

## **SUBMISSION PANEL AGENDA**

**THURSDAY 7 OCTOBER 2010**

**AT 1PM**

**IN COMMITTEE ROOM 1, CIVIC OFFICES, 53 HEREFORD STREET**

**Panel:** Councillors Sue Wells (Chairperson), Bob Shearing, Mike Wall, and Chrissie Williams

**General Manager:**  
Peter Mitchell  
PH: 941-8462

**Committee Adviser:**  
Janet Anderson  
PH: 941-8112

1. **APOLOGIES**
2. **DRAFT COUNCIL SUBMISSION – LAND TRANSPORT (ROAD SAFETY AND OTHER MATTERS) AMENDMENT BILL 213-1 (2010)**

Documents attached:

- Christchurch City Council Submission on Safer Journeys Discussion Document (**Attachment 1**)
- Christchurch City Council Submission on the Land Transport (Road Safety and Other Matters) Amendment Bill (2005) (**Attachment 2**)
- Land Transport (Road Safety and Other Matters) Amendment Bill (2010) Explanatory Note (**Attachment 3**)

**The following document is separately circulated:**

- Draft Council submission on the Land Transport (Road Safety and Other Matters) Amendment Bill (2010).

**Presenter:** **Judith Cheyne**  
**Legal Services Unit**

## **Christchurch City Council Submission on Safer Journeys Discussion Document**

### **Abstract**

Christchurch City Council has prepared this submission based on information provided in the Safer Journeys 20/20 Discussion Document. The Safer Journeys 20/20 Discussion Document aims to identify and prioritise initiatives that will be used to develop *Safer Journeys*, a road safety strategy for the next 10 years. Christchurch City Council is submitting a selection of priorities from the 60 initiatives presented for discussion. In addition to the possible initiatives suggested, Christchurch City Council includes additional initiatives for consideration which it believes will be the most effective in reducing road deaths and trauma over the next decade.

Initiatives recommended reflect the priorities identified in Safer Journeys 20/20 in areas as high concern, medium concern and emerging issues. Particularly strong emphasis is given to areas of high concern to reducing drink driving, safer speeds, young drivers, motorcycle safety and safer roadsides. Additionally initiatives that focus on improving areas of medium concern and emerging issues draw on strategies suggested in the Discussion Document and other initiatives identified by Christchurch City Council. These include addressing issues surrounding improving the safety of the light and heavy vehicles, safer walking and cycling, addressing distraction and fatigue.

The initiatives included in this report also support submissions made by Christchurch City Council on the Land Transport Amendment Bill on driver licensing, Enforcement Powers and the SOLA bill.

### **Terms of Reference**

This report has been requested by the Council Members on the Road Safety Submission Panel of Christchurch City Council on Monday 21 September 2009. The purpose of this report is to submit recommendations to the Ministry of Transport on the Christchurch City Council priorities of the initiatives presented for discussion in Safer Journeys 20/20 Discussion Document. The suggested initiatives and recommendation will be forwarded for consideration for the Safer Journeys road safety strategy for the next 10 years.

The scope of this report is to identify the key initiatives and recommendations that will address areas of high concern, medium concern and areas for continued focus and emerging issues.

The report is due to be submitted to Safer Journeys, Ministry of Transport by Friday 2 October 2009

## **Procedure**

The methodology used to collect information in the preparation of this document has included findings from the Road Safety Coordinators and Road Safety engineers with input from the Safer Christchurch Manager and Principal Advisor /Transport. The suggested initiatives have culminated from the perspective of the City Environment Group Road Safety teams, drawing on their collective expertise, knowledge and experience. Evidence is based on local NZTA statistics.

## **Introduction**

Christchurch City Council supports the Safer Journeys 20/20 vision of a “safe road system that is increasingly free of road deaths and serious injuries”. Safer Journeys 20/20 proposes that a safe system builds on the previous 2010 strategy’s approach of the three Es: education, engineering and enforcement. It uses a system-wide approach towards achieving outcomes that focus on improving all the parts of the road system that impact on safety – safer roads and roadsides, safer travel speeds, safer road users and safer vehicles.

## **Areas of High Concern**

### **Reducing Alcohol/Drug Impaired Driving**

Initiatives that Christchurch city Council endorses in Safer journeys 20/20 are those that reduce the blood alcohol limit and address the recidivist drink driver. The council supports the specific reduction in the blood alcohol concentration (BAC) for drivers which is concurrently, the same as that in its submission supporting the Canterbury Regional Transport Committee resolution in:

1. reducing the legal blood alcohol concentration (BAC) for drivers over 20 years old from 0.08 mcg per litre of breath (or 80mg of alcohol per 100ml of blood), to 0.05 mcg per litre of breath (or 50 mg of alcohol per 100ml of blood).
2. reducing the BAC from 0.03 mcg per litre of breath (or 30 mg of alcohol per 100 ml of blood), to 0.00 mcg per litre of breath for drivers under 20 years old.<sup>1</sup>

The council concurrently supports the raising of the driving age with the reduction of the BAC.

For the recidivist drink driver, the Council further supports suggested initiatives for more effective treatment programmes for repeat drink driving

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<sup>1</sup> Land Transport SOLA Bill April 2009

offenders. Additionally, the introduction of alcohol interlocks and the prohibition of vehicle ownership while disqualified.

