



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON PLANNING, TRANSPORT AND CITY SERVICES

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

Submission No 15 - Mr Daniel Riccardo

Inquiry into the Road Transport (Safety and Traffic

Management) Amendment Bill 2021 (No 2)

Received - 25/07/21

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Dear Chair,

In response to the Inquiry into the Road Transport (Safety and Traffic Management) Amendment Bill 2021 (No 2) I submit the following.

As a nearly exclusively pedestrian commuter, who routinely travels 10 to 20 km on most days as a pedestrian, the current laws do not take the plight of vulnerable road users seriously. Specifically, the current legislation is centred on the needs and experiences of drivers. Canberra, as a city with low walkability and undue support for cyclists and even eScooters at the expense of pedestrians, does not provide a safe environment for pedestrians.

Notwithstanding the immediate need to inform and educate drivers on traffic regulations – mostly around right-of-way for vulnerable users – a complete shift in mentality is required. Amending the *Road Transport (Safety and Traffic Management) Act 1999* would provide the necessary foundation for that change.

The Act should be amended such that the definitions and scope of *reckless (Section 7) or menacing (Section 8) driving take into consideration the experience of vulnerable users, particularly pedestrians.* In both instances, the act should be amended to expand the scope of reckless or menacing driving to include *any activity that forces a pedestrian to take evasive action due to risks or threats to safety.*

Acts of reckless or menacing driving, while alarming and stressful for drivers, are often centred on financial or logistic concerns relating to damage to vehicles. *These same actions, when directed against a vulnerable pedestrian, are always direct threats to physical safety and therefore have the potential to cause psychological trauma and to impede a citizen's right to safe movement.* Menacing driving – such as forcing a pedestrian to run off the road to avoid injury – is tantamount to assault.

This submission is based on direct experience of Canberra drivers – a distinct minority that have no concept of a pedestrian's right to use roads and who engage in dangerous and menacing behaviour that they would never consider demonstrating against fellow drivers. Without these amendments there is insufficient penalty for drivers who consider it optional to give way at pedestrian crossings, 90-degree turns, driveways and at red lights.

Thank you,

Daniel Riccardo

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25/07/2021