



CITY OF MELBOURNE

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Dr Christopher Gibbon  
Secretary  
Economy and Infrastructure Committee  
Parliament of Victoria

By email: [LCLC@parliament.vic.gov.au](mailto:LCLC@parliament.vic.gov.au)

Dear Dr Gibbon

**CITY OF MELBOURNE SUBMISSION  
INQUIRY INTO PROPOSED LEGISLATION RELATING TO MINIMUM DISTANCES  
WHEN OVERTAKING BICYCLES**

Thank you for the opportunity to provide a submission regarding the Economy and Infrastructure Committee's inquiry into proposed legislation relating to the inclusion of required minimum distances when overtaking bicycles into the Victorian Road Safety Road Rules.

The proposed legislation will require motorists travelling on roads with speed limits of 60km/h or lower to be no closer than one metre when overtaking a cyclist. Motorists would be required to be no closer than 1.5 metres if the speed limit is higher than 60km/h.

The City of Melbourne supports the intent of the proposed legislation as it is designed to improve road safety for vulnerable road users, which is reflected by the recently approved Bicycle Plan 2016-2020 and our continuing commitment to construct high quality on-road bicycle lanes which improve separation between cyclists and both opening car doors and moving traffic. Photo examples of such bike lane infrastructure are provided as **Attachment 2** and include physically separated bike lanes and double chevron painted separated bike lanes which have been installed on numerous roads throughout the municipality, including parts of La Trobe Street, Albert Street, Swanston Street, Elizabeth Street, St Kilda Road, Clarendon Street (East Melbourne), Victoria Street, William Street, Gisborne Street, Neill Street, Arden Street and Wreckyn Street.

However, the City of Melbourne seeks clarification on when the rule applies and the interpretation of the term "overtaking". Page 459 – Definitions for the Victorian Road Safety Road Rules indicates that the term "overtaking" refers to a driver approaching from behind another driver/rider travelling in the same lane or line of traffic and then moving into an adjacent marked lane or part of the road and then passing the other driver.

Subsequently, clarification is requested on whether the proposed legislation only includes situations where no formally marked on-road bike lane facility is provided and the cyclist and motorist are originally travelling in the same marked lane.



If the legislation is only intended to apply when there is no formal bike lane facility provided, the City of Melbourne supports the legislation.

Furthermore, we intend to begin installing “sharrow” line marking in narrow roads which will reinforce the proposed legislation by encouraging cyclists to ride in the centre of the traffic lane in narrow roadway situations where it is unsafe for motorists to attempt to overtake or pass a cyclist and likely impossible to do so while being no closer than one metre from the cyclist.

If the legislation is intended to apply both when motorists are “passing” or “overtaking” a cyclist, the City of Melbourne agrees that the proposed legislation will provide significant benefits in most circumstances (particularly roadways which do not provide formal bike lane facilities), however it is considered that there will be some specific instances where the proposed legislation will need to be reconsidered as it may be impossible or impractical for motorists to leave one metre when overtaking a cyclist, such as instances where:

- Narrow physical separator kerbs are provided between the bike lane and the traffic lane. For example, 300mm wide separator kerbs have been installed in certain sections of La Trobe Street and Swanston Street in locations where there is no on-street parking provided (see **Attachment 2**). This is considered sufficient to ensure safe and adequate separation between cyclists and motorists. In these examples, it may be either impossible or impractical to leave a metre when overtaking a cyclist, particularly if the cyclist is riding close to the separator kerb.
- Relatively, narrow traffic lanes are provided between a standard bike lane and a landscaped median or centre-of-road parking. For example, Howard Street in North Melbourne provides a central landscaped median, a 3.0 metre wide single traffic lane, a bike lane and on-street parking (see **Attachment 3**). In these instances, it would be impossible to leave a metre when overtaking a cyclist, particularly if the cyclist is riding close to the traffic lane in order to be further away from parked vehicles. Nevertheless, it may still be a safe manoeuvre, if the motorist drives at an appropriately low speed and takes care when passing the cyclist.
- Road width is sufficient to allow the installation of a painted chevron separator on one side the bike lane, but not the width to provide a double chevron separated bike lane. In these instances, the City of Melbourne has begun to prioritise the installation of the chevron separator between the bike lane and the on-street parking lane to reduce the likelihood of ‘car dooring’ crashes occurring. Subsequently, this bike lane design encourages cyclists to ride further away from car doors and closer to the traffic lane, which can result in scenarios similar to discussed above in roads which include a landscaped median or centre-of-road parking. For example, William Street, West Melbourne and Leveson Street, North Melbourne provide centre of road parking, a single traffic lane, a bike lane and a chevron separator between the bike lane and the on-street parking lane (see **Attachment 4**). In these instances, it may still be impossible to leave a metre when overtaking a cyclist, particularly if the cyclist is riding close to the traffic lane. Nevertheless, similar to above, it may still be a safe manoeuvre, if the motorist drives at an appropriately low speed and takes care when passing the cyclist. The City of Melbourne is proposing to install a similar design in the service carriageway of Royal Parade, which is an arterial road and an environment where it would not be appropriate to disallow motorists from passing cyclists.

