

In Confidence

Office of the Associate Minister of Transport

Chair

Cabinet Economic Development Committee

TACKLING UNSAFE SPEEDS PROGRAMME

Proposal

1. This paper seeks Cabinet's in-principle agreement to the *Tackling Unsafe Speeds* programme.
2. The proposed programme includes:
 - 2.1. implementing a simpler and more effective regulatory framework for speed management, which includes requiring road controlling authorities (RCAs)¹ to work with regional transport committees to develop, consult on and implement speed management plans
 - 2.2. transitioning to lower speed limits around schools to improve safety and enable more kids to walk or cycle to school safely
 - 2.3. adopting a new 'highly visible, no surprises' approach to safety cameras.

Executive summary

3. Tackling unsafe speeds² is a critical part of improving road safety. There is strong evidence that a decrease in the mean travel speed on a road is associated with a decrease in the number of crashes, as well as the severity of crashes when they do occur.³ We have heard from local government and other stakeholders that a better approach is needed to remove barriers to safer speeds, while continuing to work closely with affected communities.
4. On 1 July 2019, I provided Cabinet with a high-level summary of the *Tackling Unsafe Speeds* proposals. Cabinet invited me to report back in October 2019 seeking approval to the Tackling Unsafe Speeds Programme [DEV-19-MIN-0175]. *Tackling Unsafe Speeds* is one of the proposed immediate actions in the *Road to Zero* strategy.

¹ A road controlling authority, as defined in the Land Transport Act 1998, is the authority, body, or person having control of a road. In most cases, these are territorial authorities.

² An unsafe speed does not just relate to whether or not an individual is within the currently set speed limit on a particular road. An unsafe speed is where an individual road user is travelling too fast for the conditions.

³ [International Transport Forum's 2018 report on speed and crash risk.](#)

A new regulatory framework

5. There is a lack of clarity around the current speed limit setting process, which is leading to inconsistent approaches to consultation and engagement, and decision making. The process is also cumbersome which increases costs for councils. This has led to:
 - 5.1. speed limits that do not reflect the nature of the road
 - 5.2. a lack of transparency and accountability around speed management
 - 5.3. some RCAs deferring speed management changes, as they view it as too hard
 - 5.4. inconsistency across the road network.
6. I propose to implement a new regulatory framework to create a more streamlined, transparent and coordinated approach to speed management. Territorial authority RCAs will be required to develop and consult on speed management plans coordinated at a regional level through regional transport committees. The NZ Transport Agency will be required to prepare a National Speed Management Plan for the State highway network. These plans will be developed and aligned with the land transport planning process to bring together infrastructure investment and speed management decisions.

Transitioning to safer speed limits around schools

7. Implementing safer speed limits around schools will help to support more liveable and thriving communities by improving safety and increasing accessibility, enabling more children to walk and cycle to school safely. Increased rates of active modes of transport, such as walking and cycling, may also have a range of co-benefits, including health benefits.
8. Under the proposed regulatory framework, RCAs will be required to plan and prioritise transitioning to safer speed limits around urban and rural schools over the 10 years of the *Road to Zero* strategy.

A new approach to the safety camera network

9. New Zealand currently adopts an 'anywhere, anytime' enforcement approach to safety cameras where the location of cameras are not signed, and motorists do not know where enforcement may take place. New Zealand also has relatively few cameras on the network compared to other jurisdictions. NZ Police currently own and operate the cameras and infringement processing system.
10. I propose that we adopt a new approach to safety cameras, similar to that used in Sweden. This will involve increasing the number of cameras over time, positioning them on the highest risk parts of the network with clear signage, and ensuring camera placement is incorporated into speed management plans. The intent of this 'highly visible, no surprises' approach is to support and over time create a new social norm among drivers that it is easier and better to follow the speed limit, reducing

deaths and serious injuries (DSIs) by encouraging motorists to travel at the safe and legal speed on high-risk parts of the network.

11. We will adopt an incremental and risk-based approach to deployment of more cameras across the network, supported by clear communication with the public.

Background

Tackling unsafe speeds is a critical part of improving road safety

12. In 2016, travelling too fast for the conditions was the second highest contributing factor to causes of fatal and serious injury crashes. In the event of a crash, regardless of its cause, the speed of impact is the most important determinant of the severity of injuries sustained and the probability of death and serious injury.
13. There is strong evidence that a decrease in the mean travel speed on a road is associated with a decrease in the number of crashes, as well as the severity⁴. At lower speeds, vehicles have shorter braking distances and people have more time to react and take action to avoid a crash. When crashes do occur, lower travel speeds mean the crash impact energy is lower, reducing the severity. Tackling unsafe speeds, alongside improving infrastructure, has also been a dominant focus in other jurisdictions that have made significant and sustained road safety gains.
14. Safer roads are particularly important for vulnerable road users such as older people, young people and people with disabilities. Safer roads, with lower speeds, encourage parents to let their children walk to school. They improve accessibility for everyone and are an important social enabler for people with disabilities.
15. Unless set otherwise, the default speed limits on New Zealand roads are 100 km/h on rural or open roads and 50 km/h for roads within designated urban areas. This means that speed limits do not match the NZ Transport Agency's analysis of the safe and appropriate speeds on significant portions of the road network.⁵ According to this analysis, 87 percent of New Zealand's roads have speed limits higher than the safe and appropriate travel speeds for the road.
16. However, it does not follow that there should be blanket speed limit changes. Speed management does not just involve lowering speed limits. Rather, it is about matching the speed limit to the design, use, form and function of the road, and the risk posed to the road user. Roads can be engineered up where there is a strong case for investment to bring the road corridor up to the required standard to support existing or higher travel speeds. Engineering changes can also be used to slow traffic down, to ensure the safety of road users and to enable more effective traffic flow.

⁴ [International Transport Forum's 2018 report on speed and crash risk.](#)

⁵ The NZ Transport Agency's analysis is based on its online risk assessment tool – MegaMaps – which uses a range of inputs such as road width, roadside hazards, safety infrastructure, crash risk, land use, road classification etc. to calculate a safe and appropriate travel speed.

The Tackling Unsafe Speeds programme is one component of the proposed new road safety strategy and initial plan

17. The *Tackling Unsafe Speeds* programme is one of fourteen actions proposed as part of the initial action plan under the new *Road to Zero* strategy. The *Tackling Unsafe Speeds* proposals were consulted on as part of the *Road to Zero* consultation from July-August 2019.
18. The *Road to Zero* strategy and action plan take account of the wide range of factors that influence road safety outcomes and establish a programme of interventions to improve road safety in New Zealand. These include, infrastructure investment, vehicle safety standards, strengthened drug driver testing, and motorcycle safety among others.
19. The draft *Road to Zero* Strategy sets a target reduction in deaths and serious injuries (DSIs) of 40 percent by 2030. Modelling suggests that investment in infrastructure improvements, establishing safe and appropriate speed limits on the highest risk parts of the network, and effectively enforcing speed limits will account for up to half of reductions in DSIs on our roads (i.e. up to 20 percent of the 40 percent target).

Cabinet has previously been informed about the Tackling Unsafe Speeds programme

20. On 21 March 2018, Cabinet noted my proposal to tackle unsafe speeds by accelerating the implementation of the Speed Management Guide, investigating speed limits around schools, and considering new camera technologies [DEV-18-MIN-0025 refers].
21. On 1 July 2019, Cabinet was provided with a high-level summary of the *Tackling Unsafe Speeds* proposals and invited me to report back in October 2019 seeking approval to the *Tackling Unsafe Speeds* Programme. Cabinet also invited me to issue drafting instructions to the Parliamentary Counsel Office to commence the drafting of the necessary legislative amendments ahead of final policy decisions being taken by Cabinet on the *Tackling Unsafe Speeds* programme [DEV-19-MIN-0175]. This draft bill, the Regulatory Systems (Transport) Amendment Bill, is expected to be considered by the Cabinet Legislation Committee in December 2019.
22. I am now seeking Cabinet agreement to the *Tackling Unsafe Speeds* programme which aims to establish a more streamlined and coordinated process for speed management, implement safer speeds around schools, and move towards a more transparent and effective approach to automated speed enforcement.

