

**In Confidence**

Office of the Minister of Transport

Cabinet Economic Development Committee

**Tackling Unsafe Speeds Programme - Final Policy Decisions**

**Proposal**

- 1 This paper:
  - 1.1 reports back to Cabinet on the outcome of public consultation on the new draft Land Transport Rule: Setting of Speed Limits 2022 (new Speed Rule)
  - 1.2 presents a new version of the new Speed Rule incorporating changes following consultation and review (**Appendix one**)
  - 1.3 seeks Cabinet's agreement to final policy decisions on the Tackling Unsafe Speeds programme of proposals, establishing a new regulatory framework for speed management on New Zealand's roads.

**Relation to Government priorities**

- 2 The Tackling Unsafe Speeds programme is a priority action under the Government's *Road to Zero Action Plan 2020-2022*, under *Road to Zero: New Zealand's Road Safety Strategy 2020-2030* (Road to Zero). Road to Zero aims to reduce road user deaths and serious injuries (DSIs) by 40 percent from 2018 levels by 2030.
- 3 Modelling suggests that investment in infrastructure improvements, establishing safe and appropriate speed limits on the highest risk parts of the network, and effectively enforcing speed limits will account for around half of Road to Zero's DSIs target once fully implemented.

**Executive Summary**

- 4 On 11 November 2019, Cabinet agreed to introduce the Tackling Unsafe Speeds programme of proposals [CAB-19-MIN-0575 refers]. The programme has three main components:
  - 4.1 establishing a new regulatory framework for speed management on New Zealand's roads
  - 4.2 transitioning to safer speed limits around schools
  - 4.3 implementing a more effective approach to using road safety cameras.
- 5 On 19 April 2021, Cabinet agreed that public consultation be undertaken on the new Speed Rule and invited the Minister of Transport to report back to Cabinet on the outcome of consultation [CAB-21-MIN-0128 refers]. Consultation showed strong overall support for introducing the new speed management framework. However, submitters also gave a range of feedback about the process as expressed in the consultation draft of the rule.
- 6 Following analysis by Waka Kotahi - NZ Transport Agency (Waka Kotahi) and Te Manatū Waka - Ministry of Transport (Te Manatū Waka) officials, a range of both

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minor/technical and more significant changes have been made in response to consultation feedback, as reflected in the new Speed Rule.

- 7 Three aspects of the proposed framework received more significant feedback.
  - 7.1 The value of the independent Speed Management Committee's (SMC's) role was questioned given the existing Director of Land Transport's (Director's) independent role. The SMC's role has therefore been reorientated to strengthen and support the Director's role, while continuing to provide for the SMC's own independent function.
  - 7.2 The capacity, capability, and effectiveness of requiring Regional Transport Committees (RTCs) to conduct local consultation on speed management plans (SMPs), in tandem with needing to undertake land transport planning, was questioned. Consequently, the new Speed Rule allows uncoupling the speed management and land transport planning processes and lets road controlling authorities (RCAs) run their own consultation. RTCs would continue to have a strong role in supporting SMPs' regional consistency. The speed management and land transport planning processes would still align to support safety infrastructure planning. An indicative flow chart of the speed management process and proposed timelines is provided at **Appendix two**.
  - 7.3 Lower school speed limits were strongly supported, but there were concerns that children in rural areas were at risk from higher speed limits. Therefore, schools have been grouped into two categories (Category One: 30 km/h default - with 40km/h exceptions; and Category Two: up to 60 km/h). These limits relate to local settings and risk factors applying to a school, rather than urban or rural location. There was also strong support for bringing the dates to reduce speed limits around schools forward. I support this ambition. Therefore, the date by which RCAs must reduce speed limits around all schools has been brought forward by two years to 31 December 2027.
- 8 A wide range of government agencies consulted on the Tackling Unsafe Speeds proposals expressed general support. While the New Zealand Police (Police) also supported the new regulatory framework overall, Police raised two substantive issues. These involved preferring a default national speed limit for roads posing the greatest safety risks<sup>1</sup>, and a consistent low speed limit around schools, irrespective of schools' location.
- 9 While they have been considered, these preferences do not best support Tackling Unsafe Speeds objectives and the Government's transport outcomes and strategic priorities set out in the *Government Policy Statement on Land Transport 2021/22-2030/31*. A default national speed limit provides less scope for a more targeted, flexible, risk-based approach. Such an approach allows Waka Kotahi and RCAs to consider local context and broad transport outcomes in setting speed limits.
- 10 Similarly, giving RCAs the option of setting limits for category one or two schools allows flexibility to consider local conditions and risk profiles of schools, and meet broad transport outcomes. This approach links safety assessment to risk, not, for example, urban or rural location of schools.
- 11 Under the new Speed Rule, RCAs may set 70 and 90 km/h speed limits without Waka Kotahi approval, giving RCAs more flexibility. However, where these limits are

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<sup>1</sup> For example, a maximum limit of 80 km/h on roads lacking protective median barriers.

above the Waka Kotahi assessed safe and appropriate speed, the RCA must explain in its SMP why it considers they are safe and appropriate. RCAs must also review these limits once in their next SMP, after which they may become permanent.

- 12 As part of the Tackling Unsafe Speeds proposals, Cabinet also agreed to implement a 'highly visible, no surprises' approach to safety cameras [CAB-19-MIN-0575 refers]. Since initial advice to Cabinet, more international best practice evidence has emerged. In line with this evidence, I now propose to take a more mixed (including overt and covert) approach to safety camera use. This will include a 'highly visible' approach, while maintaining a general deterrence 'anytime anywhere' component, through different camera types and signage approaches as appropriate.
- 13 I seek Cabinet's agreement to the above changes, noting that more minor changes have also been made to the new Speed Rule resulting from analysis of consultation feedback. Pending Cabinet's agreement to these proposals, and authorisation to make supporting land transport regulations (sought from Cabinet separately), I intend to make the new Speed Rule.
- 14 After the new Speed Rule is in force, which will put the new speed management framework in place (expected to be in late May 2022), I intend to provide nominations for SMC members to Cabinet for review. This is with a view to SMC members being appointed by late 2022.

### **Cabinet has agreed to introduce a new approach to tackling unsafe speeds**

*Unsafe speed is a major factor in road deaths and serious injuries*

- 15 Unsafe speeds are a critical contributor to DSIs on our roads. In the 2020/21 financial year there were 1,572 DSIs (208 deaths and 1,364 serious injuries) that occurred on roads where the speed limit is higher than the safe and appropriate speed. These accounted for 58 percent of all DSIs, which totalled 2,728.<sup>2</sup>
- 16 A recent wide-ranging study<sup>3</sup> indicates that speed is likely to be an even more important factor in DSIs than the above figures indicate. It estimates that speeding (travelling faster than the speed limit) contributes to around 60 percent of fatalities in New Zealand, and that speeds above New Zealand's assessed safe and appropriate speeds are involved in around 70 percent of injury crashes. Evidence also indicates that the more serious the crash the more likely that speed is involved.
- 17 In the event of a crash, regardless of its cause, the speed of impact is the most important determinant of the severity of injuries sustained and the probability of death. A critical issue in New Zealand is that almost 90 percent of our speed limits are inappropriate for the conditions of our roads. For example, speed limits may be too high for the road's use (such as in a busy urban centre with high pedestrian activity) or roads may lack necessary safety infrastructure for higher open road speeds.
- 18 Under Road to Zero, which is based on Safe System<sup>4</sup> principles, speed limits should be set at levels so that people are not killed or seriously injured. International

<sup>2</sup> Waka Kotahi. Crash Analysis System.

