



## Submission on the draft Setting of Speed Limits Rule

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### Introduction

**Living Streets Aotearoa** is the New Zealand organisation for people on foot, promoting walking-friendly communities. We are a nationwide organisation with local branches and affiliates throughout New Zealand.

**We want more people walking** and enjoying public spaces be they young or old, fast or slow, whether walking, sitting, commuting, shopping, between appointments, or out on the streets for exercise, for leisure or for pleasure.

### Response to Proposals 1-7

**Proposal 1: Require cost benefit analysis for speed limit changes - the draft rule requires RCAs to undertake cost benefit analysis ( CBA) when consulting on proposed speed limit changes**

We agree that CBA can help ensure that decision-makers are well informed about how decisions impact on people and supports good evidence-based decision-making. However, there are inherent dangers with this approach. We consider safety to be paramount and should not be traded off against economics, which we can see as the outcome if CBAs are required without consideration on how to ensure safety benefits are effectively accounted for. Furthermore, we are concerned that the time and expense of conducting CBAs may (a) impose an unreasonable burden on RCAs and (b) thereby prevent or delay speed limit changes that would improve pedestrian safety.

It can be difficult to accurately and fully assess the impact on public health in terms of dollars and we are concerned that CBAs will not sufficiently factor this in.. A full CBA should be undertaken including the wide range of effects e.g. fuel use, air pollution, injuries, hospitalisations, mortality, impact of speed on use of walking and cycling modalities, increased severity of crashes for vehicle occupants and any affected pedestrians or cyclists, cost of crashes including road closure, and impact on a wide range of parties e.g. pedestrians, cyclists, residents, business owners, ratepayers etc and not just motor vehicle users. Otherwise, the CBA will provide misleading information and the best decision will not be made. RCAs should have to calculate and show that any changes in time taken for journeys actually do have an economic impact, rather than assume that time saved equates to improved productivity.

We recommend pedestrian travel delay is explicitly included in all CBAs. On roads with a speed limit over 30 km/h the placement of official pedestrian crossings and the time taken to divert out of the path of travel to use them should be included in the CBA. Roads with a 30 km/hr limit generally have many more opportunities for pedestrians compared to those with less safe higher speeds. Pedestrian travel time is currently not well measured, and we expect faster vehicle operating speeds will lengthen traffic control signals to allow vehicles to stop. This will result in increased wait times for pedestrians at traffic lights and hence longer walk times. This should be factored into CBAs.

If the decision is made to focus on a limited range of impacts, then those impact assessments need to be detailed and evidence based - not subjective or lacking in information.

As noted above, we are concerned that good CBAs are costly to undertake. A poorly done CBA will be highly unlikely to protect pedestrians and ensure that safety has been adequately considered. NZTA will need to maintain good guidance and statistics on vehicle crashes and near misses, and other evidence, in a way that can be readily used in CBAs to both reduce the cost to RCAs, and increase their accuracy and comprehensiveness.

**Proposal 2- Strengthen consultation requirements - the draft rule ensures RCAs undertake genuine consultation and increases transparency of decisions in response to feedback received**

We support the consultation requirements for RCAs and agree that this requirement should be extended to NZTA.

We support consistency in consultation requirements and agree with the road users and organisations listed. We recommend that the views of local pedestrians are explicitly sought.

We support presenting proposed speed limit changes for each road separately as this will make it easier for people to understand where changes are proposed and for RCAs to identify where exactly submitters are supporting or opposing changed speed limits. We acknowledge this will involve more work for RCAs but it may involve less work for submitters if they want to comment only on certain streets for which speed limits are proposed to be changed because they won't need to consider all the other streets. However, it will take more work for submitters if they wish to comment on many streets as they will need to consider each one individually rather than make blanket statements.

Despite the previous point we do consider that streets that are similar in terms of roadside activity, traffic types and volumes, width etc should have similar speed limits. This will help with compliance as they will take their cue from the nature of the street rather than just speed limit signs and markings.

**Proposal 3: The draft Rule requires variable speed limits outside school gates during school travel period .**

We are pleased to see recognition in this proposal on the safety issues for children travelling to and arriving at school and the known links with speed. We support 30 km/h as the safe and appropriate speed when children are likely to be traveling to school including on footpaths. At this speed there is a much lower probability of crashes and severity of crashes with increased survivability should crashes occur. We also note that higher speed limits are incompatible with supporting children walking and cycling to school, both of which have benefits for the health and learning of children.

Putting the safety of our children first, our preference is that reduced speed limits are permanent, not variable.

Should it be decided that they will be variable, then the reduced speed limit should apply between 8am and at least 4.30pm on school days, plus at other times as discussed below.

We do not agree with different speed limits for different categories of schools. Children at rural schools, which may be more likely to be defined as Category 2 schools, are no different to children in urban areas and should have the same level of protection afforded to them. The safety of children and other more vulnerable people should come first ahead of all other considerations.

