



The Hon. Duncan Gay MLC
Minister for Roads, Maritime and Freight
Leader of the Government
Legislative Council

BN16/00381

Mr Greg Aplin MP
Chair
Joint Standing Committee on Road Safety (Staysafe)
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Aplin

I refer to the Joint Standing Committee on Road Safety's (Staysafe) report *Inquiry into Motorcycle Safety in NSW*, which was published on 19 November 2015.

I welcome the focus and guidance provided by Staysafe on this important area of road safety.

Please find attached the NSW Government's position on each of the 22 recommendations, which has been prepared by Transport for NSW in consultation with Roads and Maritime Services, the Department of Justice, the NSW Police Force, the State Insurance Regulatory Authority and the Office of Local Government. The response was also circulated to other Government clusters including Treasury, Department of Premier and Cabinet and Department of Finance, Services and Innovation. Their feedback has also been incorporated.

Transport for NSW will provide further progress reports and implementation details as requested.

If you have any further questions, Mr Bernard Carlon, Executive Director of the Centre for Road Safety, would be pleased to take your call on (02) 8265 7510.

Yours sincerely

Duncan Gay MLC 20-5-16

Staysafe Report into Motorcycle Safety in NSW – NSW Government Response to Recommendations

	Staysafe Recommendation	Government Response
1	<p>The Committee recommends that, in order to further enhance and continuously improve the robustness of the evidence base for the development of future motorcycle safety policies and programs:</p> <ol style="list-style-type: none"> 1. Transport for NSW includes 'ongoing efforts to improve the quality of crash data' as an action in its next three year motorcycle safety action plan, 2. NSW Police enhances its crash data collection methods; and 3. Transport for NSW, Road and Maritime Services (RMS) and the NSW Police evaluate the potential benefits of expanding the RMS Crash Mapping Project in order to enhance the understanding of causes of motorcycle crashes. 	<p>1. Supported Ongoing improvement of crash data will be a key focus of the next three year action plan for the Motorcycle Safety Strategy. In particular, the recent availability of serious injury crash data for motorcycle related crashes will enable further analysis to better inform policy and program directions. Hospital and crash data linkage is providing better insight into injury severity, nature and duration for motorcycle riders involved in crashes.</p> <p>2. Supported Transport for NSW and NSW Police Force have worked closely to enhance crash data collection methods and will continue to explore enhancements that will assist the development of future motorcycle safety policies and programs.</p> <p>3. Supported The NSW Government supports exploring the feasibility of expanding the Roads and Maritime Crash Mapping Project currently undertaken to enhance the understanding of causes of motorcycle crashes across the State.</p>
2	<p>The Committee recommends that Transport for NSW commissions research into the role of alcohol and drugs in motorcycle crashes and strategies for deterring this risk-taking behaviour.</p>	<p>Supported Transport for NSW regularly commissions attitudinal research on motorcycle safety and will consider this issue in the next study.</p>
3	<p>The Committee recommends that Transport for NSW distributes more widely information on recognising and adequately responding to early signs of rider fatigue, as presented on its <i>Ride to Live</i> website.</p>	<p>Supported Transport for NSW already promotes the early signs of rider fatigue on the Ride to Live website and during Motorcycle Awareness Week. Transport for NSW will continue to promote these messages on the Ride to Live website, and will continue to support Motorcycle Awareness Week and other stakeholder events to further communicate these safety messages.</p>