<sup>3</sup> Soames J. and Brodie C. (2022). Understanding the role of Speeding and Speed in Serious Crash Trauma: A Case Study of New Zealand. *Journal of Road Safety* 33(1). 5-25.

<sup>4</sup> The four Safe System principles under Road to Zero are: (1) People make mistakes that lead to road crashes; (2) The human body has a limited physical ability to tolerate crash forces before harm occurs; (3) The responsibility for safety is shared amongst those who design, build, manage and use roads and vehicles; (4) All parts of the system must be strengthened so that, if one part fails, road users are still protected.

evidence suggests that this is possible at speeds of up to: 30 km/h for crashes with vulnerable road users (for example, pedestrians), 50 km/h for side on collisions between vehicles, and 70-80 km/h for head-on collisions. The 50 km/h and 100 km/h default speed limits which account for most of New Zealand's road network are not aligned with this evidence.

*Tackling Unsafe Speeds includes a new regulatory approach to setting speed limits, reducing speeds around schools, and more effective safety camera use*

- 19 On 11 November 2019, Cabinet agreed to progress the Tackling Unsafe Speeds programme [CAB-19-MIN-0575 refers]. This included inviting the Minister of Transport to provide the necessary amendments to primary legislation and land transport rules and arrange necessary consultation. The programme has three main components:
- 19.1 establishing a new regulatory framework for speed management on New Zealand's roads - improving the way road controlling authorities (RCAs<sup>5</sup>) plan and implement speed limit changes
  - 19.2 transitioning to safer speed limits around schools
  - 19.3 implementing a more effective approach to using road safety cameras.
- 20 The new regulatory framework aims to establish a more proactive, coordinated, and transparent approach to speed management through introducing speed management plans (SMPs). SMPs will be used by RCAs to plan and consult on speed limit changes, along with improvements to safety infrastructure and using road safety cameras. This framework will replace the current approach where territorial authority RCAs set speed limits through bylaws, with one that is regionally and nationally coordinated.
- 21 SMPs would be developed based on guidance in the *Aotearoa New Zealand Speed Management Guide: Road to Zero Edition* (the Speed Management Guide). This guidance will encourage the key agencies (RCAs, Waka Kotahi, regional authorities, and Police) to collaborate on draft SMPs prior to consultation.
- 22 SMPs will allow RCAs to consult on three years' worth of detailed changes, alongside a high-level ten-year vision for their network. RCAs will renew SMPs every three years through a new round of public consultation. Waka Kotahi will produce a State highway SMP, which will be provided to RCAs and RTCs for comment.
- A new Land Transport: Setting of Speed Limits Rule will establish the new framework*
- 23 A new Speed Rule (Land Transport Rule: Setting of Speed Limits 2022) is needed to replace the Land Transport Rule: Setting of Speed Limits 2017 (current Speed Rule), to mandate the SMP process and roles of land transport regulators. The new Speed Rule will implement the Tackling Unsafe Speeds proposals.
- 24 Changes to the Land Transport Act 1998 (LTA) and Land Transport Management Act 2003 (LTMA) were also needed to enable some provisions in the new Speed Rule. These included requiring Waka Kotahi to establish a register to give public notice of land transport records, notably those involving registering speed limit decisions, and an independent committee for speed management. These changes were enabled by

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<sup>5</sup> RCAs are generally territorial authorities for local roads. Waka Kotahi is the RCA for State highways.

the Land Transport (NZTA) Legislation Amendment Act which came into force on 1 September 2020.

- 25 On 19 April 2021, Cabinet agreed that public consultation be undertaken on the new Speed Rule and invited the Minister of Transport to report back to Cabinet on the outcome of consultation [CAB-21-MIN-0128 refers].

**The new process to develop speed management plans (SMPs) will support national, regional, and local integration**

- 26 Waka Kotahi will provide RTCs and RCAs with guidance to develop consistent regional principles and approaches. Prior to public consultation, Waka Kotahi will release a draft State highway SMP for feedback from RCAs, enabling the RCAs to build their SMPs alongside the State highway SMP process.
- 27 RTCs will oversee regional coordination of RCAs' speed management planning and produce regional SMPs. RTCs will then publish the regional SMPs for consultation and collect and forward any written feedback to the respective RCA.
- 28 The State highway SMP will be reviewed by an independent speed management committee (SMC) as a quality assurance check before they send it, along with any recommendations, to the Director of Land Transport (the Director). The Director will certify both the State highway SMP and regional SMPs.
- 29 Waka Kotahi will set deadlines for various steps in the process to be complete. Where deadlines are not met by an RCA, this does not need to hold back the regional speed management planning process. This reflects the intention for all parties to be aligned as much as possible for as long as possible, and where there are impediments, that no party is held back.
- 30 SMPs must also include an implementation programme for at least three financial years from the start of the plan. This will set out changes (if any) being proposed to speed limits on the road network and the timeframe by which each change will occur. It will also provide information about additional measures such as road safety cameras and safety infrastructure.

**A public consultation process has been completed on the new Speed Rule**

- 31 Public consultation on the new Speed Rule occurred between 23 April 2021 and 25 June 2021. A total of 325 submissions were received. Waka Kotahi and Te Manatū Waka also ran fourteen workshops with RCAs across New Zealand, covering eleven locations. Workshops were attended by a range of council staff and elected officials, including mayors.
- 32 Alongside this, officials also presented at RTC meetings, the Road Controlling Authority Forum, and met with key stakeholders such as the Automobile Association, iwi, and the national road safety charity Brake. Further meetings more recently occurred with the Transport Special Interest Group (consisting of regional council representatives) and RCAs.

**Stakeholders supported the new framework overall, but had concerns that I have responded to**

- 33 Consultation showed strong overall support for introducing the new speed management framework and moving away from the current bylaw-related speed limit setting process. However, submitters also expressed a range of concerns.

- 34 From submissions analysis officials identified various issues, both significant and minor or technical. I propose changes to the new Speed Rule to address these. These changes are reflected in the latest version of the new Speed Rule (**Appendix one**). I detail the more significant issues and proposed changes below.
- 35 Following the new Speed Rule coming into force, Waka Kotahi will publish its summary of submissions report, which will provide further analysis on changes made to the new Speed Rule. The report will provide stakeholders with reasons for why changes either have or have not been made, to support understanding of final policy decisions.
- 36 Three aspects of the policy proposals received more significant feedback from RCAs, RTCs, and other key stakeholders (as specified below):
- 36.1 **the role and value of the independent speed management committee (SMC)** (from the Automobile Association and Transporting NZ)
  - 36.2 **the RTCs' role and alignment of planning and funding processes** (from the Transport Special Interest Group, Grey Power, Federated Farmers, Transportation Group NZ, and Australasian College of Road Safety)
  - 36.3 **setting speed limits around schools** (from NZ School Trustees Association, Grey Power, Transportation Group NZ, Auckland Council Safety Collective, Police, Brake, SafeKids Aotearoa, and individual schools).

