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# INVESTIGATING DRIVER COMPLIANCE WITH ROAD RULE 79A: EXECUTIVE SUMMARY

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Investigating driver compliance with Road Rule 79A: Executive summary

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## Key Words:

Emergency vehicles, road rules, Slow Down Move Over, Road Rule 79A

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# 1 BACKGROUND & OBJECTIVES

The emergency services play an integral role in public health and safety, and one of their key functions is responding to critical incidents. Operating vehicles, often heavy or highly specialised vehicles, is an important activity in the roles of emergency service staff. There are several key risks associated with vehicle-related work tasks within the emergency services; some of which include individual factors (e.g., stress, distraction, lack of situational awareness) and the road and traffic environment. The traffic environment, in particular, introduces a considerable level of risk for the worker, both inside and outside the vehicle.

Given the specific demands of driving during emergency situations, these drivers are likely to experience a greater level of risk associated with their driving. International evidence suggests that emergency workers (including law enforcement officers, firefighters, and emergency medical services) are at increased risk of being killed or seriously injured from being struck by passing vehicles or debris during incident response [3]. Indeed, Safe Work Australia reports that police and emergency services are at high risk of fatal injury in their line of work [4]. During the period 2003-2016, 47 Australian police and emergency service workers were killed, with 40% of those fatalities involving a vehicle [4]. The fatality rate for police and emergency service staff in 2016 was 2.1 per 100,000 workers, which was higher than the national rate of 1.5 across all occupations; and the serious injury claim rate was four times higher than for all occupations (at 37.9 claims per 1,000 employees) [4]. Among police in Victoria, 9% of all occupational injury claims involve a vehicle [5].

In an effort to improve the safety of emergency service workers, a number of approaches have been considered at both the organisational and government levels. In Victoria, Road Rule 79A (RR79A) commenced on 1 July 2017. The policy intent of RR79A was to provide emergency and enforcement workers conducting duties by the roadside with additional protection from passing vehicles. The rule requires drivers and riders to:

- Approach a stationary emergency services or enforcement vehicle with flashing lights at a speed that will allow them to stop safely if required;
- Travel at a speed of 40 km/h or less at the point of passing a stationary emergency services or enforcement vehicle; and
- Not increase their speed until a safe distance from the scene.

Low compliance significantly reduces the effectiveness of the road rule, and potentially creates an additional road safety risk in high-speed environments. The key contributors to sub-optimal compliance have not been definitively investigated but community sentiment points towards concerns with complying with the rule safely, particularly in the context of other vehicles travelling close behind (tailgating), the presence of heavy vehicles and challenging road topography or low-visibility.

However, to date there is only a limited understanding of road user compliance with the road rule and much of this is based on self-reported and anecdotal evidence. This project focused on generating an evidence base around driver compliance with RR79A in Victoria.

Thus, the objectives of the current project were to:

- Determine the level of driver compliance with RR79A in high-speed environments;
- Identify the key factors that influence driver compliance/non-compliance with RR79A; and

- Identify strategies that may improve driver compliance with RR79A.

This report provides a high-level summary of the findings from the study. A full technical report was also prepared describing the full methods and outcomes from this research.

## 2 METHODS

A mixed methods approach was taken in this study. The three key methods used were:

- **On-road driver compliance study** using retrospective CCTV footage of high-speed road incidents involving emergency vehicles. Data were collected over a period of nine months for every incident involving a stationary emergency vehicle, and incidents were analysed using computer vision analysis software developed by Monash. Speeds were estimated for vehicles (in each lane) on approach, when passing, and departing the scene. Comparisons for free-flow travel speed were made using inductive loop data (at 500 metre intervals on the road).
- **Community survey** to explore community awareness, attitudes, knowledge and support for RR79A. The survey had five sections: demographics; recent experiences passing emergency vehicles; awareness and knowledge; attitudes; behavioural intentions; and barriers and facilitators for compliance. The sampling frame was developed using Victorian driver licensing data, and targeted current drivers aged 18 years and over, stratified by age groups and location (metropolitan or rural).
- **Focus groups** with emergency service workers to explore perceptions of direct experience with RR79A. The focus groups explored: perceptions of RR79A; any changes to working practices as a result of RR79A; perceptions of driver compliance with RR79A (including any perceived differences in driver compliance based on road environment); and barriers and facilitators for implementation of RR79A.

