

Should children be allowed to ride their bicycles on footpaths?

Submission to the Parliamentary Transport and Industrial Relations Committee

5 August 2016

"I think that it's much safer to ride on the footpath than on the road because children who are smaller are harder to see in traffic and also they don't completely understand the road rules." – Response from a child to our survey about riding bikes on footpaths, 2016.

BACKGROUND

Petition 2014/59 of Joanne Clendon, proposed a law change that would allow children under the age of 14 to ride on footpaths. In response to your request for our views on this petition, we invited students from six primary and intermediate schools to share their views with us. This submission is based on their response.

WHAT CHILDREN TOLD US

Five primary and intermediate schools with decile ratings between 2 and 7, from Auckland, Taranaki, Porirua and Wellington, completed a survey on whether children should be allowed to ride their bicycles on footpaths.

We received responses from 176 students across the five schools. They ranged in age between 7 and 15 years.

Key findings from our survey:

Most students who responded to the survey – 84% – have ridden a bicycle. Of the students who have ridden bicycles:

- **86%** said they had ridden a bike on a footpath.
- **71%** said they didn't know that it was illegal to ride on a footpath.

Of all students surveyed:

- **70%** support a law change to make it legal for them to ride on the footpath.

BIKE RIDING IS A POPULAR CHILDHOOD ACTIVITY

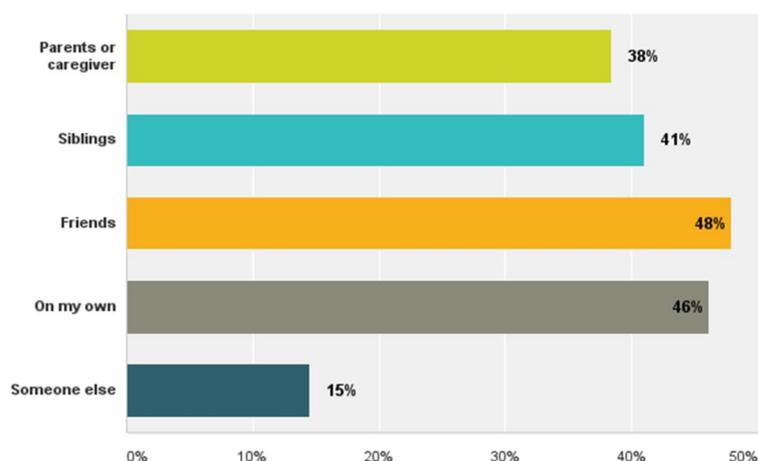
84% of our survey respondents had ridden a bicycle.

Of those students, 78% identified that they owned their own bike. Just over half of the students who responded (51%) ride bikes regularly (daily, weekly or monthly).

Children ride their bikes with parents, friends, siblings, and on their own. 38% of children reported going on rides with their parents/caregivers, and 48% with friends, suggesting that cycling is an important family and social activity for children and young people in New Zealand.

Q8 Who do you ride your bike with? (tick all that apply)

Answered: 117 Skipped: 59



The Children's Commissioner represents **1.1 million** people in Aotearoa New Zealand under the age of 18, who make up 24 percent of the total population.

We advocate for their interests, ensure their rights are upheld, and help them have a say

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Cycling has the ability to give children a sense of freedom and independence, something most children have limited access to. Thirty per cent of children we surveyed reported that they ride their bikes to school or other destinations in their communities (like shops, the bike park or a dairy).

We know from existing research that children living in low socio-economic areas, who already experience a higher level of deprivation, are less likely to have easy access to recreation resources, such as well-maintained bike parks or cycle ways. These children could benefit most from the ability to cycle on footpaths.

MOST CHILDREN ALREADY RIDE ON FOOTPATHS – AND THEY DON'T KNOW THAT IT'S ILLEGAL

We asked students if they had ever ridden their bike on a footpath, and 86% reported that they had. Furthermore, 71% didn't know that it was illegal to ride a bicycle on the footpath.

This highlights a major issue with the way the current legislation is enforced and promoted.

If It IS illegal to ride your bike on the footpath, let the public know – survey respondent

When the behaviour of children riding on the footpath is condoned, it becomes normalised.

There are safety concerns about allowing footpath cycling, such as mixing transport modes (i.e. walking and cycling), and with vehicles entering and exiting driveways. However, it must be recognised that this behaviour is already common, and unlikely to change, given the inherent risks that the alternative of riding on often busy roads presents to young, novice cyclists.

CHILDREN WANT TO BE ALLOWED TO RIDE ON THE FOOTPATH, LEGALLY

We asked students to tell us what they thought about letting children aged 14 years and younger ride on the footpath. We found that there was widespread support for allowing children to ride on the footpath, with 70% responding in support of a proposed change.

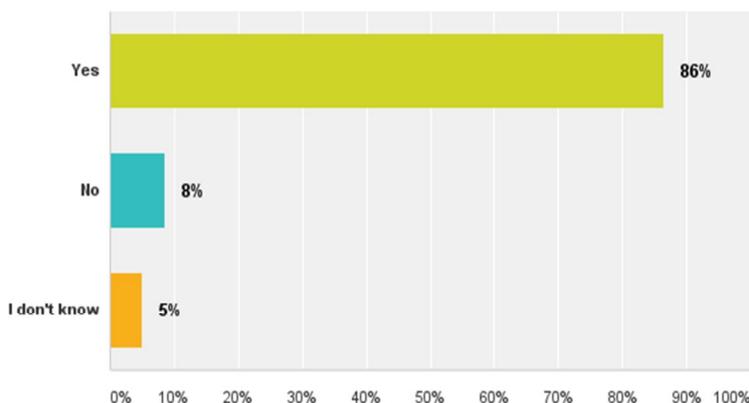
Other comments made (including as justification for not supporting) included concern about the safety of cycling in general, and a concern for other footpath users, including children or people with babies, who may be injured by cyclists riding on the footpath.

