

DISALLOWABLE INSTRUMENT



WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 157(d) and (e) of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act

I, Craig Foss, Associate Minister of Transport, make the following ordinary Rule:

Land Transport Rule: Setting of Speed Limits Amendment 2016

SIGNED AT Wellington

This 1st day of Nov 2016



Hon Craig Foss

Associate Minister of Transport

Land Transport Rule
Setting of Speed Limits Amendment 2016

Rule 54001/3

ISSN 1173-1559

Published by:

NZ Transport Agency
Private Bag 6995
Wellington 6141
New Zealand

Email: info@nzta.govt.nz

Freephone: 0800 699 000

Printed and distributed by:



Wickliffe Solutions
PO Box 932, Dunedin 9054
New Zealand

Land Transport Rule

Setting of Speed Limits Amendment 2016

Rule 54001/3

Contents

Objective of the Rule		vii
Extent of consultation		vii
Section 1	Application	1
1.1	Title	1
1.2	Commencement	1
1.3	Principal Rule amended	1
Section 2	Amendments to Rule requirements	1
2.1	Amendment to clause 2.3	1
2.2	Amendment to clause 5.2	1
2.3	Amendment to clause 5.3	2
2.4	Amendment to clause 6.1	2
2.5	Amendments to clause 8.1	2
2.6	Replacement of clause 8.5	3

Objective of the Rule

Land Transport Rule: Setting of Speed Limits Amendment 2016 (the amendment Rule) amends *Land Transport Rule: Setting of Speed Limits 2003* (the Setting of Speed Limits Rule). The Setting of Speed Limits Rule establishes the procedure whereby road controlling authorities may set enforceable speed limits on roads within their jurisdiction.

The objective of the amendment Rule is to:

- clarify that the rural speed limit is the default speed limit on all motorways, not just those in rural areas:
- allow temporary speed limits to be 10km/h less than the permanent speed limit in areas where the permanent speed limit is 50km/h or less:
- clarify that variable speed limits may be set for safe or efficient traffic management:
- allow, in specified circumstances, a speed limit sign to be placed more than 20 metres from the point a speed limit changes, but as close to that point as is reasonably practicable:
- allow a road controlling authority to mark the speed limit on the road surface at places other than alongside a speed limit sign.

Extent of consultation

For the purposes of consultation, amendments proposed to the Setting of Speed Limits Rule and 14 other Land Transport Rules were combined into a single Rule, *Land Transport Rule: Omnibus Amendment 2016* (the Omnibus Amendment Rule). Following consultation, the provisions in the Omnibus Amendment Rule were split into separate amendment Rules.

The NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 3170 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Amendment Rule was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency's website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 35 submissions on the Omnibus Amendment Rule, of which 21 commented on the proposed amendments to the Setting of Speed Limits Rule.

The submissions received were taken into account in finalising the draft Rule following which it was submitted to the Associate Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Setting of Speed Limits Amendment 2016*.

1.2 Commencement

This Rule comes into force on 1 December 2016.

1.3 Principal Rule amended

This Rule amends *Land Transport Rule: Setting of Speed Limits 2003*.

Section 2 Amendments to Rule requirements

2.1 Amendment to clause 2.3

Replace *clause 2.3(3)(b)* with:

- (b) the rural speed limit applies to roads in rural areas (which are generally all areas that are not urban traffic areas) and motorways.

2.2 Amendment to clause 5.2

Replace *clause 5.2(2)(b)* with:

- (b) if the permanent speed limit or the prevailing holiday speed limit is—
 - (i) greater than 50 km/h, at least 20 km/h less than that speed limit; or
 - (ii) 50 km/h or less, at least 10 km/h less than that speed limit.

2.3 Amendment to clause 5.3

Replace *clause 5.3(2)(b)* with:

- (b) if the permanent speed limit or the prevailing holiday speed limit is—
 - (i) greater than 50 km/h, at least 20 km/h less than that speed limit; or
 - (ii) 50 km/h or less, at least 10 km/h less than that speed limit.

2.4 Amendment to clause 6.1

Replace *clause 6.1(2)(a)* with:

- (a) particular situations or environments for which the safe speed limit may need to vary—
 - (i) for different numbers and types of road users; or
 - (ii) to manage the effects of changing traffic volumes, including to ease congestion; or
 - (iii) for emergency or temporary traffic management; or

2.5 Amendments to clause 8.1

2.5(1) In *clause 8.1(1)*, after “8.1(3)” insert “and 8.1(4)”.

2.5(2) In *clause 8.1(3)(a)*, replace “would not easily see, or readily react to,” with “might not easily see, or readily understand or react to,”.

2.5(3) After *clause 8.1(3)*, insert:

- 8.1(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 8.1(1) and 8.1(2)(a), install a speed limit sign more than 20 m, but as close to it as reasonably practicable, from that point.

2.6 Replacement of clause 8.5

Replace *clause 8.5* with:

A road controlling authority may mark on the road surface the applicable speed limit in numerals, in accordance with *Land Transport Rule: Traffic Control Devices 2004*.