

INTRODUCTION

This document explains the purpose and intent of the draft *Land Transport Rule: Setting of Speed Limits 2024* (the draft Rule) that, once finalised, will replace the *Land Transport Rule: Setting of Speed Limits 2022* (the 2022 Rule).

Consultation gives the people and organisations affected by the changes an opportunity to present their views and will help ensure the new Rule is sound, robust and implementable.

We welcome your comments on the proposed changes set out in these documents. Please use the consultation questions to guide your feedback. In particular, we welcome your thoughts on:

- implementation or compliance issues that should be considered;
- costs associated with implementing the proposals;
- any unintended impacts that could arise.

Sending your submission

You can fill out the online survey included in this page or you can email your submission to speedrule@transport.govt.nz.

Your submission may be shared with the New Zealand Transport Agency

The Ministry of Transport may share your submission and identifying information with the New Zealand Transport Agency (NZTA) for submissions analysis purposes.

We may use an artificial intelligence tool to help us analyse submissions

We may use an AI tool to help us analyse submissions. We will take steps to avoid inputting personal information into any AI tool that is outside our network.

Your submission is public information

Please note your submission may become publicly available. The Ministry of Transport may publish any information you submit and may identify you as the submitter should it publish your submission. Therefore, **please clearly indicate if your comments are commercially sensitive or should not be disclosed for another reason, or the reason why you should not be identified as the submitter**. Any request for non-disclosure will be considered under the Official Information Act 1982.

PROCESS FOR MAKING RULE CHANGES

Land Transport rules are secondary legislation made under the *Land Transport Act 1998* (the Act).

The Act provides the Minister of Transport the power to make ordinary rules covering a range of land transport issues. The Minister may make rules to achieve a range of outcomes, including, but not limited to:

- Assisting economic development
- Safeguarding and improving land transport safety and security
- Improving access and mobility
- Protecting and promoting public health.

The Act also enables land transport rules to set, or provide for the setting of, speed limits for roads. Rules can empower or require road controlling authorities (RCAs) to set speed limits, and set out the criteria, requirements and procedures to be complied with by an RCA when doing so.

Compliance with rules is required because they form part of New Zealand transport law.

The Ministry is undertaking this consultation on behalf of the Minister and will analyse submissions received before making recommendations to the Minister on the final version of the Rule. The Ministry may involve NZTA in analysing submissions and making final recommendations to the Minister. The Minister will then sign the new Rule.

Matters the Minister must have regard to when making rules

The Act sets out the matters the Minister must have regard to when making a rule (in section 164(2)). In summary, these are:

- Nature of the proposed activity or service for which the rule is being established
- The level of risk existing to land transport safety in general in New Zealand
- The need to maintain and improve land transport safety and security
- Appropriate management of infrastructure, including (but not limited to):
 - the impact of vehicles on infrastructure
 - whether the costs of the use of the infrastructure are greater than the economic value of the infrastructure
- Whether a proposed rule:
 - assists economic development
 - improves access and mobility
 - protects and promotes public health
 - ensures environmental sustainability
- Costs of implementing the proposed changes
- New Zealand's international obligations concerning land transport safety

Having regard to those matters for the proposed Land Transport Rule.

Proposed activity or service

The draft Rule sets out criteria, requirements and procedures to be followed by RCAs when reviewing and setting speed limits for roads within their respective jurisdictions.

Risks to land transport safety

Under the draft Rule, speed limit reductions introduced since 1 January 2020 on local streets will be reversed. These will be replaced with variable 30 km/h speed limits outside school gates during drop-off and pick-up times to slow down traffic as children enter or leave school. Speed limit reductions made since that date on arterial roads will be reversed. Speed limit reductions on rural State highways since that date will also be reversed, unless there is demonstrated public support to keep the lower speed.

Reversing certain types of reduced speed limits may result in higher average operating speeds. The level of impact on land transport safety that could result from increased operating speeds is difficult to quantify due to uncertainty about which roads will have speed limits increased and what impact those speed limit increases will have on operating speeds. Operating speeds are dictated by a range of factors, including the posted speed limit, congestion and engineering of the road.

