



# ChainLinks

The newsletter of the Cycling Advocates Network (NZ)

Summer 99/00

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## Editorial

First let me thank Patrick Morgan who was guest editor for the last issue of *ChainLinks*, he did a good job I'm sure you'll all agree.

The last issue caused a little controversy in some quarters for two articles both of which came from Palmerston North. This of course is to be expected as Palmerston North is already (in)famous as the city which brought you the cycle helmet ☺, and is certainly no reflection on the guest editor.

*ChainLinks* doesn't set out to be controversial, though that is inevitable on occasions and not something we should try to avoid. Items published in *ChainLinks* are not necessarily the view of CAN, and if an author is a member of a local group the article may not represent the views of that group unless so credited. This is a quite normal stance for publications to take, you'll see something similar in *AA Directions* for example – which presumably clears them of agreeing with the advert for a radar detector whose purchase earns you AA Points – I doubt we can ever trump that!

Having said that in this issue I aim to stir you up again with a rather blunt review of "The Unsafe Cycling Book". Also some people raised concern over the lack of "hard facts" in my article on cycle helmets, sorry about that it was actually a cut-down version of an article aimed at the general population and not at cycle advocates. To address this a little I've included something from Québec in this issue.

At this time last year I reported I hoped to be visiting Canada and would report back on cycling over there, but unfortunately I never made it ☹. This year will be different as my tickets are already booked and this time I'm off to Utrecht in the Netherlands, expect cycling news from over there in future issues!

Wherever you may go over this summer I wish you Happy Christmas, New Year and holidays! Thank you all for your contributions this year and I look forward to many more next year. *ChainLinks* will return in February or March 2000.

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## Letter To The Editor

Please write to the Editor, ChainLinks, email ChainLinks@altavista.net, or post items c/o CAN, PO Box 11-964, Wellington.

Dear ChainLinks,

I read Nigel Perry's article Helmet Hypocrisy in November 99 ChainLinks with mixed feelings.

I do agree with Nigel that helmets will not solve the problem of New Zealand's increasing bicycle accidents. However, improving roads and changing attitudes will take a lot of time, patience and money. Until the day that State Highway 60 is widened and I can trust cars to slow down and pass me further than at arm's length, I for one am keen to protect my brain and will wear a helmet whether it is compulsory or not. I also wear bright clothing and ride assertively.

As far as I know, helmets have been effective in reducing or protecting from brain injury from time to time. Great. I can somehow deal with broken arms and mangled legs, but a brain injury is the worst possible thing I can imagine having to deal with.

My elderly but fit father had a fall while walking on a footpath, suffering serious brain damage. I shudder to think how much the cost of his care during the next 8 months until his death cost the society, how his quality of life was reduced to basics, how hard it was for the rest of us. A child suffering the same fate may require full care for the next 70 years.

True, not being required to wear a helmet in a car, walking on a hard surface, and probably also when walking under trees, is illogical. You should also be required to wear a sunhat in the summer and a snorkel while bathing. But for now we should concentrate on the task at hand – cycling safety. While compulsory helmet wearing may not be the answer, I think for now cyclists should at least be encouraged to wear a well fitted helmet.

I think Nigel's campaign would be more valuable if it was aimed directly at improving cycling safety instead of the red herring of whether or not to wear a helmet. Helmets are a symptom, not a solution.

*Rita Virtama, Takaka*

Nigel Perry, author of the article, replies:

I have to agree with Rita that helmets are "a symptom, not a solution", though we might disagree exactly what they are a symptom of! For me personally the huge negatives of cycle helmet legislation are something I cannot in good conscience ignore. My campaign is directly aimed at improving cycle safety. See also the article from Québec elsewhere in this issue. 🚲



Dear ChainLinks,

Having Just returned from a week in Britain and 3 in Spain I am happy to report that biking has the future, and cars continue to bring their own demise ever closer.

Cities in both countries are choking on diesel fumes, and priceless heritage buildings corroding big style. Neither good for tourism, which is US\$40b+ / annum in Spain.

The European Cyclists' Federation is pushing traffic-calming as the most cost-effective practical way to promote cycling and all the benefits it brings. Street-by-street and area-by-area gradually slow down, and decrease, the traffic. That is the way to go.

The other 2 main issues seems to be cycling to school, and making helmet use non-compulsory. On the former, at least one UK city has reached Danish bike to school statistics, and on the latter Spain has dropped legislation for compulsory helmets. *[The latter decision was reversed and the right of way went too, see article elsewhere in this issue. Ed.]*

Southampton University, with Wolverhampton and Cambridge hot on its' heels, has creatively discovered the solution to parking and access to a dispersed campus. It is based on the old Jesuit path to success, get them while they're young and you've got them for life.

It has become common for parents to reward their children for getting into university by funding tuition for a driver's licence and giving them a car. This has led to major headaches for the universities. The solution? Last year they advised new entrants, and thereby their parents, that car parks will not be available at university, but that for only £80 a student can have a years ticket to the buses. Over 90% of parents took up the offer and the money was given to the bus company on condition they re-routed some buses, and increased frequencies. This year the cost has increased to £130 and includes a late nightclub route, and a proximity card which is a development of a swipe card. This card has huge capacity and can be used to gain access to locked bikesheds, student cafe, sports facilities, ad-infinity.

I wondered why the long queue outside the "Uni-Link" office, the reason became clear, virtually all students want a card.

The three universities have different ways of organising the buses. One bought a bus company, others are employing their own drivers and buying buses, or about to.

The whole programme struck me as very bright. An alternative to the car-cycle is up and running, and some students may keep that way for life! Well done you.

