

DRAFT FOR CONSULTATION

Land Transport Rule

Setting of Speed Limits 2024

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Section 1 Preliminary provisions

1.1 Title

This Rule is Land Transport Rule: Setting of Speed Limits 2024.

1.2 Commencement

This Rule comes into force on [TBC].

1.3 Objective of Rule

The objective of this Rule is to contribute to an effective, efficient and safe land transport system by—

- (a) providing for an approach to speed management that considers speed limits alongside safety infrastructure and safety camera enforcement; and
- (b) empowering or requiring road controlling authorities to set speed limits for roads under their control, after considering safety, economic impacts and the views of road users and the community; and
- (c) setting out requirements road controlling authorities must comply with when setting speed limits, including having regard to any Ministerial Speed Objective.

1.4 Interpretation

(1) In this Rule, unless the context otherwise requires,—

Act means the Land Transport Act 1998

Agency (as RCA) means the Agency when acting as a road controlling authority

Auckland Transport means the entity established under [section 38](#) of the Local Government (Auckland Council) Act 2009

category 1 school means any school that is not a category 2 school

category 2 school means a school that has been designated as a category 2 school under clause 5.2(1)

change, in relation to speed limits, safety cameras and safety infrastructure, includes to put something in place for the first time or to remove something without any replacement

current—

- (a) in relation to a plan, means the plan most recently published under this Rule; and

- (b) in relation to a territorial authority speed management plan published under clause 3.6(5), also has the meaning given in clause 3.6(6)

cycle has the same meaning as in the [Land Transport \(Road User\) Rule 2004](#)

emergency has the meaning in clause 7.1(4)

emergency speed limit means a temporary speed limit set due to an emergency

financial year means a period of 12 months commencing on 1 July and ending with 30 June

GPS on land transport has the same meaning as in the [Land Transport Management Act 2003](#)

in the register, in relation to a speed limit, means the speed limit contained in a land transport record that has not been revoked

mean operating speed means the mean speed of traffic, including all classes of vehicle, measured in a way that is representative of all traffic speeds on the road over a 7-day period

Ministerial Speed Objective has the meaning in clause 3.13

outside the school gate, in relation to a road, means the section of the road immediately adjacent to a gate or other access used by students to enter or leave the school, usually measuring (with any reasonably practicable modifications):

- (a) 300 metres for a category 1 school; or
- (b) 600 metres for a category 2 school

permanent speed limit means a speed limit that is in force except when a seasonal, variable, or temporary speed limit is in force

regional council—

- (c) means a regional council within the meaning of [section 5\(1\)](#) of the Local Government Act 2002; and
- (d) includes a unitary authority; and
- (e) in relation to Auckland, means Auckland Transport

regional transport committee has the same meaning as in the [Land Transport Management Act 2003](#)

register has the same meaning as in [section 200A](#) of the Act

Registrar has the same meaning as in [section 200A](#) of the Act

road has the same meaning as in the Act and includes a section of a road

safety camera means a camera used for the primary purpose of detecting offences under transport legislation of exceeding the speed limit

safety infrastructure means roading infrastructure intended to improve safety (for example, median barriers, rumble strips, raised crossings, and intersection treatments)

school means a registered school within the meaning of [section 10\(1\)](#) of the Education and Training Act 2020

school travel period, in relation to a school, means the period between 8 am and 9.30 am and the period between 2.30 pm and 4 pm on any day on which that school is open for instruction

seasonal speed limit means a type of speed limit that—

- (a) is the same for all 24 hours during any given day; and
- (a) is different for each of two or more specified periods during a calendar year

special event has the meaning in clause 7.1(3)

speed management committee means the committee continued under clause 3.18

State highway has the same meaning as in the [Land Transport Management Act 2003](#)

temporary speed limit means a speed limit set in accordance with Section 7

territorial authority—

- (a) means a road controlling authority that is a territorial authority within the meaning of the [Local Government Act 2002](#); and
- (b) includes a road controlling authority that is a unitary authority, Auckland Council or Auckland Transport; but
- (c) in clause 3.6, excludes a unitary authority, Auckland Council and Auckland Transport

unitary authority has the same meaning as in the [Local Government Act 2002](#)

variable speed limit—

- (a) means a type of speed limit where the speed limit in force on a road changes under certain conditions; and
- (b) excludes a seasonal speed limit

work has the meaning in clause 7.1(2).

- (2) A term that is used in this Rule and defined in the Act but not defined in this Rule has the meaning given in the Act (for example, Agency, Commissioner, Director, land transport record, Minister, and road controlling authority).

Section 2 Speed limits

Ascertaining the applicable speed limit

2.1 Applicable speed limit for a road

- (1) The applicable speed limit for a road at any given time is—
- (a) the speed limit for the road in the register and that is in force at the time; or
 - (b) if paragraph (a) does not apply and a bylaw made before 19 May 2022 (the commencement date of the Land Transport Rule: Setting of Speed Limits 2022) sets the speed limit for the road, the speed limit set by the bylaw and that is in force at the time; or
 - (c) if paragraphs (a) and (b) do not apply, a permanent speed limit of 100 km/h.
- (2) For a seasonal speed limit that is in force, the applicable speed limit for the road at any given time is the speed limit in force at the time in accordance with the details of the speed limit in the register or bylaw (as the case may be).
- (3) For a variable speed limit that is in force, the applicable speed limit for the road at any given time is the speed limit shown on signs at the time (provided the speed limit shown on the sign is in accordance with the details of the speed limit in the register or bylaw (as the case may be)).
- Emergency speed limit on register prevails*
- (4) Despite subclauses (1) to (3), if at any given time there is an emergency speed limit for a road in the register, the applicable speed limit for the road at that time is the emergency speed limit

(not the underlying permanent, variable or seasonal speed limit for the road in the register).

Temporary speed limit applies despite register

- (5) Despite subclauses (1) to (4), if at any given time a temporary speed limit (other than an emergency speed limit) for the road has been set and is in force under Section 7, the applicable speed limit for the road at that time is the temporary speed limit (other than an emergency speed limit).

Setting speed limits

2.2

Setting speed limits (other than temporary speed limits)

- (1) A road controlling authority may set a speed limit for a road under its control (other than a temporary speed limit) under this Rule.
- (2) When setting a speed limit under subclause (1), a road controlling authority may specify a date on which the speed limit comes into force.
- (3) If a road controlling authority specifies a date on which the speed limit comes into force, that date must be no earlier than the day after the corresponding land transport record is created.

2.3

Declaring speed limit areas

- (1) A road controlling authority may set a speed limit (other than a temporary speed limit) for a road or roads under its control by declaring a speed limit area.
- (2) When declaring a speed limit area, a road controlling authority must—
- (a) identify the boundaries of the area to be designated as the speed limit area; and
 - (b) specify the speed limit that applies in the speed limit area; and
 - (c) specify that the speed limit applies to—
 - (i) all existing and any future roads in that area; or
 - (ii) all existing and any future roads in that area, except for one or more specified existing roads in that area.
- (3) When declaring a speed limit area, a road controlling authority must comply with all provisions of this Rule that apply to a speed limit (other than a temporary speed limit) for a road.

(4) References in any provisions of this Rule to a speed limit (other than a temporary speed limit) for a road must be taken as also applying to declaring a speed limit area.

2.4 Setting temporary speed limits

A road controlling authority may set a temporary speed limit for a road under its control in accordance with Section 7.

2.5 Method for all road controlling authorities to set speed limits: using a plan

(1) A road controlling authority may set a speed limit (other than a temporary speed limit) for a road under its control if—

- (a) the speed limit—
 - (i) is the same as the speed limit proposed for the road in the relevant plan; and
 - (ii) comes into force within the same timeframe as proposed in the relevant plan; and
 - (iii) is set for the same road as the road listed or described in the relevant plan; or
- (b) the speed limit set for the road differs from the speed limit for the road proposed in the relevant plan, but the only differences are any of the following:
 - (i) the timeframe within which the speed limit comes into force;
 - (ii) a minor difference in the point on the road at which the speed limit changes.

(2) In this Section 2, **plan**—

- (a) means the most recently published—
 - (i) State highway speed management plan published under clause 3.4(8); and
 - (ii) regional speed management plan published under clause 3.5(13); and
 - (iii) territorial authority speed management plan published under clause 3.6(5), provided it is current; and
- (b) includes any variation to any of those plans (*see* clause 3.8(4) and (5)).

2.6

Alternative method for Agency (as RCA) or territorial authorities to set speed limits: Director approval before next plan

- (1) If the circumstances described in clause 2.5(1) do not apply, the Agency (as RCA) or a territorial authority may set a speed limit (other than a temporary speed limit) for a road under its control only with the Director's approval and after following the process in subclauses (2) to (9).
- (2) The Agency (as RCA) or a territorial authority must—
- (a) seek the Director's approval to set the speed limit for the road; and
 - (b) provide details to the Director of the proposed speed limit, including the information that would need to be submitted to the Registrar under [section 200L](#) of the Act.
- (3) Before seeking the Director's approval under subclause (2), the Agency (as RCA) or a territorial authority must—
- (a) when proposing the speed limit—
 - (i) have regard to any Ministerial Speed Objective and the road safety aspects of the GPS on land transport; and
 - (ii) undertake and have regard to the results of a cost-benefit analysis of the proposed speed limit in accordance with the requirements in clause 3.3; and
 - (iii) have regard to guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15; and
 - (b) when proposing a speed limit for a road that adjoins a road under the control of another road controlling authority (the **adjoining road**), have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.
- (4) However, the Agency (as RCA) or a territorial authority does not need to comply with—
- (a) subclause (3)(a)(i) and (ii), if it is proposing a speed limit for a road outside the school gate; or
 - (b) subclause (3)(a)(ii), if it is proposing a speed limit for a new road.