Other initiatives the Council suggests in this submission is the support for and provision of public transport in rural areas. In particular, community leadership and responsibility for addressing how a community gets its people home safely. This could also include responsibility taken by those community members that sell liquor in a community to provide information about and/or access to public transport. Positive role models in a community should be encouraged to promote and inform community members about alternative transport modes.

Further recommendations are to educate about the impact alcohol has on driving, specifically targeting secondary schools and parents.

### **Increasing the Safety of young Drivers**

The Council has given support to the Land Transport (Driver Licensing Amendment Bill in February 2008) to extend the length of the learner licensing period from 6 months to 12 months, and to raise the minimum driver licensing age from 15 years to 17 years. Furthermore, the Council supports extending the length of the learner licensing period on the basis that a more stringent licensing process also be adopted.

An integrated and comprehensive road safety education that targets secondary school could be implemented to ensure young people who, statistically vulnerable high risk drivers are fully informed in road safety education.

Support is also given for the increase in the restricted licence test to 120 hours of supervised driving practise along with promoting the benefits and increased incentives for professional driver training. Further support is also given to the mandatory requirement for third party motor vehicle insurance.

### **Safer Roads and Roadsides**

The council supports the Discussion Documents initiatives for a targeted programme to address high risk urban intersections and for a change in the give way rule for turning traffic and pedestrians.

In addition to these initiatives there is support for a change to the right hand rule to align with the right hand turn rule in Australia and other parts of the world.

Another suggestion is the promotion and education about attitude towards driving and common road courtesy in road safety.

## **Safer Speeds**

The key initiative supported in this area is the adoption of lower speed limits in urban areas. Following on from this key initiative, the Council supports reinvigorating our education to improve understanding of the risks and consequences of speeding. Other initiatives given support include the implementation of higher demerit points and lower fines for speed-related offences and. Also indicated is support for more appropriate speed limits on mixed-use urban roads to match the function of the road.

## **Increasing the Safety of Motor-Cycling**

The key initiative recommended by Christchurch city Council is for improved motorcycle rider training and licensing. Following this the council recommends the promotion of higher visibility of motorcyclists on the road and protective clothing.

Another initiative suggested is that consideration should also be given to graduated licences per motorcycle cc rating.

## **Areas of Medium concern**

### **Improving the Safety of the Light Vehicle Fleet**

The initiative in this area identified as needing priority is the revision of Warrant of Fitness (WOF) standards to ensure that safe systems are properly maintained and working effectively. Further recommended initiatives supported by the Council include reducing the average age of the light vehicle fleet and introduce a mandate for electronic stability control (ESC) on all new and used light vehicles entering the country.

### **Safer Walking and Cycling**

Christchurch City Council recommends that *Safer Walking and Cycling* priorities should move from the level of medium concern to the level of high concern as they are vulnerable road users.

Particular initiatives the Council feels are most important include improving access and safety for cyclist and pedestrians by providing more safe crossing points on busy roads and the further development of neighbourhood accessibility plans.

Other initiatives fully supported by the Council include increasing cyclist training in schools and strengthening requirements in the drivers' licence testing to make drivers more aware of cyclist and pedestrian needs.

Another suggested initiative is to increase the coverage of temporary lower speed limits around schools.

### **Improving the Safety of Heavy Vehicles**

The Council supports as a key initiative to publish operators' safety ratings (particularly around log books). This will enable Police to focus on operator safety.

Additional support should encourage the introduction of electronic stability control (ESC) in the prevention of heavy vehicle crashes through loss of control. The adoption of 'safe and fuel efficient' driver training programmes is also supported.

### **Reducing the Impact of Fatigue**

Although difficult to determine in the cause of crashes fatigue may have contributed to 12% of fatal crashes between 2004-2008. therefore the Council recommends increasing the provision of information available to motorists on recognising signs of fatigue as a key initiative.

Other recommended initiatives include promoting the use of roadside stopping places.

### **Addressing Distraction**

The Council supports initiatives to reduce the impact of distraction and in particular suggests more education to raise public awareness of the types of distractions for drivers, for example concentrating on conversation with others in a car while driving and not *seeing* the pedestrian or cyclist wearing headphones who hasn't *heard* the driver

## **Areas For Continued Focus and Emerging Issues**

### **Increasing the Level of Restraint Use**

Continued focus on restraint use is supported by the Council and in particular, aligning New Zealand requirements for child restraints with international best practice. Support is also given for targeting the enforcement and education of commercial drivers.

## **Reducing the Impact of High-Risk Drivers**

High risk drivers include disqualified drivers, unlicensed drivers and illegal street racers (boy racers). The Council supports the initiatives recommended in Safer Journeys for high risk drivers being the same initiatives that address alcohol /drug impaired driving, increasing the safety of young drivers and safer speeds.

In conjunction with this safer Journeys 20/20 Submission, the Council presented a submission in July 2009 to address the problems of illegal street racing and other 'boy racer' type activities in the *Land Transport (enforcement Powers) Amendment Bill and the Vehicle Confiscation and Seizure Bill*<sup>2</sup>.