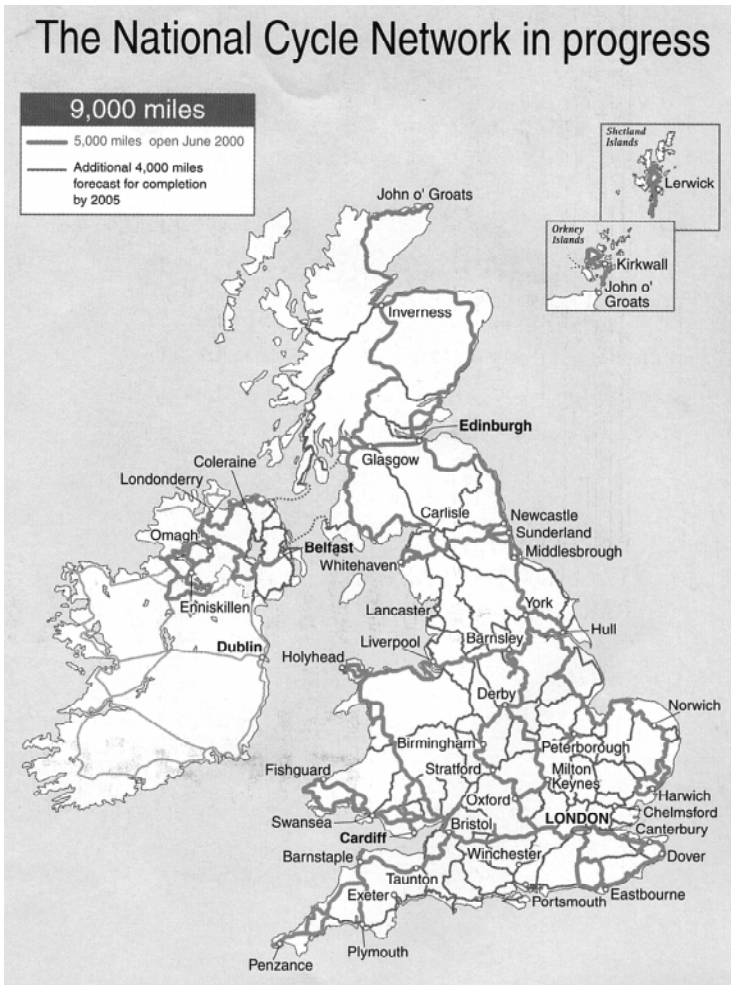


Road safety for cyclists can only be improved by removing the danger at its source: **CALMING THE TRAFFIC**

*Daryl Cockburn*

## UK National Cycle Network – A Challenge To New Zealand!

The UK National Cycle Network being coordinated by Sustrans is due to open in June 2000, at which time it will be 5,000 miles long! The long term plan is to have a 9,000 mile network by 2005:



Over one third of the Network will be entirely traffic-free, built along old railway lines, canal towpaths, riversides and urban spaces, and in many cases these sections will be ideal for pushchairs and wheelchairs as well as for cyclists and pedestrians. The remainder will follow existing roads, town roads which may be traffic-calmed or incorporate cycle lanes and quiet minor roads which will be used for country sections. There will be special crossings over busy roads where needed.

*based on Sustrans material*

## Bicycle Nelson Bays.

Nelsons need for a cycle advocacy group became very clear back in August when the local newspaper ran an article on cycling in the city. Entitled *Uneasy Riders*, it pictured and quoted local riders doing battle in their daily commute to and from work. But the most disturbing part of the article was the statement suggesting that Nelson had a cycle casualty rate **three** times higher than the national average.

Something had to be done!

There were already a number of individual CAN members in the area, so three of us got together to see what could be done. We contacted some of the other people featured in the article and *Bicycle Nelson Bays* was born.

The group is still riding with “trainer wheels” at the moment but hope to grow and expand as time goes by.

Safety is obviously going to be high on the priority list. At present we are focusing on establishing a dialogue with the local councils. We also will be doing something for National Bike Week and Bike to Work Day.

Naturally we welcome new members and will shortly be drawing up a membership list and setting a subscription. However it won't all be dry advocacy work. We plan to have some social get togethers and fun rides as well.

For more info contact:

Iain Dephoff	03 5433639	depwell@ts.co.nz
Helen Rance	03 5446840	hrance@clear.net.nz
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## \$11.7m Initiative To Combat Cycle Deaths

Tauranga, Nov 6 – A major new initiative has been launched to combat Tauranga’s reputation as New Zealand’s most dangerous city for cyclists and pedestrians.

Tauranga District Council has unveiled a far-reaching \$11.7 million plan to make the city more user-friendly to cyclists and pedestrians, and reduce the estimated 200 crashes each year.

Three pedestrians and a cyclist have been killed since 1994, and 36 seriously injured. The 133 cycle crashes reported to the Land Transport Safety Authority are regarded by the council as the tip of the iceberg, with the actual number of accidents believed to be seven times greater.

The plan, which is out for public comment until December 8, says cycle casualties are highest among 10 to 14 year olds.

Children also figure prominently in pedestrian casualties – officially 84 people were hit by vehicles in the last five years, although this is regarded as conservative.

“On average, Tauranga has a higher proportion of cyclist and pedestrian casualties than the rest of New Zealand,” the plan said.

Cycling was perceived as being dangerous because of the vulnerability of cyclists to steadily increasing volumes of traffic, driver intolerance and narrow roads. 🚲

NZPA

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## Review of the Traffic Management Workshop in Terms of Cycling

The 1999 Traffic Management Workshop, held from 1 to 3 November in Palmerston North, had one of its focuses on cycling issues. One of six sessions was completely covered with remits regarding new cycling developments.



### Remits

*Alix Newman* (Christchurch City Council, Cycle Planning Officer) described the investigation process of different delineation techniques available. Alix reported that the current practice of marking cycle lanes is a very weak form of assigning road space to cyclists and wants to be able to show at the end of the process which techniques are most appropriate for the different situations.

In his second remit, Alix reported about the process of how cycle lane markings have been developed in Christchurch for signalised intersections. The overall objective is to make signalised intersections as safe and cycle friendly as possible, but we will have to do much more research before we can confidently claim this success.

*Andrew McKillop* (Hamilton City Council, Traffic Engineer) talked about an Advance Stop Box trial. Two of these facilities, where cyclists find a storage area ahead of the vehicle limit lines at signalised intersections, have recently been installed in Hamilton.

Andrew then presented a remit on behalf of *Roger Boulter* (Hamilton City Council, Transportation Policy Planner). Roger has won the IPENZ Transportation Group Study Award. The emphasis of his work is getting the multiplicity of agencies to talk to each other, which ultimately may result in the development of a National Cycling Strategy.

*Canute Chandrakumaran* (Transit New Zealand Head Office, Policy Division) reported the findings of a research project about cyclists and thermoplastic road markings. The State Highway agency has changed their standards following this research in order to improve the safety of cyclists.

*Vadi Vencatachellum* (Auckland City Design, Traffic Engineer) informed the conference delegates about a combined bus priority and cycle lane in Auckland. A green colour has recently been installed to improve the delineation of the shared facility in Symonds Street.



## **Coloured Surfacing for Cycle Lanes**

Conference attendees expressed a need to discuss the appropriate colour for cycle lanes and bus priority lanes. Green has been chosen for the combined Auckland bus and cycle facility. Red is the colour earmarked for a cycle facility in Auckland, to be marked in December 1999. Hamilton has used green for their Advanced Stop Box trial, whereas Christchurch has used red for the cycle facilities that have been coloured yet.

