17 April 2019

Dear [Name],

I refer to your request for information received by the NZ Transport Agency on 4 March 2019, and transferred in part to the Ministry of Transport on 7 March 2019, pursuant to the Official Information Act 1982 (the Act):

"Use of public footpaths by bicycles, electric bicycles, e-scooters and certain powered vehicles such as Segway passenger devices or similar.

The following information is required for a news media item.

1) **What advice has the NZTA and other government departments such as the Ministry of Transport and related bodies given government ministers regarding the above within the last two years?**

Over the past 24 months, the main work that the Ministry has advanced regarding the use of public footpaths has been the work on the Accessible Streets rule package. This work involves a package of rule changes supporting the Government Policy Statement on Land Transport 2018 to improve New Zealanders’ access to social and economic opportunities. The Accessible Streets work was noted in the briefing "Improving Road Safety in New Zealand" under its original title *Vulnerable Users and Pathways*. This paper outlined the scope of the work and its objectives. This paper can be found on the Ministry’s website via: [https://www.transport.govt.nz/multi-modal/key-strategies-and-plans/road-safety-strategy/](https://www.transport.govt.nz/multi-modal/key-strategies-and-plans/road-safety-strategy/).

The Accessible Streets package, including the associated Cabinet paper, Regulatory Impact Assessment, and the Cost Benefit Analysis will be withheld under section 9(2)(f)(iv) of the Act as the release of this information could be prejudicial to decisions currently being considered by Ministers. However, I can state that pending Cabinet approval, I anticipate that this package will be released for public consultation in the coming months.

The Ministry also produced a briefing outlining the scope of the Accessible Streets package along with a briefing outlining the walking and cycling programme in New Zealand. These documents have been released with redactions under section 9(2)(a) and section 9(2)(f)(iv) of the Act.
The Ministry has also provided Associate Minister Center with meeting briefings with stakeholders interested in cycling and footpath use. These briefings have been released with minor redactions under section 9(2)(a).

A full list of the documents within scope of this request are outlined in Appendix 1.

2) What discussions has the NZTA and other government departments such as the Ministry of Transport and related bodies had on this subject with interested parties, including (but not limited to) advocates for and promoters of said bicycles, electric bicycles, e-scooters and certain powered vehicles such as Segway passenger devices or similar?

There were 31 email chains related to the Accessible Streets package. These emails are outlined in Appendix 2.

As part of informal discussions during the development of the Accessible Streets package, the Ministry met with various groups such as Disability Action, Living Streets Aotearoa and the Cycling Action Network as part of informal discussions on Accessible streets pre-consultation. As noted in the aide memoire OC05719 (document 5), the Chief Executive of the Ministry, Peter Mersi, met with Living Streets Aotearoa on 1 March 2018.

Since ride sharing e-scooters were launched in late 2018 across many cities in New Zealand, the Ministry amended the Accessible Streets package to ensure relevant policy matters are considered as part of the revised package. The Ministry’s meetings with e-scooter providers are outlined in Appendix 3. These meetings were primarily to discuss the current policy settings and to get an understanding of what plans these providers have regarding future operations.

Additionally, officials from the Ministry take part in a quarterly walking and cycling group. The meeting minutes have been included in this response with minor redactions under section 9(2)(a) of the Act.

A list of all the meetings within scope of this request, has been outlined in Appendix 3.

3) What representations did Michael Williams, and/or his agents and/or representatives, make to NZTA and other government departments such as the Ministry of Transport and related bodies regarding these or similar matters?

Mr Williams has not made any direct representations to the Ministry of Transport. However, an official from the Ministry attended a meeting between Minister Twyford and Michael Williams on 30 November 2018. The meeting was an introductory meeting and no actions or notes were taken. Mr Williams was also copied into an email discussion between the Ministry and the Director of Government Affairs and Strategy for Lime Scooters, Mitchell Price.

4) What representations did the transport minister, other government ministers and/or their agents and/or representatives make to NZTA and other government departments such as the Ministry of Transport and related bodies regarding these or similar matters?
No discussions were had with Ministers about these specific items, except as part of the Accessible Streets package. Emails within scope of this request have been included in the response with redactions under section 9(2)(a) and section 9(2)(f)(iv) of the Act.

5) **What representations did other politicians, and/or lobbyists and/or advocates for the above vehicles make to NZTA and other government departments such as the Ministry of Transport and related bodies regarding these or similar matters?**

As part of its functions as a steward of the transport system, members of the Ministry have met with various stakeholders interested in use of public footpaths and the development of the Accessible Streets package. Organisations such Living Streets Aotearoa and the Cycling Action Network have publically and privately stated that they would like to see a variety of rule changes that they believe would increase access for vulnerable users.

We have also received correspondence from Scoozzi enquiring about the legal situation with their vehicles. Bird Scooters also discussed the current state of New Zealand law regarding e-scooters so that they could comply with this. Neither representatives of these organisations asked for any amendments to the law.

We have also engaged in correspondence with Lime Scooters, enquiring about methods to control speeds, usage patterns of their users, and helmet use. The Ministry met with officials from Lime on 18 January 2019, with a follow up meeting on 13 February 2019.

6) **What discussions has NZTA and other government departments such as the Ministry of Transport and related bodies had with the Auckland City Council, Auckland Transport, their agents and assignees, jointly and severally, regarding these or similar matters?**

As part of the development of the Accessible Streets package the Ministry has consulted with several Government departments regarding the development of the draft Cabinet paper and Regulatory Impact Assessment. Auckland Transport was not involved in the development of these documents.

Ministry officials have engaged in email correspondence with Auckland Transport and Auckland Council staff on the subject of e-scooters. We helped them prepare their initial report that was called for after Councillor Fletcher had a near miss incident. We also took part in conference calls with Auckland Transport and Auckland Council staff and the NZ Transport Agency after Lime scooters were deployed. Our advice largely revolved around the legal situation with e-scooter regulation under land transport rules and bylaws. We also shared articles from overseas news coverage on several occasions.

Emails detailing this correspondence have been included in this response and are listed in Appendix 2.
7) *What was the outcome of these discussions?*

The Auckland Council/Auckland Transport produced a report and we agreed to consider enabling use of e-scooters and other wheeled recreational devices in cycle lanes as part of the Accessible Streets package.

8) *What is the current position of NZTA and other government departments such as the Ministry of Transport and related bodies regarding the use of public footpaths by the above vehicles?*

The Ministry’s view is consistent with current law. That means that bicycles and e-bikes are not to be used on public footpaths, and that the use of e-scooters and other wheeled recreational devices is legal. We are looking at the law to see if improvements can be made to clarify the safe operation of these vehicles.

Based on email correspondence with you on 21 March 2019, we have interpreted your request to refer to work the Ministry has undertaken on the Accessible Streets package, and the Ministry's interactions with specific groups interested in this work as this has been the Ministry’s main work on personal transport.

We have included in scope of this request documents, emails, and meetings between external organisations, businesses, and councils. Internal communications, as well as communications between the Ministry and other government organisations such as the NZ Transport Agency have not been included in this response because we have interpreted that your request is primarily looking for information regarding what organisations and businesses are influencing Government policy on footpath use.

You have the right under section 28(3) of the Act to make a complaint about the refusal to release this information to the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsmen  
P O Box 10-152  
WELLINGTON

**Email:** info@ombudsman.parliament.nz

Yours sincerely,

Brent Johnston  
Manager, Mobility and Safety  
*For CHIEF EXECUTIVE*
## Appendix 1: Documents within scope of request

<table>
<thead>
<tr>
<th>Document number</th>
<th>Document title</th>
<th>Date</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Meeting Minutes from Quarterly Walking and Cycling Catch Up</td>
<td>18 May 2017</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>2</td>
<td>Public transport, walking and cycling (OC05378)</td>
<td>22 November 2017</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>3</td>
<td>Meeting with the Cycling Action Network (OC05493)</td>
<td>1 December 2017</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>4</td>
<td>Meeting Minutes from Quarterly Walking and Cycling Catch Up</td>
<td>31 January 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>5</td>
<td>Meeting with Living Streets Aotearoa (OC05719)</td>
<td>27 February 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>6</td>
<td>Meeting with CCS Disability Action (OC180117)</td>
<td>23 March 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>7</td>
<td>Update on progress against the recommendations of the 2014 Cycling Safety Panel (OC05692)</td>
<td>23 March 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>8</td>
<td>Meeting Minutes from Quarterly Walking and Cycling Catch Up</td>
<td>11 April 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>9</td>
<td>Vulnerable users and pathways – agreeing the scope (OC180043)</td>
<td>20 April 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>11</td>
<td>Meeting Minutes from Quarterly Walking and Cycling Catch Up</td>
<td>30 August 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>12</td>
<td>Ministerial response to Scoozzi – M182464</td>
<td>16 October 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>13</td>
<td>Draft Background document to inform memo – Auckland Council</td>
<td>30 October 2018</td>
<td>Withheld under section 9(2)(g)(l)</td>
</tr>
<tr>
<td>#</td>
<td>Title</td>
<td>Date</td>
<td>Release Status</td>
</tr>
<tr>
<td>----</td>
<td>----------------------------------------------------------------------</td>
<td>-----------------------</td>
<td>-----------------------------------------------</td>
</tr>
<tr>
<td>14</td>
<td>Memorandum Auckland Council</td>
<td>1 November 2018</td>
<td>Released in full</td>
</tr>
<tr>
<td>15</td>
<td>Number of accepted claims for e-scooter related accidents between 14 October 2018 and 31 October 2018, by accident location</td>
<td>2 November 2018</td>
<td>Released in full. Please note that this information is no longer current.</td>
</tr>
<tr>
<td>16</td>
<td>Weekly report extract</td>
<td>Week ending 2 November 2018</td>
<td>Released in full</td>
</tr>
<tr>
<td>17</td>
<td>Memorandum Auckland Council: Update on rental e-scooters – upcoming pilots and next steps</td>
<td>20 November 2018</td>
<td>Released in full</td>
</tr>
<tr>
<td>18</td>
<td>Meeting Minutes from Quarterly Walking and Cycling Catch Up</td>
<td>27 November 2018</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>19</td>
<td>Meeting Minutes from Quarterly Walking and Cycling Catch Up</td>
<td>26 February 2019</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>20</td>
<td>Accessible Streets Package - Cabinet Paper</td>
<td>Not yet finalised</td>
<td>Withheld in full under section 9(2)(f)(iv)</td>
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<tr>
<td>21</td>
<td>Accessible Streets Package - Regulatory Impact Assessment</td>
<td>Not yet finalised</td>
<td>Withheld in full under section 9(2)(f)(iv)</td>
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## Appendix 2: Emails within scope of request

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<thead>
<tr>
<th>Email number</th>
<th>Primary agency/individual involved</th>
<th>Date</th>
<th>Time</th>
<th>Title</th>
<th>Comment</th>
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<tbody>
<tr>
<td>1</td>
<td>Adelaide University</td>
<td>30 January 2019</td>
<td>12:50pm</td>
<td>Re: E-scooters</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>2</td>
<td>Auckland Transport</td>
<td>19 February 2019</td>
<td>9:32am</td>
<td>Re: Bird past performance – any insights including technical</td>
<td>Some information withheld under sections 9(2)(a) and 9(2)(b)(ii)</td>
</tr>
<tr>
<td>3</td>
<td>Auckland Transport</td>
<td>18 January 2019</td>
<td>2:08pm</td>
<td>Re Lime – renewed licence etc</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>4</td>
<td>Auckland Transport</td>
<td>17 December 2018</td>
<td>8:51am</td>
<td>RE: Rental e-scooters any updates at your end before close next week?</td>
<td>Some information withheld under sections 9(2)(a), 9(2)(g), and section 9(2)(j)</td>
</tr>
<tr>
<td>5</td>
<td>Auckland Transport</td>
<td>27 November 2018</td>
<td>3:52pm</td>
<td>Bird e-scooters</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>6</td>
<td>Auckland Transport</td>
<td>23 November 2018</td>
<td>8:46am</td>
<td>E-scooters - Update memo FYI</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
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<td>Attachment to email document 17</td>
</tr>
<tr>
<td>7</td>
<td>Auckland Transport</td>
<td>16 November 2018</td>
<td>10:42am</td>
<td>RE: E-scooters - any new ACC data?</td>
<td>Some information withheld under section 9(2)(a)</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Data included in document 15</td>
</tr>
<tr>
<td>8</td>
<td>Auckland Transport</td>
<td>5 November 2018</td>
<td>1:19pm</td>
<td>Re: E-scooters - other cycle paths permissible?</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>9</td>
<td>Auckland Transport</td>
<td>1 November 2018</td>
<td>2:26pm</td>
<td>RE: E-scooters - Update on options</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>10</td>
<td>Auckland Transport</td>
<td>1 November 2018</td>
<td>11:36am</td>
<td>RE: E-scooters - ACC data - checking</td>
<td>Some information withheld under section 9(2)(a)</td>
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<td>11</td>
<td>Auckland Transport</td>
<td>31 October 2018</td>
<td>5:14pm</td>
<td>RE: release of report on e-scooters</td>
<td>Some information withheld under section 9(2)(a)</td>
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<td>12</td>
<td>Auckland Transport</td>
<td>31 October 2018</td>
<td>9:17am</td>
<td>RE: Draft Background document to inform memo to</td>
<td>Some information withheld under section 9(2)(a) and the draft document withheld</td>
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<td>No</td>
<td>Source</td>
<td>Date</td>
<td>Time</td>
<td>Subject</td>
<td>Section withhold/Memo Attached</td>
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<tr>
<td>13</td>
<td>Auckland Transport</td>
<td>26 October 2018</td>
<td>3:42pm</td>
<td>RE: E-Scooters - Responding to request from the Mayor for briefing from Stephen Town for next week</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>14</td>
<td>Bird e-scooters</td>
<td>12 December 2018</td>
<td>4:37pm</td>
<td>Re: New Zealand Dates</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>15</td>
<td>Blind Foundation</td>
<td>23 January 2019</td>
<td>4:33pm</td>
<td>RE: Accessible Streets package and meeting request</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>16</td>
<td>Cycling Action Network</td>
<td>27 February 2019</td>
<td>1:33pm</td>
<td>RE: Agenda - I will print a few copies too - see you soon</td>
<td>Some information withheld under section 9(2)(a)</td>
</tr>
<tr>
<td>17</td>
<td>Cycling Action Network</td>
<td>19 February 2019</td>
<td>11:46am</td>
<td>Re: seeking Accessible Streets package</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>19</td>
<td>Cycling Action Network</td>
<td>8 November 2018</td>
<td>5:12 PM</td>
<td>RE: Seeking Cabinet Paper on safe passing rule, cycling on footpaths etc</td>
<td>Some information withheld under section 9(2)(a)</td>
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<td>20</td>
<td>Christchurch City Council</td>
<td>26 February 2019</td>
<td>11:34 AM</td>
<td>RE: Vulnerable Users and Pathways package</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>21</td>
<td>Lime Scooters</td>
<td>8 February 2019</td>
<td>5:01 PM</td>
<td>RE: Questions from the NZ Ministry of Transport</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>22</td>
<td>Living Streets</td>
<td>14 November 2018</td>
<td>10:30 PM</td>
<td>Re: FW: Road User Behaviour RG Meeting 2 Outcomes</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>23</td>
<td>Ministry of Transport</td>
<td>27 November 2018</td>
<td>7:03 PM</td>
<td>RE: Ministerial meeting with Lime Scooters</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>24</td>
<td>Ministry of Transport</td>
<td>5 November 2018</td>
<td>12:26 PM</td>
<td>FW: Memo - E-scooters - final</td>
<td>Some information withheld under section 9(2)(a)</td>
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<td>No.</td>
<td>Sender/Recipient</td>
<td>Date/Time</td>
<td>Time/Action</td>
<td>Reason for Withholding</td>
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<tr>
<td>25</td>
<td>New Zealand Post</td>
<td>28 January 2019 4:41PM</td>
<td>RE: Accessible Streets</td>
<td>Some information withheld under section 9(2)(a)</td>
<td></td>
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<tr>
<td>26</td>
<td>Office of Minister Genter</td>
<td>28 September 2018 9:46AM</td>
<td>RE: Accessible streets</td>
<td>Some information withheld under section 9(2)(a)</td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Office of Minister Genter</td>
<td>27 June 2018 9:33AM</td>
<td>RE: Accessible streets cab paper changes</td>
<td>Some information withheld under section 9(2)(a)</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Office of Minister Genter</td>
<td>18 June 2018 12:02PM</td>
<td>RE: Edits to Vulnerable users paper</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>29</td>
<td>Office of Minister Genter</td>
<td>14 June 2018 5:26PM</td>
<td>RE: New option for give way for Vulnerable Users and Pathways</td>
<td>Some information withheld under section 9(2)(a)</td>
<td></td>
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<tr>
<td>30</td>
<td>Office of Minister Genter</td>
<td>9 July 2018 10:38AM</td>
<td>RE: Wanting a steer on comms approach for Accessible Streets package</td>
<td>Some information withheld under section 9(2)(a)</td>
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<tr>
<td>31</td>
<td>Scoozzi New Zealand</td>
<td>28 September 2018 4:23PM</td>
<td>FW: new ruling about electric scooter</td>
<td>Some information withheld under section 9(2)(a)</td>
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</table>
### Appendix 3 – Meetings within scope of the request

<table>
<thead>
<tr>
<th>Date</th>
<th>Organisation</th>
<th>Comment</th>
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<tbody>
<tr>
<td>18 May 2017</td>
<td>Walking and Cycling group</td>
<td>Quarterly Walking and Cycling Catch Up</td>
</tr>
<tr>
<td>31 January 2018</td>
<td>Walking and Cycling group</td>
<td>Quarterly Walking and Cycling Catch Up</td>
</tr>
<tr>
<td>1 March 2018</td>
<td>Living Streets Aotearoa</td>
<td>Meeting with Peter Mersi</td>
</tr>
<tr>
<td>11 April 2018</td>
<td>Walking and Cycling group</td>
<td>Quarterly Walking and Cycling Catch Up</td>
</tr>
<tr>
<td>29 May 2018</td>
<td>Electrify</td>
<td>E-bike provider</td>
</tr>
<tr>
<td>18 July 2018</td>
<td>Minicrosser</td>
<td>Mobility scooter provider</td>
</tr>
<tr>
<td>June 2018</td>
<td>Scoozzi New Zealand</td>
<td>Informal meeting at 2Walk and conference</td>
</tr>
<tr>
<td>30 August 2018</td>
<td>Walking and Cycling group</td>
<td>Quarterly Walking and Cycling Catch Up</td>
</tr>
<tr>
<td>27 November 2018</td>
<td>Walking and Cycling group</td>
<td>Quarterly Walking and Cycling Catch Up</td>
</tr>
<tr>
<td>27 November 2018</td>
<td>Bird Scooters</td>
<td>Phone conference with Director of Bird Scooters</td>
</tr>
<tr>
<td>18 January 2019</td>
<td>Lime Scooters</td>
<td>Ministry officials met with the Director of Government Affairs and Strategy</td>
</tr>
<tr>
<td>13 February 2019</td>
<td>Lime Scooters</td>
<td>Ministry officials met with the Director of Government Affairs and Strategy</td>
</tr>
</tbody>
</table>

Walking and Cycling Group includes:

- The Ministry of Transport
- NZ Transport Agency
- Walking Access Commission
- Living Streets Aotearoa
- Cycle Action Network
- Cycling NZ
- Disability Persons Assembly
Minutes for Walking and Cycling Catch-up
CAN, LSA, Walking Access Commission, Cycling NZ, NZTA and MoT

Level 3, Westpac Hub, 318 Lambton Quay
Ministry of Transport, Wellington

Thursday 18 May 2017, 11:00am to 12:00pm.

<table>
<thead>
<tr>
<th>Attendee</th>
<th>Organisation</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amy Taylor</td>
<td>Cycling New Zealand</td>
<td>Community Pathways Manager</td>
</tr>
<tr>
<td>Andy Smith</td>
<td>Living Streets Aotearoa</td>
<td>President</td>
</tr>
<tr>
<td>Glen-Marie Burns</td>
<td>Ministry of Transport</td>
<td>Manager, People and Environment</td>
</tr>
<tr>
<td></td>
<td>NZTA</td>
<td>Principal Cycling Advisor</td>
</tr>
<tr>
<td></td>
<td>Ministry of Transport</td>
<td>Adviser, People and Environment</td>
</tr>
<tr>
<td></td>
<td>Ministry of Transport</td>
<td>Adviser, Land Transport Safety</td>
</tr>
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</table>

<table>
<thead>
<tr>
<th>Apologies</th>
<th>Organisation</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ellen Blake</td>
<td>Walking Access Commission</td>
<td>Policy and Partnerships Advisor</td>
</tr>
</tbody>
</table>

1. Welcome and Introductions

2. NZTA update:

   General Update
   - Today marked the halfway point of the completion of the Urban Cycleways Programme.
   - Work has been continuing on the implementation of a cycle skills education system. Claire Pascoe, Cycling Delivery Manager, NZTA, is working on an indicative business case model for this.

   Research Reports
   - Research on level of service for cycling has just begun. Further updates will be given as this work progresses.
   - Reiteration of the three recently released completed research reports on:
     - Cycling on the footpath
     - Minimum overtaking gap
     - Road User Rule changes
     - This research can be found at: https://www.nzta.govt.nz/walking-cycling-and-public-transport/cycling/for-people-involved-in-cycling-programmes-and-projects/cycling-resources-and-research/.
   - The research on E-bikes and low powered vehicles should be published in a few weeks time.

3. MOT update:

   Draft GPS 2018
   - Work on the Draft GPS 2018 is continuing. The Ministry team is working through suggestions from submissions and crafting a final version which will be released sometime later in 2017.
Safer Journeys Action Plan 2016-2020

- from the Land Safety Team at the Ministry is the Coordinator of the Safer Journeys Action Plan 2016-2020 (the Plan) and gave an update on this programme.


- Under Action 4 of the Plan, which aims to encourage safe vehicles, there is research underway on 6 technologies to promote vehicle safety. One of these technologies, is side under-run protection systems. The research is due to be completed by the end of the year.

- Another action that relates to cycling in the Plan, is Action which aims to enable smart and safe vehicles. Under this action government will trial in-vehicle technologies that provide information to drivers about the road environment. The Road Safety Partnership Programme, being established by the NZTA, will work closely with the transport industry to promote collaboration and safety. Part of this programme will be to develop and trial technologies to promote safety, and could potentially include cycle-focused technologies, such as the CycleEye1.

- Finally, Action 3 in the Plan aims to ensure roads and roadsides support safer travel. Under this action the government will design a programme of road safety improvements on high risk local urban arterials, focusing on all modes and on vulnerable users. This will be included in the National Land Transport Plan next year.

Transport Outlook 2016: Current State

- mentioned that the Ministry of Transport will be imminently releasing the ‘Transport Outlook 2016: Current State’ which reports the current state of New Zealand’s transport system as a whole.

- The Ministry will update members of this group when this document is released, due sometime in June.

Cycling on the footpath Petition

- As the group is aware the Select Committee response to Jo Clendon’s Petition to allow children to cycle on the footpath was released on Friday 12 May. The Committee made recommendations which the Government will respond to by August.


- The Ministry will ensure the Government response is publicised with this group once it is public.

4. Updates from organisations:

Living Streets Aotearoa (LSA):

- LSA has been concentrating on the Petition. They have been aligning with Disabled Persons’ Organisation such as the Blind Foundation.

- The LSA have organised the National New Zealand Walking Summit which will take place on 28 July 2017. It will be held in Wellington at St Andrews on the Terrace.

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1 CycleEye is a cyclist detection and driver alert system for trucks and buses. More information about it can be found at: http://www.fusionproc.com/products/.
Information on the Summit can be found at: http://www.livingstreets.org.nz/node/4972.

Cycling Action Network (CAN):
- CAN has been beavering away on a few things, including the Bike Expo. This is scheduled to take place from 28 – 29 October in Christchurch, in the days after the Asia Pacific Cycling Conference. The Expo is going to be an opportunity for organisations to connect and for businesses to display products.
- CAN has also been going through an Executive structure change and this time next year it will look a bit different. The new Chair of CAN is Rex Williams.

Cycling NZ:
- Cycling NZ’s main focus is their Ride Leader programme which is aiming to increase participating in cycling. They are trying to get people back on their bikes and have 30-40 active cycling groups currently, with between 4-110 members per group.
- Cycling NZ have also been sharing the “Share the Road” messaging through their wider cycling network.

Walking Access Commission (WAC):
- WAC sent their apologies.

5. Determination of future meetings
- It was agreed that the next meeting should take place in week of 11 September 2017.

6. Any other business

Footpath Maintenance
- Andy Smith from LSA asked a question regarding footpath maintenance. He noted that this is not currently funded through the NLTF, but if cycling on the footpath is legalised for children, does this not increase the case to fund footpath maintenance?
- The Ministry agreed to do some thinking on this and get back to Andy.
Public Transport, Walking and Cycling

Reason for this briefing: To provide you with background information about public transport, walking and cycling in New Zealand. This briefing lays out what the Ministry of Transport considers to be key opportunities to increase uptake of public transport and active modes.

Action required: Officials from the Ministry of Transport would like to meet with you to discuss the broad public transport, walking and cycling work programme, and priorities.

Deadline: N/A

Reason for deadline: N/A

Contact for telephone discussion (if required)

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<tr>
<th>Name</th>
<th>Position</th>
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<tr>
<td>John Doe</td>
<td>Adviser, Mobility and Safety</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brent Johnston</td>
<td>Manager, Mobility and Safety</td>
<td>022 066 4401</td>
<td></td>
</tr>
<tr>
<td>Kirstie Hewlett</td>
<td>Deputy Chief Executive, Regulatory and Data</td>
<td>021 668 159</td>
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MINISTER’S COMMENTS:

Date: 22 November 2017

Briefing number: OC05378

Attention: Hon Julie Anne Genter, Associate Minister of Transport

CC: Hon Phil Twyford, Minister of Transport

Security level: In-Confidence

Minister of Transport’s office actions

- Noted
- Needs change
- Withdrawn
- Seen
- Referred to
- Not seen by Minister
- Approved
- Overtaken by events
Purpose of briefing

1. There are a range of opportunities with public transport, walking and cycling, to shape the transport landscape and create more liveable cities. Rapid changes in technology, urban design, and social expectation provide the platform to shape a truly multi-modal transport system that provides for enhanced mobility, inclusion, accessibility, and health and wellbeing for all New Zealanders.

2. The government has indicated interest in specific proposals relating to public transport, walking, and cycling. These are discussed at paragraphs 23.1 to 23.5 and 26.1 to 26.6. This briefing also provided requested information on the setting of speed limits outside of schools at paragraphs 46 to 48.

3. Complementing these initiatives, this paper summarises key levers the government has to influence the uptake of public and active transport in New Zealand in the long term. It also provides a number of suggested opportunities for discussion with you.

Executive Summary

1. Travelling by car has been the main form of transport for most New Zealanders for a long time. There are many reasons to consider changing travel behaviour, and enabling greater transport choice and access for all users. These reasons include improving health, regional economic development, tourism, transport efficiency, reducing emissions and social well-being.

2. It is possible to grow the popularity of other modes by encouraging uptake of these as attractive, convenient, affordable and safe transport options. For example, where passenger rail has been provided in New Zealand patronage has doubled over the last 10 years. Over 20 percent increase in use has also been shown where safe and separated cycleways have been built.

3. Emerging technologies are also having an impact on transport choice and need to be taken into account when looking at ways of improving uptake of public transport, walking and cycling. The convergence of the digital world with transport’s physical world is beginning to change the way people and goods move around. This shift in use is only going to increase with our reliance on smartphones and new business models like Mobility as a Service (MaaS) platforms providing more on-demand transport services.

4. Achieving significant change in travel patterns and the wider benefits this will bring, will require sustained investment and focus by central and local government over many years.

5. This briefing identifies investment opportunities, including increasing the funding allocation for public transport under the National Land Transport Fund (NLTF), and funding a second Urban Cycleways Programme and the Skypath, to maximise the benefits of safe and connected cycleways. Development of an Active Neighbourhoods fund promoting health, transport and social outcomes is also considered, as well as what levers can be reset in the GPS to increase uptake of walking and cycling.

6. This briefing also suggests a possible rules package to make public transport, walking and cycling safer and more accessible, an investigation of the effects of the Public Transport Operating Model and opportunities for government to educate and increase engagement are also identified.
7. We also suggest, for further discussion, the development of a public and personal transport strategy. This would provide an opportunity to establish an overarching framework and actions to support the step change you envisage in public and personal transport.

8. Officials would welcome the chance to discuss your priorities regarding public transport, walking and cycling with you, and are happy to provide further information or advice.

**Background**

**How New Zealanders currently move around**

9. Private car use, as the main form of transport, is ingrained in New Zealand travel habits, with walking, cycling and public transport less popular modes of transport. Pedestrian travel is primarily for short trips and therefore makes up only 13 percent of total travel time, although it makes up 17 percent of total trips taken. Public transport’s share of total travel time is 4 percent and cycling is just over 1 percent, as shown below.

10. Car dependent travel patterns are difficult to change. Behaviour change is possible when alternative modes are made more attractive, and can result in decreased car use. Decades of ongoing investment is needed to drive this change. Evidence shows that people will start to shift behaviours when alternatives are improved, especially if these make travel more convenient and affordable.

11. In the 2016/17 financial year there were 153 million boardings on public transport services, with 58 percent occurring in Auckland and 24 percent occurring in Wellington. Bus services account for 74 percent of total boardings, with the rest being made up from 22 percent rail and 4 percent ferry services. This is demonstrated in the graphic on the right.

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12. Demand for public transport services has been growing steadily over the last 10 years, predominantly in Wellington and Auckland. Demand has been particularly strong for rail in those centres, with patronage doubling. Outside of Auckland and Wellington public transport demand is flat-lining or declining.