ESTABLISHING A NEW REGULATORY FRAMEWORK FOR SPEED MANAGEMENT

The NZ Transport Agency and local authorities are responsible for reviewing and setting speed limits in their capacity as road controlling authorities

23. The NZ Transport Agency is the RCA for State highways, and local authorities are the RCAs for most local roads.⁶ RCAs are required to review speed limits under the Land Transport Rule: Setting of Speed Limits 2017 (the 2017 rule), and in doing so,

⁶ There are also other RCAs responsible for some components of the network, such as the Department of Conservation, supermarkets, and airports.

consider whether a speed is safe and appropriate. Following engagement with its community, RCAs then set speed limits by making a bylaw and change the necessary signs and markings.

24. Under the 2017 rule, RCAs must consider information and guidance provided by the NZ Transport Agency when carrying out speed reviews. This includes the Speed Management Guide. The Speed Management Guide was developed in 2016 by the NZ Transport Agency, in consultation with NZ Police, Ministry of Transport, the NZ Automobile Association and local government. The Speed Management Guide provides tools and guidance for RCAs to use in reviewing and setting speed limits, including an emphasis on engagement with communities in speed management decision-making.
25. The current Government Policy Statement on Land Transport (GPS) sets an expectation for the NZ Transport Agency and other RCAs to accelerate the implementation of the new Speed Management Guide. It outlines an expectation that RCAs treat the top 10 percent highest risk parts of the road network that will result in the greatest reduction in DSIs as quickly as possible. The NZ Transport Agency is taking an incremental, risk-based approach to speed management in these areas – speed management reviews build on the findings of earlier speed reviews and the input of communities affected by speed management treatments.

However, there are substantial problems with the current regulatory framework

26. Engagement with RCAs and the Road Safety Strategy Speed Reference Group⁷ and feedback from my Local Government Road Safety Summit in April 2018 has highlighted several problems with the current process. Local government faces difficulties planning for, consulting on, and implementing speed management treatments. There is some confusion about the interaction of the bylaw process for setting speed limits, the Speed Management Guide, the 2017 rule and local government legislation. The current approach is costly, inefficient, complex and has resulted in some councils thinking it is too hard to make speed management changes.
27. This has led to:
 - 27.1. speed limits that do not reflect the nature of the road
 - 27.2. speed limit changes that are not always supported by appropriate infrastructure investments
 - 27.3. ad hoc speed limit reviews and inconsistent approaches to speed limit setting both within and across regions
 - 27.4. slow (or no) responses to community requests for safer speed limits and limited progress on addressing the highest risk parts of the network

⁷ As part of the development of the *Road to Zero* Strategy, five reference groups were established to develop a shared understanding of our road safety challenges and priorities for the next decade. The reference groups comprised of over 100 representatives from central government, local government, advocacy groups and special interest groups.

- 27.5. in some cases, limited public buy in to speed management changes
 - 27.6. some lack of transparency and accountability around speed management changes and how they are being rolled out for both the State highway network and local roads
 - 27.7. at times uncertainty about the legal enforceability of speed limits.
28. These poor outcomes are caused by:
- 28.1. the resource-intensive consultation and decision-making requirements for making bylaws as this is often done on a road-by-road basis
 - 28.2. RCAs, including the NZ Transport Agency, having limited resources and capability to implement speed management changes
 - 28.3. at times poor coordination of infrastructure decisions and speed limit reviews
 - 28.4. minimal incentives for RCAs to prioritise speed management and to take a coordinated and consistent approach across, for example, similar parts of the road network.
 - 28.5. inconsistent use of the Speed Management Guide, and other evidence such as actual travel speed data, to aid speed management decision making (for example, if a speed limit reduction significantly below current travel speeds is considered safe and appropriate, it may be most effectively achieved by staggered speed limit reductions over time rather than a one-off reduction)
 - 28.6. concerns about the transparency and reliability of MegaMaps and its inputs (the NZ Transport Agency's risk assessment tool that estimates safe and appropriate travel speeds)
 - 28.7. a lack of clarity around the NZ Transport Agency roles as both regulator and RCA.

Introducing a new regulatory framework to address these problems

- 29. I propose to implement a new regulatory framework to address the issues outlined above and introduce a more consistent and transparent process to speed management planning and implementation around the country.
- 30. This proposal is designed to further enable, formalise and streamline the regional approach to speed management the NZ Transport Agency is taking with RCAs. It also aims to achieve objectives around accessible and liveable cities, encouraging walking and cycling, and ensuring key freight lines have well-managed infrastructure and speed responses. It brings together decisions about speed limit changes and safety infrastructure investment.
- 31. This framework will include the following key components (refer Appendix 1 for further information about speed management plans and review criteria):

- 31.1. the NZ Transport Agency will develop a National Speed Management Plan for the State highway network
 - 31.2. establishment of a Speed Management Committee to review the National Speed Management Plan
 - 31.3. territorial authority RCAs will each contribute to a Regional Speed Management Plan coordinated by regional transport committees⁸
 - 31.4. all speed management plans will include proposals on engineering upgrades and other safety infrastructure treatments, alongside proposed speed limit changes
 - 31.5. timing of both the National and Regional speed management planning and consultation processes will be aligned with land transport planning to bring together speed management and infrastructure investment decisions
 - 31.6. clarifying the roles of the NZ Transport Agency as a regulator and RCA
 - 31.7. establishment of a Register of Road Instruments as the legal record of all speed limits in the country
 - 31.8. removing the current bylaw-making requirements for setting speed limits.
32. RCAs, including the NZ Transport Agency, will continue to be required to treat the highest risk roads and transition to safer speed limits around schools (discussed further below). The proposed framework is intended to support a more streamlined, transparent and efficient planning and consultation process.

The NZ Transport Agency will be required to develop a National Speed Management Plan

33. The National Speed Management Plan will be a ten-year plan, developed every six years, with allowance for variation every three years (plans would provide more specific details about proposals for the first three years of the plan). The National Speed Management Plan will contain proposed speed management reviews, speed limit changes, and safety infrastructure investments on the parts of the State highway network where they have been identified. It would also contain information about how safety camera investments will support speed management.
34. The NZ Transport Agency will be required to begin development of the National Speed Management Plan slightly ahead of the Regional Speed Management Plans and provide a draft to RCAs to support development of their respective inputs into the Regional Speed Management Plans. Consultation is expected to be more efficient, and more informative for the public, if National and Regional Speed

⁸ Regional transport committees are made up of regional council, territorial authority and NZ Transport Agency representatives. Auckland Council is a unitary council and has established Auckland Transport as a council controlled organisation. Auckland Transport is unique in that it represents all transport functions of the city under one organisation.

Regional transport committees are established in the Land Transport Management Act 2003. Their functions include preparing a regional land transport plan for the approval of the relevant regional council, and providing the relevant regional council with any advice and assistance the regional council may request in relation to its transport responsibilities.

Management Plans are consulted on together during consultation on Regional Land Transport Plans. This approach would be encouraged.

RCA's will be required to develop Regional Speed Management Plans

35. Regional Speed Management Plans will be ten-year plans, developed every six years, with allowance for variation every three years (plans would provide more specific details about proposals for the first three years of the plan). Regional Speed Management Plans will include information on speed management reviews, speed limit changes and safety infrastructure investments on local roads.
36. The plans will also contain information about changes to the State highway network and the interactions with local roads, so that when the public is considering a Regional Speed Management Plan, they can understand and comment on the full scope of changes proposed for the region. The NZ Transport Agency will work collaboratively with RCAs, and as a member of each of the regional transport committees, throughout this process.
37. All RCAs will continue to make decisions about speed management treatments and priorities on their roads. RCAs must consider advice and guidance from the NZ Transport Agency, including the Speed Management Guide and the safe and appropriate speed limits (recommended by the NZ Transport Agency's MegaMaps tool⁹) and the potential for engineering upgrades.
38. Regional transport committees will collate the inputs from all RCAs in the region, including the NZ Transport Agency's State highway proposals. Regional transport committees will aim to encourage consistency, and manage and coordinate implementation timing and boundary issues between RCAs, State highways and bordering Regional Speed Management Plans and coordinate consultation.
39. There will be appropriate incentives in place to ensure RCAs comply with their regulatory requirements for speed management.
40. There will be processes to manage speed limit changes required outside the development of the relevant speed management plan and for RCAs that are not territorial authorities or the NZ Transport Agency (e.g. Department of Conservation, airports and supermarkets).

