



# March 2023 Newsletter




SARCC CYCLING  
Te Waipounamu  
Aotearoa (NZ)

**Sunday Pleasure Rides:** Organiser – Helen Tetley

**March 5th 2023 North Haven** 10am at car park behind Sailmaster Tavern. Cnr of Arcadia Court and Nerida Drive. Cruise thru North Haven, Port Adelaide, West Lakes, Grange and back to North Haven. BYO lunch beside the lake. Coffee optional at end of ride. 40km of various surfaces. Minor undulations with some narrow sections. *Sven H. 0410 271 717*

**March 19th 2023 Coastal Ride** Meet on the [East side of Brighton Station](#) for a 10 am start. There is a 9:57am train arrival at Brighton Station. Ride across to and along Sturt Creek, and then Bikeway to Apex Park on Sir Donald Bradman drive for lunch. (Bring or buy). Return to Brighton largely along the beachfront via Henley Beach. Approximately 40 km. *Carolyn W. 0427 797 476*

**Thursday Rural Rides** Thursday rides are regularly 20+ riders; in hill topography that creates a challenge. To compensate each ride will have a 2<sup>nd</sup> leader so we can split into 2 comfortable groups if needed. - [Sharon Moyle](#) Thursday Ride Organiser

Mar 2 <sup>nd</sup>	Damien	0422 004 544	10 a.m. <a href="#">Birdwood Oval</a>	Some unsealed roads	
Mar 9 <sup>th</sup>	Clive	0409 492 621	10 a.m. <a href="#">Woodside Pool</a> car park	Some unsealed roads	
Mar 16 <sup>th</sup>	Perter B	0412 830 272	10 a.m. <a href="#">Woodside Pool</a> car park	Some unsealed roads	
Mar 23 <sup>rd</sup>	Robyn	0401 364 019	10 a.m. <a href="#">Woodside Pool</a> car park	Some unsealed roads	
Mar 30 <sup>th</sup>	Di	0424 957 532	10 a.m. <a href="#">Woodside Pool</a> car park	Some unsealed roads	

**PERFECT Ride** Sunday 26th March. Starting **TBA** 9am Kevin B


**SPECIAL Events** **TBA**

**P.L.E.B.S.** Please link to [web site](#) to understand the concept or contact *Peter Harrison 0448 364 138*

## TOURS:

**Three Days of Gravel Road Rides in Deep Creek**, from Tuesday the 4th to Thursday the 6th of April. We require expressions of interest ASAP so that we can book Glenburn Cottage at Deep Creek. For details, please [click here](#).

**Grampians bike tour 24 April to 1 May 2023** Maximum participants six.

A week of bike touring through the spectacular Gariwerd National Park (the Grampians). The ride will combine riding with bushwalking and camping in six different national park campsites. The 200km will be 83% gravel, including iconic tracks such as the Victoria Range Road, the Goat track and Ingleton track. Additional rides will be from the camp such as Lake Wartook. The walks will include McKenzie and Fish Falls in the north and the Pinnacle from Halls Gap. For the proposed route, see <https://ridewithgps.com/routes/41959204>  This is a touring and camping trip. Riders must be self-sufficient, carrying their tent, stove, food etc. Please contact Marianne Hibbert (0425 781 514 or [mariennehibbert@gmail.com](mailto:mariennehibbert@gmail.com)) if interested and more details can be provided. As the sites need to be booked, please contact Marianne as she will do the booking.

**CLUB MEETINGS:** We will have five meetings this year; please add the following date to your diary:

You will be prompted the week prior to the meeting, now at the [The King's Head Hotel](#) join us for a meal 6:30 before the meeting.

**Tuesday 21<sup>st</sup> March 7:30pm**

SARCC members will speak on the highlights and excitement of SARCC 2023 Tour Te Waipounamu, Aotearoa, with the best participant photographs.



SARCC CYCLING  
Te Waipounamu  
Aotearoa (NZ)



Loaded "lets go"

oops edge of cyclone Gabrielle. Weather improved on Rainbow. Golden Downs/ups?