One of the purposes of the Traffic Management Workshop is to achieve consistency within New Zealand in terms of traffic management. To prevent driver confusion when visiting another city, it is aimed for that road controlling authorities follow the same rules and standards throughout the country.

A spontaneous meeting was convened of interested parties to discuss the most appropriate colour. A group of about 30 practitioners from local authorities, Transit New Zealand, traffic engineering consultancies, road safety co-ordinators, the Land Transport Safety Authority and road marking companies discussed the issue in some depth.

The group concluded that green is the most appropriate colour. It was this group's wish to informally recommend to New Zealand's road controlling authorities the use of green if they wish to use colour for delineating cycle, bus and combined bus and cycle facilities.

## **National Cycling Working Party**

The colour issue highlighted the need for a national cycling working party. Issues like the development of design standards (including sign posting of cycle facilities), trial approval by the Land Transport Safety Authority and research should be co-ordinated, as it would be a waste of our resources if different institutions double up their efforts. And as mentioned earlier, we should aim for uniformity throughout the country. Alix Newman would like to set up this working party in the near future. Express your interest to him if you would like to be involved.

## **Closing Remarks**

It was good to see so many professionals presenting remits about cycling issues. This is a very positive development, as there is still a definite need for all of us to learn more about the specific needs of cyclists as road users. We have only just started to learn about it!

I would like to encourage everybody within the profession who is involved in planning or designing for cyclists to prepare remits for sharing the knowledge and to attend future workshops. If workshop attendance is not

possible, I believe that anybody from the proposed National Cycling Working Party would be happy to present a remit on their behalf. Cycling is an area where we all have to up-skill ourselves.

I would like to thank everybody for their input at this years Traffic Management Workshop. I believe the spontaneous meeting mentioned earlier was of high significance. Colleagues whom I believe some years ago would have discussed whether to provide cycle facilities were present at this meeting and intelligently contributed how to design and provide for cyclists. A very positive development indeed. ☺

*Axel Wilke, City Design Christchurch, Traffic Engineer*

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## **Bike Taxis: Up And Out In London And Paris**

Two of Europe's main cities, London and Paris, now boast rickshaw-type bike taxis. Commonly driven by students, the bike taxi or "pedicab" companies in the two cities are attracting tourist and city slicker passengers.

London's Bugbugs company, founded by 43-year-old Chris Smallwood, has a fleet of 18 three-wheeled "trishaws" and four-wheeled bikes providing a "pollution solution". Qualified riders wait at the bike taxi rank at Spitalfields Market and ferry the lunchtime trade. Training involves rigorous safety routines each rider must carry out before using the bikes, as well as being taught the finer points of pedicab etiquette.

Tourists waved, motorcyclists smiled and even the police greeted the newest form of transport on the Paris streets: bright yellow bicycle taxis called VeloTaxi. Brothers Patrick and Didier Leonhart have patented a version of the rickshaw with a fibreglass cabin mounted on a sturdy 21-gear tricycle. These are luxury vehicles, offering their passengers comfortably padded seats, reading matter and a sliding sunroof. The company has a team of around 30 riders and is looking at franchises in other French cities.

Given the popularity of the two and four seater "Crocodile bikes" available for pedal-yourself hire on an hourly basis around the Wellington waterfront, perhaps there is a future opportunity for bike taxis in New Zealand cities.

More information on bike taxis and bike delivery services is available on the Workbike website, the main source of the information in this article, at: <http://www.workbike.org> ☺

*EECA Sustainable Transport Newsletter*

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## **Drive Safe Cycle Safe**

*Christine Cheyne found this interesting page on the UK's Department of Environment, Transport and the Regions web site.*

Motorists and cyclists both have a right to use Britain's roads – a right to safe and enjoyable travel. Both share a responsibility to understand each other's needs – and to respond positively.



This information aims to make motorists and cyclists more aware of one another, and to counter the intolerance that can develop between them – in short, to establish a climate of mutual courtesy and care.

### What cyclists would like motorists to know

- Cyclists **are more vulnerable** than motorists – drivers have the major responsibility to take care. Rain, wind and poor visibility make conditions worse for cyclists.
- Cyclists **can feel threatened by inconsiderate driving**. They **have a right to space** on the road and need **extra** room at junctions and roundabouts where cars change speed, position and direction.
- Cyclists **ride away from the kerb, not** to annoy motorists but to:
  - avoid drains, potholes and debris
  - be seen as they come to junctions with side roads
  - discourage drivers from squeezing past when it's too narrow
- Cyclists **turning right are exposed** – and need extra consideration from motorists, especially on multi-lane roads with fast-moving traffic.
- Cyclists **can be forced into faster traffic** – by vehicles parked in cycle lanes, at junctions or on double yellow lines.
- Cyclists **are dazzled** by full-beam headlights, like everyone else.
- Cyclists **can be fast movers** – 20mph or more.

### What motorists can do

- **Think bike**. Expect to see cyclists, and take care.
- **Slow down and drive smoothly. Keep within speed limits. Expect sudden movements** by cyclists, especially in windy weather and on bad road surfaces.

**Signal:** always at roundabouts and **every** time you pass a cyclist

**Watch for riders on the inside** when you turn left. Don't cut them up.

- **Give cyclists space** – at least half a car's width – and never force past them. **Be patient** – a few seconds for a cyclist hardly affects your total journey time.
- **Right-turning** cyclists need **space and time**.
- **Park considerately. Always look for cyclists** before opening a car door.
- **Use dipped headlights**.
- **Expect speed** from bikes. Think of a bike as a vehicle – it is.


## What motorists would like cyclists to know

- Motorists **get upset if cyclists ride without lights** at night, ignore red traffic lights or hop on and off the pavement.
- Motorists **usually travel faster than cyclists** and may have less time to take account of hazards.
- Motorists **may not always see cyclists**.
- Motorists **are made uneasy when cyclists seem hesitant**, move out suddenly or wobble around potholes.
- Motorists can **feel delayed by cyclist**.
- Motorists **don't always understand** that some road surfaces, junctions or traffic conditions cause problems for cyclists.

## What cyclists can do

- **Follow the Highway Code.** Don't:
  - jump red lights
  - ride on pavements (unless they are shared paths)
  - ride the wrong way in one-way streets (unless signs say that cyclists are permitted to do so)
  - ride across pedestrian crossings
- **Think ahead.** Anticipate drivers' actions. Catch their eye.
- **Be visible.** Ride well clear of the kerb, wear bright clothing, and always use lights after dark or in poor day-time visibility.
- **Show drivers what you plan to do.** Always look and signal before you start, stop or turn. Ride a straight line past parked cars rather than dodge between them.
- **Move over, when it's safe and convenient.** Two-abreast is often OK, but try not to hold up other traffic.
- **Ride positively and decisively.** It helps motorists to understand what you plan to do.