- (5) The Director must give their approval if the Agency (as RCA) or the territorial authority has confirmed to the Director that it has met the requirements in subclause (3).
- (6) If the Director gives their approval, the Agency (as RCA) or the territorial authority may proceed to set the proposed speed limit only if—
- (a) the Agency (as RCA) or the territorial authority consults on, or has recently consulted on, the proposed speed limit in accordance with clause 3.10, and included in the consultation documentation the cost-benefit analysis and an explanation of how the Ministerial Speed Objective and road safety aspects of the GPS have been had regard to; or
 - (b) the Agency (as RCA) or the territorial authority considers that the proposed speed limit is only a minor deviation from the speed limit for the road proposed in the relevant plan; or
 - (c) the proposed speed limit is for a road outside the school gate.
- (7) Clause 3.10 applies to any consultation under subclause (6)(a), with all necessary modifications.
- (8) Before setting the speed limit, the Agency (as RCA) or the territorial authority must consider any submissions received during any consultation under subclause (6)(a).
- (9) To avoid any doubt, the Agency (as RCA) or a territorial authority does not need to consult to set a speed limit under this clause for a road outside the school gate.
- (10) Once the Agency (as RCA) or the territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published)—
- (a) details of the speed limit; and
 - (b) whether or not the speed limit was consulted on under subclause (6)(a).

2.7 Additional method for other road controlling authorities to set speed limits: using Section 6 process

- (1) A road controlling authority that is not the Agency (as RCA) or a territorial authority (for example, an airport authority or the Department of Corrections) may also set a speed limit (other

than a temporary speed limit) for a road under its control in accordance with Section 6.

- (2) To avoid any doubt, this clause may be relied on whether or not the circumstances described in clause 2.5(1) apply.

Pilot Speed Limits

2.8 Certain road controlling authorities may set speed limits as part of a pilot

- (1) This clause applies if—
- (a) a road controlling authority that is a local authority, government department or Crown entity installs a pilot on a road in accordance with Section 3 of Land Transport Rule: Street Layouts 2023; and
 - (b) the applicable speed limit for the road under clause 2.1(1) immediately before the pilot is installed is 60 km/h or less.
- (2) As part of the pilot, the road controlling authority may set a speed limit for the road, provided it follows the requirements in this clause, and is consistent with the speed limit, or range of speed limits, specified in Schedule 4 for the class of road.
- (3) The road controlling authority must provide details to the Director of the speed limit, including the information that would need to be submitted to the Registrar under [section 200L](#) of the Act.
- (4) Once the road controlling authority that is the Agency (as RCA) or a territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published), details of the speed limit.
- (5) A speed limit set under this clause may be a permanent, seasonal, or variable speed limit.
- (6) To provide further clarity, the road controlling authority may, when modifying a pilot under clause 3.6 of Land Transport Rule: Street Layouts 2023, set a speed limit for the road, provided it follows the requirements in this clause.
- (7) In this clause and clause 2.9, **pilot** and **road** have the same meaning as in Land Transport Rule: Street Layouts 2023.

2.9 Certain road controlling authorities may set speed limits when removing a pilot

- (1) This clause applies if a road controlling authority that is a local authority, government department or Crown entity needs to set a speed limit on a road in order to comply with its obligation under clause 3.12 of Land Transport Rule: Street Layouts 2023 to remove a pilot from the road.
- (2) As part of removing the pilot, the road controlling authority may set a speed limit for the road, provided it follows the requirements in this clause.
- (3) The speed limit that the road controlling authority sets for the road must be the speed limit that was the applicable speed limit for the road under clause 2.1(1) immediately before the pilot was installed.
- (4) The road controlling authority must provide details to the Director of the speed limit, including the information that would need to be submitted to the Registrar under [section 200L](#) of the Act.
- (5) Once the road controlling authority that is the Agency (as RCA) or a territorial authority has set the speed limit, it must publish on an Internet site, alongside the relevant plan or a hyperlink to the relevant plan (unless a plan has not yet been published), details of the speed limit.

Registering speed limits

2.10 Speed limit set when land transport record created

A speed limit that is a permanent, seasonal, variable or emergency speed limit is set once a land transport record has been created for the speed limit (*see the [Land Transport \(Register of Land Transport Records: Speed Limits\) Regulations 2022](#)*).

2.11 Submitting information on speed limits to the Registrar

- (1) When setting a permanent, seasonal, variable or emergency speed limit for a road, a road controlling authority must submit to the Registrar the information required under [section 200L](#) of the Act.
- (2) When setting a temporary speed limit for a road (other than an emergency speed limit), a road controlling authority may submit

to the Registrar the information required under [section 200L](#) of the Act.

- (3) If a road controlling authority has submitted information to the Registrar on a temporary speed limit (including an emergency speed limit), the road controlling authority must, as soon as practicable after deciding to remove the temporary speed limit, submit to the Registrar the information required to remove the temporary speed limit from the register.

Installing traffic control devices

2.12 Traffic control devices installed before speed limits come into force

A road controlling authority must, before a speed limit comes into force on a road under its control, ensure that all traffic control devices installed on the road that indicate the speed limit—

- (a) comply with Section 8; and
- (b) comply with Land Transport Rule: Traffic Control Devices 2004.

Other matters

2.13 Change of road controlling authority, and boundary adjustments

- (1) Where the road controlling authority that has control of a road changes, the speed limit that applied to the road before the change of road controlling authority continues to apply, until the new road controlling authority sets a different speed limit for the road.
- (2) Where the boundaries of a region or territory are altered, and a road comes under a different region or under the control of a different road controlling authority, the plan that applied to the road before the alteration of the boundaries continues to apply to the road until a subsequent plan including the road is published.
- (3) Where a land transport record indicates that the road controlling authority has set a speed limit on a road to the boundary of its jurisdiction as shown on the land transport record (**shown boundary**), the speed limit indicated on the land transport record applies to the boundary of the road controlling authority's jurisdiction even if the shown boundary does not accurately

depict the boundary of the road controlling authority's jurisdiction.

2.14

Application of Rule

Nothing in this Rule applies to the setting of a speed limit solely for a footpath, cycle path or shared path separate from the speed limit for the adjoining roadway.

Section 3

Planning for speed management

3.1

Option to prepare speed management plans and requirement to meet deadlines

- (1) The Agency (as RCA), each territorial authority and each regional transport committee may prepare a speed management plan in accordance with this Section 3.
- (2) Each regional council may assist with the preparation of a speed management plan in accordance with this Section 3.
- (3) The Agency (as RCA), any territorial authority and any regional transport committee that chooses to prepare a speed management plan must prepare that plan in accordance with any deadlines set by the Agency under clause 3.7.

3.2

Mandatory considerations when preparing any speed management plan

- (1) When preparing or providing information for any speed management plan, the Agency (as RCA), each territorial authority and each regional transport committee must—
 - (a) have regard to any Ministerial Speed Objective and the road safety aspects of the GPS on land transport; and
 - (b) consider a range of speed management interventions, including changing speed limits and safety infrastructure; and
 - (c) undertake and have regard to the results of a cost-benefit analysis of the speed limit changes proposed for each road; and
 - (d) have regard to the guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15.
- (2) The Agency (as RCA) and a territorial authority must, when providing information for any speed management plan to

propose a change to a speed limit for a road that adjoins a road under the control of another road controlling authority (the **adjoining road**), have regard to the desirability of the road under its control and the adjoining road having the same speed limit, unless there is good reason for different speed limits on each of those roads.

- (3) However, subclauses (1)(a) to (c) and (2) do not apply to the extent that the Agency (as RCA), a territorial authority or a regional transport committee is preparing or providing information in respect of speed limits proposed for a road outside the school gate in accordance with Section 5 of this Rule.

3.3 Requirements for cost-benefit analyses

- (1) A cost-benefit analysis undertaken under this Rule must comply with this clause.
- (2) The cost-benefit analysis must include an assessment of the impact of each proposed speed limit change on the following matters:
- (a) safety impacts (including in the number and severity of crashes); and
 - (b) travel time impacts (including changes in mean operating speed); and
 - (c) implementation costs (including planning, road signs and markings, installation costs, overheads, and consultation and administration costs).
- (3) Any positive impact must be treated as a benefit and any negative impact must be treated as a cost.
- (4) The benefits and costs must be calculated using values set out in the Agency's standardised guidance for assessing the monetised benefits and costs of proposed investments in land transport.
- (5) The Agency (as RCA), a territorial authority or a regional transport committee (as the case may be) must prepare an updated cost-benefit analysis, if the proposed speed limit for a road changes after the consultation required by clause 3.10.

