



WELLINGTON, NEW ZEALAND

PURSUANT to Section 152 of the Land Transport Act 1998

I, **Harry James Duynhoven**, Minister for Transport Safety,

HEREBY make the following ordinary Rule:

Land Transport Rule: Setting of Speed Limits Amendment

SIGNED AT Wellington

This *8th* day of *August* 2005

Harry James Duynhoven
Minister for Transport Safety

Land Transport Rule
Setting of Speed Limits Amendment 2005
Rule 54001/1

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Land Transport Rule
Setting of Speed Limits Amendment 2005

Rule 54001/1

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Objective of the Rule

Land Transport Rule: Setting of Speed Limits

Amendment 2005 amends *Land Transport Rule: Setting of Speed Limits 2003*, which established procedures for road controlling authorities to set enforceable speed limits on roads within their jurisdictions.

The objective of this amendment Rule is to allow road controlling authorities to set two new speed limits of 10 km/h and 90 km/h.

The option of setting a speed limit of 10 km/h is to facilitate the development of 'shared zones', where pedestrians, cycles and motor vehicles can share the road safely, in appropriate areas such as inner city malls and car parks. Shared zones are based on the concept of integration, rather than separation, of road users. Vehicles are required to travel at near-walking speed with the result that the environment is friendly to vulnerable road users, with pedestrians having priority.

The amendment Rule provides road controlling authorities with the option of setting a new speed limit of 90 km/h on rural roads (subject to the approval of the Director of Land Transport). This is intended to enable the setting of speed limits that are appropriate for the operating characteristics of the road, including the roadside environment, traffic volumes, road design features, crash rates and operating speeds.

The setting of a safe and appropriate speed limit for a rural road would be based on criteria that are currently being developed through a national speed-zoning project. If it were determined that, for example, an 80 km/h or 90 km/h speed limit was appropriate for particular sections of rural road, *Land Transport Rule: Setting of Speed Limits 2003* would be further amended to include the criteria established during the project.

Extent of consultation

For the purposes of consultation, a number of amendments proposed to *Land Transport Rule: Setting of Speed Limits 2003* and 12 other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2005* (the Omnibus Amendment Rule). The changes proposed were intended mainly to convert remaining provisions in the *Traffic Regulations 1976* to Rules, to update vehicle standards, to delete redundant provisions and clarify provisions and to correct some errors in Rules.

On 1 April 2005, Land Transport New Zealand (Land Transport NZ) sent a letter containing the Rule amendment proposals to about 2200 groups and individuals who had registered an interest in the Rules to be amended, and sought submissions on the proposed changes. The draft Omnibus Amendment Rule was made available through the Land Transport NZ Help Desk and was available together with Questions and Answers on the Land Transport NZ website. The availability of the draft was publicised in five metropolitan daily newspapers, *Te Karere National News* and the *New Zealand Gazette*. Land Transport NZ received 33 submissions on the draft Omnibus Amendment Rule, of which 17 commented on the speed limits proposals.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into separate amendment Rules, including this Rule. The submissions that were received were taken into account in drafting the amendment Rules before the Rules were submitted to the Minister for Transport Safety for signing.

Part 1 Rule requirements

Section 1 Application

1.1 Title

1.1(1) This Rule is *Land Transport Rule: Setting of Speed Limits Amendment 2005*.

1.1(2) In this Rule, *Land Transport Rule: Setting of Speed Limits 2003* is called ‘the principal Rule’.

1.2 Date when Rule comes into force

This Rule comes into force on 15 September 2005.

Section 2 Amendments relating to setting of speed limits

2.1 Range of speed limits

2.1(1) *Clause 2.2* of the principal Rule is amended by inserting, before *paragraph (a)*, the following paragraph:

“(aa) 10 km/h;”.

2.1(2) *Clause 2.2* of the principal Rule is amended by inserting, after *paragraph (g)*, the following paragraph:

“(ga) 90 km/h;”.

2.2 Road lengths for speed limits

Clause 2.4 of the principal Rule is amended by inserting in *Table 2.1*, in the appropriate order and columns, the following items:

“90” “as approved by the Director”.

2.3 Traffic control devices

Clause 2.5 of the principal Rule is amended by omitting the words “the *Traffic Regulations 1976* or a land transport rule that replaces the relevant provisions of the *Traffic Regulations 1976*”, and substituting the words “*Land Transport Rule: Traffic Control Devices 2004*”.

2.4 Role of Director in changing and approving speed limits

2.4(1) *Clause 2.7* of the principal Rule is amended by inserting in *paragraph (a)*, after the word “change”, the words “, or modify the application of,”.

