

NON-REGISTERED MOTORISED VEHICLES

Organisation: Motorcycle Council of NSW Inc
Name: Mr Brian Wood
Position: Secretary
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Non-registered Motorised Vehicles Inquiry

Submission with particular reference to **Quads**

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MOTORCYCLE COUNCIL
OF NEW SOUTH WALES
INCORPORATED



To
Staysafe
Joint Standing Committee on Road Safety,
Parliament House,
Macquarie Street, Sydney

Motorcycle Council of NSW
PO Box 517 Parramatta, NSW 2124

Inquiry Terms of Reference

That the Committee inquires into and reports on the increasing use of non-registered motorised vehicles, including mobility scooters, electric bicycles, Segways and quad bikes on public roads, footpaths and public land and their impact on road safety, with particular reference to:

- a) The current status of non-registered motorised vehicles in road rules definitions and the extent of road safety problems related to their use;*
- b) The adequacy of data collection for injury and fatality rates arising from the use of non-registered motorised vehicles;*
- c) Vehicle standards requirements for non-registered motorised vehicles, including vehicle design, engine capacity, mass and speed controls;*
- d) The extent and effectiveness of education and the necessity for skills and competency training for users of non-registered motorised vehicles, particularly in relation to safe use;*
- e) Insurance implications of injuries and fatalities sustained and caused by non-registered motorised vehicles;*
- f) Initiatives taken by local Councils and other jurisdictions to certify, register and regulate the use of currently non-registered motorised vehicles; and*
- g) Any other related matters.*

Introduction

About the MCC of NSW

The Motorcycle Council of NSW Inc. (MCC of NSW) is an internationally recognised umbrella group for motorcycle clubs, associations and ride groups, in the state of New South Wales.

Established in 1982, the MCC of NSW is the peak body for motorcycle clubs in this state. It represents over 41 clubs, with more than 36,000 riders.

General Comments:-

The Motorcycle Council of NSW (MCC) considers a 'quad' which is also known as an All Terrain Vehicle (ATV) to be:-

"A motorised off highway vehicle designed to travel on four low pressure tyres, having a seat designed to be straddled by the operator and handlebars for steering control." In most cases the vehicle is designed to only carry the operator. Those that are designed to carry a passenger are equipped with a designated seating position behind the operator designed to be straddled by no more than one passenger.

ATVs are designed for multiple tasks ranging from pulling and pushing work equipment to travelling over different terrains for utility and recreational purposes. Their main characteristics match this profile:

- Rider-active vehicle
- Steering bar with thumb operated throttle control
- Low pressure tyres
- Live rear axle (no differential)
- Need of engine power to perform the work they are designed for and to travel over terrain variations

In 2012, according to the Federal Chamber of Automotive Industries' Vfacts, 23,570 ATVs were sold nationally, approximately a quarter of these would have been sold in NSW.

The majority would have been sold for agricultural use, the remainder for recreational use, some of which are designed for use by children.

Several years ago there was a sharp increase in the number of cheap imports, notably from China, of small poor quality motorcycles that could not be registered and for which there was no after sales service. These cheap imports were a safety concern as many were ridden by children who were too young to obtain a riders licence and had nowhere to ride them other than on public land. Some of these motorcycles were of the ATV design. However, the importation of these cheap motorcycles has practically ceased and due to their poor quality very few of those that were imported are still in serviceable condition.

Comments in response to the Terms of Reference:-

a) The current status of non-registered motorised vehicles in road rules definitions and the extent of road safety problems related to their use;

As there are no Australian Design Rules (ADR's) for ATV's, they cannot be registered though some are granted conditional registration in some circumstances. The number granted conditional registration would be very small.

There are no road rules specifically for ATVs.

Each year the MCC has prepared a summary of motorcycle on-road crashes in NSW. There is no classification for ATVs so if there were any ATV crashes have would been included in among the unregistered motorcycles. The MCC has no reason to believe there is any significant number of on-road ATV crashes.

While the MCC believes there isn't any significant number of on-road crashes there are a considerable number of crashes, many serious and fatal when in use for agricultural purposes.

Being a rider-active vehicle with soft tyres and relatively high centre of gravity, they do require specialised knowledge and skill to operate them safely. Crashes are likely when the ATV is operated outside its design parameters.

b) The adequacy of data collection for injury and fatality rates arising from the use of non-registered motorised vehicles;

As ATVs do not have an ADR vehicle classification and the description of what constitutes an ATV is not precise, then the adequacy of data collection for this type of vehicle is understandably lacking.

c) Vehicle standards requirements for non-registered motorised vehicles, including vehicle design, engine capacity, mass and speed controls;

There are no vehicle standards for ATVs.

d) The extent and effectiveness of education and the necessity for skills and competency training for users of non-registered motorised vehicles, particularly in relation to safe use;

ATVs are not designed or intended for on-road use so there is no education or training available for this use.

There is however education and training available when intended for agricultural use.

e) Insurance implications of injuries and fatalities sustained and caused by non-registered motorised vehicles;

As there is no crash data for ATVs when used 'on-road', it is not possible to determine the insurance implications

f) Initiatives taken by local Councils and other jurisdictions to certify, register and regulate the use of currently non-registered motorised vehicles; and

The MCC is not aware of any local Council or other jurisdiction initiatives to certify, register and regulate the use of ATVs on-road.

g) Any other related matters.