

CENTRESTAND

March 2013



THIS ISSUE

ROAD SAFETY REPORT

SCOOTER MUSINGS

HELMETS

MAC COMPETITION

NO FAULT CTP CHANGE

Let those who ride decide



The journal of the Motorcycle Riders' Association of SA Inc. Printpost approved No. PP:530028/00014

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MAC


Government
of South Australia

M.R.A.
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**COVER PIC: Dutchy's Yammy FJ1200 at
Rapid Bay after Ridden-On Ride (PM's lid)**

COVER DESIGN: Arwen Lindemann

**MRASA Inc. is a member of the Australian
Motorcycle Council (AMC)**



EDITORIAL

Harald Lindemann

The December issue of Centrestand ran an article about helmet standards. In this issue we are also presenting an article about helmets (p.13-14). Now, helmets are probably the most important item of safety equipment that a motorcyclist can wear. This is borne out by the fact that helmets are the only item of clothing for which there is a legal imperative attached to the wearing of. It is clear from years of research (and common sense) that wearing helmets save lives.

If you don't wear gloves, you could lose some skin; if you don't wear boots then you could break some bones; if you do without a leather jacket or something similar then you could go home with a nasty case of gravel rash. All these will eventually heal and you will carry on with life a bit wiser. But if you do without a helmet, a cracked scone is hard to come back from. Unless you're of the feline persuasion or have the initials JC then you are not likely to get a second chance. Brain damage is also some thing that is hard to live with – your family more than yourself. You will be beyond caring.

So we want you to be informed about something that could possibly save your life. Current helmet standards are confusing and Peter Mount in this issue is trying to make some sense of it for you so that you know what to look for when you buy a lid and to let you know that the MRA and the AMC are working on trying to get all the Australian jurisdictions involved in helmet standards to agree to a single, sensible, easy-to-understand standard. One that the user, that is you, the motorcyclist, can understand.

Neville Gray (p4) relates the tale of the tragic consequences for a South Australian motorcyclist who bought a cheap helmet via the internet. The standards system was somehow circumvented and let him down. This is all the more reason for all of us to know what we are doing when choosing a helmet.

By the way, summer is now over and, with winter coming on, those of you die-hard riders who are not going to let your Gertie hibernate for a few months need to do some maintenance. Are those really the tyres you want to ride on in the coming wet weather? How are the brakes? Worn down after all the summer fanging? Don't forget to change the brake fluid and check that all of your globes work – regularly. Now you're ready.

If you haven't entered the MAC competition do it soon. The competition closes on **June 13** and you get the chance to spend some time with Mick, maybe convince him to join us on the 2013 Toy Run.

Ride Safe, Harald

PRESIDENT'S REPORT

Thank you to all members who participated in our February AGM. I appreciate the confidence expressed in returning all nominated past members of the Committee for 2013. So many of the Committee continue to devote inordinate amounts of their time and energy to making into the MRASA the association that it is.

Back for another year are two of the true MRASA stalwarts, Peter Mount and Harald Lindemann. Peter and Harald have teamed to put in the long hours to lead a very successful Toy Run Sub-Committee and also to bring out our Centrestand. We are blessed to have them.

Other returned Committee members with big workloads are our Vice-President / Road Safety Officer, Nev Gray, and our Webmaster and now Membership Officer, Graeme Rawlins. Nev is recovering (thankfully) from bypass heart surgery and is expected to make a full recovery. His knowledge and high workload as our Road Safety Officer has never been tested as much with constant political reappointments making it challenging to maintain the motorcycle message. Following his complete redesign of our web site, Graeme has put his hand up to also take on the vacant Membership Officer position in 2013. Thanks Graeme.

A couple of others who continue to put big efforts in are Ken King and Cathy Lux. Ken is the very successful SAMRATS Co-ordinator and attends nearly all Committee meetings. Cathy took on Register Liaison and regularly travels to both registers to establish closer ties with our branches. The return of the MRASA blood runs are another of Cathy's passions that has come to fruition. All are welcome, donors and supporters. If you have never donated before, this could be your chance to make a difference and help save a life.

No thankyou list would be complete with saying thanks to our Treasurer, Ange McClelland. I may be biased, but I think our Treasurer is the best the MRASA has ever had. (In that case, we're all biased...Ed) Thanks for saying yes to "one more year".

Special thanks to Rene Borst for his significant contribution in reformatting our membership database (and re-entering all the data). Good luck in your retirement Rene. The legacy you handed over to Graeme Rawlins will assist us for many years to come. Whilst most of the non-contested positions were filled at the following Committee meeting, we really need a member to put their hand up for Stock Officer. A Stock Officer (Quartermaster) is needed. This is an

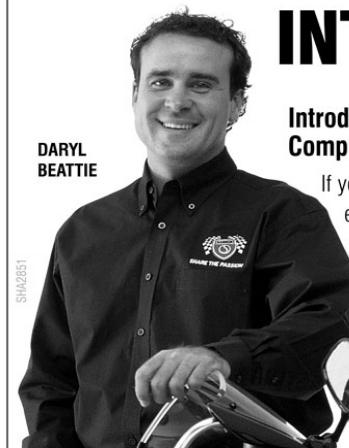
MRASA Committee position. Duties include storing our club merchandise, purchasing new stock, responding promptly to emailed or mailed orders and, when able, attending a few club events to enable members to try on merchandise. You will need 3 or 4 hours a month. The stock is currently stored in 20 or so 50lt plastic boxes. You will be helped to get started.

The year ahead looks interesting as we are 6 months away from a Federal election and 12 months away from a State election. Let's see what each side of politics says to encourage motorcyclists to support them in what could be close elections.

One of the items on our plate at the moment is the ongoing concern about motorcycle helmets. Through our affiliation with the Australian Motorcycle Council we have learnt about potential deficiencies with the current sticker system for road-legal helmets. The average motorcyclist (and average enforcement officer) looks at the sticker to know if it is a safe and legal helmet. Most riders look at helmet design and suitability for use without knowing anything about how it is tested for safety. The tick sticker is all they know. More on this in this Centrestand.