Speed management plans

3.4

Process for preparing State highway speed management plan

- (1) *Step 1 (first draft):* When preparing a State highway speed management plan, the Agency (as RCA) must—
 - (a) prepare a first draft State highway speed management plan, which must include proposed changes to speed limits on State highways; and
 - (b) provide the first draft to every territorial authority and every regional transport committee.
- (2) *Step 2 (consultation draft):* The Agency (as RCA) must—
 - (a) consider any comments on the first draft State highway speed management plan received from territorial authorities and regional transport committees; and
 - (b) prepare a consultation draft State highway speed management plan to include the content required by clause 3.9 and a summary of the cost-benefit analysis prepared in accordance with clause 3.2(1)(c).
- (3) *Step 3 (public consultation):* The Agency (as RCA) must—
 - (a) publish the consultation draft State highway speed management plan and the cost-benefit analysis prepared in accordance with clause 3.2(1)(c) on an Internet site; and
 - (b) consult on the consultation draft plan in accordance with clause 3.10.
- (4) *Step 4 (final draft):* The Agency (as RCA) must—
 - (a) review and analyse any submissions received on the consultation draft State highway speed management plan (or on a consultation draft regional speed management plan being consulted on at the same time as the consultation draft State highway speed management plan, to the extent that the submissions relate to a State highway) and consider the submissions when finalising the draft State highway speed management plan; and
 - (b) consider any updated cost-benefit analysis that has been prepared under clause 3.3(5); and
 - (c) prepare a final draft State highway speed management plan; and

- (d) submit the final draft plan to the speed management committee and the Director.
- (5) *Step 5 (speed management committee advice):* The speed management committee must review the final draft State highway speed management plan and provide advice to the Director on—
- (a) the extent to which the final draft plan meets the requirements in clause 3.11(1); and
 - (b) any comment the committee considers the Director should make under clause 3.11(2).
- (6) *Step 6 (certification):* After receiving advice from the speed management committee, the Director must determine whether they are satisfied that the final draft State highway speed management plan meets the requirements in clause 3.11(1) and—
- (a) if the Director is satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if the Director is not satisfied—
 - (i) they must refer the final draft plan back to the Agency (as RCA) with recommendations for how to meet the requirements in clause 3.11(1); and
 - (ii) the Agency (as RCA) must have regard to the Director’s recommendations, make any edits to the final draft plan, and re-submit a final draft plan to the Director; and
 - (iii) the Director can then choose whether to seek further advice from the speed management committee (and may request the committee to give advice only on particular matters in the re-submitted final draft plan) or proceed directly to making a determination on the re-submitted final draft plan under this subclause.
- (7) If the Director disagrees with a material aspect of the speed management committee’s advice, the Director must—
- (a) provide an explanation of why they disagree with the committee; and
 - (b) publish the explanation on an Internet site.
- (8) *Step 7 (publication):* Once the Director has certified a final draft State highway speed management plan, the Agency must publish, on an Internet site—

- (a) the plan; and
- (b) the certificate provided under subclause (6)(a).

3.5

Process for preparing regional speed management plans

(1)

Where a region—

- (a) has a unitary authority, the unitary authority can perform the roles of both the regional council and a territorial authority under this clause; or
- (b) is Auckland, Auckland Transport can perform the roles of both the regional council and a territorial authority under this clause (and Auckland Council may also be a territorial authority).

(2)

Step 1 (territorial authority input): When a regional speed management plan is being prepared, each territorial authority must provide the relevant regional transport committee with—

- (a) any cost-benefit analysis required by clause 3.2(1)(c); and
- (b) for the purposes of preparing to undertake consultation, the information required by clause 3.9(2) in relation to the roads under its control; or
- (c) its current territorial speed management plan published under clause 3.6(5) (if any).

Step 2 (consultation draft)

(3)

To prepare a regional speed management plan, each regional transport committee must prepare a consultation draft regional speed management plan for its region by—

- (a) compiling the information received from territorial authorities in Step 1, including a summary of the cost-benefit information provided by each territorial authority (and may change the presentation of the information for the purpose of consolidating it into the consultation draft regional speed management plan); and
- (b) compiling any information received from other road controlling authorities that control roads in the region (for example, an airport authority or the Department of Corrections); and
- (c) if necessary, including, adding to or making edits to the content required by clause 3.9(1) to accurately describe the approach taken across the region; and

- (d) making any further edits due to the process under subclauses (4) and (5); and
 - (e) include the content required by clause 3.9(4).
- (4) If a regional transport committee considers that there are inconsistent approaches to speed limits being taken across the region, it must—
- (a) inform the relevant territorial authorities and suggest edits they could make to the information they provided in Step 1; and
 - (b) make any edits the territorial authorities provide; and
 - (c) only provide a consultation draft plan to the relevant regional council once satisfied the relevant territorial authorities have provided all edits or further edits they consider necessary.
- (5) Territorial authorities that receive suggested edits under subclause (4)(a) must use reasonable efforts to consider, discuss with one another, and agree the suggested edits or similar edits.
- Step 3 (public consultation and territorial authority consideration)*
- (6) Once a regional transport committee provides a consultation draft regional speed management plan to the relevant regional council, the regional council must facilitate public consultation by—
- (a) publishing the consultation draft regional speed management plan (alongside any cost-benefit analysis provided by each territorial authority) on an Internet site and calling for submissions; and
 - (b) accepting written submissions on behalf of, and forwarding them to, road controlling authorities; and
 - (c) supporting territorial authorities in the region to consult the public (for example, by providing administrative support for collating submissions and submitters' views); and
 - (d) accepting written submissions on behalf of the Agency (as RCA) in relation to the consultation draft State highway speed management plan (if it is being consulted on at the same time as the consultation draft regional speed management plan), and promptly forwarding those submissions to the Agency (as RCA).

- (7) Each territorial authority must (subject to subclause (8))—
- (a) consult in accordance with clause 3.10 on the consultation draft regional speed management plan (including the proposed speed limit changes for each road) as it relates to roads under its control, and may use the support of the relevant regional council to do so; and
 - (b) review and analyse any submissions received on the consultation draft plan that relate to roads under its control, and consider the submissions when finalising the draft regional speed management plan; and
 - (c) consider any updated cost-benefit analysis prepared in accordance with clause 3.3(5); and
 - (d) advise the regional transport committee of any changes that it wishes to make to the consultation draft plan in relation to roads under its control.
- (8) However, if a territorial authority has a current territorial authority speed management plan published under clause 3.6(5), it is only required by this clause to consult on information in the consultation draft regional speed management plan that is different from or not contained in the information described in its current territorial authority speed management plan.
- Step 4 (final draft)*
- (9) Each regional transport committee must prepare a final draft regional speed management plan for its region by—
- (a) amending the consultation draft regional speed management plan to reflect any changes—
 - (i) that a territorial authority has advised under subclause (7)(d); and
 - (ii) from other road controlling authorities that provided information under subclause (3)(b); and
 - (b) if necessary, making edits to the content required by clause 3.9(1) to accurately describe the approach taken across the region; and
 - (c) making any further edits due to the process under subclauses (10) and (11); and
 - (d) if necessary, updating the content required by clause 3.9(4).

- (10) If a regional transport committee considers that there are inconsistent approaches to speed limits being taken across the region, it must—
- (a) inform the relevant territorial authorities and suggest edits they could make to the information they provided towards the plan; and
 - (b) make any edits the territorial authorities provide; and
 - (c) only provide a final draft plan to the Director once satisfied the relevant territorial authorities have provided all edits or further edits they deem necessary.
- (11) Territorial authorities that receive suggested edits under subclause (10)(a) must use reasonable efforts to consider, discuss with one other, and agree the suggested edits or similar edits.
- (12) *Step 5 (certification):* The Director must determine whether they are satisfied that a final draft regional speed management plan meets the requirements in clause 3.11(1) and—
- (a) if the Director is satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if the Director is not satisfied—
 - (i) the Director must refer the final draft plan back to the regional transport committee with recommendations for how to meet the requirements in clause 3.11(1); and
 - (ii) the regional transport committee must repeat Step 4, after having regard to the Director’s recommendations.
- (13) *Step 6 (publication):* Once the Director has certified a final draft regional speed management plan, the Agency must publish, on an Internet site—
- (a) the plan; and
 - (b) the certificate provided under subclause (12)(a).

Territorial authority speed management plans ahead of regional process

3.6

Territorial authority speed management plans

(1)

To create a territorial authority speed management plan, a territorial authority must—

- (a) inform the relevant regional transport committee and the Agency (as RCA) of its intention to prepare such a plan; and
- (b) prepare a consultation draft plan to include—
 - (i) information required by clause 3.9(1) and (2) in relation to roads under its control; and
 - (ii) a summary of the cost-benefit analysis that has been prepared in accordance with clause 3.2(1)(c); and
 - (iii) any relevant information received from road controlling authorities that are not the Agency (as RCA) and that control roads in the territory; and
- (c) subject to subclause (2) and clause 3.8(3), publish the consultation draft plan and the cost-benefit analysis on an Internet site; and
- (d) consult on the consultation draft plan (including proposed speed limit changes for each road) in accordance with clause 3.10; and
- (e) review and analyse any submissions received on the consultation draft plan and consider the submissions when finalising the draft speed management plan; and
- (f) consider any updated cost-benefit analysis prepared in accordance with clause 3.3(5); and
- (g) prepare a final draft plan and submit it to the Director for certification (*see* subclause (4)).

