



Minister for Transport and Main Roads

Our ref: MC113118

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Mr Paul French
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Dear Mr French

Paul,

Thank you for your letter of 31 January 2020, about the recent increase to the penalties for illegal use of a mobile phone while driving or riding.

The Palaszczuk Government is committed to improving road safety by addressing driver distraction resulting from the illegal use of mobile phones while driving, including while riding a bike.

Driver distraction is a 'fatal five' road behaviour that resulted in 33 people tragically losing their lives on Queensland's roads last year. A further 1358 people were hospitalised for serious injuries. The penalties have been increased to help put a stop to this dangerous behaviour and to save lives on Queensland roads.

The safety risks are highest for drivers, motorcycle riders and bike riders. That is why the increased penalties only apply to these road users. I agree that the risk to other road users posed by bike riders is significantly less than that of motor vehicle drivers. However, the vulnerability of bike riders means that mobile phone distraction is still dangerous.

While bike riders are legitimate road users with equal rights and responsibilities, they must also obey the road rules. This helps to foster positive attitudes and improve interactions between motorists and bike riders on Queensland roads.

The fine for rideable users who use a mobile phone illegally while riding is currently \$400. Rideables are generally not allowed on the roads, and therefore are not exposed to the same safety risks as bikes. There are no plans to increase the penalties for illegal mobile phone use by rideable users.

I appreciate your comments about the lack of a definition for when a bike is parked. A bike is considered to be parked if it is stopped where it is allowed to do so, for example, at the side of the road, and is intended to stay at that place. A bike is not considered parked if it is stationary in traffic, for example, at a red traffic light.

There is no specific requirement in the legislation for a bike rider to dismount, leave the road or remove both feet from the pedals or hands from the handlebars for the bike to be considered parked. However, the enforcement of this rule will depend on the specific circumstances of each individual case and is at the discretion of the enforcing police officer.

Bike riding is valued for the important contribution it makes to developing a sustainable and effective transport system. It has significant benefits for health, the environment and tourism, as well as positive local impacts in connecting communities. It is also a popular choice for commuting.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke that tapers to a point on the right.

MARK BAILEY MP
Minister for Transport and Main Roads