

Submission from the Child Death and Serious Injury Review Committee South Australia April 2018

The Child Death and Serious Injury Review Committee (CDSIRC) writes in support of the submission made by the Victorian Consultative Council on Obstetric and Paediatric Mortality and Morbidity (CCOPMM), provided to the ACCC in December 2017.

In that Submission COPMM made the following recommendations:

No child under the age of 14 years should ride a quad bike, and children 14 and 15 years ought to be restricted to a 90cc quad bike, and everyone should have to wear protective gear and a helmet. This is consistent with the highly effective legislation in Massachusetts USA call Sean's Law. Since the introduction of the law there has been only one quad bike fatality in that State (of a child not compliant with the law). CCOPMM suggests similar legislation which would be pragmatic, safe and not infringe on individual liberties.

- Under 14 years of age: No riding quad bikes of any size as driver or passenger
- 14-15 year: Can ride only quad bikes that have an engine size 90cc or less
 - All riders have to wear a helmet and protective gear
 - All riders <16 years to be under the direct supervision of a responsible adult (who is older than 18 years)
- Adolescents over 16 years: Can operate an adult quad bike
 - All riders have to wear a helmet and protective gear
- Safety education requirements
 - All quad bike operators under 18 years of age must complete an approved quad bike vehicle safety and responsibility training course
 - If the quad bike operator is aged under 16 years, the parent or guardian must also attend and complete this training
 - No child passengers under 16 years can ride on a quad bike at any time
 - Fines and sanctions apply to parents or guardians who violate or ignore the law.

CDSIRC has called the South Australian government's attention to the safety issues about children's use of quad bikes in 2013, 2015, 2016 and 2018. Each letter has recommended the government to consider changes to legislation similar to those proposed by CCOPMM.

CDSIRC urges the ACCC to address the safety issues for children and young people by adopting the recommendations made by CCOPMM and to take the recommendations forward to the Commonwealth government and the Governments of each state and territory. . Such action at a national level will have a direct influence on decision-making in South Australia and will help to reduce the well-documented risk of death and serious injury to children through the inappropriate use of quad bikes.