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NZ Automobile Association submission on:
Lane Use Improvements



SUBMISSION TO: NZ Transport Agency Waka Kotahi

REGARDING: Lane Use Improvements

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Introduction

The New Zealand Automobile Association (AA) appreciates the opportunity to comment on the proposed package of lane-use changes. The AA strongly supports the intent of the reforms: to improve safety, clarity, and efficiency across the road network.

We submit the following points in support of the proposals and offer recommendations to strengthen safety outcomes for people walking, cycling, and travelling by public transport.

1. Allowing Children Up To 12 Years Old to Ride on Footpaths

1.0 The AA supports allowing children up to 12 years old to ride on footpaths

The AA supports the proposal to allow children aged **12 and under** to cycle on footpaths. The Regulatory Impact Statement (RIS) clearly outlines that children face heightened vulnerability on the road network due to their developing judgement, difficulty in accurately assessing traffic speed and movement until around age 12, and smaller physical stature that reduces their visibility to motorists.

The RIS also notes:

- A significant share of cycling-related injuries for children aged 10–14 (ACC claims) and evidence that most children already ride on footpaths (86% per the Children’s Commissioner survey).
- Research showing less-experienced riders naturally gravitate to footpaths while learning, and enforcement of the current rule is extremely limited and impractical for Police to verify.

1.1 Recommendation: Permit an Older Rider to Accompany a Child Where They Are Providing Tuition or Safety

The AA asks that the final rule **explicitly allow a responsible older cyclist (e.g., an older sibling, peer, or caregiver)** to accompany a child aged 12 and under *when they are actively providing supervision, safety, or cycle-skills guidance*.

This differs from allowing all adults on footpaths; instead, it reflects a practical safety need. A supervising rider can:

- Protect the child from hazards,
- Teach road awareness and safe behaviour,
- Manage interactions with pedestrians, and
- Build the child’s confidence, accelerating their transition to safe on-road riding when older.

The RIS already acknowledges that guardians riding with children is common and improves safety outcomes. Extending this to *any older accompanying rider providing tuition* would better reflect real-world family cycling patterns (e.g., siblings aged 13–15 teaching younger children), without opening footpaths to general adult cycling.

If accompanying guardians are required to ride on the road, they would need to simultaneously consider road traffic, footpath traffic, their own safety, and that of the children. This would be both impractical and dangerous.

Many jurisdictions—including parts of Australia, the UK, and several US states—allow an adult or older child to accompany a young bike rider on footpaths for safety training. International child-cycling research also emphasises that supervised learning environments markedly reduce crash risk and improve long-term cycling competence.

2. Minimum Passing Gap for Motorists Overtaking Vulnerable Road Users

2.0 The AA supports the establishment of a mandatory minimum passing distance

The AA supports the establishment of a mandatory minimum passing distance, with 1 metre at ≤ 60 km/h and 1.5 metres at higher speeds, matching the RIS recommendation and existing NZTA guidance.

Unsafe overtaking is a known contributor to cycling deaths and serious injuries. The RIS notes that between 2008 and 2017 overtaking contributed to 20% of fatal cyclist crashes in New Zealand, and that similar laws are widely adopted across Australia, reflecting substantial evidence of crash-reduction benefits.

International research (Queensland, Victoria, Western Australia, and UK academic studies) shows:

- Improved driver behaviour following implementation,
- Higher perceived safety for cyclists,
- Reductions in close-pass incidents of up to 40% in some jurisdictions.

The AA supports a strong education component alongside the rule to increase compliance.

3. Allowing people to ride e-scooters in cycle lanes

3.0 The AA strongly supports allowing people to ride e-scooters in cycle ways

Most e-scooter crashes in New Zealand occur in shared spaces and on footpaths, where speed differentials between pedestrians and scooters create conflict. Allowing e-scooters in cycle lanes shifts faster micro-mobility users into infrastructure already designed for similar speeds and movement patterns.

This improves safety by:

- Reducing footpath clutter and unexpected overtaking behaviour,
- Minimising sudden interactions between pedestrians and scooters, and
- Creating more predictable movement patterns for all users.

