



Road User Amendment Rule

AA submission

The New Zealand Automobile Association Incorporated

342-352 Lambton Quay

PO Box 1

Wellington 6140

NEW ZEALAND

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Rules Team
NZ Transport Agency
Private Bag 6995
WELLINGTON 6141
Email: info@nzta.govt.nz

Dear Sir/Madam

ROAD USER AMENDMENT 2011 (Rule 61001/6)

Introduction

The New Zealand Automobile Association (NZAA) welcomes the opportunity to provide comment on the Road User Amendment Rule 2011.

The NZAA is an incorporated society with 1.3 million Members. It represents the interests of road users who collectively pay over \$2 billion in taxes each year through fuel excise, road user charges, registration fees, ACC levies, and GST. The NZAA's advocacy and policy work mainly focuses on protecting the freedom of choice and rights of motorists, keeping the cost of motoring fair and reasonable, and enhancing the safety of all road users.

We circulated the draft Rule for comment to our 17 District Councils. NZAA District Councillors are elected to represent the membership in each District and deal with policy issues. Comments on the relevant proposals for which we have feedback are provided below:

Proposal 1 & 2: Give-way rules

The NZAA has long advocated for the repeal of the current give way rule, and supported earlier draft Road User Rule amendments which proposed to reverse the rule (during 2001-2004). The NZAA supports reverting to the pre-1977 rule on the grounds of road safety, reducing confusion, and aligning New Zealand with international practice.

We endorse both proposal 1 (uncontrolled intersections) and proposal 2 (uncontrolled T-intersections), including amending the rule to require a driver exiting a public driveway to give way to a vehicle on the road (including a vehicle turning into the driveway). The present requirement for continuing traffic or traffic turning into a driveway to give way to traffic exiting a driveway is not well understood nor well observed, and it is a logical extension to include T-intersections and public driveways in the repeal of the right turn priority.

Changing the give way rules at uncontrolled intersections would result in simpler and more predictable decisions for drivers, leading to smoother traffic flow, and reduce confusion for tourists travelling in New Zealand and Kiwis travelling overseas.

In a 2006 NZAA Member survey, 56% of Members said they supported or strongly supported changing the give way (right-hand turn) rule, while 29% opposed or strongly opposed any change to the rule, and 16% had no preference either way.

While public support is not universal for reversing the present rule, and indeed this includes our own members, in its policy role the NZAA takes the position of “the reasonable motorist in possession of full information”. Where member opinion clashes with informed opinion, the NZAA has a responsibility to take a leadership position and educate its members. Our policy to support a repeal of the current rule has been formally approved by the NZAA’s governing National Council.

In supporting the change to the rule, we assessed the crash data, the current level of driver confusion, predicted growth in self-drive tourists and immigrants and the safety of Kiwis driving overseas. The draft rule overview estimates that changing the rule will save an average of one life and prevent 97 injuries, and reduce intersection crashes by 7%. Earlier analysis by the Institute of Professional Engineers suggests this will in turn deliver cost savings of \$22 million per year, compared to a one-off cost estimated by the MoT of \$3 million to introduce the changes (of which only \$1m is for re-engineering which we suspect is a gross underestimate).

That this proposal was ranked 10th in importance out of 60 proposals by submitters on the *Safer Journey’s* strategy consultation in 2009, and is supported by road safety stakeholders including the NZ Police, Local Government NZ, IPENZ, Cyclists Advocates Network, and Living Streets Aotearoa, suggests there is more than enough public and expert support for this change to proceed.

While the NZAA is fully supportive of this rule amendment, we consider it very important that the rule change is implemented successfully to minimise confusion and disruption, and to minimise possible accident risk and a public backlash. The NZ Transport Agency also needs to have good data on the number of accidents presently occurring at intersections to measure the success of the rule change and to counter any negative publicity.

There are two areas of work that need to be led by the NZTA to ensure the transition goes smoothly. One is a comprehensive education campaign covering all road users, not just drivers but including cyclists and pedestrians, and all forms of media, to ensure the public are not only aware of the rule change and the required adjustment to their behaviour, but also that they understand the rationale for the change.

The other action is to scope key intersections for engineering treatments before the changeover. It is likely that many major intersections will require straight-forward reprogramming of traffic light phasing (longer phases for right turning traffic), while some may require the introduction of turning arrows to traffic lights, or the removal of holding areas for left turning traffic or adding holding areas for right turning traffic. Problem intersections should be identified and modified before the rule change to minimise traffic disruption.

In addition, while the priority at T-intersections is reversing, we consider in the interests of maintaining safety that existing road markings and give way signs on terminating roads should remain, even though they may be deemed superfluous under the new rule.

Proposal 3: Traffic signals in the form of ‘T’ or ‘B’

The proposal to allow motorcycles, mopeds and bicycles using a bus lane to proceed on a white ‘B’ signal is supported on the grounds of safety and traffic efficiency.

Proposal 4: Speed limits relating to buses

Proposal 9: Use of optional lights

The NZAA supports extending the situation in which the 20km/h school bus passing limit is to be observed, to include flashing school bus signs operating while the bus is stopping or moving off.

However it is critical for the observation of this rule amendment that the flashing signs are not inadvertently left on and operate at other times. While Proposal 9 requires that the lights must

not be operated for more than 20 seconds before stopping, or after moving off, which we support, wording in the Rule or enforcement alone will not achieve this, but it could be accomplished by requiring an audible buzzer to operate in conjunction with the flashing lights, or for the lights to only operate when the indicators are on.

The NZAA supports the use of flashing school bus signs to help improve school bus safety, visibility and compliance with the present 20km/h passing limit. Motorists are more likely to slow down if they see flashing lights on a school bus when it is picking up or dropping off children, versus a static sign on a stationary school bus which may be ignored if motorists often observe parked school buses with the signs still displayed but no children present. The wording in the Rule only requires drivers to slow if a bus is displaying a school bus sign and is “stopped for the purpose of picking up or dropping off school children”. How does a driver determine this, other than children being clearly present? There would be less doubt if flashing lights were activated. To that end, we would also support considering amending the Rule to require all new school buses, or newly-registered school buses, to be fitted with the flashing school bus signs as standard.

Proposal 10: Pedestrian crossings

The NZAA supports the proposal to amend the Rule so that drivers are not required to stop at controlled crossings if a school patrol sign is not extended. This should reduce confusion and delay at controlled crossings by permitting vehicles to pass in groups rather than each one hesitating, thus improving traffic flow at this busy time.

The present rule is confusing and means a driver who safely proceeds through a controlled crossing because a supervisor has held children back until the way was clear could be ticketed by police for not stopping while pedestrians are obviously waiting to cross. The current interpretation makes the school patrols superfluous and means they probably should be removed to avoid confusion although this would actually undermine pedestrian safety. The proposal will also reinforce safe behaviour of children at pedestrian crossings which is part of the Safe System approach.

Proposal 12: Definition of a ‘school bus’

The NZAA also supports this proposal, as we supported the change to the definition of a ‘school bus’ in the amended Traffic Control Devices Rule. We do not consider buses on school charter trips, which are not part of the normal daily school transport schedule, should be restricted to 80km/h when they are not stopping frequently to pick up or drop off children, and instead they should be able to travel at the same speed as other heavy traffic, provided all passengers are seated as the Rule amendment proposes.

Yours sincerely



Mike Noon
General Manager Motoring Affairs