
Accessible Streets Regulatory Package

COMMUNICATION AND ENGAGEMENT PLAN FOR CONSULTATION ON THE PROPOSED RULE CHANGES

Purpose

This plan outlines the approach to communications and engagement with all stakeholders and audiences who are likely to want to be heard during the consultation phase of the Accessible Streets Regulatory Package proposed rule changes. This will ensure a framework to communicate all relevant information and will inform the post-consultation communications plan, regardless of the outcome of the consultation.

Background

The 2017/18-2027/28 Government Policy Statement (GPS) on land transport outlined a significant shift in land transport investment. It signalled a shift to a safer transport network free of death and injury, accessible and affordable transport, reduced emissions and value for money.

Mobility is the lifeblood of commerce and community. The transport network shapes our urban areas, and how we get around. We want urban areas that are well connected, safe, accessible and liveable.

The Accessible Streets Regulatory Package is a collection of rule changes designed to increase the accessibility and safety of our footpaths, shared paths, cycle lanes and cycle paths. It supports the GPS to improve people's access to social and economic opportunities, and to increase people's safety when using the transport system.

The proposed rule changes respond, in part, to the increasing use of various types of 'vehicles' on our roads, footpaths, shared paths, cycle paths and cycle lanes. Vehicles and devices such as mobility scooters, e-bicycles and e-scooters offer significant transport benefits to users and non-users alike. They provide low-cost forms of transport for short trips and, when used as an alternative to a private car, they provide a wider, public benefit of reducing congestion and harmful vehicle emissions.

The Accessible Streets Regulatory Package (proposed) changes aim to:

1. Reshape current vehicle and device definitions into new categories to enable better regulation of new and emerging devices and better regulation of where and how they can be used.
2. Change who is allowed on footpaths and introduce conditions that users need to follow when using the footpath. The changes would require users riding on the footpath to:
 - a. Operate in a courteous and considerate manner, in a way that does not constitute a hazard, and gives right of way to pedestrians.
 - b. Not travel faster than 15km/h (to ensure the safety of others on the footpath).
 - c. Not ride a device wider than 750mm [other than wheelchairs] (to ensure multiple users can still access the footpath)
- The change will also clarify that pedestrians and all wheelchair users are prioritised by other users within the footpath space.
- The proposed changes will allow people to ride bicycles on the footpath

3. Clarify, using clearer definitions, who is allowed on shared paths and cycle paths and introduce conditions that users need to follow when using them. The changes will clarify that:
 - The speed limit on shared paths and cycle paths will match the adjacent roadway.
 - If there is no adjacent roadway, a speed limit of 50km/h will apply on these paths.
 - The change will also clarify that pedestrians have priority on shared paths.
 - The proposed change will also recognise the need for consideration to be given to local circumstances, we have also provided mechanisms for enabling road controlling authorities to set or change the speed limit of these paths and restrict particular users.
4. Enable transport devices (such as e-scooters and e-skateboards) to use cycle lanes and cycle paths. This proposal will also enable pedestrians and users of mobility devices (such as mobility scooters) to use cycle lanes and cycle paths when no footpath is available.
5. Introduce lighting and reflector requirements for powered transport device users. The change would only permit powered transport device users on the road (and paths) at night, provided the device is fitted with:
 - a headlamp
 - a rear-facing position light
 - a reflector (or the user is wearing reflective material)
6. Make changes to the priority of all types of road users, by:
 - a. Legitimising the practice of cycling or riding a transport device straight ahead from a left turn lane.
 - b. Allowing cyclists and transport device users to pass slow moving vehicles (undertake) on the left.
 - c. Giving cyclists and bus drivers priority over other traffic turning when they are travelling straight through in a separated cycle lane or separated bus lane.
 - d. Giving greater priority to footpath, shared path and cycle path users over turning traffic where the required traffic control devices are installed.
7. Mandate a minimum overtaking gap for motor vehicle drivers passing different road users of 1 metre when the posted speed limit is 60km/h or less and 1.5 metres when the posted speed limit is over 60km/h.
8. Enable and simplify local decision-making processes around restricting parking on berms (by vehicles like cars or trucks).
9. Require motor vehicle drivers to give way to buses pulling out of bus stops in urban areas, on a road with a posted speed limit of 60km/h or less.

We know that making changes in urban areas is complex and can be highly controversial. As such a range of stakeholders, along with the public, will be invited to provide their views on these proposed changes via the consultation process.

Following consultation all submissions will be reviewed before any final decisions are made.

Any rule amendments are anticipated to come into force in mid-2020. An implementation plan, including any required transitional arrangements, will be prepared, along with a national public information and education campaign to support any changes.

Communication and engagement objectives

The objectives of this communication and engagement plan are to:

- increase people's understanding of the current and future issues facing the transport system, the need to change how we use our urban transport network due to the new and emerging ways people are choosing to travel, and the overarching need to keep people safe
- raise awareness of the proposed package of rule changes and how it affects the use and safety of users on footpaths, shared paths, cycle lanes and cycle paths.
- provide information on the accessible streets proposed rule changes that is accessible and coherent for interested parties
- Discuss the proposed changes face-to-face with relevant stakeholders
- inform stakeholders of the consultation and its duration
- invite everyone to have their say during the public consultation period and provide multiple channels to do so.

Key messages

- The proposed Accessible Streets rule changes are part of a change to how we think about our streets and paths, as places that meet the needs of all users, while prioritising the safety and access of those who are most vulnerable.
- Accessible Streets is comprised of common-sense adjustments to existing rules recognising the needs and vulnerability of various users when they interact and establishing increased priority for active and low-emission modes of transport.
- Accessible Streets reflects that footpaths are primarily for pedestrians. The proposed changes create nationally consistent rules where users who travel faster than 15km/h, use devices that exceed 750mm, and do not prioritise the safe passage of pedestrians are prohibited from using the footpath.
- These users have a safe alternative in the use of shared paths, cycle lanes and cycle paths. The proposed changes increase the safety and priority of cyclists and users of transport devices at intersections and in traffic, further encouraging these users to avoid footpaths.
- The environment on a high street footpath is dramatically different to a rural township. We recognise the need for localism and greater flexibility for New Zealand's cities and towns to determine the path rules most suited to local communities. Accessible Streets proposes greater powers for local government to regulate the conditions surrounding the use of their local paths.
- The proposed changes also support more efficient provision of public transport and would help resolve ongoing disagreement about the powers of road controlling authorities to regulate and enforce berm parking.
- Accessible Streets supports the move away from single occupancy car use to more energy efficient and healthier travel options like walking, cycling and public transport.
- The goal of the regulatory package is to improve safety and accessibility for people walking, using transport devices, or cycling. It aims to clarify the rules around the use of emerging forms of transport, such as e-scooters, e-bikes and mobility devices on footpaths, shared paths, cycle lanes and cycle paths.
- To encourage the safe use of emerging transport devices, helmet use requirements for users of skateboards, push scooters, e-scooters, and roller blades will continue to be recommended, but will not be mandated by law. Accessible Streets does not propose any change to existing helmet use requirements for cyclists, which will remain mandatory.
- On 18 February 2020, public consultation will begin for the Accessible Streets regulatory package. This consultation invites everyone to have their say about the proposed changes set out in the new the Land Transport Rule: Paths and Road Margins 2020, amendments to three current rules: The Road User Rule, Traffic Control Devices Rule and Setting of Speed Limits Rule.
- Consultation is open to everyone in New Zealand, so it's important to understand the proposals and have your say. All feedback will be considered before any final decisions are made.
- Proposed changes include:

- Re-categorising vehicle and devices to reflect changes in technology and allow for better regulation of these devices and their users,
 - creating nationally consistent rules around what types of ‘vehicles’ are allowed on footpaths, shared paths, and cycle paths and under what conditions, and enabling councils and other road controlling authorities to vary these rules to meet local needs
 - enable transport devices, such as e-scooters, to use cycle lanes and cycle paths
 - Introducing lighting and reflector requirements for powered transport device users on the road at night,
 - improving the safety of pedestrians, cyclists, transport device users and the mobility impaired on roadways and side roads, through a variety of give way rule changes,
 - require a minimum overtaking distance for drivers of motor vehicles when passing vulnerable users on the road way - including pedestrians, cyclists, horse riders, mobility device users and users of transport devices like e-scooters or skateboards
 - simplifying local decision-making processes around restricting parking on berms,
 - give scheduled passenger buses priority when exiting bus stops on urban roads
- Consultation starts on 18 February 2020 and ends on 20 March 2020. Go to the NZ Transport Agency website to find out how to ensure your voice is heard: www.nzta.govt.nz/accessible-streets-consultation

Communications risks and mitigations

The following table outlines the communication risks that have been identified so far.

Risk	Mitigation
Lack of buy-in for the need for change - package seen as a way of just sorting out ‘the e-scooter problem’	Reduce the use of the term e-scooter when communicating. Focus on formalising rules around safety of all users as technology provides new modes of transport
Ongoing debate on keeping the footpaths for pedestrians only, so why allow increased numbers of cyclists on the footpaths?	Use this to encourage actual submissions.
Perception that this is not seen as promoting safety sufficiently	
Perception that this is not seen as promoting active modes sufficiently	
Negative media coverage or comment by academics or frequent commentators on transport to the proposed changes that undermines the consultation process	This plan will help to mitigate negative comment or coverage by telling a positive story of the proposed changes and why they are needed. Media interviews and opinion pieces can be used to respond to negative comment or coverage.
Blind Citizens NZ, the Blind Low Vision New Zealand (formerly the Blind Foundation) and other disability advocates publicly oppose e-scooter use on footpaths	Use this to encourage actual submissions.

Risk	Mitigation
Vocal opposition from disability groups about improvements to e-scooter riders at the expense of disability scooter users (restriction of use of 'wide' mobility devices)	<p>Send a clear message that these are proposals intended for discussion and debate during consultation.</p> <p>Encourage an actual submission.</p> <p>All feedback will be taken into account to support any decisions on final rule changes. Highlight that any implemented changes will be monitored by the Ministry of Transport, Transport Agency, the Office for Disability Issues and the Ministry of Health, and responses made to any change in the level of services for people with disabilities, should it be necessary.</p>
Strong media and public interest and diverse views are expected	Send a clear message that these proposed changes are intended for discussion and debate during consultation. All feedback will be taken into account to support any decisions on final rule changes.

Consultation approach

Invitations to submit will be communicated to key stakeholders and we will contact relevant groups to discuss the changes face-to-face. The reduced lead in time between the final detail on the proposed changes to the consultation start time does not allow time to create animations for the consultation webpage, and we cannot add them after the start of consultation as that impacts those who submit early.

Text and summary documents will be published to the consultation webpage as HTML, word and pdf documents, and a consultation email address will be available for direct questions during the consultation period. Submitters will also be able to provide feedback via the post.

We will provide documents/resources in accessible formats. We plan to provide a summary of the proposed changes in the form of a sign language video (produced by Deaf Aotearoa), an easy read document (produced by People First New Zealand) and are currently investigating if we can make a version in braille.

Groups such as Deaf Aotearoa and Blind Low Vision New Zealand have offered to help with submissions. For example, Deaf Aotearoa is able to receive video submissions in sign language and translate them for us.

Those who choose to review the easy-read document of the summary will be able to write comments on the document and send them through to us in the post.

All documents will be available for downloading in text form as an entire set for submitters to make commentary on all the rule changes.

We will not use comments via social media as a form of submission. Instead, we will encourage those who decide to comment on proposals via social media to formally submit through our website.

