

AOMC Victoria Police 40KPH Survey Submission

We have canvassed all members of the Triumph Car Club of Victoria and TR Register members located in Victoria.

Only one member responded with a message fully supporting the law as it exists and stating that police must be protected in their duties at all costs.

All other responses without exception cited personal examples of rounding bends or cresting a hill, only to be presented with a stationary or near stationary wall of traffic. All explained taking evasive action by swerving onto the median strip, rapid lane changing or "crash" braking. Unfortunately, no matter how well intentioned the police, they cannot predict the length of the traffic jam they cause by slowing the traffic to 40kph or less. They therefore cannot predict whether or not they introduce bends or crests into the equation.

If we are to believe the mantra that "speed kills" and speeding drivers are the major threat to road safety, what do we really mean? Speed in itself does not kill. It's the differential in speed that kills. Hitting a tree at 120kph has a 120kph differential and would likely result in death. Hitting the same tree at 20kph would not. A head on at 100kph each has a 200kph closing speed and would result in death. Applying the same logic to the 40kph law, means that slowing freeway speed traffic from 110kph or 100kph down to 40kph or less (as drivers slam on brakes for "no apparent" reason) can present a "wall" of slow moving or stopped vehicles with a 110kph or 100kph differential. Then we need to consider the possibility of those same cars swerving onto median strips, into trees or oncoming traffic.

In built up areas, with slower legal speed limits such as 50 or 60kph, the differential is much less and much easier to deal with as a following driver. It is much less likely to result in radical evasive action and death.

Whilst on face value, this law provides a safer workplace for police, it provides a much less safe roadway for motorists, especially on freeways or in heavy traffic (and especially both).

There is much less awareness of the need to slow to 40kph passing the other "emergency" vehicles listed. Yellow flashing lights could be any vehicle parked on the side of the road and passing drivers would not necessarily be aware until they have passed. This needs clarification for all motorists.

As far as improving the safety for all road users as it relates to Rule 79A, police have an obligation to operate in a manner that does not endanger motorists. It is the decision of the police as to the point they will direct a "law breaking" driver to pull over. They alone make that decision and they alone need to ensure it is safe to do so. If it is not a safe location, they should direct the driver to where it is safe- the next side road, freeway exit, wider verge, parking area, etc. Just as in any workplace, all employees have an obligation to themselves and their colleagues to operate safely. An individual employee is not legally able to make himself safe and endanger those around him. If police are conducting an investigation at a scene, they should block the lane using cones and flashing lights commencing 500m prior to the scene.

As for the other "emergency vehicles" and their actions, for a start, a major communication program is required as little is known of this requirement. RACV will only load cars on to flat tops on freeways for safety reasons, rather than try to start them. We understand the logic in this.

Please let us know if there is any specific examples you would like, as we have many.

Regards,

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