**The Speed Management Committee (SMC) will provide assurance and strengthen and support the Director's role**

- 37 To provide assurance and transparency regarding the role of Waka Kotahi as the State highway RCA and regulator, officials proposed establishing an independent SMC. The SMC's originally proposed role was to certify the Waka Kotahi State highway SMP and review guidance and information on speed management that Waka Kotahi (as regulator) provides to RCAs.
- 38 As proposed in consultation the SMC would:
- 38.1 provide independent assurance that the State highway SMP aligns with requirements set out in the new Speed Rule and Road to Zero
  - 38.2 improve Waka Kotahi's accountability in its role as a RCA, ensuring appropriate consultation and that the State highway SMP is coordinated with regional SMPs
  - 38.3 ensure that the MegaMaps<sup>6</sup> tool is reviewed and kept current to provide greater assurance to RCAs and the public that recommendations for safe and appropriate speeds are robust and reliable.

*Consultation feedback questioned the Speed Management Committee's value in relation to the Director's role*

- 39 Feedback from consultation questioned the SMC's value and role. More than half of submitters did not support its establishment, noting that the Director role provided

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<sup>6</sup> MegaMaps is a geospatial web application that displays multiple road risk layers in a single location. This provides a visual representation of information and guidance outlined in the Speed Management Guide, which guides RCAs in making speed management decisions.

**C O N F I D E N C E**

independence. Some respondents considered that the Director should oversee speed management settings for the entire road network. RCAs supported a single process for all SMPs.

- 40 There was also a concern that if members representing specific transport sector interests were appointed to the SMC, it risked a bias towards decisions made to the detriment of the State highway network. Resulting discussions could then hold up the wider process.

*To address consultation feedback, the Speed Management Committee's role now better supports the Director's role*

- 41 Recognising this feedback, I consider it is important that the SMC model works alongside and complements the statutorily independent role of the Director. I have therefore considered feedback against the following:
- 41.1 SMC members would not be appointed as representatives of their primary employer or any other organisation, but for their skills and experience relevant to speed management. This includes knowledge of the impacts of speed management on local government, motorists, rural communities, vulnerable road users or any relevant population group, freight carriers or enforcement
  - 41.2 the Director role is newly appointed, so more time needs to pass before officials (and the public) can gain properly founded confidence through operational experience that the role is working as intended
  - 41.3 the SMC brings external and independent expert 'eyes' to the speed management process, providing practical advice and increasing the processes' legitimacy.
- 42 I acknowledge that stakeholders are positive and reinforcing of the Director role. Accordingly, while I propose retaining the SMC, I also propose clarifying the relationship between the roles of the Director and SMC. This is to ensure they complement each other and provide assurance about the overall integrity of the system. This would include the following arrangements:
- 42.1 the SMC would review and make recommendations to the Director on the State highway SMP
  - 42.2 the SMC would no longer provide the formal certification for the State highway SMP as consulted on - this would now be the Director's role
  - 42.3 to maintain transparency, the new Speed Rule will require the Director to explain why their decisions differ from the SMCs' recommendations, if they do
  - 42.4 the SMC would provide comment on information and guidance provided by Waka Kotahi (as regulator)
  - 42.5 Te Manatū Waka would recommend candidates to me to appoint to the SMC, after consulting with the Director - the process would be similar to Crown entity board appointments, with the SMC being established and its members appointed by late 2022
  - 42.6 Waka Kotahi's role of 'establishing' the SMC under the Land Transport Act 1998 would include drafting the terms of reference for the SMC, that would

align with the purpose, functions, powers, and duties of the SMC set out in the new Speed Rule

- 42.7 a review of the speed management framework would be scheduled in three years, including considering how the SMC and Director roles were working.

**Regional transport committees (RTCs) will support speed management plans' regional consistency**

- 43 A key outcome I expect from the new framework is greater regional consistency of SMPs. Under the new Speed Rule, RTCs are responsible for collating input from RCAs in their region to develop regional SMPs. The purpose of RTCs' role in the speed management framework is to:
- 43.1 encourage regional consistency across the network
  - 43.2 manage interactions and implementation timing across RCAs
  - 43.3 encourage alignment with investment decisions in regional land transport planning processes.
- 44 The new Speed Rule includes some explicit safeguards to ensure that RTCs act to address any regional inconsistencies they note in SMPs. RTCs must invite RCAs to make any edits to their proposals that the RTC deems necessary. This is before publishing the consultation draft and again before the final draft regional SMP can be submitted to the Director to certify (noting that speed management decisions are ultimately the responsibility of RCAs).
- 45 Feedback on the new Speed Rule included concern that RTCs did not have the capability or capacity to effectively coordinate consultation on SMPs, and should not be responsible for coordinating consultation on their regions' SMP.
- 46 RCAs were viewed as more appropriate to both run and manage consultation, particularly given the nature and depth of consultation required and the relationship they already have with their communities. RTCs also expressed concern about their capacity to deal with consultation, particularly the number of submissions that may be received.
- 47 RCAs were also concerned that using the RTCs to coordinate consultation would not provide a more efficient and effective process. This was due to a concern that a decision to provide input into the regional plan could trigger obligations regarding decision making and public consultation under the Local Government Act 2002 (LGA). Consequently, councils could be required to conduct two formal consultation processes, having already consulted on their own SMP.
- 48 To resolve this concern, the new Speed Rule is drafted to ensure that RTCs do not make a 'decision', and therefore there will be no duplication of consultation required. This aligns with current legislation, as RCAs are the legal decision-makers for roads, not RTCs.
- 49 There was also a concern about RTCs' capacity to carry out the regional SMP process, alongside the broader land transport planning process. There were further concerns about RTCs' general capability, particularly relating to speed management knowledge and expertise.

*To strengthen regional transport committees' role, the new Speed Rule allows the speed management process to be uncoupled from the land transport planning process*

- 50 To account for feedback and strengthen RTCs' ability to support SMPs' regional consistency, the new Speed Rule allows the speed management process to be uncoupled from the land transport planning process. This addresses concerns about RTCs' capacity.
- 51 Under the uncoupled approach, SMPs would be certified, and the land transport planning process would then occur over the six months following the SMP certification. The land transport planning process involves RCAs preparing input into the Regional Land Transport Plan (RLTP) and RTCs consulting on the RLTP.
- 52 By doing speed management planning first, RCAs would know early what safety infrastructure proposals in their SMPs may require funding from the land transport planning process. This would allow RCAs to be better prepared for the subsequent business case processes to secure funding from the National Land Transport Fund (NLTF), under the National Land Transport Programme (NLTP) process.
- 53 While there is a risk that some speed management proposals may not receive NLTF funding initially, RCAs can still reduce those speed limits, where appropriate, pending later funding approval. By consulting on SMPs early, RCAs are also free to implement all speed limit changes that do not require safety infrastructure funding.
- 54 To avoid RCAs being held up by the regional SMP process, the new Speed Rule also allows RCAs to proceed independently to develop SMPs. This is unless RTCs notify RCAs that they intend to prepare a regional SMP consultation draft within 28 days. In this case RCAs must participate in the RTC's process.
- 55 However, if RCAs develop their own SMP independently initially, it must still eventually form part of the regional SMP. To avoid RCAs holding up the regional SMP process, the new Speed Rule requires RCAs to meet deadlines in the regional SMP process.
- 56 An indicative diagram of the speed management planning process, with proposed timeframes, is provided in **Appendix two**.

