nothing gets the picture across better than a picture. I understand that some people might be confronted by some pictures that they see if you are driving around the mainland.*

*Queensland, in particular, is pretty savage with some of their pictures. They will probably put a car that's been involved in a fatal accident on the side of the road. But it creates something. It does it with me when I see it, even the crash markers for example, which, dare I say, I remember raising this issue quite some years ago with an acting assistant commissioner, who said at the time, 'I don't think they'll take off'.*

*Opportunities for messaging, if you do it in such an aesthetic way that it doesn't detract from our landscape but at a point where it becomes impacting so that it is constantly in people's minds.*

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<sup>395</sup> See submission [#83 \(Bruce Douglas\)](#) in general

<sup>396</sup> See above no. 395

<sup>397</sup> See submission [#87 \(Motorcycle Riders' Association Australia\)](#) in general

<sup>398</sup> See submission [#89 \(Police Association of Tasmania\)](#) in general

<sup>399</sup> See above no. 398

<sup>400</sup> See submission [#37 \(George Chandler\)](#) in general

<sup>401</sup> See submission [#43 \(Allan Roark\)](#) in general



*CHAIR - Like the ones you see like the spinal cord and it has this break in it.*

*Mr SMITH - Yes, that's something but you can do it in a range of other positive messages as well. I don't think it always has to be negative<sup>402</sup>*

...

*Ms PALMER - We see a lot of road safety ads on TV and in newspapers. The one that springs to mind is the mum text messaging right in front of her face while she is driving. If that is not working, because we are still seeing pretty high rates of people using mobile phones, what are we doing wrong with the messaging?*

*Mr SMITH - In my opinion only, I am not convinced that we are getting to the right cohort. We have to find other mechanisms to get to the right cohort. Where does the messaging come from? How do you get it to the right people that we need to get it to?*

*Ms PALMER - Do you mean as in the different mediums of where you can do that.*

*Mr SMITH - Yes. I will give you another example. You have a look on the RSAC Facebook site at how many likes and shares - not many. We have to find a very effective medium. You go back to the COVID-19 stuff, the Premier's spiel every day on TV, early on there were people lined up tuning into it.*

*CHAIR - Maybe RSAC need to start sponsoring on Facebook so that they appear randomly.*

*Mr WILLIE - I think they do.*

*Mr SMITH - I think messaging is the best place to start but you have to follow it through with other stuff. My whole point about the paper was that there is no silver bullet here. There is no one strategy, it is a combination of things. It is a systems management approach. Rather than working in isolation we work in connection.*

*Ms PALMER - I agree with what you say about the COVID-19 campaign but I look at that and I think, well, we all tuned in because there was a chance we were all going to be impacted. Whereas with road accidents, until you are impacted you do not have that urgency.*

*Mr SMITH - Then it is too late.*

...

*Mr SMITH - How do we create that sense of urgency for people that aren't impacted? I do not know the answer to that. I don't come here with all those answers but I see that is one clear pathway forward.<sup>403</sup>*

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<sup>402</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.5

<sup>403</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.11

Similarly, Ms Rachael Matheson (CEO – CCF) was of the view that education played an important role in connecting road worker safety with the road user:

*Ms PALMER - My question was the same as Josh's question about what you want to see happen. After reading through your submission, I did have a note from a marketing perspective. The ad had a little girl saying, please keep my dad safe, but then the same wording was seen at actual road sites, so the emotional connection you had sitting at home seeing that ad on TV, you felt that again when that was reiterated. I thought that was a fantastic campaign. Sometimes you hear and you feel that way when you might see a beautifully done commercial but to have that reiterated when you're sitting there, I thought that was a really clever way of marketing.*

*Ms MATHESON - Yes, and more and more of our sites are starting to use those visual boards to put messaging up, which is great to see also. Education is probably the key issue around what it means to be a road worker and that is their office, this is their day to day job and they need to be safe. As a road user you need to look out for them and do the right thing.*

*Ms PALMER - And thank them as you drive past.*<sup>404</sup>

The Committee also heard from Mr Albert Ogilvie who suggested a weekly road safety public announcement:

*Mr OGILVIE - ... Two little additions. On the idea of the defensive driving, and this is just a possibility - the whole idea, as I said in my submission, is that we have worked on people caught and punished. It is very easy to drive on autopilot; it is easy for me to slip back into it. Most people haven't been anywhere near a defensive driving course. I wonder if the road safety campaign could include once a week in the paper, 'Tassie's driving tips', such as 'Remember to stay three seconds behind the car ahead of you'. There are 20 or 30 little tips and people think, 'Oh! That's not a bad idea'. It is a small thing.*

*CHAIR - A reminder.*<sup>405</sup>

## **Committee Findings**

F70. Ongoing public education of local road rules and road safety issues is still valued by the Tasmanian community.

<sup>404</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.6

<sup>405</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.9

## Committee Recommendations

- R37. The Government continues to invest in ongoing community education of Tasmanian road rules and road safety.
- R38. The Government allocate additional funding to provide road safety education messaging through a variety of media channels.

## General Road Safety Education

When to start and how to continue road safety education in Tasmania evinced a wide range of opinions across the submissions: refresher courses; how to responsibly approach road works; safety education throughout schools; how truck drivers see the road etc.

At the public hearings, Messrs Mark Mugnaioni (CEO – RACT) and Garry Bailey (Chief Advocacy Officer – RACT) discussed embedding road safety as part of the work health and safety regime:

*Ms RATTRAY - I wanted to go back to driver education. I have a motorcycle licence. I no longer have a bike, so it is, perhaps, of little use; but I recall doing that Stay Upright course at the time. I think it's DECA now, I think Stay Upright's a thing of the past. I remember clearly after doing that course that I felt more aware of what was happening around me on the road as a vehicle driver as well. Not everyone wants a motorcycle licence, but having that type of course available to all new and existing licence holders, is that something that has been discussed?*

*Mr BAILEY - I can answer as far as motorcyclists go. MAIB funded a program, a refresher course for older motorcyclists or people who hadn't been on a motorcycle for some time -*

*Ms RATTRAY - I was thinking more of general drivers.*

*Mr BAILEY - We put the case that if you are going to start that, you would do it through a diversionary system through the justice area. Could you mandate it for all drivers? That's a big call. Not something we have thought about.*

*CHAIR - That's going to be a big cost.*

*Mr BAILEY - At a big cost, yes.*

*Ms RATTRAY - You wouldn't need the full course; but just sitting in the instruction area and looking at the videos and talking through different scenarios I just have a better awareness since doing that course of what's happening around me on the road.*

*Mr BAILEY - There is a pathway for that, and it goes to one of our submissions, which is embedding road safety within all workplace health and safety regimes. As part of that, every public or private corporation could then say, as part of your induction, you go*

*through a remedial course for driving. That would be one way of doing it. There would obviously be a cost to everything, but not a direct cost to the licence holder in that case, so it might be a possibility.*

*Mr MUGNAIONI - This is one of the other reasons why we think it is so important to have a whole-of-government approach to this because if we think about an initiative like that, there will be a cost. Any of the initiatives that we have spoken about this morning, there would be a cost too. What's not often taken into account is the cost of not doing it - to the health system, to the social welfare system. We need to think about these costs.*

...

*Mr WILLIE - We have got the Police Association coming and the impact to workers comp and all those other costs -*

*Mr MUGNAIONI - Scratching the surface. When we are thinking about these investments we need to think about them as investments, not as costs, because they do have a return. It might be a return that is not immediate or difficult to quantify or sits in a different department from where the investment is being made; but we do need to take that holistic view because otherwise it's very easy to find reasons not to make the investment.<sup>406</sup>*

Ms Rachael Matheson (CEO – CCF) advocated the need for young people to be acquainted with the safety required around road works:

*Mr WILLIE - ... would you like to see more road safety education about roadworks and what motorists should do in that situation?*

*Ms MATHESON - We definitely would and I brought this with me today which is the Toward Zero Action Plan the Government put out and there is nothing about workers on the road. There is a little bit about education in there but it's for people on the road to identify road conditions and so forth but there's no referencing of the Your Speed is Our Safety campaign in here at all or the 2,000 workers that we have on our roads daily, which we think is a really big oversight. We would like to see that adjusted and our industry incorporated in this Zero plan because I think people working on our roads is equally as crucial for this Toward Zero Action Plan for government.*

*We would like to see more education - not just for our industry itself but for people who are in grades 9 and 10, who are about to get their driver's licence - having them exposed to what it means to approach a driving site, what the signs mean. Just because there are no workers on the road and there's a sign out that says, go 40 kilometres per hour or 60 kilometres per hour, it doesn't mean they can go back to the normal speed limit. Those signs are there for a reason. It's identifying the sign that allows you to drive at the speed for the road condition as it is. There might still be loose gravel on the road, et cetera.*

*That's when we find that there are accidents, there are people abusing road workers because they don't understand the sign, so how do we educate people at a younger age as*

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<sup>406</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.16-17

*to what the signs mean for those sites? We educate them as to what it means to slow down if you see a kangaroo or a wombat through our signage and our books but there's nothing about the signage for road users. I think that could be something really important to our industry.*<sup>407</sup>

Road safety education as part of the school curriculum was highlighted as a topic of interest throughout the public hearings. Messrs Mark Mugnaioni (CEO – RACT) and Garry Bailey (Chief Advocacy Officer – RACT) spoke of the Royal Automobile Club of Queensland's initiative of re-enactments of a road-trauma scene for upper secondary school students:

*Mr BAILEY - I am not sure how many were implemented, but there's been no improvement. There certainly were issues raised 11 years ago about enforcement and education and they really haven't been dealt with. Let's take education, for example. Road safety education is not in every school. We have two programs funded by the Department of State Growth and the Motor Accident Insurance Board. We respond to school requests for road safety information, and that's how it operates. We reach about 1,800, maybe 2,000 students all up, which is way short of getting it in every school. We say that it should be in every school in some way. It will require some resourcing.*

*Ms RATTRAY - What about the road safety levy, doesn't that extend to education?*

*Mr BAILEY - It does, and part of the levy does fund - or maybe not. I should know this because I was a former chair of the Road Safety Advisory Council.*

*Ms RATTRAY - That's why I asked the question, I thought you would know, Garry.*

*Mr BAILEY - Yes, 75 per cent of that levy goes to infrastructure improvements and the rest goes to education but as part of our advertising campaigns, like the Real Mates, for example; so it's not part of schools. The grant we get is a separate matter within State Growth, as is MAIB. MAIB does fund some of our road safety campaigns - up to about \$6 million a year.*

*Mr MUGNAIONI - There's also a lot we can look to in other jurisdictions as to how they're going about their education campaigns, to draw lessons from what's working and what's not and bring them back down to Tasmania. A great example that I've had the opportunity to work on previously in Queensland, is the Queensland Automobile Club. They spent a lot of time and money working with state government up there on a program called Docudrama, which goes into Grades 11 and 12. They re-enact a real road trauma scene. One of the significant challenges we find talking to that cohort, particularly boys in that cohort -*

*Ms RATTRAY - Six foot tall and bulletproof.*

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<sup>407</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.5

*Mr MUGNAIONI - Exactly. You can spend as much time talking to them in a classroom setting as you like, without it sinking in. That program actually takes them outside, and they do a mock crash. A coroner arrives, and ambulance and police; they work with all of those departments to put this presentation on. It is confronting, but it works. They've been running that for, I think, almost 10 years now, and they have the stats to look at the injury data from the people they've been able to engage with and it demonstrably works.*

*These are the sorts of things that don't take a huge amount of money to do but they do take a will, and there are opportunities we would like to be looking at to try to do things differently to have a different outcome.<sup>408</sup>*

Mr Colin Riley (President, Police Association of Tasmania) highlighted the limited policing resources available to assist with road safety education at schools:

*CHAIR - Do you still have police officers going to the schools? We talked earlier about education, with some other people who gave evidence. Do you think it would be beneficial, when you're looking at education, for police officers in uniform to go into Year 11 and 12? We heard that they're only -*

*Ms RATTRAY - Grade 7?*

*CHAIR - It could be high school. If you're looking at the resources, you probably need to focus on those who are doing it.*

*Mr RILEY - The education piece is extremely important. In the past, we've had very good programs where we've gone into schools and provided education to people. At one point I think there was even a school subject. I suppose when you look at 2021 and 2022, we're so sensitive to the scope of what we're currently doing. It's a good initiative, it's whether we can do it with all the other things that we've got on our scope to do because if you use police -*

*CHAIR - You'd need someone specialised in an area, wouldn't you; rather than coming from the RPOS for example. The RACT mentioned this morning - I think it was in some other jurisdictions - Year 11 and 12s actually re-enact road trauma scenes. It was quite an awful thing for them to do, but it was for the students. They had a mock crash, they had a presentation, they had the coroner come.*

*Ms RATTRAY - The ambulance, the whole lot.*

*Mr RILEY - This sounds like a fantastic initiative and I'm sure it would leave a lasting impression and save lives.*

*Ms RATTRAY - Costly, of course.*

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<sup>408</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.7-8

*Mr RILEY - There are probably other bodies or organisations that could deliver on that rather than police.*

*CHAIR - No, I'm not thinking police, but I'm just saying do you think that something like that would be worthwhile?*

*Mr RILEY - Definitely. Yes. I'm very hesitant to pursue things and then we become the owners of it.*

*CHAIR - No, I appreciate that.*

*Ms RATTRAY - And they've got to find the resources for them and you've only got 1,359 bodies to do it.*

*Mr RILEY - Yes.*

*CHAIR - I recall that sometimes officers used to go into schools and I know some officers were attached to colleges, particularly. I wasn't sure whether they were still attached to colleges and if they were, could they perhaps give some education? We heard that a lot of schools don't have any driver education or any road safety education.*

*Mr RILEY - I can't give you a categorical answer, but I think the tentacles into the schools have been withdrawn because of other things that we have to do.*

*CHAIR - Right. Because they had more jobs they have to do.*

*Mr RILEY - There's higher priority things that need to be done.<sup>409</sup>*

Ms Michele Harwood (Executive Director, Transport Management Association) spoke of the SafeT360 road safety initiative:

*Ms PALMER - We have heard a lot today at the public hearings about the education of young drivers, L-platers and P-platers. I was wondering if you felt that your industry was well represented in ensuring that our 16-, 17- and 18-year olds are aware of how long it takes for a truck to brake and what it needs to turn a corner, and what have you.*

*Ms HARWOOD - I think that we are not. When I went through the online knowledge test, I think there was only one question for novice drivers that related to heavy vehicles. I understand that there are some reviews occurring and that there will be some more questions. But no, I don't think there is adequate information in there at all, particularly around truck blind spots and understanding where the heavy vehicle driver can see you. You see a lot of people: here's the truck; here's the car travelling along like that and the driver can't see the car. It's just the operational limitation of the heavy vehicle. When I became aware of that I never wanted to travel in my car in that blind spot.*

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<sup>409</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.9-10

*I think greater education for young people is really important around sharing the road with heavy vehicles. That is why the safety truck, as one example, provides a virtual reality experience for anybody to see things from the truck driver's perspective. I would really like to see more of that type of education, which appeals to young people and is accessible for them.*

*Also, yes, I'd definitely like to see more attention given to that in the training given to new licence holders. That then extends into who is training them and the awareness that their parents or others might have in their understanding being around heavy vehicles.*

*Ms PALMER - Is the truck that you bring to Agfest brought in from the mainland?*

*Ms HARWOOD - Yes. It is a national resource. It is called SafeT360. It is organised through the Australian Trucking Association. We have secured bringing it to Tasmania for AgFest. We had industry assistance and we had sponsorship from our members, from the shipping companies and from transport businesses to bring it here. We also had a grant from the Road Safety Council, which was a small amount to assist with having it here for that time.*

*Ms PALMER - What would you think about it coming a week early or staying a week late and moving around the state and having all years 11 and 12 -*

*CHAIR - Places like Civic Square, up at the Silverdome, different places.*

*Ms HARWOOD - That was my plan. I had spoken with colleges and schools and they were very keen to have it there. In the end, it wasn't available through the Australian Trucking Association. It had been booked for somewhere else and it just didn't work out. I resolved that it would be here for an extended period and we would do school visits because that is really the way that we will start to turn people on to understanding this.<sup>410</sup>*

The Committee and Mr Adrian Gill spoke at length with respect to a proposed introduction of a program in Tasmanian schools called Road Awareness and Attitude program:

*Mr GILL - ... The reason I am here is I'd like to be a part of reducing the State's road toll by changing the attitudes of young drivers, and by educating young drivers and passengers by making better decisions and choices; as bad decisions and choices have consequences.*

*In Tasmania, we have a number of programs set up for our learner drivers. We have a two to three-hour driver awareness program in the north that Year 10 students attend at Symmons Plains; the Keys2Drive program where learner drivers have two free lessons on driver awareness and road safety; and new laws that have come into Tasmania last year around passengers in cars and driving after hours.*

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<sup>410</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.12



*With the help of the Tasmanian Government, Tasmanian education and the Road Advisory Council I would like to introduce a program in Tasmanian schools called Road Awareness and Attitude program.*

*This program is about the awareness of the road, of the driver in front of them and their attitude as a driver or a passenger in the car while travelling on the road. I have done some research and I think there are around 10,000 students in Years 11 and 12 across private, government and non-government schools. There are eight colleges in the State that teach Year 11 and we have around 30 schools that teach Year 11 as an extension of Grade 10. This may have changed due to schools coming on board and teaching Years 11 and 12.*

*The proposal is to deliver the road safety awareness program to every Year 11 and 12 student in the State at the minimum of once a year. If we attend each school once a year, students may see the Road Awareness and Attitude program once during their two years if they happen to miss one of these years. They will see the program twice if they attend the session in both Years 11 and 12. That means that in Tasmania we may have to run this road awareness program around 100 times to meet the required target. That may be less than 60 to 80 days and some of these sessions will be run on the same day within the same school.*

*I have conducted research around Australia and currently some states have a fully funded road safety awareness program. In Victoria, Fire Rescue Victoria runs a program called Fit2Drive that is a half-day session for all Year 11 students. Fire and Rescue NSW runs a program called Rescue Ed Express, South Australia's program is called Road Awareness Program or RAP and Queensland Fire and Emergency Services delivers a program to Year 11 students called RAAP, Road Attitudes and Action Planning. These programs are delivered by operational fire fighters to help reduce the road toll in their own state. They run for about 50 to 90 minutes, except Victoria's program.*

*Queensland's program is offered to Year 11 students and is fully funded by Queensland Fire and Emergency Services and the Department of Premier and Cabinet. It has a budget of \$200,000 to \$250,000 to run the program annually. These costs are associated with paying staff when they train. This cost supports the permanent position that was appointed in 1999. The program has been running since the mid-1990s.*

*It is presented free of charge to all Year 11 students when the program is requested. In 2021 Queensland Fire and Emergency Services presented its program to nearly 31,000 students at 249 schools, with 359 presentations conducted. At this stage there has not been any data collected by Queensland Fire and Emergency Services on whether this program has been effective; however, the Queensland University of Technology's Centre for Accident Research and Road Safety - Queensland is planning to conduct a study. This is not due to be completed until 2024.*

*It mainly runs classes with 50 to 80 participants but it has presented it up to 500 students. It is achievable but not the best outcome. The RAAP program is now presented to youth justice, trade schools and public presentation on request at a small cost to cover expenses.*

*In Tasmania, the program will be delivered free of charge to all secondary schools. Setting the presentation up, printing brochures and web design would require some costs as my skills are only as good as my ability. I would need some help in that way. The program would be delivered by selected fire fighters who have an interest in delivering this program. All operational fire fighters work shift work and will be asked if they are interested in delivering the program on their days off. As an operational fire fighter, I believe I have the skills, knowledge and contacts to set the program up and have an agenda of consequences if young drivers or passengers cause an accident.*

*The program is about educating young drivers to make good choices, a better attitude towards driving and reducing the risk of having an accident. Dangers while driving, speed under the influence of drugs and alcohol, inattention, lack of concentration, phones and so on. Inattention caused by inexperience, coping with distractions while driving, peers influencing the driver. Consequences of your actions as the driver, being made to own up to their mistakes and having to deal with these consequences. Encouraging students to take ownership of the issues caused.*

*By planning ahead, whether being the driver or a passenger, poor choices can be avoided. Some of these are self-explanatory but it highlights that the program is making sure that they own up to their mistakes and learn from them.*

*Where to from here? What is required to introduce the program into the state secondary schools? Support and guidance on what is suitable to be published and not to be used as shock tactics around car crashes during the presentation. This education may take 12 months or longer to develop to have the right format. If we start to educate our young drivers today with them making good choices and having a better attitude towards driving, our young drivers can reduce the risks of having an accident. While making better choices and decisions behind the wheel, hopefully the road toll and serious injuries may start to reduce.*

*School counsellors and support staff will need to be involved as there will be students affected by serious injuries or the death of a friend or family member as a result of a car accident before the presentation has even started. A 16-year-old attends Launceston Christian School Year 11 this year, and there are roughly 50 to 60 Year 11 students combined who could be part of the first roll out once we start. If successful, we would roll the program out across the northern schools before moving to the north-west and the south.*

*As part of the education involves inviting other emergency service workers and people who have been affected by a road crash. This might be as simple as a short video. The Sunday Tasmanian had an article on Sam Cawthorn who fell asleep at the wheel when he was 20, and a 30-second video about how the accident had affected his life and how he nearly lost his life during the accident. It would be great to use these people so they can educate other drivers on what can happen if you don't concentrate whenever you drive. Again, once set up, we could deliver the program to trade schools and youth justice systems...*

*As part of the Tasmania Fire Service, I have raised this program previously. Tasmania Fire Service is not about road safety awareness, it is more about fires. There is no funding, there is no support. It is just not on its agenda. Tasmania Police is the authority for road crashes so it advertises road safety campaigns. Everything you have seen today is my work and something I am trying to push. ...*

*This is the Queensland website around their program. The Queensland brochure is at the back of the PowerPoint presentation.*

*Ms CHAIR - That is Queensland Fire and Emergency Services as opposed to police?*

*Mr GILL - Yes, that is Queensland Fire and Emergency Services. That is its website and its program.*

*Ms RATTRAY - Why do you think the fire services are being so proactive in other states?*

*Mr GILL - I think we're seen as approachable, compared to - I'm not knocking the police - but we normally get a wave and -*

*Ms RATTRAY - Because you're not going to charge someone.*

*Mr GILL - Yes, we're not going to book them for speeding. We just go out there to help.*

...

*Ms RATTRAY - That's the firies too*

...

*Ms RATTRAY - They said 85 per cent of schools responded. How do you get to the other 15 per cent? They're probably the ones who really need the education. That's the issue, isn't it? It's always that small percentage who probably need more education, support or information who we don't always seem to be able to hit.*

*Mr GILL - That can also come back to the guidance of parents, or what their personal background is.*

...

*How do I think this program was received? I don't know, but let's try to introduce something to help educate the lives and families of Tasmanians.*

*What do I think the road toll might be in 10 years' time, if this program is successful? I know one's too many, but let's aim for under 10 in 10 years' time, and then a couple more...<sup>411</sup>*

...

*CHAIR - It was really about the funding; about whether you have spoken to the fire services, and if they were interested if there was government funding, or whether they believe it's a police issue, as opposed to -*

*Mr GILL - I am not sure. Government funding - I suppose they might say, here's some money to be filtered towards a road accident program for our Year 11-12 students.*

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<sup>411</sup> See [Transcript of evidence, 2 February 2022](#) Mr Gill, p.1-5

*CHAIR - Particularly with the Road Safety Advisory Council, when you think of the money that goes in - if we can save lives. We have the Government this afternoon, so it will be interesting asking some questions. ....*

*Mr WILLIE - If I can just put my teaching hat on for a second, I am wondering whether there is an evidence base to some of these programs, whether a university had looked at the impact of them in South Australia.*

*Mr GILL - There is a program. New South Wales did a study on statistics over 10 years, I think, on a program that they had done, but it wasn't actually Queensland's programs. NSW Health had done a program similar to this, but it was a bit ad hoc, and wasn't very successful.*

*Mr WILLIE - Is Queensland looking at evaluating their program?*

*Mr GILL - Yes. That's the one with the Queensland University of Technology, and their Centre for Accident Research and Road Safety. I don't know if that has started, but it won't be finished until 2024. They don't actually have any data or statistics around whether this program has worked.*

*Mr WILLIE - When was the program introduced?*

*Mr GILL - In the mid-1990s, but they had a permanent position from 1999, so that's over 22 years.*

*Mr WILLIE - So there's a lot of years they could look at, and I guess the school curriculum is jam-packed full of one-off programs. I think it is a good idea, I'm just wondering whether the school is the best environment for it, or whether you could see it incorporated into a learner licensing program, where you had to undertake the course before you got your provisional licence.*

*Mr GILL - I suppose you'd have to make that compulsory. It is like Keys2Drive. Those two lessons aren't compulsory. My son has just done them - I just rang up and made the booking. If a child has some good driving skills, maybe they don't have to have the Keys2Drive. I made the booking - he didn't want to do them - but I just encouraged him to have the lessons.*

*It is not a compulsory thing, but if it is encouraged as a compulsory component - have 30, 50, 80 kids in a room, deliver the program, and then once you have that ticked, whether it is another mandatory thing to have? Look, I don't know.*

*Mr WILLIE - It might be a way of reaching that 15 per cent who aren't engaging in other states.*

*Mr GILL - Again, that 15 per cent could be also the ones who don't have a licence.*

*Mr WILLIE - Driving unregistered.*

*Mr GILL - You know what I mean. Driving away from police. It is hard to capture that good group, but I guess it's the 15 per cent who are falling off the radar. That is how we pick them up.*

*Mr WILLIE - How many days would the program take?*

*Mr GILL - I just did some rough figures. Queensland delivered the program to, sometimes, 500 students. I think there are roughly 10,000 Year 11-12 students in Tasmania. If you deliver it to 100 students, that is 100 sessions.*

*Mr WILLIE - It is certainly doable. You'd see other programs across a whole range of fields, whether it is mental health, being delivered in schools.*

*Ms RATTRAY - I just want to answer your question, how do you think this program will be received? I think exceptionally well. I think you could use - if the fire service was going to do this. I mean, what's another little bit on the fire service levy, if that's what it's about, money? But that is a discussion we can have as a committee, and progress that.*

*I absolutely support your education approach. I got a motorcycle licence in my early forties, and feel I'm a much better driver after I had that motorcycle course, Stay Upright, than I was before. I didn't have as much awareness of other road users as I did after that course. I am not a perfect driver - I will put that on the record - but I do feel like I am a better driver than I was, so I absolutely support that.*

...