Ethics approval was received from the Monash University Human Research Ethics Committee, Victoria Police ethics committee and Ambulance Victoria ethics committee.

## 3 RESULTS

### 3.1 ON-ROAD DRIVER COMPLIANCE STUDY

The key questions for the on-road study were to: (1) estimate the speed of vehicles as they approach a stationary emergency vehicle with flashing lights; (2) determine the proportion of vehicles travelling past the incident/emergency vehicle at 40 km/h; and (3) estimate travelling speeds once vehicles have passed the incident (where possible).

In total, 102 incidents were suitable for computer vision analysis, which involved 24,109 passing vehicles. Some incidents were unsuitable for analysis due to control room panning or zooming, or lighting (in particular, darkness) making them unsuitable for the software. The analysis included a range of emergency vehicles: 49 Police (48%); 11 Ambulance (10.8%); and 10 Fire (9.8%). EastLink Incident Response vehicles (EIR) attended 77 of the incidents (75.5%) due to the operational requirements of the road.

Key findings from the on-road study included:

- **Headway:** 35.5% of the 24,109 vehicles observed passing stationary emergency vehicles were travelling with headways of less than the recommended 2 seconds on approach to the incident, with a further 1.7% of vehicles were travelling with headways less than half a second.
- **Compliance:** Overall, the proportion of vehicles that complied with the 40 km/h limit when passing emergency vehicles was 38.7%. Compliance was higher when passing fire trucks and ambulances, and far lower when passing police and EIR vehicles.
- **Speed:** Vehicle speeds increased where there were more lanes, and similarly, approach speeds significantly reduced where there was a lane closure, indicating the impact of constrained road capacity on speed. Almost 10% of vehicles passed incidents with stationary emergency vehicles at more than 80 km/h.
- **Lane position:** For each lane vehicles were offset from the incident, average speed increased. This speed differential increased exponentially with increasing offsets. Compliance reduced when the passing vehicle was two or three lanes away from the incident (20% reduction in the odds of compliance), and four lanes away (40% reduction in compliance).
- **Vehicle types:** When considering the different vehicle types, the presence of EIR and police vehicles had no significant impact on approach speed. The presence of fire vehicles or ambulances had the greatest impact on approach speed, with reduced approach speeds of around 25 km/h.
- **Lane closure:** The odds of compliance when a lane was closed were 3.4 times the odds of compliance when all traffic lanes remained open. This likely reflects that vehicle speeds are higher in free flow conditions compared to when they are constrained due to an incident.

## 3.2 COMMUNITY SURVEY

### DEMOGRAPHICS

A total of 400 Victorian drivers responded to the survey. The sample was relatively consistent with the driving population, although was somewhat weighted toward an older and more educated sample. The majority of respondents held a full passenger car licence (89%), with 6% on Probationary plates (red or green) and a further 1% on Learner plates. Most drivers did not drive as part of their occupation (76%), but some did drive regularly for work (24%). Around 10% (n=41) of respondents had received a traffic infringement (other than a parking fine) in the previous 12 months.

### RECENT EXPERIENCES PASSING EMERGENCY VEHICLES

In total, 250 respondents reported a recent experience passing an emergency vehicle in circumstances in which the rule applied, with 77% (n=193) reporting that they reduced their speed. However only 61% reported reducing their speed to 40 km/h. Drivers in regional Victoria were more likely to be compliant than drivers from metropolitan Melbourne (72% and 57% compliance respectively).

### AWARENESS, KNOWLEDGE & UNDERSTANDING

Three hundred respondents reported that they were **aware** of RR79A (75%). However, **knowledge and understanding** were more variable. Only 57% of respondents (n=227)



understood that the speed limit requirement was 40 km/h. Of those that were aware of the rule, 13% incorrectly believed that a lane change was required. While most knew the rule applied to red and blue lights (94%), only 42% knew that it applied to magenta lights and 46% incorrectly believed it applied to yellow/amber lights.

Better knowledge of RR79A was associated with older age groups, those from regional Victoria, those with higher weekly driving exposure, and those with education below year 12 or TAFE.

