

Review of Victorian Cycling Related Road Rules & Legislation

Summary Report for VicRoads

Readers of this summary should understand that the recommendations in this document have been made in response to a brief issued by VicRoads and do not represent the views or recommendations of VicRoads.

If VicRoads ultimately supports any of these recommendations, particularly those relating to changes to road rules, VicRoads will need to undertake extensive consultation with stakeholders including advocacy and interest groups (representing a range of bicycle riding, walking, older citizens, car user and disability interests). Even after this process is completed, the proposed changes in this report may not be adopted.

Further information about this review is available on the Cycling Road Rules Review page on the VicRoads web site.



REVIEW OF VICTORIAN CYCLING RELATED ROAD RULES & LEGISLATION

March 2015

Summary Report for VicRoads
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BACKGROUND

In 2013 VicRoads established a project to review and examine the Victorian road safety road rules and legislation with the aim of better protecting the safety of bicycle riders and other road users, as well as identifying opportunities to make it easier for people to take up riding and for current bicycle riders to use roads. To address this aim, this report makes recommendations based on such a review.

Information used to inform the review was collected from several sources, including:

- a review of relevant literature to consider the outcomes of other road rule reviews and recent changes to cycling related legislation in other jurisdictions
- analysis of bicycle related crash statistics over a 10 year period
- consultation with key bicycle riding stakeholders, via interviews and an online survey of municipal councils
- community consultation through an online survey of Victorian road users.

To assess whether a particular rule meets its intended purpose, it is firstly important to determine if it is associated with increased trauma or whether it limits bicycle riding. If it does either, it is important to identify why. There can be several reasons for this including:

- ignorance of the road rule
- road users deliberately disobeying the road rule
- road users thinking they have a low risk of getting caught if they break the rule
- the penalty for disobeying the road rule is too low to act as a deterrent.

Even though many of the bicycle riding issues identified in this review relate to road rules, the solution may not be to change the law. In some cases better education or reinforcement of the laws might be most effective in having the desired outcome of enhanced safety.

REVIEW INVESTIGATION

Literature Review

The literature review examined the relevant literature regarding bicycle riding and road rules.

State and national cycling and road safety strategies, reviews from other jurisdictions, legislation, agenda papers from national road rules review committees, and information outlining cycling related road rule changes in other jurisdictions, were considered as part of this process.

In response to Government commitments in other jurisdictions to undertake reviews of cycling related road rules, there have been two reviews conducted in Australia in recent times:

- In 2011, the Queensland Department of Transport and Main Roads (DTMR) conducted an audit of the Queensland road rules in relation to vulnerable road users (including bicycles).
- In 2012, the Australian Bicycle Council (ABC) undertook a review of the Australian Road Rules.

The DTMR identified impediments to bicycle riding issues related to:

- bicycle lanes (Rules 132 and 153);
- priority at intersections when bicycle riders are riding on the footpath (Rules 62, 67-69, 72-73); and

- where bicycles should travel, and their priority, where there is no bicycle-specific infrastructure (Rules 119 and 150).

According to the ABC, legislation should promote safety, but at the same time should not present barriers to people walking and riding bicycles. It was acknowledged that current standards and technical specifications could possibly interrupt cycling network connectivity, or increase the number of delays experienced by bicycle riders, e.g. traffic light loops that do not pick up waiting cyclists.

The ABC project aimed to identify and propose amendments to road rules that reduce safety, or create an inconvenience for bicycle riders.

The ABC provided the results of its review to state and territory representatives across Australia for further consideration.

In addition to the rules examined as part of the DTMR and ABC reviews, other rules and legislation were expected to be raised by stakeholders during consultation for this project. Many of these are actively being discussed in other forums, such as:

- specified minimum overtaking distances for drivers when overtaking bicycle riders
- the merits of mandatory helmet wearing
- bicycle registration
- riding on footpaths.

Road safety legislation in Victoria

The prime transport statute in Victoria is the *Transport Integration Act 2010*. This Act sets the charters of the state agencies charged with integrating and coordinating the State's transport system, including VicRoads. One of the primary objectives the Act lists for VicRoads is to manage the road system in a manner which supports a sustainable Victoria by seeking to increase the share of public transport, walking and cycling trips as a proportion of all transport trips in Victoria.