The NZ Transport Agency's roles as regulator and RCA will be clarified

41. There are concerns that the NZ Transport Agency is both an RCA and the regulator, which creates a perceived conflict of interest in holding itself to account as an RCA. This conflict of roles was also identified in the Ministry of Transport's review of the NZ Transport Agency's regulatory performance.
42. In its role as an RCA, the NZ Transport Agency will be responsible for:

⁹ While MegaMaps recommendations (based on modelling to inform the Speed Management Guide) are an important input into speed management decisions, it is a technical tool providing estimates that should be supported by consultation and onsite reviews.

- 42.1. developing a National Speed Management Plan, including proposing speed limit changes, infrastructure investments and deployment of safety cameras, and implementing these proposals in accordance with this plan
 - 42.2. working collaboratively with RCAs and regional transport committees, including providing communication resources to support consultation and engagement with the public on speed management changes.
43. In its role as a regulator, the NZ Transport Agency will have the following regulatory functions:
- 43.1. reviewing Regional Speed Management Plans against criteria specified in the new rule, including ensuring RCAs have followed proper process, addressed required speed management priorities, conducted adequate consultation and provided an implementation plan
 - 43.2. keeping the safe and appropriate travel speeds analysis up-to-date and publicly available
 - 43.3. providing a public register of speed limits that is kept up-to-date and performing Registrar functions (more information on this is outlined below)
 - 43.4. administering and supporting, and providing advice to the Speed Management Committee.

An independent Speed Management Committee will be established to review the National Speed Management Plan

44. The NZ Transport Agency's National Speed Management Plan (prepared in its role as RCA) will be reviewed by a newly established Speed Management Committee against a set of objective criteria specified in the new rule (as set out in Appendix 1). It is not an opportunity to re-conduct detailed road-by-road analysis of speed management interventions. The Committee is intended to:
- 44.1. provide independent assurance that the National Speed Management Plan aligns with requirements set out in the new rule and the *Road to Zero* Strategy
 - 44.2. improve accountability of the NZ Transport Agency in its role as a RCA, ensuring consultation is appropriately carried out and the National Speed Management Plan is coordinated with Regional Speed Management Plans
 - 44.3. ensure that the MegaMaps tool is periodically reviewed and kept up-to-date to provide greater assurance to RCAs and the public that recommendations for safe and appropriate speeds are robust and reliable.
45. The Speed Management Committee will be appointed by the Secretary of Transport. Rules will establish requirements for membership and will include members being required to have appropriate knowledge and skills around speed management and road safety, and an understanding of the views and impacts on, for example, local government, motorists, vulnerable users, enforcement, and freight.

A Register of Road Instruments will be created to give public notice and complete information around speed limits across New Zealand

46. A Register of Road Instruments will be established as part of the new regulatory framework. The NZ Transport Agency will be the Registrar and will be responsible for maintaining the register and keeping it up-to-date. The purpose of the register is to give public notice of road instruments on New Zealand roads and to enable any person to obtain information about road instruments.
47. Currently, the legal records of speed limits are scattered across hundreds of council bylaws and resolutions which can make speed limits difficult to confirm with certainty. The current process has at times created uncertainty about the legal enforceability of speed limits, including the need for Land Transport (Speed Limits Validation and Other Matters) Act 2015 to ensure the validity of speed limits set by RCAs and to protect enforcement action taken under those bylaws. More recently, there have been well-publicised issues with temporary speed limits in Queenstown.
48. The NZ Transport Agency is already working to improve this situation through a National Speed Limit Register. This register has not yet formally replaced individual bylaw registers maintained by RCAs. Further work is needed to determine whether this register requires upgrading to align with the proposal in this paper. A separate business case process to cost the Register of Road Instruments will be carried out if required.
49. The final step of the regulatory process for setting a speed limit, will be for the relevant RCA to lodge an instrument establishing a speed limit with the Registrar of Road Instruments who will include it in a register established for this purpose. This will create the new speed limit. The legally enforceable speed limit on all roads will be the speed limit recorded in the Register. This will enable the proposed regulatory framework to streamline speed-limit setting by removing the bylaw-making requirements that apply to each individual speed limit change.
50. The Register of Road Instruments will provide certainty of the legality of posted speed limits for enforcement purposes and the public. In future, the register could be expanded to include other road instruments such as 'no turning', 'no stopping' and 'one-way' instruments, and become the 'single source of truth' for such instruments. The Register is also intended to support future innovation by providing complete information about New Zealand speed limits for systems such as GPS mapping and potentially autonomous vehicle technologies.

Summary of the differences between the current and proposed frameworks

51. Table 1 below summarises some of the key differences between the current approach to speed management and how it will be carried out under the proposed regulatory framework.

Table 1: Summary of current and proposed regulatory frameworks

	Current regulatory framework	Proposed regulatory framework
Infrastructure and speed limits	Infrastructure planning and investment decisions and speed limit reviews tend to be carried out separately.	The speed management planning process will be aligned with the land transport planning process. This will formally bring together infrastructure investment decisions and speed management planning.
Network coordination	RCAs tend to conduct speed limit reviews on isolated parts of the network with limited collaboration with other RCAs. Changes to local roads and the State highway network are not always well coordinated.	The planning process will support a whole-of-network approach by supporting regional collaboration and consistency, ensuring each region has a plan and that those plans coordinate with bordering regional plans and changes to the State highway network.
Consultation	RCAs often consult on individual or a small number of speed limit changes in isolation. The consultation process varies between RCAs but is often resource intensive and time consuming. RCAs are required to consult on proposed changes each time a speed limit review is carried out.	RCAs/Regional Transport Committees will consult on speed management plans in a single round of consultation, which will identify all proposed speed management and safety infrastructure treatments over the next 10 years across a region (with more specific details for the first three years). Once a speed management plan is finalised, RCAs will implement those changes in accordance with the plans (without needing to carry out road-by-road consultation).
Transparency and accountability	The public hears about changes as they are consulted (often on a road or small number of roads at a time) and so do not have visibility of how a given speed limit change may fit in with other changes in the region. There is a lack of transparency and accountability around speed management interventions and how they are being rolled out.	Speed management plans will be public documents that set out all upcoming speed management changes in the region, including on the State highway network. RCAs will be required to implement speed management interventions in accordance with the relevant speed management plan.
Clarity of roles	The NZ Transport Agency is both an RCA and the regulator. The distinction between these roles is not always clear and can create a perceived conflict of interest. RCAs are responsible for speed management and carry out speed management reviews as they consider appropriate. There is no formal role for regional transport committees.	The NZ Transport Agency's roles as RCA and regulator are clearly defined. As regulator the Agency reviews the speed management plans of other RCAs. An independent committee will be established to review the National Speed Management Plan (the Agency's RCA role). RCAs are responsible for contributing to and implementing Speed Management Plans. Regional transport committees have a formal regional coordination role.
Bringing a speed limit into legal effect	The RCA requires a decision by full council on each speed limit change and adopts the bylaw. The legal records of speed limits are spread across hundreds of council bylaws and resolutions. The current process has at times created uncertainty about the legal enforceability of speed limits.	Speed limits will be implemented in accordance with speed management plans and must be lodged with the Registrar for inclusion in a publicly available register. This will provide certainty of legality of posted speed limits for enforcement purposes and the public. It will also reduce costs and complexity for RCAs.

Implementation of the proposed framework will begin in mid-2020 following legislative changes

52. The proposed regulatory framework will be established through a combination of changes to the Land Transport Act 1998, the Land Transport Management Act 2003, and rules made under the Land Transport Act to replace the 2017 rule.
53. The necessary changes to legislation will take approximately one year to be made from final Cabinet decisions. There will then be a transition period where the Speed Management Guide is updated and the first speed management plans will need to be developed, agreed, and then implemented.
54. Prior to the new framework being fully established, RCAs are expected to continue to focus on priority speed management issues in their region, including working with the NZ Transport Agency at a regional level to prioritise speed limit changes on the highest risk roads and where there is strong community support for change. In the interim, RCAs will continue to be able to set speed limits through a bylaw process, but this will be phased out.
55. This proposal has received broad support from a number of RCAs and Local Government NZ. This proposed framework will allow for targeted and efficient speed management changes to occur on the most important areas of the network, without needing to make blanket speed limit reductions.