Ride Safe
Phil McClelland
President MRASA

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ROAD SAFETY REPORT TO AGM

By Neville Gray (Road Safety Officer)

It has been quite a constructive year in South Australia for motorcycle safety but also one of frustration as Ministers' portfolios have been frequently changed. We have had seven Ministers for Road Safety in the life of our current Parliament, making lasting and meaningful liaisons almost impossible to maintain.

However, I have managed to have constructive meetings with these Ministers and also with their Opposition counterparts throughout the past year on behalf of the Motorcycle Riders' Association in my current capacity as Road Safety Officer. This level of consultation has accelerated over the past 12 months and is particularly rewarding. I am frequently asked for opinions on motorcycle safety issues before they are publically announced – a major turnaround in Government policy. Maybe.

Highlights for the past year are:

- Attending the *Improving Motorcycle Safety* seminar as a panel member in June. This high-level workshop proved to be the conduit for many subsequent meetings with authorities as the real issues from a motorcyclist's perspective were revealed and not those from uninformed non-riders – a major turnaround. I was asked to list the three major motorcycle road safety items I thought should be implemented. I think my answer will generate many possibilities for improvement in the next few years.
- The steering meeting I had with the previous Minister for Road Safety last year have resulted in the six-point proposals for changes to motorcycle licensing legislation within SA. Many submissions have been received by the Department from riders which so far are many more, on a per capita basis, than the similar car licensing proposals received last year – motorcyclists are a cohesive, passionate lot! The Government has stated that the consensus of opinion on these proposals will form the basis of the new licensing reforms. We will wait to see if this is actually the case.
- I have held informal talks with the Shadow Minister for Road Safety and outlined our vision for the future. He was very receptive and will, amongst other things, suggest more police motorcycle patrols, investigate footpath parking in the CBD, reintroduce our now defunct SA Motorcycle Safety (and Transport) Strategy and generally include motorcycles in the traffic plan
- We are watching the lane filtering trials being held in Melbourne and Sydney with interest. The SA Government is very aware of these trials and hopefully any go-ahead in the eastern states will also be carried over in SA.
- At a meeting with the Road Safety Minister and her advisors late last year I broached the subject of allowing motorcycle and scooter riders to use the recently introduced bus lanes in the CBD. The Minister was receptive to this idea and we await the final decision. The Centre for Automotive Safety Research (CASR) – the advisors to the Government on all matters involving road safety – had already apparently agreed with this plan when I asked for their opinion.
- Negotiations on the possibility of getting suitable off-road riding areas close to the CBD have commenced with the Minister for Sport and Recreation. Unfortunately, this Minister has also moved on and I am faced with the possibility of having to start talks all over again with the new Minister.
- On December 28 last year a tragic crash took the life of a fellow Ulyssian in the nearby Adelaide Hills. I was asked by the SA Police and the Coroner's Office to investigate whether the helmet he was wearing was compliant with the appropriate helmet standard. The helmet was purchased via the internet at a cost of \$54.95, was of Chinese origin and appeared to have all the relevant stickers in place, both exterior and interior. The hapless victim crashed at an estimated speed of 25 kph, hitting the back of his head on the pavement and dying from brain injuries soon after. Initial inspection of the helmet revealed that it did not protect the victim from head injuries and failed dismally. My investigations revealed that there are compliance problems with this helmet sold via EBay. The SA Police have now handed over investigation to the SA Office for Business and Consumer Affairs and the ACCC to determine if the product was fit-for-purpose and identify the responsible parties in the supply chain. This may have major consequences. It indicates the relevance of the current investigation of helmet standards by the Australian Motorcycle Council.
- The SA Department for Planning, Transport and Infrastructure has been advised of the recently-released Victorian Parliamentary Inquiry into Motorcycle Safety report and wants to introduce some of the recommendations contained in this

for the Adelaide CBD *if* elected (state elections will be held in March 2014).

excellent report into South Australia in the near future. Of particular interest is recommendation 25 which states that the motorcycle safety levy currently imposed in Victoria be curtailed (the previous SA Minister for Road Safety had been considering the introduction of such a levy).

- After several submissions over the years, the Minister for Road Safety has advised the Transport Department that all steel plates used as temporary placements over excavations must in future have a skid-resistant coating. This brings SA in line with the eastern states at last. (*See end note...Ed*)
- The additional application of rub-rail to existing W-Beam guard rails has continued in 2012–2013 in the Adelaide Hills region (it seems that the superior BASYC system will not be used in the future because of excessive cost).
- Of major concern is that the Federal Government has disbanded the National Road Safety Council (NRSC). The NRSC was formed primarily to drive the National Road Safety Strategy 2001–2020. We hear that the NRSC was not performing at adequate levels. The Motorcycle Safety Consultative Committee (MSCC) with which I have been associated for 13 years was likewise dumped by the Federal Government. The MSCC reported directly to the NRSC. Riders have lost their only link with the Federal Government. We hear that a major motorcycle safety summit will be held in Tasmania sometime this year but, with the Federal elections recently called, I find this possibility remote. We are still awaiting the outcomes from the Canberra Summit held in 2008. Relations with the Federal Government are at an all-time low it seems.
- With the continual changing of the Transport, Road Safety and Sport and Recreation portfolios in SA, we have a frustratingly similar problem here in SA. I will continue to foster good relations with the Shadow Ministers for Transport and Road Safety.
- I have attended all seminars held by the Australasian College of Road Safety in Adelaide. These lunchtime seminars are an excellent place to liaise and maintain contact with fellow workers in road safety.
- We continue to work with the Motorcycling Australia-funded CASR (Centre for Automotive Safety Research) PhD student on his motorcycle safety project. Questionnaires have been distributed to those requesting them and the GPS study is in full swing. Thanks to those MRASA members who have volunteered for these projects.