In addition, VicRoads is responsible for administering legislation which comes under the responsibility of the Minister for Roads and Road Safety. However, the primary focus of this review will be on the *Road Safety Road Rules 2009*. This documents the basic rules of the road for drivers, motorcyclists, bicycle riders, pedestrians, passengers and others. It includes rules which are to be obeyed by all road users and includes additional rules to be observed by particular road user groups such as bicycle riders.

The National Transport Commission (NTC) is responsible for reviewing and updating the Australian Road Rules as part of its maintenance process of its legislative reforms. The NTC has an Australian Road Rules Maintenance Group (ARRMG) which consists of representatives of road traffic authorities and the police from the states and territories and of the Commonwealth. This group provides advice to the NTC on changes to the Australian Road Rules.

For example, a minimum passing distance rule was recently considered at a national level by ARRMG. However, it was considered that there was insufficient evidence to support the proposed rule and that the trial being undertaken in Queensland (refer below for more information) be monitored first before further consideration is given to incorporating the rule into the Australian Road Rules.

For consistency across jurisdictions, it is ideal for changes to be nationally agreed and implemented. However, it is possible for jurisdictions to adopt and implement their own changes and variations to the rules.

Some cycling related changes which have recently taken place in other jurisdictions include:

- **Riding on footpaths:** On 6 September 2013, NSW amended the riding on a footpath or shared path rule (Rule 250) to allow riders carrying a child under 10 years as a passenger on the bicycle or being towed in a bicycle trailer to ride on a footpath. In addition, on 22 January 2015, the South Australian Government announced it will develop laws to allow bicycle riders of all ages to ride on the footpath.
- **Overtaking bicycle riders:** On 7 April 2014, Queensland introduced new laws to be trialled for two years requiring drivers to maintain a minimum distance when passing bicycle riders of 1 metre when passing a bicycle rider in a 60km/h or less speed zone; or 1.5 metres where the speed limit is over 60km/h. Drivers will receive three demerit points and a \$341 fine if they don't comply. The two-year trial of the legislation will be evaluated by CARRS-Q. The ACT and South Australian Governments have also announced that they will be implementing similar laws. Although not introducing a minimum passing distance, the Tasmanian Government have recently introduced new road rules allowing drivers to straddle or cross single or double continuous centre lines, when safe to do so, to leave a safe space when passing or overtaking a bicycle rider.

Crash Analysis

Examining the data for crashes involving bicycle riders may be useful in identifying whether failure to understand or obey particular road rules by bicycle riders or other road users seem to contribute to particular types of crashes.

In 2013¹, there were six bicycle rider deaths in Victoria, 460 serious injuries and 1,072 other injuries.

Over the 10 year period from 2004-2013¹, 29,181 people were involved in crashes involving bicycle riders. Of these, 13,983 (47.9%) were bicycle riders and the rest were other road users.

In the 29,181 cases included in the analysis, 84 people were killed, 4,447 seriously injured, 9,889 sustained other injuries and 14,761 were involved in the crash but were not injured.

Looking at the bicycle rider casualties only, 80 were killed, 4,302 were seriously injured, 9,328 had other injuries and 273 were involved without any injuries. Of the other road user casualties, four were killed, 145 were seriously injured, 561 other injuries and 14,488 were just involved.

This crash data illustrates that in crashes involving bicycle riders, only a small proportion of other road users are injured (4.7%), while the vast majority of bicycle riders sustained an injury when involved in a crash (98.0%). The data reflects the vulnerability of bicycle riders to injury when involved in a crash.

The majority of crashes involving bicycle riders occur on a Tuesday (17.3%) and week days generally see relatively more bicycle riding crashes than on weekends. Also, most bicycle crashes generally occur during day time hours; 81.5 per cent were between 6am and 6pm. When considering peak commuting times the majority of crashes occur between 6am and 10am (32.8%) and 2pm and 6pm (31.0%).