The proposal to require variable speed limits outside school gates is intended to improve safety outcomes for young New Zealanders by reducing operating speeds when children are arriving at or leaving school. The impact on land transport safety outside schools is difficult to quantify.

Appropriate management of infrastructure

The draft Rule will impact on the management of infrastructure. At a minimum, speed limit changes will require changes to signage. The draft Rule and subsequent speed limit changes may also result in wider engineering changes to accommodate new speed limits (either higher or lower) depending on decisions taken by RCAs.

Assists economic development

The draft Rule may lead to some economic benefits in reducing travel times.¹

The draft Rule may result in decreased vehicle operating costs on some stretches of road.

Improves access and mobility

Increasing speed limits may impact people's transport choice and access.

Increasing speed limits may improve access where it results in increased operating speeds and reduced travel times. As noted above, whether operating speeds increase is dependent on a number of factors. The exact impacts are difficult to quantify.

Protects and promotes public health

Where speed limits are increased, operating speeds may increase (depending on congestion and other factors). Increased operating speed may increase noise pollution. The exact impacts are difficult to quantify.

The proposal to require variable speed limits outside school gates is intended to improve safety outcomes for young New Zealanders by reducing operating speeds when children are arriving at or leaving school. The impact on public health from this proposal is difficult to quantify.

¹ See, for example, Rowland and McLeod (2017), Time and fuel effects of different travel speeds, available at <https://www.nzta.govt.nz/assets/resources/research/reports/582/RR-582-Time-and-fuel-effects-of-different-travel-speeds.pdf>

Ensures environmental sustainability

The New Zealand Emissions Trading Scheme (ETS) is the Government's key tool to reduce emissions. All emissions from the transport sector must be offset through the purchase of emissions units in the ETS.

Costs of implementing the proposed changes

There will be implementation costs to RCAs, for example, in undertaking cost benefit analysis and implementing speed limit changes. Funding decisions to cover the costs of implementation or part of the costs will be taken by NZTA as part of the National Land Transport Programme processes. Any remaining costs will fall on local RCAs.

International considerations

The new Rule will have no direct impact on our international circumstances or obligations in respect of land transport safety.

OVERVIEW OF THE DRAFT RULE

The draft Rule gives effect to the Government’s objectives

The draft Rule implements the next step in delivering on the Government’s commitment to stop and reverse the previous government’s blanket speed limit reductions by replacing the *Land Transport Rule: Setting of Speed Limits 2022* (the 2022 Rule).

The Minister of Transport has signalled the Government’s vision for a land transport system that boosts productivity and economic growth and allows New Zealanders to get to where they want to go, quickly and safely. The draft Rule proposes a more balanced approach to setting speed limits to ensure economic impacts and the views of local communities and road users are considered alongside safety. It enables a targeted approach to reducing speed limits that focuses on high crash areas and public acceptability. The draft Rule also proposes to require reduced variable speed limits outside all school gates during drop-off and pick-up times, and will enable speed limits on expressways to be set at 110km/h more easily.

The draft Rule retains aspects of the existing framework

Speed management plans are retained but with some amendments.

RCAs may develop speed management plans for speed limit changes in line with the requirements of the draft Rule. Plans can also include information about safety infrastructure treatments and speed cameras.

Speed management plans provide a mechanism for identifying and consulting on proposed speed limit changes as a package rather than making ad hoc proposals on an ongoing basis. This improves efficiency and provides more predictability for planning and funding purposes. However, the draft Rule does not require RCAs to include a 10-year vision or take a whole-of-network approach as required under the 2022 Rule. Rather, it proposes that analysis of speed limit changes will need to be undertaken road by road. It also moves away from mandating the production of speed management plans on a regular cycle, and makes plans voluntary for RCAs.

