
Land Transport Rule Setting of Speed Limits 2017

Frequently asked questions – yellow draft consultation

This document provides answers to questions relating to the proposed *Land Transport Rule: Setting of Speed Limits [2017]* (the proposed rule).

Background

QUESTION	ANSWER
Why is the current rule being replaced?	<p>The practice for managing speed has improved. We now have a more consistent approach to speed management that ensures communities and stakeholders are able to meaningfully contribute to decisions to make travelling safer and more efficient.</p> <p>The proposed rule will replace the current speed setting methodology developed in the 1960s with an approach incorporating new technology and data that assesses the risk on the road. This new approach to speed management is outlined in the Speed Management Guide.</p> <p>The changes proposed in the new rule are part of a broader package of measures included as part of the <i>Safer Journeys Strategy</i>. This aims to reduce the number of people being killed and seriously injured on New Zealand's roads.</p>
Where can I get a copy of the consultation document?	<p>The yellow draft consultation document is available on the NZ Transport Agency website: www.nzta.govt.nz/setting-of-speed-limits-rule.</p> <p>This includes the proposed rule, as well as an overview document providing information on the changes to the current rule and why they are being proposed. The overview is intended to summarise the proposed changes and help put them into context.</p> <p>For a physical copy of the consultation documents, or if you have any queries please phone the</p>

	Transport Agency contact centre on 0800 699 000 or email rules@nzta.govt.nz .
How can I make a submission?	<p>We value your feedback and encourage you to make a submission in a way that suits you. You can either:</p> <ol style="list-style-type: none"> 1. Make an online submission using the form provided at www.nzta.govt.nz/setting-of-speed-limits-rule and submit your response. 2. You can email your response to rules@nzta.govt.nz with 'Setting of Speed Limits Rule submission' in the subject line. 3. Send us a written submission. Post it to: Setting of Speed Limits Rule submissions, Rules Team, NZ Transport Agency, Private Bag 6995, Wellington, 6141.
When do submissions close?	Submissions close at 5pm on Friday 16 June 2017.
What happens following public consultation?	<p>Submissions received during the consultation period will be analysed and considered when preparing the final draft of the rule. In some cases there may be further consultation, or parts may be redrafted in response to issues raised in submissions.</p> <p>If it is to go ahead, the finalised rule will be sent to the Associate Minister of Transport for signing.</p> <p>The signing of the rule will then be notified in the Gazette.</p> <p>We will work to ensure communities and stakeholders affected by the rule change know about it and understand what the changes mean for them.</p>
When will the rule change be implemented?	Once it has been signed off and published. We expect this will happen in the fourth quarter of 2017 (October to December 2017) however depending on the outcome of the consultation period this may change.

Details of the proposed rule

A new approach to speed management

QUESTION	ANSWER
<p>What is speed management?</p>	<p>Speed management is the way we control speed on the roads.</p> <p>We need to make sure drivers and other road users understand the right speed for the road. We do this through a variety of ways, for example, setting speed limits, or designing roads so they encourage safer speeds. We can also set variable speed limits that change throughout the day (outside schools for example).</p> <p>Speed management encourages efficiency, while contributing to a better and safer experience on our roads.</p>
<p>What do you mean by a new approach?</p>	<p>We need to change the way we implement speed management. To do this we have developed a new way of assessing roads, as well as introduced an emphasis on engaging and involving communities.</p> <p>This new approach provides consistency to the management of speed across New Zealand. It ensures communities and stakeholders are able to contribute meaningfully to decisions to make travelling more efficient and safe.</p> <p>This new approach is outlined in the Speed Management Guide.</p>
<p>What is the Speed Management Guide?</p>	<p>The Guide includes new assessment and engagement frameworks for speed management, including a new approach to setting speed limits.</p> <p>It helps Road Controlling Authorities (known as RCAs - the authorities that manage roads in your community, often councils) identify and prioritise roads where better speed management will contribute to reducing deaths and serious injuries, while supporting network efficiency.</p> <p>It also helps RCAs to have good conversations and engage positively with their communities. This will help RCAs understand priorities and perspectives on local roads, as well as improving a community's understanding of speed management initiatives.</p> <p>The Guide is underpinned by the "Safe System approach" to improving road safety and One Network Road Classification (ONRC) a classification method that categorises roads based on the functions they perform.</p>