13. The number of walking trips has fallen by 14 percent since 1989/90 and cycling trips by 59 percent\(^2\), as shown in the graphic on the right. However, this trend has begun reversing in some regions. For example, in Christchurch the number of people cycling into the city centre during weekdays has increased by 21 percent in the last year, correlating with new cycling infrastructure.

What are the benefits of more public transport, walking and cycling?

14. There are many reasons to consider changing travel behaviour and enabling greater transport choice and access for all users. These reasons include improving physical and mental health, regional economic development, tourism, transport efficiency, social well-being and reducing emissions\(^3\).

15. Increased activity can be encouraged both through walking and cycling to work or to school, and as part of other incidental travel. It can also be promoted through increased use of public transport where travellers use active modes for the ‘first and last mile’ of their trip.

16. Improved health is an important outcome and physical inactivity is expensive. New Zealand was recently reported to have the third highest obesity rate in the world, and with rising public health spending, increasing active travel has the potential to impact these figures in a real and positive way.

17. Evidence shows that regular physical activity halves the risks of conditions such as stroke, coronary heart disease and diabetes\(^4\). Less than half of adult New Zealanders reach the guidelines of 150 minutes of moderate or 75 minutes of vigorous physical activity per week\(^5\). In 2012, only 10 percent of youths reported that they met the 60 minutes per day of activity recommended for children\(^6\). Physical activity also has proven mental health benefits, with stress relief, increased social interaction, and possible reduced risk of depression.

18. It is also possible to achieve improved road safety for all users through more multi-modal travel. Walking and using public transport are already low risk ways of travelling. Although cycling is currently one of the highest risk transport modes, cycling safety is proven to

\(^2\) Transport Outlook Current State 2016, based on New Zealand Household Travel Survey data.
\(^5\) For the NZ Health Survey purposes this is measured as undertaking at least 30 minutes of moderate-intensity physical activity (or equivalent vigorous activity) on 5 or more days in the past 7 days.
\(^6\) University of Auckland, Youth Survey, 2012.
increase once a critical mass of cyclists is achieved\textsuperscript{7}. In order to increase uptake and safety, the provision of cycling infrastructure is key.

19. Public transport offers an alternative or complementary choice to walking, cycling or driving. It allows increased access to jobs and education located in central city areas, by increasing the number of people able to use the corridors serving these areas. Public transport is also one of the safest ways for people to travel, being up to seven times safer, per kilometre travelled, than travel by private motor vehicle\textsuperscript{8}. Accessible and affordable public transport can also increase choice for people on low incomes, the young, and the old by providing links to local centres. Nevertheless, public transport works best when providing regular commuter links, rather than complex linked trip legs. It also requires a reasonably high density population to make services efficient. This is why integrating public transport with walking, cycling and emerging shared mobility services will be important in maximising future uptake.

20. Increased public and active transport use, resulting in less car travel, can benefit the environment, air quality, urban form and reduces congestion. Greater transport choice also creates a more resilient multi-modal transport network, and makes our towns and cities more attractive places to live and work\textsuperscript{9}.

What are the emerging trends?

21. While travelling by car remains the dominant form of travel in New Zealand, there are a number of current and emerging trends, which the government could build on, to increase the mode share of public and active transport.

21.1. \textbf{Investment in infrastructure is resulting in increases in uptake in public transport, walking and cycling} – Nga Haerenga (the New Zealand Cycle Trail), the Urban Cycleways Programme and public transport in Auckland, are examples of where infrastructure provision has led to increased use. For example, patronage has grown around 20 percent on Auckland’s Northern Busway over the last five years. These examples show that when convenient, reliable and safe infrastructure is provided, alternative transport becomes a more attractive choice. Nevertheless, there is a lot more that can be done to increase the uptake of public transport, walking and cycling.

21.2. \textbf{Increasing uptake requires behaviour change and community engagement} – emerging evidence about the best ways to get behaviour change and mode shift, tells us that we need to focus on framing the conversation in the right way. International experience shows that asking people how they want to live in their cities and towns creates engagement. Whereas, focusing discussions on single modes can lead to poor outcomes and sometimes backlash. Successful behaviour change requires a good understanding of who is being targeted, and sustained interventions to gradually shift preferences, beliefs and behaviours. This needs to be underpinned by investment in improvements to infrastructure, as detailed above.

\textsuperscript{7} This is known as the ‘safety in numbers effect’ and is well documented in European countries where there are high rates of cycling.

\textsuperscript{8} The role public transport can play in \textit{Safer Journeys} and, in particular, to advance the Safe System approach, 2015, \url{https://www.nzta.govt.nz/assets/resources/research/reports/581/581-the-role-public-transport-can-play-in-safer-journeys.pdf}.

\textsuperscript{9} Integrating Public Health Objectives in Transportation Planning, 2017, Victoria Transport Policy Institute, \url{http://www.vtpi.org/health.pdf}.}
21.3. **It is important to consider the whole community's needs** – creating liveable community spaces helps to increase incidental active neighbourhood travel, particularly by children, the elderly, and those with disabilities. By focusing on a community or suburb as a whole, including key routes to schools, shops and other points of interest, a more integrated and holistic programme of interventions can be developed. Introducing young children to active travel to school is a key opportunity, as well as teaching them safe cycling skills. Better provision of key walking and cycling routes will also positively impact our aging population and those with disabilities.

21.4. **Technology is beginning to play an important role in improving transport options** – new technologies are beginning to impact transport in New Zealand. Emerging technologies are offering opportunities to improve safety, access, health and environmental outcomes and may have a significant impact on transport systems internationally. MaaS platforms are connecting travellers with a wide range of transport options, including car and bike sharing (and electric vehicle and electric bike) schemes and public transport services\(^{10}\). As these systems develop, real time travel demand data will lead to better-managed transport networks, especially once autonomous vehicles become part of the vehicle fleet. International Transport Forum research tells us building technology into transport options is viable now and will develop further in the future. There is also a role for government in ensuring that the country is prepared for, and is actively encouraging, the adoption of technologies that will benefit New Zealanders and the way they want to live. There is also a potential role for government in collecting and opening up transport data to enable the development of private sector models to support or deliver alternative transport options.

**Proposals you have indicated interest in**

*Public Transport*

22. The government has indicated it is committed to increasing access to and uptake of buses, trains and ferries to give people greater choice in how they travel. The uptake of active modes is also related to public transport, including how the use of those modes can work effectively with public transport to create multi-modal journeys.

23. The government has indicated interest in:

23.1. Increasing the funding allocation for public transport under the NLTF.

23.2. Developing new bus priority routes in Auckland, including New Lynn – Flat Bush, Point Chevalier – Botany, Silverdale – Whangaparoa, and Howick – Glenfield and bus rapid transit lines, such as from Howick to Auckland Airport.

23.3. Investing in bus services in Christchurch, such as from Addington to the CBD (complimenting your proposed commuter rail service), and a 21st century strategic multi-modal transport plan to be developed for Greater Christchurch.

\(^{10}\) A current trial of a MaaS platform in Queenstown is discussed later in the paper.
23.4. Developing a Congestion Free Network plan for Wellington by Greater Wellington Regional Council, Wellington City Council and the NZ Transport Agency, and a feasibility study on mass rapid transit to the airport.

23.5. Investigating the transport implications of the development of a new generation SuperGold smartcard for those aged over 65, and a green transport smartcard, starting with people on low-incomes and on a benefit.

24. You will receive further briefings on your specific commitments in paragraphs 23.1 to 23.4 from the NZ Transport Agency. A green transport smartcard, signalled in paragraph 23.5 will be investigated by the Ministry of Transport (the Ministry), working with the NZ Transport Agency and the Ministry of Social Development (MSD). The Ministry will provide you with initial advice on this by early 2018, which will set out the scope for the project. It will include initial assessment of the target market for a green transport card, with it being potentially wider than those with low-incomes and on the benefit. The Ministry will also work with MSD on investigating the opportunities that exist with a new generation SuperGold smartcard and look to provide initial advice early next year.

Walking and Cycling

25. The government has signalled that it is committed to making it safer and easier to walk and cycle in New Zealand. A small increase in the level of investment in this area can make a real difference in uptake, but it will be a substantial increase compared to historical investment.

26. The government has indicated interest in:

26.1. Ensuring that future roading projects will make provision for cycling, for example by including cycleway design alongside roads or with separate bikeway networks.

26.2. Making cycle and pedestrian safety a priority and ensuring that legislation, the road code and bylaws are sufficient to protect all road users.

26.3. Updating New Zealand’s transport design standards to ensure they meet world’s best guidelines for street design.

26.4. Creating a new contestable 'Active Neighbourhoods' fund of $15 million per year that will enable local communities to propose local walking and cycling projects that are smaller than those generally funded by the Urban Cycleways Fund.

26.5. Renewing the Urban Cycleways Fund with a second $100 million programme of cycleways to enable councils to continue the momentum they have gained and continue building safe and connected cycleways.

26.6. Funding up to $30 million to build the Skypath clip-on across the Auckland Harbour Bridge, providing a safe walking and cycling option for travellers.

27. Paragraphs 26.1 to 26.4 are addressed in the next section of this briefing. You have already received briefings from the NZ Transport Agency on the initiatives in paragraphs 26.5 and 26.6.
What are the key opportunities for increasing use of public transport, walking and cycling in New Zealand?

28. Ministers have investment levers to encourage use of public transport, walking and cycling through the Government Policy Statement (GPS) on land transport. Ministers can also direct changes to the transport regulatory systems to increase safety and improve design of infrastructure. There are also indirect levers, such as through influencing decisions at a local government level and various forms of public education and engagement.

29. A background to current work occurring on public transport, walking and cycling is provided in Appendix B.

Increasing investment for public transport, walking and cycling

Increasing the funding allocation for public transport

30. The GPS is able to set out government objectives in relation to public transport over the next 10 years. Broader objectives, like encouraging investment in the integration of public and active transport (such as improving park and ride facilities at public transport hubs) or the adequate consideration of employment and safety standards as part of procurement investment decisions, could also be outlined in the GPS. This would be part of the work on the new GPS, as discussed in a paper that the Ministry has already provided you on the Land Transport Management Act 2003 and the GPS (OC05389 refers).

31. While any changes to the GPS should flow down into NZ Transport Agency investment frameworks and decision-making, if you are concerned around investment decision making then you and the Minister of Transport could also reinforce this through the Letter of Expectations to the Chair of the NZ Transport Agency’s Board. A further option, suggested in the Mode Neutrality paper (OC05399 refers), would be to review the efficacy provision in the Land Transport Management Act to reduce the risk of bias in NZ Transport Agency funding decisions.

32. The government can also invest directly in public transport outside the NLTF, in conjunction with local government.

Providing funding for a second Urban Cycleways Programme and the Skypath to maximise the benefits of safe and connected cycleways

33. The current Urban Cycleways Programme is scheduled to finish in June 2018. A second Urban Cycleways Programme will enable momentum to be carried through from the first Programme and maximise the benefits of connected cycle networks. The NZ Transport Agency has begun work on a second Urban Cycleways Programme and the Ministry recommends that this work be progressed quickly in order to optimise co-investment opportunities through the NLTF. Ideally this would allow investment in a second Urban Cycleways Programme to begin from July 2018.

34. You have received briefings already on a potential second Urban Cycleways Programme and the proposed SkyPath clip on for walking and cycling across the Auckland Harbour bridge from the NZ Transport Agency. The current Urban Cycleways Programme is funded through equal thirds crown funding, NLTF and local government share. The exact funding arrangements for these projects will need to be explored around Budget 2018. The funding options include Crown funding, which would need to be part of the Budget 2018 initiatives process. Alternately these projects could be funded through the NLTF, as part of the amended GPS. Prior to funding decisions these proposals should be subject to value for money assessments.
Developing an Active Neighbourhoods fund promoting health, transport and social outcomes

35. It will be important to ensure that the fund and the second Urban Cycleways Programme are mutually supportive and enable greater overall co-investment. It could fund areas such as:

35.1. Development of projects to create active neighbourhoods – such as the Te Ara Mua Future Streets project in Māngere Central. This project won the Supreme Award at the Bike to Future Awards in 2017. It came from a public health perspective and was targeted to a community in need.

35.2. Promoting active transport for children and their families – this could be based around the National Cycling Education System currently under development, that has Bikes in Schools as its foundation\(^{11}\). Promotion could include an educational element to encourage use of pathways in local communities.

35.3. Provision of local infrastructure - the fund could have a school focus and provide the infrastructure element of the cycling education system. School travel planning, such as walking school buses, could also be used to develop the interventions needed. However this is only likely to be effective in combination with infrastructure and cycle skills training.

36. The Ministry will provide you with further advice on the formulation of an Active Neighbourhoods fund, working in conjunction with the NZ Transport Agency and the Ministry of Health. The initial advice will focus on how the project will be funded, as part of the advice you will receive around a new GPS in early 2018.

Reset the levers in the GPS to increase uptake of walking and cycling

37. The GPS will set out government objectives for walking and cycling over the next few years and could include:

37.1. Changing current policy to allow for the funding of footpath maintenance through the NLTF. There has been no reliable evidence base about the current levels of service of footpaths and what the level of service should be. The NZ Transport Agency has proposed work, which would look at implementation of the Pedestrian and Planning Guide by local government. It is proposed that the outcome of this work feed into decisions for the new GPS.

37.2. Expanding what cycleways projects can be funded. The NZ Cycle Trail network includes Great Rides, Heartland Rides\(^{12}\) and some Urban Rides. The NZ Transport Agency’s work on a ten year cycling programme identifies opportunities for development of a ‘New Zealand Cycling Network’. The GPS could be clearer about funding regional cycleways, which connect small towns to neighbouring towns, recreation destinations, and employment centres. Many connections from towns or cities to the start of Great Rides do not currently qualify for funding through the NLTF.

37.3. Developing a framework for connecting walking networks. There could be a focus on the development of walkways in New Zealand, for instance the completion of Te Araroa (the walking track which runs the length of New Zealand), specifically the

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\(^{11}\) Bikes in Schools provides participating primary schools (who part fund the programme) bikes, helmets, storage, a bike track, and training to allow all students the opportunity to learn to ride a bicycle.

\(^{12}\) Heartland Rides connect great rides, tourism centres and main urban centres.
sections currently along road corridors. This would improve walking as part of our transport system and provide benefits in terms of regional economic development. The Department of Conversation, the Walking Access Commission, central government and local government would all need to be involved in this work.

Ensuring the regulatory system support public transport and active modes

Rules amendment package to make public transport, walking and cycling safer and more accessible

38. Complementing proposed investment in infrastructure, the Ministry proposes to develop a rules package to make walking and cycling safer and more accessible. This rules package will investigate amending the Land Transport (Road User) Rule 2004 and vehicle classification rules and respond to:

38.1. Recommendations from the Transport and Industrial Relations Select Committee’s Inquiry into the Future of Mobility. You are due to receive a briefing in December detailing the Ministry’s draft response.

38.2. Ms Joanne Clendon’s 2016 petition to allow children to cycle on the footpath. The government response to the Transport and Industrial Relations Select Committee report on the petition commits to investigating the rules around this in the 2017/18 transport rules programme.

38.3. Outstanding recommendations from the 2014 Cycling Safety Panel’s report, including feasibility of progressing a trial of a minimum overtaking gap law.

38.4. Other issues – these include classification of low-powered vehicles (such as electric bicycles), amending a variety of rules to allow best-practice design and improve safety of cycleways, and giving buses priority when exiting bus stops to increase network efficiency.

39. This rules package could happen in stages with the first part of this package potentially ready to take to Cabinet by mid-2018.

Evaluating the Public Transport Operating Model (PTOM)

40. As requested by Minister Twyford, we are working with the Ministry of Business, Innovation and Employment (MBIE) and the NZ Transport Agency to provide initial advice on labour costs, wages and conditions, and the effect of PTOM on the public transport market, by 27 November 2017.

41. Subject to Minister Twyford’s and your feedback, we anticipate providing more substantial advice on PTOM in 2018.

Education and engagement

Influencing local government transport strategies

42. In order to maximise investment in public transport, walking and cycling it will be essential to create buy in with local government, as many of the decision making powers are delegated to them. The NZ Transport Agency works closely with local government and will be key in passing on government intent.

43. Engagement between the government and local government more broadly can also support discussion and influencing of direction of local government public transport strategies.
Examples of this include the ‘Auckland Transport Alignment’ Project, and engagement around Let’s Get Welly Moving’ project, and Christchurch’s ‘An Accessible City’.

44. There are also a range of complementary measures that could be introduced to influence peoples’ decisions regarding both how and when they travel. Some of these involve decisions by councils, like the management of parking in central cities to encourage public transport use. Other complementary initiatives the government can support local government with include the introduction of funding mechanisms that drive transport choices, like regional fuel tax. You will receive separate advice on this from the Ministry.

Development of a public and personal transport strategy

45. New Zealanders would see better outcomes from well informed cross-modal strategies, which could include a public and personal transport strategy. Such a strategy could focus on how to build liveability in our cities, regional and urban development, interaction between public and active transport (such as addressing the ‘first and last mile’ problem), and looking at the greater role that technology (such as MaaS) can play in how we move around. We will provide you advice on a potential strategy, including content and engagement ideas, by the end of 2018.

Speed limits outside schools

46. You have indicated your interest in exploring the reduction of speed limits outside schools. Under current policy settings, it is possible for Road Controlling Authorities to reduce the speed limits outside urban schools to 40km/h, either permanently or as a variable limit during peak arrival and departure times. Where a school is on a rural road and there is a turning traffic risk, then Regional Controlling Authorities can introduce a 60km/h variable speed limit.

47. You may wish to consider whether these speed limits are appropriate for rural and urban roads or whether a higher variable limit for rural roads is appropriate. We can provide you with advice on the costs and benefits of these options. Under the NZ Transport Agency’s Safer Journeys for schools guidance, a case-by-case approach is currently applied and Road Controlling Authorities are encouraged to consider 40 km/h variable speed limits for urban schools and 60 km/h for rural schools.

48. Changes, such as reducing speed limits to 30km/h outside urban schools, would require changes to the Setting of Speed Limits Rule 2017. Speed reduction outside schools will be considered as part of the wider speed management package that officials have discussed with you.

Next Steps

49. The Ministry would welcome the chance to have a discussion with you about the public transport, walking and cycling work programme, prioritisation of work, and which matters you want to progress. Officials are also happy to provide you with further information or advice.
Recommendation

50. The Ministry recommends that you:

(a) **agree** to discuss your priorities with officials, on public transport, walking and cycling.

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Brent Johnston
Manager, Mobility and Safety

**MINISTER’S SIGNATURE:**

Hon Julie Anne Genter
Associate Minister of Transport
Date:

**Copy to:**
Hon Phil Twyford
Minister of Transport
Appendix A

Who are the players in the transport sector?

51. The main parties involved in providing public transport, walking and cycling in New Zealand are:

51.1. The Ministry of Transport – provides high level policy advice, develops legislation, sets the government’s investment objectives through the GPS, and monitors performance under it.

51.2. The NZ Transport Agency – allocates funding from the NLTF in line with the objectives and direction set out in the GPS, develops operational policy to give effect to government policy, works with and supports regional councils to deliver better public transport services, develops guidelines for Regional Public Transport Plans (RPTPs) and also approves procurement procedures. As well as their regulatory role the NZ Transport Agency develops standards, for example quality standards for urban buses and represents national policy interests, such as the implementation of the Urban Cycleways Programme.

51.3. Other government agencies that have an influence or interest in the outcomes of transport – this includes the Department of Conservation, MBIE, the Ministry of Education, the Ministry for the Environment, the Ministry of Health, MSD, Sport New Zealand and the Walking Access Commission.

51.4. Regional councils – responsible for planning, designing, procuring, funding and delivering public transport services in their regions. All councils intending to enter into a contract for the provision of public transport services must adopt a RPTP. The RPTP is the main statutory document through which councils set out how they will deliver their responsibilities and engage with their communities and key stakeholders.

51.5. Territorial authorities – there are 67 territorial authorities in New Zealand, which comprise 13 city councils, 53 district councils and the Chatham Islands Council.13 They are responsible for:

51.5.1. public transport infrastructure like bus priority lanes and signals
51.5.2. walking and cycling planning, design, procurement and funding and infrastructure (such as footpaths and cycleways).

51.6. Public transport operators – run the day-to-day public transport services. They own assets, such as vehicles and depot space (except in the case of rail).

51.7. Regional Sports Trusts – support recreation in their local communities and recognise that footpaths and roads are important settings for physical activity – both for active transport and for sport and recreation.
Appendix B

What is currently happening with public transport?

52. Public transport services (bus, trains, and ferries) are provided by 15 councils across New Zealand. The services are funded through the NLTF, local government, and users via fares. Public transport infrastructure is funded through the NLTF and local government.

53. The NZ Transport Agency is currently leading the National Ticketing Programme. The National Ticketing Programme is the development and procurement of a preferred future public transport integrated ticketing and payments solution. This system will enable more effective pricing and payment systems for public transport. It has the potential to support future pricing of other transport modes, and to become a national system. The roll out commences with Greater Wellington rail in 2020, followed from 2021 by Greater Wellington buses, Environment Canterbury and the regional consortium. Auckland Transport currently has an option of joining in 2026 or earlier by review. This timeline has been publicised, but it is subject to change.

54. Most regional councils have completed the implementation of PTOM. PTOM is a planning, procurement and contracting model. It aims to enable competition, and increase choice and patronage. It also allows whole of network planning and service coordination by local government and the ability to control fares, introduce service quality standards and achieve better value for money. Early evidence is showing that PTOM is delivering the expected savings and improvements, and allowing for better coordination and more responsive services. The full effects of PTOM are to be evaluated, as discussed at paragraph 41.

55. The Ministry reviewed the small passenger services system in 2015, resulting in changes, which came into force on 1 October 2017. The review aimed to encourage competition and innovation, lower cost, and make the regulatory system less prescriptive, whilst retaining minimum safety standards. Changes included bringing the different types of small passenger services (taxis, shuttles and private hire vehicles) under one set of rules to provide a level playing field and removing redundant requirements from the system. Initial monitoring of the new rules by the NZ Transport Agency has found high levels of compliance and this will be ongoing.

56. A bus give way rule, which would give buses priority in traffic when they are exiting a bus stop is currently being investigated for a land transport rule change. Research has shown that this would have some network benefits and assist bus efficiency, while also clarifying the uncertainty that currently exists with buses and other traffic in congested urban environments. This rule would be reviewed, along with cycling rules discussed below, as they are all part of the Road User Rule.

57. One way that shared transport may become more popular in New Zealand is through MaaS platforms. MaaS is designed to simplify peoples travel choices so that they no longer feel the need to own their own vehicles. The first trial of a MaaS platform in New Zealand was launched in Queenstown in August 2017. The second is being planned for Auckland.

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13 Regional councils are defined by water catchment areas and territorial authorities are based on communities of interest and road access.
14 Auckland Transport, Bay of Plenty Regional Council, Environment Canterbury, Gisborne District Council, Greater Wellington Regional Council, Hawkes Bay Regional Council, Horizons Regional Council (Manawatu/Whanganui), Invercargill City Council, Marlborough District Council, Nelson City Council, Northland Regional Council, Otago Regional Council, Taranaki Regional Council, and Waikato Regional Council.
15 The one major exception is Canterbury, which due to the 2011 Earthquake, has had to rebuild its public transport network.
International Airport at the end of 2017. The ‘Choice’ app is run on a real-time data platform, which is testing the concept of a mobility marketplace in New Zealand. The NZ Transport Agency will brief you further on this.

58. **What is currently happening with public transport in Auckland?**

58.1. Public transport patronage in Auckland increased from 60 million trips in 2009/10 to 88 million trips in 2016/17.

58.2. Auckland Transport introduced a new zonal fare system in February 2016 and has successfully integrated the SuperGold card with its HOP card for seniors.

58.3. Nearly all the bus services have been contracted under PTOM. However, as a consequence of unsuccessful tendering of ferry units, Auckland Transport is currently developing a ferry strategy to look at all options and alternatives based on global experience.

58.4. Auckland Transport has also extended the contract of its current rail provider TransDev and may do so again due to complexities of tendering while the City Rail Link is being constructed (due to be completed in 2023).

58.5. Double decker buses have been incrementally introduced on high demand routes. Significant public transport interchanges have been completed at Panmure, Manukau and Otahuhu with future interchanges planned in a number of locations.

58.6. Planning for other strategic transport infrastructure includes an extension of the Northern Busway to Orewa, mass rapid transit corridor from the city to the airport and from the city to Westgate, and provision of public transport capacity to Botany through the incremental construction of the Auckland Manukau Eastern Transport Initiative project.

58.7. An extension of rail electrification to Pukekohe within three years is being actively investigated by KiwiRail and 15 new electric trainsets to cater for increased demand and service to Pukekohe have been ordered.

59. **What is currently happening with public transport in Wellington?**

59.1. Over the past ten years there has been significant investment in rail including the introduction of new Matangi trains, which resulted in decreased operating costs, improvements in reliability and comfort and an overall lift in patronage.

59.2. Over 80,000 people travel into Wellington CBD for work daily, 45 percent of these journeys from outside Wellington City are made by rail.

59.3. Greater Wellington Regional Council (GWRC) tendered its rail operator contract and the new operator, TransDev commenced operation in mid-2016.

59.4. A new park and ride facility has been established at Waikanae and existing facilities at Petone, Trentham and Upper Hutt expanded.

59.5. The Wellington bus network was substantially reviewed in 2015/16 and a new network was developed to improve the reach and capacity of services and reduce congestion through the Wellington CBD.
59.6. The electric trolley buses were decommissioned at the end of October 2017 and are being temporarily replaced by diesel power buses, with new Euro 6 and electric hybrid buses to be introduced from July 2018, when the new bus contracts start.

59.7. There is ongoing discussion on opportunities for additional ferry services, subject to identifying suitable routes and facilities.

59.8. Funding in Budget 2017 has been allocated to KiwiRail for the replacement of 1,274 wooden traction poles and overhead lines.

59.9. Greater Wellington Regional Council is supporting applications by KiwiRail to the Treasury for Budget 2018 with business cases for ‘Network Track Infrastructure Catch-up Renewals’, ‘Unlocking Network Capacity and Improving Resilience’ and ‘Long Distance Rolling Stock’.

59.10. The Let’s Get Wellington Moving programme is seeking public feedback on four recently released scenarios for how Wellington’s transport system could develop. The need for a reliable high quality public transport spine through Wellington CBD is a focus of all of the scenarios.

60. What is currently happening with public transport in Christchurch?

60.1. There are two public transport networks in Canterbury, one in Christchurch and a smaller one in Timaru. In the 2016/17 financial year there were approximately 14.8 million boardings.

60.2. Public transport services in Christchurch were significantly impacted by the 2011 earthquake contributing to a large drop in patronage and the need to re-create the network. A new bus network was launched in 2014 but requires refinement to improve patronage.

60.3. Because of the earthquake, Environment Canterbury has yet to fully implement PTOM and existing contracts for bus and ferry services in Christchurch are being rolled over while the future direction of public transport in metro Christchurch is determined.

60.4. In mid-2016, the Greater Christchurch Public Transport Committee was established to foster collaboration and provide leadership around public transport services and infrastructure. It is considering how best to deal with issues such as the ongoing financial sustainability of public transport services (as fare revenue is below forecasted levels and costs have increased); network design; and integration of public transport and active modes of travel.

60.5. The main focus at present is completion of a Programme Business Case on the future public transport in Christchurch over the next 30 years. This will be an important input into the Greater Christchurch settlement pattern review, which is also underway.

What is currently happening with walking?

61. New footpaths are generally funded as part of wider transport improvements through the NLTF and local government, with some specific pedestrian retrofit projects funded through
the walking and cycling activity class of the NLTF. Unlike most other parts of the transport system, footpath maintenance is not currently funded through the NLTF, and is instead fully funded by local government. Footpaths are also legally not able to be built in motorway corridors. Shared path (paths which are for both cyclists and walkers) maintenance is eligible for NLTF funding, and shared paths can be built within motorway corridors.

62. The NZ Transport Agency is currently looking at its Pedestrian Planning and Design Guide and how it is being implemented across the country. This is part of work in response to the Disability Action Plan 2014-18\(^\text{16}\). Depending on the outcome of this work, the government and the NZ Transport Agency could look at ways to increase consistency of implementation of the Guide nationally. Completing this work would give the NZ Transport Agency a better understanding of the current standards of footpaths in New Zealand, in order to prioritise safety improvements (i.e. potholes, and cracks in the footpath).

What is currently happening with cycling?

63. Investment in cycling has been significant in the last four years and has included $333 million leveraged for the Urban Cycleways Programme to accelerate the delivery of safe and connected routes in main centres.

64. Nga Haerenga, the NZ Cycle Trails, which began in 2009, is a network of mainly off-road cycleways around the country. These key tourist routes have delivered a strong return on investment in terms of regional economic development and social benefits. Government investment through MBIE to enhance and expand these rides is being optimised through local and NLTF investment in the national network, meaning there will be potentially around $120 million of investment in the cycle trails over the next 10 years.

65. Improving cyclists’ safety on our roads is important to the government and was identified in recommendations in the Cycling Safety Panel’s 2014 report, *Safer Journeys for people who cycle*. The Cycling Safety Panel was created in response to a 2013 coronial inquiry, which investigated 13 cycling fatalities. The inquiry concluded that work needed to be done to investigate ways in which cycling on New Zealand roads could be made safer. In response to the Panel’s recommendations, the NZ Transport Agency prepared a cycling safety action plan, *Making cycling safer and more attractive*. The government is still working through the Panel’s recommendations.

