To: Review of the Australian road rules and vehicle standards rules
National Transport Commission

Submission on *the Australian Road Rules*

The Canberra Pedestrian Forum recommends that:

1. The National Transport Commission should identify and address the areas in which it is failing to enhance mobility and safety through the Road Rules.
2. Austroads should convene an *Australian Walking Council* to advise on pedestrian aspects of the Road Rules.
3. The National Transport Commission should establish a process for continuous evaluation and improvement of the Road Rules.
4. As part of the continuous improvement process, the National Transport Commission should require Regulatory Impact Statements for changes to the Road Rules to consider road user compliance.
5. The National Transport Commission should establish criteria for performance of the Road Rules against their Objectives;
6. Road Rules performance criteria should include *level of compliance*.
7. The National Transport Commission should revise the Road Rules, to remove bias against pedestrians, cyclists and children.
8. The National Transport Commission should assess the performance of the Road Rules against the established criteria, and take steps to improve the performance of Road Rules that do not meet the criteria.

In the following pages I attach:

- an explanation of the recommendations (Appendix 1);
- Examples of Road Rules whose failure to enhance mobility and safety can be readily demonstrated (Appendix 2); and
- an illustration of the complexity of Give Way Rules that apply to pedestrians and cyclists at intersections (Appendix 3).

Yours sincerely

Leon Arundell
Convenor
14 December 2011

Appendix 1: Explanation of the recommendations

1. The National Transport Commission should identify and address the areas in which it is failing to enhance mobility and safety through the Road Rules.

By several measures, the National Transport Commission is failing to meet the second objective of the Australian Road Rules, which is to "*enhance mobility and safety by updating and simplifying traffic regulations.*"

Instead of addressing its failure, the Commission hides behind its own specious claim "*the first objective could be measured, but the second and third objectives could not.*"

We acknowledge that it could be misleading to attribute measured changes in the road toll to any single factor such as the Road Rules. Nevertheless, empirical measures can be used to determine the effectiveness of individual Road Rules.

Simplifying the Road Rules is an important objective. Most crashes result from failure to observe the Road Rules. Inadequate knowledge of the Road Rules contributes not only to deaths and injuries, but also to reduced mobility. Remembering 353 Road Rules is a difficult task even for a person of above average intelligence. The average Australian road user knows less than two thirds of the Road Rules[1]. Most road users are of average or below average intelligence.

Every day millions of Australians, with inadequate knowledge of the Road Rules, drive cars at speeds that provide a 70% chance of death if their inadequate knowledge leads to a collision with a pedestrian or cyclist[2].

One measure of simplification is the number of Road Rules. Since 2003 the number of Australian Road Rules has actually increased.

Another measure is speed limits. Fifty years ago Australia's single urban speed limit was 30 mph (48 km/h). Forty years ago it was 35 mph (56 km/h). In the 1970s the range of urban speed limits increased to at least three: 60, 80 and 100 km/h. More recently we have further increased speed limit complexity by adding 40 km/h School and Shopping Centre Zones, 50 km/h residential street zones and 10 km/h Shared Zones.

Few Australian jurisdictions accept that the Australian Road Rules are simple enough to be understood by drivers or road users. They

[1] National Transport Commission, 2011, *Review of the Australian Road Rules and Australian Vehicle Standards Rules: discussion paper*, p. 35

[2] According to a chart in SWOV (2009) the risk of pedestrian death at 60 km/h is 70%.

demonstrate this by producing simplified and sometimes misleading[3] Guides to the Rules.

As is shown in Appendix 2, Road Rules whose failure to enhance mobility and safety can be readily demonstrated include:

- Rules 62, 64, 67, 69, 72 73 and 353 – turning drivers to give way to some pedestrians: Only 40% of road users understand these Rules[4].
- Rule 126: Keeping a safe distance behind vehicles - more than 40% of crashes are rear-end collisions[5].
- Rule 231: Crossing a road at pedestrian lights – only one-third to one-half compliance[6].

2. Austroads should convene an *Australian Walking Council* to advise on pedestrian aspects of the Road Rules

We all cross roads as pedestrians. As pedestrians we represent about 13% of road deaths[7], even though we walk only about 6% as far as we drive[8] and very little of our walking actually occurs on roads.

Most of us are motorists. As motorists we are represented in the development of the Road Rules through the Australian Automobile Association[9], which is the peak body for Australia's well-funded State and Territory motoring associations.

