

DRAFT FOR CONSULTATION

Land Transport Rule Setting of Speed Limits 2021

Draft for consultation

Land Transport Rules are law produced by Waka Kotahi NZ Transport Agency for the Minister of Transport. This is the public consultation draft of **Land Transport Rule: Setting of Speed Limits 2021**.

If you wish to comment on this draft Rule, please see the information about making a submission in the accompanying explanatory material. The deadline for submissions is 5pm on Friday 25 June 2021.

Land Transport Rule

Setting of Speed Limits 2021

Contents

Section 1	Preliminary provisions.....	5
1.1	Title.....	5
1.2	Commencement.....	5
1.3	Objective of Rule.....	5
1.4	Interpretation.....	5
Section 2	Speed limits.....	8
	<i>Ascertaining the applicable speed limit.....</i>	<i>8</i>
2.1	Applicable speed limit for a road.....	8
	<i>Setting speed limits.....</i>	<i>9</i>
2.2	Setting speed limits (other than temporary speed limits).....	9
2.3	Declaring speed limit areas.....	9
2.4	Setting temporary speed limits.....	10
2.5	Method for all road controlling authorities to set speed limits: using a plan.....	10
2.6	Alternative method for Agency (as RCA) or territorial authorities to set speed limits: Director approval.....	10
2.7	Additional method for other road controlling authorities to set speed limits: using Section 6 process.....	12
	<i>Registering speed limits.....</i>	<i>12</i>
2.8	Land transport record must be created.....	12
2.9	Submitting information on speed limits to the Registrar.....	12
	<i>Installing traffic control devices.....</i>	<i>13</i>
2.10	Traffic control devices installed before speed limits come into force.....	13
	<i>Change of road controlling authority, and boundary adjustments.....</i>	<i>13</i>
2.11	Change of road controlling authority, and boundary adjustments.....	13
Section 3	Planning for speed management.....	13
3.1	Overview.....	13
	<i>Speed management plans.....</i>	<i>14</i>
3.2	Preparing speed management plans.....	14
3.3	Reviewing, varying and replacing speed management plans.....	15
3.4	Process for preparing State highway speed management plan.....	15
3.5	Process for preparing regional speed management plans.....	16
3.6	Agency may set deadlines.....	18
3.7	Form and content of plans.....	19
3.8	Consultation requirements.....	21
3.9	Māori contribution to creation of plans.....	22
3.10	Certification of, and comment on, plans.....	22
3.11	Publication of certified plans.....	23
	<i>Government road safety strategy.....</i>	<i>23</i>
3.12	Minister may issue Government road safety strategy.....	23

<i>Agency to provide guidance and information to support speed management</i>	24
3.13 Guidance on speed management	24
3.14 Information about speed management for roads	24
3.15 Agency must supply information	25
<i>Speed management committee</i>	25
3.16 Speed management committee established	25
3.17 Purpose and functions of speed management committee	25
3.18 Speed management committee oversight of Agency	26
Section 4 Technical requirements for speed limits.....	26
4.1 Application of clauses 4.2 to 4.4	26
4.2 Types of speed limit	26
4.3 Range of speed limits	26
4.4 Director approval required for changes to 110 km/h speed limits.....	27
4.5 Application of clauses 4.6 to 4.8	27
4.6 Road lengths for speed limits	28
4.7 Point on road at which a speed limit changes.....	28
4.8 Variable speed limits	28
Section 5 Speed limits around schools.....	29
5.1 Interpretation	29
5.2 Maximum permitted speed limits outside schools.....	29
5.3 Designated rural schools may have higher speed limits	30
5.4 Implementation period for setting speed limits around schools	31
Section 6 Speed limits for roads not under the control of the Agency (as RCA) or a territorial authority.....	31
6.1 Application of Section 6.....	31
6.2 Requirements for setting speed limit under Section 6.....	31
6.3 Process before setting speed limit under Section 6	31
6.4 Setting speed limit under Section 6	32
Section 7 Temporary speed limits.....	32
7.1 Criteria for, and requirement to consider, setting temporary speed limits ...	32
7.2 How temporary speed limit is set, applies, and is removed.....	33
7.3 Agency or Commissioner may require removal of temporary speed limit... 34	
7.4 Setting a temporary speed limit when there is physical work occurring on or adjacent to a road.....	34
7.5 Setting a temporary speed limit when there is an unsafe road surface or structure	35
7.6 Setting a temporary speed limit for a special event.....	35
Section 8 Emergency speed limits.....	36
8.1 Meaning of emergency	36
8.2 Criteria for, and requirement to consider, setting emergency speed limits ..	36
8.3 Setting an emergency speed limit.....	36
8.4 Setting an emergency speed limit.....	37
8.5 How emergency speed limit is removed.....	37
8.6 Agency or Commissioner may require removal of emergency speed limit .	37

Section 9	Signs	38
9.1	Requirement to provide signs at, or near, point where speed limit changes.	38
9.2	Requirement to provide speed limit signs	38
9.3	Specific requirements for permanent, seasonal and variable speed limit signs	39
9.4	Agency may direct road controlling authority to install, modify, or remove signage.....	39
Section 10	Review of speed limits by Agency	39
10.1	Agency’s powers to monitor and direct road controlling authority and to change or modify a speed limit.....	39
10.2	Ability to change speed limit where Agency has previously directed change to speed limit	40
Section 11	Revocation, transitional provisions, and consequential amendments ...	40
11.1	2017 Rule revoked.....	40
11.2	Continuation of record keeping obligation under 2017 Rule	41
11.3	Transitional provisions	41
11.4	Amendments to Land Transport Rule: Traffic Control Devices 2004	41
Schedule 1	Road lengths for speed limits	42
Schedule 2	Speed management committee	43
1	Appointment of members	43
2	Requirements before appointment.....	43
3	Chairperson and deputy chairperson of committee	44
4	Procedure of committee.....	44
5	Certain provisions of Crown Entities Act 2004 apply to committee and its members	44
Schedule 3	Transitional provisions	45
1	Definitions for transitional provisions	45
2	Existing speed limits continue to apply	45
3	Removing existing temporary and emergency speed limits	46
	<i>Setting speed limits during transitional period</i>	46
4	Speed limits must or may be set during transitional period.....	46
5	Re-setting an existing speed limit during transitional period	46
6	Setting an updated speed limit during transitional period	47
7	Setting a new speed limit during transitional period	47
	<i>Setting speed limits during interim period</i>	48
8	Overview of interim period	48
9	Creating an interim speed management plan.....	48
10	Setting an updated speed limit during interim period.....	49
	<i>Interim plans</i>	49
11	Preparing interim plans.....	49
12	Form and content of interim plans.....	50
13	Certification of, and comment on, interim plans	50
14	Process for interim State highway speed management plan.....	51
15	Process for interim regional speed management plan	52

16 Process for interim territorial authority speed management plan 53

Section 1 Preliminary provisions

1.1 Title

This Rule is Land Transport Rule: Setting of Speed Limits 2021.

1.2 Commencement

This Rule comes into force on [*date to be confirmed*].

1.3 Objective of Rule

The objective of this Rule is to contribute to road safety by—

- (a) empowering or requiring road controlling authorities to set speed limits for roads under their control; and
- (b) setting out requirements road controlling authorities must comply with when setting speed limits; and
- (c) providing for a whole-of-network approach where speed management is considered alongside investment in infrastructure.

1.4 Interpretation

- (1) In this Rule, unless the context otherwise requires,—

Act means the Land Transport Act 1998

Agency (as RCA) means the Agency when acting as a road controlling authority

Auckland Transport has the same meaning as in the Land Transport Management Act 2003

change, in relation to speed limits, safety cameras and safety infrastructure, includes to put something in place for the first time or to remove something without any replacement

cycle has the same meaning as in the Land Transport (Road User) Rule 2004

emergency has the meaning given by clause 8.1

emergency speed limit means a speed limit set in accordance with clause 8.2

financial year means a period of 12 months commencing on 1 July and ending with 30 June

Government road safety strategy has the meaning given by clause 3.12

GPS on land transport has the same meaning as in the Land Transport Management Act 2003

interim plan means an interim speed management plan made under Schedule 3 and that has been published

local road, in relation to a regional speed management plan, means a road under the control of a territorial authority that is in the region covered by the plan (and, for greater clarity, excludes a State highway)

mean operating speed means the mean speed of traffic, including all classes of vehicle, measured in a way that is representative of all traffic speeds on the road over a 7-day period

mobility device has the same meaning as in the Land Transport (Road User) Rule 2004

permanent speed limit means a speed limit that is in force except when a seasonal, variable, emergency, or temporary speed limit is in force

plan means the State highway speed management plan or a regional speed management plan, and includes—