66. One of the Panel’s recommendations the Ministry is responsible for is the investigation of protection systems on trucks that protect cyclists and other vulnerable road users in crashes. This work is being progressed through research that has been commissioned under the Safer Journeys Action Plan 2016-2020. A cost benefit analysis on the feasibility of mandating six technologies to promote safety, including side under-run protection systems on trucks, which would benefit cyclists, is due at the end of 2017. Progressing this work as a vehicles package to improve road users safety is identified as a priority in the briefing you received on improving road safety in New Zealand (OC05354 refers).

67. The NZ Transport Agency is also working on a number of other initiatives around cycling as part of their cycling programme, including:

67.1. Supporting councils on a suite of solutions to help make cycling safer on our roads.

One of these solutions is the Cycling Network Guidance online tool, which promotes a consistent, best-practice approach to cycle network planning and design throughout New Zealand.

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\(^{16}\) The Disability Action Plan presents priorities set by the Ministerial Committee on Disability Issues for actions that advance implementation of the UN Convention on the Rights of Persons with Disabilities and the New Zealand Disability Strategy 2001.
67.2. Leading a national integrated behaviour change programme to help change attitudes and perceptions towards cycling, so people can better understand the benefits of a ‘bike-friendly’ country, and the positive impacts of more people riding bikes.

67.3. Developing a national cycling education system in partnership with ACC. This long-term programme aims at giving all New Zealanders the competencies to be safe road users on and around bikes.

68. The Ministry has begun a programme called Leading Indicators of Change, which is surveying people’s attitudes and preferences around a selection of transport topics. It is anticipated that attitudes to public transport, active modes and MaaS will be surveyed in 2017/2018, and this will be an ongoing programme. This will provide useful input for policy development and investment, and will show changes over time.

69. A new approach to speed management was released by government in 2017. It provides local government with a framework to implement speed changes, including speed reductions in urban environments with high pedestrian volumes. The Ministry considers accelerating the implementation of the new speed management approach a key opportunity to improve the safety of all road users, including pedestrians. This is outlined in the briefing you received on improving road safety in New Zealand (OC05354 refers).
### Meeting with the Cycling Action Network

<table>
<thead>
<tr>
<th>Reason for this briefing</th>
<th>You are meeting with Patrick Morgan and Jane Dawson of the Cycling Action Network (CAN) to discuss a range of cycling matters.</th>
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<tbody>
<tr>
<td>Action required</td>
<td>This briefing is in preparation for your meeting with CAN and asks you to note that the Ministry is proposing to provide you a full overview of progress against the Cycling Safety Panel’s 35 recommendations by early 2018.</td>
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<tr>
<td>Deadline</td>
<td>Monday, 4 December 2017.</td>
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<tr>
<td>Reason for deadline</td>
<td>The meeting is on Monday, 4 December 2017 at 2:30pm.</td>
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#### Contact for telephone discussion (if required)

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Telephone</th>
<th>First contact</th>
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<tbody>
<tr>
<td>[Redacted]</td>
<td>Adviser, Mobility and Safety</td>
<td>[Redacted]</td>
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<tr>
<td>Brent Johnston</td>
<td>Manager, Mobility and Safety</td>
<td>022 066 4401</td>
<td>✓</td>
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#### MINISTER’S COMMENTS:

<table>
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<th>Date:</th>
<th>1 December 2017</th>
<th>Briefing number:</th>
<th>OC05493</th>
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<tr>
<td>Attention:</td>
<td>Hon Julie Anne Genter, Associate Minister of Transport</td>
<td>Security level:</td>
<td>In-Confidence</td>
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#### Minister of Transport’s office actions

- [ ] Noted
- [ ] Seen
- [ ] Approved
- [ ] Needs change
- [ ] Referred to
- [ ] Withdrawn
- [ ] Not seen by Minister
- [ ] Overtaken by events
Purpose of briefing

1. You are meeting with Patrick Morgan of the Cycling Action Network (CAN) on Monday, 4 December 2017 at 2:30pm. Jane Dawson, a volunteer from CAN will also attend the meeting.

2. Mr Morgan has met regularly with former Ministers of Transport representing CAN. He has indicated that CAN would like to:
   2.1. congratulate you on your appointment as Minister
   2.2. clarify your delegations
   2.3. discuss CAN’s priorities
   2.4. find ways where you can work best with CAN
   2.5. explain how some councils are struggling to deliver cycling projects and that leadership is needed from the Ministry of Transport (the Ministry) and the NZ Transport Agency to avoid endless relitigation of cycling
   2.6. talk about how close passes and subsequent light handed policing can be addressed.

3. The Ministry recently provided you with a briefing, entitled ‘Public Transport, Walking and Cycling’ (OC05378 refers). It details what is currently happening with cycling in New Zealand, and opportunities for increasing uptake of active modes.

4. Talking points are attached to assist you at the meeting.

Patrick Morgan and the Cycling Action Network

5. Mr Morgan is a Project Manager for CAN, which was formed in 1997. CAN describes itself as “New Zealand’s national network of cycling advocates” and works with government, local authorities, business and the community on behalf of cyclists, for a better cycling environment.

6. CAN aims to:
   6.1. promote the benefits of cycling
   6.2. improve safety for cyclists
   6.3. encourage the creation of a good cycling environment
   6.4. promote cycle tourism
   6.5. advocate for integrated cycle planning
   6.6. increase the number of cyclists on our roads.
7. CAN’s 2017 priorities are:

7.1. getting kids biking to school

7.2. building bicycle-friendly cities

7.3. a fresh approach to road safety: Vision Zero

7.4. other: build bicycle tourism, promote cycling for health, Police to improve consideration of complaints for dangerous driving affecting vulnerable road users, embrace new technologies, embrace best practice road layouts, encourage higher-density and mixed-use developments.

8. CAN also has targets for cycling in New Zealand:

<table>
<thead>
<tr>
<th>Targets</th>
<th>By 2020</th>
<th>By 2025</th>
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<tr>
<td>More kids getting to school by bicycle (from 2%)</td>
<td>6%</td>
<td>20%</td>
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<tr>
<td>30km/h zones around urban schools</td>
<td>50%</td>
<td>90%</td>
</tr>
<tr>
<td>Cyclist deaths on New Zealand roads¹</td>
<td>Zero</td>
<td>Zero</td>
</tr>
<tr>
<td>30km/h speed limits in urban centres and local neighbourhoods</td>
<td>10%</td>
<td>30%</td>
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<tr>
<td>More users of the NZ Cycle Trail each year (1.3m in 2015)</td>
<td>1.6 million</td>
<td>2 million</td>
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<tr>
<td>Cycleways in urban areas (from 2015 baseline of 1680km)</td>
<td>2000 km</td>
<td>2500 km</td>
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Cycling in New Zealand

9. Increasing the uptake and safety of cycling in New Zealand is a key part of the government’s focus on improving transport safety overall and providing greater transport choice.

10. The government is committed to substantially increasing investment in cycling and walking. Officials have begun work on the development of a new Government Policy Statement on land transport (GPS). The new GPS will give greater priority to walking and cycling.

11. The Ministry and the NZ Transport Agency are also beginning to look at how new cycling projects will be funded. These include a second Urban Cycleways Programme, future NZ Cycle Trails, an Active Neighbourhoods fund, and the Skypath and Seapath.

12. The ‘Public Transport, Walking and Cycling’ briefing referenced above details the significant investment in the Urban Cycleways Programme over the last four years. This has included $333 million leveraged for the Programme to accelerate the delivery of safe and connected routes in main centres.

13. Nga Haerenga, the NZ Cycle Trails have become key tourist routes and have delivered a strong return on investment in terms of regional economic development and social benefits. Government investment through the Ministry of Business, Innovation and Employment is being optimised through local and National Land Transport Fund investment in the national

¹ The year to date figures for cycling fatalities are currently 17. In 2015 and 2016, both year to date figures were 5. The data shows that there has been a drop serious injuries in 2017, compared to other years.
network, with the potential for $120 million of investment in the cycle trails over the next 10 years.

**Increasing the number of children who bike to school**

14. One of CAN’s top priorities is significantly increasing the number of children who bike to school. CAN has a target of six percent of children biking to school in 2020 and 20 percent by 2025. Currently around two percent of children bike to school.

15. You have also indicated that increasing active travel to school is a high priority outcome that you are seeking. This will be progressed in a number of ways. The Ministry and NZ Transport Agency are working on the initial scoping for a second Urban Cycleways Programme and Active Neighbourhoods fund. Both of these projects have the potential to support significant increases in rates of children cycling to school.

16. The first Urban Cycleways Programme recognised the possible co-benefits of increasing the number of children who travel to school via active modes. Consequently, certain projects were planned along corridors which connected schools, such as the Kamo route in Whangarei and the Te Tuaui in Whanganui. A second Urban Cycleways Programme could include specific criteria to ensure that there is an increased focus on school connections.

17. Alongside this, a future Active Neighbourhoods fund could give great possibility to increase the uptake of walking and cycling. As this is a new idea and scoping is still in initial stages, you might like to ask CAN if they have any ideas for what projects within an Active Neighbourhoods fund could be.

**Road safety in New Zealand**

18. The current 10-year strategy for improving road safety, Safer Journeys (the Strategy), was released in 2010. You have directed the Ministry to undertake priority work to review and develop a new strategy, given the government’s priorities to improve road safety. A new strategy is proposed to include investigation into changing technologies, and a greater understanding of what interventions do and do not work domestically and internationally.

19. The work on a new strategy will include investigation into the ‘Vision Zero’ framework in the New Zealand context, as well as considering the full range of benefits and harms created by transport. This would include the health related impacts from carbon emissions and noise pollution, as well as exploration into whether there is benefit in having a multi-modal transport safety strategy.

20. The Ministry has estimated that a review of the Strategy, the necessary foundation work, and the development of a new strategy will require a cross-agency programme of work over the next 12–18 months. We are due to provide you with a detailed plan for developing the next road safety strategy by the end of 2017.

**Cycling Safety Panel recommendations and the 2018 cycling rules package**

21. CAN is concerned about close passing of cyclists on our roads. This relates to whether New Zealand should have a mandated minimum overtaking gap for passing cyclists. Such a passing gap was one of the 35 recommendations that the 2014 Cycling Safety Panel (the Panel) advocated for. CAN was part of a stakeholder group that was involved in workshops that helped to craft the Panel’s report.

22. The government is working through the Panel’s recommendations. As at June 2017, the government expected to have implemented 22 of the 35 recommendations. We plan to
provide you with a full overview of the progress against the 35 recommendations in the Panel’s report in early 2018.

23. A trial of a minimum overtaking gap is one of the recommendations that officials will investigate by mid-2018, with any decisions informing a regulatory package. This rules package will look at amending the Land Transport (Road User) Rule 2004 and vehicle classification rules.

24. As well as an assessment of the feasibility of progressing a trial of a minimum overtaking gap, policy investigation will consider a number of other road rule changes for pedestrians and cyclists, and possible amendments to allow best-practice design and improve the safety of cycleways. The classification of low-powered vehicles (such as electric bicycles) will also be assessed, as well as rules around children cycling on the footpath. Officials will engage with CAN and other stakeholders during the policy investigation process.

25. Another recommendation that the Panel made (that CAN has previously indicated an interest in) is around side under-run protection systems on trucks that protect cyclists and other vulnerable road users in crashes. The Ministry has commissioned a cost benefit analysis on the feasibility of mandating six technologies to promote safety, including side under-run protection systems on trucks. This is due to be completed in December 2017. Progressing this work as a vehicles package to improve safety is identified as a priority in the briefing you received on improving road safety in New Zealand (OC05354 refers).

Speed limits around schools

26. We provided you with advice on speed limits around schools in the ‘Public Transport, Walking and Cycling’ briefing referenced above. You have indicated that you are interested in exploring the possibility of reducing speed limits around schools. This falls in line with CAN’s policies, as CAN has a target for 30km/h speed limits outside schools.

27. The Ministry and NZ Transport agency will consider this as part of a wider speed management package.
Recommendation

28. The Ministry recommends that you:

(a) note that the Ministry will provide a full overview of progress against the Cycling Safety Panel’s 35 recommendations by early 2018.

Brent Johnston
Manager, Mobility and Safety

MINISTER’S SIGNATURE:

Hon Julie Anne Genter
Associate Minister of Transport

DATE:
Suggested Talking Points

• You could inquire as to what CAN thinks the government could do to support cycling, in addition to further investment.

• You might like to ask CAN if they have any ideas for what projects within an Active Neighbourhoods fund could be.

• Has CAN seen any particular themes arising around cycling recently? For example, what did CAN find the most interesting take away from the Asia-Pacific Cycling Congress, held this past October in Christchurch?

• You could inquire as to whether CAN has any ideas to combat ‘bike-lash’ – this is the backlash that some new cycleway builds have faced.

• CAN has indicated that they would like more leadership from the Ministry of Transport and the NZ Transport Agency regarding councils implementing cycleways projects. You could ask CAN about their experiences with the Ministry and the NZ Transport Agency and what kind of leadership they think is required.
Minutes for Walking and Cycling Catch-up

Cycling Action Network, Living Streets Aotearoa, Walking Access Commission, Cycling New Zealand, NZ Transport Agency and Ministry of Transport

Level 1, Westpac Hub, 318 Lambton Quay
Ministry of Transport, Wellington
Wednesday, 31 January 2018, 1:00pm to 2:00pm.

<table>
<thead>
<tr>
<th>Attendee</th>
<th>Organisation</th>
<th>Position</th>
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<tbody>
<tr>
<td>Patrick Morgan</td>
<td>Cycling Action Network</td>
<td>Project Manager</td>
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<tr>
<td>Amy Taylor</td>
<td>Cycling New Zealand</td>
<td>Community Pathways Manager</td>
</tr>
<tr>
<td>Andy Smith</td>
<td>Living Streets Aotearoa</td>
<td>President</td>
</tr>
<tr>
<td>Phil Culling</td>
<td>Walking Access Commission</td>
<td>Corporate Services Manager</td>
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<td></td>
<td>NZTA</td>
<td>Multi-Modal Lead Advisor</td>
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<tr>
<td>Brent Johnston</td>
<td>Ministry of Transport</td>
<td>Manager, Mobility and Safety</td>
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<td>Adviser, Mobility and Safety</td>
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<tr>
<td></td>
<td>NZTA</td>
<td>Principal Cycling, System Design &amp; Delivery</td>
</tr>
<tr>
<td>Ellen Blake</td>
<td>Living Streets Aotearoa</td>
<td>Vice President</td>
</tr>
<tr>
<td>Eric Pyle</td>
<td>Walking Access Commission</td>
<td>Chief Executive</td>
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1. Welcome and Introductions

2. MoT update:
   - MoT went live with a reorganisation on 1 October 2017.
   - The Mobility and Safety Team covers walking and cycling in the new structure. This team also looks after public transport and road safety related policy. Mobility and Safety sits in the Regulatory and Data policy group, and the Deputy Chief Executive of this group is Kirstie Hewlett.
   - The other policy group in the new structure is called Strategy and Investment, and the Deputy Chief Executive is Bryn Gandy.

New work programme
- Post new Government MoT has begun work scoping new work programmes. There is a renewed focus on walking and cycling and safety.
- Part of the new work programme is a rules package. The details of the package are still being scoped, however it may include outstanding recommendations from the Cycling Safety Panel’s 2014 report and investigation into children cycling on the footpath.
- The new work programme also reflects the Government’s new direction with a focus on more liveable cities.

Safety Summit
- MoT is still in discussions with Minister Ceter about the Road Safety Summit. The current thinking is that there will be a council specific session, with wider engagement to follow.
- MoT will keep the group informed on this with any updates.
New GPS 2018

- A new Government Policy Statement on land transport (GPS) is being drafted to reflect the new Government’s priorities. These priorities have already been signalled as including investment in a mode neutral way and supporting the Government’s transport, urban and regional development objectives.
- Dates for public engagement on the GPS are not finalised but it is likely to be in the coming months.
- MoT will keep the group informed on this with any updates.

3. NZTA update:

- NZTA also went through a restructure which went live on 1 July 2017 and incorporated a new business model. There is not a specific cycling team in the new structure, as it moved away from a siloed model. The cycling team are now spread across the NZTA, however the majority are in the System Design and Delivery group.
- There is a new way of looking at walking and cycling separately.
- There is NZTA research going out to market shortly looking at what councils are doing around planning for pedestrians. This work arose out of an action from the Disability Action Plan. It will include looking at issues including, sector capability, what needs to be updated etc., and the footpath maintenance funding question and how this effects councils.
  - Phil noted that currently, Southland sometimes funds a footpath only on one side of the road.
  - The Subdivisions standard was also mentioned here as it sets some guidelines around what new subdivisions must provide for in terms of footpaths.
- The National Cycling Education System will be launched in 5 months time. There is a new more exciting name in development!
- There is also research on level of service cycling and the perceptions of this. Opus has been commissioned to do this and it will include trying to build the evidence base for the safety around separated cycleways.
- The NZTA is also doing a lot of planning and preparing for new financial year on July 1.
- Further research has also been undertaken by NZTA (by Elizabeth Claridge and Edwin Rakanui) into sharing the road. The research is looking at qualitative data around sharing the road and peoples attitudes around this.

4. Living Streets Aotearoa (LSA) update:

   National

- Walking Summit July 2017
- Walk2Work Day activities
- Met with politicians - Denis O’Rourke NZ First
- Select Committee on cycling on footpaths
- Met with Harry Wilson NZTA
- Attended NZTA-MoT talkfests
- Transport research meetings
- LSA Executive meetings
- Trafinz meetings - workshop on pedestrian safety issues
- RCA forums Shared Path working group - network with other groups
- Submissions
- Social media strategy developed
• E-newsletters went out

**Wellington**
- Involved in so many things, see website - actual on the ground results - one footpath widened, several pedestrian steps upgraded following our Spring clean the Steps initiative way back in 2015, walk done for Walk2Work Day 2017 as part of Parks week.

**Good talks LSA recommends:**
- Sustainable cities in an ageing society Kay Saville Smith
- Green space in a resilient City- Paul Blascke
- Kids Cam Louise Signal and others Otago University, Auckland Uni, etc.

**2018 Initiatives**
- Getting our 4 point plan on the government agenda (meet the politicians in March meeting series)
- Developing Walk to School resources (use Living Streets UK as a model)
- Golden Foot Walking Awards (in July with a Minister support at Parliament)
- Walking and Cycling Conference – Palmerston North – in July. The keynote speaker will be Lucy Saunders. Papers can be put in up until February 2018.
- LSA are talking to a variety of Ministers in the coming week. This will be Andy Smith, Ellen Blake, and Celia Wade Brown.

**5. Cycling Action Network (CAN) update:**
- The 2018 work plan for CAN has four focus areas: Safety, Kids on bikes, Infrastructure, Political Influence.
- CAN and partners will launch a road safety campaign in February. Aim is to build and demonstrate strong community support for an ambitious new approach to road safety, such as Vision Zero.
- Fundraising and publicity: Patrick will ride the 3000km Tour Aotearoa in Feb and March
- CAN Do, our annual gathering, will be in Palmerston North, on 29 July, prior to the Walking and Cycling conference.
- Government has an EV strategy but nothing for e-bikes. Let's fix that.
  - This point was discussed and Minister Genter's interest in adding e-bikes into the EV programme was noted.
- There are extremely encouraging signals from the Government.
- CAN see's their role as showing public support for government agenda on safety, walking and cycling and are about to launch petition to this end.

**6. Cycling NZ update:**
- Cycling NZ has been having a good response to their Riding programme, aimed at safe cycling over the summer. This programme touches on road cycling (the lycra issue!). It has been getting a positive responses to this as riding groups are more aware and are wanting more training in this area through the Ride Leaders programme.
- There has been more interest from councils in this too.
7. **Walking Access Commission (WAC):**
   - The WAC have had recent engagement with the Overseas Investment Office over various easement issues.
   - There is a new Auckland ruling on this which is promising for allowing access to land.
   - WAC have received $800,000 from NZTA as the Puhoi to Wellsford road went through a walkway. So WAC is working through what new walkways can be developed in the area.
   - WAC are to ensure free and enduring access to the outdoors. It also deals with paper roads and have recently looked into how it can participate in the Kauri die back issue.

8. **Determination of future meetings**
   - It was agreed that the next meeting will occur in mid-April 2018.

**Any other business**
- Claire raised the issue of whether the group thinks adding a representative from a Disabled Person’s Organisation would be beneficial. Everybody agreed this was a good idea.
  - [Redacted] will action this for the next meeting and try to organise a suitable representative to attend the next meeting.
- [Redacted] also noted that the Australian Bicycle Council has now become the Cycling and Walking Australia New Zealand group (CWANZ) and that she is a member.
Ministry of Transport: Aide Memoire

To: Hon Julie Anne Genter, Associate Minister of Transport

From: [Redacted], Adviser, Mobility and Safety

Date: 27 February 2018

Subject: Meeting with Living Streets Aotearoa

OC Number: OC05719

Purpose of this aide memoire

1. To provide you advice for your meeting with Living Streets Aotearoa (LSA) on Wednesday, 28 February 2018 at 10:15am.

2. Attending the meeting from LSA are:
   a. Andy Smith, President, Auckland coordinator
   b. Ellen Blake, Tumuaki tuarua (Vice President), Wellington coordinator
   c. Celia Wade-Brown, Executive Member

3. An official from the Ministry of Transport (the Ministry) will also attend the meeting.

4. LSA has five proposals that it would like to discuss with you:
   a. The Golden Foot Walking Awards
   b. Law changes that LSA would like to see
   c. Funding for footpaths
   d. Walk to school programme
   e. New projects

5. Suggested speaking points have been attached in an appendix.

6. Peter Mersi, CE of the Ministry, will also be meeting with LSA on Thursday, 1 March 2018.

Background on Living Streets Aotearoa

7. LSA is the New Zealand organisation for people on foot, promoting walking-friendly communities. It is a nationwide organisation with local branches and affiliates throughout New Zealand.

8. The key activities of LSA include:
   a. promoting walkable, healthy, safe communities
   b. developing a nation-wide network of community-based Walking Action Groups and regional Walking Stakeholder Forums
c. influencing the development and shape of key policy documents by making submissions to central and local government, which identify the needs of pedestrians, and explaining how meeting their needs increases the liveability of our towns and cities

d. providing information and advice for the public and for key stakeholder groups on a range of walking issues.

9. According to information provided on its website, LSA has 165 paid members, including 35 organisations. Its eBulletin is received by 3,000 contacts.

10. The Ministry and the NZ Transport Agency usually meet with LSA, the Cycling Action Network, Cycling NZ, and the Walking Access Commission on a quarterly basis.

The Golden Foot Walking Awards

11. These are awards that LSA present to recognise good walking projects, walking champions and great pedestrian infrastructure. These awards are held every two years.

12. We understand LSA will invite you to host the award ceremony at Parliament, but we are not aware of the timing around this yet. We consider that this would be a good opportunity to meet with important walking stakeholders in New Zealand.

Law changes that LSA would like to see

13. LSA would like to see a variety of law changes:
   a. turning vehicles must give way to all road users, including pedestrians, going straight ahead
   b. review the exemption for mail motor vehicles on footpaths so that pedestrian amenity is the priority
   c. increase the fee for vehicles parked on footpaths so that it is higher than other parking penalties
   d. reduce speed limits and improve ability of local government to use appropriate measures or innovate at different places (e.g. it can be a difficult process to change speed limits, or use Puffin crossings at intersections)
   e. 30km/h standard in urban areas
   f. 10km/h (or walking speed) on unformed roads rather than the default 100km/h as currently (e.g. beaches, parks etc.)
   g. enforcement – red lights, vehicles on footpaths, urban speeding. Consider including the ability of, for instance, parking wardens to ticket moving vehicle infringements on footpaths.

A regulatory package for vulnerable users and pathways

14. The proposed regulatory package will consider some of the concerns that LSA has raised (points a, b and parts of g above). This package is aimed at improving the safety and accessibility for vulnerable users, including clarifying the use of pathways.

15. The Ministry is currently preparing a briefing for you, asking for your agreement to the scope of this package. Part of the proposed package includes looking at six specific walking and cycling road user rules. One of these is to introduce path crossings at side roads to improve the safety of pedestrians and other path users by giving them precedence over motor vehicles.
16. The current rules that regulate who can use pathways are complex, prescriptive and inconsistent. The package will clarify the rules around what types of vehicles should be allowed on footpaths, shared paths and cycleways, and under what conditions.

17. In regards to point c above, you could ask LSA why it believes that the fee for parking on the footpath should be higher than other parking infringements.

Speed and cameras

18. Work is also underway which deals with points d, e and f above. The new Speed Management Guide (the Guide) was introduced in 2017. The Guide is a tool designed to help the NZ Transport Agency and other Road Controlling Authorities determine objective road risk and to work with local communities to develop speed management approaches that address local risks. The Guide recognises the different design and use of roads, and the need for safe and appropriate speed limits.

19. Officials are also exploring the following specific areas to reduce speed-related fatalities on the roads. These include reviewing speed limits around schools and making greater use of new technology, such as red light cameras and point-to-point safety cameras. These areas of work have not yet been publicly announced.

New road safety strategy

20. LSA may be interested to hear about the development of the new road safety strategy. The strategy will support significant and sustained improvement in road safety outcomes, and will investigate adopting the ‘Vision Zero’ approach to road safety.

21. The broader approach of the new strategy will also be of interest to LSA, with a stronger focus to be given to all road users, including pedestrians.

22. The new strategy will also take into account the full range of benefits and harms created by transport, such as the health-related impacts of some emissions, noise pollution and physical inactivity.

Funding for footpaths

23. LSA are advocating for a range of funding-related changes:
   a. a funding assistance rate for footpath maintenance in the Government Policy Statement on land transport (GPS), at the same rate as for local roads
   b. at least one percent of transport funding over the next three years to be dedicated to pedestrian infrastructure bringing balance in transport funding
   c. all funded projects having to meet minimum standards (New Zealand Pedestrian Planning and Design Guide, Road and Traffic Standard 14 for vision impaired pedestrians, New Zealand Standard 4121:2001 for accessible buildings)
   d. work towards neutral mode funding for all road projects backed by a sound vision for a sustainable outcomes.

Development of the GPS

24. The drafting of the new GPS references point a, b and c above. LSA has received updates on the development of GPS 2018. This includes the letter of 16 February 2018 that Minister Twyford sent, which indicated that the GPS 2018 would prioritise investment to achieve a land transport system that:
   a. is a safe system, free of death and serious injury
b. improves access to move towards more liveable cities and thriving regions

c. ensures the land transport system enables better environmental outcomes

d. delivers the best value for money.

25. The letter also signalled that one of the themes in the GPS is a mode neutral approach to transport planning and investment decisions.

26. The increased emphasis placed on safety, and walking and cycling investment in GPS 2018 is likely to be received well by LSA. LSA will be very interested to know footpath maintenance is proposed to be funded in the new GPS, when it is released for engagement. Footpath maintenance has not been funded previously, from the National Land Transport Fund.

The Pedestrian Planning and Design Guide

27. In reference to point c above, the NZ Transport Agency is currently looking at its Pedestrian Planning and Design Guide and how it is being implemented across the country. This is part of work in response to the Disability Action Plan 2014-181.

28. The NZ Transport Agency are developing a proposal for research on the influence of current policies, and planning and design guidance, on the development, maintenance, and use of footpaths within the urban transport network.

29. Depending on the outcome of this work, the Government and the NZ Transport Agency could look at ways to increase consistency of implementation of this Guide nationally.

30. Completing this work would give the NZ Transport Agency a better understanding of the current standards of footpaths in New Zealand, in order to prioritise safety improvements (i.e. potholes, and cracks in the footpath). This work may be considered as part of the vulnerable users and pathways package mentioned above.

Walk to school programme

31. The LSA considers that urgent attention is required to increase the number of children walking to school. It believes a national goal is needed alongside a coordinating cross government group, which would include officials from the education, health, transport and environment sectors.

32. You may like to ask LSA about strategies it believes would help to increase the number of children choosing active modes to get to and from school.

33. The Ministry is planning to complete a stocktake of the Government’s current walking and cycling initiatives. This is to determine if there are any gaps that need to be addressed to achieve the Government’s objectives of a step change in walking and cycling in New Zealand. Following this stocktake, we will begin scoping the Active Neighbourhoods project in the second half of 2018. This project will include investigating ways in which we can increase the number of children walking and biking to school.

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1 The Disability Action Plan presents priorities set by the Ministerial Committee on Disability Issues for actions that advance implementation of the UN Convention on the Rights of Persons with Disabilities and the New Zealand Disability Strategy 2001.
New projects

34. The LSA believes that there is the need for a variety of new projects:
   a. Resource Management Act (RMA) national environmental standard on subdivisions to include good pedestrian provision to meet appropriate standards (could include parking policy)
   b. review the needs of mobility vehicle users so that they are appropriately provided for while protecting pedestrians, and what adequate provision would look like
   c. review regulation of recreational vehicles/devices to ensure they do not interfere with pedestrian amenity.

Work underway on the RMA and environmental standards

35. In regards to point a above, the Urban Growth Agenda (UGA) is progressing work to create the conditions for the market to respond to growth, bring down the high cost of urban land to improve housing affordability, and support thriving communities. The objectives of the UGA are:
   a. improved housing affordability, underpinned by affordable urban land
   b. improved choice for the location and type of housing
   c. improved accessibility to employment, education and services
   d. ensuring emission reductions
   e. enabling quality built environments.

36. Part of this work includes looking at the RMA and its national standards. It is being progressed through the pro-growth planning workstream, led by the Ministry for the Environment. It aims “to improve the ability of the planning system to provide for growth and support quality built and well-functioning urban environments by improving the quality of planning regulation, methods and practice, and enabling integrated strategic (spatial) planning.”

Mobility vehicle users

37. Points b and c around the regulation and needs of mobility vehicle users will be considered as part of the regulatory package on vulnerable users and pathways mentioned above. Further work will also include a broader look at provisions for mobility users, including a review of the Total Mobility Scheme.