<p>What is the Safe System approach?</p>	<p>The Safe System approach recognises the role human error and mistakes play in causing crashes and the limits the human body can endure. By taking the Safe System approach we aim to create a forgiving road system that minimises trauma.</p>
<p>What is One Network Road Classification?</p>	<p>One Network Road Classification (ONRC) is a classification method which categorises roads based on the functions they perform as part of an integrated national network.</p> <p>ONRC considers factors such as road function, design, and traffic volumes and is a key efficiency input to calculating safe and appropriate travel speeds.</p>
<p>What are the benefits of the Speed Management Guide over the current methodology outlined in Speed Limits NZ (SLNZ)?</p>	<p>The Guide introduces a modern approach for setting speed limits. It replaces SLNZ, an out-of-date methodology developed in the 1960s, with an approach based on new technology and data.</p> <p>This approach uses an assessment framework that produces evidence-based maps using nationally-consistent data sets showing travel speeds, road risk and road classification.</p> <p>The evidence-based maps support RCAs to have more informed and proactive engagement with their communities. It encourages a measured pace, focusing first on the highest benefit opportunities (the changes that will make the greatest difference). It aims to build community understanding and support.</p> <p>The Guide is already receiving interest internationally for its holistic, data-driven and inclusive approach to speed management.</p>
<p>What tools are included in the Guide to support the setting of speed limits?</p>	<p>The Transport Agency has produced regional evidence-based maps for RCAs that identify the top 5 – 10% high benefit opportunities for speed management. RCAs will be encouraged to target speed management to areas with the highest safety and efficiency benefits.</p> <p>A set of resources, including an Engagement Handbook, has been provided to RCAs to help guide engagement.</p> <p>These resources work to ensure future speed management efforts are targeted to risk and applied consistently across the country.</p>
<p>What does 'high benefit opportunity' mean?</p>	<p>A 'high benefit opportunity' is a situation where speed management will provide the best safety and/or efficiency benefit.</p>

<p>Does this mean a lot of speed limits are going to change?</p>	<p>There is no expectation there will be wholesale changes to speed limits. The Guide encourages RCAs to work at their own pace, and at a pace that works for their communities.</p> <p>The Guide encourages changes where current travel speeds or speed limits are demonstrably too low or too high. That is, where travel speeds do not match the risk on the road.</p> <p>Speed limits set prior to the commencement of the rule will remain in effect until the Road Controlling Authority either modifies the speed limit on the road (going through the set process) or varies the urban traffic area.</p>
<p>Can RCAs access information on roads outside of the 5 – 10% identified as high benefit opportunities?</p>	<p>Yes. Under the proposed rule, the Transport Agency must provide guidance on the safe and appropriate speed for any existing road, as long as it falls within jurisdiction of the requestor and the information is held by the Agency.</p>
<p>What do RCAs do while waiting for the new rule to be introduced?</p>	<p>Continue to follow the methodology set out in Speed Limits New Zealand (SLNZ). However, we would encourage you to start using the engagement techniques outlined in the Guide. Please see the Transport Agency’s Speed Management Resources page for more details, including a link to the Engagement Handbook for RCAs.</p>
<p>What if the Safe and Appropriate Speed recommendation on the maps provided by the Transport Agency does not take into account other important factors such as a change in condition of the road, or if an RCA finds that the data it holds varies from the data collected by the Transport Agency to inform its recommendations?</p> <p>In reviewing a speed limit is an RCA still required to change the speed limit to the recommended safe and appropriate speed?</p>	<p>No, in reviewing a speed limit is an RCA is not required to change the speed limit to the recommended safe and appropriate speed.</p> <p>The evidence-based maps developed by the Transport Agency for RCAs do not recommend safe and appropriate <u>speed limits</u>; they detail safe and appropriate <u>travel speeds</u>, and intervention recommendations for areas where speed management will provide the best safety and/or efficiency benefit (high benefit opportunity).</p> <p>In reviewing a speed limit the proposed Rule states that an RCA <u>must have regard</u> to information about the safe and appropriate <u>travel speed</u> that the Transport Agency provides for each road. However, the Rule states an RCA must also assess the information provided by considering local factors, such as the function and use of the road and take into account the views of their road users and communities.</p> <p>An RCA would be required to have regard to the information on the maps when setting speed limits but the proposed Rule does not oblige an RCA to follow any recommendations the Transport Agency may give.</p>