[3] Canberra Pedestrian Forum, Pedestrian Safety and the ACT Road Users Handbook, http://grapevine.net.au/~mccluskeyarundell/Pedestrian_safety&ACT_Road_Rules_Handbook.pdf

[4] Canberra Pedestrian Forum, "*Canberra Fails Road Rules test*," http://grapevine.net.au/~mccluskeyarundell/MR_Canberra_fails_Road_Rules_test.pdf

[5] See for example Roads ACT , 2009, *2008 road traffic crashes in the ACT .*

[6] See Canberra Pedestrian Forum, "*Green light for Northbourne Avenue walkers*," http://grapevine.net.au/~mccluskeyarundell/MRsignals.html

[7] Australia's 2010 road toll of 1,367 included 174 pedestrians (*Road deaths Australia 2010 statistical summary*, Department of Infrastructure and Transport, Canberra, Australia , 2011)

[8] According to Wedderburn (2011) the average Canberra resident spends 26 minutes a day on walking trips. This is approximately 2 km per day. According to the BITRE (2009) Australians travelled 264 billion passenger-km in 2007-08. For a population of 21.5 million, this works out at 34 km per day per person.

[9] http://www.aaa.asn.au

Eighteen per cent of us are bicyclists[10]. As bicyclists we are represented in the development of the Road Rules through the Australian Bicycle Council[11], which is convened by Austroads and includes representatives from State, Territory and Local Governments, plus the bicycle industry and cycling organisations.

There does not seem to be a comparable body to represent the 100% of us who are pedestrians.

This lacuna should be rectified by establishing an *Australian Walking Council* to represent pedestrians in the development of the Road Rules. It could be hosted by Austroads, using the Australian Bicycle Council as a model. The Council could bring together walking expertise from Commonwealth State and Territory departments of transport and health, and from bodies such as Victoria's Walking Advisory Council[12], the Pedestrian Council of Australia[13], the Heart Foundation,[14] COTA and the Canberra Pedestrian Forum.

2. The National Transport Commission should establish a process for continuous evaluation and improvement of the Road Rules

The Australian Road Rules are not static. We recommend that the National Transport Commission establish guidelines on the process by which the Road Rules evolve.

Evolution of Road Rules is a process where Rules are subject to learning, and adjusted by a hypothesis being formulated regarding the effect of a Rule. The hypothesis should be continually tested and the Rules continuously adjusted as a result of experimental evidence.

Each rule can have a hypothesis stated about the effect of the rule.

For example, it could be hypothesised that road rules with partial compliance (say 20%) create more accidents than would occur if the rule did not exist, or that having different rules for giving way at intersections (depending on the type of intersection) leads to fewer accidents than having a single rule with variations.

[10] Cycling Promotion Fund Media Release: *Landmark national study finds 4 million Australians ride their bikes,* http://www.cyclingpromotion.com.au/content/view/538/9/, accessed 12 Dec 2011.

[11] http://www.austroads.com.au/abc/

[12] Victoria Walks Newsletter, November 2011: http://www.victoriawalks.org.au/Newsletter.aspx?ID=58

[13] Www.walk.com.au

[14] http://www.heartfoundation.org.au

The National Transport Commission should articulate the intended effects of the Australian Road Rules, and how the effects can be measured. It should define a process whereby rules can be changed, and how experimentation can occur to validate the rules and rule changes.

3. As part of the continuous improvement process, the National Transport Commission should require Regulatory Impact Statements to consider road user compliance

A Road Rule change can provide mobility and road safety benefits only to the extent that it impacts on road user behaviour.

Rule 248 : *No riding across a road on a crossing* has had little or no impact on road user behaviour or on road safety. A decade after its introduction, its compliance rate is only 5%[15]. This rule has failed because its compliance measures were grossly inadequate.

Every Regulatory Impact Statement should evaluate the compliance rates and road safety impacts of the existing Rule, the measures to be put in place to ensure compliance with the new Rule, the compliance rate that is expected to result from those measures, and the resulting road safety and other benefits of the change in compliance.

5. The National Transport Commission should establish criteria for performance of the Road Rules against their Objectives

The objectives of the Australian Road Rules include:

> *influence the behaviour of road users in a way that achieves greater safety and efficiency in the operation of the road traffic system. In this regard, the rules' three main functions are to:*
>
> - *resolve conflicts*
> - *prescribe behaviour that is necessary for the orderly operation of the system and*
> - *prohibit behaviour that is detrimental to the operation of the system.*

Performance criteria should be most stringent (e.g. >95% compliance) for safety-critical Rules which directly prevent crashes by resolving conflicts – e.g. give way rules.