38. You may like to ask LSA about how they think pedestrian and mobility device conflict can best be resolved.

Contact:

[Redacted]
Advisor, Mobility and Safety
Phone: [Redacted]
Appendix: speaking points

The Golden Foot Walking Awards

- You may like to ask when the Awards are taking place and what would be required of you in presenting them.

Law changes that LSA would like to see

- You could note that the Ministry has work underway, which covers the issues that LSA has raised and that you hope to make announcements about this work soon.
- You could enquire if LSA has any examples of incidents between mail motor vehicles on footpaths and pedestrians.
- You could ask LSA why it believes that the fee for parking on the footpath should be higher than other parking infringements. You could also inquire as to whether any councils have already implemented such policies.
- You may like to ask whether LSA has any examples of issues arising from the 100km speed limit on unformed roads.

Funding for footpaths

- You could ask LSA for its thoughts on Minister Twyford’s latest letter on the update of the development of the GPS.
- You might like to update LSA that the GPS will go out for public engagement in March and encourage them to submit their feedback through this process.

Walk to school programme

- You could ask LSA about strategies it believes would help to increase the number of children choosing active modes to get to and from school.
- You might like to note that you expect work to develop an Active Neighbourhoods package to be underway by the second half of 2018.

New projects

- You may like to ask LSA about how it thinks pedestrian and mobility device conflict can best be resolved.
Meeting with David Matthews, Chief Executive of CCS Disability Action

Reason for this briefing

You are meeting with David Matthews, Chief Executive of CCS Disability Action to discuss the contents of CCS Disability Action’s briefing that was sent to you on 31 January 2018.

Your office has requested a briefing ahead of this meeting.

Action required

This briefing is in preparation for your meeting with David Matthews.

Deadline

Tuesday, 27 March 2018

Reason for deadline

The meeting is on Tuesday, 27 March 2018 at 9:00am.

Contact for telephone discussion (if required)

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<td>Brent Johnston</td>
<td>Graduate Adviser, Mobility and Safety</td>
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<td>Manager, Mobility and Safety</td>
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MINISTER’S COMMENTS:

Date: 23 March 2018

Briefing number: OC180117

Attention: Hon Phil Twyford

Security level: In Confidence

Minister of Transport’s office actions

☐ Noted  ☐ Seen  ☐ Approved

☐ Needs change  ☐ Referred to

☐ Withdrawn  ☐ Not seen by Minister  ☐ Overtaken by events
Purpose of briefing

1. You are meeting with David Matthews, Chief Executive of CCS Disability Action on Tuesday, 27 March 2018 at 9:00am.

2. Mr Matthews has indicated that he would like to discuss the contents of CCS Disability Action’s briefing that was sent to you on 31 January 2018, and CCS Disability Action’s priority to provide more housing options for those with disabilities and older people.

3. The Ministry of Business, Innovation and Employment has provided housing-related content for this briefing.

4. Suggested talking points that you may wish to refer to are including in the appendix.

CCS Disability Action

5. CCS Disability Action is a community organisation that has supported disabled people since 1935, and advocated for their inclusion in the community.

6. As of 31 May 2017, CCS Disability Action was providing support to around 4,000 children, young people and adults through the organisation’s 17 branches, which operate from Northland to Invercargill. CCS Disability Action’s support focuses on breaking down barriers to participation.

7. CCS Disability Action receives a mixture of government and private funding.

8. Accessibility is a major focus for CCS Disability Action. The organisation runs the Mobility Parking Scheme, and has a nationwide network of access coordinators who work with local governments as well as the building and transport industries.

The recommendations in CCS Disability Action’s briefing to you

9. The recommendations in CCS Disability Action’s briefing to you involve the Ministry of Transport and/or the New Zealand Transport Agency (NZTA) progressing actions to increase the provision of transport that is suitable for people with disabilities.

10. You may also wish to clarify with Mr Matthews that while the operational decisions of the NZTA are a decision for its board, the Ministry has commenced an evaluation of the Public Transport Operating Model (PTOM), beginning with research into the impact of the PTOM on employment conditions. This will subsequently include consideration on whether the PTOM is working for people with disabilities.

11. In addition, we expect that the Government Policy Statement on land transport 2018 will have a greater focus on ensuring greater transport choice (including for people with less or limited access to transport). We recommend that you encourage CCS Disability Action to make a submission during the consultation period in relation to the provision of transport that is suitable for people with disabilities.

12. The Government has also commenced New Zealand’s second review against the UN Convention on the Rights of Persons with Disabilities, which will include consideration of accessibility issues. The Ministry will be involved in the review process through the interdepartmental Senior Officials’ Group on Disability Issues.
New Access Law

13. CCS Disability Action is a member of the Access Alliance, which is pushing for a new Access Law, which would, over time, require businesses and organisations to ensure that services, facilities, workplaces and education are fully accessible by persons with disabilities. CCS Disability Action identifies that the Labour Party, the New Zealand First Party, and the Green Party committed to investigating a new Access Law with enforceable mandatory standards, including in transport.

14. In CCS Disability Action’s briefing to you, it recommends that you work together with the Minister for Disability Issues, the Access Alliance, the disability community, relevant businesses, and government departments to develop a new Access Law.

15. The Ministry understands that the Minister for Disability Issues is currently considering advice on how to most effectively improve accessibility for disabled people, including whether legislative change is necessary or desirable. The Ministry will continue to be engaged in this work through the interdepartmental Senior Officials’ Group on Disability Issues.

Collecting quality data on disabled people and transport

16. CCS Disability Action has raised concerns about a lack of quality data about disabled people’s experiences with transport, transport infrastructure, and the number of people with access needs. It recommends that you direct the Ministry of Transport, the NZTA, and local government to collect high-quality regular data on how disabled people use transport systems, including pedestrians.

17. While the Ministry appreciates the benefits of improving data collection in this area, we note that it is extremely difficult to collect high-quality regular data on how people (not just those with a disability) use transport systems.

18. The Ministry is attempting to gain a greater understanding of travel patterns through the ongoing New Zealand Household Travel Survey. This survey collects information about day-to-day travel in New Zealand, such as, how, where and when we travel, and has included accessibility questions since 2015. Results from the 2017 survey provides information on the percentage of the population who have difficulties using private vehicles or public transport.

Technology and transport

19. CCS Disability Action raises concerns that new technology (for example, transport-related apps) does not always consider people with access needs, and recommends that you direct the Ministry of Transport, the NZTA, and local government to proactively ensure that new technology is as accessible as possible.

20. The Ministry agrees that accessibility is a key issue that should be considered with the introduction of new transport technology. You may wish to ask Mr Matthews if there are new technologies that are of particular concern to CCS Disability Action.

Mobility parking and private carparks

21. CCS Disability Action notes that effective enforcement of mobility parking is rare. It found that 31 percent of people using a mobility park had no current mobility parking permit and only 3 to 6 percent of people in public mobility parks without a current permit were ticketed.
22. The current law only covers enforcement in public mobility parks. The enforcement of private mobility parks is currently at the discretion of the park’s owners. CCS Disability Action recommends that you direct the Ministry of Transport, the NZTA, and local government to investigate ways to improve the enforcement of private mobility parks.

23. Where possible, CCS Disability Action is keen to adopt technology to improve the Mobility Parking Scheme. For example, to help people find mobility parks as well as report abuse, CCS Disability Action is currently trialling a phone app called ‘Access Aware’. It intends to roll out this app later this year. CCS Disability Action has, however, acknowledged that there are difficulties in adapting mobility permits to be read by parking sensors, due to a lack of standardisation of sensor technologies.

24. The Ministry is open to working with CCS Disability Action on opportunities to improve the enforcement of mobility parking generally, noting that there would be significant issues associated with extending parking warden powers onto private land.

Requirements for buses

25. To access NZTA funding, councils must ensure transport operators meet the ‘Requirements for Urban Buses’. CCS Disability Action notes that in some cases councils only strive to meet the minimum requirements. CCS Disability Action recommends that you direct the NZTA to encourage councils to exceed the minimum requirements for bus accessibility.

26. CCS Disability Action also raises issues relating to NZTA’s requirements for buses in regional areas, the lack of requirements for accessible bus infrastructure, and the adequacy of bus driver training on how to help people with access needs board and use public transport.

27. While the setting of bus infrastructure and training requirements is a matter for the NZTA, the Ministry is aware of a wide variation in the accessibility of both urban and regional bus infrastructure and expects to consider these issues as part of the evaluation of the PTOM. The Ministry will engage with the disability sector as part of this process.

28. You may also wish to encourage Mr Matthews to engage directly with NZTA on these matters, in particular in relation to any of the ‘Requirements for Urban Buses’ that are having an adverse impact on bus accessibility.

Involving disabled people in relevant policy reviews and changes

29. CCS Disability Action recommends that you direct the Ministry of Transport and the NZTA to ensure disabled people are involved in any policy changes or review of public transport, small passenger services, parking and pedestrian infrastructure.

30. The Ministry acknowledges the importance of engaging effectively with disabled people and will seek to do so as part of upcoming engagement processes.
Out of scope of request
Recommendations

39. We recommend that you:

(a) note the attached talking points for your meeting with David Matthews, Chief Executive of CCS Disability Action.

Brent Johnston
Manager, Mobility and Safety

MINISTER'S SIGNATURE:

Hon Phil Twyford
Minister of Transport
DATE:
Appendix: Suggested talking points

Transport-related talking points

- Improving the accessibility of New Zealand's transport systems for disabled people is a priority for this Government.

- I expect that the new Government Policy Statement will place a stronger emphasis on accessibility and I would encourage CCS Disability Action to submit on the draft when it is released for consultation next month.

- I have asked the Ministry to review the Public Transport Operating Model in the second half of 2018, including whether it is working for disabled people.

- I also expect that transport accessibility will be considered as part of the review of New Zealand's compliance with the UN Convention on the Rights of Persons with Disabilities.

- Are there any particular transport technologies that you are concerned could have a negative impact on transport accessibility?

- How is the trial of Access Aware going and do you think that the roll out of the app will successfully lead to improvements in the Mobility Parking Scheme?

- The Ministry is open to meeting with CCS Disability Action to discuss opportunities to improve the enforcement of mobility parking. I am advised, however, that there would be significant issues associated with extending parking warden powers onto private land.

- While I expect that the accessibility of bus services will be considered as part of the review of the Public Transport Operating Model, I would encourage you to engage directly with the NZTA on your specific concerns about bus infrastructure and training.

- I agree that it is important that policy makers understand the perspectives of disabled people when making or reviewing policies.
## Update on progress against the recommendations of the 2014 Cycling Safety Panel

### Reason for this briefing
In December 2017, you asked the Ministry of Transport (the Ministry) for an update on progress against the 35 recommendations made by the Cycling Safety Panel in its 2014 report. This briefing responds to your request.

### Action required
Note progress against the 35 recommendations from the Cycling Safety Panel, as outlined in the attached NZ Transport Agency “Making cycling safer and more attractive” progress report, dated February 2018.

### Deadline
Not applicable – the briefing is for noting only.

### Reason for deadline
Not applicable.

### Contact for telephone discussion (if required)

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### MINISTER’S COMMENTS:

Date: 23 March 2018  
Briefing number: OC05692  
Attention: Hon Julie Anne Genter  
                   Associate Minister of Transport  
                   cc Hon Phil Twyford  
                   Minister of Transport  
Security level: In-Confidence

### Associate Minister of Transport’s office actions
- □ Noted  
- □ Seen  
- □ Approved  
- □ Needs change  
- □ Referred to  
- □ Withdrawn  
- □ Not seen by Minister  
- □ Overtaken by events
Purpose of briefing

1. To update you on progress made against the 35 recommendations made by the Cycling Safety Panel, in its 2014 report.

2. This briefing provides updates on two of the Panel’s recommendations that the Ministry is wholly or partly responsible for. These relate to:
   - a trial of mandatory minimum passing distances when motorists pass cyclists
   - mandating truck side under-run protection and investigating other vehicle technology improvements.

3. The attached NZ Transport Agency “Making cycling safer and more attractive” progress report, dated February 2018, provides updates across the full suite of recommendations.

Background

4. Following a coronial review of cycle safety in 2013, the NZ Transport Agency (NZTA) established the independent Cycling Safety Panel (the Panel) to develop practical and innovative recommendations for how central and local government can work together to make cycling a safer transport option.

5. In December 2014, the Panel released a report that represented New Zealand’s first comprehensive and rigorous analysis of how to improve the safety of people who cycle in our urban and rural areas.

6. In developing its recommendations, the Panel worked closely with cycling advocacy groups, transport organisations, local authorities and relevant central government agencies. The Panel’s 35 recommendations covered new and innovative solutions for infrastructure, education, network user behaviour, regulation and enforcement.

Progress report on the recommendations

7. The NZTA’s February 2018 progress report outlines the progress made against the Panel’s recommendations to date. A copy of this report is attached for your information.

8. The progress report is structured around 10 key priority areas, which cover 22 of the Panel’s recommendations. The priority areas are broken down into high and medium priority and formed the basis of the NZTA’s action plan for progressing many of the Panel’s recommendations.

9. Of the remaining 13 recommendations, 10 are being progressed as described in the February 2018 progress report.

10. Three recommendations were not progressed through the action plan. We have provided brief updates on these recommendations overleaf.
### Recommendation

**Recommendation 6:**
Improve understanding of the distributional impacts of cycling participation and injury by socioeconomic status and ethnicity through improved relevant data collection in the New Zealand Household Travel Survey and Crash Analysis System (CAS). Use this data to target some cycling investment to communities at greater risk of cycling deaths or serious injuries.

**Reason why the recommendation was not progressed**
This action could not be progressed as:
- the number of cycling crashes recorded in the CAS database is too small to conduct meaningful distributional impact analysis by socio-economic status.
- sample sizes in the Household travel survey are too small to be able to do a detailed analysis by social economic status and ethnicity.

We note, however, it may be possible to respond to this recommendation in future as more regional councils come on board with the Household Travel Survey and more data becomes available.

**Recommendation 22:**
Use ACC levies and insurance premiums to reward corporate responsibility and actions to improve cycle safety.

**Reason why the recommendation was not progressed**
The NZTA initially advised that it will explore how encouragement of driver behaviours that improve cyclist safety may best be linked to ACC’s Fleet Saver programme.

The Fleet Saver programme offers levy reductions to eligible businesses who demonstrate a strong safety culture and a commitment to the highest standards of safety. At this stage, the Fleet Saver programme only recognises the safety of heavy vehicles, and does not include cycle safety.

ACC has advised that it will undertake a review of the Fleet Saver programme in early 2019.

**Recommendation 28:**
Collect information on impaired cycling, with a particular focus on blood alcohol content.

**Reason why the recommendation was not progressed**
As noted by the Panel, data in this area is comparatively weak and is not easily obtained from government data sets. The NZTA’s CAS does record if alcohol was considered a factor in a crash. However, for impaired cyclists, this data set is too small for meaningful analysis.

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### Update on actions the Ministry is wholly or partly responsible for

**Recommendation 18:**
Trial mandatory minimum passing distances when drivers overtake cyclists (one metre is suggested for speed limits up to 60km/h, and 1.5 metres for speeds that are 61km/h and above).

11. In 2016, following the Cycling Safety Panel’s recommendation, the NZTA contracted Opus International Consultants Ltd to carry out research to investigate the feasibility of implementing minimum overtaking gaps (MOG) for motorists overtaking cyclists in New Zealand.

12. In October 2016, Opus’ final report entitled ‘Investigating the feasibility of trialling a Minimum Overtaking Gap law for motorists overtaking cyclists in New Zealand’ was published by the NZTA.
13. Opus’ report included details on a literature review and correspondence with international experts on existing MOG laws around the world. To assess the relationship between cyclists’ discomfort and overtaking distance, data was collected by setting up two bikes with video cameras and LiDAR technology that measured passing distances to cars.

**Opus’ report’s recommendations**

14. Similar to the Cycling Safety Panel’s recommendation, the report recommends trialling a graduated MOG law with a 1m gap at speeds of 60km/h or less and a 1.5m gap over 60km/h. The report also recommends establishing a complementary education campaign.

15. It is likely that there would be perceived benefits of increased safety to cyclists, however it is difficult to assume an increase in safety for cyclists as no other overseas example has clearly measured this in their implementation of a MOG law.

16. The report references the two year trial of a MOG law in Queensland, Australia, which commenced in April 2014. The report notes that there are problems with the practicability and enforceability of any MOG law, and acknowledges that New Zealand cyclists’ and drivers’ abilities to judge 1m or 1.5m is unknown and would need assessing.

**Package around vulnerable users and pathways**

17. As you know, the Ministry is developing a ‘Vulnerable Users and Pathways’ regulatory package to enhance the safety of vulnerable road users and improve the accessibility of pathways. This work will take into account the needs of different groups of vulnerable users such as people walking and cycling, older people, people with disabilities and young children.

18. This package will explore options for clarifying the rules around what types of vehicles should be allowed on footpaths, shared paths and cycleways, and under what conditions. MOGs for motorists will be considered as part of this package. You can expect a briefing shortly to agree the full scope of this package.

**Side under-run protection**

| Recommendation 31: The Ministry and the NZTA, in consultation with industry representatives, complete investigations of the cost effectiveness of truck side under-run protection and other vehicle technology improvements such as collision detection systems, additional mirrors or cameras. |

19. In 2017, the Ministry commissioned the New Zealand Institute of Economic Research (NZIER) to conduct an initial assessment of the benefits and costs of six vehicle technologies or standards. One of these standards was under-run protection for heavy vehicles. The Ministry is now carrying out a peer review of the NZIER’s report and its recommendations.

20. The Ministry will assess the merits of the other vehicle technology improvements mentioned in the recommendation, including collision detection systems, additional mirrors or cameras as part of the ongoing Safer Journeys Standards Map³ work programme.

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21. Once peer review of the NZIER report has been completed, the Ministry will prepare a separate briefing on the findings. Should the final report show that mandating technologies would be appropriate, the briefing will seek your agreement to proceed to develop appropriate land transport rules. The briefing will also consider the appropriateness of considering mandating other safety standards that have been identified in separate research.

Next steps

22. In the Panel’s 2014 report, the NZTA committed to provide a final report against the recommendations in December 2018. This deadline aligns well with the rules being developed through the vulnerable users and pathways package.

23. Stakeholders will be interested to hear about what progress has been made since the April 2017 progress report and what further work is planned. Subject to discussion with you, NZTA plans to finalise the report and then publish it on its website. This would be a ‘soft release’ (i.e. no supporting announcements). We would then proactively share a link to the report with key stakeholder groups.

Recommendations

24. The recommendations are that you:

   (a) note the progress report on the 35 recommendations from the Cycling Safety Panel

   (b) note that work on minimum overtaking gaps for motorists will be considered as part of the vulnerable users and pathways package

   (c) note that under-run protection will be considered along with five other vehicle technologies, which the Ministry of Transport will provide you a more detailed briefing about by April 2018

   (d) note that subject to discussion with you, the NZ Transport Agency plans to publish the February 2018 progress report on its website.

Brent Johnston
Manager, Mobility and Safety

MINISTER’S SIGNATURE:

DATE:
Minutes for Walking and Cycling Catch-up

Cycling Action Network, Living Streets Aotearoa, Walking Access Commission, Cycling New Zealand, NZ Transport Agency and Ministry of Transport

Level 1, Westpac Hub, 318 Lambton Quay
Ministry of Transport, Wellington
Wednesday, 11 April 2018, 2:00pm to 3:00pm.

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<tr>
<th>Attendee</th>
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<tr>
<td>Patrick Morgan</td>
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<td>Ellen Blake</td>
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<td>NZTA</td>
<td>Multi-Modal Lead Advisor</td>
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<td>Sarah Downs</td>
<td>NZTA</td>
<td>System Design Portfolio Manager for Developing Regions</td>
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<td>Gerri Pomeroy</td>
<td>Ministry of Transport</td>
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<td>Principal Cycling, System Design &amp; Delivery</td>
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<tr>
<td>Amy Taylor</td>
<td>Cycling New Zealand</td>
<td>Community Pathways Manager</td>
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1. Welcome and Introductions

2. MoT update:

New work programme
- As discussed at the last meeting MoT has a new work programme post new government. Part of that programme is a rules package, focused on walking and cycling and safety, and looking at who and what can go on the footpath.
- The new work programme also reflects the Government’s new direction with a focus on more liveable cities.
- Minister Genter let people know in her speech at the Safety Summit on Monday that this work is progressing.

Safety Summit
- A Road Safety Summit happened on Monday in Wellington. It was specifically aimed at councils, with wider engagement to follow.
- Minister Genter attended the event, and announced the Government’s intent to investigate a Vision Zero road safety approach for New Zealand, as part of a new Road Safety Strategy that is being developed.

New GPS 2018
- A new Government Policy Statement on land transport (GPS) has been drafted to reflect the new Government’s priorities.
• GPS was released for engagement last week and is open for submissions until 5pm, 2 May 2018.

3. NZTA update:
• The NZTA is focused on delivering the new walking and cycling programme signalled in the GPS.
• This involves looking at how to implement the GPS, and involves looking at things such as Funding Assistance Rates (FAR).
• Work is underway trying to establish results and measures for the new GPS.
• NZTA has recently had approval for 5 new people in their System Design and Delivery group.
• Consultancy, Abley Research, has been commissioned to carry out a stocktake of how councils are planning for walking at the moment. It is due to be finished by August 2018.
• Network Outcomes Contracts (NOC) are being relooked at in light of the new government direction. This will include looking at the performance measures and RAM – the asset management database.
• is developing a business case for .5 FTE for an accessibility adviser.
• Cycling and Walking Australia New Zealand (CWANZ) Group – this is a new group
  o Membership announced 10 April 2018.
  o 23 groups are represented.
  o Will likely have subgroups to be effective.
  o Claire is a member.
• One Network Road Classification (ONRC) – the NZTA is looking at how to fit it better in an urban environment with a movement and place function. NZTA also wants to make sure that the ONRC doesn’t conflict with councils.
  o There is a work stream within this to update performance measures to be more multi-modal.
• National Cycle Education System – this will be launched once the Associate Minister decides the date.
• There is also a capability building programme – this both sector wide and a NZTA research strategy.

4. Living Streets Aotearoa (LSA) update:
• E-bulletin from March.
• LSA members met with lots of different organisations in March (including MoT, NZTA, and Minister Genter) and explained LSA’s 4 point plan.

5. Cycling Action Network (CAN) update:
• Great to see the draft GPS. We’ll be submitting in support. We expect the GPS will lead to faster progress on building cycling networks, and reducing traffic risk.
• CAN Road Safety campaign
  o In February we surveyed people on their concerns. The responses from more than 1100 people were clear: they love cycling but told us there’s a lack of safe cycle routes, they don’t like mixing with fast traffic, and drivers sometime pass too close or fail to give way at intersections.
Our petition asks the Government and Councils to act urgently to:
1. Build more bike lanes in our cities and towns.
2. Educate drivers and people on bikes about sharing the road.
3. Slow traffic on urban streets and rural roads.
   - https://www.change.org/p/make-nz-streets-safe-for-cycling-save-lives
   - We presented this to Minister Genter this morning.
   - Our goal is to demonstrate strong public support for action on road safety.

- On a personal note, I biked to Bluff last month (Patrick Morgan)

6. Cycling NZ update:
- N/A

7. Walking Access Commission (WAC):
- Focused on off-road walking – tracks and trails
- Matakanui project is being developed – some of the funds allocated to this project will be used to pay for a person to work on the project to give project management, technical and planning support. This role will report jointly to Auckland Council and WAC, recruitment is underway.
- Otara-Papatoetoe Greenways plans – WAC will meet with local board in May to see if they can help with public access.
- Access to avoid Kauri forested areas. Working with Northland Regional Council, Northland Inc., and Mayoral Forum for alternative access for walking and cycling.
- Getting people together for workshops – track and trail leaders.

8. Determination of future meetings
- It was agreed that the next meeting will occur in August 2018.
- Should fit in well after To Walk and Cycle Conference at the end of July – beginning of August.

9. Any other business
- Education campaigns.
  - TRA research into the minds of NZers on the road. What do think NZers think sharing the road means?
  - ☐ will share the invite to presentation of the research with the group.
Vulnerable Users and Pathways package – agreeing the scope

Reason for this briefing
This briefing proposes the scope for a package aimed at improving the safety of vulnerable road users and looking at who and what should go on the footpath. The package also includes amending rules relating to walking, cycling and public transport.

Action required
Agree to the proposed scope of the Vulnerable Users and Pathways regulatory package, and that the Ministry of Transport and the NZ Transport Agency prepare a Cabinet paper to agree for consultation to proceed on the draft rules.

Note the next steps.

Deadline
N/A

Reason for deadline
N/A

Contact for telephone discussion (if required)

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<td>[Redacted]</td>
<td>Senior Adviser, Mobility and Safety</td>
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<tr>
<td>Brent Johnston</td>
<td>Manager, Mobility and Safety</td>
<td>022 066 4401</td>
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MINISTER’S COMMENTS:

Date: 20/04/2018  Briefing number: OC180043

Attention: Hon Julie Anne Genter (Associate Minister of Transport)  Security level: In-Confidence

Minister of Transport’s office actions

- [ ] Noted  [ ] Seen  [ ] Approved
- [ ] Needs change  [ ] Referred to
- [ ] Withdrawn  [ ] Not seen by Minister  [ ] Overtaken by events
Purpose of briefing

1. This paper proposes the Vulnerable Users and Pathways regulatory package of relatively well-developed proposals aimed at improving the safety of vulnerable road users. It asks for your agreement to start rule development on the package. It proposes to provide you with a Cabinet paper and supporting documents to allow for Cabinet consideration in early June 2018, with formal consultation on draft rules to follow.

Executive Summary

2. The Vulnerable Users and Pathways regulatory package aims to promote safe movement on the footpath for all users. The package will enhance the liveability and vibrancy of New Zealand cities and towns through better designed and regulated pathways, which will reduce barriers to active transport.

3. The first part of the package addresses issues around what vehicles, if any, can use footpaths and other legally defined pathways, such as shared paths. The package also looks at a series of relatively straightforward changes to rules to clarify specific legal issues around the use of public transport, cycle safety and cycle path design.

4. Over the past few decades, there have been many new types of motorised vehicles. These new devices, such as electric scooters, were rare or did not exist when some of our transport rules were originally made. Some of these devices have the potential to significantly improve mobility for groups such as the elderly and disabled, and to substitute for more conventional modes of travel.

5. The current rules have not kept pace with these changes, creating ambiguity and, in many cases, a lack of any rules concerning where vehicles of different types can be used. Some vehicle types may be prohibited for no obvious reason while others remain largely unregulated, potentially posing safety risks.

6. We considered different options when developing the package. One option was a substantially bigger package, which would have included reviewing the vehicle classification system (such as looking at uncertainties in the operation of e-bikes relating to current power-based standards). This option is not preferred as it is likely to require primary legislation changes which would significantly impact delivery timeframes.

7. We are also working on a longer term 18-24 month set of potential rule changes that require substantial policy investigation. The contents of this second set of proposals is flexible and we will be keen to discuss its scope with you as part of the walking and cycling strategic approach work we have signalled in our Output Plan for June 2018.

The Vulnerable Users and Pathways package

8. On 22 November 2017, we briefed you on opportunities for creating a step change in uptake of public transport, walking and cycling (OC05378 refers). One of the opportunities identified in the briefing were rule amendments to make public transport, and walking and cycling safer and more accessible.

9. The Vulnerable Users and Pathways regulatory package will clarify rules about who and what vehicles can use the footpath, improve safety for vulnerable roads users and clarify some other rules relating to public transport, walking and cycling.
11. The package comprises changes that are relatively well developed and we propose that it is progressed ahead of a larger programme of work. Preliminary policy work has already been completed on most of the work in the package, meaning it can commence reasonably quickly. We have also established that potential changes do not require changes to the Land Transport Act 1998. Amendments to primary legislation would be expected to add substantial length to the project.

12. The package will address some of the concerns that were raised around vulnerable roads users at the Local Government Road Safety Summit on 9 April 2018. The package also supports the Government’s objectives of building a 21st century transport system that reduces congestion, improves safety, reduces carbon emissions, and provides greater choice. The package would lead to a range of outcomes, including increasing safety and access to opportunities, enabling mobility, increasing health and reducing congestion.

*Clarify the rules around what types of vehicles should be allowed on footpaths, shared paths and cycleways, and under what conditions*

Withheld under section 9(2)(f)(iv)
The proposed framework for access to pathways

27. We propose amendments to the Road User Rule to introduce a principle-based forward leaning regulatory framework for determining the vehicles that may use various pathways and the conditions they must comply with.

28. Our proposed framework will comprise general and easily understood requirements that are a mixture of performance (users must behave in a certain way) and prescriptive (vehicles must not exceed a specified speed and be no larger than a specified size) rules.

29. Using clear criteria should enable the rules to work for new and potentially unforeseen technologies, including potential future small driverless delivery vehicles that might operate on the footpath for some or all of their journey.

30. It is possible other rules may be needed, such as weight and design standards around things like sharp protrusions, which will be considered during rule development and consultation. Councils will also be able to make bylaws that adjust the constraints about the types of vehicles may use footpaths in their areas.

We are also developing a broader set of proposals

31. We are also working on a longer term 18-24 month set of potential rule changes that require substantial policy investigation. The contents of this second set of proposals is flexible and we will be keen to discuss its scope with you as part of the walking and cycling strategic approach work we have signalled in our Output Plan for June 2018. We expect it to include reviewing the vehicle classification system to potentially:

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32. The broader set of proposals will require substantial resource from the Ministry and NZ Transport Agency and will involve many more stakeholders, who do not have much overlap with the stakeholders interested in the package. It may also require changes to primary legislation and affect other rules and regulations.

