

Parker On:

Bicycle Helmets and the Myth of Self Enforcement

by Alan A. Parker

Despite the commitment made in the Melbourne Bikeplan to the enforcement of existing bike laws, they are not being enforced because of a shortage of police on patrol. Why then is a new law being suggested when a bicycle law enforcement capability does not exist? The answer is, that it will enforce itself, according to the experts who sabotaged the Victorian Minister's proposed research project at the Road Traffic Authority (RTA).

Unfortunately, there is a dangerously misleading element of truth in the idea of self-enforcement because the initial reaction from parents will be to compel their children to wear helmets. However given a couple of years, most of them will ignore the law as they do the bicycle lighting laws.

If "self enforcement", which is really "parental enforcement", does not work with lighting laws, how will it possibly work on a permanent basis with a helmet law? Well, the answer is that it will not work unless the police are seen to enforce the law often enough, which they are not going to do because they have neither the time nor the inclination.

Some people make the emotional plea that children must be made to wear helmets but forget that laws have to be enforced. Under the existing laws, the police have only the option of taking a child to the childrens' court which takes up a whole morning. In that time a score of motorists could be given "on-the-spot" fines. In the old days the policemen could have walloped the kid with parental approval, but that kind of disciplinary action is not acceptable any more. The police understandably attend to major crimes and ignore minor offences such as riding a bike without lights at night. They will not enforce any new helmet law for the same reasons. Clearly the Victorian government has been badly advised by the RTA feasibility report which states that "the existing methods of enforcement provide adequate tools for enforcement". This is utter nonsense for these reasons.

1. There is no police time-saving system of "on-the-spot" fines for 12 to 17 year olds as there is for adult traffic offences, only the childrens' court which

is so wasteful of police time that it is an obsolete enforcement tool.

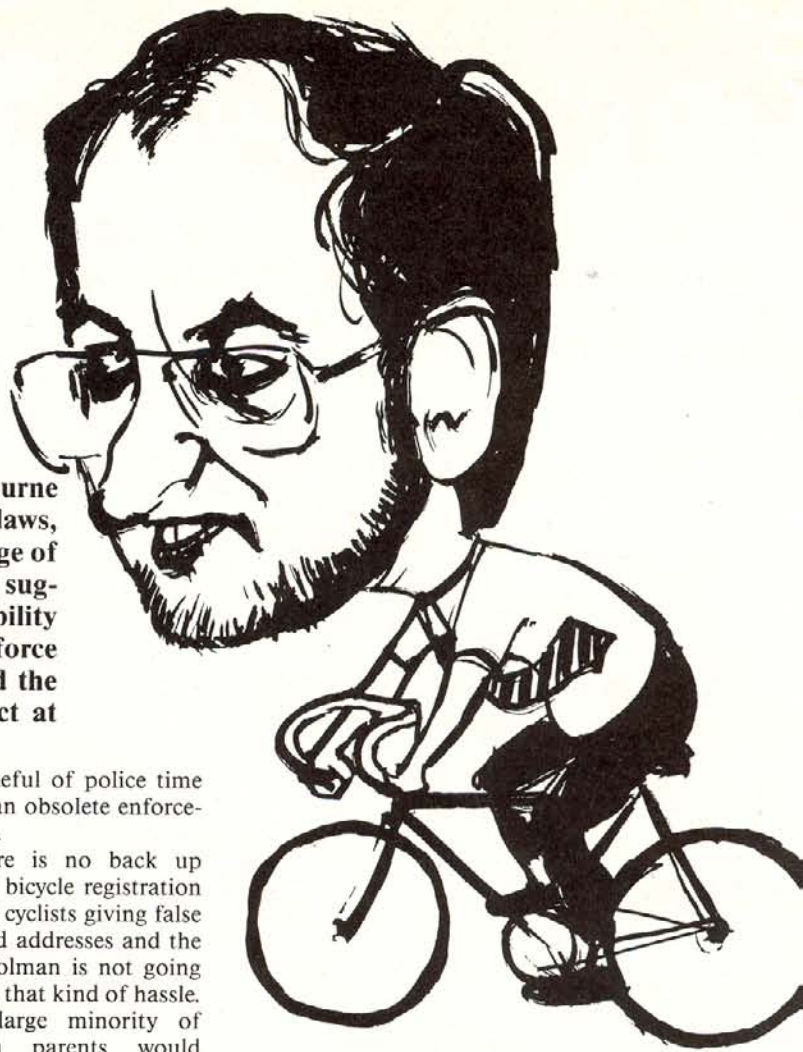
2. There is no back up system of bicycle registration to prevent cyclists giving false names and addresses and the busy patrolman is not going to get into that kind of hassle.

3. A large minority of Australian parents would actively resent and oppose, sometimes by legal means, any attempt by the police to enforce a helmet law. The police do not want to get involved in disputes with parents.