The proposed Rule states at 2.5(5) that an RCA must retain an existing speed limit if that speed limit is the safe and appropriate speed limit for the road. What does this mean?

This clause applies to roads where an RCA has concluded the existing speed limit is safe and appropriate, following review and consultation. In that case the speed limit must remain the same and should not be changed for any other reason.

Introduction of 110km/h limit

QUESTION	ANSWER
<p>What are the criteria for setting a 110km/h speed limit?</p>	<p>The 110km/h speed limit proposal recognises some very modern roads of national significance have been built to a standard where an increase to the speed is both safe and appropriate.</p> <p>The Transport Agency needs to grant approval to the relevant RCA before any speed limit can be set at 110km/h.</p> <p>The Transport Agency will consider a range of factors in determining whether to grant approval. These include whether:</p> <ul style="list-style-type: none"> • it is a high volume national road • it is median-divided with at least two lanes in each direction • there is any direct access to any property • intersections are grade-separated (these are intersections where one direction is elevated, for example by an overpass). • it has a low crash risk for both personal risk and for collective risk¹.
<p>What roads have been identified as currently meeting the criteria for 110km/h speed limits?</p>	<p>Some of the most heavily used sections of the national road network meet the criteria for a 110km/h speed limit. These include:</p> <ul style="list-style-type: none"> • The Waikato Expressway (SH1), Cambridge, Rangiriri, Ohinewai, Ngaruawahia and Te Rapa sections. • The Tauranga Eastern Link (SH2) • Auckland Motorway network: <ul style="list-style-type: none"> ▪ Johnstone’s Hill Tunnels to Lonely Track section of the Northern Motorway (SH1); ▪ Upper Harbour Motorway (SH18); ▪ Takanini to Bombay section of the Southern Motorway (SH1). <p>These are all roads that are part of the Roads of</p>

¹ Personal risk is the number of fatal and serious injury crashes per 100 million vehicle kilometres travelled and is usually lowest on higher standard roads; collective risk is the number of fatal and serious injury crashes per kilometre of road and is usually highest on busier roads.