- (a) any variation to any of those plans; and
- (b) except in Section 3, an interim plan or any variation to an interim plan

regional council means a regional council within the meaning of section 5(1) of the Local Government Act 2002, and includes a unitary authority and Auckland Council

regional speed management plan means a plan published under clause 3.5(7) and, for a given region, is the plan most recently published under clause 3.5(7) for that region

regional transport committee has the same meaning as in the Land Transport Management Act 2003, and, in the case of the Chatham Islands, means the Chatham Islands Council

register has the same meaning as in section 200A of the Act

Registrar has the same meaning as in section 200A of the Act

relevant plan, in relation to a road, means—

- (a) in the case of a local road, the regional speed management plan, interim regional speed management plan, or interim territorial authority speed management plan for the region

or area in which the road is located (as the case may be);
or

- (b) in the case of a State highway, the State highway speed management plan or interim State highway speed management plan

relevant road, in relation to a plan, means—

- (a) in the case of a regional speed management plan, interim regional speed management plan, or interim territorial authority speed management plan, a local road; or
- (b) in the case of the State highway speed management plan or interim State highway speed management plan, a State highway

road has the same meaning as in the Act and includes a section of a road

rural school means a school that has been designated as a rural school under clause 5.3(1)

safety camera means a camera used for the primary purpose of detecting offences under transport legislation

safety infrastructure means roading infrastructure intended to improve safety (for example, median barriers, rumble strips, raised crossings, and intersection treatments)

school—

- (a) means a registered school within the meaning of section 10(1) of the Education and Training Act 2020; and
- (b) in relation to a road controlling authority, means a school that is directly accessed from a road under the control of the road controlling authority

seasonal speed limit means a type of speed limit that—

- (a) is the same for all 24 hours during any given day; and
- (b) is different for each of two or more specified periods during each calendar year

special event means an event held over a short and defined period which would involve a significantly different use of a road, or affects the use of a road, to the extent that the speed limit in force may not be safe

speed limit means a speed limit set under this Rule

speed management committee means the committee established under clause 3.16

State highway has the same meaning as in the Land Transport Management Act 2003

State highway speed management plan means the plan most recently published under clause 3.4(6)

temporary speed limit means a speed limit set in accordance with clause 7.2

territorial authority means a road controlling authority that is—

- (a) a territorial authority within the meaning of the Local Government Act 2002 (including a unitary authority); or
- (b) Auckland Transport

variable speed limit—

- (a) means a type of speed limit where the speed limit in force on a road changes under certain conditions; and
- (b) excludes a seasonal speed limit.

- (2) A term that is used in this Rule and defined in the Act but not defined in this Rule has the meaning given in the Act (for example, Agency, Commissioner, Director, Minister, motor vehicle, and road controlling authority).

Section 2 Speed limits

Ascertaining the applicable speed limit

2.1 Applicable speed limit for a road

- (1) The applicable speed limit for a road at any given time is—
 - (a) the speed limit for the road in the register and that is in force at the time; or
 - (b) if paragraph (a) does not apply and a bylaw made before the commencement of this Rule sets the speed limit for the road, the speed limit set by the bylaw and that is in force at the time; or
 - (c) if paragraphs (a) and (b) do not apply, a permanent speed limit of 100 km/h.
- (2) For a variable speed limit or a seasonal speed limit that is in force, the applicable speed limit for the road at any given time is

the speed limit in force at the time in accordance with the details of the speed limit in the register or bylaw (as the case may be).

Emergency speed limit on register prevails

- (3) Despite subclauses (1) and (2), if there is an emergency speed limit for a road in the register at any given time, the applicable speed limit for the road at that time is the emergency speed limit (not the underlying permanent, variable or seasonal speed limit for that road in the register).

Temporary speed limit applies despite register

- (4) Despite subclauses (1) to (3), the applicable speed limit for a road at any given time is the temporary speed limit, if a temporary speed limit for the road has been set and is in force under Section 7.

Setting speed limits

2.2 Setting speed limits (other than temporary speed limits)

- (1) A road controlling authority may set a speed limit for a road under its control (other than a temporary speed limit) under this Rule.
- (2) When setting a speed limit under subclause (1), a road controlling authority may specify the date on which the speed limit comes into force.
- (3) If a road controlling authority specifies a date on which the speed limit comes into force, that date must be no earlier than the day after the corresponding land transport record is created.

2.3 Declaring speed limit areas

- (1) A road controlling authority may set a speed limit (other than a temporary speed limit or an emergency speed limit) for a road or roads under its control by declaring a speed limit area.
- (2) When declaring a speed limit area, a road controlling authority must—
- (a) identify the boundaries of the area to be designated as the speed limit area; and
 - (b) specify the speed limit that applies in the speed limit area; and
 - (c) specify that the speed limit applies to—
 - (i) all existing and any future roads in that area; or

- (ii) all existing and any future roads in that area, except for one or more specified existing roads in that area.
- (3) When declaring a speed limit area, a road controlling authority must comply with all provisions of this Rule that apply to a speed limit (other than a temporary speed limit or an emergency speed limit) for a road.
- (4) References in any provisions of this Rule to a speed limit (other than a temporary speed limit or an emergency speed limit) for a road must be taken as also applying to declaring a speed limit area.

2.4 Setting temporary speed limits

A road controlling authority may set a temporary speed limit for a road under its control in accordance with Section 7.

2.5 Method for all road controlling authorities to set speed limits: using a plan

A road controlling authority may set a speed limit (other than a temporary speed limit or an emergency speed limit) for a road under its control if—

- (a) the speed limit—
 - (i) is the same as the speed limit proposed for the road in the relevant plan; and
 - (ii) comes into force within the same timeframe as proposed in the relevant plan; and
 - (iii) is set for the same road as the road listed or described in the relevant plan; or
- (b) the speed limit set for the road differs from the speed limit for the road proposed in the relevant plan, but the only differences are the following:
 - (i) the timeframe within which the speed limit comes into force;
 - (ii) a minor difference in the exact point on the road at which the speed limit changes.

2.6 Alternative method for Agency (as RCA) or territorial authorities to set speed limits: Director approval

- (1) If the circumstances described in clause 2.5 do not apply, the Agency (as RCA) or a territorial authority may set a speed limit (other than a temporary speed limit or an emergency speed

- limit) for a road under its control only with the Director's approval and after following the process in subclauses (2) to (7).
- (2) The Agency (as RCA) or a territorial authority must—
- (a) seek the Director's approval to set the speed limit for the road; and
 - (b) provide details to the Director of the proposed speed limit, including the information that would need to be submitted to the Registrar under section 200L of the Act.
- (3) Before seeking the Director's approval under subclause (2), the Agency (as RCA) or a territorial authority must—
- (a) when proposing the speed limit, have regard to guidance and information developed and maintained by the Agency under clauses 3.13 and 3.14, including the guidance on the use of mean operating speed when proposing changes to, or setting, speed limits; and
 - (b) when proposing a speed limit for a road that adjoins a road under the control of another road controlling authority (the **adjoining road**), have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.
- (4) The Director must give their approval if they are satisfied that good reason exists for the proposed speed limit to be set before the next relevant plan is published (including before an interim plan has been published).
- (5) If the Director gives their approval, the Agency (as RCA) or the territorial authority may proceed to set the proposed speed limit only if—
- (a) the Agency (as RCA) or the territorial authority consults on the proposed speed limit in accordance with clause 3.8; or
 - (b) the Agency (as RCA) or the territorial authority considers that the proposed speed limit is only a minor deviation from the speed limit for the road proposed in the relevant plan.
- (6) Clause 3.8 applies to any consultation under subclause (5)(a), with all necessary modifications (including that references to a "regional transport committee" in that clause must be read as references to the "territorial authority").

- (7) Before setting the speed limit, the Agency (as RCA) or the territorial authority must consider submissions received during any consultation under subclause (5)(a).
- (8) Once the Agency (as RCA) or the territorial authority, as the case may be, has set the speed limit, the Agency must publish on an Internet site details of the speed limit and whether it was consulted on under subclause (5)(a).

2.7 Additional method for other road controlling authorities to set speed limits: using Section 6 process

- (1) A road controlling authority that is not the Agency (as RCA) or a territorial authority (for example, an airport authority or the Department of Corrections) may also set a speed limit (other than a temporary speed limit or an emergency speed limit) for a road under its control in accordance with Section 6.
- (2) To avoid any doubt, this clause may be used whether or not the circumstances described in clause 2.5 would apply.

Registering speed limits

2.8 Land transport record must be created

- (1) A land transport record must be created for a decision to set a speed limit (other than a temporary speed limit) including, for greater clarity, a decision to declare a speed limit area.
- (2) To avoid any doubt, a speed limit (other than a temporary speed limit) is set once a land transport record has been created for the speed limit.

2.9 Submitting information on speed limits to the Registrar

- (1) When setting a speed limit (other than a temporary speed limit) for a road, a road controlling authority must submit to the Registrar the information required under section 200L of the Act.
- (2) When setting a temporary speed limit for a road, a road controlling authority may submit to the Registrar the information required under section 200L of the Act.
- (3) If a road controlling authority has submitted information on an emergency speed limit under subclause (1) or a temporary speed limit under subclause (2), the road controlling authority must submit to the Registrar the information required under [*the Land Transport (Register of Land Transport Records: Speed Limits)*]

Regulations 2021] as soon as practicable after deciding to remove the emergency speed limit or temporary speed limit.

Installing traffic control devices

2.10 Traffic control devices installed before speed limits come into force

A road controlling authority must, before a speed limit comes into force on a road under its control, ensure that all traffic control devices that are installed on the road and that indicate the speed limit—

- (a) comply with Section 9; and
- (b) comply with Land Transport Rule: Traffic Control Devices 2004.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.11.