**Mutual respect and consideration make for safer and more enjoyable travel. Always acknowledging a courtesy does make a difference.** 

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## Backgrounder For National Cycling Strategy

Roger Boulter, a transport planner with Hamilton City Council, has been granted a Study Award to work on ideas for a National Cycling Strategy. The Transportation Group of IPENZ (Institution of Professional Engineers New Zealand) has given the grant. Hamilton City Council is also supporting Roger by allowing him to use its office facilities and have some unpaid time off his usual work.

Roger represents New Zealand on the Australian Bicycle Council, through which Australia launched its own National Cycling Strategy in February this year. "A number of people have been asking whether New Zealand should have such a strategy, but no one is in a position to start work on one. By preparing a document with no official status, there's a good chance the different agencies could talk freely and hopefully reach a consensus. Then it will be entirely up to government and others as to whether they wanted to take the ideas further", Roger says.

Agencies involved would include local government road managers, safety and health bodies, and the cycling community. The project will be completed within a year.

Contact:

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Tel: 07 838 6896.  
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*EECA Sustainable Transport Newsletter*

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## Snippets

### Money For Jam

Auckland's traffic jams may cost something in the order of \$1-\$5 million per event. The Northern Regional Road Transport Association – which represents truck owners – reckons every hour of jam costs around \$1 million. The Association told the *New Zealand Herald* that this did not include the costs of downstream effects – such as delays on other parts of the roading system, missed meetings, missed planes, freight not getting delivered on time... Which brings us to the Auckland Regional Land Transport Strategy and the importance of having a decent roading system that reduces car driver frustration and encourages proven congestion-reducing options such as cycling... 🚲



*Stephen Knight*

### Europe Allows Lower Vat On Bicycle Repair

Citizens in a number of European countries may in the near future pay lower VAT (Value Added Tax) on bicycle repair, haircuts or getting their home cleaned.

The European Union has allowed a three year experiment in which the individual countries in the Union may choose to lower the VAT rate down to five percent on three labour intensive trades.

The trades mentioned are: repair of bicycles, shoes, leather goods, repair of clothes, repair of houses, window cleaning, hair cut, day care in private

homes, cleaning in private homes and care of the elderly, handicapped, and sick.

It is still not clear which trades will be chosen in the various countries. Thus bicycle repair may – or may not get a lower VAT rate. Europe has traditionally had fairly high VAT rates, ranging from 15-25 percent. So far only Denmark has opted out of the experiment. 🚲



BNA

## Party Time

Auckland cyclists are invited to a day ride from the city to the Waitakeres for a bit of wine tasting and a long leisurely lunch. The date is this February 19. You can either ride out and back or take the train one or both ways. For details ring either Stephen Knight (378 4606) or Adrian Croucher (376 3787)

And a general reminder: CAA meets at 7.30pm every fourth Thursday of the month at Adventure Cycles, 1 Fort Lane, City. We need your active support! 🚲

CAA

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## Review: “The Safe Cycling Book”, Draft 2

Compared to the UK DETR's *Drive Safe Cycle Safe* web page, the latest draft of *The Safe Cycling Book* from the Land Transport Safety Authority is awful.

*The Safe Cycling Book* seems designed more to frighten people away from cycling, and make bad riders of those who aren't than to promote cycling in any positive way. This book is the (child) cycle equivalent of *The Road Code* and it is instructive to compare the two.

*The Road Code* starts with information on your licence, how to position yourself on the road, how to pass & overtake, giving signals, how to use intersections and appropriate speeds – that's chapters 1 through 6. In chapter 7 seatbelts are introduced, a vital safety device, and this is halfway through the book. Whatever else you may think of *The Road Code*, it doesn't encourage being “cool”.

*The Safe Cycling Book* is rather different. It starts with a message to parents/caregivers which recommends that children should be at least 10 years old to ride alone on the roads. This is a difficult issue and I'm sure there will be readers who both agree and disagree with this. In Palmerston North cycling to primary schools has dropped by about 50% since 1984 and now only about 16% of pupils bike, I personally find this sad but many see it as a positive development.

After the short message to parents we get to the main part of the book which starts with helmets, because unlike seatbelts these things are really important and can't wait till chapter 7. Given that wearing a seatbelt is at least as important as wearing a helmet, one of *The Road Code* or *The Safe Cycling Book* is placing too much/little emphasis on something...

Up until this point (second page of text) *The Safe Cycling Book* might be a little controversial to some, acceptable to others, but nothing too bad. But...

On page two we get "Riding a bike is dangerous". **What?!** Is this any way to encourage children to ride a bike, or to get responsible parents to encourage their kids too? No. What is worse of course is its a lie, or as its called in political circles its "economical with the truth".

Cycling is a healthy activity and one to be encouraged. It is not dangerous. Of course you can get hurt riding a bike, but compared to the alternative of riding in a car, with its associated accident risk, it is far better. Even the risk of head injury, much vaunted as a negative of cycling, is about the same per hour for cyclists and seatbelted car occupants. Cycling is an active mode of transport which provides a health benefit which far outweighs any risk, sitting in a car is sedentary and provides no health benefit whatever to offset the risks to the occupants and others. The British Medical Association has pointed out for years that it is healthier to ride a bike, given the risks from accidents, than to not do so. And there is plenty of other evidence and research which backs up this view, but I shouldn't need to tell CAN members that.

The emphasis on how dangerous cycling is continues, along with the responsibility of the cyclist to protect themselves from it; the book comes across as very one-sided on this – you as potential victim must beware! The following is typical:

*"So what's wrong with being small? Nothing, except you're harder for drivers to see. And if drivers can't see you, they're more likely to hit you. CRUNCH!!!!"*

Now don't get me wrong, I'm all for safe cycling! I think children should be taught how to ride properly and be aware on the roads. My son wasn't allowed out alone until he'd been taken out for lessons and was "given his licence" by me. However the approach of this book is negative and misleading.

If you're a parent and haven't been put off this dangerous activity by now the book moves on to "Safety Skills" where kids are encouraged to be a "hot bike rider", "a truly gun rider", and "pretty cool". I found myself questioning this approach, it may be an attempt to use the current vernacular, but I'd far rather my son was responsible instead of being a "gun rider".

