

SETTING OF SPEED LIMIT RULE 2021

Questions and answers

23 APRIL 2021

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The Setting of Speed Limits Rule 2021 proposes a new, more co-ordinated and transparent approach to speed management.

What is the Setting of Speed Limits Rule 2021?

The Setting of Speed Limits Rule 2021 proposes a new, more co-ordinated and transparent approach to speed management. Decisions about engineering upgrades, speed limit changes and the placement of safety cameras are made together and clearly set out in speed management plans.

These plans bring together infrastructure investment and speed management decisions and would be coordinated by regional transport committees (RTCs) and set out in regional speed management plans. This approach supports a whole-of-network, rather than a road-by-road, approach.

The proposed Rule would also mandate lower speed limits outside schools, creating a safer travel environment and enabling more children to walk, cycle and scoot to school. The proposed Rule will require all school speed limits to be reduced by 2030.

The changes also include the establishment of an independent Speed Management Committee to certify the State highway plan, developed by Waka Kotahi (in its capacity as RCA for the State highway network).

For speed management, the Director of Land Transport¹ would certify regional plans, with functions such as publishing plans, guidance and setting of timelines remaining with Waka Kotahi.

What are the key proposals in this Rule?

The proposed Rule will give effect to a new regulatory framework, which includes:

- Requiring all RCAs that are territorial authorities (including Waka Kotahi) to include their proposed speed limit changes and safety infrastructure treatments (which will include proposed placement of safety cameras) for the coming 10 years into speed management plans
- RTCs will coordinate input from RCAs to create and consult on a regional speed management plan, aligning with the regional land transport planning process
- Giving the new Director of Land Transport (within Waka Kotahi) the responsibility for certifying regional speed management plans, with functions such as publishing plans, guidance and setting of timelines remaining with Waka Kotahi
- Establishing an independent Speed Management Committee to certify the Waka Kotahi State highway speed management plan, and to oversee the information and guidance on speed management Waka Kotahi (as regulator) provides to RCAs

¹ The Director of Land Transport role was created under the *Land Transport (NZTA) Legislation Amendment Act 2020* to strengthen Waka Kotahi's regulatory leadership.

- Allowing RCAs to develop interim plans to progress speed management changes prior to 2023 (which is when RCAs and RTCs will be required to follow the full planning process)
- Introducing a new process for setting speed limits outside of speed management plans, as well as for RCAs that are not territorial authorities
- Requiring all speed limits, other than temporary speed limits, to be entered into a national register to give legal effect to all speed limits, other than temporary speed limits. Waka Kotahi (as regulator) will be the Registrar of the register.
- Requiring RCAs to reduce speed limits around:
 - urban schools to 30 km/h (variable or permanent speed limits), with the option of implementing 40 km/h speed limits if appropriate
 - rural schools to a maximum of 60 km/h (variable or permanent speed limits).
- RCAs will need to reduce 40% of their school speed limits by 2024, with all speed limits completed by 2030.

What does this mean when it comes to setting speed limits on roads?

- RTCs would be responsible for collating input from RCAs and developing regional speed management Plans. RCAs will be expected to take a 'whole-of-network' approach to considering speed management changes. Waka Kotahi will support RCAs in this process.
- Plans would set out the objectives, principles and measures for speed management on relevant roads for at least 10 financial years from the start of the Plan. Plans will be developed every six years and updated and consulted on every three years.
- Waka Kotahi (as an RCA) will be responsible for producing a State highway speed management Plan, which will be certified by an independent speed management committee.

Will there be blanket reductions to speed limits?

No. RCAs are expected to take an incremental, risk-based approach to speed management. Speed management reviews will be focussed on high risk roads and roads where communities have expressed strong support for safer speed limits. In these areas, RCAs will be required to consider whether engineering improvements and speed limit adjustments make the most sense. There will be no change to default speed limits on the network, although there will be new requirements for safer speed limits outside all schools.

How will I have input into what speed limit will be set on the road outside my gate, around my child's school, or a road I use every day to get to work?

As part of the speed management planning process, RCAs will be required to consult on their proposed plans. You will be able to make submissions on any speed limits at this time.

If RCAs no longer need to set speed limit bylaws, when will speed limits become legal?

All speed limits (other than temporary speed limits) will become legal when they are entered into the Register of Land Transport Records (the register). To ensure all legal speed limits are in the register, RCAs must ensure all existing speed limit bylaws are migrated into the register.

Who determines which schools are considered ‘rural’ and which are ‘urban’?

If an RCA considers a school to be located in a rural area, it must designate this through the relevant Plan. Designating a school ‘rural’ will provide the local community an opportunity to provide feedback through public consultation. This will mean if an RCA wants to set a speed limit greater than 40 km/h, it will need to take the active step of designating a school as ‘rural’.