The draft Rule retains the alternative method for setting speed limits outside the speed management plan process with the Director of Land Transport’s (the Director) approval. RCAs can use the alternative method to set speed limits on new roads or to respond to changes on the network (such as the installation of a roundabout) that cannot wait until the next speed management plan, or if the RCA does not have a speed management plan. RCAs using the alternative method will need to meet some new requirements. In particular, RCAs must undertake a cost-benefit analysis of the proposed new speed limit, and set the speed limit using the new speed limit classifications. The process for setting temporary speed limits is retained.

The draft Rule retains the process for non territorial authority RCAs (for example, an airport authority or the Department of Conservation) to set speed limits. These RCAs will follow the same process as set out in Section 6 of the 2022 Rule.

The process for entering speed limits into the Register of Land Transport Records is proposed to stay the same. The Register will continue to give effect to all permanent, variable, emergency and seasonal speed limits.

The process for certifying speed management plans remains largely unchanged.

Speed management plans will continue to be certified by the Director. If an RCA chooses to develop a speed management plan, when submitting it for certification, it will be required to confirm that the relevant requirements of the Rule have been met. If the Director is satisfied the plan meets the requirements set out in the Rule, they must certify the plan. If the Director is not satisfied, they

must refer it back to the RCA with reasons for the plan not meeting the requirements. There are proposed updates to the information RCAs must provide to the Director when submitting plans for certification (see proposal 6).

The draft Rule retains the definitions and process for determining school categories 1 and 2

Most schools will be category 1 and be required to implement variable 30km/h zones outside their gates (see proposal 3). RCAs can designate a school as category 2 in their speed management plans or through the alternative method. Category 2 schools can have a variable speed limit of between 40km/h and 60km/h.

DRAFT SETTING OF SPEED LIMITS RULE

Proposal 1 – require cost benefit analysis for speed limit changes

The draft Rule requires RCAs to undertake cost benefit analysis (CBA) when consulting on proposed speed limit changes.

The proposed changes will ensure economic impacts are considered alongside safety and road user and local community views when changing speed limits.

CBA helps ensure that decision-makers are well informed about how decisions impact on people and supports good evidence-based decision-making. A CBA is primarily about organising available information in a logical and methodical way to evaluate the economic impacts. Under the draft Rule, the CBA forms part of the evidence base RCAs use to make decisions on proposed speed limit changes.

The draft Rule proposes that RCAs must undertake CBA for each road and consider the following impacts:

- Safety (including changes in the number and severity of crashes); and
- Travel time (including changes in mean operating speed); and
- Implementation costs (including planning, road signs and markings, installation costs, overheads, consultation and administration costs).

Benefits include any positive impacts attributable to the proposed speed limit changes (for example, reduced travel times and reduced number and severity of crashes). Costs include any negative impacts attributable to the change (for example, increased travel times and increased number and severity of crashes) and implementation costs. To calculate the benefit cost ratio, benefits are divided by the costs. The approach *would not* enable negative impacts like increased travel times to be treated as a disbenefit for the purposes of calculating any benefit cost ratio.

To simplify the approach for RCAs, the CBA requirements focus on the more limited range of impacts outlined above.

NZTA guidance will provide more information on how to undertake CBA.

CBA will be required when proposing future speed limit changes (see proposal 4). It will not be required when setting variable speed limits outside school gates (see proposal 3).

The Ministry and NZTA are continuing to test the way CBA requirements are applied through sensitivity analysis. This will be considered alongside submission feedback to provide final recommendations on the Rule.

Questions

Do you have any comments on the above proposals?

Proposal 2 – strengthen consultation requirements

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

The 2022 Rule requires RCAs that are territorial authorities (city and district councils) to follow the consultation principles set out in the *Local Government Act 2002*. NZTA (RCA for the State highways) is required to publish the draft State highway speed management plan on its website and give at least four weeks for interested parties to make written submissions.

The intent of *Local Government Act 2002* consultation requirements is retained in the draft Rule, with some additions. To ensure NZTA follows the same process for proposed changes on State highways, the draft Rule extends the requirements to NZTA.