QC Track - earned that view!

Early start Mt Cook on left.

NEW ZEALAND TOUR IN PROGRESS



**SARCC “PERFECT RIDE” Palmer & Mannum February 26, 2023.** 70km 850m Elevation 9.00am Sky is clear. Temp 15C a southerly wind. 8 riders assemble to commence the ride. Riders – Bruno, Don, Greg, Jo, Kevin, Peter, Ros, Sven (Leader)

We depart Palmer and head north climbing along gravel-based Davenport Road. After 6km we turn right onto Gap Road which takes us east and through “The Gap”, a very pretty access from west to east with steep rocky hills to either side. Exiting the gap the landscape opens up into sheep grazing country and the road whilst rough is very nice to cycle along. We had some lovely downhill runs. At the 27km mark we reach Lenger Reserve, a delightful lush small ecosystem which in winter could be almost impassable. Climbing out of Lenger Reserve and cresting some hills we get our first glimpses of the Murray River.



Lenger Reserve Showing Creek and Pathway (18km North East of Mannum)

Flood waters near Mannum

Cycling down Pruning Road we begin to see the effects of the floods, but also the first signs of repair occurring. We chanced it through several closed road areas. (Council advised that they are trying to allow many roads to dry out beneath the ground before they allow heavier vehicles to use the roads.) Approaching Mannum main street, we can see the massive levy banks that were built, and the damage caused to the Caravan Park and also to many shops in Mannum main street. Travelling south into the head wind we climb out of Mannum and get great views of the river system and the very significant amounts of water still present.



Mannum Region in Flood 7Jan2022 and Main Street showing Levy Wall which is now removed. (We were able to ride through the main street, but many shops were damaged and are yet to reopen)

We now head in a generally north westerly direction and encounter roads with soft sand to add to the climbing challenge. Looking back from our elevated positions we are rewarded with expansive views of the Murray system. The town of Palmer is in view for quite some time and almost teases us as it seems to take a long time to actually get there! We reach Palmer and debrief in the Beer Garden of the Palmer Hotel. A lovely ride, great weather, favourable wind, interesting sights and challenging also.



Palmer Surrounds



## ARTICLES:

### Q&A What is a digital Drive Bicycle? [Are Chainless Digital Drive Bicycles The Future of Cycling?](#) video

The idea of a digital drivetrain is simple. You have a power generator at your crankset, which converts your pedal power into electricity. You've then got a motor at your drive wheel. Wires transmit the power you're generating straight to the motor, and a few electrical components sort out the details, maybe it needs a capacitor or battery between the pedals and the motor, but essentially it is an all-electric transmission.



No chain, belt or shaft connected from the crank to the wheel

Current analogue bicycles often use derailleur gears and chains. These drivetrains have improved incrementally over more than a century and have well and truly proven themselves to be lightweight, high-performing, efficient, and cheap to produce.

**There are some advantages to digital drive:**

✓**Firstly**, you **lose the chain**, belt or shaft. This means no wear and tear on the drivetrain, no greasy fingers, lower running costs, and less bike maintenance. A bike with digital drive would essentially just need its brake pads and tyres replaced. This would be ideal for those using a bike in all weather conditions and would be great for fleets and hire bikes too.

✓**Secondly**, you could end up with a **fully automatic** bike with an infinite gear range. This is advantageous for inexperienced cyclists, as the digital drive would always have you in the perfect gear (a manual override is possible). Top-tier gearbox drivetrains with automatic gear shifting are currently both complex and very expensive. A digital drive equivalent has much less complexity and could feasibly be cheaper with the same features. You should also add a battery (or solidstate capacitor) that you could charge while you ride. By choosing to send some of your pedal power to a battery, you could use it later, for example when taking off from the traffic lights or to get over small hills. And if you were using a three-wheel cargo bike, you could even charge this battery while you're waiting at traffic lights. In addition, you could capture energy at the rear motor while descending or slowing to a stop – this is known as regenerative braking. The motor could integrate an electrical anti-lock braking system, and when you've parked your bike, the motor could be mechanically locked.

