



SUBMISSION

Graduated Licensing System for Motorcyclists in South Australia

28 February 2018

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2. About the Motor Trade Association of South Australia

The following submission is provided on behalf of the Motor Trade Association of South Australia, the only employer organisation representing the interests of approximately 1,100 automotive retail, service and repair businesses in the state.

The automotive retail, service and repair sector adds more than \$2.85 billion to the State economy annually and employs almost 29,000, 52 per cent of whom are employed by MTA members. Eighty per cent of these businesses employ less than twenty employees in South Australia.

The MTA Group Training Scheme is a Registered Training Organisation and Group Training Organisation, which delivers post trade and apprentice training to automotive tradespeople, employing approximately 450 apprentices and placing them in over 250 host businesses. We also train approximately 100 industry employed apprentices.

As a state based representative body, the MTA has twelve divisions representing the full range of trades in South Australia's retail automotive industry, including:

- Australian Automotive Dealers Association of South Australia
- Automotive Dismantlers Division
- Automotive Repair Division
- Body Repair Specialists Division
- Commercial Vehicle Industry Association of South Australia
- Farm & Industrial Machinery Dealers Association of South Australia
- Licensed Vehicle Dealers Division
- Motorcycle Industry Association of South Australia
- Vehicle Rental Division
- Service Station Division
- Towing Division
- Tyre Dealers Division

3. Glossary

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| CASR | Centre for Automotive Safety Research |
| GLS | Graduated Licensing System |
| LAMS | Learner Approved Motorcycle Scheme |
| MTA | The Motor Trade Association of South Australia |

4. MTA Consultation

In relation to this submission, the MTA has undertaken consultation with its members operating motorcycle sales and repair businesses.

This submission reflects the views of our members.

5. Executive Summary

The MTA considers that the GLS reform package proposed by the CASR has substantial merit.

The reforms proposed will make significant improvements in rider knowledge and confidence, and in the operation and understanding of motorcycles in on-road environments. This will result in better safety outcomes for riders and other road users.

GLS Benefits



Assisting riders to expand their familiarity with the unique operating conditions of motorcycles in controlled stages is a sensible means of improving rider safety and minimising risk during the development phase of a rider's skill base.

The one recommendation that would seem to run counter to the concept of increasing familiarity with motorcycles is the proposal to lift the motorcycle licence age from its current levels. The MTA does not support this initiative as it is incongruent with the overall package of reforms and there is a lack of evidence as to its efficacy in other jurisdictions.

The MTA is also concerned that such a proposal would limit social and work based mobility and harm the employment status of young people who use motorcycles to travel to and from work, or as part of their job.

The MTA notes that age analysis from the 2017 calendar year is not yet available. However, we do suggest that a number of crashes and fatalities are the result of behaviours that are already legislated against, such as unlicensed riding, use of alcohol and drugs or inexperience.

It is critical that an educational approach, such as the GLS, be taken in these circumstances to ensure that riders are fully aware of the risks of this behaviour and the potential catastrophic consequences they may have on their own life and those of others.

The MTA considers that the introduction of a similar GLS in Victoria offers valuable insights into how the practices adopted there can be transposed in South Australia. The MTA urges South Australia to work with Victorian authorities to achieve this end.

We have also been a long standing advocate of the harmonisation of State and Federal registration and licencing requirements to achieve national consistency and to ensure that best practice is adopted in South Australia.

The MTA considers that the reforms proposed, with the exception noted above, will provide a significantly increased level of confidence and safety to riders and family members who are considering the purchase of a motorcycle.

We further note the benefits of motorcycles as a mode of transport in terms of reducing congestion and carbon emissions, while increasing sustainability in the motorcycle sector.

The MTA continues to be willing to work collaboratively with government to advance the road safety agenda.

6. Three stage hierarchical model

CASR Recommendation:

As South Australia already has a three stage hierarchical model in place, which parallels the car GLS and is consistent with other Australian jurisdictions, there is no need for change.

The MTA agrees with the CASR finding that the three stage hierarchical model provides for the progressive removal of rider restrictions as riders become more experienced and more competent.

We also agree that the use of this model is consistent with other Australian jurisdictions and with the GLS currently in place in South Australia for cars.

The MTA supports CASR's recommendation.