TRANSITIONING TO SAFER SPEED LIMITS AROUND SCHOOLS

Currently most roads outside schools do not have safe and appropriate speed limits

56. Walking and cycling to school has benefits for children, including for their physical health, and even their concentration and ability to learn at school.¹⁰ School trips made by car also contribute significantly to congestion during the morning peak (and extend the afternoon peak), and increase greenhouse gas and other harmful pollution.
57. Over the last few decades there has been a decline in the number of children walking or cycling to school from 54 percent in 1989/90 to 31 percent in 2010-2014. While walking was once the most common way to get to school, now less than a third of children walk or cycle to school.¹¹ The societal benefits of increasing the number of children who walk or cycle to school makes it important for our transport policy to support a return to high levels of active travel to school. This will only happen though if parents feel it is safe to let their children walk to school. Safer speed limits are an important factor in that decision.
58. Current default speed limits around schools (i.e. 50 km/h in urban traffic areas and 100 km/h on all other roads) are often not the recommended safe and appropriate speed limits. Though there are not many road safety-related incidents around

¹⁰ <https://sciencenordic.com/children-and-adolescents-denmark-exercise/children-who-walk-to-school-concentrate-better/1379550>

¹¹ 25 Years of New Zealand travel: New Zealand household travel 1989-2014. The percentage of 5–12-year-olds who walked to school dropped from 42% in 1989/90, to 29% in 2010–14, while cycling dropped from 12% in 1989/90 to 2% in 2010–14.

schools (compared to other areas of the network), the speed limits on roads around most schools discourage parents from allowing their children to walk and cycle to school. 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.¹²

59. The Speed Management Guide and Safer Journeys for Schools Guide encourage:
- 59.1. 40 km/h permanent or variable¹³ speed limits outside urban schools¹⁴
 - 59.2. 60 km/h variable speed limits where there is an identified turning traffic risk. This generally applies outside rural schools¹⁵, where there is a permanent 80 km/h speed limit or where the mean operating speed is naturally lower than 100 km/h. In these areas, RCAs are also encouraged to build traffic bays off the main roads to reduce any pedestrian risks.
60. Despite the current guidance, only around 20 percent of urban schools have speed limits below 50 km/h. This is partly due to the current onerous process RCAs must go through to set speed limits. The proposed regulatory framework is expected to reduce compliance costs associated with speed limit changes, including around schools.

I propose that RCAs prioritise transitioning to safer speed limits around schools

61. I propose that during the first round of speed management planning, RCAs will be required to plan and prioritise transitioning to safer speed limits around schools. These priorities include:
- 61.1. reducing 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
 - 61.2. reducing speed limits around rural schools to a maximum of 60 km/h (variable or permanent speed limits).
62. A principles-based approach to speed limit setting around schools will be adopted (rather than prescriptive requirements such as “all roads within a 250 metre radius of the school must have safer speed limits”). Under this approach, RCAs will have the discretion to determine how safer speed limits around schools are implemented. This acknowledges feedback from the Speed Reference Group and other groups that have been consulted, who were supportive of safer speed limits, but indicated that RCAs should be able to implement appropriate speed limits for the environment around the school.

¹² Safe speed: Promoting safe walking and cycling by reducing traffic speed, Dr Jan Gerrard for the Safe Speed Interest Group, The Heart Foundation, 2008.

¹³ Variable speed limits are suitable for higher classification (i.e. arterial-type) roads, whereas permanent area-wide speed limits are appropriate for roads around schools on residential access roads.

¹⁴ A school that has an access or frontage which is located in an urban traffic area.

¹⁵ A school that has an access or frontage which is not located in an urban traffic area.

63. The details of transitioning to safer speed limits around schools will be further developed and consulted on as part of the rule change.

30 km/h speed limits (or 40 km/h where appropriate) will be required around urban schools

64. Safer speed limits (variable or permanent) will be required on the roads where the school has a main entrance or exit. RCAs will also be encouraged to implement safer speed limits in the wider vicinity of a school. Broader speed management changes across a wider area, supported by safety infrastructure where appropriate, will have greater safety, access and mode shift benefits. Children's routes to school can typically extend several kilometres from the school, and for children to feel safe using active modes of travel, speed limits across this wider area need to be considered.
65. Around half of urban schools are in residential areas where broader permanent speed limit reductions (aligned with recommended safe and appropriate speed limits) could be applied across the whole area. Hamilton City Council, for example, has already introduced widespread 40 km/h speed limits in residential areas.
66. In the *Public attitudes to road safety survey*, conducted by the Ministry of Transport, respondents were asked what they thought the speed limit around schools in urban areas should be. Every year over a six-year period (2011-2016), over 90 percent of respondents thought speed limits around urban schools should be no greater than 40 km/h. Around half thought the speed limit around urban schools should be 30 km/h or less.
67. Requiring RCAs to reduce speed limits to 30 km/h around urban schools, supported by traffic calming infrastructure where appropriate, and by enforcement and road safety education to encourage behavior change, is supported by research that shows a pedestrian's likelihood of being killed or seriously injured reduces by approximately half when the impact speed reduces from 50 km/h to 40 km/h.¹⁶ A pedestrian's likelihood of being killed or seriously injured reduces by approximately half again when the impact speed reduces from 40 km/h to 30 km/h (i.e. a pedestrian is typically four times more likely to be killed or seriously injured if struck by a vehicle at 50 km/h compared to at 30 km/h).¹⁷
68. In Calgary and Saskatoon (both Canada), 30 km/h variable speed limits are in effect outside most urban schools. In many cities in the UK, permanent 20 miles per hour (32 km/h) speed limits have been implemented outside urban schools. In most Australian states, 40 km/h variable speed limits are applied on roads outside schools that have a permanent speed limit of 70 km/h or less. In most areas where 30 km/h (or 20 mph) speed limits are implemented, safety outcomes have improved¹⁸. Compliance levels tend to be lower when the speed limit in the surrounding area is higher. However, even minor reductions in travel speeds can have positive outcomes for children's safety, which in turn can encourage active mode use.

¹⁶ Kröyer, H. R. G., Jonsson, T., Varhelyi, A. (2014). Relative fatality risk curve to describe the effect of change in the impact speed on fatality risk of pedestrians struck by a motor vehicle. *Accident Analysis and Prevention*, 62, 143-152.

¹⁷ In reality, there is considerable variability in pedestrians' casualty risk. This is largely dependent on the size, shape, and weight of the vehicle involved, and the age and physical resiliency of the pedestrian.

¹⁸ Goldenbeld & Schermers (2017). *School zones, European Road Safety Decision Support System & The Royal Society for the Prevention of Accidents – Road Safety Factsheet*, 2017.

69. Where RCAs have already introduced 40 km/h speed limits around schools, these areas will be exempt from requirements to carry out further speed management changes. It may not be appropriate to introduce permanent traffic calming infrastructure¹⁹ on some roads outside schools, particularly urban arterial roads. In these cases, 40 km/h variable speed limits are likely to be more appropriate.²⁰

A maximum speed limit of 60 km/h will be required around rural schools

70. Rural schools are located on roads with a variety of speed limits, including up to 100 km/h. The requirement for a maximum speed limit of 60 km/h to be implemented outside rural schools is recommended for the following reasons:
- 70.1. As outlined above, 60 km/h variable speed limits are consistent with guidance in the Speed Management Guide and Safer Journeys for Schools Guide based on turning traffic risk in many situations.
 - 70.2. The Speed Reference Group and other groups that have been consulted are supportive of applying safer speed limits around rural schools. However, there is a strong desire for RCAs to have flexibility in implementing the speed limit that makes the most sense around each rural school (this could be a variable or permanent speed limit from 30-60 km/h where appropriate). This is due to there being considerable variation in the surrounding environments, the current speed limits, the isolation, and the size of rural schools, which all influence the level and type of activity around schools during school times.
 - 70.3. Introducing a variable speed limit below 60 km/h on roads with a speed limit of 80 km/h or higher, will lead to a sudden reduction in posted speed limits. This could lead to poor levels of compliance and motorists travelling at a variety of speeds, which can cause safety issues.
71. In many cases a variable speed limit will be appropriate to manage safety risks during school times. RCAs will be encouraged to consider permanent speed limit reductions on roads around rural schools where the recommended safe and appropriate speed limit is lower than the current speed limit.
72. Where a school is located on a State highway, NZTA is the responsible RCA. NZTA will work in consultation with the relevant RCA to determine the best approach to implementing safer speed limits in these areas.