In that submission the Council opposes the introduction of bylaws for enforcement powers into the Land Transport Bill and instead supports national legislation that prohibit "cruising" on every road in New Zealand. In that particular submission the Council does however support the strengthening of Police and court powers in relation to enforcement of street racing and confiscation and destruction of vehicles used in offending.

## **Increasing the Safety of Older New Zealanders**

The most important initiative supported by the council is to increase road safety for older New Zealanders through improved roads and roadsides, followed by expanding road safety education targeting older drivers.

Additional initiatives recommended include more regular driver testing during senior years to assess reaction to situational and environmental factors. For example, reaction to increased traffic or urban and rural differences. This could include coaching programmes to help older drivers adapt to new situations or to revise old habits.

The promotion of public transport 'Gold Cards' may also assist older drivers in their decision-making about transport options.

## **Road Safety Education**

Specific initiatives are not heralded but the Council addresses the question in this section of the Safer Journeys 20/20 submission commenting that not enough emphasis is placed on road safety education. The Council believes that secondary school education is paramount for foundation early learning and behavioural formation.

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<sup>2</sup> Land Transport (Enforcement powers) Amendment Bill and the Vehicle Confiscation and Seizure Bill  
3 July 2009

Consideration must also be given to cyclist and pedestrian education on issues such as sharing the road and the integration of educational programmes with promotional initiatives to reinforce key messages.

The Council supports change to better link education efforts with other road safety initiatives. For example, educational programmes that target new drivers and older drivers at a national and local community level. Also targeted programmes that address alcohol, speed and driver attitude to road safety including road rage and road courtesy.

## **Conclusion**

Safer Journeys 20/20 Discussion document provides realistic initiatives and the Council has given support to 34 of the 60 initiatives outlined. Christchurch City Council supports the priority focus of high concern for issues surrounding drink driving, young drivers, safer speeds and safer roads and roadsides. Additionally, the Council would encourage the movement of safer walking and cycling move into higher from medium concern.



## Section One

Name of Organisation	Christchurch City Council	
Location	Christchurch	
Email address	roadsafetycoordination@ccc.govt.nz	

## Section Two

Do you think we have identified the right priority areas for improving road safety? If not, what would you change?

***Safer Walking and cycling should move from medium concern to high concern for urban areas as they are vulnerable road users***

## Areas of High Concern

1.	REDUCING ALCOHOL/DRUG IMPAIRED DRIVING	Comment
a)	Which of the suggested initiatives to reduce alcohol/drug impaired driving do you support	<ul style="list-style-type: none"> <li>• <b>Recidivist drivers addiction needs addressed with treatment</b></li> <li>• <b>Recidivist drivers cannot own a vehicle while disqualified</b></li> <li>• <b>Reduce the legal blood alcohol limit</b></li> <li>• <b>Educate public about alcohol limits and its impact on driving</b></li> <li>• <b>Promote the use of interlocks</b></li> </ul>
b)	Which initiative to reduce drink driving is the most important to you?	<b>Lower BAC limit</b>
c)	Do you support lowering the legal adult Blood Alcohol Content(BAC) limit from BAC 0.08 to BAC 0.05?	<b>Yes</b>
d)	How could rural communities be better empowered to address drink driving?	<ul style="list-style-type: none"> <li>• <b>Better public transport in rural area and information on need to use it</b></li> <li>• <b>Community leadership and ownership for addressing how a community gets its people home safely. Including those that sell liquor</b></li> </ul> <b>Use of positive role models in the community</b>

e)	Do you have other ideas for how we can reduce drink driving?	<ul style="list-style-type: none"> <li>• <b>Outlets that sell liquor responsible for providing information about or access to public transport</b></li> <li>• <b>Raise the driving age and licensing requirements in relation to BAC</b></li> <li>• <b>Education at secondary level including parental education</b></li> </ul>
f)	Do you think we should introduce random roadside drug testing for the presence of illegal drugs as technology allows?	<b>Yes</b>
g)	Do you have other ideas for how we can reduce drug impaired driving?	<ul style="list-style-type: none"> <li>• <b>Provide information of pharmacy medicines and impact on driving</b></li> <li>• <b>Substantial fines and loss of licence for offenders</b></li> <li>• <b>Substantial fines for pharmacy providers that don't inform about impact of drugs on driving</b></li> </ul>

<b>2.</b>	<b>INCREASING THE SAFETY OF YOUNG DRIVERS</b>	<b>Comment</b>
a)	Which of the suggested initiatives to increase the safety of young drivers do you support?	<ul style="list-style-type: none"> <li>• <b>Raising driving age to 17</b></li> <li>• <b>Extend the learner licence period to 12 months</b></li> <li>• <b>Increase the benefit of school road safety education</b></li> <li>• <b>Strengthen the restricted licence test to encourage 120 hours of supervised driving practice</b></li> <li>• <b>Increase benefits and incentives for professional driver training, for example, AA and Defensive Driver Training</b></li> <li>• <b>Raise awareness of young driver crash risk</b></li> <li>• <b>Introduce compulsory third party insurance</b></li> </ul>
b)	Which initiative to increase the safety of young drivers is the most important to you?	<b>Raising the driving age to 17</b>

