

14 September 2007

Omnibus Amendment
Rules Team
Land Transport New Zealand
PO Box 2840
Wellington



Dear Sir/Madam

**New Zealand Traffic Institute (TRAFINZ) Submission on Land Transport Rule :
Omnibus Amendment (Rule 10003)**

The NZ Traffic Institute (TRAFINZ) represents a wide grouping of NZ local authorities and other organisations involved in various aspects of land transport. Its membership includes regional councils, the major metropolitan cities and smaller territorial authorities, and government agencies and private sector organisations. The Institute's Executive is comprised of elected councillors and officers drawn from a cross section of the local government membership, together with personnel representing its key agency partners and a number of senior technical staff from transport consultancies that volunteer their services *pro bono*. The Institute's primary focus is on transportation planning, traffic management, and road safety. It provides specialist advice to members on transport/traffic and safety issues, and also acts as a conduit for local authorities to respond to the NZ Government on proposed new and/or amended legislation.

TRAFINZ welcomes the opportunity to provide a submission on the yellow draft of Land Transport Rule : Omnibus Amendment (Rule 10003). There are a number of specific comments we wish to make and these are covered in the attached submission.

TRAFINZ is happy to discuss any of the comments contained in the submission and any queries can be directed to the Chair of the TRAFINZ Technical Committee, Steve Spence, Chief Transportation Engineer, Wellington City Council (☎ (04) 803 8099 / Email: steve.spence@wcc.govt.nz) or to one of Technical Committee representatives, Bruce Conaghan, City Traffic Engineer, Manukau City Council (☎ (09) 262 8900 ext 8770 / E-mail bruce.conaghan@manukau.govt.nz).

Yours sincerely

John Gottler
Vice President
The New Zealand Traffic Institute (TRAFINZ)
P.O. Box 22-712
CHRISTCHURCH



***Submission to the Rules Team, Land Transport
New Zealand, on the Yellow Draft of the:***

Land Transport Rule: Omnibus Amendment 2007 (Rule 10003)

Prepared by:

The New Zealand Traffic Institute (TRAFINZ)

September 2007

Introduction

1. The NZ Traffic Institute (TRAFINZ) represents a wide grouping of NZ local authorities and other organisations involved in various aspects of land transport. Its membership includes regional councils, the major metropolitan cities and smaller territorial authorities, and government agencies and private sector organisations. The Institute's Executive is comprised of elected councillors and officers drawn from a cross section of the local government membership, together with personnel representing its key agency partners and a number of senior technical staff from transport consultancies that volunteer their services *pro bono*. The Institute's primary focus is on transportation planning, traffic management, and road safety. It provides specialist advice to members on transport/traffic and safety issues, and also acts as a conduit for local authorities to respond to the NZ Government on proposed new and/or amended legislation.
2. TRAFINZ welcomes the opportunity to comment on the Yellow Draft of the Omnibus Amendment Rule 2007 (Rule 10003). We do not propose to comment on the all proposals and issues contained in the draft, rather our comments and submissions are confined to those proposals and issues the Institute's members either have a specific interest in, or strongly support in principle.
3. Overall, TRAFINZ supports all but one of the proposals (Proposal 12) identified in the yellow draft of Land Transport Rule : Omnibus Amendment (Rule 10003). In addition, TRAFINZ recommends that two of the proposals (Proposal 17 and 19) be amended. The reasons for these are discussed with the relevant Rules below.
4. TRAFINZ has also identified some additional issues that should be considered within the Omnibus Amendment process and these are discussed at the end of this submission.

Specific Comments/Submissions on Proposals

5. Land Transport Rule : Heavy Vehicles 2004 (Proposal 12)

TRAFINZ does not support the amendment in the definition of "axle rating" to require permitted maximum axle and/or axle-set masses only if that information is available to accommodate used Japanese vehicles not having axle-set ratings. For national consistency, used Japanese vehicles should have axle-set ratings and it may be such that axle-set ratings are made a requirement for the importation of such vehicles. One added advantage of having consistency of axle-set ratings would be the ease of enforcement of overloading.