*CHAIR - That's how it all comes about - someone comes up with something and it works.*

*Ms RATTRAY - I've listened to Sam Cawthorn speak. He is quite empowering.*

*Mr GILL - It was a bit of a coincidence, and I thought I will use that in the example as well. You read about these people all the time.*

*Ms PALMER - It's a fantastic idea, and the catch is that it's being presented by firies, which we touched on before. Not confrontational, not out to book you; you see them and it is an immediate thought of I am safe, they are here to help me. That type of thing.*

*I am just trying to work out the practicalities of this. Is this something that you would need firies to volunteer to be part of? We are looking at funding it properly, so you would pay people, but how are they trained to present the course; who oversees that; where do we find these firies from around Tasmania who are prepared to do it on their days off? What are the practicalities of what that looks like; or are you sort of thinking someone such as yourself? You obviously have the passion; would you step down from your position as a fire fighter and this would be a one-man thing? How does that work, practically?*

*Mr GILL - Queensland come together and do training sessions, so they are all delivering the same message and the same package.*

*Yes, I would be a part of rolling it out, and asking different people to assist, because it is going to be time-consuming; but I don't think it is a full-time role. We do have a full-time role in our Community Fire Safety that goes to schools and delivers the junior programs up to Grade 6.*

*I don't know if there is the work there for full-time person to do it. If you had a couple of people in Launceston, a couple of people on the North West Coast, and two or three down here you could nearly do it in a week. You could work it around Road Safety Week, or month; I think that's October.*

*These sessions become involved. I haven't approached too many work colleagues about whether they would be interested in doing this on their days off. Down the track, in 10 years' time, or whatever, it might be a permanent position. Who knows if we have people that are prepared to willing volunteer?*

*CHAIR - If they were paid though on their days off, it wouldn't be quite so bad. They volunteer to do it, but it is a paid position.*

*Mr GILL - Yes. If it is supported by the Tasmania Fire Service, we have a casual training rate, so there can be payment there for them. It is not about the money. It is about presenting something that can change people's lives.*

*CHAIR - It might be a requirement, or something like that.*

*Mr GILL - I suppose if it is supported by Tasmania Fire Service, or as we are now all under DPFEM.*

*Mr WILLIE - It could be funded by the Road Safety Advisory Council, because they fund a lot of education programs.*

*Ms PALMER - For me, the catch of this is that it is presented by firies. I am thinking how would my kids respond if a fire fighter came to do that, as opposed to someone from the RACT or a police officer. It is quite a different scenario and relationship, and that is what really appeals to me about this. I was just mulling over, where do we find those firefighters?*

*Mr GILL - I would source all that. It's all the setup of it before we roll out the program; let's have five people come on board. It is only an idea at the moment, but once it started it is big. I have spoken to the fellow in Queensland a couple of times, and he is willing to help, and willing to share work, and the presentation.*

*Ms RATTRAY - And interestingly, the road safety levy can be set by Government without any parliamentary input. It was last time.*

*It comes to the Subordinate Legislation Committee and we can't do a thing about it. When we are talking road safety, who is going to argue about road safety?*

*CHAIR - The cost of an injury or a death is huge. The cost of saving lives is miniscule when you consider it.*

*Mr GILL - When there is long-term recovery, insurance and anything like that.*

*CHAIR - And the cost to family and friends.*

*Ms PALMER - I get the feeling you are very impressed with the course that is already set up in Queensland. You wouldn't have to reinvent the wheel, it is in place?*

*Mr GILL - I like the term 'reinvent the wheel' and without trying to go through all the work of starting from scratch. I haven't actually seen their program but they are happy to share online and go through the program - what they do, what does work and what doesn't work. They have had police officers do part of the presentation previously, and it hasn't worked because they start going down the tangent of the law. Children ask questions about, what if I do this wrong; but it is about the road safety message.*

*Ms PALMER - They are different questions when it is a fire officer.*

*Mr GILL - Yes, they are. A police officer is more the person who is going to pull you over and book you.*

*Ms RATTRAY - When a fire fighter can talk about a personal experience of attending a crash, that's pretty powerful isn't it?*

*Mr GILL - Yes. Ambulance has a job, they are patient care, but it is our job to actually cut the person out of the car. Police have overall scene presence as they are the leading authority of the road and the accident and then why it is happened. We come in in conjunction with the State Emergency Service around the state. It is our job to cut the person out of the car and make them safe and secure and the ambulance takes them away.*

*CHAIR - I think we forget sometimes the work the Fire Service does at road accidents. It is not just police and ambulance - you are there as well.*

*Mr GILL - That is a big role of our job. Previously, it used to be the Ambulance Service who cut the people out of the car and then they have their workload. It has become our role of cutting the person out of the car and that has probably been in the past 10 or 12 years. That is a big role of ours, not just house fires.<sup>412</sup>*

The Hon Michael Ferguson MP (Minister for Infrastructure and Transport), and Messrs Scott Tilyard (Chair, RASC), Craig Hoey (Manager Road Safety, DSG) and Garry Swain (Deputy Secretary and Transport Commissioner, DSG) commented on the Rotary Youth Driver Awareness Program:

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<sup>412</sup> See [Transcript of evidence, 2 February 2022](#) Mr Gill, p.5-9

*Ms RATTRAY - Minister, earlier today we had representation by a very proactive community member, TFS employee, Adrian Gill, who shared with the committee a couple of initiatives that are well under way in other jurisdictions, Queensland, New South Wales, Victoria and South Australia for educating young people in schools. Years 10, 11 and 12 specifically. New South Wales has Rescue Ed Express, South Australia has a road awareness program called RAP and Queensland has Road Attitudes and Action Planning.*

*This is where those employees that are perhaps on their rostered days off go out into schools. You may already be aware of it. I was very encouraged by what I heard today. I am interested in whether you are aware of any of these programs. Have you given any consideration to working with the TFS to look at opportunities to deliver a safety message to those young people who are going to be our road users?*

*CHAIR - Adrian mentioned that it was firies giving the message as opposed to police. Nothing against police but the firies were seen as friendly, obviously they weren't seen as the police. They felt that on many occasions having the fire service going into schools and delivering the message was not as confronting as an officer coming in. In the other states, as mentioned by Ms Rattray, the firies do it.*

*Ms RATTRAY - Obviously it needs funding.*

*CHAIR - It needs funding. I don't believe you can expect officers on their days off to go in on a volunteer basis. It would need some form of funding. Mr Gill felt it would save lives and educate students. ... He estimated about 10,000 student and about 100 sessions with 100 students at a time in the state school system. Would that be worth considering? ...*

*Ms RATTRAY - We know that road safety levy can always be increased by government.*

*Mr FERGUSON - Thank you for both the questions, which are complementary. I'll ask Mr Swain to assist me with answering. Every state does things in a way that is specific to their own needs. Many initiatives are duplicated across different states and territories but bear different branding or different names of their programs. I really would be keen to have a further look at that. I will share the extent of my knowledge, which is that we do have a similar program in Tasmania. The extent to which TFS are actually involved in the Rotary Youth Driver Awareness program I will need to check. I am aware that first responders in the SES and, I believe, the fire service have been involved in the past. I would like to check the extent to which that is still the case.*

*We encourage Year 10 students from all schools, government and non-government, to attend those Rotary Youth Driver Awareness programs, we call them RYDA. To reflect our encouragement of it, you all know that the Government has increased the mandatory log book hours from 50 to 80 hours for learners. We have recognised that if you'll do the Rotary Youth Driver Awareness course we'll credit you the time that you spend there for your log book. It is an encouragement to take the course, to spend the day, noting that I think that they are in school days. If you are a Year 10 you might argue you get double value. We are encouraging students to take those opportunities.*



*Ms RATTRAY - Is that right across the state, Minister?*

*Mr FERGUSON - It is north and south.*

*CHAIR - Not mandatory, obviously.*

*Mr FERGUSON - Not mandatory. It's up to the schools to participate. It's up to the individual students, no doubt with their parents to sign permission forms, but if they'll do it we'll credit them. I think it's the 10 hours -*

*Mr TILYARD - I think it's four for the day. There are over 50,000 Tasmanian students who have already gone through that program, well over 50,000. It's been operating for quite a few years.*

*Ms RATTRAY - This initiative that's been proposed could actually be another level of that education process on top of it.*

*Mr FERGUSON - Well we'd like to consider that. It's an inspired concept and we'd be very happy to have a good look at it. I just want to mention as well that Plates Plus is a new initiative that is part of the graduated licensing system changes that we've implemented. This is now a four to five-hour course, which is online, self-paced. It has questions throughout the course material.*

*It's actually the new replacement, if you like, for the historical knowledge-based test that you'd take at your Service Tasmania. It's again more time with people looking at real life situations. Very video heavy and concept based with real streetscapes that people can experience and I'd encourage you all to have a look at that. If you'd like a briefing on it separately at a workshop, we'd be only too happy to offer that.*

*I will just invite Mr Swain, or Mr Tilyard, if you wanted to say anything further in response to first responders, who often, like TFS, or SES, in regional or city areas are doing the road crash rescues and the potential input from them. I'm comfortable with you saying whatever you feel is your own view on that.*

...

*Ms RATTRAY - Are you aware of those programs?*

*Mr TILYARD - I certainly am, because police have been involved in those since its inception. Police officers go along as part of that day with their students and there's a whole range of different subjects that are covered. I'm not sure that the fire service doesn't have some involvement as well, because I think part of the day is actually setting up a crash scene and talking about it. One of the important conversations that police have with the students is, obviously the trauma and having to knock on the door and tell the family that there's been a fatality and that has a pretty big impact with a lot of the kids, which is obviously not one of the functions that fire perform. I think -*

*Ms RATTRAY - and an impact on officers having to do that. They often know the families.*

*Mr TILYARD - Yes, that's exactly right. My understanding is all first response organisations are involved. Ambulance and SES are certainly involved as well and they have car crash victims come in and talk to the kids and I think they've even had parents of lost children in road crashes. So, it's a well-established program and very well patronised by the various schools around the state.*

*Ms RATTRAY - Obviously, it has been mentioned and certainly Mr Willie understands well already the challenges with delivering the curriculum that's already in place. This is something else that has to be put into the curriculum for 11 and 12s, so there would have to be some negotiation with the Education Department, Minister. To say, 'that's an initiative of the school', perhaps it's something that should be mandated through the school curriculum. Thoughts.*

*Mr FERGUSON - It's a good thought, so thank you for that and that might well be something that the committee could consider but we get excellent engagement. I think it's fair to say that the Rotary organisation, nationally, takes a lot of pride in this program. It's seen as very successful. Great engagement and to correct the record, it's offsets our five credit hours for learners who will take that awareness program, so we're both wrong.<sup>413</sup>*

...

*Mr FERGUSON - ... Can I just quickly add as well, just one last very rapid point? Not only at the RYDA courses do we get great engagement. I've been and witnessed those courses and as an ex-school teacher, myself, once a school teacher always a school teacher, I must say I was stunned and pleased to see the interest by the students throughout the time. One of the things that struck me was not just the discussions by the first responders but actually simulation of a crash involving a pedestrian, which is pretty confronting. I think it's that kind of interactive mode that Rotary have tapped into that really does bring home to young people the real risks of going out on the road.*

*Ms RATTRAY - So, it doesn't rely on a Rotary club in the community to deliver this? It's just some funding because -*

*Mr FERGUSON - It really does rely on Rotary.*

*Ms RATTRAY - We don't have Rotary clubs in every area. I know my St Helens Rotary Club has actually gone into recess so we just don't have that community connection any more in all areas.*

*Mr FERGUSON - It's Rotary's initiative. It's not a Government initiative but we really support it and Rotary are successfully offering it north and south and the concern that you're expressing about individual Rotary clubs, I don't believe is a current concern by the Rotary Youth Driver Awareness (RYDA) proponents but obviously one to watch.*

*Mr WILLIE - Any program like this it's important to have an evidence base that is working so is there any evaluation that's been done on the program? Are you tracking the participants against their involvement in serious crashes over a long-term trajectory?*

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<sup>413</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.20-22

...

*Mr HOEY - ... If I answer the RYDA first, under the current Road Safety Action Plan, funding is made available to Rotary Tasmania to offer these courses across Tasmania. They are quite extensive. I believe that they extend as far as Smithton and they venture to King Island from time to time.*

*The offset has proven very popular in terms of engagement with young Grade 10 students as the target audience. RYDA is offered nationally and there are a number of national programs done in different states. RYDA is probably one of the more extensive ones done across Australia. They have a board and a strong evidence base and they do an evaluation on a year or every second year. We've just had a presentation that we could provide to the committee on the most recent evaluation of RYDA that indicated a very strong engagement, ongoing awareness of those elements that were included in the RYDA program and some road safety benefits in the longer term. That's a little bit more difficult to measure because of the extensiveness of the evaluations that are required. Rotary provides that service in Tasmania and it is very popular.*

*I will expand a little bit on the action plan in that respect. The education components under the Road Safety Action Plan extend from Kidsafe Tasmania which is assisting parents with babies to be able to understand how to put child restraints in through to Bicycle Network Tasmania. The RACT did some funding under the action plan the government makes available. Driving for Jobs is another program. The Learner Driver Mentor Program is another program as well in a full year is a complement under the Saving Young Lives theme to provide education and services at each aspect of a young person's development as a road user.<sup>414</sup>*

...

*Mr WILLIE - Back to the Rotary program, is the Department of State Growth tracking the participants and their involvement in that program and then potentially having a serious crash and then comparing that to the general cohort that may not have participated in that program?*

*Mr HOEY - To answer your question - no. We rely on the RYDA evaluation in terms of the evidence base for the course and the course content as being the best practice in terms of road safety education. The relationships formalising under the action plan provided a longer-term funding opportunity for Rotary for the first time and that enables a bit more certainty to deliver that course over the five years of the action plan. They also provide their numbers to the department in terms of the number of people attending the course. As I mentioned, the incentive, in terms of the offset, has proven very popular as a student-driven approach to attending the course.*

*Mr SWAIN - ... Generally, in the selection of initiatives, it is evidence-based so we will have a look under each of the pillars of safe systems what are the possible initiatives. Then there's modelling work usually that will go to what potential impact might they have on the road safety target or moving towards the target. Then for individual programs that are supported by us there is a general evaluation of each program and where that's provided by an outside provider, it's often dealt with in the grant deed so there are*

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<sup>414</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.22-23

requirements to provide information to cooperate with the evaluation processes. There are sometimes variations if you are hooking into a national program that is set up in a particular way. You don't necessarily have a free rein to set it up in the way you would if it was a state-based program, but as a general rule all the significant programs get evaluated.

Ms RATTRAY - Can we have a list of schools that that's been presented to, and the quantum of money that is provided to Rotary for that initiative?

Mr FERGUSON - Yes. We would be happy to provide that information and any other related facts that might be useful.<sup>415</sup>

In replying to Questions Taken on Notice, the Hon Michael Ferguson MP (Minister for Infrastructure and Transport) stated:

***Provide the Committee with a recent evaluation of the RYDA program***

*In 2020, following a six-month review, the RYDA program was redeveloped and branded 'RYDA 5.0'. The program now takes a whole school approach, embedding road safety education in the school curriculum, and creating a comprehensive resource to assist teachers to deliver the program material to students. Through this approach, the RYDA program's road safety messaging can reach all schools across Australia.*

*RYDA 5.0 has recently undergone a comprehensive evaluation to measure knowledge retention, attitude shift, and intended and practised behaviour change across time.*

*The evaluation found that RYDA 5.0 delivered:*

- *an increase in road safety knowledge for participants, which had been retained at three-month follow-up;*
- *a slight increase in the proportion of students at three-month follow-up compared to immediately after the workshop who reported that they intend to or have already practised the knowledge from the program.*

*Further, of the teachers and parents surveyed:*

- *84 per cent of teachers reported an increase in their own awareness of road safety issues following participation in the program; and*
- *43 per cent of parents noticed their child picking them up on their driving habits after attending the RYDA program.*

*The evaluation concluded that the program's year-long learning tools, curriculum support resources, and resources for parents are helping to create lasting knowledge and behaviour change and a culture of road safety at a school and community level.*

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<sup>415</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.23-24

***Can the Minister provide a list of schools that RYDA has presented to, and the quantum of money that is provided to Rotary to facilitate RYDA?***

*Between the financial years 2016-17 and 2020-21, the RYDA program was presented to 325 schools across Tasmania, reaching 20,067 Tasmanian students...*

*The delivery of the RYDA program has been funded by the Government since 2014.*

*Currently, the Government is committed to funding its delivery until the end of 2024 at an annual payment of \$100,000.*

(See [Appendix B](#) for a list of the participating schools).

***Consider the presentation provided to the Committee by Mr Adrian Gill***

*The Road Safety Advisory Council funds several educational programs aimed at reducing the number of young road users involved in crashes on our roads through education of safer road use and behaviours.*

*Mr Gill in his presentation, outlined the Road Attitude and Awareness Program presented by first responders to secondary school students. Whilst the program has its merits and is currently being evaluated, the Government has committed to the Rotary Youth Driver Awareness (RYDA) program, which adheres to best practice principles for the delivery of road safety education in schools and has recently been evaluated and shown to be effective.*

*Additionally, the Government funds the RACT to deliver a suite of programs, including the Ready for the Road program. Ready for the Road is an interactive education session suitable for students in Grade 10, 11 or 12. It outlines the processes of getting your licence and provides a platform to discuss safe road use, vehicle safety and other factors to consider when owning a vehicle, such as insurance.*

*The Department of State Growth has assisted to develop the Basic Road Safety education course for delivery to students in Year 11 and 12. Students who complete the course receive five TCE points.<sup>416</sup>*

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<sup>416</sup> Letter to Hon Rosemary Armitage MLC Chair - Road Safety Public Hearing - Responses to Questions taken on Notice, 22 March 2022

## Committee Findings

- F71. Embedding road safety within all Tasmanian workplace health and safety programs may be of benefit in ensuring contemporary safe driving practices are regularly imparted into the Tasmanian workforce.
- F72. There may be benefit in ensuring that Tasmanian school children are educated into the meanings of road signs as part of the curriculum.
- F73. Other Australian jurisdictions utilise confronting road crash re-enactments to educate senior school students on the impact and costs of road crashes.
- F74. Other Australian jurisdictions employ fire and emergency service personnel (in preference to police officers) to deliver road safety education to senior school students.
- F75. Better education is needed to ensure that Tasmanian drivers appreciate the constraints faced by sharing the road with heavy vehicles (e.g. blind spots and greater stopping distances of heavy vehicles under load).
- F76. The SafeT360 is an excellent initiative is providing an interactive resource to educate young people in how to keep safe around heavy vehicles on the road.
- F77. The Rotary Youth Driver Awareness Program continues to be of benefit to Tasmanian senior school students.

## Committee Recommendations

- R39. The Road Attitude and Awareness Program may be of benefit in complementing existing youth driver awareness programs in Tasmania.
- R40. The Government continues to support evidence-based general road safety education and explore additional initiatives to reach more school-based children.

## Driver Training Considerations

Ongoing driver training and importantly mandatory defensive driving for P-Platers was another significant topic of interest. Criticism raised in some of the submissions included:

- there is no testing regime under the graduated licensing systems between red P1 licence holder and the new green P2 licence holder (based on holding a licence for a minimum of 12 consecutive months);<sup>417</sup> and

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<sup>417</sup> See submission [#82 \(Chris Merridew\)](#) in general

- that the compulsory logbook hours training of L licence holders can be very much determined by the quality and driving habits of the supervisory driver.

At the public hearings, Mr Mark Mugnaioni (CEO, RACT) spoke of the many issues around driver training in general:

*Ms PALMER - ... I have four children. Two of them I have taught to drive. They are now on their full licences. I could teach them the road rules and what have you. I am interested in your comments on that, because you cannot force people to not be selfish. You cannot legislate for people to take their time and obey the rules and be courteous to others. To not drive when they are tired. To not drive when they are drunk.*

*So many strategies have gone into this. I am interested in how you see making safer drivers, because it is not just kids and P-platers who cause accidents on our roads. It is 40-60-year-olds as well. Sometimes I think the younger ones get quite a harsh rap when there are a lot of middle-aged idiots on our roads.*

*In your capacity as the RACT, how do you mandate against that?*

*Mr MUGNAIONI - It's a really significant challenge. As you say, it is not something you can resolve simply by budget allocation, or infrastructure projects.*

*It is also not something that you can necessarily correct immediately. It does take time. That said, I think we have proven that we can have a social impact on these things. Think about drink driving. That has had decades of focus, and we have seen the statistics in respect to driving under the influence improve over time - albeit some of that has now been overtaken by driving under other substances, which is absolutely a challenge.*

*We think, as with most of the challenges in here, a multipronged attack is what we need. There are things that we can do to enforce, and penalise. We are obviously very strong supporters of automated enforcement cameras, which can now do much more than just monitor speed. They can also detect distraction, mobile phone use, which we know is a growing issue.*

*We are also supporters of continuing to improve the way we teach people to drive from the outset, and we think the changes in the graduated licence program were really positive.*

*There is more we can continue to do to ensure that improved education is built into our schools, as Grade 11s and 12s are taking those first steps into motoring. We can make sure that irrespective of their own individual circumstances, and what they may be able to afford in their own families, the circumstances they come from, that they have an appropriate driver education foundation. We think there are opportunities there.*

*That is one of the reasons the RACT runs one of Tasmania's largest driver training schools. It's not for financial return, and not for commercial gain. It actually runs at a*

*loss. We do it because we know that if you start a driver with the right level of training and the right safety awareness, it can make a difference for the whole of their lives.*

*There have also been - I don't think as a formal recommendation - potential re-testing for people over time, and potential diversionary programs for repeat offenders for breaking enforcement requirements.*

*I think a variety of things can be done. It needs to be an effort across the board, but most fundamentally it starts with a will to actually change those statistics. We know if we keep doing our training and enforcement in the same way we are doing now, we will get the same results as we have previously.<sup>418</sup>*

The Committee heard from Mr Barry Oliver with respect to his views on mandatory defensive driving for P-Platers:

*Mr OLIVER - Firstly, thank you to the Committee for the opportunity to speak in support of my submission which was made out of a genuine and deep concern for the safety of our first-time and most vulnerable drivers. I have endeavoured to establish my bona fides in the submission based on 60 years of driving experience and the conduct of over 700 structured one-day defensive driver training courses between 1992 and 2009.*

*In my honest view, from those experiences and many years of careful observation, I am prepared to state without apology that the overall standard of driving competency in Tasmania is well below par. It is obvious over the years that we have been prepared to accept a system that meets basic, set criteria to secure a licence without really understanding what is needed to ensure safe and competent drivers. Understanding road rules, being able to reverse park, three-point turns, giving way to the right, et cetera, is all very well but what about understanding the dynamics of the vehicle and the myriad other factors such as observation, awareness, anticipation skills?*

*The submission details a range of areas that are critical to safe driving but many are either not mentioned or glossed over in the licence application process. The mandated minimum hours behind the wheel for a learner, subject to state requirements is a joke at best with many parents admitting to me they fudged the hours because Billy has been driving around the paddock since he was six and he knows what he is doing. The question has to be asked: how much does Billy learn driving to Hobart from Launceston and back when it is unlikely he will have to pass another vehicle, hardly use the brake, not have to negotiate any sharp corners, while dad is asleep in the passenger seat?' 'But hang on, he can claim five hours, right?'*

*As I said in my submission, the overwhelming majority of course participants struggle with the very basic elements on the one-day course and yet they are the ones who, in the main, will take the responsibility of training their offspring for their future as drivers.*

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<sup>418</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.5-6



*It saddens me to relate an experience of conducting weekend courses specifically for P-platers who were new to the world of independent licensed driving. I decided that in addition to the standard program we would undertake a brief one-on-one drive around the Symmons Plains circuit, not as a race track but as a public road with a maximum speed of 80 km/h. The results left me and the credentialed co-instructor, Tony, dismayed. We both left at the end of the day questioning the inadequacy of the licensing system.*

*The young drivers in the main were unable to judge when to brake for the hairpin at the southern end of the circuit even though it was clearly obvious what they were approaching. They were unable to brake and change down at the same time and arrived at the turn-in point with too much speed and in the wrong gear. The basic and fundamental process of ensuring that all braking and gear selection prior to turning into the corner clearly had not been taught. The net result was the car ran wide, which could have resulted in a head-on collision in a real-world situation. That happened at three locations in the space of 2.4 kilometres. In my view the current licensing system is a recipe for adding more inadequately-prepared drivers to an already dismal driving standard and is no more than a Band-Aid solution.*

*As I said in my submission, there is an element in the driving world who don't give a toss about Towards Zero as evidenced by the driver who at the weekend was clocked at 110 in an 80 km/h zone with a blood alcohol reading of 0.135. The road toll in 2013 was 36, in 2016 it was 37, and in 2020 it was 37. They were the highest figures since 2010. As at this weekend with the death of an 18-year old down south, the 2021 toll stands at 34 and we have a month to go. In my view it is too late to do anything about the current licence-holders and the focus now has to be on our future drivers. We need to protect our young drivers and try with example and training to instil what has been said ad nauseam: one mistake can be fatal or destroy your life and in the process devastate those who love you.*

*I make no apology for my emotion on this issue as a father and a grandfather, in respect of parents who agonise over the safety of their children. It is my hope that the relevant authorities put aside any preconceived ideas and misconceptions to give consideration to a pilot program funded by the State Government to enable young licensed applicants to undertake a course encompassing the components outlined in my submission. It will not be the panacea to fix the issue, but is that a convenient excuse to do nothing and just accept that it is a fact of life?*

*We have no problem finding the funds for myriad of events and community activities which is all part of the fabric of our society but for far too long this life and death issue seems to have been an acceptable part of life. Well, it's not.*

*I offer this submission to the Committee with respect, understanding the requirements of the terms of reference and in the hope that my contribution will be accepted as a genuine and considered view for the safety of our future drivers ...*

...