The draft Rule proposes that all RCAs follow the same consultation requirements, that is, they must:

- Use reasonable efforts to consult with persons that use the road for which a speed limit change is proposed, freight users, local communities, businesses and schools surrounding the impacted area, and local government (for example, neighbouring RCAs).
- Publish the draft speed management plan and cost benefit analysis on a website and give at least four weeks for any interested party to make a submission.
- Following consultation, publish a summary of submissions and include an explanation of how feedback was taken into account in the final speed limit changes.

Proposed speed limit changes on each road must be presented separately in consultation to allow for consultation feedback on each road that is changing.

Strengthening the current consultation requirements will increase transparency by requiring RCAs to explain how they considered feedback.

Questions

Do you have any comments on the above proposals?

Proposal 3 – require variable speed limits outside school gates

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

The draft Rule defines *outside a school gate* as a stretch of road immediately adjacent to a gate or other access used by students to enter or leave the school, measuring:

- 300 metres for category 1 schools
- 600 metres for category 2 schools.

RCAs will work with schools to identify eligible school gates. Schools will have many different examples of gates or access points, and not all will need to be treated. However, if the gate is adjacent to a road and is used by children entering and leaving school, it should be included.

The proposed lengths are based on the minimum road length for speed limits outlined in the schedule and are total length (not 300 metres either side of a gate). These lengths will not work for every road outside a school gate and the Rule allows for variation to meet specific circumstances.

The draft Rule defines school travel periods as 8-9.30am and 2.30-4pm on school days.

During these times, the speed limit will be 30km/h for category 1 schools and between 40km/h and 60km/h for category 2 schools. At all other times the speed limit will be the posted limit.

Variable speed limits already implemented around schools, even if they do not meet the new definition of *outside the school gate*, can remain. However, permanent speed limit reductions already implemented around schools will need to meet the new requirements. This is discussed further in proposal 7.

The proposed deadline for all roads to meet the new variable speed limits outside school gates requirement is 31 December 2027.

The *Land Transport Rule: Traffic Control Devices 2004* (TCD Rule) describes the requirements for road signage and markings. When implementing variable speed limits, the TCD Rule requires electronic variable speed limit signs to be installed on the main road. The current static variable speed limit signs can only be used on give way- or stop sign-controlled side roads adjacent to the main road. This is due to the size of the font on the static sign and legibility requirements.

Electronic variable signs cost more than static signs and incur ongoing maintenance costs. To enable a more cost-effective solution, we are seeking feedback on amending the TCD Rule and the *Land Transport (Road User) Rule 2004* to allow static variable speed limit signs on main roads during default school travel times.

The proposed amendment to the TCD Rule would allow static variable speed limit signs on main roads. We propose the existing sign could be used in urban areas and larger static signs would be required in rural areas with higher speeds. Electronic signs would continue to be an option in all environments.

We are also proposing to amend the Road User Rule to introduce default variable speed limit times. The default school travel periods would be reflected in the Road Code and drivers would be expected to be familiar with them and know to slow down around schools during travel periods.

Once finalised, the new Rule will be widely communicated by NZTA to increase public awareness and understanding of the requirements, including the default variable speed limit times.

The requirement in clause 5.3(3) of the 2022 Rule to review speed limits for category 2 schools in the next speed management plan is proposed to be revoked – if a road outside a category 2 school has a variable speed limit this can remain.

Questions

Do you have any comments on the above proposals?

Proposal 4 – introduce a Ministerial Speed Objective

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

The draft Rule proposes to introduce a Ministerial Speed Objective as a tool which allows the Minister of Transport to set out the Government’s expectations for speed management. Through the Objective, the Minister can signal the pace, scale and focus of change they expect RCAs to work to. The Objective could include types of roads, percentage of the roading network, or other criteria RCAs should focus on.

RCAs must have regard to the Objective when proposing any speed limit changes and include an explanation in their speed management plan as to how the RCA has had regard to the Objective in developing the speed management plan.

