



Submission on Land Transport Rule: Omnibus Amendment 2005

(Rule 10001)

Introduction

The Cycling Advocates Network (CAN) is pleased to present this submission on the above draft Rule. The national committee of the group has prepared this submission, with feedback from CAN members. CAN has based its submission on previous submissions to the relevant Rules. If you require any clarification of the points raised by us, please feel free to contact us as detailed below.

CAN congratulates Land Transport NZ on the Omnibus Amendment Rule approach, which we think is very efficient. Given the number of other concerns that we have with existing Rules, this would be a very useful process if we had one of these at least annually to tidy things up.

Section 3: Vehicle Identification Numbers

It would be nice if whole-of-vehicle marking was also applied to bicycle frames, given the prevalence of bike thefts. At the very least, bike shops should be required to maintain a register of all owners and bike numbers when purchased, for follow-up investigation.

Section 4: Amendments to Vehicle Standards

NZ should look at implementing pedestrian/cycle-friendly frontal impact standards for new vehicles as is being investigated in the European Union.

Section 6: Setting of Speed Limits

The proposed addition of a **10 km/h speed limit** is welcome and supported. As the background material points out, this speed limit will be found in shared zones where pedestrians, cycles and motor vehicles can share the road safely. This is based on a concept of integration, rather than separation. These areas function quite differently to 'normal' roads, as they are friendly to vulnerable road users, a walking-speed environment is created, and usual priority rules do not apply.

It could be argued that the legal speed limit is of secondary importance compared to the other changes in those shared zones compared to 'normal' roads. Encouraging motorists to respect vulnerable road users and not having priority are far more fundamental than the underlying speed limit. Consideration should thus be given how best to signpost these areas.

Below are examples from other countries. All of them also have the regulatory function of

setting a speed limit, but that limit is shown in one of the examples only. The other signs concentrate on the, in my opinion, more important aspect of creating the right environment for a shared zone.

		
<p>"Cycle Street - Cars are Guests" [Netherlands]</p>	<p>"Shared Zone" [Australia]</p>	<p>"Traffic Calmed Street" showing pedestrian, playing child, car and house [Germany]</p>

Consideration should be given of creating a new pictorial sign, perhaps based on the German example above, illustrating the principle of sharing the road and implying a low speed environment. The regulatory function of setting the speed limit at 10 km/h should be attached to the sign. Road controlling authorities should have the option of either using the standard 10 km/h sign, or the new pictorial sign.

We would still like to see far better guidance on when it is appropriate to **set speeds limits less than 50 km/h**. The current Speed Limits NZ method does not adequately provide for this option, and guidance such as the proposed clause 2.4 in Schedule 1 are next to useless for practical advice (or indeed encouragement of such zones).

We note too that Figure SLNZ4 in Schedule 1 does not require **cycle lanes on an R≥11 arterial road** when allowing a 60km/h speed limit. Cycle lanes (or equivalent provision) are of most importance on arterial routes, where traffic speeds and volumes pose a greater threat. Increasing a road's speed limit from 50 to 60 without providing better cycle provision makes conditions worse for cyclists, a situation that should never occur.

The use of **speed zoning** is strongly supported where the road environment does not warrant a 100 km/h limit. We are interested in how this can be related to pedestrian/cyclist issues, e.g. lower speeds on long narrow bridges or narrow winding terrain, to improve the reaction distances when encountering pedestrians or cyclists.

Section 7: Miscellaneous Amendments

Section 7.1: Traffic Control Devices

The establishment of any new road sign (including the proposed consideration of a new pictorial sign for shared zones) should be supported by studies concerning road users' understanding of them. The principle should have been applied to the recently implemented roundabout Give Way sign, as well as the **supplementary roundabout Give Way** sign. Those studies may or may not confirm that the supplementary sign is required or justified. It

would appear prudent to base the decision on requiring such a supplementary sign on solid evidence.

Section 7.3: Road User Rule

The use of **bus lanes** by mopeds is supported.

Clause 3.1(1) defines the give way rules for drivers facing traffic signals in form of a green disc in quite some detail. In contrast, Clause 3.7(1) defines give way rules for cyclists facing **traffic signals in form of a cycle symbol** in a single sentence by saying that "while a green cycle symbol is illuminated, cyclists may proceed straight ahead, or turn left or right".

Comparing the two clauses, it would appear that cyclists do not have to give way when turning left or right when facing traffic signals in form of a green cycle symbol. This is not the intention of the rule - cyclists are supposed to give way when turning at a traffic light in form of a green cycle symbol. This drafting error needs to be corrected.

The use of **cell phones** while driving should be made illegal. Of particular concern is the increase in cell phone use for texting while driving. Consideration could be given to banning the use of cell phones when cycling, or when walking across the road.

The previously proposed **Give Way rule changes** should be implemented as a matter of priority, as all available evidence suggests a reduction in crashes at intersections. More vulnerable road users (pedestrians and cyclists) can be expected to especially benefit from the changes, as they are often being overlooked by motorists suffering information overload due to the complex Give Way rules.

Government should set a good example. Clause 5.1(3)(c) (**exemption from the speed limit to convey a member of the Executive Council**) should thus be deleted.

With the proposed introduction of a 90 km/h speed limit, the Clause on **stopping and following distances** could be amended accordingly. Consideration could be given to replace clause 5.9(4)(e) as per below, and to add a new sub clause (f):

(e) 32 m, if his or her speed is 80 km an hour or more but less than 90 km an hour; or

(f) 36 m, if his or her speed is 90 km an hour or more.

As '**Speed Kills**', the omission of a sub clause in section 5 of the rule that bans the sale, possession and operation of radar detectors is presumably a mistake.

We are pleased to hear the Minister for Transport Safety recently considering raising the **minimum driver licence age** and introducing compulsory third-party insurance (NZ Herald 24 April). We hope that the Govt will take up his suggestions for prompt implementation.

Other Rule Changes

The opportunity of amending various Rules should be used allowing **bike racks on buses** (we are not sure which Rules are applicable; Veh Dimensions & Mass 2002, External Projections 2001, Passenger Service Vehicles 1999?). Planned trials (e.g. by Redbus in Christchurch) are being impeded by legislative hurdles.

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The Cycling Advocates' Network of NZ (CAN) Inc is this country's national network of cycling advocate groups. It is a voice for all cyclists - recreational, commuter and touring. We work with central government and local authorities, on behalf of cyclists, for a better cycling environment. We have affiliated groups and individual members throughout the country, and links with overseas cycling organisations. In addition, several national/regional/local government authorities, transportation consultancies, and cycle industry businesses are supporting organisations.