

Submission on

Land Transport (Road User) Amendment Rule [2011]

Introduction

1. Thank you for the opportunity to make a submission on the Land Transport (Road User) Amendment Rule 2011. We would appreciate the opportunity for further engagement in the development of Rules to improve the safety and operation of New Zealand's land transport system.

About TRAFINZ

2. TRAFINZ (The Traffic Institute of New Zealand Inc) represents a wide grouping of NZ local authorities, covering the majority of the New Zealand population. Its membership includes regional councils, the major metropolitan cities and smaller provincial authorities as well as private sector and non-local government members.
3. TRAFINZ' Executive is comprised of elected councillors and officers, drawn from a cross section of the membership, together.

Submission

4. In developing this submission we have discussed the proposed Rule changes at a meeting of our Executive and circulated a draft submission more widely amongst our members for further input.
5. **Proposal 1. Left turn v. right turn priority**

This proposal will reverse the change made in 1977 that required left turning vehicles to give way to right turners at an uncontrolled intersection. A vehicle turning left would now have priority in that situation. A driver turning right would have to give way to all oncoming traffic travelling straight ahead or turning left.

TRAFINZ supports this rule change, for the following main reasons:

- Avoids need for drivers to decide intentions of vehicles following the right turner and problems of these vehicles being hidden from view – leading to an expected reduction in intersection crashes.
 - Brings NZ intersection rules more into line with Australia and other overseas countries.
 - Supported by submitters during the consultation on "Safer Journeys 2020"
6. **TRAFINZ is concerned** that, as with any change to rules affecting drivers, additional crashes may occur after the change due to driver confusion, as happened with the original

change in 1977. The change in priority will also lead to road controlling organisations having to make consequential changes in lane layout at some intersections to accommodate likely increased queues of right turners and reduced queues of left turners. These local layout changes and the nation wide change in priority will all need extensive publicity to minimise the possibility of driver confusion and crashes. We note and strongly support the publicity campaign proposed.

7. Proposal 2 - Uncontrolled T- intersections

The proposal will require all traffic from a terminating road at an uncontrolled intersection to give way to all traffic travelling on a continuing road. The current rules applying at uncontrolled T- intersections would be reversed so that a vehicle that is turning right from a 'continuing' road would have priority over one turning right from a 'terminating' road. The proposed amendment Rule defines the terms 'T-intersection', 'continuing' and 'terminating' roads.

TRAFINZ supports this rule change, for the following main reasons:

- Removes uncertainty for the driver on a major road about whether a side road is sign controlled or not, with currently two different give way rules possible
- Less need to sign- control side roads; freeing up resources for use on other safety projects. This will apply particularly to rural areas as many urban intersections are currently sign or signal controlled

8. **Further work is needed** on the way the change would be implemented. Consideration should be given to ways that a driver can be alerted to the status of a road as being either continuing or terminating. This could be achieved by continuous centerline marking on the continuing road, and possibly by a limit line marking on the terminating road. Councils will need to take a corridor approach to any removal of existing Give Way and Stop signs, considering visibility issues and consistency for drivers.

9. Proposal 3. Apply bus signal provisions to riders of motorcycles, mopeds and cycles using a special vehicle lane

This proposal will allow riders of motorcycles, mopeds and cycles using a bus lane that is controlled by a 'B' (bus) signal to proceed on a white 'B' signal. Riders of those vehicles would be required to comply with a yellow or red 'B' signal.

TRAFINZ supports this rule change

It clarifies a situation which has evolved following the inclusion of other traffic into some bus lanes.

10. Proposal 4. Add a new situation in which the 20 km/h speed restriction applies when passing a stationary school bus

The existing Road User Rule requires a driver, when meeting or overtaking a stationary school bus that has stopped to pick up or set down school children, to drive with due care for the safety of the children, and to restrict the speed of their vehicle to 20 km/h while passing any part of the bus. The Traffic Control Devices Rule requires a school bus operator to ensure that a sign of an approved type is displayed on the front and rear of a school bus to alert drivers to the presence of the school bus. The proposal provides for a flashing sign to be operated from 20 seconds before stopping to 20 seconds after the bus moves off again and requires passing drivers to limit their speed to 20km/h when the flashing lights are activated.

TRAFINZ is aware of a variety of views on whether or not the proposal will be effective, but on balance

TRAFINZ supports this rule change, but notes:

- Although there is no proposal requiring all school buses to have and operate flashing lights, it can be expected that there will be strong pressure for this to happen should the proposed rule be approved. This will result in substantial extra costs for bus operators which will have to be passed on to Vote Education and the rural community.
- Previous experience with non compliance by motorists for flashing lights at crash scenes and roadworks etc tends to suggest that there would be little or no improvement in driver behaviour, unless ways are found to provide effective enforcement of the speed limit.
- The proposal provides for an active sign (flashing lights) to be placed on a school bus, but does not include the 20kph indication in the sign as supported by Rural Women and Report 408 (School Bus Safety). However as stated in Report 408 motorists travelling at 100kph need to slow down from 275m from a stopping bus to be able to reduce their speed to 20ph at the bus stop. The 20kph, if included within a flashing sign on a bus, will not readable until much closer to the stop.

11. **TRAFINZ considers** that on high speed roads it could be better to address the problems of pupil safety by ensuring that stops are in safer locations. There needs to be a nation wide programme of siting all school bus stops on highways off the road so that there was a physical barrier between the bus stop and the highway and therefore the 20kmh limit would not apply. The barrier would only have to be a grass berm. Such a programme would need to be run with the full support of the rural community and could anticipate that landowners would assist with access to land for suitable safe stops.

12. OTHER PROPOSED RULE CHANGES

TRAFINZ supports the following additional rule changes, most of which are for the purpose of consistency with other rules or guidelines.

Proposal 5. It is proposed to add a new pay-parking symbol ('P\$') into the Rule. This symbol means that parking is permitted subject to payment of a fee.

Proposal 6. It is proposed to replace the term 'taxi' with 'small passenger service vehicle' in *subclauses 6.20(3) and 8.6©* of the Rule. (Note. Make Rule consistent with definitions elsewhere)

Proposal 7. It is proposed to place a time limit on a medical certificate that allows a vehicle's occupants to be excluded from being restrained by a seatbelt or child restraint while travelling in the vehicle.

Proposal 8. It is proposed to amend the Rule so that a bus driver is not obliged to ensure that his or her passengers are restrained by a suitable child restraint when the vehicle is being operated on the road. (Note –applies to under fives, makes Rule consistent with other legislation).

Proposal 9. It is proposed to align the Rule with the requirements in the Traffic Control Devices Rule that specify the length of time for which a school bus driver is allowed to operate a school bus sign that incorporates flashing lights.

Proposal 10. It is proposed to amend the Rule so that drivers approaching a pedestrian crossing controlled by a school patrol do not have to stop if children are obviously waiting to cross but where a school patrol sign is not extended

Proposal 11. It is proposed to update the definition of 'parking' in the Rule to align with the Traffic Control Devices Rule. (Note. This allows for use of the term "Parking Machines")

Proposal 12. It is proposed to amend the definition of 'school bus' so that a bus transporting school children on a school trip, and in which a seat is available for all passengers, is not required to be a 'school bus' and be subject to the 80 km/h speed restriction and school bus sign requirements that apply to school buses.

Conclusion

13. Thank you again for the opportunity to make a submission. We would welcome the opportunity to speak to our submission and to have further dialogue. We would also be happy to provide further information if required.

Cr Andy Foster
President
TRAFINZ – The New Zealand Traffic Institute