(2)

However, a territorial authority must not publish a consultation draft territorial authority speed management plan if the relevant regional transport committee has notified the territorial authority of its intention to publish within the next 28 days a consultation draft regional speed management plan, at which point the territorial authority must instead join the process for preparing a consultation draft regional speed management plan at Step 1 (*see* clause 3.5(2)).

- (3) At any stage a territorial authority can stop the process in subclause (1) and join the process for preparing a consultation draft regional speed management plan at Step 1 (*see* clause 3.5(2)).
- (4) The Director must consider whether they are satisfied that the final draft territorial authority speed management plan meets the requirements in clause 3.11(1) and—
- (a) if they are satisfied, they must certify the plan and provide a certificate to that effect; and
 - (b) if they are not satisfied—
 - (i) they must refer the final draft plan back to the territorial authority with recommendations for how to meet the requirements in clause 3.11(1); and
 - (ii) the territorial authority must have regard to the Director’s recommendations, make any edits to the final draft plan, and repeat the step at subclause (1)(g).
- (5) Once the Director has certified the final draft plan, the Agency must publish, on an Internet site—
- (a) the plan; and
 - (b) the certificate provided under subclause (4)(a).
- (6) A territorial authority speed management plan ceases to be **current** when a regional speed management plan that includes roads under the control of the relevant territorial authority has been published under clause 3.5(13).
- (7) In this clause, **territorial authority** excludes a unitary authority, Auckland Council and Auckland Transport.

Other details about preparing any speed management plans

3.7

Agency may set deadlines

- (1) The Agency may set deadlines for the commencement or completion of any of the requirements or events mentioned in clauses 3.4 to 3.6, including where a plan is being varied or replaced under clause 3.8, and may set different deadlines for different plans and different road controlling authorities.
- (2) In setting those deadlines, the Agency must have regard to the timeframes for the creation of regional land transport plans under the Land Transport Management Act 2003 and any Ministerial Speed Objective.

3.8 Reviewing, varying and replacing speed management plans

- (1) The Agency (as RCA), each territorial authority and each regional transport committee must periodically review the relevant plan or plans (as the case may be), in order to make a new plan or plans, in accordance with the deadlines set by the Agency.
- (2) In setting deadlines for the review of a plan, the Agency must—
- (a) have regard to any Ministerial Speed Objective; and
 - (b) have regard to the timeframes for the creation of regional land transport plans under the Land Transport Management Act 2003; and
 - (c) set those deadlines so that, as far as reasonably practicable, each plan is reviewed every 3 years; and
 - (d) set a deadline for the publication of a consultation draft regional speed management plan (the event in clause 3.5(6)(a)); and
 - (e) notify the Agency (as RCA), the territorial authority or the regional transport committee (as the case may be) of the deadline set under subclause (2)(d) at least 6 months before the date of the deadline.
- (3) A territorial authority may publish a consultation draft territorial authority speed management plan under clause 3.6(1)(c) no earlier than 6 months before the deadline for the publication of a consultation draft regional speed management plan (that is, the deadline set under subclause (2)(d)).
- (4) The Agency (as RCA), a territorial authority or a regional transport committee may, during the currency of a plan, prepare a variation to a current plan or a new plan to replace a current plan, with the approval of the Director.
- (5) If the Director has approved the preparation of a variation or a new plan, the process set out in clauses 3.4 to 3.6 (as the case may be) must be followed as far as it is relevant and with any necessary modifications.

3.9 Content and form of plans

- (1) A plan must—
- (a) include an explanation of how the plan has regard to any Ministerial Speed Objective, and is consistent with the road safety aspects of the GPS on land transport; and

- (b) include a general explanation of how an approach to speed management that considers speed limits alongside safety infrastructure and safety camera enforcement was taken, including the approach when deciding whether to invest in making a road safer at higher speeds or to set a lower speed limit.

(2) A plan must also—

- (a) identify the changes (if any) being proposed to speed limits (other than temporary speed limits) and safety infrastructure on the relevant roads; and
- (b) include an implementation programme for at least 3 financial years from the start of the plan that sets out—
 - (i) the changes (if any) being proposed to—
 - (A) speed limits on the relevant roads, including, to the extent practicable, information on each proposed speed limit relating to the geographical area of the proposed speed limit, the type of speed limit, the proposed speed limit expressed in kilometres per hour, and, for a seasonal or variable speed limit, the conditions under which each speed limit will apply (*see also* Section 4); and
 - (B) safety infrastructure on the relevant roads; and
 - (ii) the timeframe within which each change is proposed to occur; and
- (c) in relation to schools, include any designation of a category 2 school; and
- (d) include comment on any review relevant to the roads or region that has been completed under clause 3.17 since the previous plan published under clause 3.4(8) or 3.5(13).

(3) A State highway speed management plan—

- (a) must also include a general explanation of how the Agency (as RCA) has, when proposing a change to a speed limit, had regard under clause 3.2(2) to the desirability of a road under its control and an adjoining road under the control of another road controlling authority having the same speed limit, unless there is good reason for different speed limits; and

- (b) may also include changes to safety cameras on roads that are not State highways.
- (4) A regional speed management plan must—
- (a) identify, for any proposed change to a speed limit for a road under the control of a territorial authority (the **first road**) that adjoins a road under the control of another territorial authority (the **second road**), any instances where the speed limit for the first road is different or is proposed to differ from the speed limit for the second road; and
 - (b) include information from the State highway speed management plan (either the consultation draft or the published copy, depending on which has most recently become available) that relates to State highways in the region.
- (5) A plan may include discussion of other matters related to speed management on the relevant roads, including matters regarding temporary speed limits.
- (6) A plan must be in the form (if any) set by the Agency.

3.10 Consultation requirements

- (1) In this clause 3.10, **consultation principles** means the principles of consultation in section 82 of the Local Government Act 2002.
- (2) When required to consult under this Rule, the Agency (as RCA) and territorial authorities must give a time period of at least 4 weeks, notified on the Internet site where the relevant consultation draft speed management plan is published, for interested parties to make written submissions on the consultation draft plan.
- (3) When required to consult under this Rule, the Agency as (RCA) and territorial authorities must—
- (a) consult on each proposed speed limit change; and
 - (b) consult in accordance with the consultation principles; and
 - (c) use reasonable efforts to consult on the proposed changes with the following groups:
 - (i) persons that use the roads for which speed limit changes are proposed, including freight users; and
 - (ii) local communities; and

- (iii) businesses located on roads for which speed limit changes are proposed; and
 - (iv) schools located on roads for which speed limit changes are proposed; and
 - (v) road controlling authorities responsible for roads adjoining roads for which speed limit changes are proposed.
- (4) When a consultation draft regional speed management plan is being consulted on, each regional transport committee—
- (a) must accept written submissions on behalf of the Agency (as RCA) in relation to the consultation draft State highway speed management plan if it is being consulted on at the same time as the consultation draft regional speed management plan; and
 - (b) must promptly forward any such submissions to the Agency (as RCA), for the Agency (as RCA) to consider.
- (5) If the Agency receives any submissions on a consultation draft regional speed management plan, it must promptly forward any such submissions to the relevant regional council.
- (6) To avoid any doubt, nothing in this Rule requires a regional council or territorial authority to consult in accordance with section 83 of the Local Government Act 2002.
- (7) When it is required to consult under this Rule, the Agency (as RCA) or a territorial authority (as the case may be) must do everything reasonably practicable to separately consult Māori affected by any proposed change in a draft plan that affects or is likely to affect—
- (a) Māori land; or
 - (b) land subject to any Māori claims settlement Act; or
 - (c) Māori historical, cultural, or spiritual interests.
- (8) After consultation has occurred in accordance with this section, the Agency (as RCA) and territorial authorities must prepare and publish a summary of submissions received, including an explanation of how feedback from submitters was taken into account in the final draft plan.