I am sure there are some good bits in this book, but I hesitate to highlight any of them should doing so be mistaken to mean that with some corrections this book could be fixed. It can't. The problem with the book is the philosophy is all wrong, and that underlies everything. This draft needs to

be thrown out and the project started all over again – with new people who see cycling as something positive and to be encouraged.

Should this book in its current form ever make it onto the bookshelves my son will certainly be banned from reading it. And that has nothing to do with my opposition to today's dangerous emphasis on cycle helmets – I could always rip out those pages – but to the whole underlying philosophy which oozes through the book – and I couldn't rip that out. ☹

Nigel Perry

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## Spain Passes Helmet Law

*[In an earlier issue of ChainLinks we carried a request from Spanish cyclists for support. This article from the BNA brings us up-to-date with what has happened in Spain. Though New Zealand cyclists may be divided on the helmet issue, the loss of right of way should concern us all – both for the welfare of Spanish cyclists and for how long it will take for it to be suggested here. The article is published unaltered and CAN of course may or may not support all the views expressed. Ed.]*

*The Spanish Parliament ignored protests from bicycle advocates and passed a bicycle law which – in an attempt to protect cyclists – deals a major blow to any form of bicycle promotion. The Bicycle News Agency brings a special report from the Spanish bicycle group Amics de la Bici.*

On November 11, 1999, the Spanish Parliament approved a law to adapt traffic regulations to cycling. It is meant to protect cyclists and promote cycling, but most of the articles are restrictive, even to the point of creating situations where cyclists will have virtually no other choice than fling themselves off the road or get overrun by a car.

Cyclists will:

- Art. 1) have to wear a helmet outside town, as will be detailed by decree, probably within three months;
- Art. 2) lose the right of way in most ordinary traffic situations, except on bicycle crossings and bike lanes and under some other circumstances, when a car turns left or right;
- Art. 3) be banned from major highways, (even roads below freeway/autobahn-standard), except when the authorities decide that there is no other alternative;
- Art. 4) have to wear reflective clothing when riding under poor light conditions;
- Art. 5) be allowed to ride 2 abreast under some circumstances to be developed by decree, most probably only bicycle lanes and hard shoulders;
- Art. 6) be obliged to submit themselves to alcohol controls.

During the past two years, the law has gone twice through both Chambers of Parliament. Over 50 amendments have been presented to the handful of articles. Some of them made much sense, such as defining what a bicycle way is or giving right of way to cyclists on bicycle crossings and bicycle ways.

Others denoted thorough ignorance of cycling and the traffic law in force, asking cyclists to carry red reflectors “on the back side of the pedals”.

Other proposals were only made at a preliminary state and did not enter the process. This is the case, e.g., for better protection of cyclists when motorists overtake on road.

The law has remained nearly unaltered since the first proposal, and the outcome is utterly disappointing. Bicycle advocates from Spain, from the European Cyclists Federation, and from all over the world have campaigned against such unjustified restrictions and for cycling promotion.

So far, they have achieved that the law has not passed inadvertently or even widely applauded by the motorist society. It is controversial even among politicians of the same party in Upper and Lower House (who voted against each other’s proposals), and it has raised social debate.

One of the main promoters of mandatory helmets, socialist Javier Paniagua, has even been forced to admit publicly that bicycle helmets will not reduce the number of accidents with cyclists – only to continue that they are life-savers anyway.

90% of cyclist road accidents are impacts of motor vehicles, 75% of cyclists suffering an accident were not infringing the law, about 2% of traffic fatalities in Spain are cyclists. Most cycle accidents happen on weekends, with fine weather and on broad roads, when cyclists are disrespected by motorists who overtake them at only a few centimetres or even less, simply “don’t see them” or claim that the cyclists “have come over them” inadvertently.

At the very last moment, when only the last amendments approved by Senate in plenary session (no mandatory helmets, no freeway ban, no special mention of cyclists among vehicle drivers obliged to submit to alcohol control) were to be accepted or refused by Congress, thus passing the whole law definitely, Mr. Paniagua also recognized that the loss of right of way for cyclists may create situations of additional risk and danger for them at any crossing or roundabout.

By the day of the votation, at least the president of Congress and all spokespersons of political parties knew about this situation. Parliamentary procedures would not permit further amendments. No steps were undertaken to postpone votation, and on the morning of November 11 all Senate amendments were rejected with 293 votes, with only 3 votes for the amendments and 17 abstentions.



All big political parties were in a hurry to make helmets mandatory and tell the automobile lobby that cyclists will be specially fined for drinking. Afterwards, emergency measures may be undertaken to fix the fatal prescription of losing the right of way. 🚲

*Hildegard Resinger, Amics de la Bici, Spain*

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## **Labour Party Transport Policy**

*We don't normally publish party political documents, but given Labour has just formed the new government this Labour Party press release put out before the election describing their transport policy might be of interest. You can find a full copy of the policy at:*

*<<http://www.labour.org.nz/InfoCentre1/Policies/businessgroup.html>>*

Labour Leader Helen Clark said today that Labour will take New Zealand's transport system in a new direction in the 21<sup>st</sup> century. She said Labour will improve road safety and guarantee that New Zealand's roads remain publicly owned and managed.

"Labour sees transport as a public good. The health of the economy and society in general depend on a safe and efficient system for the transport of people and goods. That means ending the National Party's drive to corporatise and privatise our roading system.

"Such proposals threaten the maintenance and retention of the existing nation-wide roading network. They would remove accountability for roading away from the elected representatives of communities to unelected appointees running roads for profit. We completely oppose these moves.

### **A new nation-wide Transport Strategy**

"Labour's nation-wide transport strategy will be practical and will aim at achieving co-operation within the sector. Investment in transport must be made in the public interest and should take priority over short-sighted moves like tax cuts.

### **Ministry of Transport**

"It is a decade since responsibilities were devolved from the Ministry of Transport to more than a dozen satellite authorities, including Transit New Zealand, the Civil Aviation Authority and the Maritime Safety Authority. It is time that these satellite authorities were reviewed to ensure that they are operating effectively and accountably.

### **Roading**

"Labour is committed to maintaining and building on our roading infrastructure and will place high priority on increasing funding for roading projects. This will particularly go to reducing 'black spots' and increasing the number of passing lanes.




“We favour roading management continuing to lie with bodies which are accountable to local communities. We are prepared to work with local government on regional clustering. This could include the devolution of state highway management to regional clusters under a national strategy. This has already been tested and found to be of real benefit in the Rotorua region, and could lead to significant efficiencies.

“Labour will consider arrangements which could speed up the investment in alternative routes. One option is to permit developers to build roads on a build, operate, toll and transfer basis. Such arrangements would be on the basis that the roads would transfer back to public ownership on a contracted time scale. A non-tolled alternative road in public ownership would need to be maintained to a satisfactory standard.