7. Requirement for 12 months car licence tenure

CASR Recommendation:

In Victoria, a prospective motorcyclist must be 18 years old before being able to apply for a learner motorcycle permit. The required age for a car learner permit is 16; the required for a probationary car licence is 18. The Victorian system most likely effectively encourages people to learn to drive a car before a motorcycle but does not mandate it. This option would appear to be more fair for those who wish only to ride a motorcycle. It is also likely that the greatest benefit of the car licence prior to attaining a motorcycle licence class is by-product of a delay in exposure and greater maturation at an older age. These can be achieved by simply mandating an older learner permit age without mandating a car licence first. It is therefore recommended that South Australia follow the Victorian system. Accordingly, the minimum age for a motorcycle learner permit in South Australia should be raised to 18 but a minimum tenure with a car licence should not be a requirement for applying for a motorcycle permit.

The MTA considers that further evidence is required to justify the theoretical basis for this recommendation before any change is made.

The skills and experience gained from operating a car are very different and in large part non-transferable to motorcycles. Those elements that can be transferred, such as hazard perception testing, zero blood alcohol and night time curfews, are already accommodated in other aspects of the GLS.

As the discussion paper itself notes, evidence from Queensland on the efficacy of this recommendation is ambiguous at best.¹ In Victoria, the introduction of GLS did not include this element, on the basis that it would restrict social mobility. Given the younger minimum age of South Australian

¹ CASR Road Safety Research Report, *Recommendations for a Graduated Licensing System for Motorcyclists in South Australia*, pg 4.

licencing, it is reasonable to conclude that the effects on social mobility, including for employment, would be at least as significant. There is potential that those aged under eighteen that need their own transport to travel to work and study may be forced to buy a car instead. The risk is that they will spend the same amount of money on a car that they would on a moped or scooter and end up with an older, potentially unroadworthy car when they could have purchased a newer, more reliable moped or scooter.

The MTA does not support CASR's recommendation.

8. Minimum tenure periods for learner and intermediate phases

CASR Recommendation:

The aim of a GLS is to ensure that novices obtain experience in low risk conditions for a considerable period before advancing to less restrictive licensing phases. Having a minimum tenure period for each phase of a motorcycle GLS would help serve this objective, along with the imposition of various restrictions advocated in the present report for the learner and intermediate phases. It is recommended that the learner phase should have a minimum tenure of six months, and intermediate phase (R-Date licence) should have a minimum tenure of three years. These periods should apply regardless of other licences held, and regardless of age.

The MTA considers that this recommendation has merit as it extends the period of time novice riders have to gain experience in the operation of a motorcycle and the road conditions they are likely to face as fully licenced riders.

We question the need for a three year tenure period for the intermediate class of licence and again ask for further information on how this time period has been determined, given there is variation between the states as to the minimum tenure period. We also seek assurances that any decision on this timeframe is based on evidence, rather than simply seeking to maximise the length of time competent riders are required to operate on restricted licences.

The MTA supports in principle CASR's recommendation.

9. Clean record for graduation to next GLS level

CASR Recommendation:

Currently, in South Australia, as elsewhere in Australia, behaviour during the GLS for car drivers and motorcyclist is controlled through lower demerit point limits than apply for full licences. The demerit point limits are likely to be sufficiently low that they effectively require very low rates of non-offending. If these low limits are also applied to the longer minimum periods of tenure in the different GLS phases recommended above, then novice riders will have to maintain long periods of non-offending in order to progress through the GLS.

For this reason, it is not necessary to recommend minimum offence-free periods before graduation to subsequent GLS phases.

The MTA agrees that the lower demerit point limits allocated to novice licence holders is already sufficient to identify and remedy riders who exhibit high risk behaviour.

The MTA supports CASR's recommendation.

10. Display of distinctive plates

CASR Recommendation:

South Australia should require riders with an R-Date licence class to display P plates whilst riding.

The MTA considers there is value in providing other road users with visual signals that novice riders are on the road and may require additional time and space in operating their motorcycle. As previously stated, the distinctive handling characteristics of motorcycles as compared to cars underline the utility of providing novice riders and fellow road users with as much information on the abilities of the rider.

We also see merit in aligning South Australia with other Australian jurisdiction where this display is required.

The MTA supports CASR's recommendation.

11. Mandatory carriage of licence

CASR Recommendation:

Strict mandatory carriage of licence laws could be considered in South Australia for all operators of motor vehicles, which includes motorcyclists. These laws would remove the opportunity for motorists to produce their licence at a later date or time and may help deter unlicensed motorcycle riding.

The MTA agrees that the mandatory carriage of licence acts as a deterrent to unlicensed riding.

We also see merit in aligning South Australia with other Australian jurisdiction where this display is required.

The MTA does not oppose CASR's recommendation.

