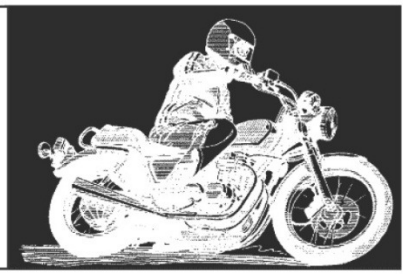
MOTORCYCLE COUNCIL OF NEW SOUTH WALES INCORPORATED



Motorcycle Council of NSW
PO Box 517
Parramatta
NSW 2124
[redacted]
[redacted]

Staysafe Committee of Enquiry

Inquiry into speed zoning and its impact on the Demerit points scheme.
MCC of NSW responses to supplementary questions

Dear Mr Nordin,
Thank you for the opportunity to furnish the committee with supplementary information relating to the appearance of the Motorcycle Council of NSW before the recent Staysafe Committee. We hope the following information assists in your deliberations and sheds further light on the subject.
Should you have any further enquiries feel free to contact us at anytime.
Regards,

[redacted]

Christopher J Burns
1st July 2014
MCC of NSW Spokesman

As per correspondence received 17 June 2014.

ADDITIONAL QUESTIONS

1. The submission provides the examples of the Old Pacific Highway and Picton Road, where a local interest group successfully lobbied for the lowering of speed limits along a stretch of road. It notes that this may have been due to their lobbying efforts and a perceived bias towards motorcyclists. In addition, since the road has been upgraded, no change has been made to restore the pre-existing speed limit.
   - Has the MCC tried to bring this case to the attention of the NSW Government and, in light of these improved conditions, have the zone revised?
   - Do you think that the Council's experience suggests that an overly conservative approach is taken to revising speed limits?
   - Can you expand on the Council's advocacy of day/night speed zones? Is there any data or research that you are aware of that would support this?
   - Should variable speed zones be considered in the same way as the day/night speed zones, as advocated?

2. Your submission suggests that the Government is too focused on speed enforcement and suggests that this should be extended to cover other rules.
   - Is there too much of a focus on speeding and, if so, are there areas of traffic management that warrant comparatively more attention?

1. *The submission provides examples of the old Pacific Hwy and Picton Road, where a local interest group successfully lobbied for the lowering of speed limits along a stretch of road. It notes that this may have been due to their lobbying efforts and a perceived bias towards motorcyclists. In addition, since the road has been upgraded, no change has been made to restore the pre-existing speed limit.*
   - *Has the MCC tried to bring this case to the attention of the NSW Government and in light of these improved conditions, have the zone revised?*

Old Pacific Highway;

The Motorcycle Council of NSW has lobbied the RTA Central Coast Region several times to conduct a review of the speed limits on the Old Pacific Highway (OPH). While the MCC has been provided with some crash data that would suggest the number of motorcycle crash as decreased since the speed limit was dropped to 60 kph, it is the MCC's view that this reduction is more the result of reduced numbers of motorcyclists using the Old Pacific Highway. It has in effect pushed the problem elsewhere. It is the MCC's view that it is better to address the issue where it exists rather than just push the problem to another region.

The MCC has attempted to have the Old Pacific Highway Motorcycle Safety Group reformed. However, other stakeholders have shown little interest in being involved, though the MCC did meet with the Highway Patrol and while they showed some initial interest, it didn't result in a the reformation of the safety group. The Old Pacific Highway Motorcycle Safety Group was modelled on the very successful Snowy Region Motorcycle Safety Group which consisted of the local road safety officer, the local police sergeant, representatives from the RTA South Western Region, Snowy Hydro, National Parks and Wildlife, VicPol as well as motorcyclists. This group introduced a number of successful countermeasures including educational material in the form of brochures on how to maintain safety when riding in groups. These brochures were subsequently adapted by the RTA to be used state wide. The information developed for these brochures is still relevant today.

The MCC has met with the Moonie Moonie and Cherio Point Progress Association to discuss motorcycle safety issues on the OPH. The progress association's main concerns related to speeds through the village of Moonie Moonie and around the intersection to Cherio Point. Concern was expressed regarding being able to safely enter and leave driveways and side roads which had insufficient sight distance to see approaching motorcycles. The MCC attempted to involve the Progress Association and the local road safety officer in having a 'meet & greet' days so they could explain their concerns directly to riders but our offer wasn't taken up. The MCC also suggested that perhaps gateway signage advising riders they were entering the villages of Moonie Moonie and Cherio Point and there were concealed driveways and poor visibility at intersections.

