Helmet laws: Victoria

Introduction and scope

The Victoria helmet law came into effect from July 1990. It applies to all ages.

The penalty for adults not wearing a 'securely fitted approved bicycle helmet', is usually a Bicycle Offence Penalty Notice, which is a fine. This started out at AUS 15, but by 2010 had increased massively to AUD 146. Government income from helmet offences is thought to exceed AUD 1 million annually. (The Age, 2010)

Not wearing a helmet is deemed by the Victorian legislature to be a more serious offence than maiming a cyclist through the careless opening of a vehicle door, for which the standard fine is AUD 122. (The Age, 2012)

Children receive a Bicycle Offence Report, which is a letter to their parents, without monetary penalty.

Compliance and enforcement

Introduction of the law resulted in a rise in cycle helmet use from 31% to 75% of cyclists.

The Victoria law is strictly enforced. In its first year 19,229 Bicycle Offence Penalty Notices and 5,028 Bicycle Offence Reports were issued. This represented 2.6% of all traffic offence notices, proportionally higher per kilometre than all other traffic offence notices together (King and Fraine, 1993). Even in the law's third year of operation, 86% of all traffic offences by cyclists were instances of not wearing a helmet (AustCyclist, 1993).

In 2003 Victoria Police said that they still issue around 20,000 Bicycle Offence Penalty Notices a year. On 8th May 1996, Kathy Francis was imprisoned for 24 hours for not paying fines for not wearing a helmet. She was 40 years of age and 6 months pregnant at the time.

In 2012, ‘Operation Halo’ in Melbourne saw 351 cyclists fined for not wearing a helmet, against 262 being fined for all other offences put together (The Age, 2012b).

Effect on casualties

Admissions in the first four years of helmet legislation were 40% below the number expected on the basis of pre-legislation trends. However, there was no difference in the percentage with head injury, compared to what would have been expected without the law (Carr, Dyte and Cameron, 1995). In the first two years of the law % head injury for cyclists fell by only 1.7 percentage points, whereas % head injury for pedestrians (without helmets) fell by 2.5 percentage points. The gains in pedestrian safety have been attributed to general road safety initiatives which would also have benefited cyclists. It is therefore not possible to attribute any reduction in head injuries to the helmet law.

In Melbourne the number of cyclists sustaining severe injuries other than to the head was 4% and 12% lower in the first two post-law years compared with pre-law (Cameron, Newstead, Vulcan and Finch, 1994). These reductions are much less than the reduction in the number of cyclists and suggests that overall safety was reduced.

In 2009 it was reported that cycling injuries in Victoria had soared. Between 2001 and 2006 the number of cyclists attending emergency departments had increased by 42%, hospital admissions by 16% and major trauma by 76%. (Sikic et al, 2009) Over the same period commuter cycling across Victoria went up by about 33% (Victoria, 2008)

Effect on cycle use

Bicycle use by children aged 5-17 decreased by 36% from May/June 1990 to May/June 1991 (Cameron, Heiman and Neiger, 1992). There were further falls to May/June 1992 in Melbourne, with teenage cycling showing by then a 46% decrease from pre-law levels (Finch, Heiman and Neiger, 1993).
3.4% of trips in Melbourne were by bicycle in 1985-6. In 2004 this had decreased to 2.0%. (ABC, 2004)

VicRoads carried out annual surveys of cyclists up to the enactment of the helmet law but the surveys stopped soon after.

From 2001 to 2006 commuter cycling increased by about 33%. This increase was almost entirely in the capital Melbourne and represented no change in the proportional share of transport that is cycling. The increase in cycle use was mainly due to population growth. All age groups witnessed an increase in commuter cycling except 15 to 24 year-olds for whom there was a fall. This is the age group known to be most sensitive to helmet laws. (Victoria, 2008)

Cost benefit

Data published before introducing the helmet law indicated that there would be a benefit. However, it did not consider cycling being discouraged or other effects. There has been no post-law cost-benefit analysis.

The references below include additional related studies

References

ABC, 2004


AustCyclist, 1993


Cameron, Finch and Vulcan, 1994


Cameron, Heiman and Neiger, 1992


Cameron, Newstead, Vulcan and Finch, 1994


Cameron, Vulcan, Finch and Newstead, 1994


Carr, Dyte and Cameron, 1995

Bicycle Helmet Research Foundation
http://www.cyclehelmets.org/1093.html

Finch, Heiman and Neiger, 1993


Finch, Newstead, Cameron and Vulcan, 1993b


King and Fraine, 1993


Morgan, Peberdy and Rogerson


Newstead, Cameron, Gantzer and Finch, 1994


Sikic et al, 2009


The Age, 2010


The Age, 2012


The Age, 2012b


Victoria, 2008

Vulcan, Cameron and Heiman, 1993


Vulcan, Cameron and Watson, 1992