### **Organisational roles in the speed management planning process**

#### Waka Kotahi (as RCA):

- provides a draft national State highway SMP to RCAs for feedback prior to preparing a consultation draft
- provides a consultation draft State highway SMP for public feedback
- provides a final draft State highway SMP for review by the SMC and certification by the Director.

#### Waka Kotahi (as regulator):

- sets timelines for SMPs, with consideration of timelines under which RCAs must provide input into the NLTP process
- provides guidance on safe and appropriate speeds and preparing an SMP
- convenes the SMC.

RTCs:

- consolidate information from RCAs into a draft regional SMP
- provide a forum to address regional boundary or consistency issues
- provide the final draft regional SMP for the Director to certify.

Regional Councils:

- run the administrative functions of the consultation process for all regional SMPs on behalf of RCAs and RTCs.

RCAs:

- provide information to RTCs
- conduct their own local consultation processes on the parts of the regional SMPs relating to their roads and supply information to RTCs
- may progress an SMP independently to ensure momentum, unless notified by a RTC that it intends to prepare a regional SMP consultation draft within 28 days.

**Schools will be grouped into two categories for speed limits and the timeframe for reduced speed limits brought forward by two years**

*Category one and Category two schools will have different speed limits applied*

- 57 To achieve the Tackling Unsafe Speeds objective of transitioning to reduced speed limits around schools, the new Speed Rule originally proposed two different speed limit reductions for urban and rural schools respectively.
- 58 The rule as consulted on proposed requiring 30 km/h (variable or permanent speed limits) to be set around all urban schools. However, if an RCA had imposed a 40 km/h (permanent or variable) speed limit around a school prior to public consultation on the new Speed Rule, the 40 km/h speed limit could remain. This was to ensure RCAs that had recently reduced speed limits around schools were not required to go through the process again, should they choose not to.
- 59 RCAs were also required to implement a maximum speed limit of 60 km/h (permanent or variable) around rural schools.
- 60 Consultation highlighted significant concerns with the proposals as framed. Submitters were particularly concerned at the perception that rural children were not protected to the same extent as urban children, given the higher maximum speed limit proposed around rural schools.
- 61 Submitters also noted that there needed to be a strong behavioural shift to ensure drivers are slowing down around both urban and rural schools. They considered that this would be better achieved by providing a consistent road environment around schools, which might involve both speed limits and safety infrastructure (for example, road narrowing).
- 62 I accept officials' advice that it is not practical to implement consistent speed limits across all schools due to different roading contexts and risk profiles, and that RCAs do not support this 'one-size-fits-all' approach. I also consider that categorising schools as rural or urban for speed limits is not appropriate given the variety of school settings (for example, some 'rural' schools are in towns).

- 63 I propose to instead re-categorise rural and urban school speed limits to 'Category one' and 'Category two' school speed limits as follows:
- 63.1 **Category one** school areas would be the standard position with 30 km/h (fixed or variable) speed limits. However, schools with 40 km/h (fixed or variable) speed limits prior to consultation on the new Speed Rule would also be in this category and could remain at 40 km/h.
  - 63.2 These 40 km/h limits would need review once after three years. If the speed limits are deemed safe and appropriate after review, the school would be re-categorised as Category two (as outlined below); if not, the speed limit would need to be dropped to 30 km/h.
  - 63.3 Category one schools are more likely to be in built-up/urban areas (cities and towns) with existing 50 km/h speed limits. These areas potentially have high numbers of more vulnerable road users in the vicinity (adult/child pedestrians, cyclists, micro-mobility users) with consequently higher risk. This may be from more housing in the school vicinity, making it more suitable to use active transport modes.
  - 63.4 **Category two** school areas would provide for using a maximum of 60 km/h speed limits, with an explanation necessary in the SMP about how Safe System principles will be met. Where these higher speed limits are used (40 km/h, 50 km/h, or 60 km/h) for category two schools, they would need review once after three years. If, after review, the limits were not assessed as safe and appropriate, these schools would need to be re-categorised as category one, with a 30 km/h speed limit.
  - 63.5 I expect category two schools to be a relatively small proportion of schools. This is because specific criteria will need to be met to demonstrate that a speed higher than 30km/h is safe and appropriate.
  - 63.6 Schools in category two are more likely to be in less built-up, more isolated, or rural areas with less existing risk to vulnerable road users (for example, where pupils are generally driven or bussed to school, as distances make active transport modes less practical, and pick up/drop off space is provided off-road). Existing speed limits may, for example, be 60-80 km/h.
  - 63.7 This may also include school areas where safety infrastructure will mitigate risk of higher speed roads (for example, there are dedicated cycle lanes or traffic bays off main roads). This means that rural communities, for example, are not placed at higher comparative risk.
- 64 I consider that this category change will help reinforce that speed conversations and decisions should focus on the specific local setting and risk factors that apply to any given school. I also expect it to allow less ambiguity around delineations and boundaries regarding school locations. An important objective is to transition the roads around as many category one schools as possible towards the safest 30km/h speed limit. The review of 40km/h limits is therefore a safety check to ensure appropriateness.

*Road controlling authorities will need to ensure speed limits around all schools meet the new requirements by the end of 2027*

- 65 The new Speed Rule, as consulted on, required RCAs to reduce speed limits around 40 percent of schools under their responsibility by 30 June 2024 as an initial target. It further required RCAs to ensure that speed limits around all schools met the new reduced speed requirements by 31 December 2029. However, there was strong support in consultation to bring these timeframes forward.
- 66 I do not propose to change the interim date as this aligns with timeframes for developing 2024 regional land transport plans. I also consider that this is a realistic goal to ensure RCAs are making the necessary progress to lower all speed limits.
- 67 However, I propose a more ambitious goal of 31 December 2027, two years earlier than originally proposed, for RCAs to reduce speeds around all schools. This is informed by feedback from public consultation on this work, with children overwhelmingly accepted as highly vulnerable road users.
- 68 To achieve this, funding for addressing speed limits around schools will need to be increased for the time up to 31 December 2027. This is most likely to be achieved by reallocating funding away from other activities in the Road to Zero activity class. This funding would be required for signage and any other targeted safety infrastructure improvements that might be required to support lower speed limits around schools. I acknowledge that bringing this funding forward may impact other Road to Zero deliverables, particularly in the Speed and Infrastructure Programme, pending assessment.
- 69 The new Speed Rule allows RCAs to determine if they need to install safety infrastructure, or other measures (such as safety cameras), to support lower speed limits. This is either at the time of the change, or later if they are not seeing the desired behaviour change from drivers. Given that all schools will have lower speed limits, it is reasonable to expect that road users will become more accustomed to driving at safer speeds around schools.

**Road controlling authorities (RCAs) may set 70 and 90 km/h speed limits without Waka Kotahi approval**

- 70 Under the current Speed Rule, RCAs must obtain Waka Kotahi approval before they can set 70, 90 or 110 km/h speed limits. Some RCAs have raised concerns that roads do not necessarily fall into three distinct 60, 80 and 100 km/h categories.
- 71 On certain roads 70 and 90 km/h speed limits may be appropriate, and some RCAs would appreciate being able to set these speed limits based on their knowledge and experience of managing the local road network. Consultation indicated support for RCAs using 70 and 90 km/h limits, but there was also support for guidance and limitations on using these, including that these be interim limits. This guidance will be provided in the Speed Management Guide.
- 72 Under the new Speed Rule, RCAs may set 70 and 90 km/h speed limits without needing Waka Kotahi approval, giving RCAs more flexibility. However, where RCAs set these limits and they are above the Waka Kotahi assessed safe and appropriate speed, the RCA must explain in its SMP why it considers they are safe and appropriate. RCAs must also review these limits once in their next SMP, after which they may become permanent.