	National Significance programme (RoNS).
Are there any other roads that might change to a 110km/h speed limit in the long term?	<p>Future sections of the Waikato Expressway are likely to be eligible for 110km/h in the next few years. These include:</p> <ul style="list-style-type: none"> • Longswamp section (scheduled for completion by 2018) • Huntly and Hamilton sections (scheduled for completion by (2019). <p>Other likely possibilities include:</p> <ul style="list-style-type: none"> • Kapiti Expressway, SH1 Transmission Gully, SH1 (scheduled for completion 2020) • Northern Section of Christchurch Motorway, SH1 (scheduled for completion 2020) • Southern Section of Christchurch Motorway, SH1 (scheduled for completion 2020).
How much of the road network currently meets the 110km/h criteria?	Right now, 155kms of our most heavily used roads meet the criteria. In some cases the road may need a small amount of work so we can be absolutely sure it is safe at 110km/h.
Will all new highways be built to the 110km/h standard?	New multi-lane highways will be designed to 110km/h standards where possible and practical. This applies to roads currently being built.
What is the process for increasing the speed limit to 110km/h?	<p>The application process for a 110km/h speed limit is the same for all roads. You can find a flowchart explaining this process here.</p> <p>If a 110km/h speed limit is proposed, the Transport Agency will ensure the road has been designed and constructed, and will be managed and operated to a standard that will safely support 110km/h travel speeds.</p> <p>Once it has been determined that the road meets the criteria for 110km/h an approval will be issued. This would be followed by the process for setting a speed limit, which includes a period of community engagement and consultation.</p>
Can an RCA propose a 110km/h speed limit for any road in its jurisdiction?	<p>While it is possible for an RCA to propose a 110km/h speed limit on any road, it is unlikely that any roads other than state highways would meet the criteria for 110km/h for the foreseeable future.</p> <p>As the RCA for State Highways, the Transport Agency will lead the process for these roads.</p>
When will the speed limits change to 110km/h on	Once the proposed rule comes into force (expected

<p>the roads that meet the criteria?</p>	<p>to be late 2017) the Transport Agency will follow the process set out in the rule to set the speed limit on qualifying roads to 110km/h.</p> <p>This will include a period of engagement and consultation to change the state highway speed limit bylaw.</p> <p>In some cases minor treatments will be required for the identified roads. These improvements would begin after the proposed Rule comes into force, consultation and engagement is complete and any issues resolved.</p>
<p>Will the community be consulted on the 110km/h roads?</p>	<p>Yes, any speed limit change (whether it is for 110km/h or not) requires all RCAs (including the Transport Agency) to consult with anyone who could be affected by the proposed speed limit. It is important communities are able to meaningfully contribute in any decision to make roads more efficient and safe.</p> <p>This includes any local community affected by the speed limit, as well as other entities including other RCAs, the NZ Automobile Association, and any road user groups.</p>
<p>What do I do if I think a road in my community should be increased to 110km/h?</p>	<p>You can approach your RCA (usually your local Council) and ask. They will provide you with information on how speed limits are set in your community.</p>
<p>What speed can heavy vehicles travel on 110km/h roads?</p>	<p>The speed limit for heavy vehicles and towing vehicles will remain at 90km/h on 110km/h roads. All 110 km/h roads will have at least two lanes in each direction, so other road users should be able to easily pass slow-moving vehicles.</p>
<p>Will the new default speed limit be 110km/h?</p>	<p>No. There is no proposal to raise the default (100 km/h) speed limit on rural roads and motorways to 110km/h.</p>
<p>Can you assure me 110km/h roads will be safe?</p>	<p>Roads supporting 110km/h travel speeds have been built with the Safe System approach in mind. They will be engineered, designed and maintained to a level that supports an increase in the speed limit.</p>
<p>How will you ensure that drivers slow their speeds down and transition correctly to a new speed limit once a 110km/h road finishes?</p>	<p>Initially, extra effort will be made to ensure these transition areas are clear and easily understood for drivers. We will be undertaking extensive evaluations of the 110km/h implementation.</p> <p>As drivers are familiar with changes to the speed limit, we would expect them to understand and comply with a posted reduction in speed. The approach will be no different to how other speed limit changes are currently managed on the network, using a combination of signage,</p>

	<p>perceptual changes in the look and feel of the road, and, as appropriate, enforcement.</p>
<p>Will other road users (for example cyclists) be able to use the 110km/h roads?</p>	<p>If it is a motorway, cyclists will be excluded from using the road, as is currently the case</p> <p>Expressways, for example the Kapiti Expressway, have been designed to accommodate cyclists, with ample shoulder width provided for safe cycling.</p> <p>In both cases, separate cycleways or shared pathways are often available and we encourage cyclists, pedestrians, horse-riders and others to use these alternate routes.</p>
<p>What will be done to ensure other road users (for example cyclists) are safe on the 110km/h roads?</p>	<p>Except for motorways, we have designed and built roads to accommodate cyclists. This will not change. We encourage cyclists who choose to use these roads to keep themselves safe by keeping as far left as possible, and we encourage drivers to take care and act considerately when passing them.</p>