6. Land Transport (Road User) Rule 2004 (Proposal 17)

TRAFINZ supports the proposal to allow emergency service vehicles to use special vehicle lanes in an emergency. However, TRAFINZ recommends that this be extended to include towing service vehicles where such vehicles are acting under the direction of the Police or Road Controlling Authority. There is merit in this in that it would enable towing service vehicles to be able respond

more quickly to crashes or special vehicle lane obstructions and in doing so, reduce the overall recovery time associated with the crash or obstruction.

7. Land Transport (Road User) Rule 2004 (Proposal 19)

TRAFINZ supports the proposal to require position lamps to be displayed on a towed trailer. However, Council recommends that all trailers that are used on the road should be fitted with lights and that these should be operational during the hours of darkness. In many cases where trailers are being towed, it can be difficult to see the braking or indicator lights of the towing vehicle.

Further Issues for Consideration

8. Definition of Lane

There is an issue with how a lane is defined in Land Transport Rule : Traffic Control Devices 2004. Where internally illuminated road studs are installed, they define a lane even when they are not operating. While this is not a problem where the use of illuminated supplements road markings, it is a problem where the illuminated road studs are used to clearly define lanes in areas where lane markings would not be suitable e.g. on roads where there is a change in the lane arrangement to provide capacity for the major traffic flow especially during the peak periods.

9. Supplementary Roundabout “Give Way” Sign

TRAFINZ would recommend that the requirement for supplementary Roundabout “Give Way” sign be removed from the Land Transport Rule : Traffic Control Devices 2004. It is clearly obvious that the roundabout give-way sign is clear in its intent as it retains the standard red and white triangular shape associated with the “Give Way” sign with the only change being the roundabout symbol replacing the words “Give Way”. The roundabout “Give Way” sign without the supplementary “Give Way” sign is consistent with such signage used internationally.

10. Priority for Buses Departing Bus Stops

With the increasing focus on passenger transport especially in the larger urban centres, TRAFINZ believes that it is appropriate that the proposed Rule include the requirement to enable buses to have priority when drawing out from a bus stop. Such buses would also be required to have a sign affixed to the rear of the bus in order to form the legal obligation for the motorist who is required to give way. Any such legislation would need to be included in the Traffic Control Devices Rule given that the details and dimension of the sign would be seen as a traffic control device.

11. Use of Space-saver Tyres

While not covered in the proposed Omnibus Amendment, TRAFINZ is concerned over the use of temporary-use spare tyres (space-saver tyres). While the intent

of the present Tyres and Wheels Rule is clear on how space savers tyres should be used, there appears to be an ever-increasing number of motorists treating them as ordinary tyres rather than the short term emergency tyre intended by the Rule. While it is difficult to assess whether such misuse has had any impact on safety, Council feels there is the potential for the misuse to become much more widespread without appropriate enforcement. Council considers that there is a need to address this increasing trend and recommends that more enforcement and education be carried out to address the present problem of misuse. Furthermore, it is considered that the Tyres and Wheels Rule should be amended to ensure that space saver tyres are not permitted in or on vehicles registered in New Zealand after a certain date.

12. Parking on Grass Verges

TRAFINZ would ask that an additional clause be added to the Omnibus Rule to amend the Road User Rule so that parking on a lawn, garden, or other cultivation that is adjacent to, or forms part of a road, is prohibited, as is driving on the same. The Road User Rule is clear in that it is an offence to drive along a footpath or on a lawn, garden, or other cultivation adjacent to, or forming part of, a road and an infringement can be issued to the driver who is observed committing the offence. However, in the situation where the vehicle is not observed driving on to such an area, local authorities do not have the ability to issue a parking infringement which is targeted to the vehicle rather than the driver. TRAFINZ is aware of the debate that surrounded this issue in 2006 and agrees that bylaws are not the most appropriate way to deal with this issue. To provide a balance, it would be recommended that parking on a lawn, garden, or other cultivation that is adjacent to, or forms part of a road, be prohibited in urban traffic areas, the definition of which is contained in Land Transport Rule : Setting of Speed Limits 2003.