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Setting of speed limits 2024 consultation
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SUBMISSION FROM THE AA ON THE DRAFT LAND TRANSPORT RULE (SETTING OF SPEED LIMITS) 2024

1. The NZ Automobile Association (AA) appreciates the opportunity to comment on the draft Land Transport Rule (Setting of Speed Limits) 2024 (the draft Rule).
2. The AA was founded in 1903 as an automobile users' advocacy group, but today our work has a broader focus on our Members' mobility interests. We have over 1.1 million personal Members throughout New Zealand, and 18 District Councils who are elected to represent the interests of AA Members in their local areas.
3. This submission has been informed by feedback from the AA's District Councils, as well as the views of AA Members derived from Member surveys undertaken in recent years.
4. We are happy to meet with officials to discuss our views in further detail if that would be helpful.

Principles to improve speed limit setting

5. Speed limit setting has become increasingly divisive in recent years as officials in central and local Government shifted New Zealand away from the country's traditional approach of largely having 50km/h urban limits and 100km/h open road limits. The official guidance identified close to 90% of New Zealand's roads as having speed limits higher than was considered 'safe and appropriate', with most urban roads recommended to be 30km/h or a max of 40km/h and open roads without a median barrier to have speed limits of 80km/h or less.
6. While we agree that speed limit reductions can be an important road safety tool we saw a growing divide between the views of authorities on speed limits and the views of much of the public and our Members. Some speed limits were being put in place which didn't make sense to most people on the ground (further fuelling public discontent). This was problematic as these factors are central to achieving good levels of compliance, as well as public buy-in to the broader road safety programme.
7. Our view is that the following principles should be front of mind in speed limit setting, and would assist in rectifying the issues outlined above.
 - *Taking an evidence-based approach:* Decisions on changes to speed limits should be informed by site-specific data and evidence, both of the status quo and what is expected after any proposed speed limit change. This should include data and evidence on road safety metrics, the speeds the majority of people travel at in free flow conditions, and travel times.

- *Speed limits should be well-suited to the roads to which they apply:* Road Controlling Authorities (RCAs) should be aiming to set speed limits that are self-explaining – that is, speed limits that are intuitive to motorists. To help achieve this, RCAs should be required to consider the form and function of the road, the look and feel of the road and roadside, any hazards that are or may be present, and how the road is used (i.e. traffic counts, road user groups, operating speeds etc).
 - *Achieving public buy-in:* RCAs should strive to achieve buy-in from the public. Comprehensive consultation must be undertaken, and involve the sharing of objective data and evidence on why the change in speed limit is proposed and what the change is expected to achieve. RCAs should then seek the public's views along with reasons for them. Where support for a proposed speed limit change is low amongst road users and/or local communities, RCAs should explore the reasons for this and seek to address them to boost support before proceeding, or reconsider the proposal.
8. The above principles underpin our feedback throughout the remainder of this submission.
 9. We recognise that there are cost implications for RCAs which would arise from delivering on the above points, and that many RCAs' budgets are under pressure. However, we feel that a thorough process to speed limit setting – such as that described above and throughout the remainder of this submission – is central to identifying speed limits that are appropriate and have buy-in from the public. We therefore feel there would be value in central government officials engaging with RCAs to understand the challenges to undertaking a comprehensive approach to speed limit setting, and the support that could assist them to achieve this.

AA views on the draft Rule

Proposal 1 – Require cost-benefit analysis for speed limit changes

10. We support the draft Rule's proposed requirement for speed limit change proposals to include cost-benefit analysis.
11. Cost-benefit analysis will support data-driven decision making, which should help to ensure scarce transport funding is allocated to the highest value initiatives, both within the road safety programme and beyond. By taking a data-driven and transparent approach, we expect it will assist with boosting public trust and confidence in speed limit setting decisions.
12. Our strong view is that the approach to calculating cost-benefit ratios should be consistent across all Government investment decisions. We believe the Ministry of Transport, Treasury, and NZTA should be co-ordinating their work in this space so that the approach to cost-benefit analysis is consistent within the transport sector, and across the public sector as well.