12. No carriage of pillion passengers

CASR Recommendation:

As a pillion is likely to make riding more difficult for a novice, both in terms of maintenance of balance and as a potential source of distraction, and as pillions have a greater risk of serious injury than riders in the event of a crash, it is recommended that South Australia prohibit riders on learner permits and R-Date licences from carrying pillion passengers.

The MTA agrees that there can be additional risk for novice riders when carrying pillion passengers that can result in distraction, encouragement of risk taking behaviour or exacerbated injury in crash scenarios.

Consistent with the MTA's position that experience is an essential component of gradual rider development, we do not believe that introducing unnecessary risk elements to novice riders will enhance safety outcomes.

The MTA does not oppose CASR's recommendation.

13. Night-time Curfew

CASR Recommendation:

Night time curfews for novice drivers have been enacted in South Australia without a marked loss of mobility, and initial results are suggestive of a decline in night time crashes among this group. Currently, riders with an R Date licence who are under 25 years of age, and who are without a car licence or only hold a P1 car licence, are prohibited from riding between midnight and 5am. This restriction would ideally be expanded to include all riders without a full motorcycle licence. However, as the car GLS specifies only those under the age of 25, it would arguably be inequitable to apply the motorcycle night restrictions to riders of all ages. However, it should be applied to all appropriately aged riders with an R Date licence regardless of other licences held. It should also be applied to all riders with a learner permit, regardless of other licences held and regardless of age.

South Australia already requires night time curfews on novice drivers. The MTA considers that there is merit in applying this condition to novice riders to minimise risk factors such as road hazards, visibility of and by other road users, and drowsiness during their restricted licence phase.

The MTA considers that the introduction of this measure should be entirely consistent with the current requirements for restricted car licence holders.

The MTA supports in principle CASR's recommendation.

14. Zero Blood Alcohol Concentration

CASR Recommendation:

There is a strong relationship between alcohol consumption and crash involvement among motorcyclists, and a zero BAC when riding a motorcycle is a requirement as part of the GLS in the majority of Australian jurisdictions. Therefore, it is recommended that all riders with a learner permit or R-Date licence, irrespective of other licences held, must have a zero BAC when riding.

The relationship between blood alcohol levels and risk probability are well known and widely accepted. Given South Australia already requires zero blood alcohol concentration for all restricted licence holders, except for novice riders, the MTA believes this is a logical extension of the current road safety regime.

The MTA supports CASR's recommendation.

15. No Towing of Trailers

CASR Recommendation:

Given that towing may increase risk for novice riders and that few riders would be negatively affected by prohibition of towing, is recommended that a towing restriction be put in place for riders with a learner permit. It would be reasonable to permit towing for riders with an R-Date licence.

The MTA considers that the numbers of riders towing trailers behind motorcycles is very small and this recommendation would not cause any meaningful disruption.

The recommendation also aligns South Australia to other jurisdictions and is an appropriate measure given that riders are still in the learning phase of the licencing requirements.

The MTA supports CASR's recommendation.

16. No Use of Mobile Phones or Other Communication Devices

CASR Recommendation:

Mobile phone use, whether hand-held or hands-free, is known to impair driving related tasks. All phone use while driving has therefore been prohibited for novice car drivers within the South Australian GLS. This should be extended to all novice riders (learners and R Date) within the motorcycle GLS, irrespective of other licences held.

Given South Australia already requires that restricted licence holders for cars do not use mobile devices, the MTA believes this is a logical extension of the

current road safety regime and would align South Australia to other jurisdictions.

The MTA does not oppose CASR's recommendation.

17. Lower demerit point threshold for licence disqualification

CASR Recommendation:

It is recommended that the lower demerit point thresholds that are applied in the learner phase also be applied when the rider holds an R Date licence. However, if a minimum three year tenure is required for R Date licences, then consideration should be given to demerit point limits per year rather than across the entire tenure of the R Date phase.

The MTA considers that aligning the rider demerit point system to the current system for car and heavy vehicles will simplify the operation of the demerit point system. However, we believe that creating an inconsistency by altering the time period for which the lower demerit point limit applies is unnecessary and would add to confusion amongst riders.

The MTA does not oppose CASR's recommendation.

18. Automatic transmission restriction for novice riders

CASR Recommendation:

There is a sound theoretical basis for requiring that a rider demonstrate competency on a manual motorcycle before being licensed to ride one. South Australia should adopt the restriction to an automatic motorcycle if tested on one that applies in the majority of other jurisdictions in Australia. This should be the case for both the learner permit and R-Date licence.

