



DEATH REVIEW PANEL

MOTORCYCLE FATALITIES

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I. BACKGROUND

In late 2008, the Coroners Service of British Columbia established a Death Review Panel due to concern over the frequency and overall number of motorcycle deaths in this Province. Ten individuals were appointed as panel members under Section 49 of the *Coroners Act* and a panel Chair under section 49(2). Panel members were appointed from The Insurance Corporation of British Columbia (ICBC), The Superintendent of Motor Vehicles, The Motorcycle and Moped Industry Counsel, Motorcycle Training Institutions, Police, The British Columbia and Canada Safety Counsels, The British Columbia Coalition of Motorcyclists, the BC Coroners Service and the riding community. The panel members represented nearly 200 years of combined motorcycle riding experience.

The purpose of the Death Review Panel was to examine the facts and circumstances of death in order to produce recommendations that could prevent loss of life under similar circumstances.

From November 17-19, 2008, the Death Review Panel was convened at the Office of the Chief Coroner in Burnaby to examine the deaths of motorcycle operators and passengers in the Province of British Columbia. 286 motorcycle deaths occurring between 2000 and 2007 were examined statistically while six of these deaths were comprehensively analyzed. Local and foreign legislation related to motorcycle operation was reviewed as were several research papers related to motorcycle operation safety factors.

Following the review by the panel, the Chair was required to report to the Chief Coroner any findings respecting the circumstances surrounding the deaths that were subject to the review and any recommendations respecting the prevention of similar deaths.

While the deliberation of the panel is subject to the privacy provisions under the *Coroners Act*, the Chief Coroner may disclose, prepare, publish and distribute materials for the purpose of informing the public respecting the prevention of deaths.

II. TERMS OF REFERENCE

The Terms of Reference for the panel under section 49(2) of *The Coroners Act* were established as follows:

- To review the circumstances, risk factors, and levels of preventability with respect to the deaths reviewed;
- To confirm trends, patterns or themes arising from the deaths;
- To discuss and confirm what legislation and services currently exist in BC related to motorcycle owners and operators;
- To identify any gaps in service and responsibilities; and
- To provide the Chief Coroner with advice on how to prevent similar deaths in the future

III. FINDINGS ARISING FROM THE CIRCUMSTANCES

After examining the circumstances related to the 286 motorcycle deaths, including the six that were comprehensively analyzed, and the legislation and research available, the panel identified several risk factors that they believed, if addressed, may reduce the number of deaths involving motorcycles. Where preventability of the risk factor was found to be low, no recommendations were made.

The risk factors were identified in two categories;

1. Those specifically related to motorcycle operators:

- The lack of training and experience of the motorcycle operator
- The failure to employ appropriate safety equipment by motorcycle users

2. Those related to other vehicle operators on the roadways:

- Difficulties in identifying the presence of motorcycle on the roadway
- The absence of understanding of risks for motorcycle operators on the roadway

The panel further concluded that in order to more accurately identify specific risk factors involved in motorcycle deaths, the Coroners need to be guided in their investigations and aided with the types of information that needs to be obtained.

IV. RECOMMENDATIONS

The *Coroners Act* directs that any recommendations made by the panel respecting the prevention of similar deaths or the protection of the health, safety and well-being of motorcycle users generally, be submitted to the Chief Coroner of British Columbia. The following are the recommendations that were received and accepted from the panel:

1. To *The Ministry of Public Safety and Solicitor General, Office of the Superintendent of Motor Vehicles*

That the *Motor Vehicle Act* of British Columbia be amended to require that all helmets worn on a Motorcycle have a mandatory basic certification under one of the following: DOT, Snell, BSI, CSA or ECE.

2. To *The Ministry of Public Safety and Solicitor General, Office of the Superintendent of Motor Vehicles*

That eye protection is made mandatory equipment while operating a motorcycle with the use of a helmet face shield, eyeglasses, protective eyewear or sunglasses.

3. To *The Insurance Corporation of British Columbia*

That a graduated licensing program be created for all new motorcycle operators, irrespective of whether they hold a class five license.

Further, as part of this graduated process, consideration is given to several specific areas, as follows:

- That the minimum time a new rider must hold a learners permit before being eligible to take the motorcycle skills test and road test be extended to allow for more skills development.
- That a zero blood alcohol content be implemented for all new riders while operating a motorcycle.
- That all new riders who have seven years or less road use experience be placed under more stringent conditions on a learners permit than those with seven years or more road use experience.
- That license plates of a different background colour be issued for the motorcycles of learners in order to make them more identifiable to other road users and law enforcement officers.

- That restrictions be imposed on the power of the motorcycle a rider can operate to specified classes based on the power of the motorcycle on which the rider takes their road test.

4. *To The Ministry of Public Safety and Solicitor General, Office of the Superintendent of Motor Vehicles*

That all mobile communication and entertainment devices be restricted to single earpiece usage while operating a motorcycle.

5. *To The Insurance Corporation of British Columbia*

That the class five training process be expanded to improve awareness of vulnerable road users including motorcycles and scooters. That this amendment includes information about the difficulty of their decreased visibility and problems around assessing the speed at which they may be traveling.

6. *To The Insurance Corporation of British Columbia*

That ICBC meet with BC's motorcycle training schools to re-evaluate the process and standards by which the schools are established, instructors are certified and training is delivered.

7. *To The Insurance Corporation of British Columbia*

That ICBC take steps to increase awareness around the best practice of full coverage riding gear through the learner's stage of licensing and motorcycle awareness month.

8. *To The Chief Coroner of British Columbia*

That an investigative protocol be created to aid in the investigation of motor vehicle fatalities that include information gathering around distraction devices involved, experience levels of all vehicle operators involved, and specifics of all vehicles involved. Further, that this protocol include a section specific to motorcycles in order to collect better data for statistical analysis.

9. *To The Insurance Corporation of British Columbia*

That the role, definition and accountability of supervisors be reviewed and that an information package be created and made available to new riders to provide to their supervisors.