



1 October 2009

Safer Journeys
Ministry of Transport
PO Box 3175
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Dear Sir/Madam

Thank you for the opportunity to consider and make a submission on the new road safety strategy discussion document, *2020 Safer Journeys*.

This submission has been prepared by members of the Cycling Advocates' Network (CAN). We welcome the opportunity to discuss our comments further with you. CAN would like to commend the Minister for undertaking this consultation processes.

We think the Discussion Document itself is clearly readable and the material provided on the website www.saferjourneys.govt.nz is useful. However, we are concerned with the short consultation period and the emphasis on motor vehicles. We also note that the initiatives in the body of the Discussion document are not the same as in the summary of proposed initiatives (many initiatives split into two in the summary). Unfortunately one of the diagrams on Page 23 is mislabelled it says "Current rules" and it should be "Proposed rules". This initiative was not explained well and may lead to misunderstandings such as voting to support just the rule for pedestrians when there are two rules one aimed at right turning rule for traffic and one giving pedestrians priority at non-traffic light intersections. Both rule changes are highly beneficial for cyclists and pedestrians.

We appreciated the opportunity to talk with Ministry of Transport staff on Sept 14. There has been a lot of interest from our member organisations and a number will have made their own submissions as well as having input into this submission.

About CAN

The Cycling Advocates' Network of NZ (CAN), the peak body of 22 local advocacy groups, is this country's national network of cycling advocates. It is a voice for all cyclists - recreational, commuter and touring. Its membership includes nearly 1500 members with more than 2000 additional 'friends' who are on an email network. CAN has an Executive group and employs several staff. We also have a number of supporting member organisations that include local authorities, cycle retailers, cycling

groups and environmental organisations. We work with central government and local authorities, on behalf of cyclists, for a better cycling environment. We have affiliated groups and individual members throughout the country, and links with overseas cycling organisations.

As well as taking on board the extensive cycling experience of many of our members, our submission is also based on contributions from those well versed in broader road safety policy, engineering and research.

General Comments

CAN welcomes the Discussion Document and endorses many of the proposed initiatives, many of which affect the safety of the road users we represent. While we have some reservations, overall we support a safer systems approach which we note has proved to be successful in many overseas jurisdictions.

As this submission was being finalised, the media reported yet another cyclist fatality. The *Sunday Star Times* (20/9/09, pA2) reported that in the year to August 2009 nine cyclists had been killed and 881 injured. Official statistics, as is widely recognised, significantly under-report the incidence of injuries incurred by cyclists. The often dangerous and intimidating conditions for walking and cycling in New Zealand will require meaningful changes if our road safety is to significantly improve, enabling more New Zealanders to choose to walk or cycle more often.

Currently, the roading environment restricts people's right to walk and cycle safely. This has economic consequences in the form of increased burden on the health care system through lifestyle illnesses that might otherwise be reduced or avoided through active transport.

In addition, there are very direct economic consequences associated with injury and death in the form of loss of productivity, costs of treatment for injuries, costs associated with disability. Cumulatively these are estimated to come to several billion dollars annually. We compare these costs with the estimated costs of congestion (\$1 billion for Auckland). We question the focus in the 2009 National Land Transport Programme on improving economic productivity and growth through increased state highway construction, largely for congestion relief. Construction of safer roads (for all road users) would provide far more economic benefit to the country. However it is only one of many components in a safe transport system, and further investment in enforcement, education and travel behaviour would also pay significant dividends

Following our comments on the overall vision and safe systems approach, and the ranking of areas of concern, this submission discusses:

- Initiatives that are strongly supported
- Additional initiatives recommended for consideration
- Key omissions and concerns

1. Vision (p6) and Safe Systems Approach (p7)

The vision "A safe road system that is increasingly free of road deaths and serious injuries" is too narrow.

The above definition:

- excludes cyclists who are knocked off their bikes and suffer only “minor injuries”; such injuries can be traumatic for this group of road users;
- ignores the issue of motorised vehicle emissions cause more premature deaths each year than the road toll
- is overly focused on death and injuries, to the detriment of users’ *perception* of safety. Because cycling is regarded as too unsafe relatively few people use this mode, ironically exacerbating the safety levels for cyclists.