3.11 Certification of, and comment on, plans

- (1) For the purposes of clauses 3.4(6), 3.5(12) and 3.6(4), the requirements are—

- (a) the Agency (as RCA) or each territorial authority (as the case may be) has confirmed that the speed limits in the relevant plan comply with clause 4.5 (to the extent that clause 4.5 applies); and
 - (b) the Agency (as RCA) or each territorial authority (as the case may be) has confirmed that they have had regard to any Ministerial Speed Objective; and
 - (c) the Agency (as RCA) or each territorial authority (as the case may be) has confirmed that consultation has been carried out in accordance with clause 3.10 (and a regional council or regional transport committee may provide the confirmation on behalf of a territorial authority); and
 - (d) the Agency (as RCA) or each territorial authority (as the case may be) has confirmed that any requirement under this Rule to undertake and have regard to the results of a cost-benefit analysis has been met; and
 - (e) the Agency (as RCA), the regional transport committee or the territorial authority (as the case may be) has confirmed that the plan identifies all roads outside schools for which changes to speed limits are needed to set speed limits in accordance with Section 5; and
 - (f) the plan includes the content required by—
 - (i) clause 3.9(2)(b); and
 - (ii) clause 3.9(2)(d).
- (2) When assessing a final draft plan, the Director may also provide comment in writing on the extent to which, in their view, the plan—
- (a) is consistent with the road safety aspects of the GPS on land transport; and
 - (b) considers a range of speed management interventions (such as changing speed limits, safety cameras and safety infrastructure); and
 - (c) will lead to speed limits being set in compliance with this Rule; and
 - (d) has had regard under clause 3.2(2) to the desirability of a road under the control of one road controlling authority and an adjoining road under the control of another road controlling authority having the same speed limit, unless there is good reason for different speed limits.

- (3) The Director may, after providing comments under subclause (2) and giving the Agency (as RCA), regional transport committee or territorial authority (as the case may be) a reasonable time to consider those comments, publish the comments on an Internet site.

3.12 Publication copies of certified plans

A plan that is published under clauses 3.4(8), 3.5(13) or 3.6(5) may differ from the final draft plan to—

- (a) correct minor or technical errors or to change the format and visual presentation of its content; or
- (b) in the case of a regional speed management plan published under clause 3.5(13) that includes information about State highways and safety cameras, ensure that information is consistent with the State highway speed management plan most recently published under clause 3.4(8).

Ministerial speed objective

3.13 Minister may issue speed objective

- (1) The Minister may, by written notice to the Agency or the Director, issue a speed objective to set out the pace, scale and focus of the speed management changes that the Minister wishes road controlling authorities to achieve when proposing or setting speed limits under this Rule.
- (2) A Ministerial Speed Objective may form part of the GPS on land transport or be issued as a separate publicly available document.
- (3) To avoid any doubt, the Minister is not required to issue a Ministerial Speed Objective.

Agency to provide guidance and information to support speed management

3.14 Guidance on speed management

- (1) The Agency must develop and maintain guidance on speed management, which must include—
- (a) guidance on the speed limits for different classes of roads set out in Schedule 4, including how road controlling authorities should consider safety and economic factors

- when proposing or setting a speed limit within any specified range for each class of road; and
- (b) guidance for Agency (as RCA) on when a road has been designed and constructed, and will be managed and operated, to the standard necessary to safely support 110 km/h travel speeds; and
 - (c) guidance on how to have regard to any Ministerial Speed Objective; and
 - (d) guidance on undertaking the cost-benefit analysis required by this Rule; and
 - (e) guidance on consultation requirements under this Rule; and
 - (f) guidance on what the Agency considers is a point of obvious change in the roadside development or the road environment for the purposes of clause 4.8; and
 - (g) guidance about setting variable speed limits outside schools, including guidance about categorising schools (*see* Section 5); and
 - (h) guidance on maximum lengths between speed limit signs (*see* clause 8.2(2)).
- (2) The Agency must supply the guidance to road controlling authorities and regional transport committees.

3.15

Information about speed management for roads

- (1) The Agency must develop and maintain information about speed management for roads under the control of the Agency (as RCA) or a territorial authority.
- (2) When developing and maintaining information about speed management for a road under the control of the Agency (as RCA) or a territorial authority, the Agency must have regard to—
 - (a) the function and use of the road; and
 - (b) crash and injury risks for all road users; and
 - (c) the characteristics of the road and roadsides; and
 - (d) adjacent land use; and
 - (e) the number of intersections and property accessways; and
 - (f) traffic volume; and

- (g) any planned physical changes to the road and its infrastructure; and
- (h) the mean operating speed for the road; and
- (i) any other matter the Agency considers appropriate.

3.16

Agency must supply information

A road controlling authority or regional transport committee may request from the Agency information about speed management for any road under the control of the Agency (as RCA) or a territorial authority, and the Agency must supply the information to the requester if that information is available.

3.17

Agency may review implementation of speed management by a road controlling authority

- (1) The Agency may review a road controlling authority's changes to speed limits, safety cameras and safety infrastructure against any Ministerial Speed Objective, the road safety aspects of the GPS on land transport and the obligation in clause 5.3.
- (2) The Agency must give the road controlling authority an opportunity to comment on the draft findings of a review before completing a review.
- (3) Once a review has been completed, *see* clause 3.9(2)(d).

Speed management committee

3.18

Speed management committee established

- (1) The speed management committee that the Agency established in accordance with clause 3.18 of Land Transport Rule: Setting of Speed Limits 2022 is continued.
- (2) The Minister, not the Agency, may appoint members of the speed management committee.
- (3) The speed management committee must have no more than 9 members.
- (4) The provisions set out in Schedule 2 have effect according to their terms.

3.19

Purposes and functions of speed management committee

- (1) The purposes of the speed management committee are to—

- (a) review draft State highway speed management plans and provide advice to the Director in accordance with this Rule; and
 - (b) provide oversight of the information and guidance on speed management that the Agency provides under this Rule, to ensure that the information is up to date and is fit for purpose.
- (2) The speed management committee may also provide comments to the Agency (as RCA) on a consultation draft State highway speed management plan during the consultation process, limiting its comments to the requirements in clause 3.11(1) or matters on which the Director may give comment under clause 3.11(2).
- (3) The speed management committee has the functions, duties, and powers provided in this clause, and in clauses 3.4 and 3.20.

3.20 Speed management committee oversight of Agency

- (1) The speed management committee may request that the Agency—
 - (a) provide comment to the committee about any information or guidance the Agency has provided; and
 - (b) provide or procure an independent review of any information or guidance the Agency has provided, and provide the outcome of the review to the committee.
- (2) The Agency must comply with any requests made under subclause (1).

Section 4 Technical requirements for speed limits

4.1 Application of clauses 4.2 to 4.4

Clauses 4.2 to 4.4 apply whenever—

- (a) in any plan, a change is proposed to a speed limit for a road; or
- (b) a road controlling authority sets a speed limit for a road.

4.2 Types of speed limit

(1) A speed limit must be one of the following types:

- (a) a permanent speed limit;
- (b) a seasonal speed limit;

- (c) a variable speed limit (*see also* clause 4.9);
 - (d) a temporary speed limit (which must be set in accordance with Section 7).
- (2) To provide further clarity, an emergency speed limit is a type of temporary speed limit that is set once a land transport record has been created for the speed limit.

4.3

Range of speed limits

- (1) A speed limit must be one of the following:
- (a) 10 km/h;
 - (b) 20 km/h;
 - (c) 30 km/h;
 - (d) 40 km/h;
 - (e) 50 km/h;
 - (f) 60 km/h;
 - (g) 70 km/h;
 - (h) 80 km/h;
 - (i) 90 km/h;
 - (j) 100 km/h;
 - (k) 110 km/h.

(2) However, a road controlling authority may not set or propose a speed limit of 110 km/h for a road unless the road controlling authority is the Agency (as RCA).

4.4

Application of clauses 4.5 to 4.9

Clauses 4.5 to 4.9 apply whenever—

- (a) in any plan, a change is proposed to a speed limit for a road, except in the case of—
 - (i) a temporary speed limit; or
 - (ii) a road where the road controlling authority is not the Agency (as RCA) or a territorial authority; or
- (b) a territorial authority or the Agency (as RCA) sets a speed limit for a road (other than a temporary speed limit).

4.5 Speed limits for different classes of road

- (1) A speed limit for a class of road specified in Schedule 4 must be the speed limit specified, or a speed limit within the range of speed limits specified, in Schedule 4 for that class of road.
- (2) However, subclause (1) does not apply to any variable speed limit that the Agency (as RCA) or a territorial authority proposes or sets for a road outside the school gate in accordance with clauses 5.1 and 5.2.
- (3) *See also* clause 4.3(2).

4.6 Road lengths for speed limits

A road for which a speed limit is set under this Rule must be equal to or exceed the minimum length in the table in Schedule 1, unless one or more of the following applies:

- (a) the requirement is impracticable for the road;
- (b) the speed limit is less than 40 km/h;
- (c) the speed limit is for a road outside a school;
- (d) a lower speed limit is applied to a section of road as part of a variable speed limit.

4.7 Speed limits on adjoining roads

When a road controlling authority sets a speed limit for a road under this Rule (**main road**), it may also set the same speed limit on a short length of road under its control that adjoins the main road even though the short length of the adjoining road—

- (a) may not be equal to or exceed the minimum length in the table in Schedule 1; and
- (b) may not be specified in the relevant plan or in the approval sought from the Director under clause 2.6.

4.8 Point on road at which a speed limit changes

- (1) A road controlling authority must be satisfied that the point on a road at which a speed limit changes is at, or close to, a point of obvious change in the roadside development or the road environment.
- (2) For the purposes of this clause, the presence of a school nearby may be treated as an obvious change in the roadside development or the road environment.

(3) Subclause (1) does not apply to the point on a road at which a speed limit changes due to the operation of a variable speed limit.