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4	<p>The Committee recommends that Transport for NSW and Road and Maritime Services work with local councils in developing a system to ensure that the <i>Making roads more motorcycle friendly – a Guide to Road Maintenance and Design</i> is implemented consistently across the State.</p>	<p>Supported Transport for NSW and Roads and Maritime Services will work with local councils to ensure awareness of the <i>Making roads more motorcycle friendly – guide to Road Maintenance and Design</i>, and to further promote its application on roads within their jurisdiction.</p>
5	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services, in consultation with Local Government NSW, create and implement a robust and independent quality assurance and auditing process of all road designs to ensure that established best practice standards are implemented.</p>	<p>Supported The existing road safety audit process allows for road safety risks to be identified and addressed on all new roads and upgraded works. Roads and Maritime Services and Transport for NSW have a register of accredited road safety auditors that can be engaged to undertake road safety audits.</p> <p>Transport for NSW will work with Roads and Maritime Services to review the relevant technical directions to ensure that motorcycle specific road safety risks are embedded into all Transport for NSW Road Safety Auditing documentation and processes. Transport for NSW will continue to work with Roads and Maritime Services and Local Government NSW to implement these processes.</p> <p>Transport for NSW will also explore use of the Australian Road Assessment Program (AusRAP) risk assessment tool for identifying motorcycle specific risk on the NSW road network. AusRAP provides a star rating for a section of road (one star being least safe and five star being safest) and a suggested investment program based on treatment options known to reduce crashes.</p>
6	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services devise and implement policies and programs, based on the findings on underarm barrier systems, to make existing barriers less harmful in causing injury to motorcyclists.</p>	<p>Supported Transport for NSW has completed crash testing research in relation to underrun barrier systems. Road and Maritime Services approved two motorcycle protection barrier systems for use on motorcycle safety improvement projects in NSW: the HIASA Motorcyclist Protection Device and the INGAL Motorcyclist Protection Rail.</p> <p>The NSW Safer Roads Program will continue to fund safety improvement</p>

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		works that will reduce motorcycle fatalities and serious injuries, whilst maintaining safety standards for other road users. The approved motorcycle protection barrier systems are examples of treatments funded under this program.
7	The Committee recommends that Transport for NSW, Roads and Maritime Services and Local Government NSW develop a practical partnership strategy, which should include a schedule of regular meetings to resolve any road safety management issues, share innovative developments and develop solutions for safer roads across NSW.	<p>Supported</p> <p>A partnership approach has already been developed for motorcycle safety issues. Transport for NSW chairs the Motorcycle Implementation Working Group, which has representatives from Roads and Maritime Services, Local Government NSW and the motorcycling community. The group meets regularly to provide input into the implementation of the Motorcycle Safety Strategy (including the next three year action plan), raise road safety issues, and share innovative developments and solutions to improve road safety for motorcyclists.</p> <p>Roads and Maritime Services actively engage local government and regularly meet to discuss road safety management issues. Traffic committees have been established across the State as a formal mechanism to discuss and agree on solutions to address road safety issues at the local and regional level.</p>
8	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services:</p> <ol style="list-style-type: none"> 1. enhance their road environment incident and hazard reporting system to ensure that it is an integrated, user-friendly and responsive system, which uses the latest technology; and 2. Investigate if the Shellharbour Council's Report a Road Hazard mobile phone application could be used as a model for the development of an improved hazard reporting system in NSW. 	<p>1. Supported</p> <p>The Transport Management Centre and Roads and Maritime Services currently use a range of channels to keep customers up-to-date with traffic and transport conditions that may affect their journeys, and will continue to enhance these systems for customers.</p> <p>Channels include radio crosses and interviews, advertising, social media, mobile apps, Variable Message Signs, the 24-hour 132 701 Traffic Information Line, and the Live traffic and Transport info websites. Road users can also report traffic incidents or road hazards 24 hours a day by calling the Incident Reporting Line on 131 700. For non-urgent issues, Roads and Maritime Services provide feedback to customers who inquire about issues regarding the road network.</p>

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		<p>2. Supported Transport for NSW and Roads and Maritime Services will investigate the use of the Shellharbour Council Report on a Road Hazard mobile phone application as a model for development of an improved hazard reporting system in NSW.</p>
9	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services consider including experienced motorcyclist expertise and/or use an instrumented motorcycle in road safety audits.</p>	<p>Supported The current road safety audit process already uses motorcycling experts, with Roads and Maritime Services co-ordinating with motorcycle associations to include one of their expert riders in the audit team when undertaking a motorcycle road safety audit.</p> <p>Transport for NSW will also explore the use of an instrumented motorcycle in road safety audits.</p>