The Vision needs to be accompanied by targets to ensure that progress is made towards realising the vision (see p6). We would like targets to be set for each of the categories under “High Concern” (e.g. Young Drivers, Alcohol), “Medium Concern” (e.g. Walking and Cycling), and “Areas for Continued Focus and Emerging Issues”.

We **recommend** that the road safety vision be changed to:

“A safe road system that is increasingly free of road deaths and injuries”

The Safe System approach has merit, but risks being somewhat simplistic. We highlight the following shortcomings:

- It appears to place greater focus on motorised vehicles, this is to the detriment of walking, cycling and public transport users
- It under-emphasises the opportunity to prevent unsafe roading environments through mode share shift, this includes initiatives such as improved public transport, travel demand management, promotion of walking and cycling, etc.
- It appears to ignore the problem that “5-star” roads (traditionally regarded as wider lanes, longer sight lines, larger clear zones, bigger road signs, etc.) actually encourage faster vehicle speeds. However, in many urban environments “5-star” roads (traditionally regarded as wider lanes, longer sight lines, larger clear zones, bigger road signs, etc.) need to be carefully defined to support slower traffic speeds and provide greater safety for vulnerable road users.

2. Ranking of areas of concern

CAN is particularly concerned that Safer Walking and Cycling is seen as being an area of only Medium Concern. CAN **recommends** that Safer walking and cycling **should be elevated from a Medium to a High Concern** (p3).

We are unclear why motorcycle accidents are ranked higher when pedestrians and cyclists collectively have a higher number of annual deaths/injuries (even without unreported accident numbers). It has been suggested that the high concern for motorbikes is due to the recent growth in motorcycle numbers and accidents. However that logic should also extend to walking and cycling, as many central and local Govt policy documents support a growth in their numbers and, without consequent improvements to their environment, that could lead to a rise in accident numbers.

As traffic volumes and vehicle speeds have increased in New Zealand over the past decades, walking and cycling conditions in New Zealand have generally become much less safe, resulting in a dramatic decline in these travel modes, resulting in more traffic congestion, less active life styles and increased air pollution.

If road safety is improved for the active modes (being the most vulnerable users) then it is highly likely that road safety for all road users will be improved. Consequently safer walking and cycling should be in the Highest Concern – not a Medium Concern.

CAN strongly supports the priority given to Safer speeds and regards this as an area of “High Concern” (pp 8 & 24).

The default speeds in New Zealand of 50 km/h (urban) and 100 km/h (rural) are generally too high. New Zealand speeds limits are out of line with international best practice. Urban speeds should be reduced to 30 or 40 km/h. Rural speeds need to be reduced to 70 or 80 km/h (e.g. recommend a blanket reduction of the LSZ maximum speed to 80 km/h). However, some motorways may warrant an increased speed limit, e.g. high quality, modern motorways may be suited to a speed limit of 110 km/h.

New Zealand’s transport practitioners need guidance and tools to assist them in the implementation of cost-effective, unobtrusive techniques to support reduced traffic speeds on an area-wide basis.

As noted below, we recommend changing the tolerance for motor vehicle speed limit enforcement from 10 km/h to a maximum of ten per cent of the posted speed limit.

3. Top 20 Initiatives that CAN strongly supports

It is important to note that many of our top-ranked safety priorities listed below do not directly involve cycling, such as drink-driving, driver licence age and speed limits. This reflects our ongoing contention that to achieve better and safer provision for cycling in New Zealand requires very broad-ranging policy decisions across a variety of issues. Simply providing some more cycleways and cycle-skills training is not enough."

In response to the initiatives in the Safer Journeys Discussion Document and the priorities raised by members we propose the following in order of priority:

- 1) Reduce the legal adult blood alcohol concentration (BAC) to 50 mg per 100 ml (BAC 0.05).
- 2) Introduce a zero blood alcohol limit for certain drivers (drivers under 20 years old, adults without a full licence, commercial drivers)
- 3) Raise the driving age to 17 and extend the learner licence period to 12 months.
- 4) Increase the adoption of lower speed limits in urban areas.
- 5) Change the give way rules for turning traffic and pedestrians.
- 6) Support a targeted programme for high-risk urban intersections.
- 7) Develop and support new approaches to safety on mixed-use arterials.
- 8) Change the legal onus of blame for road crashes to the motorist rather than pedestrians or cyclists. We note that the UK government is currently considering proposals for changes in the civil law to make the most powerful vehicle involved in a collision automatically liable for insurance and compensation purposes (see. <http://www.timesonline.co.uk/tol/news/politics/article6841326.ece>)
- 9) Review speed limits on mixed-use arterials. Create more speed zones (80 km/h, 90

km/h) on high risk rural roads.