- 73 RCAs will still need to obtain approval from the Director before setting 110 km/h speed limits.

**Implementation – Waka Kotahi will support speed management planning**

- 74 There are different levels of preparedness across RCAs to implement the new speed management framework. Some are already using SMPs under the current Speed Rule, some are currently engaged in preparation, and some have not yet begun.
- 75 Waka Kotahi has shared guidance and advice on how RCAs can implement principle-based area-wide SMPs under the current Speed Rule. It has also provided limited advice on how interim SMPs will be implemented. Pending Cabinet's agreement to the proposals in this paper, Waka Kotahi will provide more comprehensive advice to RCAs once the new Speed Rule is made.
- 76 Key resources to support implementing the new framework are the new Speed Management Guide for RCAs and the associated geospatial tool, MegaMaps. The Speed Management Guide will be based on the strategic policy and regulatory framework provided by:
- 76.1 the new Speed Rule
  - 76.2 the Road to Zero strategy and action plan
  - 76.3 the new 'movement and place' One Network Framework (ONF) approach to categorising New Zealand's streets and roads
  - 76.4 the Waka Kotahi Sustainability Action Plan, *Toitū te Taio*.
  - 76.5 The Waka Kotahi Maori strategy – *Te Ara Kotahi*.
- 77 Waka Kotahi is already engaging with RCAs on developing the Speed Management Guide, which will be finalised in line with final policy decisions.
- 78 As well as the existing structures for engagement and support between Waka Kotahi and RCAs, Waka Kotahi plans to provide support to RCAs and RTCs by providing:
- 78.1 on-line training for the National Speed Limit Register
  - 78.2 refreshed online training for MegaMaps
  - 78.3 an SMP template with examples
  - 78.4 additional resourcing to help RCAs develop well-formed SMPs.

**Safety cameras – moving to a best-practice (mixed) approach to support site-specific and general deterrence**

- 79 Safety cameras have been proven highly effective at improving road safety outcomes internationally. This is as part of an overall Safe System approach when deployed in high-risk areas, accompanied by safer speed limits and more effective penalties.
- 80 Under Road to Zero the capacity of the camera network will be expanded, and different types of cameras used (for example, fixed, mobile, and average speed) in line with international best-practice.

## CONFIDENCE

- 81 As part of the Tackling Unsafe Speeds proposals, Cabinet agreed [CAB-19-MIN-0575 refers] to adopt a new 'highly visible, no surprises' approach to safety cameras like that used in Sweden. This would involve a significant increased investment in additional safety cameras, positioning them on the highest risk parts of the network with clear signage, and ensuring camera placement was incorporated into speed management plans.
- 82 Cabinet also agreed that ownership and operation of the camera network should be transferred from Police to Waka Kotahi at the appropriate time.
- 83 Recent evidence shows that despite significant early improvements, Sweden's safety camera approach, which lacks some features of latest most effective approaches, is falling short of achieving its intended outcomes. Recent international best practice (including from Australia, the UK, and France) suggests a mixed approach to safety cameras would be much more effective at improving road safety outcomes.
- 84 This mixed approach involves clearly signposting different fixed camera types (including dual red-light/speed safety cameras and average speed cameras) to promote transparency at high-risk site-specific locations. It also involves using covert (unsigned) mobile cameras for an 'anytime, anywhere' deterrent effect.
- 85 The World Bank's Global Road Safety Facility 2020 *Guide for Determining Readiness for Speed Cameras and other Automated Enforcement* states:
- "Research has shown that a mix of overt and covert speed cameras generates greater road safety benefits than either one alone."*
- 86 It is planned that Waka Kotahi will start establishing safety camera functions in the second half of 2022. The transfer will be staged and may take around a year to complete. Current best-estimates of timeframes are that Waka Kotahi will have established a new infringement processing system, transferred existing cameras, and started the first phase of camera expansion by mid-late 2023.
- 87 In parallel to the above, Waka Kotahi is also working with Police and Auckland Transport to explore any potential for earlier implementation of additional safety cameras under the current Police operating system.
- 88 Outside the Tackling Unsafe Speeds proposals, Te Manatū Waka is also conducting a review of road safety penalties and I expect to progress proposals in 2022.

### Financial implications

- 89 Funding needs for the Tackling Unsafe Speeds proposals have been assessed through analysis to support Road to Zero. The proposals will be funded through the NLTF over the next 10 years, to support Road to Zero's 40 percent reduction in DSIs by 2030.
- 90 This includes funding identified for:
- 90.1 safety infrastructure
  - 90.2 speed limit reduction costs to the highest risk parts of the network and around schools
  - 90.3 a substantial increase in the safety camera network (including an IT platform)

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90.4 the government contribution to speed management changes on local roads (including education campaigns and support).

91 Funding has been prioritised in the Government Policy Statement on Land Transport 2021/22 – 2030/31 (GPS). Approximately \$1 billion per annum is budgeted overall in the GPS to fund Road to Zero outcomes, including the Tackling Unsafe Speeds proposals, as shown in Table one below.

Table one: Road to Zero activity classes and funding ranges

Activity class	Expenditure reporting line	Definition	GPS 2021 funding ranges \$m						Forecast funding ranges \$m				
				2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
Road to Zero	Safety infrastructure	Investment in safety infrastructure and speed management treating high risk corridors and intersections											
	Road policing	Investment in road policing and associated equipment	Upper	910	940	980	1000	1040	1070	1080	1110	1140	1170
			Lower	820	840	870	900	930	960	970	1000	1020	1050
	Automated enforcement <sup>7</sup>	Investment in automated enforcement											
	Road safety promotion	Investment to support behavioural changes to improve road safety outcomes											

**Legislative Implications**

93 To implement the Tackling Unsafe Speeds proposals, it is necessary to replace the current Speed Rule - Land Transport Rule: Setting of Speed Limits 2017. I therefore propose replacing the current Speed Rule with the new Speed Rule - Land Transport Rule: Setting of Speed Limits 2022 (attached as **Appendix one**).

94 Two sets of new regulations are also needed, which I propose establishing, to support the new Speed Rule:

94.1 Land Transport Management (Regional Transport Committees) Regulations 2022 – will allow RTCs to prepare and review speed management plans

94.2 Land Transport (Register of Land Transport Records: Speed Limits) Regulations 2022 - will detail the information RCAs must supply as part of land transport records to set speed limits and other technical issues.

95 I intend to submit these regulations to Cabinet for approval separately.

<sup>7</sup> Refers to using safety cameras to enforce compliance with speed limits and other road safety requirements.