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10	<p>The Committee recommends that Transport for NSW and Road and Maritime Services introduce a number of strategies to enhance driver skills and behaviour, including:</p> <ol style="list-style-type: none"> 1. Revising the driver syllabus to incorporate training such as observation skills and abilities to recognise vulnerable road users such as motorcyclists; and 2. Introducing an element of qualified driver training as part of the initial licensing and training of drivers, potentially by mandating the 'Safer Drivers Course' and the related two-hour in-vehicle coaching session. 	<p>1. Supported Transport for NSW and Roads and Maritime Services are working closely to review the current Driver Knowledge Test which will involve a review and update of the driver syllabus. The review will include current content around awareness of motorcyclists and other vulnerable road users.</p> <p>As part of the review of the Driver Knowledge Test, the Hazard Perception Test will be re-designed. Austroads is leading a separate project to develop a national best practice model for the Hazard Perception Test. Transport for NSW is supporting this project and the results will be considered in the re-design of the test in NSW.</p> <p>2. Supported in principle An evaluation of the Safer Drivers Course is currently underway, which will assess its effectiveness and reach, and inform further policy development about the future of the course. The NSW Government currently provides a subsidy for the course as well as free courses for the disadvantaged community to encourage participation and take up.</p>
11	<p>The Committee recommends that Transport for NSW and the Centre for Road Safety consider implementing a second set of advertisements to raise awareness of the new lane filtering laws.</p>	<p>Supported Transport for NSW has already implemented new motorcycle lane filtering digital advertisements, which were run during February and March 2016. This forms part of the evolution of the 'Ride to Live' campaign to continue to address motorcycle safety issues. These new advertisements will also be promoted during the annual Road Rules Awareness Week.</p>
12	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services examine options for providing long-term funding of the Local Government Road Safety Program.</p>	<p>Supported The Local Government Road Safety Program is a well established road safety program and will continue to be funded under the Community Road Safety Fund.</p>

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13	<p>The Committee recommends that the State Insurance Regulatory Authority (SIRA) works with the insurance industry to examine insurance price signals, such as rebates on insurance, to increase the usage of protective clothing by motorcyclists and scooter riders.</p>	<p>Not Supported</p> <p>The State Insurance Regulatory Authority states that, while increased use of protective clothing by motorcyclists and scooter riders is supported, Compulsory Third Party (CTP) motor vehicle insurers have indicated that there would be difficulties in the application and enforcement of a protective clothing policy for CTP insurance. This is because CTP insurance attaches to a vehicle's registration rather than to the individual driver as the CTP policy covers any rider of an insured motorcycle or scooter, rather than only the owner/ policy holder as an individual. It would therefore be difficult for CTP insurers to be satisfied that all potential riders of the insured motorcycle wear adequate protective clothing at all times.</p>
14	<p>The Committee recommends that Transport for NSW works with experts, the rider community and the other relevant organisations involved in expediting the development of a star rating system, similar to the ANCAP model for cars, for protective clothing for motorcyclists.</p>	<p>Supported</p> <p>Transport for NSW is leading a national project to develop a consumer rating program for motorcycle protective clothing, similar to programs such as ANCAP. The project will rate clothing based on the level of protection it provides riders and its comfort under a range of conditions. The intention of the project is to promote awareness of safer motorcycle clothing among motorcyclists and encourage manufacturers to provide a wider range of more effective protective clothing suitable for Australian conditions. The project includes input from other Australian jurisdictions and key motorcycle stakeholders.</p> <p>TfNSW has also funded a project led by Neuroscience Research Australia (NeuRA) that investigates the effectiveness of protective clothing in crashes.</p>
15	<p>The Committee recommends that Transport for NSW works with experts to</p> <ol style="list-style-type: none"> 1. expand the definition of an 'approved motorbike helmet' and ensure that those helmets can not only be legally used but also legally supplied in NSW, and 	<p>1. Supported</p> <p>Transport for NSW has already implemented this recommendation. On 11 December 2015 the Minister for Roads Maritime and Freight approved the expansion of the NSW Road Rules definition of 'approved motorbike helmet' to include the standard developed under UNECE Regulation 22.05.</p>