*Mr WILLIE - Are you aware of any other jurisdictions that have mandatory defensive driving provisions?*

*Mr OLIVER - None in Australia.*

*Mr WILLIE - Internationally?*

*Mr OLIVER - I think you will find in some European countries. Certainly the requirements to get a licence in places like Germany and so on are far greater than what we have here.*

*Mr WILLIE - So there is an evidence-base where that was introduced and you could see the impact on road safety?*

*Mr OLIVER - I can't honestly say that I have checked out exactly what they do and what the result has been, but I do know that in quite a few European countries they do in fact go to a great deal more trouble. Not only that, the person who is wanting the licence is paying for it.*

*What they are basically saying is, if you want the licence, (a) you are going to have to pay for it, and (b) you are going to have to satisfy us that you really do know what you are doing. We are not doing that here.*

*Mr WILLIE - My other question would be feasibility: whether it is possible in the current capacity to mandate this?*

*Mr OLIVER - Let's put it this way, the facilities are available. I hear the argument, 'Why do it at a race track?' One of the issues that has been raised in the past is that by taking a young person to a race track you are giving them the wrong impression. This is where people drive fast and do things like that, but at the end of the day you make it clear that we are treating this as a public road and they are not going to be racing, they are not going to be driving fast.*

...

*Mr OLIVER - As I said the maximum speed is 80 km/h. What I am saying is we have Symmons Plains sitting there and different governments over the years have poured millions of dollars into Symmons Plains and also to Baskerville; you have the perfect opportunity in a controlled environment to be able to do this. There are classrooms available. There is a track available. It is all sitting there. When I was running the courses we also used the Wynyard Airport. Now obviously you can't do a lot of the items in my submission out on the public road. You are not going to be able to drive down the road and find a wet section and start doing emergency braking. It is just not going to happen.*

*As far as cost is concerned, as I said in my statement and also in my submission, should we really be arguing over dollars and cents? I think I said in the submission, the sort of money that it is costing the community when somebody becomes a quadriplegic or suffers permanent brain damage -*

*Mr WILLIE - I understand that. My next question is affordability for all the population? Will we be shutting people out of getting a licence and having access to transport, or I guess the Government could subsidise that perhaps, I don't know.*

*Mr OLIVER - I think they should, to be honest with you. Are we prepared to accept 30-odd deaths a year every year? That is what has been happening since 2010? It's a graph, it's a straight line.*

*Mr WILLIE - Clearly, we are not because we are sitting on this Committee. We think it is a huge issue.*

*Mr OLIVER - But it is not the first time I have made representation on this. I can go right back to the early 1990s, and talking to people in Hobart. Not interested: 'university studies have shown that if you put people onto a defensive driver training course they come away over-confident and they are going to be dangerous to themselves and everybody else'. Really? And if you ask these same people, 'Have you ever done a course?' 'Well, no.' 'Well, do you know what we do?' 'You teach people how to get out of a skid.' We don't. We teach them not to get in the damn skid in the first place. So you know there is a barrier there that has frustrated me for years and I worry about our young people.*

...

*Mr OLIVER - ... I tried to get current figures for what it costs the community for a fatality or a serious injury and there is nothing available that is current.*

*CHAIR - A serious injury would probably cost more than a fatality because of the ongoing -*

*Mr OLIVER - Yes. I'm not quite sure how they establish those figures but we are talking in terms of millions of dollars.*

*Dr SEIDEL - So the European example states that if you make getting or obtaining a driver's licence more difficult, rigorous training, 12 hours of theory, 12 hours of practical driving with overland night driving and the cost is \$2,500 for the whole course, it is not a barrier for training for a driver's licence. It doesn't seem to be a barrier because people want to drive their car. The German example was they had age limits where you have to be at least 18 before you get a licence because they know it works, the training works, they put it down to 17 now so it's lower.*

*The counter argument is to say cars are so safe now - we look at autonomous driving - that most of the functions a competent driver would need to have has now been taken over by technology. Therefore, we do not need to have structured training anymore because autonomous driving is just going to be much safer because we take out the human factor.*

*Do you have a view on whether the safer the cars are the most autonomously they drive, that we need less structured training even compared to what we have now?*

*Mr OLIVER - No, because there are still aspects of driving that that technology is not going to necessarily cover you for and a simple thing, observation skills. Now, clearly people are not using their eyes and you can argue that yes, with technology the car is going to give you a warning when it gets too close to the vehicle in front, or if you get into a skid that it has traction control or whatever, lane departure warning, et cetera. But there is no substitute for using your eyes and seeing the problem early enough. I am*

*amazed at the number of times I have seen people have crashes simply because they weren't looking at where they were going. They are not using their eyes.*

*I did quite a number of one-on-one courses for a government department where we took a driver out and sat beside them for two hours and took them through the city, out on the road and all the rest of it. At one point I said to them, 'Let's spend the next 10 minutes and I want you to tell me exactly what is going on around you. I want to know what is up ahead of you, what is on the side, what is behind you,' et cetera. In other words, we call it commentary driving and the purpose of that is to establish just how people think and look and understand what is going on around them. They would be driving along and they would say 'There's a Metro bus about 200 metres up the road, over on the right-hand side is a lady with a pram, there is a guy over here on a push bike,' but one of the things that really came out was, what was behind. In that 10 minutes, most of those people missed what was behind them. It never occurred to them to look in the mirror. How many times would you have driven somewhere and thought 'that person doesn't even know I am here'.*

*So, yes you are right as far as technology is concerned and it has helped us, but the facts of life are we are still talking about, and you are here for this reason, a death toll in the State which is a straight line. In my submission I pointed out all the different attributes that we now have now in our vehicles and all the improvements that have been made in our roadworks, et cetera, but we are not improving. I made the point, if this was a business operation and I was the boss, I would be asking my staff, 'What is going on?' Is there any aspect of the submission that you would consider inappropriate?*

*CHAIR - No, I thought it was a great submission. It is a good present for children for Christmas and birthday presents when you consider it. If my boys were still here I'd be buying it for them for Christmas to go and have a course.*

*Mr OLIVER - Rosemary, in fact most of the young ones that finished up coming out to Symmons Plains to do the course, it was a gift. But there were very few parents who looked at it and said 'I think that would be a wise thing to give my son or daughter,' and the majority of those came as a result of mum or dad being sent by the company they worked for, or the government department they worked for, and doing the course, and they went away and thought 'Hang on, my son should be doing this, or my daughter.'*

*Dr SEIDEL - ... Why were people like the company you said were sending people to you? Are they truck drivers and areas where that is compulsory for their profession, or why are people being sent?*

*Mr OLIVER - No, it was purely Occupational Health and Safety. The more progressive companies realised that they had staff and they were spending a lot of money training people, they were valuable to the business and so it was in their interest to make sure that they stayed around. That was the prime reason: it was purely OH&S.*

*Dr SEIDEL - Obviously they must have sensed that the experience was a positive one otherwise they wouldn't have told their children or relatives, 'This is worthwhile, you should be doing this,' so it just took that element of exposure and they said, 'This was beneficial to me, you should be doing this too.'*

Mr OLIVER - Yes, exactly.

Ms PALMER - ... I agreed with what the member was saying about technology but when my kids bought their cars, they had about \$5,000 or \$6,000 to spend on a car. There is no technology in it at all. I like the idea of the defensive driver course but I was wondering about your thoughts. Most kids learn to drive from their mum or their dad, my kids did, and I ended up learning things from my kids that I didn't realise were road rules. I am wondering what you think about the fact that the people who are training kids - I would consider myself a reasonable driver but there were still things that I had missed - do you think there is a problem even a further step back with who are training the kids with those general road rules and general learning how to drive? And do you have any idea of a solution?

Mr OLIVER - Yes, absolutely. I suppose one of the prime reasons I am pushing the defensive driver training course is to have trained people who really understand what is required to be a safe driver, rather than just mum and dad. From my experience, so bear in mind that over 7,000 drivers went through my courses so I have seen a lot of drivers, and my concern is that a big percentage of those people that went through the course in my view were not capable of safely teaching their son or daughter to be a good, safe driver. I don't want to be disparaging but it is a fact of life.

CHAIR - It is a long time since they got their licences too.

Mr OLIVER - I watched them battle to do very simple exercises at Symmons Plains and Baskerville and I am thinking, 'If you are struggling with this, how on Earth can you train your son or daughter to be a safe driver. You don't have an understanding of your vehicle.' I mean a simple thing like tyres. People have no idea of the importance of tyres, none whatsoever. They're round, they're black, sometimes they go flat and they're a damn nuisance because they cost money. But they are your only contact with the road, for God's sake. I shudder when I think back to when we checked the tyres of the vehicles that turned up to do the courses.

Tony, my offsider, would spend three quarters of an hour at the beginning of the day just checking every single vehicle. Rarely did he find a vehicle that met all of what we would consider to be safe criteria. There was under-inflation, over inflation, badly worn tyres, damaged tyres, mismatched tyres. They're on the road with you and me. How many parents would be able to say to their child, look once every month or once every fortnight you should check your tyres. Would you have done that, Jo?

Ms PALMER - Well no, but their dads did. I didn't even think of it. But both the kids' dads - dad and step-dad - did. The thing I found interesting when I was teaching my kids to drive is there was no guidance for me. I actually asked 'Is there a brochure, is there like a list, 1 to 20, these are the top things?' There was nothing for me as a parent training my child to say, 'Here's some guidelines'. I thought that was interesting.

Mr OLIVER - Well, back when I got my licence and that's 60 years ago, basically you turned up and you went around the block once and that was it.

*Ms RATTRAY - Did a hill start?*

...

*Mr OLIVER - No I lived in Invermay and it's all flat. How many times I've heard the story of people who live in country towns and turn up to get their licence and the cop says: 'Well I've been watching you drive around the street for the last two years, you're right mate, go for your life.'?*

...

*Ms PALMER - I was interested in any feedback you had around - I know in our family it was something I struggled with and then realised I was missing things. Believe me, I tried very hard to teach my children how to drive properly. I took it very seriously but no guidance and I missed things.*

*Mr OLIVER - When they first introduced the 50 hours right back in the beginning, I went to Hobart and sat down with the person who was driving that program and said to this person: 'How do you know that people are going to be honestly filling in that 50 hours?'*

*Ms RATTRAY - Now it is 80.*

*Mr OLIVER - That's right.*

*Ms PALMER - You wonder if it's quality versus quantity.*

*Mr OLIVER - Her answer to me was: 'Mr Oliver, you need to understand that there are very significant penalties for failing to do so.' My next question was, 'Well, how do you know?'. How do you know?*

...

*Dr SEIDEL - Barry, do you think that getting your licence when you are young is almost like an entitlement whereas maintaining it is actually the powerful licensing one. It seems to be quite easy to get a licence. There's no checks and balances. But I'd be getting a licence for whatever reason, culturally or whatever, and then you have to make an effort to maintain it. Once you have an accident it is quite easy for you to lose your licence again. But the first step is quite easy, isn't it? Against any form of evidence, it's easy to get a licence?*

*Mr OLIVER - Absolutely, very easy. Too easy.*

*Dr SEIDEL - It doesn't make any sense, there's no evidence base for that really, is there?*

*Mr OLIVER - It's too easy and people don't appreciate what a privilege it is to have a licence. You are saying to somebody, 'I'm going to allow you now to drive a lethal weapon'. It's no different to me giving you gun. I'm one of these oddball people in that I love cars, I love driving, I'm passionate about my driving. I look forward to driving a car safely, and being able to steer it and drive it as a professional person. But I'm in the rare part. Most people just get in the car, turn the key on and away they go. There is no more thought to it at all. I really don't know what more I can say apart from the fact that at the moment it is frustrating and we really have to do something about it.*

*CHAIR - So many things have changed, haven't they? When I met with Allan Roark at one stage, he was telling me, and he mentioned this morning, even where you hold your hands on the steering wheel - I always thought it was 10 to 2, but with the air bags, if you have your arms up, they come back and your watch hits you.*

*Mr OLIVER - In the submission, I talked about ergonomics and actually physically taking the person out to the vehicle and getting them to sit in the vehicle. Overwhelmingly, young people, particularly, sit far too far back from the wheel. They seem to think that you have to have almost straight arms and if you have the hat on back-to-front and you are laying right back, well that's even cooler.*

*Ms RATTRAY - Don't forget the arm out the window.*

*Mr OLIVER - A la Peter Brock, yes, that's right. Then you say to them, 'Put your seatbelt on', and they put their seatbelt on. But what you often find, especially with the more modern vehicles, there's an adjustment on the B pillar but how many people think to bring that down to the lowest point so it's on your shoulder and not across your neck? Imagine in a crash, which is violent, and you have the seatbelt in such a way that it is going to come across your neck, so all of a sudden you've got a neck injury. You talk to them about open windows - well, what's the problem with that? When your car rolls, where do you think your arm is going to finish up going?*

*CHAIR - Somewhere down the street because it comes off.*

*Mr OLIVER - Exactly. Half-open window: now, even though you are wearing your seatbelt, in a crash you're still going to have significant movement. The belt is not going to hold you absolutely dead firm. So what's to stop your head from banging on the top edge of that half-open window? Talk to the ambos and they will tell you. All of these things. But is any of that included when we're teaching our young people to drive?*

*CHAIR - No.*

*Mr OLIVER - Ask them to check the oil or the water: 'How do we do that?'*

*Ms RATTRAY - Usually, 'How do you open the bonnet?', 'Where do you open it? Where's the latch?'<sup>419</sup>*

...

*Ms RATTRAY - Thanks, Barry. I tend to disagree that it's easier now to get a licence than it was in the past - but that's just you and I might disagree - because the 80 hours and the requirements that you go through are quite significant. I do agree that I don't believe people are actually honest about the 80 hours, but that's another story.*

*I have a motorcycle licence. Not much of a rider these days, I don't have a bike. I got that in my 40s. It was a Stay Upright course. I felt like I was more aware of what was going on around me as a vehicle driver and a motorcycle rider. I am interested in your thoughts around those courses attached to motorcycle driving that might help vehicle drivers be*

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<sup>419</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.1-9

*more aware of all those who are on the road. Have you put your mind to that at any stage, Barry?*

*Mr OLIVER - I've always felt that what they're doing with motorcycles is a step in the right direction. We really should be following that system, that format, that idea. There's no doubt in my mind that if you're on a motorcycle, you've only got two wheels not four, you're much more vulnerable and I think they went the right way by saying, okay, you've got to do what you would have done to get your licence.*

*Ms RATTRAY - A DECA or a Stay Upright or whatever it is?*

*Mr OLIVER - Exactly. And you are certainly far more aware of what's going on around you, absolutely.*

*Ms RATTRAY - A course like that you can actually do more local. I represent a lot of the more outlying areas - rural areas. For everyone to be able to get to Baskerville or to Symmons Plains and undertake a defensive driving course might not necessarily be accessible, achievable or affordable. I'm looking for a compromise position there and I'm thinking perhaps that type of Stay Upright DECA course might fit with a vehicle licence.*

*Mr OLIVER - Are you thinking in terms of being able to do it within the area where you live?*

*Ms RATTRAY - Yes. For affordability, access and all those issues that we struggle with sometimes when you're not city-based or built-up area-based.*

*Mr OLIVER - That raises the question then about having the right people to actually do that and being available to go to those locations. I suppose that's why I was suggesting that if we had central locations, whether it be Wynyard, Symmons, Baskerville, whatever the case may be, then it may be a little easier. I understand what you're saying about people may not always be in a position to travel for that.*

*Ms RATTRAY - I'm just looking for perhaps a compromise position - full defensive driving courses against a broader awareness course that a learner driver could undertake.*

*Mr OLIVER - Food for thought, definitely. Your comment about easier to get your licence, probably what I should have said was that I feel we should be doing more. It's not so much that it's easy - we should be doing more.*

*Ms RATTRAY - But not necessarily just in extra hours.*

*Mr OLIVER - No.*

*Ms RATTRAY - I agree.*

*Mr OLIVER - There's no point in having 80 hours if they're going to do just what I said, the trip to Hobart and back.*



*Ms RATTRAY - They're not learning anything.*

*Mr OLIVER - As I said in my submission, you're not required to do any gravel road driving. You are in a rural area. How many gravel roads have you got?*

*Ms RATTRAY - Hundreds.*

*Mr OLIVER - Exactly. We have to work on the premise that young people at some point are going to be on those gravel roads. But there's no requirement at the moment. It took them a while to actually include night driving, for goodness sake, and I could never understand that.<sup>420</sup>*

...

*CHAIR - ... I think it would be really great for all us to do defensive driving courses. There're so many things. You don't appreciate something as simple as holding the steering wheel and all the different areas you mentioned.*

*Ms RATTRAY - What is the correct position?*

*Mr OLIVER - Quarter to, quarter past. When an airbag goes off, it basically fills the entire steering wheel. So, if your hands are here at ten to, ten past, then my glasses are now smashed into my eyes. There's a whole myriad of things for different reasons.*

*CHAIR - Seeing as we all drive so much on the highway, maybe we should ask if we could all do defensive driving courses. It would do us all the world of good.*

*Mr OLIVER - There were a number of government departments that sent people over the years to do the course.*

*CHAIR - So, a precedent's been set.*

*Mr OLIVER - Apart from the one-day defensive driving training courses, I also ran two-day four-wheel drive training courses, primarily for forestry and the mining industry. I have had a lot of experience over the years.<sup>421</sup>*

Other commentaries around defensive driving was heard independently through Messrs Brett Smith APM, Malcolm Eastley and Albert Ogilvie:

*CHAIR - A question that was asked earlier when we were talking to Barry Oliver with regard to people training their children, do you think that maybe to be able to train your children to learn to drive, you should actually have to have some sort of course yourself? You are obviously a bit more trained than the rest of us but we have all learnt to drive maybe over 40 years ago and then we might be teaching our children to drive. Do you think there should be something for people who are teaching these new road drivers? We know it is expensive to have a course. Any thoughts?*

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<sup>420</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.9-10

<sup>421</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.13-14

*Mr SMITH - It is an interesting one because I taught each of my three children –*

*CHAIR - But you are a police officer so you are up with all the road rules.*

*Mr SMITH - They have all had bad crashes and they have all lost points. So I can't stand here and say that I am a great teacher. I know what you are saying.*

*CHAIR - Yes, you are a bit more experienced than those of us who have gotten our licence 48 or 50 years ago.*

*Mr SMITH - Any opportunity to provide some education to any road user is a good thing. I like the idea of every time there is a licence renewal, get on, do an online education program, do it that way, so that you are continually reinforcing that message. It's the continual reinforcing of the message. And do it in such a way that it's constructive and not destructive.*

*Dr SEIDEL - To follow up specifically, you would argue for self-assessment that can be done online, very low threshold, just a reflective exercise, really?<sup>422</sup>*

...

*Mr WILLIE - The evidence we heard previous to you was an advocate for mandatory defensive driving courses. Do you have a view on that, or is trying to change attitudes more important?*

*Mr SMITH - Driving programs are good. I am always concerned about mandating it generally. Maybe it might be something that is mandated after a period of disqualification or suspension perhaps. This was always a concern when I went through as a young recruit many years ago. We were taught how to drive under the British Roadcraft defensive driving program. I think we came out a whole heap worse with that because we were pumped on false confidence.*

*CHAIR - You thought you were pretty good.*

*Mr SMITH - Exactly right. Particularly as a young 18-year-old male who actually topped their driving course, I might add, on my cadet course, I probably didn't have the right attitude if I was perfectly honest about it. I am quite sure some of my former supervisors would agree with that.*

*Mr WILLIE - Is that because you thought you could push the limits and you would be fine?*

*Mr SMITH - Exactly, because you were taught, it was reinforced you were a good driver and we were taken down to the skid pan. Those types of behaviours, with a significant degree of immaturity, I think are very risky things to do. A lot of it, while we see people get killed, a lot of it is through immaturity, particularly with younger people.*

*Mr WILLIE - Males, in particular.*

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<sup>422</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.4

*Mr SMITH - Indeed, no doubt about it.*

*CHAIR - For parents to buy something like that for a son or daughter who has just got a licence, so it might not necessarily be what they are hoping for then?*

*Mr SMITH - Probably not. I think anything has to be measured. If you want people willingly to do things, mandating forces people's hand, as you were saying about the carrot and stick. Providing the opportunities is really good. I will give an example. I crashed a police car about four years ago. I missed the traffic lights leaving Lindsay Street, cleaned them up on Goderich Street. You can imagine the stick that I copped at work over that.*

*CHAIR - Especially as the Commander.*

*Mr SMITH - That's right. I had a policy of, as soon as you have a police vehicle crash your permit was suspended until such time as you were reassessed. I did the same thing. I went and did my reassessment with the driver training because I was worried that I was doing something wrong. Why didn't I see this traffic light that was sitting in the traffic island? Why didn't I see that? It was a really good experience.<sup>423</sup>*

Mr Malcolm Eastley noted the following:

*Mr EASTLEY - ... You will notice, Rosemary, after you announced this inquiry, the first thing the road safety fellow did was say 'we don't believe in driving training'. It's always been the case. They regard it as making people cocky. That's not true. That person hasn't understood the difference between advanced racing driver training, or whatever you like to call it, and defensive driving. Defensive driving teaches you the right space between vehicles. It teaches you, when you are waiting at an intersection, to leave your wheels straight ahead and not turn to the right because the next car will poke you out in the wrong lane. That's the sort of thing -*

*CHAIR - You are not doing skid pan stuff and doing all of that. It's learning how not to skid, we were told earlier.*

*Mr EASTLEY - No, that's not necessary. That helps and it might be a part of it. At the end of the day, if you are getting the basics from the defensive driving you're not getting cocky about it. You are being more careful because you are more aware of the problems that can occur. The Road Safety Advisory Council have always taken that view that 'we don't believe in extra training', but I can tell you right now that every one of us needs some extra training. There's always something we can learn.*

*I had four log truck drivers working for me. They were good drivers. We did a defensive driving course way back when it was part of the training program and every one of those drivers said how good it was, what they had learnt and what had been emphasised. I made sure my kids and every family member went through the same sort of course and it's*

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<sup>423</sup> See [Transcript of evidence, 29 November 2021](#) Mr Smith, p.6-7

*done the world of good. It's wrong to say 'we don't believe in extra training'. I think if you had a proper defensive driving course, everybody who was found guilty of an offence -*

*CHAIR - Do it before they get their licence back?*

*Mr EASTLEY - Yes, exactly. They can pay for the course rather than pay a fine. That would be far better.*

*CHAIR - It would be of more benefit.*

*Ms RATTRAY - Perhaps it's the way that it's presented - 'advanced driving course' rather than 'defensive driving course'. Maybe there needs to be a change in the language?*

*Mr EASTLEY - I am not too sure, Tania. The Road Safety people did facilitate the advanced riding. They took them along to Symmons Plains and paid for their course. Not enough people took it up. It didn't teach them the right thing anyway. It didn't teach them about late apex riding and stuff like that. It did improve their skills but it didn't improve their positioning on the road, and that's the important thing that's been missing.<sup>424</sup>*

Mr Albert Ogilvie also commented about defensive driving:

*Mr OGILVIE - ... Two little additions. On the idea of the defensive driving, and this is just a possibility - the whole idea, as I said in my submission, is that we have worked on people caught and punished. It is very easy to drive on autopilot; it is easy for me to slip back into it. Most people haven't been anywhere near a defensive driving course. ...*

*CHAIR - It is a long time since we did our driver licences. Do you think that every so many years there should be a little refresher with your driver licence? Or do you think there should be a reduction in the cost, or some benefit from the Road Safety Advisory Council or others if people do? Some sort of discount?*

*Mr OGILVIE - I would want to see some research on that. It would be easy to say yes.*

*CHAIR - To try to encourage people to do them. Cost might be a factor for a lot of people, in doing a defensive driving course.*

*Mr OGILVIE - That would be wonderful if you could do that.*

*CHAIR - I am sure a lot of money goes into the Road Safety Advisory Council. Perhaps with some of those areas that we put a lot of money into, there could be other ways of reducing the road toll.<sup>425</sup>*

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<sup>424</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.8-9

<sup>425</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.9

## Committee Findings

- F78. It is difficult to ascertain the quality of driving instruction provided by non-professional tuition to Tasmanian learner drivers.
- F79. Defensive and/or advanced driving instruction being more accessible to Tasmanian drivers may have positive impact on road safety.

## Committee Recommendations

- R41. The Government assess the mandatory supervised hours for learner plate drivers to determine if it is delivering on its intended road safety outcomes.
- R42. The Government consider initiatives to make defensive and/or advanced driving instruction more accessible to Tasmanian drivers.

