

Quad Bike Safety in Tasmania

Background

- Coronial inquests into a number of quad bike deaths were held in Queensland and NSW in 2015 and in 2016 in Tasmania.
- An issues paper has been published to provide an overview of some of the issues and options relating to quad bike safety. The paper identifies some of the questions that stakeholders may wish to consider in developing a submission on the paper.
- Submissions in response to the paper are invited and will inform the development of a statewide quad bike safety plan and implementation strategy.
- The MAIB is the monopoly CTP insurer in Tasmania and as such is the personal injury insurer of registered/insured quad bikes (under Class 12 – Restricted Registration Vehicles or Class 18 – Off Road and Recreational vehicles). CTP insurance coverage extends to off-road use. However, as registration is not compulsory for vehicles used off-road these vehicles (including quad bikes) are often not insured for CTP. It is possible to purchase CTP insurance for a vehicle that is not registered, but there is no legislative requirement to do so.
- Under the *Motor Accidents (Liabilities and Compensation) Act 1973*, the MAIB is required to indemnify owners of quad bikes, and their operators who do not have CTP insurance, in the event that a third party is injured in an accident involving a quad bike. Owners and operators are excluded from coverage where there is no premium paid for CTP insurance (and in some other circumstances), however, other parties injured in motor accidents involving quad bikes, such as passengers or pedestrians, may be entitled to claim. In those circumstances the MAIB has a legislative right to recovery claim costs from the owner and/or operator.
- The MAIB has received 159 claims involving quad bikes in the five year period commencing 1 January 2012. Out of these, 75 claims were not accepted (main reason was that the quad bike was not registered).
- The total cost of the remaining 84 claims was just under \$1.5 million (average cost of \$17,850 per claim).
- Nine claims are ongoing at this time.
- Four claims resulted from fatal quad bike accidents during the five year period.
- Many quad bike accident injuries do not result in an MAIB claim because the quad bike is not registered, or the accident occurs at work resulting in a workers compensation claim.

Issues

Raising public awareness

- The MAIB supports increasing public awareness of the risks associated with operating quad bikes. Broader public education programs may assist in general public awareness. Targetted education programs such as at time of sale (farm machinery and motor bike retailers) may also be effective.
- Possible other avenues for communication include tour operators, user groups and rural publications.

Training

- The MAIB supports improving and standardising training requirements to improve the operational safety of quad bikes.
- Specific quad bike training may be of assistance to people who use quad bikes on a regular basis such as for work purposes.

Helmets

- The MAIB supports the standardisation of quad bike helmets and the legal requirements to wear one while riding, as important safety measures

Rollover Protection

- The MAIB supports improvements in quad bike safety design and operator protective system to improve the operational safety of quad bikes.

National Standard for Quad Bikes

- As above.

Consumer Safety Rating System

- The MAIB notes the motor accident rates and personal injury claim rates in Tasmania have dropped significantly over the past 20 years and that one of the contributing factors has been improved vehicle safety design requirements.

Rebate Scheme

- The MAIB is unable to comment of this issue.