

## 11. LAND TRANSPORT LEGISLATION – TRAFFIC CONTROL DEVICES – SETTING OF SPEED LIMITS

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The purpose of this report is to consider two Land Transport Rules. One Rule (Rule 54002 – Traffic Control Devices) is in the initial (red) phase and the other (Rule 54001 – Setting of Speed Limits) is in its final (green) phase of consultation.

### THE RULES PROCESS

An introduction to the Land Transport Safety Authority (LTSA) Rules making process is attached to this report (Attachment 1). The Council, in its role as a road controlling authority, is an essential party to the consultation process for both of these proposed Rules.

### RULE 54001 – SETTING OF SPEED LIMITS

The Council first became involved in the processes set for the making of this Rule in 1997. A previous review of speed limits on roads and highways in the city, was to an extent, modelled in the proposals for new Rule. The Council made submissions on the “red draft” of the Rule and also worked through the NZ Traffic Institute (TRAFNZ). Subsequent reviews of speed limits in the city have been based on the criteria that is likely to be adopted when the Minister of Transport presents the signed Rule in the final version to Parliament.

There has been a very long delay between the yellow phase of the process to the “green” phase as government agencies sought to clarify the roles of the LTSA and road controlling authorities. It would appear that all of the outstanding issues have been resolved and a decision made to circulate a “green” draft to a limited number of key groups and technical specialists.

Most of the issues raised in our submissions on the “yellow draft” of the Rule have been addressed. Specifically those involving:

- The creation of variable speed limits – 40 km/h part time school zones.
- Clarity on the decision making and procedures for setting speed limits – all permanent speed limits are to be created through a bylaw making process; temporary speed limits (other than those used at roadworks sites) are to be gazetted by the “Director” LTSA.
- Urban speed limits below 50 km/h – the ability to create special speed zones in traffic calmed areas of the city.

The Council has always been anxious to have more autonomy in the setting of speed limits. The proposed Rule provides for this through “Section 7 – Consultation, Decision Making Procedures, Registration and Recording of Speed Limits” of the green draft. The Rule specifies the legal procedure for establishing speed limits on public roads. It incorporates “Speed Limits NZ” as the procedures for calculating the speed limit. This supersedes the RTS 17 Guidelines for Setting Speed Limits which has served as the basis of the setting of speed limits in New Zealand by either the LTSA or road controlling authorities. The City Streets Unit has followed the procedures set out in “Speed Limits NZ” for the last three (general) reviews of speed limits in the city. The Unit agrees with these requirements for setting speed limits becoming mandatory through the Rule. Only two issues remain unresolved as far as we are concerned:

1. Allowance needs to be made for the setting of a 10 km/h speed limit in car parks. In Section 2.2 of the proposed Rule “Range of Speed Limits” only 20, 30, 40, 50, 60, 70, 80 and 100 km/h speed limits have been listed.
2. The method of measuring the “operating” speed of a particular section of roadway. Although mean at 85<sup>th</sup> percentile “operating speeds” have been described in the “Speed Limits New Zealand” section of the document we will need to make a submission on the methodology used to collect the raw data used to calculate the operating speed for a particular roadway.

It is intended that a submission be made highlighting these two matters before the close off date of 10 May 2002.

## **RULE 54002 – TRAFFIC CONTROL DEVICES**

The Council has a representative on the technical advisory group that was formed during the blue phase of the Rule making process. The “red draft” of the Traffic Control Devices Rule was distributed to registered interest groups late February 2002; submissions on this draft closed on 30 April 2002. A copy of “explanatory material” from the red draft of the Rule is attached to this report (Attachment 2).

Essentially a revision of the “traffic devices” sections of the traffic regulations 1976, the “red draft” of the Rule proposes some new requirements and clarifications of existing sections of the regulations. Although some of the proposals will have wide ranging effects on traffic and the transport industry comments sought in this stage of the Rule making procedure are more of a technical than a philosophical nature. The Rule proposes to incorporate “best practice” standards, codes of practice/guidelines from New Zealand and Australia.

In order to provide a comprehensive commentary on the red draft the views of Council practitioners who work in technical fields relating to traffic, transportation and roading disciplines were sought. A submission based on the feedback contained from practitioners has been forwarded to the LTSA Rules team for consideration. Our main concerns with the draft document revolve around the following items:

- The marking of “zebra” pedestrian crossings.
- Right of way for pedestrians crossing at traffic signals.
- Road markings at roundabouts and on the approaches to various traffic control devices.
- Various applications for traffic signs.
- Traffic signal displays.
- Lighting standards for pedestrian crossings and other traffic control devices.
- Provision for cyclists.

In an earlier stage of the Rule making process it was decided that the “road user rule” which will incorporate driver, rider and other road user responsibilities currently covered by the Traffic Regulations 1976 would be published for public comment before the Traffic Control Devices Rule reached the “yellow draft” stage. It is essential that both of these Rules are compatible with one another. The processes involved will likely result in some compromises being made.

The main issues at the moment whether or not references will be made to New Zealand and Australian standards, codes of practices/guidelines and how prescriptive the Rule should be when describing traffic signs and road markings. The technical advisory group will meet mid May to discuss the submissions and (hopefully) determine the directions that should be taken to advance the process to the next “yellow draft”.

It is recommended that the Committee become involved in the processes for establishing the “traffic Devices Rule” once the yellow draft has been published. The LTSA expects that the yellow draft of the Rule together with the Road User Rule will be presented to the Ministry of Transport at the end of June 2002.

## **CONCLUSION**

The Council continues to have a strong interest in the creation of these two Land Transport Rules. With our continuing involvement in innovative solutions for vulnerable road users in particular there is a need to ensure that Rules governing decision making processes for traffic, transportation, roading and road users are compatible with the Council’s aim of ensuring that the city has a sustainable, safe, convenient and efficient system of roads, cycleways, footways and passenger transport services that will enhance the quality of life.

- Recommendation:**
1. That the Committee endorse the actions taken to ensure that the Council has an ongoing input into the Land Transport Rule making processes with respect to Rule 54001 (Setting of Speed Limits) and Rule 54002 (Traffic Control Devices).
  2. That the City Streets Unit prepare an overview of the yellow draft of 54002 – Traffic Control Devices for consideration by the Committee.

## **Chairman’s**

**Recommendation:** That the above recommendation be adopted.