Other proposed changes

QUESTION	ANSWER
<p>What is the new emergency speed limit?</p>	<p>The proposed rule introduces a new category of speed limit for situations where an emergency affects the condition or use of any road and there is a risk to the public or of damage to a road.</p> <p>This emergency speed limit will allow RCAs to change speed limits quickly following a crisis, such as an earthquake or storm.</p> <p>An emergency speed limit may be in force for no longer than 6 months.</p>
<p>Why is the emergency speed limit being proposed?</p>	<p>After the 2016 Kaikōura earthquakes SH1 was blocked by a number of very large landslides. Smaller inland roads became the only way through the top part of the South Island. These roads were not built to carry the usual amount of SH1 traffic, much of it freight.</p> <p>The traffic volume meant the posted speed limit posed a significant safety risk. Speed limits on those roads needed to be reduced quickly to lower the risk.</p> <p>However, the current rule meant RCAs could not set temporary speed limits for the emergency. Instead, the Transport Agency used the Land Transport Act 1998 to make an emergency rule</p>

	<p>lowering speed limits on particular roads.</p> <p>As a result, the Transport Agency recognised a need for emergency speed limits. Under the proposed rule an RCA will be able to respond to a crisis immediately by lowering speed limits and ensuring the roads are safe.</p>
How is an emergency defined?	<p>The definition of emergency is based on the Civil Defence Emergency Management Act 2002 definition. This includes major disasters and emergencies such as earthquakes, floods, storms, technological failures, and epidemics where there is a situation that endangers the safety of the public.</p>
What is a repeater or reminder speed limit sign?	<p>A speed limit sign reminding people of the existing speed limit. This proposal does not affect the placement of signs at the point where a speed limit changes.</p>
How will the way speed limit signs are placed change?	<p>Currently, repeater speed limit signs must be placed at a minimum of every 2 -3 kilometres where the speed limit is over 50km/h and is not the default rural speed limit of 100km/h.</p> <p>The proposed rule introduces some flexibility in the requirements for repeater signs, particularly where a driver could reasonably understand the speed limit has not changed, and the average speed of all road users on that stretch of road reflects the posted speed limit.</p>
Why have you changed the way these signs are placed?	<p>Sometimes the signs are unnecessary because actual travel speeds are lower than the speed limit. This is usually because the nature of the road means the safe speed is easily understood. We want to encourage road-users to read the road and adjust their speed accordingly, and not put pressure on them to travel at a speed they are not comfortable with.</p> <p>In some cases, the current approach is not cost-effective for RCAs.</p>
Will RCAs still be able to set 70km/h and 90km/h speed limits under the proposed rule?	<p>The current rule allows RCAs to set a speed limit of 70km/h without requiring approval from the Transport Agency. Speed limits of 90km/h currently require Transport Agency approval.</p> <p>The proposed rule will require RCAs to obtain approval from the Transport Agency before a speed limit of 70km/h or 90km/h can be set on a road.</p> <p>This step reflects the approach to these speed limits in the Guide.</p>