Media interest

33. The package is likely to create media interest, especially as issues around footpath use are contentious. We are already developing a communications package for this, in conjunction with the NZ Transport Agency and your office.

34. There will also be many stakeholders who have a lot of interest in this package. We already know that these interests will be varied, and some stakeholders will oppose additional users on footpaths.

Next steps

35. If you agree to progress the package, we will provide you with a draft Cabinet paper seeking agreement to consult on the draft Rules. We propose to provide you with the draft Cabinet paper in May 2018, along with final impact summaries and a draft communications plan.

36. We and the NZ Transport Agency have begun drafting the impact summaries for each part of the proposed package. We will also be trialling the child impact assessment tools developed by the Ministry for Social Development.4

37. If Cabinet agrees, we will arrange for the amendment rules to be drafted in conjunction with the NZ Transport Agency, and the Parliamentary Counsel Office, which draft the changes to the Road User Rule.5 As well as the changes to rules, new regulations will also have to be drafted setting out associated penalties.

38. This would allow us to carry out consultation on draft rules by September 2018, with finalisation of the rules to follow. We expect to be able to produce a final package for your signature by the end of the year. However, final timing is dependant on the outcome of the consultation and the availability of resource to draft the rules.


5 The NZ Transport Agency drafts changes to most land transport Rules however any changes to the Operator Licensing Rule 2017 or the Land Transport (Road User) Rule 2004 are traditionally drafted by the Parliamentary Counsel Office.
39. The Ministry will work closely with the necessary stakeholders throughout the development of the package. For instance, there is a question around the safety of some emerging devices. As part of the package we would work with the Ministry of Business, Innovation and Employment around consumer protection standards and how they apply.

40. At the end of 2017, we provided you with a briefing entitled *The Transport Rules Programme* (OC05418 refers), which sets out the rule making process in more detail.

**Recommendations**

41. The recommendations are that you:

(a) **agree** to the overall scope of the *Vulnerable Users and Pathways* package

   - Yes/No

   including:

   - i.
   - ii.
   - iii.
   - iv.
   - v.

(b) **agree** that Ministry of Transport and the NZ Transport Agency prepare a draft Cabinet paper in May 2018 to agree for consultation to proceed on the draft rules

   - Yes/No

(c) **note** the proposed next steps.

Karl Simpson
Director, Regulatory and Data

**MINISTER’S SIGNATURE:**

**DATE:**
Minutes for Walking and Cycling Catch-up


Level 3, Westpac Hub, 318 Lambton Quay
Ministry of Transport, Wellington
Thursday, 30 August 2018, 2:00pm to 3:00pm.

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<tr>
<td>Gerri Pomeroy</td>
<td>Disability Person’s Assembly</td>
<td>National President</td>
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Apologies

1. Welcome and Introductions

2. MoT update

Accessible Streets
- This is the regulatory package looking at four matters around walking, cycling and public transport.
- This package is currently with the Minister’s office and we will update the group on this when we can.

New Road Safety Strategy
- The Mobility and Safety Team, at the Ministry of Transport, is currently very busy preparing for five separate reference groups to inform the new Road Safety Strategy.
- The five groups are looking at the topics of: Speed, Infrastructure, Design and Planning, Vehicles as a workplace, Vehicle Standards, and Road User Behaviour.
- The reference groups will meet a number of times up until the end of the year, with the first meeting of all the groups at the beginning of September.
- The Ministry is working closely with other advisers (from a variety of organisations including the NZ Transport Agency, Police and ACC) to prepare material for these reference groups.
- The Infrastructure, Design and Planning group, in particular, is likely to be discussing issues around walking and cycling, and LSA and the Disability Action Group are representatives on the group, as is Bike Auckland. CAN and LSA are also represented on other groups as well (i.e. Speed, and User Behaviour).

3. NZTA update

NLTP 2018-2021 announcement
- Press release tomorrow, 31 August 2018 (1:00pm)
- W&C Programme will be announced within this
- NZTA has been working closely with local government
- Gerry has been working on the NZ Cycle Trail – working closely with MBIE
- The Provincial Growth Fund (PGF) also has walking and cycling-related projects and NZTA has been giving technical advice on these applications. To find out more about the PGF, please visit: https://www.mbie.govt.nz/info-services/sectors-industries/regions-cities/provincial-development-unit/provincial-growth-fund.
- There are more new staff in the W&C team, led by Sarah Downs.
- NZTA has officially begun an e-bike scheme (similar to the Tauranga CC scheme).
- Abley Walking Research is almost complete and the report will be ready to go soon. It is an in depth report with around 25 recommendations.

4. Living Streets Aotearoa (LSA) update

- LSA wrote to all councils alerting likelihood of including FAR for walking maintenance in their budgets. Some were very enthusiastic and some were not.
- Golden Foot Awards were hosted at Parliament, by Minister Genter. LSA would like to start thinking about 2020 funding. More information can be fund here: https://www.livingstreets.org.nz/node/4875.
- LSa drew the groups attention to Auckland Council’s Walking Business Case. More information on this can be accessed here: http://infocouncil.aucklandcouncil.govt.nz/Open/2017/08/CEN_20170823_AGN_7016_AT_files/CEN_20170823_AGN_7016_AT_Attachment_55166_1.PDF.
- 2Walk&Cycle Conference went very well.
- LSA also had their AGM and a new leadership team.
- SkyPath announcement was a great success. However very late notice on invitations.
- Walking to school – need more cross-agency objectives/action here.
- NZTA to update on Access Framework next meeting.

5. Cycling Action Network (CAN) update

- GPS and NLTP 2018 - Skypath and much more. Details to be announced 31 August
- National Walking and Cycling Conference report
- Healthy Streets approach is already gaining traction e.g. AKL
- Bike to the Future Awards 2018 and beyond - refocus on Healthy Streets?
- Road Safety Strategy review - Reference Groups are underway
- Bike Ready - new national cycling education programme
- People on Bikes - for your viewing pleasure
- Great news on the $390 million in the NLTP for W&C
- Healthy Streets framework approach
- Road Safety Strategy – CAN will be advocating for a Vision Zero Approach. Will resist need to water down this.
- BikeReady – new national cycling education programme. $24 million for bike education – extending local programmes to reach many more trainees.
- People on Bikes – TV show on One at 4pm on Sunday – also on Demand!
- Adaptive cycling – design guidelines for this? NZTA action on this – might be called Streets for People
6. Cycling NZ update

- Events certification programme – recreational and racing events under the certification programme.
- Working with ShareTheRoad etc. to notify trucks etc. of events
- About to start a national facilities review (with Sport NZ). Want to update how the sporting facilities connect to infrastructure.
- Rolling out rider training programme.

7. Walking Access Commission (WAC)

- Rodney/Matakana work. Funding role at Auckland Council to get planners on board.
- Working with Councils to develop off road alternative to SH 3. Working with council to develop business case for W&C infrastructure.
- Waiting to hear about a South Island project to relook at why tracks and trails are needed in the SI and Stewart Island.

8. Determination of future meetings

- November was discussed as timing for the next meeting. It is noted that early December may work better for discussing the progress of the Road Safety Strategy.
- It would be good to ensure attendance of the relevant people earlier if possible.
- Due to the new focus of the new government, there is more to discuss at these meetings. It was agreed that more time (1 ½ - 2 hours) for the next meeting would be better and allow all to have a chance to raise matters of interest.

9. Any other business

- The Ministry of Transport has a Transport Knowledge Hub which you can find out more about here: https://www.transport.govt.nz/resources/transport-knowledge-hub/.
Thank you for your email of 24 September 2018 to Hon Phil Twyford Minister of Transport and to at the Ministry of Transport, regarding e-scooters. Your email has been referred to me for reply as the matters you raise fall within my portfolio responsibilities as Acting Associate Minister of Transport.

The Government is committed to building a 21st century transport system that reduces congestion, improves safety, reduces carbon emissions, and provides greater choice. Small electric wheeled devices, including e-scooters, have a role to play in achieving this and I am interested in exploring all opportunities to get more people using safe alternatives to private motor vehicles.

E-scooters and other low powered devices such as e-bikes can offer a great way to get around and I am sure that if they are used safely, they will form an important part of how we move around our towns and cities in coming years.

I am advised that the announcement by the NZ Transport Agency in mid-September 2018 was not made because of any new policy or ruling. The decision to declare low powered e-scooters (ie those less than 300W) to not be motor vehicles was made to clarify an area of uncertainty in our current legislation. This uncertainty was reportedly preventing companies, such as Lime, which you refer to, from launching their devices. However, the definition of a scooter used by the NZ Transport Agency in the declaration, including the requirements relating to maximum wheel size and maximum power, are identical to that used in the Road User Rule 2004 (see www.legislation.govt.nz/regulation/public/2004/0427/latest/DLM302188.html).

The declaration also did not change the requirements around helmet use. Our current law only requires those on bicycles and motorcycles to wear helmets. The current rules do not affect users of skateboards, scooters or other similar devices. While I would strongly recommend users of e-scooters wear a helmet, especially if they are travelling at higher speeds, this is not a legal requirement.

I note your other comments about changing the laws around using e-scooters. The issue of how New Zealand transport law deals with low powered vehicles, such e-scooters, e-bikes and more novel technologies such as the Segway, is an area where the law has clearly not kept up with the development of new technology.

The Government has recently agreed to consider whether a new set of rules are needed to manage these low powered vehicles. This work will consider whether we should amend our current laws to use new measures to regulate what vehicles can and cannot legally be used on our roads and footpaths. This work will consider how we can enable people to remain mobile and active in their communities while ensuring the users of these devices and other users of the roads and footpaths are not endangered.

Changing our laws around vehicle classification is not straightforward because it requires amending many different pieces of legislation. The Ministry of Transport and the NZ Transport Agency are starting work on this issue and they will be in contact with you and similar organisations to discuss the proposals in due course.

You ask about the maximum speed an e-scooter can travel at. I am interested in looking at whether speed is a more sensible way of regulating devices like e-scooters than power...
measured in Watts. However, until the work by the Ministry and the NZ Transport Agency is completed, there is no specific speed limit for any wheeled device on the footpath. The Road User Rule says that a rider “must not operate the device at a speed that constitutes a hazard to other footpath users”. This reflects that the appropriate speed depends on the circumstances. As you suggest, in many circumstances a maximum speed of 20 km/h may be sensible, but if there are other people around I would expect riders to slow down to closer to walking pace.

I understand that you are talking directly to officials at the NZ Transport Agency about whether the scooters you sell comply with our existing laws. I urge you to continue to talk to them as this is the best way to address your concerns.

I appreciate your desire to continue to sell your e-scooters and I hope that this clarifies the current situation.

Nāku noa, nā

Hon James Shaw
Acting Associate Minister of Transport
To: The Mayor and Governing Body

Subject: Briefing on E-Scooters

From: Stephen Town – Chief Executive

Purpose

1. Provide advice on the issues and options to mitigate safety issues for rental e-scooters.

Key Messages

- The Public and elected members have also raised concerns about e-scooter safety. Media coverage has focused on rental e-scooter safety incidents.
- It is important that Auckland Transport and Auckland Council find ways to support new modes of transport while mitigating potential safety risks.
- In the first week of the launch of the e-scooter rental pilots there were around 40,000 trips and 14 mainly minor injury claims reported to ACC related to e-scooters including those privately owned.
- Auckland Council has received 7 queries/complaints from the public since the Lime e-scooters pilot commenced about minor safety and obstruction issues.
- Safety is a priority and we have anecdote but little evidence of the extent of safety incidents between e-scooters, pedestrian, and vehicles.
- There is potential for safety incidents to increase in the short term at peak commuting times, on main pedestrian routes.
- The current regulatory framework including bylaws is relatively comprehensive - government will be considering some changes that may further address safety issues - no change to bylaws is recommended or practicable in the short term.
- Staff advise that the best way forward in the short term is to implement a safety communication and education campaign immediately. This is a measured immediate step to address rental e-scooter safety concerns.
- Reducing rental e-scooter maximum speed, reducing the number of e-scooter rentals and revoking the licenses for the pilots are not advised at this stage.

Next Steps

- **Monday 05 November 2018**: A communication and education campaign will start, to address safety concerns and mitigate incidents.
- **26 November 2018**: A workshop with elected members and agency staff will be convened to discuss e-scooter issues and options.
- **December - January 2019**:
  - An e-scooter pilot reference group will formed to report back on the e-scooter pilot.
  - A report will be provided to the Auckland Transport Board and the Auckland Council Regulatory Committee for their consideration.
  - Monitoring and data collection approach.
Background

2. Cr Fletcher at the Governing Body meeting on 25 October 2018 raised safety concerns about rental e-scooters. This followed a near-miss she experienced with a rental e-scooter on a pedestrian crossing.

3. The Public and elected members have also raised concerns about e-scooter safety. Media coverage has focusing on rental e-scooter safety incidents.

4. His worship the mayor asked the Chief Executive to provide advice on the regulatory framework for e-scooters and options to mitigate safety issues. Staff from the Auckland Council, Auckland Transport, the New Zealand Transport Agency (NZTA), Ministry of Transport and the New Zealand Police have contributed to this memo and endorsed the options put forward.

5. Officials from the Ministry of Transport suggest that the council may wish to share this memo with the Minister of Transport.

The Auckland Plan supports growth in public transport and active modes of transport


7. It is important that Auckland Transport and Auckland Council find ways to support new modes of transport while mitigating potential safety risks

What are rental e-scooters?

8. E-scooters like those used by Lime are classified as a low powered vehicle because the wheels do not exceed 355mm and the motor has a maximum power output not exceeding 300W. Lime e-scooters can travel up to 22kmph, have speedometers and are most suited to short trips.

9. Rental pilots for e-scooters are underway in Auckland and Christchurch where people can pick-up and drop off e-scooters in public places using a mobile app.

10. Lime as part of its pilot has approximately 600 e-scooters operating across Auckland for the four months between 15 October 2018 and 28 February 2019.

11. Two other rental companies, Onzo and Wave, have had licenses approved. Onzo hopes to launch on 10 November contingent on any related decisions from this memo. Wave plans to launch from 30 November.

12. Onzo and Wave are licensed to deploy 1000 and 500 e-scooters respectively as part of their pilots. Any further expansion would be assessed following their completion.

Problems and opportunities

Overseas experience presents a mixed picture around safety issues and responses

13. Around a year on from their first launch there are e-scooter rental businesses in over 100 cities in the USA, Europe and Asia. Businesses like Bird and Lime each report usage at more than 10 million rides.

14. The policy and regulatory response to rental e-scooters safety issues vary. This is due to a variety of factors including regulations and legislation, speed, permitted locations and infrastructure.

15. Examples of responses include Singapore which is proposing to make helmets mandatory and to lower the maximum speed to 10km on footpaths. In Los Angeles helmets are no longer mandatory (with flexibility for variation if local agencies determine appropriate). Madrid has banned e-scooters from footpaths.

16. Staff are aware of two e-scooter riders’ deaths overseas. One was hit by a car. The other did not involve any other vehicles but sustained fatal head injuries and was determined to be accident.

17. A high-level SWOT analysis shows there are a range of strengths, weaknesses, threats and opportunities to be considered in the context of any decisions about safety concerns and support for e-scooters and rental e-scooters and similar modes.

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1 Micro mobility devices include segway, handcycles, tricycles, wheelchair tandems.
### SWOT Analysis - Auckland Context – E-scooters and Similar Modes

<table>
<thead>
<tr>
<th>Helpful 😊</th>
<th>Harmful 😞</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Potential strengths</strong></td>
<td><strong>Potential weaknesses</strong></td>
</tr>
<tr>
<td>• Current and growing infrastructure for micro and other sustainable modes</td>
<td>• Challenges around ensuring responsible rider behaviour and catching those who behave recklessly</td>
</tr>
<tr>
<td>• High interest and uptake by the public</td>
<td>• Challenges around interaction between users, pedestrians and other modes</td>
</tr>
<tr>
<td>• Aligns with strategic priorities</td>
<td>• Some potential gaps in infrastructure, legislation (e.g. no requirement to wear helmets, rules about use in cycle lanes)</td>
</tr>
<tr>
<td>• Current scale and ability to influence rental companies’ operations through regulation</td>
<td>• Limits on knowledge and experience of users</td>
</tr>
<tr>
<td>• Council has powers to require businesses to meet agreements about performance through a licence</td>
<td>• Limited data/evidence specific to NZ context</td>
</tr>
<tr>
<td>• E-scooter rental companies show willingness to promote safety and work with Auckland Transport, Auckland Council and customers.</td>
<td>• Lack of evidence to inform decisions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Potential opportunities</strong></th>
<th><strong>Potential threats</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Create environments that support micro modes and other sustainable modes as demand increases</td>
<td>• Technology challenging for policy making / regulation and for users to adapt to</td>
</tr>
<tr>
<td>• More provision e.g. including through rentals</td>
<td>• E-rental schemes not able to reach balance between safety and use</td>
</tr>
<tr>
<td>• Look to Christchurch and other international jurisdictions for lessons and learnings</td>
<td>• Decisions made too soon about regulation or policy</td>
</tr>
<tr>
<td>• Take a measured approach to decision making balanced against risks to safety</td>
<td>• Lack of evidence to inform decisions</td>
</tr>
<tr>
<td>• Auckland Transport and Auckland Council can keep a close watching brief to help manage and monitor any safety.</td>
<td>• Need to balance regulatory/policy decisions with creating an environment where rental e-scooter businesses (or other modes) want to start up.</td>
</tr>
</tbody>
</table>

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### Safety

Safety is a key priority we have anecdote but little evidence of the extent of safety incidents between e-scooters, pedestrian, and vehicles

18. As with the emergence other modes - bicycles in the 1800s, roller skates in the 1960s and the resurgence in the popularity of skateboards in the 1980s - experience shows there are initial peaks in safety incidents.

19. Annual, national level Accident Compensation (ACC) data on push scooter (not e-scooter) accidents show an increase from 5,951 in 2014 to 6,211 in 2017. The ACC data show that nationally, e-scooter accidents rose from 6 in 2014 to 34 in 2017.

20. In the first week of the launch of the Lime e-scooter rental pilots there were around 40,000 trips and 14 mainly minor injury claims reported to ACC related to e-scooters including those privately owned.

21. By way of comparison there were 32 injury claims from push scooters (non-electric scooters) in Auckland and Christchurch and an additional 80 across other regions for the same period.

22. It is currently unclear whether claims are related to injury to the rider, to another person (e.g. pedestrian), or both.

23. Auckland Council has received 7 queries/complaints from the public since the Lime e-scooters pilot commenced about minor safety and obstruction issues.

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2 These ACC data are almost certainly limited to the use of privately-owned e-scooters as E-scooter rental companies did not begin operating until several weeks ago.
There is potential for safety incidents to increase in the short term at peak commuting times, on main pedestrian routes

24. There is potential for safety incidents to increase in the short term at peak commuting times on main pedestrian routes. This is difficult to predict.

25. Anecdotal information suggests that safety incidents may be more likely to occur in areas with high levels of foot traffic. Heart of the City data on pedestrian foot traffic shows variation from 17,973 on lower Queen Street to 5,005 on Karangahape Road (average over 4 days as at 31 October). This data could help determine any options for addressing safety concerns.

26. Interaction with pedestrians is also likely to occur during peak times; for example during the morning commute, lunchtimes and at the close of the day. Auckland Transport and Auckland Council will keep a watching brief and monitor activity with a particular focus on these potential pressure points.

27. Difficulties managing everyday rider behaviour mean we need to be sensitive to but not driven by anecdotal information. Proactively using observational data at peak times could be a quick way to get a better understanding of the nature and the scale of the problem.

28. We believe it preferable where possible for e-scooters to be used predominately on the footpath or on appropriate shared spaces, in preference to the road. A careful balance must be maintained to ensure Aucklanders’ safety.

29. Auckland Transport and Auckland Council will share information with and leverage what can be learnt from ongoing engagement with Christchurch City Council in the context of the Lime pilot and potentially beyond.

Regulatory framework for rental e-scooters

The current regulatory framework including bylaws is relatively comprehensive

30. Rental e-scooters are regulated by Auckland Council, Auckland Transport, NZTA, Police and Ministry of Transport. Lime scooters has also set in place requirements for customers around the use of their e-scooters (Figure 1).

31. To operate, businesses like Lime must obtain a license under the separate Auckland Transport (for roads and footpaths) and Auckland Council (for parks and civic spaces) Trading and Events bylaws. They must also adhere to licensing conditions set by the council.

32. To use an e-scooter, riders must comply with road user rules, separate Auckland Transport and Auckland Council Public Safety and Nuisance bylaws and the businesses terms of use.

33. Licenses to pilot rental e-scooters have been approved for Lime, Wave and Onzo (Wave and Onzo are yet to commence operating) with a range of parameters including number and location (further details are provided in Figure 1 below).
Figure 1: Regulation of rental e-scooters in Auckland

<table>
<thead>
<tr>
<th>Trading and Events bylaws (for business)</th>
<th>Lead agencies/Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>• bylaws made by Auckland Council (for parks and civic spaces) and Auckland Transport (for roads and footpaths)</td>
<td>Auckland Council and Auckland Transport</td>
</tr>
<tr>
<td>• rental e-scooter companies must hold a licence from the council</td>
<td>Enforcement: Auckland Council³</td>
</tr>
<tr>
<td>• license requirements include track record, liability insurance, data provision, open communication with council, mitigation and reporting of safety issues and maintenance, location and number of e-scooters.</td>
<td>Powers and penalties:</td>
</tr>
<tr>
<td>• council can revoke licenses if requirements are not met.</td>
<td>Can approve and decline licence request</td>
</tr>
<tr>
<td></td>
<td>Can impose conditions on licence</td>
</tr>
<tr>
<td></td>
<td>Can amend and revoke licence</td>
</tr>
<tr>
<td></td>
<td>Court fine on prosecution of up to $20,000 for businesses who breach the bylaw including licensing requirements.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Road user rule 2004 (for users)</th>
<th>Lead agencies/Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>• allows riding on footpath and far left of road</td>
<td>Ministry of Transport, New Zealand Transport Agency, Police</td>
</tr>
<tr>
<td>• not allowed on cycle lanes that are part of the road</td>
<td>Enforcement: Police</td>
</tr>
<tr>
<td>• must be careful and considerate to others</td>
<td>Powers and penalties:</td>
</tr>
<tr>
<td>• speed must not be a hazard to other footpath users</td>
<td>Infringement fines of $40-$150</td>
</tr>
<tr>
<td>• must give way to pedestrians and mobility devices</td>
<td>Court fines on prosecution of up to $1,000</td>
</tr>
<tr>
<td>• does not require helmets to be worn either on or off road</td>
<td></td>
</tr>
<tr>
<td>• does not set an age limit for e-scooter use.</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Public safety and nuisance bylaw (for users)</th>
<th>Lead agencies/Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>• bylaws made by Auckland Council (for parks and civic spaces) and Auckland Transport (for roads and footpaths)</td>
<td>Auckland Council, Auckland Transport</td>
</tr>
<tr>
<td>• prohibits use of device in a way that is reckless, intimidates, dangerous, injurious or a nuisance to other people.</td>
<td>Enforcement: Auckland Council⁴</td>
</tr>
<tr>
<td></td>
<td>Powers and penalties:</td>
</tr>
<tr>
<td></td>
<td>No ability to issue infringement fines</td>
</tr>
<tr>
<td></td>
<td>Court fine on prosecution of up to $20,000.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Lime - Key terms of use (applies to customers)</th>
<th>Lead agency / Administration</th>
</tr>
</thead>
<tbody>
<tr>
<td>• must be over 18</td>
<td>Lime Scooters</td>
</tr>
<tr>
<td>• adhere to relevant traffic laws/regulations</td>
<td>Powers and penalties:</td>
</tr>
<tr>
<td>• be mindful of road obstructions</td>
<td>Advises on etiquette including parking</td>
</tr>
<tr>
<td>• not obstruct pedestrians/pedestrian walkway</td>
<td>Advises customers to check e-scooter is working correctly by initial trial pre-use</td>
</tr>
<tr>
<td>• be competent, assess conditions are safe, no stunt riding</td>
<td>Checks and maintains e-scooters regularly</td>
</tr>
<tr>
<td>• responsible for any misuse claims/fines</td>
<td>Sets rules around arbitration or disputes</td>
</tr>
<tr>
<td>• report safety and maintenance issues</td>
<td>Charges for damage caused during use</td>
</tr>
<tr>
<td>• must not carry backpack, use phone etc if a safety risk</td>
<td>Can discontinue membership for violation of terms of use.</td>
</tr>
<tr>
<td>• must not exceed maximum weight</td>
<td></td>
</tr>
<tr>
<td>• must not be under influence of alcohol or prohibited drugs.</td>
<td></td>
</tr>
</tbody>
</table>

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34. To inform future decision making in relation to any extension to these licenses a reference group of staff from Auckland Transport, Auckland Council (including from Alcohol Licensing and Compliance, Licensing and Compliance, Transport Strategy and Auckland Design Office), NZTA, Ministry of Transport and any other relevant agencies will be convened.

35. The reference group will assess the findings of the pilot alongside those from the Christchurch pilot and relevant international evidence. It can also make broader recommendations about e-scooters and micro modes and ways to support their increased use safely.

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³ Under delegated authority from Auckland Transport. Administered by Alcohol Licensing Unit.

⁴ Under delegated authority from Auckland Transport. Administered by Licensing and Regulatory Compliance Unit.
Options to respond to safety issues around rental e-scooters

Changing regulation to address issues with e-scooters is not recommended or practicable in the short term

36. It is not recommended that Auckland Transport and Auckland Council amend any bylaws at this time.

37. While it may be possible for Auckland Transport and Auckland Council to regulate speed and require helmets using a bylaw there is limited evidence to satisfy the legal tests for appropriateness at this time. Further, the process to amend a bylaw takes about 12 months.

38. The interaction with legislation would also need to be considered before deciding to amend any bylaws. The Ministry of Transport is proposing a package of measures, now referred to as ‘Accessible Streets’ to support safe use of alternative modes e.g. e-scooters. However, any changes would not come into force until 2019 at the earliest.

39. The current Lime e-scooter pilot and those to soon be launched by Onzo and Wave will provide a stronger evidence base for decision making around legislation and any need for regulatory change.

Short term options are available to address e-scooters safety concerns using the existing regulatory framework

40. Short-term options to help address safety concerns related to e-scooter rentals are summarized below:

<table>
<thead>
<tr>
<th>Option 1: Communications and education campaign run for remaining duration of pilot</th>
<th><strong>Recommended</strong></th>
</tr>
</thead>
</table>
| Increase communication about how to use e-scooters more safely and in line with regulatory requirements. This could also emphasise parents’ responsibility around use by children - including information about penalties. | **Pros:**
| • empowers people to behave responsibly | • Auckland Transport and Auckland Council may be criticised for not taking stronger action to address safety concerns |
| • could help address safety issues | • some people will ignore information and guidance and incidents may still occur. |
| • quick to deploy at relatively low cost | |
| • shows Auckland Transport and Auckland Council are taking steps to mitigate safety issues | |
| • supports strategic priorities | |
| • could benefit all users of e-scooters and similar devices | |
| • allows pilot to continue and for evaluation to inform any changes to licenses, infrastructure and regulation. | |
| **Cons:** | |
| |
| **Risks/mitigation:** |
| Risk of continued incidents involving rental e-scooters. Risk can be mitigated by: | |
| • working more closely with e-scooter rental businesses to strengthen user incentives and disincentives | |
| • asking City Watch to engage with and educate e-scooter users to support good behaviour and safety | |
| • implement Option 2 alongside this Option 1. | |
| Risk of focus on e-scooters as being more dangerous than other similar modes: | |
| • present data on comparative modes to illustrate need for measured and balanced response. | |

<table>
<thead>
<tr>
<th>Option 2 - Reducing rental e-scooter maximum speeds overall and / or in certain locations</th>
<th><strong>Required license holders to reduce maximum speed of rental e-scooters.</strong></th>
</tr>
</thead>
</table>
| | **Pros:**
| • could help address safety issues | • lack of robust evidence (e.g. about accident causation and nature) to support decision |
| • relatively quick to deploy, relatively low cost | • challenging to justify given accident and fatality rates of other modes significantly outnumber those related to e-scooter usage |
| • may mitigate public views that Auckland Transport and Auckland Council are not doing enough to address safety concerns | • privately owned e-scooters and other modes could still travel at higher speeds |
| • reducing speed in certain locations could provide a less arbitrary | • criticism that Auckland Transport and Auckland Council have intervened too soon before the pilot is completed |
approach to managing any speed related safety issues   • would not enable evaluation of rental e-scooters at full functionality, may limit application of findings

- allows pilot to continue and for evaluation to inform future decisions.   • would take time to assess which speeds are appropriate for particular locations.

**Risks/mitigation:**
Risk of continued accidents related to rental e-scooters. Risk can be mitigated by:
- implement Option 1 alongside this Option.

### Option 3 - Reduce number of rental e-scooters deployed as part of each pilot

Requiring license holders to reduce the number of rental e-scooters deployed as part of pilots.

<table>
<thead>
<tr>
<th>Pros:</th>
<th>Cons:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlaps with pros listed in option 2 and:</td>
<td>Overlap with pros listed in option 2 and:</td>
</tr>
<tr>
<td>• allows pilot to continue and for evaluation to inform future learnings and their application.</td>
<td>• may be considered unfair by the public and rental e-scooter businesses.</td>
</tr>
</tbody>
</table>

**Risks/mitigation:**
Risk of continued accidents related to rental e-scooters. Risk can be mitigated by:
- increasing level of communications, work more closely with e-scooter rental businesses to strengthen incentives and disincentives for users and promote training opportunities
- Ask City Watch to act as ambassadors and engage with and educate e-scooter users to support good behaviour and safety
- implement option 2 alongside this Option 1.

