NZ Transport Agency Cycling Rules

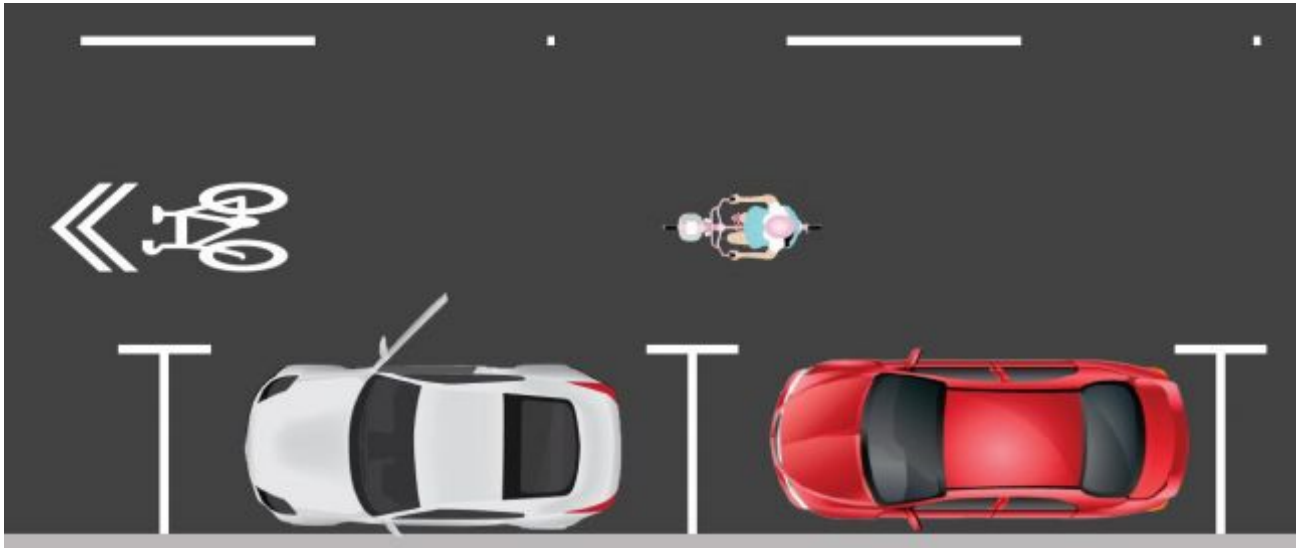
https://www.nzta.govt.nz/walking-cycling-and-public-transport/cycling/for-people-involved-in-cycling-programmes-and-projects/cycling-resources-and-research/

General regulatory policy

- Clearly identify the problem first
- Less regulation is better than more
- Non-regulatory solutions should be explored first
- Regulation change that enables others is good

2016 Rules Changes

- Passing in a flush median
- Not blocking a cycle lane
- Cycle lights – brightness and timing
- Width of cycles
- Bus lanes in cycle lanes
- Sharrows
- CNG



MOG Feasibility Investigation

Problem:

Crash Risk

- Cycle crashes relating to overtaking and lane changes represent about 7% of all cycle crashes
- Most cycling deaths occur on rural roads (e.g. 24 out of a total of 43 deaths during 2008-2012). On these roads the typical crash involves a cyclist being hit from behind on a straight road.

Perceived Crash Risk

The main reason given by the general public for not choosing cycling as a transport mode is the fear that it is not safe. Rider discomfort (or perceived risk) is related to the speed and overtaking gap of passing motor vehicles.

The Opus research found that riders experienced an uncomfortable pass with about every 1 in 40 vehicle overtaking interactions. That was about one discomfort event every 22 minutes. This frequency of discomfort, or perceived risk, makes cycling an unattractive transport choice for many people.