(4) *See also* clause 8.1(1).

4.9 Variable speed limits

(1) The Agency (as RCA) or a territorial authority may set a variable speed limit only if it is satisfied that—

- (a) the speed limit needs to vary in order to be suitable for the road; and
- (b) a variable speed limit is necessary to address or manage one or more of the following:
 - (i) different numbers and types of road users or different traffic movements;
 - (ii) the effects of changing traffic volumes, including to ease congestion;
 - (iii) for emergency or temporary traffic management;
 - (iv) a crash risk posed by turning or crossing traffic;
 - (v) changing climatic conditions;
 - (vi) the presence of a school (*see also* Section 5);
 - (vii) the presence of a marae;
 - (viii) vehicles driving on a beach or riverbed.

(2) In any other case, the Agency (as RCA) or the territorial authority may set a variable speed limit only with the Director's approval.

Section 5 Speed limits around schools

5.1 Speed limits outside the school gate of category 1 schools

(1) A road controlling authority must set the speed limit for a road outside the school gate of a category 1 school as a variable speed limit where 30 km/h is the speed limit in force during school travel periods.

(2) However, a road controlling authority is not required to set a speed limit in accordance with subclause (1) if, immediately before the commencement of this Rule, the applicable speed limit for a road outside a school (which may be a section longer than the road outside the school gate) was a variable speed limit

where 30 km/h or 40 km/h was the speed limit in force during school travel periods.

- (3) Despite subclause (1), a road controlling authority may set the speed limit for a road outside the school gate of a category 1 school as a permanent speed limit of 30 km/h if that is also the speed limit for the section of road adjoining the section of road outside the school gate.

5.2 Speed limits outside the school gate of category 2 schools

- (1) A road controlling authority may designate a school as a category 2 school by stating the designation in the relevant plan (*see also* clause 3.9(2)(c)) or when seeking the Director's approval to set a speed limit for a road outside the school gate under clause 2.6.
- (2) A road controlling authority must set the speed limit for a road outside the school gate of a category 2 school as a variable speed limit where 60 km/h or less is the speed limit in force during school travel periods.
- (3) However, a road controlling authority is not required to set a speed limit in accordance with subclause (2) if, immediately before the commencement of this Rule, the applicable speed limit for a road outside a school (which may be a section longer than the road outside the school gate) was a variable speed limit where 60 km/h or less was the speed limit in force during school travel periods.
- (4) Despite subclause (2), a road controlling authority may set the speed limit for a road outside the school gate of a category 2 school as a permanent speed limit of 60 km/h or less if that is also the speed limit for the section of road adjoining the section of road outside the school gate.

5.3 Implementation of new speed limits around schools

A road controlling authority must use reasonable efforts to ensure that all roads under its control have speed limits that comply with Section 5 set by 31 December 2027.

Section 6 Speed limits for roads not under the control of the Agency (as RCA) or a territorial authority

6.1 Application of Section 6

In Section 6, **road controlling authority** means a road controlling authority other than the Agency (as RCA) or a territorial authority.

6.2 Requirements for setting speed limit under Section 6

(1) A speed limit set under Section 6 must—

- (a) be a permanent speed limit, a seasonal speed limit, or a variable speed limit; and
- (b) be one of the speed limits in clause 4.3(1)(a) to (j).

(2) Where a road controlling authority sets a variable speed limit under Section 6, the road controlling authority must (despite clause 4.4) comply with clause 4.9 as though references in that clause to “territorial authority” included the road controlling authority.

6.3 Process before setting speed limit under Section 6

(1) Before setting a speed limit under Section 6, the road controlling authority must be satisfied that the speed limit is suitable for the road, having regard to—

- (a) the function and use of the road; and
- (b) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders; and
- (c) the characteristics of the road and roadsides; and
- (d) adjacent land use; and
- (e) any other matter the road controlling authority considers relevant to public safety; and
- (f) any guidance and information developed and maintained by the Agency under clauses 3.14 and 3.15.

(2) Before setting a speed limit under Section 6, the road controlling authority must—

- (a) consult with—
 - (i) the Commissioner; and
 - (ii) the Agency; and
 - (iii) any other persons or groups that the road controlling authority considers to be directly affected by the proposed speed limit, allowing those persons or

groups a reasonable time to make written submissions on the proposal; and

- (b) take into account any feedback received.

6.4

Setting speed limit under Section 6

To avoid any doubt—

- (a) a speed limit under Section 6 is still set as described in clause 2.10 and the road controlling authority must comply with clause 2.11; and
- (b) a road controlling authority can also set a temporary speed limit for a road under its control in accordance with Section 7.

Section 7

Temporary speed limits

7.1

Requirement to consider setting, and criteria for setting, temporary speed limits

(1)

A road controlling authority—

- (a) must consider setting a temporary speed limit if, in the opinion of the road controlling authority, there is a risk of danger to a worker or the public, or a risk of damage to a road, due to—
 - (i) work occurring on or adjacent to a road that impacts the function of the road (including an ongoing work site outside of the hours of work); or
 - (ii) the presence of an unsafe road surface or structure; or
 - (iii) a special event; or
 - (iv) an emergency; and
- (b) may set a temporary speed limit if the road controlling authority considers that there is such a risk.

(2)

In this Rule, **work** includes—

- (a) work being actively undertaken on the surface of the road; and
- (b) construction or landscape maintenance works being actively undertaken on or adjacent to the road.

(3)

In this Rule, **special event** means an event held over a short and defined period which would involve a significantly different use

of a road, or affects the use of a road, to the extent that the speed limit in force may not be safe.

(4) In this Rule, **emergency** means a situation that—

- (a) is the result of any happening, whether natural or otherwise (including, without limitation, any explosion, earthquake, eruption, tsunami, land movement, flood, storm, tornado, cyclone, serious fire, leakage or spillage of any dangerous gas or substance, technological failure, infestation, plague, epidemic, failure of or disruption to an emergency service or a lifeline utility, or actual or imminent attack or warlike act); and
- (b) causes or may cause loss of life or injury or illness or distress or in any way endangers the safety of the public in any part of New Zealand.

7.2 How temporary speed limit is set, applies, and is removed

(1) A temporary speed limit for a road (other than an emergency speed limit) is set and comes into force by installing signs in accordance with Section 8 and a traffic management plan approved in writing by the road controlling authority.

(2) A temporary speed limit (including an emergency speed limit) must be—

- (a) one of the speed limits in clause 4.3(1)(a) to (h); and
- (b) at least 10 km/h less than any permanent speed limit, or seasonal speed limit or variable speed limit that would otherwise be in force, for the road.

(3) A temporary speed limit (other than an emergency speed limit)—

- (a) applies from the point on the road at which a temporary speed limit sign is installed to the point on the road at which a sign indicates that a different speed limit applies; and
- (b) applies from the time a temporary speed limit sign is installed; and
- (c) ceases to apply when the temporary speed limit signs are removed.

(4) A temporary speed limit may only apply for longer than 12 months if the Director provides approval under subclause (5).

- (5) The Director must give approval if they consider it is reasonable for the road controlling authority to consider a risk described in clause 7.1(1) remains in place in relation to the road (whether or not it is the same risk that led to the temporary speed limit first being put in place).
- (6) A road controlling authority that has set a temporary speed limit must take reasonably practicable steps so that the cause of the temporary speed limit is clear to a road user.
- (7) A person who is authorised to install a temporary speed limit sign in accordance with the traffic management plan in subclause (1)—
- (a) may remove a temporary speed limit sign; and
 - (b) must remove the temporary speed limit signs and equipment used to install or support the signs as soon as the person is satisfied that the reason for the temporary speed limit no longer applies.
- (8) When a road controlling authority is satisfied that a temporary speed limit for a road is no longer necessary, it must remove the temporary speed limit.
- (9) Where a land transport record exists for a temporary speed limit, when the temporary speed limit signs are removed the road controlling authority must submit to the Registrar the information required to remove the temporary speed limit from the register (*see* clause 2.11(3)).

7.3 Director or Commissioner may require removal of temporary speed limit

The Director or the Commissioner may, at any time, require the removal of a temporary speed limit and the removal of accompanying signs and equipment used to install or support the signs, if satisfied that—

- (a) the reason for the temporary speed limit no longer applies; or
- (b) the temporary speed limit is not suitable for the road in the circumstances for which the speed limit was set.

7.4 Setting a temporary speed limit due to work occurring on or adjacent to a road

- (1) Before setting a temporary speed limit due to work occurring on or adjacent to a road that impacts the function of the road

(including an ongoing work site outside of the hours of work), the road controlling authority must be satisfied that the speed limit is suitable for the road, having regard to—

- (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
- (b) the nature of the work; and
- (c) the nature and level of risk to persons working on or near the road; and
- (d) the nature and level of risk to the public.

(2) A temporary speed limit that is set due to work occurring on or adjacent to a road may apply for—

- (a) the period during which there is work occurring on or adjacent to a road that impacts the function of the road; or
- (b) specified times during the period in which there is work occurring on or adjacent to a road that impacts the function of the road.