Public transport “Labour will be backing the development of a much stronger public transport infrastructure in our cities. We will invest in public transport, recognising the social, economic and environmental spin-offs of such an approach.

“For cities like Auckland, which daily experience gridlock, the benefits of improved public transport will be immense. The travelling public and commercial traffic need to be able to pass through metropolitan areas more quickly.

“Auckland’s congestion is a significant and growing constraint on the economy. A high proportion of New Zealand’s import and export trade goes through Auckland’s ports and airports. That makes Auckland’s traffic congestion an issue of national and not just regional significance. The New Zealand economy will benefit from quicker, and therefore cheaper, transport around the Auckland isthmus,” Helen Clark said. 

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## Accidental Journeys

Imagine you’re riding towards a roundabout. There are two lanes of traffic ahead: the left lane is a left-turning lane only, the other a straight-ahead lane. You intend going straight ahead, so you are in the right hand lane but keeping to the left of it.

As you approach, both lines of traffic are stationary or moving only slowly. So you pass between them. As you approach, a fire truck to your left prepares to turn left. In order to negotiate the tight bend, the driver pulls out and straddles over into the right hand lane. The car beside you in the right hand lane stops suddenly to avoid hitting the truck, but the truck catches you and pushes you over into the car.

You damage the car’s bonnet by landing on it, and the truck smashes the bike. You’re okay but shaken. The car driver is also upset and the usual thing happens – you give your name and address. Now the problems start. Who, exactly, is at fault here? The fire appliance apparently straddled over into another lane, so they might be at fault; the cyclist was riding between two lanes of traffic, so he might be at fault.

The car driver's insurance company assumes the cyclist is at fault. The grounds are that the cyclist was riding illegally. Now on querying this, the cyclist is told by the Land Transport Safety Authority that it is permissible to ride on the inside of stationary traffic on a centre lane, as you would along a kerb side.

However, further inquiries suggest this is not at all clear. So there is something of stalemate over who is at fault – though at this stage we understand the insurance company has not pursued the claim.

But wait. The story does not end there. The cyclist involved told us that when the police turned up the officer assumed immediately that it was the cyclist's fault. There was no discussion as to whether a cyclist could ride along inside stationary traffic: it did not seem to be something the officer knew anything about.

Then, to rub salt in the wound, the police and the fire service write an article in a community newspaper warning cyclists about the dangers of riding without lights. Given it was daytime, it was a particularly peculiar angle. To give the services the benefit of the doubt, it seemed they were giving a general warning to cyclists to practice defensive driving.

But this brings us to the nub of the issue. What choices do cyclists have to practice defensive driving? Yes, ideally they sit behind vehicles in a queue and negotiate the roundabout like everyone else. But the reality is that this is often more dangerous than riding up with traffic either side: if you are in a lane, you may ride too slowly and drivers end up tailgating you. In addition, it is safer to ride with a vehicle shadowing you on your right as this offers greater protection than if you are out in a roundabout on your own. Finally, bikes ride to the left of lanes by law – in order to get into a queue of traffic you need to cut in front of vehicles, which is also a dangerous manoeuvre and likely to annoy car drivers.

So the real problem remains the design of the roading system. Auckland's road network is such that in some places it is almost inevitable that cyclists will be placed in dangerous situations. Squeeze points are just that, and soft tissue squeezes more than metal.

While Auckland – both the City and the Region – now views cycling as a serious urban transport option, the real practical challenge is to retrofit improvements on poor design. It also raises the question as to when the police and fire service will now attack road designers and engineers rather than those trying to cope with poor quality systems. ㊦

*Stephen Knight*

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## **Auckland Regional Land Transport Strategy 1999**

The Strategy was launched, as part of the Auckland Regional Growth Strategy: 2050, in the week before the election in front of an audience of over 500. All the top politicians were there including Jenny Shipley, Helen Clarke and Rob Donald.

Significantly, for Auckland, all the Regional mayors were there to sign publicly to their support. (Auckland City, Manukau City, North Shore City, Waitakere City, Papakura District and Rodney District.)

## **Draft Strategy**

Cycle Action Auckland along with Cycling Support NZ and some individuals made submissions at the draft stage that insufficient consideration was given to cycling with its potential benefits of reducing private car use, low environmental impact, sustainability and health benefits. These were taken seriously and the Regional Council and CAA members sat round the table to discuss what CAA believed should be in a Transport Strategy.

We are pleased to say that cycling (and walking) are now included throughout the document as an essential part of the overall transport picture.

Some quotes from the Strategy:

Cycling is an under utilised transport mode in the Auckland region. However, cycling is a cost effective and sustainable mode that is appropriate for relatively short journeys...it is important that cycling plays a more important role in the region's development. *p14*

Investment in pedestrian and cycling facilities will be essential to maintain and improve levels of accessibility throughout the region. *p16*

A key issue in the development of the Growth Strategy is the recognition of the need to develop land use patterns that support reduced vehicle demand and increased use of passenger transport, walking and cycling *p31*

Role of Cycling...(The Strategy's) aims will be to increase safe, direct and pleasant cycling access within and between communities; and to increase the modal share of cycling. (Presently 2%) *p48*

The action plan will focus on:

- Increasing decision-maker understanding and acceptance of cycling as an integral and strategic part of the region's transport mix, and cyclists as legitimate road users.
- Secure funding to improve cycle accessibility.
- Upgrading of the knowledge and skill base of planners, developers and engineers in the region to ensure consistent and 'best practice' planning, design and road management which supports safe cycling access within the regional roading environment.
- Expansion of the region's 'on-road' and 'off-road' cycle network, both within and between communities.

- An ongoing programme of cycling promotion, safety and education programmes.

p62

Policy C3.5...reduce the demand for vehicles to cross the Waitemata Harbour...including support for pedestrians and cyclists. p86

Policy C3.9 Ensure that any additional cross-Waitemata Harbour capacity includes provision for walking and cycling. p88

And the downside???

The successful implementation of the Strategy depends on securing adequate funding. p104

John Gregory

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## Position Of Physicians Concerning A Bicycle Helmet Law

*[This document was translated in Canada from the original French, this and it being a legal document explains the unusual style and odd strange word (what is a "tuque"?). Ed.]*

Presented to : "La Commission de l'aménagement et des équipements de l'Assemblée nationale du Québec"

We are physicians practising in Québec, and we believe that legally requiring all cyclists to wear helmets will ultimately have a negative impact on the health of our population, and will increase costs of medical care.