3.1 Better separation of modes improves flow

The transport system functions best when each mode has a clear, appropriate space. Footpath users are slowed by meeting and navigating around e-scooters, while cycle lanes are often under-utilised relative to their design capacity. Allowing e-scooters into cycle lanes:

- Increases the efficiency and utilisation of existing cycle networks,
- Reduces delays for pedestrians,
- Minimises erratic weaving behaviour that occurs when riders switch between footpath and roadway to avoid obstacles.

3.2 Additional Safety Rationale

Most comparable countries already allow e-scooters in cycle lanes.

In jurisdictions such as:

- Australia (ACT, WA, QLD),
- The UK (in trial regions),
- France,
- Germany, and
- Many US cities,

e-scooters are either required or strongly encouraged to use cycle lanes where available. This consistency ensures safer interaction between scooters and pedestrians and reduces ambiguity for all road users.

4. Requiring Motorists to Give Way to Buses Leaving Bus Stops

4.0 The AA strongly supports introducing a requirement for motorists to give way to buses leaving bus stops

The AA strongly supports introducing a requirement for motorists travelling at ≤ 60 km/h to give way to buses leaving bus stops, with an appropriate infringement penalty. As the RIS highlights, research by Abley Transportation (2017) demonstrates that improved bus priority reduces delays, increases public transport reliability, and contributes to broader network efficiency gains.

4.1 Additional Safety Rationale – Clearer Visibility of Pedestrians

The AA believes the **safety benefits are even greater** than those outlined in the RIS. Allowing the bus to pull out *first* assists motorists behind the bus in two keyways:

1. **Drivers gain a clearer line of sight to recently disembarked passengers only *after* the bus has exited the stop.**

- When a bus remains stationary and motorists pass it, passengers stepping out from in front of or behind the bus may be fully obscured.
 - International studies (particularly from the UK’s Transport Research Laboratory and various US transit agencies) show that “masked pedestrian” risk is a prominent cause of pedestrian-bus-adjacent crashes.
2. **Traffic behaves more predictably**, because motorists behind the bus are less likely to squeeze past the bus or merge unpredictably around it—reducing risk for pedestrians, cyclists, and the bus itself.

This change therefore supports both network efficiency and pedestrian safety, especially at suburban stops near schools, town centres, or aged-care facilities.

The AA endorses complementary measures such as signage and public education to ensure high awareness of the new rule.

5. Clarifying Berm-Parking Rules

5.0 The AA supports clarify signage requirements for enforcing berm parking restrictions.

Road controlling authorities (RCAs) can choose to prohibit parking on berms via a bylaw. They may do this for several reasons, such as safety (particularly for pedestrians and visibility for drivers), the potential for damage of underground services, and due to the damage vehicles can do to the grass itself.

Currently, there is legal ambiguity as to whether any ban needs to be signposted. Some RCAs are of the view that signage is unnecessary - and enforce bans without signage. Other RCAs are of the view that regular signage is required to enforce any ban. Our understanding is that whether a ban on berm parking needs to be signposted is yet to be challenged in the courts.

The proposal would clarify that bans on berm parking can be enforced without signage. In practice, this would mean no change in approach for RCAs that are already enforcing berm parking bans without signage, while those who are not enforcing existing bans (or not putting a ban in place) due to the challenges of signposting, would have the ability to enforce bans without the cost and challenges associated with installing signage, potentially at regular intervals on every street.

The AA supports the proposal because we agree that road controlling authorities should be able to prohibit parking on berms - after consulting with their communities - if there is good reason to do so, and we accept that signposting a ban on berm parking across a large area - such as an entire urban area - is impractical.

That said, we are concerned about the likelihood of motorists getting fined for unknowingly contravening a ban that they were simply unaware of - particularly when they may have been parking on berms, or a particular berm, for many years without issue.

If this proposal is taken forward, the focus should be on education over enforcement. Our strong view is that if the Rule is changed, NZTA needs to issue guidelines to RCAs on implementation and enforcement of berm parking bans, setting out the need for:

- extensive communication with the local community on any berm parking bans (and any existing berm parking ban that is yet to be enforced without signage)
- signage to be used in areas known to be hotspots for berm parking before the ban was put in place, as well as in areas found to be hotspots after the ban is put in place
- a period of time where Council issues warnings, rather than fines - and during that period, Council attempts to reach as many areas as possible to educate as many people as possible.