Proposal 2 – Strengthen consultation requirements

13. We strongly support the concept of improving consultation and transparency around speed limit setting. Our view is that there has been a sense from communities that authorities have made up their minds before entering into a consultation, and that there therefore isn't much point in getting involved. We would very much like to see this change and to do so will require communities and individuals to see future speed proposals where they feel more than one option is genuinely being considered by authorities and decisions do take account of public views.

14. While we support the draft Rule's proposed consultation requirements, we don't expect they will materially change consultation, or the public's opinion of it, beyond the status quo.
15. We believe there would be merit in the Rule requiring more information to be shared with the public as part of the consultation process, particularly to set out the rationale for proposed speed limit changes. This should cover matters such as:
 - the role and function of the road
 - how the road is used, including operating speeds in free flow conditions and the different types of road users
 - the road safety issue that needs addressing, including the number, nature and severity of crashes (we think it would be particularly beneficial to the public for crash data to make clear how many fatal crashes and how many serious crashes involved extreme/reckless behaviour, like a drunk or drugged driver, fleeing Police, stolen vehicles, racing, etc as part of the crash data produced in proposals, or a medical event)
 - why a speed limit change is proposed, rather than any other intervention
 - the Road Controlling Authority's expectations on the impact the speed limit change will have on:
 - the number and severity of crashes
 - travel speeds
 - travel times
16. Requiring public consultation to include sharing of information around the rationale for, and pros and cons of, proposals to change speed limits would ensure RCAs are generating this information, and would assist the public to understand why proposals have been put forward. The increase in transparency may also lead to greater buy-in from the public.
17. We also feel there would be value in the Rule requiring a longer consultation period. While four weeks is likely enough time for individuals to share their views, it presents challenges for groups like the AA to have sufficient time to consider and discuss proposals and author submissions. We would very much appreciate an eight week consultation period.
18. We also consider the Rule should require RCAs to be 'satisfied with the level of public support' for proposals. This may incentivise RCAs to fully understand the public's views on proposals and reasons for them, and take steps to address their concerns.
19. Finally, we feel there would be value in regular surveying being undertaken at the Government level to further understand whether speed limit changes that are being put in place are supported by the public and on levels of compliance. The public's views on recent speed limit changes could be sought through NZTA's Public Attitudes to Road Safety survey, and regional results could be shared with RCAs to help identify whether consultations on speed limit changes are adequately capturing the views of the wider community. A high-level view on speed limit compliance could be achieved by reinstating the Ministry of Transport's annual survey of vehicle speeds. The UK Government provides a good model for how this can be done well¹.

¹ <https://www.gov.uk/government/statistics/vehicle-speed-compliance-statistics-for-great-britain-2022/vehicle-speed-compliance-statistics-for-great-britain-2022>