Note re roadworks plates (Peter Mount): Through MRA lobbying, in 1985 the (then) SA Department of Transport developed skid-resistant roadworks plates by bitumenising the steel plates so they had the same coefficient of friction as the road surface. We were pretty happy with this treatment but the Works people weren't as, due to the flexing of the plates during transportation and placement, and under traffic load, the bitumen fractured and came off, so the practice, and the Department's interest, was discontinued.

Further lobbying led to, in 1990, in conjunction with the MRA's field tests, the Department developing a more durable design which consisted of extruded steel mesh being welded to the plates. However, this process added time and cost to works programs, and without the MRA persistently reminding the Department of its responsibilities to riders, this practice was also allowed to disappear quietly into the bin.

It's a pity, as during some of the field testing I was able to crank the Wing over to the footpegs and hit the front brake hard without losing any grip (though it was pretty hard on the front tyre), so it was a very effective solution from our perspective.

The lesson here is that we need to keep pushing for progress and monitoring continuity of any successful initiatives to ensure their practice is maintained.

RALLIES

May 3-5 Roaming Swagman Melrose Showgrounds
Back to Basics \$22
Mark 8634 4377 Lefty 0412 767 945

May 18-19 MRA Great Escape Rally Marrabel.
This will be a badged rally. Toilets, water and firewood available. BYO food and drinks or dinner at the Marrabel Pub. Awards – maybe Raffle – maybe. A good time – definitely.

Harald 0421 289 714, Peter 0414 399 000

May 18-19 Wunkar Pub
Les 0411 616 232 Grot 0412 602 272

June 8-10 Wintersun John (03) 5023 7218

July 19-21 MRA SE Register Radiata Rally
South End Crazi Butler 0427 249 779
THE LAST ONE!
Be there or be square!

More details on the MRASA website
<http://www.mrasa.asn.au/rallies.shtml>

THE GREAT ESCAPE

RALLY

This will be held at the Marrabel site on the 3rd weekend in May (the one after Mother's Day), i.e. 18-19th BYO everything! We will provide toilets and a limited amount of water. Be on the safe side and BYO shovel & paper. A true back to basics rally! Don't be a Wunkar – come to Marrabel.

A low-key get-together of old and new friends. The Marrabel pub is just 4km down the road for a fine country pub meal, or make a fire and cook your own dead animal. Firewood onsite.

Badges \$10 MRA members, \$15 non-members.

Look out for the blue signpost 3km south of Marrabel, 17km north of Kapunda. Watch for the ford. If you don't go through it within 100 metres west of the bitumen you are off route. The rally site is after about 4km of good dirt (OK for road bikes)

See you there. (**Harald 0421 289 714, Peter 0414 399 000 for info**)

SAMRATS SUNDAY RIDES

Calendar 2013

Date	Time	Departure From/Destination
April 7	10am	BP West Tce/Murray Bridge
April 14	9.30am	Civic Park Modbury/Swan Reach
April 21	10am	BP Mt. Barker/Karoonda
April 28	10am	BP St. Mary's/Clayton Bay
May 5	9.30am	BP West Tce/Blanchetown
May 12	10am	BP Mt. Barker/Goolwa
May 19	10am	Crafers/Mystery Ride
May 26	9.30am	BP Belair/Meningie
June 2	10am	BP West Tce/3 Dams Ride
June 9	10am	BP Newton/Williamstown Circuit
June 16	10am	Kersbrook Servo/Riverton Circuit
June 23	10am	BP Connect Blakeview/Mystery Ride
June 30	10am	Crafers/Mannum

Due to weather or other events runs may be adjusted
For more information Phone Ken 0401 866 037

NEXT BLOOD RUN
Saturday June 1 2013
Departs 9am for the Grenfell St Blood Bank
from
The Avenues Shopping Centre Payneham Road
Stepney
(cnr Stephen Tce/Payneham Rd)

**If you've never given blood, then think about it.
If you have, then bring a friend.**

MAC'S GET THE EDGE **COMPETITION - CLOSING SOON!**

The Get the Edge competition featuring Mick Doohan launched in November last year and so far MAC have given away two leather jackets, a helmet and 20 posters to some very lucky riders out there. All they had to do was go to MAC's Get the Edge web site and answer a few motorcycle safety questions, the answers to which could all be found on the site.

The first two rounds have closed but the last "Black Spots" round is open now, with more chances to win another jacket, another helmet and a TW Steel Mick Doohan watch. Hurry, entries close on **June 3rd**.

Plus, all entrants of all the rounds will go into a draw to win the ultimate prize – a VIP trip for two to the 2013 Australian Motorcycle Grand Prix, meeting Mick Doohan.

The Grand Prize will be drawn on 18 June 2013.

Enter online at <http://gettheedge.mac.sa.gov.au>

Speaking about MAC's competition, Mick Doohan, said he wants motorcycle riders to get involved and enjoy the competition, but to also take notice of the important safety messages.

"Motorcycle riders are just so vulnerable, but they can reduce their chances of being in a crash by heightening their knowledge and by the way they ride," Mr Doohan said.

TOY RUN REPORT

Thanks to all our sponsors and partners for helping to once again make the Toy Run possible.

St Vincent de Paul Society	Shannons Insurance
The Motor Accident Commission	SAPOL
District Council of Mt Barker	Hutt St Precinct
Viking Elite (Dunnies with Dignity)	
SA Motor Sport Board	Adelaide City Council
Callington Recreation Park Inc	
Toll SPD Transport	B&C Security Services
Star Track Express	E H Cambridge & Co
First Care Medical	Couriers Please
Atlas Event & Party Hire	UBute Marquees
Xtreme Trials Show – Adrian & Tanya Harry	
Humbugs of Hahndorf	Glen Dix Miniskaff
The Smarty Boys	Vale Sign Hills SES

Thanks also to the CMA (Christian Motorcycle Association) and the Cruiser Club for helping out with the marshalling and setup.

The Toy Run Committee for 2013 so far are Peter Mount, Ebi Lux, Cathy Lux, Sue Rogan, Graeme Cane, John ‘Dutchy’ Van Halm, Kirsty Wolf (Vinnies Rep). We still have positions available for the Committee. We are particularly looking for people who have a bit of expertise with publicity and sponsorship. Committee memberships without portfolios are also available.