- 10) Add specific walking and cycling questions into driver licence testing so drivers are more aware of pedestrians' and cyclists' safety needs.
- 11) Strengthen the effectiveness of enforcement by: increasing the number of road safety cameras; changing the penalty system to deter speeding (higher demerit points and lower fines).
- 12) Implement treatments to make high risk roads more self-explaining.
- 13) Improve techniques to integrate safety into land use planning.
- 14) Carry out crash reduction studies and make these more targeted.
- 15) Implement targeted programmes to address run-off road, head-on and overtaking crashes on high volume, high-risk rural roads.
- 16) Change the tolerance for motor vehicle speed limit enforcement from 10km/h to a maximum of ten per cent of the posted speed limit.*]
- 17) Have stronger promotion of road user education, including targeted messages and more national promotions, such as “share the road”.
- 18) Implement targeted programmes to address run-off road, head-on and overtaking crashes on high volume, high-risk rural roads.
- 19) Introduce compulsory 3rd party insurance.
- 20) Increase cyclist skills training in schools and for adults.

4. Further comments and additional initiatives recommended for consideration

Some further comments about these and other initiatives recommended for consideration follow below.

CAN supports strengthening the restricted licence test to encourage 120 hours of driving practice (p17). CAN recommends that this includes compulsory professional driving instruction.

CAN supports specific restrictions on vehicle type for younger drivers, eg: maximum engine cc ratings, non-turbo charged (p19).

As noted above, CAN supports the introduction of compulsory 3rd party insurance (p19). By looking at gross averages in comparing NZ with the UK, we are concerned that the Ministry of Transport may be missing one of the key benefits of compulsory third party insurance.

Compulsory third party insurance helps make the road environment safer, especially for the active modes, as it is an effective deterrent against certain types of high risk driver behaviour. Specifically, these include:

- Modified or high-performance vehicles being driven by inexperienced/young drivers. Such vehicles typically include turbo-charged/powerful engines/loud exhausts/etc which encourage more aggressive driving. Such vehicles are also intimidating to vulnerable road users such as cyclists and pedestrians. Compulsory

third party insurance is an effective mechanism that encourages inexperienced/young drivers to not drive modified/high-performance vehicles

- Repeat dangerous driving. Compulsory third party insurance provides strong incentive for drivers to refrain from dangerous driving. This is because having a record of dangerous driving will result in substantially higher insurance premiums and/or restriction on the type of vehicle allowed to be driven.

As noted above CAN supports a change to the give way rules for turning traffic and pedestrians (p22). However, for consistency, we would contend that cyclists on paths should also have priority over turning traffic. CAN considers that this will significantly enhance safety for cyclists and pedestrians, especially children travelling to and from school. This may encourage more walking and cycling by children and reduce car use and congestion associated with journeys to and from school.

As noted above, CAN supports new approaches to safety on urban mixed-use arterials (p23). New Zealand's arterial roads are too often highly unsafe for cycling. European treatments of arterials have shown how the different road users can be provided with safer and more efficient access.

CAN supports implementation of treatments to make high risk roads more self-explaining (p23). Cost effective, non-intrusive techniques need to be used to encourage slower, safer driving speeds. The traditional approach of larger roads, wider lanes, longer sight lines, bigger signs, etc. to improve safety actually encourages faster speeds, which means crashes are more severe and walking and cycling conditions are typically degraded.

CAN seeks adequate funding for road controlling authorities to implement district and regional walking and cycling strategies to encourage safer walking and cycling through careful planning.

CAN supports provision of education for and testing of drivers on how to take care around cyclists as part of the licensing system and driver instruction (including bus and truck drivers).

CAN supports re-sitting of the driver's licence theory test to coincide with the 10 yearly renewal.

CAN recommends a national Share the Road promotional campaign educating motorists and cyclists how to co-exist safely on the roads. There is considerable support by CAN members for a national campaign to encourage drivers to leave a 1.5 metre gap when passing cyclists as many members have experienced enhancements to the road environment for cyclists in jurisdictions where there is such a requirement. We note that pedestrians and cyclists have not featured in nation-wide road safety advertising campaigns.