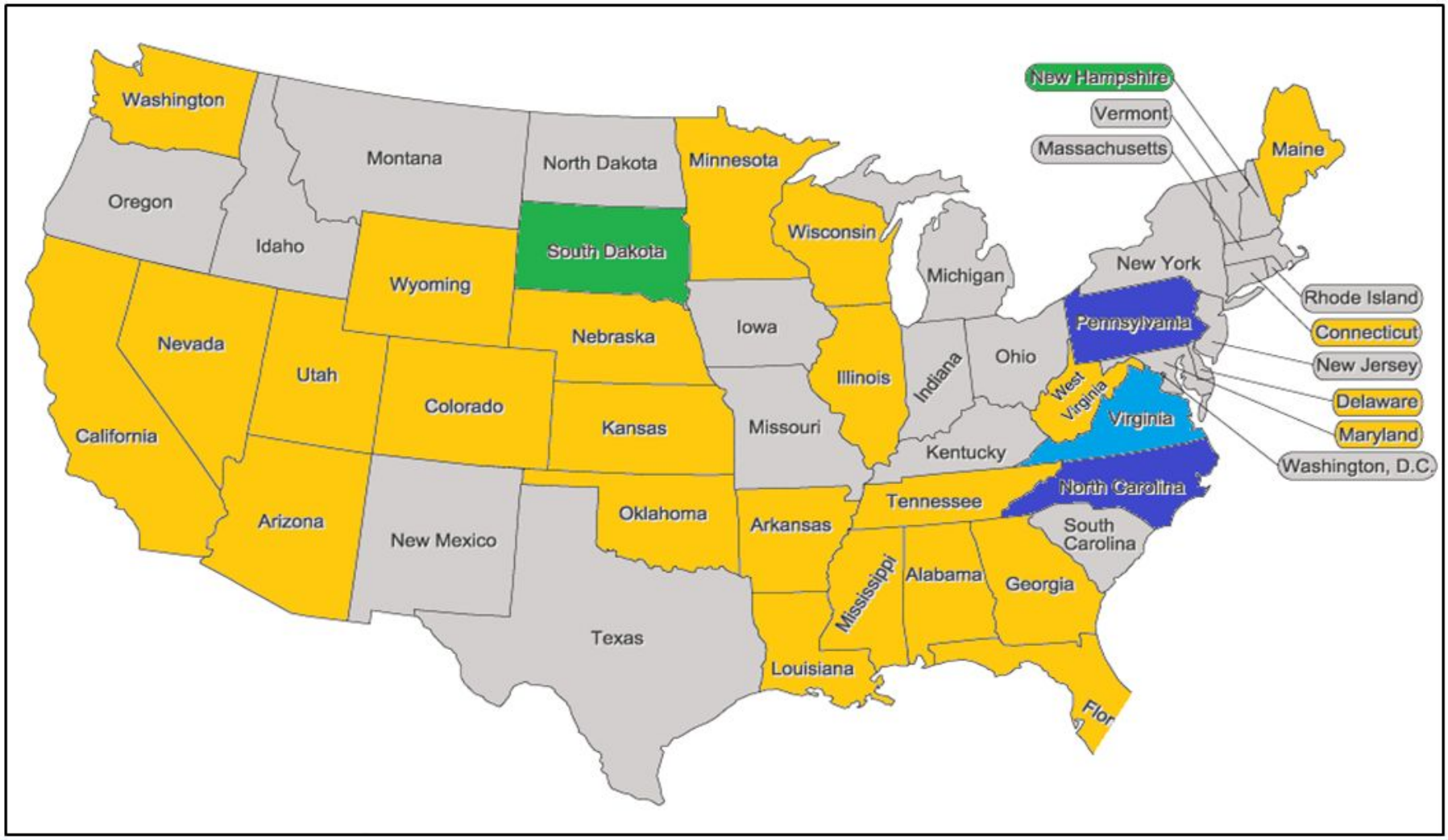
Perceived justice after a fatal crash, e.g. Jane Farrelly

2.6 General requirements about passing other vehicles

(1) A driver must not pass or attempt to pass another vehicle moving in the same direction unless—

(a) the movement can be made with safety; and

(b) the movement is made with due consideration for other users of the road; and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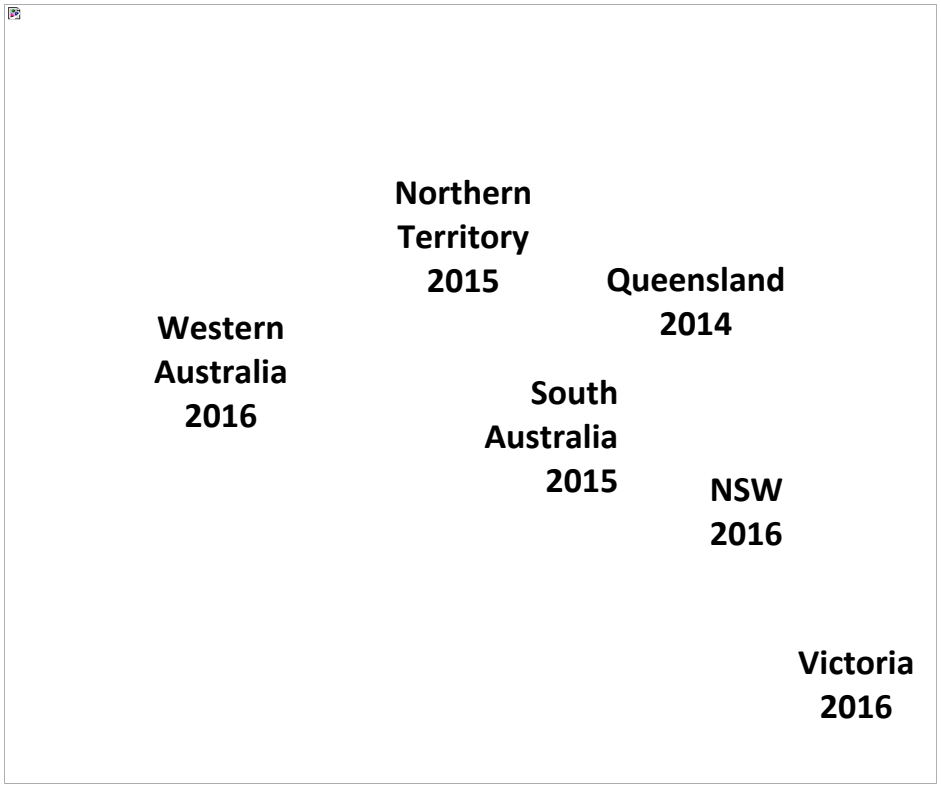
West Virginia
Pennsylvania
New York
New Hampshire
Vermont
Massachusetts
Maine
Rhode Island
Connecticut
New Jersey
Delaware
Maryland
Washington, D.C.

