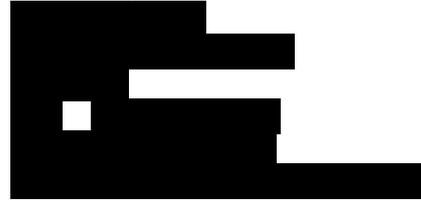


Albert Ogilvie



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Legislative Select Committee - Road Safety in Tasmania - Submission by Albert Ogilvie

My experience with traffic injuries

I spent some 40 years in legal practice acting for hundreds of persons injured in road traffic crashes and also for insurers in hundreds of such cases.

I spent countless hours in Court cases examining and debating the responsibility of motorists for road traffic crashes.

I acted in a number of cases involving quadriplegia, paraplegia and severe brain damage.

I became acutely aware of the devastation road traffic crashes can cause to the lives of those injured and to their family and friends.

There was a common saying that cases of quadriplegia adversely affect up to 12 lives.

Plainly any reasonable action which can reduce the incidence of road traffic crashes is very desirable.

Comments

After years of effective road safety measures, it appears that the number of journeys involving road traffic crashes in Tasmania is a very small percentage of the number of crash-free journeys.

Many serious injuries on the roads result from split-second events involving errors of judgment, mistakes and/or drivers acting irresponsibly.

I consider that there will always be drivers who make errors of judgment, mistakes and/or act irresponsibly irrespective of measures aimed at preventing these types of behaviour.

There are bad drivers who do not heed the road safety "message".

Blanket rules such as overall lowering of speed limits are unlikely to modify the behaviour of these bad drivers.

I consider that we have reached a point of diminishing returns from measures aimed at driver behaviour.

In my opinion a significant reduction in injuries resulting from road crashes could be achieved by making roads substantially crash tolerant.

We must out-manoeuvre bad drivers with error-forgiving roads.

In an industrial work place governed by standard occupational health and safety legislation it is completely unthinkable that two human controlled machines travelling in opposite directions at closing speeds of up to 200 kp/h would be permitted to pass each other separated by only a small distance and with the only "barrier" between them being a strip of paint.

The same comment applies to machines being driven at significant speed close to solid roadside objects such as trees, poles and buildings.

In the work place there is always a requirement for guard rails to protect people from accidents no matter how well trained they are or how strict their instructions may be.

Why should road users be any less protected?

Traffic barriers are already in common use throughout many parts of Tasmania, in other Australian states and in overseas countries.

Sometimes they are constructed of solid concrete and sometimes of metal railings. Either type appears to me to be effective to contain out of control motor vehicles within the road way.

Except in the most unusual of circumstances these barriers eliminate head-on collisions and collisions with solid roadside objects.

These barriers could be given a higher priority in funding with installation commencing in the highest risk areas.

I personally would rather strike a glancing blow in a motor vehicle against a smooth, solid barrier whether constructed of solid concrete or of metal railings

than hit posts supporting wire ropes with the risk of the vehicle being spun or over-turned.

Motor cyclists have expressed the view that collisions with the posts and wire ropes lead to much worse injuries. This appears to me to be very likely.

However, if authoritative vehicle impact testing supports the use of posts and wires as being more effective in minimising crash outcomes than solid barriers, I would of course accept that conclusion.

This may be a matter for expert advice.

Suggestions

I consider that the number of deaths and injuries arising out of motor vehicle and motor cycle accidents in Tasmania could be significantly reduced by incrementally adopting the following measures:

Rumble strips

1. Install central rumble strips on two-way roads.
2. Install side rumble strips on all roads.

Barriers

3. Where practicable, instead of rumble strips, install central barriers on two-way roads with spaces where appropriate for pedestrians or turning vehicles.
4. Where practicable, instead of rumble strips, install barriers on the sides of roads with spaces where appropriate for pedestrians or turning vehicles.

Speed humps

5. Install speed humps at intersections and junctions not controlled by traffic lights.

Speed limit signage

6. Install many more speed limit signs to enable drivers to be aware of applicable limits more easily than at present.
5. Rationalise the multiplicity of varying speed limits.

Breath testing machines

6. Require free breath testing machines to be available at all establishments providing alcohol to the public.

Traffic Court cases

7. Make special arrangements for court cases to be heard very soon after the date of alleged traffic offences in a designated Traffic Court.

Impounding motor vehicles

8. Give Police the power to impound motor vehicles or motor cycles immediately when two officers witness dangerous driving with provision for prompt review if requested.
9. Depending on the gravity of the offence, impound or confiscate motor vehicles or motor cycles for serious offences.
10. Impound or confiscate motor vehicles or motor cycles to obtain payment of unpaid traffic fines.

Safer motor vehicles

11. Adopt fiscal or other measures to encourage the use of new motor vehicles or motor cycles which have enhanced safety features.

Kind regards

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