4. It is unlikely that police resources will be devoted to minor offences in the future because they will be too busy trying to control the increase in drug-related crime. Indeed the traffic in illegal drugs is the most profitable business on earth and the demands this could place on the police may result in minor offences receiving less attention than they do today.

According to an ABS crime survey in Victoria the public has an expectation that there should be more police and that there should be more police visibility, especially police patrols. As the crime rate increases, especially for drug-related crime, the public's expectation will continue to be frustrated. The issue of helmet wearing will become less important to the public who will no longer see it has having any real priority.

There is an embarrassing silence from the police and the police unions about their willingness to enforce bicycle helmet laws but, in the closing days of 1987, they went public with the proposal that motorists should wear helmets which they regard as a worthwhile



change in the law that they are prepared to enforce.

Existing Approved Helmets Ideal for Use in Cars

What the general public is not aware of is that the existing helmet standard is designed to cover the use of helmets by ordinary motorists. You don't have to physically exert yourself in the modern car so the problem cyclists have with sweat and heat on hot days is no problem. The preface to AS2063 1973 states quite clearly that it is suitable for use in cars not used for racing. Racing helmets are covered by a separate standard — AS1698.

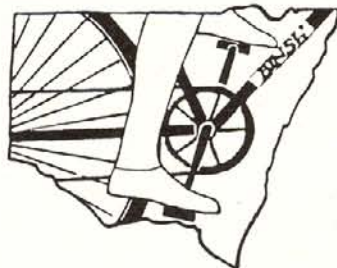
Approximately 7,500 motorists receive head injuries in accidents each year in Australia. Apart from those who die from head injuries about 250 are turned into living vegetables and another 1,000 are so permanently disabled that they will never return to work. As only 100 cyclists die from all kinds of injuries each year in Australia it makes a lot more sense to make motorists wear helmets because that will save ten times as many lives and ten times as many people would be saved from permanently disabling injuries.

The design rules for all new cars should be changed so that all new cars come with a complement of bicycle helmets with built-in clips to conveniently store them, on the back seats or under the dash board, so as to minimise the inconvenience to motor vehicle users. It

is very difficult to take politicians and car driving safety experts seriously when they know so little about head injuries that they don't wear a bicycle helmet in their own cars. I have been wearing a bicycle helmet for ten years because it protects me yet I have never seen any of

the hundred or so big-mouthed helmet advocates, who don't ride bicycles, wear a helmet in their car. I wonder why?

Perhaps the Cain Government should set an example and have all MPs and government drivers wear helmets?



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A Letter of Thanks to BINSW Supporters

Dear Friend,

Last year, BINSW asked you to support your Institute through donations aimed at financing expensive but essential computer equipment. We were extremely gratified by the response. The boost to productivity in the Institute's office has had many spin-off benefits, most visible in the magazine you are reading now. Computerisation has allowed the use of new typesetting technology and brought in additional revenue from advertising aimed at an ever-increasing readership. In turn, the additional funds have allowed us to upgrade paper quality and to add colour to the body of the magazine.

Other benefits of members' support of BINSW have included our most successful year's promotion of cycling through the program of major rides in 1988, "Mulga Bill's Wallaroo and Wombat Bike Centenary", the Great Eastern Australian Rally at Bowral, the challenging Michelin Century and Green Valley Twin Century classics and Bicycle Week's, Sydney Spring Cycle, when 4,000 cyclists streamed across the Harbour Bridge.

Computers will make BINSW's 1989 ride program even more successful, enabling easier dissemination of information to members, press and public. The State Bicycle Committee (SBC), as part of its Encouragement responsibility, is funding a BINSW project to promote cycling in the community. The Institute has engaged a promotions consultant, Libby Sommer, who is using BINSW's information resources to increase the exposure of cycling in the media. Resulting media attention included a front page *Sydney Morning Herald* story and much radio air time devoted to cycling's benefits.

Time-saving technology has assisted BINSW to undertake major projects aimed at developing a metropolitan Sydney Bike Plan, improving cycle facilities at railway stations and promoting dual mode commuting by combining bike journeys with rail, bus or ferry. BINSW Planning Officer, Contessa Hajnikitas, is pursuing these projects with co-operation and funding assistance from SBC, SRA and the State Transit Authority.

These are just some of the exciting results of the financial support you have given BINSW. We hope you will continue to share in the success of YOUR Institute by renewing your membership (remember there is the inflation-beating option of a two-year sub), by encouraging your friends to join and, if you have some free time and would like to learn new skills, by volunteering your services for any of a multitude of tasks which will make BINSW run even better in future.

What, you're not a member? Turn over the page to find out what you're missing, fill in the application form and return it NOW with your remittance.

Thanking you,

Brian Chapman
President.