Change of road controlling authority, and boundary adjustments

2.11 Change of road controlling authority, and boundary adjustments

- (1) Where the road controlling authority that has control of a road changes, the speed limit that applied to that road before the change of authority continues to apply, until the new road controlling authority sets a different speed limit for that road.
- (2) Where the boundaries of any region or territory are altered, and any road comes under a different region or under the control of a different road controlling authority, the plan that applied to the road before the alteration of the boundaries continues to apply to that road until a subsequent plan including that road is published.

Compare: 1991 No 69 s 81(1).

Section 3 Planning for speed management

3.1 Overview

- (1) This clause sets out an overview of the process for preparing and periodically reviewing speed management plans.
- (2) The Agency (as RCA) and each regional transport committee prepares and consults on a draft speed management plan. Among other things, a draft plan proposes any changes to speed limits on relevant roads.

- (3) After that consultation, a final draft speed management plan is submitted to the speed management committee or the Director (as the case may be) for certification.
- (4) Once the final draft speed management plan is certified, the Agency publishes it.
- (5) Once a speed management plan is published, the Agency (as RCA) and each regional transport committee reviews its speed management plan as provided in this Rule.
- (6) This clause is only a guide and does not affect the other provisions of this Section.

Speed management plans

3.2 Preparing speed management plans

- (1) The Agency (as RCA) must prepare a State highway speed management plan in accordance with clause 3.4.
- (2) Each regional transport committee must prepare a speed management plan for its region in accordance with clause 3.5.
- (3) When preparing or providing information for a plan, the Agency (as RCA), each territorial authority and each regional transport committee must have regard to—
 - (a) the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) the desirability of taking a whole-of-network approach to changing speed limits, safety cameras, and safety infrastructure, including considering a range of speed management interventions; and
 - (c) the guidance and information developed and maintained by the Agency under clauses 3.13 and 3.14, including the guidance on the use of mean operating speed when proposing changes to, or setting, speed limits.
- (4) When preparing or providing information for a plan to propose a change to a speed limit for a relevant road that adjoins a road under the control of another road controlling authority (the **adjoining road**), the Agency (as RCA) and each territorial authority must have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.

3.3 Reviewing, varying and replacing speed management plans

- (1) The Agency (as RCA) and each regional transport committee must review its plan in accordance with the deadlines set by the Agency.
- (2) Clauses 3.4 to 3.11 apply, with all necessary modifications, as if the review were a new plan.
- (3) In setting deadlines under clause 3.6 for the review of a plan, the Agency must set those deadlines so that, as far as reasonably practicable, each plan is reviewed every 3 years.
- (4) The Agency (as RCA) or a regional transport committee may prepare, during the currency of a plan, a variation to a current plan or a new plan to replace a current plan, with the approval of the Director.
- (5) If the Director has approved the preparation of a variation or a new plan, the process set out in clause 3.4 or clause 3.5 (as the case may be) must be followed as far as it is relevant and with any necessary modifications.

3.4 Process for preparing State highway speed management plan

- (1) *Step 1 (first draft):* The Agency (as RCA) must—
 - (a) prepare a first draft State highway speed management plan; and
 - (b) provide the first draft to every territorial authority and every regional transport committee.
- (2) *Step 2 (consultation draft):* The Agency (as RCA) must—
 - (a) consider any comments on the first draft State highway speed management plan received from territorial authorities and regional transport committees; and
 - (b) prepare a consultation draft State highway speed management plan to include the content required by clause 3.7.
- (3) *Step 3 (public consultation):* The Agency (as RCA) must—
 - (a) publish the consultation draft State highway speed management plan on an Internet site; and
 - (b) consult on the consultation draft plan in accordance with clause 3.8.

- (4) *Step 4 (final draft):* The Agency (as RCA) must—
- (a) consider any submissions received on the consultation draft State highway speed management plan (or on a consultation draft regional speed management plan, to the extent that the submissions relate to a State highway); and
 - (b) prepare a final draft State highway speed management plan; and
 - (c) submit the final draft plan to the speed management committee for certification.
- (5) *Step 5 (certification):* The speed management committee must consider whether it is satisfied that the final draft State highway speed management plan meets the requirements in clause 3.10(1) and—
- (a) if the speed management committee is satisfied, it must certify the plan and provide a certificate to that effect; and
 - (b) if the speed management committee is not satisfied—
 - (i) the speed management committee must refer the final draft plan back to the Agency (as RCA) with recommendations for how to meet the requirements in clause 3.10(1); and
 - (ii) the Agency (as RCA) must repeat Step 4, after having regard to the speed management committee’s recommendations.
- (6) *Step 6 (publication):* Once the speed management committee has certified the final draft State highway speed management plan, the Agency must publish, on an Internet site—
- (a) the plan; and
 - (b) the certificate provided under subclause (5)(a).

3.5 Process for preparing regional speed management plans

- (1) *Step 1 (territorial authority input):* Each territorial authority must, for the area in which the roads under its control are located, provide the following information to the regional transport committee:
- (a) the changes (if any) that the territorial authority proposes to speed limits (other than temporary or emergency speed limits), safety cameras, and safety infrastructure on its roads in that region; and

- (b) an implementation programme for at least 3 financial years from the start of the plan that sets out the timeframe within which each change is proposed to come into force; and
 - (c) any explanation required by clause 5.2(4), any proposed designation of a rural school, and the proposed speed limits for any rural schools (*see* Section 5); and
 - (d) for any changes being proposed to a speed limit that do not align with the Agency's estimate of what is the safe and appropriate speed limit for the road, an explanation for why the proposed speed limit differs from the Agency's estimate.
- (2) *Step 2 (consultation draft)*: The regional transport committee for each region must prepare a consultation draft regional speed management plan for its region by—
- (a) compiling the information received from each territorial authority in Step 1 (and may change the presentation of the information for the purpose of presenting a consolidated single document); and
 - (b) compiling any information received from other road controlling authorities that control roads in the region (for example, an airport authority or the Department of Corrections); and
 - (c) including the other content required by clause 3.7.
- (3) *Step 3 (public consultation)*: Each regional transport committee must—
- (a) publish the consultation draft plan for its region on an Internet site; and
 - (b) consult on the consultation draft plan in accordance with clause 3.8.
- (4) *Step 4 (territorial authority consideration)*: Each territorial authority must—
- (a) consider any submissions received on the consultation draft regional speed management plan that relate to the roads under its control; and
 - (b) advise the regional transport committee of any changes that the territorial authority wishes to make to the consultation draft plan in relation to the roads under its control.

- (5) *Step 5 (final draft)*: Each regional transport committee must—
- (a) prepare a final draft regional speed management plan for its region by—
 - (i) amending the consultation draft regional speed management plan to reflect any changes that a territorial authority has advised in Step 4, and any changes advised by road controlling authorities that provided information under clause 3.5(2)(b); and
 - (ii) making any other changes, not inconsistent with the information the territorial authorities provided in Step 1 (as amended to reflect any changes advised in Step 4), that the regional transport committee considers necessary or desirable having regard to any submissions received on the consultation draft plan; and
 - (b) submit the final draft plan to the Director for certification.
- (6) *Step 6 (certification)*: The Director must consider whether they are satisfied that the final draft regional speed management plan for each region meets the requirements in clause 3.10(1) and—
- (a) if the Director is satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if the Director is not satisfied—
 - (i) the Director must refer the final draft plan back to the regional transport committee with recommendations for how to meet the requirements in clause 3.10(1); and
 - (ii) the regional transport committee must repeat Step 5, after having regard to the Director’s recommendations.
- (7) *Step 7 (publication)*: Once the Director has certified the final draft regional speed management plan for a region, the Agency must publish, on an Internet site—
- (a) the plan; and
 - (b) the certificate provided under subclause (6)(a).

3.6 Agency may set deadlines

- (1) The Agency may set deadlines for any requirements or events mentioned in clauses 3.4 and 3.5.

- (2) In setting those deadlines, the Agency must have regard to the desirability of aligning any consultation required under this Rule with (to the extent relevant) any consultation on a regional land transport plan under the Land Transport Management Act 2003.
- (3) A person required or permitted to do anything in relation to a requirement or event mentioned in clause 3.4 or clause 3.5 must use reasonable efforts to comply with any deadline set by the Agency for doing that thing.