### ATTITUDES

The majority of respondents either completely supported or somewhat supported the rule (74%). Most believed it was introduced to increase safety, either for passing drivers (43%), emergency workers (85%) and/or members of the public involved in a roadside incident (66%). A few drivers thought it was introduced as a form of revenue raising (6%).

### BEHAVIOURAL INTENTIONS

When asked about the next time they encounter an emergency vehicle in circumstances where RR79A applies, behavioural intentions varied for the road type. When driving on a 100 km/h divided freeway, 71% reported that they would slow to 40km/h, when travelling in the left lane, whereas only 64% said they would comply if travelling in the middle or right lanes. When driving on a 100 km/h undivided road, 74% reported that they would slow to 40 km/h.

### BARRIERS AND FACILITATORS FOR COMPLIANCE

The most frequent responses for barriers to compliance were the behaviour of other drivers, particularly vehicles following closely and other drivers not slowing down (n=12), and visibility of emergency vehicles. Respondents felt that earlier warning, perhaps through in-vehicle technologies would help them comply.

## 3.3 FOCUS GROUPS

Five focus groups were conducted for police, fire and ambulance workers in a range of locations across Victoria. Each focus group had between 5-10 participants, with a total of 32 participants.

### CHANGES TO WORKING PRACTICES AS A RESULT OF RR79A

A common response across focus groups was that workers have to pay more attention to passing traffic given the unpredictable nature of passing traffic. Responses on near misses were mixed; some reported that near misses had increased, while others indicated that they had remained the same. Police and ambulance both identified the lack of accurate data available on near misses because they are rarely captured in their reporting systems.

Training emerged in focus groups with police and ambulance. Both felt that new recruits were too reliant on RR79A and are complacent when it comes to situational awareness. They thought that newer staff members feel as though the rule will protect them and they therefore do not have to pay attention to what is happening on the road beside them. Furthermore, concerns arose about the lack of training recruits receive on working on the roadside. Both ambulance and police expressed a desire for increased training in this area to ensure that their recruits know how to keep themselves safe.

Some police reported feeling unsafe intercepting on the side of a freeway, particularly when exiting their vehicle and talking to the driver on their side of the vehicle with their back to passing traffic. They reported instead speaking to the driver from the passenger side. Police also reported that heavy braking when passing police stopped on the side of the road has increased since RR79A was implemented.

#### PERCEIVED COMPLIANCE WITH RR79A

Across the focus groups, there was agreement that some drivers slowed down when passing the vehicle but very few reached 40 km/h. All groups agreed that variable compliance is a major problem that is putting them at risk. The majority felt that the 40km/h limit was not the main problem but rather the variable compliance with that limit. All groups agreed that compliance increases with the number of emergency vehicles present at the incident, most likely due to large incidents blocking parts of the road or forcing lane closures. Compliance was perceived to be lowest for incidents where only one emergency vehicle was present.

High-speed multi-lane roads, particularly freeways and highways, were identified as the most problematic road type. Most participants felt that for 100-110 km/h roads, dropping to 40 km/h is a very large and potentially dangerous speed reduction. Additionally, on multi-lane roads all groups thought that compliance was lower for the far right lane(s) compared to the closest lane, although this was not of particular concern to them. The issue of different rules for passing emergency vehicles across jurisdictions in Australia was identified as particularly problematic for workers near state borders. Truck drivers were generally seen to be more compliant with RR79A, and passenger cars were reported to be more variable in their compliance, and often dependent on the actions of other vehicles.

#### BARRIERS & FACILITORS FOR COMPLIANCE

Perceived lack of awareness and understanding of RR79A amongst the general public was raised as an issue in all focus groups. Emergency service staff felt that there was not enough advertising about the rule when it was introduced, nor was there any ongoing advertising to remind drivers of the rule. The emergency workers also thought that drivers do not understand which lanes the rule applies to, nor do they know where the 40 km/h zone starts and ends. Another common issue raised was emergency vehicle visibility on high-speed roads, which results in drivers either not slowing down at all, not reaching 40 km/h, or hard braking to try to reach 40 km/h. Some members attributed this to driver error (inattention and not looking far enough ahead), others to the visibility of the emergency vehicles (vehicle positioning as well as the paint colour and light configurations on the vehicles). All three emergency services felt that current enforcement of RR79A is very low. Ambulance and fire believed that if enforcement was increased there would be a significant increase in compliance. While the police members agreed, they emphasised how difficult it is for them to enforce RR79A.

