



Land Transport Rule: Setting of Speed Limits

Submission from Brake, the road safety charity

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About Brake

Brake is a road safety charity with global interests, and branches in the UK and New Zealand. It approaches road safety and sustainable travel using the vision zero method. That is to say, the charity considers that all deaths and injuries on roads are unacceptable, and eliminating carbon emissions from transport, which is the largest contributing carbon sector, should be approached with equal zeal. Brake's vision is a world where people can move around in ways that are safe, sustainable, healthy and fair.

Brake promotes road safety awareness, safe and sustainable road use, and effective road safety policies. It does this through national campaigns, community activities, services for employers and fleet professionals, and coordination of national Road Safety Week.

Brake also cares for families bereaved and injured in road crashes. It does this by providing specialist support resources to families following a crash.

Brake's response to the proposed Rule

Proposal 1

Establish a new speed-setting mechanism that focuses on assisting RCAs to achieve safe and appropriate travel speeds, in particular for areas where there are high benefit opportunities to optimise safety outcomes, economic productivity or both.

Brake strongly supports implementing a Rule which makes it simpler for Road Controlling Authorities (RCAs) to review and set speed limits and enables RCAs to seek public input for safer speeds in their community. However, it is unclear whether the new Rule will make it easier for RCAs to be proactive in introducing lower speed limits in practical terms. We feel in order to achieve the objectives of the Safer Journeys strategy, it is critical that RCAs can effectively review and reduce existing limits in order to help significantly reduce road trauma.

The Rule also needs to ensure that speed limits can be reviewed if the RCA receives a request from an individual or organisation affected by the speed limit, and that consultation of local communities is sought in the setting of speed limits.

The Rule does appear to rely on the Speed Management Guide as the basis for setting speed limits, which we feel still has some issues. Brake is concerned that this proposal, and the Speed Management Guide, use language that suggests safety may be compromised in favour of economic productivity. In line with a safe system and vision zero approach, safety should be the first priority, and should focus on the safety of the most vulnerable road users first. We need to change the current hierarchy in our transport planning and engineering so that the current and future use of the road and its surrounding area is considered, and speed limits set accordingly. For roads in communities and urban centres this means prioritising people on foot and bicycle, children, the elderly, and road users with disabilities, whether these roads are currently used frequently by these groups, or it is the desire of the community and RCA to increase usage by these groups.

For example, many local councils are trying to increase the number of children walking and cycling to school, however many areas around schools still lack safe routes. Lower speed limits will help some of these schools and councils to engage more children and families in active modes of transport.

Brake's opinion is that the current default 50km/h is too high on many roads. A default limit of 30km/h in certain areas including outside schools and early education centres, hospitals, playgrounds/parks, residential areas, shopping centres and central business districts is more appropriate.

The World Health Organisation (WHO) has emphasised the need for 30km/h limits, stating that in areas where *'motorised traffic mixes with pedestrians, cyclists, and moped riders, the speed limit must be under 30km/h'* due to the vulnerability of these road users¹.

This is particularly important for protecting children, who often make mistakes when using roads. Research has found that children cannot judge the speed of approaching vehicles travelling faster than 30km/h, so may believe it is safe to cross when it is not².

Lower limits have the support of a number of groups, and a proportion of the public already. The Ministry of Transport's own road safety attitude survey showed 52% of those surveyed support 30km/h outside urban schools³. Brake's own surveys have shown that a high number (60%) of people are concerned about traffic being too fast in their own community⁴.

Lower speeds in communities also results in a decrease in fuel use and fewer emissions and pollutants, resulting in cleaner, greener and more liveable communities. Furthermore, in urban areas, increases in travel time due to lower speed limits are negligible⁵.

Proposal 2

Enable the setting of a 110km/h speed limit on roads where it is safe and appropriate to do so.

Brake does not support this proposal and we are unsure why it has been proposed given the safety and environmental implications. Basic physics tells us that the faster you're travelling, the bigger the impact in the event of a crash, and the more likely you are to be killed or suffer serious injuries. The overview document itself acknowledges this, saying that the main risk of increasing speeds to 110km/h is that if there is a crash, the impact speeds could be higher, and the resulting trauma more severe.

In line with the safe system approach, we need to consider vehicles and road users as well as the road itself. Whilst the roads considered for 110km/h may be 5-star roads, many of our vehicles are old and do not have the same safety features as newer models. There are also some new models available which do not meet ANCAP 4 or 5-star ratings either.

In addition higher speeds result in increased fuel use, and higher emissions of CO2 and other pollutants. New Zealand, having committed to the Paris Agreement and a target of greenhouse gas emissions being 30% below 2005 levels by 2030, should be working to reduce emissions from transport. Research from the University of Otago shows a 4km/h increase in speed would result in an increase in CO2 and emissions, and an increase in NO and particulate matter⁶. In the overview document there is no reference to this potential increase in emissions.

The difference in speed limit between trucks and other vehicles limited to 90km/h, and everyone else travelling at 110km/h will also result in larger speed differentials and is likely to result in more harsh acceleration and braking, and therefore a further increase in emissions.