2.4(2) *Paragraph 2.7(b)* of the principal Rule is amended by adding to *subparagraph (ii)* the word “and”, and also by adding the following subparagraph:
“(iii) 90 km/h speed limits.”

2.4(3) *Clause 2.7* of the principal Rule is amended by revoking *paragraph (c)*, and substituting the following paragraph:
“(c) direct that a road controlling authority review, change, or modify the application of, a speed limit;”.

2.5 New heading substituted

2.5(1) The principal Rule is amended by revoking the heading to *section 6*, and substituting the following heading:

“Variable, minimum and 90 km/h speed limits”.

2.5(2) *Section 6* of the principal Rule is amended by adding the following heading and clause:

“6.3 90 km/h speed limits

“6.3(1) The Director may, by notice in the *Gazette*, and subject to any specified conditions that the Director considers appropriate, approve a 90 km/h speed limit.

“6.3(2) A 90 km/h speed limit may apply to a road in a rural area where the operating conditions of the road require a lower speed limit than the rural speed limit.

“6.3(3) A road controlling authority that is empowered by an enactment to make bylaws:

“(a) may set a 90 km/h speed limit; and

“(b) must, when setting a 90 km/h speed limit, do so in accordance with *section 7* and with any conditions specified by the Director by notice in the *Gazette*.

“6.3(4) The Director may, by notice in the *Gazette*, remove a 90 km/h speed limit.”

2.6 Requirement to provide signs

Clause 8.1 of the principal Rule is amended by inserting in *Table 8.1*, in the appropriate order and columns, the following items:

“90” “3.0”.

2.7 Specifications for signs

Clause 8.2 of the principal Rule is amended by omitting the words “the *Traffic Regulations 1976*” or a land transport rule that replaces the relevant provisions of the *Traffic Regulations 1976*”, and substituting the words “*Land Transport Rule: Traffic Control Devices 2004*”.

2.8 Road markings

Section 8 of the principal Rule is amended by revoking *clause 8.5*, and substituting the following clause:

“A road controlling authority may mark on the road surface alongside a speed limit sign the numerals shown on the speed limit sign, in accordance with *Land Transport Rule: Traffic Control Devices 2004*.”

2.9 Functions and powers of the Director

2.9(1) *Clause 9.2* of the principal Rule is amended by revoking *subclause (1)*, and substituting the following subclause:

“The Director may approve variable, minimum and 90 km/h speed limits and change, or modify the application of, permanent, holiday, variable and minimum speed limits.”

2.9(2) *Subclause 9.2(3)* of the principal Rule is amended by revoking *paragraph (a)*, and substituting the following paragraph:

“(a) review, change, or modify the application of, the speed limit”.

2.9(3) *Clause 9.2* of the principal Rule is amended by inserting in *subclause (4)*, after the word “change”, the words “, or modify the application of,”.

Section 3 Amendments to schedule

3.1 Amendments to *Schedule 1, Speed Limits New Zealand*

3.1(1) *Schedule 1* of the principal Rule is amended by:

- (a) revoking *paragraph 2* of *clause 1.2*, and *clauses 2.0, 2.2, 2.4, and 3.6*, and substituting, in their appropriate position, the clauses set out in *Schedule 1* in *Part 2* of this Rule; and
- (b) inserting, in its appropriate position, *clause 2.9* set out in *Schedule 1* in *Part 2* of this Rule; and
- (c) revoking *Table SLNZ1, Table SLNZ2, Table SLNZ12, and Figure SLNZ4*, and substituting, in their appropriate position, the tables and figure set out in *Schedule 1* in *Part 2* of this Rule.

3.1(2) *Appendix 1* to *Schedule 1* of the principal Rule is amended by revoking *paragraph 2* of *clause 3*, and substituting the paragraph set out in *Schedule 1* in *Part 2* of this Rule.

Part 2 Schedule

Amendments to Schedule 1, Speed Limits New Zealand

[Ref. *Cl. 3.1*]

1. New paragraphs and clauses substituted or inserted in *Schedule 1* of the principal Rule

“1.2 Speed limit calculations

“The general principle represents a balance between consistency and safety but, in some cases, the choice between 50 or 100 km/h does not allow the appropriate speed limit to be set for a particular section of road. The rule allows speed limits of 10, 20, 30, 40, 60, 70, 80 or 90 km/h to be set on roads where traffic patterns or road or land use make a speed limit other than 50 or 100 km/h appropriate and safe.”

“2.0 Speed limits policy

“Under the Rule, permanent and holiday speed limits may be 10, 20, 30, 40, 50, 60, 70, 80, 90 or 100 km/h. The policy for speed limits is set out below.”

