

DRAFT SETTING OF SPEED LIMITS RULE SUBMISSION

11 July 2024 | Safety Practitioners Group, a sub-group of the Transportation Group New Zealand

About the Transportation Group

The Transportation Group had its origins in 1955 and was formally made a part of the Institution of Professional Engineers of New Zealand (IPENZ – now known as Engineering New Zealand) in 1972. The group is the leading industry body for transportation professionals with over 1,100 members including tertiary students, the private and public sector.

Our Mission is advancing the knowledge, planning and management of transport in New Zealand. We have subgroups in safety, modelling, and traffic signals. We are associated with the Chartered Institute of Highways and Transportation UK.

More information about the Transportation Group is available online: <https://www.transportationgroup.nz/>

About the Safety Practitioners Group

The Safety Practitioners Group is a sub-group of the Engineering NZ Transportation Group. This sub-group has evolved from identifying a gap in our industry technical interest groups for engineers and other practitioners who work in the road safety area. With the ongoing changes in New Zealand's road safety strategy, this sub-group aims to facilitate links between local and central government and the wider industry and share the latest industry guidance, best practice and innovations with our members.

“Our goal is to promote safe system thinking, increase awareness of the Safety Practitioners' role in the industry, and assist professionals in developing their proficiency in safety best practice”.

We are dedicated to providing an industry led group for Safety Practitioners working within the transport profession in New Zealand.

Background

In making this submission, the Transportation Group of Engineering New Zealand and Safety Practitioners Group have considered New Zealand's International commitments to Road Safety, being:

- New Zealand has international commitments to reducing road trauma as part of the UN Decade of Action for Road Safety target of halving road crash deaths and injuries by 2030.
- New Zealand also has international road safety commitments to the Stockholm Declaration, UN Resolutions and Political Declaration that the draft Rule contradicts.

General Comments

The speed limit rule, as proposed, does not represent peer reviewed evidence on the societal values of lower speeds, and the global position on speed management, nor address how this will contribute to road safety advancement, and the protection of our communities.

Speed is one of the biggest factors in casualty severity. Lowering speed in locations where there is demonstrated evidence that the road environment cannot support higher speeds is well demonstrated both in New Zealand and abroad. This research is factual, and evidence based. The proposed speed limit rule disregards evidential based decisions, prioritising efficiency and capacity over safety.

The draft rule gives us less tools in the tool kit to select a speed limit that is safe and acceptable. These tools enable Authorities, and the community, to apply an evidence-based solution tailored to community concerns.

The costs of reversing the speed limit changes that have already been implemented are significant, for some local authorities this could equate to several million dollars. Removal and reversal costs will require funds from already limited budgets, preventing allocation that could be better spent on other initiatives. This doesn't include the time and resources required of the local authorities to consult and implement the reversal of speed limits.

There will be a reputational cost for authorities due to unbudgeted costs being spent, along with pushback from the communities that wanted the speed limit change to be progressed and have been implemented.

We note that none of the proposals for reversing speed limit reductions are accompanied by a safety assessment. International and local evidence across New Zealand is conclusive that increasing speed limits exponentially increases safety risk, and that blanket 100 km/h rural and 50 km/h urban speed limits are not founded on an evidence basis and are not the Safe and Appropriate Speeds for most rural and urban roads in New Zealand.

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.

The proposed CBA description identifies benefits being reductions in travel time and crashes due to changes in speed limits while the costs will be the increase in travel times and crashes, i.e. negative benefits or disbenefits. However, the costs should reflect the costs to undertake the work to change the speed limits, i.e. implementation. A further statement is made to the effect that the CBA “approach would not enable negative impacts like increased travel times to be treated as a disbenefit for the purposes of calculating any benefit cost ratio”. This is contradictory to the earlier statement and does not reflect the processes for CBA outlined in the Monetised Benefits and Costs Manual (MBCM).

The draft rule identifies travel time costs and crash costs but does not mention impacts on vehicle operating costs, emissions, road noise and land value. It is the position of the Transportation Group that this does not reflect true and accurate costs in the proposed analysis.

The draft Setting of Speed Limit Rule does not require analysis that supports changes to the current rule. The current rule was developed utilising international best practice, founded on robust and peer reviewed research. The proposed rule changes lack a similar level of scrutiny. The Transportation Group and the Safety Practitioners Group consider that there is a lack of analysis of the impacts of the proposed rule changes, resulting in flawed logic and advice.

The proposed rule change does not reflect an evidence-based approach even though there is substantial local and international research to support the benefits of area speed management schemes. Even with 18 months of data, the impact of lower speeds has exceeded expectations, clearly demonstrating the effectiveness of the implemented treatments.

