

19th May, 2023

Legislative Assembly Economy and Infrastructure Committee

Parliament House, Spring Street

East Melbourne VIC 3002

Inquiry into the impact of road safety behaviours on vulnerable road users

Animal Care Australia (ACA) is a national incorporated association established to consult with government in advocating for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

Animal Care Australia would like to thank the Victorian Legislative Assembly Economy and Infrastructure Committee for providing us with the opportunity to provide feedback for this Inquiry.

Animal Care Australia is concerned that horse riders, drivers and handlers are not mentioned within the Terms of Reference for this Inquiry.

ACA's Recommendations to the Inquiry:

1. **The Victorian Government recognise equestrians as vulnerable road users, who are at high risk of injury and death on Victorian roads.**
2. **Recommendations include helmets, Hi Viz and reflective attire is worn by all equestrians when on Victoria's roads.**
3. **Amendments are made to 'Road Safety Rules 2017' under 'Part 22—Additional Victorian Road Rules' and 'The Victorian Driver's Handbook' under 'Sharing the Road with Animals: Horses' to include:**
 - a. **Allow at least one car width on 60km/h roads and more at higher speeds when passing horses**
 - b. **Slow down to 40km/h or less to pass safely, and**
 - c. **Stop immediately if indicated to do so by the rider or driver**
4. **Victorian Government update horse rider road signage to include instruction on what motorists should do – such as “Pass wide and slow.”**
5. **Victorian Government provide funding for motorist education campaigns, including professional driver training and local community led education programs.**

A detailed submission is attached. Please do not hesitate to make contact if we can assist further.

Animal Care Australia look forward to the opportunity of providing testimony at this Inquiry.

On behalf of the Animal Care Australia Committee,



Michael Donnelly

President

Animal Care Australia



Animal Care Australia

2023

**Inquiry into the
impact of road safety
behaviours on
vulnerable road users
in Victoria.**

Approved: 19th May 2023
Animal Care Australia Inc.



Inquiry into the impact of road safety behaviours on vulnerable road users in Victoria 2023.

Animal Care Australia submission.

ACA Background:

Animal Care Australia Inc. (ACA) represents the interests of all hobbyist and pet animal keepers nationally. Our members are comprised of most major animal keeping representative bodies including those representing dogs, cats, birds, horses, small mammals, reptiles, fish and exhibited animals.

Animal Care Australia would like to thank the Victorian Legislative Assembly Economy and Infrastructure Committee for providing us with the opportunity to provide feedback for this Inquiry.

Animal Care Australia look forward to the opportunity of providing testimony at this Inquiry.

Opening statement:

Animal Care Australia is concerned that horse riders, drivers and handlers (hereafter referred to as equestrians) are not mentioned within the Terms of Reference for this Inquiry.

Not only are equestrians not recognised and identified as vulnerable road users, but the industry does not appear to have been approached to participate, despite the strong likelihood of any outcome impacting them.

From reviewing news articles, Animal Care Australia found reports of 2 riders and at least 6 horses having been killed in road accidents in Victoria in the past 4 years. Many more were injured, some seriously. While these numbers do not sound significant, the number of equestrians using roads is also very small (less than 2% of the population), which makes these statistics alarming and significant.

Horse riding is often perceived to be an elitist activity. People feel – quite literally - looked down on by riders, keeping horses is an expensive hobby, and the flash outfits and expensive gear seen at Olympic levels and the races reinforce this misconception. The average equestrian is not elitist, nor even rich – they are just normal, everyday people, including children, with a passion for horses.

Terms of Reference:

“That this House refers an inquiry into changes to road safety behaviours during and post the COVID-19 pandemic and impacts on vulnerable road users to the Economy and Infrastructure Standing Committee for consideration and report no later than 31 March 2024.”

Have your say Survey:

The Committee is interested in hearing your views and insights on the issues raised by the terms of reference which ask the Committee to consider changes to road safety behaviours during and post the COVID-19 pandemic and how these changes have impacted vulnerable road users.