RCAs should also consider safer speed limits in pedestrian-heavy areas of urban centres

73. RCAs will also be expected to consider safer speed limits in urban centres where there are high numbers of active mode users. Safer speed limits in urban areas will also encourage walking and cycling and contribute to the safety of vulnerable road users. In particular, older people, disabled people and children are most vulnerable in the event of a crash and safer speeds can reduce the risk and the severity of

¹⁹ Changes to the road or road environment designed to encourage safer travel speeds (e.g. raised platforms or chicanes).

²⁰ Some urban schools are adjacent to roads with speed limits greater than 50 km/h. In these situations the RCA should also have infrastructure in place to manage the higher speeds while maintaining active mode safety. .

crashes. RCAs will have the discretion to make speed limit changes in urban centres if there is appetite to do so.

74. The Speed Management Guide encourages 40 km/h speed limits in CBDs and town centres generally, and 30 km/h where there is a high place function and concentration of active road users. Despite current guidance, many roads in urban centres have speed limits of 50 km/h.
75. The application of 30 km/h and 40 km/h speed limits in urban areas has been adopted in many jurisdictions, including in Europe. Based on numerous international case studies, there have been significant road safety benefits as a result of a widespread introduction safer speed limits in urban areas.

A staggered approach will be taken in implementing safer speed limits outside schools

76. In recognition of the benefits of a broader network approach (and the time and complexity this may add to decision making) and the varying capacity and capability of RCAs, I propose a staggered approach to implementation. I propose that within the first three years of speed management plans being in place, RCAs will be required to ensure speed limits outside at least 40 percent of schools in their area of responsibility comply with the new Rule.
77. RCAs will be required to achieve compliance with the new Rule outside all schools within their area of responsibility over the 10 years of the Road to Zero strategy. Speed management changes around schools will be a priority for RCAs as part of the broader speed management and infrastructure treatments on their road networks. The National Land Transport Fund is the funding source for these treatments.
78. There are roughly 2,500 schools in New Zealand. Around 2,000 of these are classified as urban, with the other 500 being rural. Of the 2,000 urban schools, half are on higher-classification, arterial-type roads where permanent infrastructure changes are unlikely to be appropriate. The other 1,000 schools are on residential access streets where the recommended safe and appropriate speed limit is less than 50 km/h.
79. In many cases electronic variable speed limit signs would address the risk before and after school (and would be the preferred intervention for schools on arterial-type roads). For rural schools, some roads may require staggered speed limit reductions to manage significant speed limit drops, even when applied on a variable basis.
80. In order to introduce 30 km/h speed limits, some schools will require infrastructure changes to provide a noticeably different road context around the school. RCAs would be encouraged to consider these interventions alongside the introduction of safer area-wide speed limits on all residential access streets. This is a relatively straightforward and cost effective speed management treatment around schools located in these residential areas and already implemented by Hamilton City Council.

ADOPTING A NEW APPROACH TO SAFETY CAMERAS

New Zealand currently has an 'anytime, anywhere' approach to cameras

81. New Zealand currently adopts an enforcement approach to safety cameras where cameras are not signed and mobile cameras and Police enforcement can occur anywhere on the network (i.e. an 'anytime, anywhere' approach). New Zealand also has relatively few cameras per capita compared jurisdictions that typically have fewer DSIs (refer Table 2 below).²¹

Table 2: Safety cameras per 100,000 population in select jurisdictions

Jurisdiction	Safety cameras per 100,000 population ²²
Sweden	>11
Netherlands	9.4
France	7.5
Victoria (Australia)	6.6
NSW (Australia) ²³	4.7
UK	4.2
New Zealand ²⁴	2.3

We can learn from other countries to improve our approach to safety cameras

82. Research into the approach to safety cameras in other jurisdictions has highlighted ways in which New Zealand could improve its approach.
83. For example, Sweden has adopted an approach which recognises that road safety is an important priority for most road users, and that excessive speeds are not necessarily or always intentional. A lack of information or inattention are reasons why some motorists may exceed the speed limit.
84. As a result, Sweden has a high saturation of cameras, they are only turned on part of the time, and drivers are informed where safety cameras are located through signage and global positioning systems.
85. The main purpose of the approach in Sweden is to support and create a new social norm among drivers that it is easier and better to follow the speed limit. The approach adopted in Sweden aims to achieve a higher level of public acceptance and improve public perceptions of road safety more generally, as drivers do not feel persecuted or consider safety camera offences to be a revenue-gathering exercise.
86. In Sweden, this approach to safety cameras is part of a broader approach to road safety that has been successful in reducing DSIs. A 2009 study estimated that one to two years after a tranche of new cameras were installed in Sweden in 2006, the

²¹ New Zealand has 48 fixed safety cameras and 43 mobile cameras that are owned and operated by NZ Police; 15 red light cameras owned and operated by NZ Police or Auckland Transport; and 18 fixed safety cameras in the Waterview Tunnel owned by the NZ Transport Agency.

²² NZ Police research, November 2018. Updated for additional cameras and population changes (note this does not include data on the number of cameras in NSW).

²³ <https://roadsafety.transport.nsw.gov.au/downloads/2017-speed-camera-review.pdf>.

²⁴ Updated for 2019 camera numbers and population but does not include the 18 fixed cameras located in the Waterview Tunnel.

number of DSIs on these sections of the network reduced by approximately 20 percent and the proportion of drivers who exceeded the speed limit decreased by approximately 35 percent.²⁵

87. Safety cameras have also been effective in other jurisdictions, particularly when they have been installed in high risk areas of the network. For example, in France between 2003 and 2010, 2,756 safety cameras (1,823 fixed cameras and 933 mobile cameras) were installed on parts of the network where motorists frequently exceeded the speed limit. Warning signs were installed to alert drivers to the presence of fixed cameras. An evaluation of the effectiveness of the cameras was completed in 2010, estimating that over 15,000 fatalities (a 21 percent reduction) and 62,000 injuries were prevented from 2003 to 2010 by the camera programme.²⁶

I propose introducing a 'highly visible, no surprises' approach to cameras suitable for the New Zealand context

88. I propose moving towards a 'highly visible, no surprises' approach to the safety camera network which will include the following changes:
- 88.1. invest in additional cameras to encourage motorists to travel at safe and appropriate speeds across a broader portion of the network (this will require prioritising investment in expanding the camera network in GPS 2021²⁷, and investment in processing system enhancements in this GPS period)
 - 88.2. install cameras on the highest risk parts of the network where a camera placement is appropriate
 - 88.3. cameras will be clearly sign-posted to give motorists advanced warning of where cameras are located to provide a clear signal to road users to slow down
 - 88.4. communications with the public will be focussed on explaining the purpose of the cameras in the context of the broader safety system discouraging unsafe speeds
 - 88.5. transfer ownership of the safety camera network to the NZ Transport Agency to incorporate camera placement into the NZ Transport Agency's broader speed management planning process and to shift public perceptions that safety cameras are an enforcement, revenue-gathering tool.
89. The approach should be considered as a package. For example, only signing the existing cameras without expanding the camera network is unlikely to be effective.
90. There was strong support across most members of the Speed Reference Group and most stakeholders for shifting to the proposed approach to safety cameras.

²⁵ Swedish Road Administration (2009), *The effects of automated road safety cameras on speed and road safety*

²⁶ Carnis & Blais (2013). *An assessment of the safety effects of the French speed camera program*

²⁷ As indicated previously, funding for the Tackling Unsafe Speed proposals has been included in the Government share of funding identified as part of setting the Road to Zero target of a 40 percent reduction in DSIs.