Though we support non-coercive promotion of the use of protective head gear for cyclists, we oppose the institution of mandating helmets.

Here is our position.



### Helmet Law And Risks Of Sedentary Living

Whereas physical inactivity is recognized as an important independent risk factor for cardiovascular disease, the number one killer of Quebeckers,

Whereas inadequate physical activity also predisposes individuals to several other medical conditions such as osteoporosis, obesity, non-insulin-dependent diabetes mellitus, cancer of the colon, deep vein thrombophlebitis and pulmonary embolism,

Whereas regular exercise is considered potentially beneficial for several common medical conditions including diabetes mellitus, coronary artery disease, hypertension, chronic obstructive pulmonary disease, withdrawal from tobacco and other substances, premenstrual syndrome, irritable bowel syndrome, fibromyalgia, many rheumatic conditions and some psychopathological states,

Whereas regular exercise is considered essential to the maintenance of physical and mental health,

Whereas bicycling is currently one of the most popular means by which Quebecers regularly participate in physical activity,

Whereas the potential health benefits of regular unhelmeted cycling have been estimated to outweigh its potential risk of accidental death by a ratio of 20:1, when expressed in potential life-years gained or lost,

Whereas those who cycle to work have consistently lower rates of absenteeism,

Whereas substantial international data has accumulated indicating a strong correlation between mandatory bicycle helmet legislation and decreased bicycle ridership,

**We believe that legally requiring all cyclists to wear helmets will ultimately have a negative impact on the health of our population, and will increase costs of medical care. Though we support non-coercive promotion of the use of protective head gear for cyclists, we oppose the institution of mandating helmets.**

### **Helmet Law And Transportation Choices**

Whereas bicycling, unlike motoring, is essentially a non-polluting means of transportation, making negligible contribution to ground level ozone, fine particulate aerosols, and to the production of other atmosphere toxins implicated as factors or cofactors that precipitate or aggravate progressively prevalent lung conditions such as asthma and chronic obstructive pulmonary disease,

Whereas bicycling, unlike motoring makes no significant contribution to greenhouse gases that are likely beginning to perturb established global climate patterns, with potentially vast impacts on human health and nutrition,

Whereas bicycle manufacture and operation, unlike that of motor vehicles, contribute negligibly to stratosphere ozone depletion, a process known to increase ultraviolet light exposure and to damage human immune systems and to increase susceptibility to some types of cancer,

Whereas bicycle manufacture per unit produces about 1/100<sup>th</sup> the amount of environmental toxins, including several known carcinogens, as does automobile production,

Whereas bicycles, unlike internal combustion engines, make no significant contribution to noise pollution, an important stressor of human nervous and endocrine systems, and largely responsible for presbycusis,

Whereas a helmet law potentially stigmatizes cycling as a dangerous activity,

Whereas mandatory helmet legislation, where enacted, has been strongly implicated in decreased bicycle ridership and decreased bicycle sales,

Whereas bicycling for many serves utilitarian function that otherwise may be accomplished by motor vehicles,

**We are concerned about the potential implications to public health of a law that will very likely decrease bicycle use and may also increase the acquisition and use of motor vehicles.**



### **Helmet Law, Perceived Risk, Projected Injury Prevention**

Whereas the importance of head injury is statistically over-represented, as many cyclists whose deaths are attributed to “**head injury**” actually suffer concomitant, equally fatal injuries to other systems,

Whereas cyclist head injury data often misleadingly includes facial injuries, a significant percentage of the total, for which helmets offer little or no protection,

Whereas even well-fitted, approved helmets offer little useful protection in accidents involving collisions with motor vehicles travelling faster than 40 km/h, the situation in which a majority of Quebec cyclist fatalities occurred,

Whereas the rate of injury per unit distance is an inappropriate means by which to compare the relative risk of cycling vs driving, as the average bicycle trip is much shorter than the average car trip,

Whereas cyclists’ rate of injury per unit time compares very favourably with that of motorists,

Whereas fatal motor vehicle occupant head injuries vastly outnumber those of cyclists,

Whereas there is intuitive and statistical evidence to suggest that “**risk compensation**” partially negates projected benefits of many safety measures, including mandatory helmet legislation, especially in children who are over-represented in bicycle-related injuries and deaths,

Whereas Australian data consistently indicates that mandating bike helmet use does not save as many lives as expected,

**We believe that a helmet law will not actually reduce the number of cycling deaths as dramatically as projected. Furthermore, we suggest that a helmet law for motorists would in fact prevent a much greater number of accidental road deaths.**



### **Helmet Law And Road Safety**

Whereas there’s a wide body of evidence from Québec and beyond to indicate that relative individual cyclist safety is directly related to the total number of cyclists in circulation,

Whereas bicycle helmet legislation is strongly associated with decrease in ridership,

Whereas police forces already do not have sufficient staff, time or money to adequately enforce motor vehicle speeding, and have expressed reluctance to enforce bicycle helmet law,

Whereas the risk of fatal injury to a pedestrian or cyclist struck by a motor vehicle increases exponentially beyond vehicle speeds of 30 km/h,

Whereas lower traffic speeds have been shown to have much more dramatically beneficial effect on rates of road injuries and deaths than have bike helmet laws,

**We believe that the establishment and strict enforcement of lower speed limits, with the aid of physical barriers as necessary (so called traffic-calming), should be considered, instead of mandatory helmets for cyclists.**

### **Helmet Law And Helmets**

Whereas wearing either an improperly fitted helmet or one that has been damaged is potentially worse than not wearing one at all, due to the false sense of security conferred to the bearer, and also due to the possibility of less vigilance on the part of motorized road users sharing the road,

Whereas a helmet law cannot ensure that all cyclists always wear helmets that are properly fitted and structurally sound,

Whereas it is often impossible to visually determine the structural integrity of a bicycle helmet,

Whereas most helmets are relatively fragile, and often suffer significant structural damage when dropped,

Whereas even the lightest, most well-aerated helmets can be uncomfortable for some riders, especially in hot, humid weather during which cycling is a popular activity,

Whereas helmet manufactures advise against the wearing of tuque, scarf, hood or hat under their products, thus limiting helmet efficacy in cool weather, as well as limiting their bearers' ability to protect themselves against ultraviolet radiation to the head, face and neck,

Whereas the presence of a helmet substantially increases the risk of insect stings to the scalp as the holes tend to trap bees, wasps and hornets that would otherwise deflect upon contact,

Whereas bicycling is often a spontaneous, unplanned activity, for which visitors and tourists are unlikely to bring their own headgear, especially since it can be easily damaged in transit,