Harald Lindemann Toy Run Coordinator 2012

ODE TO SCOOTER RIDES

There's a long, long road a-winding when the Scoot Club meets to ride
 Unless it's Friday night when we just cruise around Parkside
 Or ride the foreshore roads along the beachfront to the Port
 And stop to have a coffee and a pee if we're caught short
 But mostly we go cruising through the Hills and ride our toys
 Exactly like the SAMRATS but without the Harley noise...
 A good ride finishes with lunch at a friendly little bar
 Or at a country cafe for a pasty and a jar
 But overall we just enjoy a good ride and a natter
 No silly speeds and after all, it's the friends that really matter

Dr.Phil

TACKY APPEAL LOST

A man who was knocked from his motorcycle by a wayward trailer whilst riding along the Great Alpine Road has survived a Victorian Transport Accident Commission (TAC) appeal against a Supreme Court finding that the vehicle with the trailer was at fault in the crash.

Road safety lawyer and rider activist John Voyage from Maurice Blackburn Lawyers says TAC’s appeal against the County Court’s original findings was breathtakingly audacious, reinforcing perceptions of the organisation’s negative views of motorcyclists.

Anthony Cuthbertson was knocked off his motorcycle when the trailer being towed swept onto the wrong side of the road as the two vehicles passed from opposite directions on a bend.

“The court heard that Mr Cuthbertson was travelling slowly on the correct side of the road when the trailer crossed the dividing line, impeded on his legal road space and knocked the rider from his bike, causing him significant injuries as he hit the road,” Mr Voyage said.

“The TAC refused to accept the Court’s verdict, despite the fact the rider had clearly been impacted by the wayward trailer, causing the fall.

“The TAC did not accept the injured motorcyclist’s description of what had happened, or that of independent witnesses, instead insisting that the motorcyclist had contributed to his injuries, despite the abundance of evidence to the contrary.”

It took a panel of judges at the Supreme Court’s Court of Appeal to finally set the TAC straight, with Justice Whelan saying in his final decision, “I would reject all of the grounds of appeal relied upon. In my view the appeal should be dismissed.”

Peter Baulch of the Victorian Motorcycle Council said the TAC’s desperate attempt to avoid helping a rider who was injured through no fault of their own is a sad indictment of the general anti-rider attitude the TAC continues to display.

“Riders are sick of being treated like second-class citizens by other road users and by the organisation set up to protect their rights on the road,” Mr Baulch said.

“It reinforces the importance of rider advocacy programs such as the ‘Stop SMIDSY’ (*Sorry mate, I didn’t see you...Ed*) campaign, which says inadvertence is no excuse for hitting vulnerable road users such as riders, and that we all need to take more care on the roads to increase safety,” said Mr Baulch.

NO-FAULT CTP CHANGE

Michael Irvine (Andersons Solicitors)

Major changes to Compulsory Third Party insurance laws for motor vehicle accident victims

Unfortunately, when an accident occurs between a car and a motorcycle, it is usually the motorcyclist who comes off second-best. Although the compulsory wearing of helmets has assisted in preventing many head injuries, sometimes the impact of the collision is so severe that no amount of protective clothing and equipment will prevent tragic and life-changing injuries and fatalities.

In addition to physical injuries, we often see psychological problems that develop following accidents. Some motorcyclists, once they have had an accident, cannot resume motorcycling due to anxiety and fear.

The South Australian Compulsory Third Party (CTP) Scheme provides personal injury compensation to eligible people injured in accidents involving a motor vehicle (including a motorcycle). Each motor vehicle registration payment has a component allocated to fund the scheme.

The laws of negligence in South Australia are the same for both car drivers and motorcyclists. Currently, a motorcyclist is able to claim compensation through the Motor Accident Commission provided that he or she was involved in an accident which can be entirely or partially blamed on another party. The injured person will have to show that they have been affected by their injuries for at least seven days.

This means that under the current system, if a driver or motorcyclist in a single vehicle collision sustains an injury, he or she would likely be ineligible for compensation because they won't be able to prove someone else was at fault. This is the case even if they sustain catastrophic injuries, including severe brain or spinal injuries.

Our current CTP scheme has worked well since 1963. Part of the registration fee we pay is designed to financially protect a driver or motorcyclist if they cause injury to someone else, but also to compensate a victim if they suffer injuries or economic loss.

However, the South Australian Government has recently reviewed the CTP scheme due to claims that the scheme has become too expensive, inefficient and unfair.

As our current system is based on fault, many victims of road accidents are not eligible for compensation because no other driver was involved in the collision.

However, one of the most positive proposed changes to the scheme involves moving to a no-fault system.

As Premier Weatherill recently stated: *"People who currently are not covered by CTP insurance when they suffer catastrophic injuries in single vehicle accidents will be covered. At the moment, that is about 40% of catastrophically injured road accident victims each year who are not covered because no-one is at fault."*

However, when the changes to the scheme were first announced, there were some aspects that were not so positive. The initial proposals were designed to significantly cut costs, and therefore had the effect of slashing compensation for victims. It had been estimated that approximately 6,000 people involved in road accidents each year would lose eligibility for compensation under the initial proposed changes to the scheme.

Following intense lobbying from key stakeholders, the Government has made some important concessions in relation to the proposed amendments. We are pleased that the Government has listened to the concerns of those who regularly work with road accident victims, and the Government has agreed to some substantial improvements in victims' rights.

In addition to the positive changes affecting people who suffer severe injuries (including the establishment of a lifetime support scheme), the changes go some way towards retaining protection for victims who suffer less serious injuries.

There will still be some erosion of victims' rights, which is unfortunate. Currently, as long as the injured person can show someone was at fault and that they have been affected by their injuries for at least 7 days, they can claim some compensation for pain and suffering, even if the pain and suffering is minimal.