Using tools such as Survey Monkey will aid ease of submitting due to its automated process to take submitters through the questions for each section.

Advertising plan post-consultation

Once the consultation has concluded all submissions will be assessed and placed into a Cabinet process to amend or settle on the Accessible Streets regulatory package.

We need to be aware of the scale of submissions and subsequently of the decisions made due to the consultation process.

A lot of opposition to the proposed changes could see a second round of consultation and significant investment in spend and resources for a public campaign and the development of an education programme. Alternatively, if the majority supports the proposed changes, the impact on advertising will be small. The result of the consultation will determine the spend, lead in time, design, creation and length of any subsequent advertising campaign.

Indicative lead in times for advertising and education campaigns post consultation

	A lot of opposition	Mid-range	Majority supports
Consultation	Potential to consult again	Potential to consult again	Very unlikely to require further consultation
	Advertising lead in time		
Public information campaign	10-11 months	6-8 months	Less than 6 months
	\$\$\$\$	\$\$-\$\$\$	\$-\$\$
Development of education campaign	10-12 months	8-11 months	Less than 8 months
	\$\$\$\$	\$\$-\$\$\$	\$-\$\$

STAKEHOLDER ENGAGEMENT PLAN AND ENGAGEMENT APPROACH

Some initial, targeted engagement has already been undertaken as part of research that ultimately led to the development of the Accessible Streets proposals.

Several government departments have also been consulted with on the development of the package. These departments support the proposals being used as the basis for consultation and are generally supportive of their intent.

Following Cabinet approval, there is limited time to carry out a formal, face-to-face consultation with stakeholder groups on these proposed rule changes in a way that ensures they have all the information in a way that is useful to make a submission should they choose to do so, and in a way that is equitable for all stakeholder groups. As such, we will be inviting all to take part in the consultation when it opens. We plan to meet with as many relevant stakeholder groups as possible, but this may not be achievable in the 4 weeks proposed for public consultation.

Roles and responsibilities

Ministry of Transport (MoT):

A programme of specific engagement with the disability sector and the local government sector is indicated by MoT during the public consultation process. This is to address some concern that has been raised about the lack of consultation with this sector in developing the proposals.

NZ Transport Agency:

Prepare documents and support MoT’s specific engagement during consultation

Prepare and publish the consultation webpage on the Transport Agency website, and link to this page from the all of government consultation page: <https://www.govt.nz/browse/engaging-with-government/consultations-have-your-say/consultations-listing/>

Support MoT with a ministerial media release to announce the start of consultation, or if the Minister would prefer, prepare a Transport Agency media release to announce the start of consultation. NB: either media release could be supported by media briefings should they be deemed valuable.

Post-consultation, stakeholder groups will be informed of the summary of submissions, prepared by both MoT and the Transport Agency policy teams. The summary will be published on the Transport Agency website.

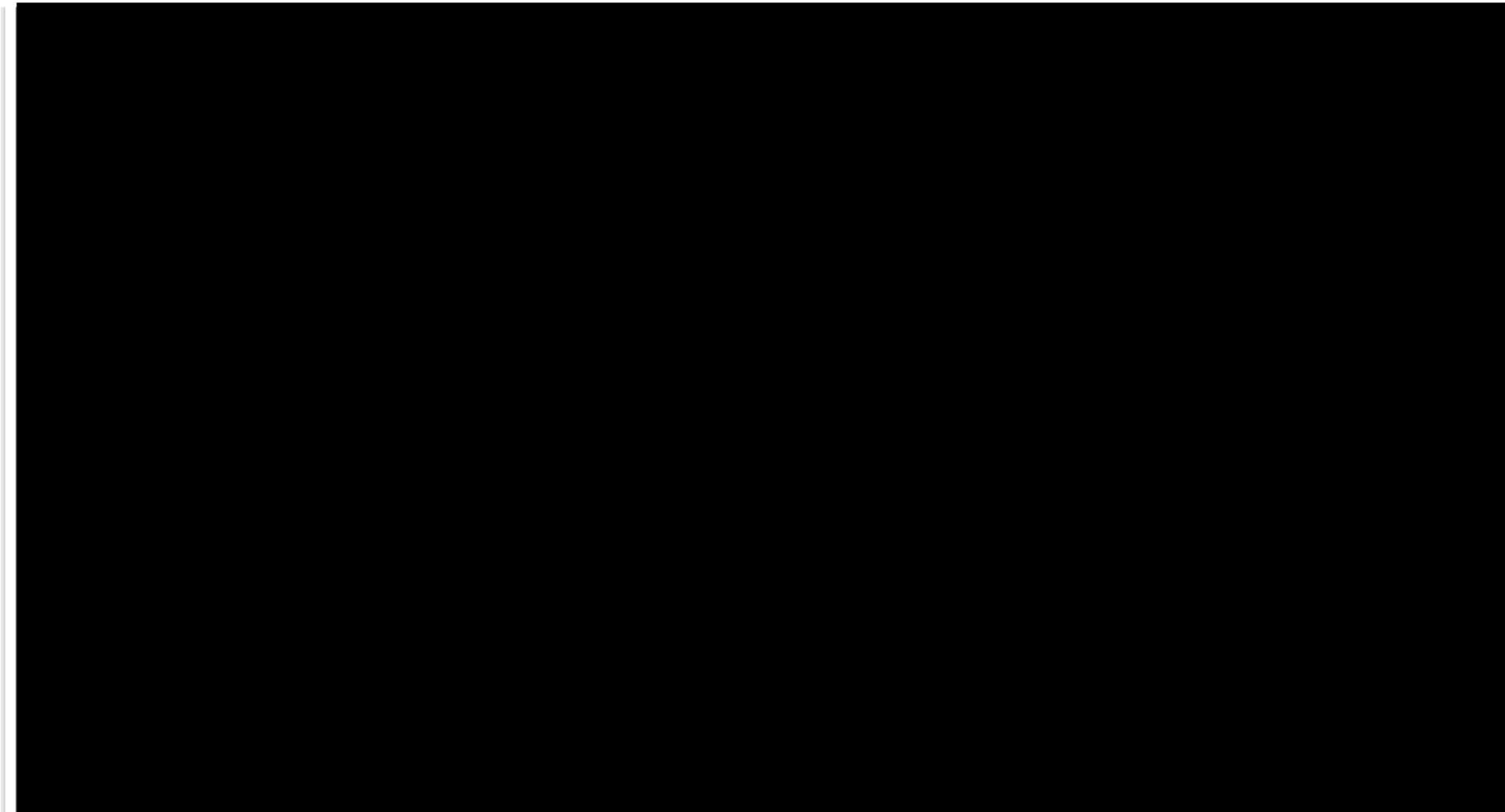
Internal stakeholders and relationship owners

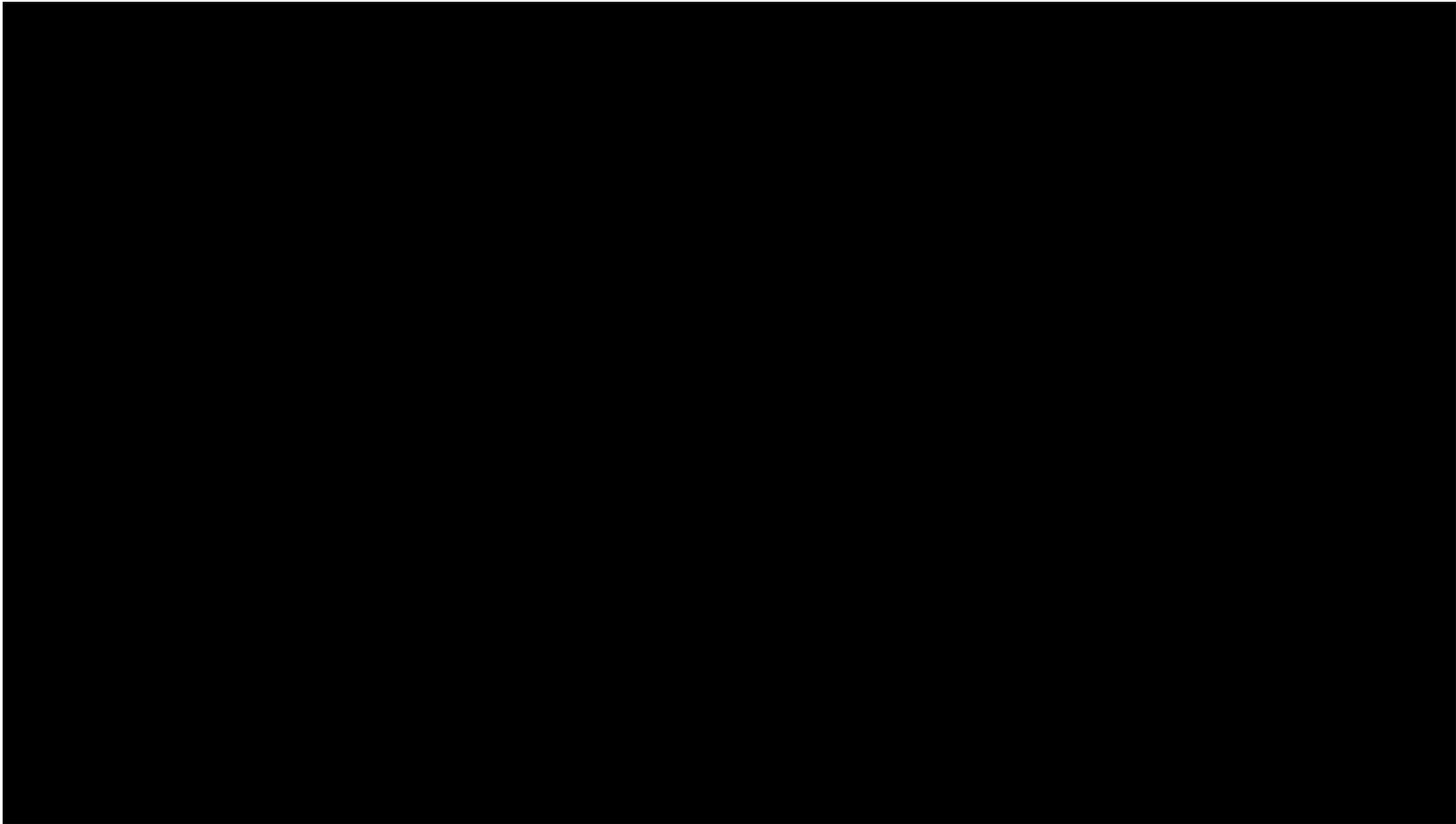
AUDIENCE	ROLE/RELATIONSHIP TO PROJECT	WHAT THEY NEED TO KNOW	WHAT WE NEED THEM TO DO	RELATIONSHIP OWNER
CE and ELT/ senior leaders	Need to ensure Ministerial priorities are met	Heads up of draft rule release	Support the project	Project sponsors - 
Steering Group	Provide oversight of project	Project is progressing on schedule; any issues identified through consultation period	Provide direction and approvals as required	NZTA & MoT Project leads

