

14 May 2024

File Ref: OIAPR-1274023063-26403

[REDACTED]

Tēnā koe [REDACTED]

### Request for information 2024-078

I refer to your request for information dated 18 April 2024, which was received by Greater Wellington Regional Council (Greater Wellington) on 18 April 2024. It is noted this request is in response to a previous request for information which had been responded to. You have requested the following:

*"Thank-you for this comprehensive and excellent response.*

*Unfortunately, it hasn't provided exactly what we were after, perhaps because of the way the decision sat within the LTP package rather than as a discrete decision paper or business case.*

*We therefore have two follow-up questions (in bold below) that we request are considered as LGOIMA requests:*

***In making the decision to install bike racks on the front of Wellington buses, did the Council receive any advice that doing so would lead to situations of non-compliance with several requirements detailed in Land Transport Rules?***

***In making the decision to install bike racks on the front of Wellington buses, did the Council receive any advice on the significant increased risk of fatality or serious injury to pedestrians struck by a bus with a rack and bikes mounted on it?***

*For example, studies undertaken have concluded that while modern buses offer good pedestrian protection across much of their frontal structure, the fitting of bike racks dramatically increases the risk of serious injuries. For the risk of fatal injury to a child, this rose from below 20% without racks fitted to over 95% for most test locations on the bus frontage. - 2004 TRL Limited study for the Department for Transport.*

*Over the last decade, the Driver and Vehicle Safety Agency in the UK have repeatedly declined supporting front-mounted bike racks modifications due to safety concerns. The world class Bus Safety Standards Transport for London has produced will not allow front-mounted bike racks to be installed.”*

**Greater Wellington’s response follows:**

Attached in our previous response (OIAPR-1274023063-25991), was a series of reports which went to Council for consideration relating to this topic. Pedestrian safety was mentioned in some of these reports (*report 2016.163 for reference - included in our previous response*), but the increase in risk was not considered significant enough, based on experience in New Zealand to that date, to prevent deployment of bikes on racks. Greater Wellington is not aware of any incidents involving bus bike racks and pedestrians since the release of the reports that would change this opinion.

Please refer to **Attachment 1** which contains an internal memo from the NZ Transport Agency Waka Kotahi (NZTA) regarding bike racks fitted to buses. This memo, which was shared with Greater Wellington by NZTA, contains some of the considerations made when fitting bike racks and the carriage of bikes, as well as ways of mitigating risks of incidents occurring, and the severity of any incident if it were to occur.

We are withholding personal identifying information, including names of individuals, contained in this memo of those who do not work for NZTA under section 7(2)(a) of the Local Government Official Information and Meetings Act 1987 (the Act), to protect the privacy of natural persons, including that of deceased natural persons.

We have conducted a search through internal systems and cannot locate any advice provided to Council that discussed non-compliance with the Land Transport Rules and are therefore refusing this part of your request under section 17(g) of the Act, that the information requested is not held by the Greater Wellington and we have no grounds for believing that the information is either—

- (i) held by another local authority or a department or Minister of the Crown or organisation;  
or
- (ii) connected more closely with the functions of another local authority, or a department or Minister of the Crown or organisation.

That said, we would like to highlight that there is a specific exemption to bus length in the *Land Transport Rule: Vehicle Dimensions and Mass 2016* (and in previous versions of this rule) that allow for a bike rack to be installed on the front of a bus, as long as certain conditions are met regarding swept path. This led us to believe that installing bike racks on the front of a bus is legal and are still of that opinion.

Therefore, aside from what has been provided to you in the previous response, and this response, Greater Wellington did not receive any other advice that installing bike racks on buses would lead to non-compliance with the requirements as set out in the Land Transport Rules. Furthermore, Greater Wellington did not receive any further advice than what has been provided to you in our responses regarding alleged increased risk of fatality or serious injury to pedestrians struck by a bus with a rack and bikes mounted on it.

If you have any concerns with the decision(s) referred to in this letter, you have the right to request an investigation and review by the Ombudsman under section 27(3) of the Act.

Please note that it is our policy to proactively release our responses to official information requests where possible. Our response to your request will be published shortly on Greater Wellington's website with your personal information removed.

