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8 November 2021

Hon Darren Chester MP
Chair of Joint Select Committee on Road Safety
via email

Dear Darren,

Thank you for the opportunity for the Australian Motorcycle Council (AMC) on behalf of its affiliated State and Territory organisations to participate in this Inquiry.

Having now had the chance to thoroughly review all relevant submissions, video, audio and draft Hansard transcripts of proceedings, the AMC feels compelled to respond and correct some unfortunate anomalies that have appeared. This is with particular regard to the comments made by representatives of the Riders Action Group Western Australia, following the AMC's presentation.

Mr. Damen Keevers (Chair RAGWA) in his opening address strongly advocated for the establishment of the previously recommended (Recommendation 12), "National Consultative Committee on Motorcycle Safety". This recommendation is also very strongly supported by the AMC and its constituent State/Territory/National member organisations.

However, Mr Keevers' next statement:

"If such a committee is formed, the question arises: how will riders participate and have a voice in that committee? One might think that state-based riders' representative groups would have a key voice. However, that would rely on such groups existing, functioning properly, and representing the views of riders. At present, that is not possible. The fact is that state based rider representative groups are and have been for some time in a parlous state. They are incapable of policy representation on road safety to state governments, never mind a national committee."

Mr Keevers also uses the word "*dysfunctional*" to describe the State and Territory organisations.

The AMC strongly refutes that statement. As this Inquiry is well aware, the AMC is a long-standing properly incorporated entity and is recognised Federally as the “peak body” representing motorcyclists and motorcycling interests (in all aspects other than motorcycle sport, which is represented by Motorcycling Australia). The AMC’s constituent affiliated member organisations are properly Incorporated State and Territory bodies recognised by governments and agencies as the “peak bodies” in their respective jurisdictions and are active and engaged across a range of areas.

This does not include RAGWA, as the Motorcycle Riders Association of Western Australia (MRA WA) is the recognised representative body for motorcyclists in WA. It is also noted that the Ulysses Club, a very well-known National rider organisation of over 11,000 members is also an independent member of the AMC. Clearly the AMC and its affiliates in *every* State and Territory are ideally placed to represent all categories of riders and motorcycling interests, as evidenced by the long list of achievements in safer motorcycling.

Mr Keevers commented that there is no representation in Queensland - this is incorrect, as the Queensland Motorcycle Council Incorporated has been established this year to replace the Motorcycle Riders Association of Queensland, which was dissolved in January 2020. The QMC is already an active member of the AMC.

The following comment from Mr Keevers’ opening statement:

“Evidence driven road safety policy in general is seriously lacking. If this is accepted as true, then road safety policy throughout Australia regarding motorcyclists is completely incoherent. Similarly, legislative matrices that should protect riders as vulnerable road users are in disarray”.

At times, bureaucratic driven road safety proposals can occasionally lack the critical “evidence based” support credentials. However, as is demonstrated by the nationally coordinated efforts of all AMC affiliated member bodies in achieving/influencing legislation/regulation in important road safety areas such as Graduated Licensing Systems, helmet legislation, universal influencing support for MotoCAP, lane filtering, Bus Lane access, etc. over many years, the various State and Territory peak bodies are uniquely placed to effectively represent the real safety issues affecting all motorcyclists.

In a subsequent response to a question from the Chair, Mr Della replied:

“People will join if they believe that there is actually an interest for them to join. If they believe that they are being listened to, they will join up.”

Any cursory overview of the AMC’s member State and Territory peak body member organisations will reveal growing memberships, value added benefits, greater rider participation (particularly via electronic technology media interaction, etc.). Additionally, the State bodies have enthusiastically embraced representation of the various separate elements that comprise “motorcyclists”, (off-road, commuters, social riders, cruisers, scooterists, vintage, etc.), to truly represent the bulk of the motorcycling fraternity.

Further in his response to a question from the Chair, Mr Della said:

“We had something similar rather recently in Western Australia, where lane-splitting laws were introduced, whereas previously we were able to lane-split by virtue of the fact that it wasn't actually illegal to do so.

The lane usage law (legislation) was amended in all States as part of the coordinated efforts of AMC member organisations, referring specifically to provide lane filtering as a safety benefit for motorcyclists, and differentiating lane splitting as not being safe. Lane filtering occurs at speeds under 30 km/h, whereas lane splitting occurs at speeds over 30 km/h. Mr Della's comments would appear to indicate a degree of misunderstanding of all the facts, including the legal difference between lane splitting and lane filtering.

In response to a question from the Chair in respect of a “peak body” (National Consultative Committee on Motorcycle Safety), Mr Keever's replied in part:

“The peak body would have to be—I don't like the word 'proactive'—active in assisting the establishment of groups in each state to represent to it on matters of policies of concern, whether it's legislation or whether it's to do with, for example, riding gear. There is a widely held suspicion among the WA community that MotoCAP, the riding gear standard that is Australian and is small compared to the European standard of riding gear, may be legislated as compulsory”.

This response would again seem to indicate a significant lack of understanding by RAGWA, of both the current existence of respected and effective AMC affiliated organisations in each State and also of MotoCAP. The AMC is an enthusiastic supporter and influencer of MotoCAP, as it is a serious and legitimate provider of critical information for riders allowing them to make informed decisions on their protective riding gear. MotoCAP is not a ‘Standard’ but rather a Consumer 5 Star Rating scheme, much like ANCAP is for motor vehicles. The federally-funded *Good Gear Guide* project of 2009, administered through a grant to the AMC, in part boosted the impetus to establish a program such as MotoCAP.

The requirement for such a scheme was articulated clearly at the Australian Government's *2008 Motorcycle and Scooter Safety Summit: The Road Ahead*. A vital element of MotoCAP is that it recognises that the “one size fits all” approach is **not** appropriate for motorcyclists' protective safety gear; therefore the RAGWA notion that MotoCAP is the “*riding gear standard that is Australian*” is completely without basis. MotoCAP recognises that appropriate riding gear for northern WA (hot, humid, tropical) is not the appropriate gear for southern WA (temperate, cooler). The AMC does not support a riding gear standard; neither does MotoCAP. The MotoCAP testing regime provides garment safety ratings for informed decision making. It is not, and cannot be, a standard.

The AMC recognises that RAGWA is a small group in its infancy, and as such, may not be as well informed on all relevant issues as would be ideal. Accordingly, the AMC would welcome and support initiatives for RAGWA to engage cooperatively with the well-established, recognised and respected Motorcycle Riders Association of W.A. Incorporated (MRA WA).

We further trust that this Joint Select Committee Inquiry will accept these corrections/clarifications of some obvious and glaring anomalies and misunderstandings in the spirit intended.

Shaun Lennard
Chairman