c)	Do you support raising the minimum driving age? If so, at what age should young people start learning to drive – 16 or 17?	<b>Yes. 17</b>
d)	Do you support extending the learner period by six months?	<b>Yes</b>
e)	If the driving age was raised and the learner period extended – do you think there should be an exemption for rural youth who can demonstrate, via a practical test, that they have the skills and attitudes to drive safely and competently?	<b>No</b>
f)	Do you support compulsory third party insurance?	<b>Yes</b>
g)	Should we introduce vehicle restriction(e.g. power) for young drivers?	<b>No. Pointless as all vehicles are capable of driving over the speed limits, particularly in urban areas</b>
h)	Do you have other ideas for how we can increase the safety of young drivers?	<ul style="list-style-type: none"> <li>• <b>Dedicated secondary school driver education programme, reflecting local concerns and conditions</b></li> <li>• <b>Simulator driver training with hazards shown to raise awareness</b></li> </ul>

<b>3. SAFER ROADS AND ROADSIDES</b>	<b>Comment</b>
a) Which of the suggested initiatives to make our roads and roadsides safer do you support?	<ul style="list-style-type: none"> <li>• <b>Support a targeted programme for high risk urban intersections</b></li> <li>• <b>Change the give way rule for turning traffic and pedestrians</b></li> </ul>
b) Which initiative to make our roads and roadsides safer is the most important to you?	<b>Support a targeted programme for high risk urban intersections</b>
c) Is there anything we have left out in our suggestions for making our roads and roadsides safer?	<ul style="list-style-type: none"> <li>• <b>Change the right hand rule to align with rules in Australia and other parts of the world</b></li> <li>• <b>Promotion about attitude and common road courtesy</b></li> </ul>

<b>4. SAFER SPEEDS</b>	<b>Comment</b>
a) Do you support the suggested initiatives to reduce speed-related crashes?	<b>Yes</b>
b) Which initiative to reduce speed-related crashes is the most important to you?	<b>Increase the adoption of lower speed limits in urban areas</b>
c) What else could we do to reduce speed-related crashes?	<ul style="list-style-type: none"> <li>• <b>Reinvigorate our education and advertising to improve understanding of the risks and consequences of speeding</b></li> <li>• <b>Review speed limits on mixed-use arterial roads</b></li> </ul>
d) Do you support having higher demerit points and lower fines for speed-related offences?	<b>Yes</b>

<b>5. INCREASING THE SAFETY OF MOTORCYCLING</b>	<b>Comment</b>
a) Which of the suggested initiatives to increase the safety of motorcyclist do you support?	<ul style="list-style-type: none"> <li>• <b>Promote high visibility and protective clothing</b></li> <li>• <b>Improve rider training and licensing</b></li> </ul>
b) Which initiative to increase the safety of motorcyclists is the most important to you?	<b>Improve rider training and licensing</b>
c) Do you have other ideas for how we can increase the safety of motorcyclists?	<ul style="list-style-type: none"> <li>• <b>All motorcycles and mopeds should be licensed including those under 50cc which are currently covered under car licence only</b></li> <li>• <b>More training required for motorcyclist driving tests</b></li> <li>• <b>Educate sharing the road with other road users</b></li> </ul>

## Areas of Medium Concern

1. IMPROVING THE SAFETY OF THE LIGHT VEHICLE FLEET	Comment
a) Which of the suggested initiatives to help make our vehicle fleet safer do you support?	<ul style="list-style-type: none"> <li>• <b>Revise WOF standards to ensure that advanced vehicle safety systems are properly maintained and working effectively</b></li> <li>• <b>Reduce the average age of the light vehicle fleet</b></li> <li>• <b>Mandate electronic stability control (ESC) on all vehicles entering the fleet</b></li> </ul>
b) Which initiative to help make our vehicle fleet safer is the most important to you?	<b>Revise WOF standards to ensure that advanced vehicle safety systems are properly maintained and working effectively</b>
c) What else could we do to improve the safety of the light vehicle fleet?	<b>Target non Warrant of fitness and non registered vehicles</b>
d) Do you agree that we should make electronic stability control compulsory for cars entering the fleet by a particular date?	<b>Yes</b>

2. SAFER WALKING AND CYCLING	Comment
a) Which of the suggested initiatives to make walking and cycling safer do you support?	<ul style="list-style-type: none"> <li>• <b>Improve techniques to integrate safety into land use planning</b></li> <li>• <b>Increase cyclist skills training in schools</b></li> <li>• <b>Strengthen requirements in driver licence test so drivers are more aware of pedestrians' and cyclists' safety needs</b></li> <li>• <b>Increased coverage of temporary lower speed limits around schools</b></li> </ul>
b) Which initiative to make walking and cycling safer is the most important to you?	<b>Improve techniques to integrate safety into land use planning</b>