Less stringent criteria (e.g. >90% compliance) might apply to safety Rules that indirectly avoid casualties, such as speeding;

[15] Canberra Pedestrian Forum observation of 50 cyclists crossing Challis St Dickson at the Sullivan's Creek bicycle path zebra crossing, 10 June 2010.

Rules that merely prescribe behaviour that is necessary for the orderly operation of the system, or prohibit behaviour that is detrimental to the operation of the system, might have compliance criteria as low as 70%.

if the acceptable compliance rate of any Rule is less than 50%, then the value of retaining that Rule must be questioned. For example:

- Is it acceptable to have a 5% compliance rate for Rule 248 : *No riding across a road on a crossing*[16]?
- What is the acceptable compliance rate for Rule 238 (2) (ab)? (*A pedestrian travelling along a road must, when moving forward, face approaching traffic that is moving in the direction opposite to which the pedestrian is travelling, unless it is impracticable to do so.)*
    - This Rule does not address the conflict between a pedestrian and an oncoming vehicle on the same side of the road. Neither is required to give way.
    - This Rule does make it more likely that a pedestrian will see an approaching vehicle before it collides with him or her. If there is a safe escape route, then the pedestrian will have more time to take it.
    - Because Rule 238(1) prohibits walking along the road if it is practical to travel on the footpath or nature strip, a pedestrian's only route of escape from an oncoming vehicle, may be to cross to the other side of the road and potentially into the path of other vehicles.
    - This Rule does not prescribe behaviour that is necessary for the orderly operation of the system. The system will generally work equally well if the pedestrian walks on the left of the road.
    - Nor does it prohibit behaviour that is detrimental to the operation of the system.

6. Road Rules performance criteria should include *level of compliance*

Unless road users actually comply with a Road Rule, it makes no contribution to safety or mobility. As is explained above, a compliance rate of 50% may be more detrimental than a compliance rate of zero.

[16] Canberra Pedestrian Forum observation of 50 cyclists crossing Challis St Dickson at the Sullivan's Creek bicycle path zebra crossing, 10 June 2010.

7. The National Road Transport Commission should revise the Road Rules to eliminate bias against pedestrians, cyclists and children.

Road Rules bias against pedestrians, cyclists and children leads to reduced mobility, especially for the 45% of Australians who don't own cars[17]. This bias encourages people to drive rather than walk. This adds to their transport costs, reduces their level of exercise and adds to traffic congestion. The end result is increased road danger and transport pollution, with resultant higher rates of death, illness and injury.

Pedestrians and cyclists

As an example of bias against pedestrians and cyclists, it is not an offence under the Road Rules for a driver to cause a traffic hazard by moving into the path of a bicycle rider or pedestrian. However Rules 236 and 253 make it an offence for a pedestrian or bicycle rider to cause a traffic hazard by moving into the path of a driver.

An example of more subtle discrimination is the complexity of give way rules that affect pedestrians and cyclists at intersections (Rules 62, 64, 67, 69, 72 73 and 353, Appendix 3). Partly as a result of this complexity, only 40% of drivers know when to give way to pedestrians or cyclists. So it is unsafe for pedestrians to “take their turn” at an intersection. The net effect is little different from that of a Rule that required pedestrians to always give way except at marked crossings.

Children

The factors relevant to the level of responsibility that the Road Rules should expect of adults, relative to children (Table 1, below) provide strong support for the argument that adults should be given greater responsibility.

	Typical adult road user	**Typical child road user**
Mass.	1,200 kg including vehicle	55 kg including vehicle if used
Speed.	60 km/h	5 km/h
Destructive kinetic energy that the road user brings to a collision.	333,000 kg-m^2	106 kg-m^2

[17] According to the ABS Motor Vehicle Census 2010 (9309.0) Australia had 550.9 passenger vehicles per 1,000 population in 2010.

	Typical adult road user	Typical child road user
Safety equipment.	Seat belt, airbags	None
Probability of killing the other road user in the event of a collision.	70%	zero
Judgement of speed and distance.	Fully developed	Developing
Road Rules instruction.	Road Ready course and test.	Rudimentary

Table 1: factors relevant to whether a child or an adult should have primary responsibility for avoiding a collision.

