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**To Ministry of Transport**

Please find attached our submission on the Draft Land Transport Rule: Setting of Speed Limits 2024

For any further inquiries, please contact:

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**Introducing Disabled Persons Assembly NZ**

**We work on systemic change for the equity of disabled people**

Disabled Persons Assembly NZ (DPA) is a not-for-profit pan-impairment Disabled People’s Organisation run by and for disabled people.

**We recognise:**

* Māori as Tangata Whenua and [Te Tiriti o Waitangi](https://www.archives.govt.nz/discover-our-stories/the-treaty-of-waitangi) as the founding document of Aotearoa New Zealand;
* disabled people as experts on their own lives;
* the [Social Model of Disability](https://www.odi.govt.nz/guidance-and-resources/guidance-for-policy-makes/) as the guiding principle for interpreting disability and impairment;
* the [United Nations Convention on the Rights of Persons with Disabilities](https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html) as the basis for disabled people’s relationship with the State;
* the [New Zealand Disability Strategy](https://www.odi.govt.nz/nz-disability-strategy/) as Government agencies’ guide on disability issues; and
* the [Enabling Good Lives Principles](https://www.enablinggoodlives.co.nz/about-egl/egl-approach/principles/), [Whāia Te Ao Mārama: Māori Disability Action Plan](https://www.health.govt.nz/publication/whaia-te-ao-marama-2018-2022-maori-disability-action-plan), and [Faiva Ora: National Pasifika Disability Disability Plan](https://www.moh.govt.nz/notebook/nbbooks.nsf/0/5E544A3A23BEAECDCC2580FE007F7518/%24file/faiva-ora-2016-2021-national-pasifika-disability-plan-feb17.pdf) as avenues to disabled people gaining greater choice and control over their lives and supports.

**We drive systemic change through:**

**Rangatiratanga / Leadership**: reflecting the collective voice of disabled people, locally, nationally and internationally.

**Pārongo me te tohutohu / Information and advice**: informing and advising on policies impacting on the lives of disabled people.

**Kōkiri / Advocacy**: supporting disabled people to have a voice, including a collective voice, in society.

**Aroturuki / Monitoring**: monitoring and giving feedback on existing laws, policies and practices about and relevant to disabled people.

## United Nations Convention on the Rights of Persons with Disabilities

DPA was influential in creating the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD),[[1]](#footnote-2) a foundational document for disabled people which New Zealand has signed and ratified, confirming that disabled people must have the same human rights as everyone else. All state bodies in New Zealand, including local and regional government, have a responsibility to uphold the principles and articles of this convention.

The following UNCRPD articles are particularly relevant to this submission:

* **Article 19 – Living independently and being included in the community**
* **Article 20 – Personal mobility**

## New Zealand Disability Strategy 2016-2026

Since ratifying the UNCRPD, the New Zealand Government has established a Disability Strategy[[2]](#footnote-3) to guide the work of government agencies on disability issues. The vision is that New Zealand be a non-disabling society, where disabled people have equal opportunity to achieve their goals and aspirations, and that all of New Zealand works together to make this happen. It identifies eight outcome areas contributing to achieving this vision.

The following outcomes are particularly relevant to this submission:

* **Outcome 5 – Accessibility**

# The Submission

# DPA welcomes this opportunity to give feedback to the Ministry of Transport on the Draft Land Transport Rule: Setting of Speed Limits 2024.

DPA does not support the plan as increasing speeds on certain roads and sections of the roading network will impact on the safety and accessibility of disabled people throughout Aotearoa.

DPA strongly supported the previous Road to Zero Strategy given that disabled people are one of the groups at higher risk of death or injury on our roads.[[3]](#footnote-4)

Disabled people are at higher risk on our roads due to multiple factors: people with mobility impairments often take longer to cross roads in a timely way, blind and low vision people need to audibly hear traffic (and becoming more so with the advent of electric vehicles), the need for more signage in high risk areas and for the growing number of older people some or all of the above factors could affect people in this demographic too.

Disabled children are also at risk from these factors as children are often not able judge the speed of oncoming traffic. So, we are particularly concerned by the proposal to re-introduce variable speed limits around schools. Below we respond to most of the proposals contained in the discussion document and with our own recommendations where relevant.