Nāku iti noa, nā



**Samantha Gain**

Kaiwhakahaere Matua Waka-ā-atea | Group Manager Metlink

**To** Don Hutchinson

**Cc**

**From** Neil McAlpine

**Date** 12 August 2016

**Subject** Bike Racks Fitted to the front of Buses

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On the 7<sup>th</sup> of July 2016 I contacted **Redacted - Privacy** for Mana Coach Services, to see if he could arrange a meeting to enable him and I to view the bike rack fitted to one of their buses, together. I explained to him that this was as a result of National Office NZTA receiving a letter from a member of the public, who had complained about the bike rack and asking if this bike rack was compliant with the external projections rule.

On the 8<sup>th</sup> of July 2016, we met and I took photos of the bike rack both folded up against the front of the bus and also down in the deployed position which enables up to two bikes to be loaded onto this bike rack.

These photos are located in the National Office P drive in a folder titled Heavy Vehicle Photos and a sub folder titled Mana Coach Services Bike Rack Photos, the photos are dated 20160708 (there are 19 photos in this folder).

We discussed the bike rack and noted that from the driver's position the driver was unable to tell if the rack was up or down unless the driver stood up and leaned forward. We discussed putting a warning light on the dash to enable the driver to note the bike racks current location. E.g. Bike Rack up the light is off and Bike Rack down the light will be on. This warning device was fitted that day, I have since seen this and the light is a blue and mounted in a location the driver is able to see.

On the 3<sup>rd</sup> of August I went to the Greater Wellington Regional Council to view the bus with the bike rack on, this time two bikes were securely mounted in the bike rack, I took more photos. Gail Reeves and her boss, along with **Redacted - Privacy** and the bus driver from Mana Coach Services attended also. The photos are in the National Office P drive and in the folder titled Heavy Vehicle Photos and sub folder Mana Coach Services Bike Rack Photos and the photos are dated 2016\_0803 (there are 16 photos listed under this date).

I looked at the possible points of contact were between the vehicle / bike rack and bikes mounted in the rack and what options there was to reduce and minimize any possible risk to other road users interacting with this or any other bus fitted with a bike rack in New Zealand.

**Redacted - Privacy** and the driver took me through the city in the bus with the bikes on the rack to let me see how the bus operated in this state. We travelled through town in both directions.

I believe that as there are only a limited number of bike racks (200 or so) fitted to buses around the country, with this number the risk is reduced, but as their number increases, so to, the potential for someone to be injured from either the bike or the bike rack.

I understand that to date there have been no incidents reported with any buses fitted with a bike rack. With this type of fitting there is always a risk that at some stage there will be someone who ends up contacting

these components. It's at this stage that we need to take the opportunity to look at any potential for harm to occur and work at minimising the risks by looking at what can be done to reduce it.

There are things we can do to reduce the risk via warning devices (a light on the dash to inform the driver the bike rack is down) positioning the bikes on the rack in a manner that will reduce the risk to other road users and via driver education

The greatest risk is posed when these buses are within the busy parts of towns, built up areas or cities where other road users have a lot of other distractions or simply don't look before crossing the road. This has shown to be a problem within Wellington in recent years.

Our best option is to minimize the risk posed by the attachment of the bike rack and when carrying bikes through built up areas.

Ways of doing this are by:

1. fitting a warning light to indicate to the driver the bike rack is deployed, if no bike is on the bike rack. With no bike on the bike rack should be folded away.
2. With a bike mounted on the bike rack, having the forward facing crank and attached pedal at the lowest point. This will help reduce the potential for the pedal causing injuries to the main part of the body.
3. Where only one bike is fitted, ensure that this bike is mounted on the forward mounting position with the handlebars facing to the right hand side of the bus.
4. Driver education about the potential risks in built up areas and city, bike mounting, some user education can also assist in reducing the risk.
5. If the bike rack is removed at any point the bike rack mounting must have a protecting bumper to reduce the risk of injuries from this mounting.

There may be some other options to reduce the risk which may be considered as part of this review of front mounted Bike Racks.

On the 10<sup>th</sup> of August I was able to view and took photos of SBL bus fitted with a bike rack (same manufacturer but different type) in Nelson, they are in the National Office P drive and in the folder titled Heavy Vehicle Photos and sub folder titled SBL Bike Rack and the photos are dated 20160810 (there are 6 photos listed under this date).

There are a number of photos with bikes in the racks to show height and positioning of the bikes and there potential for risk to other road users.

We should also review all other bus forward mounted bike racks as part of this process.

Any questions feel free to contact me

Neil McAlpine