It is the MCC's view that the concerns of the progress association could possibly be address by reducing the speed through Moonie Moonie and around the intersection to Cherio Point with gateway signage to explain the need for this but return the speed limit on the rest of the OPH to 80 kph. ***Brian Wood***

Picton Road;

The 60 kph limit is not in accordance with the RTA/RMS guidelines for setting speed limits as the minimum speed limit for roads in non build-up rural areas is 80kph. The reduction of the speed on the OPH appears to have been a knee jerk reaction to a safety concern that could have been dealt with using other more appropriate methods.

The RMS has indicated in its submissions to this inquiry that the setting of speed limits and its speed zoning is a "science". I disagree. The Picton Road example I spoke of is a typical situation where a 100kph speed zone operated for a number of years when unfortunately that stretch of road experienced an abnormal number of fatalities within a short period of time. Media releases in the local newspaper that provided basic details of the crashes went on to state, somewhat surprisingly (given the road authority attitude that speeding is the biggest killer on our roads, coupled with the fashion in which 'speed' is implicated as a causal factor by police and the Road & Maritime Service – RMS), that speed was NOT a factor in some of the fatal crashes. Subsequent Coronial investigations into the deaths indicated that the thing most needed that would have prevented the road deaths was the installation of appropriate road barriers. Now in time, the 28km stretch of Picton Road did indeed get a few kilometres of barriers fitted, but not before the speed limit was reduce from 100kph to 90kph. Further, a speed camera and turning bays for the local Highway Patrol were also fitted to the road at considerable expense, money which could have been spent on extensions to the road barriers. From my knowledge, there was not shred of evidence that pointed to a 10kph speed differential as being causal for any of the crashes and for a blanket reduction of the speed limit to occur in a scientific fashion, there must be scientific evidence to show that travelling at 100kph instead of 90kph on certain sections of the Picton Road is dangerous and likely to cause instability for vehicles travelling at 100kph. There was/is no such evidence, yet the drop in speed limit was done. This is a typical example of this type of knee-jerk response in speed limits when sections of roads suddenly experience a jump in crashes with serious consequences without any real understanding of the real causal factors in play at the time. There is no science involved in such decision making. All of a sudden, the tens of thousands of other motorists who had managed in the past to safely use that stretch of road with a 100kph speed limit, know suddenly have to slow down and travel at 90kph because this supposed science has come into play. The absurdity of such a

situation speaks for itself. I have seen this same mentality applied to many NSW country roads and highways, with the Newell Highway being another example where such 'science' was also employed but some time later, fortunately good sense and true evidence prevailed and most of the Newell Highway has been returned to a reasonable speed limit.

The speed limit on most of the Picton Road has been restored to 100kph but the situation of the speed camera and the limited extent of barrier development remains. ***Peter Ivanoff***

- *Can you expand on the Council's advocacy of day/night speed zones? Is there any data or research that you are aware of that would support this?*

Arguably, the greatest single factor to be considered with respect to safe speed zoning on any stretch of road is the level of visibility or actual available view of the road environment that is available as a constant yet variable consideration. In that regard, there is a significant difference in terms of what can be discerned for a road environment during daylight hours as opposed to night and so therefore the application of simple logic within a road safety context would suggest that, at least at face value, there should be a variation in speed limits from day and night. It is for much the same reason of visual necessity that the use of lighting is required during night driving and the extent of the dependency upon a vehicle's headlight power is normally dependent upon existing lighting levels on/within a particular road environment. There can be little if any argument around the concept that in order for a driver to make safe choices about their driving behaviour within a particular road environment that is being encountered, the better they can see that road environment, the better the opportunity for better driver choices.

