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2016- August 12th

Rules Team
NZ Transport Agency
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Dear Rules Team,

Yellow draft Omnibus Amendment 2016

CAN thanks NZ Transport Agency for the opportunity to make a submission on the proposed changes to land transport rules.

CAN is New Zealand's national network of cycling advocates. We work with government, local authorities, businesses and the community on behalf of cyclists, for a better cycling environment. The vision of CAN is "more people on bikes more often".

CAN was formed in 1997 as New Zealand's national network of cycling advocate groups. It is the national voice for everyday people on bicycles - recreational, commuter and touring. In 2015 we changed our name from Cycling Advocates' Network to Cycling Action Network.

CAN has affiliated groups and individual members throughout the country and links with overseas cycling organisations. National, regional and local government authorities, transportation consultancies, and cycle industry businesses are supporting organisations. CAN currently has more than 5,000 supporters and works closely with other groups such as Living Streets Aotearoa, AANZ and CyclingNZ.

Comments on Proposed Changes to Land Transport Rules

Proposal 5: Expand the definition of "Intersection" to include a place where a cycle path or a shared path crosses a road way

CAN supports the expanded definition. We note that this is intended to legally control the movement of cyclists or other road users where a separated path crosses a road way. This will mean that the definition of "Intersection" will include a place where a cycle path or shared path crosses a roadway. CAN also wishes to note concern that there are many situations where a cycle path or shared path crosses a roadway and the status of the users of the path at the crossing is not clear. Therefore, CAN also supports Proposal 7 (see below).

It could be argued that this proposed Rule change will be sufficient to affirm the same give-way rights as roadway users to separated cycleway users at **all** intersections, under the existing Give Way provisions (Part 4 of the Road User Rule, particularly sections 4.1 and 4.2). This would appear to allow priority of through-cyclists on separated cycleways over turning traffic on the main

carriageway. If necessary, relevant clauses in the Road User Rule may need to be amended to clarify this situation.

Proposal 6: Permit drivers to encroach onto a flush median when overtaking cyclists.

CAN supports proposal 6. It is important for safety of motorists and cyclists that a safe passing distance is used and often a flush median will provide this.

We note that the Road Code is still not clear on the fact that (under Road User Rule 2.9) it is legal for a motorist to overtake a cyclist on a solid yellow (no-passing) centreline. We encourage NZTA to clarify this as soon as possible.

Proposal 7: Require cyclists on a cycle path or pedestrians on a separated path or drivers on a road-way to stop or give way where either group is controlled by a stop sign or a give way sign.

CAN supports Proposal 7. It is important that drivers comply with give way or stop signs at intersections where a cycle path or shared path crosses a road. However, as noted above, there are many situations where a cycle path or shared path crosses a roadway and the requirement for path users to stop or give way at the crossing is not clear.

Proposal 8: Clarify that a driver approaching an intersection must not enter a cycle lane if the driver's intended passage or exit is blocked by stationary traffic and a vehicle would obstruct the cycle lane. Essentially, the rule applied to pedestrians is applied to cyclists.

CAN supports Proposal 8. A cycle lane must not be used as an additional vehicle queuing lane.

Proposal 10: Allow a bus to enter and leave a cycle lane to stand at a bus stop in a cycle lane for the purposes of passenger boarding and alighting.

CAN has some concerns about Proposal 10. CAN recognises that if the proposed amendment is not made that there will be a need for signage to indicate where cycle lanes end before, and where cycle lanes start after, bus stops. However, we consider that the proposed amendment is only appropriate for bus routes with very low bus volumes. A bus stop should not be located in a cycle lane and change is needed to remove situations where bus stops are located in a cycle lane.

Proposal 11: Extend the time period during which lighting and reflector requirements apply to pedal cycles and power assisted pedal cycles.

CAN supports Proposal 11 but notes that cyclist education will be needed about the new rule.

Proposal 14: Allow temporary speed limits to be 10 km/h less than the permanent speed limit in areas where the permanent speed limit is 50 km/h or less.

CAN supports Proposal 14, as it allows easier use of lower speed limits where appropriate. However, it should not discourage the use of even lower speeds (e.g. 30kmh down from 50km/h) when this is more appropriately warranted in the situation.

Proposal 15: Clarify that variable speed limits may be set for safe or efficient traffic management.

CAN supports Proposal 15.

Proposal 25: Add the road marking for “sharrows”.

CAN supports Proposal 25. Sharrow road markings are an important tool for indicating that a lanes is to be shared between cycles and general traffic (e.g. for neighbourhood greenways) and CAN welcomes more general use of sharrows.

We are aware of instances overseas where sharrows have been used in poor locations (e.g. very busy, fast roads), often to avoid the effort of providing more suitable cycling facilities. It is important that well defined guidelines are provided for Road Controlling Authorities regarding the appropriate use of sharrows and that these are adhered to.

Proposal 28: Allow a maximum width requirement of 1.1 metres for all two wheeled vehicles.

CAN supports Proposal 28: Although we understand that this has been largely driven by changes in motorcycle handlebar widths, it has the side benefit of supporting the use of wider cargo bikes in New Zealand.

We note that the same Rule Table (4.1) appears to be silent regarding the allowed front/rear overhang of objects carried on a bicycle, despite the Road Code claiming that the maximum overhang allowed is 1.0m front and back. We recommend that this oversight is addressed as soon as possible.

Proposal 31: Require pedal cycle and power assisted pedal cycle front and rear lights to be visible from a distance of 200m between the times of sunrise and sunset.

CAN supports Proposal 31. Adequate visibility of bicycles in the dark is very important. However, we think it is important to educate the general riding public on the requirements for lighting to not “dazzle or distract” other road users. This includes not wearing very bright headlamps on the street, or having headlights not angled downwards to the road.

Thank you again for the opportunity to make a submission. We are happy to be contacted to provide clarification or further information.

Yours sincerely,

A handwritten signature in black ink that reads "Will Andrews". The signature is written in a cursive style with a horizontal line underneath the name.

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