7.5 Setting a temporary speed limit due to an unsafe road surface or structure

(1) Before setting a temporary speed limit due to the presence of an unsafe road surface or structure, the road controlling authority must be satisfied that the speed limit is suitable for the road, having regard to—

- (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
- (b) the nature of the unsafe road surface or structure; and
- (c) the nature and level of risk to the public.

(2) A temporary speed limit that is set due to the presence of an unsafe road surface or structure may apply for—

- (a) the period during which an unsafe road surface or structure is present; or
- (b) specified times during the period in which an unsafe road surface or structure is present.

7.6 Setting a temporary speed limit due to a special event

(1) Before setting a temporary speed limit due to a special event, the road controlling authority must be satisfied that the speed limit is suitable for the road, having regard to—

- (a) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
- (b) the nature of the special event; and
- (c) the nature and level of risk to the public.

(2) A temporary speed limit that is set due to a special event may apply for—

- (a) the period of the special event including any period of time before or after, and associated with, the event; or
- (b) specified times during the period of the special event.

Emergency speed limits

7.7 Setting a temporary speed limit due to an emergency

Before setting a temporary speed limit due to an emergency, the road controlling authority must be satisfied that the speed limit is suitable for the road, having regard to—

- (a) the circumstances of the emergency; and
- (b) the numbers and types of road users, including pedestrians, cyclists, motorcyclists, and moped riders, that use the road; and
- (c) the needs of any community affected by the emergency; and
- (d) the nature and level of risk to the public; and
- (e) any other measures taken to reduce hazards and risks.

7.8 Process for setting an emergency speed limit

Where a road controlling authority sets an emergency speed limit, the road controlling authority must—

- (a) record in writing the reasons why it was satisfied that setting an emergency speed limit was necessary; and
- (b) to avoid any doubt, comply with clauses 2.10 and 2.11.

7.9

How emergency speed limit is removed

When a road controlling authority is satisfied that an emergency speed limit for a road is no longer necessary, it must—

- (a) decide to remove the emergency speed limit; and
- (b) submit required information to the Registrar (*see* clause 2.11(3)).

Section 8

Signs

8.1

Requirement to provide signs at, or near, point where speed limit changes

- (1) A road controlling authority must install a speed limit sign on the left-hand side of a road under its control at or near, and not more than 20 m from, the point on the road where a speed limit changes.
- (2) If the estimated two-way annual-average daily traffic at the point where a speed limit changes exceeds 500 vehicles, the road controlling authority must also install a speed limit sign on the right-hand side of the road, or on the central median where appropriate, at or near, and no more than 20 m from, that point (except in the case where the speed limit is a variable speed limit and an electronic variable speed limit sign has been installed).
- (3) Subclauses (1) and (2) do not apply to speed limits on beaches or riverbeds (but, to avoid any doubt, clause 2.12(b) still applies).
- (4) If a road user might not easily see, or readily understand or react to, a sign that is installed within 20 m of the point on the road where a speed limit changes, a road controlling authority may, despite subclauses (1) and (2), install speed limit signs more than 20 m, but as close to it as reasonably practicable, from that point.
- (5) A speed limit sign may be installed otherwise than as required by subclause (1) if—
 - (a) authorised under this Rule or any other legislation; or
 - (b) a road user might not easily see, or readily understand or react to, a sign that is installed on the left-hand side of the road; or
 - (c) the sign would be more effective if installed above a lane.

- (6) A speed limit sign may be installed otherwise than as required by subclause (2) if the sign would be more effective if installed above a lane.

8.2 Requirement to provide speed limit signs

- (1) A road controlling authority must install speed limit signs where they will be easily seen by road users and to which road users may readily react.
- (2) When installing speed limit signs, a road controlling authority must have regard to the Agency's guidance on maximum lengths between speed limit signs.
- (3) Subclause (2) does not apply to speed limits on beaches or riverbeds (but, to avoid any doubt, clause 2.12(b) still applies).

8.3 Specific requirements for permanent, seasonal and variable speed limit signs

- (1) For a permanent speed limit, a seasonal speed limit or a variable speed limit, the speed limit shown on the associated signs installed by the road controlling authority must not be visible to road users until the speed limit comes into force.
- (2) For a seasonal speed limit, a road controlling authority must ensure that, at any given time, the speed limit on the associated signs installed by the road controlling authority show the speed limit that is in force at that time under the seasonal speed limit.

8.4 Agency may direct road controlling authority to install, modify, or remove signage

The Agency may direct a road controlling authority to install, modify, or remove a speed limit sign to comply with this Rule.

Section 9 Review of speed limits by Agency

9.1 Agency's powers to monitor and direct a road controlling authority and to set, change or modify a speed limit

- (1) The Agency may monitor road controlling authorities and regional transport committees for compliance with this Rule.
- (2) The Agency must notify a road controlling authority in writing if it has reason to believe that the road controlling authority might not have complied with this Rule, and give the road controlling authority a reasonable opportunity to respond to the notification.

- (3) If the Agency is not satisfied by a road controlling authority's response to the notice under subclause (2), the Agency may issue directions to the road controlling authority regarding matters to be addressed.
- (4) If the Agency reasonably believes that a road controlling authority has not complied with this Rule in setting a speed limit, or proposing to change a speed limit, or that a speed limit set by a road controlling authority does not comply with this Rule, the Agency may direct the road controlling authority to do the following:
 - (a) set the speed limit in accordance with the Agency's directions;
 - (b) review or change the procedures used by the road controlling authority to set speed limits or to propose to change speed limits to comply with this Rule;
 - (c) carry out the instructions in paragraph (a) and (b) within a stated period.
- (5) A road controlling authority must comply with directions given by the Agency under clause 9.1(3) or 9.1(4), or 8.4, or with the requirements of the Agency or the Commissioner under clause 7.3.
- (6) If a road controlling authority does not comply with directions given under clause 9.1(3), 9.1(4), or 8.4, or the requirements of the Agency or the Commissioner under clause 7.3, the Agency may exercise the power of the road controlling authority to set the speed limit under this Rule.

9.2 Ability to change speed limit where Agency has previously directed change to speed limit

If the Agency has given a direction under clause 9.1(4) to set a speed limit or exercised the powers of a road controlling authority to set a speed limit under clause 9.1(6), a road controlling authority may not change the speed limit from the speed limit directed or set by the Agency in the 3 years following the direction or setting, unless it has the Agency's approval.

Section 10 Revocation, transitional provisions, and consequential amendments

10.1**2022 Rule revoked**

Land Transport Rule: Setting of Speed Limits 2022 is revoked.

10.2**Status of speed management plans prepared in accordance with the Land Transport Rule: Setting of Speed Limits 2022****(1)**

The Director is not required to certify a draft speed management plan that has been submitted to the Director for certification under the Land Transport Rule: Setting of Speed Limits 2022 after the date on which this Rule comes into force.

(2)

To avoid any doubt, any step taken in the development of any existing draft State highway, regional or territorial authority speed management plans (including certification) after the date this Rule comes into force does not have legal effect.

10.3**Retention of information developed under the 2022 Rule****(1)**

Despite clause 10.1, the details of a speed limit that is in force immediately before the commencement of this Rule (including any applicable speed management plan) that has been superseded by a new speed limit set in accordance with this Rule must be retained by the Agency (as RCA), a regional transport committee or a territorial authority (as the case may be) for a period of at least seven years from the date on which the new speed limit came into force.

(2)

Despite clause 10.1, any conditions specified by the Agency by *Gazette* notice under clause 4.6 of the Land Transport Rule: Setting of Speed Limits 2017, or under clause 4.4(2)(a) of the Land Transport Rule: Setting of Speed Limits 2022, in relation to a speed limit of 110 km/h continue to apply to the speed limit.

10.4**Transitional provisions**

Despite anything else in this Rule, the provisions of Schedule 3 apply according to their terms.

10.5**Amendments to Land Transport Rule: Traffic Control Devices 2004****(1)**

[Placeholder for any consequential amendments.]

Schedule 1
Road lengths for speed limits

Ref: clause 4.6

Speed limit (km/h)	Minimum length (m)
40	300
50	500
60	500
70	700
80	800
90	2000
100	2000
110	3000

Schedule 2

Speed management committee

Ref: clause 3.18(4)

Section 11 Speed management committee

11.1 Appointment of members

- (1) An appointment of a member to the speed management committee must be made by written notice to the member (with a copy to the committee).
- (2) The notice must—
 - (a) state the date on which the appointment takes effect which must not be earlier than the date on which the notice is received; and
 - (b) state the term of the appointment.
- (3) The Minister may only appoint a person who, in the Minister's opinion, has—
 - (a) the appropriate knowledge, skills, and experience in relation to speed management and road safety; or
 - (b) the appropriate knowledge, skills, and understanding of the impacts of speed management on local government, motorists, rural communities, vulnerable road users, freight carriers or enforcement matters; or
 - (c) has other appropriate knowledge, skills, and experience to assist the committee to achieve its purposes, perform its functions and duties, and exercise its powers.
- (4) A person is disqualified from being a member of the committee if they would be disqualified from being a member of a statutory entity under [section 30\(2\)](#) of the Crown Entities Act 2004.