The Department of the Prime Minister and Cabinet state in their position on Evidence and Evaluation¹ : “Achieving evidence-informed policy requires several things of policy practitioners. First, a commitment to building the gathering and analysis of quantitative and qualitative data into your policy work – as the norm, not the exception.” To this regard, the draft rule fails to meet even the stated Government position for evidence and evaluation.

¹ <https://www.dpmc.govt.nz/our-programmes/policy-project/policy-advice-themes/evidence-and-evaluation>

Proposal 2 – strengthen consultation requirements

The draft Rule ensures RCAs undertake genuine consultation and increases transparency of decisions in response to feedback received.

The Transportation Group and the Safety Practitioners Group support the need to increase the consultation requirements for NZTA for their State Highways, to be consistent with the established local authority consultation process. This approach will result in a consistent approach between road controlling authorities. The community expects that there will be a nationally consistent and transparent process, not two sets of requirements based upon Government / Local Authority ownership.

Section 12.2 (2) & (3) of the draft Rule appears to be only available to NZTA and that there is no recognition given to the process Councils have used and the community support they have for recent changes.

Section 3.10(3)(c)(i) specifically identifies only freight users but also needs to identify other road user classes impacted by speed limit changes, for example private vehicle drivers, pedestrians, cyclists, equestrians, and mobility scooter riders.

The Transportation Group and the Safety Practitioners Group **strongly recommend** that local RCAs also have the ability to access 12.2(2) & (3) where, through documented demonstration that a robust community consultation has been used, to be able to work through the process to retain speed limits for roads that will be considered ‘specified roads’ under the proposed Rule.

Proposal 3 – require variable speed limits outside school gates

The draft Rule requires variable speed limits outside school gates during school travel periods.

The Transportation Group and the Safety Practitioners Group interprets the draft Rule as there is only a considered risk to the vulnerable users (children / parents) for a short timeframe around school arrival and departure times. It fails to recognise the facility use of the school by children and the community for elements such as sport, community activity, etc.

Only allowing variable speed limits outside schools when permanent speed limits would be safer for the wider community as people live in the area and use the school facilities outside school hours too.

In our communities, children exist outside the school zones, and engage with streets for access to sports fields, and play areas, to name a few. The draft rule does not address the risk for the children’s journeys to school and for their ability to move safely around their neighbourhoods in the weekends and after school. This is a significant failing of the “school gate” approach as proposed in the draft Rule.

It is a community expectation that we create liveable streets, where residents and users are free from injury, and reduce DSIs.

The costs of variable signs are significantly more than permanent signs, making it cost prohibitive to implement variable message signs at every school zone. Furthermore, school speed zone signs already installed will be required to be removed, a lost cost as the signs will not be able to be reused. This places a significant financial burden on Local Authorities, at a time of constrained budgets. Finally, this burden is timed such that Local Authorities have generally finished their land transport funding applications and Long-Term Plans and are not in a position to seek out the additional budget proposed to be required of them.

Proposal 4 – introduce a Ministerial Speed Objective

The Objective will set out the Government’s expectations for speed management.

The proposed draft Rule “proposes to introduce a Ministerial Speed Objective as a tool which allows the Minister of Transport to set out the Government’s expectations for speed management. Through the Objective, the Minister can signal the pace, scale and focus of change they expect RCAs to work to. The

Objective could include types of roads, percentage of the roading network, or other criteria RCAs should focus on.” The proposal fails to outline the level of research, and effectiveness, in implementing of such direction. The Transportation Group and Safety Practitioners Group are **concerned** that this objective will lead to political influence in the speed limits within our community, and not follow sound research.

We **have concerns** regarding whether RCAs can in fact meet the Ministerial Speed Objective, when they are compelled to have meet the requirements of the LGA and other established legislation. The Ministers Speed Objective may contradict the requirements of other Acts.

We have **significant concerns** that the proposed Ministerial Speed Objective is an overreach into RCAs statutory objectives and requirements.

Introducing the Ministerial Speed Objective at the time of the Government Policy Statement is too late for RCAs to be able to prepare and consult on Speed Management Plans in order to feed into the preparation of Long Term Plans.

Proposal 5 – changes to speed limits classifications

The draft Rule proposes a schedule of speed limits classifications for each road type.

It is **concerning** that the draft rule does not reference the One Network Framework (ONF).

There are **significant safety concerns** for the blanket return to 50 km/h in urban areas particularly where measures have been implemented to support lower speeds. Our communities have accepted the lower speeds, and adapted their use and operation to the lower speeds.

The Transportation Group and the Safety Practitioners Group **disagrees** with introducing a binding schedule of speed limit classifications that specify speed limits available for each road type. Roads of the same classification are not created equal, as is reflected in the information NZTA must develop and maintain about speed management for roads.

