



12 June 2013

Disabilities Transport Access Secretariat
Transport Access Section
Road Safety and Transport Access Branch
Department of Infrastructure and Transport
GPO Box 594
CANBERRA ACT 2601

Re: 2012 Review of the Disability Standards for Accessible Public Transport (Transport Standards)

In response to the Issues Paper released in November 2012 I draw your attention to past correspondence between myself and the Department of Infrastructure and Transport on 15 June 2011. I remain concerned that several of the recommendations of the 2007 review were inappropriate, and others appear not to have progressed. I will respond again on these points initially.

Items Outstanding from the 2007 Review

With regard to **Recommendation 5** (Mobility Labeling Scheme), I am pleased to report that elements of this are now included in AS/NZS3695 parts 1 & 2. Unfortunately the Standards Australia ME067 struggled to gain input from the transport regulatory sector until the final stages of review of AS/NZS3695.2. We remain committed to working with Transport agencies (including the air transport access group) and believe we are now closer to finding a workable solution that may avoid the cost and logistic challenges of applying yet another label. A key concern of those of us in the sector is the presumption that a label will solve all problems. Realistically it will lead to discrimination for those whose disability requires them to use mobility devices that fall outside the constraints specified by the label. Until there is consideration for a system that may address this need, we would be reluctant to apply a label that could constrain access to public transport.

One option for those with more complex needs is the UK PAS scheme (<http://shop.bsigroup.com/ProductDetail/?pid=000000000030208965>) and some background to it at Unwin (<http://www.unwin-safety.com/news/16/unwin-present-bis-wheelchair-passport-scheme/> - and click on Presentations on the side). After considerable success the UK British Standards Institute is now planning to convert the document into a standard. In Australia the National Committee on Rehabilitation Engineering (NCRE – a part of Engineers Australia) has been reviewing the PAS900 for Australian need. This work does highlight that some simple dimensions or a label etc. may not be enough to achieve what everyone is hoping for.

My particular concern though was with **Recommendation 12** (need for more research into passenger safety). This Recommendation and its associated background that appeared in the final report of the 2007 review, was seriously misleading. Research into the suitability of wheelchairs for use in motor vehicles (and the associated occupant safety) already exists (see <http://www.rercwts.org/> for example). More research could well be done, and current areas of exploration are focused on how to 'contain' mobility devices in transit buses/trains, and restraint in rear facing high impact situations. Relevant standards are ISO7176-19 (AS/NZS3696.19) for

wheelchair suitability/testing, and ISO10542 (adopted as AS/NZS10542 although some bodies are still using the old Australian standard) for high impact situation wheelchair restraint systems. ISO10865 (currently under review for parallel adoption in Australia) provides requirements for wheelchair use in low impact transport environments (e.g. transit buses and trains). My colleagues and I represent Australia to this International Standards Committee and know most of the researchers working in this area.

Clearly it would be foolish for Australia to consider starting from scratch in this field of wheelchair occupant safety research, since most of the wheelchair and restraint equipment used is truly multinational. I and my international colleagues though would welcome support to complement and continue this research. As noted above there are emerging areas to be explored, and an ongoing review of occupant safety in real accidents is needed. Australian involvement could be timely as the funding for the major USA based research centre (NIDRR funded RERC on Wheelchair Transportation Safety) has been scaled back.

I trust you will see that there is already a group of technical, and other, experts (including people with disability) who are active in developing and reviewing standards in this area (in line with **Recommendation 3**). Our challenge has been to gain effective engagement with those in the transport regulatory sector.

Issues Emerging for the 2012 Review

With regard to Section C of your Issues Paper, I will respond specifically to matters under questions 2 and 3 from the perspective of both a user, but primarily on behalf of the ME067 Standards Committee:

- 2. As a public transport user, are there areas of the Transport Standards where you consider that a more specific requirement for compliance would improve accessibility?*
- 3. To what extent do you feel that the requirements in the Transport Standards address all of the accessibility requirements for people with a disability? Are there gaps in the coverage of requirements?*

Increasingly the Committee is concerned to note variations being accepted by regulators of public transport (especially taxis) that appear to be driven more by requests from operators and vehicle modifiers for 'flexibility' than an understanding of the rationale for certain key requirements. Of particular concern in the last two years is the changing 'free space' envelope for wheelchair users. Some variations allow infringement of this space by items in the vehicle, have reduced requirements around entry doors and so forth. This has led to injury and in some cases prevented some users with equipment that meets the basic 'footprint' from using one of these conveyances.

It is essential that regulators engage with those undertaking research, using and making standards for public transport to ensure there is a consistent, but holistic approach to the requirements of users.

We are also extremely concerned to have heard of cases of wheelchair seated users being transported in unsafe conditions. It is now internationally recognized that no wheelchair user should be travelling in a sideways orientation when in a vehicle, particularly those subject to high g impact. Not only are wheelchairs not generally capable of withstanding the side forces involved, the occupant is poorly placed to withstand frontal impact (or heavy braking) or rear end collision. Evidence around the world suggests the major cause of injury when transporting in a wheelchair is now the result of incorrect application of the restraints. It would appear that many occupants are at significant risk because operators either misapply seat restraints (placing them across thoracic or even chest, rather than at the pelvic level) or apply no seat restraint at all. Currently our standards

do not require compliant wheelchairs to have an integrated restraint belt, so not applying a pelvic restraint in a taxi should be the exception. It would appear that audit and/or retraining are needed to ensure operators are meeting their duty of care and legal requirements.

Finally, the ME067 Committee is increasingly aware of the increases in mass and wheelchair size over recent years. This impacts not only wheelchair restraint technologies but also the dynamic and structural safety of ramps, hoists and vehicles themselves. We believe a suitable forum that involved the relevant stakeholders should work together to find a suitable approach to managing these challenges in a holistic fashion that would see consistent and realistic expectations included in standards and regulatory requirements (including the Disability Standards for Accessible Public Transport).

I am happy to discuss any of the details of this submission further, and look forward to a collaborative approach to these issues in the future.

Yours sincerely,



Dr Lloyd Walker
Chair, ME067 – Standards Australia