

31 July 2013

Omnibus Amendment 2013
Rules Team
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Dear Sir/Madam

OMNIBUS AMENDMENT 2013 (Rule 10009)

Introduction

The New Zealand Automobile Association (NZAA) welcomes the opportunity to provide comment on the Omnibus Amendment Rule 2012.

The NZAA is an incorporated society with 1.35 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.

Comments on the relevant proposals for which we have feedback are provided below:

Proposal 9

Amend the definition of 'school bus' to enable the operator to choose to operate as a school bus on school function trips.

The NZAA opposes this proposal. Amending the definition of 'school bus' as proposed will dilute the intent of the definition, which is to signal to other road users that the bus may stop frequently to pick up or drop off children, and that children might cross the road.

We consider such a proposal will compromise child safety. Motorists need to be alerted to the possibility of children crossing the road, and the requirement for buses to display a 'school' sign under the current definition signals this. If a bus is not stopping often, and children are not alighting or crossing the road, then the bus has the same status as a tour/charter coach or urban bus. In addition, school bus routes are signposted. Signing buses travelling off school bus routes and which do not stop often will confuse motorists. 'School' signs must not be displayed if the bus is not stopping frequently to pick up or drop off children or otherwise this may unintentionally lead to motorists ignoring the purpose of the sign because they have previously observed signed buses not stopping frequently and thus do not associate buses with 'school' signs with the 20km/h passing limit.

Permitting school buses to display their signs even when they are not being used on a school bus route and are not stopping frequently will further undermine the already poor compliance

with 20km/h passing limit when school buses are performing their official duty. Public awareness and compliance will be compromised further if bus operators are not required to remove the 'school' signs when the bus is parked up on the side of the road and not in use (i.e. during the school day), which is a common complaint from motorists. This will exacerbate if charter buses are permitted to keep the 'school' bus sign displayed even when it is not on a school bus route.

In the NZAA's view, if bus operator wishes to use a school bus to take children on a school trip, then the 'school' signs must be removed or covered over, and greater enforcement is needed to ensure the signs are also removed when the bus is not in use, if compliance with the 20km/h rule is to improve, or its enforcement increased.

The NZAA submits that the current definitions under clause 1.6 of the Road User Rule are correct and should not be amended as proposed, other than perhaps clarifying that a bus without a 'school' sign is clearly not a school bus. We also note this proposal lacks data analysis or evidence to support its adoption, and therefore it should not proceed unless a robust analysis can demonstrate it will not compromise safety as we contend.

Proposal 12

Allow school patrol signs to be mounted on black and white pedestrian crossing poles.

The NZAA is supportive of this proposal to permit school patrol signs to be permanently mounted to pedestrian crossing poles, provided they can be hinged away and covered when not in use.

Proposal 13

Insert new provisions that define and allow the use of wide centre-lines as a device for channelling traffic.

The NZAA supports wide centre-lines as an optional road marking treatment as we supported the trial which has demonstrated road safety improvements at a very low cost.

However the NZAA recommends that the proposed wording in the Rule also prescribe that wide centre-lines can only be installed on roads with a minimum adequate lane width, and/or with a minimum paved shoulder to the left of the edge line to protect vulnerable road users like cyclists and motorcyclists.

Proposal 14

Clarify the colour of M3-4A and M3-5 parking markings.

The NZAA supports this proposal but also recommends it be amended to require that disabled carpark spaces must be marked with the M3-5 symbol, rather than optionally as at present. This will reduce confusion and improve compliance as we are aware of complaints from able-bodied motorists who have been fined for unintentionally parking in disabled carparks where the mandatory signage was missing or otherwise not clearly visible.

Proposal 16

Amend the definition of 'school bus' as described in item 9 above.

As per our comments on Proposal 9 above, the NZAA opposes this amendment.

Proposal 17

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Add new signs and sign components approved under clause 4.4(4). These include: 'Cycle Trail', 'Left Turning Traffic' give way supplementary, 'parking sign components' and 'Safer Speed Area' threshold signs.

The NZAA conditionally supports these subject to changes. We note the proposed cycle trail symbol includes red for the front wheel. In regulatory signage red is associated with warnings and so could confuse road users and the NZAA would recommend using another non-regulatory colour.

The NZAA also does not support the use of 'Safer Speed Area' signs which we consider may be misleading as they imply the area is safe for all road users and this may not be borne out by crash history in the area. In our view such signs should not be used until a history of no fatal, serious or injury crashes has been established in the area.

A 'Safer Speed Area' sign does not make it so, and such signs should only be used on roads that have been engineered to explain the correct roading hierarchy and use. The use of such signs on roads that explain themselves as arterials or collector roads to motorists will be ineffective and give vulnerable road users a false sense of security whilst creating an enforcement trap for motorists.

Proposal 26

Remove the current restriction on the number of daytime running lamps that may be fitted to a Group L motor vehicle (motorcycles).

The NZAA supports this proposal to enhance the safety of vulnerable road users like motorcyclists by making them more conspicuous through the voluntary use of additional daytime running lamps (DRL) which will allow lighting shapes that could improve safety.

The NZAA is aware of research concerning the issue of masking for motorcycles, and we supported the previous amendment to the Road User Rule which required post-1980 motorcycles to operate their headlights during the day to increase their conspicuity relative to other vehicles. We consider this proposal will further improve conspicuity and distinguish motorcycles from other vehicles on the road, thereby improving safety.

However, the NZAA would also support amending the proposal to permit the use of DRL in conjunction with headlights, which is otherwise (appropriately) not permitted in other vehicle classes. The use of a central headlight with two DRL's located either side of the motorbike will permit the distinctive 'V' or 'T' shapes that this amendment is designed to foster. It is important however to stress that such an amendment should only be permitted for Group L vehicles.

In addition, instead of revoking clause 10.3(3) of the Lighting Rule, consideration should be given to replacing the reference to 'one or two' DRL with a maximum number.

Yours sincerely



Mark Stockdale
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