



# LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

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STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES

Jo Clay MLA (Chair), Suzanne Orr MLA (Deputy), Mark Parton MLA

Submission No 29 - Ms Sarah Todd

Inquiry into the Road Transport (Safety and  
Traffic Management) Amendment Bill 2021 (No 2)

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Dear Sir/Madam

My submission on the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (no.2) is below.

I strongly support the Bill. The creation of the infringement for incidents that harm vulnerable road users will fill a much-needed gap in the sanctions for negligent driving incidents causing harm to walkers and bike riders.

As a regular bike rider (and walker) in Canberra for the last couple of decades, I have always endeavoured to ride responsibly and obey the relevant road rules. This has not stopped several near misses with motorists, with me only avoiding injury in those cases by taking quick evasive action. However, 3 years ago I was not able to avoid injury when a motorist without warning went through a stop sign and hit me on my left, knocking me off my bike and breaking my right wrist. This would not have qualified as grievous bodily harm and therefore would not have invoked one of the higher tier existing offences. Nevertheless, it significantly disrupted my life - 8 weeks in a cast, numerous visits to the outpatients ward at the Canberra Hospital and to physiotherapists, as well as time off work and needing ergonomic equipment to be purchased by my employer so I could continue to type, not to mention significant loss of the ability to lead my usual active lifestyle for about three months while my wrist healed.

As the Explanatory Statement for the Bill notes, the lower tier offence is also inadequate, for different reasons. It does not deter drivers from engaging in this type of behaviour - it is the same low penalty whether a person is injured in the incident or not (or there is even a person involved, other than the driver). This sends a message to drivers that they can commit quite heinous driving behaviour to bike riders and get away with a miniscule fine.

The Bill's proposed mid-tier offence for negligent driving that harms vulnerable users is important to fill this gap. The amount of the proposed penalty, the fact that it is an infringement rather than an offence attracting a jail term, and the fact that it is tailored to specific (vulnerable) road users should mean that it is not only utilised more by the police, but that it serves as real deterrent to drivers from engaging in this type of behaviour.

Further, the ACT Government has widely promulgated its Active Transport strategy. It would seem inconsistent with this strategy to not ensure that the laws that protect people engaging in active travel from harmful behaviour by drivers are sufficiently robust.

I look forward to seeing the Assembly pass this Bill.

Yours sincerely,

Sarah Todd

