

RTA Sustainable Transport Section briefing Bicycle registration and cyclist licensing

Subject – Scope for introduction of mandatory bicycle registration and/or cyclist licensing schemes in NSW

Background:

- In response to instances of poor or dangerous behaviour by cyclists, or as a way of recovering the cost of cycling infrastructure, community stakeholders raise from time to time the idea that bicycles used in NSW should be registered and display a number plate, and/or that NSW cyclists should be licensed before being permitted to ride.
- The NSW Government's position has been that it does not support such proposals, on the basis that safe and legal cycling should remain free of government fees and charges in NSW.

Current situation:

- Suggestions for bicycle registration and/or bicycle licensing schemes are typically based on the regulatory models of motor vehicle registration and driver licensing that are familiar to road users in all developed countries.
- As elsewhere, the NSW driver licensing model is founded on the principle that a road user should be protected from the harm able to be caused by another person's badly controlled motor vehicle, through a system of compulsory driver training leading to individual accreditation.
- As a driver is not readily recognised from the external observation of their motor vehicle, the registration system enables the enforcement of driver licensing in practice, by requiring the display of vehicle-specific markings that allow Police and others to link an easily identifiable vehicle to its registered owner and, if necessary, another person driving it at the time.
- The motor vehicle registration system in NSW is used to ensure that no vehicle is driven without having at least third party insurance cover, providing additional protection in the case of the vehicle being involved in a crash that results in the death or injury of one or more other road users.
- Additionally, the total fees payable at the time of a motor vehicle's annual registration in NSW increase with the weight of the vehicle, in consideration of the higher cost of damage to road pavement and structures caused by heavier cars and trucks.
- In comparison to motor vehicles, however, a very much lower risk of death or injury is caused by the poor or illegal control of a bicycle. NSW Centre for Road Safety data show that in the five years from 2005 to 2009 crashes involving a bicycle and a pedestrian resulted in 154 pedestrian injuries (and 53 cyclist injuries). 2005 was the last year in which a pedestrian was killed as a result of such a crash in NSW.
- Similarly, and unlike motor vehicles, bicycles cause no damage to road pavement or structures, and even high-intensity use of cycling results in close to zero asset maintenance costs to the community.
- Additionally, cycling-specific infrastructure developed by local councils (including high-profile projects recently constructed by the City of Sydney) is not funded from vehicle registration

payments to the NSW Government. Funding for this infrastructure comes from rates payable by local residents, who elect the local council responsible.