#### SUGGESTIONS FOR CHANGES TO RR79A

The most common suggestion from the emergency service workers was to have a widespread media campaign across all platforms in order to increase public awareness and understanding of the rule. All groups agreed that the higher the level of saturation in the media, the better the outcome would be. They also suggested that RR79A should be included in learning materials for learner and novice drivers. A further suggestion was that on multi-lane roads drivers should be required to move over so that they are not in the lane closest to the emergency vehicle(s), although this was not supported by all participants. The general

consensus was that 40 km/h was the safest speed for them so long as drivers decreased their speed safely. There were a number of suggestions with regard to increasing visibility of vehicles, particularly the design of the lights and more fluorescent. Using variable signs (such as the ones on the Monash Freeway) were considered to be helpful for providing advance warning and getting drivers to gradually reduce their speeds. A few other technologies were mentioned: radio alerts, phone map applications, and LED lights or dot matrix signs on the back of vehicles. Increased enforcement was also identified as a key area for consideration.

## 4 DISCUSSION & CONCLUSIONS

### 4.1 AWARENESS, KNOWLEDGE & UNDERSTANDING

Most respondents in the community survey were aware that there was a rule in Victoria about passing emergency vehicles with flashing lights on the side of the road (75%). This is consistent with data from TAC which reported high levels of community awareness about the rule (around 84% of respondents in a TAC Monitor survey). When looking at particular groups in the current study; older, more experienced drivers and rural drivers had higher awareness of the rule.

However, while awareness of RR79A was high, knowledge and understanding about the rule were far more variable. Only 57% of respondents understood that the rule requires drivers to slow to 40 km/m. Further, there was limited understanding about exactly when and where RR79A applies (for example, which road/lane environments). Only 32% knew the conditions in which RR79A applies 'very well'. Almost one third of respondents (28%) had a very limited understanding of the conditions in which the rule applies. Consistent with awareness, older, more experienced drivers, rural drivers, and those with higher driving exposure had better knowledge of the rule.

The lack of understanding regarding the specific parameters of the rule was also observed in the on-road study. Speeds were typically lower on approach to an incident (compared to passing an incident) which suggests that drivers begin increasing their speed too early; they do not wait until they have passed the incident before accelerating.

Anecdotally, police in the focus groups noted that when they talk to drivers regarding RR79A, many claim they are not aware of the rule.

These findings suggest that the majority of drivers have awareness that the rule exists (although, problematically, a quarter of respondents had never heard of the rule). Despite the high levels of awareness, drivers are far less clear on the specific requirements of the rule, and the circumstances in which they apply.

### 4.2 LEVEL OF SUPPORT

Level of support for RR79A was explored through both the community survey and the focus groups. Support for the rule among survey respondents was high; around 75% either completely or somewhat supported the rule. Less than 4% did not support the rule at all. Support was typically highest among heavy vehicle drivers, and lowest among learner and probationary drivers. Respondents typically supported RR79A because it is perceived to increase safety for all parties on the road.

While there was a high level of support for the need and intention behind the rule, some concerns were raised regarding its implementation. In the survey, many respondents felt that



the rule is hard to follow and can lead to dangerous driving behaviours. However, many respondents felt that early warning would be beneficial, and generally supported interventions that would provide them with advanced warning of an upcoming incident.

Similarly, the focus groups supported the need for such a rule to exist in order to protect emergency service workers. However, some emergency service workers (particularly police) reported feeling more unsafe on the side of the road since the rule was introduced. Some respondents felt that variable compliance with the rule, particularly on high speed roads, is putting them at increased risk in the roadside environment. Further, some participants felt that the rule has not decreased near misses, rather it may have increased them.

In summary, while support for the need for, and intent of, such a rule has overwhelming support, a number of concerns have been raised around safety complying with the rule.

### 4.3 COMPLIANCE

In the focus groups, variable compliance was identified as a key issue by the emergency service workers. This was also evident in the on-road study. For those who had recently encountered an incident in circumstances where the rule applied, only 60% reported that they complied with the rule. This suggests a large proportion of drivers do not comply. The speed distribution of passing vehicles also indicates variable compliance. While many slowed to some extent, almost 10% passed at speeds exceeding 80 km/h and a further 24.5% passed at speeds in the 60-80 km/h range.