Risk of focus on e-scooters as being more dangerous than other similar modes:
- Present data on comparative modes and place e-scooters in broader context and illustrate need for measured and balanced response.

Risk of criticism by rental e-scooter companies and the public:
Communication around this would explain that this step has been taken to help address safety concerns during the pilot. Restrictions would not necessarily remain in place over the longer term.

### Option 4: Seek to revoke E-scooter company licenses and end /cancel pilots (Not recommended)

<table>
<thead>
<tr>
<th>Pros:</th>
<th>Cons:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• safety incidents related to use of e-scooter rentals would be prevented</td>
<td>• criticism may be directed toward Auckland Transport and Auckland Council for not letting the pilot run its course</td>
</tr>
<tr>
<td>• some Aucklanders may be supportive of ending the pilot due to concerns about safety.</td>
<td>• would not allow data gathered through pilot inform future policy around e-scooters which could also provide learnings for other micro mobility devices</td>
</tr>
<tr>
<td></td>
<td>• decision would not support strategic objectives around alternative transport modes</td>
</tr>
<tr>
<td></td>
<td>• could discourage other e-scooter rental businesses from entering the market – may limit transport options for Aucklanders.</td>
</tr>
</tbody>
</table>

**Risks/mitigation:**
Risk that Auckland Transport and Auckland Council may be criticised for ending the pilot early can be mitigated by:
- public communication that safety concerns have been too significant to continue.

Risk around decision making process, could be mitigated by:
- Council would need to ensure that the decision to revoke the licence was legally robust
- Auckland Transport and Auckland Council would need evidence that the safety risks associated with the pilot were of sufficient magnitude to justify revoking the license for the pilot.
- Auckland Transport and Auckland Council would need to offer the operator an opportunity to remedy the safety risks associated with the pilot, prior to revoking the licence.
Option Summary

Implement Option 1: a communication and education campaign immediately as a measured immediate step to address rental e-scooter safety concerns

41. Staff advise that the best way forward in the short term is to implement Option 1: a communication and education campaign immediately. This is a measured immediate step to address rental e-scooter safety concerns from the public and safety issues around the use of rental e-scooters.

42. Option 1 balances the need to respond to safety concerns in a measured way and shows the Auckland Council and Auckland Transport are placing a focus on safety as well as supporting new modes of transport. This response is proportionate in light of data that show that other modes of transport including push scooters (non-electric) are linked to more safety incidents.

43. Reducing rental e-scooter maximum speed (Option 2), reducing the number of e-scooter rental (Option 3) and revoking the licenses for the pilots (Option 4) are not advised at this stage. Their implementation is difficult to justify given our current understanding of the scale of the problem.

44. Should safety incidents escalate in nature and scale staff advise that reducing rentals e-scooter maximum speed (Option 2) and reducing the number of e-scooter rentals (Option 3) are the next most viable options to implement.

45. Revoking the licenses for the pilots (Option 4) is not advised at this stage. Micro-mobility will continue to grow. It is important that Auckland Transport and Auckland Council take a proactive response to support safety measures while harnessing the benefits.

Next Steps

46. Indicative timeline for next steps

- **5 November 2018**: Staff have developed and will start an e-scooter communication and education campaign
- **26 November 2018**: A workshop will be convened by the Chair of the Regulatory Committee. It will include all councillors, Local Board Chairs and a representative from the Auckland Transport Board. Agency staff will present e-scooter issues and options for discussion.
- **December 2018 - January 2019**: An e-scooter pilot reference group will formed to report back on the e-scooter pilot. A report will be provided to the Auckland Transport Board and the Auckland Council Regulatory Committee for their consideration. Monitoring and data collection approach
Table 1: Number of accepted claims for e-scooter related accidents between 14 October 2018 and 31 October 2018, by accident location.

<table>
<thead>
<tr>
<th>Accident Location</th>
<th>Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Auckland</td>
<td>44</td>
</tr>
<tr>
<td>Christchurch City</td>
<td>22</td>
</tr>
<tr>
<td>Rest of NZ</td>
<td>&lt;&lt;</td>
</tr>
</tbody>
</table>

The total injuries in Auckland and Christchurch is 66. The national total is not able to be provided without further suppression of data.

Table 2: Number of accepted claims for e-scooter related accidents between 14 October 2018 and 31 October 2018, by primary diagnosis.

<table>
<thead>
<tr>
<th>Primary Diagnosis Group</th>
<th>Claims</th>
</tr>
</thead>
<tbody>
<tr>
<td>Laceration/puncture/sling</td>
<td>24</td>
</tr>
<tr>
<td>Soft tissue injury</td>
<td>24</td>
</tr>
<tr>
<td>Fracture/dislocation</td>
<td>17</td>
</tr>
<tr>
<td>Concussion/brain injury</td>
<td>&lt;&lt;</td>
</tr>
<tr>
<td>Other</td>
<td>&lt;&lt;</td>
</tr>
</tbody>
</table>

The data is based on the date of accident. Some accidents may have occurred in the specified timeframe that have not lodged a claim.

The data includes only accepted claims. Claims for which a cover decision has not been made are not included until a decision is made.

ACC is reliant on the information a person provides on their ACC45 Injury claim form which is completed when they seek medical treatment for their injury. There is a free-text accident description field on the form where a person can provide a brief description of how the accident happened. There is significant variation in the accuracy of information clients provide in this field. As such, the above should not be considered a definitive count of the number of claims for the specified criteria.
Weekly Report to the Minister of Transport  
For the week ending 2 November 2018

Extract:

### E-scooters

The launch of several hundred dockless hire e-scooters in Auckland and Christchurch over Labour Weekend has led to extensive media coverage about the potential safety risks from their use, both to riders and to other footpath users. The Ministry has been working with NZTA and Auckland Council to respond to requests for advice on New Zealand’s current legislation.

The Accessible Streets package that is currently with Ministers contains measures, including a proposed speed limit for all motorised footpath users that might be relevant to addressing some of the perceived safety concerns. However, under normal Rule making processes, it would be expected to take six months after a draft Rule was released for consultation before any rule changes could take effect.

We are working with Auckland Council to explore other options to ensure safe use of the e-scooters, especially in heavily used pedestrian areas. These options include requesting scooter hire companies limit speeds depending on the scooters location, or that the Council uses its own bylaw powers to control user behaviour. We understand that Council officials will submit their report to their Council on 2 November 2018.

**Responsibility:** Brent Johnston, Manager, Mobility and Safety

<table>
<thead>
<tr>
<th>Next Steps:</th>
<th>We will continue to update you on our discussions with NZTA and Auckland Council on this matter and provide separate advice if further changes in this area are identified as necessary.</th>
</tr>
</thead>
</table>

Released under the Official Information Act 1982

Document 16

6
Memorandum

20 November 2018

To: Chair of the Regulatory Committee and members of the Governing Body

Subject: Update on rental e-scooters – upcoming pilots and next steps

From: Kataraina Maki, General Manager, Community and Social Policy

1. The purpose of this memo is to provide an update on rental e-scooters pilots in Auckland.

2. There has been significant uptake in the use of the Lime rental e-scooters and strong interest from the media and public relating to the safety of riders and pedestrians.

3. A memo was provided to the Governing Body on 1 November 2018. The memo highlighted that e-scooter injuries are fewer than similar transport modes (for example, push scooters) and the appropriate response at this time is a communications and education campaign to promote safe riding. The information in the memo responded to elected members’ questions and, therefore, a workshop was not held.

Lime, Wave and Onzo licences

4. Auckland Transport and Auckland Council have granted Lime a licence to pilot up to 1,000 e-scooters across Auckland until 14 January 2019. All 1,000 are in operation.

5. Onzo have also applied for a licence for 1,000 rental e-scooters from 1 December until 28 February 2019. They have indicated they will only deploy 500 as part of the pilot. These will be in the Central Business District and city fringe.

6. Wave Scooters initially applied for a licence for 500 scooters but have subsequently decided not to proceed. They are waiting to see the outcome of the other pilots.

Responding to safety incidents and concerns

7. A two-month education and media campaign to promote safe riding has been deployed by Auckland Transport and Auckland Council. This includes posters, decals and social media outlining simple safety guidance for riders.

8. Frequently Asked Questions to respond to media and public queries are being finalised.

9. Auckland Transport will be using its networks with schools to share and promote messaging about safe use with students and parents to help address concerns around the age of some rental e-scooter users.

10. Lime is also launching safety initiatives including a Rider Safety Summit on December 1 at Eden Park.

Next steps

11. Auckland Transport and Auckland Council will publish a media release reiterating the nature and duration of the pilots and ways to stay safe in advance of the Onzo pilot.

12. Auckland Transport and Auckland Council will work with e-scooter companies on appropriate responses if there is a significant increase in the number and severity of safety incidents and related public concerns.

Minutes for Walking and Cycling Catch-up


Level 3, Westpac Hub, 318 Lambton Quay
Ministry of Transport, Wellington
Tuesday, 27 November 2018, 10:00am to 12:00pm.

<table>
<thead>
<tr>
<th>Attendee</th>
<th>Organisation</th>
<th>Position</th>
</tr>
</thead>
<tbody>
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<td>NZ Transport Agency</td>
<td>Principal Cycling, System Design &amp; Delivery</td>
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<td>NZ Transport Agency</td>
<td>Team Lead, System Design, Developing Regions</td>
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<td>Sarah Downs</td>
<td>NZ Transport Agency</td>
<td>Portfolio Manager System Design, Developing Regions</td>
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<td>Jo McCabe</td>
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<td>Cycle Action Network</td>
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<th>Apologies</th>
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<tr>
<td>Amy Taylor</td>
<td>Cycling NZ</td>
<td>Community Pathways Manager</td>
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<tr>
<td>Andy Smith</td>
<td>Living Streets Aotearoa</td>
<td>President</td>
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<tr>
<td>Gerri Pomeroy</td>
<td>Disability Person’s Assembly</td>
<td>National President</td>
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1. Welcome and Introductions

2. MoT update

Accessible Streets
- This is a regulatory package looking at four matters around walking, cycling and public transport.
- This package is currently with the Minister’s office and we will update the group on this when next steps are taken.

New Road Safety Strategy
- The Mobility and Safety Team, at the Ministry of Transport, have been very busy preparing for and running five separate reference groups to inform the new Road Safety Strategy.
- The five groups are looking at the topics of: Speed, Infrastructure, Design and Planning, Vehicles as a workplace, Vehicle Standards, and Road User Behaviour.
- The reference groups for the final workshops (4 workshops for each group) occurred this week and draft outcomes report will be completed for each group after this.
- It is planned that the Ministerial group will meet in December to hear an update.

E-scooters
- Data is not clear as to whether there is a safety issue arising from e-scooters. ACC data is not showing that there is at the moment.
- LSA has concerns about these on footpaths. Impact on people with limited vision and other disabilities.

3. NZTA update
Walking and cycling workshop with councils
- It is a forum for council staff to meet other councils and NZTA staff
- The meeting notes and presentations will be circulated to this group **********

Pedestrian research
- Is found here on NZTA website.
- It is quite comprehensive on pedestrian tools in NZ.
- It contains 27 recommendations over 4 or 5 areas.
- The GPS is enabling for the strategic/policy recommendations
- Design guidance gaps have been identified – Pedestrian Planning and Design Guide 2008 – this has done a good job but will be updated in 2019 and put online.
- The RTS 2014 will also be updated.
- There is a need to better match urban design and transport guidelines/standards and others too – e.g. disability guidelines etc.
- There is also capability and training needed – NZTA has appointed a Change Manager to work on this.

Research proposal for pedestrian levels of service
- Will be commissioned soon.

Website update
- NZTA will update the landing page for walking.

Investment
- There is a bump in funding, however this funding includes the Skypath/Seapath and Ngauranga to Petone.
- Looks like the fund will be maxed out but need to push readiness to actually spend the money within the allocated years.
- There is $390 million of Walking & Cycling activity class funding.
- Maintenance funding is now available but councils need to put forward cases.

Working on the Safe and Healthy Streets – South Auckland programme

ONCR update
- NZTA to send through **********

Te Araroa
- Work being done on this to upgrade sections.

Launch of Bike Ready
Bikes in Schools
Aotearoa Bike Challenge 2019

Updates on cycling network guidance due soon
- AMIG meeting this Friday to get their support

4. Living Streets Aotearoa (LSA) update

- Had second face to face meeting of the year with new council
- Agreed new future foot with 5 areas
- Walking Summit planned for June 2019
- Update from Celia’s attendance at the international walking summit Walk21 in Bogota.
  - Need qualitative as well as quantitative assessment
  - Women’s perceptions of walking was also a theme.
  - Walkshop on children’s perceptions of the city.
  - Global Street Design guide – Auckland, Wellington and Christchurch have all signed up to it.
  - Ten things Mayor’s can do for walking.
- Clarification of footpath into shared path process for councils *****

5. Cycling Action Network (CAN) update

- Thanks for getting BikeReady out
- Have been campaigning around minimum overtaking gaps
- Starting to discuss the “goldilocks” space
- Encouraging to see 30km/h city speed limits
- Encouraging to see slower speeds in the Kapiti Coast
- Healthy Streets and Complete Streets – we are framing discussions/submissions in this way.

6. Cycling NZ update (not in attendance)

7. Walking Access Commission (WAC)

- Taranaki – working with the safe roads team and NZTA to work with councils, to get walking away from state highways (in this case State Highway 3).
- WAC can help with the mapping, working out where unformed legal (paper) roads are, and working with landowners.
- Matakana and Warkworth – have employed a project manager to help connect up the community (trails trust) with AT/AC to progress planning tracks and trails. Part of this is finding safe ways to get kids to school – hardly any footpaths in the area.
- Working to more easily get a walking easement over and with AC. AC don’t have the resources to maintain trails – WAC can become the owner of the potential walkway and then can negotiate to create and maintain walkway with trails trust or developer etc.
- The WAC Act will be reviewed over the next 12 months so change possible – Minister is Damien O’Connor.
- Tracks and trails funding was declined for the PGF – said work could be funded in other ways.
- Connecting up with Tourism at MBIE to help small councils around the country achieve their plans for walkways.

8. Determination of future meetings
- It was agreed that the next meeting would occur around the end of February 2019.

9. Any other business

- How the Housing and Urban Development Authority’s (HUDA’s) powers will effect walking and cycling guidelines/standards was discussed. NZTA is already working with HUDA to ensure linkages are made.
- The second Active Living Symposium is taking place in Dunedin in February 2019.
- The “Find my adventure” tool on WAC website has just gone live. It is targeted at people who want to easily locate a short walk or hike suited to their needs – time, effort etc. It is a work in progress with data from local Council’s etc being added gradually.
Minutes for Walking and Cycling Catch-up


Level 3, Westpac Hub, 318 Lambton Quay
Ministry of Transport, Wellington
Tuesday, 26 February 2019, 1:00pm to 3:00pm.

Attendee | Organisation | Position
---|---|---
Sarah Downs | NZ Transport Agency | Portfolio Manager System Design, Developing Regions
Andy Smith | Living Streets Aotearoa | President
Ellen Blake | Living Streets Aotearoa | Vice President
Celia Wade-Brown | Living Streets Aotearoa | Secretary
Amy Taylor | Cycling NZ | Community Pathways Manager

Apologies | Organisation | Position
---|---|---
Jo McCabe | Walking Access Commission | Policy & Partnerships Advisor
Gerri Pomeroy | Disability Person’s Assembly | National President
Patrick Morgan | Cycle Action Network | Project Manager

1. Welcome and Introductions

2. MoT update

Accessible Streets
- Update on the package including addition of a part of e-scooter and wider wheeled recreational devices – considering allow these WRDs to use on-road painted cycle lanes.
- We will consult with other departments before the papers go to Ministers and then Cabinet. These are likely to be (but not limited to): ACC, Department of the Prime Minister and Cabinet, Local Government New Zealand, Ministry of Business, Innovation and Employment, Ministry of Education, Ministry of Health, Ministry of Justice, Ministry of Social Development, New Zealand Police, New Zealand Transport Agency, Office for Disability Issues, Te Puni Kokiri, Treasury, and WorkSafe New Zealand.

New Road Safety Strategy
- The draft reference group reports have been going through a process of review by the reference group members.
- We are now finalising the reports with a view to publishing them on the MoT website in March 2019.
- Timing for consultation on the Road Safety Strategy/Action Plan is under discussion at the moment and we’ll be in a position to have a more concrete answer on the consultation process and timing in March 2019.

Active Living Symposium
- Was really good (Celia)
- Minister Genter spoke via video link
- Simon Kingham and were there.

3. NZTA update

First they answered the questions from LSA below.

started (within system design) – experienced in PT integration – design consultant, from Denmark.

Cycle facility specifications have been updated on the cycling network website (can NZTA please provide link?).

New cycle design specification – for highways but often get used wider


Funding challenges from SHSSA

4. Living Streets Aotearoa (LSA) update

Questions of NZTA/MoT
1. Status of Great Harbour Way. Apparently this was discussed at December meeting but no minutes out yet.
   a. No minutes out yet.

2. Any update on Rules Package content or timing? Especially reduced/safer speeds, e-scooters and similar and increased fines for parking on the footpath.
   a. Update given earlier by MoT.

3. Any update on the outcome of the five Road Safety Working Groups? Will it be just the Rules above or FAR or licensing or don’t we know yet?
   a. Discussed above.

   a. New walking facilities (not shared paths) – there are 6 new ones.
   b. Will work with councils for new walking and cycling facilities for 2021-2024.
   c. Kathryn King, Sustainable Transport Manager, Planning and Performance (just joined NZTA from AT) – strategic overview of walking and cycling projects.
5. Given the new kapa haka pedestrian signals in Wellington, any plans on gender equity for remaining NZ signals?
   a. These are great!
   b. No provision for female standard figure. NZTA will take this point back.

6. NZTA Education resources for Active Travel
      i. This is CEB in NZTA.
      ii. Walking and running are already part of the PE curriculum.
   c. Could you ensure the examples used are inclusive and legal e.g. main photo on [https://education.nzta.govt.nz/](https://education.nzta.govt.nz/)

7. Likely level of support for 2020 2Walk2Cycle and Walking Awards?
   a. Would be looked at as part of a central conference budget at NZTA.

Info/requests from Living Streets Aotearoa

1. Note that the ALE Symposium (Dunedin, Otago University Active Living & Environment) will be bringing forward some walking and cycling recommendations to the Ministers.

2. Walk to Work Day – thanks for social media support.


4. Living Streets Aotearoa summit in June – update from us
   a. This Walking Summit is in June in Auckland and has two themes: Walk2School and Walking to PT.

5. Cycling Action Network (CAN) update
   - Apologies sent

6. Cycling NZ update
   - Key deliverables this year around getting more adults back on bikes
   - Training lots of community leaders – Ride Leader programme – have trained about 80 people so far and have 45 groups nationwide.
   - As people get trained they build their confidence and start trying out NZ Cycle Trails etc.
   - Also doing Grade 1 & 2 training, and some Grade 3.
- Feedback from Ride Leader’s that many people need training to gain competence in riding. Groups provide entry point for participants to access training.
- Educating people on bikes how to correctly and safely ride and position themselves on the road, but encountering bad driver behaviour.
  - NZTA Share the Road Campaign.
  - Also Accessible Streets – MOGs.

7. Walking Access Commission (WAC)
- Apologies sent

8. Determination of future meetings
- Suggested early June.

9. Any other business
- There is the Footpaths for feet coalition – (group of disability groups, LSA and Grey Power).
From: Matthew Baldock <matthew@casr.adelaide.edu.au>
Sent: Wednesday, 30 January 2019 12:50 PM
To: Brent Johnston
Subject: Re: E-scooters

Hi Brent and [redacted]

Thanks again for making time to speak with me today regarding e-scooters and your Accessible Streets initiative.

Much appreciated,
Matt

> On 30 Jan 2019, at 9:34 am, [redacted]@transport.govt.nz wrote:
> 
> Hi Matthew,
> 
> Yes if you call Brent on +64 22 066 4401 at 12:15pm we will be ready.
> 
> Ng? mihi
> 
> [redacted]
> 
> Senior Adviser, Mobility and Safety
> Ministry of Transport – Te Manatū Waka
> 
> M: + [redacted] | www.transport.govt.nz Enabling New Zealanders to flourish
Great Brent (and [redacted])
>
> Shall I call you on the number below?
>
> Thanks
>
> Matt

On 30 Jan 2019, at 9:13 am, Brent Johnston <B.Johnston@transport.govt.nz> wrote:

> Hi Matthew,

> Thanks for your further email. I did respond to your message on Friday 25th January, but you may not have received or seen that for some reason?

> Of course very happy to discuss e-scooters, albeit the diary is a bit difficult today. We could take a call at about 12.15 NZ time if that is suitable for you, otherwise it may need to be later in the week.

> I will include my colleague, [redacted], on the call. [redacted] leads our policy work in this space.

> Cheers
>
> Brent Johnston
>
> Manager, Mobility & Safety
>
> Ministry of Transport - Te Manatu Waka

> M: +64 22 066 4401
>
> b.johnston@transport.govt.nz | www.transport.govt.nz
Dear Mr Johnston,

My name is Dr Matthew Baldock and I was wondering if I could speak to you briefly about E-scooters. I was given your name by [redacted].

Our local (South Australian) Department of Transport is deciding on policies regarding E-scooters and I understand that New Zealand has put in place some requirements for users of these devices. I was just after a brief summary of your approach to E-scooters and the reasoning behind it. The advice I give the SA DoT will be confidential.

Is there a time that I could call you?

Kind regards,
Matt

Matthew Baldock
Deputy Director
Centre for Automotive Safety Research The University of Adelaide
South Australia 5005
Phone: +61 8 8313 5887
Fax: 
Email: matthew@casr.adelaide.edu.au
Web: http://casr.adelaide.edu.au

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Matthew Baldock
Deputy Director
Centre for Automotive Safety Research
The University of Adelaide
South Australia 5005
Phone: +61 8 8313 5887
Fax: +61 8 8232 4995
Email: matthew@casr.adelaide.edu.au
Web: http://casr.adelaide.edu.au
From: [Redacted]
Sent: Tuesday, 19 February 2019 9:32 AM
To: [Redacted]
Subject: RE: Bird past performance - any insights including technical?

Hi

Sorry, I've not heard anything specific. However TJ, the guy from Bird who was briefly in NZ last year, was very chatty and helpful when we were on the phone to him. I'd get hold of him directly as he tried to make a point of saying how they worked with the government unlike some of their (unnamed) competitors.

TJ Hennessy
Director, Global Expansion

B I R D

Note that the .co in the email address is not a typo.

---

Principal Adviser, Demand Management and Revenue Team
Ministry of Transport – Te Manatū Waka
M: [Redacted] | www.transport.govt.nz

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From: @aucklandcouncil.govt.nz
Sent: Tuesday, 19 February 2019 9:02 AM
To: @nzta.govt.nz; @transport.govt.nz
Subject: Bird past performance - any insights including technical?

Hi both,
Hope everything’s going well.

Withheld under section 9(2)(b)(ii)

I wondered if you had any technical background we could draw from in helping inform decisions. We do know of a technical expert we can draw in but in the meantime any advice you could provide would be super.

Key things we are looking at will be:
• Track record including around service provision, safety and responsiveness e.g. willingness to work closely with councils or similar
• Technical specs and performance
• Any other information

I’ve been doing a bit of scan on this but anything you could add would be great. I’m just finalising the scope of our evaluation and decision framework for the end of the trial will likely seek your input to the reports.

Many thanks
Kind regards

[Redacted]

Principal Policy Analyst | Social Policy & Bylaws
Community & Social Policy | Auckland Council | Chief Planning Office
Ph: [Redacted] | Mobile: [Redacted]
Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz
From: (AT) <@at.govt.nz>
Sent: Friday, 18 January 2019 2:08 PM
To:  
Subject: RE: Lime - renewed licence etc

Thanks

-------------------------------------------------------------------------------------------------------------------

From: @transport.govt.nz>
Sent: Friday, 18 January 2019 1:25 p.m.
To: (AT) <@at.govt.nz>  
Cc: @transport.govt.nz>
Subject: RE: Lime - renewed licence etc

Hi  

The contact at the Ministry is [redacted] (who I have CCed into this). I’ve recently moved sideways and so I’m not directly involved in the development of the package now. I’m sure she would be happy to talk to them, but the key point at present is we can’t say what the package will include (or not include) until we get decisions on this from Ministers, and that it is still some weeks away.

Principal Adviser, Demand Management and Revenue Team  
Ministry of Transport – Te Manatū Waka  
M: [redacted] | www.transport.govt.nz

-------------------------------------------------------------------------------------------------------------------

From: (AT) <@at.govt.nz>
Sent: Friday, 18 January 2019 12:12 PM
To: @transport.govt.nz>
Subject: RE: Lime - renewed licence etc

Hi  

I read about the Accessible Streets project that is looking at changes to regulations to e-scooters. I’ve also been approached by the Blind Association wanting to talk to someone about it. Do you know who the government contact is? Is it MoT or NZTA?

Ta
Hi All

In the ever growing list of reports on the deployment of escooters around the world, this one looks interesting as it was papered by a council.

See also this story about it: https://www.theverge.com/2019/1/15/18183786/electric-scooter-portland-data-analysis

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Principal Adviser, Demand Management and Revenue Team
Ministry of Transport – Te Manatū Waka
M: + | www.transport.govt.nz

---

Hi all,


Will be in touch with updates on next steps around the evaluation etc.

Kind regards,

---

Principal Policy Analyst | Social Policy & Bylaws
Community & Social Policy | Auckland Council | Chief Planning Office
Ph: | Mobile:
Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz
Hi both,

Thanks - your letter was really helpful in clarifying some of those key issues for Mayor Goff. Thanks too for the heads up around looking at cycle lanes and timing for Accessible streets.
As mentioned I’ll loop both of you into a meeting in the new year as we finalise our update to committees/the AT board about the evaluation and next steps. We’re catching up with and another colleague from Chch this week too so that will also help with the alignment across the evaluations.
Thanks for the ACC data you shared. That should work well for our purposes.

Thanks for all your help over the past little while both.

I hope you have a wonderful Christmas break.

Kind regards,

---

Hi,

I drafted the reply to Mayor Goff so it should have been consistent with our earlier discussions. We now have this letter saying we will look at rules around e scooters and cycle lanes, so you are welcome to cite this, but this is still being worked on and so is not officially part of the package yet.

We have no new advice on when Accessible Streets will surface for consultation, though Minister Genter is very keen for this to happen now she has returned. I’d expect it in the first half of the year.

A catch up on these issues in the new year sounds useful. I understand Christchurch is also doing a similar ‘end of trial’ review so it might be useful to engage with them at the same time.
Hi both,

Just touching base before we close next week.

We’re finalising the terms and reference for the evaluation of the pilots.

We’re aiming for the evaluation to be mostly completed before the pilots close off so that we can give a clear steer in terms of their continuation or otherwise as early as possible.

We’ve been working with the NZTA contacts to give input to the survey so that should be really helpful as part of the evaluation. We’re also talking with Christchurch to see where they’re at and what we can learn/share.

I see the Minister wrote back to the Mayor about the Accessible streets package so that was really helpful.

Were there any updates on your end we should take account of? I wondered if ACC had shared any further data on accidents?

Suggest I set up a meeting for early/mid January and loop you so we can share any updates?

Just at our end it will likely be [redacted] from our Transport strategy team that becomes the main contact alongside [redacted] from AT. We will be just be keeping a watching brief and maintaining a coordination role.

Many thanks both.

Kind regards

P
Hi

I was invited to a phone discussion with a representative of Bird scooters this morning that was set up by someone else here who had met them in the US. Their approach was very interesting and they are making a big play out of how responsible they are compared to their unnamed competitors. For example they actively talked about their ability to geo fence areas completely or limit speed in designated areas or times. They also offered a dashboard for councils to see where all the scooters are at any time and other metrics for addressing public safety/minimising complaints that sounded interesting.

One of their senior people will be in NZ next week and wanted to talk to people here. I said I would pass on the contacts in Auckland Christchurch. Can you advise who they should talk to in Auckland?

___

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: | www.transport.govt.nz

============================================================================================================
Hi both,

Thanks again for your help with my queries.
Just FYI here is the final memo. This went to elected members earlier this week.
Kind regards

Principal Policy Analyst | Social Policy & Bylaws
Community & Social Policy | Auckland Council | Chief Planning Office
Ph: [number] | Mobile: [number]
Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz
Hi,

This is the latest information I have received from ACC – only goes to 31 October. I can try to find more current data if you are wanting?

Password is ‘Awesome' for the spreadsheet.

---------------------------------------------------------------

From: @aucklandcouncil.govt.nz>
Sent: Thursday, 15 November 2018 10:10 AM
To: @transport.govt.nz>; @nzta.govt.nz>
Cc: Mark Rounthwaite <Mark.Rounthwaite@nzta.govt.nz>
Subject: RE: E-scooters - any new ACC data?

Thanks for your message.

Enjoy the conference. May in touch tomorrow depending in where we get to.

Kind regards

---------------------------------------------------------------
Sorry I'm off site at a conference. We don't have any new data but I know [REDACTED] has been asking for this so hope she can respond. If needed I may be able to follow up tomorrow.

sent from mobile

Hi both,

We're preparing a memo to update the Mayor and Councillors about next steps including in the context of the launch of more rental e-scooters from Wave and Onzo in the next few weeks.

You would have seen also the statements from the Mayor in the media.

I wondered if you were able to provide me with any recent ACC data? Or recent insights about how things are tracking in terms of injuries? Nature? Severity causation?

Also, does the Ministry /Agency have views and evidence you could share about:

- Volumes of e-scooters in an area and how this may impact safety or otherwise?
- Anything about speeds on roads? (risks or benefits of reducing the overall speeds?)
- Anything about helmets?

Thank you so much.