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	<p>2. ensure that the 'approved motorbike helmet' bear a compliance marking to make it readily identifiable and to enable enforcement of the correct helmets by the Police.</p>	<p>2. Supported The Minister for Roads, Maritime and Freight approved that the current UNECE marking for helmets manufactured in accordance with UNECE 22.05 be used to validate the helmet's compliance with that standard. Transport for NSW is preparing an advisory document that will explain the compliance requirements for helmets manufactured to UNECE 22.05 and how these can be readily identified by consumers at the point of sale and by NSW Police Force for enforcement purposes.</p>
16	<p>The Committee recommends that as part of its next Three Year Action Plan, Transport for NSW examines the effectiveness of mandatory use of daylight headlights and high-visibility clothing in Victoria and France.</p>	<p>Supported Transport for NSW will examine the effectiveness of mandatory use of daylight headlights and high-visibility clothing and other alternatives in the next three-year action plan for the Motorcycle Safety Strategy.</p> <p>Transport for NSW will also examine other effective lighting technologies such as daytime running lamps (DRLs), which are already being fitted to a number of recent motorcycle models, and will investigate means to increase the take-up of DRLs. Additionally, the 'Ride to Live' campaign will continue to provide advice on how to improve visibility through lane positioning of the motorcycle and other safe rider behaviours.</p>
17	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services review the NSW Graduated Licensing Scheme for motorcyclists to take account of recent developments in other jurisdictions.</p>	<p>Supported Transport for NSW will review the NSW Motorcycle Graduated Licensing Scheme as part of the next three-year action plan for the Motorcycle Safety Strategy, and will take into consideration similar work being undertaken in Victoria.</p> <p>Roads and Maritime Services will work closely with Transport for NSW on the review of the NSW Graduated Licensing Scheme.</p>

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18	<p>The Committee recommends that Transport for NSW addresses the issue of unlicensed riding in NSW by:</p> <ol style="list-style-type: none"> 1. Establishing a profile of unlicensed riders, possibly via amnesty of unlicensed riders; and 2. Devising a strategy, based on that profile, to bring the unlicensed riders into the licensing system and to curb the occurrence of unlicensed riding. 	<p>Supported</p> <p>A profile of unlicensed riders will be established through the analysis of crash and offence data as well as qualitative research.</p> <p>The outcomes of the analysis will inform suitable countermeasures to reduce unlicensed riding.</p>
19	<p>The Committee recommends that Transport for NSW and Roads and Maritime Services work with training providers, riders and motorcycle groups in developing and promoting a returning riders training course to ensure that all riders have most up-to-date knowledge and competencies required for riding in NSW.</p>	<p>Supported in principle</p> <p>Transport for NSW is currently reviewing existing post-licensing courses that target key competencies necessary for safe motorcycle riding rather than developing a new returning rider course. Transport for NSW will work with Roads and Maritime Services and training providers to better promote appropriate courses identified from the review among infrequent riders, such as returning riders.</p>
20	<p>The Committee recommends that the State Insurance Regulatory Authority works with the insurance industry in developing a policy that would provide rebates on the NSW Compulsory Third Party insurance for mature aged riders who undertake a refresher post licensing course.</p>	<p>Supported in principle</p> <p>The State Insurance Regulatory Authority notes that Transport for NSW is currently undertaking research into the identification and promotion of appropriate post-licensing courses for motorcyclist safety. Accordingly, the State Insurance Regulatory Authority will give further consideration to options for providing discounted CTP premiums for mature riders who undertake a refresher post licensing course once the outcomes of the research are known.</p> <p>The State Insurance Regulatory Authority note that, while the importance of continual skill improvement in all riders is recognised and supported, evidence would be required, over time, for CTP insurers to determine whether or not a refresher post licensing course influences the propensity or severity of an accident and represents a clear reduction in risk.</p>
21	<p>The Committee recommends that Roads and Maritime Services introduces an adequate support system for riding</p>	<p>Supported</p> <p>Roads and Maritime Services is currently reviewing and updating training</p>

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	instructors, trainers and contractors; and conducts regular compliance audits of and provides on-going professional development to motorcycle riding instructors.	materials and support services available to trainers and participants. Roads and Maritime Services maintains a program of auditing training providers. The processes governing the commencement and conduct of these audits are currently under review. Transport for NSW will work with Roads and Maritime Services to consider outcomes of the review.
22	The Committee recommends that Road and Maritime Services works with training providers to ensure adequate availability and accessibility of rider training courses in metropolitan, regional and rural NSW.	<p>Supported</p> <p>Roads and Maritime Services will undertake a review to ensure availability of Rider Training and Testing Services to customers across NSW. Based on findings from the review, Transport for NSW will work with Roads and Maritime Services to consider options for improving availability and accessibility in metropolitan, regional and rural NSW.</p> <p>The current Motorcycle Rider Training Scheme will be included as part of a broader review of the NSW Graduated Licensing Scheme for motorcycles.</p>