Under the new scheme, eligibility to claim for pain and suffering (i.e., non-economic loss), voluntary services and loss of consortium (i.e., how the injury has affected a family relationship) will be based on a new scale. This scale did not exist under the current scheme.

To be eligible, the injured person must be above 10 points on the Injury Severity Value scale (ISV). This is an improvement from the initial proposal which recommended at least 15 points.

Unfortunately, this still means that some people who suffer injuries, including perhaps a broken arm or whiplash, may not be eligible for certain types of compensation. The former Treasurer Jack Snelling MP has justified the changes by stating: *"Minor claims have burdened the system, with more than \$100 million*

a year going to claimants who may have little or no time off work and require little medical treatment."

We are yet to see these changes in practice, but we still feel it is unfortunate that many people who suffer minor injuries involving pain and suffering will be ineligible for compensation. As we know, what may initially seem like a minor whiplash injury could affect a person for the rest of their life.

Furthermore, the threshold for claiming for loss or impairment of future earning capacity will be lowered from above 15 points on the proposed ISV Scale to above 7 points. This is an improvement compared to the initial draft amendments, but may still adversely affect victims who suffer less serious injuries.

There are also changes to the way legal fees can be recovered. As you know, engaging a lawyer is often a necessary but costly exercise. The proposed changes mean that many legal costs will not be recoverable if the claim for compensation is less than \$25,000.

This will mean, for example, that if a victim suffers minor injuries and is only eligible for a \$20,000 claim, they will have to pay their own legal fees. This may deter victims from seeking legal advice, because of the risk that they may have to pay their own legal fees.

The changes are a bit of a mixed bag for motorcyclists. On the one hand, it is very good news that motorcyclists involved in a single vehicle injury will now have an opportunity, in many circumstances, to claim compensation. This was previously unavailable.

However, let's say a motorcyclist collides with a car and the car driver was responsible for the accident. If the motorcyclist only sustains a broken wrist, it is unlikely that they would be eligible for compensation under the new scheme. However, they may have been entitled under the existing scheme.

There are several other proposed changes to the CTP scheme that will affect car drivers and motorcyclists. However, the changes still need to pass Parliament. The Government does not have the numbers in the Upper House to ensure smooth passage of the amendments. They will need to rely on the support of some Independents to pass the laws. There may be further changes still to come.

For further information, contact Andersons on 1800 653 655 or visit andersons.com.au

This information is not intended as legal advice and should not be substituted for legal advice. The information contained in this article is current at the time of publication (March 2013)

The inevitable question..."Why doncha get a real bike? Ain't you a real man or sumthin'?"

To answer the second question first: While I was very fond of my dear friend Jock I would much rather follow Sue's leather clad bum poking off the back of a sports bike than his. Enough said?

To the first question, a real bike? Been there, done that, got the oil stains on the driveway and the shattered knee cartilage from the kick starter to prove it. Been there, done that 18 times since 1964, enjoyed every one of them, and don't miss a single machine. So why now on a scooter (admittedly a BIG scooter, 650 cc twin with all the extras)?

'Cos I got old! And discovered comfort and ease and no sore bum and lots of storage space and not having to swing a leg over a tank. Do you know how hard it is at my age to get a leg over? Well the same problem applies to motorcycles!

Following some good-hearted viciousness from a Trumpy rider about the superiority of his machine I suggested that we both set off riding one of my regular routes, Adelaide to Melbourne in 9 hours, and see which one of us could still walk by the time we got to Bordertown non-stop, never mind more than halfway. Funny, he didn't rise to the challenge.

"Scooter? How the hell can it handle on such small wheels?" Those small wheels are the same size that Peter Brock won Bathurst on 9 times. "Heated grips & windscreen? You're not a man!" Oh yes I am, but I'm a comfortable and warm and not frozen-to-the-core man who can do 800 kms in a day and still be able to go out to dinner that night. Been there, done that, and got the gravy stains to prove it!

The best comment I have ever had about my current wheels was from a colours wearing bad bloke with all the tats and all the history..... "Shit, at least you're still riding, man!" And never a truer word was spoken! 48thou kms in 2 years, average 20thou kms yearly, my only transportation, hell yeah I'm a motorcyclist! I just ride a different type and I love it and I love the group I ride with and the blokes I hang out with and go to rallies with and shoot the shit with.

And if you don't want to wave back when I wave at you on the road because I'm on a scooter, ask me if I give a damn while you're sweeping the dunny floor at work and I'm out every weekday riding!

But I'll still keep waving at EVERY bike I see because I know I'm a motorcyclist and treat all of my fellow addicts the same way.

FIRST BLOKE'S RIDE



Tim Mathieson. Photo: Andrew Meares

Tim Mathieson, the Prime Minister's partner and a long-time motorcycle enthusiast, is about to climb into the saddle to raise \$100,000 to fight child slavery in Cambodia. He plans to ride in a pack of about 50 bikers from Kirribilli House, the Prime Minister's residence in Sydney, to The Lodge in Canberra via Wollongong, Kangaroo Valley and the Hume Highway, astride a brand new machine on loan from BMW.

Each of his riding partners on the journey from Kirribilli to The Lodge, most of whom will come from the business community, will pay a minimum of \$2000 to undertake the ride, and he's inviting some of Australia's best-known motorcycle racers and enthusiasts. Among those Mr Mathieson has invited is "an old mate", Australian cricketing legend Glenn McGrath, who rides a Ducati Multistrada 1200. "Mick Doohan (five-time World Grand Prix 500cc motorcycle champion) was a neighbour of mine when I lived on the Gold Coast, so I'm going to invite him when we catch up at the Melbourne Grand Prix next weekend," Mr Mathieson said. "I'm also going to invite (V8 Supercar driver) Will Davidson, who rides a Ducati."

The event, on Sunday, April 14, is being dubbed the "First Bloke's Ride Against Slavery". It is being organised by Hagar Australia, a charity that supports Cambodian children who have been victims of slavery and human trafficking. Part of an international organisation that also operates in Afghanistan and Vietnam, Hagar boasts of having helped about 15,000 women and children restore their lives.