Whereas helmets can be a cumbersome or pose a security problem, when not in use,

Whereas helmets can represent a relatively considerable expense, especially for growing children (who should change gear every 2 years) and for those on marginal incomes (who are more likely to be utilitarian cyclists),

**We find it understandable that it is not always convenient, practical or even possible for cyclists to wear adequate head protection whenever and wherever they wish to ride and we therefore understand that a**

**helmet law could pose a serious deterrent to participation in a healthy, environmentally benign form of recreation and transportation.**

## **Helmet Law And Tobacco Use**

Whereas our society continues to permit its members to smoke cigarettes, a behaviour that kills far more people than does unhelmeted cycling (and is in fact the most common cause of avoidable death in Québec), and unlike bicycling, is a behaviour that incurs no medical benefit to individuals nor any environmental benefit to society,

**We are perplexed that any government should consider implementing a measure such as mandatory bicycle helmet use, that would almost certainly decrease public participation in a healthy behaviour, while continuing to condone another, such as cigarette smoking, that is universally recognized as medically contra-indicated.**

Text prepared by:

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## **Motorist Acquitted Because She Didn't Appear Drunk**

By: Darrell Noakes, Saskatchewan, Canada

A Canadian motorist was acquitted after killing a cyclist because she didn't appear drunk. Her ability to appear sober made it inadmissible for the police to conduct a breathalyzer test, a local judge ruled. The teacher has since then been fired from her job.

Donna Singer who hit and killed 61-year old cyclist Donald Jaques, was found not guilty, because a local court ruled that the police breathalyzer evidence was inadmissible.

Police conducted a breathalyzer test on Singer two hours after the collision and determined that the driver had a blood-alcohol level two-and-a-half times the legal limit of 0.08 ml/l. On her first test, police recorded a level of 0.19 and, on her second, 0.18.

Following the verdict, Kevin Jaques, a Regina lawyer and son of the slain cyclist, told reporters and bystanders that he would like to see the law changed so that police don't need to see physical signs of impairment before asking for a breathalyzer test.

Crown prosecutor Sharon Pratchler said studies and evidence show that mental impairment occurs much more quickly than physical impairment.



Aaron Fox, Singer's lawyer said that the verdict cleared his client of any wrong doing and told those present that the cyclist was to blame for the collision.

### **Judge: Police Pressured Motorist For Test**

The judge ruled that police erred in conducting the breathalyzer test because they had pressured Singer into taking the test after her lawyer advised her to refuse and because they had insufficient "probable cause" to ask her to take the test.

In court, Regina Police Service Constable Al Hunt said that on the night of Jacques' death, Singer admitted she drank two glasses of wine before the collision. He said he didn't think Singer was drunk because she showed no typical signs of impairment. He said he thought she might be an "experienced drinker" who doesn't readily appear drunk, consulted with his supervisor, he then asked Singer if she would take a voluntary breathalyzer test at a police station.

Tate said that on the way to the station he realized that Singer was drunk. He said he smelled alcohol and noticed Singer's eyes seemed glassy, red and slightly bloodshot. He said he told Hunt at the station that he thought Singer was "loaded".

Singer at first agreed to take the voluntary test, but after phoning Legal Aid, Singer told police she was advised not to. But a short time later Singer agreed to take the test anyway.

Singer's lawyer, Aaron Fox, argued that police should not have tested his client. Police interfered with Singers charter right to obtain counsel, he said, because they continued to persuade her to take the test after a lawyer advised her not to.

Fox also argued that the breathalyzer test was taken just outside the two hour limit. The law says police must take the test within two hours. Otherwise, an alcohol expert must testify and calculate the accused's level of blood-alcohol.



### **Cyclist Hit From Behind**

Earlier in the trial, Mavis Jaques, who was riding beside her husband at the time of the collision, testified that she did not see what happened because she was watching traffic on an overpass to determine when it would be safe to cross a merge lane they were approaching.

"I heard a terrible explosion sound, a shattering noise," she to the court, struggling to keep her composure. "I jumped. When I turned, I knew Don had been hit because I saw him flying through the air. I called out to Don and he didn't answer. That was scary."

In cross examining Mavis Jaques' testimony, Fox asked if she told police that her husband swerved into traffic.

She insisted she didn't recall telling anyone that her husband swerved. She said her husband was "an experienced and good rider" who travelled almost a meter inside the shoulder that day.

Two accident reconstruction experts testified that Donald Jaques' fatal injuries and damage to his bicycle show that he was hit from behind and didn't swerve into traffic.

Regina police Constable Robert Simard said Jaques' injuries to the back of the head and shoulders indicated that he was hit from behind. He said if Jaques had swerved left into traffic, his left side would have been more seriously injured and the same side of the bicycle would have had more damage. Simard said there was no debris from the collision in the driving lane.


"There is no indication of this bike being struck on the left hand side," said Simard. "If he was, there's a good chance he might have been run over."

Sergeant Gary Pare told the court that it appeared Singer had straddled the shoulder and wandered inside that lane.

### **Singer Fired As School Teacher**

Since the trial Donna Singer has been fired from her job as an elementary school teacher.

School board chairman John Conway, in describing the board's unanimous decision to dismiss the teacher, said that Singer's admission that she had "some" wine before driving on the day she struck Jaques was enough for the board to decide that she had acted inappropriately.

Singer's union, the Saskatchewan Teachers Federation, intends to appeal the decision. 

*Bicycle News Agency*



## Recent Articles at LTSA

Recent arrived at the LTSA's head office library are the following articles:

***Guidelines for cycle audit and cycle review***, London : Institution of Highways and Transportation, 1998.

The National Safety Strategy emphasises the importance of achieving cycle-friendly designs in new transport schemes. It also calls for Local Cycling Strategies to be developed, based on reviews of the existing road networks. This book provides local authorities and others with procedures to undertake these tasks.

***Could Rottneest export its bike policy?***, *Australian Cyclist* v23 no5 p60-61

Rottneest, the island resort 25 minutes by ferry from Fremantle, is arguably Australia's bicycle and pedestrian capital. Motor vehicles on the island have never been more strictly controlled. Brian Easton, for the past three years Rottneest's administrator, believes some of the concepts should be applied on the mainland.

***In for the count***, *Network News* no. 13 (autumn 1999) p. 10-11

Devising new methodologies for route use monitoring has been essential as local authorities look for accurate data to develop and support funding bids, and to set cycling targets for their local transport plans and cycling strategies. This article looks at the Route Use Monitoring Survey.

This material is best borrowed from your local library via Interloan. You could also try getting it directly from the LTSA (04-494 8600). ☺

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Moments before the accident...