## Interstate Visitors and Tourists

It has been estimated that around 10% of all crashes in Tasmania involves non-Tasmanian drivers. The Committee heard from Mr Barry Oliver of some of the challenges faced by road users from outside the State:

*Ms RATTRAY - Just a question in regard to the people who come to our state, tourists and the like, particularly international tourists. I know we haven't had so many in recent times but it is often suggested that they don't really understand our road conditions and the terrain and the like. Can you make any suggestions or comment on that, Barry?*

*Mr OLIVER - Only last week I was given an instance where a person was driving down the road and came around the corner and found a rental car sitting in the centre of the road. The driver had got out of the vehicle to take a photo. I was also told that in some cases people who are coming in from some Asian countries have got their licence online. ...*

*Mr OLIVER - From simulators, that's what I meant.*

*CHAIR - Yet they haven't ever driven on a road.*

*Mr OLIVER - No.*

*CHAIR - Rather than just getting an international licence, do you think that you have to do something when you arrive? Particularly for an international licence as opposed to an interstate licence.*

*Mr OLIVER - I really think we should.<sup>426</sup>*

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<sup>426</sup> See [Transcript of evidence, 29 November 2021](#) Mr Oliver, p.12

The Hon Michael Ferguson MP (Minister for Infrastructure and Transport) and Messrs Craig Hoey (Manager Road Safety, DSG) and Scott Tilyard (Chair, RSAC) also commented on the overrepresentation of visitors to the State with respect to crashes and road incidents:

*Ms RATTRAY - In your submission the Towards Zero Action Plan 2020-24, you talk about making visitors safe. Most of us who are fairly regular road users still see many people driving hire cars stopping to take a photo of a porcupine wandering across the road or something in a paddock that they haven't perhaps seen before. How do we get the message across that it is not safe to do those type of things? We have talked about putting notices at airports and putting something in a hire car or putting a notice on the Spirit of Tasmania that these are our road rules; you need to be more careful. But I don't see it hitting the mark. Is there something that the Government or the advisory council is doing to address this issue?*

*Mr HOEY - Under the action plan, with the key theme of making visitors safer, we are considering three aspects: interstate touring motorcyclists, who are an issue on Tasmanian roads so it is targeting them, particularly through the Spirit of Tasmania and engaging with visiting motorcyclists when they make their booking and throughout their journey on Tasmanian roads.*

*Ms RATTRAY - Are they all mandatory things that are done? Is it mandatory to provide that information?*

*Mr HOEY - We work with the TT-Line to include information when motorcyclists book. There are some touring maps that are provided to all visiting motorcyclists. They were prepared in conjunction with the TMC, which is actively engaged in this area. But it is of an advisory nature. It is trying to target and work with visiting motorcyclists so they understand Tasmanian roads.*

*Then we have international tourists. They are targeted through the airports, the hire car industry and through tourist operators when they are trying to get information. Once again, it is advisory, but it provides information about local road rules, conditions and what people might expect in terms of driving distances and so forth.*

*The third group, they are sort of more your backpacker, new to Tasmania, university students. Once again, information about road safety but also balanced a bit there with buying a vehicle or -*

...

*Ms RATTRAY - So you don't think it should be mandatory, Minister, that that information actually be presented to those people? I know people come in late at night and they're picking up vehicles. They probably often don't even see anybody when they collect their vehicle if they've come in on a flight. But is there some way that we know that they receive the information? Advisory just doesn't seem to be working.*

*Mr FERGUSON - I don't know if it's not working. I'm not in receipt of that advice per se. But I think it's an example where, for example, we could pass a law mandating that a person must receive it, must read it, must agree that they've read it - and potentially it may not quite lead to the actual absorption and the willing participation in understanding*

*Tasmania's road conditions. But take it on notice and, as I said from the outset, I don't want to be here today ruling things in or out. I think we should have fresh eyes on our policy approaches. I certainly look forward to the recommendations and the report that this committee will come forward with. I would, before doing anything, of course seek advice from the Road Safety Advisory Council. If nothing else, the question ought to lead us to how good are we at getting the information in a readable format, in an understandable and accessible way to as many visitors as possible.*<sup>427</sup>

...

*CHAIR - Are visitors overrepresented in crash data? Do we have that?*

*Mr HOEY - In motorcycling, certainly there is an issue with visiting motorcyclists but they represent, I think from our stats about visiting road users - non-Tasmanians that is. It is a difficult thing to break it all down because what is a tourist, what is someone on a longer stay, what is someone having previously visited Tasmania?*

*Ms RATTRAY - A non-resident then. It's easy to break it down. You're either a resident or you're not.*

*Mr HOEY - We've got that stat: one in 10 is about the number of crash involvement of non-Tasmanians but some of those non-Tasmanians may have been residing in Tasmania for some time as well, so they really know the conditions.*

*Ms RATTRAY - And they're serious crashes?*

*Mr HOEY - That's the whole range of serious casualty crashes. So we pick all that up. What I'm trying to say is that it's important that we target those ones that are truly here on the short-term, new to Tasmania, and that's where we are focusing. One in 10 is probably a little bit alarming because it's not probably capturing the tourists, the short-stay visitor to whom we're trying to provide education about the road conditions and the local road rules.*

*Mr TILYARD - ... I can really only agree with the comments that have already been made. It is a challenge. Often when people come into the state, obviously they're not as familiar with our roads, just as when we visit another state or another country we're not familiar with their roads either. So, it is a challenge.*

*Fortunately, most people do the right thing but that's generally true of everything road safety-related. But there's always a small percentage of people who don't. I don't think the answer lies in any sort of mandatory requirement that they must read things because quite frankly most people won't do that anyway. I mean, I've got no doubt they sign their hire car contracts saying they've read the contract as well but people just don't do these things. They'll sign up to anything. There's a lot of material that is put out there and you would have seen some of it yourself, I'm sure, on the Spirit and in the airports, up on the big visual display while you're waiting to collect your bag, there's signage as you're leaving the airports about driving to the conditions, about how our speed limits operate here in Tasmania. There's information included with the hire car company documentation*

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<sup>427</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.35-36

*and some of the hire cars have stickers on their dashboard reminding people what side of the road we drive on and those sorts of things. So, there's a lot of thinking and a lot of effort gone into trying to address this issue. It is one in 10 of serious crashes on average, as Craig has mentioned, so it is something that we're very much focused on and the current action plan includes doing more to address that issue of people who aren't familiar with our roads.*

*If you're from overseas and you're driving down the east coast and the next thing there's an echidna wandering along, you're probably going to want to stop and have a look and get a photograph, and you can't blame people for that because -*

*Ms RATTRAY - But you don't stop in the middle of the road to do it. That's the issue.*

*Mr TILYARD - No, that's right. As I say, there'll always be exceptions to the good driving that most responsible, sensible tourists do but, unfortunately, some of those exceptions are what causes the crashes and therefore attracts the media attention, so that is an issue we're trying to address.<sup>428</sup>*

### **Committee Findings**

F80. About 10 per cent of all crashes on Tasmanian roads involve non-Tasmanian residents.

### **Committee Recommendations**

R43. The Government redouble its road safety messaging at State entry points to improve road safety on Tasmanian roads.

## **Motorcycles**

As a vulnerable road user group, motorcyclists are still acknowledged as being over-represented in Tasmania's serious injuries and fatalities. The Committee heard from Mr Malcolm Eastley his views on improving motorcyclist safety through the 'convoy rule' and the utility of 'apex cornering':

*Mr EASTLEY - ... One is the convoy rule, which some groups use. That is, that each person in turn waits at the next intersection for the next fellow to come into sight and then goes on. That means everybody can travel at their own speed. The situation, otherwise, is that two or three get past a car and there's a gap while they wait for the next lot, then they go like one thing to try to catch up. The issue there is that they need to be trained to work those convoy rules.<sup>429</sup>*

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<sup>428</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.36-37

<sup>429</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.7



*Mr EASTLEY - ... The other section that's very important is that there's a technique of motorcycling called late apex cornering. It's like defensive riding for motorcyclists. In other words, you're not taking the fastest line through the corner from one point to the other. You are going in a little bit later, apexing a little bit further around the corner. That gives you the opportunity to position your bike coming out, not where it's going to be right on the centre line of the road, but it gives you a choice whether you keep to the left, head to the right, or whatever, and you can position yourself out of harm's way of cars that are not quite in the right place.*

*I can explain that with a whiteboard or anything else to anybody. Every motorcycle instructor knows it but they don't enforce it. What they have concentrated on is doing track days to improve people's riding. This improves their braking technique and such but it doesn't improve their technique on the road when the issue is defensive riding and keeping the bike in the right position, where it's lined up for the second corner. Not just getting through the first one but it's in a better position with the second corner and it's out of the way of cars that are not quite in the right place. It's very important and I think that's a training issue, basically, and no one's tackled it at the moment.*

*Ms RATTRAY - Is that something that could be taken on board through the DECA <sup>430</sup> course?*

*Mr EASTLEY - It should be. The problem with the DECA course at the moment is that truck instructors and driving instructors, as well as motorcycle instructors - I don't think there's enough focus on the issues that solely affect motorcyclists. The instructor that worked with us is excellent and he understands the problem. He can show people what they mean by late apex cornering. But it's something they don't learn on the track day because you don't want the two techniques mixed up. They stick with the ordinary technique.<sup>431</sup>*

Mr Paul Bullock (President, Tasmanian Motorcycle Council) noted that in his view there was insufficient trend analysis on what caused motorcycle accidents:

*CHAIR - ... What would you think is the main factor in the motorcycle accidents? Do you think it is speed? Do you think it is alcohol? Do you think it is the roads?*

*...*

*CHAIR - ... how do you think we can reduce the accidents for motorcycles?*

*Mr BULLOCK - When I get this on the computer, it comes up like this. We have registered bikes by postcode. There are 1,096 bikes registered in Devonport. There were 18 accidents, because when you go down this line you pick out the accidents. How come there are 18 accidents in Devonport? We got in touch with State Growth. Where are they and what was it? When we went through it there wasn't one particular thing. It wasn't in one area. It was over the whole postcode area.*

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<sup>430</sup> Driver Education Centre of Australia

<sup>431</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.8

*There are 1,600 bikes registered in Launceston, but there are 7,000 in the Launceston area, because it is not just 7250, 7248, 7249. They are included in the Launceston area, but in Launceston there is 'x' amount more.*

*CHAIR - But you get the data somewhere to say that those accidents were caused by going too fast, by hitting something on the road -*

*Mr BULLOCK - Cars pulling out, a ute doing a U-turn.*

*CHAIR - You have the difference between single-vehicle accidents, and the ones that have hit cars?*

*Mr BULLOCK - We get these, and then we go through. If there are only two, four, five or whatever, don't worry about it, but if you have over a dozen, we want to have a look so we can have an audit on it - is it the road conditions, or what is happening?*

*CHAIR - If it is a blind spot.*

*Mr BULLOCK - If it is in one area, we can soon pin down what has caused the problem. It could be infrastructure needs doing. So, we try to do that - or I was doing it as much as I could.<sup>432</sup>*

Messrs Scott Tilyard (Chair, RASC), Swain (Deputy Secretary and Transport Commissioner) and Craig Hoey (Manager Road Safety, DSG) spoke of the initiatives currently in place to reduce the incidence of motorcycle road safety incidents:

*CHAIR - In the Tasmania Motorcycle Council's submission they quoted that motorcyclists are continually being told by government departments that they are over-represented in accidents compared to other road users, but they don't believe they get a lot of assistance in providing road safety programs for motorcyclists.*

*Do we provide a lot of funding for them to have road safety programs for motorcyclists?*

*Mr TILYARD ... Motorcyclists are over-represented compared to car drivers in serious crashes. Obviously, they are more vulnerable than car drivers. You are not as well protected on a motorcycle as you are in a vehicle. The potential consequences of any crash are potentially worse for a motorcyclist.*

*That is one of the reasons the graduated licensing system for motorcyclists has been reviewed in recent years. There is a completely different approach now to what there was years ago when you could turn a certain age and get your motorcycle learner's licence, then hop on a bike and away you go.*

*Now there is a course that people need to do.*

...

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<sup>432</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.11-12

*CHAIR - Is there more money for more road safety programs? They thought there is not; that there needs to be more advertising and education. I just wondered about your comment on that?*

*Mr TILYARD - There has certainly been advertising. You may have seen some recently in relation to the changing nature of Tasmania's roads. You can't beat Tassie roads. I don't know whether you have seen any of that through the commercial television networks or social media, but that is certainly a recent campaign that we have run.*

*Tasmania is a favourite location for motorcycles from around the world, not just around Australia. In normal circumstances we have people coming from overseas because they want to ride on our roads which is a great thing. I ride a motorcycle myself, so I can appreciate where they are coming from.*

*There are also other programs that the council and the Government support. One of the programs prepares young people who don't have access to the proper riding equipment and those sorts of things. A partnership with Glenorchy City Council equips them with jackets and helmets and gives them that motorcycle training experience.*

*Ms RATTRAY - Is that only available in the south?*

*Mr TILYARD - Also in Launceston.*

*About 60 young people have already been put through. I believe we are looking at running another program out there as well.*

*So, there is certainly work being done in terms of better training for potential motorcyclists, as well as advertising and education on how they need to be responsible on our roads.*

*It is an area we need to keep working on because the motorcycling is becoming an attractive thing for more people to do. You see more people out on the roads these days on motorcycles and we want to make sure that they are as safe as they can possibly be because as I say, they are more vulnerable than your average road user.*

*Ms RATTRAY - ... Sometimes we are a bit older than the young ones when we start.*

*Mr TILYARD - One of the things that is often mentioned is that you have these people who are getting back into motorcycling after many years. I fall into that category. Of course, we already have a licence so we don't necessarily do these courses, although some people very wisely decide to do that. Everyone I have spoken speaks of the merits of what they have learnt coming through that course.*

*Ms RATTRAY - It makes you a better vehicle driver because you are more aware of your surroundings.*

*...*

*Mr SWAIN - The specific targeted programs that Scott has talked about in relation to motorcycles are very important but it is also important to keep sight of the fact, which the*

*member raised earlier, that many of the programs under the Road Safety Implementation Plan benefit all road users. So, 70 to 75 per cent goes to infrastructure, wider shoulders, better line marking, better road surfaces. They benefit all road users. The automotive enforcement through the cameras that we already talked about and other speed initiatives benefit all users.*

...

*Mr HOEY - It's approximately around 70 to 75 historically. It is not, ..., the way in which the council advises Government. It has to look at what initiatives are best placed to improve road safety against our crash profiles so it varies a bit. But that is the order of magnitude in terms of the investment - infrastructure versus behavioural programs.*

*Mr SWAIN - The percentage is down a little at the moment because the Government's general capital program is so high.<sup>433</sup>*

### **Committee Findings**

F81. Motorcyclists in general are acknowledged as being over-represented in Tasmania's serious injuries and fatalities.

### **Committee Recommendations**

R44. The Government explore initiatives to have a positive impact in reducing the incidence of motorcycle-related road crashes and incidents.

### **Heavy Vehicle Truck Driver Licensing Considerations**

The Committee touched on the considerations around heavy vehicle truck driving licensing: Ms Michelle Harwood (Executive Director, Tasmanian Transport Association) shared the following in the public hearings:

*CHAIR - The other question I would ask you, looking at the driver licences, it is mentioned about the multi-combination licence class and the heavy vehicle MRs, HRs and HCs, is the fact that they don't have to have a driver medical against those. Do you think even a self-assessment would help for those, something on a driver licence? We discussed that earlier with other people who were briefing, when you are renewing your licence. Do you think a self-assessment would be something to look to, even for those classes that don't specifically have to have it?*

*Ms HARWOOD - There needs to be more awareness and more education around it because it is an expectation that a person would declare if they had a medical condition that breached any of those driver medical standards. But I'm not sure that people are aware that they need to do that or even what conditions would be a breach of those standards. The level of undiagnosed sleep apnoea within the driver community, from*

<sup>433</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.25-27

*some national research projects, was identified as being very high. That is something where there should be programs to support drivers to get diagnosed for that, not so that they lose their jobs but so that they have some help.*

*CHAIR - They have appropriate medication or the help necessary?*

*Ms HARWOOD - Yes.*

*Dr SEIDEL - Does the industry, then, support compulsory medical assessments? Is it already happening now, knowing that it is very limited what is being asked and how it is being asked in those compulsory driver licence assessments?*

*Ms HARWOOD - A lot of operators in the industry embrace those and go beyond those medical standards through their industry accreditation models. They will do broader medicals, they will do annual medicals, they will meet TruckSafe standards, for example. The question around whether industry would embrace a mandatory medical, I think some would. Some would also see that as an additional cost and an additional problem for them to overcome to stay in the industry.*

*Dr SEIDEL - Do you have an idea of how much it could cost for this to be like an annual health check, as it would be in other industries like the mining industry, who do that on a regular basis?*

*Ms HARWOOD - I don't know. The cost of, say, the driver medicals to a workforce health assessor or somebody like that are probably around the \$200 to \$300 mark. Then there's the wages for the person and the time they are not working. I'm not sure of everything that would go into costing up what the real cost of doing that would be.*

*Dr SEIDEL - If cost was not an issue, would it be more accepted by the industry?*

*Ms HARWOOD - I think so, yes, because ultimately all employers want their drivers to be safe and healthy, and to know if there are some undiagnosed health conditions.*

*Dr SEIDEL - Even time away from work for the day to have the assessment done, let's say that would be work time, would it be something for the industry to consider?*

*Ms HARWOOD - I think industry would consider that, certainly.*

*Ms RATTRAY - There is such a shortage of heavy vehicle drivers now that companies are desperate to get a driver and perhaps that's one of the impediments.*

*Michelle, regarding the recommendations in your submission, you talk about the TTA recommending programs for Tasmania to support truck drivers. You mentioned already that there are aspects of obtaining a licence that are not covered. Can you expand a little bit on that?*

*Ms HARWOOD - Yes. In terms of the driver licence, we know that that is a very minimum skill set, focused around -*

*Ms RATTRAY - Three or four days?*

*Ms HARWOOD - Three at the most, I would suspect. It is a very minimum standard. It is to the Austroads standard, which only applies in, I think, three states but it is a national competency framework with pre-developed test and assessment instruments the providers use. They do what they need to do to meet that framework but it doesn't include things like load restraint. Load restraint is something that is particularly important and can have a big impact on road safety, in the light vehicle fleet as much as in the heavy vehicle fleet. But, obviously, anything that goes wrong with a heavy vehicle can have much greater consequence than light vehicles on many occasions.*

*The nod to load restraint in the current heavy vehicle licensing model is the requirement to be able to tie two different knots. You would know, Tania, that knot tying is not really such a load restraint control. There are so many other aspects around load restraint that need to be addressed in terms of the size of the load, where it's sat on the vehicle, how many straps are required to restrain it adequately. These are all determined through engineers and there is a load restraint guide that sets out all of that information.*

*For a driver to be aware that there is this book, there is this guidance note, there are these resources that give them instruction around the level of engineering restraint required for different types of loads is really important. I don't think we are adequately preparing people through the licensing system for work in the industry. That is being picked up by the employers who, of course, have a workplace health and safety duty to make sure that people are safe for their workplace but -*

*Ms RATTRAY - It is a chain of custody responsibility.*

*Ms HARWOOD - Yes, it is*

*...*

*What we have been advocating is what we call an HVDL plus model. At the moment we can't change the licencing system. We are participating in the Austroads review; we believe it needs to be changed. We believe it should be based on developing people appropriately for the industry. We could then do away with some of the age restrictions. Just because you have held a heavy rigid licence for 12 months doesn't mean that you have been driving it, but you are eligible to do your next licence upgrade. We would like to see a review of that.*

*In the absence of that, industry is picking up and providing training for people who have just got the licence but haven't got the experience. We are proposing that and trialling it now. We have our first group. Hopefully we will start next week. We will take them through load restraint. We will show them how to fill in their work diary. We will tell them what to do at a weighbridge, what a compliance person is looking for. We will explain all of those aspects of the tasks of the industry to them. We believe that we are doing a better job of developing people.<sup>434</sup>*

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<sup>434</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.9-11

## Tasmanian Post-Crash Response

### Post-crash considerations

As stated in the WHO's Decade of Action for Road Safety, post-crash care and survival is extremely time-sensitive: delays of minutes can make the difference between life and death. For this reason, appropriate, integrated and coordinated care should be provided as soon as possible after a crash occurs.<sup>435</sup> In addition, comprehensive support systems for victims and their families should also be put in place to ensure that victims and their families do not suffer needlessly due to 'the large costs sometimes associated with prolonged treatment and rehabilitation, or the loss of a breadwinner'.

The Committee noted that post-crash response considerations featured in some submissions. Suggestions and observations included (but not limited to):

- the notion that a roadway should be treated as an 'industrial workplace' and be 'risk managed' accordingly;<sup>436</sup>
- the case that some paramedics should be trained to rapidly attend the scene of an accident by motorcycle similar to NSW's Motorcycle Rapid Response Team or Victoria's Motorcycle Paramedic Unit;<sup>437 438</sup>
- better support Tasmania's remote communities with more ambulance/paramedic resources;<sup>439</sup>
- introducing legislation to implement the latest infringement detection technology and allocate camera revenue to fund the camera program, road safety promotion, and the rehabilitation of crash victims;<sup>440</sup>
- to assist with analysing trauma trends as well as guiding public policy and resourcing requirements, expanding the Tasmanian Trauma Registry to capture data for patients admitted to other hospitals following transport injury (and not just the State's major trauma centre, Royal Hobart Hospital);<sup>441</sup> and
- the hidden cost and impact of driver suicides.<sup>442</sup>

A cross-section of the above and other topics was further examined at the Committee's public hearings.

### **Dedicated Crash Investigation Unit**

At the public hearings, Mr Nigel Coates discussed the merits of a dedicated Tasmanian crash investigation unit.

*Mr COATES - The second issue and thought is if we really want to take road safety seriously, we need a better understanding of the cause of crashes, maybe through a*

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<sup>435</sup> See WHO, Decade of Action for Road Safety 2021-2030, <https://www.who.int/teams/social-determinants-of-health/safety-and-mobility/decade-of-action-for-road-safety-2021-2030> [Accessed 9 March 2022]

<sup>436</sup> See submission [#21 \(Albert Ogilvie\)](#) in general

<sup>437</sup> Of interest, SA employ Single Paramedic Response and INTervention bicycles: see <https://saambulance.sa.gov.au/about-us/sa-ambulance-vehicles/> [Accessed 28 March 2020]

<sup>438</sup> See submission [#1 \(Terence McCarthy\)](#) in general

<sup>439</sup> See submission [#60 \(Gary McDonald\)](#) in general

<sup>440</sup> See submission [#17 \(Ray Metcalfe\)](#) in general

<sup>441</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

<sup>442</sup> See submission [#49 \(Malcolm Eastley\)](#) in general

*dedicated unit to investigate them. I have referred to a UK 2020 report which explores how crashes are investigated. That's the Royal Automobile Club Foundation's International Review of Road Collision Investigation Approaches, and it's what's called Forensic Accident Investigation Services.*

*When rail crashes or plane crashes occur, there is a very detailed investigation into why those occur. Also, in the health and safety field if a workplace accident happens there's often a very detailed investigation which happens into the causes of that and the potential ways in which future incidents could be prevented.*

*Many European countries have an independent body to investigate road crashes.*

*Sometimes, this is the same organisation as the rail or plane crashes or similar.*

*The RAC report includes Australia as one of the countries that it looks at and picks out New South Wales which has a body of this sort. Apart from that, most of Australia doesn't have anything similar.*

*In most cases the police do the investigation, often with a dedicated unit. But an important element of the investigation and how this relates to the safe system is the investigation into the blame for it. That investigation is done because the police are often there to try to ascertain what has happened and whether there is a prosecution needed as part of the crash, whereas an independent unit could be looking into a crash and the safety system is intended to be a blame-free idea: what was the system failure in this case and what can be done to prevent it into the future?*

*The UK is probably in a similar position to Australia in this area and that is why I am thinking this is something which should be considered and looked into. The UK report has 13 recommendations. I will read out three for you which might be worthy of consideration here.*

*The first one –*

- it is recommended that the purpose of a UK Road Crash Accident Investigation Board (RCAIB) includes the independent investigation of road traffic collisions and other incidents occurring on the UK road network in order to identify the causes of these incidents and the factors influencing their outcomes as well as to make recommendations aimed at reducing the occurrence and the severity of future incidents.*

*This is the purpose of an independent body. The second recommendation –*

- it is recommended that the UK RCAIB should be established as an impartial investigator, independent from the existing judicial investigation process operated by the police.*
- it is recommended that there are different potential models for the UK RCAIB that will have a significant effect on its required staffing levels and financial budget and it is recommended that this issue is given careful consideration.*



*Obviously, having an independent body is going to cost some money, having people there who are employed to make*

*CHAIR - It might save lives.*

*Mr COATES - Yes. A similar unit in Tasmania needs to be investigated against the benefits, but normally speaking, we would find that the benefits in preventing crashes far outweigh the financial impact required to have a body of this sort in place. We do have the road safety levy which provides a dedicated funding stream which might be beneficial or might potentially be used to fund this sort of a body.*

*CHAIR - MAIB as well?*

*Mr COATES - Yes. It is something that needs investigation and is worthy of looking into. One of the ideas of a body like this is that the people in it would be able to attend the sites of crashes. In a lot of Australia, it probably could mean travelling a long way*

*...*

*Mr COATES - In Tasmania, that is what I was thinking, it could possibly work reasonably well because you could probably be on the site within an hour. Often when a serious crash happens, the road is closed for a significant time to investigate the reasons. That's the second thought.<sup>443</sup>*

*...*

*Dr SEIDEL - Your second point when you mentioned the dedicated units - you would still see there is a huge role for the police or the initial investigation, but while they are starting the investigation as the first on the site, you would then call the unit in almost like a secondary survey?*

*Mr COATES - Yes. I think that's how it would work, yes. Obviously, the police are going to have a role because -*

*Dr SEIDEL - You would look at having that decentralised, so, I would imagine three or four units -*

*Mr COATES - Possibly. But, like I say, obviously the resources to do that would be fairly big if you had three but, in trying to get to a site quickly, then it would probably be necessary but, yes. I think it just needs investigating further and I haven't got a suggestion as to how the model would work for that.*

*Dr SEIDEL - You could argue the work needs to be done anyway.*

*Mr COATES - Yes.*

*Dr SEIDEL - Whether it's now by the police or by - I don't want to call it a neutral unit but an independent unit.*

*Mr COATES - Yes.*

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<sup>443</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.4-5

*Dr SEIDEL - So, again, it would - the police are stretched for work anyway so -*

*Mr COATES - Yes, of course.*

*Mr WILLIE - Could it be funded through infringement revenue?*

*Mr COATES - Maybe. I don't know.*

*CHAIR - That money is supposed to go back, isn't it, into safety, a lot of it.*

*Mr COATES - Yes. Okay.*<sup>444</sup>

...