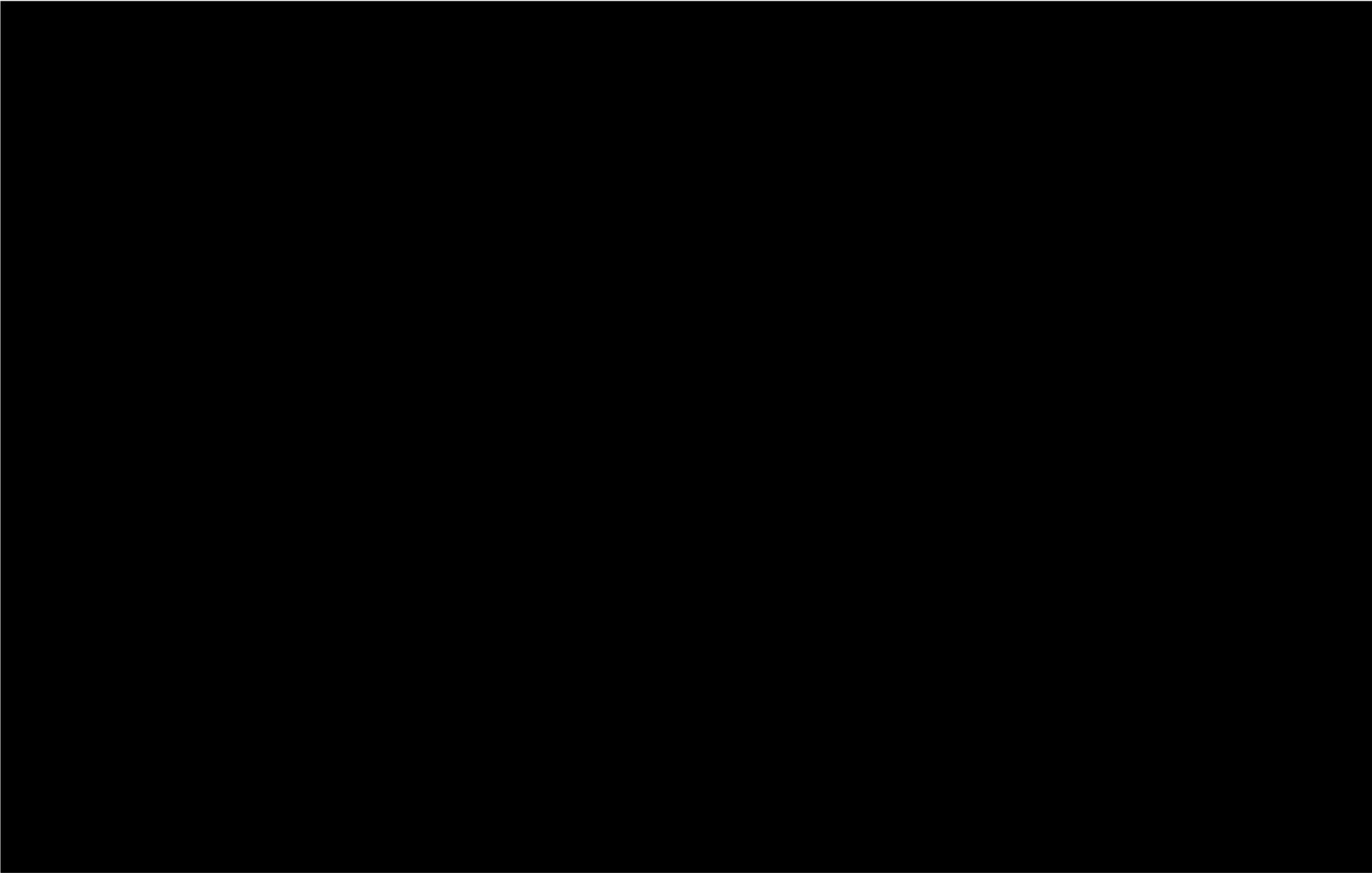
Privacy

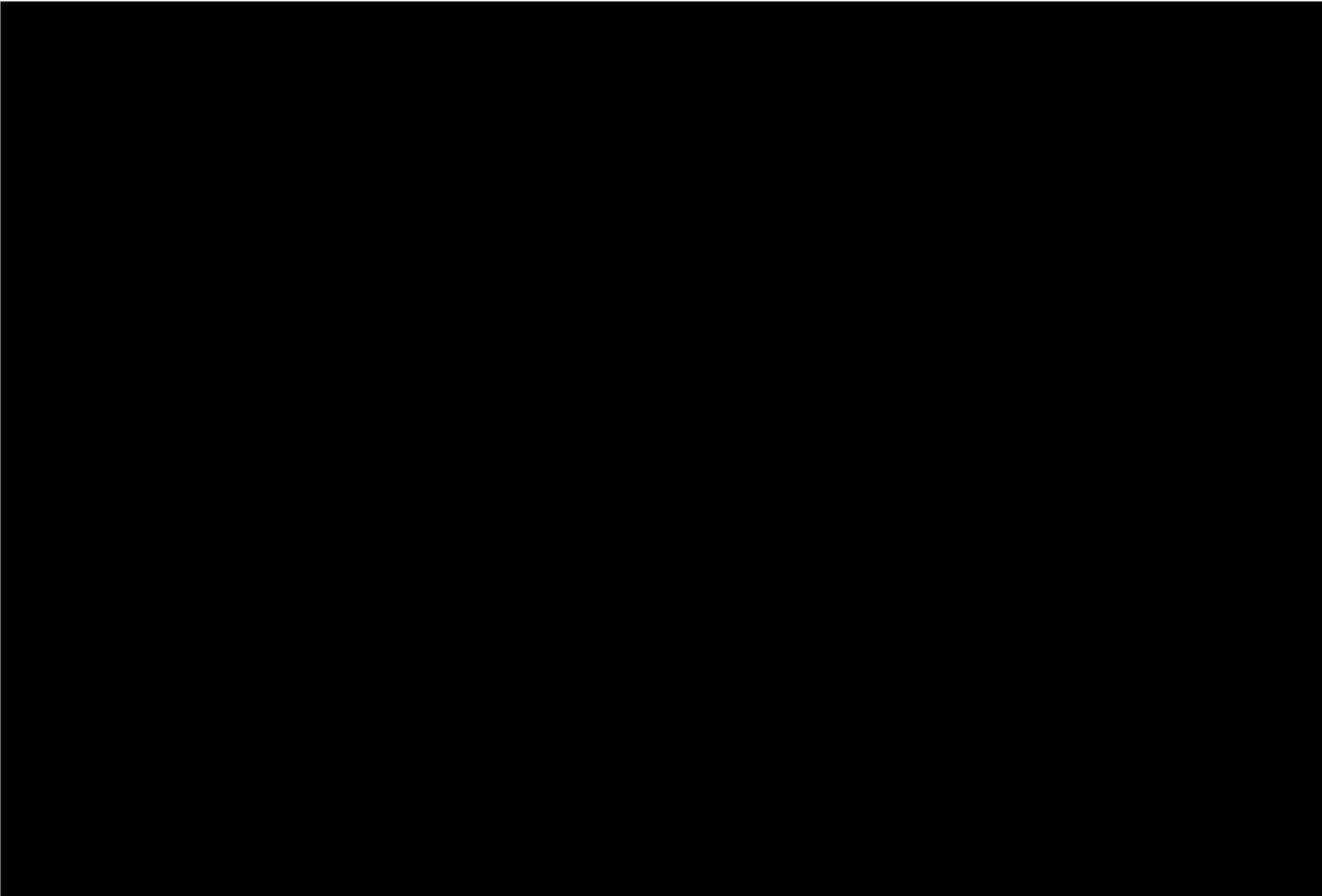
AUDIENCE	ROLE/RELATIONSHIP TO PROJECT	WHAT THEY NEED TO KNOW	WHAT WE NEED THEM TO DO	RELATIONSHIP OWNER
Media team	First point of contact for media enquiries	Need to understand what the proposed changes are, timings and how people make a submission	Be aware that the public consultation is happening and be able to respond to media enquiries	Engagement and Partnerships (E&P)
Customer Service Centre	First point of contact for customer/general enquiries	Need to understand what the proposed changes are, timings and how people make a submission	Be aware that the public consultation is happening, respond to queries received from customers/public and direct them to the consultation pages online and project email address	E&P
Key groups	Have an interest in related issues - walking/cycling/public transport	Need to understand what the proposed changes are and timings for consultation	Support the project and promote the consultation to a wider audience as appropriate	Project sponsors
All NZTA people	General interest in the broader work of the agency	Need to know why the consultation is happening, timings and how to make a submission	Have a general awareness of the consultation and make a submission if they choose	E&P/Channels team