11.2 Requirements before appointment

- (1) Before a person is appointed as a member of the committee, the person must—
 - (a) consent in writing to being a member; and
 - (b) certify that they are not disqualified from being a member (*see* clause 11.1(4)); and
 - (c) make a disclosure required by [section 96B](#) of the Land Transport Management Act 2003 (and for that purpose the relevant person is the Minister).

- (2) The committee must notify the Minister of a failure to comply with subclause (1)(c) as soon as practicable after becoming aware of the failure.

11.3 Chairperson and deputy chairperson of committee

Clauses 1 to 5 of [Schedule 5](#) of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications.

11.4 Procedure of committee

Clauses 6 to 14 of [Schedule 5](#) of the Crown Entities Act 2004 apply as if the committee were a board of a Crown agent and with all other necessary modifications.

11.5 Certain provisions of Crown Entities Act 2004 apply to committee and its members

- (1) The following provisions of the [Crown Entities Act 2004](#) apply as if the committee were a board of a Crown agent and with all other necessary modifications:
- (a) section 32 (which relates to the term of office of members):
 - (b) section 34 (which relates to the validity of members' acts):
 - (c) section 35 (which relates to the validity of appointment of members):
 - (d) section 36(1) to (3) (which relates to the removal of members):
 - (e) section 41(a) and (b) (which relates to the process for removal of members):
 - (f) section 44 (which relates to the resignation of members):
 - (g) section 45 (which relates to members ceasing to hold office).
- (2) Clause 15 of [Schedule 5](#) of the Crown Entities Act 2004 applies as if the committee were a committee appointed under clause 14 of that Schedule and with all other necessary modifications.

11.6 Current members of committee continue in office

- (1) A person who, immediately before the commencement of this Rule, held office as a member of the speed management committee continues to hold that office.
- (2) The term of office of a person mentioned in subclause (1) expires on the date on which it would have expired if this Rule had not been made.

- (3) Nothing in subclause (2) limits the ability under clause 11.5 to remove a member from office.

Schedule 3

Transitional provisions

Ref: clause 10.4

Section 12 Transitional provisions

12.1 Interpretation

(1) In this Schedule 3, unless the context otherwise requires,—

amended speed limit, in relation to a specified road, means the most recent permanent speed limit that has been set for that road before the commencement of this Rule:

previous speed limit, in relation to a specified road, means the speed limit that was in force for that road on 31 December 2019:

public acceptance, in relation to an amended speed limit, means public support for the amended speed limit as ascertained through a public consultation process that meets the requirements in clause 3.10, with any necessary modifications and undertaken after the commencement of this rule:

specified road—

(a) means a road that is a local street for which the Agency (as RCA) or the territorial authority set a permanent speed limit of 30 km/h on or after 1 January 2020 because there is a school in the area; or

(b) means a road -

(i) that is an urban connector or an interregional connector (as those classes of road are described in Schedule 4); and

(ii) for which the Agency (as RCA) or a territorial authority set a permanent speed limit on or after 1 January 2020; and

(iii) for which the previous speed limit is higher than the amended speed limit:

reversal date means 1 July 2025.

12.2 Agency (as RCA) and territorial authorities to provide certain information on specified roads to the Director

(1) As soon as practicable after the commencement of this Rule, the Agency (as RCA) and each territorial authority must—

(a) identify all specified roads within their control; and

- (b) provide to the Director a list of the specified roads within their control that includes, in respect of each specified road, its previous speed limit and its amended speed limit.
- (2) On or before 3 March 2025, the Agency (as RCA) may give written notice to the Director if it wishes, in respect of any specified road within its control, to retain the amended speed limit for that road.
- (3) The Agency (as RCA) may give a notice under subclause (2) only if—
- (a) the road is an interregional connector (as that class of road is described in Schedule 4); and
 - (b) the Agency (as RCA) is satisfied that there is public acceptance for the amended speed limit for that road; and
 - (c) the Agency (as RCA) certifies to the Director, in that notice, that it is so satisfied.
- (4) On or before 3 March 2025, the Agency (as RCA) and a territorial authority must give written notice to the Director, in respect of any specified road within its control that is a local street and that is a road outside the school gate, to change the speed limit for that road to a variable speed limit where 30 km/h is the speed limit in force during school travel periods.
- (5) On or before 3 March 2025, the Agency (as RCA) and a territorial authority must give written notice to the Director, in respect of any specified road within its control that is a local street and that is not a road outside the school gate, to change the speed limit for that road to the previous speed limit.

12.3 When amended speed limits or new variable speed limits for specified roads must be certified

- (1) If the Director receives a notice under clause 12.2(2), (4) or (5) in respect of a specified road, the Director must,
- (a) before 1 May 2025, certify the amended speed limit (in the case of a notice under clause 12.2(2)) or the new speed limit (in the case of a notice under clause 12.2(4) or (5)), and provide a certificate to that effect; and
 - (b) set a new speed limit for that road where—
 - (ii) in the case of a notice under clause 12.2(4), the speed limit for that road is a variable

- speed limit where 30 km/h is the speed limit in force during school travel periods; and
- (iii) in the case of a notice under clause 12.2(5), the speed limit for that road is the previous speed limit; and
- (c) submit to the Registrar the information required under section 200L of the Act.

(2) The new speed limit under subclause (1) must come into force on a date on or after 1 May 2025 and no later than the reversal date.

12.4 When amended speed limits for specified roads must be reversed

- (1) If no speed limit has been certified under clause 12.3(1)(a) in respect of a specified road, the Director must, before 1 May 2025, reverse the amended speed limit for that road by—
 - (a) setting a permanent speed limit for that road that is the same as the previous speed limit; and
 - (b) providing a certificate to that effect.
- (2) If the Director reverses an amended speed limit under subclause (1)—
 - (a) the new permanent speed limit must come into force on a date on or after 1 May 2025 and no later than the reversal date; and
 - (b) the Director must submit to the Registrar the information required under section 200L of the Act.
- (3) For the purpose of subclause (2)(b), references in regulations 6 to 8 of the Land Transport (Register of Land Transport Records—Speed Limits Regulations) 2022 to the “road controlling authority” must be treated as though they referred to the Director.

12.5 Speed limits for specified roads may not otherwise be set before reversal date

The Agency (as RCA) and each territorial authority may not set a speed limit for a specified road before the close of the reversal date.

Schedule 4

Speed limits for different classes of road

Ref: clause 4.5

Section 13 Speed limits for different classes of road

13.1 Definitions for speed limit classifications

In this Schedule 4, **high risk crash types** means crash types that are most likely to result in death and serious injury.

13.2 Speed limits for different classes of road

For the purposes of clause 4.5—

- (a) each class of road is set out in column 2 of Tables 1 to 3; and
- (b) the permitted speed limit, or permitted range of speed limits, for each class of road are set out in column 4 of Tables 1 to 3.

Table 1
Urban street classifications

Number	Class of road	Description	Speed Limit
1	Urban streets	Residential and neighbourhood streets, and streets that provide access to and support businesses, shops, on-street activity and services.	50 km/h
2	Civic spaces	Streets mainly intended for localised on-street activity with little or no through movement	10 – 20 km/h
3	Urban connectors	Streets that provide for the movement of people and goods between different parts of urban areas, with low levels of interaction between the adjacent land use and the street	50 – 80 km/h
4	Urban transit corridors	Urban motorways and corridors that provide for movement of people and goods within an urban environment	80 – 100 km/h

Table 2
Rural street classifications

Number	Class of road	Description	Speed Limit
5	Peri-urban roads	Roads that primarily provide access from residential property on the urban fringe, where the predominant adjacent land use is residential, but usually at a lower density than in urban residential locations	50 – 80 km/h
6	Stopping places	Rural destinations that increase activity on the roadside and directly uses the road for access	50 – 80 km/h
7	Rural roads	Roads that primarily provide access to rural land for people who live there and support the land-use activity being undertaken	80 – 100 km/h
8	Rural connectors	Roads that provide a link between rural roads and interregional connectors	80 – 100 km/h
9	Interregional connectors	Roads that provide for movement of people and goods between regions and strategic centres in a rural context.	100 km/h
10	Expressway	State highways that are median divided, with two or more traffic lanes in each direction, grade separated intersections, access controlled, with a straight or curved alignment.	100-110km/h

Table 3
Exceptions to Tables 1 and 2

Number	Class of road	Description	Speed Limit
11	Beaches	Beaches to which the public have access	10 – 60 km/h
12	Unconventional, low-volume or low speed road types	Parking areas, beach access points, riverbeds, cultural and recreational reserve or similar	10 – 30 km/h

13	Unsealed roads	Roads that are unsealed	60 – 80 km/h
14	Urban streets with significant levels of pedestrian and/or cycling activity	Main streets, residential and neighbourhood streets with significant levels of pedestrian and/or cycling activity	40 km/h
15	Urban intersection speed zone	Can be variable or permanent speed limit to address high risk crash types at an intersection	30 – 40 km/h
16	Rural intersection speed zone	Can be variable or permanent speed limit to address high risk crash types at an intersection	60 – 70 km/h
17	Mountainous or hill corridors	Roads where the alignment is tortuous	60 – 80 km/h