CAN supports higher taxes on vehicle registration and use based on vehicle fuel efficiency.

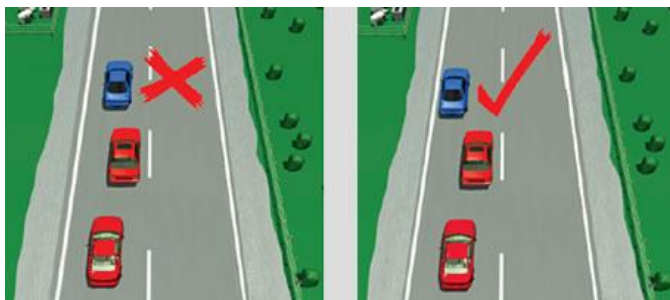
CAN supports a ban on the use of radar detectors by vehicle drivers.

CAN recommends funding of a nationwide roll-out of cycle skills training for children and adults.

CAN supports initiatives that encourage mode share shift away from private motor vehicle use. This includes improved public transport, travel demand management/travel choices, and promotion of walking and cycling. CAN notes that Neighbourhood Accessibility Plans have been successful in Nelson City Centre, South Dunedin, and Papatoetoe, Manukau City Council.

CAN supports a change to funding and audit processes to make sure that all roading projects cater for improved walking and cycling conditions.

Given that the New Zealand's speed limits on residential and rural roads are generally too fast for the safety of all road users, CAN recommends that the Road Code should be updated to remove reference to vehicles that are travelling slower than the speed limit as "slow drivers" who must "keep as close to the left side of the road as possible" as shown below:



The above driving practice (as recommended by the Road Code) is unsafe for cyclists and encourages unsafe overtaking practice. It should only apply to vehicles that are travelling much slower than the speed limit, eg: tractors or construction equipment.

A major initiative missing from the Safer Journeys Discussion Document is the role of rail in increasing road safety. In Canterbury Road Freight is expected to increase by 40% by 2040 (Draft Greater Christchurch Travel Demand Management Strategy, 2008, Environment Canterbury, Christchurch City Council, Waimakariri District Council, Selwyn District Council, NZ Transport Agency). Getting freight off the roads onto rails wherever possible is key to increasing road safety. We note that there is some concern in some areas of government about subsidies for rail but we consider that investment in alternatives to road and public transport has significant indirect safety and environmental benefits which need to be considered alongside short-term economic costs.

CAN supports mandatory truck under-run side protection to protect pedestrians, cyclists, and motorists. A highly respected police officer who died in a crash this year in Petone was hit, we understand, by the back of a truck and pulled under the truck wheels. In Europe under-run side protection has been compulsory for many years. The matter of such protection has been on the policy agenda for some years and we are surprised it was not included in the Discussion Document. While owners/drivers of trucks may have concerns such as additional weight, the benefits to vulnerable road users and motorists are much greater than inconvenience and extra costs for trucks as shown by European experience. From 2011/12 Australia is making it compulsory for trucks to have front under-run protection.

Finally, CAN made submissions recently opposing amendments on the Land Transport Rule: Vehicle Dimensions and Mass Amendment No 2) that would allow larger vehicles and heavier loads on the grounds that cyclist safety would be further jeopardized and cyclists' perceptions of risk would be significantly elevated. The current proposed increase from 40 tonne to 50 tonne vehicles is not supported by our organisation. More tonnage capacity is more likely to increase the attractiveness of road freight, so increasing the amount of freight on the roads. Greater tonnage also increases the wear and tear on roads thus making roads less safe (and very unpleasant) while in the pre-repair and repair stages.

Conclusion

CAN is generally supportive of submissions by other organisations outside our own that advocate safer walking and cycling including Living Streets Aotearoa; Safe and Sustainable Transport (SASTA), and Forum for Auckland Sustainable Transport. Where there are differences of opinion this would generally reflect the variety of cyclists in this country and their experiences, and we acknowledge that in some cases it will be difficult to please all of them.

Thanks for the opportunity to submit on this vital issue of improving road safety in New Zealand.

We look forward to seeing our top 20 initiatives implemented fully as a matter of urgency.

Yours sincerely

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