✓**Thirdly, A very important therapeutic consideration:** a digital drivetrain could perfectly optimise your pedalling technique. The system would always have you riding at your optimal power output and cadence, which would result in the highest possible efficiency of your body. You can also do interesting things with the pedalling characteristics, such as electronically eliminating dead spots in the crank revolution. What that means is the generator resistance could be increased when you have the most crank leverage and reduced when you have the least leverage. An example is where a change in pedalling characteristics could be useful is if you're rehabilitating from an injury (knee or hip replacement) or have a disability. Let's say it's your left leg. You could program a digital drive to have less resistance on your left leg pedal phase and more on the right.

**Disadvantages of Digital Drive:** *The big one is drive efficiency. Converting between mechanical energy and electrical energy and then back to mechanical energy is **simply not efficient**.*

When you put power into your pedals, a single speed chain or belt drive will put more than 95% into propelling you forward. In comparison, a digital drivetrain will likely lose around 17% of the power at the generator and another 15% at the rear motor. In total, we're looking at almost **two thirds of the efficiency** of a chain or toothed belt drivetrain. To put this in perspective, a chain drivetrain would have you riding at 27kph on the flat at 150 watts while a digital drivetrain would have you riding a full 17% slower 22.5kph. And on a slope, it gets even worse. A 5% gradient with a chain would have you cycling at 9.4 kph, and you'll be cycling 34% slower with a digital drive 6.2 kph. but keep in mind, these numbers don't take into account any energy captured by the drivetrain into a lightweight solid-state battery/capacitor through regenerative braking and the improved efficiency of automatic transmission provided by using stored energy from the battery. When you put a capacitor/battery between the generator and motor it becomes a Series Hybrid Pedelec (SHP). Digital drive would also add at least **20% more weight** to a non-ebike – albeit about the same weight as a pedelec. Given there is no mechanical coupling between the pedals and rear wheel, a digital drive motor needs to be powerful to make up for it. An appropriate motor could be 2.5 kg depending on the purpose but the efficiency of light motors is vastly improving. Expect this Hybrid technology to start appearing in Cargo and delivery quad bikes maybe in recliner trikes, any bike that free stands as while waiting at traffic lights you keep pedalling power into your battery. They may also evolve as a disability aid by using carbon or titanium frames light powerful rear hub motors and in frame capacitors. It is highly unlikely to appear in our regular bicycles.

**The following 2 pages may be interesting if you are going to cycle in UK or Europe or simply to learn why cycling is safer in Europe than Australia**

## **What stimulates more Europeans to commute on bicycles than Australians?**

An innovative rule, codified in 1994: in a collision between a car and a cyclist, motorists are assumed to be at fault unless they can prove otherwise. Only truly reckless cyclists are made to share the blame. European drivers thus treat bike-riders as if they were radioactive. Better yet, whereas motorists in other countries furiously object to new cycle lanes, Dutch ones welcome them, since segregating two-wheelers reduces the chance of a costly accident. Rates of cycling in Europe have increased sharply—and deaths-per-mile-pedalled have plummeted. Plus, appropriate funding on bike-friendly infrastructure makes pedalling safer in the Netherlands. *"Dutch bikes have right of way, and they assert it boldly. So, when driving my car my main goal is to not hit a bike. I count it a good driving day when I successfully navigate new roads and manage to park my car without having hurt anyone. I figure I am much better off on my trusty [omafiets](#) and I think I know why the Dutch are so devoted to theirs. The Dutch are having fun."* Anonymous Quote.

The fact that in the Netherlands everyone cycles, or knows someone who does, means that drivers are more sympathetic to cyclists when they must share space on the roads. In city centres cars are often required to yield to cyclists, and Dutch drivers are taught to always expect a cyclist. [Why is cycling so popular in the Netherlands?](#) ♦ BBC Article

In turn, the cyclists are expected to respect and obey the rules of the road. You may be fined for riding recklessly, in the wrong place or jumping red lights. Police (often on bikes) will issue a 60-euro ticket if you are caught without lights at night, and you will have to shell out even more if any of the mandatory bike reflectors - of which there are many under Dutch law - are missing.