Demonstrating competency on the vehicle for which you are licenced to operate is a sound approach to improving rider safety. This would align South Australia to other Australian and international jurisdictions.

The MTA notes that further work is required to detail how riders with automatic licences can transition to manual licences if they choose without having to undertake the entire GLS process again.

The MTA does not oppose CASR's recommendation.

19. Enhanced visibility requirements

CASR Recommendation:

Requiring learner riders to wear high visibility clothing should provide a benefit not only in aiding conspicuity but also would alert other motorists to the inexperienced nature of the rider. As such riders are likely to still be learning road craft (including positioning), their feeling complacent about their visibility is less likely. South Australia should follow the lead of Victoria and require that motorcyclists with a learner permit wear high visibility clothing when riding.

From the retail, service and repair sector aspect of the motorcycle industry the MTA sees no detriment to the implementation of this recommendation.

The 37 per cent reduction in risk for those wearing high visibility clothing identified in the CASR report is a sound basis for proceeding and will add to public confidence in the safety of motorcycles.

The MTA does not oppose CASR's recommendation.

20. Mandatory protective clothing requirements

CASR Recommendation:

The use of protective clothing is a proven countermeasure for particular types of injury and its wider use by motorcyclists would be likely to have a benefit for road safety outcomes. However, the rating of the protective benefit of particular articles of motorcycle clothing has yet to be established and such guidance for choosing protective clothing would be essential for the effective operation of a mandatory system. Therefore, mandating the use of protective clothing at this time cannot be recommended, although developments in this field need to be monitored so that such a requirement can be introduced in the future.

Determining a consistent standard and rating system is required in order to provide riders with comparable information when purchasing protective equipment and clothing. However, the concept of mandating the use of protective equipment and clothing is one that is strongly supported by industry and should be implemented as soon as practicable once the evidentiary base has been confirmed.

The MTA supports in principle CASR's recommendation.

21. Power to weight ratio/Learner Approved Motorcycle Scheme

CASR Recommendation:

The LAMS has been in operation in South Australia for over 10 years and is in use in every jurisdiction in Australia, as well as New Zealand. It is recommended that LAMS be retained in South Australia.

The LAMS has provided a valuable progression for riders seeking to attain their full licence. The system is employed nationally and has been successful. On this basis the MTA sees no reason to change current arrangements.

The MTA supports CASR's recommendation.

22. Moped requirements

CASR Recommendation:

In light of the high crash rates per distance travelled with mopeds and the fact that mopeds are exposed to similar risks in traffic to motorcycles, it is recommended that riding a moped without a motorcycle licence in South Australia be prohibited. Those wishing to ride a moped would have to progress through the motorcycle GLS in the same way as those wishing to ride a scooter or motorcycle.

The MTA questions the conclusions drawn from the data provided in relation to crash rates per kilometre. As mopeds are used almost exclusively for short journeys, any incident represents a significantly greater rate of crash per kilometre.

Significantly more research is required into the nature and extent of the risk profile of mopeds before making changes to licensing arrangements.

Mopeds are a cost effective mode of transport for young people and those on low incomes. Restricting access to them risks increasing the likelihood that road users will choose to purchase less safe alternatives of approximate value.

These may include low value used cars, or engine powered push bikes which are currently unregulated and require no more than a push bike helmet to ride even though they are capable of comparable speeds on road. Moped riders are required to wear protective equipment such as approved motorcycle helmets and have experience in on road environments.

The MTA does not support CASR's recommendation.

23. Novice rider testing

CASR Recommendation:

There is a trend towards the requirement for demonstration of riding skills on a road before a rider is permitted to ride on-road unsupervised. This requirement has been recommended by the EU and OECD, and has been adopted in Victoria. South Australia currently requires a demonstration of motorcycling handling abilities off-road. It is recommended that an on-road testing component is added to this. The Victorian test could potentially provide a model for this.

The MTA considers that this recommendation has merit. However, further information on the operation of the Victorian system and how it can be transposed to South Australia is required.

Exposure to and experience with on road environments will add to the rider knowledge of likely conditions and handling characteristics in real world situations.

The MTA supports in principle CASR's recommendation.

24. Next Steps

The MTA is available to provide further information in relation to this submission and to clarify any aspect of it.

This includes meeting with agency representatives and facilitating further consultation with industry on proposed changes.

25. Submission Contact

For further information relating to this submission please contact:

Nathan Robinson

Industry Policy Specialist

nrobinson@mta-sa.asn.au

08 8291 2000 or 0418 829 918