Free and frank advice

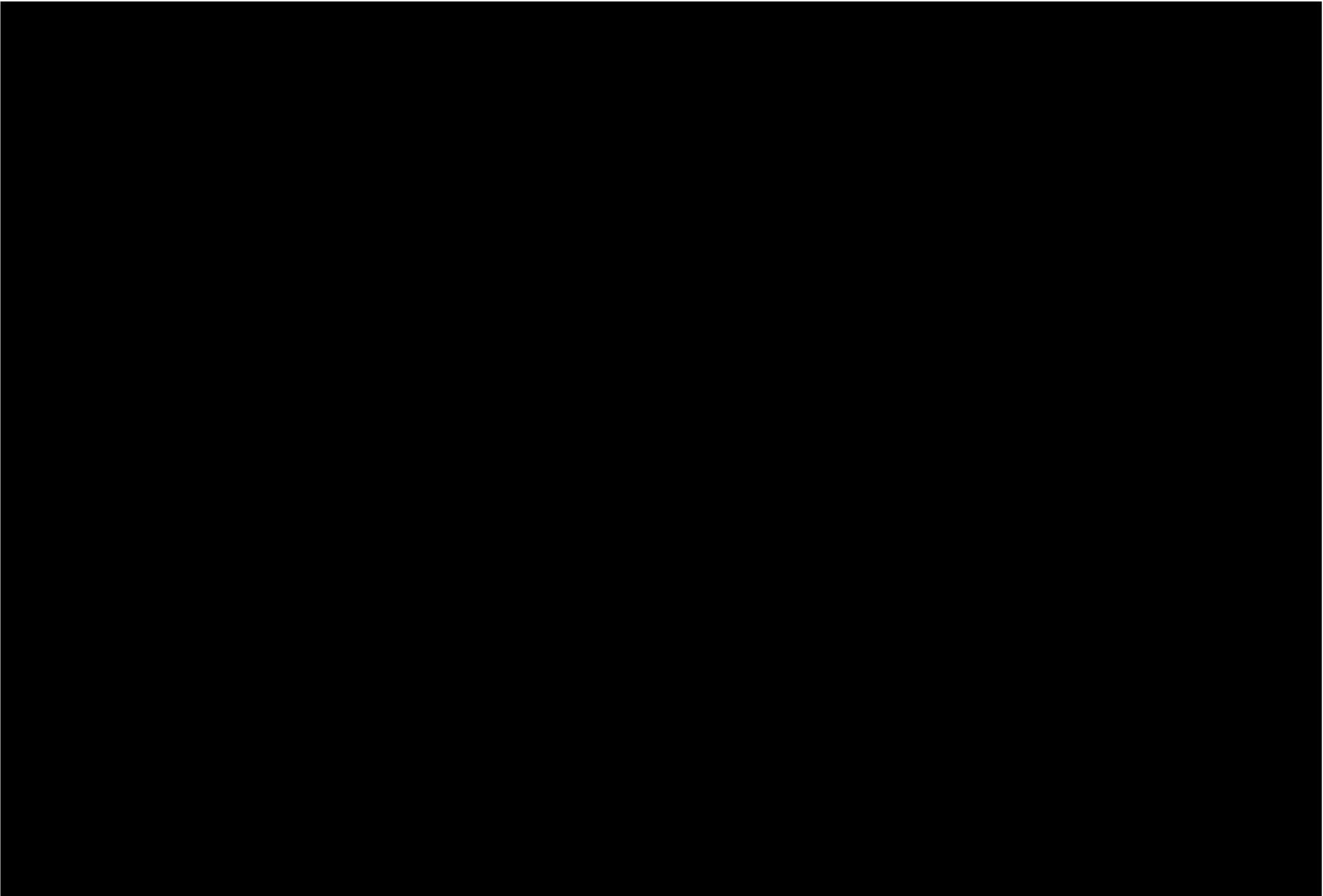


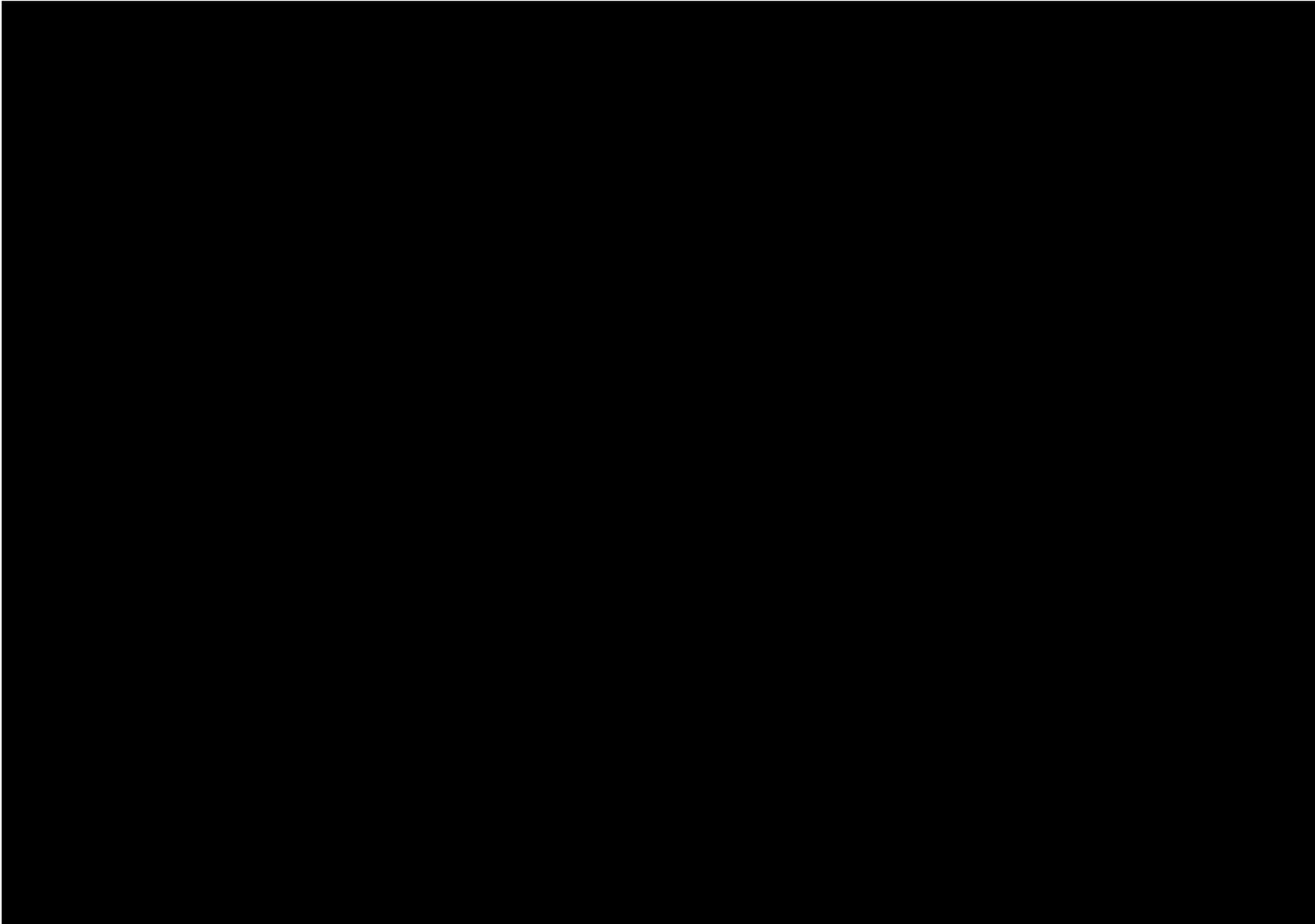


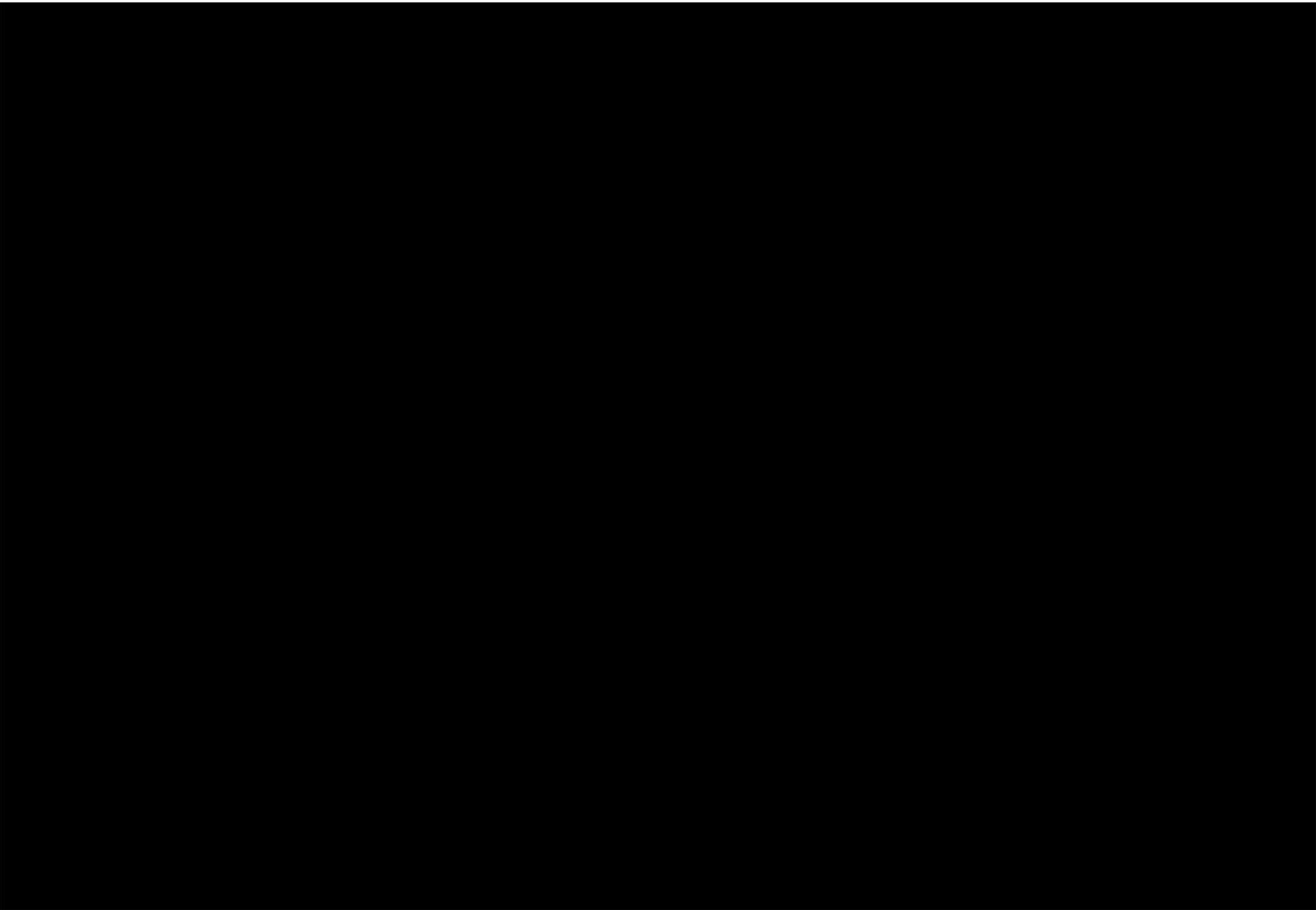


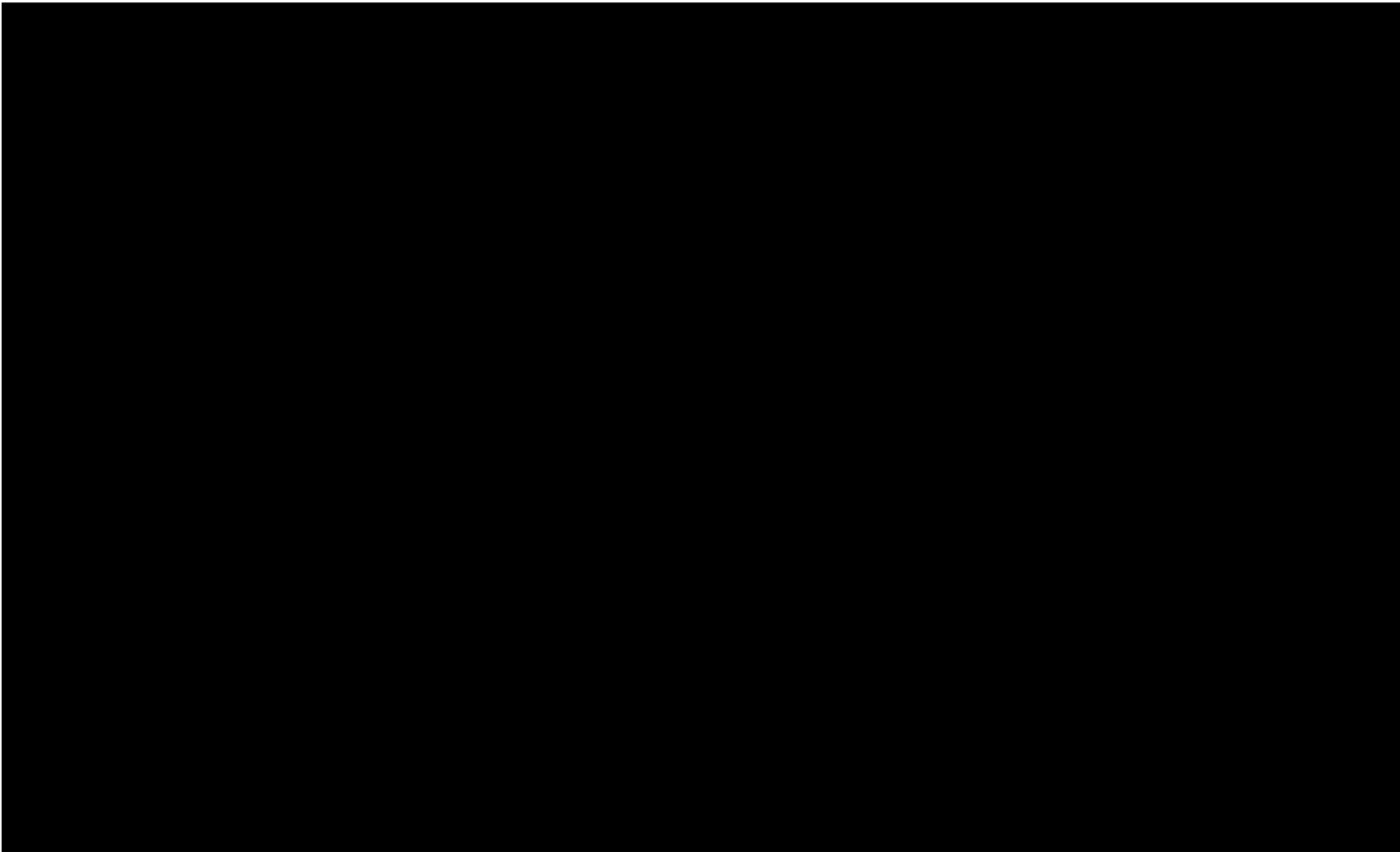






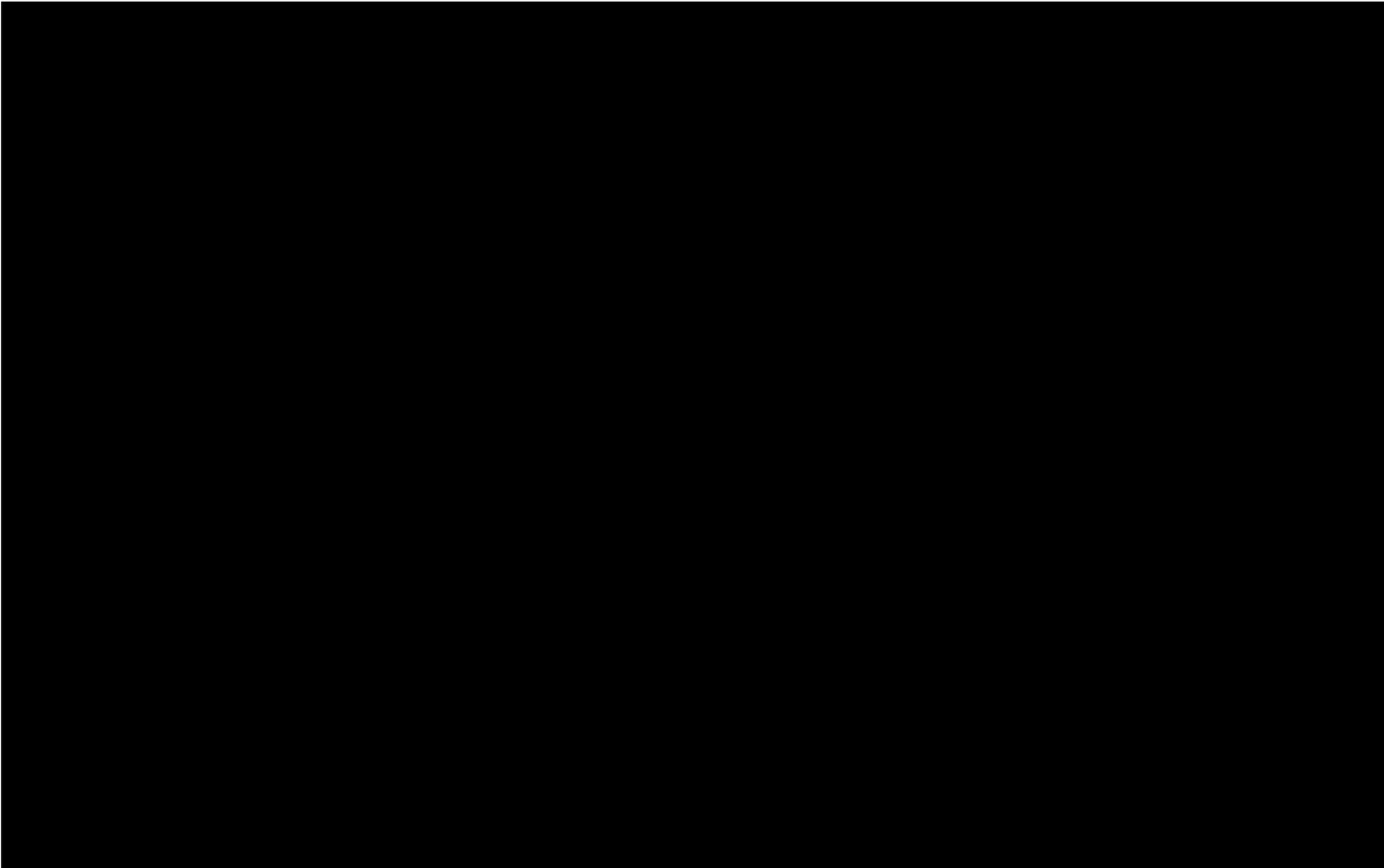


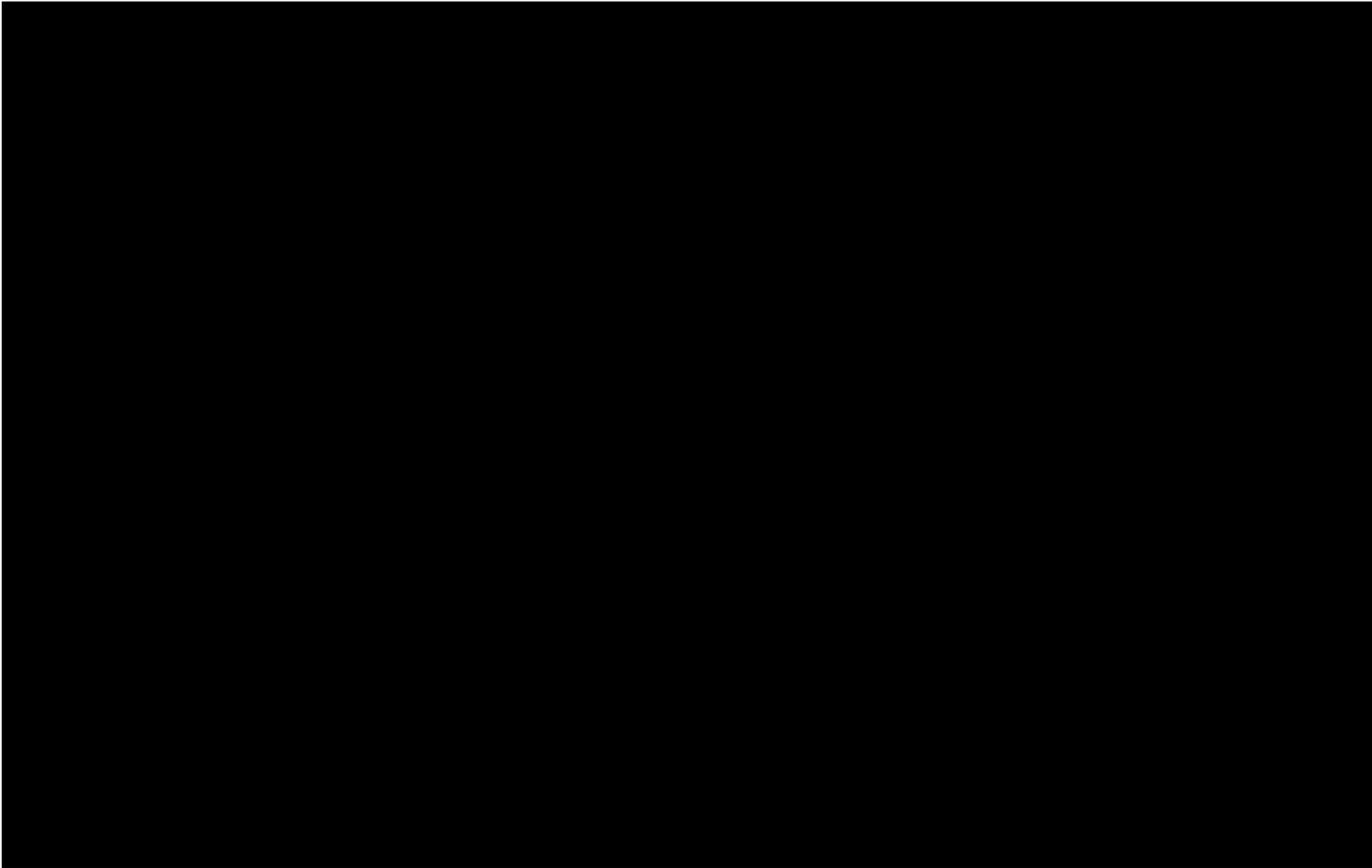


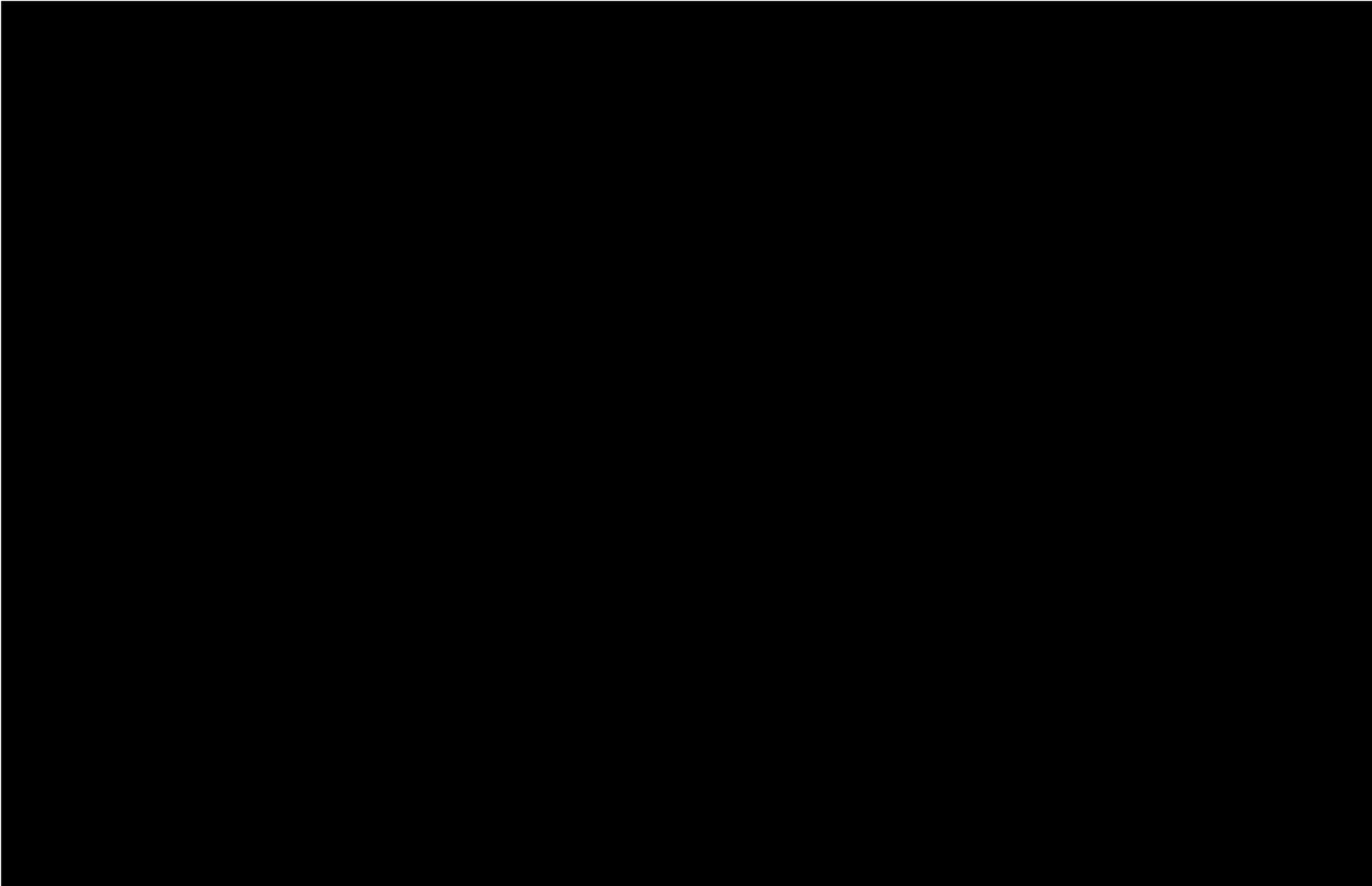


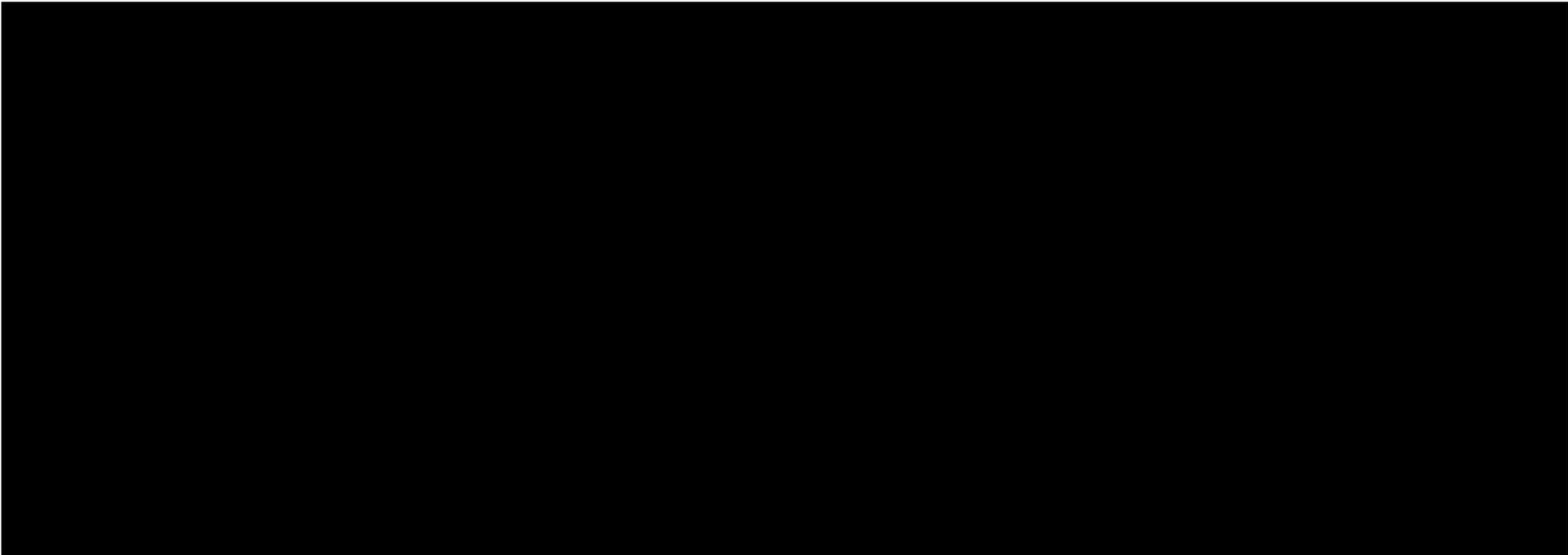


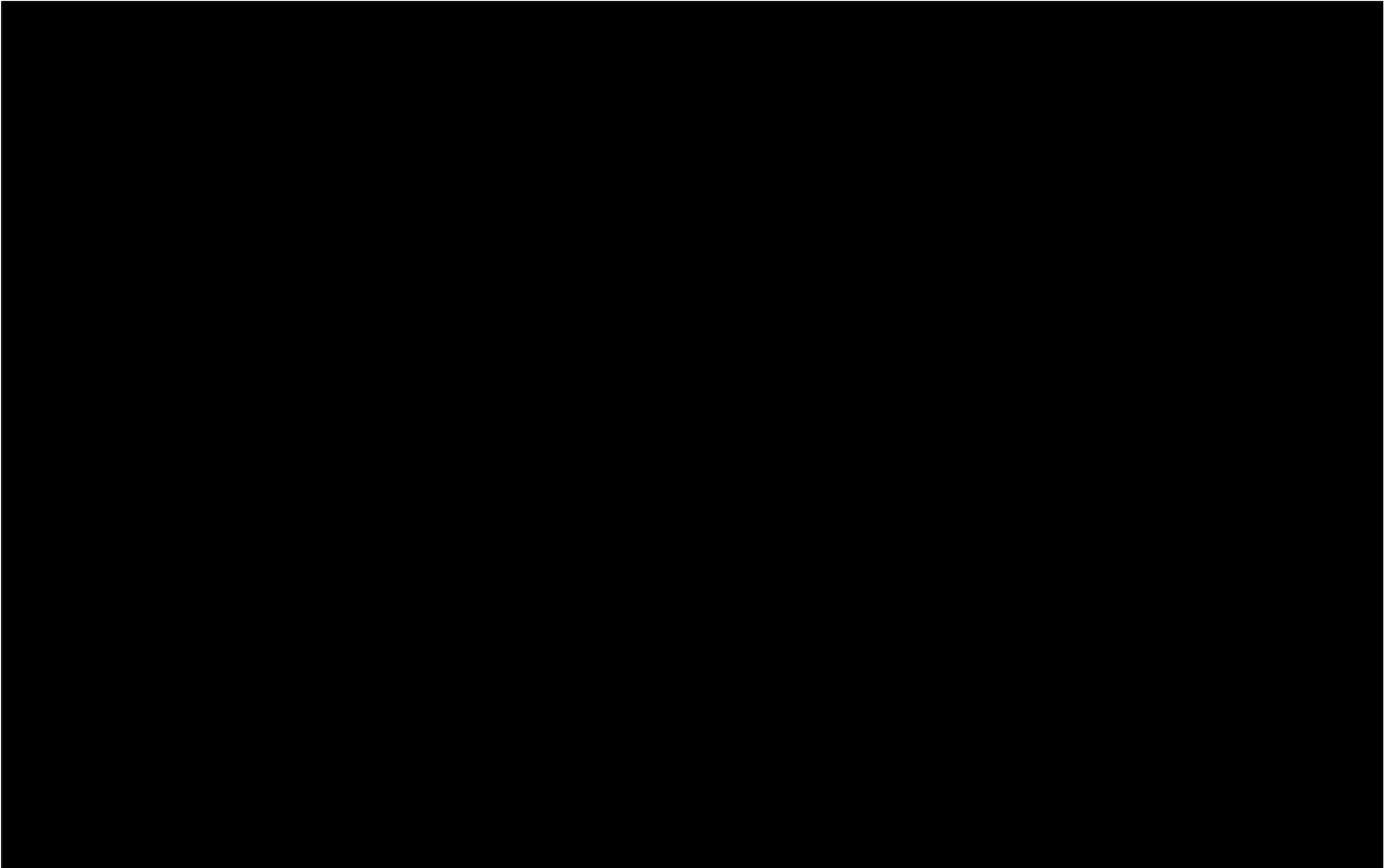


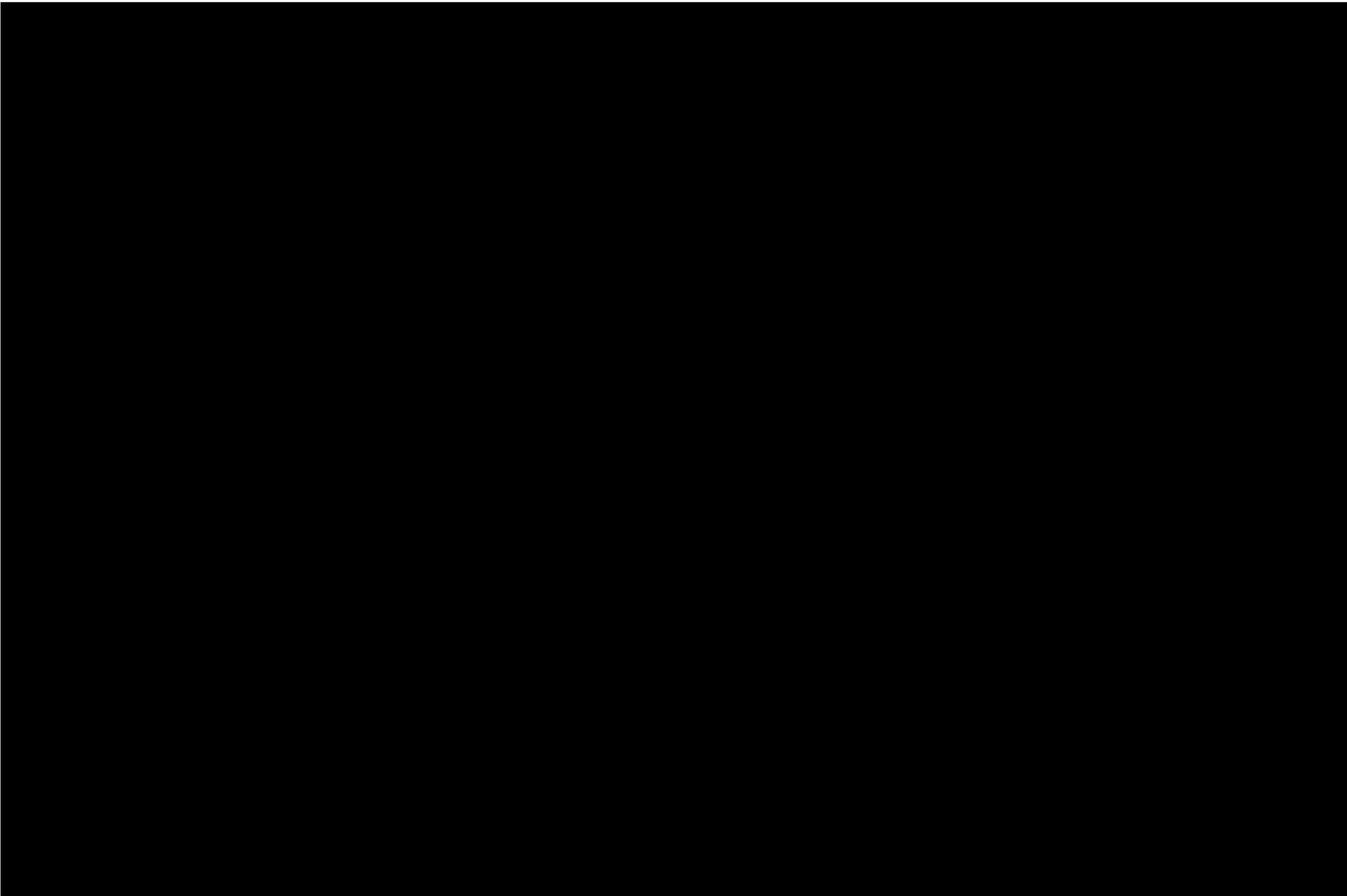


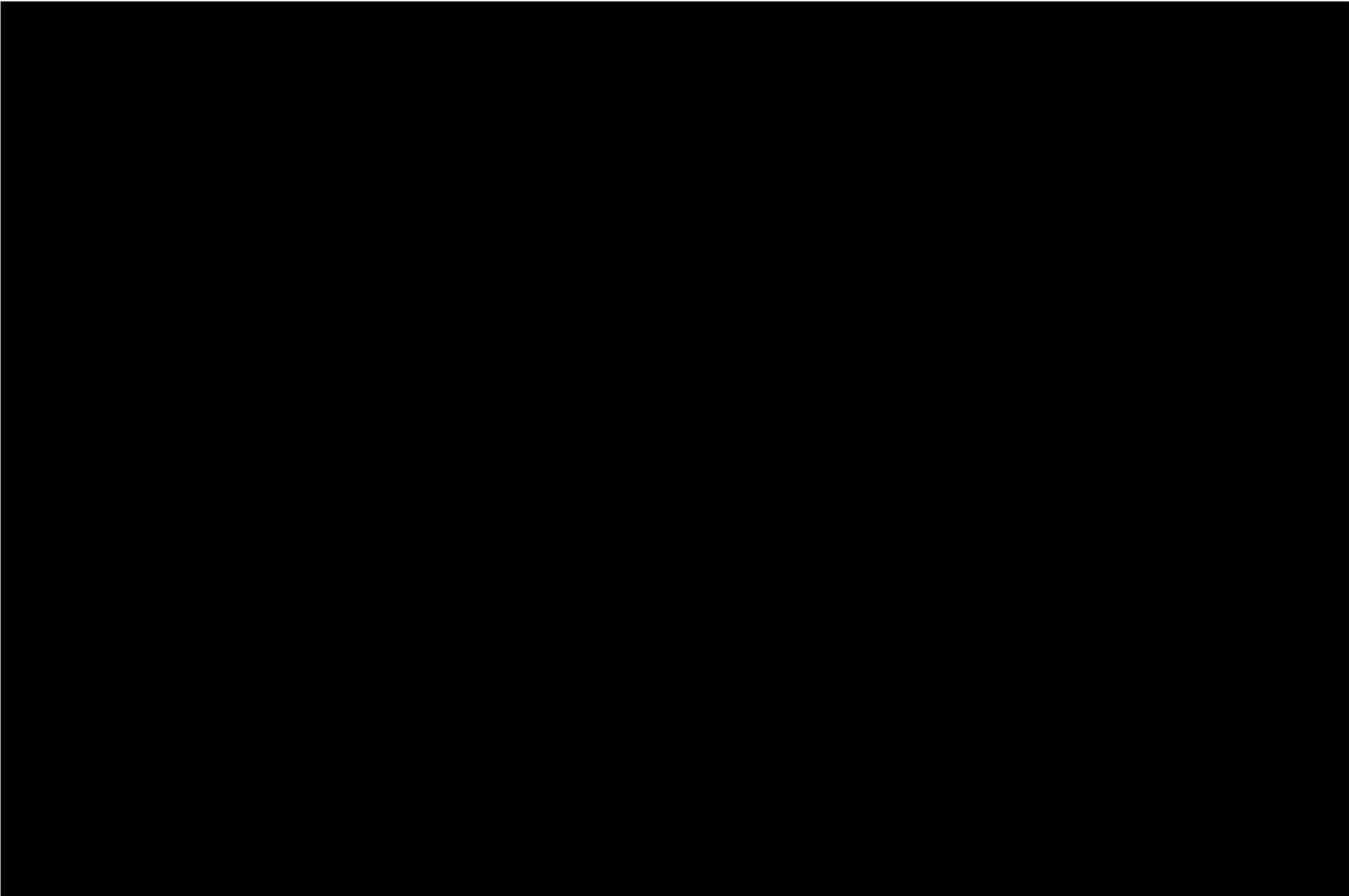




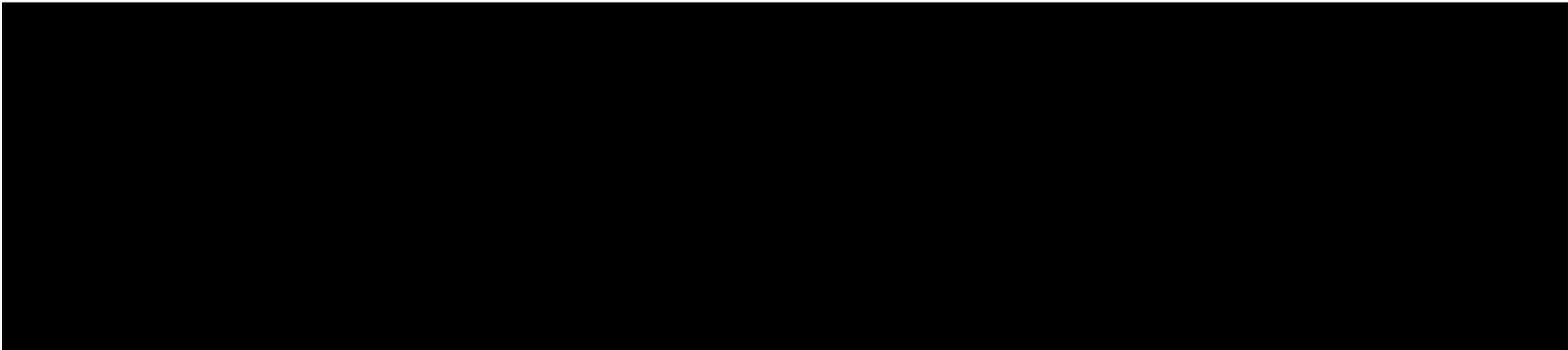












APPENDIX 1: KEY MESSAGES FOR INDIVIDUAL RULES - TO BE REVISED ONCE DRAFT RULES ARE FINALISED

Key messages on individual elements of the package.

Recategorise vehicles and devices allowed on paths

- The types of vehicles and devices currently used on footpaths, shared paths, cycle paths and cycle lanes are categorised into different groups to help regulators, councils, road controlling authorities and the public understand where they can be used.
- The current categories of path users are:
 - Pedestrians,
 - Mobility devices
 - Wheeled Recreational Devices
 - Cycles and e-bikes
- The categories and rules presently governing the use of footpaths, shared paths, cycle paths and cycle lanes have not easily accommodated the growth of vehicles and devices like oversized mobility devices and e-scooters.
- To enable better regulation on footpaths, shared paths, cycle paths, and cycle lanes, we propose to change current vehicle and device categories into new categories to better reflect modern device and vehicle use in these spaces. New categories introduced under the Accessible Streets package are expected to be initial changes, with further changes expected as innovation in micro-mobility continues.
- Broadly speaking, these categories are proposed to include:
 - Pedestrians
 - Powered wheelchairs
 - Unpowered transport devices
 - Powered transport devices
 - Cycles and e-bikes.
