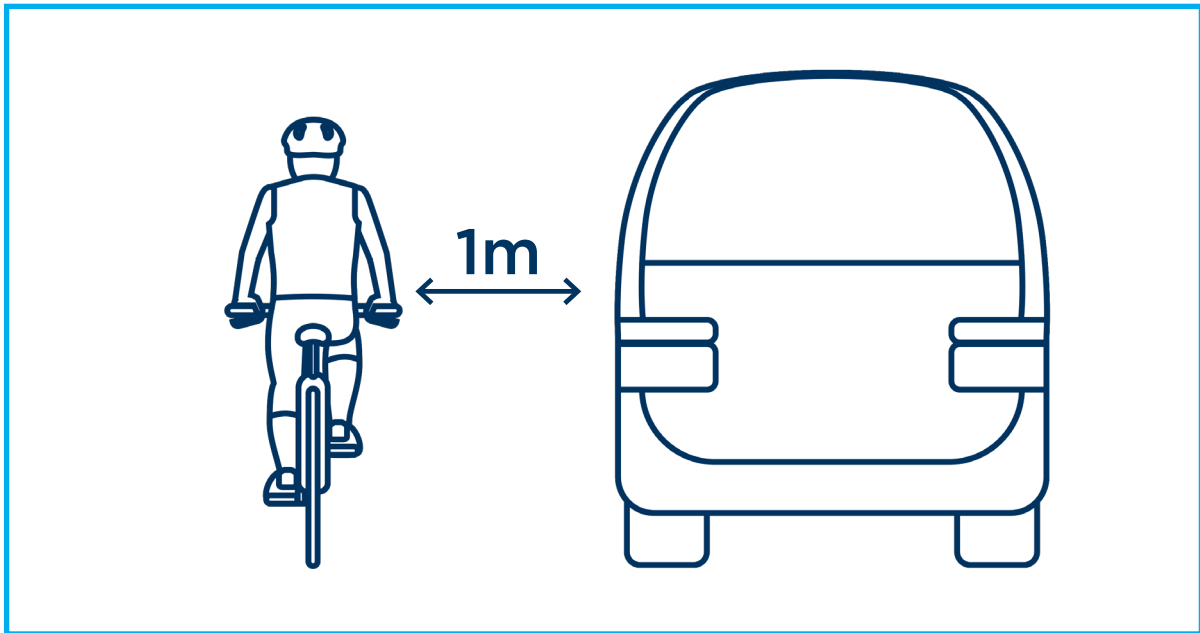




MINIMUM PASSING DISTANCE LAWS

Making a complaint to Tasmania Police



In 2017, Tasmania introduced minimum passing distance laws that govern how much space vehicle drivers should give bike riders when passing them on roads.

On roads with speed limits of 60km/h or less, drivers must allow 1 metre between their vehicle and bicycle riders, on roads of speed limits above 60km/h the distance is 1.5 metres.

The purpose of the laws is to raise awareness of rider safety and to prosecute drivers who don't follow the law.

Most drivers do the right thing when passing bicycle riders, but sometimes drivers can drive dangerously close and riders may want to report that behaviour.

The minimum passing distance law is detailed at section 144A of the Tasmanian Road Rules 2009. It is a serious offence and requires a very high standard of evidence to prove beyond reasonable doubt that a person was guilty of breaking the law.



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Details you need to make a report to police

To report a driver you believe was well within the 1 metre or 1.5 metre passing distance, head to your local police station and ask to make a written statement of complaint against a driver for breaching the minimum passing distance that includes:

1. Date, time and exact location, including travelling direction.
2. Vehicle make and registration.
3. Description of the driver - Tasmania Police may issue a driver demand notice for the identity of the person driving, if the rider is not able to provide this evidence.
4. Speed limit at the location.
5. Witness names and contact details.
6. Video or photographic evidence.
7. Evidence as to the distance the vehicle passed the rider.

Video and photographic evidence

1. Needs to show the distance at the time of passing, which may require footage or stills from more than one camera or recorder.
2. Exact position of cameras and recorders on the bicycle and/or rider's person.
3. Footage/stills should be provided on a USB stick.

Determining the distance at which the vehicle passed the rider is crucial for a successful prosecution.

What Tasmania Police will give you

1. Contact details of the officer taking the report - name, telephone number and email address.
2. An approximate date you will hear back from the officer.

Police Prosecution

1. Your statement will be sent to police prosecution to decide whether to charge a driver.
2. Police prosecution will only consider proceeding with a complaint if all the evidentiary requirements are met and the driver was obviously posing a serious danger to the rider.
3. You will need to be prepared to appear in the Magistrates Court to give evidence in person, should the driver dispute the offence.