Money raised by the ride will support the Catch-Up School in Cambodia, which aims to accelerate education for children who have been subject to severe trauma and who have missed years of schooling. The children also receive medical and dental assistance and counselling.

Mr Mathieson, whose duties as First Bloke include a regular round of charity functions, said he was happy to offer his name and his passion for motorcycling to Hagar's cause. "I was very taken with Cambodia when I visited the country last year with the Prime Minister, and I'm going to visit again in a couple of weeks, this time alone, when I'll see the school and study the work the Hagar organisation is undertaking," he said.

As to Julia Gillard's view of his return to motorcycling, Mr Mathieson said that when she became Prime Minister, Ms Gillard had told him "I don't think you'll be getting on a motorbike for a while". "But she doesn't mind me riding bikes every now and then, particularly for charity," he said. "The last bike I rode was a big Harley-Davidson 1300 Fatboy during a Men's Shed visit in Mount Isa last year. "I've owned four BMWs, several Triumphs and a Norton Commando over the years as well as a lot of dirt bikes, and it will feel good to be back on the road. My first bike was a little 55cc Yamaha step-through when I was six, but I don't own anything now."

Mr Mathieson has involved himself heavily in charity work since becoming the First Bloke, spotlighting illnesses such as ovarian and prostate cancer and issues such as homelessness and youth mental health.

(Courtesy Tony Wright, *Sydney Morning Herald*)

MRA WEBSITE LINKS

Road Rules Refresher

The new road rules refresher pack has been very successful since its launch in late December 2012. The pack includes a pocket guide, online videos and an online quiz to help you check your understanding of current road rules, including giving way, roundabouts, merging, U-turns and overtaking.

You can check it all out through the link on the MRA website – go to the drop-down menu under 'About' and click on the 'Links' page.

South Australia's *Road Safety Strategy – Towards Zero Together* places a shared responsibility on everyone to make our roads safer, because a simple misunderstanding about our road rules can have serious and lasting consequences.

LAMS

We have installed a direct link to the latest list of bikes that comply with the Learner Approved Motorcycle Scheme (LAMS). The link can be found in the 'Links' page of our website.

Vic Parliamentary Enquiry into Motorcycle Safety

The enquiry has been completed and the report issued on December 12, 2012. You can find the whole document posted on our 'Links' page.

In recognising the role of motorcycles in rural areas the UK Prime Minister, David Cameron, bestowed the Big Society award for the Wheels 2 Work scheme. This is a highly-regarded scheme which highlights the benefits of motorcycles and scooters in providing affordable transport.

The idea behind the awards is to recognise organisations or individuals who have contributed significantly to the good of the local community. This particular scheme has helped over 2,500 people find a way to travel to work since it began 16 years ago.

Commenting on the award, Mr Cameron said, "Wheels 2 Work does a great job of tackling the basic issue of making sure everyone who needs to travel to a job is able to do so. This is an invaluable service without which many of these young people would have to move away from their friends and families. It also helps young people to find employment and stay in the rural villages where they have grown up which is important in maintaining these diverse and vibrant local communities."

This recognition comes soon after Minister Richard Benyon endorsed the concept as a "mainstream solution for transport problems" in rural areas, during his keynote speech at the newly-formed Wheels 2 Work Association's Annual Conference last month.



Run by Shropshire Community Council, the award-winning scheme has focussed on loaning mopeds to people in rural areas who would not otherwise be able to get to and from work or training. In recent years the Shropshire scheme has expanded to include a range of travel options, including electric bikes and helping young disabled job seekers with driver training. The team also works with rural employers to help recruit and retain staff, particularly for positions requiring shift work, which in turn boosts the rural economy.

"The fact that the scheme has now been replicated around the country is a testament to how effective it is and how important it is to rural areas. It's fantastic that the service has now extended to help people with disabilities find jobs and independence too. I hope Wheels 2 Work continues to grow and give even more people the chance to work and live wherever they want to," said Mr Cameron.

Davina Allen, Development Coordinator for Shropshire and Telford & Wrekin Wheels 2 Work, said, "We are delighted to win this award, and be recognised for the success of the Wheels 2 Work scheme. This scheme has made a life-changing difference to so many people over the years and we're proud of all they have gone on to achieve for themselves, their families and communities."

Nicky Bassett-Powell, acting National Coordinator for the Wheels 2 Work Association, added her congratulations: "This is fantastic news for the team at the Shropshire and Telford & Wrekin scheme. As pioneers of the concept, they deserve this recognition. Wheels 2 Work embodies the ideals of the 'big society' in that it empowers local people and communities to make a difference. We are hearing very positive comments from the Government about Wheels 2 Work and this further endorses the model as a mainstream solution for those facing transport problems in rural areas."

The Big Society Awards were set up by the Prime Minister in 2010. The aim is to acknowledge individuals and organisations across the UK that demonstrate the 'big society' principles in their work or activities. In so doing, the aim is also to galvanise others to follow.

Case study:

Elizabeth McDonald is a 41-year-old carer from Telford. Elizabeth had been unemployed for 4 years before securing work as a carer at a residential centre for people with learning and physical disabilities in Ironbridge. In her first month of employment she spent £250 on transport, often using taxis when she needed to work a night shift or spending 3 hours each day on buses and walking. Elizabeth joined the scheme in January 2013 and now has a 50cc moped on loan, saving her time and money and giving her independence back. She has already started saving and plans to be in a position to buy a 125cc moped at the end of her Wheels 2 Work loan.

(Courtesy AMC)

To read fast is as bad as to eat in a hurry.

Wilhelm Ekelund (Poet, 1880 – 1949)

HELMET DEBACLE

The further we delve into the problems with motorcycle helmet standards, regulations, compliance and enforcement, the more of a dog's breakfast of error, misinterpretation, misdirection, confusion and misfortune it becomes.