- Against this background, RTA advice is against the introduction of mandatory bicycle registration or cyclist licensing schemes. 'Reality-testing' of suggested schemes shows the low likelihood of any resulting benefits justifying the difficulty and cost of introducing effective measures. The principal difficulties involved in mandatory schemes are outlined below.
- Unlike motor vehicle drivers, a high proportion of bicycle users are under 18 years old. Requiring minors to be formally licensed before being allowed to ride on a public road in NSW would be without precedent. If unlicensed for road riding, under existing NSW law children aged between 12 and 18 would not be permitted to ride alone on a footpath. Even if licensed, a child cyclist aged under 15 who was found to have committed a traffic offence could not be dealt with under current legal processes applicable to older road users.
- Compared with motor vehicles, bicycles are easily dismantled, with many parts being interchangeable between machines. It would therefore not be possible in practice to ensure that a bicycle registration system could maintain a record of bicycles, matched to their registered owner, with sufficient accuracy to enable the correct owner to be traced in the event of a bicycle being involved in a traffic infringement.
- As with existing motor vehicle and driver licensing systems, a bicycle registration and cyclist licensing scheme would have to be introduced across Australia, with Federal Government support, before there could be any guarantee of its effectiveness in NSW. Otherwise, such a scheme would restrict access for cyclists, and their bikes, coming into NSW from other states and territories or overseas.
- Under any NSW scheme, fines would presumably be levied on the user of an unregistered bicycle, the owner of a registered bicycle recorded as being involved in a traffic infringement, or an unlicensed cyclist. Such fines would need to be set at a level high enough to encourage registration, discourage poor cycling behaviour, and cover the cost of administering infringements.
- Furthermore, administrative costs for a NSW scheme would have to include additional Police enforcement activities, to pick up non-compliant bicycles and riders, including those who failed to display a number plate or similar. This would raise the question of whether these resources, if available in principle, would be better spent on enforcing the existing (and adequate) traffic laws covering riding behaviour.
- The likely consequence of registration and licensing costs would be the imposition of financial sanctions out of all proportion to either the cost of owning and running a bicycle, or the potential damage to life or property which can be caused by a poorly handled bicycle when compared with a badly driven car. Alternative sanctions involving the imposition of driver licence demerit points would have no effect on child cyclists.
- Furthermore, a NSW scheme could discourage bike ownership and/or use even by law-abiding cyclists. The cost of registering a bicycle, and/or obtaining a cyclist licence, would have to be high enough to cover administrative costs, unless these were subsidised by the NSW Government. Bicycle registration would have to be renewed annually to have any enforcement value.
- The resulting financial burden on cyclists, their parents and carers (in the case of child cyclists) or the wider community (if costs were subsidised) would be significant. In the case of drivers, the annual cost of a license in NSW, between \$21 and \$76, is set by the RTA at a level just high enough to recover administrative costs only. For a cyclist, a license fee at even the lower end of this scale could represent 10 per cent of the cost of buying a bicycle, while a fully user-pays scheme, covering the costs of additional enforcement, could add up to 50 per cent. This would have a regressive impact on lower-income families.
- A cost-recovering annual bicycle registration fee would also impose additional costs on NSW households. An annual fee of \$20 might cover administrative costs, while raising no additional

funds for cycling infrastructure. Of all NSW households, more than half (or over 1,400,000 households) are bicycle-owning. For these households, the annual expense of a cost-recovering bicycle registration fee would range from at least \$20 for nearly 500,000 one bicycle-owning households to more than \$120 for over 100,000 households owning six or more bicycles.

- A recent and comprehensive literature review conducted for the RTA has found that the majority of any bicycle registration and/or cyclist licensing schemes in place worldwide are centred on the identification of bicycles to aid their recovery when stolen or lost.
- While a number of governments have run such schemes, most have been revoked and, although investigations have been undertaken regularly to reinstate these, issues and problems similar to those outlined above have prevented the reintroduction of schemes.

Way forward:

- It is NSW Government policy to encourage safe cycling as an enjoyable and affordable travel choice and recreational activity. Worldwide, no developed economy appears to have successfully established a jurisdiction-wide mandatory bicycle registration or cyclist licensing scheme that has been able to deliver improved road user behaviour while covering administrative costs.
- Notwithstanding the great difficulty of enforcing cycling through schemes modelled on motor vehicle regulation, the RTA does recognise both the road safety risks (especially to pedestrians) of poor riding behaviour and the harm that this can cause to community perceptions of cycling and cyclists.
- The RTA will continue to focus on the following areas in order to improve cyclists' behaviour, reduce the risk and severity of conflict between cyclists and other road users (*see separate briefings*) and improve community perceptions of cycling and cyclists:
 - Cycling skills and safe road user training, for adults and children, through the AustCycle initiative
 - Bicycle safety campaigns and community events (eg during the annual NSW Bike Week)
 - Educational initiatives to promote, and improve motorists' understanding of, cyclists' rights and needs
 - Ongoing NSW Police enforcement of existing traffic laws covering cyclists and motorists, and promotion of the NSW Police Assistance Line (telephone 131444) as the proper avenue to report incidents and enforcement requests
 - Development of fit-for-purpose off-road and quiet on-street cycling facilities.

Recommendation:

- Please note this information.

*Prepared by: Matt Faber
Sustainable Transport Manager
Sustainable Transport Section
Traffic Management Branch
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