- Creating new categories helps to distinguish the major differences that have developed between devices. For example, powered wheelchairs have been separated from mobility devices as they have more in common with pedestrians and unpowered wheelchairs (travel at slow speeds [typically up to 6km/h] and are crucial to the movement of the person using it, no matter what space they are in). This means these devices can be better regulated based on use.

Rules around what types of vehicles will be allowed on footpaths and under what conditions

- The current rules do not account for the growing popularity of vehicles like mobility devices and e-scooters. These devices help people get to where they want to go but managing their use on the footpath will help to ensure pedestrians feel safe and have right of way on the footpath.
- Currently there is no prescribed speed limit for vehicles using the footpath and width or wheel size requirements on the footpath only apply to cyclists. If a bicycle has a wheel diameter of 355mm or less (the size of a bicycle a six-year-old would typically ride) it is considered a wheeled recreational device and is permitted on the footpath. If the wheel is wider than this, then its use is excluded from the footpath as it is considered a cycle.

- Under the proposed changes, users riding on the footpath must:
 - Operate in a courteous and considerate manner, in a way that does not constitute a hazard, and prioritises pedestrians.
 - Not travel faster than 15km/h (to ensure the safety of others sharing the footpath)
 - not ride a device wider than 750mm [other than wheelchairs] (to ensure multiple users can still access the footpath)
- Although there will be challenges in enforcing a speed limit, a maximum footpath speed is more enforceable than current requirements.
- The maximum width requirement will ensure that many users can still access the footpath, such as cyclists. It may mean that some uncommon, larger mobility scooters are not allowed on the footpath, although wheelchairs are excluded from this width requirement.