Bicycle crashes are common at intersections (60.1%). Of these intersection crashes, 48.8 per cent of crashes occur at T-intersections, and 47.0 per cent at cross intersections.

¹ 2014 data was not available at the time of writing

Definitions for Classifying Accidents (DCA) are a set of codes used to identify the type of crash that occurred and the movement of the vehicles involved in a particular crash. It provides a standard for comparing crashes based on the characteristics of those crashes. Each crash is allocated a DCA.

The most common bicycle related crash type is DCA 121 which is failure of a right turning vehicle to give way to an oncoming vehicle travelling straight through an intersection. The second most common DCA is 110, which is a failure of a vehicle to give way at a cross intersection, and the third is DCA 163 which is caused when a driver opens their door into the path of a passing vehicle, an incident more commonly known in bicycle riding circles as 'car dooring'.

Stakeholder Consultation

Stakeholder consultation formed an important part of this review. Stakeholders were engaged via two channels: interviews of key stakeholders and a survey of municipal councils.

Key stakeholder interviews

Bicycle riding and other stakeholder organisations such as Victoria Police, Council on the Ageing (COTA), Vision Australia, RACV and Victoria Walks, have valuable insights into the road safety benefits of Victoria's cycling related road rules and how bicycle riders are affected by legislation, education and compliance.

Representatives from 14 government and external organisations were interviewed regarding cycling related road rules and legislation. These organisations were selected because they offered subject matter expertise and the ensured that the views of a range of road users and special interest groups affected by cycling related issues, programs and infrastructure, were represented..

In discussions with the stakeholder groups, a variety of issues worthy of consideration were highlighted. These issues were sorted into the following categories:

- Riding equipment
- Riding on footpaths, shared paths, bicycle paths
- Allocating space on road for bicycles
- Intersections, traffic signals and signs
- Overtaking and turning
- Sharing the road
- Liability and fault
- Licensing and registration
- Signage and infrastructure
- Other matters

The following provides a high level summary of the findings from the interviews with stakeholders:

Cycling on footpaths: When discussing cycling related road rules to be highlighted or considered for change as part of this review, the most frequently discussed rule was extending the maximum age of bicycle riders who are allowed to ride on the footpath. While many stakeholders were in favour of this change, there were many who were strongly opposed to it.

- The main reasons for extending it was to allow riders to gain a better understanding of the road rules before sharing the road with other vehicles. The main reason against was that extra riders on footpaths could create a danger for pedestrians, especially those who use footpaths for, or to access, their primary means of transport, e.g. the elderly, people with a disability.
- **Minimum passing distance:** Another rule frequently discussed, again with polarised opinions, was the introduction of a minimum passing distance. Some stakeholders supported this change considering it to be an improvement to bicycle rider safety. Others saw enforcement problems and resulting safety and traffic infringement issues if cars were required to cross solid mid lines,
- **Compulsory helmet wearing laws** are often mentioned when discussing cycling related rules. This was also the case during stakeholder consultation. The stakeholders interviewed unanimously agreed that the laws should not be repealed.
- **Other issues discussed were:**
 - The need for better education regarding use of warning devices, e.g. bells
 - The need to review enforcement protocols for mobile phone use while riding
 - Improved conspicuity through lighting and clothing

- Rules surrounding the use of bicycle lanes and paths
- Allowing use of bicycles in bus lanes
- Uncertainty of rules at roundabouts
- Riders being allowed to ride across pedestrian crossings
- Riders being allowed to complete a left turn on red signal
- Riders giving way to drivers turning left
- Education and applicability of the riding two abreast rule
- Consideration of establishing liability and fault using strict liability processes
- Opposition to licensing and registration for bicycles
- A variety of bicycle signage and infrastructure issues, e.g. traffic management plans, new and additional signs, traffic light loops

A common theme for discussion with the stakeholders was the lack of knowledge and understanding of the cycling related road rules by both drivers and bicycle riders. Therefore, the desire for better education, communication and enforcement of the rules was frequently expressed. Given that lack of knowledge of the rules was so frequently raised, it was decided to explore this in more detail as part of the public consultation process.