However, as described above, Rules 236 and 253 place the primary responsibility not on drivers (who by law must be adults) but on walking or cycling children.

Increasing urban speed limits have created increasing bias against children. Higher speeds mean that children get less warning of approaching vehicles. They reduce the number of safe road crossing points, because they reduce the time that it takes for a car to travel from out-of-sight to the crossing point. They also increase danger for children by:

1. reducing the child's available reaction time
2. reducing the driver's reaction time
3. increasing the child's risk of injury or death in the event of a collision.

Fifty years ago the universal speed in urban areas was 30 mph (48 km/h). At this speed, the risk of death in a collision was 40% (SWOV, 2009).

Forty years ago universal urban speed limit was 35 mph (56 km/h). The risk of death was 60%.

In the 1970s, increasing the urban speed limit to 60 km/h increased the risk of death to 70%.

Introducing 80 km/h and 100 km/h urban speeds increased risk of death to 98% and 100% respectively.

40 km/h School Zone and 50 km/h residential speed have reduced the risk of death to 15% and 40% respectively, but many children still face 60 km/h streets on their way to school.

The complexity of give way rules that affect pedestrians and cyclists at intersections (Appendix 3) is particularly problematic for child cyclists who are permitted to ride on footpaths, whose road safety education includes little or no instruction in the Road Rules, who are advised by several authorities not to ride unaccompanied on the road, and who unlike adults do not have the option of driving.

8. The National Transport Commission should assess the performance of the Road Rules against its established criteria, and take steps to improve the performance of Road Rules that do not meet the criteria.

Depending on the factors that contribute to inadequate compliance, appropriate steps could include enforcement, education, engineering, Rule modification, Rule simplification and Rule deletion.

Some possible approaches are described below.

Enforcement

Thirty years ago, Frank Hulscher noted that "*Fines for crossing against the DONT WALK signal soon lost their deterrent effect because the Police ignored the practice*.[18]" Fast forward to today[19] and little has changed.

Education

A. Education is obviously necessary in the case of Road Rules that are poorly understood, such as those relating to giving way to pedestrians at intersections.

B. Children are generally mis-educated to believe that cars have right of way over pedestrians except at marked crossings. When they are old enough to do the Road Ready course, they learn the Rules that require drivers to give way to pedestrians at intersections. Most subsequently forget those Rules.

Children should be taught the Road Rules that affect them, and they should simultaneously be taught that they cannot rely on adults to observe those Rules. They could then educate their parents.

[18] *A signal career – Desultory reminiscences of the development of traffic light signals in NSW from 1933 to 1993*, Frank R Hulscher, Traffic Control Section, Roads and Traffic Authority NSW, pp. 110-113

[19] See "*Green light for Northbourne Avenue Walkers*," http://grapevine.net.au/~mccluskeyarundell/MRsignals.html

C. If Australian drivers were educated to safely share the road with child pedestrians and child cyclists, the following advice would not be necessary:

- "*up until age 12 most children do not have the skills and experience to be safe in complex traffic without supervision*." (Vicroads. Pers. Comm. 2009)
- "*Before the age of 12 years, children should not ride a bicycle on the road without direct adult supervision*.[20]"
- "*Children under nine should not ride on the road without an accompanying adult to supervise.*[21]"

D. A review of the ACT Road Rules Handbook[22] identified numerous opportunities to improve its clarity and accuracy.

An extreme example of poor education is that the ACT Road Ready test contradicts Rule 236 (1): "*A pedestrian must not cause a traffic hazard by moving into the path of a driver*. "

Figure 1 (below) shows that the ACT Road Ready test (5 March 2010), **incorrectly** identifies the statement, "*you must give way to pedestrians if there is danger of collision*" as "correct."

This sends a very dangerous message to any pedestrian who does the Road Ready test.