- 96 It is also necessary to make a consequential amendment to clause 5.1(1) of the Land Transport (Road User) Rule 2004 (Road User Rule). The amendment will clarify that the prohibition on drivers from exceeding speed limits provided for in the Road User Rule relates to speed limits set under the new Speed Rule. This will improve the clarity of the law.
- 97 Changes to the LTA and LTMA were also made through the Land Transport (NZTA) Legislation Amendment Act, to enable some provisions in the new Speed Rule. The LTA was amended to establish the Registrar of Road Instruments as the legal instrument for speed limits and revise the rule making powers. The LTMA was amended to provide that RTCs must carry out any functions conferred by regulations (which would subsequently include RTCs' functions for involvement in preparing and reviewing SMPs).

## Impact Analysis

### *Regulatory Impact Statement*

- 98 The Regulatory Impact Analysis (RIA) requirements apply to these policy proposals. A RIA has been prepared by Te Manatū Waka and is attached to this paper (**Appendix three**).
- 99 Te Manatū Waka's Regulatory Quality Panel has reviewed the Regulatory Impact Summary: Tackling Unsafe Speeds and considers that it meets the quality assurance criteria. The panel considered that the impact summary is well written and shows clearly that options have been carefully evaluated against appropriate criteria. This includes considering the views of stakeholders ascertained during a comprehensive and structured engagement process.
- 100 The Panel noted that for some aspects of the proposals considered, it has not been possible to monetise some of the costs and benefits. It noted there is uncertainty around some costs and the actual safety benefits to be obtained from the proposals.

### **Climate Implications of Policy Assessment**

- 101 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to these proposals as the threshold for significance is not met.
- 102 I note that while the Tackling Unsafe Speeds proposals are targeted at improving road safety, safer speed can be expected to have benefits for the climate. There is a large body of international evidence indicating that safer speeds can contribute to reduced carbon emissions, facilitate a shift to more active transport, and reduce vehicle kilometres travelled. These factors are all relevant to help prevent climate change.

### **Human Rights Implications**

- 103 I do not consider that there are any human rights implications arising from the proposals in this paper or the new Speed Rule itself.

### **Population Implications**

- 104 These proposals will be beneficial to the population in general and are not targeted at particular population groups, except for safer speeds around schools which will particularly benefit children and young people.

- 105 The new Speed Rule provides that Waka Kotahi (as RCA) and regional councils may establish and maintain processes to provide opportunities for any population group to contribute to preparing SMPs.

*Māori and tamariki Māori implications*

- 106 The new Speed Rule provides that Waka Kotahi (as RCA), or a territorial authority must separately consult Māori affected by any proposed change in a draft SMP that impacts Māori interests. It also provides, in the spirit of partnership, that Waka Kotahi and regional councils must establish and maintain processes to provide opportunities for Māori to contribute to preparing SMPs.
- 107 Māori are overrepresented in DSIs from road crashes, with trends suggesting this is increasing.<sup>8</sup> For 2013-2017, the average rate of DSIs per 100,000 population for all Māori men was 87; much higher than the average rate of 61.5 for all men. For all Māori women the rate was 40.5; much higher than the average rate of 29 for all women.
- 108 Tamariki Māori are also more likely to be killed or seriously injured in crashes than non-Māori children. A 2019 Health Quality and Safety Commission child and youth review of mortality data from 2002 to 2017, found that tamariki Māori have fatality rates around double those of non-Māori children for both car and pick-up truck/van occupancy fatalities, and pedestrian fatalities.

*Gender implications*

- 109 These proposals are likely to have significant benefits for male road users. Data from 2017-2021 indicates that men make up significantly higher proportions of DSIs for virtually all road user types in New Zealand, including as motorists and pedestrians, than women.
- 110 For example, over 2017-2021, of the 3,624 DSIs to drivers of light vehicles in rural areas (80-110 km/h speed limits), the highest road user category for DSIs, men made up 64 percent and women 36 percent. The one road user type where women were a slightly higher proportion of DSIs were passengers in light vehicles in rural areas, totaling 1,765 DSIs, with women 56 percent of these DSIs and men 44 percent.
- 111 However, safer speeds also have particular importance for women's safety. Biomechanical differences between men's and women's bodies mean that when women are involved in a crash, they are more susceptible to being seriously injured<sup>9</sup>. This is influenced by the fact that vehicle safety research has not sufficiently accounted for women's physiology and therefore vehicles offer less safety protection for women. One study found that women were 47 percent more likely to sustain severe injuries than men in a comparable crash.<sup>10</sup>
- 112 Safer roads through safer speeds will also benefit women as they work more part-time jobs, are more likely to hold multiple jobs, and do more unpaid work, including

<sup>8</sup> Waka Kotahi (2021). He pūrongo whakahaumarū huarahi mō ngā iwi māori: Māori road safety outcomes.

<sup>9</sup> Jason Forman et al. (2019). Automobile injury trends in the contemporary fleet: Belted occupants in frontal collisions, *Traffic Injury Prevention*, 20:6, 607-612.

<sup>10</sup> Dipan Bose et al. (2011). Vulnerability of Female Drivers Involved in Motor Vehicle Crashes: An Analysis of US Population at Risk, *American Journal of Public Health*, 101(12), 2368–2373.

childcare. This means they are likely to take more trips in vehicles than men, often also travelling with children.

*Disability implications*

- 113 Disabled people are affected by the recommended changes as pedestrians, mobility scooter or wheelchair users, motorists, and other road-users. As at 2013<sup>11</sup>, disabled people made up 24 percent of the New Zealand population and can be vulnerable to high travel speeds for many reasons including decreased physical mobility, blindness and low vision, and learning disabilities. In particular, safer speed limits are likely to improve accessibility to the built environment for disabled people as they improve this group's safety.
- 114 Targeted consultation with disabled people on these recommended changes has occurred. This aligns with the Government's commitment to improving accessibility outcomes for this population group and including disabled people in decision-making that impacts them under the New Zealand Disability Strategy and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).

*Children, young people, and older people implications*

- 115 Children and young people are particularly vulnerable to high travel speeds as they are limited by their physical, cognitive, and social development compared to adults. Many are not equipped to understand and manage the associated risks and younger children are also more physically vulnerable. The proposals to introduce safer speed limits around schools are focused on ensuring the roading environment around schools is safer for this group.
- 116 Older people are also more vulnerable to DSIs from crashes either as drivers, occupants, or other road users (including as pedestrians or other active transport users). This is due to their potentially greater physical frailty and compromised mobility, reaction time, and vision.
- 117 More effective management of safe speeds in towns, cities, and rural areas has potential to benefit older people by enabling their participation in the community and improving the accessibility of essential and other services. When older people feel safe using streets and roads, it makes it easier for them to access health appointments, visit friends, engage in work and volunteering, and do their shopping and other essential tasks.
- 118 This is particularly important for older people who can no longer drive and/or those who rely on public transport or active transport options such as walking or cycling. Feeling safe to use streets and roads also helps older people maintain their physical activity levels through walking and making it easier for them to get to leisure and recreational activities.
- 119 I expect the proposals to enhance community liveability and wellbeing by improving perceptions of safety and increasing the willingness of parents, children/young people, and older people to make greater use of active modes of transport. Lower speeds will reduce fatalities and the rate and severity of injuries if children, young

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<sup>11</sup> Statistics New Zealand (2013) 2013 New Zealand Disability Survey. Disabilities included physical, intellectual, hearing, vision, psychological/psychiatric, developmental delay, and impaired memory, learning and speaking.

people, or older people are involved in crashes as passengers, drivers, or active transport mode users.