Accidents do still happen of course, but in the event of a collision involving a cyclist, insurers refer to Article 185 of the Dutch Road Safety Code which deals with something called "strict liability". It is often mistakenly interpreted as a law that establishes guilt. What it essentially means is the driver will usually be expected to cover at least 50% of the financial costs to the cyclist and their bike.

When out on the road, Dutch cyclists feel powerful and protected, making the whole experience much more enjoyable. There are dangers on the roads, but rarely do they involve heavy goods vehicles, poorly designed junctions or dangerous or distracted drivers.

### **Cycling accidents & presumed liability: Australia versus Europe**

It may not come as a surprise to hear that Australia is probably worse than Greater Europe for a cyclist to be injured by a motorist. Probably will remain worse for years to come when even our Premier is a declared motor racing enthusiast. Under Australian laws, a claimant cyclist must prove, on the balance of probabilities, that a defendant driver was negligent.

*Australia: a few months ago, a teenage girl was killed when a Lamborghini drove out of control into a pavement. Amazingly the driver was not charged with dangerous driving. That's the difference: in Europe (even in the UK) he would have been found guilty and would be in prison for a minimum of 5 years and perhaps longer.*

In most European jurisdictions, an injured cyclist does not need to establish fault on the part of the motorist. The UK is one of only five countries in Europe, alongside Cyprus, Malta, Romania and Ireland, which had not adopted the presumed liability system. Albeit the UK Highway Code changed in favour of vulnerable users in 2022... the same year South Australia reintroduced car racing in the urban streets with the Adelaide 500.

Establishing liability is often a difficult challenge, especially if the cyclist is unable to give evidence due to the nature of their injuries and/or if there are no independent witnesses.

The presumed liability system recognises that the liability of one's actions should be proportionate to the degree of danger which they impose on other road users i.e., the bigger the weapon the more responsibility. In the 10 months to October 2022: 1000 fatalities on our Australian roads 130 pedestrians 26 cyclists most were the fault of a motor vehicle; our authorities will likely be praising themselves because the number of fatalities has reduced.

The courts in England and Australia have long recognised that all road users owe each other a duty of care. However, it is often difficult to determine liability, each incident will turn on its own facts. Sometimes it is only possible to establish the cause of a collision with the use of accident reconstruction evidence such as, when the cyclist is deceased, has sustained brain damage or has no incident recollection.

Establishing primary liability is not the only difficulty facing an injured cyclist. Defendants will often seek substantial reductions for contributory negligence for a variety of reasons including failing to wear high visibility clothing and/or failing to use a cycle path. A cyclist is not legally obliged to do any of these things, yet defendants will vigorously seek to reduce a cyclist's damages award even though their cycling is beyond criticism.

South Australian [Law Reform \(Contributory Negligence and Apportionment of Liability\)](#). Link Act 2001: "contributory negligence means a failure by a person who suffers harm to take reasonable care for his or her own protection or the protection of his or her own interests." There are Statutes, Cases, Precedents and Fallibility of Law enforcement that enable the driver to claim innocence for their actions.

### **The law in Europe:**

In French road traffic accident cases, under the '[Badinter law](#),' the non-driver victim, save for a few exceptions, is compensated in full for their injuries regardless of fault, unless it was "inexcusable and constituted the sole cause of the damage." However, the driver remains liable for their own faults and so depending on the extent of their fault compensation can be reduced by a certain percentage or even withheld. As for France, anecdotally it seems that ever since the French pro teams became less successful in the 3 grand tours, French car drivers have become less respectful of cyclists. 20 years ago, you'd be hard pressed to find any French person who hadn't heard of Poulidor or Richard Virenque the climber who won the King of the Mountains a record number of times. But this has changed with the successes first of Armstrong and then of Froome and the British Sky team.