Now without getting into the science and technicality of available measured power of varying combinations of headlight types as well as street lighting in terms of providing levels of visual acuity within a particular road environment, we already know from available crash statistics (such as that provided annually by the RMS) that in 2012 for example, the hours between 6am and 6pm, accounted for 71% of all crashes in NSW. Now unfortunately the statistics don't provide a breakdown of exactly how many crashes happen at different time intervals on roads of varying speed limits so that any correlation might be established between day/night versus lower/higher speed limits and so any 'science' in determining a rationale for day/night speed zoning is immediately unlikely, beyond that which relates to speed and stopping distance and how far typical headlight beams on modern vehicles will provide illumination at distances. On that score a quick and easy consideration example can be made as follows:

Let's take a vehicle travelling at 100kph on a straight stretch of highway. At that speed, based upon average reaction time (ie 1.2 sec), a vehicle will be travelling at around 28 metres per second and so for a driver to see and react (brake) to a hazard/obstacle as it might suddenly appear at night, the reaction process involves the vehicles travelling for some 34 metres before the vehicle even begins to slow. Then on a dry even road at 100kph with maximum braking force applied (ie ideally just prior to lock-up or the point at which an ABS will activate), it will take anywhere between a further 40 to 60 metres to come to a stop (depending upon the breaking efficiency of the vehicle involved – this applies to cars and for heavy type vehicles, the distance will be even longer). So typically in an emergency breaking situation from 100kph, a total stopping distance will easily come to more than 80 metres and that distance is well beyond the effective headlight beam of the average vehicle's

standard beam strength. The figures used here are as suggested by Hardie Ferodo Pty Ltd. in their Braking Distance – Retardation chart.

Now the statistics clearly show that most crashes happen during daylight hours and it's not rocket science to appreciate that the reason is simply due to volume of traffic flow and further that 64% of all crashes happen on metropolitan roads where speed limits are typically slower than those on rural roads but notwithstanding that, despite the difficulties with night-time vision, current speed limits are NOT showing and adverse crash risk during night-time hours and so if that is the case, then there is clear argument that with significantly better visual opportunity provided by daylight hours, speed limits on well designed roadways such as typical highways and freeways should be able to be increased from the current limits that also apply to night use. *Peter Ivanoff.*

- *Should variable speed zones be considered in the same way as the day/night speed zones, as advocated?*

Generally speaking, vehicle crashes are a quite a rare occurrence on our roads and that provides evidence to the fact that the vast majority of motorists do a pretty good job of assessing all aspects of a road environment that confronts them upon any road journey. Having said that, the road environment assessment process can always be enhanced by the provision of sound and well placed regulatory and advisory information within the road environment. Again in having said that, any such advisory information tends to be of less value when it is overly conservative in nature and/or not realistically representative of the hazard that it is designed to inform on. Therein lies the consideration aspect of any varying speed advice/signage or indeed ANY other form of road environment advice/signage designed to guide and/or direct motorists. Motorists will always make judgements about any such road environment advice encountered and how it relevant/representative it actually was of any need to modify their driving behaviour to ensure a safe progression through and past any advised hazard. Unfortunately as mentioned before, our roads tend to display quite conservative road environment advice, particularly with respect to travel speed and this can negatively impact upon levels of motorists compliance and adherence to the road environment advice. For example, the usual speed advisory signage of a speed being displayed in black numbers on a yellow background and being stated as the maximum safe speed at which the approaching hazard should be negotiated, is almost always quite understated for applicability to a modern car and so varying degrees of adherence from motorists driving behaviour must be expected.

When it comes to variable speed zoning, the same problem can be expected. Things such as skid resistance and cornering forces are significantly impacted, for example, when encountering a wet road as opposed to a dry road and this can then be even further impacted and exacerbated by variances in vehicle condition (eg tyre and suspension condition), yet NSW has examples where a variation of only 10kph is used from a dry speed of 100kph to a wet road speed of 90kph. One would question the 'science' behind this sort of variable speed zoning. If 90kph is considered a safe speed on wet roads, then why only a 10kph (amounting to a 10% speed differential) difference for the dry speed limit. Actual experience has shown the authors of this submission that there is a far greater disparity between braking and cornering grip efficiency on wet and dry roads than just a 10% reduction in efficiency. This casts great doubt on the voracity of RMS claims that the setting of speed limits and speed zoning is a scientific process/undertaking. *Peter Ivanoff*

2. *Your submission suggests that the Government is too focussed on speed enforcement and suggests that this should be extended to cover other rules.*
    - *Is there too much of a focus on speeding and if so, are there areas of traffic management that warrant comparatively more attention?*

We believe that our submission clearly highlights the fundamentally flawed approach and use of manipulated data, both by road authorities and Government funded research findings, in suggesting that the issue of exceeding speed limits and speeding generally is the biggest single cause of crashes on our roads, particularly when there is overwhelming international evidence (as is presented in our submission) that contradicts Australian road authority claims about speed. At the time of writing this submission to the questions asked by the Parliamentary Committee, the Northern Territory has had a number of months now of the re-introduction of unrestricted speed limits on some sections of its Stuart and Barkly Highways. This re-introduction was prefaced with howls of resentment by road authorities and other bodies such as the Royal Australasian College of Surgeons that carnage would surely follow with the re-introduction of unrestricted speed limits. It hasn't happened!