# Further background: importance of road safety to disabled people

# A recent report by Auckland Transport (AT)[[4]](#footnote-5), highlighted that safer speeds have reduced deaths by more than 30% in the Auckland region. A reduction of speeds near schools shows that we, as a country, prioritise both the lives of our disabled and non-disabled children. Speed reductions give drivers more time to stop if a child runs out onto the road as there have been many tragic stories of disabled children doing so and being killed.

# Many disabled people have also experienced near misses with unsafe drivers not slowing down according to Auckland Transport’s analysis.

# Travel

# Disabled people travel to work, school, community, services, cultural events, education and appointments. The increase in travel time for drivers is minimal in comparison to the increased risk of serious injury or death of disabled people due to the speed that some drivers travel at. Slower speeds also benefit the driver as it provides them more time to react to any emergencies.

**DPA’s response to consultation proposals**

**Proposal 1 – require cost benefit analysis for speed limit changes**

DPA does not support the proposal to conduct cost benefit analyses around the setting of speed limits including the assessment of implementation costs.

This approach will have a considerable impact on road safety as artificially high implementation costs may be cited as an excuse for not reducing speed limits in areas where they are clearly needed.

The use of travel time as another measure is equally concerning. We acknowledge the primacy given to safety as part of any cost benefit analysis weighting, but the equal weighting given to both implementation costs and travel times will undermine this.

This cost benefit analysis seems to be an exercise to justify reducing costs over safety. It is an expense to taxpayers to fund a cost benefit analysis when organisations like Auckland Transport have already completed extensive analyses of road conditions in their region.

Overall, the social, economic and health costs of traffic accidents anywhere in Aotearoa is significant in terms of the health, economic, environmental and social costs involved to individuals, families/whānau and wider society.

**Proposal 2 – strengthen consultation requirements**

DPA supports any move to strengthen consultation requirements as these are an important aspect of policy making when it comes to any government decision.

However, in the case of setting speed limits, we are concerned about the relative prioritisation that Road Controlling Authorities (RCAs) will have to give some groups over others, namely business, freight and transport interests when consulting over speed changes.

We acknowledge that schools and local communities are also mentioned as key consultation stakeholders, but it appears to us that the interests of groups like, for example, pedestrian, cycling and public transport users/providers could be de-prioritised under the new speed limit setting regime.

**Recommendation 1:** that RCAs be required to specifically consult with other key stakeholders including disabled people, pedestrian, cycling and public transport users and providers when setting speed limits so that balanced input can be incorporated into decisions.

**Proposal 3 – require variable speed limits outside school gates**

DPA opposes this proposal to change from a uniform lower speed limit to more variable ones outside school gates. The draft rule defines school travel periods as running between 8-9.30am and 2.30pm-4pm on weekdays.

Dividing schools into two categories for the purposes of determining the maximum speed limits of 30km/h and 60km/h respectively creates huge risks.

One of the greatest risks is the general confusion that could arise for drivers. Currently, motorists know what speed limits to always stick to in areas around schools, especially during term time. Taking away this rule and creating two separate speed limits for different classes of school, and only during drop off and pick up times, is bound to create increased risks for all school children around the country.

Introducing static variable speed limit signs on main roads will only partially address the conundrum that these new rules will create.

There are two very important points we wish to emphasise here.

**Firstly, what about schools not located on main roads, for example, those in rural and smaller communities who may not be a priority for the placement of safety signage?**

**Secondly, what about the safety of school children who may need to walk/mobilise during school hours including, for example, to get to appointments or as part of school trips?**

This new rule has the potential to create discrepancies and inequities between different schools in different areas when it comes to speed limits.

DPA holds that these changes will create additional risks for disabled tamariki and rangatahi when moving to and from schools. For example, for students with mobility impairments or who are blind or low vision, there are significant additional risks involved in crossing roads around school areas with reports of near misses for disabled students going over safety crossings.

**Recommendation 2:** that the existing standardised speed limits around all schools of 30km/h be retained.

**Proposal 4 – introduce a Ministerial Speed Objective**

DPA opposes this proposal to introduce Ministerial Speed Objectives.