Municipal council survey

Municipal councils are significant stakeholders when it comes to bicycle riding matters. To get the widest possible range of views from councils, an online survey was developed following the key stakeholder interviews.

Fifty-one participants completed the survey (30 males; 21 females) and 19 councils were represented in the survey (14 metropolitan councils; 5 regional councils):

The following provides a high level summary of the findings from the survey of council officers.

Information sources

- VicRoads is the key source of information for cycling related road rule information, both for the participants and for when they refer on members of the general public.
- Bicycle Network is another main source of road rule information.

Rules

- Local by-laws relating to bicycle riding were not common, but often related to use of shared paths.
- When asked about changing, removing or introducing new cycling related road rules, the most frequent response category related to allowing bicycle riders of all ages to use the footpath. Related to this was allowing bicycle riders to ride across pedestrian crossings without having to dismount.
- When considering changing, introducing or removing cycling related road rules, allowing bicycle riders to treat Stop signs as Give Way signs (i.e. not have to come to a complete stop), and to be able to turn left on red at signalised intersections, were raised.
- Having a minimum passing distance was raised as a new rule to be introduced for drivers.
- Introducing 'strict liability' where drivers are automatically liable when they crash with a bicycle rider (such as in the Netherlands), also emerged when considering new rules and changes to rules.
- When asked about reasons for the suggested changes to rules or removal of rules, the main response was that the current rules are barriers to riding or are dangerous for bicycle riders. Comparatively, understanding of road rules was mentioned less often as a reason for change or removal.
- Responses to other questions indicated that the cycling related road rules in general are less likely to be thought of as protecting bicycle riders than as protecting other road users. They were also seen as creating a barrier to riding.

Community Consultation

Victoria's road users are well placed to highlight issues regarding cycling related road rules.

An online survey was developed to capture the views of the general public. The survey was open for responses during July 2014 and on average took 30 minutes to complete. In addition to helping identify the majority of issues that potentially exist with cycling related road rules, one of the key aims of this survey was to see how well drivers and riders understood many of the cycling related rules.

Participants were recruited via a number of methods, primarily through promotions via VicRoads, cycling organisations, other road safety agencies, and other local and state government agencies.

A total of 10,444 Victorian residents responded. The high level of response reflects the interest that many members of the community have regarding bicycle riding issues.

More than three quarters of participants cycled (most of these also used other transport modes), with 23.4 per cent of the sample being non-bicycle riding drivers and the remaining 1.0 per cent non-bicycle riders who travel only as a pedestrian, passenger or on public transport. While the sample is not representative of the Victorian population generally, it provided a good range of community views.

The following summarises the main findings of the survey.

Understanding of road rules

Participants had good understanding of and supported rules that require a bicycle to be fitted with a bell or other warning device, and that require bicycle lights to be used at night or in hazardous weather conditions. Other rules regarding bicycle riding equipment were less well understood and generally less likely to be supported, although the level of support for the rule that prohibits the use of a handheld mobile phone was well supported despite it being less well known.

Knowledge of the rule that permits children under the age of 12 years to ride on the footpath was good, and was well supported. It was also well known that bicycle riders of all ages are not allowed to ride on the footpath, but this was supported by only half of the participants. There was some confusion in the knowledge of other rules relating to the use of the footpath, and bicycle and shared paths. The current rules relating to use of paths had a higher level of support than for the questions that related to behaviours that were not currently rules. However, two of these behaviours (allowing 12-17 year olds to ride on the footpath when accompanying a younger bicycle rider and allowing bicycle riders carrying a child in a child seat or trailer to ride on the footpath) attracted higher levels of support. A number of rules related to use of on-road space. The understanding that drivers cannot use bicycle boxes was good and this was generally supported. Most participants were aware that motorcycles are not permitted to use bicycle lanes and allowing this was not supported by the participants. The majority of participants were aware that drivers of motor vehicles can enter bicycle lanes, although there was some confusion about this. Prohibiting drivers' entry into bicycle lanes was not supported.