*CHAIR - That will be great. Just asking you, Nigel, about the UK, you were saying that they've been doing it. How long have they been doing it?*

*Mr COATES - I don't think they have. I don't think the UK would have yet set up this body.*

*CHAIR - Right. They're considering it, is it?*

*Mr COATES - ... There's a 2020 report by the Royal Automobile Club in the UK with a suggestion -*

*CHAIR - A suggestion to do it?*

*Mr COATES - ... But there are bodies in Europe. I think it was Sweden in particular -*

*CHAIR - Finland did a -*

*Mr COATES - Yes. I think so.*

*CHAIR - The attachments that you've sent along which -*

*Mr COATES - Yes. Have a read through that report. It summarises who in the world does this, and it is predominantly European countries that have these bodies in place.*<sup>445</sup>

## **Committee Findings**

F82. Other jurisdictions have an independent body to oversee investigation of road crashes.

<sup>444</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.6

<sup>445</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.7-8

## Committee Recommendations

R45. The Government explore the feasibility of adopting an independent body to oversee investigation of road crashes.

### Road Trauma Impacts – First Responders

In the public hearings, the Committee heard from both Mr Colin Riley (President, Police Association of Tasmania) and the Transport Industry of the impact that road crashes had on first responders and their families. The Police Association noted the workers' compensation load on the Tasmanian Police Service:

*Mr RILEY - Thank you. What I'd like to do is gradually make my way through the submission by providing historical background, where we're currently at and, potentially, a pathway forward. From our members' perspective, we're very concerned about the numbers of deaths on roadways, particularly the serious injury crashes. Obviously, it's quite damaging for our members to attend those scenes.*

*The stress and trauma are repetitive in nature because not only do they attend the scene and deal with the trauma at the scene, they then deal with the next of kin, which can be quite an emotionally charged situation. It's then the file preparation and the investigation around the crash, then it's core processes, so, it's giving evidence. Some of these things aren't just deal with on the day, they're actually repeated over many, many months.*

*When we start looking at member wellbeing, we've got 9.1 per cent of our members currently on open workers' compensation claims. We've currently got a significant amount of strain across taskings and trying to make ends meet across a whole portfolio of things that have to be delivered on.<sup>446</sup>*

...

*Dr SEIDEL - In your introduction you mentioned 9.1 per cent of your members have a current workers compensation claim. Are those claims related to road safety incidents, or are there other claims?*

*Mr RILEY - Of the current 1,359 police officers, 123 are on open worker's compensation claims - these are the August figures - which is 9.1 per cent of the workforce. Of those, 42 are fully incapacitated and cannot be at work; 10 police offices have received payouts in the last three years; and there are another 31 pending payouts and separating.*

*The Police Association's role is the wellbeing of members, which is one of our key things. We have unpacked why there are so many police officers on workers compensation and one element is the repetitive exposure to the trauma of a scene, the emotionally-charged situation for next-of-kin and then preparing files, giving evidence. If we could even halve the 30 deaths per year and halve the number of serious injury crashes we could decrease the trauma on our members and there are fewer members going into workers compensation.*

<sup>446</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.1

*The bottom line is the 9.1 per cent is the direct correlation with the scope of police officers' duties increasing and the increased strain on them. The traffic crashes is one piece in that.*

*Dr SEIDEL - Looking at, for example, the rural police force, you would probably imagine they are disproportionately affected by it. Do you have any data on that?*

*Mr RILEY - There is one specific area within the traffic enforcement which is the crash investigation services. They are the ones who do all the analysis and measurements and find out the underpinning causes for serious crashes and fatalities. For example, statewide in the north-west there are two police officers who do that, there are two in the north, and there are two in the south with some additional secondments coming in down south. They experience the brunt of the trauma and that area is not adequately resourced at present. It should have further resourcing but police all-round the state, first responders, deal with those traffic crashes and serious fatalities and serious injury crashes so it is all round the state and the Crash Investigation come in to do the analysis. I hope I have answered your question.<sup>447</sup>*

...

*Mr RILEY - In closing, this is an area that causes significant concern for our members. When they are going for their workers compensation I sit down with those injured members and I read through their experiences. Fatal crashes and serious injury crashes are significant in their history because it is not one-offs. They deal with many of these. From our perspective of looking at the wellbeing of our members if we can reduce the numbers of those, it's going to have an effect on them and it's going to have a great impact on families and the community. The amount of money that must get tied up with relation to rehabilitation from crashes and all that and the trauma - we have stagnated for 10 years now and we need leadership for the next 10 years that gets us from 30 per year down to 15 and less. Otherwise we'll be sitting here and we'll be talking the same numbers in three- or four-years' time.<sup>448</sup>*

Similarly, Ms Michelle Harwood (Executive Director, Tasmanian Transport Association) noted the statistics around heavy vehicle drivers as first responders at a road crash:

*Mr WILLIE - Following on from the rest area. Your submission around heavy vehicle drivers as first responders is quite shocking. The stat that you provided of 75 per cent of drivers saying they had been a first responder for 30 minutes until professional help had arrived was in the Northern Territory and Western Roads Federation. Have you any idea on Tasmanian statistics?*

*Ms HARWOOD - I don't. I am really interested to implement that survey here as well. Anecdotally I know that drivers tend to be first responders more often than not in terms of these incidents. I also know that often they are quite concerned before they get out of their vehicle about what they are going to be confronted with and exactly what they are capable of doing. The other bit that concerned me was the lack of intervention back in their workplace and they were just told to keep going.*

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<sup>447</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.12-13

<sup>448</sup> See [Transcript of evidence, 25 October 2021](#) Mr Riley (PATT), p.14

*Mr WILLIE - Post-traumatic stress.*

...

*Ms HARWOOD - Just not even acknowledging it, I felt.*

*Mr WILLIE - Is your plan to do a survey like that for Tasmania –*

*Ms HARWOOD - Yes.*

*Mr WILLIE - And then potentially have an evidence base for the pilot program for post-traumatic stress support and that sort of thing?*

*Ms HARWOOD - Yes, the Northern Territory Road Transport Association is completing its report at the moment. I wanted to learn from their survey questions and how they had structured it to work out whether it was right for us to go ahead and replicate that here.*

*Mr WILLIE - Are you aware whether transport employees have reporting mechanisms for this sort of thing in Tasmania?*

*Ms HARWOOD - Certainly the ones who make up my board do. They tend to be larger operators. I think it is something that we will find in larger operators and maybe not so much in the middle-sized or smaller ones. From the Transport Association's perspective, it is another area where we may be able to contribute and assist them with their systems and their processes and their awareness of this.*

*Mr WILLIE - I was quite shocked to read that in the submission and thought it is an area that deserves further exploration and thought for drivers. I imagine every day they go on the road they see bad behaviour and the potential risks worry them –*

*Ms HARWOOD - I heard a quote from somewhere several years ago. I think it was around one of the memorial events. It might have been the Takata one or somewhere like that. It spoke to a degree of unresolved trauma within the transport industry as a result of all the things that they see all the time and the near misses and the stories that every driver has of things that they have seen.<sup>449</sup>*

...

*CHAIR - I have been reading in here about them being first responders and about some of the other training. Is there a suggestion that they have first aid training, or do they all have first aid training?*

*Ms HARWOOD - No, it wouldn't be as a matter of course that they have first aid training. That is part of the research that Western Australia and the Northern Territory were doing, to make sure that there was a greater emphasis on first aid training for truck drivers.*

...

*Ms HARWOOD - I think that, by and large, drivers are like the rest of the cross-section of the community. If they feel that they could possibly render assistance, they would want to. I think there is also a proportion of them who don't want to go there and see what*

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<sup>449</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.5-6

*might be in front of them because they don't feel that they have the right capabilities. There might be a group of those that could be supported to feel more confident in going to render assistance.*

*CHAIR - And how long they're going to be there before emergency services arrive.*

*Ms HARWOOD - Yes.*<sup>450</sup>

## **Committee Findings**

F83. The impact of attending to serious crashes and incidents and being exposed to road trauma may have a lasting negative impact of first responders.

### **Support Networks for Road Crash Victims and their Families**

The Committee noted that regardless of fault, there is a human element to every serious road crash. Through the public hearings Mr Albert Ogilvie, a long-time traffic offence legal practitioner talked of the different legal direction that the MAIB had made under the section 27A amendments of the *Motor Accidents (Liabilities and Compensation) Act 1973*:

*Mr OGILVIE - ... As you heard from my submission, I was hands-on in people's homes - quadriplegics, paraplegics, the families dealing with them, on both sides of the case. Sometimes the insurer. They were always sympathetic.*

*One little thing I will add just for interest - the Motor Accidents Insurance Board was always very impartial and good dealing with injured people. They took a move during my period of practice to take out all the severely injured people from the fault tort law contested case and take care of them under scheduled benefits. They asked me to draft all the legislation for them for that, which I did. It's now section 27A in the Motor Accidents Act. Taking care of those badly injured people meant I then saw a lot of them as well. It's just terrible. Some of them in their wheelchairs are up and about and in the paper. Some of them, as quadriplegics, ended up somehow coming to terms with it, somehow ended up okay in their heads.*

*One, I used to visit him in his home out in the Moonah direction. The dog was on the bed, the girlfriend was visiting and he could only move his head.*<sup>451</sup>

Mr Mark Mugnaioni (CEO, RACT) discussed in brief that the organisation would be open to consider some form of support network for families who have perhaps lost loved ones through a road fatality or a serious injury:

*Ms RATTRAY - ... I'm interested in whether the RACT has any program for advocating for families who have perhaps lost loved ones through a road fatality or a serious injury -*

<sup>450</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.8-9

<sup>451</sup> See [Transcript of evidence, 2 February 2022](#) Mr Ogilvie, p.10

*a support network type of thing. Is that something that RACT has considered or does in some way?*

*Mr MUGNAIONI - It's not something that we do at the present time but RACT has a member in about 70 per cent of Tasmanian homes so almost invariably when someone is touched by road trauma they are part of our membership and part of the RACT family. It is not a service that we offer at the moment but we would absolutely be open to considering that because I think it is certainly an incredibly important area.*

*Ms RATTRAY - Unfortunately, when you look at the statistics, those statistics would touch a lot of families, whether it be directly or indirectly, in our state, so it may be something that you might put your mind to in the future.*

*Mr MUGNAIONI - I'm very happy to do that. I think, as a broader theme, as I said before, these are problems that no one party can solve. Certainly, from the RACT's perspective, we see a critical role for ourselves working with government, working with our members.*

*Particularly, there are a range of advantages and tools that the RACT might have available to us in trying to drive behaviour change that state government may not have. We have a different relationship with members. We have a different position in the community. We have a different brand. We absolutely stand ready to work in partnership with all levels of government to change these statistics. We just think we need to think differently about how we go about doing that.<sup>452</sup>*

### **Committee Findings**

F84. There may be avenues to better support road crash victims and their families.

### **Committee Recommendations**

R46. The Government collaborate with road safety organisations to provide support networks for road crash victims and their families.

### **Driver or Pedestrian Suicide**

The Committee noted with sadness that in some cases, a driver or a pedestrian will choose to end their life on a Tasmanian road. In 2003, research by the Monash University Accident Research Centre found that it was difficult to categorise the number of suicides by either motor vehicle crash or pedestrian suicide as the data was inconclusive and still proves to be same issue some twenty years later.<sup>453</sup> The Committee noted that the Trans-Help Foundation claims that with respect to the transport industry nationally, 'suicides by trucks' apparently impact four to five drivers and associates per week.

<sup>452</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Mugnaioni and Bailey (RACT), p.10-11

<sup>453</sup> See V Routley, C. S.-S. (2003). *Suicide and Natural Deaths in Road Traffic - Review*. Monash University Accident Research Centre

Notwithstanding, the impacts of a suicide on Tasmanian roads has long lasting ripple effects on affected parties: other drivers, the victim's family and friends, first responders and emergency workers etc. The Committee noted that regardless of the actual number of suicides on Tasmanian roads it was a topic of concern and that continuing efforts in suicide prevention and education were essential. Ms Michelle Harwood (Executive Director, Tasmanian Transport Association) shared the following:

*Ms HARWOOD - ... There's also the phenomenon of people choosing suicide by motor vehicle, or suicide by train. That has a deeply traumatic impact on drivers.*<sup>454</sup>

...

*Ms PALMER - ... I wanted to open up the conversation around suicide. I can think off the top of my head of so many accidents where the death is put into the road toll but it is a death by suicide. I wanted to know a couple of things. Do you think that should be included in the death tolls we have each year? I am really interested to know the data around it. I haven't been able to find it as yet. We look how the death toll has plateaued over the last 10 years but is some of that attributable to a mental health issue rather than a road safety issue? Those stats are put into the road toll. They are associated to heavy vehicles when perhaps we are looking at a mental health thing, rather than dangerous driving I wanted to talk to you about. I can't even imagine the impact on your drivers with something like that. I wondered what the industry felt.*

*Ms HARWOOD - There are a couple of steps to that. First, is to have proper investigations about what has occurred in a road transport fatality involving heavy vehicles. The aviation sector has a dedicated safety bureau to investigate those accidents to try to understand and unpack all of the factors that have contributed. We do not see that with the road transport industry.*

*Second, yes, I think it is unfair that they are reflected as a road transport fatality. As I understand it, it is very difficult for them to be attributed to suicide unless there is evidence such as a suicide note or something like that. A lot of our indicators are that the numbers we have are probably underreported because the information is not readily available, unless it is determined through a coronial inquiry.*<sup>455</sup>

Mr Michael Eastley spoke to his experiences with a suicide driver:

*Mr EASTLEY - I ...The other important point, ... from the national transport service, TransHelp, regarding road suicide. ... but it's 30 per cent of the road toll.*

...

*Mr EASTLEY - I was hit by a suicide driver many years ago. It was difficult to deal with, but it also involves the owner. I was an owner-driver so I copped both. You are told immediately that the truck is the property of the coroner until it's finished. There is always a 12-month gap. The truck is locked up. The bank doesn't want to know; you still have to pay for the truck. So you have to hire another truck and try to keep your job going*

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<sup>454</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.2

<sup>455</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.6-7



*while paying for two. While that is going on, your insurance company is telling you that they're not going to pay for deliberate acts.*

...

*Mr EASTLEY - ... For 19 years they had been locking up trucks without realising that nobody could get their truck back. The rule now is that Transport and Police have a fortnight to do their investigations then you can apply to get your truck back. Nobody knew that for 19 years and everybody was in the same position we were. It nearly bankrupted us. If we had lost the truck we would have lost our house. It's a dreadful thing people had to go through.*

...

*Mr EASTLEY - ... I was never angry about it. That young lady was just somebody having growing-up problems. But what was happening doesn't help the driver or owner of the truck. It has been my belief, keeping an eye on the thing over the years, that, okay, some of the mental health people are saying that 30 per cent of the accidents are suicide and that comes down to 300 a year in Australia, out of 1,150 or 1,200 accidents. ...*

*Dianne Carroll ... is the expert on road suicides in Australia, dealing with four or five pieces a week, based in Victoria. She doesn't handle many in Tasmania. She has an OAM for her work, was on Four Corners at one stage, and I feel very grateful to her for what she has done for the industry. We have come close a couple of times to getting the Road Safety people to talk to the mental health people but they have always backed out.*

*This is a decision that the state psychologist has to make as to how to go about making people aware of what is happening on the road. Jo would understand that when an accident report comes through on the news, you are not allowed to use the word 'suicide'. At the end of the report, underneath goes Beyond Blue or whatever. Their own strategy is just undermining itself. It is ridiculous.*

*There is an opportunity, if the road safety people were to concentrate ads on the fact that road suicides, or accidents even, impact on other people rather than just the people doing the act. I have seen that happen several times. Years ago, there was an accident at Bangalore where a little boy was killed. A truck fell over and the grandmother of that little kid was on TV in tears. After that accident, the accidents dropped off for three or four years. It just hit people.*

*Another one, after Jeremy Ball's accident, the same thing: it hit the news straight away, everybody knew that it was suicide and there was a reduction. But then it builds up again. Having gone to some of these suicide prevention meetings, what struck me was that most people don't want to hurt anybody else, they are only interested in their own problems.*

*CHAIR - They think the truck driver won't be hurt because it is such a big vehicle. They don't think of the mental stress.*

*Mr EASTLEY - Yes. I still get flashbacks, I can see her face looking at me. I can see a loose door flying across the windscreen and trying to steer with no steering column, all that sort of thing. Just mentioning it now will bring it back for weeks to come.*

*There is an opportunity not just to improve the accident rate but to improve mental health of truck drivers, who really are a target. They feel like a target. I had to go back to work right after this. For years you feel like a target.*

...

*Mr EASTLEY - I had to go back in a cab-over truck with your feet six inches behind the - that was stressful. We had no choice; just had to go work. But I always felt safer on a motorbike than I did in a truck after that accident.*

*I think if you could organise a meeting with mental health people and with the state's psychologist or maybe contact Dianne Carroll and put a point of view so we can develop a different strategy so that people are more aware of family members or workmates who are in strife. Get in early as early intervention is the cure. We all know that suicide is in a terrible situation. The fact is that there are 300 more suicides a year than are accounted for, simply because they're written down as accidents and not as suicides. I understand that a lot of people don't want to upset the families of the people who did that act, or there's ramifications for insurance, but none of that should take precedence over trying to stop these things happening.*

*I think it's long overdue basically. I get upset about it, but it doesn't do any good.*

...

*Mr EASTLEY - What's impressed me most and what's really motivated me is that I went to a suicide prevention meeting. A young lady from quite near us, stood up. She'd lost her partner to suicide; didn't see it coming. She had that to deal with. She was left with two little kids. Eventually, she became suicidal and she didn't wake up. Suddenly she woke up that she was looking at the front of a truck. She had the guts to stand up to try to help other people. It's something we need to look at. We need to be able to get in a position where people who are suicidal recognise what they're doing.*

*Suicide groups do a wonderful job. They are talking to people who don't complete the act. The actual suicide rate is not going down. They're not reaching the people who are going through with it. They're reaching the people who know they need to have a chat to somebody. We've got to take that next step to try to make everybody aware if people need a hand. All they require is somebody to put their hand out and say, 'are you okay?' or whatever the thing is. It's just not happening.*

...

*At the moment, road suicide is being ignored. The Road Safety people are just embarrassed to even think about it and won't talk about it. I've spoken to many mental health groups. Some of them don't want to recognise it because it makes their figures look bad, but 300 people a year are committing suicide that they're not accounting for.<sup>456</sup>*

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<sup>456</sup> See [Transcript of evidence, 29 November 2021](#) Mr Eastley, p.9-11

### **Committee Findings**

F85. Suicide on Tasmanian roads remains a complex issue with little public research being undertaken to understand trends, impacts and strategies to detect and minimise.

F86. Unlike death due to medical episodes, road suicides are included in the road toll.

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## Other Road Safety Related Matters

### Local Government Road Safety Matters

As noted in the Local Government Associations of Tasmania's (LGAT) submission:

*Tasmania's councils are majority custodians of Tasmania's road network, collectively managing 80% of our public road infrastructure. Our councils and their road management teams make daily decisions regarding road safety, operation and maintenance and are the principal partners of the Tasmanian and Commonwealth Governments in achieving road safety objectives, certainly for infrastructure, but also for effective local community engagement.*

Amongst other suggestions and observations, LGAT raised the following concerns:

- that the current Commonwealth and Tasmanian Government funding streams for road safety such as Blackspot, Vulnerable Road User Program, Safer Rural Roads Program and others, are no longer fit for purpose;<sup>457</sup>
- funding to improve road safety could be channelled from existing speeding fine revenue and a better distribution of the heavy vehicle motor tax;
- the availability and usefulness of relevant Tasmanian crash data has diminished over recent years which impacts on building local government understanding of underlying road safety issues;
- recruiting skilled engineering, civil design staff, experienced road management and safety professionals has been difficult for all sectors in Tasmania;<sup>458</sup> and
- to achieve sustained improvements in road safety requires the Tasmanian Government to provide effective leadership and foster collaboration between state and local government across the entire Tasmanian road network.

### Road Blackspot Funding

At the public hearing, the Committee heard from Messrs Dion Lester (CEO, LGAT and RSAC Member) and Michael Edrich (Senior Policy Officer, LGAT) the issues local government experienced with road safety funding:

*CHAIR - I have a question regarding black spot funding and councils working together. Page 3 of your submission says that we need a better understanding of crash causes and how to treat them, and that councils report that the availability and usefulness of relevant crash data has diminished over recent years. I am assuming they use the crash data to apply for the black spot funding. How are they going about it now, with the black spot funding?*

*I know that has often been an issue. I've been a member of the Launceston Council and I can recall having many discussions that, sometimes, I think the data was skewed and sometimes the crash data wasn't looked into thoroughly as to whether it was a crash. On*

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<sup>457</sup> See submissions [#86 \(Clarence City Council\)](#) and [#88 \(Local Government Association of Tasmania\)](#) in general

<sup>458</sup> See above no. 457

*occasion, it might have been seen as a death but it might have been someone who had a medical incident and crashed their car and those reasons behind it.*

*Can you advise me with regard to the black spot funding, and the vulnerable road user and the safer roads, those that we get the funding from the Commonwealth and the Tasmanian government for? How are the councils looking at it now, if they're not getting the relevant crash data?*

*Mr LESTER - There are a couple of issues with that. The challenge with those funding sources is they're normally very site-specific. Our sector supports the safe systems approach; you need to look at the road as a system from length to length and corridors. Arguably, we've exhausted the opportunity associated with spot funding rounds. The other challenge with those funding sources is they normally come with a short time frame for applying and a short time frame for then delivering on the funds. I'm sure you heard earlier today about the challenges in the construction industry as far as work force and capacity and it is no different with our -*

*CHAIR - And training, as well.*

*Mr LESTER - Exactly. It's no different in our sector. We have challenges associated with understanding where we need, now, where the further of application of funding can occur. That's at a council level. We've got a short time frame to apply for the grants and we have to build them in what is mostly unreasonably short time frame.*

*CHAIR - So, the people simply aren't there to tender. The capacity is not there to do it in that time frame. Is that an issue as well?*

*Mr LESTER - Absolutely. What we're seeing, particularly with Commonwealth funding rounds, is they still have the same expectations around delivery of projects as they did four or five years ago. The construction environment at the moment is drastically different to what it was in that period of time. It is routine for councils to be seeking extensions.*

*CHAIR - Do they readily extend? Is there a problem with that? Will they extend once or twice?*

*Mr LESTER - It's often at the whim of the particular funding organisation or those in charge of it and why they're trying to get the money out the door. You'll often see money funnelled into black spot programs and vulnerable user programs from a Commonwealth government, in part around road safety and in part around economic stimulus. Certainly, when it's got an economic stimulus component to it, higher levels of government are reticent to extend that because they want to see the money applied.*

*CHAIR - They want it spent in that time frame.*

*Mr LESTER - Yes, notwithstanding the fact that it is really hard to spend money on construction projects in this state at the moment. The capacity is not there in the design realm. Starting right back at the design phase, the engineering consultant and those*

*specialist firms are generally very busy and struggling to get professional staff. If you have the design result, actually trying to get construction tenders and sometimes the scale of these projects as such, they are quite small. Most firms in Tasmania have got plenty of work on big jobs.*

*CHAIR - Why do you think there is a shortage of the staff? I know we have got building in housing, but when you are looking at roads and infrastructure, is it because a lot of workers come down from the mainland and they cannot with COVID-19?*

*Mr LESTER - There is significant infrastructure spend nationally. Where, historically, Tasmania could have drawn on mainland resources, there is enough work on the mainland with those firms.*

*CHAIR - They do not need to come?*

*Mr LESTER - Exactly right. Those firms that do not have an existing footprint down here are unlikely to come down here again. A construction firm would prefer to work on three \$40 million jobs rather than \$121 million jobs, to use the two extremes. Tasmania does suffer from that a little bit. State Government is spending significantly on infrastructure works, so when you go to a level of councils and the scale they need to undertake their work on, it is a lot harder. One of the important things with road safety is we need to look at the system, at the entire length of road and at a strategic investment in that system of that road which is quite a different change from looking at you will apply for a Black Spot Program and your council will and rather than looking at a whole of road length system.*

*Mr EDRICH - That is right. These small projects complete with the bigger projects and the bigger projects win.*

*CHAIR - They go for longer and employ more people. It is ongoing rather than short term.*

*Mr EDRICH - That is right. Our members would like to see the funding moved from project by project to starting to look at road network safety plans. How do we implement and achieve those road safety goals across the whole network, rather than each funding around?*

...

*Mr EDRICH - The state working together with councils as a network of road safety road managers to develop their road safety plans, to share their expertise and learnings and to invest at that planning phase so they can get a multiyear look to move things from the tactical to the strategic view.*

...

*Mr LESTER - ... One of the key things to consider with this is you often see with these grant funding rounds that are project by project, that it is competitive. That is fine if we are talking about road upgrades for other means other than road safety, but really road safety should be based on need. Therefore, we need to understand where the greatest need is for road safety and we need to apply the funding in that targeted and strategic sense rather than this council competing against that council for the same funding.*

*CHAIR - For the same funding. With black spot funding there is certain amount of money per year for all councils to apply or is it on need so if you have that many deaths, serious injuries or many crashes then you actually can get it regardless or is there one pool of money the councils all have, basically who gets it first, others miss out. How does the black spot funding work?*

*Mr LESTER - My understanding is it is the latter. It is a fixed funding pool based on a competitive application process. Arguably, the assessment process should base that on need, but that assumes those councils in those areas that need it have got the internal capacity and the resources to apply in the first place. Often what you find is rural regional councils can be disadvantaged by the fact they cannot attract and retain the staff to do the work to compete against a more sophisticated urban council. This is an issue where Tasmania is competing nationally and so, it is quite challenging.*

*CHAIR - Tasmania is competing with other states, but the pool is nationwide as opposed to so much for Tasmania.*

*Mr EDRICH - There is a limited amount for Tasmania from year to year, and each council has to compete with other councils for that money.*

*They do have to demonstrate need and each one is assessed on a very rigorous methodology, which is great. The problem is it is not a network approach. It is really a project by project approach and they are compared and competed against.*

...

