



Cabinet Economic Development Committee

Minute of Decision

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Accessible Streets Regulatory Package: Public Consultation

Portfolio Associate Transport (Hon Julie Anne Genter)

On 12 February 2020, the Cabinet Economic Development Committee (DEV):

Draft transport amendment rules

- 1 **agreed** to proceed to public consultation on draft rules for the Accessible Streets Regulatory Package;
- 2 **agreed**, subject to consultation, to re-categorise vehicles and transport devices allowed on footpaths, shared paths, cycle paths and cycle lanes;
- 3 **agreed**, subject to consultation, to establish a nationally consistent regulatory framework for footpaths, shared paths, and cycle paths, that:
 - 3.1 clarifies what and how vehicles can be used on footpaths;
 - 3.2 provides for the creation and regulation of shared paths and cycle paths;
 - 3.3 governs what and how vehicles can use shared paths and cycle paths;
 - 3.4 enables local decision making in regard to what and how vehicles use footpaths, shared paths, and cycle paths;
- 4 **agreed**, subject to consultation, that the conditions under which vehicles operate on the footpath are that they:
 - 4.1 are operated in a courteous and considerate manner, in a way that does not constitute a hazard, and gives right of way to pedestrians;
 - 4.2 do not travel faster than 15km/h (to ensure the safety of others sharing the footpath);
 - 4.3 are not wider than 750mm (to enable multiple users to still access the footpath);
- 5 **agreed**, subject to consultation, to enable transport devices, including e-scooters, to be used in cycle lanes and cycle paths;
- 6 **agreed**, subject to consultation, to require users of powered transport devices to use lights and to use reflectors or wear reflective material at night time, as is currently required of cyclists;

- 7 **agreed**, subject to consultation, to improve the safety of cyclists and other road users at intersections by:
- 7.1 allowing cyclists and users of transport devices to ride straight ahead from a left-turn lane;
 - 7.2 allowing cyclists and transport devices to carefully pass slow-moving motor vehicles (undertake) on the left (unless the motor vehicle is indicating a left turn);
 - 7.3 enabling road controlling authorities to give priority to footpath, shared path and cycle path users over turning traffic when they are travelling straight across a side-road at specific locations where the required traffic control devices are installed;
- 8 **agreed**, subject to consultation, to mandate a minimum overtaking gap for motor vehicles when passing cyclists, pedestrians, horses, mobility device users and users of transport devices on the road, namely:
- 8.1 a gap of 1 metre when the speed limit is 60km/h or lower;
 - 8.2 1.5 metres when the speed limit is over 60km/h;
- 9 **agreed**, subject to consultation, to clarify that road controlling authorities can restrict motor vehicle parking on berms, and that the restrictions are enforceable whether signs are installed or not;
- 10 **agreed**, subject to consultation, that road controlling authorities can vary the default speed limits and permitted users of paths, and establish berm parking restrictions by resolution, and that these variations will be made by inclusion on a publicly available register maintained by the New Zealand Transport Agency;
- 11 **agreed**, subject to consultation, to give buses priority when exiting bus stops on roads where the posted speed limit is 60km/h or less;
- 12 **invited** the Associate Minister of Transport (Hon Julie Anne Genter) to proceed to public consultation on the draft rules;
- 13 **authorised** the Associate Minister of Transport (Hon Julie Anne Genter) to make any necessary editorial or minor policy changes to the draft rules that may arise prior to their release for public consultation;
- 14 **invited** the Associate Minister of Transport (Hon Julie Anne Genter) to:
- 14.1 issue drafting instructions to the Parliamentary Counsel Office to develop a draft final amendment to the Land Transport (Road User Rule) 2004 and consequential amendments to regulations following consultation on the Accessible Streets Regulatory Package;
 - 14.2 report back to DEV with final versions of the proposed rules and regulations before they are made;

Other matters

- 15 **noted** that work on standards and guidelines for New Zealand's roads and streets is being progressed through the road safety strategy;
- 16 **noted** that ACC is considering how it might respond to the kinds of emerging technology and business models seen in the micro-mobility sector;

- 17 **noted** that councils are able to impose levies on e-scooter sharing operators through existing bylaw-making powers under the Local Government Act 2002;
- 18 **noted** that the Accessible Streets Regulatory Package will not address whether helmets should be mandatory for transport devices, nor whether helmets should continue to be mandatory for cycling;

Regulatory Impact Assessment

- 19 **noted** that the initial analysis in the preliminary Regulatory Impact Assessment, attached to the paper under DEV-20-SUB-0004, was used to support the development of the draft amendment rules and will be tested through the consultation process;
- 20 **noted** that a final Regulatory Impact Assessment will be prepared before any amendments to rules are signed, and will be published on the Ministry of Transport's website;

Communications and implementation

- 21 **noted** that:
- 21.1 a communication plan, attached to the paper under DEV-20-SUB-0004, has been prepared for the release of the draft amendment rule;
- 21.2 a final communication plan will also be prepared for the final Accessible Streets Regulatory Package of changes once agreed, as part of the normal rule making process;
- 22 **noted** that an implementation plan will be prepared that will map out the timing for bringing the amendment rule into force and for the required education campaigns on rule changes.

Janine Harvey
Committee Secretary

Present:

Hon Kelvin Davis
Hon Grant Robertson (Chair)
Hon Phil Twyford
Hon Dr Megan Woods
Hon Stuart Nash
Hon Iain Lees-Galloway
Hon Jenny Salesa
Hon Damien O'Connor
Hon Shane Jones
Hon Kris Faafoi
Hon Tracey Martin
Hon Willie Jackson
Hon James Shaw
Hon Julie Anne Genter
Hon Eugenie Sage

Officials present from:

Office of the Prime Minister
Officials Committee for DEV

Hard-copy distribution:

Associate Minister of Transport (Hon Julie Anne Genter)