In the Netherlands, where 27% of journeys are made by bike, there is strong legal protection for cyclists. [Article 185 of the Wegenverkeerswet](#) introduced the concept of presumed liability in circumstances involving a collision between a motor vehicle and a cyclist/pedestrian on a public road. (*How to web translate: highlight the foreign language text, right click, then select "translate the selection to English"*)

**Article 185** of the [Dutch Road Traffic Act 1994](#) (Article 185 of the CCA) regulates the special protection of 'weak road users' in the event of a collision with a 'strong road user'. More specifically, this article regulates the [liability](#) of the [owner](#) and the [holder](#) of a [motor](#)

[vehicle](#) in the event of a collision with a non-motor vehicle (such as [cyclists](#), [pedestrians](#), [houses](#), [guardrails](#), [trees](#) and even [trams](#) and [trains](#), which are not motor vehicles within the meaning of the Road Traffic Act). Liability under Article 185 of the CCA is a form of [strict liability](#), because fault or culpability does not have to be demonstrated in order to establish an obligation to pay compensation. [2017 Slimmen vanBoom Road Traffic Liability in the Netherlands.pdf](#) ◀ 34pages viewing

The exception to presumed liability only occurs where the motorist is at no fault whatsoever, in which case there is no liability.

In comparison to courts in Australia, a cyclist involved in an accident in Europe with a motor vehicle will almost certainly recover damages. In cases which would have failed in Australia, a Dutch court would make a relatively small finding of contributory negligence.

[In Spain, Article 1 of Royal Decree 8/2004 provides](#): "The motor vehicle driver is responsible, for the risk created by driving such vehicles, damage to persons or property caused through his driving." In the event of personal injury to others, the driver is relieved of this responsibility only when it is proven that the damage was due solely to the conduct or negligence of the injured party.

In Denmark, the Danish government recognised the need to protect cyclists by introducing a system of presumed liability in 1986. Drivers are automatically liable unless they can prove that the accident was unavoidable and not due to the negligence on their part. The Danish system of presumed liability only applies to personal injuries and is restricted to motor liability whilst property damage remains fault-based.

There are similar no-fault or strict liability systems in Italy, creating a no-fault liability for damage caused by a vehicle in motion, while Germany makes vehicle owners strictly liable for any damage caused by their operation unless the driver can prove that the accident was caused by "force majeure" or unforeseeable circumstances.

In Sweden, the 'Traffic Damage Act' creates a no-fault compensation system for RTAs meaning that the person who suffers injury as a result of a road traffic accident has the right to compensation regardless of fault or negligence by the driver or owner of the car. Liability must be covered by compulsory traffic insurance. The concept of contributory negligence has been almost completely abandoned and is only permitted as a defence in exceptional cases where the victim is guilty of intentional gross negligence.

## **What Are Torts?**

Legal disputes generally fall into one of three main categories: 1. Breach of contract 2. Breach of Law 3. A tort

Torts are different types of legal obligations. They reflect situations where the action of an individual harms another individual in some way, where that action is not a crime. The aim is to compensate those individuals for the harm they have suffered. By contrast, criminal law aims to protect society by punishing individuals who commit certain crimes. Different kinds of torts reflect the different kinds of obligations and harm that can occur between people. Some major torts include nuisance, trespass and negligence.

## **What Is the Tort of Negligence?**

Negligence is the most well-known and common type of tort. Negligence can be quite complicated in practice, but at its heart, it is when someone breaches their duty to someone else. Specifically, the tort of negligence covers situations where:

**A person owes a duty to a 2<sup>nd</sup> person; the 1<sup>st</sup> person breaches their duty; and the 2<sup>nd</sup> person suffers some harm or loss as a result.**

There are lots of types of duties that the courts have developed over time. For example, a tradesperson may owe a duty of care to do their job to a particular standard. A building company may owe a duty of care to construct a building without a leaky roof.