Questions

Do you have any comments on the above proposals?

Proposal 5 – changes to speed limits classifications

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

The draft Rule proposes to introduce a binding schedule of speed limit classifications that specify speed limits available for each road type. When making speed limit changes, RCAs will need to align the proposed speed limit with the schedule of classifications. There will be limited exceptions to this. NZTA guidance will include information on exceptions and criteria for choosing a speed limit from within any range in the classification.

The schedule moves back to more standardised speed limits in urban areas (50 km/h) and interregional connectors (100 km/h). The exceptions enable variation in certain instances to improve road safety outcomes.

The intent of the draft Rule is to make it easier to set 110km/h speed limits by removing the Director’s approval process on roads that are built and maintained to support that speed limit.

Table of speed limit classifications

Urban streets	Class of road	Description	Current guidance	Proposed speed limit
	Urban streets	Residential and neighbourhood streets, and streets that provide access to and support businesses, shops, on-street activity and services.	30 – 40 km/h	50 km/h
	Civic spaces	Streets mainly intended for localised on-street activity with little or no through movement.	10 – 20 km/h	10 – 20 km/h
	Urban connectors	Streets that provide for the movement of people and goods between different parts of urban areas, with low levels of interaction	40 – 60km/h	50 – 80 km/h

		between the adjacent land use and the street.		
	Urban transit corridors	Urban motorways and corridors that provide for movement of people and goods within an urban environment.	80 – 100 km/h	80 – 100 km/h
Rural roads	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 areas.	50 – 80 km/h	50 – 80 km/h
	Stopping places	Rural destinations that increase activity on the roadside and directly uses the road for access	40 – 80 km/h	50 – 80 km/h
	Rural roads	Roads that primarily provide access to rural land for people who live there and support the land-use activity being undertaken.	60 – 80 km/h	80 – 100 km/h
	Rural connectors	Roads providing a link between rural roads and interregional connectors.	60 – 100 km/h	80 – 100 km/h
	Interregional connectors	Roads that provide for movement of people and goods between regions and strategic centres in a rural context.	60 – 110 km/h	100 km/h
	Expressways	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	N/A	100-110 km/h

Exceptions to the table of classifications

Class of road	Description	Proposed speed limit
Beaches	Beaches to which the public have access	10 – 60 km/h
Unconventional, low-volume or low speed road types	Parking areas, beach access points, riverbeds, cultural and recreational reserve or similar.	10 – 30 km/h
Unsealed roads	Roads that are unsealed	60 – 80 km/h
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
Urban intersection speed zone	Can be variable or permanent speed limit to address high risk crash types at an intersection	30 – 40 km/h
Rural intersection speed zone	Can be variable or permanent speed limit to address high risk crash types at an intersection	60 – 70 km/h
Mountainous or hill corridors	Roads where the alignment is tortuous	60 – 80 km/h

Questions

Do you have any comments on the above proposals?

Proposal 6 - update the Director's criteria for assessing speed management plans for certification

The draft Rule proposes to update the criteria RCAs must meet when submitting speed management plans for certification.

Under the draft Rule, RCAs submit their plans to the Director and must confirm they have met the following:

- consultation requirements (including publishing a summary of submissions and how that feedback was taken into account)
- cost benefit analysis requirements
- speed limits have been set in accordance with the speed limit classifications
- speed limit requirements outside schools in accordance with the new Rule
- has regard to any Ministerial Speed Objective.

If the Director is satisfied the RCA has met the requirements, they must certify the plan. If they are not satisfied, they must refer the plan to the RCA with recommendations for how to meet the requirements. The RCA must have regard to those recommendations before resubmitting the plan.

The Director will check the RCA has confirmed it has completed all steps required by the Rule, but will not have a role to re-evaluate decisions of the RCA.

Questions

Do you have any comments on the above proposals?