In particular, the Committee is interested in:

- what changes in road safety behaviours have been observed from 2020 onwards
- if changes have been observed, what is shaping these changes
- how these changes have impacted vulnerable road users, including pedestrians, cyclists, motorcycle riders, children, older people and mobility device users
- how the above information can be used to improve road safety

ACA's Recommendations to the Inquiry:

In response to the Terms of Reference and Have Your Say questions, Animal Care Australia makes the following recommendations:

- 1. The Victorian Government recognise equestrians as vulnerable road users, who are at high risk of injury and death on Victorian roads.**
- 2. Recommendations include helmets, Hi Viz and reflective attire is worn by all equestrians when on Victoria's roads.**
- 3. Amendments are made to *'Road Safety Rules 2017'* under *'Part 22— Additional Victorian Road Rules'* and *'The Victorian Driver's Handbook'* under *'Sharing the Road with Animals: Horses'* to include:
 - a. Allow at least one car width on 60km/h roads and more at higher speeds when passing horses**
 - b. Slow down to 40km/h or less to pass safely, and**
 - c. Stop immediately if indicated to do so by the rider or driver****
- 4. Victorian Government update horse rider road signage to include instruction on what motorists should do – such as "Pass wide and slow."**
- 5. Victorian Government provide funding for motorist education campaigns, including professional driver training and local community led education programs.**

By all accounts, Animal Care Australia does not find significant changes in the behaviour of road users towards equestrians prior to, or following the Covid-19 pandemic. The safety of equestrians is not adequately recognised or enacted by drivers, which requires a suitable response from the Victorian Government (and other state/territory governments across Australia).

Current Victorian rules for how to ride and drive horses legally and safely on roads (below) are basic but acceptable. Any proposed changes must be consulted further with key stakeholders.

Riding animals

If you are riding an animal on the road (e.g. a horse), the animal is considered to be a vehicle.

A rider of an animal must obey the same road rules as other drivers. But, there are also some road rules that apply to riders of animals.

- If you are under the age of 18, you must wear a helmet when riding on a horse on a road, footpath or any road-related area.
- You can ride an animal on footpaths and nature strips, unless it is specifically prohibited. But, you must give way to pedestrians.
- If you are riding beside another rider, you can't ride more than 1.5 metres apart.
- If you are using a vehicle that is being pulled by an animal (e.g. a horse carriage) at night, you must have:
 - two white lights visible for 200m on the front (one on each side)
 - two red lights visible for 200m on the back (one on each side)
 - red reflectors on each side of the vehicle towards the back.



The photo (left) of 2 riders – one wearing hi viz, and one not, shows the importance of using PPE such as this to alert motorists to their presence earlier.

Therefore,

ACA recommends the additional requirement of Hi Viz and reflective vests and bands to ensure the equestrians are clearly visible to motorists

Image by Cheshire Police Rural Crime Team

Improving the safety for equestrians

Equestrians need safe access and use of roads.

- safe off road riding access is very limited - most are forced to use or cross roads
- it is essential for the horse's mental and physical wellbeing to be exercised outside of arenas
- equestrians need to access facilities, services and rights of way (even off-road riding such as rail trails require the crossing of many roads)
- many equestrian businesses need to use roads in the course of their activities

Equestrians have a RIGHT to be on the road, and are currently recognised as vehicles under Victorian legislation when horses are ridden or driven on the road.

Horses built Australia's roads and were here before motorised vehicles were. They are still here. Equestrians are increasingly being forced to use footpaths and verges, where available, as the roads are simply too unsafe, and have been for a long time.

In order to provide appropriate responses to the Inquiry, Animal Care Australia (in conjunction with Bitless Inc) conducted an informal survey of Victorian equestrians (through other equestrian organisations, social media and our members). We have collated and quoted some of their recent experiences and concerns as part of this submission.

Almost all reported experiencing near misses and dangerous driving while they were riding on Victorian roads.

"I don't think anyone actually knows an appropriate speed for passing horses – an actual limit or recommendation to promote would be a good idea"

When it comes to drivers interacting with horses, current Victorian Road Rules are inadequate.

Horses ridden or driven on roads are currently defined as a "vehicle other than a motor vehicle". Horses being led by a handler has not been defined as either a vehicle or a pedestrian (like a dog walker).

Victorian Equestrians report that motorists appear to be largely unaware (or indifferent) that equestrians have a legal right to be on the road and must be respected in the same way as any other vehicle. Motorists rarely give way to equestrians, even when the road rules determine that the horse has right of way (such as at roundabouts).