3.7 Form and content of plans

- (1) A plan must—
 - (a) identify the changes (if any) being proposed to speed limits (other than temporary and emergency speed limits), safety cameras, and safety infrastructure on the relevant roads; and
 - (b) set out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan.
- (2) A plan must also include—
 - (a) an explanation of how the plan is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) a general explanation of how a whole-of-network approach was taken to changing speed limits, safety cameras and safety infrastructure, including the approach when deciding whether to invest in making a road safer at higher speeds or to set a lower speed limit; and
 - (c) an implementation programme for at least 3 financial years from the start of the plan that sets out—
 - (i) the changes (if any) being proposed to speed limits (including, to the extent practicable, the information that would need to be submitted to the Registrar to set the proposed speed limit), safety cameras and safety infrastructure on the relevant roads; and
 - (ii) the timeframe within which each change is proposed to occur; and
 - (d) any explanation required by clause 5.2(4), any designation of a rural school, and the speed limits for any rural schools (*see* Section 5); and

- (e) a summary of any changes to speed limits, safety cameras and safety infrastructure that were included in the implementation programme in the previous plan (if any) but that have not yet come into force; and
 - (f) a summary of the extent to which, in the road controlling authority's view, the changes to speed limits, safety cameras and safety infrastructure that were included in the implementation programme in the previous plan (if any) that have come into force have been effective in managing speed; and
 - (g) for any changes being proposed to a speed limit that do not align with the Agency's estimate of what is the safe and appropriate speed limit for the road, an explanation for why, after considering the matters in clause 3.2(3), the proposed speed limit differs from the Agency's estimate.
- (3) A State highway speed management plan—
- (a) must also include a general explanation of how the Agency (as RCA) has, when proposing a change to a speed limit, had regard under clause 3.2(4) to the desirability of a road under its control and an adjoining road under the control of another road controlling authority having the same speed limit, unless there is good reason for different speed limits; and
 - (b) may also include changes to safety cameras on roads that are not State highways.
- (4) A regional speed management plan must—
- (a) identify, for any proposed change to a speed limit for a road under the control of a territorial authority (the **first road**) that adjoins a road under the control of another territorial authority (the **second road**), any instances where the speed limit for the first road is different or is proposed to differ from the speed limit for the second road; and
 - (b) include a copy of the State highway speed management plan to the extent that it relates to State highways in the region.
- (5) A plan may include discussion of other matters related to speed management on the relevant roads, including matters regarding temporary and emergency speed limits.
- (6) A plan must be in the form (if any) set by the Agency.

- (7) This clause applies to the consultation draft and final draft of any plan prepared under the steps in clauses 3.4 and 3.5 (but not to the first draft State highway speed management plan).

3.8 Consultation requirements

- (1) When it is required to consult under clause 3.4, the Agency (as RCA) must give a time period of at least 4 weeks, notified on the Internet site where the consultation draft State highway speed management plan is published, for interested parties to make written submissions on the consultation draft.
- (2) When it is required to consult under clause 3.5, a regional transport committee must consult in accordance with the consultation principles specified in section 82 of the Local Government Act 2002.
- (3) When it is required to consult on its consultation draft plan under clause 3.5, each regional transport committee—
- (a) must accept written submissions on behalf of the Agency (as RCA) in relation to the consultation draft State highway speed management plan; and
 - (b) must promptly forward any such submissions to the Agency (as RCA), for the Agency (as RCA) to consider.
- (4) If the Agency receives any submissions on a consultation draft regional speed management plan, it must promptly forward any such submissions to the relevant regional transport committee, for the regional transport committee to consider.
- (5) To avoid any doubt, nothing in this Rule requires a regional transport committee to consult in accordance with the principles specified in section 83 of the Local Government Act 2002.
- (6) A regional transport committee may consult on the regional speed management plan in conjunction with—
- (a) the consultation on the region's regional land transport plan under the Land Transport Management Act 2003; or
 - (b) the relevant regional council's consultation on its long-term plan or its annual plan under the Local Government Act 2002.
- (7) When it is required to consult under clause 3.4 or clause 3.5, the Agency (as RCA) or a regional transport committee (as the case may be) must do everything reasonably practicable to separately consult Māori affected by any proposed change in a draft plan that affects or is likely to affect—

- (a) Māori land; or
- (b) land subject to any Māori claims settlement Act; or
- (c) Māori historical, cultural, or spiritual interests.

Compare: 2003 No 118 s 18G(1).

3.9 Māori contribution to creation of plans

- (1) The Agency (as RCA) and a regional transport committee must, with regard to a plan,—
 - (a) establish and maintain processes to provide opportunities for Māori to contribute to the preparation of the plan; and
 - (b) consider ways in which the Agency (as RCA) or the regional transport committee (as the case may be) may foster the development of Māori capacity to contribute to the preparation of the plan; and
 - (c) provide relevant information to Māori for the purposes of paragraphs (a) and (b).
- (2) Subclause (1) does not limit the ability of the Agency (as RCA) or a regional transport committee to take similar action in respect of any other population group.

Compare: 2003 No 118 s 18H.

3.10 Certification of, and comment on, plans

- (1) For the purpose of clause 3.4(5) or clause 3.5(6), the requirements are—
 - (a) the Agency (as RCA) or the regional transport committee (as the case may be) has confirmed that consultation has been carried out in accordance with clause 3.8; and
 - (b) the Agency (as RCA) or the regional transport committee (as the case may be) has confirmed that the plan sets out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan; and
 - (c) the plan includes the content required by clause 3.7(2)(c)-(g).
- (2) When assessing a final draft plan under clause 3.4 or clause 3.5, the speed management committee or the Director (as the case may be) may also provide comment in writing on the extent to which, in its or their view, the plan—

- (a) is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy;
 - (b) takes a whole-of-network approach by including consideration of a range of speed management interventions; and
 - (c) sets out the objectives, policies and measures for managing speed on relevant roads for at least 10 financial years from the start of the plan; and
 - (d) has had regard under clause 3.2(4) to the desirability of a road under the control of one road controlling authority and an adjoining road under the control of another road controlling authority having the same speed limit, unless there is good reason for different speed limits; and
 - (e) is likely to lead to compliance with clause 5.4 (Implementation period for setting speed limits around schools).
- (3) The speed management committee or the Director (as the case may be) may, after providing comments under subclause (2) and giving the Agency (as RCA) or the regional transport committee (as the case may be) a reasonable time to consider those comments, publish the comments on an Internet site.

3.11 Publication of certified plans

A plan that is published under clause 3.4(6) or clause 3.5(7) may differ from the final draft plan to correct minor or technical errors or to change the format and visual presentation of its content.

Government road safety strategy

3.12 Minister may issue Government road safety strategy

- (1) The Minister may, by written notice to the Agency or the Director, require any publicly available document or documents to be treated as the **Government road safety strategy** for the purposes of this Rule.
- (2) To avoid any doubt, the Minister is not required to create a Government road safety strategy.

Agency to provide guidance and information to support speed management

3.13 Guidance on speed management

- (1) The Agency must develop and maintain guidance on speed management, which must include—
- (a) guidance on the use of mean operating speed when proposing changes to, or setting, speed limits (*see* clause 3.2(3)(c)); and
 - (b) the Agency’s estimate of what is the safe and appropriate speed limit for a road under the control of the Agency (as RCA) or a territorial authority (*see* clauses 3.5(1)(d) and 3.7(2)(g)); and
 - (c) guidance on what the Agency considers is a point of obvious change in the roadside development or the road environment for the purposes of clause 4.7; and
 - (d) guidance on setting speed limits around schools (*see* clause 5.2(1)); and
 - (e) guidance on minimum lengths between speed limit signs (*see* clause 9.2(2)).
- (2) The Agency must supply the guidance to road controlling authorities and regional transport committees.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.1(1)(a).

3.14 Information about speed management for roads

- (1) The Agency must develop and maintain information about speed management for roads under the control of the Agency (as RCA) or a territorial authority.
- (2) When developing and maintaining information about speed management for a road under the control of the Agency (as RCA) or a territorial authority, the Agency must have regard to—
- (a) the function and use of the road; and
 - (b) crash and injury risks for all road users; and
 - (c) the characteristics of the road and roadsides; and
 - (d) adjacent land use; and
 - (e) the number of intersections and property accessways; and
 - (f) traffic volume; and

- (g) any planned physical changes to the road and its infrastructure; and
- (h) the mean operating speed for the road; and
- (i) the principles and outcomes of any Government road safety strategy; and
- (j) any other matter the Agency considers appropriate.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.3.

3.15 Agency must supply information

A road controlling authority or regional transport committee may request from the Agency information about speed management for any road under the control of the Agency (as RCA) or a territorial authority, and the Agency must supply the information to the requester if that information is available.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.4(1) and (3).

Speed management committee

3.16 Speed management committee established

- (1) As soon as practicable after this Rule comes into force, the Agency must establish a speed management committee.
- (2) However, the Minister, not the Agency, may appoint members of the speed management committee.
- (3) The speed management committee must have no more than 9 members.
- (4) The provisions set out in Schedule 2 have effect according to their terms.

3.17 Purpose and functions of speed management committee

- (1) The purposes of the speed management committee are to—
 - (a) provide assurance that the Agency (as RCA) has developed the State highway speed management plan in accordance with this Rule; and
 - (b) provide oversight of the information and guidance on speed management that the Agency provides under this Rule, to ensure that the information is up to date and is fit for purpose.
- (2) The speed management committee has the functions, duties, and powers provided in clause 3.4, clause 3.10 and clause 3.18.

3.18 Speed management committee oversight of Agency

- (1) The speed management committee may request that the Agency—
- (a) provide comment to the committee about any information or guidance the Agency has provided; and
 - (b) procure an independent review of any information or guidance the Agency has provided and provide the outcome of the review to the committee.
- (2) The Agency must comply with any requests made under subclause (1).

Section 4 Technical requirements for speed limits**4.1 Application of clauses 4.2 to 4.4**

Clauses 4.2 to 4.4 apply whenever—

- (a) in a plan, a change is proposed to a speed limit for any road; or
- (b) a road controlling authority sets a speed limit for a road.

4.2 Types of speed limit

A speed limit must be in one of the following types:

- (a) a permanent speed limit:
- (b) a seasonal speed limit:
- (c) a variable speed limit (*see* also clause 4.8):
- (d) a temporary speed limit (which must be set in accordance with Section 7 and which may or may not be entered on the register):
- (e) an emergency speed limit (which must be set in accordance with Section 8).