Damage is key to a negligence claim. To make a case of negligence, you must prove this beyond the balance of probabilities. This means that it is beyond doubt that the breach of a duty resulted in the harm. If you prove this, the responsibility shifts to the other party to show that they took all reasonable precautions. There will usually be no liability for damages in negligence if it can be shown if the second person acted reasonably, for instance, by following standard practices or in reaction to some sudden and unexpected emergency. The tort of negligence offers compensation to people who are owed a duty of care by a second party, where that second party breaches that duty in some way, causing harm or other damage. Sadly, a tedious process that predominantly benefits members of the legal profession and imposes an enormous stress on the injured party for a lengthy period impeding recovery – hence the need to legislate concept of presumed liability in traffic accidents.

## **What is 185 Wegenverkeerswet road traffic accident system in Netherlands?**

In the Netherlands, a specific liability system for road traffic accidents involving a motorised and a non-motorised party is laid down in article. 185 (WVW; The Road Traffic Act). The main differences between the specific road traffic accident liability under article. 185 WVW and the normal tort law regime is **the reversal of the burden of proof**. The main reason for the development of this specific system is that a non-motorised party, notably a pedestrian or a cyclist, is the weaker and more vulnerable party. The legislature and the Supreme Court wisely felt it was their duty to offer protection to these more vulnerable parties against the dangers related to road use by motor vehicles.

## **What is New Zealand's ACC and what does it have to do with negligence?**

In New Zealand, all personal injuries (not just traffic accidents) are covered by the Accident Compensation Corporation regime (ACC). This regime is a **no-fault scheme** that covers everyone who is injured in NZ by an accident. It precludes those people who are harmed from pursuing a claim of personal injury against someone else in most cases. Australia should consider the [New Zealand Accident Compensation Commission](#) (ACC) that provides comprehensive, no-fault personal injury cover for all New Zealand residents and visitors to New Zealand. ACC's role is to help prevent injuries and get New Zealanders and visitors back to everyday life if they have had an accident. It does this by funding tailored supports such as treatment, rehabilitation, and weekly compensation of up to 80% of income. Its major cost benefit is to remove the exorbitant litigation process of court time and lawyers' fees. ACC removes the process of who has the best lawyer and the richest offender wins – ACC is not perfect but it is a better solution than the "[ambulance chasing](#)" process. One important aspect of negligence in New Zealand, particularly relative to other countries around the world, is that the [ACC covers all](#)

[personal injuries](#). ACC is a no-fault scheme that covers everyone, even international visitors, who are injured by an accident in New Zealand. This is relevant because most negligent cases overseas are concerned with personal injury. However, part of the ACC regime means that you cannot usually take a case in negligence against someone for personal injury. Consequently, the main type of damages people seek in New Zealand are 'exemplary' or 'punitive' damages. The bar for these damages is relatively high, as the name suggests, and goes towards serious or reckless breaches of a duty.

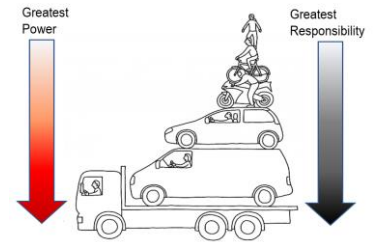
### What is the UK Highway Hierarchy?

[UK Highway Code: 8 changes you need to know](#) video common sense watch if you travel in UK and [Highway Hierarchy: New Highway Code rules](#) link to read the text it takes less time than video

**Q&A** Pedestrians are placed at the top of the pyramid as they pose the least risk to users of the road whereas those towards the bottom pose the most risk.

UK changes in favour of cyclists include:

- Priority over cars when making a turn - Vehicles indicating to turn left or right will have to give way to cyclists approaching from behind and going straight ahead.
- Vehicles making more space when overtaking cyclists - Leaving a gap of 1.5 metres when overtaking at speeds of up to 30mph with even more space when overtaking at greater speeds.
- Cyclists can adopt the middle of the road when approaching junctions - They will be given priority over vehicles.



Further changes were proposed to rules H1, H2, H3, 163 and 239 - which can be seen in this [table of changes](#) presented by the DfT. The Netherlands is ahead, and the UK is a bit behind the rest of Europe. Cycling UK, the campaigning charity, regularly compares the UK to the Netherlands. Recent updates to the Highway Code are a step in the right direction. But only a small step. UK still too often hear of "contributory negligence" on the part of cyclists and, importantly, there is no presumed liability in the UK.

