

Traffic Note 38 – Revision 2

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Land Transport Rule: Setting of Speed Limits 2003 - Requirements

1 Introduction

The *Land Transport Rule: Setting of Speed Limits 2003* (the rule) came into force on 5 April 2004 having been notified by the Minister of Transport in the *New Zealand Gazette* on 4 March 2004. Since 5 April 2004, all road controlling authorities (RCAs) with the power to make bylaws are responsible for setting speed limits on their roads.

As part of this responsibility all RCAs must:

- approve traffic management plans for all new temporary speed limits;
- install repeater signs for 60 km/h and 80 km/h speed limits;
- follow procedures in the rule for determining correct speed limits for the conditions, undertake public consultation and set speed limits using the bylaw process.

The setting and enforcement of penalties for breaking speed limits remains the responsibility of central government.

2 Timing of road controlling authority responsibilities

Implementation period (February 2003 – March 2004) - Completed

After signing the rule in February 2003, the Minister of Transport allowed a period for implementation. During this period the Land Transport Safety Authority (now Land Transport New

Zealand) held workshops, prepared and distributed documentation and completed existing speed limit changes. It also gave RCAs time to prepare for the rule coming into effect.

Transition period (5 April 2004 – 1 July 2009)

All existing speed limits have been saved but they must be transferred into a new bylaw, created by the RCA, before this period ends. **RCAs must follow the procedures in *section 10* of the rule before any new or changed speed limits can be set.**

From 5 April 2004, RCAs must:

- set speed limits and install signs as detailed in the rule
- approve traffic management plans for all new temporary speed limits
- install repeater signs in existing 60 km/h and 80 km/h speed limit sections

During the transition period RCAs must:

- follow the transitional provisions in *section 10* of the rule to:
 - validate existing speed limits; and
 - designate urban traffic areas;
- follow the provisions in *section 7* of the rule to:
 - establish a new speed limit bylaw;
 - record all speed limits and urban traffic areas in a register;
 - set all new or changed speed limits by bylaw and record them in the register;
- establish and complete programmes to:
 - ensure speed limit signs are located on both the left and right sides of the road where the speed limit changes;
 - ensure repeater signs are installed in all 70 km/h speed limit sections.

Transition period ends (1 July 2009)

All transitional provisions in the rule end at this time. From this date, speed limits existing before 5 April 2004, not verified and listed in the RCA's speed limit bylaw will have no legal status and will be unenforceable.

3 Land Transport New Zealand's responsibilities

Land Transport New Zealand will:

- advise RCAs about all aspects of setting speed limits
- advise RCAs who want to set speed limits that differ from those calculated using Speed Limits New Zealand (before the consultation stage)
- monitor and audit speed limit setting to ensure consistency and compliance with procedures in the rule.

4 *Land Transport Rule: Setting of Speed Limits Amendment 2005*

The *Land Transport Rule: Setting of Speed Limits Amendment 2005* is effective from 15 September 2005. It primarily introduces two new limits to the range of speeds permitted, namely 10 and 90 km/h.

The 10 km/h limit is covered by provisions in the rule relating to speeds less than 50 km/h described in *Traffic Note 43*.

Where the operating speeds of a rural road are not suitable for the rural speed limit of 100 km/h, the Director of Land Transport may approve, subject to any conditions, by notice in the *New Zealand Gazette* a 90 km/h speed limit. *Schedule 1, Speed Limits New Zealand* does not currently provide a method for establishing a 90 km/h speed limit. Land Transport NZ, in association with a steering group representing RCAs and road user groups, is currently evaluating speed zoning methods. If successful this should define criteria for setting 90 km/h (and other lower limits for rural roads) for future inclusion in the rule. Until this time, each 90 km/h speed limit must be approved by the Director before the RCA can set the speed limit by making a bylaw.

5 Access to the rule

Hard copies of the rule can be purchased from selected Bennetts, Paper Plus, Whitcoulls and other book retailers that sell legislation. If not in stock, the rule can be ordered from its printers and distributors, Wickliffe.

The rule is also available from the Land Transport NZ website at

<http://www.landtransport.govt.nz/rules/setting-of-speed-limits-2003.html>

and the amendment rule at

<http://www.landtransport.govt.nz/rules/setting-of-speed-limits-amendment-2005.html>

For further information please contact your regional Land Transport New Zealand office.