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 3.1.

4.3 Range of speed limits

A speed limit must be one of the following:

- (a) 10 km/h:
- (b) 20 km/h:
- (c) 30 km/h:
- (d) 40 km/h:

- (e) 50 km/h:
- (f) 60 km/h:
- (g) 70 km/h:
- (h) 80 km/h:
- (i) 90 km/h:
- (j) 100 km/h:
- (k) 110 km/h (which may not be set contrary to clause 4.4).

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 3.2.

4.4 Director approval required for changes to 110 km/h speed limits

- (1) A road controlling authority may not set a speed limit of 110 km/h for a road unless the road controlling authority has requested and obtained the Director's approval under this clause.
- (2) If the Director is satisfied that the road has been designed and constructed, and will be managed and operated, to the standard necessary to safely support 110 km/h travel speeds, the Director—
 - (a) must give approval, and may do so unconditionally or subject to any conditions that the Director considers appropriate; and
 - (b) must set minimum lengths between speed limit signs for the road.
- (3) If the Director is not satisfied, the Director must not give approval.
- (4) The Director must notify the road controlling authority of its decision in writing, including—
 - (a) the conditions to which any approval is subject (if any); and
 - (b) the minimum lengths between speed limit signs for the road.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 4.6(1)-(5).

4.5 Application of clauses 4.6 to 4.8

Clauses 4.6 to 4.8 apply whenever—

- (a) in a plan, a change is proposed to a speed limit for a road, except in the case of—

- (i) a temporary speed limit or an emergency speed limit; or
 - (ii) a road where the road controlling authority is not the Agency (as RCA) or a territorial authority; or
- (b) a territorial authority or the Agency (as RCA) sets a speed limit for a road (other than a temporary speed limit or an emergency speed limit).

4.6 Road lengths for speed limits

- (1) A road for which a speed limit is set under this Rule must be equal to or exceed the minimum length in the table in Schedule 1, unless one or more of the following applies:
- (a) the requirement is impracticable for the road;
 - (b) the speed limit is less than 50 km/h;
 - (c) the section of road is a road outside a school;
 - (d) a lower speed limit is applied to a section of road approaching or following an intersection on the road;
 - (e) a lower speed limit is applied to a section of road as part of a variable speed limit.
- (2) A speed limit may apply to short lengths of road adjoining the road that complies with subclause (1), even though those short lengths of road would not comply with the table in Schedule 1.

4.7 Point on road at which a speed limit changes

- (1) A road controlling authority must be satisfied that the point on a road at which a speed limit changes is at, or close to, a point of obvious change in the roadside development or the road environment.
- (2) For the purposes of this clause, the presence of a school nearby may be treated as an obvious change in the roadside development or the road environment.
- (3) *See also clause 9.1(1).*
Compare: Land Transport Rule: Setting Speed Limits 2017, cl 3.3(3).

4.8 Variable speed limits

- (1) The Agency (as RCA) or a territorial authority may set a variable speed limit only if it is satisfied that—
- (a) the speed limit needs to vary in order to be safe and appropriate for the road; and

- (b) a variable speed limit is necessary to address or manage one or more of the following:
 - (i) different numbers and types of road users or different traffic movements;
 - (ii) the effects of changing traffic volumes, including to ease congestion;
 - (iii) for emergency or temporary traffic management;
 - (iv) a crash risk posed by turning or crossing traffic;
 - (v) changing climatic conditions;
 - (vi) the presence of a school (*see* also Section 5).
- (2) In any other case, the Agency (as RCA) or the territorial authority may set a variable speed limit only with the Director's approval.
- (3) When setting a variable speed limit, the Agency (as RCA) or the territorial authority must install signs as specified by the Director.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 5.1.

Section 5 Speed limits around schools

5.1 Interpretation

For the purposes of Section 5 and clause 4.6, a road controlling authority may determine—

- (a) what sections of the road under its control are **a road outside a school**, having regard to—
 - (i) typical or expected routes for pedestrians to access the school; and
 - (ii) the purpose of making people feel safer to walk to and from school (or travel to and from school on cycles or mobility devices), and encouraging them to do so; and
- (b) what are the **school travel periods** for a school, having regard to any guidance provided by the Agency about school travel periods for schools.

5.2 Maximum permitted speed limits outside schools

- (1) When setting a speed limit for a road outside a school or when designating a school as a rural school, a road controlling

authority must have regard to any guidance provided by the Agency about speed limits outside schools.

- (2) A road controlling authority must set the speed limit for a road outside a school as—
 - (a) a variable speed limit where 30 km/h is the speed limit in force during school travel periods; or
 - (b) a permanent speed limit of 30 km/h.
- (3) Despite subclause (2), a road controlling authority may, if the condition in subclause (4) is satisfied, set the speed limit for a road outside a school as—
 - (a) a variable speed limit where 40 km/h is the speed limit in force during school travel periods; or
 - (b) a permanent speed limit of 40 km/h.
- (4) The condition is that the relevant plan includes an explanation for setting the speed limit for the road outside the school at 40 km/h instead of 30 km/h (either permanently or during school travel periods, as the case may be).
- (5) Despite subclause (2), a road controlling authority is not required to set a speed limit in accordance with subclause (2) if, on 23 April 2021 and immediately prior to the commencement of this Rule, the speed limit for the road outside the school was either—
 - (a) a variable speed limit where 40 km/h is the speed limit in force during school travel periods; or
 - (b) a permanent speed limit of 40 km/h.

5.3 Designated rural schools may have higher speed limits

- (1) A road controlling authority may designate a school as a rural school, by stating the designation in the relevant plan, if the road controlling authority considers that the school is located in a rural area.
- (2) Despite clause 5.2(2), a road controlling authority may set the speed limit for a road outside a school designated as a rural school as—
 - (a) a variable speed limit where 60 km/h or less is the speed limit in force during school travel periods; or
 - (b) a permanent speed limit of 60 km/h or less.

5.4 Implementation period for setting speed limits around schools

A road controlling authority must—

- (a) in relation to at least 40% of the schools adjoining roads under its control, set speed limits so that the roads under its control comply with Section 5 by 30 June 2024; and
- (b) use reasonable efforts that all roads under its control have speed limits set that comply with Section 5 by 31 December 2029.

Section 6 Speed limits for roads not under the control of the Agency (as RCA) or a territorial authority

6.1 Application of Section 6

In Section 6, a reference to a **road controlling authority** means a road controlling authority other than the Agency (as RCA) or a territorial authority.

6.2 Requirements for setting speed limit under Section 6

- (1) A speed limit set under Section 6 must—
 - (a) be a permanent speed limit, a seasonal speed limit, or a variable speed limit; and
 - (b) be one of the speed limits in clause 4.3(a) to (j).
- (2) Where a road controlling authority sets a variable speed limit under Section 6, the road controlling authority must comply with clause 4.8 as though references in that clause to “territorial authority” included the road controlling authority.

6.3 Process before setting speed limit under Section 6

- (1) Before setting a speed limit under Section 6, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
 - (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders; and
 - (b) the level of roadside development; and
 - (c) the condition or class of the road; and
 - (d) the use to which the road is put; and
 - (e) any other matter the road controlling authority considers relevant to public safety; and

- (f) any guidance provided by the Agency.
- (2) Before setting a speed limit under Section 6, the road controlling authority must consult with—
 - (a) the Commissioner; and
 - (b) the Agency; and
 - (c) any other persons or groups who the road controlling authority considers to be directly affected by the proposed speed limit, allowing those persons or groups a reasonable time to make written submissions on the proposal.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 8.1(2)-(3).

6.4 Setting speed limit under Section 6

- (1) Where a road controlling authority sets a speed limit under Section 6, the road controlling authority must comply with clause 2.9.
- (2) To avoid any doubt—
 - (a) a speed limit set under Section 6 must be entered on the register for it to be an applicable speed limit (*see* Section 2); and
 - (b) a road controlling authority can also—
 - (i) set a temporary speed limit for a road under its control in accordance with Section 7; and
 - (ii) set an emergency speed limit for a road under its control in accordance with Section 8.

Section 7 Temporary speed limits

7.1 Criteria for, and requirement to consider, setting temporary speed limits

A road controlling authority—

- (a) must consider setting a temporary speed limit if, in the opinion of the road controlling authority, there is a risk of danger to a worker or the public, or a risk of damage to a road, due to—
 - (i) physical work occurring on or adjacent to a road that impacts the function of the road (including an ongoing work site outside of the hours of work); or

- (ii) the presence of an unsafe road surface or structure;
or
 - (iii) a special event; and
- (b) may set a temporary speed limit if it considers that there is such a risk.

[**Note:** ‘special event’ is a defined term.]

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 6.1.