We need simply to look at our own actual road toll results. During the appearance of the authors of this submission at the Parliamentary Inquiry, the Parliamentary Committee asked NSWMCC representative, Peter Ivanoff, to provide a reference for the claim made in the paper by Ivanoff (as part of our submission) that NSW 110kph roads accounted for only 3% of road trauma but yet these roads accounted for the vast majority of speed enforcement. Unfortunately, efforts to trace back RTA statistics from that time have proven unsuccessful however, in the current and latest release of RMS road toll statistics from 2012, the situation has changed little. The 2012 NSW road toll statistics show that with respect to fatalities, our 110kph roads represented just 7.7% of our fatal crashes as opposed to 46% happening on other rural roads with lower speed limits. With respect to injury crashes, just 5.4% happened on our 110kph roads but 27% happened on other rural roads, with the remainder – ie over 66% happening on metropolitan roads with speed limits typically below 90kph! It remains the experience as asserted by Ivanoff, that the majority of rural speed enforcement, where 110kph road exist, happens on those 110kph rural roads where so little of the actual road toll exists. Further, Ivanoff asserts from his experience that where the 110kph roads exists, they are often surrounded by a rural road network of 100kph roads that hardly ever see speed enforcement when compared to the 110kph roads – and that is simply due to the acquisition of target vehicles (ie ease of detecting vehicles exceeding the speed limit in 'favourable' numbers) from the traffic flow on the 110kph roads as compared to the flow on some 100kph roads.

Now here's the rub on this issue, if, as is claimed by road authorities that higher speeds ALWAYS equates to higher road tolls, then the difference in road tolls on our 110kph roads versus our 100 kph roads should be and should always have been, THE OTHER WAY AROUND. Further, this disparity is also testimony to the fact that well designed roads carrying higher speeds will always be safer than those roads with a lesser safety measure but have reduced speed limits. NSW is full of examples where undesirable road tolls continued for years, despite the best efforts of police enforcement – yet once road environment engineering improvements were completed, the road toll on those roads plummeted, all whilst higher speeds were possible. There is much to be learned from European

highways on that score and there is certainly no magic safety property about a speed limit of 110kph.

One of the most dangerous driving behaviours and unfortunately happening with alarming regularity, is the practice of vehicles, especially on rural roads but also on metropolitan roads to some extent, crossing over double unbroken lines (ie cutting corners whilst on the wrong side of the road). Unfortunately, this practice gets little attention because quite often due to road environment topography, an active police presence to detect and act on this driver behaviour is not feasible, so it continues without abatement and is often the cause of what at first appears to be single vehicle crashes. Meanwhile, somewhere on a 110kph freeway, we see police hiding behind trees and waiting to catch motorists exceeding 110kph speed limits on roads that were designed to handle speeds well in excess of 110kph. With respect to prudent road safety management, this situation is absurd. We continue to see the use of speed cameras that in the main, continue to catch those motorists who fall victim to the grouping caused by the failure to adopt 85 percentile speed consideration in the 'science' of speed zoning but yet we don't see one camera designed to detect and prosecute drivers who drive on the wrong side of double lines.

Stop Signs are another situation where drivers routinely flaunt the requirement to come to a complete stop and there have been many crashes that result from such road behaviour. The 66% of crashes happening on metropolitan roads happen mainly at intersections but also result from drivers wobbling around our city roads, failing to indicate, stay in their lanes, make U-turns wherever they like and many more offences. Yes, we see a number of combined speed/red light cameras at some intersections but unfortunately we have too much speed detection activity going on behind trees on 110kph highways instead of having a visible presence driving around and dealing with poor driver behaviour being manifested on our roads with alarming regularity that have 50, 60, 70 & 80kph speed zones. ***Peter Ivanoff***

FOI 09-277 Number and Face Value of Driving Offences specified by the Pedestrian Council by Offence Financial Year

Notes

1. Data as at 18-SEP-2009; data may change retrospectively as penalty notices progress through the fine lifecycle
2. Report contains all offence codes specified by the applicant relating to driving offences including those with no penalty notices issued; all other offences are omitted
3. Report is only as accurate as the information provided by the issuing authority