Age and experience was also identified as a factor – older drivers and those licenced for longer were more likely to report intending to comply, and probationary drivers were less likely to report intending to comply. It is not clear from this study whether this relates to age or experience, but could be considered in future research.

Not surprisingly, self-reported intentions to comply were quite different to observed on-road compliance. While 57% of survey respondents reported intending to comply with the rule in a 100 km/h road environment, regardless of the lane of travel (and higher percentages when considering the left lane only); the observed compliance in the on-road study was less than 40%. This discrepancy may indicate that people are not very good at perceiving the speed of their own (or others') vehicles, and tend to underestimate when travelling at higher speeds [14]. While speedometers provide direct and accurate speed information, it may not be possible to rely on speedometers during complex and dynamic traffic situations with high cognitive workload (e.g., emergency scenes with variably slowing traffic). Thus, it is possible that drivers believe that they are slowing to 40 km/h but given their workload is so high, they don't have time to look at their speedo and are estimating their own speed [15].

In the current study, survey respondents reported that their intentions to comply with RR79A were higher when travelling in the left lane compared to the right or middle lane on a freeway. This was consistent with the on-road study; both approach and passing speeds were higher the further offset the lane was from the incident. In the United States, in recent years Move Over laws have been enacted as extensions to pre-existing laws directing a driver to slow and pull to the side of the road to allow emergency vehicles with warning devices activated to pass. These laws have been modified to include driver guidance when approaching and passing stationary emergency vehicles along the roadside [16]. The intent is to reduce the frequency and severity of secondary crashes involving approaching motorists and expedite the overall incident clearance process, reducing associated congestion and delay [16]. However, there is

no consistent evidence about the impact of forcing lane change during high speed travel from a safety standpoint.

Interestingly, compliance was highest when fire vehicles (81%) and ambulances (76%) were present, and lowest when police vehicles were present (36%). This may reflect the types of emergencies involving different vehicle types. Some incidents may generate slowing as passing drivers slow to look (e.g., the presence of smoke, fire, vehicle crash or medical emergency). On the other hand, police routinely conduct intercepts involving single vehicles on high speed roads, so drivers are more familiar with police vehicles stopped on the side of the road. Further, when there is an incident involving a fire vehicle, there is more likely to be lane closure (or lane encroachment) due to the physical size of the vehicle. In the present study, there were higher odds of compliance when there is a lane closure; traffic congestion builds quickly and subsequently reduces travel speeds.

Vehicle features are also likely to be a factor. Both ambulances and fire vehicles (particularly tankers and pumpers) tend to be larger in size. However, drivers' failing to notice emergency vehicles has been identified as a primary factor associated with crashes [17], and drivers may have difficulty in visually detecting emergency vehicles in different environments, such as time of day, ambient lighting, weather, and the presence of visual clutter [18]. A number of factors affect the visibility of an emergency vehicle, both during a response and while parked at an incident scene. These variables include the vehicle's size, colours ('livery'), passive conspicuity features such as marker lamps and retroreflective striping, and the presence/operation of active warning devices including emergency lighting systems or audible sirens and horns [19].

Studies conducted in the United States and other countries suggest efforts to increase emergency vehicle conspicuity using passive treatments hold potential for enhancing emergency worker safety at the roadside [19]. However, given the number of variables present in the wide range of possible driver-emergency vehicle interaction scenarios, the best options for enhancing the visibility of stopped emergency vehicles could be quite different from the options for enhancing the visibility of those same vehicles while in motion; thus, an optimal combination of conspicuity markings and active warning systems for every possible situation may not exist [20, 21].

In an effort to provide consistency around emergency vehicle markings, the United Kingdom uses a set of visibility/conspicuity standards for law enforcement vehicles [19]. These standards ensure that the markings/vehicles: are recognisable at a distance from 200 to 500+ metres; assist with high-visibility policing; readily identifiable nationally as a police vehicle, with room for local markings; acceptable to at least 75% of the staff using it [22]. Anecdotal evidence suggests these standards are being emulated, to various degrees, by other public safety services (fire, ambulance, etc.) across the United Kingdom, and in other countries (e.g., Australia, South Africa, Sweden, and New Zealand) [19]. In the focus groups in the current study, respondents noted that each agency has their own processes around vehicle markings, and these vary state by state. Further, some specific issues were identified that could impact driver compliance with RR79A; for example, flashing lights not being visible when the tailgate of some paramedic vehicles is open. Some focus group participants also believed that adding 40 km/h signs to the back of their vehicles would be helpful, while others felt that this would not be useful as they are too difficult to read at a distance. Nonetheless, broader discussions at the national level around emergency vehicle markings could be beneficial.