This move could strip away the ability of local councils to flexibly determine speed limits in their own areas as local authorities tend to know their own regions best.

Given that most RCAs are local councils, placing more power into the hands of ministers to determine local road speed limits would undercut the Government’s own focus on returning more power to local authorities.

It could also be the first step towards having speed limits eventually set by ministerial whim rather than through legislation.

**Recommendation 3:** that all speed limits continue to be set by legislation and not ministerial directive.

**Proposal 5 – changes to speed limit classifications**

DPA is opposed to this proposal to raise speed limits across nearly all road types.

Raising the speed limits especially for urban streets, urban connectors, stopping places and rural roads will present increased risks for the pedestrians, cyclists, and e-mobility users who access these areas.

DPA is pleased to see that the speed limits for civic spaces remains unchanged at 10-20 km/h given the increasing number of partially pedestrianised spaces emerging around the country.

Evidence has been provided that human lives are lost when speeds are increased, and many more are disabled or injured, what is the impact on our economy with people in hospitals or care or counselling due to the death of loved ones?

**Recommendation 4:** that all current speed limits for roads of every type are retained.

**Proposal 7 - reverse recent speed limit reductions**

DPA opposes this proposal to reverse the speed limit reductions introduced under the previous government’s Road to Zero programme in 2020.

From a disability perspective, the government’s desire to re-introduce the speed limits which applied before January 1, 2020, on arterial roads and rural state highways is concerning enough but the proposal to increase speeds on local streets with widespread 30km/h limits around schools is very concerning.

Local streets are accessed by ordinary residents in towns and cities across the country every day, including disabled people.

We acknowledge that at this stage the proposal is to only increase the speed limits which apply on roads that have schools on them, but our concern is that this could extend to applying speed limit increases across all urban streets over time.

**Recommendation 5:** that the current speed limits which have applied since 1 January 2020 be retained.

**Other matters**

**Retain and expand the Speed Management Committee**

DPA would like to see the Speed Management Committee which advises NZTA on State highway speed management and provide oversight on speed management issues be retained.

DPA would also like to see membership expanded to include representatives from the disability and other communities who are disproportionately impacted by transport access and safety issues including rural communities.

**Recommendation 6:** that the Speed Management Committee be retained, and its membership expanded to include representatives from the disability and other communities impacted by transport access and safety issues.

**No to higher speed limits on certain roads**

DPA opposes the idea of enabling speed limits of up to 120km/h on roads ‘that are built and maintained, and will be managed, to safely accommodate that speed.’

The Ministry of Transport’s own evidence garnered from research it conducted alongside ACC (2000) indicates that the faster a driver travels, the more likely a driver is to crash.[[5]](#footnote-6) The research cited the example of where a driver travelling at 90km/h is more likely to be involved in a crash which leads to injury than a driver travelling at 80km/h.

Effectively, this means that drivers and passengers will be at even greater risk of dying in accidents in vehicles speeding at 120km/h, no matter how well built and maintained the road being driven on might be.

**Recommendation 7:** that the current speed limits on certain roads be retained.

1. <https://social.desa.un.org/issues/disability/crpd/convention-on-the-rights-of-persons-with-disabilities-articles> [↑](#footnote-ref-2)
2. <https://www.odi.govt.nz/nz-disability-strategy> [↑](#footnote-ref-3)
3. Schwartz, N., Buliung, R., Arslan, D., & Rothman, L. (2022, September). Disability and pedestrian road traffic injury: a scoping review. *Health & Place,* 77(102896), 1-13*.* [*https://www.sciencedirect.com/science/article/pii/S1353829222001575*](https://www.sciencedirect.com/science/article/pii/S1353829222001575) [↑](#footnote-ref-4)
4. [aukland-transport-report-24-month-safe-speeds-tranche-1-monitoring.pdf (at.govt.nz)](https://at.govt.nz/media/1990901/aukland-transport-report-24-month-safe-speeds-tranche-1-monitoring.pdf) [↑](#footnote-ref-5)
5. <https://www.transport.govt.nz/assets/Uploads/Report/ACC672-Down-with-speed.pdf> [↑](#footnote-ref-6)