### **Q&A** Are there cures for AUSTRALIAN CAR CENTRIC governments? YES!:

Research shows driving is the most stressful of all transport modes and was enjoyed the least because drivers felt a lack of control over their environment. Anything that makes the road feel more complicated and drivers less in charge of the scenario is stressful hence why introduction of cycleways is so strongly initially opposed.

**The 24 Driver's Stressors** listed below are by no means complete: *(Bicycles only once mentioned and that is cured by permanent cycle lanes.)*

Driver in front braking suddenly or intermittently for no obvious reason.	Buses that block your lane, no indented pickup stops.
Obscured pedestrians suddenly appearing, parked vehicles block vision.	Motor bikes roaring past almost touching mirrors left or right side.
Traffic jam that requires you to move and stop constantly.	Bicycles forced into your lane by parked cars or curb extensions.
Aggressive driver speeding and weaving between lanes.	Driving late for work, school drop, appointment, shop closure.
Slow driver on a single lane road.	Driving with sunlight shining in your eyes, revealing a dirty windscreen.
Drivers that don't signal and who wander into your lanes without warning.	Driving behind vans, trucks, buses, 4X4 that limit your visibility.
Drivers distracted (using phones, admonishing children, conversing)	Driving in adverse weathers like heavy rain or snow.
Minor issues with your vehicle maintenance.	Driving in dark or dimmed roads, approaching vehicles LED glare.
Pedestrians jaywalk as if they have the right of way.	Driving on unknown roads, next to cliffs, with potholes, uneven surface
Waiting for a driver who takes forever parking.	Being Tailgated by large vehicles.
Driving on roads with road works signage, particularly inactive work.	Adequate range of fuel.
Difficult Parking or no parking available	That 9" screen isn't intuitive all you wanted was to turn off heated seats.

The major obstacle preventing people from taking up cycling in Australia is safety. Cyclists are safer when segregated from other traffic. The Federal Government should look at the Netherlands or [New Zealand](#) as an example of what can be achieved. The presumed liability system introduced in the Netherlands along with an extensive network of bicycle infrastructure has meant that Dutch cyclists are amongst the least likely to be injured anywhere in the world. It is five times as safe to cycle in the Netherlands as it is in the United States and three times as safe as in the UK. The presumed liability system is accepted within Dutch society and has heightened cycle awareness on the part of Dutch motorists, many of whom are also cyclists.



**No cost solution ①.** Obvious and immediate. Australian Cities have bicycle lanes that provide reasonably safe transit for sustainable bicycles and Electric Personal Transports all that is required is to make many more of them Permanent.

There is no requirement for Councils or Governments to make on-street parking available to citizens it is our responsibility to provide car parking at our domestic or commercial premises and unloading off-street. Offering the provision of on-street parking is counterproductive to the primary objective of providing safe, effective, efficient transport carriageways. The privilege of on-street car parking is acceptable on low traffic volume in quiet urban streets, but it must not infringe safety of vulnerable users nor inhibit the traffic flows. By following the ethos that safe efficient traffic flows for all transit users is always the priority and that on-street parking is a privilege not an entitlement, will lower the cost of our road network and provide more efficient traffic flows.

**No cost solution ②.** The second solution is for Australia to introduce the concept of presumed liability i.e., motorists are assumed to be at fault unless they can prove otherwise in circumstances involving a collision between a motor vehicle and a cyclist or pedestrian on a public road. Reversing Australia's current requirement for a claimant cyclist to prove, on the balance of probabilities, that a defendant driver was negligent. It is beneficial, logical and prudent for Australia to protect the most vulnerable road users.



Such changes would be unpopular with many motorists, but it would substantially increase Cycle and Electric Personal Transport awareness on the part of all road users and will reduce the number of casualties on our roads. The principles of strict tortious liability are often associated with stringent insurance requirements which exist in countries such as Sweden or France. Compulsory insurance along with strict liability principles removes the problem of proof for cyclists (and pedestrians) and compensation is awarded automatically.