Proposal 3 – Require variable speed limits outside school gates

20. The AA agrees with the principle of lower speed limits around schools and considers the vast majority of people are on-board with this. For example, our most recent AA Member survey on speed limits around schools, which was undertaken in Auckland, found at least 97% of Auckland AA Members support the use of lower speed limits around schools.
21. As a general principle, we feel variable speed limits are the most appropriate approach to reducing speed limits around schools. This approach means the lower speed limit is in place at the start and end of the school day, when children are travelling to and from school and there are greater levels of activity on the road and roadside, including children, and therefore a higher degree of risk.
22. The draft Rule proposes to standardise the timeframes when variable school speed limits operate (8-9.30am and 2.30-4pm on school days), and no longer require the use of electronic flashing signage on busier, higher volume roads.
23. While we understand the rationale for the approach signalled in the draft Rule – notably that consistent operating times makes the approach easy to understand at face value, and static signage is a lot less expensive than electronic flashing signage – we are concerned that this approach will not make sense on the ground, and will therefore not result in high levels of compliance throughout the period the lower limit is in operation.
24. Standardising operating timeframes means the lower speed limit needs to be in place long enough to encompass every school's bell times. This means the lower speed limit will need to be in operation outside individual schools for long periods when there are no children around, meaning it won't be aligned with levels of activity on the road or roadsides, or reflect an increased road safety risk. For example, a school that finishes at 2.30pm will still have a reduced speed limit in place 90 minutes later. Similarly, a school that finishes at 3.30pm, will have a reduced speed limit in operation for an hour before the school finishes.
25. Combined with this, a move away from a requirement for electronic flashing signage on busier, higher risk, higher volume and higher speed roads will increase the likelihood of motorists not noticing the signage, and potentially not even being aware there is a school nearby.
26. Our view is that variable school speed limits should be more closely tied to the bell times of the school (or schools) in close proximity, with the specific times determined by the road controlling authority, the school(s) and the local community.
27. When it comes to signage, we strongly support taking all reasonable steps to communicate the variable speed limit to motorists, and therefore favour the use of electronic flashing signage on busier, higher risk, higher volume and higher speed roads. We also note, another benefit of these is that there is potential for them to be used at other times, for example if a school hosts weekend sports that see a lot of children coming and going during a specific time period.
28. If the proposal to allow the use of static signage on all roads that are subject to a variable school speed limit is included in the final Rule, we consider the signage needs to be reviewed to ensure it is sufficiently large and noticeable for its use on the more major roads, and other treatments to communicate the zone to motorists – such as road surface treatments – should be investigated.

29. With regard to the distance outside the gates the variable speed limit would apply, we consider it makes sense for the Rule to set out the minimum distance of variable speed limits outside schools, as we support flexibility for the distance to be longer if it is warranted based on the individual environment. Where longer distances are being considered, road users and the local community should be consulted on the proposal.

Proposal 4 – Introduce a Ministerial Speed Objective

30. The 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.
31. We are opposed to this proposal. We are concerned that increased Ministerial involvement in speed limit setting decisions will fuel the perception that decisions on speed limits are political, and further erode public trust and confidence in the system. Meanwhile, we feel that the Minister is able to give direction on speed management at a high level through things like their statement of expectations to NZTA and the GPS on Land Transport.

Proposal 5 – Changes to speed limit classifications

32. The draft Rule proposes to specify the speed limits available for each road type. While most of the proposals include a range of limits for each road type, the proposed classifications include 50km/h for urban streets and 100km/h for inter-regional connectors with limited exceptions.
33. The AA’s view is that speed limits should not simply be determined by the road ‘type’, but rather by roads’ individual characteristics. This includes factors such as the look and feel of the road, the road’s form and function, hazards that are or may be present, and how the road is used (i.e. traffic counts, road user groups, operating speeds etc).
34. While we consider 50km/h is an appropriate speed limit on many urban streets, on others, 40km/h or 30km/h limits are appropriate and well-suited to the road environment. Similarly, while 100km/h is an appropriate speed limit on some inter-regional connectors, a lower limit may be appropriate on others.
35. If the Rule is to include a schedule of speed limit classifications, our view is that it should include a range of speed limits for urban streets (specifically 30km/h – 50km/h) and inter-regional connectors (80km/h – 100km/h). Providing a range of potential speed limits also reinforces that the views of road users and communities can influence decisions.

Proposal 6 – Update the Director’s criteria for assessing speed management plans for certification

36. Our understanding is that this proposal simply amends the requirements that the Director must assess when certifying speed management plans, to reflect the new provisions in the Rule. We therefore support this proposal.

Proposal 7 – Reverse recent speed limit reductions

37. The draft Rule proposes that some speed limits that have been reduced since 1 January 2020 would need to be reversed by 1 July 2025.
38. The AA considers that all decisions on speed limit changes should be based on evidence and data, along with the views of the public.

