



Cabinet Economic Development Committee

Minute of Decision

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Tackling Unsafe Speeds Programme: Final Policy Decisions

Portfolio Transport

On 13 April 2022, the Cabinet Economic Development Committee (DEV):

Background

- 1 **noted** that on 11 November 2019, Cabinet agreed to implement a new regulatory framework for speed management [CAB-19-MIN-0575];
- 2 **noted** 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 plan and implement speed limit changes, through establishing speed management plans;
 - 2.2 transitioning to safer speed limits around schools;
 - 2.3 implementing a more effective approach to using road safety cameras;
- 3 **noted** that Cabinet also authorised the relevant Minister 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], resulting in the draft Land Transport Rule: Setting of Speed Limits 2022 (the new Speed Rule);
- 4 **noted** 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;

Changes to new Speed Rule

- 5 **noted** that on 14 April 2021, DEV 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 [DEV-21-MIN-0064];
- 6 **noted** that the 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;

- 6.2 Regional Transport Committees' role and alignment of the land transport planning and funding processes;
- 6.3 setting speed limits around schools;
- 7 **agreed** that to address the above concerns from consultation, the following changes (as expressed in the new Speed Rule attached as Appendix One to the paper under DEV-22-SUB-0087) be made to the new Speed Rule:
- 7.1 the speed management committee's role is re-framed to better complement the Director of Land Transport's role, with the speed management committee reviewing State highway speed management plans but the Director now certifying these;
- 7.2 Regional Transport Committees will continue to develop regional speed management plans to support regional consistency, with the speed management plans and land transport planning and funding process able to be 'uncoupled', so that Regional Transport Committees need not be involved in both processes concurrently, and road controlling authorities may progress independent speed management plans which can later inform regional speed management plans;
- 7.3 rather than categorising schools for related speed limits as urban or rural, schools will be categorised 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 a review needed in the next speed management plan;
- 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 speed management plan, and one safety review needed in the subsequent speed management plan;
- 8 **noted** that consultation also expressed strong support for bringing proposed timeframes forward for reducing school speed limits;
- 9 **agreed** to bring forward the timeframe by which road controlling authorities must ensure that speed limits around all schools meet new reduced speed requirements by two years, to 31 December 2027;
- 10 **noted** 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 **noted** that under the new Speed Rule, road controlling authorities may set 70 km/h and 90 km/h speed limits without Waka Kotahi approval, with a safety review needed once in the next speed management plan;
- 12 **noted** that on 11 November 2019, Cabinet agreed that safety cameras should be clearly signed as part of the investment in additional cameras to reduce excessive speeds on high-risk roads [CAB-19-MIN-0575, paragraph 7.3];
- 13 **noted** 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 **noted** that other more minor or technical changes arising from consultation and review by officials, as reflected in the new Speed Rule attached as Appendix One to the paper under DEV-22-SUB-0087, have been made;

Legislative implications

- 15 **noted** 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 to the paper under DEV-22-SUB-0087), including any further minor amendments, without further reference to Cabinet unless contentious issues arise, or new policy decisions are needed;
- 16 **noted** that the new Land Transport Rule: Setting of Speed Limits 2022 will revoke Land Transport Rule: Setting of Speed Limits 2017;
- 17 **noted** that to support implementing the new Speed Rule, new land transport regulations will be concurrently submitted to Cabinet for approval, and nominations for Speed Management Committee members will be submitted to Cabinet for review, after the new Speed Rule is made;
- 18 **noted** that the Minister of Transport intends 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 **noted** that a review of the speed management framework will be scheduled three years after implementation, including considering how the speed management committee and Director of Land Transport roles are working.

Janine Harvey
Committee Secretary

Present:

Hon Grant Robertson (Chair)
Hon Dr Megan Woods
Hon David Parker
Hon Poto Williams
Hon Damien O'Connor
Hon Stuart Nash
Hon Kris Faafoi
Hon Michael Wood
Hon Dr David Clark
Hon Phil Twyford
Rino Tirikatene, MP
Dr Deborah Russell, MP

Officials present from:

Office of the Prime Minister
Officials Committee for DEV