"I'm on the edge of a rural town, even the trucks slow down and pass wide. Built up towns – totally different in tourist areas. Rude city travelers have no idea of road rules"

Rules and responsibilities

Sharing the road with animals

Each year there are a number of serious crashes involving kangaroos, horses and other farm animals.

Horses

Slow down and watch out for horses being led or ridden on the road – leave as much space as possible to allow for unexpected movements by the horse. Never use your car horn around horses – it may startle even the most placid horse and could cause it to bolt resulting in a crash.

Page 144 of the **Road to Solo Driving Handbook** contains the following reference (*left*).

The rules for how motorists must behave around equestrians sharing the road is limited to one paragraph, and how to pass horses safely does not appear at all in the **'Road Safety Rules 2017'**

This is woefully insufficient.

Primarily this paragraph and in turn the Handbook - does not provide the motorist with adequate instruction. "Leave as much space as possible" can be interpreted in many ways, and therefore cannot be enforced.

Motorists tend to underestimate the space a horse rider requires. There is no additional information for how to drive safely, or when the motorist should stop.

The Road Safety Rules and the Handbook should specifically state:

When approaching horses being ridden or driven on roads or verges:

- **Allow at least one car width on 60km/h roads and more at higher speeds**
- **Slow down to 40km/h or less to pass safely**
- **Stop immediately if indicated to do so by the rider or driver**

This lack of instruction is a serious oversight as Victorian Equestrians report that motorists rarely respect equestrians as a vehicle, nor do they slow down for them, as they would for a pedestrian. Horses are easily frightened by loud, sudden or unfamiliar noises and are usually travelling on roads slowly – most often a walking pace.

Provisional Drivers, in particular, see using the horn to startle the horse as a fun challenge, rather than a warning. This should also be an offence.

"Car Drivers ignore hand signals to slow down and seem oblivious to road laws involving horses"

Signaling for drivers to slow down or stop is often ignored or perhaps not understood. We note that universally accepted hand signals are no longer included in the Driving Handbook. Clearly this does not help – it is often the only method of communication available to the equestrian – yelling while riding an upset horse is not advisable, and can make matters much worse.

“Horses are unpredictable in nature and there are far less places to ride than ever before, with increasing rules and unrealistic restrictions.”



Road signs like this Rail Trail crossing sign (left) are useful in context, but a horse rider symbol on its own on a road is meaningless to motorists. It does not tell them what to do, or not do. **“Pass wide and slow”** or **“Slow down to 40km/h”** underneath the horse rider would be a simple, cost effective solution and much more helpful in educating motorists.

How motorists should behave when passing horses on the road must be clearly outlined in road rules.

Cyclists and Horses.

Cyclists travel quickly and silently and can easily spook horses that don't hear them coming. Cyclists are either unaware or indifferent to slowing down and announcing their presence to equestrians.

An awareness campaign, or some joint cycling/equestrian club events to educate each other in a friendly environment would be ideal to help cyclists and equestrians become more respectful of each other on the roads.

“Cyclists are often worse than motorists. They don't realize that some horses are scared and still need to slow or stop if a horse is shying at them”

Cyclists should slow down and call out to horse riders to alert the horse to their presence.

Animal Care Australia Road Safety Survey of Victorian Equestrians:

Animal Care Australia (in conjunction with Bitless Inc) conducted an informal survey of Victorian equestrians through several equestrian organisations, social media and members.

Over a 5 day period, the survey received 37 responses from riders, carriage drivers, and handlers of horses on foot. All were adult respondents, over 18 years of age, although some were speaking on behalf of children they are responsible for while riding on roads.

- **75% of the respondents take horses on the roads at least once a week.**
- **92% wear helmets, and**
- **60% wear hi Viz when on Victorian roads.**

Respondents were asked whether driver behaviour towards horse riders on the road changed during lockdown. One third said yes, one quarter said no, and one third said they did not take their horses on roads during the lockdowns.

When asked if they noticed a change in other road users behaviour after lockdowns 41% said no, and 35% said yes. The rest were not sure, or were not riding through both periods of time to compare.

