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Director, Quad Bikes Taskforce
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Dear Mr Phillips,

Thank you for the invitation to the Quad bike safety stakeholder roundtable on 5 April 2018 and the opportunity to provide further input to the Australian Competition and Consumer Commission's review of quad bike safety.

Please see below our comments on the Regulation Impact Statement consultation.

1. The ACCC has proposed five options. Which is your preferred option and why do you prefer it to the others?

RACS concurs with the ACCC that Option 5 is likely to prevent the most deaths and injuries to quad bike operators compared with all of the other options because it is the most comprehensive suite of measures.

The effects of quad bike injuries and fatalities devastate the lives of the victims, families and surrounding farming communities and RACS believes all measures to reduce their impact should be adopted by governments.

2. If you are a quad bike manufacturer, importer or retailer what impact will these options have on your business? For example, how much will it cost to implement each of the requirements, (design changes and testing), and what is the likely effect on sales and the model range?

Manufacturers, importers and retailers have a duty to take all reasonable measures to ensure the products they are selling are safe, being used as intended, and not causing death or injury.

3. If you are a quad bike user what would be the impact of the proposed options?

Option 5 is likely to improve the safety of quad bike users.

4. What effect will each of the proposed options have in saving lives and reducing deaths?

Maintaining the status quo (Option 1) is likely to result in the continuation of existing rates of death and serious injury involving quad bikes and side by side vehicles (SSVs). Options 2, 3 and 4 are not as comprehensive as Option 5 and are therefore likely to help save lives, but to a lesser extent than if Option 5 is implemented.

Operator Protection Devices (OPDs, Option 3) are secondary protection devices and won't reduce the number of rollovers. If properly designed and fitted at point of sale OPDs have the potential to save lives by maintaining a survival space. We are not aware of any evidence they have caused injury.

Other measures as outlined in Options 2 and 4 are good but for real improvements to be made and innovation to occur, it is critical that a star rating system - similar to the Australian New Car Assessment Program (ANCAP) that tests and rates quad bikes and SSVs - is applied to all vehicles to assess fitness for purpose.

The assessment program needs to be independent of manufacturers and crash test results should be made public.

5. The US Standard requires a number of general warning labels to be affixed to the quad bike. The ACCC is proposing additional labels and information in the owners' manual, alerting the operator to the risk of rollovers and differential selection. Provide comment on these two additional labels (see section 8.6)

Warning labels are a good idea but are unlikely to produce a significant reduction in death and serious injury involving quad bikes and SSVs. Consideration should be given to a colour coding system to consolidate the vast array of existing warning labels currently used. Consideration should also be given to an additional label advising that active riding is required, as the majority of operators are passive riders, and older operators are particularly at risk.

6. Provide comment on the current model of the safety star rating system (see Attachment A).

Implementation of the safety star rating system for quad bikes and SSVs should be prioritised. It can be reviewed and adjusted over time if needed, in a similar manner to the introduction of ANCAP.

As Hicks et al (2018) found, it takes as little as a 100mm tuft of grass or bump to cause a rollover.¹ A safety star rating system would be able to demonstrate whether certain types of quad bikes and SSVs are suitable for farming activities.

7. In Option 3, the ACCC has suggested some safety and operational criteria that an Operator Protection Device (OPD), designed to protect the operator in the event of a rollover, could meet. What are your views on the proposed criterion an OPD may be required to meet? Should additional criteria be imposed?

Safety and operational criteria for OPDs should include specific performance requirements including load and survival space.

8. Provide comment on the minimum performance criteria (see Attachment D) and the requirement for general-use model quad bikes to be able to have all wheels of the vehicle be able to rotate at different speeds, referred to in Option 4.

Open differential is a key design feature because it negates the need for active riding. As noted on p39 of the Regulation Impact Statement, locked differential produces an oversteer characteristic, therefore open differential on start-up should be the default for manufacturers.

9. Options 3, 4 and 5 do not propose additional design solutions for SSVs and sport and youth quad bikes. If your view is that one or more of these vehicles should be subject to additional design solutions to improve safety, do you have information and data you can provide to the ACCC in support of this view?

The safety star rating system should apply to all vehicles, not just quad bikes.

There is some evidence to indicate that fatalities occurring in SSVs are from people being ejected (not wearing a seatbelt). Interlocks which prevent vehicles from gathering speed when seatbelts are not being worn are a credible safety feature.

10. Provide comment on the transition period for the proposed options (see Section 8.8).

RACS supports a phased transition period as it is expected up to 40 to 50 vehicles will need to be assessed. Top selling vehicles should be among the first to be assessed.

11. Provide any additional information or data that you think may be useful to informing the ACCC's recommendation to the minister.

The benefits of New Car Assessment Programs in Australia and overseas are undeniable. They have led to dramatic improvements in vehicle safety and road tolls through the installation and improvement of airbags, crashworthy structures and handling assistance such as antilock braking system and electronic stability control. A similar assessment program for quad bikes and SSVs should be implemented as a matter of urgency.

RACS strongly supports the ACCC's proposed holistic approach to mitigate the safety risks of quad bikes and SSVs and recommends that the ACCC and other jurisdictions and agencies consider all available strategies to prohibit children under the age of 16 from riding adult quad bikes.

Yours sincerely,



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cc: Mr John Batten, President, RACS
Mr Richard Perry, Chair, Professional Standards & Development Board, RACS
Mrs Mary Harney, CEO, RACS
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¹ Hicks D, Grzebieta R, Mongiardini M, Rechnitzer G, Oliver J. Investigation of when quad bikes rollover in the farming environment. Safety Science. 18 February 2018. 106 (2018) 28-34