This approach forms part of a wider approach to speed management, sitting alongside a range of other key road safety interventions

91. This approach to cameras forms part of a wider approach to speed management where infrastructure upgrades and speed limit reductions will be supported and enforced by an expanded safety camera network and deployment of road policing officers to address unsafe speeds on our roads.
92. It should be noted that Sweden has taken a broad approach to discouraging unsafe speeds. This has been through a combination of a high saturation of safety cameras, a greater portion of its road network having safe and appropriate speed limits, a higher quality road network with greater use of median barriers on rural roads, and higher fines and a lower tolerance for speeding offences than New Zealand.²⁸ Sweden has also pursued a range of other road safety interventions. Other jurisdictions, such as France, have adopted components of the Swedish approach to enforcement, as well as a broad approach to discouraging unsafe speeds.
93. Similarly, New Zealand will only achieve considerable reductions in DSIs if the *Tackling Unsafe Speeds* package is implemented alongside a range of other road safety interventions identified in the broader *Road to Zero* Strategy. Incremental, risk-based changes over the long term are needed to move New Zealand towards the Swedish approach. The proposals in this paper support that move through safer speed limits and a new approach to safety cameras.

The proposed approach requires investment in additional safety cameras

94. The success of the proposed approach is dependent on considerable increased investment in additional cameras to ensure a greater camera saturation on the network. This will be necessary to meet the *Road to Zero* target of a 40 percent reduction in DSIs. Funding for a substantial increase in the safety camera network has been identified through analysis to support the *Road to Zero* strategy and is largely expected to be funded through the National Land Transport Fund.
95. Around half of all DSIs are concentrated on the highest risk 10 percent of the network. Cameras will be located in these highest risk areas first and future investments could allow broader portions of the network to have a camera treatment. Only signing existing cameras, without expanding the camera network, is unlikely to be effective. New signage will therefore not be rolled out until the first phase of new camera investment is underway. Deployment of road policing officers will support this approach where cameras cannot be located, continuing to provide some general deterrence effect across the wider road network.
96. A range of options regarding the investment in additional cameras – including the associated costs and benefits – are being developed by the NZ Transport Agency and NZ Police. The camera network will be expanded in phases, prioritising the highest risk parts of the network. This phased approach will allow the findings on the

²⁸ For example, in Sweden, exceeding the speed limit by 21 km/h+ can result in a \$611 fine and a 2-6 months licence suspension, whereas in New Zealand travelling at 20 to 25 km/h over the speed limit results in a \$170 fine and no demerit points. Further work is being carried out to review fees and penalties and whether safety camera infringements could be issued instantly (or within much quicker timeframes than currently).

impact and effectiveness of earlier camera installations to inform future camera investment decisions.

97. The exact number, optimal mix and location of new safety cameras are operational investment decisions that sit with NZ Police and the NZ Transport Agency and are subject to further business case development following agreement to the recommended approach. Cameras will be funded through the National Land Transport Fund and potential investment will be considered alongside broader speed management options such as infrastructure investment, speed limit reductions and road policing activities.
98. While indicative only, the first phase of camera investment could include the roll out of approximately 100 additional cameras, including a range of different types of cameras (e.g. average speed²⁹, mobile, red light and fixed cameras). In addition to cameras being signed, they may only be switched on part of the time. These changes are expected to limit the impacts on the processing system and justice pipeline.
99. The Ministry of Transport is also undertaking a broader review of penalties and offences to determine whether penalties are aligned with the level of risk associated with offences across the transport system. Fine levels may increase for speeding offences as part of this review (although signing cameras and only having them on a portion of the time is expected to reduce the number of fines issued). Many stakeholders have also raised the concern that demerit points are not attached to safety camera offences in New Zealand, while they often are overseas. This approach may be explored in future but is outside the scope of this initial review.

I also propose that the NZ Transport Agency takes over ownership and operation of the Police camera network

100. NZ Police currently owns and operates the camera network and processes infringements. The safety camera network is a sizeable asset and additional investment in cameras will only increase the scale of the network and the associated asset management responsibilities. In New Zealand, cameras are not currently viewed favourably by the public and are often seen as revenue gathering tools.
101. A transfer of ownership will allow the NZ Transport Agency to incorporate investment and placement of new safety cameras into its broader planning to support speed management. This approach provides a signal that safety cameras are not an enforcement, revenue gathering tool, but a speed management tool to improve safety outcomes. Without a change in ownership, this change in approach is unlikely to be seen as credible.
102. The Speed Reference Group and other key stakeholders were supportive of transferring ownership of the camera network to the NZ Transport Agency. Other jurisdictions that adopt an approach similar to the Swedish model typically have the

²⁹ Also known as point-to-point cameras. These cameras calculate the average speed of a vehicle between two points, often at least 2km apart.

infrastructure provider (e.g. the NZ Transport Agency) responsible for safety cameras. This approach is also likely to be viewed more positively by the public.

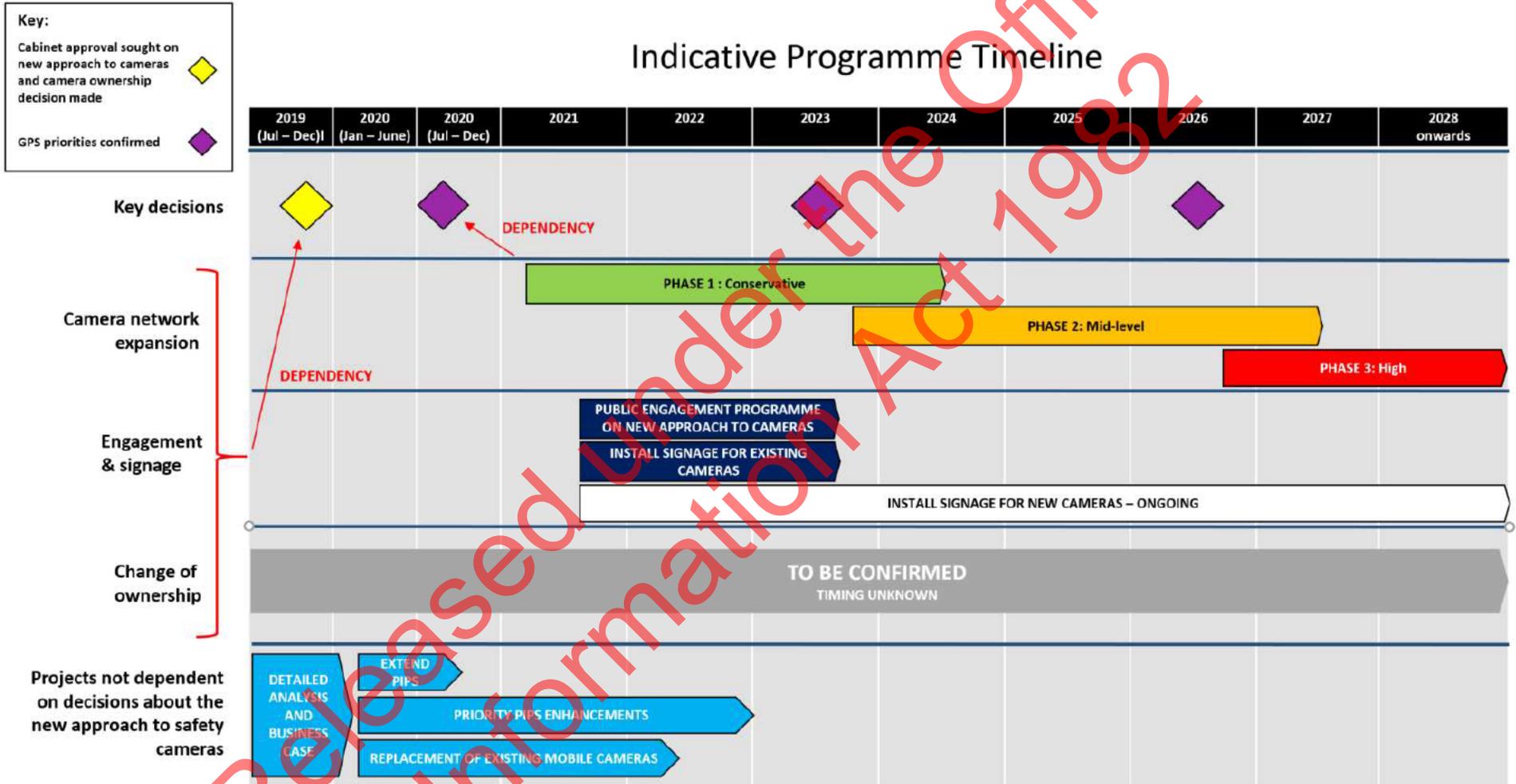
A new infringement processing system will be required to support new cameras