Many children are aware of the risks that come with riding on the footpath and the need to act responsibly. One in five respondents identified the risk of injuring another footpath user as a concern if children were permitted to ride bikes on the footpath.

Yes I agree that children under 14 years of age can ride their bikes on the foot path but they have to look out for people, cars and other things that could hurt someone – survey respondent

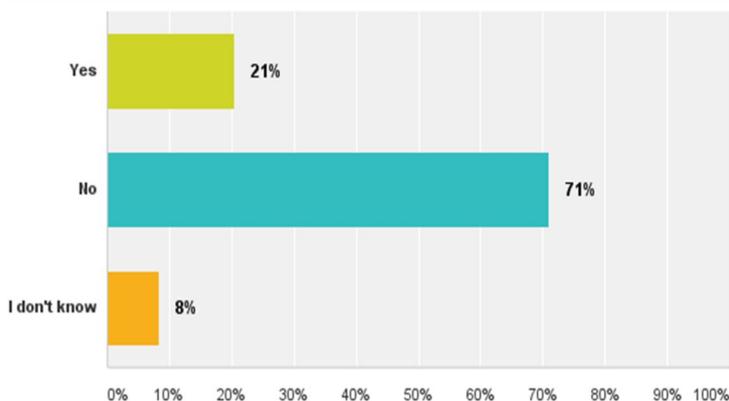
Q9 Have you ever ridden your bike on a footpath?

Answered: 118 Skipped: 58

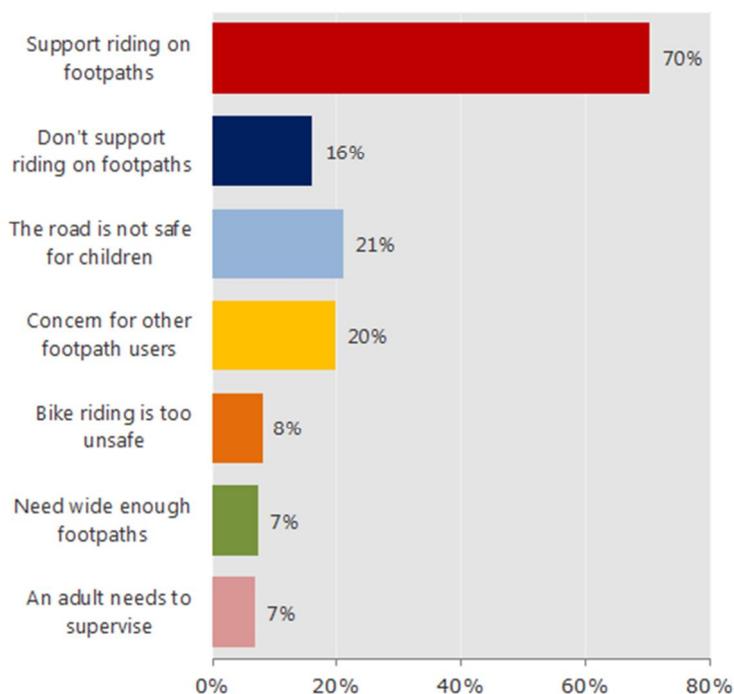


Q10 Did you know that it's illegal to ride on the footpath with a regular bike?

Answered: 107 Skipped: 69



Please tell us what you think about letting children aged 14 and younger ride on the footpath



The safety of children riding bicycles on the footpath is a key issue, for both the children riding and other footpath users. There are a number of issues to consider in allowing children and other vulnerable road users to cycle on the footpath, including safety and accessibility. The risk to children of injury from vehicles is still present in the form of vehicles entering and exiting driveways, and other hazards also exist (such as bins and parked cars) which are a risk to children riding. The majority of cycling related injuries to children are caused by a loss of control, not through a crash with a motor vehicle. However, children are significantly more likely to be killed or seriously injured in crashes with motor vehicles than if they lose control of their bike in a non-vehicular environment. (Source: Safekids New Zealand Cycling Position Paper, 2012).

Currently, cycle skills trainers are limited in what they can teach children about riding on the footpath, due to its illegal nature. We support a law change to make this activity legal for children, if this would enable cycle skills instructors to actively educate and instruct child riders on how to be safe footpath riders, and also to better manage other risks on the footpaths, specifically the risk of vehicles entering and exiting drive ways.

CONCLUSION AND RECOMMENDATIONS

We support further consideration of Petition 2014/59, to allow children and other vulnerable road users to ride bicycles on the footpath, with particular consideration given to the safety implications of making such a change.

Riding is fun and feeling safe is important. I think all people should be safe and feel safe – survey respondent

The fact that so many children in our survey currently cycle on the footpath, without knowing that they are breaking the law, suggests that the current law is ineffective and out of touch with mainstream behaviour.

Finally, we provide the following recommendations:

- That cycle skills training (such as those currently funded through councils and NZTA) continues to be supported at a national level, with an increased focus on safe riding on footpaths. If this cannot currently happen due to the illegal nature of footpath riding, then that in itself is grounds for consider a change to the legislation to allow children to cycle on footpaths.
- That, should the petition be successful, Territorial Local Authorities (TLA) be supported to develop footpaths on key commuting routes into wider, shared pathways to accommodate a broader range of footpath users, and also that TLA's be able to limit where footpath riding is able to occur, for instance on footpaths with exceptional levels of foot traffic, or areas where other footpath users are likely to be particularly vulnerable (e.g. near retirement homes or kindergartens).

"We should let the government know that we should let the kids ride their bikes on the footpaths" – survey respondent