<p>c) What else could we do to make walking and cycling safer?</p>	<ul style="list-style-type: none"> <li>• <b>Secondary school driver education programme</b></li> <li>• <b>Enforce 40km speed restriction outside all schools</b></li> <li>• <b>Have stronger promotion of road user education, including targeted messages and more national promotion, such as ‘share the road’</b></li> </ul>
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<b>3. IMPROVING THE SAFETY OF HEAVY VEHICLES</b>	<b>Comment</b>
<p>a) Which of the suggested initiatives to improve the safety of heavy vehicles do you support?</p>	<ul style="list-style-type: none"> <li>• <b>Publish operators’ safety ratings (particularly around log books)</b></li> <li>• <b>Encourage the use of electronic stability control</b></li> <li>• <b>Adopt a ‘safe and fuel efficient’ driving programme</b></li> </ul>
<p>b) Which initiative to increase the safety of heavy vehicles is the most important to you?</p>	<p><b>Publish operators’ safety ratings (particularly around log books)</b></p>
<p>c) Do you have other ideas for how we can increase the safety of heavy vehicles?</p>	<ul style="list-style-type: none"> <li>• <b>Driver awareness and education (including bus/coach) awareness of cyclists and pedestrians</b></li> <li>• <b>Must travel at 10km’s less than curve advisory signage</b></li> </ul>

<b>4. REDUCING THE IMPACT OF FATIGUE</b>	<b>Comment</b>
<p>a) Which of the suggested initiatives to reduce the impact of fatigue do you support?</p>	<ul style="list-style-type: none"> <li>• <b>Increase the range of information</b></li> <li>• <b>Promote the use of roadside stopping places</b></li> </ul>
<p>b) Which initiative to reduce the impact of fatigue is the most important to you?</p>	<p><b>Increase the range of information</b></p>

c) Do you have other ideas for how we can reduce the impact of fatigue?	<ul style="list-style-type: none"> <li>• <b>Penalties for employers that do not comply</b></li> <li>• <b>Education of all factors causing fatigue, for example emotional stress</b></li> </ul>
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<b>5. ADDRESSING DISTRACTION</b>	<b>Comment</b>
a) Do you support the suggested initiative to reduce the impact of distraction?	<b>Yes</b>
b) Do you have other ideas for how we can reduce the impact of distraction?	<b>More education required and making people aware of the types of distractions for drivers, for example concentrating on conversation with others in a car while driving and not <i>seeing</i> the pedestrian or cyclist wearing headphones who hasn't <i>heard</i> the driver</b>

### **Areas For Continued Focus and Emerging Issues**

<b>1. INCREASING THE LEVEL OF RESTRAINT USE</b>	<b>Comment</b>
a) Do you support aligning our requirements for child restraints with international best practice? (this would mean that children over five years of age could use adult seat belts only when they reach 150 cm in height)	<b>Yes</b>
b) How could we improve seatbelt wearing rates among commercial drivers?	<b>Enforcement and education combined with heavy vehicle rating for drivers</b>

2. REDUCING THE IMPACT OF HIGH RISK DRIVERS	Comment
<p><b>SUGGESTED INITIATIVES IN SAFER JOURNEYS 20/20 FOR REDUCING THE IMPACT OF HIGH RISK DRIVERS ARE:</b></p> <p>The same as for initiatives discussed in the area of high concern under alcohol and drug impaired driving:</p>	
<ul style="list-style-type: none"> <li>• Increasing the safety of young drivers and safer speeds.</li> <li>• Enactment of the illegal street racing legislation</li> </ul>	

3. INCREASING THE SAFETY OF OLDER NEW ZEALANDERS	Comment
<p>a) Which of the suggested initiatives to increase road safety for older New Zealanders do you support?</p>	<ul style="list-style-type: none"> <li>• Improve roads and roadsides to cater for older New Zealanders</li> <li>• Expand road safety education to target older drivers</li> </ul>
<p>b) Which initiative to improve road safety for older New Zealanders is the most important to you?</p>	<p><b>Expand road safety education to target older drivers</b></p>
<p>c) Do you have other ideas for how we can improve road safety for older New Zealanders?</p>	<ul style="list-style-type: none"> <li>• More regular driver testing during senior years to assess reaction to situational and environmental factors – for example increased traffic, urban and rural differences</li> <li>• Coaching to help older drivers adapt to new situations or revise old habits</li> <li>• Promote alternative forms of transport and ‘gold card’ for bus users</li> </ul>



3. ROAD SAFETY EDUCATION	Comment
<p>a) Are we putting enough emphasis on road safety education? What would you change?</p>	<ul style="list-style-type: none"> <li>• <b>No, secondary school education is paramount for the foundation of early intervention learning and behaviour formation</b></li> <li>• <b>Need consideration of cyclist and pedestrian education and awareness about sharing the road</b></li> </ul>
<p>b) In your opinion does our current road safety advertising work well? What would you change?</p>	<ul style="list-style-type: none"> <li>• <b>Integration of educational programmes with promotional initiatives to reinforce key messages</b></li> <li>• <b>Education about driver attitudes</b></li> </ul>
<p>c) How can we better link our education efforts with other road safety initiatives?</p>	<ul style="list-style-type: none"> <li>• <b>Educational programmes targeting new drivers and secondary level students and older drivers. Road safety initiatives should be required to have an educational component included at both national and local community level.</b></li> <li>• <b>Educate offenders through targeted programmes for speed and alcohol</b></li> <li>• <b>Educate about driver attitude to road safety –road rage, courtesy</b></li> </ul>

**28 February 2008**

**To: The Committee Secretariat  
Transport and Industrial Relations Select Committee  
Parliament House  
Wellington**

**Submission of the Christchurch City Council on The Land  
Transport (Driver Licensing) Amendment Bill**

**Introduction**

1. This submission is from the Christchurch City Council (the Council), P O Box 237, Christchurch. Although submissions have not been called for, the Council thanks the Committee for the opportunity to submit on this Bill.
2. If the Committee is to hear submissions on this Bill then the Council wishes to appear before the Committee to speak to its submission.
3. The person who will appear in support of the submission is Councillor Bob Shearing.