There was some confusion among participants as to whether drivers must leave a space of one-metre when passing bicycle riders. The majority of participants thought this should be a rule; of all the items that are not current rules, this item gained the most support. There was a very high level of support for this rule expressed by bicycle riders (92.8%) and two thirds (68.9%) of other road users. When asked about the rules relating to traffic signs and signals the vast majority of participants were aware of the obligation of bicycle riders to obey all signs and signals. This was also supported by all participants; there did not appear to be demand for allowing bicycle riders to treat some signals, signs or crossings as give way signs, by slowing and then proceeding when safe to do so.

Rules relating to bicycle riders travelling on the left side of a left turning vehicle were not well understood. However, while the survey data suggests support for the status quo, additional communication and consideration of these rules is recommended.

Rules allowing bicycle riders to make a hook turn to turn right at an intersection, and to turn right from the left lane of a multi-lane roundabout were not well understood by participants, but were generally supported. There was also limited understanding that when bicycle riders are turning right from the left lane of multi-lane roundabouts, they must give way at any exit where a driver is leaving the roundabout.

There was a good level of understanding and clear support for the status quo regarding the rules about bicycle riders stopping at the rear of stopped trams.

The majority of participants were aware that bicycle riders can ride two abreast, but were less accurate in their understanding of the rules relating to bicycle riders passing others and how far apart they are permitted to ride when travelling beside each other. Current rules around bicycle riders riding beside each other were supported by the majority. When asked if they supported the idea that riders should only be permitted to ride single file this was very unpopular among bicycle riders but supported by half of the drivers. If this were to be made a rule there would be significant resistance to it.

Road rule resources

Bicycle riders tend to use Bicycle Network, VicRoads and Cycling Victoria (in order of preference) as resources for cycling related road rule information. While drivers were less likely to seek it out, VicRoads was the main information source for this group and was identified as the most suitable source to be used by drivers should they wish to find this information.

Safety and barriers to riding

All participants, and particularly bicycle riders, did not view bicycle riding in Victoria to be safe. The main problems were thought to be:

- the negative attitudes and behaviour of motorists to bicycle riders
- a lack of bicycle riding infrastructure
- problems with the road design or characteristics
- a lack of general community awareness of bicycle riding issues
- the risk of car dooring.

The misunderstanding of road rules was mentioned less frequently as a contributor to the safety problem.

Participants agreed that there are significant barriers to bicycle riding in Victoria. The main barriers were thought to be the lack of respect shown to bicycle riders and the lack of bicycle riding infrastructure. Lack of road rule knowledge was also thought to be a barrier.

DISCUSSION AND RECOMMENDATIONS

Having conducted a literature review, crash analysis, stakeholder and community consultation, and a review of the legislation, a series of rules were highlighted for further consideration.

The review process revealed that there is a level of confusion and misunderstanding around many of the rules related to bicycle riding. Therefore, undertaking an education and communications program to inform riders and drivers of their rights and obligations, and the rights and obligations of other road users, is highly recommended.

A jurisdiction can have the most comprehensive and sensible rules available, but if the people to which they apply do not know or do not understand those rules, the rule will not work as intended. Furthermore, once a good understanding and knowledge is achieved, in some cases the rules need to be seen to be enforced to bring about better compliance. So, enforcement support is also required to support good legislation.

Three key recommendations come out of this review.

Recommendation 1 - Conduct an education and communications campaign regarding cycling related road rules.

Knowledge and understanding of rules needs to be improved through an effective communications campaign. By improving knowledge, the safety of bicycle riders and other road users may also improve, and make it easier for bicycle riders to continue to ride and for others to take up riding.

