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## Brisbane Central Business District Bicycle User Group

**CBD BUG**

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The Right Honourable Lord Mayor of Brisbane  
Councillor Graham Quirk  
GPO Box 2287  
BRISBANE QLD 4001

Dear Lord Mayor

The purpose of this letter is to request that Brisbane City Council (BCC) review the Stop sign control on the Fagan Road approach to its intersection with Butterfield Street and Aberleigh Road at Herston, in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

The Brisbane Central Business District Bicycle User Group (CBD BUG) is a grass roots volunteer organisation of more than 700 members, representing the interests of the very large number of Brisbane residents who ride bicycles to, from and within the Brisbane CBD. CBD BUG actively seeks policy decisions at all levels of government that support cycling. In particular, CBD BUG seeks improved infrastructure, end-of trip facilities, integration of cycling with other transport modes and a cyclist-friendly regulatory environment.

The intersection of Fagan Road and Butterfield Street is traversed by a large number of cyclists commuting to the CBD from the northside, following one of BCC's preferred cycling routes. Cyclists travelling into the CBD travel downhill from Fagan Road, are required to stop at a Stop sign, and then must regain momentum and accelerate uphill across an extremely wide intersection (20 metres wide, which is close to twice as wide as a typical local street).

The issues relevant to the request for the review are as follows:

- Fagan and Aberleigh Roads primarily provide local access for residents, while Butterfield Street is identified as a "district access route" on BCC's road classification hierarchy.
- The speed limit on all approaches to the intersection is 50 km/h (i.e. the default "local street" speed limit).
- BCC and other local governments have authority, under Section 69 of the *Transport Operations (Road Use Management) Act*, to install or remove official traffic signs on roads under their control.
- Installation and removal of official traffic signs by local governments is subject to Section 72A of the *Transport Operations (Road Use Management) Act*. This provision states that "An official traffic sign must be installed in a way specified by the Manual of Uniform Traffic Control Devices (MUTCD)".

- Clause 2.5.4 of the MUTCD is very clear about the use of stop signs – it states “A STOP sign shall NOT be used if the sight distance is equal to or greater than shown in Figure 2.2”. It goes on to note that “the use of STOP signs where poor sight distance is not a factor can lead to driver disobedience, and lack of credibility of STOP signs. For these reasons, no crash warrant is given for the use of STOP signs.”
- The sight distance requirement (to warrant the installation of a Stop sign) in Figure 2.2 is not met on the Fagan Road approach to Butterfield Street – visibility to the left (looking east) is approximately 40m, while visibility to the right is approximately 50m. Figure 2.2 nominates visibility less than 30m to warrant a Stop sign for a roads zoned with 50 km/h speed limit

As you are possibly aware, there has been a significant focus by Queensland Police on compliance by cyclists with the Stop sign at this location. This attention has reportedly been in response to complaints from a resident and has generated a lot of media attention as evidence of cyclist’s “lack of respect for the law”. CBD BUG members have recently undertaken informal surveys of compliance with this Stop sign and have spoken with cyclists to gain an understanding of the reason for the poor level of compliance. Observations and feedback was as follows:

- Compliance is indeed low – less than 20% of cyclists stopped and half of those who did, did so through necessity (that is, there was traffic approaching on Butterfield Street).
- Many cyclists stated that slowing, but not coming to a complete stop, reduced their crossing time (exposure to risk) at this wide intersection. Accelerating from a complete stop requires a considerably longer time to get up to speed and clear the intersection. In fact, it was noted that cyclists who came to a complete stop typically took 40% longer to clear the intersection.
- A number of less experienced cyclists stated that problems sometimes occur when they fail to re-engage with their pedal, particularly those with clipless pedals and cleated shoes. This is because they sometimes needed to focus on getting their foot engaged with the pedal while in the intersection (which requires that their gaze is averted). During this period of distraction, they are not paying full attention to approaching motorists.
- In summary, many cyclists perceived that rolling through the Stop sign was actually safer, and as a result, were willing to risk an infringement notice to improve their safety.

CBD BUG members are unaware of any contested offence notice actions being initiated to date, but are of the view that there is a valid legal argument to support a contested claim – Police are enforcing an official traffic sign that has not been installed in accordance with the MUTCD. Given the Queensland Government’s recent decision to increase the penalty for cyclist Stop sign offences (from \$110 to \$330), the CBD BUG anticipates that it will only be a matter of time before a cyclist chooses to contest an offence notice.

Further, given that the current focus by Queensland Police on cyclist compliance with the Stop sign at this location is potentially contributing to a less safe situation for cyclists, the CBD BUG also suggests it would be reasonable to argue that BCC’s decision to remove the Give Way sign control, which was demonstrably safer for cyclists at this location, could expose Council (or the officer who made the decision to install the sign contrary to the MUTCD) to a civil liability action. An examination of the crash records for this intersection obtained by the CBD BUG from the Department of Transport and Main Roads revealed no reported crashes involving cyclists failing to STOP.

In light of this information, the CBD BUG requests that BCC immediately remove and replace the Stop sign control with a Give Way sign (as previously existed) as a priority.

Yours sincerely

Paul French  
Co-convenor  
Brisbane CBD BUG  
April 2014