**Summary**

4. The Council supports the intent of this bill, to extend the length of the learner licensing period from 6 months to 12 months, and to raise the minimum driver licensing age. However, the Council supports a greater increase in the minimum driver licensing age; from 15 years to 17 years. Furthermore, the Council supports extending the length of the learner licensing period on the basis that a more stringent licensing process also be adopted.

**Specific Submissions**

5. The reason in the House for the introduction of this bill was stated to be as a result of the recent tragic deaths in Christchurch of three 15-year-olds, Emma Reynolds, Melissa Norton, and Chloe Cockerell. The Council also points to the other tragic death, of Councillor Graham Condon, which occurred that same weekend, which was also at the hands of a 15 year old driver. Since that weekend there have been several other media reports of young drivers and their passengers being killed or injured in motor vehicle accidents.
6. At 15, or even 16, years of age the Council believes that such drivers are not sufficiently mature to be able to cope with the different pressures that can arise for any driver, and a driver of this age in particular, and for this reason submits that the driver licensing age should be increased from 15 to 17 years.
7. Although the proposals in the Bill mean that the time at which a person can obtain a full licence will rise to 18½ years, the Council considers that 19½ years is a more appropriate age for someone to be driving with a full licence. The Council supports the statements made in introducing this Bill, as also applicable to raising the age to 17 – this is an age that is aligned with other

nations. The House of Commons in Britain is considering shifting the driving age from 17 to 18, to align it with other European nations. In Australia, although the different states have different driver licence ages, there are some that are 17.

8. The Council also notes the statistics quoted in Parliament, and agrees that these provide good reason for introducing this legislation, but suggests that the Government will be doing its young people a better service if the starting age to gaining a full driver's licence is raised to 17, not 16:

*"..the number of crashes in the first month after gaining a restricted licence, compared with the last month that one is on a learner licence, increases about 2½ times for 18 and 19-year-olds, and about 4½ times for 17-year-olds, but there is a whopping eightfold increase for 16-year-olds, and an even greater increase of tenfold for 15-year-olds. That clearly shows that the younger the age at which a driver gets a restricted licence, the higher the chance that he or she will crash."*

and

*"If one takes the past 10 years, 1997 to 2006, one sees that crashes involving 15-year-old drivers have resulted in some 37 deaths and 385 serious injuries. Similarly, crashes involving 16-year-olds have resulted in 146 deaths and 949 serious injuries. In other words, crashes involving 15 and 16-year-old drivers over the last 10 years have accounted for some 183 deaths and 1,334 serious injuries."*

[The Council notes that these figures should be referenced to vehicle ownership data as they show a clear trend of fewer crashes for 15 year old drivers. Furthermore, they may also indicate that 15 year old drivers are more cautious initially and are better supervised, but then less so at 16. There may also be fewer 15 year old drivers on the road, therefore lowering the statistics.]

9. If the age is set at 17, this would make the age the same as many states in Australia, where social conditions are very similar to New Zealand. It is not just a question of age, however, it also a matter of getting the right experience during each licence phase, which would be supported by a longer licensing period, such as that proposed by the bill. The Government should also consider whether additional tests and courses should be completed by learner drivers, so they can be fully equipped with the experience and necessary skills to be effective and safe drivers. In this respect the Council also supports the fact that the Minister of Transport Safety is considering a range of other initiatives in addition to those in this Bill, which may include a supervised driving practice period and strengthening the practical driver testing regime, so that the scope of the first driving test is enlarged to look beyond basic, technical driving skills, to other important factors that determine driving behaviour.
10. In Western Australia, the state government has taken a very practical approach to licensing drivers, with their Graduated Driver Training and Licensing System, which comprises 6 steps:
  - First step – passing a theory test and one practical driving assessment to get a learners permit;

- Second step – learning to drive with a qualified supervisor (licensed instructor or person who has held a licence for more than 4 years) – “L” plates are required on the vehicle;
- Third step – practical driving assessment with the State agency (cannot be younger than 16½ );
- Fourth step – driver can still only drive under supervision, but has to keep a log book, and accumulate a minimum of 25 hours of driving across a range of conditions (but more hours are encouraged), which is recorded in the log book and signed by the supervisor;
- Fifth step – hazard perception test – cannot be done until after the driver turns 17 and the log book has been checked by the State agency. This test must be passed to get a provisional license. It is a computer based test used to determine the drivers ability to assess traffic situations and make safe decisions;
- Sixth step – provisional license – can drive without supervision, with “P” plates on the vehicle. Have to drive with these plates for 2 years.