The findings of the review identified the need to improve awareness of the following rules:

Road rule ref. ²	Road rule title ³	Generally, what is the rule about? ⁴	Also recommended for amendment
35	Optional hook turn by a bicycle rider	Bicycle riders can make an optional hook turn at intersections.	
60A	Proceeding through a bicycle storage area before a red traffic light or arrow	Drivers can't enter a bicycle box when faced with a red traffic light or arrow.	
67	Stopping and giving way at a stop sign or stop line at an intersection without traffic lights	A driver or rider approaching a stop sign must stop at the stop line and give way.	
68	Stopping and giving way at a stop sign or stop line at other places	A driver or rider approaching a stop sign must stop at the stop line and give way.	
111	Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction	The implication for riders is that they can turn right from the left lane of a multilane roundabout (drivers must do so from the right lane). In doing so riders must comply with rule 119 and give way to those exiting a roundabout.	✓

² Unless specified otherwise, the road rule references refer to the *Road Safety Road Rules 2009*.

³ As the provision title appears in the legislation

⁴ This is a general description about the rule based on the author's interpretation. It is not a copy of what is written in the legislation and is not a comprehensive statement of the rule. It should not be used to inform or provide advice about the rules. For details about these rules and the requirements of road users please refer to the corresponding provision number in the appropriate legislation.

Road rule ref. ²	Road rule title ³	Generally, what is the rule about? ⁴	Also recommended for amendment
119	Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout	A rider in the far left lane of a multilane roundabout must give way to any vehicle leaving the roundabout.	✓
141(2)	No overtaking etc. to the left of a vehicle	A bicycle rider must not ride past or overtake to the left of a vehicle turning left which is giving a left change of direction signal.	✓
144	Keeping a safe distance when overtaking	When overtaking both drivers and bicycle riders must keep a sufficient distance from the other vehicle to avoid a collision.	✓
151	Riding a motor bike or bicycle alongside more than 1 other rider	A rider cannot ride beside more than one other rider in a marked lane or on a non multilane road, unless overtaking.	✓
153	Bicycle lanes	A driver must not drive in a bicycle lane, unless they are permitted to under RR 158. RR158 provides exemptions to this rule, such as allowing drivers to drive in bicycle lanes for up to 50 metres in order to enter/leave a road, park, avoid an obstruction.	
219	Lights not to be used to dazzle other road users	Drivers must not use lights which dazzle another road user. This road rule doesn't apply to bicycles, however importantly, through various communications, bicycle riders are also encouraged not to dazzle others.	
224	Using horns and similar warning devices	Drivers and riders must not use a horn or similar warning device unless it is necessary to warn other road users or animals that they are approaching or to indicate their position.	
239	Pedestrians on a bicycle path or separated footpath	Pedestrians are not allowed on a bicycle path or bicycle section of separated footpath.	
247	Riding in a bicycle lane on a road	Riders must ride in a bicycle lane on a road if there is one available unless impracticable to do so.	
249	Riding on a separated footpath	Riders must not ride on the part of a separated path designated for pedestrians,	
250	Riding on a footpath or shared path	Bicycle riders 12 years or older can't ride on a footpath. Those aged 18 or older can if they are accompanying a child under 12 years. This rule has also been flagged for review with a view to possible minor change. Irrespective of any potential change, messages should focus on giving priority to pedestrians on footpaths and shared paths.	✓
258	Equipment on a bicycle	Riders must have an effective brake and a working warning device (e.g. horn or bell)	
259	Riding at night	Requirements to have front and rear lights which can be seen for 200m when riding at night or in hazardous conditions	
269(3)	Opening doors and getting out of a vehicle etc.	Drivers and passengers must not cause a hazard to others by opening their vehicle doors.	

Road rule ref. ²	Road rule title ³	Generally, what is the rule about? ⁴	Also recommended for amendment
300	Use of mobile phones	A driver or rider of a vehicle must not use a hand held phone while driving.	✓

The main reasons that these rules have been recommended for future communication is that:

- they were either poorly understood or caused confusion for road users;
- there is a good understanding of the rule but poor compliance by road users; or
- the rule has also been highlighted for potential change which will require communications support. If the change is not implemented the rule will need to be addressed through communications support.

Based on information received through this review, it is recommended that communications be developed and delivered by VicRoads with support from cycling organisations and other organisations depending on the target audiences.

Recommendation 2 - Consider changes to selected rules

Some cycling related road rules were identified as good candidates for change. It is recommended that the changes to the following rules be considered.