		2004-2005	2004-2005	2005-2006	2005-2006	2006-2007	2006-2007	2007-2008	2007-2008	2008-2009	2008-2009
	Defective Vehicle Offences	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**
8991	Use Class A vehicle with illegal number plate	2	156	73	21,900	42	12,936	42	13,356	89	28,836
8990	Use Class A vehicle with obscured/defaced/illegible number plate	9	702	1,321	396,300	1,445	445,060	1,561	496,398	1,517	491,508
8988	Use Class A vehicle without correctly fixed/displayed number plate	10	780	759	227,700	823	253,484	594	188,892	533	172,692
10153	Use Class B/C vehicle with illegal number plate	7	3,304	6	2,700	5	2,305	5	2,385	2	972
10152	Use Class B/C vehicle with obscured/defaced/illegible number plate	120	56,640	122	54,900	66	30,426	61	29,097	61	29,646
10150	Use Class B/C vehicle without correctly fixed/displayed number plate	72	33,984	122	54,900	83	38,263	39	18,603	39	18,954

		2004-2005	2004-2005	2005-2006	2005-2006	2006-2007	2006-2007	2007-2008	2007-2008	2008-2009	2008-2009
	Blocked Intersections	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**
3008	Enter intersection when intersection/road beyond blocked	56	7,280	61	10,675	71	12,709	44	8,140	63	11,907
15045	Enter blocked childrens crossing/marked footcrossing/pedestrian crossing	-	-	-	-	-	-	-	-	-	-
15215	Enter blocked childrens crossing/marked footcrossing/pedestrian crossing - School Zone	-	-	-	-	-	-	-	-	-	-

		2004-2005	2004-2005	2005-2006	2005-2006	2006-2007	2006-2007	2007-2008	2007-2008	2008-2009	2008-2009
	Keeping Left of the centre of a road or the dividing line	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**
3011	Disobey keep left unless overtaking sign	178	23,140	263	59,175	257	59,367	224	53,312	255	61,965
3010	Drive in right lane on road with speed-limit over 80 km/h	842	109,460	833	187,425	900	207,900	1,026	244,188	932	226,476

		2004-2005	2004-2005	2005-2006	2005-2006	2006-2007	2006-2007	2007-2008	2007-2008	2008-2009	2008-2009
	Stop, Giveway Signs/Lines	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**
2903	Not stop at stop line (intersection with no lights)	2,212	515,396	2,397	539,325	2,803	647,493	3,223	767,074	4,217	1,024,731
13132	Not stop at stop line (intersection with no lights) - School Zone	-	-	-	-	-	-	46	14,628	38	12,312
1459	Not give way to vehicle/pedestrian (stop sign)	464	108,112	642	144,450	624	144,144	593	141,134	546	132,678
13135	Not give way to vehicle/pedestrian (stop sign) - School Zone	-	-	-	-	1	308	17	5,406	3	972
2905	Not stop at/before stop line/stop sign	4,983	1,161,039	5,104	1,148,400	4,655	1,075,305	4,472	1,064,336	5,807	1,411,101
13134	Not stop at/before stop line/stop sign - School Zone	-	-	-	-	1	308	72	22,896	174	56,376
2939	Not give way to pedestrian in shared zone	5	650	1	300	4	1,232	2	636	1	324

		2004-2005	2004-2005	2005-2006	2005-2006	2006-2007	2006-2007	2007-2008	2007-2008	2008-2009	2008-2009
	Paths/Strips/Islands	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**	**Offences**	**$**
3206	Drive on path	78	10,140	81	18,225	85	19,635	91	21,658	108	26,244
13148	Drive on path - School Zone	-	-	-	-	-	-	-	-	1	324
3207	Driver not give way to user/animal on path	3	390	1	225	1	231	4	952	-	-
13149	Driver not give way to user/animal on path - SchoolZone	-	-	-	-	-	-	-	-	-	-
3208	Drive on nature strip	17	2,210	23	5,175	14	3,234	21	4,998	27	6,561
13150	Drive on nature strip - School Zone	-	-	-	-	-	-	-	-	-	-
3209	Driver not give way to user/animal on nature strip	-	-	-	-	1	231	-	-	-	-
13151	Driver not give way to user/animal on nature strip -School Zone	-	-	-	-	-	-	-	-	-	-

End of Document