

COVID-19: NETWORK MANAGEMENT RESPONSE

Emergency Speed Limits

28 APRIL 2020

VERSION 1.0

INTRODUCTION

This note is to provide guidance to Road Controlling Authorities (RCA) to support the implementation of lower speed limits to ensure optimal safety conditions for people walking or cycling as New Zealand transitions through the different Covid-19 levels. This guidance focusses on urban roads on both State Highway and Local Road networks with consideration also given to rural lifestyle environments.

Background

COVID-19 brings potential risk to people using the transport system due to changes in traffic and transport. During the Level 4 lockdown, Waka Kotahi has seen an increase in the number of people walking and cycling. Given the requirement for physical distances of 2 metres, this has seen an increase in people walking within the road carriageway. This increases their exposure to potential harmful conflicts with vehicles also travelling along the road.

To address the immediate risk and to manage the potential harm as we move through the different lockdown levels, the use of lower speeds limits in urban areas can mitigate safety outcomes in lieu of costly and time dependent infrastructure improvements.

Setting emergency speed limits is an effective and immediate control that road controlling authorities can implement to mitigate the possibility and outcome of traffic crashes in this COVID-19 period.

Emergency Speed Limits

Setting emergency speed limits is permitted in the Land Transport Rule: Setting of Speed Limits (2017), with the criteria and process outlined in Section 7.

Covid-19 has been accepted as an “epidemic”, meeting the Clause 7.1 (1) criteria for considering an emergency speed limit.

An emergency speed limit may apply while the emergency conditions exist and for a maximum of 12 months (Clause 7.3 (d)).

Emergency speed limits apply from the time signs are installed and ceases at the time signs are removed.

Emergency Speed Limits

Emergency speed limits can be any speed limit, as long as they are 10km/h lower than the current speed limit.

RCAs should consider what speed limits are appropriate for certain circumstances and some suggestions are provided below.

Urban Environments

Consider setting of 30km/h emergency speed limits in urban environments, particularly to support Covid-19 alert levels that require social distancing between active road users, resulting in use of the road space.

Rural Environments

Consider setting of appropriate emergency speed limits, such as 60km/h, in rural lifestyle environments where active and vulnerable road users are prevalent alongside the roadway under Covid-19.

Setting of Emergency Speed Limits

The setting of emergency speed limits is achieved by installing the speed limit signs in accordance with Section 9 of the Rule, which requires a sign on the left hand side at the start point (or within 20m) from where the changed speed limit applies, and repeated at 1.0km centres (for 30km/h) unless there is evidence that good compliance is being achieved without repeater signs.

This does not need the approval of any other organisation, such as Waka Kotahi NZ Transport Agency.

Notification of Emergency Speed Limits

The RCA must, as soon as practical after setting or varying an emergency speed limit, notify Waka Kotahi and the Commissioner (of Police) of the details of the emergency speed limit, where it applies and the date it was set (Clause 7.2(4)).

In addition, an RCA must publish in the Gazette the above details and the reason for considering that an emergency speed limit is necessary. The latter would be a very short summary of the justification.

The notification details are normally in the form of a schedule of roads (name and suburb), the start and end points, and date. (Note: It is unclear whether the Gazette has the ability to publish a map).

Removal of an Emergency Speed Limit

Essentially, when the reason for the emergency speed limit listed in the gazette notice no longer applies, the emergency speed limit must be removed, at which point the speed limit would revert to what it was previously. Emergency speed limits cannot be extended beyond 12 months (even if the original reasons for the emergency speed limit were still valid after 12 months).

Waka Kotahi or the Commissioner may, at any time, require the removal of an emergency speed limit and the removal of accompanying signs and equipment used to install or support the signs, if satisfied that the reason for the emergency speed limit no longer applies or the emergency speed limit is not appropriate in the circumstances for which it was set (Clause 7.2 (8)).

Funding

For emergency speed limit changes that only require temporary traffic management, funding may be sourced from relevant operations and maintenance budgets.

Where emergency speeds limit changes are to be supported by temporary infrastructure measures, e.g. wider footpaths and/or cycle lanes, an RCA could apply for funding as a part of the Innovating Streets for People programme (see below).

Innovating Streets Programme

The Innovating Streets programme, which is focused on using temporary treatments to improve urban streets, can make a contribution to our response to

Covid-19 by providing RCAs with an opportunity to adapt their streets to better support active and safe transport needs, while following official advice about people movement.

Innovating Streets is fundamentally about reconsidering how we allocate street space, and it's a relevant time for councils to help their communities re-imagine public space. The Innovating Streets pilot fund can encourage RCAs to find opportunity in disruption.