However, when asked if they feel safer riding and driving on the roads compared to 3 years ago:

- **66% said no - they feel less safe or much less safe, and**
- **32% felt the same.**
- **None said they felt safer than 3 years ago.** This seems to imply that motorists' behaviour has generally declined over time.

“What were once rural roads on outskirts of Melbourne are now effectively suburban roads that were not built for the conditions they are used for now, with uneducated drivers”

“I have personally been swerved towards whilst riding my horse on the roadside. I have also had several drivers fail to slow down when I've signaled as they drive past”

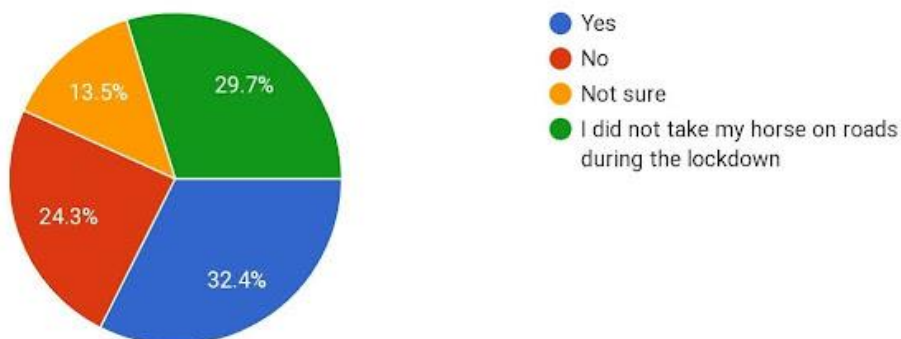
“People need to show respect and slow down, especially when children are riding their ponies. Horses are unpredictable, never know what is going to happen”

“I have had some really good experiences too. Where drivers have been more than accommodating for myself and my horses”

Below shows the statistical outcomes from the survey:

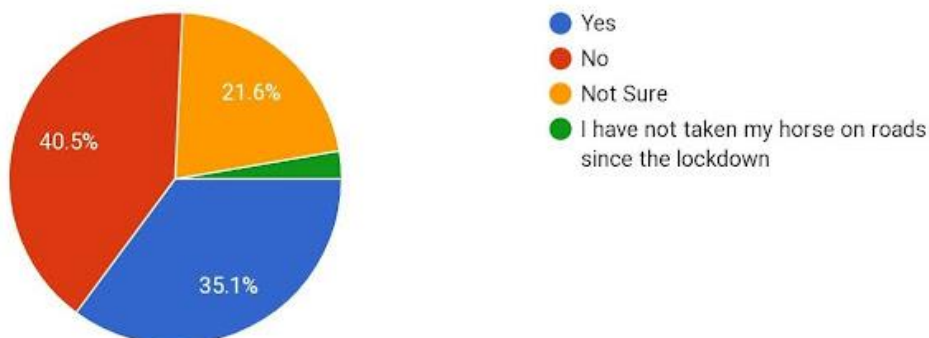
Did you notice a change in other road users behaviour DURING the pandemic lockdowns (2020-2021)?

37 responses



Did you notice a change in other road users behaviour SINCE the pandemic lockdowns ended (2022 to now)?

37 responses



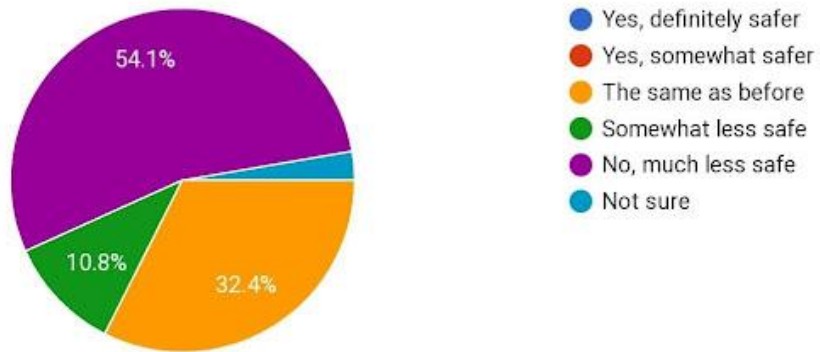
When asked what needs to be done to improve rider safety in an optional open text box, the overwhelming response by 70% of respondents was **motorist education**. Many respondents felt a media campaign to educate the public was necessary and long overdue.