Following concern expressed by the Australian Motorcycle Council (AMC) about the certification process and validity of compliance with the Australian Standard AS 1698-1988 for motorcycle helmets last year, MRASA researched the SA Road Traffic Act and associated regulations and reported our concerns in the March and June 2012 issues of *Centrestand*.

The situation continues to escalate as the AMC's motorcycle bodies in other states investigate their own legislation and enforcement protocols and discover errors and significant inconsistencies throughout the application of the standards, predictably leading to consequences ranging from fines for riding with 'non-compliant' helmets to, possibly, severe injury or worse as the result of using 'compliant' helmets.

Stickers on helmets have become a substitute for compliance with the law, yet the stickers themselves are unreliable indicators of compliance. There is not one helmet on the Australian market that is certified as being in compliance with the Commonwealth mandatory product safety standard.

This has led the AMC and its member bodies to a complete loss of confidence in Australian Standards Conformance and Technical Infrastructure systems with regard to helmets.

We cannot rely upon labels on helmets to tell us whether a helmet will allow any of us to comply with the law. Yet it is riders who receive fines and licence demerit points for not complying with the law, and who may suffer harm when helmets prove to be unfit for their purpose. This makes riders responsible for defective certification.

The problem began in 2004, when the certification of helmets was privatised. In December 2003 the Quality Assurance Services (QAS) division of Standards Australia was sold into SAI Global by public float on the ASX. As part of that sale, SAI Global acquired the "five ticks" trademark, which then represented a private company and hence had no official or "government" status.

SAI Global also arranged a publishing agreement with Standards Australia to publish standards. This association has lead some to believe SAI Global has official status in respect of standards compliance.

Since 2004 a number of certification companies – called Conformance Assessment Bodies or CABs – have entered the market. This means that, looking at helmets on the street, we may see SAI Global, BSI (two label versions, one from Britain as on the AGV Rossi Face helmets, one local), TÜV Rheinland, PasMark, ConformanceMark or Global-Mark.

Confusion has increased since the publication by Standards Australia in 2006 of AS/NZS 1698:2006, a completely revised voluntary standard for motorcycle helmets. This was an entirely different standard with different test methods and different head forms to that of AS 1698-1988. It was not "an amendment" as Standards Australia asserted. It has still not been endorsed by the Commonwealth as a suitable standard for helmets for sale in Australia.

Nevertheless, helmets on the Australian market have been certified to this new voluntary standard as a result of initiatives of certification bodies. This is despite consumer law continuing to require that helmets comply with AS 1698-1988.

As a result, riders have been buying helmets that might or might not comply with consumer law. Unless a helmet is tested against AS 1698-1988, we just don't know if it complies. Due to the differences in the standards, some will and some won't. A well-constructed helmet might pass both standards, but there's no certainty.

Although we don't know if there's a safety problem, we do know that compliance with either standard cannot be determined by simply observing labels. If sections of either Standard are treated in a cavalier manner for labels (and it is obvious that they have been), we have little assurance that more complex aspects of testing have been correctly adhered to.

Simply put, there are serious doubts as to the reliability of certification of helmets in Australia.

The mandatory standard required of helmets remains AS 1698-1988 in the form as referenced in Consumer Protection Notice (CPN) No.9 of 1990 which, among other things, removes Clause 8(g) from the mandatory standard, yet the voluntary Standard AS/NZS 1698:2006 includes the requirement of Clause 8(g) for "the certification mark". There is no "mark" legally able to fulfil Clause 8(g).

CPN No.9 is the Commonwealth legislative instrument that defines the mandatory product safety standard for motorcycle helmets. The Australian Consumer Law (ACL) is administered identically in every State and Territory by local Departments of Fair Trading or Consumer Affairs. The ACL requires that all helmets comply with CPN No.9.

The mandatory standard is based on Australian Standard 1698-1988 *Protective Helmets for Vehicle Users*. AS 1698-1988 is a voluntary standard except for those sections specifically referred to in the mandatory standard. These sections include technical performance testing, construction, labelling, visor requirements and user instructions (such as avoiding potential damage caused by petrol, adhesives and so forth).

Yet, after testing and certification by a group of local companies, nobody seems to have noticed that, contrary to consumer law, the wrong standard is being applied and no helmet is in compliance with the “mark” of Clause 8(g).

This means the marks on helmets have no meaning in consumer law.

A further complicating factor is that individual States and Territories can vary their road rules in respect of the standard. The outcome of this, for example, is that road rules in the NT and Qld that require “compliance with” the standard, and road rules in the other States and Territories that require certain other marks on helmets in addition to “compliance with” the standard, are impossible to comply with.

A paradox indeed, and where a major part of the problem stems from.

Put another way, different road authorities have different requirements in their road rules for helmets to bear particular “marks”, which may be the same as that formerly required in Clause 8(g) of AS 1698-1988, be different (such as stipulating a specific mark), or even require both.

In another example closer to home, SA requires “the certification mark” of the Standards Association of Australia and WA requires “a sticker issued by Standards Australia”. In other words, SA requires the mark identified in Clause 8(g) of AS 1698-1988 (which no longer exists), while WA requires a completely different mark, yet NSW and Victoria specify a limited set of privately owned commercial marks that are neither of these.

This has reduced the entire subject of helmets to stickers. Without the “right” sticker according to local police enforcement, you risk getting a ticket. The market for motorcycle helmets is now controlled by stickers. A rider now buys a sticker with a helmet attached.

While SA changed its road rules in November 2007 to adopt AS/NZS 1698:2006, this remains in conflict with

Trade Standards, which continue to require AS 1698-1988.

On January 1 2011, South Australia, along with all other States and Territories, adopted the Australian Consumer Law, referenced in the SA Fair Trading Act 1987 (updated). This references through to Section 194 of the Australian Consumer Law at Schedule 2 Volume 3 of the Australian Consumer and Competition Act (the updated Trade Practices Act), so there is no doubt that helmets offered for sale in SA must comply with AS 1698-1988 as referenced in Consumer Protection Notice No.9.

So, in SA, consumer law demands one standard, while road rules require a different one.