Tactical urbanism projects designed as part of a COVID-19 response package can be considered immediately, on a case by case basis. This involves projects that could be delivered in a short time frame to support social distancing on footpaths and cycle lanes, and the temporary use of streets for physical activity.

Innovating Streets funding may be considered where additional physical interventions, such as footpath widening or temporary cycle lanes, are deemed appropriate to support speed limit reductions aimed at slowing vehicle operating speeds and supporting social distancing.

<https://www.nzta.govt.nz/assets/Roads-and-Rail/innovating-streets/Innovating-Streets-for-People-pilot-fund-FAQs.pdf>

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COMMENTARY ON RELEVANT SECTIONS OF THE SETTING OF SPEED LIMITS RULE

The NZ Land Transport Rule: *Setting of Speed Limits 2017* (Rule 54001/2017), Section 7: Emergency Speed Limits outlines what Road Controlling Authorities must consider regarding speed limit setting in the event of an emergency.

Section 7.1 (1) says an emergency is defined as a situation that:

- a) is the result of any happening, including ...epidemic..and
- b) causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public in any part of New Zealand.

Section 7.1(2) Emergency Speed Limits states:

A road controlling authority—

(a) must consider the need to set an emergency speed limit if, in the opinion of the road controlling authority, there is a risk of danger to any person or a risk of damage to a road due to an emergency that affects the use of any road; and

(b) may set an emergency speed limit if the road controlling authority considers that there is a risk of danger to any person or a risk of damage to a road due to an emergency that affects the use of any road.

During the Covid-19 Level 4 lockdown we have seen and have evidence of (for some) a significant reduction in motorised traffic volumes, significant increases in the active road use (walking, cycling, scootering, and other forms of micro-mobility), use of the road berm and road carriageway to maintain physical distancing and an increase in the percentage motorists exceeding the speed limit and high end speeding on both urban and rural roads.

As we move from Level 4 to Level 3 and ultimately Level 2 we expect to see motorised traffic volumes to gradually but steadily increase, whilst we expect the numbers of active road users to remain well above pre Covid-19 days and continue to use the road carriageway and berms. As such, there will be increased conflicts between the various road user groups with vulnerable road users at an increased risk of severe injury, at existing 50km/h operating speeds, and even greater risk if the speeding issue continues. International research has shown vulnerable road users to be at significantly increased risk of Death and Serious injury above 30km/h.

Section 7.2 covers how the emergency speed limit is set, applies and is removed.

The RCA is able to set an emergency speed limit and is required to notify the Agency and Commissioner as soon as practicable with relevant details of the change and install different speed limit signs.

Section 7.2(9) covers considerations in setting emergency speed limits:

7.2(9) An emergency speed limit that is set in accordance with 7.2(1) must be safe and appropriate in the circumstances of the emergency for—

(a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and

Historically the road space has been designed for and primarily used by the motor vehicle whose numbers dominated in most cases. During this emergency, this road space is now being shared by a smaller number of motorists and larger number of other road users. International best practice recommends 30km/h speed limits in urban areas and/or where vulnerable road users interact with motorised traffic. A 30km/h speed limit is therefore considered to be both “safe” in the context of Safe System and Vision Zero and “appropriate” given the changed transport environment, demands and need for greater shared road use.

(b) the needs of a community affected by the emergency;

The public are being asked to stay at or near home, and exercise within their communities. They are also being asked to keep physical distancing. To achieve both the above, active road users are having to occupy the road berm and road carriageway space, sharing this with motorised traffic. With the easing to Level 3 and 2, greater numbers of people will travel for work, shopping and schools, but many people are expected to continue to use active transport modes, utilising the road carriageway as physical distancing will remain.

(c) the nature and level of risk to the public;

The nature and level of risk to the public has been outlined under 7.1(2) above. Essentially it is increased conflicts between increased numbers of active road users with motor vehicles resulting from shared road use to maintain physical distancing, combined with increased vehicle speeding.

(d) any other measures taken to reduce hazards and risks.

Waka Kotahi, the NZ Transport Agency has very recently released a fund for “Innovating Streets for People”. This pilot fund incorporates Covid-19 responses, including temporary “emergency” speed limits combined with “tactical urbanism”. This includes temporary style physical devices such as road cones, bollards, kerbing, planter pots etc. to help re-allocate road space and help calm traffic speeds. Waka Kohati will look to utilise this fund and

supplement the speed limit changes with these types of devices where possible, dependant on the supply, industry capacity and practicality.

To read the full document:

<https://nzta.govt.nz/assets/resources/rules/docs/setting-speed-limits-2017.pdf>