Please see attached a link to the Western Australian Government's "Six Step brochure" - [http://www.dpi.wa.gov.au/mediaFiles/lic\\_gettingyourdrilic.pdf](http://www.dpi.wa.gov.au/mediaFiles/lic_gettingyourdrilic.pdf)

11. The Council considers that a system such as the one in Western Australia, which incorporates a higher age before a driver can be fully licensed, is also desirable in New Zealand.
12. The Council understands that there will be some people in rural communities, or young people with jobs that involve driving who will be against raising the driver licensing age. However, instead of leaving the age at 15 years, to account for these select few, consideration should be given to whether, by application to the Ministry of Transport, or something similar, affected persons can be given some form of limited licence following an appropriate assessment of competence to cater for their specific circumstances.
13. Alternatively, as is the case in some European countries, as mentioned by the Minister for Transport Safety, for the first year the only vehicle a new driver can ride is a low-powered scooter or motorcycle. Small motor scooters (49cc or less) do not require a motorcycle license to ride, therefore provide an option for younger people. That could solve mobility problems of some rural people who require a vehicle to get to work, or football practice, or other things they are involved in. However, the Council acknowledges that this might potentially reduce safety, as motorcycles are less safe than cars.
14. The use of other travel modes should be promoted for young people. If they obtain their license at a younger age, it encourages greater use and reliance on private motor vehicles. By raising the driving age will also assist in reducing car travel to and from secondary schools and extra curricula activities, which adds to peak period congestion and parking around schools and facilities.
15. The relationship between the legal drinking age is also an issue that needs to be considered. By increasing the driver licensing age, the age difference between driving and drinking converges and is potentially a lethal combination. The Government is also considering in a separate exercise a zero alcohol tolerance for drivers under 20. This clearly raises the value in

considering increasing the drinking age back to 20. This may offer a useful intermediate measure to deal with this issue.

## **Conclusion**

16. Thank you again for the opportunity to submit on this Bill. The Council reiterates its support for the intent of this Bill, but wishes to see a greater increase in the minimum driver licensing age than that proposed.
17. If you require clarification on the points raised in this submission or additional information, please contact Judith Cheyne, Legal Services Unit, Ph 03 941-8649, Email: [judith.cheyne@ccc.govt.nz](mailto:judith.cheyne@ccc.govt.nz)

A. J. Marryatt  
Chief Executive  
Christchurch City Council

# **Land Transport (Road Safety and Other Matters) Amendment Bill**

Government Bill

## **Explanatory note**

### **General policy statement**

The main purpose of the Bill is to promote road safety and to give effect to key initiatives forming part of *Safer Journeys* (the Government's road safety strategy to 2020). This will be achieved by introducing a range of new measures designed to improve the safety of young drivers and to provide the courts with a wider suite of tougher sanctions for serious or repeat driving offenders. It will also allow Police to gather evidence of drivers involved in a fatal or serious injury crash who have a breath alcohol reading between 250 micrograms per litre of breath and the current adult limit of 400 micrograms per litre of breath.

Road safety will also be promoted by enhancing the enforceability of current provisions within the Land Transport Act 1998. Examples of this are: providing for more streamlined processes in the collection and analysis of blood specimens from drivers suspected to be driving drunk or drugged; and tightening work time requirements to prevent fatigue in truck drivers.

The Bill will also provide for the repeal of the Transport Act 1962. This will be effected by transferring the remaining provisions in that Act that are still required into the Land Transport Act and other en-

actments (for example, a road controlling authority's existing traffic control and bylaw-making provisions).

The Bill proposes to—

- improve the safety of young drivers by—
  - raising the minimum licensing age from 15 years to 16 years (drivers aged between 15 and 16 who hold a licence at the time this provision takes effect will continue to be entitled to hold that licence; however, they will be precluded from applying for any other licence, other than a replacement licence or a limited licence) until they meet the minimum age requirement); and
  - allowing, through a consequential amendment, the New Zealand Transport Agency (the **Agency**) to strengthen the restricted driver licence practical driving test; and
  - introducing a zero breath/blood alcohol concentration (**BAC**) level for drivers aged under 20; and
- toughen sanctions for serious or repeat driving offenders by—
  - introducing a zero **BAC** limit for repeat drink drivers (2 or more convictions within a 5-year period), which will apply for 3 years from the date when the driver's licence disqualification period ends and a new licence is obtained; and
  - providing the courts with an option to impose an alcohol interlock sentence for serious drink drivers (**BAC** reading of 0.16 or higher) or repeat offenders (2 or more convictions within a 5-year period), where the offender would serve a 3-month licence disqualification period, be required to have an interlock for at least 12 months, and, at the sentence's conclusion, be subject to a zero **BAC** limit for a further 3 years (the alcohol interlock device would be set at a zero **BAC**; the interlock will not allow a driver to start the vehicle if there is any alcohol on his or her breath and will periodically request a breath specimen while the vehicle is being driven; a failure to provide a specimen, or providing a specimen with an alcohol content, will be recorded as a violation); and