However, there is no helmet available on the Australian market that bears the mark (or “sticker”) required by South Australian road rules [SA Road Traffic (Road Rules – Ancillary and Miscellaneous Provisions) Regulations 1999]. Road Rule 270 requires an “approved motorbike helmet”, and is linked to Regulation 38 of the SA Road Traffic (Miscellaneous) Regulations 1999, which carries the definitions.

Hence, strict compliance with SA road rules is impossible, irrespective of which standard is declared on a helmet label.

The situation in SA is replicated throughout Australia, with bizarre differences that are out of step with consumer law and impossible for a rider to comply with, as seen here:

NT: Helmets must comply with AS/NZS 1698:2006 (from 1 Jan 2012).

Qld: Helmets must comply with AS 1698-1988.

NSW: Helmets must comply with AS/NZS 1698:2006 and bear a sticker from a JAS-ANZ accredited certifier (5 Feb 2010, 5 Nov 2010).

ACT: Helmets must bear the certification trade mark of which the Standards Association of Australia is the registered proprietor together with the figures “1698” (reconfirmed 2009).

Vic: Helmets must be marked with an official standards mark, comply with AS/NZS 1698:2006 and bear a JAS-ANZ certifier sticker (1 July 2012).

Tas: Helmets must comply with AS/NZS 1698 (NB: no year) and bear the Australian Standards Mark (1 July 2012).

SA: Helmets must be manufactured, tested and marked in accordance with AS 1698:2006 and bear the certification mark of the Standards Association of Australia (28 Nov 2007).

WA: Helmets must comply with AS/NZS 1698:2006 and carry a sticker issued by Standards Australia (14 Dec 2007).

Cont p.15

MRA DISCOUNTS These businesses support the MRASA by providing discounts to MRA members.

Adelaide BMW	10% parts & accessories	8414 3162	31 West Tce Adelaide
ASI Motorcycles	Discount on request	8326 2800	48 O'Sullivans Beach Rd Lonsdale
Bills Motorcycles Adelaide	10% on request	8232 1077	192 Wakefield St Adel
Bills Motorcycles Blair Athol	10% on request	8349 8477	368 Main North Rd Blair Athol
Boltons Kawasaki	10% on request	8234 2050	340 South Rd Richmond
Bridgeland Motorcycles	Discount on request	8532 5722	145 Adelaide Rd Murray Bridge
Coast Yamaha	Discount on request	8382 5581	212 Main South Rd Morphett Vale
DA Motorcycles	Discount on request	8281 8933	1758 Main North Rd Salisbury Plains
Eye 4 Airbrush	10% discount	8284 5393	24 Ramnet Circuit Munno Para West
Gawler Motorcycle Centre	10% discount on accessories	8522 7700	Lot 1 Main North Rd Evanston
GC Motorcycles Prospect	\$5 on tyres	8344 7888	122 Main North Rd Prospect
GC Motorcycles Melrose Park	Discount on request	8371 4699	947 Main South Rd Melrose Park
Gilbert & Mattner Lawyers	10% discount	8233 3661	32 St Helena Place Adelaide
Honda World / Ducati Adelaide	10% parts & accessories	8374 2299	1075 South Rd Melrose Park
K & M Motorcycles	10% parts, accessories & ws	8234 1090	10 Deacon Ave Richmond
Ken Oath Leather Goods	10% new products, 20% repairs, all Aussie leather	0417 713 523	3 Cranbourne St Elizabeth Park
Kessner Suzuki	10% parts and accessories	8261 9955	320 North East Rd Klemzig
Motorcycle Parts & Gear	Discount on request	8562 4725	33 Railway Tce Nuriootpa
Motorcycle Revolutions	Discount on request	8371 4448	855 South Rd Clarence Gdns
Pro Street Cycles	Discount on request	8359 4449	494 Main North Rd Blair Athol
QBE Insurance	Ring for a quote	0392 462 761	
Redline Exhausts	Ring for a price	8277 0311	8 Coongie Ave Edwardstown
Shannons Insurance	Ring for a quote	13 46 46	
Victor Motorcycles	10% on genuine parts & acc	8552 3601	14 Adelaide Rd Victor Harbor
Walden Miller Clothing	10% bring the advert	8374 3884	40 Furness Ave Edwardstown
Yamaha Pitmans	Discount on request	8260 9200	420 Main North Rd Blair Athol
Yamaha Retro Spares	Discount on request, 5% tyres, 10% services	8340 1970	115 Regency Rd Croydon Pk
Yamaha World	Discount on request	8297 0622	845 South Rd Clarence Gdns

Useful Links

Metro and Country Roadworks from Transport SA. http://www.transport.sa.gov.au/quicklinks/metro_country_roadworks.asp

Outback Roads Temporary Closures, Restrictions and Warnings Report from Transport SA website.

<http://www.dpti.sa.gov.au/OutbackRoads>

Road Safety <http://www.dpti.sa.gov.au/roadsafety/home> home page from Department of Planning, Transport and Infrastructure. (DPTI) Road Crash Reports by vehicle type from DPTI.

Road Crash Reports by month in SA from DPTI http://www.dpti.sa.gov.au/roadsafety/road_crash_facts/sa_crashes

Road Statistics from SAPOL. http://www.sapolice.sa.gov.au/sapol/road_safety/road_statistics.jsp

Road Crash Statistics from Australian Transport Safety Bureau.

ROAD HAZARDS FREECALL NUMBER : 1800 018 313

Helmets (from p.14)

There's a growing undercurrent of concern in the riding community about where things are with standards and quality assurance, not just with helmets, but with other standards that affect our safety on the road. The AMC (and, of course, MRASA) is focussing intensively on this situation, and *Centrestand* and our website will keep you informed of progress.

We would like to follow through with any questions or concerns you have on this matter, for if you have them others will too, and the more information we can share around the better we will be able to resolve the problem. Perhaps we can set up an FAQ section if we get enough queries, so please write in or email us.

(With many thanks to Guy Stanford of the AMC Helmets Committee for assistance with this article...Peter Mount)