[20] Victorian Department of Education, http://www.education.vic.gov.au/management/schooloperations/edoutdoors/activities/cycling/activity.htm

[21] Kidsafe ACT, 2009

[22] Canberra Pedestrian Forum, 2009, *Pedestrian Safety and the ACT Road Rules Handbook*: http://grapevine.net.au/~mccluskeyarundell/Pedestrian_safety&ACT_Road_Rules_Handbook.pdf

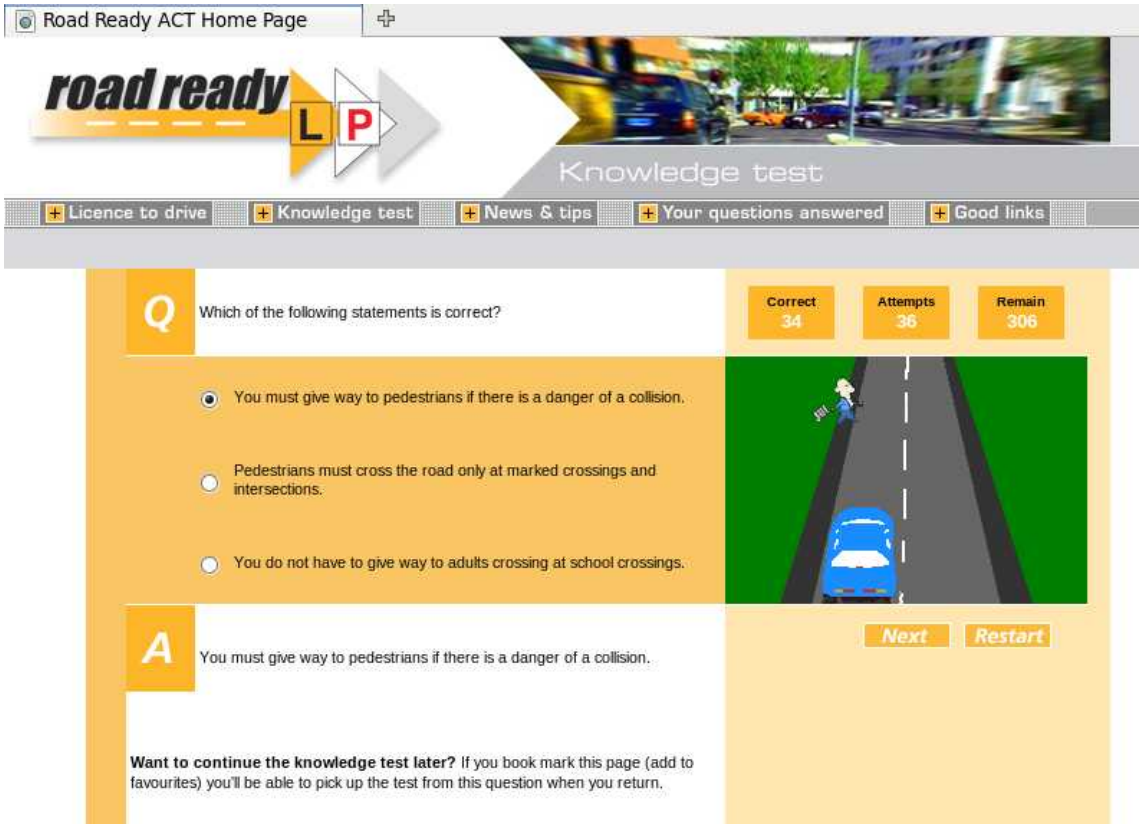


Figure 1: ACT Road Ready test: "*You must give way to pedestrians*."

Engineering

Before-and-after surveys[23] have shown that pedestrian signal improvements can simultaneously improve traffic flow and Road Rule compliance.

Rule modification

The principal function of some current Road Rules – such as Rule 126: *Keeping a safe distance behind vehicles* - appears to be after-the-event allocation of blame and insurance payouts, rather than satisfying the stated objectives of the Australian Road Rules.

The current form of Rule 126 places the onus on police to prove in court that a driver could not, if necessary, stop safely to avoid a collision with the vehicle in front.

This is difficult unless the driver has actually collided with the vehicle in front – in which case the safety benefits of the Rule have been lost.

Forty years ago the police were in a similar position when it came to prosecuting drivers for travelling at excessive speed outside built-up areas. In the early 1970s Victoria addressed the problem by making it

[23] Green light for Northbourne Avenue Walkers, http://grapevine.net.au/~mccluskeyarundell/MRsignals.html

an offence to travel at more than 70 miles per hour on any road. Police could successfully prosecute drivers by using amphometers or radar guns to prove that drivers had travelled at more than 70 miles per hour. They no longer had to prove that the speeds were dangerous.

A similar approach could be used with Rule 25, by requiring a driver to minimum gap (e.g. 2 seconds) between his/her own vehicle and the vehicle in front. This could be monitored using technology similar to radar guns.