### Consultation

- 120 Comprehensive consultation has occurred with stakeholders and partners on proposals for a new speed management framework over several years, in separate phases. This has included central government, local government, Māori, advocacy groups, special interest groups, and the public.
- 121 Feedback from attendees at the Local Government Road Safety Summit in April 2018 provided insight about the challenges local government was facing around speed management. RCAs advised that using bylaws for setting speed limits was resource intensive, time consuming, and complex. Potential interventions were also suggested that were considered would effectively address these challenges.
- 122 Te Manatū Waka and Waka Kotahi continued engaging with a range of RCAs and other stakeholders, and Māori, through a variety of forums in 2019 (as part of Road to Zero consultation), and between 2020-2022. Specific public consultation on the new Speed Rule, as detailed in this paper, occurred over April-June 2021.
- 123 Feedback from consultation has indicated that there are numerous problems with the existing process for setting speed limits. This feedback has provided strong indications of the need to make regulatory changes to amend the process for setting speed limits.

### *Government agencies broadly support the proposals*

- 124 The following government agencies were consulted during development of this paper: Waka Kotahi NZ Transport Agency, Police, The Treasury, Ministry of Social Development (including the Office for Disability Issues and the Office for Seniors), Ministry for Primary Industries (including the Office for Rural Communities), Kāinga Ora, Ministry of Housing and Urban Development, Ministry of Justice, WorkSafe New Zealand, Ministry for Women, Ministry for the Environment, Ministry of Business, Innovation and Employment, Accident Compensation Corporation, Ministry of Health, Department of Internal Affairs, Department of Conservation, Ministry of Education, Department of Corrections and Te Puni Kōkiri. The Department of the Prime Minister and Cabinet has been informed.
- 125 Government agencies consulted generally expressed support for the new regulatory framework for speed management and the Tackling Unsafe Speeds proposals overall. Various agencies provided comments from their own areas of interest and these have been reflected in this paper as appropriate.

### *Police would prefer national default speed limits and a consistent speed limit around schools*

- 126 While Police also support the new framework's overall intent, they raised two substantive issues. Firstly, Police consider that devolving speed limit decision-making to local authority RCAs (for local roads) risks an inconsistent response to reducing DSIs on our highest risk roads.
- 127 Police noted, for example, that some regions may continue to have 100 km/h speed limits on roads with no protective barriers, whereas others may reduce limits on these types of roads to reduce DSI risk. Police continue to express a preference for introducing a default national speed limit for all local roads or State highways presenting most risk.

- 128 Introducing local road or State highway default speed limits was out of scope of the new speed management framework, except, to an extent, regarding schools. RCAs are expected to take a targeted, risk-based approach to speed management. This supports a flexible and appropriate framework which empowers local authorities to consider local context and conditions to support broad transport informed outcomes, underpinned by national guidance.
- 129 Such an approach enables Waka Kotahi and other RCAs to give greater effect to the Government's transport outcomes and strategic priorities set out in the *Government Policy Statement on Land Transport 2021/22-2030/31*. This allows targeted infrastructure investment on strategically important corridors to make them safer at their current speed limit, where possible. It also allows reduced speed limits on other high-risk corridors where investment is not available.
- 130 Speed management reviews will focus on high-risk roads, those where communities have expressed strong support for safer speed limits, and locations with a high concentration of vulnerable road users. In these areas, RCAs will be required to consider whether safety infrastructure improvements and/or speed limit adjustments are most appropriate, along with other Safe System approaches.
- 131 The Speed Management Guide includes a framework for the safe and appropriate speed assessments provided in MegaMaps. These resources will guide RCAs and support national consistency.
- 132 The new Speed Rule also requires RCAs to provide an explanation in SMPs, for any proposed speed limit changes that do not align with the Waka Kotahi assessment of the safe and appropriate speed limit.
- 133 Secondly, while Police strongly support the earlier timeframes for reducing school speed limits, Police recommend one consistent safe speed limit around all schools, regardless of location. This is to avoid a possible 'blanket' approach of RCAs applying maximum 60 km/h limits around all category two school areas.
- 134 However, officials advise that this is unlikely. Waka Kotahi is developing guidance setting out the criteria that RCAs must consider under the rule if they are proposing to set a school speed limit (permanent or variable) higher than 30km/h. Under the new Speed Rule, they then must review these school speed limits after three years. Police have acknowledged that this may mitigate inappropriate speed limits around schools being applied.
- 135 On balance, I am comfortable that the overall approach in the new speed management framework prioritises road safety but allows for flexibility in local decision making.

### Communications

- 136 Pending Cabinet's agreement, I plan to issue a press statement to announce the Tackling Unsafe Speeds proposals.
- 137 Waka Kotahi will continue to engage with local government RCAs, particularly regarding development of its new Speed Management Guide, to support implementing the new speed management framework. Local government will engage with their own communities in developing SMPs.
- 138 Waka Kotahi will conduct national publicity campaigns on the proposals in relation to safer speeds around schools and the new approach to safety cameras.

## Proactive Release

139 I intend to proactively release this paper (and the accompanying RIA) by publishing it on Te Manatū Waka’s website. The release may be subject to redactions as appropriate under the Official Information Act 1982.

## Recommendations

I recommend that the Committee:

- 1 **note** that on 11 November 2019, Cabinet agreed to implement a new regulatory framework for speed management [CAB-19-MIN-0575 refers]
- 2 **note** that the new framework involves:
  - 2.1 establishing a new regulatory framework for speed management on New Zealand’s roads to improve how road controlling authorities (RCAs) plan and implement speed limit changes, through establishing speed management plans (SMPs)
  - 2.2 transitioning to safer speed limits around schools
  - 2.3 implementing a more effective approach to using road safety cameras
- 3 **note** that Cabinet also agreed for the Associate Minister of Transport to make changes to primary legislation and arrange for the relevant land transport rules to be drafted to give effect to the new framework [CAB-19-MIN-0575 refers], resulting in the draft Land Transport Rule: Setting of Speed Limits 2022 (the new Speed Rule)
- 4 **note** that changes to the Land Transport Act 1998 and the Land Transport Management Act 2003 were made through the Land Transport (NZTA) Legislation Amendment Act 2020 to enable some provisions in the new Speed Rule, with that Act coming into force on 1 September 2020
- 5 **note** that on 16 April 2021, Cabinet agreed to undertake consultation on the new Speed Rule, and invited the Minister of Transport to report back to DEV on the outcome of the consultation [CAB-MIN-0129 refers]
- 6 **note** that consultation showed strong overall support for the new speed management framework but highlighted some concerns, particularly in relation to:
  - 6.1 the benefit of the independent speed management committee (SMC)
  - 6.2 Regional Transport Committees’ (RTCs) role and alignment of the land transport planning and funding processes
  - 6.3 setting speed limits around schools
- 7 **agree** that to address the above concerns from consultation, the following changes (as expressed in the new Speed Rule attached as **Appendix one**) be made to the new Speed Rule:
  - 7.1 the SMC’s role is re-framed to better complement the Director of Land Transport role, with the SMC reviewing State highway speed management plans, but the Director now certifying these