- **RR 62 - Giving way when turning at an intersection with traffic lights:** it is recommended that this rule be updated so that drivers turning at an intersection which has bicycle crossing lights must give way to bicycle riders crossing the road the driver is entering. Currently this rule states that when a driver is turning at an intersection with traffic lights they must give way to any pedestrian at or near the intersection who is crossing the road the driver is entering. The rules have not taken into account the introduction of bicycle crossing lights and riders' rights and obligations in RR 260-262.
- **RR 300 - Use of mobile phones:** It is recommended that appropriate measures be put in place to allow Police to issue an on-the-spot infringement notice to bicycle riders who do not adhere to this rule. As is the case for drivers, this rule does not allow bicycle riders to use a hand held mobile phone while riding. However, stakeholder communication revealed that this rule is difficult for Police to enforce for bicycle riders, requiring them to take an offender to court to issue them with a penalty. Offending car drivers can already be issued with an on-the-spot infringement notice. This suggested change would make it less onerous for all parties by removing the requirement to attend court. It would also bring consistency when enforcing this rule for drivers and bicycle riders.

Recommendation 3 - Conduct a further review of selected rules with a view to change

Several rules have been identified as having scope for change, but due to complexities in the rules, they require further review to identify the most appropriate changes (if any) to achieve the optimum outcomes.

It is recommended that the following rules be considered for change and further work be carried out to confirm if a change is warranted, and if so, what that change should be.

Road rule ref. ⁵	Road rule title ⁶	Generally, what is the rule about? ⁷	Reasons for considering change
111	Entering a roundabout from a multi-lane road or a road with 2 or more lines of traffic travelling in the same direction	The implication for riders is that they can turn right from the left lane of a multilane roundabout (drivers must do so from the right lane). In doing so riders must comply with rule 119 and give way to those exiting a roundabout.	<ul style="list-style-type: none"> • Very few people understood or were aware of this rule and under half actually supported it. • Confusion around this rule was raised in stakeholder consultation. • The main criticism is the requirement of RR119 for riders to give way. This leads to confusion and potential safety issues. • Needs further review to examine the safety aspects of this rule and reassess the reasons the rule was originally implemented in this way. • As knowledge of this rule is poor, there is a risk that some road users who are aware of the rule will interact with those who are not. This may unintentionally lead to confusion and potentially dangerous interactions.
119	Giving way by the rider of a bicycle or animal to a vehicle leaving a roundabout	A rider in the far left lane of a multilane roundabout must give way to any vehicle leaving the roundabout.	<ul style="list-style-type: none"> • Needs further review; consider in conjunction with RR 111 above. • When travelling through or around a multilane roundabout, bicycle riders must give way to drivers exiting the roundabout. This may mean the rider has to stop one or more times within the roundabout (depending on how many exits they are riding past). This could be dangerous for the bicycle rider and other road users. • This requirement may make it necessary for bicycle riders to look behind them when approaching each exit to know whether they need to give way. This may affect the rider's balance and stability. • As knowledge of this rule is poor, there is a risk that some road users who are aware of the rule will interact with those who are not. This may unintentionally lead to confusion and potentially dangerous interactions.

⁵ Unless specified otherwise, the road rule references refer to the *Road Safety Road Rules 2009*.