We recommend that the safety of all parts of the child's journey should be considered, not just near schools, especially if walking or cycling to school. At the very least busy intersections near schools (but beyond 150m) should be included in the lower speed limit zone given that intersections are where most urban crashes occur.

If variable times are to be required, then we do not support amending the TCD Rule and the Land Transport (Road User) Rule 2004 to allow static variable speed limit signs on main roads during default school travel times. We recommend that the current requirement requiring electronic variable speed limit signs is retained. This will provide more flexible control of time and dates and flashing electronic signs are more likely to be noticed by motorists.

We also recommend that schools should be able to activate lower speed limits whenever there is activity involving children outside school - such as boarding buses to go to local swimming pool, gala days, Saturday morning sport, or other after school activities. We recommend that schools are specifically consulted about the appropriate time periods that should apply for that school, noting that schools increasingly have variable start and finishing times.

#### **Proposal 4: Introduce a Ministerial Speed Objective - The Objective will set out the Government's expectations for speed management**

We support this proposal, but it should be accompanied by an adequate level of funding to support the RCAs to act in accordance with the Objective. Imposing unfunded requirements on local councils contributes to their financial difficulties.

We also support RCAs not acting in accordance with the Objective if it is unaffordable or inappropriate in particular situations so long as they demonstrate that they have had regard to it.

**Proposal 5: changes to speed limits classification The draft Rule proposes a schedule of speed limits classifications for each road type.**

We support that for civic spaces the proposed speed limit should remain as per current guidance with a speed limit of 10-20 km/h - our preference however is that this limit should be restricted to 10 km /h.

We support urban transit corridors having speed limits of 80-100 km/h, with the actual limit set by the local RCA. We also support retaining the limits as currently set for peri-urban roads.

We are primarily concerned with the safety of pedestrians. We therefore support lowered speed limits in urban streets with significant levels of pedestrian and / or cycling activity - however we recommend that this be set at 30 km/h rather than 40 km/h.

We support lowered speed limits for urban and rural intersections.

We do not support the blanket increase in speed limits for urban streets to 50 km/h. We consider that this is best determined by RCAs noting that urban streets are where our pedestrians mainly are and there is a great variation in use by pedestrians. RCAs should have the flexibility to set a speed limit lower than 50 km/h in order to ensure safety of pedestrians. A significant rule change such as this should have a regulatory impact statement, quantifying the impacts of such a change.

We recommend all beaches are 10 km/h to reflect the often-high use of those places by a wide variety of users on foot.

**Proposal 6: Update the Director's criteria for assessing speed management plans for certification The draft Rule proposes to update the criteria RCAs must meet when submitting speed management plans for certification.**

We support this proposal.

**Proposal 7: Reverse recent speed limit reductions The draft Rule proposes that certain speed limits reduced since 1 January 2020 will be reversed by 1 July 2025**

We do not support this proposal. Speed limit reductions have been shown to have significant safety benefits. One of the most effective means to lower speeds is to have lower speed limits. Anything that makes it harder to set lower limits, as this proposed set of rule changes appears to do, works against making a safe land transport system and is something we do not support.

Abley compared crash and crash outcome data between areas of Auckland where lower speeds were introduced in 2020 with those in areas of Auckland where speed limits were not lowered over the same period and found substantive decreases in fatalities and injuries. (<https://at.govt.nz/media/1990901/auckland-transport-report-24-month-safe-speeds-tranche-1-monitoring.pdf>). Importantly, the comparison with control areas where speed limits were not changed means that factors such as COVID lockdowns were removed as causes of the difference.

Another example is the reduction in speed limit in the Karangahake Gorge between Paeroa and Waihi in 2005 which resulted in a 35% drop in deaths and serious injury (WSP 2022, The Impact of Change in Speed limit at three Sites.

<https://www.nzta.govt.nz/assets/resources/speed-management-guide-road-to-zero-edition/wsp-the-impact-of-change-in-speed-limit-of-three-sites-report.pdf>).

In the suburban context, before and after (speed limit decreases) studies have also shown strong decreases in injuries in treated areas compared with adjacent control areas e.g. Koorey (2024 Presentation @Walkandcycle conference).

<https://az659834.vo.msecnd.net/eventsairaeuprod/production-harding-public/6eb7607560834f8f8b8f4ef10510855a9d>). Interestingly the number of injuries decreased even more than the number of crashes, consistent with achieving lower speeds at the times of impact.

Any changes to speed limits, whether a reversal or not, should require public consultation. This should apply to all roads, not just rural state highways as proposed.

## **Feedback on other matters:**

Speed management committees:

We have seen little evidence of the Committee's value but that is because it is a behind-the-scenes sort of entity. It does seem surprising that a 9-person committee is required to scrutinise NZTA's behaviour.