*Mr EDRICH - With black spots ...it is administered by the Department of State Growth. There are panel members including a federal minister who sits on that and LGAT also sits on that panel, in looking at those.*

*The panel has little really to add, other than to review the methodology. The methodology is so robust that no changes are generally made. It is really just affirming what the projects are and why and which project is also missed out.*

...

*Mr LESTER - The \$1.5 million from the heavy vehicles is distributed based on the methodology for the State Grants Commission. There is no competitive grant or competitive application process for that. It is distributed the same as what financial assistance grants and others are. The same process in that the State Grant determines the methodology for how it is distributed.<sup>459</sup>*

## **Committee Findings**

F87. Some Tasmanian councils lack the capacity to apply for road blackspot funding.

<sup>459</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.3-8

## Committee Recommendations

R47. The Government explore additional support options to assist local councils to apply for road blackspot funding.

### Distribution of Heavy Vehicle Motor Taxes to Road Safety Projects

The Committee heard from Messrs Dion Lester (CEO, LGAT and RSAC Member) and Michael Edrich (Senior Policy Officer, LGAT) their concerns on the seemingly inequitable distribution of heavy vehicle motor taxes from the State to local government:

*Ms RATTRAY - Can we start with heavy vehicle motor tax? The revenue from that is less than half of what it was in 1996, even though heavy vehicle road access has increased dramatically over this time. It is important, because the heavy vehicle industry feel like they well and truly pay their way.*

*Mr LESTER - Certainly. We're not suggesting in our submission that there be any change to the taxation collected, but it's probably about the distribution. It is probably better described as a user charge, because that is effectively what motor vehicle registrations and taxes are, is they are a user charge. We have a situation where the local government component of that has been fixed. It is collected on a road usage basis, but it is not distributed, because the revenue from that tax has increased in the order of double, in fact, since the mid-90s. Therefore, the road usage has doubled. As I indicated earlier, that road usage does include a significant portion of local government roads.*

*There is this concept called the first and last mile. So, all heavy vehicles generally have to start and finish on a local government road. Yes, they use the Bass and the Midlands and these other highways, but they have to start somewhere and that is generally a road maintained by local government. And they have got to finish somewhere - generally a road maintained by local government, almost exclusively in fact.*

*But we have a situation where the local government component of that usage charge has been fixed at \$1.5 million, despite that fact that the usage is increased. Our sector believes with increased use, therefore increased impact on our road network, then we should see a fixed component of that revenue as it goes up and the local government component should go up.*

*Ms RATTRAY - How is that arrangement arrived at? Do you know any history?*

*Mr EDRICH - We don't have the history. It was over 25 years ago.*

*Mr LESTER - What we can say is that \$1.5 million is distributed on the basis of a usage as well. The State Grants Commission distributes that \$1.5 million across councils and they use the freight survey to distribute that. As far as how it is distributed amongst our sector, it is based on heavy vehicle road usage.*



*Mr EDRICH - It's still described to this day as compensation for the loss of local road tolls. Local councils used to be able to charge tolls for heavy vehicles on local roads. That power was removed to replace it with other road user charges including this, and \$1.5 million was agreed to at that time but never indexed and never changed.*

...

*Mr LESTER - What you find that situation unfortunately creates, is that the councils either have to subsidise those road works from their existing revenue sources, so it is spread across their existing ratepayers, or they have to de-prioritise those works.*

...

*Mr LESTER - ... What we are talking about here with this segment of the road network is those that connect to the existing state road network. It is relatively rare for this, because this is when the heavy vehicles are picking up a load of sheep, for example - they are generally very localised areas.*

*Ms RATTRAY - They did that with the Waterhouse Road - did the upgrade and then they transferred it back to local government. That connects to the George Town Road, Bell Bay Road. What is a fair figure? Has somebody done the numbers?*

*Mr EDRICH - We would argue for the methodology that the State Grants Commission uses. They look into the Tasmanian Freight Survey, which tracks freight movements across Tasmania and is an indication of the heavy vehicle usage on the road network. That is the methodology the State Grants Commission uses to distribute that \$1.5 million amongst 29 councils and their road management functions. Including the state government collections in that would distribute roughly 7.5 to 8 per cent of that to local councils. We'd have to look into the figures. We think the figures are around \$80 million for the heavy vehicle motor tax, so 8 per cent of that is around \$7 to \$7.5 million.*

*Ms RATTRAY - Have there been any discussions about this particular matter? This wouldn't be the first time it's been raised.*

*Mr EDRICH - We certainly raised it with the government and, currently, there isn't an appetite to change the methodology.<sup>460</sup>*

### **Committee Findings**

- F88. Local government is dissatisfied with the current State distribution of Heavy Vehicle Motor Taxes to road safety projects.
  
- F89. The current Heavy Vehicle Motor Taxes amount of \$1.5 million is not indexed nor has been changed over the past decade, despite the increase of heavy vehicles on Tasmanian roads.

<sup>460</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.2-3

## Committee Recommendations

R48. The Government increase the share of the Heavy Vehicle Motor Taxes pool to local government.

### Difficulty in Sourcing Road Safety Specialists

The Committee heard from Messrs Dion Lester (CEO, LGAT and RSAC Member) and Michael Edrich (Senior Policy Officer, LGAT) the significant challenges faced in recruiting sufficient experienced resources associated with implementing road safety measures across Tasmania:

*Ms RATTRAY - I'm interested in exploring growing specialist skills. You touched on it, about not having enough resources, particularly the smaller and medium councils and local government areas. As a peak body, what discussions do you have?*

*I know councils share resources; is that another area that might benefit from resource sharing; if somebody has a particular skill in a larger council that they can share out to others, such as that skilled engineering and civil design staff and then the road management and safety professionals?*

*Mr LESTER - We've done work over the last couple of years around a couple of critical workforce shortages for our sector, particularly environmental health officers. We've just completed some work around those involved in health and wellbeing and community development -*

*Ms RATTRAY - Yes, building surveyors.*

*Mr LESTER - Yes. Planners and building surveyors and engineering staff, alongside environmental health officers, is a critical shortage for our sector in Tasmania but also nationally. The issues we're facing around this workforce in Tasmania are no different elsewhere.*

*Resource sharing can work if that resource has the capacity to be shared, and that's one of the challenges we have at the moment. If we take engineering staff, development engineers in councils, it's impossible for the City of Hobart to share one or a number of their development engineers because they are working at capacity, in fact, beyond capacity for the City of Hobart.*

*There's no doubt it's a significant challenge for our sector. I don't have any off-the-shelf solutions at this point in time. Certainly, where we can collaborate with our friends in state government around these matters, it does help. With road safety matters, we're talking about, in some cases, quite technical or bespoke skills. An individual council couldn't sustain the workload to have a professional in road safety but someone who sits within the state government who can work with councils at various times, and groups of councils, is a more useful solution in this case, for the resource challenges of our sector.*

*Ms RATTRAY - Are those discussions bearing any fruit, or is it just an idea and it hasn't had any traction as yet, about having that person in State Growth who would liaise?*

*Mr LESTER - At this point, we haven't explored it fully with the state government.*

*Mr EDRICH - Our submission shows that opportunity.*

...

*Mr LESTER - ... In councils, you see people who are road managers and that's a generic or broad-based skill set. When we're talking about interpreting the sort of data associated with infrastructure upgrades alongside any changes to the speed environment -*

*Ms RATTRAY - That's your director of infrastructure, that type of role.*

*Mr LESTER - Exactly - that deals with the entire portfolio of infrastructure, all matters of roads; as opposed to some of the specific skills which, as I touched on recently, is something that might be needed by councils on an occasional rather than daily basis. Generalist versus specialist, really, is the key.*

*CHAIR - Back to the skill shortage; are we training less people through university courses and TAFE courses? Why the shortage? Is it that normally, without COVID-19, we're getting overseas workers coming in? You said that it was a nationwide shortage. Generally, do we get people coming European countries? Is that where our shortage is or are we training less in our universities and TAFE? Should we have more courses, if that's the case?*

*Mr LESTER - Yes, it's nuanced to the skills shortage in the professional area. For example, environmental health officers in Tasmania - we haven't trained enough of them. We haven't attracted enough people to the work force. With engineering, it's difficult for councils -*

...

*Mr LESTER - With engineering, it's difficult because with significant infrastructure development occurring internationally, nationally and locally, it's difficult for government in general to attract engineers to the work force because they can't pay the same level of salary. The work force challenges are across different professions; what's causing them is different.*

*With planners, it's actually a bit from both. It's a bit from column 'a' and a bit from column 'b', as far as we're not putting enough people through the courses, but they're also getting poached by industries. Take planners, for example. Graduates go into local government, they do five years of great work for local government and then they get offered \$50,000 more to work for a consulting firm. That's really challenging for our sector.*

...

*Mr LESTER - ... it happens with state government as well unfortunately. So it is quite nuanced depending on the profession as to what the issue is.*

...

*Mr EDRICH - ... There is a supply side but I think it is very much the demand for engineers nationwide and, as you say, internationally. With record infrastructure spends it's just very difficult -*

*CHAIR - To attract them.*

*Mr EDRICH - That's it and to compete and to retain.<sup>461</sup>*

### **Committee Findings**

F90. There is continuing difficulty for local government to attract and retain road safety specialists.

### **Committee Recommendations**

R49. The Government collaborate with stakeholders to attract and retain road safety specialists with the view to improve Tasmanian road safety.

### **Local Government/State Government and Intra-Local/Government Collaborations**

Messrs Dion Lester (CEO, LGAT and RSAC Member) and Michael Edrich (Senior Policy Officer, LGAT) apprised the Committee of their views on effective leadership and fostering collaboration with the State and between Tasmanian local governments in general:

*Ms RATTRAY - ... I am interested in your last leadership and networks of road management and you say:*

*To achieve sustained improvements in road safety requires a Tasmanian government to provide effective leadership and foster collaboration between state and local government across the entire Tasmanian network.*

*This report that the committee will produce will go to the Government so where do we put our focus there? Where do they start?*

*Mr LESTER -This goes to the challenge room. Wouldn't it be great if we could have the appropriate number of road managers and road safety experts, and we had hundreds of millions of dollars to spend? We don't but we have resources within state and local government that we believe could be used more effectively to address this challenge. It does require the state government to reach out to engage with our council, the relevant people within local government in addressing the challenges both at a local level and a regional level.*

*I understand that there are resource challenges also within the State Government. We have a workforce within local government who can, and would be willing to, work with*

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<sup>461</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.9-11

*the State Government about investigating where the challenges are and how the existing or hopefully increasing resources - particularly we are talking about hypothecation of speeding fine revenue and the heavy vehicle motor tax - could be most effectively applied.*

*It goes to that data and collaboration first, planning together and then strategic investment.*

*Ms RATTRAY - By that, the first point of contact for local government could be that one person in a role that is the conduit, if you like, between the Government and LGAT. That could be a starting point.*

*Mr LESTER - Yes, and we've seen this model applied effectively in other policy areas within the state. It's a really strong collaboration between our sector and the state government, each recognising the limitations with each level of government but, effectively accepting that this is what we have from a resource perspective, these are the challenges so how can we most effectively work together? Rather than it being a case of, not tribalism, but certainly not a case of, 'this is our responsibility, that's a state road, that's ours, that's yours'.*

*If our road network has two levels of government we need to work together to do it. It's difficult for that leadership to come from our sector up towards the state government because the state government has the leaders and they have the funding sources, ultimately. That's effectively what we're getting at with that.*

*Mr EDRICH - The heart of that part is that we have seen that successful model with the heavy vehicle access team in the Department of State Growth, where they've effectively implemented a nation-leading program of heavy vehicle access. If you have the heavy vehicle industry as one of your interviewees, that would be a great one to bring up because the Department of State Growth has engaged local government closely and effectively implemented what is a single road network to the heavy vehicle industry. That's how it presents, at least.*

*So, instead of having boundaries where, yes, you've got access to this state road but not this council road, the Department of State Growth has been able to work together collaboratively to present to the end user as a single road network. When you think about it, when we go out and drive, we don't pay attention to whether we're on a state road or a local road. It doesn't really matter to us. It is a single road network to us. An increasingly sophisticated approach to road management is bringing road managers together to start thinking about how we develop that experience for the end user. I think that can be applied to road safety.<sup>462</sup>*

...

*CHAIR - While we're talking about fostering collaboration, how do you go about getting councils, particularly joining councils, to work together? I am aware of some councils that may have approved a subdivision of several hundred houses but the vehicles from that subdivision are then going down onto the adjoining council's roads, often contributing to creating a black spot.*

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<sup>462</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.11-12

*How do you, as LGAT, get them to work together so that they don't work in silos? That they appreciate the fact that, okay, you're going to get all the rates from those hundreds of houses but, if we're looking at 10 movements per day from each of those properties, they are crossing your boundary and then they're going onto this other council's roads?*

*They're not getting any of the money from those houses, yet they're getting all the damage from the cars and infrastructure, which makes it more dangerous and creates black spots. How do you get them to work together?*

*Mr LESTER - One of the challenges associated with that, particularly in a planning environment, is the boundary within which a council can approve or not approve a development. Traffic impact assessments, which is normally how you would understand that, therefore any conditions associated with that can only be within the sphere of the planning scheme. It comes down to the boundary of the planning scheme. That is one of the challenges associated with those developments that are on a boundary.*

...

*Mr LESTER - ... the legislative environment makes it difficult. If there are specific matters between two adjoining councils then, as the peak body, we try to stay agnostic on those matters for obvious reasons, because all councils are our members. In many cases, I think, where that situation is -*

*CHAIR - The collaboration would be good in these cases.*

*Mr LESTER - Absolutely. As I indicated, one of the limitations to collaboration is what you can do in a purely legislative sense. All our statutes, and particularly planning schemes, work on the boundary of the municipality so it becomes then difficult, and when not difficult impossible, to impact on what happens around adjacent -*

...

*Mr ELDRICH - If I could add to that, my experience with local government professionals is overwhelmingly that they are very keen to engage and collaborate across the sector and to share their knowledge. They certainly are very willing to collaborate but it's normally structural and governance and legislative issues that stand in the way of that.*

*The planning system, I think, is the best example of that, where really the planning scheme defines the boundary and that is where they're restricted to making their decisions under. So, really if they step beyond that, they can be appealed for whatever reason and -*

*CHAIR - Avenues for funding, I guess, are very difficult whereby you have a devolvement in one council and then the traffic created probably needs a roundabout or something similar and the funding for that. Is there an avenue for that?*

*Mr LESTER - Yes, the funding is different in the sense that if you're applying for funding, you will base it on the demand or the impact -*

*CHAIR - Irrespective of where it comes from?*

*Mr LESTER - Exactly right. So, your assessment will say, 'This roundabout has this demand or impact or needs this upgrade.' And the funding source typically wouldn't take into account or bother itself with whether they were coming from adjacent municipalities or otherwise.*

...

*Mr EDRICH - I could just add to that last statement: a good system of infrastructure contributions can help with those impacts beyond a development site and so, implementing a better contribution system can help do that. If well designed it could potentially resolve some of those issues where it goes beyond a council boundary as well.<sup>463</sup>*

Mr Nigel Coates offered his views on how the State Government could assist Local Government:

*Mr WILLIE - One last question would be, is there anything else that the State Government could do to assist local government to tackle this issue? Are there any other areas that could see improvement?*

*Mr COATES - Just ongoing liaison. They do have education programs at times. They sponsor education about how to tackle crashes, and it will be beneficial to have that repeated every so often.*

*Mr WILLIE - More education programs.*

*Mr COATES - Local government, yes. In Launceston we are fairly well resourced with expertise, but certainly a lot of councils would be too small to have dedicated officers with that expertise in traffic engineering.*

*Mr WILLIE - Some of their roads would probably be high risk too, changing speed limits.*

*Mr COATES - Yes. The state is providing that vulnerable road user money, and the state rural road money, which is good. That has prompted us as local governments to be a lot more proactive in this area, and gives us that extra resource to enable us to fund projects to improve safety on the roads.<sup>464</sup>*

### Crash Data Collection

Under the Global Plan's recommended actions to improve the safety of road infrastructure, undertaking crash-risk mapping (where crash data is reliable) and proactive safety assessments and inspections with a focus on relevant road user needs as appropriate is paramount.

A number of submissions suggested that crash data collection and access was not meeting the needs of the community:

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<sup>463</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.13-14

<sup>464</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.9

- better collection of Australian Bureau of Safety census data around household transport;<sup>465</sup>
- more rigorous regime of Tasmanian road crash data to be kept (and thus not be reliant on interstate and overseas trends);<sup>466</sup>
- the crash data from the Department of State Growth (DSG) for local councils had reduced significantly in its usefulness in recent years;<sup>467</sup>
- ensuring that the Towards Zero Tasmanian Road Safety Strategy 2017-2026 data is independently assessed to ensure that Parliament can have confidence that outcomes are actually being delivered;<sup>468</sup>
- publication of infrastructure star ratings on all Tasmanian roads;<sup>469</sup>
- annual publication of safety performance indicators for road safety in Tasmania;<sup>470</sup>
- better data mining of DSG's crash management data base;<sup>471</sup>
- that statistics should also report numbers rather than just percentages to avoid possible understatement/overstatement of the actual Tasmanian road safety position;<sup>472</sup> and
- the State Government could learn from the COVID-19 pandemic experience in such that the collection and linkage of data throughout the pandemic had greatly assisted Australian Governments in their response to mitigating the virus, and that this should be replicated as appropriate in the road safety sphere.<sup>473</sup>

At the public hearings, the Committee heard from Messrs Dion Lester (CEO, LGAT and RSAC Member) and Michael Edrich (Senior Policy Officer, LGAT) and other local government professionals of the declining access to relevant crash data that would assist in safer road solutions:

*Mr WILLIE - Something else I picked up in your submission, which is quite alarming, is the diminishing data available. You're managing over 80 per cent of the road network and you don't have information on causes of crashes and those sorts of things unless you specifically request it. You've got an open data policy, I imagine; why has that diminished and what reason is the state government giving for not producing that data on a readily available, needs basis?*

*Mr EDRICH - Yes, good question. I'm not exactly sure why it has diminished but certainly other states do have an open data policy around road safety data and it's very helpful. You can go and see problematic crash sites; in some areas you can click on particular crashes and understand that crash without any sensitive data being shared.*

*We think an open data approach like that would help road managers access that and be able to bring their arguments around road funding better, so we would love to see*

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<sup>465</sup> See submission [#29 \(Ed Lagzdin\)](#) in general

<sup>466</sup> See submission [#32 \(Tracey Jones\)](#) in general

<sup>467</sup> See submissions [#34 \(Nigel Coates\)](#), [#86 \(Clarence City Council\)](#) and [#88 \(Local Government Association of Tasmania\)](#) in general

<sup>468</sup> See submission [#62 \(Mal Peters\)](#) in general

<sup>469</sup> See submission [#92 \(Royal Australasian College of Surgeons\)](#) in general

<sup>470</sup> See above no. 469

<sup>471</sup> See submission [#82 \(Chris Merridew\)](#) in general

<sup>472</sup> See submission [#83 \(Bruce Douglas\)](#) in general

<sup>473</sup> See above no. 472



*improved data accessibility. Beyond that, it's not merely the data but also how it's analysed. We would like to see better collaboration between road managers, between local and state road managers and between Tasmanian police, as to the reasons for a crash or the reasons for a cluster of crashes and what might be done about it.*

*Mr WILLIE - When you say it has been diminished, what specifically has been diminished?*

*Mr EDRICH - I would have to speak to our road managers, but my understanding is it was a lot easier to access that data but now it's through specific requests, which just add time to an already stretched work load. It's just a larger barrier along the way. It's just not a lean way of getting that information to the road managers when they need it.*

*Mr WILLIE - You would like to see the state government being more open with that data?*

*Mr EDRICH - Yes.*

*Mr WILLIE - For all Tasmanians, not just local road managers. If you're going to address the problem, you have to be transparent about it. It's like crime statistics or anything like that, that has been discussed lately.*

*Mr LESTER - The critical aspect to the pivot, if you like, from a single project, more tactical funding - step one, let's sit in a room and look at the data sets; step two, let's work out a plan for the relevant corridors or road lengths collaboratively; and step three, apply the funding.*

*That collaboration around the data, but also understanding it, interpreting it, what it means for the local areas and then planning what can be done about those statistics, can then inform a future more strategic and targeted funding approach.*

...

*Mr EDRICH - I will add, we do understand the privacy concerns and, with low numbers of crashes, being able to attribute some data to a particular crash may not be in the interests of privacy concerns. Wherever those issues can be resolved, other data should be able to be made open and shared; but we understand that there's some work behind that.<sup>474</sup>*

Mr Nigel Coates offered his views on Local Government having access to reliable crash data information:

*Mr COATES - As we seek to adopt the Safe System, the best practice in improving road safety on our roads, one of the most important resources is accurate and informative crash data to understand the causes of the crashes and which elements of the Safe System should be deployed to address them. For this we are dependent on police reports which are summarised in the Department of State Growth crash and stats database. At times in the past we have had direct access to individual crash reports, sometimes even to the*

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<sup>474</sup> See [Transcript of evidence, 25 October 2021](#) Messrs. Lester and Edrich (LGAT), p.8-9

*hand-written police reports and they have also been able to generate collision diagrams showing the direction of vehicles and pedestrians involved. This is no longer easily available to us in local government.*

*Two elements which I am going to suggest to try to increase access to crash data. The crash data we are able to access from DSG as local councils has reduced significantly in its usefulness in recent years. We no longer have access to the RIMS, is the roads database, which enabled us to generate collision diagrams to understand patterns intersections better. Our current access is a data base spatial data portal which anyone can get access to. That gives us some basic information about crashes. It doesn't include their contributory factors, which the attending police officers include in their assessment of the reason a crash happened. Often this has included inattentiveness, or inexperience, but also when alcohol is a factor in crashes or when the driver has exceeded the speed limit or travelled at excessive speed.*

*It is important information to try to understand when we are looking at how to address crashes into the future. It helps us to understand whether an infrastructure fix is the most appropriate way of addressing crashes or whether it needs to look at other ways.*

*Subject to confidentiality, we at local government level should be able to access as much information as is available regarding the crashes without having to ask the crash stats team at State Growth each time. They are willing to provide us with information if we ask them but it is every time we need to ask them for the information.*

*CHAIR - It used to be a matter of course, and now it is not?*

*Mr COATES - Yes. It used to be that we could log onto their RIMS <sup>475</sup> database.*

*...*

*Mr COATES - My understanding is the changes are mainly technical in terms of external bodies having access to an internal State Growth database. I don't think there is any other reason. There is the confidentiality side of it. I suspect they wouldn't allow us to see those hand-written police documents any more. That may have changed but the RIMS database did give us the opportunity to look at individual crashes as well as doing crash reports in terms of patterns of crashes and researching different road users and that sort of thing.*

*CHAIR - And when you're applying for black spot funding, you would use that as information, as evidence?*

*Mr COATES - The spatial data portal gives some basic information. It looks at individual crashes and through that we can look at patterns but certainly not into the detail that we need to understand what's been happening in those crashes.*

*Dr SEIDEL - Your work would be easier if you have access to the granular data, I would imagine.*

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<sup>475</sup> Road Information Management System

*Mr COATES - It would.*

*Dr SEIDEL - And the grants and the applications you are sending out for black spots would be more meaningful if you had access to it.*

*Mr COATES - Yes, certainly the directional information. That's vital when you're trying to understand the directions the vehicles involved in a crash are coming from, and that's not so readily available to us anymore.*

*Dr SEIDEL - Do other jurisdictions have the same concerns? Has the Local Government Association of Tasmania (LGAT) been involved in addressing this?*

*Mr COATES - I think LGAT has made a similar submission but maybe that was based on what I said then, I'm not sure, but certainly when they were seeking council's input to the inquiry they made a similar point.*

*Dr SEIDEL - You would only be interested for your municipality. You wouldn't be interested in something that happens in Hobart.*

*Mr COATES - Yes, of course. I don't know how the other councils perceive this, to be honest with you. I haven't been in touch with them about this issue, but I assume that concern is reflected statewide.*

*Ms PALMER - ... I know we've interrupted your presentation but this was quite an area of concern. In your opinion, is there anything on RIMS that you could see would be an issue with regard to confidentiality? Would we need a modified program, in your opinion; or do you think it's fine the way it is?*

*Mr COATES - The way it was.*

...

*Mr COATES - ... because it was filtered to ensure that we didn't have any information about the parties involved in the crash. Obviously, it's -*

*CHAIR - The parts were redacted.*

*Mr COATES - Yes.*

*Ms PALMER - Does RIMS not exist anymore?*

*Mr COATES - I think it probably does exist but my understanding is as an external party we don't have access.*

*Ms PALMER - It is still a current data base.*

*Mr COATES - That's my understanding, yes.*

...

*Mr COATES - It slowly reduced. We clicked on the link and tried to log on. It wasn't like an intentional thing that it was taken away; it's more like the technology involved in*

*giving us access to it and going through fire walls and things between different organisations. That's my understanding of the reason why it happened.*

*Mr WILLIE - Also, sharing information with councils is really important. Do you think the data that's publicly available is transparent enough if we're going to hold decision makers to account, having publicly available data where the community understands crash patterns and areas of concern?*

*Mr COATES - For the community what's available on the spatial data portal is probably really good and I refer people to it if they're asking me about road safety issues on our network. I say, have a look yourself, this is publicly available data. You can have a look at the crashes and how they're reported here.*

*Mr WILLIE - So, you're comfortable with that?*

*Mr COATES - Yes.*

...