- Users may be able to apply for an exemption from the NZ Transport Agency if they currently use a mobility device that exceeds 750mm. The Transport Agency grants exemptions on a case by case basis.
- We will also consult on alternative options. For example, automatically exempting users who have already purchased a wide mobility device, or exempting wider devices that have been declared mobility devices by the Transport Agency under s 168A(1) of the Land Transport Act 1998.
- Current rules already require all footpath users to behave in a courteous and considerate manner, in a way that does not constitute a hazard. Under the current state, wheeled recreational device users are required to give way to pedestrians - but this requirement is not extended to other users. The change will ensure this requirement to all other users on the footpath, like cyclists. The requirement that all users must give pedestrians priority recognises that with more new and emerging vehicles like e-scooters in use, pedestrian use of footpaths needs to be protected.
- Under the proposed changes, most cycles will be permitted on the footpath, provided the cycle is not wider than 750mm, operated in a considerate manner, ridden at or below 15km/h, and the rider gives way to pedestrians. This is primarily to allow children to cycle on footpaths, which is currently illegal (for some) due to the wheel diameter of many children's cycles. It would also allow adults to cycle slowly on the footpath in places where they feel the road is dangerous. The proposed speed limit is expected to deter most adult cyclists, who generally travel at higher speeds, from riding on the footpath.
- Councils would still be able to limit the use of some types of transport devices on footpaths in their areas. For example, councils may wish to exclude some transport devices from footpaths in busy urban areas, or in areas with especially narrow footpaths, or set a speed lower than 15km/h to suit their local conditions.