39. We expect that some of the speed limit changes that are signalled for reversal will be working well, with improved safety, high levels of compliance, and the support of road users and the community, while others are unlikely to be meeting these thresholds.
40. We therefore consider that rather than requiring wholesale reversals of speed limit changes, RCAs should be required to review the changes that have been put in place to determine the impact they have had (on safety outcomes, operating speeds, travel times) and, consistent with the draft Rule's proposed approach to speed limit changes, undertake cost benefit analysis of the potential reversal. This information should then be presented to the local road users and communities, and their feedback should be sought on whether the speed limits should be retained, tweaked, or reversed.

Other matters relating to the Rule and/or NZTA guidance on speed limit setting

120km/h speed limits

41. The consultation material requests feedback on enabling speed limits of up to 120km/h on roads that are built and maintained, and will be managed, to safely accommodate a 120km/h speed limit.
42. Our understanding is that no existing stretches of highway in New Zealand have been designed for 120km/h operating speeds, and work would be required to introduce design standards for engineering to a 120km/h standard. We also expect increased build costs to construct roads to the higher standard.
43. At a time when significant investment is already needed to improve our roading connections between regions, we favour delivering more State highway projects designed for lower (100km/h – 110km/h) speeds, over fewer roads designed for higher (120km/h) speeds.

Ensuring speed limits are well-aligned with operating speeds

44. The Land Transport Rule (Setting of Speed Limits) 2017 included a requirement for RCAs to aim to achieve mean operating speeds of less than 10% above the speed limit. This clause put the onus on RCAs to put in place speed limits that were well-suited to the road environment, evidenced by high levels of compliance.
45. The clause was not included in the 2022 Rule, and we were advised that this was due to the challenges involved with having this requirement when implementing variable speed zones (the 2022 Rule broadened the circumstances under which variable speed zones could be put in place).
46. We strongly recommend the requirement for RCAs to aim to achieve mean operating speeds of less than 10% above the speed limit is included in the 2024 Rule. If need be, our view is that there could be an exception to the requirement for any reduced speed limit in a variable speed limit zone.
47. We also consider 85th percentile speed data as something that should be taken into consideration by RCAs when setting speed limits.

Calculating operating speeds

48. We consider mean – and 85th percentile – speeds are an important indicator of the speed at which a road explains to motorists. However, we are concerned that the way operating speeds can be calculated can mean they aren't indicative of actual travel speeds at different points along the road. For example, we have seen mean speeds presented in urban settings which have taken into account the likes of delays arising from congestion or intersections, and we have seen mean speeds in rural settings that have reflected an average across a corridor that has sections that are straight and flat along with sections that are narrow and winding.
49. We would therefore like to see NZTA refining its approach to calculating operating speeds to better capture actual travel speeds.

Maximum lengths between speed limit signs

50. The AA wants to see much more being done in terms of signage and road markings to improve drivers' awareness of the speed limit. As part of this, we consider there would be value in NZTA reviewing its guidance on the maximum allowable lengths between speed limit signs.
51. Our surveys of AA Members have shown that it is a common experience for people to be driving and uncertain what the speed limit is. Meanwhile, in 2023 we published a study from the AA Research Foundation which had a small group of people use a simulator to drive a range of roads. On roads that had recently had limits lowered people were quite likely to travel significantly faster than the limit if they were unfamiliar with the road.²
52. Improving signage and road markings to better communicate the speed limit to drivers will not only lead to improved compliance but also lessen the chances of the public seeing enforcement as unfair or make accusations of authorities 'revenue raising'.

Post-project review

53. We consider there would be value in RCAs being required to monitor and report on widespread and/or contentious speed limit changes, including demonstrating changes in the number and severity of crashes (and identify crashes that involve reckless or extreme behaviour, or a medical event), travel times and travel speeds. Such a review could be undertaken at 1 year and 5 years post implementation – though we recognise that the impact any speed limit change has had on crash outcomes will take some years to establish.

Yours sincerely,

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² <https://www.aa.co.nz/about/aa-research-foundation/programmes/speed-limits/>