#### 4.4 BARRIERS TO COMPLIANCE

Barriers to compliance with RR79A were explored in the community survey and focus groups. Survey respondents identified several barriers to compliance, the most commonly reported being tailgating and non-compliance of other drivers. Respondents reported feeling unsafe slowing rapidly when other drivers may not do the same. There was also concern raised about the presence of trucks in particular because they need more time and space to slow down in comparison to passenger vehicles. This points to a broader issue of close following (or tailgating) in high speed road environments; in the on road study, one-third of vehicles passing the incident had headway distances less than the recommended minimum of two seconds.

Survey respondents also reported that lack of visibility and advance warning make compliance with RR79A difficult, as by the time the emergency vehicle is visible, heavy braking is required to reach 40 km/h at the point of passing. This point is a difficult one. By their very nature, emergencies are unplanned and unpredictable. In some instances, there is a degree of flexibility in where the emergency vehicle stops (e.g., police intercepts), however in many cases it cannot be predicted where the incident will occur (e.g., fires, crashes, hazardous material incidents, medical emergencies). Other barriers to compliance that were frequently reported were wet weather conditions and high travel speeds, which is consistent with evidence on passenger vehicle crashes into stationary emergency vehicles [18].

#### 4.5 POLICY ENVIRONMENT

The policy context around RR79A is incredibly complex. Emergencies are unplanned, unexpected, dynamic and changeable events. However, they also involve exposing emergency service workers to high risk situations and these workers are entitled to the same protections as others. The intent behind RR79A was to bring the safety of emergency service workers in line with similar situations designed to protect vulnerable road users (e.g., schools, work zones). In Australia, these situations require a passing limit of 40 km/h, and thus this legislation is consistent with other areas.

Laws are only effective when enforceable. In the United States, citations based on early versions of Move Over laws were often dismissed or failed judicial review because of inadequate wording in the State's legislation [16]. Drivers are better understand (and law enforcement are better able to enforce) more explicit laws. Lack of clarity on the required passing travel speeds leaves significant room for interpretation by both drivers and police. In contrast, laws that explicitly define a required travel speed that is not well substantiated may receive added public scrutiny [16].

Further, the complexity inherent in managing emergency scenes, particularly in high speed road environments is not straightforward. While in some instances the location can be somewhat managed (i.e., police intercepts), this is often not the case. It cannot be predicted where a crash or medical event will occur. Similarly, while police can intercept with a clear location intended, they cannot actually control where the driver will stop. This points to a broader issue of drivers knowing what actions to take in the presence of emergency vehicles. This was also evident in the current study. While awareness was high, knowledge and understanding were low. Thus, rather than focusing on awareness, it may be more useful to integrate communications around knowledge and understanding of what do when interacting with an emergency vehicle in a range of scenarios.

## 4.6 SUMMARY & CONCLUSIONS

In summary, the aim of this study was to investigate driver compliance with RR79A in the Victorian setting. Most participants in the study (both emergency service workers in the focus groups and drivers in the survey) supported the intent of the rule, however had concerns regarding the feasibility of complying with the rule.

Among community members surveyed, awareness of the rule was high, but knowledge and understanding of the specific circumstances in which it applies was far lower. Driver compliance was reported to be variable by the emergency service workers, and this was evident in the on-road observational study. A range of barriers to compliance were identified, including close following distances, and limited visibility of emergency vehicles.

Implications for policy and practice include broader discussions around: (1) fostering knowledge and understanding about required actions when interacting with an emergency vehicle in a range of scenarios, (2) communicating to drivers the requirements of this rule specifically, (3) broader discussions regarding conspicuity/markings of emergency vehicles and (4) how best to support driver compliance, e.g. through the use of technology.

## 5 REFERENCES