Rule simplification

Rule 72 (*Giving way at an intersection,* see Appendix 3) could be simplified by requiring turning drivers to give way to all traffic travelling along the street which the driver is leaving.

Rule deletion

Deleting ineffective Rules will satisfy the objective of simplifying the Road Rules.

References

BITRE, 2009, *Australian Transport Statistics Yearbook 2009*.

SWOV, 2009, SWOV Fact sheet – Pedestrians , Institute for Road Safety Research, Netherlands.

Wedderburn, M, 2011, “Making Walking Count” Canberra, http://www.transport.act.gov.au/references-docs/Making%20Walking%20Count.pdf

Appendix 2: Examples of Road Rules whose failure to enhance mobility and safety can be readily demonstrated

Giving way to pedestrians when turning – 40% knowledge

Rules 62, 64, 67, 69, 72 73 and 353 require turning drivers to give way to some pedestrians. A Canberra Pedestrian Forum survey[24] found that, for eight examples of pedestrian-driver conflict, only 40% of road users were able to correctly identify whether a driver should give way to a pedestrian. Only one of 100 answered correctly for all eight cases.

Pedestrians cannot rely on drivers to observe these Rules. So instead of crossing at times that would be safe if drivers obeyed the Road Rules, pedestrians tend to wait until a gap in the traffic allows them to dash across the road.

This danger and inconvenience restricts the mobility of pedestrians, especially the 45% who don't own cars[25]. If pedestrians choose to drive rather than walk, then other drivers are more likely to give way to them. The low compliance rates for these Rules leads pedestrians to add to pollution, congestion and road danger by driving rather than walking.

Rule 126: Keeping a safe distance behind vehicles - clearly unsatisfactory compliance

Breach of Rule 126 is the largest single cause of crashes. More than 40% of crashes are rear-end collisions[26].

Rule 231: Crossing a road at pedestrian lights – one-third to one-half compliance

This Rule reduces mobility and/or compromises safety, in situations where a red signal faces pedestrians who face no danger from conflicting traffic streams – for example, when a pedestrian could safely cross to the centre of the road but would need to wait there until it was safe to complete the crossing.

[24] Canberra Fails Road Rules Test: http://grapevine.net.au/~mccluskeyarundell/MR_Canberra_fails_Road_Rules_test.pdf

[25] According to the ABS Motor Vehicle Census 2010 (9309.0) Australia had 550.9 passenger vehicles per 1,000 population in 2010.

[26] e.g. ACT Road Safety Strategy 2007-2010 and Action Plan 2007-08: 46%

The Canberra pedestrian Forum observed[27] that, of 132 pedestrians who crossed a road at or near an intersection, almost twice as many (42%) crossed against red signals compared with the 22% who waited for the pedestrian signal to turn green. Following improvements to pedestrian signal timing, a small majority (34% compared with 30%) complied with red pedestrian signals[28].

[27] Green light for Northbourne Avenue Walkers, http://grapevine.net.au/~mccluskeyarundell/MRsignals.html

[28] See Pedestrian Forum media release, "Green light for Nortbourne Avenue Walkers," http://grapevine.net.au/~mccluskeyarundell/MRsignals.html

Appendix 3: Complexity of Give Way Rules that apply to pedestrians and cyclists at intersections.

Rule 72: *Giving way at an intersection*[29] is an example of an individual Road Rule that is complex, inadequate and anomalous.

In this case, the complexity appears to be greatest for road users under 12 years old, who are permitted to ride on footpaths.