7.2 How temporary speed limit is set, applies, and is removed

- (1) A temporary speed limit for a road is set and comes into force by installing signs in accordance with Section 7 and a traffic management plan approved in writing by the road controlling authority.
- (2) A temporary speed limit must be—
 - (a) one of the speed limits in clause 4.3(a) to (h); and
 - (b) at least 10 km/h less than any permanent speed limit, or seasonal speed limit or variable speed limit that would otherwise be in force, for the road.
- (3) A temporary speed limit—
 - (a) applies from the point on the road at which a temporary speed limit sign is installed to the point on the road at which a sign indicates that a different speed limit applies; and
 - (b) applies from the time a temporary speed limit sign is installed; and
 - (c) ceases to apply when the temporary speed limit signs are removed; and
 - (d) may apply for no longer than 12 months.
- (4) A road controlling authority that has set a temporary speed limit must take reasonably practicable steps so that the cause of the temporary speed limit is clear to a road user.
- (5) A person who is authorised to install a temporary speed limit sign in accordance with the traffic management plan in subclause (1)—
 - (a) may remove a temporary speed limit sign; and
 - (b) must remove the temporary speed limit signs and equipment used to install or support the signs as soon as

the person is satisfied that the reason for the temporary speed limit no longer applies.

- (6) Where a land transport record exists for a temporary speed limit, when the temporary speed limit signs are removed the road controlling authority must submit required information to the Registrar (*see* clause 2.9(3)).

7.3 Agency or Commissioner may require removal of temporary speed limit

The Agency or the Commissioner may, at any time, require the removal of a temporary speed limit and the removal of accompanying signs and equipment used to install or support the signs, if satisfied that—

- (a) the reason for the temporary speed limit no longer applies; or
- (b) the temporary speed limit is not safe and appropriate for the road in the circumstances for which the speed limit was set.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 6.2(7).

7.4 Setting a temporary speed limit when there is physical work occurring on or adjacent to a road

- (1) Before setting a temporary speed limit due to physical work occurring on or adjacent to a road that impacts the function of the road (including an ongoing work site outside of the hours of work), the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
- (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
 - (b) the nature of the physical work; and
 - (c) the nature and level of risk to persons working on or near the road; and
 - (d) the nature and level of risk to the public.
- (2) A temporary speed limit that is set due to physical work occurring on or adjacent to a road may apply for—
- (a) the period during which there is physical work occurring on or adjacent to a road that impacts the function of the road; or

- (b) specified times during the period in which there is physical work occurring on or adjacent to a road that impacts the function of the road.

Compare: Land Transport Rule: Setting Speed Limits 2017, cls 6.3 and 6.2(4).

7.5 Setting a temporary speed limit when there is an unsafe road surface or structure

- (1) Before setting a temporary speed limit due to the presence of an unsafe road surface or structure, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
 - (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
 - (b) the nature of the unsafe road surface or structure; and
 - (c) the nature and level of risk to the public.
- (2) A temporary speed limit that is set due to the presence of an unsafe road surface or structure may apply for—
 - (a) the period during which an unsafe road surface or structure is present; or
 - (b) specified times during the period in which an unsafe road surface or structure is present.

Compare: Land Transport Rule: Setting Speed Limits 2017, cls 6.4 and 6.2(4).

7.6 Setting a temporary speed limit for a special event

- (1) Before setting a temporary speed limit for a special event, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
 - (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
 - (b) the nature of the special event; and
 - (c) the nature and level of risk to the public.
- (2) A temporary speed limit that is set for a special event may apply for—
 - (a) the period of the special event including any period of time before or after, and associated with, the event; or

- (b) specified times during the period of the special event.

[**Note:** ‘special event’ is a defined term.]

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 6.5.

Section 8 Emergency speed limits

8.1 Meaning of emergency

In this Rule, **emergency** means a situation that—

- (a) is the result of any happening, whether natural or otherwise (including, without limitation, any explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act); 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.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 7.1(1).

Compare: 2002 No 33 s 4 definition of “emergency”.

8.2 Criteria for, and requirement to consider, setting emergency speed limits

A road controlling authority—

- (a) must consider setting 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 is satisfied 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.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 7.1(2).

8.3 Setting an emergency speed limit

- (1) A road controlling authority may set an emergency speed limit for a road under its control after complying with the requirements of subclauses (2) and (3).
- (2) An emergency speed limit must—

- (a) be one of the speed limits in clause 4.3(a) to (h); and
 - (b) be at least 10 km/h less than any permanent speed limit, or seasonal speed limit or variable speed limit that would otherwise be in force, for the road; and
 - (c) apply for no longer than 12 months.
- (3) Before setting an emergency speed limit, the road controlling authority must be satisfied that the speed limit is safe and appropriate for the road, having regard to—
- (a) the circumstances of the emergency; and
 - (b) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
 - (c) the needs of a community affected by the emergency; and
 - (d) the nature and level of risk to the public; and
 - (e) any other measures taken to reduce hazards and risks.

8.4 Setting an emergency speed limit

Where a road controlling authority sets an emergency speed limit, the road controlling authority must—

- (a) record in writing the reasons why it was satisfied that setting an emergency speed limit was necessary; and
- (b) to avoid any doubt, comply with clauses 2.8 and 2.9.

8.5 How emergency speed limit is removed

When a road controlling authority is satisfied that an emergency speed limit for a road is no longer necessary, it must—

- (a) decide to remove the emergency speed limit; and
- (b) submit required information to the Registrar (*see* clause 2.9(3)).

8.6 Agency or Commissioner may require removal of emergency speed limit

The Agency or the Commissioner may, at any time, require a road controlling authority to remove an emergency speed limit that it has set, if satisfied that—

- (a) the reason for the emergency speed limit no longer applies; or

- (b) the emergency speed limit is not appropriate in the circumstances for which the speed limit was set.

Section 9 Signs

9.1 Requirement to provide signs at, or near, point where speed limit changes

- (1) A road controlling authority must install a speed limit sign on the left-hand side of a road under its control at or near, and not more than 50 m from, the point on the road where a speed limit changes.
- (2) If the estimated two-way annual-average daily traffic at the point where a speed limit changes exceeds 500 vehicles, the road controlling authority must also install a speed limit sign on the right-hand side of the road, or on the central median where appropriate, at or near, and no more than 50 m from, that point.
- (3) If a road user might not easily see, or readily understand or react to, a sign that is installed within 50 m of the point on the road where a speed limit changes, a road controlling authority may, despite subclauses (1) and (2), install speed limit signs more than 50 m, but as close to it as reasonably practicable, from that point.
- (4) A speed limit sign may be installed otherwise than as required by subclause (1) if—
 - (a) authorised under this Rule or any other enactment; or
 - (b) a road user might not easily see, or readily understand or react to, a sign that is installed on the left-hand side of the road; or
 - (c) the sign would be more effective if installed above a lane.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 9.1.

9.2 Requirement to provide speed limit signs

- (1) A road controlling authority must install speed limit signs where they will be easily seen by road users and to which they may readily react.
- (2) When installing speed limit signs a road controlling authority must have regard to the Agency's guidance on minimum lengths between speed limit signs.

9.3 Specific requirements for permanent, seasonal and variable speed limit signs

- (1) For a permanent speed limit, a seasonal speed limit or a variable speed limit, the speed limit shown on the associated signs installed by the road controlling authority must not be visible to road users until the speed limit comes into force.
- (2) For a seasonal speed limit, a road controlling authority must ensure that, at any given time, the speed limit on the associated signs installed by the road controlling authority show—
 - (a) the speed limit that is in force at that time under the seasonal speed limit; or
 - (b) the dates on or periods during which the speed limit in force on the road changes under the seasonal speed limit and what speed limit, expressed in km/h, is in force on or between those dates or periods.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 9.3.

9.4 Agency may direct road controlling authority to install, modify, or remove signage

The Agency may direct a road controlling authority to install, modify, or remove a speed limit sign to comply with this Rule.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 9.7.

Section 10 Review of speed limits by Agency

10.1 Agency's powers to monitor and direct road controlling authority and to change or modify a speed limit

- (1) The Agency may monitor road controlling authorities and regional transport committees for compliance with this Rule.
- (2) The Agency must notify a road controlling authority in writing if it has reason to believe that the road controlling authority might not have complied with this Rule, and give the road controlling authority a reasonable opportunity to respond to the notification.
- (3) If the Agency is not satisfied by a road controlling authority's response to the notice under subclause (2), the Agency may issue directions to the road controlling authority regarding matters to be addressed.
- (4) A road controlling authority must comply with directions given by the Agency under clause 10.1(3), 10.1(5), or 9.4, or with the

requirements of the Agency or the Commissioner under clause 7.3 or 8.6.

- (5) If the Agency reasonably believes that a road controlling authority has not complied with this Rule in setting a speed limit, or proposing to change a speed limit, or that a speed limit set by a road controlling authority does not comply with this Rule, the Agency may direct the road controlling authority to do the following:
- (a) set the speed limit in accordance with the Agency directions:
 - (b) review or change the procedures used by the road controlling authority to set speed limits or to propose to change speed limits to comply with this Rule:
 - (c) carry out the instructions in paragraph (a) and (b) within a stated period.
- (6) If a road controlling authority does not comply with directions given under clause 10.1(3), 10.1(5), or 9.4, or the requirements of the Agency or the Commissioner under clause 7.3 or 8.6, the Agency may exercise the power of the road controlling authority to set the speed limit under this Rule.
- (7) If the Agency exercises powers under subclause (6), the reasonable expenses incurred by the Agency in exercising those powers become a debt due by the road controlling authority to the Agency and may be recovered by the Agency accordingly.

Compare: Land Transport Rule: Setting Speed Limits 2017, cl 2.10.