“2.2 Rural speed limit (100 km/h)

“The general rural speed limit is 100 km/h.

“A rural area is land outside towns and cities. The level of roadside development is at a minimum.

Land use includes:

- agriculture;
- market gardening;

- forestry;
- reserves;
- small settlements.

“Houses in rural areas will generally be set back some distance from the road. There will be little kerbing and no footpaths unless installed for a specific reason (eg, a school remote from a residential area). Street lighting will generally not be provided but, if present, it will be only at specific community facilities or used as intersection indicator lighting.

“In situations where the safe operating speed is below 100 km/h due to the road geometry or other limitations on the roadway, drivers should be made aware of the need to reduce speed. This can be achieved by means of warning signs, delineation and by the physical nature of the road itself. Using derestriction signs should also be considered as an alternative to using 100-km/h signs. Generally, it is not appropriate to install a lower speed limit.”

“2.4 Speed limits of 10, 20, 30 and 40 km/h

“Speed limits of 10, 20, 30 or 40 km/h may be set for local roads or minor collector roads in urban traffic areas where the road is used by motorised traffic and pedestrians or cyclists (eg, shared zones) and a speed limit less than 50 km/h is necessary for safety purposes. Speed limits less than 50 km/h are generally not suitable for roads serving a significant collector or arterial function. A 10 km/h speed limit should be installed only in a shared zone (as defined in *Land Transport (Road User) Rule 2004*) where vehicles are required to give way to pedestrians.

“These limits can only be set if the calculated speed limit for the road is 50 km/h and appropriate and safe traffic engineering techniques are applied to ensure that the mean operating speed of motorised traffic is kept to within 5 km/h of the speed limit.”

“2.9 90-km/h speed limit

“In circumstances where the operating conditions of a rural road are not suitable for the rural speed limit of 100 km/h, the Director may approve a 90-km/h speed limit, subject to any conditions that the Director considers appropriate.”

“3.6 Safety audit

“Road controlling authorities are responsible for providing a safe environment for all road users on their roads. This is reflected in *clause 2.5* of the *Setting of Speed Limits Rule*, which requires road controlling authorities to ensure all traffic control devices are safe, effective and appropriate to a new speed limit before it is applied. To ensure this condition of the rule is complied with, a safety audit, appropriate to the location and function of the road, should be conducted. This is particularly important when it is proposed to raise the existing speed limit. Suitable procedures and checklists are provided in Transfund New Zealand’s (now Land Transport New Zealand) *Road Safety Audit Procedures for Projects*² or the *Austrroads Road Safety Audit*³ guidelines.

² *Road Safety Audit Procedures for Projects*, November 2004. Published by Transfund New Zealand (now Land Transport New Zealand) as a guideline document. ISBN 0-478-25364-8.

³ *Road Safety Audit*, 2nd Edition 2002. Published by Austrroads as a joint Standards Australia and Standards New Zealand handbook, HB43:2001. ISBN 0 85588 589 0.”

2. **New tables and figures substituted in Schedule 1 of the principal Rule**

3.2 **Road environment**

Length of restriction

“Table SLNZ1 Minimum length of road for a speed limit

Speed limit (km/h)	Nature of road and adjacent speed limits	Minimum length (metres)
50	Urban street, adjacent speed limits 70 km/h or less	500
	Urban fringe, adjacent speed limits greater than 70 km/h	1000
60	Urban arterial route, adjacent speed limits 80 km/h or less	1000
	Other situations	500
70	Partly built up, adjacent speed limits 80 km/h or less	1000
	Other situations	500
80	Arterial route, adjacent speed limits 70 km/h or less	1000
	Other situations	800
90	All situations	As approved by the Director
100	All situations	2000

”

3.3 Signposting

“Table SLNZ2 Maximum length of road between repeater signs

Speed limit (km/h)	Maximum length of road between signs (km)
60	2.0
70	2.4
80	2.6
90	3.0

”

