

Andrew Biner

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Dear Messrs & Mses,

I am writing today to make a submission to the Tasmanian Legislative Council Select Committee enquiry into road safety.

I have been an extensive road user over many years. I have always had a keen interest in vehicles, road usage and design, and driver behaviours. At one stage I was commuting 260Km per day for over a year. I have a Heavy vehicle licence, motorcycle licence, pilots licence (general aviation, GA), boat licence and others.

It has been my observation that for every large, significant incident or accident on our roads there are many dozens of near misses that occur daily. Little will ever be achieved by investigating any single large accident. So often we have seen speed limits abruptly changed after a single accident involving a fatality. This has never and will never achieve anything, other than inconveniencing all of the other 'good' drivers that make use of our roads. Our road toll clearly supports this fact.

The mathematics of probability would tell us that if we have enough near misses on our roads that eventually a large, significant event will occur. We need to dramatically reduce the number of near miss events on our roads.

When I was commuting a large distance from my place of residence to work every day, I witnessed many near misses between vehicles. Many of these could have become large accidents resulting in fatalities. Accident avoidance resulted only by attentive drivers that reacted appropriately.

These near misses were caused by risk taking, caused by impatience, caused by frustration, caused by the inappropriate behaviours of others.

Ignorant, selfish, inconsiderate, and illegal behaviours (eg speeding up in an overtaking lane when other cars are trying to pass) of road users cause large numbers of near misses and lead to accidents.

These behaviours are not currently being policed, or controlled in any way. The opportunity to educate drivers of inappropriate behaviour is constantly being missed.

A police car that looks like a licorice allsort and can be seen from 1Km away is pointless on our roads. All it does is create a 'bubble' of good behaviour within its immediate vicinity. I am sure this results in good driver behaviour statistics being reported. The rest of us continue to have to deal with inappropriate behaviour elsewhere.

SUGGESTION 1

All police traffic vehicles on patrol should be unmarked. Then and only then will police get some understanding of the bad behaviours occurring on our roads.

Tasmania Police would need to be in agreement with the notion of educating the drivers exhibiting these bad behaviours and where necessary issuing infringement notices.

In the last 12 to 18 months I have personally witnessed two occasions where Tasmania Police vehicles patrolling roads have been 'baiting' road users. This mode of policing is ineffective and does nothing to reduce our road toll or educate road users. Tasmania Police also needs to step up its behaviours.

Speed is not a cause of accidents. This statement is made with the caveat that I am not including vehicles driven at speeds grossly in excess of the posted speed limit.

A vehicle driven at 130Km/h (on a highway) is not going to guarantee an accident will follow.

Anyone naïve enough to suggest it would need to spend some time driving on the roads of Europe. I have been driving on roads in Switzerland with cars identical to ours, on roads identical to ours, and there were no accidents spontaneously occurring all over the autobahn despite vehicles typically being driven between 120 and 130Km/h. The difference is driver behaviour and attitude.

With reference to the caveat above, whilst 130Km/h may not in itself be relevant, a driver doing 200Km/h definitely is. When a driver chooses to drive at 200Km/h and crashes, I believe this accident should not be considered at all when trying to reduce the road toll.

It is irrelevant.

When a driver (young or old) chooses to do something that is totally against all advice, laws, all commonsense, etc, and the outcome is bad, nothing can be done to control this. It is Darwinism at its best. Often when this does happen, the knee-jerk reaction is to reduce a speed limit, or put up a new barrier, a new traffic flow control, all pointless and an inconvenience to the rest of the law abiding drivers. You can not control gross stupidity with barriers or speed limits.

SUGGESTION 2

Consequences.

If someone chooses to drive a vehicle in such a manner that it causes a significant accident with associated loss of life, or the causing of significant disability, that driver should suffer severe consequences.

Our penalties are ridiculously ineffective. The penalties for gross wrong doing should be huge. Fines of many thousands of dollars, not hundreds. If the fines can not be paid then the licence should be cancelled, for a very long time. Drivers would then think twice before engaging in risky behaviour.

At the moment there is no significant consequence to bad behaviour, bad decisions, or bad choices, that result in a death or significant disability. Tim Ellis is a perfect example and I can provide other examples of similar tragedies that have occurred in our state, yet those involved are still driving vehicles! Why?.

It would be a substantial deterrent to gross bad behaviour, if vehicle drivers knew that their actions might result in them never being able to drive a car or truck on our roads ever again.

I believe if you cause a death, the only thing you should ever be able to drive on our roads is a small scooter or postmans bike. Something very small, with no privileges to carry passengers. That way you can never do harm to the community (highly unlikely at least), and you can still get to work.

That would make people think. A significant deterrent knowing that a bad decision might result in never being able to drive a car again.

In Europe the fines are huge and always have been.

I have other suggestions, however the below would be my top two.

- Unmarked police cars patrolling our roads.
- Much much larger penalties, AND the inclusion of a new law that prohibits driving of a motor vehicle (excluding small scooter) if you cause death / disability – forever. A new significant deterrent.

Other thoughts include:

- A database (via internet), or phone hotline where dangerous driving can be reported (report initiator to provide their identity). Three (or some other decision point) appearances of the same offending registration number results in police follow up.
- Police patrol cars to have UHF CB radios installed and have them monitor the road channel (CH40). Trucks (usually always have UHF CB radio installed), and other road users could potentially report directly to a police car in the vicinity. Many truck drivers out there that could become a valuable source of information. I have a dramatic example of where the above would have been of great benefit – a long explanation however. Happy to expand.
- A database (via internet) where dash cam footage could be easily uploaded showing bad behaviour, dangerous driving, etc. Police could follow up as appropriate.

I can be contacted on [REDACTED] if you require any further information.

Yours Sincerely

Andrew Biner

(Signed)