10.2 Ability to change speed limit where Agency has previously directed change to speed limit

If the Agency has given a direction under clause 10.1(5) to set a speed limit or exercised the powers of a road controlling authority to set a speed limit under clause 10.1(6), a road controlling authority may not change the speed limit from the speed limit directed or set by the Agency in the five years following the direction or setting, unless it has the Agency's approval.

Section 11 Revocation, transitional provisions, and consequential amendments

11.1 2017 Rule revoked

Land Transport Rule: Setting of Speed Limits 2017 is revoked.

11.2 Continuation of record keeping obligation under 2017 Rule

Despite clause 11.1, each road controlling authority must continue to retain the details referred to in clause 2.8(7) of Land Transport Rule: Setting of Speed Limits 2017 for at least seven years from the date on which the new speed limit (within the meaning of that clause) came into force.

11.3 Transitional provisions

The provisions of Schedule 3 apply according to their terms despite anything else in this Rule.

11.4 Amendments to Land Transport Rule: Traffic Control Devices 2004

- (1) This clause amends the Land Transport Rule: Traffic Control Devices 2004.
- (2) In clause 4.2(1), replace “as specified in *section 9* of *Land Transport Rule: Setting of Speed Limits 2017*” with “as required by *Section 9* of *Land Transport Rule: Setting of Speed Limits 2021*”.

Schedule 1
Road lengths for speed limits

Ref: clause 4.6(1)

Speed limit (km/h)	Minimum length (m)
50	500
60	600
70	700
80	800
90	2000
100	2000
110	As approved by the Director under clause 4.4

Compare: Land Transport Rule: Setting Speed Limits 2017, Schedule 1.

Schedule 2

Speed management committee

Ref: clause 3.16(4)

1 Appointment of members

- (1) An appointment of a member to the speed management committee must be made by written notice to the member (with a copy to the committee).
Compare: 2004 No 115 s 28(2).
- (2) The notice must—
 - (a) state the date on which the appointment takes effect which must not be earlier than the date on which the notice is received; and
 - (b) state the term of the appointment.Compare: 2004 No 115 s 28(3).
- (3) The Minister may only appoint a person who, in the Minister's opinion, has—
 - (a) the appropriate knowledge, skills, and experience in relation to speed management and road safety; or
 - (b) the appropriate knowledge, skills, and understanding of the impacts of speed management on local government, motorists, rural communities, vulnerable road users, freight carriers or enforcement matters; or
 - (c) has other appropriate knowledge, skills, and experience to assist the committee to achieve its purposes, perform its functions and duties, and exercise its powers.
- (4) A person is disqualified from being a member of the committee if they would be disqualified from being a member of a statutory entity under section 30(2) of the Crown Entities Act 2004.

2 Requirements before appointment

- (1) Before a person is appointed as a member of the committee, the person must—
 - (a) consent in writing to being a member; and
 - (b) certify that they are not disqualified from being a member (*see* clause 1(4) of this Schedule); and
 - (c) make a disclosure required by [section 96B](#) of the Land Transport Management Act 2003 (and for that purpose the relevant person is the Minister).

- (2) The committee must notify the Minister of a failure to comply with subclause (1)(c) as soon as practicable after becoming aware of the failure.

Compare: 2004 No 115 s 31.

3 Chairperson and deputy chairperson of committee

Clauses 1 to 5 of [Schedule 5](#) of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications.

4 Procedure of committee

Clauses 6 to 14 of [Schedule 5](#) of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications.

5 Certain provisions of Crown Entities Act 2004 apply to committee and its members

- (1) The following provisions of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications:

- (a) section 32 (which relates to the term of office of members):
- (b) section 34 (which relates to the validity of members' acts):
- (c) section 35 (which relates to the validity of appointment of members):
- (d) section 36(1)-(3) (which relates to the removal of members):
- (e) section 41(a)-(b) (which relates to the process for removal of members):
- (f) section 44 (which relates to the resignation of members):
- (g) section 45 (which relates to members ceasing to hold office).

- (2) Clause 15 of [Schedule 5](#) of the Crown Entities Act 2004 applies as if the committee were a committee appointed under clause 14 of that schedule and with all other necessary modifications.

Compare: 2008 No 91 s 85

Schedule 3

Transitional provisions

Ref: clause 11.3

1 Definitions for transitional provisions

In this Schedule,—

existing speed limit, in relation to any road, means the speed limit set under an enactment and in force for the road immediately prior to the commencement of this Rule

interim period means, in relation to a road controlling authority, the period—

- (a) beginning at the end of the transitional period; and
- (b) ending on the day on which the first relevant plan (that is not an interim plan) is published

transitional period, means—

- (a) in relation to the Agency (as RCA) or a territorial authority, the period—
 - (i) beginning on the commencement of this Rule; and
 - (ii) ending on the day on which land transport records have effect under section 200H of the Act in respect of all the roads under the control of the Agency (as RCA) or the territorial authority, as the case may be, for which there is an existing speed limit; and
- (b) in relation to a road controlling authority other than the Agency (as RCA) or a territorial authority, the period—
 - (i) beginning on the commencement of this Rule; and
 - (ii) ending on [*a date to be confirmed*].

2 Existing speed limits continue to apply

- (1) An existing speed limit for a road (other than a temporary speed limit) remains the applicable speed limit for the road until a land transport record in respect of a speed limit for that road has effect under section 200H of the Act.
- (2) An existing speed limit for a road that is a temporary speed limit remains the applicable speed limit for the road until either—
 - (a) the temporary speed limit is removed in accordance with this Rule;
 - or

- (b) a land transport record in respect of the temporary speed limit for that road has effect under section 200H of the Act (in which case the applicable speed limit becomes, in accordance with clause 2.1(1), the speed limit for the road in the register).

3 Removing existing temporary and emergency speed limits

An existing speed limit for a road that is a temporary speed limit or an emergency speed limit must be removed in accordance with this Rule.

Setting speed limits during transitional period

4 Speed limits must or may be set during transitional period

- (1) During the transitional period the Agency (as RCA) and every territorial authority must, for each road under its control for which there is an existing speed limit, do one of the following:
 - (a) re-set an existing speed limit under clause 5 of this Schedule; or
 - (b) set an updated speed limit under clause 6 of this Schedule; or
 - (c) set a new speed limit under clause 7 of this Schedule.
- (2) During the transitional period a road controlling authority that is not the Agency (as RCA) or a territorial authority (for example, an airport authority or the Department of Corrections) may, for a road under its control, do one of the following:
 - (a) re-set an existing speed limit under clause 5 of this Schedule; or
 - (b) set an updated speed limit under clause 6 of this Schedule; or
 - (c) set a new speed limit under clause 7 of this Schedule.
- (3) A road controlling authority must, for all speed limits (other than any temporary speed limits) set during the transitional period, submit to the Registrar the information required under section 200L of the Act.
- (4) To avoid any doubt, a speed limit set during the transitional period is and must be treated as the valid speed limit once a land transport record has been created for the speed limit.

5 Re-setting an existing speed limit during transitional period

- (1) During the transitional period a road controlling authority may decide to set an existing speed limit for a road as the speed limit for the road.
- (2) A road controlling authority sets a speed limit under this clause by submitting to the Registrar the information required under section 200L of the Act that is consistent with the details of the existing speed limit.

- (3) Where an existing speed limit is based on a bylaw, *see [the Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2021]*.

6 Setting an updated speed limit during transitional period

- (1) During the transitional period a road controlling authority may seek the Director's approval to set a speed limit (other than a temporary speed limit or an emergency speed limit) for a road—
- (a) by taking the existing speed limit for the road and making any of the following modifications:
 - (i) changing the location of the start point or end point (or both) of the speed limit to align with the positions of speed limit signs in place on the road at the commencement of this Rule;
 - (ii) changing the speed limit expressed in kilometres per hour to align with that displayed on speed limit signs in place on the road at the commencement of this Rule; or
 - (b) where no bylaw exists or can be found that sets the speed limit for the road, by setting a speed limit for the road that is consistent with speed limit signs in place on the road at the commencement of this Rule.
- (2) The Director must give approval if they are satisfied that the speed limit has been set in accordance with subclause (1).
- (3) A road controlling authority sets a speed limit under this clause by submitting to the Registrar the information required under section 200L of the Act that is consistent with the details of the speed limit approved by the Director.
- (4) Where the existing speed limit in subclause (1)(a) was based on a bylaw, *see [the Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2021]*.

7 Setting a new speed limit during transitional period

- (1) During the transitional period a road controlling authority may set a speed limit for any road under its control in accordance with—
- (a) any enactment (other than this Rule) that empowers or requires the road controlling authority to do so; or
 - (b) the Land Transport Rule: Setting of Speed Limits 2017 as if it were in force, despite clause 11.1.
- (2) To avoid any doubt, clause 4(3) of this Schedule applies to any speed limit set under subclause (1).

- (3) To avoid any doubt, any road controlling authority may set a speed limit for a road under subclause (1) regardless of whether—
 - (a) an existing speed limit exists for the road; or
 - (b) the road controlling authority has already set a speed limit for the road under clauses 5 or 6 of this Schedule.
- (4) Where the speed limit set under subclause (1) is a bylaw, *see [the Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2021]*.