⁶ As the provision title appears in the legislation

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Road rule ref. ⁵	Road rule title ⁶	Generally, what is the rule about? ⁷	Reasons for considering change
141(2)	No overtaking etc. to the left of a vehicle	A bicycle rider must not ride past or overtake to the left of a vehicle turning left which is giving a left change of direction signal.	<ul style="list-style-type: none"> The requirements of the rule seem to conflict with other rules. Raised as a confusing and poorly understood rule in stakeholder and community consultation. There was relatively strong support for the rule. Needs further review with a view to change due to complications when examined next to other rules.
144	Keeping a safe distance when overtaking	When overtaking drivers and bicycle riders must keep a sufficient distance from the other vehicle to avoid a collision.	<ul style="list-style-type: none"> Some advocacy groups want to see a minimum passing distance introduced. Many people already thought this was a rule. Bicycle riders strongly support it and a moderate majority of other road users support it. No change at this stage – substantial evaluation required. Monitor the trials in Queensland and ACT to see whether there is evidence of safety outcomes. Other infrastructure issues may also need to be considered in the Victorian context.
151	Riding a motor bike or bicycle alongside more than 1 other rider	A bicycle rider cannot ride beside more than one other rider in a marked lane or on a non multilane road, unless overtaking.	<ul style="list-style-type: none"> Consultation showed that it can be frustrating for drivers when bicycle riders ride two or more abreast, but there can be safety benefits for bicycle riders. The majority of people understand the rule, but levels of support differ between road users. Consider changing to provide that by using new regulatory signage at selected locations riding 2 abreast is not allowed e.g. on particularly windy narrow roads.
154	Bus lanes	Unless drivers are the driver of a bus, they can't drive in a bus lane, unless otherwise permitted.	<ul style="list-style-type: none"> Stakeholder consultation raised the issue of allowing bicycle riders to ride in bus lanes under certain conditions. Consider a change to this rule to allow bicycles to travel in bus lanes under certain conditions.
250	Riding on a footpath or shared path	Bicycle riders 12 years or older can't ride on a footpath. Those aged 18 or older can if they are accompanying a child under 12 years.	<ul style="list-style-type: none"> Community consultation showed footpath riding rules regarding under 12s were well understood and accepted. Extending the rule to all bicycle riders of all ages was not supported. There was uncertainty about whether 12-17 year olds could accompany under 12s on a footpath, but this was reasonably accepted. Consider change to include riders of any age being permitted to ride on the footpath if they are accompanying a child under the age of 12 years. Refer also to RR 257.
257	Riding with a person on a bicycle trailer	Rule allows riders 16 years or older to tow a child under 10 years in a bicycle trailer. Currently they can't ride on a footpath.	<ul style="list-style-type: none"> Poor understanding of rule but high acceptance that footpath riding be allowed. Change recommended to consider allowing riders 16 years or older, towing a child under 10 years, to ride on a footpath. Refer also to RR 250. Consider similar change allowing riders 16 years or older, carrying a passenger (under the age of 10) in a seat designed for passengers, to ride on a footpath. Refer to RR 246 and RR250.

Road rule ref. ⁵	Road rule title ⁶	Generally, what is the rule about? ⁷	Reasons for considering change
405	Vehicles must not be driven with an empty bicycle carrier attached	A vehicle must not be driven with an empty bicycle carrier attached to the rear of the vehicle.	<ul style="list-style-type: none"> • This rule is an additional rule included in the Victorian version of the road rules. • It is understood the reason for the rule is to not cause a hazard to other road users and to avoid obstruction of number plates. • Consider reviewing this rule with the view to removing it.

Other legislation	Section	Description	Reasons for considering change
Road Safety Act 1986 Section 99A	Conduct of works or activities on a highway	This section applies when conducting any non-road activity on a highway. A person must ensure that the works or non-road activities are conducted in a manner that is safe for road users and people engaged in carrying out the activities.	<ul style="list-style-type: none"> • It was raised in consultation that it is an unnecessarily onerous process to apply to hold a cycling event on the road. • It was also raised that when road works are carried out there is not always adequate consideration given to the safe movement of bicycles through a road works site. • Needs further review to see whether the system can be simplified and the current safety measures be retained or improved. • Guidelines and policies around road work arrangements regarding the safe movement of bicycle riders should be reviewed.

NEXT STEPS

VicRoads needs to consider the recommendations in this report and prepare a response to each one. This may require further stakeholder and community consultation according to the following timeline.

Timeline	Action
June to August 2015	<ul style="list-style-type: none"> - undertake a briefing and consultation with key interest and advocacy groups to discuss the recommendations in this report.
October 2015	<ul style="list-style-type: none"> - undertake further broad community consultation on the draft responses prepared by VicRoads to each recommendation.
December 2015	<ul style="list-style-type: none"> - VicRoads responses to each recommendation will be finalised for Government consideration.