

GUIDANCE ON PROCESS TO REVOKE SPEED LIMIT BYLAWS

9 MAY 2022

Audience

Road Controlling Authorities (RCAs)

Note about this guidance

This guidance is not a substitute for legal advice on the specific scenarios you are dealing with.

Overview

Once your speed limit data is migrated to the National Speed Limit Register (NSLR) (which is the first component in the Register of Land Transport Records) and it is live, the “land transport record” in the NSLR will become the legal instrument for the speed limits.

This means that the bylaws you have for speed limits will need to be formally revoked as soon as practicable after this time.

This document provides guidance for you on how to do this.

How to revoke your bylaws

There are two different scenarios for revoking bylaws:

- Scenario 1 – bylaw just sets speed limits – you need to revoke the bylaw
- Scenario 2 – consolidated bylaw that covers more than just speed limits – you need to revoke the part of your bylaw that sets speed limits.

To revoke your bylaws (or part of your bylaws) you need to take a decision to council in the usual way for revoking one of your bylaws, eg minuted resolution of the council.

If the sole reason for the revocation is because the speed limit has been migrated to the NSLR (that is, a “land transport record” for the speed limit has been created in the NSLR), then there is no requirement to consult under section 156 of the Local Government Act 2002 or section 22AB of the Land Transport Act 1998. This is because of [section 168AAA\(2\)](#) of the Land Transport Act 1998 and [regulation 13](#) of the Land Transport (Register of Land Transport Records—Speed Limits) Regulations 2022.

Then you need to update your published bylaws in the usual way, to show that the bylaws (or part of the bylaws) have been revoked. You are welcome to include an explanatory note directing readers to the NSLR to find the speed limits.

You will need to retain copies of the bylaws according to your usual legal obligations (including the obligation in clause 2.8(7) of the Setting Speed Limits Rule 2017 to keep speed limit information for 7 years).