One example, there are many inter-regional connectors that are not currently constructed to safely enable 100 km/h speed limits and will require significant investment (such as wide centreline or wire rope barrier implementation) to enable 100 km/h speed limits safely. A return to higher speeds, with the lack of suitable road safety infrastructure will result in a marked upswing in crashes and injury.

We **recommend** having a 60-100 km/h classification range for interregional connectors, in line with the current guidance, to enable safe and appropriate speed limits to be applied to these roads according to their infrastructure and environment until they can be upgraded to the standard required for 100 km/h travel speeds.

We **strongly disagree** with all urban streets having a binding and 'blanket' 50 km/h speed limit.

Considering the One Network Framework (ONF) classifications (<https://www.nzta.govt.nz/planning-and-investment/planning/one-network-framework/>), 'urban streets' in Table 1 encompasses:

- a) 'local streets';
- b) 'main streets'; and
- c) 'activity streets'.

All three have different movement and place functions, and accordingly we recommend that all three should have their own appropriate speed limit ranges.

The ONF recognises that streets not only keep people and goods moving, but they're also places for people to live, work, and enjoy. The ONF is designed to contribute to improving road safety and building more vibrant and liveable communities. Streets with significant residential activity and amenity are not safe to be operated at 50 km/h due to family and children engagement within their community areas. These

residential streets will also see detrimental effects of increased road noise, increased vehicle emissions, reduced property values, and a trend for residential development to “turn away” from the resulting traffic (e.g., shift living areas to the rear of the house and not engage with the street).

Urban residential streets are the ‘first mile/last mile’ for most trips with mean speeds generally near 40 km/h, so a higher speed limit provides little to no economic travel time benefit. However lower residential speed limits provide the ‘place’ environment for communities (<https://www.nzta.govt.nz/planning-and-investment/planning/one-network-framework/overview/#putting-people-place-and-movement-at-the-heart-of-planning-and-investment>), enabling safe and accessible travel by all modes to local places they want to go to. Lower speed limits on urban residential streets generally reflect the existing mean travel speeds, not the ‘blanket’ 50 km/h default speed limit in the proposed Rule.

We therefore **recommend** replacing the ‘blanket’ 50 km/h urban streets speed limit proposal with:

- a) 30-40 km/h speed limit range for ‘local (residential) streets’; and
- b) 40-50 km/h range for ‘main roads’ and ‘activity streets’.

Combining all these classifications under ‘urban streets’ and at a blanket 50 km/h is far too restrictive for achieving the essential ‘movement’ and ‘place’ focused objectives of the One Network Framework.

The local RCA is best placed to ensure that application of an evidence based and national framework is being applied appropriately to set speed limits for the function of the urban and rural roads in their network.

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.

The Transportation Group and the Safety Practitioners Group **neither supports nor opposes** 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

The Transportation Group and the Safety Practitioners Group **strongly disagrees** that only NZTA have the ability under the draft rule to request retention of an amended speed limit (since 1 January 2020) if they can demonstrate public support for that speed limit. This should be applicable to all RCAs. Many RCAs can clearly demonstrate robust community support for lower speed limits in their communities.

The Transportation Group and the Safety Practitioners Group **recommend** that revisions require a CBA and robust public consultation as proposed in Proposals 1 and 2.

Other Matters for Consideration

Regional speed management plans

The Transportation Group and the Safety Practitioners Group **supports** the whole-of-network approach and ensuring national consistency of speed limits intended by regional speed management plans.

Higher speed limits on certain roads

The Transportation Group and the Safety Practitioners Group does not support enabling speed limits of up to 120 km/h on roads that are built and maintained, and will be managed, to safely accommodate that speed. The level of investment into Roads of National Significance to enable 110 km/h speed limits is

significant already, and we believe the additional investment to enable 120 km/h safely of a few short lengths of state highway would be better invested in enabling a better level of service across the 100,000 km of State highway and local road network. The freight industry would receive no benefit from more 110 or 120 km/h roads as heavy vehicles are restricted to 90 km/h.

Removal of the requirement for NZTA to develop and maintain guidance on the use of mean operating speed for setting speed limits

The Transportation Group and the Safety Practitioners Group does not support the removal of the requirement for NZTA to develop and maintain guidance on the use of mean operating speed for setting speed limits (ref 3.14(a) of current 2022 Rule) as this data in an accessible and nationally consistent form is essential for CBAs.

We recommend the requirement for the Agency to develop and maintain guidance on the use of mean operating speed for setting speed limits (3.14(a)) is retained in the proposed Rule.