- To reinforce existing provisions which prevent vehicles that can be registered for use on the road from using the footpath, such as motorbikes, mopeds or cars. These rules will not change.

Providing a regulatory framework for shared paths and cycle paths

- A shared path is a path that may be used by pedestrians, cyclists, riders of mobility devices and riders of transport devices. A sign or marking can be used to give priority to a particular user (e.g. pedestrians or cyclists) or to exclude some users.
- A cycle path is a part of the road that is physically separated from traffic. They are generally located next to the roadway, usually within the road reserve. They are intended for the use of cyclists but may also be used by pedestrians and riders of mobility devices when a footpath is not available.
- However, like footpaths, shared paths and cycle paths have unclear rules around use and are experiencing a greater number of users on a greater number of different devices. This presents a challenge in allowing access to all new and existing users of these paths.

- Currently, there are no specific enabling provisions for the creation of shared paths, except for those related to sign and marking requirements, meanwhile cycle paths can be created using requirements outlined in the Local Government Act 2002, or the Land Transport Act 1998, but it isn't clear which requirements road controlling authorities should follow.
- To manage these new challenges, we propose a framework which will assist road controlling authorities to better regulate these spaces. This framework includes:
 - Allowing road controlling authorities to declare a path a shared path or cycle path by resolution.
 - Setting a speed limit on shared paths and cycle paths. If a path is located beside a roadway, the speed limit on the path will match the roadway. If a path is not located beside a roadway, the speed limit will be 50km/h.
 - Allowing road controlling authorities to lower the speed limit if needed.
 - Allowing road controlling authorities to restrict certain users if required.