Proposal 7 – reverse recent speed limit reductions

The draft Rule proposes that certain speed limits reduced since 1 January 2020 will be reversed by 1 July 2025

The draft Rule proposes to require speed limits reduced since 1 January 2020 to be reversed on the following roads:

- local streets with widespread 30km/h speed limits surrounding a school
- arterial roads (urban connectors)
- Rural State highways (interregional connectors)

30km/h zones surrounding schools

The 2022 Rule allows permanent 30km/h speed limits around schools. This has resulted in some cases of whole areas reduced to 30km/h because there is a school in the area. The draft Rule removes the ability for permanent speed limit reductions around schools and RCAs will need to meet the proposed requirements of variable speed limits outside school gates (see proposal 3).

The streets surrounding the school will need to reverse to their previous speed limit, and introduce variable speed limits on the stretch of road outside school gates, by 1 July 2025.

Arterial roads

Arterial roads or urban connectors are primarily designed for the efficient movement of people and goods between different parts of urban areas, with little interaction between the adjacent land use and the street.

The draft Rule proposes to reverse speed limits reduced on arterial roads since 1 January 2020.

Rural State highways

The draft rule proposes to reverse speed limits reduced on rural State highways since 1 January 2020 unless NZTA (as RCA) can demonstrate public support for the lower speed limit on all or part of the route. If NZTA can demonstrate public support for lower speed limits on part of the State highway (for example, windy, hilly sections), the lower speed limit can be retained for that section. NZTA must undertake new consultation in line with the requirements in proposal 2. As part of this process, NZTA can present economic and safety analysis to inform the public's feedback, but this is not mandatory.

By 1 July 2025, all relevant reduced speed limits must be either recertified or reversed to what they were on 31 December 2019, and updated in the National Speed Limit Register.

Timeline for reversing speed limits

Step	Who	Due by
Identify all roads in scope of reversal	All RCAs	As soon as practicable
Submit list of roads to be reversed to the Director	All local RCAs	3 March 2025
NZTA as RCA submits to the Director a list of State highways to retain lower speed limit, including confirmation of public support for the lower limit.	NZTA as RCA	3 March 2025
Director certifies the reversed (new) or retained speed limits for all roads in scope.	Director of Land Transport	1 May 2025
New speed limits uploaded into the National Speed Limit Register and new signs in the ground.	All RCAs	1 July 2025.

Questions

Do you have any comments on the above proposals?

WE SEEK YOUR FEEDBACK ON OTHER MATTERS

We are interested in your views on other potential changes outlined below. We have not proposed any specific changes in the draft Rule on these matters, but are seeking feedback on them.

Speed Management Committee

The Speed Management Committee (the Committee) was established under the 2022 Rule to provide independent oversight of NZTA and ensure a clear separation of its roles as regulator and RCA. The Committee's roles are to review the State highway speed management plan and provide

oversight to its guidance on speed management. To date, the Committee has provided feedback on the interim State highway speed management plan.

The Committee consists of up to nine members, with a mix of experience in road safety, local government, specific road users (eg freight), or other skills and knowledge that enable the Committee to fulfil its functions and duties. Members are paid a daily rate to take part in training to enable them to fulfil their role, and to prepare for and attend Committee meetings.

We welcome your thoughts on the value of the Committee. If it were to be disestablished, we would need to consider whether alternative oversight is needed and if so, through which mechanism.

Regional speed management plans

Regional speed management plans are intended to support a whole-of-network approach and ensure regional consistency of speed limits. Under the 2022 Rule, territorial authorities would provide information to the Regional Transport Committee which would develop, consult on, and finalise a regional speed management plan. Any territorial speed management plan that was in place would become redundant once a relevant regional speed management plan was published.

So far only one regional speed management plan has been submitted to the Director for certification. We understand some regions have attempted to coordinate plans but progress was slow due to resourcing and alignment issues.

Higher speed limits on certain roads

The draft Rule enables some roads to have a speed limit set at 110km/h. We are interested in your thoughts on enabling speed limits of up to 120km/h on roads that are built and maintained, and will be managed, to safely accommodate that speed.

Questions

Do you have any comments on the other matters outlined above?