4.4 Speed limit flow charts

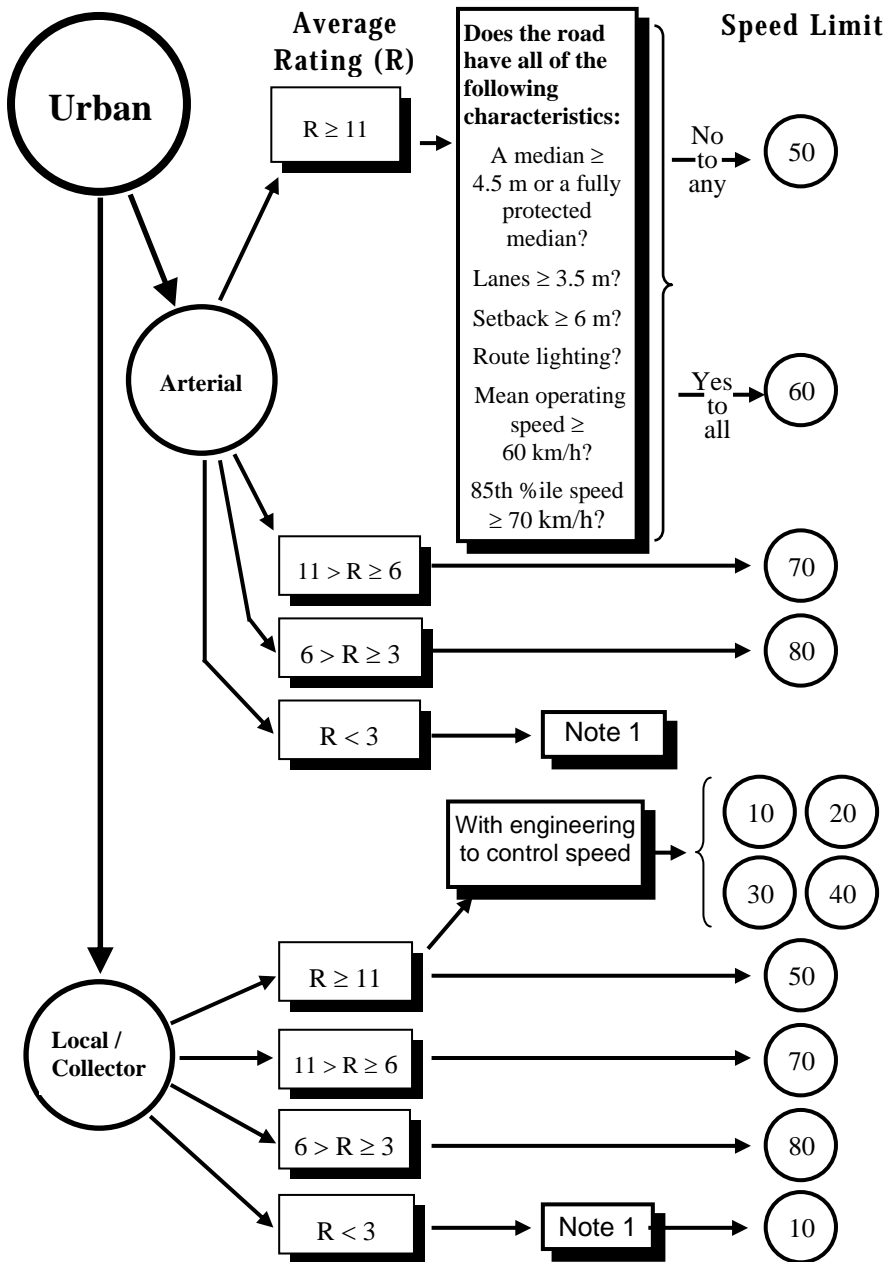
“Table SLNZ12 Speed limit flow chart summary table

Average rating (R)	Speed limit (km/h)		
	Rural location	In-between location	Urban location
$R \geq 11$	Note 1	50	50
$R \geq 11$ with engineering to control mean speed within 5 km/h of the limit	Note 1	Note 2	10, 20, 30 or 40
$R \geq 11$ with specific urban arterial features	Note 1	60	60
$11 > R \geq 6$	70	70	70
$6 > R \geq 3$	80	80	80
$R < 3$	100	100	Note 1

“Note 1. The average rating and level of development is not consistent with the location of this road. Please refer to *Figure SLNZ1* and select the appropriate location according to the surrounding land environment.

“Note 2. 10-, 20-, 30- or 40-km/h speed limits should only be installed on local roads or minor collector roads in urban traffic areas.”

“Figure SLNZ4 Speed Limit Flow Chart – Urban



Note 1. The level of development is not consistent with the location of this road. Please check you have used the correct flow chart for the location (see Fig. SLNZ1).”

Appendix 1

Holiday speed limits

“3. Holiday speed limit

A 10-, 20-, 30-, 40- or 60-km/h speed limit will not usually be appropriate for a holiday speed limit due to the special engineering features required.

However, if a 10-, 20-, 30-, 40- or 60-km/h speed limit is being considered for a holiday speed limit, it must comply with the requirements set out in the rule and the standard procedures in *sections 1-4* of this schedule, except for the rating. The normal rating for a 10-, 20-, 30-, 40- and 60-km/h speed limit is the same as for a 50-km/h limit, so an average rating of 9 or more is acceptable, as shown for a 50-km/h holiday speed limit in *Table SLNZ13*.”