Enabling safer and more accessible use of cycle lanes and cycle paths

- Currently, transport devices like e-scooters and skateboards can be used on footpaths, shared paths, most cycle paths and on the road (if they stay as far left as practicable) - everywhere except in cycle lanes.
- The proposed change will enable transport devices, including e-scooters and skateboards, to be used on cycle lanes and all cycle paths. Pedestrians and mobility device users will also be able to use cycle lanes and cycle paths if a footpath is not available.
- Currently cycle lanes can only be used by cyclists and some councils also specify that only bikes can be used in separated cycle paths.
 - Cycle lanes are strips on the road (often painted) which are designed for the passage of cycles, meaning users are in a separate lane from other traffic, but are not physically separated from other traffic.
 - A cycle path is a part of the road that is physically separated from motor traffic. They are generally located next to the roadway. Cycle paths are intended for cyclists but can also be used by pedestrians and riders of mobility devices when a footpath is not available.
- The change is intended to encourage transport devices that can travel faster, like e-scooters or skateboarders, to move off the footpath and onto cycle lanes or cycle paths, where they are less likely to come into conflict with either pedestrians or fast-moving motor vehicles. They would still be able to use the footpath (if they keep to the speed limit), along with shared paths, most cycle paths and on the road as they do currently.

Introducing lighting and reflector requirements for powered transport device users

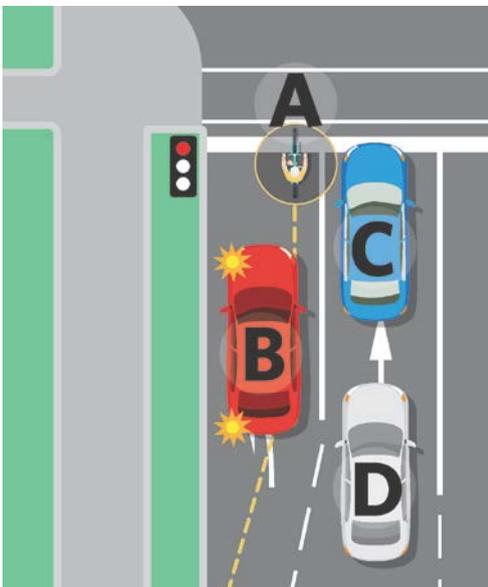
- Cyclists are required to use reflectors on pedals (or wear reflective material), headlamps and position lights when riding on the road at night. Powered transport device users, while also permitted on the road, do not have any lighting requirements. This inconsistency can be dangerous as it means powered transport device users can travel at night without being visible to others. This risk is amplified if the user is on the road with fast moving traffic.
- the proposed change would only permit powered transport device users to ride on the road at night provided the device is fitted with:
 - a headlamp
 - a rear-facing position light.

- a reflector (or the user is wearing reflective material)
- If proposal 5 (enabling transport device users to use cycle lanes and cycle paths) is introduced, powered transport device users would also need to follow these requirements if they are riding in a cycle lane or cycle path.

Removing barriers to walking, transport device use, and cycling through 'give way' rule changes

- Currently, in several situations, people walking, cycling, riding transport devices or taking public transport are given less priority compared with people using cars. This can deter people from using these forms of transport to get to where they want to go.
- There are also a number of instances where road users are behaving in a way that is safe but is currently illegal.
- The proposed changes would:

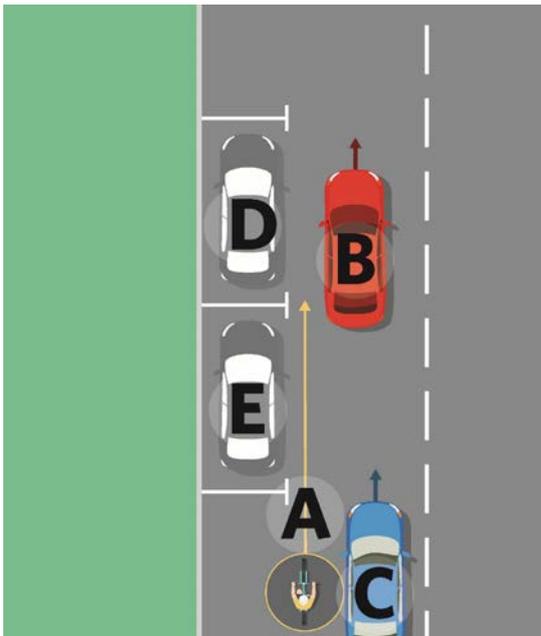
A. allow cyclists and transport device users to ride straight ahead from a left-turn lane



The left turning lane can be a safer option for cyclists and transport device users when cycle lanes are not available as this lane usually has less traffic and slower travel speeds. As cyclists and transport device users need to ride on the road as far left as practicable, they may find themselves in left turning lanes on the approach to an intersection and it may be difficult to find a gap to move safely into the straight through lane during congested traffic.

This means the cyclist pictured (labelled A) will be able to travel straight ahead from the left turn lane with one left turning car (labelled B) instead of in the lane with two cars (labelled C and D).

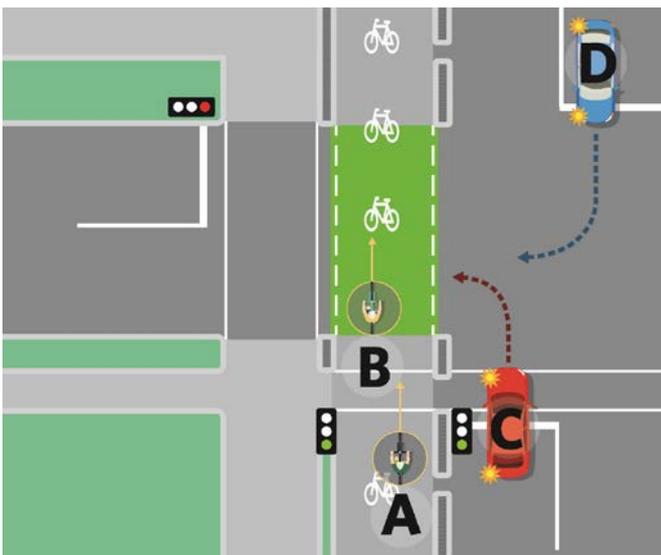
B. allow cyclists and transport device users to carefully pass slow-moving or stationary motor vehicles ('undertake') on the left (unless the motor vehicle is indicating a left turn)



Undertaking allows cyclists and transport device users to maintain a safe, steady speed past slow-moving and stop-start traffic, while following the rule requiring them to ride as far left as practicable. This also helps cyclists and transport device users to access advanced stop boxes and avoid the risks associated with moving between lanes of faster traffic. This change would legitimise already widespread cycling practice.

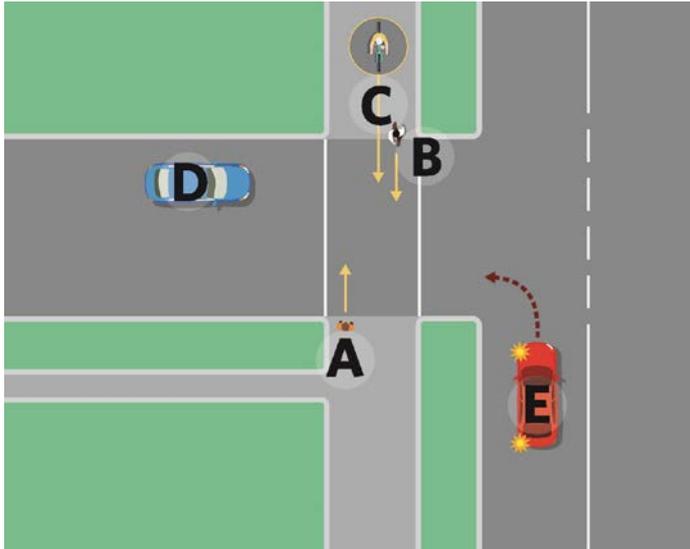
This means that the cyclist pictured (labelled A) can undertake the slow-moving cars (labelled B and C) on the left. If the cyclist is passing slow-moving vehicles on the left and parked cars on the right (labelled D and E), the cyclist will need to pass carefully.

- C. Clarify that cyclists, device users and buses have priority over left-turning traffic when they are travelling straight through an intersection in a separated lane.



By making the rule for giving way at both separated and unseparated lanes the same, the behaviour required by other road users will be simplified. This means the cars pictured (labelled C and D) would need to give way to the cyclists travelling through the intersection (labelled A and B) before turning into the side road.

- D. enable councils to give priority to footpath, shared path and cycle path users over turning traffic when they are travelling straight across a side-road at specific locations where the required traffic control devices are installed



Where appropriate traffic control devices are installed, footpath users going straight ahead through an intersection are treated consistently with other road users going straight through. This will reduce delays to footpath users and help to make active modes more attractive, without road controlling authorities needing to resort to the expense of installing signalised crossings or full pedestrian crossings across more minor side roads. The minimum traffic control device will be two white lines across the side street (as pictured)

This change would be managed by councils, so they will decide whether and how to implement this.

Mandating a minimum overtaking gap for vehicles passing people cycling, riding horses, using a transport device or pedestrians (including mobility device users)

- Between 2008 and 2018, vehicles overtaking cyclists contributed to 174 cyclist crashes resulting in serious injury and 20 percent of fatal cyclist crashes in New Zealand. Vehicles overtaking pedestrians too closely contributed to 13 crashes (3 of which resulted in no injury). Incidents between horse riders and vehicles passing too closely is also a common occurrence.
- 3. The proposed change would require minimum overtaking gaps for vehicle drivers when passing cyclists, horse riders, pedestrians (including mobility devices) and people using transport devices on the road. The minimum overtaking gap for a motorist passing on a road with posted speed limit of 60km/h or less is proposed to be 1 metre, and the minimum overtaking gap for motorists passing on a road with a posted speed limit of over 60km/h is proposed to be 1.5 metres.
- 4. The proposal is consistent with the Cycling Safety Panel's 2014 report, which recommended a minimum overtaking gap change.
- 5. A number of other jurisdictions have similar rules, such as most of Australia, parts of the UK, and many states in America.
- 6. The proposed change would set a clear expectation about what a safe, minimum passing distance is by legitimising what is currently a guideline, and by raising awareness of this practice. This would help to make people feel that cycling or using a transport device on the road is a safe option for getting to where they need to go.
- 7. The proposed change would also help to clarify the current legal situation where vulnerable road users are involved in crashes with overtaking motor vehicles, by providing an explicit offence.

Clarify and simplify local decision-making processes and requirements for berm parking

- Currently, local councils can introduce a bylaw to prohibit berm parking. However, there has been ongoing disagreement between councils about whether signage is required to make a bylaw enforceable. Installing signage can also be a complicated and expensive process in larger areas or regions.
- The change is to simplify requirements to restrict parking on berms (by vehicles like cars or trucks) by streamlining current process and clarifying requirements for marking/signage. Berm parking restrictions will be valid and enforceable whether signs are installed or not. This is similar to the approach taken for liquor ban areas.

- Road controlling authorities will be able to restrict parking on a berm or an area of berms by passing a resolution and registering the restriction with the NZ Transport Agency.

Giving buses priority when exiting bus stops in urban areas

8. Travel time reliability can be a big reason why people choose to use private vehicles instead of using public transport.
9. Currently giving way to buses leaving a bus stop is only considered a courtesy. When this courtesy is not extended, buses are delayed while waiting for a suitable break in traffic or for other drivers to provide a gap to merge into. If this delay is repeated many times along a route it significantly impacts the reliability of the bus service and can mean people choose not to use public transport.
10. The proposed change would give buses legal priority when leaving a designated bus stop on a road with a posted speed limit of 60km/h or less.
11. Bus drivers would still have to indicate for three seconds and behave in a safe manner before pulling out of a bus stop.
12. This change would signal that public transport has priority in traffic flows, as buses usually carry more people than cars. It would mean people using public transport are more likely to get to where they need to go on time and make it easier for them to plan their trips because their travel time would be more reliable.