In summary, the City of Melbourne seeks clarification on the proposed legislation in regards to the term "overtaking" and whether the legislation is intended to only apply to roadways without formally marked bike lanes. If the legislation is intended to apply even in circumstances where formally marked bike lanes are provided, the City of Melbourne is supportive of the intent of the legislation as it is designed to improve road safety for vulnerable road users, however recommends that further consideration be need to be given to ensure that is it not impossible or impractical for motorists to pass cyclists riding in formal bike lanes under certain roadway designs. In this regard, the Committee should consider the extent that the proposed legislation may impact design guidelines, and ensure that it does not reduce the ability to provide quality bicycle infrastructure in constrained environments in the future"

If the legislation does not apply when motorists are "passing" cyclists who are riding in a designated bike lane, it is recommended that additional rules should also apply to discourage motorists from being able to "pass" cyclists in very close proximity at high speeds.

Finally, it is recommended that a public communications strategy be implemented to clearly explain when the legislation applies to remove any ambiguity or confusion amongst road users. The public communications strategy should also highlight that cyclists are permitted to ride along streets without designated bike lanes and that motorists should always take care and travel at an appropriate speed when "passing" or "overtaking" cyclists regardless of whether the cyclist is travelling in a bike lane or not.

If you have any further queries, please call Mr Ross Goddard on 9658 9632.

Yours sincerely



**Geoff Lawler**  
Director – City Operations

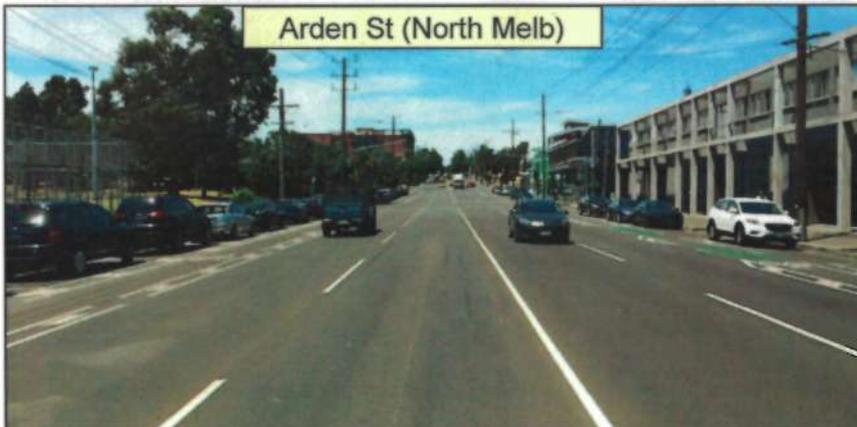
CoM Ref            DOCS # 9757231  
                             SR 3262234

Cc:                    Richard Smithers – Coordinator Transport

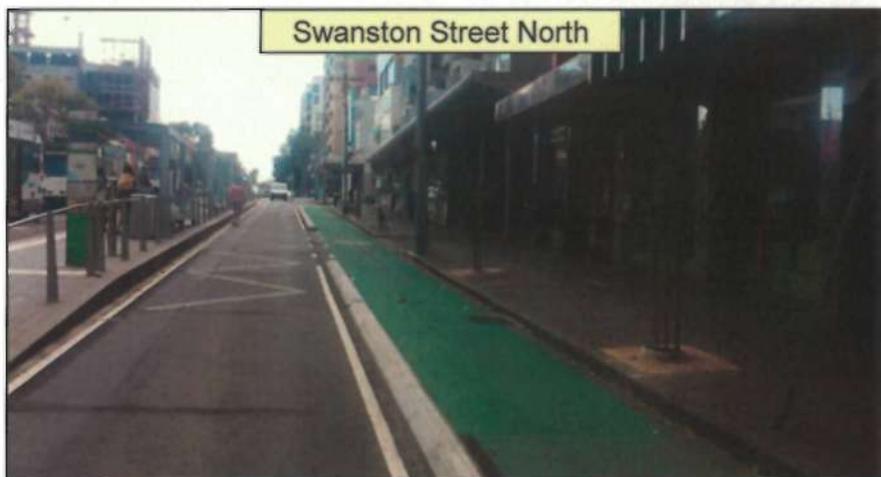
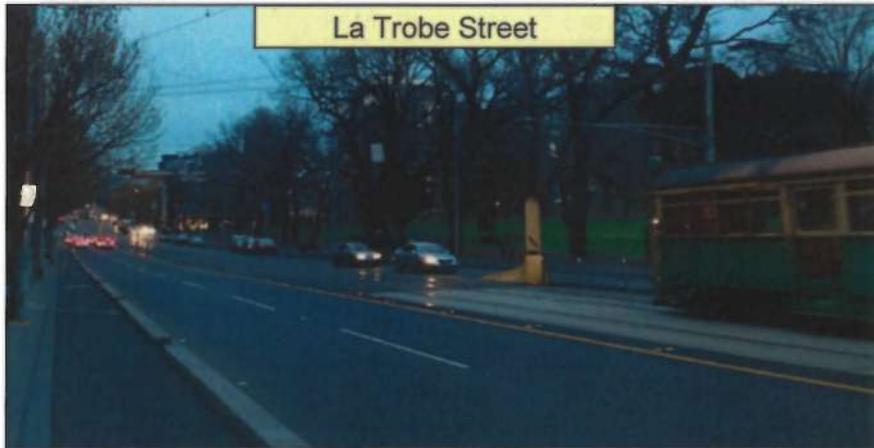
## Attachment 1

### Photo examples of High Quality Bike Lane Infrastructure





**Attachment 2**  
Examples of Narrow Physical Separator Kerbs between  
Bike Lanes and Traffic Lanes



**Attachment 3**  
Examples of Narrow Traffic Lanes  
Adjacent to Medians or On-Street Parking



**Attachment 4**  
Examples of Single Chevron Separated Bike Lanes