103. As a critical enabler of the camera programme, a new infringement processing system is required. The current Police Infringement Processing System (PIPS) does not have capacity to cope with increasing internal and external volume and is not capable of processing new technology such as average speed cameras. In the short term, funding has been requested through the 2019-21 Road Safety Partnership Programme to extend the remaining life of PIPS, and to add some additional functionality.
104. This investment will ensure PIPS can continue to support the safety camera network while the transfer to the NZ Transport Agency is planned. If you agree to transfer ownership, the NZ Transport Agency will also require a system to process safety camera infringements before it can manage the camera network. This project has not yet commenced and a separate business case process to consider options and to cost the new processing system will be carried out in 2020. Delivery funding will need to be secured through the 2021 – 2024 National Land Transport Programme.

The proposed approach will take a number of years to implement

105. The proposed approach will be rolled out in phases over the next 10 years. The timeline below (refer Figure 1) is intended to provide a high-level indication only.
106. I propose that the first phase of cameras is prioritised in GPS 2021. This would enable procurement to commence in 2021, with roll out expected from 2022/23. Further decisions about expansion of the camera network will take an incremental, risk-based approach based on the effectiveness of the first phase of cameras and other funding priorities at the time.
107. A public engagement programme on the new approach to safety cameras will be rolled out in the early stages of Phase 1 of the camera expansion, although timing is yet to be determined. New signage will be rolled out for new and existing cameras once investment in the first phase of new cameras is underway.
108. Further work is required to plan for and manage the transfer of cameras and associated services to the NZ Transport Agency. More detailed planning will follow Cabinet agreement to the new approach to the camera network.

Figure 1: Indicative timeline for the proposed approach to safety cameras



Consultation

109. A key part of the development of these proposals included hearing about and testing potential options for change on speed management with the Speed Reference Group. These workshops took place between September and November 2018 and provided valuable insight into the issues facing RCAs and the ways in which speed management could be improved in New Zealand. A diverse range of participants contributed to these workshops and the ideas from those workshops have been further developed and tested to inform the proposals in this paper.
110. I also received feedback from attendees at the Local Government Road Safety Summit in April 2018 about the challenges local government was facing regarding speed management, and potential interventions that would effectively address these challenges.
111. The Ministry of Transport undertook targeted consultation on the *Tackling Unsafe Speeds* proposal in March-May 2019. The key feedback received through this consultation included:
- 111.1. broad support for the proposed new regulatory framework, although based on early, high-level conversations there were some mixed views about the distinction between National and Regional Speed Management Plans and decision-making powers. The proposals in this paper have incorporated that feedback to clarify roles and decision-making powers of the regional transport committees, RCAs, the NZ Transport Agency and the Speed Management Committee.
 - 111.2. strong support for lower speed limits around schools, and giving RCAs the flexibility to determine how lower speed limits around schools are implemented.
 - 111.3. comprehensive support for the new approach to safety cameras, including transferring ownership and operation of the camera network to the NZ Transport Agency.
112. This was followed by high-level public consultation through the *Road to Zero* strategy consultation process in July-August 2019. The Ministry has now completed analysis of submissions received on speed management through the *Road to Zero* consultation process.
- 112.1. On balance, comments broadly in support of *Tackling Unsafe Speeds* outweighed those broadly opposed, although there were a number of strong views on both sides of this action. Submissions from organisations tended to be more heavily weighted towards support for the proposals.
 - 112.2. Comments from those in support tended to focus on lower speed limits, particularly in urban areas and around schools. Many also stated that safety infrastructure should support these speed limit reductions. Very few submitters commented on safety cameras but those that did tended to be in support of more cameras.

- 112.3. Those opposed tended to think speed or speed limits should not be considered a priority and other issues such as driver behaviour and training, or investment in infrastructure were more important. Some submitters expressed concerns about time delays from speed limit reductions, while others were concerned about blanket speed limit reductions (although this is not being proposed).
- 112.4. There were a large number of submitters who expressed mixed views on speed. These included, for example, in principle support for speed limit reductions in some areas, but concerns about implementation or effectiveness or the need to focus on other safety interventions before relying on speed limit reductions.
113. The following government departments were also consulted during the development of this paper: NZ Transport Agency, NZ Police, Treasury, Ministry of Social Development (and the Office for Disability Issues), Ministry of Justice, WorkSafe, Local Government NZ, Accident Compensation Corporation (ACC), Ministry of Health, Department of Internal Affairs, Department of Conservation, Ministry of Education and Te Puni Kōkiri. The Department of the Prime Minister and Cabinet has been informed.
114. The feedback from the consultation outlined above has been reflected in this paper.

Departmental comments on speed limits

115. Police and ACC recommend reducing the default speed limit on undivided open roads from 100 km/h to 80 km/h. There has also been support from a range of stakeholders, including some RCAs, for the default speed limit on unsealed roads (which is also 100 km/h) to be reduced to no more than 80 km/h.
116. Police and ACC support RCAs having the ability to reduce speed limits to 30 km/h outside all schools, including rural schools.
117. The NZ Transport Agency supports consideration of a change in the urban default speed limit for residential streets to 40km/h which will deliver significant safety and health benefits for active modes and deliver lower speed limits outside 1,000 urban schools at little cost.
118. ACC would also like to see safer speed limits considered outside other high-risk areas such as retirement villages, and important sites in communities such as maraes on State highways.

Financial implications

119. Funding for the proposals outlined in this paper have been identified through analysis to support the *Road to Zero* strategy and are largely expected to be funded through the National Land Transport Fund over the 10 years of *Road to Zero*. This includes funding identified for a substantial increase in the safety camera network (including an IT platform); speed management infrastructure costs; speed limit reduction costs to the highest risk parts of the network and around schools; and the government contribution to speed management changes on local roads (including education campaigns and support). These items have been identified at a high level as part of

the *Road to Zero* 40 percent targeted reduction in DSIs and will be prioritised through GPS 2021. Funding for the extension of Police's processing system has been costed into the current GPS period.

Withheld under section 9(2)(f)(iv)

120.

[Redacted]

121. Under the 2017 Rule and current Speed Management Guide, in order to introduce 30 km/h speed limits, some schools will require infrastructure changes to provide a noticeably different road context around the school.

[Redacted]

Withheld under section 9(2)(f)(iv)

122. The Minister of Transport will report back on the draft GPS 2021 by early 2020, including on options for prioritising funding for the *Tackling Unsafe Speeds* proposals.

123. The new or changed costs of the NZ Transport Agency's speed management regulatory function will be considered as part of a broader funding review. This includes costs associated with the Register of Road Instruments and the functions of the Registrar and the costs associated with the NZ Transport Agency's regulatory review of speed management plans.

124. The NZ Transport Agency is undertaking a funding review to determine the future resourcing requirements for the operation of the NZ Transport Agency's regulatory function. The Minister of Transport will be bringing a consultation document to Cabinet on the NZ Transport Agency funding review in early 2020. The consultation document will outline an approach for building the core capability and performance of the NZ Transport Agency's regulatory function, responding to the findings of the Ministry of Transport's review of the NZ Transport Agency's regulatory performance. The consultation document will confirm an approach for meeting the costs of implementing key regulatory policy changes the Minister of Transport is progressing to strengthen the regulatory framework for the land transport system, which includes those set out in this paper.

Legislative implications

125. The details of the new speed management framework, including the functions, powers and duties of the NZ Transport Agency, RCAs, regional transport committees, and the Committee will be set out in a new Land Transport Rule made

[Redacted]

by the Minister, which will replace the 2017 rule. The new rule will also include the requirements for RCAs to implement safer speed limits around schools.