“Educate car drivers, motorcyclists, and cyclists about safe behaviour near horses”

“Clear public information on horses’ rights and difficulties on the roads”

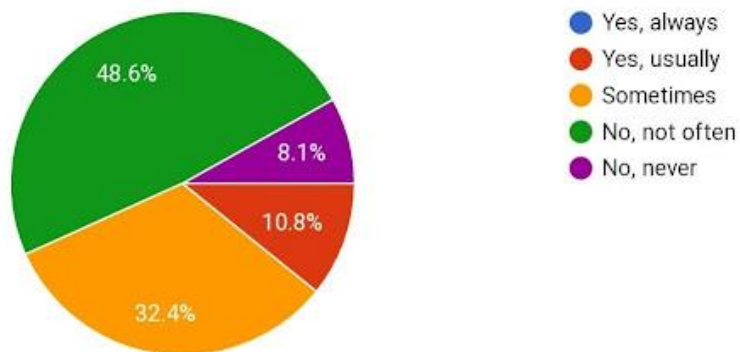
Do you feel safer today while using public roads with horses than 3 years ago?

37 responses



Do you feel that other road users (motorists, cyclists, pedestrians etc) are respectful and courteous of your right to be on the road with your horse?

37 responses



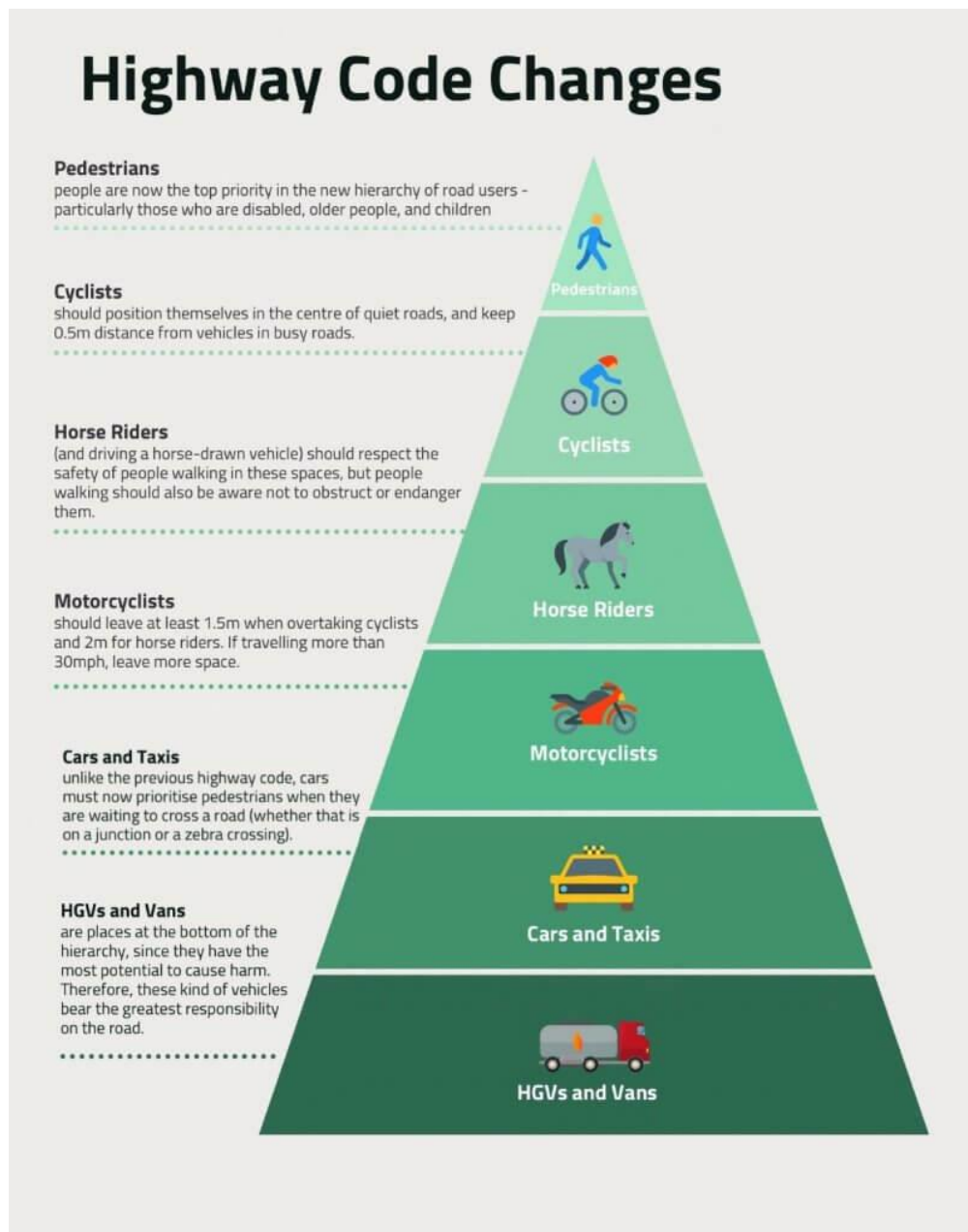
Equestrians do not feel safe on the roads and are vulnerable road users. Motorist education is desperately needed.