Kind regards
Hi

Cycle lanes are the exception. Only cycles can use them. All other types of path (foot, shared and cycle) are allowed to be used by e-scooters and other wheeled recreational devices.

sent from mobile

I don’t know sorry.

Hi all

Sorry another question - just checking are there other cycle paths (aside from those defined in the Road User Rule 2004) where e-scooters can be used?

Many thanks

Kind regards
Email 9

From: @aucklandcouncil.govt.nz
Sent: Thursday, 1 November 2018 2:26 PM
To: 
Subject: RE: E-scooters - Update on options

Thanks good point around status quo. I did think about this too. Will discuss with my GM. Problem definition is explained in memo. Agree with your points on chch.

-------------------------------------------------------------------------------------------------------------------

From: @transport.govt.nz
Sent: Thursday, 1 November 2018 1:40 PM
To: @aucklandcouncil.govt.nz; (AT) @at.govt.nz; @nzta.govt.nz; 'Mark Rounthwaite' <Mark.Rounthwaite@nzta.govt.nz; @aucklandcouncil.govt.nz; @aucklandcouncil.govt.nz
Cc: (Social Policy and Bylaws) @aucklandcouncil.govt.nz
Subject: RE: E-scooters - Update on options

Hi

Thanks for this. Broadly I’m happy with the options, but I had a few thoughts about the paper that you can do with as you see fit.

I appreciate this is an extract so some things may be covered elsewhere, but as a policy person I’m looking for a statement about the problem the options address. Is the concern you are addressing the reported antisocial usage, the potential lack of safety for users or the ‘littering the footpath’ or all of these?

Is “the status quo” an option? I think it is important to note that we only have two or three weeks of information about this issue and so waiting for more data before anyone (including central government) makes any decisions seems a valid response, even if it may not be a preferred response. Equally, at the other end there are other long term options, like slowing city traffic so e-scooters could use the road and the “accessible Streets” package? Again I can see these may not be preferred at the moment, but it may be worth mentioning in passing.

Noting my first point, it is not clear from the text what problem reducing the number of scooters solves. You may wish to expand on this because it raises the question about how the Council will respond to the other requests to deploy and also if there is any risk of challenge (legal or media) from the players.

Again, possibly not in scope, but it seems that the launch in Christchurch has not had the same media coverage. I’d suggest at least proposing a one-off discussion with Christchurch
Hi all

Our GM has given feedback on our memo so we are getting close to finalisation.

Regarding your question we will be suggesting that the Mayor may like to share this with the Minister – and the memo will be made public.

Our proposed options have shifted somewhat to include an option to reduce the number of scooters deployed (see below)

I’d be grateful for any key feedback or including any concerns as soon as possible.

Option 1: Communications and education campaign run for remaining duration of pilot / beyond (Recommended)

Increase communication about how to use e-scooters more safely and in line with regulatory requirements. This could also emphasise parents’ responsibility around use by children - including information about penalties.

| Pros: | Cons: |
• empowers people to behave responsibly
• could help address safety issues
• quick to deploy at relatively low cost
• shows Auckland Transport and Auckland Council are taking steps to mitigate safety issues
• supports strategic priorities
• could benefit all users of e-scooters and similar devices
• allows pilot to continue and for evaluation to inform any changes to licenses, infrastructure and regulation.

Auckland Transport and Auckland Council may be criticised for not taking stronger action to address safety concerns
• some people will ignore information and guidance and incidents may still occur.

Risks/mitigation:
Risk of continued incidents involving rental e-scooters. Risk can be mitigated by:
• working more closely with e-scooter rental businesses to strengthen user incentives and disincentives
• asking City Watch to engage with and educate e-scooter users to support good behaviour and safety
• implement Option 2 alongside this Option 1.

Risk of focus on e-scooters as being more dangerous than other similar modes:
• present data on comparative modes to illustrate need for measured and balanced response.

Option 2 - Reducing rental e-scooter maximum speeds overall and / or in certain locations
Requiring license holders to reduce maximum speed of rental e-scooters.

Pros:  
• could help address safety issues  
• relatively quick to deploy, relatively low cost  
• may mitigate public views that Auckland Transport and Auckland Council are not doing enough to address safety concerns  
• reducing speed in certain locations could provide a less arbitrary approach to managing any speed related safety issues  
• allows pilot to continue and for evaluation to inform future decisions.

Cons:  
• lack of robust evidence (e.g. about accident causation and nature) to support decision  
• challenging to justify given accident and fatality rates of other modes significantly outnumber those related to e-scooter usage  
• privately owned e-scooters and other modes could still travel at higher speeds  
• criticism that Auckland Transport and Auckland Council have intervened too soon before the pilot is completed  
• would not enable evaluation of rental e-scooters at full functionality, may limit application of findings  
• would take time to assess which speeds are appropriate for particular locations.

Risks/mitigation:
Risk of continued accidents related to rental e-scooters. Risk can be mitigated by:
• implement Option 1 alongside this Option.
**Option 3 - Reduce number of rental e-scooters deployed as part of each pilot**

Requiring license holders to reduce the number of rental e-scooters deployed as part of pilots.

<table>
<thead>
<tr>
<th>Pros:</th>
<th>Cons:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overlaps with pros listed in option 2 and:</td>
<td>Overlap with pros listed in option 2 and:</td>
</tr>
<tr>
<td>• allows pilot to continue and for evaluation to inform future</td>
<td>• may be considered unfair by the public and e-scooter companies.</td>
</tr>
<tr>
<td>learnings and their application.</td>
<td></td>
</tr>
</tbody>
</table>

**Risks/mitigation:**

Risk of continued accidents related to rental e-scooters. Risk can be mitigated by:

- increasing level of communications, work more closely with e-scooter rental businesses to strengthen incentives and disincentives for users and promote training opportunities
- Ask City Watch to act as ambassadors and engage with and educate e-scooter users to support good behaviour and safety
- implement option 2 alongside this Option 1.

Risk of focus on e-scooters as being more dangerous than other similar modes:

- Present data on comparative modes and place e-scooters in broader context and illustrate need for measured and balanced response.

Risk of criticism by rental e-scooter companies and the public:

Communication around this would explain that this step has been taken to help address safety concerns during the pilot. Restrictions would not necessarily remain in place over the longer term.

**Option 4: Revoke E-scooter company licenses and end /cancel pilots (Not recommended)**

<table>
<thead>
<tr>
<th>Pros:</th>
<th>Cons:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• safety incidents related to use of e-scooter rentals would be prevented</td>
<td>• criticism may be directed toward Auckland Transport and Auckland Council for not letting the pilot run its course</td>
</tr>
<tr>
<td>• some Aucklanders may be supportive of ending the pilot due to concerns about safety.</td>
<td>• would not allow data gathered through pilot inform future policy around e-scooters which could also provide learnings for other micro mobility devices</td>
</tr>
<tr>
<td></td>
<td>• decision would not support strategic objectives around alternative transport modes</td>
</tr>
<tr>
<td></td>
<td>• could discourage other e-scooter rental businesses from entering the market – may limit transport options for Aucklanders.</td>
</tr>
</tbody>
</table>

**Risks/mitigation:**

Risk that Auckland Transport and Auckland Council may be criticised for ending the pilot early. Risk can be mitigated by public communication that safety concerns have been too significant to continue.

Many thanks
Kind regards

Principal Policy Analyst | Social Policy & Bylaws
Community & Social Policy | Auckland Council | Chief Planning Office
Ph: | Mobile: | 
Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz
Hi

There is no problem referring to the package as "Accessible Streets" in your paper. It is what we call it when talking to people outside and what it will be called when released. The only caveat is that in the earlier Cabinet paper that is online we called it "Vulnerable users and pathways" but the minister thought that this was too long. For clarity you might just want to say "now referred to as ..." or something similar.

____

Principal Adviser
Ministry of Transport – Te Manatū Waka
T: + ... | www.transport.govt.nz
Thanks.

Confirming also we can specifically mention ‘Accessible Streets’ otherwise will use the wording you agreed about package of measures without referencing title.

Kind regards

Hi

I think was trying to look at this. I don’t have anything I’ve not sent already about how ACC got the historic data.

___

Principal Adviser
Ministry of Transport – Te Manatū Waka
T: + | M: + | www.transport.govt.nz
Hi all,

Just confirming – do we know if the ACC data shows anything about the nature of how injuries may be caused? It is people being hit by e/ scooters as well as people using e/ scooters? Presuming not but just wanted to check.

Thanks so much!

Principal Policy Analyst | Social Policy & Bylaws
Community & Social Policy | Auckland Council | Chief Planning Office
Ph: | Mobile:
Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz
Hi,
I'll need to check this with my GM. Will be in touch in the morning to let you know.
Kind regards

From: [redacted]@transport.govt.nz>
Sent: Wednesday, 31 October 2018 5:12 PM
To: [redacted]@aucklandcouncil.govt.nz>
Subject: release of report on escooters

Hi,
I am just writing a short note for our Minister about e-scooters for our weekly report. I am aware that Mayor Goff and Minister Twyford have discussed the issue and it is public that mayor Goff requested the report from you, but is there any expectation that you will share the report you are doing with our Minister at any stage? If so, can you advise when this might occur? I'm assuming that it would be after it has been seen by your Council?

Principal Adviser
Mobility and Safety Team
Ministry of Transport

Phone [redacted]
Hi,

Building on from comments, attached are my comments.

Happy to discuss any of these further.

Thanks,

-------------------------------------------------------------------------------------------------------------------

Draft document withheld under section 9(2)(g)(i).
Final document provided.
Hi

You caught me between tasks, so here is some initial feedback.

Note that our ‘crash’ data is only for what gets reported to Police. We can get ACC data, but it takes time.

Let me know if you want any more data or comments.

---

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: | www.transport.govt.nz

---

From: @aucklandcouncil.govt.nz>
Sent: Tuesday, 30 October 2018 11:53 AM
To: ; Mark Rounthwaite; (AT); @at.govt.nz; (Social Policy and Bylaws);
Cc: 
Subject: Draft Background document to inform memo to CE on E-Scooters [Draft in confidence - Not for wider circulation]
Attachments: 20181030 Draft Background document to inform memo_E-Scooters.docx

Hi all,

Apologies for the delay in getting this to you. Many thanks for all the information you have provided so far.

Please find attached a draft background document to inform the content of the memo to our CE.

Please note that this is not the memo itself - rather it seeks to establish key details about the context, data, issues, regulatory framework, rules of operation / use and potential options to

---

From: @aucklandcouncil.govt.nz>
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Hi all,

Apologies for the delay in getting this to you. Many thanks for all the information you have provided so far.

Please find attached a draft background document to inform the content of the memo to our CE.

Please note that this is not the memo itself - rather it seeks to establish key details about the context, data, issues, regulatory framework, rules of operation / use and potential options to
address issues to mitigate safety issues around e-scooters in the context of the Lime Scooters pilot. Once the key facts, narrative and options are confirmed I will draw these into a high level memo. We will use relevant extracts from this document as appendices.

Please note this a rough draft and we are not wedded to content. I would be grateful if you could please make any changes/additions/comments as you fit.

If you can mark any changes up as tracked changes that would be great. Any and all feedback welcome.

You’ll see I have noted who may wish to provide input and on what issues but please do not be constrained by this.

I would be grateful for feedback by 10am tomorrow to allow enough time for final checks, review and sign out.

Please contact me with any questions.

Huge thanks in advance.

[Redacted]

Principal Policy Analyst | Social Policy & Bylaws
Community & Social Policy | Auckland Council | Chief Planning Office
Ph: [Redacted] | Mobile: [Redacted]
Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
Visit our website: www.aucklandcouncil.govt.nz

-----------------------------------------------------------------------------------
From: @aucklandcouncil.govt.nz>
Sent: Friday, 26 October 2018 3:42 PM
To: Mark Rounthwaite
Subject: RE: E-Scooters - Responding to request from the Mayor for briefing from Stephen Town for next week

Marvellous – thanks
Kind regards

-------------------------------------------------------------------------------------------------------------------

From: @transport.govt.nz>
Sent: Friday, 26 October 2018 3:40 PM
To: @aucklandcouncil.govt.nz>; Mark Rounthwaite<mark.rounthwaite@nzta.govt.nz>
Subject: RE: E-Scooters - Responding to request from the Mayor for briefing from Stephen Town for next week

Hi

We deal With Peter McKennie on these issues.

Peter McKennie
Manager: Operations
National Road Policing Centre

M  +64 27 247 5805
P  +64 4 470 7129
E  peter.mckennie@police.govt.nz

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: www.transport.govt.nz

-------------------------------------------------------------------------------------------------------------------
Hi both a slightly separate query…
I wonder if you had a contact in Police I could get in touch with on the policy side?
Will talk with to find a Police contact in the ops space in Auckland.
Thanks so much
Kind regards

Hi (and Mark)

One of our lawyers was wandering past and I asked him about the various offences and penalties that are relevant to the e-scooter issue.

The short answer is a fine between $50 and $150. If you really want to know the details they are set out here/

Our lawyer also pointed out that the Auckland Council Public Safety and Nuisance Bylaw 2013 also includes

6 Nuisances, safety and behaviour in any public place
(1) A person must not use a public place to:

…
(c) use any material or thing (including a vehicle, bicycle, motorised scooter, model aircraft, skateboard, roller skates or roller blades, shopping trolley or similar object) recklessly or in a manner which may intimidate, be dangerous, be injurious to or cause a nuisance to any person;

So you might want to look at this power as well.

Schedule 2 of the Land Transport (Offences and Penalties) Regulations 1999 sets the penalties for the following clauses in the Road User Rule 2004
<table>
<thead>
<tr>
<th>Clause in RUR 2004</th>
<th>Offence</th>
<th>Max penalty on conviction</th>
<th>Infringement fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.3(1)(f)</td>
<td>Unauthorised use of special vehicle lane (ie a cycle lane)</td>
<td>$1,000</td>
<td>$150</td>
</tr>
<tr>
<td>11.1(4)</td>
<td>Operate mobility device or wheeled recreational device without care/inconsiderately/at hazardous speed on footpath</td>
<td>$1,000</td>
<td>$100</td>
</tr>
<tr>
<td>11.1(5)</td>
<td>Driver of wheeled recreational device on footpath fails to give way to pedestrians, drivers of mobility devices</td>
<td>$1,000</td>
<td>$50</td>
</tr>
<tr>
<td>11.1(6)</td>
<td>Pedestrian unduly impedes mobility device or wheeled recreational device on footpath or a moped or motorcycle permitted to use the footpath</td>
<td>$35</td>
<td>—</td>
</tr>
<tr>
<td>11.1A(2)</td>
<td>Person uses a shared path without care or consideration or in a hazardous manner</td>
<td>$35</td>
<td>—</td>
</tr>
<tr>
<td>11.1A(3)</td>
<td>Rider of cycle, mobility device, or wheeled recreational device operates cycle or device on a shared path at a hazardous speed</td>
<td>$1,000</td>
<td>$100</td>
</tr>
</tbody>
</table>
Hi

Really good to speak with you earlier.
Thank you very much for this.
I’ll work through the info and come back to you with any queries etc
Kind regards,

From: @transport.govt.nz
Sent: Friday, 26 October 2018 11:26 AM
To: @aucklandcouncil.govt.nz
Cc: Mark Rounthwaite <mark.rounthwaite@nzta.govt.nz>
Subject: RE: E-Scooters - Responding to request from the Mayor for briefing from Stephen Town for next week

Hi

Thanks for the conversation today. We would very much like to be kept in the loop on this as our Minister is being asked about this. To answer the queries we had in rough order they were raised:

The publicly agreed statements about what we now call “Accessible Streets” is in the publicly released Cabinet Paper in paragraphs 67 – 70

The public message around this is that we expect to consult on the package of amendments in early 2019 and this will provide an opportunity to consider other amendments around e-scooters in particular if this is required. Assuming consultation takes the usual time we would not expect amendments to come into force until late 2019, but there are opportunities to bring forward dates if there is apolitical will and resources at our end.

I can’t find anything in the public domain that says that Accessible Streets includes looking at a speed limit, but I think it is perfectly OK to say that this will consider the option of one.

The data we had from ACC for past years (ie before the hire scooters arrived) is as follows

### New and active claims and costs

<table>
<thead>
<tr>
<th>New claims</th>
<th>The claims in these tables have been counted by the date that the claim was registered with ACC. This can be immediately after the injury occurred or at any later stage.</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-scooter</td>
<td>The claim data have been extracted where: (Sport = &quot;Scooter&quot;; OR Activity prior = &quot;Recreation/Sporting Activity&quot;, &quot;Driving,Riding&quot;); AND Based upon a free text analysis involving &quot;E SCOOTER&quot;, &quot;E-SCOOTER&quot;, &quot;ELECTRIC SCOOTER&quot; therefore this data is only an estimate of claims involving electric scooters.</td>
</tr>
</tbody>
</table>
Table 1. All new & accepted e-scooter claims: 2013-2017

<table>
<thead>
<tr>
<th></th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>E-scooter</td>
<td>6</td>
<td>12</td>
<td>22</td>
<td>34</td>
</tr>
</tbody>
</table>

The most interesting article with statistics I have read recently is this one. (It was about Bird, not Lime)


Yeah, because there’s geo-fencing, the geo-speed limit’s going to work with geo-fencing on slowing you down. There’s also ‘no ride’ zones, there’s ‘no park’ zones... a bunch of cool things like that that we’re doing, and so we’re going to be continuing that in the second year.”

“So an example is that we just rolled out a geo-speed limiting feature where the Bird is already capped at 15 miles per hour, but when you enter a zone like the beach bike path in Santa Monica, the Bird will slow down to 8 miles per hour automatically.”

Of course now I go looking for the article that quoted average speed I can’t find it, but this story has some hard date as well as the authors own statistics.

But my average speed during those April rides of 7.5 miles per hour was almost a third faster than the 5.7 mile-per-hour average speed of a city bus in Manhattan.

Regards

---

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: [redacted] | www.transport.govt.nz
Hi,

As discussed, perhaps meet at NZTA reception 5 minutes early.

Regards

Mark

-----Original Appointment-----
From: @aucklandcouncil.govt.nz
Sent: Thursday, 25 October 2018 1:36 PM
To: ; Mark Rounthwaite
Subject: FW: E-Scooters - Responding to request from the Mayor for briefing from Stephen Town for next week
When: Friday, 26 October 2018 9:30 AM-10:30 AM (UTC+12:00) Auckland, Wellington.
Where: RES CEN ALBERT ST L21 R1 (seats 8)
Importance: High

Hi Mark,
Good to speak with you just now.
I’m sorry I lost you from the phone call.
Here’s the meeting invite.
I’ll confirm our meeting room phone details shortly and send through.
If you could send through the briefing you mentioned that would be super. And would be great to have your colleague from MoT join us.
Many thanks
Kind regards

Mark

-----Original Appointment-----
From: @aucklandcouncil.govt.nz
Sent: Thursday, 25 October 2018 2:58 PM
To: 
Subject: FW: E-Scooters - Responding to request from the Mayor for briefing from Stephen Town for next week
When: Friday, 26 October 2018 9:30 AM-10:30 AM (UTC+12:00) Auckland, Wellington.
Where: RES CEN ALBERT ST L21 R1 (seats 8)
Importance: High

Hi,

As discussed, perhaps meet at NZTA reception 5 minutes early.

Regards

Mark
Hi all,

Apologies for the late notice.

At this morning’s Governing Body meeting Cr Fletcher raised a point of extraordinary business about safety issues related to e-scooters in the context of the current trial.

The Mayor has requested that Stephen Town prepare an urgent briefing on this for next week. This will outline the regulatory framework that is and can be applied around this to help ensure public safety.

We will use this meeting and follow up to inform content of the memo.

Note also attending will be relevant contact from our Public Law team and a representative from NZTA.

Please indicate if you would prefer to attend via skype or over the phone and I will provide required details.

Many thanks.
Kind regards,

 Principal Policy Analyst | Social Policy & Bylaws
 Community & Social Policy | Auckland Council | Chief Planning Office
 Ph: | Mobile: |
 Auckland Council, Level 21, 135 Albert Street | Private Bag 92 300, Auckland 1142
 Visit our website: www.aucklandcouncil.govt.nz
That sounds perfect, thank you! Sorry to miss you this time around, was looking forward to stopping by.

I very much look forward to our video chat next week and will be prepared to present the same proposal that we would have gone over in person.

—
TJ Hennessy
Director of Global Expansion
B I R D

Hi TJ

No problem. I ran into [Redacted] at the NZTA yesterday who I understand you also met in LA. She mentioned you were also going to meet with her while here, but that you now had to fly back.

She said that she is trying to set up a video link with you next week, so we agreed she will invite the people I was also going to invite once you have agreed a time. That’s probably going to be easiest to make work as I forgot that following some renovations in our building a few weeks back we are temporarily without our own video facilities.
Apologies, I misunderstood your location. I don’t have a calendar invite for Friday but in any event I had to fly back to LA to be there for an important meeting on Friday so I am only in NZ (Auckland) tomorrow before heading home Friday morning.

If you’re available to video chat tomorrow, I would love that. Please let me know if that works and what time you’re free.

—

TJ Hennessy
Director of Global Expansion
BIRD

Hi

I was re-reading your message and wondered if there was confusion as to which city we are in? If you need to be in Auckland we have an office there and, subject to rooms being free, I may be able to set up a video link. Let me know what works.
Hi TJ

You should have received an outlook calendar invite for a meeting in Wellington on Friday 14th at 10 am (NZ time) as I understood you wanted to be in Auckland on the Thursday. Let me know if that doesn’t suit and I will see if I can reschedule.
Hi,

Wanted to follow-up and see if you were available on Thursday to meet? Would be great to connect with you and whomever else is in town while I am there!

TJ Hennessy
Director, Global Expansion
BIRD

On Tue, Dec 04, 2018 at 9:08 AM, TJ Hennessy @bird.co wrote:

Awesome! Sounds great to me. I'm trying to push my Auckland meetings to Thursday Dec 13th if at all possible. If not, I can be flexible to meet on Friday.

TJ Hennessy
Director, Global Expansion
BIRD
On Tue, Dec 04, 2018 at 9:11 AM, @transport.govt.nz wrote:

Hi TJ

I’d be interested in setting up a meeting with you and some of the government agencies that are working on scooters at the moment.

I’d need to confirm with the people involved, but I intended to invite people from:

MOT – we develop the overarching legislation
NZ Transport Agency – who enforce transport legislation especially around standards
NZ Police – who enforce the operation on the ground
ACC – who manage our compensation schemes

I’ll get back to you with some suggested times once I have had a few more discussions but it should be no problem to find a time on those days

---

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: | www.transport.govt.nz

From: TJ Hennessy @bird.co>
Sent: Tuesday, 4 December 2018 8:51 AM
To: @transport.govt.nz; @transport.govt.nz>
Subject: New Zealand Dates

I finally have my dates solidified and plan to be in NZ on Thurs Dec 13th and Friday Dec 14th. Are you available to meet while I am in town? Looking forward to it!

TJ Hennesssey
Director, Global Expansion
BIRD
Thanks for your email. In terms of background to the Accessible Streets package, there isn’t a lot in
the public domain that you probably haven’t already seen. You can find a high level summary in this
document, see pages 11/12 (note the package was then called the Vulnerable Users and Accessibility
package, but has since had a name change).

As identified in recent news articles, a speed restriction is being looked at for vehicles used on
footpaths, but no decisions have been made regarding this. We are aware of at least some of the
potential impacts on different user groups, including the blind and low vision community, but if you
have any specific comments feel free to send those through.

In terms of timing for consultation, I would tentatively suggest we would be looking at around April,
but that is still to be considered and agreed by Ministers. Obviously the Ministry is very interested to
hear about the impacts on particular user groups of the proposals that we consult on.

In the meantime I happy to discuss the issue/chat, although I am located in Wellington.

Ngā mihi

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka
M: | www.transport.govt.nz

Enabling New Zealanders to flourish

-------------------------------------------------------------------------------------------------------------------

Hi

I am writing to you on behalf of Dianne Rogers, GM Policy & Advocacy at the Blind
Foundation, having been forwarded your contact details by at Auckland Transport.
We have been following developments around the proliferation of e-scooters in Aotearoa New Zealand – their impact upon the blind and low vision community in particular – and would like to source more information about the Accessible Streets package. Are you able to provide such, at your earliest convenience, please?

Dianne is keen to promptly update our CE, Sandra Budd, who has recently written to Stephen Town, CE at Auckland Council, as per attached letter.

A second request is to arrange a time for you to meet up over coffee with Dianne and , Environmental Awareness Advisor at the Blind Foundation.

Are you Auckland based? And what is your availability like next week? Dianne’s and schedules are currently open on the mornings of Wed 30 Jan through Fri 1 Feb.

Please let me know what would suit you best.

Regards

Policy and Advocacy Assistant
Blind Foundation
Te Tūāpapa o Te Hunga Kāpō
Awhina House, 4 Maunsell Road
Parnell, Auckland 1031
DDI: 
Mob: 
Email: 
Blindfoundation.org.nz

Please note I work part-time, primarily during school hours.
Hi Patrick,

Unfortunately there is nothing I can send you at the moment, further than what you already have re material in the package. Hopefully post mid-April we’ll get the mandate to release both the Cabinet paper and regulatory impact assessment for the package.

Ngā mihi

-------------------------------------------------------------------------------------------------------------------

From: Patrick Morgan <patrick@can.org.nz>  
Sent: Wednesday, 27 February 2019 1:30 PM  
To: @transport.govt.nz>  
Subject: Re: Agenda - I will print a few copies too - see you soon

Thanks. That's good news.  
I couldn't see it in the Cabinet Paper.  
Are you able to send me the package document?  
Patrick

On 26/02/2019 4:52 PM,  wrote:  
Hi Patrick,  
Yes a mandatory minimum overtaking gap is being considered as part of the accessible streets package.  

Ngā mihi
Hi [redacted],

apologies for the no show today.

The invitation came while I was on leave and I failed to notice it. Sorry.
Much talk about dreaded e-scooters?
Caroline Shaw has a say on this: https://www.newshub.co.nz/home/new-zealand/2019/02/cars-biggest-source-of-injury-and-death-not-lime-scooters-researcher.html

Transport is hot right now - experts in Wellington next week

I have a question for you - is a close passing rule part of the Accessible Streets package?

I couldn't see it in the attached. I'm looking at paras 67-70.

thanks

Patrick

On 26/02/2019 12:49 PM, [redacted] wrote:

Hi All,

Attached is the agenda for the meeting today (in 11 minutes time to be precise). I will print a few copies too.

Ngā mihi

[redacted]
Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: [redacted] | www.transport.govt.nz

Enabling New Zealanders to flourish
From: Patrick Morgan<patrick@can.org.nz>
Sent: Tuesday, 19 February 2019 11:46 AM
To: [redacted]
Subject: Re: seeking Accessible Streets package

Thanks,

Revenue team - does this mean cyclists can look forward to paying our fair share of road tax?! Count me in.

Patrick

On 19/02/2019 11:36 AM, [redacted] wrote:

Hi Patrick

Since we last spoke, I’ve had a change of roles here and now work in the revenue team so I’m not exactly sure where the Accessible Streets work is at. [redacted] is the best person to ask about this work programme now. However, if you are looking for the Cabinet Paper that outlined the contents (or at least some of them as things are changing) for what we now call Accessible Streets but what was called Vulnerable Users and Pathways, it is in paras 67 – 70 in this Cabinet Paper.

[redacted]

Principal Adviser, Demand Management and Revenue Team
Ministry of Transport – Te Manatū Waka
M: [redacted] | www.transport.govt.nz
Hi,
I recall a paper went to the Minister last year about an Accessible Streets package.

Can you help me locate it? My google skills have let me down.

Thanks

--

Patrick Morgan
Project Manager
CAN – Cycling Action Network
Tel 027-563-4733, skype: patrick.morgan.can twitter: @patrickmorgan @CyclingActionNZ
PO Box 25-424, 2 Forresters Lane, opposite Tory St Bunnings, Wellington
Join us: http://can.org.nz/ Find us on Facebook More people on bikes, more often
Hi Patrick,

Nothing to update you on at this stage unfortunately. We are working on the package – our current lines are that is likely that the changes under Accessible Streets will be in place later in 2019. The Ministry will be consulting on this package of rules in the next few months.

Ngā mihi

Thanks.

If you know anything about when the accessible streets rules package is likely to be released, let me know.

Patrick

On 29/01/2019 5:45 PM, [name] wrote:

Good afternoon all,

Although it is now nearly the end of January – Happy New Year! I hope that you all managed to have a nice summer break.

It’s again nearly time for the next Quarterly Walking and Cycling Catch Up. On a suggestion last time, I have set up a [doodle poll with suggested days and times for the catch up](#).

Please tick all the ones you can attend (or let me know if you can’t make any of the proposed times!) by the end of next week. The two hours we allowed last time seemed to be about the right amount of time.

I have also attached last meeting’s minutes.

Ngā mihi
Hi

I'm not sure why the overtaking gap issue is not in the Cab paper. It is possible it was included in the package after we wrote the Cabinet paper, but I can't recall exactly. Anyway I can confirm that a proposal to introduce minimum overtaking gaps is before the Associate Minister for consideration as part of what we now call the “Accessible Streets” package. We cannot say for certain that it will emerge from the Cabinet process, as some of the other Cabinet members may not be as interested in the idea, but it is part of the package.

I can't find anything official immediately that says what is happening, but Minister Shaw did say publicly recently (in an article quoting you as well): A safe passing distance around people cycling is something we're looking at, but ultimately I think creating safe, separated routes for people cycling will make the biggest difference."

Our expectation is that Minister Genter will take the package to Cabinet when she returns from parental leave and we are telling people in ministerial correspondence that we hope to consult on it in early 2019 as it has come up in the context of the e-scooter coverage in Auckland. All of this is TBC once Minister Genter returns, which is due in the next few weeks.