126. The required changes to rules will be progressed as part of the Transport System 2019/20 Rules Programme (Item 4: Setting of Speed Limits Amendment Rule) [DEV-19-MIN-0165 refers].
127. The new system will also require relatively minor amendments to the Land Transport Act 1998 to establish the Registrar of Road Instruments as the legal instrument for speed limits and revise the rule making powers, and to the Land Transport Management Act 2003 to add functions to the regional transport committees. Minor changes to the Land Transport Act are also required to support the transfer of responsibility for speed cameras to the NZ Transport Agency.
128. Changes to primary legislation will be made through the Regulatory Systems (Transport) Amendment Bill expected to be drafted and introduced in late 2019. Drafts of rules are expected to be released to the public in early 2020 during the passage of the Bill, so that Select Committee and submitters on the Bill are able to see the package of changes together.

Regulatory Impact Analysis

129. The Regulatory Impact Analysis (RIA) requirements apply to these policy proposals. A RIA has been prepared by the Ministry of Transport and is attached to this paper.
130. The Ministry of Transport's RIA Assessment Panel has reviewed the *Impact Summary: Tackling Unsafe Speeds* and considers that it meets the Quality Assurance criteria.
131. In the Panel's view, the Impact Summary is well-written and shows clearly that options have been carefully evaluated against appropriate criteria, including the views of stakeholders ascertained during a comprehensive and structured engagement process. The panel noted that for some aspects of the three questions considered, costs and benefits have not been able to be monetised; there is uncertainty around some costs, and the actual safety benefits to be obtained from the proposals are uncertain.

Human rights and gender implications

132. There are no identified human rights or gender implications arising from the proposals in this paper.

Treaty of Waitangi implications

133. There are no identified direct Treaty of Waitangi implications arising from the proposals in this paper. RCAs will continue to be required to consult all affected parties, including iwi, on speed management proposals. The proposed regulatory framework is expected to provide affected parties with more comprehensive information on speed management proposals in their area.

Disability implications

134. The proposed planning process and recommendation for RCAs to consider safer speed limits in urban centres where there are many active mode users is intended to create safer roading environments. Safer roads and speed limits are particularly important for vulnerable road users, including people with disabilities. They improve accessibility for everyone and are an important social enabler for people with disabilities.

Publicity

135. I intend to announce the *Tackling Unsafe Speeds* programme's initiatives alongside the release of the *Road to Zero* strategy and action plan, which is expected to be publicly announced on or shortly after 11 November 2019. A separate communications plan will be developed for the *Tackling Unsafe Speeds* programme once the package of changes has been agreed.

Proactive release

136. I intend to proactively release this paper (and the accompanying RIA) by publishing it on the Ministry of Transport's website. The release may be subject to redactions as appropriate under the Official Information Act 1982.

Released under the Official Information Act 1982

Recommendations

137. The Associate Minister of Transport recommends that the Committee:

1. **note** that on 21 March 2018 Cabinet noted the Associate Minister of Transport's proposal to tackle unsafe speeds by accelerating the implementation of the Speed Management Guide, investigating speed limits around schools and considering new camera technologies [DEV-18-MIN-0025 refers]
2. **note** that on 1 July 2019 Cabinet invited the Associate Minister of Transport to:
 - 2.1. report back to the Cabinet Economic Development Committee in October 2019 seeking approval to the *Tackling Unsafe Speeds* Programme
 - 2.2. issue drafting instructions to the Parliamentary Counsel Office to commence the drafting of the necessary legislative amendments ahead of final policy decisions being taken by Cabinet on the *Tackling Unsafe Speeds* programme [DEV-19-MIN-0175 refers]
3. **note** that the *Tackling Unsafe Speeds* programme is an action in the draft action plan and has been consulted on as part of the *Road to Zero* public consultation
4. **agree** to implement a new regulatory framework for speed management:
 - 4.1. road controlling authorities retain responsibility for setting speed limits for roads they control, including out of cycle changes and temporary limits
 - 4.2. the NZ Transport Agency develops a National Speed Management Plan containing proposed speed management reviews and speed limit changes across the entire State highway network
 - 4.3. establish a Speed Management Committee to review the draft National Speed Management Plan against process criteria and provide independent advice to the NZ Transport Agency
 - 4.4. the NZ Transport Agency provides guidance to all road controlling authorities and regional transport committees on recommended safe and appropriate speeds and how to prepare, consult on and implement Regional Speed Management Plans
 - 4.5. road controlling authorities determine their input to their Regional Speed Management Plan, which will include proposed speed management reviews and speed limit changes for local roads
 - 4.6. regional transport committees collate the inputs of individual road controlling authorities to develop Regional Speed Management Plans and consult on those Plans (similar to the land transport planning process)
 - 4.7. the NZ Transport Agency reviews Regional Speed Management Plans prior to their finalisation

- 4.8. road controlling authorities must implement speed limit changes as set out in the finalised speed management plans
- 4.9. speed management plans are required to support Government priorities outlined in the *Road to Zero* Strategy and the Government Policy Statement on Land Transport
- 4.10. establish a publicly available Register of Road Instruments which will be a single source of, and legal instrument for, all speed limits in the country
- 4.11. the NZ Transport Agency, in its role as the Registrar of the register, is responsible for updating speed limits in the register, which will give legal effect to a speed limit change
5. **agree** that road controlling authorities be required to transition to safer speed limits around schools over the 10 years of the *Road to Zero* strategy, which will include:
- 5.1. reducing 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
- 5.2. reducing speed limits around rural schools to a maximum of 60 km/h
6. **agree** that road controlling authorities be required to consider safer speed limits on roads in urban centres where there are high numbers of active mode users
7. **agree** that Government policy on safety cameras is:
- 7.1. there should be a significant increased investment in additional safety cameras on the network, prioritised in the Government Policy Statement on Land Transport 2021/22 – 2030/31
- 7.2. safety cameras should be located on the highest risk parts of the network
- 7.3. safety cameras should be clearly signed as part of the investment in additional cameras so as to reduce excessive speeds on high-risk roads
- 7.4. ownership and operation of the camera network should be transferred from NZ Police to the NZ Transport Agency at the appropriate time
8. **note** the Minister of Transport will report back on the draft Government Policy Statement on Land Transport 2021/22 – 2030/31 by early 2020, including on options for prioritising sufficient funding for investment in safety cameras
9. **agree** to make such changes as may be required to enable the NZ Transport Agency to operate the camera network effectively, including changes to the process for approving vehicle surveillance devices and issuing infringement notices associated with approved vehicle surveillance devices

10. **invite** the Associate Minister of Transport and the Minister of Police to take such other actions as may be necessary or desirable (for example making changes to Land Transport Rules) to give effect to Government policy on safety cameras
11. **note** that the above decisions will principally be given effect to through a new setting of speed limits rule and other rules made under the Land Transport Act 1998, with supporting changes to the Land Transport Act 1998 and the Land Transport Management Act 2003 which will be included in the Regulatory Systems (Transport) Amendment Bill
12. **note** that a new setting of speed limits rule and associated changes is included in the Transport System 2019/20 Rules Programme as Item 4: Setting of Speed Limits Amendment Rule [DEV-19-MIN-0165 refers]
13. **note** that the Regulatory Systems (Transport) Amendment Bill has a priority of category 4 (to be referred to select committee in the year) in the 2019 Legislation Programme, and is expected to be considered by the Cabinet Legislation Committee in December 2019
14. **invite** the Associate Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to the changes to primary legislation required to give effect to these decisions, and to arrange for the relevant land transport rules to be drafted and consulted on
15. **authorise** the Associate Minister of Transport to make any minor, technical, transitional or consequential changes that arise during the drafting of legislative amendments to reflect the proposals in this paper
16. **note** that the *Tackling Unsafe Speeds* programme will be announced alongside the release of the *Road to Zero* strategy and action plan, which is expected to be publicly announced on 11 November 2019
17. **note** this paper, along with the Regulatory Impact Analysis, will be proactively released following formal announcement of the *Tackling Unsafe Speeds* programme.

Authorised for lodgement

Hon Julie Anne Genter

Associate Minister of Transport

Dated: _____

Released under the Official Information Act 1982