Solutions

The first step to finding a solution is recognising that there is a problem. Animal Care Australia hope to achieve this first step of raising awareness through this submission.

The next step is to move forward with practical solutions to improve the road rules, motorist education and equestrian safety.

In the United Kingdom, changes to the *Highway Code* in 2022 introduced a hierarchy of who gives way to who. In simple terms, the more vulnerable the road user, the more other vehicles must give way. This eliminates some of the confusion when encountering equestrians, pedestrians or cyclists on the roads. **Animal Care Australia recommends a similar hierarchy is introduced in Victoria.**



Also in the United Kingdom, a grass roots **Pass Wide and Slow Campaign** started running awareness rides to help educate drivers in rural and semi-rural areas. Local media attention helped spread the educational message and the movement has grown into a well-supported and publicised annual charity event, with riders and carriage drivers from all over the country participating in awareness rides on the same weekend.

The campaigners also design signage and banners that can be installed in rural areas and on problem roads to educate the public in a cost effective way, and these are installed in the lead up to awareness ride/drives as talking points.



Transport companies have become involved and now provide rural road safety education to their professional drivers as well as sponsorship to the ongoing Pass Wide and Slow campaign. This has helped grow community support and educates the wider public organically and authentically.

“More education of other road users should behave around horses on roads – there is a lot more promotion around safety and speed in the UK”

Victorian equestrian groups could be embracing the same concepts and gaining community support in a similar way – however - unlike the UK, Victoria doesn't have the laws in place to be promoted in an active equestrian road safety campaign.

Motorists cannot be educated on laws that don't exist.

There is a lot more that can be done to improve equestrian safety on Victorian roads, but the Victorian Government needs to lead the way.

Laws need to be introduced to ensure motorists:

- ✓ **must pass at least one car width away,**
- ✓ **slow down to 40 when passing horses, and**
- ✓ **must stop when signaled to do so by the rider or driver.**

Animal Care Australia does not feel this request is excessive, unreasonable or unnecessary.

“Some laws regarding slowing down or a minimum distance. People can be going far too fast, with plastic tarps flapping on their trailer. They see you are having trouble because of their vehicle and still not slow down”

On behalf of all equestrians in Victoria, we ask that you endorse these recommendations.

This submission can be publicly listed. Animal Care Australia look forward to the opportunity of providing testimony at this Inquiry.

On behalf of the Animal Care Australia Committee,



Michael Donnelly
President
Animal Care Australia

References:

The Victorian Road Rules referencing horses can be found here:

<https://www.vicroads.vic.gov.au/safety-and-road-rules/road-rules/a-to-z-of-road-rules/animals>

Road Safety Rules 2017

<https://content.legislation.vic.gov.au/sites/default/files/2020-11/17-41sra009%20authorised.pdf>

Road to Solo Driving Handbook

https://www.vicroads.vic.gov.au/-/media/files/formsandpublications/licences/road_to_solo_driving_handbook.ashx

Highway Code Hierarchy from Nottingham Shire's Road Safety Awareness Week 2022

<https://www.transportnottingham.com/road-safety-week-2022-safe-roads-for-all>

Animal Care Australia's Road Safety Survey

Further information is available on request.