1 [Global Status Report on Road Safety 2015](#), WHO, 2015

2 [Traffic at 30mph is too fast for children's visual capabilities](#), University of Royal Holloway London, 2010

3 [Public attitudes to road safety survey results](#), Ministry of Transport, 2016

4 Family road safety survey (370 respondents), Brake, 2017

5 Austroads (2005) Balance between Harm Reduction and Mobility in Setting Speed Limits: A Feasibility Study. Austroads Publication No. AP-R272/05.

6 McLean R et al, Bringing you up to speed: A health and economic model of the effects of raising the speed limit on New Zealand State Highways and Motorways from 100km/h to 110km/h, University of Otago, Wellington, 2012

According to the overview document the benefits of reduced travel times are marginal, and given only small sections of roads would be suitable for 110km/h limits, the actual travel time savings are likely to be minimal.

Brake is also concerned that with a current 10km/h tolerance, actual speeds on this section of road would increase to 120km/h, resulting in even greater impact speeds and trauma. It may also lead to drivers continuing at these higher speeds on other sections of the same highway, either because they don't realise the speed limit has changed, or feel the higher limit should be applicable elsewhere.

Brake supports the proposal that the default limit on rural roads and motorways will not be changed. However, we think there is a case for lowering the default limit on rural roads to 80km/h, given the number of deaths and serious injuries that occur on those roads.

Brake also feels additional mechanisms need to be put in place to enable effective enforcement. We strongly feel that point to point speed cameras are needed to help enforce speed limits, and that legislation should allow for this type of technology to be implemented.

Overall we feel the risks from implementing 110km/h limits at this stage far outweigh the benefits. We have committed to a safe system approach to reducing deaths and serious injuries, and this proposal is a step in the wrong direction.

Proposal 3

Allow for a more flexible, efficient and outcomes-based approach to the requirements for permanent repeater speed limit signs.

Brake has concerns over the "mean operating speed" definition included in this proposal, where a mean operating speed is less than 10% above that speed limit. We believe this is a change from the previous Rule, where mean operating speeds sought to match the posted speed limit. If this is the case we have serious concerns as it means roads could have a significantly higher operating speed than the posted limit, and the design speed of the road. This would increase the risk and potential severity of crashes.

Proposal 4

Enable an RCA to set emergency speed limits on roads directly and indirectly affected by an emergency.

Brake supports the proposal changes to make it easier to put emergency speed limits in place. At the moment this process is time consuming. However, we recommend that the maximum time period for the emergency limit to be in place is also reviewed, given recent examples where RCAs have needed emergency limits in place longer, such as the current alternate Picton to Christchurch route while SH1 is repaired. It may be appropriate to have a longer maximum time period in place.

Proposal 5

Clarify the grounds upon which an RCA may set a temporary speed limit.

Brake supports the clarification, however does not feel that all eventualities are covered. There are other events that can arise independently of structures or surfaces. We recommend further clarification on this issue.

Proposal 6

Approval from the Transport Agency is required before an RCA may set a speed of 70km/h on a road.

Brake feels that the approval process should be the same for this limit as for 60km/h or 80km/h. The proposal appears to steer RCAs towards either engineering up, or gaining support for a lower speed and then implementing a lower speed, using 70km/h only as a temporary measure.

We would argue that if a lower speed is appropriate, that lower speed should be implemented, not that a higher temporary speed is allowable until such time as there is public support for the lower, safe and appropriate, speed.

Proposal 7

Require an RCA to notify the Transport Agency of any proposal to set a speed limit of 70km/h, 90km/h, or 110km/h, or a variable speed limit.

In relation to variable speed limits, and looking at school zones in particular, the current process for approval is cumbersome, resulting in many schools having to wait a long time for implementation. Other schools have been refused a lower speed limit. As stated in proposal 1 above, Brake recommends a default speed limit around schools of 30km/h, in line with WHO recommendations.

Our comments from proposal 3 regarding mean operating speeds also apply here.

Minor changes to the Speed Setting regime

Brake supports the proposed minor changes.

General comments

Brake queries why NZ Automobile Association and Road Transport Forum NZ are the only groups that are specifically identified in the list of persons to be consulted. This continues to give a perception that motorised transport is being prioritised over non-motorised transport. We strongly feel that other road user groups such as cyclists, pedestrians, motorcyclists, public transport and other relevant parties must be consulted as part of these processes.

We recommend that either all relevant parties be listed, or that no one group is explicitly mentioned, and instead this just refers to the wider range of road user groups that should be consulted.

Brake has concerns over some of the wording contained in the Speed Management Guide objectives “to manage speeds that are appropriate for road function, design, safety, use and the surrounding environment (land use)”. If we are serious about reducing road trauma, we need to have a “safety first” approach, and to demonstrate this to the public, listing ‘safety’ first would be of benefit.

Previously many roads have only undergone reviews and improvements once they become high risk (i.e. serious crashes have occurred). For effective speed management we need to move away from that and future-proof our transport. This may mean reviewing limits on roads that are not currently high risk, but where, for example, pedestrians and cyclists feel at risk, and lower limits would encourage more people to walk and cycle.

A guiding principle of the Health & Safety at Work Act is that people at work should be given protection against harm as far as is reasonably practicable. There should be no trade-off with efficiency or economic productivity in that environment. The same protection should be extended to our road users.

End/