---

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: [REDACTED] | www.transport.govt.nz
Hi 

I can see footpath cycling and priority at side roads, but I can’t see any discussion of a safe passing rule in the Cabinet Paper. Are you able to tell me if it is under consideration, and where this is at?

Note our campaign for a safe passing rule.

Thanks

Patrick

On 30/10/2018 5:57 p.m., wrote:

Hi

Yes the Cabinet Paper is on our public site so it is all good to share

Yes the timetable slipped. We provided a draft paper to Minister Genter on time, but it did not get to Cabinet before she went on parental leave. We don’t have a revised timeline yet, but we are saying in other public documents that we now expect the package “will be consulted on the first half of 2019”.

We are not sure whether there will be any announcements this side of Christmas as it will depend on the Minster’s priorities upon her return. I would not have expected anything to be released as there are other announcements due this side of Christmas that we are told they don’t want to crowd out. However, the current media focus on e-scooters and the lack of a speed restriction for vehicles using the footpath has the potential to make this aspect of the accessible streets package very ‘topical’ so I can’t say anything for sure.
From: Patrick Morgan <patrick@can.org.nz>  
Sent: Tuesday, 30 October 2018 5:43 PM  
To: [REDACTED] <@transport.govt.nz>  
Subject: Re: Seeking Cabinet Paper on safe passing rule, cycling on footpaths etc

Thanks.

Can I check - is this public and shareable?  
And I assume the timeline in para 70 has slipped.

Can we expect to hear more this year?

many thanks

Patrick

On 30/10/2018 5:22 p.m., Iain McGlinchy wrote:

Hi Patrick

Happy to help. The public version of what we now call Accessible Streets but this calls Vulnerable Users and Pathways is in paras 67 – 70 in this Cabinet Paper.
Hi,

Google has let me down.

Can you please direct me to the Cabinet Paper on proposed rule changes?

Thanks

--

Patrick Morgan
Project Manager
CAN – Cycling Action Network
Tel 027-563-4733, skype: patrick.morgan.can twitter: @patrickmorgan @CyclingActionNZ
PO Box 25-424, 2 Forresters Lane, opposite Tory St Bunnings, Wellington
Join us: http://can.org.nz/ Find us on Facebook More people on bikes, more often
Hi,

I can confirm that the rule changes we are proposing would allow wheeled recreational devices (WRDs) (including e-scooters) in cycle lanes and paths and thus, override current council bylaws. Councils would only need to make new bylaws if they wanted to continue to exclude WRDs from bike lanes.

And yes happy for you to share this with council, just noting that we are investigating whether we can allow WRDs to use cycle lanes and paths – obviously we do not have government decisions on this yet.

Ngā mihi

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: | www.transport.govt.nz

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Thanks,

Are you happy if I pass this update on to the elected members at the Council meeting?

We think the specific issue we would like to address is the way local authorities pass traffic resolutions coupled with definitions under the traffic control devices rule.

For example here is how it is worded in a Council paper:

- Approve pursuant to section 18 (1) and (2) (a) of the Christchurch City Council Traffic and Parking Bylaw 2017, a special vehicle lane for the use of eastbound cycles only be established on the north side of Hereford Street, commencing at a point 35 metres east of
its intersection with Oxford Terrace, and extending in an easterly direction to its intersection with Oxford Terrace, as detailed on Attachment H.

Even if the lanes are physically separated by concrete (not part of the roadway) they are still resolved as special vehicle lanes.

We have thousands of these resolutions so we would need to go back and change each one. Hopefully the regulatory package would look to amend the RUR to widen the scope of vehicles than can use a cycle(special vehicle) lane so e-scooters (/WRD’s) are to be allowed to use them. Any such change would override existing bylaws. Section 160(7) of the Land Transport Act 1998 states that Rules override any bylaws that re inconsistent with or repugnant to any ordinary rule.

Best,

-------------------------------------------------------------------------------------------------------------------

To: [ccc.govt.nz]
Subject: RE: Vulnerable Users and Pathways package

Hi,

In terms of background to the package, there isn’t a lot in the public domain that you haven’t already seen by the look of it. You can find a high level summary in this document, which I think lain already linked you to (note it is called Vulnerable Users and Accessibility package in this paper – name got changed to Accessible Streets).

As identified in the media a few weeks ago, a speed restriction of 10km/h is being looked at for vehicles used on footpaths, as well as a behaviour component (behave in a calm and considerate manner and give way to pedestrians) and a potential width requirement (less than 750mm). These requirements would of course be consulted on.

I can confirm that we are looking at allowing e-scooters (and other wheeled recreational devices) in on-road painted cycle lanes as part of the package.

In terms of timing for the package, we are hoping to get decisions in April with public consultation to follow soon after mid-year, if all goes to plan.

Happy to discuss if anything is unclear.

Ngā mihi

[Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka
M: | www.transport.govt.nz

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Hi [Name],

mentioned you had taken over the accessible streets regulatory package.

Last time I spoke to [Name], he mentioned it was held up by the ministers for public release.

Is there more of an update I can provide our councillors with (timeframes etc.)? Can you confirm that e-scooters and other devices being used in cycle lanes is still in scope for review?

Kind regards,

[Name]

Policy Planner - Transport Team
Planning & Strategic Transport Unit

Christchurch City Council
Civic Offices, 53 Hereford Street, Christchurch
PO Box 73012, Christchurch, 8154
Hi,

Re your question below – we cannot show proof of claim, as you point out. We were perhaps a little too conclusive here and the question would be better worded:

- Some of Lime’s competitors are thinking about implementing geo-blocked speed limits and even no-go areas – would Lime consider this? Do you have any data or comment on the effectiveness of this approach?

Ngā mihi

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: | www.transport.govt.nz

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Rem 982

Rem 982
Hi,

One question.

- Some of Lime’s competitors are implementing geo-blocked speed limits and even no-go areas – would Lime do this / has it done it anywhere else? Do you have any data or comment on the effectiveness of this approach?

I’d like to know which operator has actually done this and not just said they can. Can you show proof of this claim?

Thanks

On Thu, 7 Feb 2019 at 1:46 pm, @transport.govt.nz wrote:

Hi Mitchell,

Thanks for emailing. We would be happy to meet with next week.

- I will email you separately to set up a time.

Ngā mihi
Hi,

I would like to introduce you to our new Public Affairs Manager for NZ in [Redacted]. It would be great for you to meet with [Redacted] when she is in town next week.

I have copied in [Redacted] who together with [Redacted] will be able to work on pulling together some answers for you.

Thanks!

Best,

Mitchell
On Tue, Jan 29, 2019 at 2:40 PM @transport.govt.nz wrote:

Hi Mitch,

It was great to meet you and , at the NZ Ministry of Transport the week before last. I hope you had a great trip travelling around New Zealand.

As mentioned at the meeting, the Ministry is working on a package of walking and cycling rule changes, called Accessible Streets. As part of this we are looking at how vehicles such as e-scooters and other wheeled recreational devices may be used, including whether on the footpath, separated cycle path, shared path or on road cycle lane. As part of this analysis, the more data we have the better, and as such we have a number of questions below.

I understand if you are not able to answer all of the questions, however any information that Lime can provide will be really useful in the development of our policy. Regarding a timeframe, anything you can provide in the next couple of weeks would be able to be used in developing our advice.

Questions for Lime

General

- Given the range of regulatory responses in the markets they operate, what does Lime think is the optimum regulatory approach?

Speed

- What data do you have around average speeds on your e-scooters in New Zealand? Does this vary from Auckland to Christchurch etc? How does this compare to overseas cities?
- What is Lime’s view on a regulated speed limit? For instance what would Lime’s view of a 10kph potential limit for footpaths in New Zealand.
- Some of Lime’s competitors are implementing geo-blocked speed limits and even no-go areas – would Lime do this / has it done it anywhere else? Do you have any data or comment on the effectiveness of this approach?

Usage patterns
• You mentioned that you could tell if your scooters were being ridden on the footpath/vs on the road at our meeting. If this is the case, do you have a breakdown of where on the roadway they are being ridden at the moment in NZ cities (i.e. heatmaps or percentages)?

• Could you provide any aggregated data on the types of complaints you receive about your scooters? How does this compare to overseas cities?

• Can Lime provide any data, NZ or overseas, on whether e-scooters are replacing other types of trips, including walking, cycling, public transport and car travel?

• How do juicers typically pick up e-scooters (e.g. do they make a special trip)? What is their overall impact on VKT?

• What does Lime do to manage the environmental impact of the scooters over their whole life cycle? For example, manufacturing, durability and recycling at end of life.

Helmets

• What is Lime’s position on the use of helmets, and regulatory requirements in relation to this?

• We understand that some other companies provide free helmets to users who ask to be sent them – have/would Lime scooters consider this approach?

I’m happy to discuss if anything is unclear.

Ngā mihi

---

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: [redacted] | www.transport.govt.nz

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Hi

Please use what you like from the Living Streets website, the law change proposal will definitely add to accessibility of our street's by putting all users on an equal footing. The Glen Koorey paper discusses safety improvements of the proposal as I recall.

Safety for pedestrians would be significantly improved if there was a 1.5 metre gap between pedestrians and all vehicles, and much more pleasant too - could use the space for greenery.

The Trafinz conference has made me think that general road rules education of teenagers could not only improve their driving skills but ensure they know about how to be safe in vehicles around footpaths too - no parking on them or driving/riding etc. Also what the effect of speed has on crash outcomes. Refresher for older drivers would help too!

Ngā mihi
Ellen Blake
Living Streets Aotearoa

On Wed, 14 Nov 2018, 17:24 @transport.govt.nz wrote:
Hi Ellen,

Thank you for your response. The context of my question is that I’m planning the fourth meeting of the Road User Behaviour reference group meeting. Part of the meeting will include prioritising/discussing different interventions that have been proposed at previous meetings. Would you have any objection to me using the diagrams from the Living Streets website to help describe the give way proposal?
My understanding is a requirement for turning traffic to give way to pedestrians is one of the interventions being considered by Ministers as part of the Accessible Streets Package. The Cabinet Paper outlining short and medium term actions, including the pedestrian give way rule, is on the Ministry website, here: https://www.transport.govt.nz/assets/Uploads/Our-Work/Documents/REDACTED-Improving-Road-Safety-in-New-Zealand-Redacted.pdf

Your question about the minimum overtaking gap applying to pedestrians is definitely worth considering. The proposal came from the Cycling Safety Panel, so as proposed the rule would specifically relate to passing cyclists.

Regards,

[Name]
Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: | www.transport.govt.nz

Please note I do not work Wednesdays.

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From: Ellen Blake @gmail.com
Sent: Monday, 12 November 2018 11:16 PM
To: @transport.govt.nz>
Subject: Re: FW: Road User Behaviour RG Meeting 2 Outcomes

Hi

This is a Living Streets campaign which hopefully is well explained here. We want to see pedestrians have the same rights of use of the road space as other users, and a right that is common overseas, ie all vehicles give way when turning to pedestrians. So from a safety perspective it would be to be consistent with international norms, and to make the user coming from behind or turning across a lane be responsible for giving way. It is the one key comment overseas folks give us on their walking experience in NZ. There is quite a bit of reading on our website.

Is this one of the proposals you are looking at in the legislation package?

Will the rule change for cyclists that vehicles keep 1.5metres distance when passing, also include a similar provision for pedestrians to have a safe 1.5metre gap from vehicles?
On Mon, 12 Nov 2018 at 17:20, @transport.govt.nz wrote:

Hi Ellen,

Thank you for sharing that article. I have a new appreciation for the term ‘jaywalking’. At a previous Reference Group meeting an intervention was proposed to ‘require turning traffic to give way to pedestrians’. I’m just trying to understand this a little better and thought you would probably be a good person to ask.

I presume this relates specifically to traffic turning at road intersections? I’ve just been looking at the Road Code and drivers are required to give way to pedestrians when entering or exiting driveways (although I feel like this give way rule is often not obeyed).

Do you know what the objective of this intervention would be from a road safety perspective?

Regards,

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: | www.transport.govt.nz

Please note I do not work Wednesdays.
Thanks

Yes this is a good email address to use.

Here is a link to the sordid tale about 'jaywalking', it did start out as jay-driving!

See you at the end of the month

Ngā mihi

Ellen Blake
Living Streets Aotearoa - Tumuaki tuarua, Kaituitui a Whanganui a Tara
PO Box 25-424, Wellington 6146

Golden Foot Walking Awards 2018

Living Streets Aotearoa on Facebook

@NZLivingStreets on Twitter

New Zealand Walking Summit #4pointplan
Hi Ellen,

Thank you for your contribution today. See below and attached as requested the email I sent out with outcomes of Meeting 2. The email address we have for you in our contact list is @gmail.com.

Is wellington@livingstreets.org.nz a better email address for you?

Regards,

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: | www.transport.govt.nz

Please note I do not work Wednesdays.
Thanks – that’s very helpful.

Karen

Ngā mihi | Thank you

Karen Lyons
Director – Auckland, Strategy & Investment
Ministry of Transport – Te Manatū Waka

M: +64 27 286 9001 | K.Lyons@transport.govt.nz | www.transport.govt.nz

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Hi Karen

I guess the key messages at the moment are that:

- We want to take a ‘neutral approach’ while the current trials in Auckland and Christchurch are underway.
- We will assess safety outcomes in partnership with Auckland Council and Christchurch City, but at present there is no evidence that e-scooters are disproportionately dangerous compared to other modes or non-motorised versions, or other similar devices.
- The current legal situation where e-scooters cannot use cycle lanes appears to be unintentional and presumably because the technology was not around or at least was not common when the rules were written. We will probably look to address this as part of the ‘accessible streets’ package of rule changes, though it is not part of it at present.

The following are the ‘stock’ paragraphs I have put together recently to answer ministerials

Helmets are not required
There is currently no legal obligation on riders of any other low powered or human powered vehicles to wear helmets. I am advised that the law around cycle helmets was brought into force in 1994 and was solely intended to address risks to cyclists.

While I would recommend that users of e-scooters wear helmets, I am not currently considering a law change to make helmet use mandatory. This is because I understand there is not yet any evidence that they are especially dangerous compared to other low-powered wheeled devices such as e-skateboards, or that they are more dangerous than their un-powered equivalents.

**Speed is already regulated**

I note your concern about the advertised potential top speed of e-scooters of nearly 30km/h. Data emerging from the United States where e-scooters are being deployed in many cities is finding that average speeds of hire scooter users are much lower and many operators limit speeds in predefined areas such as busy shopping streets.

While some users may attempt to operate e-scooters at an unsafe speed, the law (the Land Transport Rule: Road User 2004) states that

A driver of a mobility device or wheeled recreational device on a footpath—
(a) must operate the device in a careful and considerate manner; and
(b) must not operate the device at a speed that constitutes a hazard to other footpath users.

**Accessible Streets will also look at broader issues of safety on the footpath**

You may be interested to know that the Government is currently considering a package of law changes to increase the safety of all users of the footpath which is referred to as ‘Accessible Streets’. These potential amendments include proposals that are intended to help reduce the risk to users of the footpath from the use of devices such as e-scooters. If you wish you will be able to make a submission on this once the package is available for consultation, which I expect to take place in 2019.

**Local government already has powers to address poor behaviour**

As with the introduction of any new type of transport technology, there may be negative impacts from poor behaviour. In the case of e-scooters this includes things such as the potential for hire scooters to clutter footpaths. I consider that local governments, which have a range of relevant existing powers are best placed to oversee how e-scooter operations are managed. I am advised that a range of practical steps are being taken to manage possible negative concerns in the recently announced Auckland and Christchurch trials. Being able to establish if there are negative effects from e-scooter hire is part of why the deployments are both currently short term trials.

**We will review controls if a problem emerges**

I recognise that the use of e-scooters, both here and overseas, is still at very low levels. I will ensure that officials monitor all available data to assess whether more direct safety measures are required in the future. Until we have any new information I think it is best to take a neutral approach to their development and deployment so we can better understand both their possible advantages and disadvantages.

Thank you again for taking the time to write.

Nāku noa, nā
Thanks. I’d like one point which clearly states what the MOT role is in this space so I’m on message.

Ngā mihi | Thank you

Karen Lyons
Director – Auckland, Strategy & Investment
Ministry of Transport – Te Manatū Waka

M: +64 27 286 9001 | K.Lyons@transport.govt.nz | www.transport.govt.nz

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Thanks for that. I'll pull something additional together next week, but aside from some updated stats from ACC there is probably not a lot that is ‘new’ to report.
From: Karen Lyons  
Sent: Friday, 23 November 2018 6:09 PM  
To: Brent Johnston <B.Johnston@transport.govt.nz>  
Cc: Brent Johnston <B.Johnston@transport.govt.nz>  
Subject: RE: Ministerial meeting with Lime Scooters

Ngā mihi | Thank you

Karen Lyons  
Director – Auckland, Strategy & Investment  
Ministry of Transport – Te Manatū Waka

M: +64 27 286 9001 | K.Lyons@transport.govt.nz | www.transport.govt.nz

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From: Brent Johnston  
Sent: Friday, 23 November 2018 4:53 PM  
To: Brent Johnston <B.Johnston@transport.govt.nz>; Karen Lyons <K.Lyons@transport.govt.nz>  
Subject: RE: Ministerial meeting with Lime Scooters

Does anyone have the attachment that refers to?

---

Principal Adviser, Mobility and Safety Team  
Ministry of Transport – Te Manatū Waka

M: +64 27 286 9001 | www.transport.govt.nz
From: Brent Johnston  
Sent: Friday, 23 November 2018 4:50 PM  
To: Karen Lyons <K.Lyons@transport.govt.nz>; Brent.Johnston@transport.govt.nz  
Subject: RE: Ministerial meeting with Lime Scooters

Hi Karen,

Thanks for offering to send someone, agree that is a sensible approach. Can you please provide some bullets and our advice to Karen on the matters raised.

Cheers  
Brent

Brent Johnston  
Manager, Mobility & Safety  
Ministry of Transport - Te Manatu Waka

M: +64 22 066 4401  
b.johnston@transport.govt.nz | www.transport.govt.nz

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From: Karen Lyons  
Sent: Friday, 23 November 2018 1:23 PM  
To: Brent Johnston <B.Johnston@transport.govt.nz>  
Subject: RE: Ministerial meeting with Lime Scooters

Hi Brent

We could send someone from the Auckland Office if that helps – given the time I should probably take it

If we go this way I’d appreciate some bullets from your team on our views and our role & any views on the Stephne Town briefing

Karen

Ngā mihi | Thank you

Karen Lyons  
Director – Auckland, Strategy & Investment  
Ministry of Transport – Te Manatū Waka

M: +64 27 286 9001 | K.Lyons@transport.govt.nz | www.transport.govt.nz

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Hi Brent and Karen

The Minister is having a meeting with Mike Williams and [redacted] of Lime Scooters at the Auckland Policy Office on Friday 30 November, 5:15-5:45pm.

Can we please arrange for an official to attend this meeting?

In terms of briefing material, I can put through the attached to the Minister. Do you think there is anything else he needs to be aware of ahead of the meeting (other than bios)?

Many thanks
Hi All

Please find attached the briefing prepared by Auckland Council Officials on the safety of e-scooters that was widely covered in the media last week. As mentioned in the Weekly Report, the Council’s briefing was prepared with advice from MOT and NZTA on the current legal situation and potential changes under Accessible Streets. Their briefing was provided to Council today and has now been publicly released. The Herald apparently had a copy over the weekend. We had asked them to provide a copy to your office (see para 5) but I’m not sure if they did that directly or want us to do this, but in any case, here it is.

I just wanted to check that Ministers were not expecting anything additional? We have not received anything asking for a report but I note that a Stuff article last week said: “Minister of Transport Phil Twyford was also getting a report on the scooters, Goff said.”

Cheers

___

Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: | www.transport.govt.nz
We are still working through the exact rules which would need changing, but it would include a number from the Land Transport (Road User) Rule 2004 and the Land Transport (Traffic Control Devices) Rule 2004.

Ngā mihi

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

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Thanks Brent for this.

I’ve reached out to the business to see if we can provide any preliminary feedback ahead of the formal consultation.

For my benefit, what would be the specific land transport rules that are likely to be amended?
Hi,

I’m well thank you. Hope you were able to have a good break over Xmas/New Year.

In terms of background to the package, there isn’t a lot in the public domain that you haven’t already seen by the look of it. You can find a high level summary in this document, see pages 11/12 (note it is called Vulnerable Users and Accessibility package in this paper).

As identified in the article, a speed restriction is being looked at for vehicles used on footpaths, but no decisions have been made regarding this.

We are aware of at least some of the potential impacts on different types of vehicles, including Paxters and mobility scooters, but if you have any specific comments feel free to send those through (I’ve copied in [name] who is the senior adviser leading this work for us).

In terms of timing for consultation, I would tentatively suggest we would be looking at around April, but that is still to be considered and agreed by Ministers.

Cheers

Brent

Brent Johnston
Manager, Mobility & Safety
Ministry of Transport - Te Manatu Waka
Hi Brent

Hope you are well.

I'm hoping you could shed some light around the article that recently appeared in Stuff  https://www.stuff.co.nz/national/110017440/police-could-be-asked-to-enforce-lime-speed-limit-on-footpaths which has been brought to my attention.

Our concern is around the potential impact the proposed 10 kmph speed restriction could have on our electric Paxster postal delivery fleet https://www.nzpost.co.nz/about-us/sustainability/electric-vehicles-powering-deliveries

Is there any further background available on what is being proposed, and the likely timing for consultation?

Best regards,
Thanks !

Office of Hon James Shaw
Minister for Climate Change | Minister of Statistics | Associate Minister of Finance | Acting Associate Minister of Transport | Acting Associate Minister of Health
Bowen House, Parliament Buildings, 80 Lambton Quay | Private Bag 18041 | Wellington 6160 | New Zealand
P: Cell: E: @parliament.govt.nz

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Hi ,

Here are the responses to the three questions you sent through about Accessible Streets.

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

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

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

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

Senior Adviser, Mobility and Safety
Hi Brent

Could you please answer a couple of questions for me on the Accessible streets work.

1. [Redacted]

2. [Redacted]

3. [Redacted]

This is not urgent. A response by midday tomorrow would be ideal. Let me know if that’s doable.
Hi

Thanks – and I will action and await any further comments.

Ngā mihi

Hi

Some feedback on the cab paper has begun trickling in. I’ll send more to you later this morning.

Can you consider how we might address a specific concern regarding paragraph 27.

Withheld under section 9(2)(f)(iv)
Email 28

From: [redacted]@parliament.govt.nz
Sent: Monday, 18 June 2018 1:12 PM
To: [redacted]
Cc: Kirstie Hewlett; Brent Johnston
Subject: RE: Edits to Vulnerable users paper
Attachments: Draft Accessible Streets - Cabinet paper 18.06.18.docx

Thanks

The wording in para 35 looks good.

Attached is the version I’ve sent out for consultation. I made a couple small changes in the next steps section and para 5.

Cheers

Ministerial Adviser - Press and Policy
Office of Hon Genter | Women | Associate Transport | Associate Health
M: [redacted]
E: [redacted]@parliament.govt.nz

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From: [redacted]@transport.govt.nz
Sent: Monday, 18 June 2018 12:02 PM
To: [redacted]
Cc: Kirstie Hewlett; Brent Johnston
Subject: RE: Edits to Vulnerable users paper

Hi [redacted],

Please find attached the updated Cabinet paper and RIS (RIS updates confined to the new name).

At paragraph 35 we have changed your suggested text slightly, and left a sentence in highlight. It is explaining that we are completing the initial analysis for the redrafted option in the RIS to

We will provide the office with the updated RIS by the end of the week with this section completed, along with speaking points.

Ngā mihi

[redacted]
Hi

As discussed on the phone here are my tracked changes. Can your team please have a look over the changes, do a proof read, and flag any concerns by midday.

Note I’ve changed the name of the package so this will need to be reflected in the RIS also.

Thanks for all the work on this at the end of last week to get this done.

Cheers
Thanks very much for all your work on this.

We will wait to hear back from [name].

Ngā mihi

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From: [name]@nzta.govt.nz
Sent: Thursday, 14 June 2018 5:23 PM
To: [name]@transport.govt.nz>
Subject: RE: New option for give way for Vulnerable Users and Pathways

Got that, thanks.

I’ve made all the changes to the RIS I think are necessary. Just waiting for [name] to get back from lunch (!) before discussing with him. He’ll send to [name] for approval (probably later this evening).

I’m out of here at 5:45, but [name] will carry on.

Cheers,

[Name] / Senior Project Manager
Technical Services (Active Modes),
Operational Policy, Planning & Performance,
System Design & Delivery
DDI 64 4 894 5094 / M 64 021 075 3051
Email: [name]@nzta.govt.nz / www.nzta.govt.nz
Majestic Centre / Level 5, 100 Willis Street,
PO Box 5084, Wellington 6011, New Zealand

__________________________________________________________________________
Hi again,

Here is our new slightly redrafted Prop 5:

- Adopt a rule change that requires drivers, when turning in either direction into or out of an uncontrolled side road, to give way to footpath, shared path and cycle path users (when those users are crossing or have the intention of crossing the road).

Ngā mihi

-------------------------------------------------------------------------------------------------------------------

Hi,

Just forwarding on email below. Will incorporate it + the point you just explained to me around “into and out an uncontrolled side road”.

has linked a couple of useful articles.

Ngā mihi

-------------------------------------------------------------------------------------------------------------------
Hi

Yes I think you’ve got it. The language could perhaps be a bit clearer as when I read it I wasn’t clear if

There are some useful examples of wording in other jurisdictions in this report, see page 2

Also see
https://www.livingstreets.org.nz/Rules%20for%20Drivers%20to%20Give%20Way

Hi

We have had an initial discussion with the team on Vulnerable Users and Pathways and we can amend option 2 of Chapter 1 of the RIS (page 32) as discussed in the meeting yesterday with the Minister.

We would just like to be sure we have understood what the option the Minister wants to include.

Currently, Proposal 5 reads:

•
We propose to change it to:

• This option can be tested during consultation to see whether people consider the new give way rule should apply, including whether:
  • The new option will be added into the Cabinet paper alongside the option already there for councils to make vehicles give way when signage is added. Just to clarify – we are proposing to consult on the current option and new option and the Cabinet paper will reflect this.

Let me know if any concerns – happy to discuss. But we will start making the changes with NZTA on this basis.

Ngā mihi

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

M: | www.transport.govt.nz

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We had a chat about this. We think there is never ‘zero’ chance of groups choosing to make public statements on issues they are passionate about, but provided we explain in advance what we are discussing with them and why, we think there is little likelihood of this.

Approaching groups before public announcements reinforces that that we have not predetermined any of the policy and we do want to hear their views. By pitching discussions as a way for the groups to influence the policy before it is announced, it should address at least some of the potential reasons that would lead to groups making public statements.

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Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
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Hey

The preference is for the second approach so that stakeholders who haven’t yet been well consulted aren’t surprised. Do you guys have any advice on the likelihood of proposals ending up in the media as a result of targeted consultation?

Ngā mihi,
Hi,

Following up from the second part of the phone call, we would like a steer from the office on a comms approach for the Accessible Streets package.

We have started to draft up a comms plan, but we need to know timing around when any possible press release and related material about the package would need to be ready. We can see two main options here.

The first option could be to proactively make a press release immediately post Cabinet decisions on the package. This would get ahead of any media on this and allow us to lead the public dialogue. A second option alternately could be to release a press release prior to the draft rules going out for public consultation (liable to be at least 8 weeks post Cabinet decisions while rule drafting is taking place). For this option we would have a comms package prepared and ready for any media around the package in the intervening 8 weeks.

Ngā mihi

Senior Adviser, Mobility and Safety
Ministry of Transport – Te Manatū Waka

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Hi

I spoke to the person below earlier in the week and suggested he write to the Minister about his concerns.

I’ve not seen anything turn up via Tardis yet so wanted to check that his email had been received at your end. He was quite keen to get an ‘official’ response. So if you have not already got it, can you please treat this as a Ministerial and lodge it at your end, then refer to me for reply?

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Principal Adviser, Mobility and Safety Team
Ministry of Transport – Te Manatū Waka
M: [redacted] | www.transport.govt.nz

Hi

Nice talking to you on the phone and good that you remembered me at Palmerston North.

I just came aware of the new ruling last Friday.

New Ruling with regards to electric scooter:
1. Below 300 wattage
2. Can ride on the road
3. No age restriction
4. No helmet required
I can see that Lime (electric scooter renter company) will be very happy as they will have more riders (no age restriction), fun riding on the road (data from Singapore show dangerous riding) and no helmet also. We are supportive of what Lime is doing for the electric scooter market (but looks like they are the only one benefiting such an arrangement).

As you remember, you and your colleagues were test riding 2 of our scooters at the Palmerston North meeting. All of you enjoy the ride and consider it safe with good brake and good power to control. They are not flimsy, slippery and wobbly but firm, steady and responsive.

Both of my 2 scooter you have test ride will be illegal on the road base on the new ruling. This will close down our company. Please allow some competition and give us some room to introduce electric scooter to the market.

We have being selling electric scooter in New Zealand for 3 years but our company started as bicycle shop for more than 8 years. We understand the safety and concern of the riders and pedestrians.

For the last 3 years, most of our buyers prefer riding on the side walk than on the road. They understand the safety concern and are willing to ride on the sidewalk at a lower speed.

I believe Speed is a Major Control. You have saw that “Warning” label we have stick on the scooter that shows:

1. Wear Helmet at all time
2. Observe 20 Km/H
3. Ride on the side walk only
4. Age: 25 years and above (only for the big motor)
Can you department please help us? With the new ruling, this will put a lot of the small electric Scooter company out of business. If you agree, could you write me a letter that my buyer can ride if the keep to 20 Km per Hours?

Please response as soon as possible.

Regards