*Mr COATES - ... it's the spatial data portal, on the State Growth website.<sup>476</sup>*

...

*Ms PALMER - I had some more questions about the data side of things. We have covered a bit of it. I want to know, in your capacity with the council, have approaches been made to try to get back to how it was in getting that information from RIMS?*

*Mr COATES - Yes.*

*Ms PALMER - And has that been rejected? If so, by whom and what reason was given?*

*Mr COATES - Yes, certainly. We've continually tried to - like I say, it was suggested it was an IT issue and we've had our IT people working with their IT people to try to resolve it and nobody seemed to be able to find out exactly what the reason was.*

*CHAIR - When you say an IT issue -*

*Mr COATES - Yes, in getting access through firewalls to their system.*

...

*Ms PALMER - But the only reason was just it was an IT issue? There's no other issue with you accessing that information?*

*Mr COATES - As I say, I do not think it was intentional on behalf of those people who manage the data, no.<sup>477</sup>*

Messrs Craig Hoey (Manager Road Safety, DSG) and Gary Swain (Deputy Secretary and Transport Commissioner) responded to the issues raised by Local Government as such:

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<sup>476</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.1-4

<sup>477</sup> See [Transcript of evidence, 29 November 2021](#) Mr Coates, p.6-7

*CHAIR - ... This is from an engineering officer in the Traffic Infrastructure and Assets Network of the City of Launceston. He wasn't there on behalf of the council. He was there as an engineer who works for the council but he did have some questions. He was saying he was unhappy with the crash data available from the Department of State Growth in recent years that local councils were no longer able to access RIMS, inhibiting the ability to understand crash patterns at intersections so no longer a contributory factor column in the data generated.*

*Are we able to get an understanding of why the councils are no longer getting that information which is making it much more difficult for them to understand the crash patterns and obviously seek black spot funding and other funding?*

*Mr HOEY - As I understand it over time the RIMS has evolved. Some modules have been included and some modules are no longer accessible to engineers. We would need to look and talk to the engineer directly to see what we can do in terms of providing the crash data he was particularly after. As I understand, local government can still get direct access to the RIMS and it may be some modules that -*

*CHAIR - There is some information not there now and as he says, there is no longer a contributory factor column in the data generator so there is information there that, as he pointed out to us, was important and that was no longer available.*

*...*

*Mr SWAIN - RIMS is a legacy system. There is a need to replace it and upgrade it. That is not unique to Tasmania. There is a project for data alignment and potential national system creation that has been run through Austroads. We are still using RIMS but we would like to see if that Austroads process will generate a national system that we can access and we will probably know that later this year. It is a matter at the moment of managing RIMS because there is a potentially significant benefit in accessing a national system if Austroads makes that decision. As we discussed, we may be able to get the relevant data to this engineer in a different way.<sup>478</sup>*

### **Committee Findings**

F91. There is a need for better collection and sharing of Tasmanian crash data collection to relevant third parties.

F92. Austroads is currently progressing a national road safety data collection system.

<sup>478</sup> See [Transcript of evidence, 2 February 2022](#) Various, p.30-31

### Tasmanian Transport Industry

Established in 1960, the Tasmanian Transport Association is the peak industry body representing freight transport industry employers in Tasmania. A snapshot of the industry was provided in the TTA's submission:

- the Tasmanian industry is made up of 2,966 Transport and Logistics Businesses (June 2020), which was an increase of 14% from June 2019. More than half of these businesses are in the road freight sector and the majority are non-employing;
- 12,500 people are directly employed in Transport and Logistics in Tasmania (February 2021), a 15% increase over the year from February 2020. The Road Freight sector in Tasmania has had a 25% increase in the number of people employed over the past five years;
- there are 50,525 registered trucks in Tasmania (not including tow trucks and construction vehicles), a 17% increase between June 2016 to June 2021;
- 65,240 people in Tasmania hold a Heavy Vehicle Driver Licence – a 5% increase between June 2016 to June 2021;
- 99% of freight by volume in and out of Tasmania is by sea;
- 95% of freight movements are interstate;
- the Tasmanian Land Freight Task is projected to increase by 65% from 2012 tonnages, to 39 million tonnes, by 2035;
- both road and rail sectors play a significant role in, and have immediate and longer-term challenges to, enabling the increase in land freight volume, with 18% of land freight volume by rail, and 82% by road; and
- the industry has the oldest workforce in Tasmania, with almost 60% of those in the current workforce aged 45 years and older.<sup>479</sup>

At the public hearings, the Committee heard from Ms Michelle Harwood (Executive Director, Tasmanian Transport Association) about some of the challenges the Association had as a major player in the road safety space:

*Ms HARWOOD - ... Road safety is a workforce safety matter for our members, particularly for those in the road and the rail sectors of industry. Exposure to risks on the roads is one of the highest risks that our members in those sectors really do have to contend with and to do what they can in their workplace risk assessment models to try to manage.*

*As for any industry, we focus a lot of attention on the safe-systems approach that is obviously part of the road safety system and the road safety strategy model. We put a lot of attention into safe drivers, safe vehicles and safe speeds. Through the TTA, in particular, we do what we can to influence the safety of the road network, and the roads and the infrastructure that sits around the road network.*

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<sup>479</sup> See submission [#91 \(Tasmanian Transport Association\)](#), p.6

*We have a lot of safety controls. They can be legislated controls but there is also a whole raft of those that are adopted by individual businesses as part of their workforce processes, or as part of industry accreditation systems that people take on as a voluntary pathway for their businesses.*

*Modern vehicles have advanced safety technology. They have rollover prevention systems, they have a range of advanced braking systems, lane departure, on-board telematics monitoring. You will find that in a lot of fleets there is somebody at a distance who can monitor the speeding, any harsh braking incidents. Also coming out with vehicles, or even retrofitting into vehicles, there are fatigue monitoring systems that can look at the state of the driver's alertness. We have regulations as part of mandatory speed limiting of heavy vehicles and the quite strict work-rest regime that heavy vehicle drivers are subject to under the heavy vehicle national law.<sup>480</sup>*

...

*A lot of the narrative when there is an incident involving a heavy vehicle implies that it was the light vehicle that was impacted by the heavy vehicle, that it was the truck that was at fault. A lot of heavy vehicle drivers carry that as part of that trauma I have been speaking about. We know, however, and it's backed up by all sorts of research, that around 80 per cent of the time where there is a fatality involving a heavy vehicle and a light vehicle, that it has not been the fault of the heavy vehicle driver.<sup>481</sup>*

...

*We have also talked about better infrastructure for truck drivers. I know I have spoken with Tania about this on occasion - the need for more opportunities for drivers to manage their own health and safety, their fatigue, by providing places that are safe for them to pull over. The wire rope barriers are a great contribution into the safe systems but they have eroded our industry's ability to find somewhere that is safe for them to pull over when they need to for breaks or to check loads.*

*We think it's important to protect freight corridors, to plan for the increase in freight volumes we are likely to have, and which we are having in Tasmania. We are only going to see that increase as our population increases. To provide corridors which don't cause too much conflict between heavy vehicles and other users of the road network, be they light vehicles, pushbikes or motorbikes.*

*We have also commented in there about the need for reform in the heavy vehicle driver licensing process because it doesn't cover the full range of skills that somebody would need to be an all-round safe and professional heavy vehicle driver. It doesn't address things to do with load restraint systems, axle mass, the fatigue management requirements. It doesn't cover all of those aspects.*

*I close at this point by saying that we are deeply committed as an industry to road safety. It's a factor that is front of mind for our operators and for those drivers who are on the road and for the train drivers.<sup>482</sup>*

...

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<sup>480</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.1-2

<sup>481</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.2

<sup>482</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.2-3

*Ms PALMER - You made some points in your submission about people's attitude to heavy vehicles. Often in news reports it is 'the heavy vehicle collided with' and often that is not the case. Has your industry ever written to media to make a recommendation around broadcasting being aware of that language and making sure it is accurate...*

*I was wondering if you had gone to some of the news directors in Tasmania and said, 'Can you help with this?' .... Have you thought about that or if has it happened and not been picked up?*

*Ms HARWOOD - We have not done that. I thank you for that as a suggestion. I definitely see that is a positive step that we, as the association, can take.*

...

*Ms HARWOOD - Even the words you have used, that was exactly the case quite recently. It caused a lot of upset and angst within the industry.*

*Ms PALMER - When we talk about the mental health of your drivers that might be a subtle change that our community will pick up on. It could be a step in the right direction.*

*Ms HARWOOD - We have one of the lowest scores in terms of any thriving workforce in deaths. Mental health is a really big problem throughout the industry and physical health is also a challenge, the two being interrelated.<sup>483</sup>*

...

*Dr SEIDEL - I am trying to understand the challenges of the industry. You might have a 'nice office', like a very fancy new truck but you still share your workplace with other people who use it privately, which might be a road. You are potentially paying a significant amount in taxes and licence fees and so forth to use that shared road. As an industry, do you think you have much of a say in how you can make that 'work building' safer? You have full control over the vehicles and I would imagine there are incentives to get more expensive and more modern ones. Yet, you cannot control anyone else on the road. We talked about the resting facilities. How much of a challenge is that for an essential industry that we all rely on?*

*Ms HARWOOD - It is a challenge. We do have some capacity through the black spots committee, for example, to provide some advice and some input. The Road Safety Advisory Council is another forum. Certainly, we make significant contributions to the cost of the roads. I think that the voice of people who use the road network, the voice of the drivers can be sometimes difficult to organise and to reach. The short answer is that I do not think we do enough to influence.*

*Dr SEIDEL - I'll go a bit more specific then. Other organisations like the tourism council, for example, would be quite loud and say 'our roads must be better otherwise tourists won't come', and they typically get what they want - more funding or programs. You never hear that from your industry to a certain extent. Earlier we talked about attitudes when it comes to traffic and road safety, and so forth. Do you think it is time for a wake-up call almost, to say, 'We are an essential service, what we do is important, we are struggling? If we don't work, the country, the state is just going to fall flat, nothing is*

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<sup>483</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.7



*going to move.' What does it take for that wake-up call to occur so that you get the funding for places where your drivers can rest and so forth?*

*Ms HARWOOD - I guess the work that we did for the rest area strategy was a start on some sort of wake-up call. We do need to continue pushing that because some of those other matters are closely associated with the rest area aspect of it, as in we were pushing all sorts of things through that process also.*

*Whether it's time for a campaign? ... it probably is time that, as an industry, we flew our flag a little higher and reinforced the professionalism and the fact that the road is the workplace and should be recognised and treated as such.*

*Ms RATTRAY - More than a bumper sticker campaign.<sup>484</sup>*

### **Committee Findings**

F93. The Tasmanian Transport Industry is an important contributor in the continuing efforts of improved road safety in Tasmania.

#### *Austrroads Temporary Traffic Management Implementation*

An update to Austrroads Guide to Temporary Traffic Management (AGTTM) was released in September 2021.<sup>485</sup> The AGTTM is based on best temporary traffic management practices. It has been designed to help road authorities meet their legislative responsibilities for workplace and public safety. It is a comprehensive guidance document that covers the following:

- traffic management planning;
- static worksites;
- mobile works;
- short term low impact worksites;
- field staff – implementation and operation;
- traffic controllers;
- processes and procedures;
- sample layouts; and
- supporting guidance.

At the public hearings, the Committee heard from Ms Rachel Matheson (CEO, CCF) and Mr Peter Dixon (CCF Member and Chair of the Traffic Management Association (Tas.)) that there were insufficient registered training organisations (RTOs) to assist industry in training road workers of the new standards:

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<sup>484</sup> See [Transcript of evidence, 29 November 2021](#) Ms Harwood, p.7-8

<sup>485</sup> See 'Guide to Temporary Traffic Management: Set', <https://austrroads.com.au/publications/temporary-traffic-management/agtmm-set> [Accessed 7 April 2022]

*Ms MATHESON - Currently, we are finding there is a significant lack of good quality trainers for traffic in the state. It is really hard at the moment especially, when there is a change to the new Austroads guide as there are a lot of issues where the training modules are not available, but the guide is out. People are being asked to implement the guide without the training, which should have been the other way around. It has caused a lot of frustration for the state.*

*Ms RATTRAY - Where does the responsibility lie there? Who is responsible for organising the training that goes with the new guide?*

*Mr DIXON - ... it is a national harmonised rule book -*  
...

*Mr DIXON - Which was formally adopted by the Department of State Growth on 1 January this year. Word from State Growth is it is down to the individual companies to adopt it. The documents are freely available for people to receive and interpret and implement.*

*Ms MATHESON - Which is over 700 pages and it is taking literally months for organisations to interpret, implement it and then there is no training available.*

*Mr DIXON - And without training, it being a harmonising document, the result is far from it as we are noticing the same discrepancies between sites the old Australian standard has had, which was far from perfect. Yes, lack of suitable training available and another thing we in the team are able to identify is the lack of enforcement. It is hard to enforce when people are not formally trained to do it correctly.*

*Use of incorrect signs, leaving the wrong signs up, putting wrong speed limits in - without enforcement. Under the old standard it was not frequently enforced and if something went wrong, you got the 'please explain' when you were in front of a magistrate of why weren't you following the standard. Whereas, the whole reason for adopting the Austroads guide was to enable proactive enforcement of compliance and not waiting for someone to die or be seriously injured before corrections start being made.*

*Ms RATTRAY - You just were not expecting a 700-page document without any training attached.*

*Mr DIXON - Yes, we were not expecting the lack of training which is outlined in the document itself.*

*Ms MATHESON - Currently RTOs are delivering training in a day which I and the industry does not think is sufficient enough to train someone to go and stand on a road and undertake a position in a high-risk environment. Some of that comes down to, obviously, there are a lot of people who want training. We get calls literally weekly from all organisations, not just our members wanting training.*

*Ms RATTRAY - Local government?*

*Ms MATHESON - Local government, private businesses for their on-site traffic requirements. We refer them to some of our members, but some of them want to do it internally. The new Austroads guide is deterring private companies from doing it, to having their own people on site with a traffic ticket and steering them more towards a traffic company.*

*There are issues with our contractors wanting to maintain that internally. Some of them have 75 staff that actually have tickets in traffic will, under the new guidelines and the new trainings rolled out, will not be able to do that; they will have to comply with the new Austroads guide. There are a lot of technical aspects which you will not go into, but what we see we need from the sector is better facilities to train and educate our people that want jobs in traffic.*

*At the moment, putting them straight out to a live site without any training is of no benefit to them. We need to be on a simulated site, having an area where we can go and train - whether that is housed within something like the TasTAFE facility where you can actually go and learn how to be on a controlled site before you are thrown out into a site.*

*Ms RATTRAY - But also if you make it so onerous that it puts people off, then you are not going to have enough people to actually be monitoring the sites.*

*Ms MATHESON - Exactly.*

*Mr DIXON - At the moment anyone in this room, if you went to the right training provider and paid \$170 -*

*...*

*Mr DIXON - - four hours later you could walk out with your traffic management ticket and go to work right on the Tasman Highway.*

*Ms PALMER - There's no level of, "All right, you can work at this standard of site' -*

*Ms MATHESON - Under the new Austroads -*

*Mr DIXON - Under Austroads those structures are in place, along with experience requirements. The framework for the -*

*Ms MATHESON - Which the training is not available for yet.*

*Mr DIXON - The training does not exist. The competencies have not been published, the qualifications systems are still a work in progress. The problem it was trying to solve is exactly the one I outlined where you can have someone with no physical experience working in construction, out in an extremely dangerous environment with four hours of training with no practical component.*

*In some places - I think in Tasmania you have an 18 years old minimum but some places you can be 16, don't even have a driver's licence and up on the road and going to the cheapest training provider. It is an issue that has got a solution that is in a bit of a limbo*

*where we have been waiting almost two years for this to get published and we are still waiting.*

*Ms RATTRAY - And Tasmania has signed up and should have had this process implemented in January 2021?*

*Ms MATHESON - It has been implemented but the training that supports it isn't.*

*Ms RATTRAY - But they have signed up to say that they were going to be compliant with the Austroads' Guide to Road Safety but there's no training in place?*

*CHAIR - There's obviously a cost to the training as well, a substantial cost?*

*Ms MATHESON - Yes, that's what Peter and I were discussing earlier that people are still undertaking the other course. They could be doing a course today and in three months' time once the new training is in place, they will have to retrain so it has become a cost to businesses especially because their tickets expire every three years.*

*Mr DIXON - Under normal operations there's a requirement to refresh your implement traffic management plan ticket every three years, just so that if there are any changes to legislation you can be up to date with that. Interpretations of things change so there is normally that requirement. It has been put on hold for the time being mainly because the refresher training is to the old competency so it wouldn't be relevant anyway.*

*CHAIR - You would still have to do the new one.*

*Mr DIXON - You definitely have to do the new one and with the amount of stuff that is in there. I know most larger traffic-focused companies, the larger civil contractors as well have developed their own in-house training which bridges the gap somewhat. However, it does introduce an unregulated education across all the different companies with slightly different interpretations of what's required.*

*Ms RATTRAY - Is there any recognised prior learning for those people who have already been in that role and have some level of understanding of what's required under the new Austroads' Guide?*

*Mr DIXON - Yes, so there is a set framework in Austroads as far as taking prior experience goes, moving forwards whether you are working on small roads, mid-sized roads or high-volume roads. State Growth has set a transitionary period in there for people who do complete the current course so if you do the refresh to the old competency this year, when the new training is out there is going to be a longer grace period, for lack of a better term, before you have to retrain. You are still going to be looking at a lot of people lined up waiting when it does come out.*

*Ms MATHESON - And that's what it comes down to. We need to ensure that we have trainers in place to deliver good quality training, proper facilities that can deliver the training in non-live sites.*

*Ms RATTRAY - Because you can't train on the Tasman Highway, can you?*

*Ms MATHESON - We prefer not to, especially if you are a first timer and at the moment I think you just go out into the car park and practice or in a yard. It would be great if we had that as part of our biggest registered training organisations (RTOs) in the state, TasTAFE, to have a proper facility for delivery and training considering infrastructure. It is one of our biggest priorities.*

*Ms RATTRAY - Has the industry contacted TasTAFE?*

*Ms MATHESON - We are working with them at the moment. We are working with a few RTOs on what the future looks like for training in Tasmania. Traffic is just one of many of the key competencies that we need to improve on. Plant is another one so we have a lot of training requirements and needs where we don't have facilities in this state to undertake training.*

*Ms RATTRAY - And so has the lack of access to training through TasTAFE been an issue to date?*

*Ms MATHESON - I think it's more the lack of trainers. The training courses can be put on as is through many RTOs. It is about the trainers and the ones that are decent out there are fully booked and months of waiting and when we have people wanting people on board to deliver projects there is a huge delay.*

*CHAIR - We need more skilled trainers.*

*Ms MATHESON - Definitely and that's across the sector.*

*Mr WILLIE - Are there any more in the private sector doing traffic control rather than teaching?*

*Ms MATHESON - That would be relevant. I think that goes with a lot of our skill sets of trainers. They wouldn't cross over to train because of the salary that would come with that. So how do we entice people who have those great skills to come across and be trainers and deliver the next generation? That is something we are working on under our high-vis army project. We also need to have a focus on compliance on traffic management on sites as well, more audits happening across projects specifically on traffic management to collect data and show how we can improve.<sup>486</sup>*

## **Committee Findings**

F94. There is a lack of trainers in Tasmania to deliver Austroads temporary traffic management training.

<sup>486</sup> See [Transcript of evidence, 25 October 2021](#) Ms Matheson and Mr Dixon (TMA-TAS), p.7-11

## Motorcyclists – Other Issues

A number of submissions highlighted other motorcyclist related road safety issues and considerations including (but not limited to):

- the concern that motorcyclists bear the burden of the additional cost of Motor Accidents Insurance Board (MAIB) insurance which may act as a disincentive to what otherwise is an economic and more fuel-efficient means of individual transport;<sup>487</sup>
- motorcyclists being allowed to cross unbroken centre lines ('when safe to do so') when traffic flow is restricted, (such as happens in peak flow), in the same way as lane filtering;<sup>488</sup>
- that MAIB consider introducing a 'no claim bonus' policy akin to commercial insurers;<sup>489</sup>
- additional funding to increase the Government funded Full Gear motorcycle program to include a P-plate component;<sup>490</sup> and
- better safer options for motorcyclists to park their vehicles in CBD areas.<sup>491</sup>

At the public hearings, the Committee heard from Mr Paul Bullock (President, Tasmanian Motorcycle Council) his views on motorcycle insurance claims and the concern that motorcyclists were not consulted by the relevant authorities with respect to their particular road safety needs:

*Mr BULLOCK - ... Every six months, we get the full complement of figures, et cetera, off MAIB for registered motorbikes and for classes of motorcycles by postcode. Then we get a summary and at the end it is broken down into the sizes of the motorbikes, whether they are a full licence, a learner licence, provisional, et cetera.*

*This comes in very handy when we looked at the new training model for learners and for novice riders. Since it was introduced in 2017, the actual claims for the learners was 55 in 2017-18 and it is down to 23. The provisionals are down from 33 to seven. The P2s are 29 down to eight. As the motorcyclist's experience goes in, the claims for MAIB drop.*

*That has proven to be the best thing that has happened to motorcyclists. Since 2004 when we started the Tasmanian Motorcycle Council, I and the other members have pushed to have an on-road component as part of the learner process and it is the best in Australia. It was put together by the University of New South Wales, trialled in Victoria for 12 months and I and the Registrar of Motor Vehicles, et cetera, went to Victoria and met with the University of New South Wales. We had a look at the new training and thought it was brilliant. We came back and it has gone through and it has been done now, so that was very good.*

*The other thing that comes out, when we look at all the figures, et cetera, is MAIB. In 2005 there were 298 claims. That is with 10,000 motorcycles on the road.*

*CHAIR - That is only motorcycles?*

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<sup>487</sup> See submission [#72 \(Christopher Broad\)](#) in general

<sup>488</sup> See above no. 487

<sup>489</sup> See submission [#87 \(Motorcycle Riders' Association Australia\)](#) in general

<sup>490</sup> See submission [#79 \(Glenorchy City Council\)](#) in general

<sup>491</sup> See above no. 490

*Mr BULLOCK - Only motorcycles. Farm and off-road, et cetera, are not included in these figures. It is purely road registered.*

*We have been getting these figures for many years but it was only in the last couple of years we found out we were asking the wrong question. It is all in the manner of what is asked for. We asked for claims for motorcyclists, so they gave us claims. Included in the claims were restricted, Tasmania unknown, unlicensed and mainland claims. That was the full claims. But when you look into the MAIB charter, they are not to accept anyone who is unregistered or unlicensed. They don't pay them. Therefore, we came to, we would like to get a copy of the 'accepted claims'.*

*Dr SEIDEL - May I interrupt you? So, MAIB doesn't pay for the party that has caused the accident but may pay for the party that was affected.*

*Mr BULLOCK - If a motorcyclist has an accident, comes off the bike and there is no other vehicle involved, by their charter they don't pay for any injuries.<sup>492</sup>*

*Dr SEIDEL - That's fine.*

*Mr BULLOCK - If it involves another vehicle in Tasmania because it is a 'no fault' system, the other vehicle or the pillion passenger on the bike gets covered. That's it in a nutshell.*

*Those claims, they are around 290, 250. Since we've got the accepted claims, they are down to 170, 216 and 177 because 33 were rejected, 54 rejected; 45, 33 each year. It's an unbalanced view when they keep saying we are over-represented in accidents, in claims but they are dodgy figures because they have added ones that they do not pay for - so it makes it look very bad. We are now getting rejected claims as well so we can work on those.*

...

*Ms RATTRAY - Have they given you a list of non-accepted claims and you said they were unregistered vehicles and unlicensed drivers -*

...

*Ms RATTRAY - Reasons for non-acceptance. Would that also be for drug and alcohol, exceeding the limit - that type of thing? They would be covered there as well?*

*Mr BULLOCK - That is a query that you may like to ask. I am not familiar with that. I have found out that all the figures they have been giving us are the full figures, which we asked for, but when we found out, no, we just want accepted claims. The rejected ones don't count because they are not supposed to be paid; so, why are they including them?*

*They will not give us the breakdown at the moment because they are such small numbers that you would be able to pick out who was rejected.*

...

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<sup>492</sup> MAIB administers the funding and payment of Tasmania's compulsory third party (CTP) motor accident insurance scheme: it is not comprehensive insurance or personal accident insurance per se.

*Mr BULLOCK - That just shows the small numbers that you are dealing with. In the documents we've given you, we have had nine fatalities this year.<sup>493</sup>*

...

*Mr BULLOCK - ... With the figures I told you before about the decrease in claims since 2005 through till now, we have more than doubled the number of registered bikes on the road. When you have a look at the number of bikes out on the road, the claims have remained the same or decreased. Motorcyclists do a pretty good job, with very little help being given. We applied for a grant from State Growth to do road safety things for motorcyclists. It was not accepted. They did their interpretation on our application and they changed what we wanted the money for.<sup>494</sup>*

...

*Ms RATTRAY - You would expect, particularly if there's a road upgrade that that would just come as a matter of course, looking at all road users, not just a vehicle -*

*Mr BULLOCK - You just had Nigel in here from the Launceston council. Nigel is a wonderful person, an engineer. He rides his pushbike to meetings if you have a meeting with him about a section of road or something. There are pieces of infrastructure they put in which are unsafe for cyclists and I tell him, 'You ride a bloody bike, what are you doing, doing that for?'*

*A typical one, a good one, is going along Hobart Road and turn into Carr Villa. There is a step-out for pedestrians to come out and it goes onto the road. They said it only comes out as far as a car if a car is parked there. That's okay. Then you have an island in the middle of the road for pedestrians to stop at. I nearly collected a cyclist there because he comes up to that and then he moves straight out in front of you. It's a hazard. Why do it? If you go along Invermay Road, they have just done up all of Invermay Road and there are a couple there.*

...