Regional Speed Management plans:

These have some value in ensuring there is consistency between adjacent RCA areas, at least for roads that cross boundaries between areas. They can also be a way to achieve greater consistency across a region.

Speed limit up to 120 km/h:

We do not support this possibility, nor any increase in maximum speed limits above 100 km/h, due to the increased risk to pedestrians this would pose, the higher cost involved to make roads safe to be driven at this speed and also the increased fuel consumption and air pollution which would result.

We seek clarification on whether this would apply to heavy vehicles. If international experience is heeded, then this proposal has limited economic benefit.

## Additional comments on the draft Rule:

In addition to our comments on Proposals 1-7 and the Other Matters above, we have the following comments on the specific provisions of the draft Rule, which in some cases enlarge on the comments above:

### Section 1 Definitions Safety infrastructure

We recommend dedicated grade separated footpaths are included as they are part of the safety infrastructure needed by pedestrians.

### Section 2 Speed Limits

This section needs to be much clearer on its meaning, many clauses are very circular.

Section 2.2 wording is that a RCA 'may' set a speed limit on a road. If the RCA does not set a limit will a default apply? We recommend 30km/h for all urban roads as a default.

### Section 2.6 (9)

We support this section and the ability of RCAs to proceed to safer speeds outside schools without consultation.

## Section 3 Planning for speed management

### 3.3 Costs and benefits

- We recommend pedestrian travel delay is explicitly included in all CBA assessments. The wording identifies operating speed but this is not a common consideration when assessing pedestrian delay. On roads with a speed limit over 30km/h the placement of formal pedestrian crossings and the amount of time needed to divert out of the path of travel to use them should be included in the CBA. Roads with a 30km/h speed limit have many more crossing opportunities for pedestrians compared to the less safe higher speeds.
- Pedestrian travel time is not well measured currently and it is expected that faster vehicle operating speeds will require longer traffic signal cycles to allow for vehicles to stop, these will increase walk travel times as pedestrians wait longer at traffic lights. We also expect this to be factored into the CBA. - Crash impacts will increase for pedestrians as with higher vehicle speeds the severity of crashes increase. These factors, pedestrian travel time and impact of crashes, are a cost of increased speed and should be included in the CBA.
- There will be additional costs imposed on local councils and RCAs with the CBA requirement for every speed change. This should be accounted for and funded.
- We note NZTA will need to maintain good national guidance and statistics on crashes and near misses in a way that can be used in the CBA.

### 3.10 Consultation requirements

#### 3.10.3 and 3.10.7

We support the inclusion of the requirement to consult Māori, local communities and schools in the vicinity of any speed limit changes.

3.14 and 3.15 NZTA to maintain guidance and information on speed management  
This should include guidance or information on safety infrastructure such as footpaths, pedestrian-only places, traffic calming measures, etc.

#### Section 5 Speeds around schools

3.5 This section is too restrictive requiring only a variable speed limit. There should be discretion for the RCA to set any appropriate type of speed limit.

- The zone for speed management around schools should be determined on what is appropriate for the area. A 300 metre in total zone will in most cases be too limited. Experience in Wellington has shown that short stretches of safer speeds have less compliance than longer sections of road and are difficult to enforce.
- Static variable speed signs where the signage does not change are not well complied with as drivers become used to them and ignore them.
- Variable times outside school for safer speeds in the Road Code could be a useful tool provided drivers are aware of either the time (and non-parents will have no idea of school times) and if they are aware there is a school nearby (once again non-school attendees are likely to have no idea of its location). We expect this to have low compliance.
- We support digital signage that is in use at the appropriate times

#### Section 6.3

The requirement to consult should include the relevant local RCA.

#### Ministerial speed objectives

- This may be a useful tool provided it is associated with appropriate funding for implementation and is available in a timely manner

#### Section 8.2 Signs

The requirement should include sign location off the footpath and that does not impede pedestrian travel.

#### Consultation

- Should be the same for both RCAs and NZTA and other agencies

#### Schedule 1

The minimum length of road for each speed limit should also apply outside schools. Experience shows they are hard to enforce and get compliance with if they are too short.

#### Schedule 4

##### Table 1 urban street classifications

- The road type should be the same as in the One Network Framework classifications for consistency
- We recommend all urban roads are default 30km/h with a CBA to show they can be higher in some instances
- Pedestrian streets where pedestrians share space with vehicle users should all be 10km/h. This may be what civic spaces refer to.

## Table 2 Rural road classifications

- Urban streets table of speeds contain high speeds totally inappropriate to urban roads (ie ones that pedestrians use)

## Table 3 Exceptions

We recommend all beaches are 10km/h to reflect the high use of those places by a wide variety of users mostly on foot. Beach users do not behave like vehicle users and will use the beach in ways that are unpredictable from a vehicle.

We recommend 14 and 15 are included in Table 1 urban streets as most urban streets have high levels of pedestrian use as people access their homes, schools, shops and other daily activities.