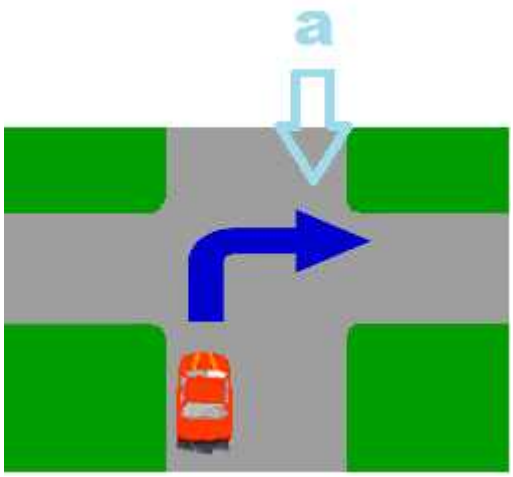
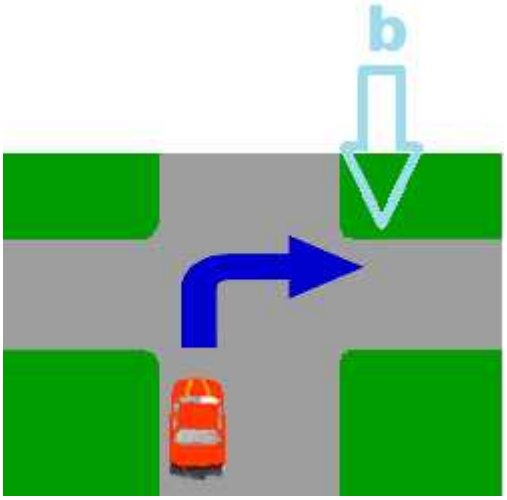
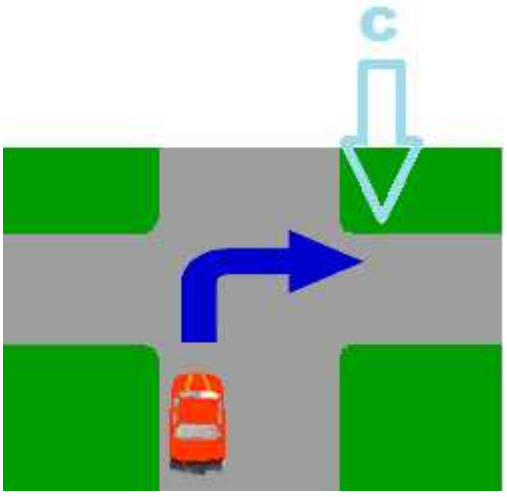
When a car driver is turning right at an intersection, from Street A into Street B, the driver must give way to certain cyclists and/or pedestrians (but not others) who are travelling along Street A.

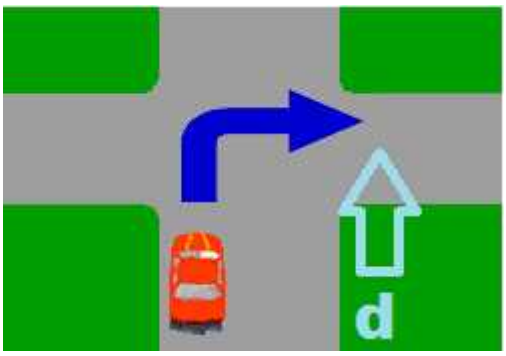
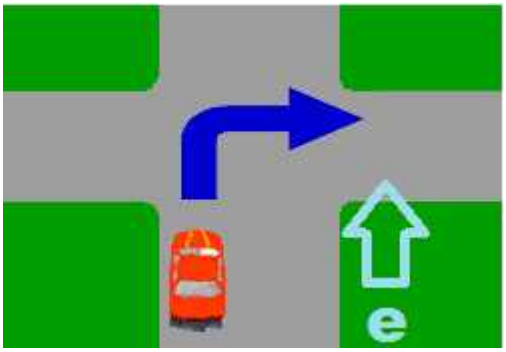
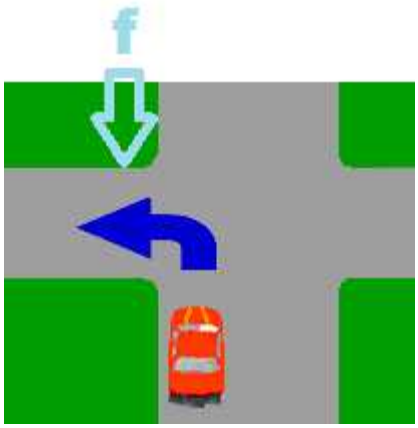
In relation to the following examples, and assuming that the more specific Rule 72 over-rides the more general Rules 74 (*Giving way when entering a road from a road-related area or adjacent land*), 236 (*Pedestrians not to cause a traffic hazard or obstruction*) and 253 (*Bicycle riders not to cause a traffic hazard*), our best guess is that:

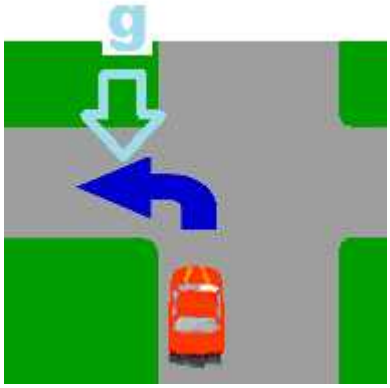
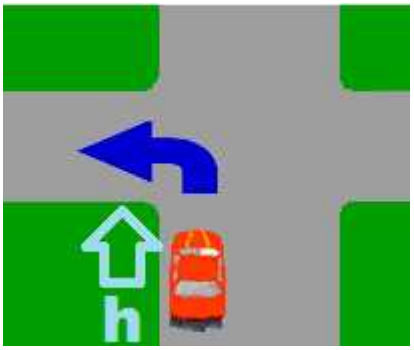
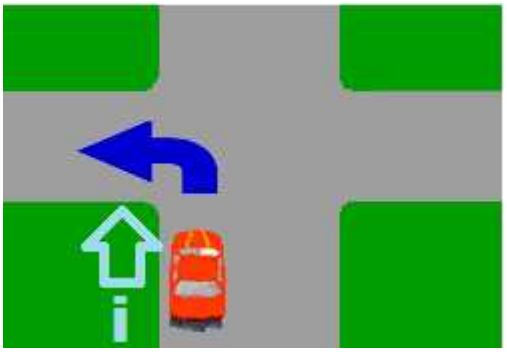
1. in most cases the car driver must give way;
2. in one anomalous case, the bicycle rider must give way to the car driver;
3. in at least one case neither party is a pedestrian, neither is an oncoming vehicle and neither is moving between a road and a road-related area, and so neither must give way.
    - If this interpretation is correct, then in this respect Rule 72 is clearly inadequate.

How many readers of this submission can correctly identify whether the driver, the cyclist or the pedestrian must give way in each of the following cases?

[29] Extracts of relevant Road Rules are provided at the end of this Appendix.

Who must give way?	
a: Driver turning right; **bicycle "a"** approaching on-road, from ahead of the driver.	
b: Driver turning right; **child "b" on bicycle** approaching from ahead of the driver, and riding between footpaths across the road into which the driver is turning.	
c: Driver turning right; **pedestrian "c"** approaching from ahead of the driver and walking between footpaths across the road into which the driver is turning.	

Who must give way?	
d: Driver turning right from Street; **child "d" riding** parallel to the driver, between footpaths, across the street into which the driver is turning.	
e: Driver turning right; **pedestrian "e"** walking parallel to the driver, walking between footpaths across the street into which the driver is turning.	
f: Driver turning left; **pedestrian "f"** approaching from ahead of the driver and walking between footpaths across the road into which the driver is turning.	

Who must give way?	
g: Driver turning left; **child cyclist "g"** approaching from ahead of the driver and riding between footpaths across the road into which the driver is turning.	
h: Driver turning left; **child cyclist "h"** riding parallel to the driver, between footpaths, across the road into which the driver is turning.	
i: Driver turning left; **pedestrian "i"** travelling parallel to the driver and walking between footpaths across the road into which the driver is turning.	

Extracts from relevant Australian Road Rules

Rule 13

(1) A road-related area is any of the following:

(a) an area that divides a road;

(b) a footpath or nature strip adjacent to a road ...

Rule 72

(3) If the driver[30] is turning left (except if the driver is using a slip lane), the driver must give way to:

...(b) any pedestrian at or near the intersection who is crossing the road the driver is entering.

(5) If the driver is turning right, the driver must give way to:

...(b) any oncoming vehicle that is going straight ahead or turning left at the intersection ...

(c) any pedestrian at or near the intersection who is crossing the road the driver is entering.

Rule 74

(1) A driver entering a road from a road-related area... must give way to:

(a) any vehicle travelling on the road or turning into the road...

(d) for a driver entering the road from a road-related area:

... (ii) any other vehicle ahead of the driver's vehicle or approaching from the left or right.

Rule 236

(1) A pedestrian must not cause a traffic hazard by moving into the path of a driver. ...

Rule 253

The rider of a bicycle must not cause a traffic hazard by moving into the path of a driver or pedestrian.

[30] Rule 16 (1) states, "*A driver is the person who is driving a vehicle (except a motor bike, bicycle, animal or animal-drawn vehicle*). "
Rule 19 states. "*Unless otherwise expressly stated in the Australian Road Rules, each reference in the Rules (except in this Division) to a driver includes a reference to a rider, and each reference in the Rules (except in this Division) to driving includes a reference to riding*. "