(If possible, under Council systems) a warning for first-time offenders, even after the initial period where the Council issues warnings

6. Public Information Campaign to Support Behaviour Change

The AA recommends that NZTA Waka Kotahi develop and deliver a clear, nationwide information and education campaign to accompany the lane-use reforms. Rule changes alone will not achieve the intended safety and efficiency benefits unless road users understand the new requirements and adjust their behaviour accordingly.

A well-designed campaign would:

- **Improve public understanding of the new rules**, including footpath cycling for children, e-scooter access to cycle lanes, the minimum passing distance, berm-parking requirements, and the give-way rule for buses.
- **Promote safe and considerate behaviour** across all modes—motorists, cyclists, e-scooter riders, pedestrians, and public transport users—reducing conflict points and improving network harmony.
- **Clarify expectations early**, reducing the likelihood of inconsistent enforcement outcomes or public confusion during the initial transition period.
- **Reinforce the safety rationale** behind each change, helping the public see the collective benefit to vulnerable road users, bus passengers, and community safety.
- **Leverage existing channels** such as the Road Code, AA’s communication platforms, social media, roadside messaging, and school and community programmes to ensure broad reach across different demographic groups.

The AA would welcome the opportunity to support this communication effort through its extensive Member networks, trusted public channels, and road safety education programmes.

Conclusions

The AA supports the overall lane-use reform package and welcomes the positive safety and efficiency outcomes it will deliver. In particular, we recommend:

1. Adopting the proposed age-12 footpath cycling allowance,
2. Explicitly enabling an older rider to accompany a child on the footpath when providing tuition or safety,
3. Allowing e-scooters in cycle lanes,
4. Implementing the mandatory passing gap, and
5. Introducing a “give way to buses” requirement, emphasising the added pedestrian-visibility benefits.
6. Clarifying Berm-Parking Rules

These reforms are practical, evidence-based, and reflect the real behaviours and needs of New Zealand road users.

We appreciate the opportunity to contribute and are available for further discussion.

About the New Zealand Automobile Association

The NZAA is an incorporated society with over 1.1 million Personal Members who belong to the Association, as well as over 1.1 million business vehicle relationships, representing a large proportion of New Zealand's road users.

The AA was founded in 1903 as an automobile users' advocacy group, but today our work reflects the wide range of interests of our large membership, many of whom are cyclists and public transport users as well as private motorists.

Across New Zealand, drivers regularly come into contact with the AA through our breakdown officers, 38 AA Centres and other AA businesses. Meanwhile, 18 volunteer AA District Councils around New Zealand meet each month to discuss local transport issues. Based in Wellington and Auckland, our professional policy and research team regularly surveys our Members on transport issues, and Members frequently contact us unsolicited to share their views. Via the AA Research Foundation, we commission original research into current issues in transport and mobility. Collectively, these networks, combined with our professional resource, help to guide our advocacy work, and enable the NZAA to develop a comprehensive view on mobility issues.

Motorists contribute over \$5 billion in taxes each year through fuel excise, road user charges, registration fees, ACC levies, and GST. This money is reinvested by the Government in our transport system, funding road building and maintenance, public transport services, road safety work including advertising, and Police enforcement activity. On behalf of AA Members, we advocate for sound and transparent use of this money in ways that improve transport networks, enhance safety, and keep costs fair and reasonable.

Our advocacy takes the form of meetings with local and central government politicians and officials, publication of research and policy papers, contributing to media on topical issues, and submissions to select committees and local government hearings.

Total Membership

Over 1.1 million are Personal Members

Over 1.1 million are Business Vehicle relationships

% of licenced drivers

At least 29% of licensed drivers are Personal AA Members
(based on Class 1 licences for cars and light vehicles)

Gender split

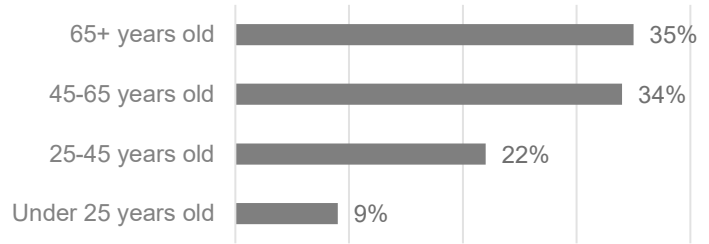
54% Female

45% Male

1% Unknown

Age range & Membership retention

Age of AA Members



53% of AA Members have been with us for over 10 years.