- doubling the maximum period of imprisonment from 5 years to 10 years for drunk, drugged, dangerous, or reckless drivers who cause death; and
- enabling the Police to seek court approval to renew a 28-day licence suspension for a further 28 days (this is to ensure that a driver involved in a serious crash (for example, drunk driving causing death) remains suspended while necessary Police inquiries are completed; this provision can only be used a maximum of 3 times for any suspension and the affected party can appeal any renewal); and
- banning the possession or use of devices to interfere with speed radars; and
- enhance enforceability of existing provisions by—
  - introducing provisions that clarify that a driver licence remains of no effect following a licence suspension or disqualification of 12 months or less, until a licence reinstatement fee has been paid and a replacement licence has been applied for; and
  - clarifying that, unless a new blood analysis laboratory is approved, there is no need for a medical practitioner to further specify the laboratory that a blood specimen is sent to for analysis (this will reduce the paperwork for medical practitioners and enforcement staff around the blood specimen collection process); and
  - allowing the Minister of Police to gazette a new, or an amended, blood collection process (this will allow the process to be made more generic and streamlined, and also allow the easier introduction of new, potentially safer techniques for blood collection (for example, vacutainers)); and
  - requiring drivers who are sentenced to attend a driving improvement course to successfully complete the course within 90 days and to produce evidence of this to the court; and
  - removing the 6-month statutory bar for bringing a prosecution against a person for providing false details to an enforcement officer (currently, this is a significant im-



pediment as many such cases only become known to the Police 6 months or more after the incident, when the innocent party (that is, the person whose details were known to the offender and provided to the enforcement officer) becomes aware of having incurred a conviction)); and

- clarifying that a foreign driver licence can be seized in the same manner as a New Zealand driver licence where the driver is subject to a 28-day roadside licence suspension; and
- allowing a driver's gender to be specified on the driver licence register to align with requirements contained in the Land Transport (Driver Licensing) Rule 1999, extending the range of information permitted to be recorded (to include whether a driver is subject to an interlock device sentence or zero BAC limit), and allowing the release of a driver's demerit point total to that driver (or an approved party with that driver's consent) on payment of a prescribed fee; and
- improving the enforceability of the work time system by amending key definitions for work time and cumulative work days and work periods, improving the applicability of penalties for breaches of work time or logbook obligations, allowing the Police to apply for a search warrant in dealing with cases involving breaches of chain of responsibility provisions, and removing the 6-month statutory bar for bringing a chain of responsibility prosecution; and
- improving the process by which records of transport registers are provided to court, simplifying and streamlining current processes; and
- clarifying that regardless of the order in which they are incurred, 2 or more drink or drugged driving offences incurred with a 5-year term will trigger the sanctions applying to repeat offenders (this addresses a concern previously raised by the courts); and
- improving the effectiveness of the driver licence demerit point suspension system by allowing the Police

to serve a suspension on a driver on the roadside when it transpires that a driver has 100 or more active demerit points (currently this can only occur where service has been attempted by the Agency and been unsuccessful), providing for multiple periods of suspension based on 3 months' suspension for each 100 active demerit points, and providing for the retention of all unused demerit points for up to 2 years once a suspension is imposed (currently drivers start on zero points following a 3-month suspension); and

- streamlining the land transport rule-making process; and
- closing loopholes in the limited licence system including allowing the Agency to refuse to action a limited licence order where it is aware that the applicant is not entitled to apply for the licence (in these cases, applicant will have a right of appeal); and
- clarifying that a person registered as the owner of a vehicle is liable for any towage fees associated with that vehicle (currently some owners are escaping payment of this fee and the towage cost has to be covered by the tow truck operator); and
- allowing the Police to gather evidence of drivers involved in a fatal or serious injury crash who have a breath alcohol reading between 250 micrograms per litre of breath and the current adult limit of 400 micrograms per litre of breath; and
- addressing an anomaly by applying the same penalty to all drug-related driving offences causing injury or death (currently there are 2 different penalties that apply, dependent upon how the evidence of drug use was obtained); and
- confirming the Agency's power to issue driver licences to approved government departments to assist with covert operations; and
- clarify and augment the powers of road controlling authorities by—

- transferring appointment of parking warden, parking warden powers, and bylaw-making powers from the Transport Act 1962 to the Land Transport Act 1998; and
- extending road controlling authority bylaw-making powers to allow the placing of restrictions on motor vehicle access to and use on unformed roads, and the use by heavy vehicles of engine braking in urban areas; and
- transferring provisions dealing with the issue of infringement notices for owner liability offences (stationary vehicle offences) from the Transport Act 1962 to the Land Transport Act 1998; and
- transferring road user charges provisions relating to hubodometers from the Transport Act 1962 to the Road User Charges Act 1977; and
- rectifying an anomaly in the law so that parking enforcement can be undertaken by Airport Authorities without the need for these officers to be appointed for the purpose by the Police Commissioner; and
- enabling the transfer of other residual Transport Act 1962 provisions deemed to have a continued use, into appropriate regulations.

The Bill brings a number of provisions into force at dates 90 days and 180 days after the date of Royal assent and on dates specified by the Governor-General by Order in Council. This reflects the anticipated implementation period for each initiative.

### **Regulatory impact statement**

The Ministry of Transport produced a regulatory impact statement on 2 September 2010 to help inform the main policy decisions taken by the Government relating to the contents of this Bill.

A copy of this regulatory impact statement can be found at—

- departmental webpage with a url link to the RIS: [http://www.transport.govt.nz/about/functions/RIS\\_BCCS/](http://www.transport.govt.nz/about/functions/RIS_BCCS/)
- treasury webpage with a url link to the RIS: <http://www.treasury.govt.nz/publications/informationreleases/ris>