Setting speed limits during interim period

8 Overview of interim period

- (1) During the interim period, a road controlling authority may set a speed limit in the following ways:
 - (a) if an interim plan has been published, under clause 2.5:
 - (b) under clause 2.6:
 - (c) under clause 10 of this Schedule.
- (2) This clause is only a guide and does not affect the other provisions of this Rule.

9 Creating an interim speed management plan

- (1) During the interim period, the Agency (as RCA), a regional transport committee or a territorial authority may create an interim speed management plan in accordance with this Schedule.
- (2) A territorial authority may create its own interim territorial authority speed management plan even if the relevant regional transport committee is also creating an interim regional speed management plan.
- (3) However, a territorial authority must not publish a consultation draft interim territorial authority speed management plan if the regional transport committee has notified the territorial authority of the committee's intention to publish a consultation draft interim regional speed management plan within the next 28 days, at which point the territorial authority must instead participate in the creation of an interim regional speed management plan.
- (4) The Agency (as RCA), a regional transport committee or a territorial authority may vary its interim speed management plan at any time in the interim period by taking the same steps that are required to create an interim plan, but needs to consult only on the variations proposed to be made to the interim plan.

- (5) Clause 3.11, with necessary modification, applies to the publication of interim plans.

10 Setting an updated speed limit during interim period

- (1) During the interim period, the Agency (as RCA) or a territorial authority may seek the Director's approval to set a speed limit (other than a temporary speed limit or an emergency speed limit) for a road by taking the applicable speed limit for the road and making any of the following modifications:
- (a) changing the location of the start point or end point (or both) of the speed limit to align with the positions of speed limit signs in place on the road at the commencement of this Rule;
 - (b) changing the speed limit expressed in kilometres per hour to align with that displayed on speed limit signs in place on the road at the commencement of this Rule.
- (2) The Director must give approval if they are satisfied that the speed limit has been set in accordance with subclause (1).
- (3) A road controlling authority sets a speed limit under this clause by submitting to the Registrar the information required under section 200L of the Act that is consistent with the details of the speed limit approved by the Director.

Interim plans

11 Preparing interim plans

- (1) When preparing or providing information for an interim plan, the Agency (as RCA), each territorial authority and each regional transport committee must have regard to—
- (a) the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) the desirability of taking a whole-of-network approach to changing speed limits and safety infrastructure, including considering a range of speed management interventions; and
 - (c) the guidance and information developed and maintained by the Agency under clauses 3.13 and 3.14, including the guidance on the use of mean operating speed when proposing changes to, or setting, speed limits.
- (2) Clause 3.9 also applies in respect of preparing or varying an interim plan.

12 Form and content of interim plans

- (1) An interim plan must identify the changes (if any) being proposed to speed limits (other than temporary and emergency speed limits) and safety infrastructure on the relevant roads.
- (2) An interim plan may also include—
 - (a) an explanation of how the plan is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) a general explanation of how a whole-of-network approach was taken to changing speed limits and safety infrastructure, including the approach when deciding whether to invest in making a road safer at higher speeds or to set a lower speed limit; and
 - (c) an implementation programme for at least 3 financial years from the start of the interim plan that sets out the changes (if any) being proposed to speed limits and safety infrastructure on the relevant roads and the timeframe within which each change is proposed to occur; and
 - (d) any explanation required by clause 5.2(4), any designation of a rural school, and the speed limits for any rural schools (*see* Section 5); and
 - (e) for any changes being proposed to a speed limit that do not align with the Agency’s estimate of what is the safe and appropriate speed limit for the road, an explanation for why, after considering the matters in clause 3.2(3), the proposed speed limit differs from the Agency’s estimate.
- (3) An interim plan may include discussion of other matters related to speed management on the relevant roads, including matters regarding temporary and emergency speed limits, and safety cameras.
- (4) An interim plan must be in the form (if any) set by the Agency.

13 Certification of, and comment on, interim plans

- (1) For the purpose of clauses 14(2), 15(4) and 16(2) of this Schedule, the requirements are—
 - (a) the Agency (as RCA), the regional transport committee or territorial authority (as the case may be) has confirmed that consultation has been carried out in accordance with clause 3.8; and
 - (b) the plan includes the content required by clause 12 of this Schedule.

- (2) When assessing a final draft interim plan, the Director or the speed management committee (as the case may be) may also provide comment in writing on the extent to which, in their or its view, the plan—
 - (a) is consistent with the road safety aspects of the GPS on land transport and any Government road safety strategy; and
 - (b) takes a whole-of-network approach by including consideration of a range of speed management interventions.
- (3) The Director or the speed management committee (as the case may be) may, after providing comments under subclause (2) and giving the Agency (as RCA), the regional transport committee or the territorial authority (as the case may be) a reasonable time to consider those comments, publish the comments on an Internet site.

14 Process for interim State highway speed management plan

- (1) To create an interim State highway speed management plan, the Agency (as RCA) must—
 - (a) prepare a consultation draft interim plan to include the content required by clause 12 of this Schedule; and
 - (b) publish the consultation draft interim plan on an Internet site; and
 - (c) consult on the consultation draft interim plan in accordance with clause 3.8 as if the interim plan were the State highway speed management plan; and
 - (d) consider any submissions received on the consultation draft interim plan; and
 - (e) prepare a final draft interim plan and submit it to the Director for certification (unless the Minister confirms in writing to the Director that the speed management committee is established and able to act).
- (2) The Director or the speed management committee (as the case may be) must consider whether it is satisfied that the final draft interim plan meets the requirements in clause 13(1) of this Schedule and—
 - (a) if it is satisfied, it must certify the plan and provide a certificate to that effect; and
 - (b) if it is not satisfied—
 - (i) it must refer the final draft interim plan back to the Agency (as RCA) with recommendations for how to meet the requirements in clause 13(1) of this Schedule; and

- (ii) the Agency (as RCA) must repeat the step at subclause (1)(e), after having regard to the recommendations of the Director or the speed management committee (as the case may be).
- (3) Once the Director or the speed management committee (as the case may be) has certified the final draft interim plan, the Agency must publish, on an Internet site—
 - (a) the interim plan; and
 - (b) the certificate provided under subclause (2)(a).

15 Process for interim regional speed management plan

- (1) In this clause, **participating territorial authorities** means territorial authorities that—
 - (a) have elected to participate in the creation of an interim regional speed management plan; or
 - (b) have already published interim speed management plans for their area by the time the regional transport committee takes Step 1 to create an interim regional speed management plan.
- (2) To create an interim regional speed management plan, a regional transport committee and each participating territorial authority must follow Steps 1 to 4 in clause 3.5(1) to (4) with the following modifications:
 - (a) the plan only relates to roads under the control of participating territorial authorities;
 - (b) any reference to a “territorial authority” in clause 3.5 only applies to a participating territorial authority;
 - (c) in Step 2 (at clause 3.5(2)), the regional transport committee must also compile the information from territorial authorities in the region that have already published interim speed management plans.
- (3) Following Step 4, the regional transport committee must—
 - (a) prepare a final draft interim plan, by—
 - (i) amending the consultation draft interim plan to reflect any changes that a territorial authority has advised in Step 4, and any changes advised by road controlling authorities that provided information under clause 3.5(2)(b); and
 - (ii) making any other changes, not inconsistent with the information the territorial authorities provided in Step 1 (as amended to reflect any changes advised in Step 4), that the regional transport committee considers necessary or desirable

having regard to any submissions received on the consultation draft plan; and

- (b) submit the final draft interim plan to the Director for certification.
- (4) The Director must consider whether they are satisfied that the final draft interim plan meets the requirements in clause 13(1) of this Schedule and—
- (a) if they are satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if they are not satisfied—
 - (i) they must refer the final draft interim plan back to the regional transport committee with recommendations for how to meet the requirements in clause 13(1) of this Schedule; and
 - (ii) the regional transport committee must repeat the step at subclause (2), after having regard to the Director’s recommendations.
- (5) Once the Director has certified the final draft interim plan, the Agency must publish, on an Internet site—
- (a) the interim plan; and
 - (b) the certificate provided under subclause (4)(a).

16 Process for interim territorial authority speed management plan

- (1) To create an interim territorial authority speed management plan for roads in its area, a territorial authority must—
- (a) prepare a consultation draft interim plan to include—
 - (i) the content required by clause 12 of this Schedule; and
 - (ii) any relevant information received from road controlling authorities that are not the Agency (as RCA) or a territorial authority and that control roads in the area; and
 - (b) subject to clause 9(3) of this Schedule, publish the consultation draft interim plan on an Internet site; and
 - (c) consult on the consultation draft interim plan in accordance with clause 3.8 as if the interim plan were the regional speed management plan; and
 - (d) consider any submissions received on the consultation draft interim plan; and
 - (e) prepare a final draft interim plan and submit it to the Director for certification.

- (2) The Director must consider whether they are satisfied that the final draft interim plan meets the requirements in clause 13(1) of this Schedule and—
- (a) if they are satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if they are not satisfied—
 - (i) they must refer the final draft interim plan back to the territorial authority with recommendations for how to meet the requirements in clause 13(1) of this Schedule; and
 - (ii) the territorial authority must repeat the step at subclause (1)(e), after having regard to the Director’s recommendations.
- (3) Once the Director has certified the final draft interim plan, the Agency must publish, on an Internet site—
- (a) the interim plan; and
 - (b) the certificate provided under subclause (2)(a).