*Mr BULLOCK - ... Which engineering department has come up with this bright one?*

...

*Ms RATTRAY - Paul, the message that I'm taking out of this - and correct me if I'm wrong - is that there needs to be more collaboration with all road users when they are developing roads, maintenance of roads, just anything to do with the roads?<sup>495</sup>*

...

*Mr BULLOCK - ... I had an argument with the Launceston Council about the Esplanade and Tamar Street Bridge. Stop the right-hand turn and have the traffic flow more; we don't need the lights there to stop. They finally did it after how many of years arguing with the council over it. That's fine, but when they did it, they left the lights working and stopping the traffic - and it took another argument with them.*

*I have also asked the council to do George Street and the Esplanade, because there is a right-hand turn lane. A car turns there once every two hours. The left-hand lane turns to go across the bridge or go through to Kmart, and they're backed up into town because a pedestrian is crossing the road. The cars can't move, so you'll get three cars through the*

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<sup>493</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.1-2

<sup>494</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.3

<sup>495</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.5



*traffic and the lights change, but there is no-one in that right-hand lane. Do away with the right-hand turn and have that going straight through. Simple little things.*

...

*Mr BULLOCK - They took away the motorcycle parking outside the LGH.*

...

*Mr BULLOCK - So I went in there and had a word with them.*

...

*Mr BULLOCK - They moved it. He was going to take the car park out over the road, and I said, don't be an idiot; between the pedestrian walk there and back towards Launceston there is a letterbox. There is nothing there. Put four motorbike parking spaces there. He said they were going to do that for drop-off. I said why? I said look at that sign there. There is a drop-off in the hospital. There is a whole U-turn and you can put six cars there, but he wants to put one out on the road as well. I said fine, put one there, that would be okay, but you still have four parking spots for bikes.<sup>496</sup>*

### Local Road Safety Research Institution

In Australia, there are a number of road safety related research centres including (but not limited to):

- Centre for Accident and Road Safety – Queensland;
- Australian Road Research Board;
- Monash University Accident Research Centre;
- University of New South Wales Transport and Road Safety Research Centre; and
- Western Australian Centre for Road Safety Research.

The Australasian College of Road Safety submitted that the Government should ‘initiate a collaborative approach with an established mainland road safety research institution, with the view to develop, establish and build capacity in specialist road safety research or evaluation within the University of Tasmania or similar body’.<sup>497</sup>

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<sup>496</sup> See [Transcript of evidence, 29 November 2021](#) Mr Bullock, p.10-11

<sup>497</sup> See submission [#74 \(ACRS\)](#), p.12

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# Appendix A – Government’s Response to RACT’s submission to the Committee

Recommendation	When	Measure	Agency/Officer	Response
<b>Safe Roads</b>				
1. Independently review the skills and capacity of the Department of State Growth to apply the Safe Systems principles in designing, upgrading and maintaining Tasmania's road network	By July 2022	Yearly skills and capacity audit	State Growth	<p>The Tasmanian Government is committed to the Safe System approach to road safety in its <u>Towards Zero Road Safety Strategy 2017-2026</u> (the Strategy) and <u>Towards Zero Action Plan 2020-2024</u> (the Action Plan). The Government agrees that knowledge and skills in the Safe System approach is essential to the successful implementation of the Strategy and Action Plan.</p> <p>Information and best practice guidance of the Safe System approach to managing the transport system is provided by Austroads. It is recognised best practice is evolving and training is provided by Austroads as research is published and guidelines are updated. The Government also supports training in Safe System for Departmental staff, local government, consultancy firms, and road safety stakeholders.</p>
2. Establish a state roads authority, independent from the Department of State Growth, to manage the state road network	Within 2022-23	100% effective deployment of the allocated budget	Tasmanian Government	<p>The Tasmanian Government's existing agency arrangements in relation to transport, which are located with the Department of State Growth, support a coordinated and long-term approach to transport policy and planning. In effect, without creating another costly agency, this Department is the State's single roads authority. The Department of State Growth has a very broad remit in relation to transport, including:</p> <ul style="list-style-type: none"> <li>• strategic transport policy and planning, across passenger and freight;</li> <li>• network planning, infrastructure delivery and maintenance of the State Road Network;</li> <li>• road safety;</li> <li>• contract management for service delivery;</li> </ul>

Recommendation	When	Measure	Agency/Officer	Response
				<ul style="list-style-type: none"> <li>• planning and delivery of active transport networks;</li> <li>• traffic management; and</li> <li>• research and analysis.</li> </ul> <p>The Department:</p> <ul style="list-style-type: none"> <li>• partners with the Australian and local governments, coordinates with relevant portfolios and reports to the Minister for Infrastructure and Transport;</li> <li>• has significant internal strategic and statutory land use planning expertise, and works closely with the State Planning Office on key planning reforms, projects and issues;</li> <li>• works closely with local government on land use planning initiatives which relate to or have an impact on Tasmania's strategic transport network; and</li> <li>• engages and consults with communities and key stakeholders in relation to all aspects of its activities.</li> </ul> <p>The Tasmanian Government is <b>not</b> planning to establish an independent roads authority at this time.</p>
<p>3. Reform the governance of road safety to ensure road safety policy is a shared responsibility for heads of State Government departments and at a Cabinet level</p>	<p>Within 2022-23</p>	<p>Annual whole-of-government report on performance against KPIs</p>	<p>Tasmanian Government</p>	<p>The (sic) Tasmania has a mature governance structure for road safety. The Road Safety Advisory Council (RSAC) was established in 2010. RSAC provides advice on the development of Tasmania's road safety strategy, monitors progress of supporting Action Plans, delivers public education campaigns, monitors the coordination of road safety enforcement, and provides advice regarding requests from Government. RSAC also advises Government on the expenditure of the Road Safety Levy.</p> <p>RSAC comprises key stakeholders with the authority and responsibility for road safety in their organisations. Membership includes an Independent Chair, an independent road safety expert, and representatives of Tasmania Police, the Motor Accidents Insurance Board, the Department of State Growth, the Local</p>

Recommendation	When	Measure	Agency/Officer	Response
				Government Association of Tasmania, the Royal Automobile Club of Tasmania, Tasmanian Bicycle Council, Tasmanian Motorcycle Council, and the Tasmanian Transport Association. A governance review has been endorsed by RSAC and will be undertaken under the 10-year road safety strategy. It is unclear what value such a major governance change would bring, if any, to the task currently being guided by RSAC.
4. Establish a road safety directorate that reports directly to the responsible Minister and has the authority to drive an all- of- government approach to road safety	Within 2022-23	Report annually on performance against KPIs	Tasmanian Government	As noted above, RSAC is the primary advisory body for road safety in Tasmania and reports directly to the Minister for Infrastructure and Transport. The Tasmanian Government is <b>not</b> planning to establish an additional road safety directorate at this time.
5. Establish a regime to build the skills and capacity of local government to design, construct and maintain its road network in line with Safe Systems principles	Within 2022-23	Annual audit of local government road improvement	State Growth	Under the Action Plan Safe System knowledge and skills training is provided to local government officers to support Infrastructure programs
6. Regularly monitor and evaluate the effectiveness of road safety infrastructure projects, enforcement and education, based	Within 2022-23	KPIs met and publicly reported on annually	Road Safety, State Growth	Tasmania's <a href="#">Towards Zero Road Safety Strategy 2017-2026</a> sets a target of fewer than 200 serious injuries and deaths on our roads by 2026. Underpinning the Strategy is the <a href="#">Towards Zero Action Plan 2020-2024</a> . Performance monitoring is currently being considered to support the implementation of the Action Plan and to measure progress toward meeting the Strategy's target. Road safety is a national issue and consistency in performance monitoring across Australia is considered vital. The key performance indicator work

Recommendation	When	Measure	Agency/Officer	Response
on key performance indicators				being developed locally is being informed by the performance monitoring framework set out in the recently endorsed national road safety <u>National Road Safety Strategy 2021-2030</u> . Progress in achieving outcomes in the Action Plan is overseen by the RSAC and progress reports are published on a quarterly basis.
7. Safety-rate the Tasmanian network, both state and local, to ensure speed limits are consistent with the physical limitations of the road	Begin program by January 2023	Speed limit changes, crash data	State Roads, State Growth	There are several 'safety rating' or 'risk rating' methodologies that can be used to assess the inherent safety of a road including the Australian Road Assessment Program (AusRAP). These methodologies are useful at considering the potential safety benefits of infrastructure improvements. However, the data requirements and complexity of the risk rating process generally make them more suitable for high speed/high volume roads such as major highways, and high traffic urban highways/arterials. The approach to speed setting in Tasmania is set out below at 38.
8. Adopt the Victorian Safe Systems Assessment Framework to ensure safety is given the highest consideration when designing and constructing roads and highways	By July 2022	Increase in highway ratings to 3-star	State Roads, State Growth	The Safe System Assessment Framework is one of several Austroads guidelines available to assist in achieving safe system alignment with regard to road infrastructure projects.
9. Develop 10-year programs for all Tasmanian highways to ensure that framework is implemented consistently across all projects and that there	By January 2023	Every highway to have a 10-year program, executed on budget and on schedule	State Roads, State Growth	The Midland Highway Safety Upgrade package provides a 10-year plan to achieve a minimum safety rating over the entire length of this highway. This approach to corridor planning is progressively being extended to other highways across Tasmania.



Recommendation	When	Measure	Agency/Officer	Response
is public transparency around the process				
10. Design all highway improvements to meet the 3-star AusRAP rating	Within 2022-23	Increase in 3-star rated highways	State Roads, State Growth	As noted above at 7, the AusRAP star rating is one several risk rating methodologies. The design of all highway improvements in Tasmania include safety as a priority. The scale and nature of the improvements reflect the traffic environment of the roadway.
11. That the Auditor-General regularly review the implementation of road safety policy to ensure the Safe Systems principles are adhered to in the design, construction, and maintenance of the road network and that key performance indicators are met across education and enforcement	Within 2022-23	Auditor-General reports annually to State Parliament	Tasmanian Government	The Auditor General provides independent assurance to the Parliament and community on the performance and accountability of the Tasmanian Public Sector. The Auditor-General has the authority to undertake performance audits examining the efficiency, effectiveness and economy of a State entity. It is noted that a recent Report of the Tasmanian Auditor-General (No. 6 of 2020-21: Management of the State road network) <sup>498</sup> found the Department of State Growth managed the Network efficiently and effectively.
12. That the state road authority reports each year on progress in meeting the Safe Systems principles as part of its standard reporting to	By end of 2022-23	Increase in roads compliant with Safe Systems principles in accordance with 10-year plans	State Roads, State Growth	See 6 above.

<sup>498</sup> See <https://www.audit.tas.gov.au/publication/management-of-the-state-road-network/> [Accessed 17 May 2022]

Recommendation	When	Measure	Agency/Officer	Response
government and the people of Tasmania on its programs				
<b>Safe Vehicles</b>				
13. That all State Government departments and government business enterprises complete the conversion of their fleets to 5-star safety-rated vehicles	By July 2022	By July 2022, all State Government's vehicles are 5-star ANCAP rated	Tasmanian Government	The Tasmanian Government vehicle fleet safety policy stipulates that vehicles must meet a 5-star safety rating. <sup>499</sup> Encouraging fleet managers, both across broader government entities and the private sector, to buy vehicles with the highest safety rating is a key priority in the <u>Towards Zero Action Plan 2020-2024</u> .
14. That all State Government departments and government business enterprises ensure road safety is an essential element of workplace health and safety regimes	By June 2023	By June 2023, all government employees have taken road safety training	Tasmanian Government	Work, Health and Safety regulators across Australia, including WorkSafe Tasmania, have endorsed guidance for the management of vehicles when used for work purposes - Vehicles as a Workplace (Work Health and Safety Guide) <sup>500</sup> . The Department of State Growth has adopted this guide as part of its safe driving policy. Under the Action Plan, consideration will be given to extending this guide to all government entities.
15. That WorkSafe Tasmania supervise the introduction of road safety into workplace health and safety regimes in all	By the end of 2023-24	Measurable decline in workplace injury involving vehicles	Tasmanian Government	As above, WorkSafe Tasmania has a published guidance regarding the management of vehicles as a workplace. Under the Action Plan, the Tasmanian Government will consider how best to ensure all workplaces that involve driving as part of their business follow this guide.

<sup>499</sup> See <https://www.purchasing.tas.gov.au/Documents/Tasmanian-Government-Motor-Vehicle-Allocation-and-Use-Policy.pdf> [Accessed 17 May 2022]

<sup>500</sup> See <https://worksafe.tas.gov.au/topics/Health-and-Safety/hazards-and-solutions-a-z/hazards-and-solutions-a-z-pages/v/vehicles-as-workplaces#:~:text=Road%20vehicle%20use%20is%20a,occurred%20on%20a%20public%20road.> [Accessed 17 May 2022]

Recommendation	When	Measure	Agency/Officer	Response
Tasmanian workplaces and extend its inspection regime to ensure compliance				
16. That the State Government investigate ways to encourage the uptake of 5-star vehicles, both used and new, through incentives provided through the vehicle registration system	By the end of 2023-24	Increase in registration of 5-star vehicles to agreed targets	Tasmanian Government	The Tasmanian Government is committed to increasing the safety of the state's vehicle fleet. The Department of State Growth is currently investigating ways to encourage the uptake of 5-star rated vehicles, both used and new. This is being undertaken in the broader context of the development of a Light Vehicle Safety Strategy, which is a key deliverable under the <u>Towards Zero Action Plan 2020-2024</u> .
17. That the motor vehicle retail industry be encouraged to promote the safety aspects of new and used vehicles	By the end of 2022-23	Increase in registration of 5-star vehicles to agreed targets	Road Safety, State Growth	The Department of State Growth is reviewing options to encourage the motor vehicle retail industry to promote the safety aspects of new and used vehicles. This is being undertaken in the broader context of the development of a Light Vehicle Safety Strategy.
18. That the Tasmanian Government make mandatory vehicle inspection safety certificates upon the transfer of registration for vehicles more than seven years old	By the end of 2022-23	A mandatory system in place and operating	Tasmanian Government	The Department of State Growth is currently evaluating the effectiveness of mandatory vehicle inspection regimes, in the broader context of the development of a Light Vehicle Safety Strategy.
19. Ensure vehicle age, safety rating and roadworthiness data is	By the end of 2021-22	Data recorded as part of Tasmania Police standard operating	Tasmania Police, State Growth	Data on vehicle age is collected for all fatal crashes and serious injury crashes.

Recommendation	When	Measure	Agency/Officer	Response
gathered in the investigation of crashes		procedure and is publicly available		
20. Launch an education campaign on the importance of buying the safest vehicle possible and to explain the value of safety features saving lives	By the end of 2021-22	Campaign developed and deployed	State Growth	The Tasmanian Government provides funding to ANCAP to support its work in the crash testing of vehicles and the publication of vehicle safety ratings for the benefits of all drivers. The Road Safety Advisory Council promotes the 'How safe is your car?' campaign and promotes the purchase of safe cars through the Used Car Safety Ratings website.
<b>Safe Road Users</b>				
21. Review the Graduated Licence Scheme after 12 months to ensure it is meeting the needs of participants and delivering road safety outcomes	By June 2022	Review complete and recommendations published	State Growth	The Tasmanian Government has already demonstrated its commitment to evaluating the Graduated licence Scheme to ensure it achieves its aims to reduce the level of road trauma among young people and improve the pathway to a provisional licence. A baseline summary report for the evaluation of the GLS has been completed. Data for a long-term evaluation will be collected over a seven-year period.
22. Review the licensing and regulation of Tasmanian driving schools and instructors to ensure they meet the standards required to operate under the GLS	By the end of 2022-23	Review complete and recommendations published	State Growth	The Government is currently developing a consultation and engagement plan to commence the review process.
23. Ensure the Learner Driver Mentor Program has the capacity to meet the needs of learner drivers by	By the end of 2021-22	Program reviewed and results published	State Growth	The Tasmanian Government is committed to supporting disadvantaged learner drivers through the Learner Driver Mentor Program and has doubled annual funding to \$1 million.

Recommendation	When	Measure	Agency/Officer	Response
delivering its services in an efficient and timely manner, particularly in rural and regional Tasmania.				
24. Launch a recruitment program for driver mentor volunteers to ensure the program can reduce waiting times and meet demand in 2022	By January 2022	Reduction in waiting times for participants within agreed targets	State Growth	Driver Mentoring Tasmania manages a recruitment process for volunteer mentors on an ongoing basis. The Minister participated in promotion of the LDMP mentor recruitment program.
25. Review the motorcycle training regime in light of the over-representation of motorcyclists in death and serious injury on Tasmanian roads	By the end of 2021-22	Program reviewed and enhanced program in place	Registration and Licensing, State Growth	The Tasmanian Government is committed to addressing the over-representation of motorcyclists in serious casualty crashes on Tasmanian roads.  Best-practice motorcycle training was introduced in 2017. The Department of State Growth will undertake an evaluation of the current program.
26. Establish a courts-driven diversionary program within the justice system to deliver driver behaviour change by repeat and serious offenders	By the end of 2022-23	Programs established and operating	Justice	This recommendation is <b>not</b> supported at this point given the paucity of evidence around its effectiveness as a road safety program.
27. Establish an individual case-management program for repeat and serious offenders so	By the end of 2022-23	Program established and operating	Registration and Licensing, State Growth	An individual case-management system is already established and operating in Registration and Licensing Branch, State Growth.

Recommendation	When	Measure	Agency/Officer	Response
that certain licence conditions can be imposed to assist in behaviour change				
28. Review the alcohol interlock program with a view to extending it	By the end of 2022-23	Increased take-up, decline in repeat offenders	Registration and Licensing, State Growth	Drink driving is a significant factor in serious casualty crashes. The Tasmanian Government is committed to the Mandatory Alcohol Interlock Program and will consider enhancing the program consistent with the policy intent of ensuring drink driving offenders are able to demonstrate they can separate their drinking prior to gaining a driver's licence.
29. Review road safety education in Tasmanian schools to ensure the program's delivery and content is best practice	By June 2022	Increase in schools taking programs	Road Safety, State Growth	The delivery of the Rotary Youth Driver Awareness (RYDA) program has been funded by the Tasmanian Government since 2014 and is one of the key road safety education initiatives under the <u>Towards Zero Action Plan 2020-2024</u> . The Government has committed \$100,000 per annum from the Road Safety Levy to fund the delivery of the RYDA over the life of the Action Plan.  The RYDA was reviewed in 2020 and was subsequently redeveloped and rebranded 'RYOA 5.0'. RYDA has undergone a comprehensive evaluation to measure knowledge retention, attitude shift, and intended and practiced behaviour change over time. The evaluation concluded that the program is helping to create lasting knowledge and behaviour change, and a culture of road safety at a school and community level.
30. Legislate to address driver distraction by addressing unsafe actions or behaviour	By July 2022	Legislation in place to allow enforcement of	Tasmania Police	Legislation currently exists to allow enforcement of distraction offences. <sup>501</sup>

<sup>501</sup> The Committee notes that the Vehicle And Traffic Amendment (Driver Distraction And Speed Enforcement) Bill 2022 was still to be read a second time at the Legislative Council: amongst other legislative changes the Bill sought to permit the use of video taken by a photographic detection device to be used as evidence; empower the Transport Commission to authorise a person to install or operate photographic detection devices; and enable an 'issuing authority' (which includes the Police Service as an entity) to serve traffic infringement notices, notices of demand and withdrawal notices (see Fact Sheet [https://www.parliament.tas.gov.au/Bills/Bills2022/pdf/notes/20\\_of\\_2022-Fact%20Sheet.pdf](https://www.parliament.tas.gov.au/Bills/Bills2022/pdf/notes/20_of_2022-Fact%20Sheet.pdf) [Accessed 6 October 2022])

Recommendation	When	Measure	Agency/Officer	Response
rather than just mobile phones		distraction offences		
31. Use the result of fatigue research currently being conducted by the Australian Automobile Association to develop fatigue management regimes backed by legislation	By the end of 2023-24	Decline in fatigue-related crashes	Road Safety, State Growth	The Tasmanian Government applauds the efforts of the Australian Automobile Association to include fatigued driving as a priority research topic. The Government understands the Association's research in this area is ongoing and will consider its findings and recommendations, when available.
<b>Safe Speeds</b>				
32. Urgently renew and extend the state's road safety camera network of fixed and mobile cameras	Early 2022	Sixteen automated road safety cameras deployed, including fixed and mobile	Road Safety, State Growth	The Tasmanian Government has announced an enhanced automated speed enforcement program that will see an initial eight mobile speed cameras on our roads, allowing for expansion to 16 cameras and functionalities such as detection of mobile phone use and lack of seat belts.
33. Fund the installation, management and maintenance of the camera network through the revenue raised by the network	Early 2022	100% of the revenue raised by the network is deployed on road safety initiatives	Tasmanian Government	The Tasmanian Government is currently considering options for the allocation of revenue generated from the automated speed enforcement program.
34. Call urgently for tenders from private-sector providers to install and operate the network, thereby freeing police for other	Early 2022	Refreshed camera network operating without reducing police resources	Road Safety, State Growth	The roll-out of an enhanced automated speed enforcement program will be delivered under a service agreement with a third-party provider. The development of the enhanced automated speed enforcement program has been developed in collaboration with Tasmania Police.

Recommendation	When	Measure	Agency/Officer	Response
traffic enforcement and deterrence duties				
35. Launch an intensive education campaign to demonstrate the effectiveness of the automated enforcement technology in detecting and deterring distraction	By December 2022	Campaign successfully deployed	Road Safety, State Growth	This is already under development, with the support of RSAC. A comprehensive public education campaign will accompany the implementation of the automated enforcement technology.
36. Introduce the technology with a three-month moratorium where offence notices will be issued to drivers but no fine imposed or penalty points deducted	By December 2022	Technology deployed, tested and public acceptance gained	Road Safety, State Growth	Automated enforcement technology will be tested, publicised and followed by a moratorium in which caution notices are issued. However, a three-month period of penalty-free offence detection is difficult to justify on road and driver safety grounds.
37. Establish a means by which Tasmanian communities can request short-term automated speed enforcement technology in their area for enforcement, deterrence and education.	By December 2023	Establish regime to deploy automated enforcement technology on request	Road Safety, State Growth	A deployment strategy is being developed as part of the automated speed enforcement mobile camera roll out. This will include a means by which members of the community can suggest potential mobile speed camera deployment locations.



Recommendation	When	Measure	Agency/Officer	Response
38. Establish a new speed-limit-setting regime to ensure a consistent approach across the entire road network, both state and local government	During 2022-23	Regime developed and in place	State Growth	<p>Speed limits are set in accordance with the Tasmanian Speed Zoning Guidelines, which are based on Austroads best practice guidelines and relevant Australian Standards.</p> <p>There are two types of speed limits - default speed limits and posted speed limits. Default speed limits are set by legislation and apply when there are no speed limit signs. In accordance with the Road Rules 2019:</p> <ul style="list-style-type: none"> <li>• urban roads (in built-up areas) have a 50 km/h speed limit;</li> <li>• sealed rural roads (outside built-up areas) have a 100 km/h speed limit; and</li> <li>• unsealed rural roads (outside built-up areas) have an 80 km/h speed limit.<sup>502</sup></li> </ul> <p>Posted speed limits are used when the default limits are considered to be inappropriate. Posted speed limits are set to ensure each stretch of road and its peculiarities have individual consideration by the Commissioner. These can be individually reviewed on request of the relevant road manager.</p> <p>The Speed Zoning Guidelines set out a number of factors to be considered when determining the appropriate speed limit for a section of road. It is noted that every location has its unique characteristics and engineering judgment must be applied to select an appropriate speed limit based on site specific considerations.</p>

<sup>502</sup> See Rule 25, *Road Rules 2019*, <https://www.legislation.tas.gov.au/view/html/inforce/2019-12-01/sr-2019-061#GS25@EN> [Accessed 17 May 2022]

## Appendix B – RYDA Breakdown of Program Participation by Year and School

School	2020-21	2019-20	2018-19	2017-18	2016-17
Bay View Secondary School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Brooks High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Burnie High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Calvin Christian School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Campania School		<input checked="" type="checkbox"/>			
Campbell Town District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Circular Head Christian School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Clarence High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cosgrove High School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Cressy District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Deloraine High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Devonport High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dominic College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Dover High School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Exeter District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Fahan School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Friends School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Geneva Christian College	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Glenora District High School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Hilliard Christian School				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Home Schoolers				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Huonville High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Hutchins School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Indie School	<input checked="" type="checkbox"/>				
Jordan River Learning Federation		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
King Island District High School		<input checked="" type="checkbox"/>			
Kings Meadow High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Kingston High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Latrobe High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Launceston Big Picture School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Launceston Christian School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Launceston Church Grammar School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Leighland Christian School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lilydale District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

School	2020-21	2019-20	2018-19	2017-18	2016-17
Mackillop College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Marist Regional College	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Montrose Bay High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mount Carmel College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mountain Heights High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
New Norfolk High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
New Town High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
North West Christian School			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Oakwood School				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ogilvie High School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Parklands High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Penguin District School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Port Dalrymple School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Prospect High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Queechy High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Radar School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		
Reece High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Riverside High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rokeby High School				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rose Bay High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Roseberry District High School	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sacred Heart College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scotch Oakburn College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Scotsdale High School			<input checked="" type="checkbox"/>		
Seabrook Christian School				<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sheffield District High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Smithton High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Sorell High School		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Southern Christian College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			
St Brendan-Shaw College	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St Helens District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St James Catholic College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St Mary's College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St Mary's District School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St Michael's Collegiate	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
St Virgil's College		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Star of the Sea Catholic College	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

School	2020-21	2019-20	2018-19	2017-18	2016-17
Taroona High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tarremah Steiner School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Tasman District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Triabunna High School		<input checked="" type="checkbox"/>			
Ulverstone Secondary College	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Winnaleah District High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Woodbridge High School	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Wynyard High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Yolla District High School	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>