	<p>The Guide does not recommend the use of these speed limits generally and directs that they only be used as interim measures:</p> <ul style="list-style-type: none"> • until the road is improved to support travel speeds of 80km/h or 100km/h respectively, or • until there is support to reduce the speed limits to 60km/h or 80km/h respectively.
<p>Why do RCAs need approval to set 70km/h and 90km/h speed limits?</p>	<p>There are several reasons for this approach:</p> <ul style="list-style-type: none"> • At higher travel speeds drivers have trouble differentiating speed differences of just 10 km/h. • By using 20 km/h increments for speed limits between 60 km/h and 100 km/h there are fewer and more recognisable speed limit categories for people to understand and recall. • By limiting the use of different speed limits, we will see a more consistent and intuitive speed management system. <p>By requiring approval, the Transport Agency can work with RCAs to ensure that speed limits of 70 km/h and 90km/h are set only in appropriate situations.</p>
<p>Will speed limits already set at 70km/h and 90km/h stay?</p>	<p>Yes, however RCAs will be encouraged to change existing 70 and 90km/h speed limits over time.</p>
<p>What is the new notification process for variable, 70km/h, 90km/h and 110km/h speed limits?</p>	<p>A notification requirement is proposed to be in place for the setting of variable speed limits and speed limits of 70km/h, 90 km/h and 110km/h.</p> <p>An RCA may not propose these speed limits without first notifying the Transport Agency.</p> <p>For speed limits in excess of 50 km/h the intention is to work gradually towards 60 km/h, 80 km/h and 100 km/h being the predominant limits across the network. This is expected to result in greater distinction between different speed limits, making the safe and appropriate speed easier to recognise for road users.</p> <p>By requiring notification for these speed limits an RCA can be made aware or reminded of the circumstances in which one of these speed limits may receive Transport Agency approval before it consults on a proposal. It would also be beneficial for RCAs to have an indication from the Transport Agency about whether approval is likely.</p> <p>The steps of notifying the Transport Agency and</p>

	<p>gaining Transport Agency approval are additional to the usual process for setting a speed limit.</p>
<p>How will the rules for setting temporary speed limits change?</p>	<p>The current rule contains two grounds upon which an RCA can set a temporary speed limit:</p> <ul style="list-style-type: none"> • where there is a construction site or work programme creating a risk of danger, or • where there is a special event. <p>The proposed rule clarifies these provisions.</p> <p>“Construction site or work programme” has been split out into two replacement grounds—</p> <ul style="list-style-type: none"> • where physical work occurring on or adjacent to a road impacts the function of the road; and • where an unsafe road surface or structure is present.

Clarification on technical questions

<p>Now that the trials have been completed for rural school zones and rural intersection active warning signs, do you have any plans to place them under a similar process to the 40km/h school zones with a Gazette notice prescribing a set of criteria rather than individual site specific approvals?</p>	<p>The purpose of the rural trials was to assess the safe and appropriate variable speed limit for rural school zones and rural intersection activate warning signs. Both 60km/h and 70km/h were trialled for rural school zones and intersections.</p> <p>These trials have now finished and it is likely that 60km/h will be the standard variable speed limit for circumstances where there is evidence of turning traffic risk and where active mode risk, which addresses risk to walkers and cyclists is not a consideration. If there is an active mode risk, then 40 km/h may be considered. This is covered in the Safer Journeys for Schools Guide and Traffic Note 37, which are the guidelines for 40 km/h variable school zones.</p> <p>We plan to see whether 60km/h is appropriate for the next group of rural schools to be trialled. At this point, we do not intend to produce a general approval for variable speed limits for rural school zones or rural intersection active warning signs and any applications will need to be approved on an individual basis.</p>
<p>Will the existing 40km/h school zones gazette notice continue to have effect under the proposed Rule or will a replacement Gazette notice be required?</p>	<p>Yes, the existing 40km/h school zones Gazette notice will continue to have effect.</p>

<p>Has any consideration been given to incorporating the 40km/h school zone criteria into the Rule itself?</p>	<p>The Rule is the appropriate place for general requirements, and the Gazette notice is the best place for the detailed operational policy. This arrangement gives us the opportunity to refine that operational policy over time.</p>
<p>Section 2.6(2)(f) of the proposed Rule states that information recorded in an RCA's speed limit register must include a reference to the enactment under which the speed limit was originally set. Does this mean a reference to Speed Limits Rule 2003 or another enactment?</p>	<p>In most cases, the reference should be to the RCA's previous bylaw. This requirement is no different to the current Rule requirement.</p>