What’s the role of safety cameras when it comes to regional speed management plans?

Speed Management Plans would bring together infrastructure investment and speed management decisions across the network, including proposals for the placement of safety cameras. Waka Kotahi will be responsible for the overall safety camera network and will work with RCAs on camera placement. These will be targeted to risk, based on deaths and serious injuries on our roads.

Will there be more safety cameras on New Zealand roads?

Currently, there are about 100 safety cameras in the network (not including those cameras owned and operated by Auckland Transport). Waka Kotahi will be considering investment in increasing the number of safety cameras on the highest risk parts of the network, alongside investment in other safety interventions.

What if an RCA wants to make a speed limit change outside of the three-yearly consultation cycle?

- If an RCA wants to change a speed limit, and it’s not stipulated in their speed management Plan, they still can – so as long as Waka Kotahi (as regulator) agrees good reason exists for making the change before the next relevant Plan.
- The RCA will not need to consult if the change is consistent with the relevant Plan and the RCA considers it only a minor deviation from the speed limit. If the RCA does need to consult, the RCA must take account of submissions received during consultation when finalising the proposal.
- As part of the transition, RCAs will also be able to develop interim Plans to progress speed management changes prior to 2023 (which is when RCAs and RTCs will be required to follow the full planning process).
- The Rule will also allow an RTC to progress an interim Plan, which can include any RCAs in their area that are ready to progress speed limit changes. If any RCA is not wishing to progress speed limit changes during this period, the RTC would still be able to progress an interim Plan with other interested RCAs in their area.

Will there be guidance or support to develop regional speed management plans?

Yes. To support the proposed Rule, a new *Speed Management Guide* will be released, following a period of engagement with stakeholders. This will occur once the proposed Rule is finalised. The *Speed Management Guide* will provide RCAs and RTCs further detail on the new process and matters to be considered when planning for and implementing speed management changes.

What are the specific roles of relevant parties under this framework?

Body	Responsibilities
Waka Kotahi (as an RCA)	<ul style="list-style-type: none"> • Works with regional transport committees to develop, consult on, finalise and publish State highway speed management plans.
Regional transport committees	<ul style="list-style-type: none"> • Collate input from RCAs within a region and develop, consult on and finalise regional speed management plans. • Provide a forum to encourage consistency across the network, managing interactions and implementation timing across RCAs, and working through any boundary issues with bordering regions.
Waka Kotahi (as regulator)	<ul style="list-style-type: none"> • Certifies regional speed management plans prepared by regional transport committees to ensure they comply with requirements in the rule. • Approves speed limit changes that are done outside the speed management planning cycle. • Provides information and guidance on speed management to RCAs. • Provides support and advice to the speed management committee, as well as playing an administration role.
Speed management committee	<ul style="list-style-type: none"> • Certifies State highway speed management plans prepared by Waka Kotahi (as an RCA) to ensure they comply with the rule. • Provides oversight of the information and guidance on speed management that Waka Kotahi (as regulator) provides under the rule, to ensure that the information is up to date and is fit for purpose.

How will the new regulatory framework affect road users?

The new framework will primarily affect councils and Waka Kotahi in terms of how they plan, consult on and implement speed management changes. The aim is to improve the process by removing some of the confusion and encouraging regional collaboration.

However, the new process will also improve transparency for the public. Speed management plans will provide road users with better information, allowing them to see and comment on all speed management and infrastructure proposals for the next 10 years.

Can consultation on regional speed management plans and the State highway speed management plans be combined?

To support a more coordinated approach to speed management, regional transport committees and Waka Kotahi (as RCA) will be encouraged to align consultation processes.

Why are you focusing on implementing lower speed limits around schools when deaths and serious injuries around schools are relatively low?

The motivation for focusing on lower speed limits around schools is to improve safety and to encourage more children to take active modes of transport to and from urban schools. While crashes tend to be relatively low around schools, they still occur. Motorists should be travelling at safe speeds past schools, particularly during peak hours in the morning and afternoon.

Implementing safer speed limits on roads around schools can lower actual travel speeds, making these areas safer, more attractive and more accessible for children to walk and cycle. This is an important factor in determining whether parents and children are comfortable making use of active modes of transport getting to and from school.

Adopting a new approach to safety cameras is an initiative under the Tackling Unsafe Speeds programme. Will the new rule impact this initiative?

NZ Police and Waka Kotahi are in the process of implementing this initiative. However, it does not require a rule change so feedback on this is not being sought through consultation on this draft rule.

How can I make a submission?

You can send your submission via the online form or by email to rules@nzta.govt.nz. The online submission form is available at www.nzta.govt.nz/speedrule2021

What is the timeline for making a submission?

Public consultation runs from 23 April – 25 June 2021, this includes meetings with RCA and other key stakeholders in 9 locations around New Zealand during May.