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- 7.2 RTCs continue to develop regional SMPs to support regional consistency, with the SMP and land transport planning and funding process able to be 'uncoupled', so RTCs need not be involved in both processes concurrently, and RCAs may progress independent SMPs which can later inform regional SMPs
- 7.3 rather than categorising schools for related speed limits as urban or rural, categorise schools into the following:
- 7.3.1 **category one** - a default 30 km/h (permanent or variable) speed limit – but schools with existing 40 km/h speed limits prior to consultation on the new Speed Rule could retain 40 km/h limits, with review needed in the next SMP
- 7.3.2 **category two** - a maximum 60 km/h speed limit (allowing potential limits of 40, 50, or 60 km/h), with an explanation of safety necessary in the SMP and one safety review needed in the subsequent SMP
- 8 **note** that consultation also expressed strong support for bringing proposed timeframes forward for reducing school speed limits
- 9 **agree** to bring forward the timeframe by which road controlling authorities (RCAs) must ensure that speed limits around all schools meet new reduced speed requirements by two years, to 31 December 2027
- 10 **note** that to achieve the earlier schools' speed limit date, Road to Zero activity class funding will likely need to be brought forward up to 31 December 2027, which may impact other Road to Zero deliverables, particularly in the Speed and Infrastructure Programme
- 11 **note** that under the new Speed Rule RCAs may set 70 km/h and 90 km/h speed limits without Waka Kotahi approval, with safety review needed once in the next SMP
- 12 **note** that Cabinet originally agreed [CAB-19-MIN-0575 refers] that safety cameras should be clearly signed as part of the investment in additional cameras to reduce excessive speeds on high-risk roads
- 13 **note** that this 'highly visible, no surprises' approach to safety cameras will now be a mixed approach including covert camera use to achieve 'anytime, anywhere' general deterrence, depending on camera type, reflecting international best practice
- 14 **note** that other more minor or technical changes arising from consultation and review by officials, as reflected in the attached new Speed Rule, have been made
- 15 **note** the Minister of Transport's intention to implement the new regulatory framework for speed management by making the new Speed Rule (attached as **Appendix one**), including any further minor amendments, without further reference to Cabinet unless contentious issues arise, or new policy decisions are needed
- 16 **note** that the new Land Transport Rule: Setting of Speed Limits 2022 will revoke Land Transport Rule: Setting of Speed Limits 2017
- 17 **note** that to support implementing the new Speed Rule, new land transport regulations will be concurrently submitted to Cabinet for approval, and nominations

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for Speed Management Committee members will be submitted to Cabinet for review, after the new Speed Rule is made

- 18 **note** that I intend to amend clause 5.1(1) of the Land Transport (Road User) Rule 2004, to clarify that the requirement that a driver not exceed the applicable speed limit applies to the speed limits set in the new Speed Rule
- 19 **note** that a review of the speed management framework will be scheduled three years after implementation, including considering how the SMC and Director of Land Transport roles are working.

Authorised for lodgement

Hon Michael Wood

Minister of Transport

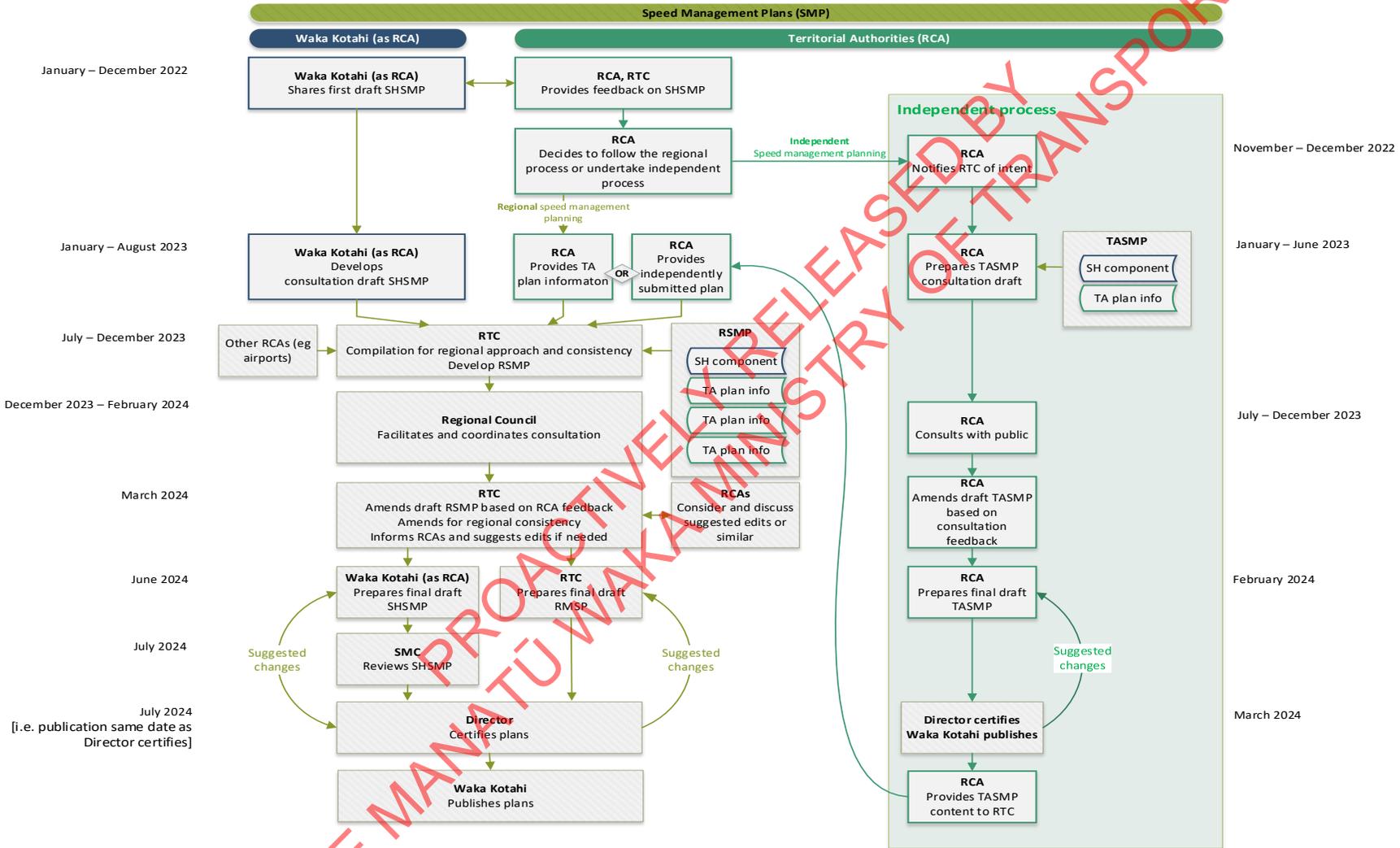
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Appendix one: Draft Land Transport: Setting of Speed Limits Rule 2022

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Appendix two: Speed Management Planning Process and Timeline

RCA=Road Controlling Authority. RTC=Regional Transport Committee. SMC=Speed Management Committee.  
 SHSMP=State highway SMP (owned by Waka Kotahi (as RCA)), RSMP=Regional SMP (owned by RTCs). TASMP= Territorial Authority SMP (owned by RCAs)



Note that the SH components in the RSMP and TASMP is optional; depending on whether the Agency (as RCA) consults in partnership with the region or TA.

Appendix three: Regulatory Impact Summary - Tackling Unsafe Speeds

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