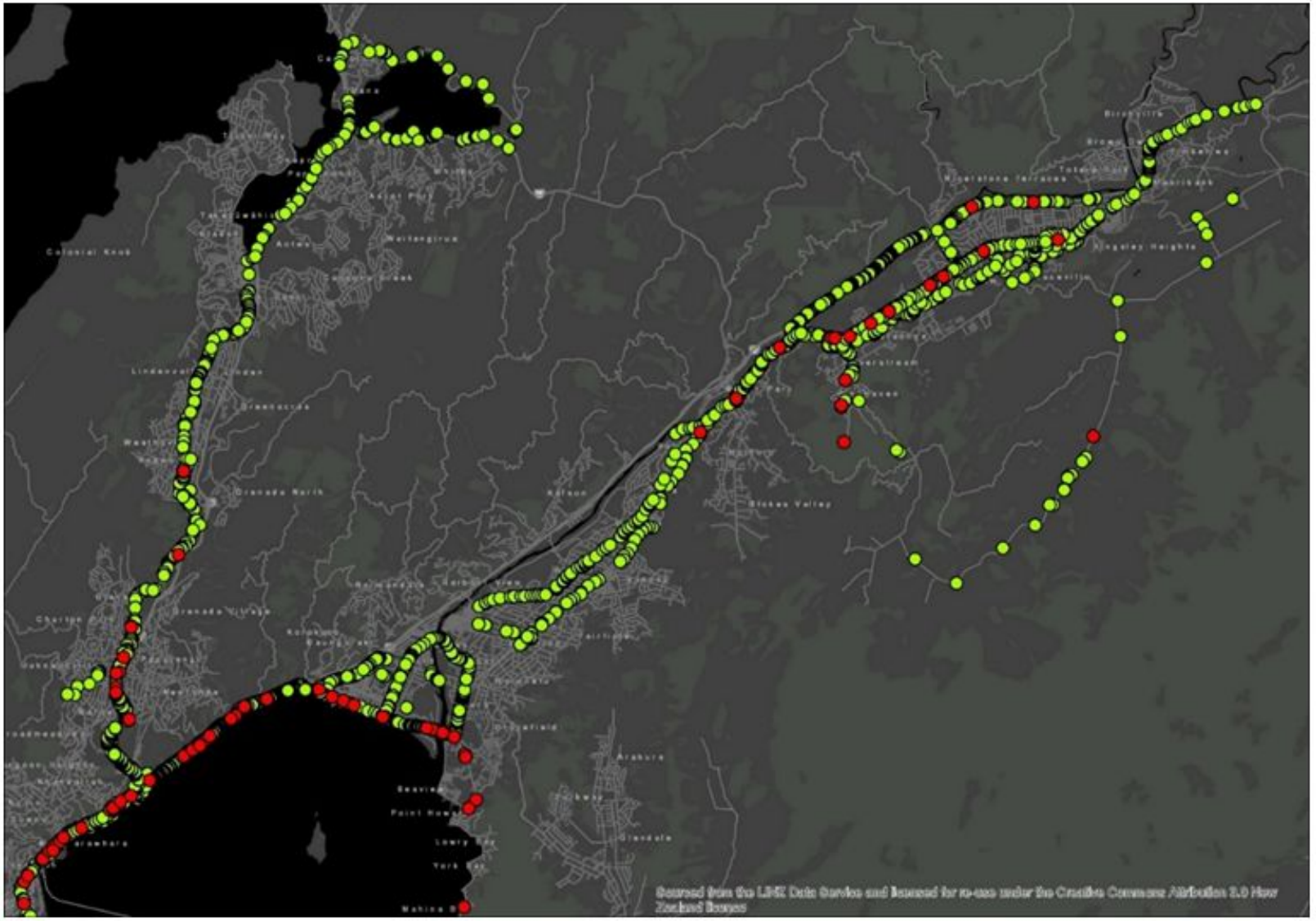
Literature review, interviews, CAS data, infrastructure

- **Lack of evidence before rules enacted**
- **Difficulty enforcing law**
- **Perceived to have improved overtaking gaps**
- **Overtaking gap events account for small % of crashes**
- **Stakeholder group discussion of issues moved their opinions towards ‘somewhat in favour’**
- **Roads popular with cycling in NZ are similar width compared with Queensland**

Best evidence of MOG laws: Australia



- Police Interviews
- Survey (drivers and riders)
- Observational study (fixed camera)
- Crash Analysis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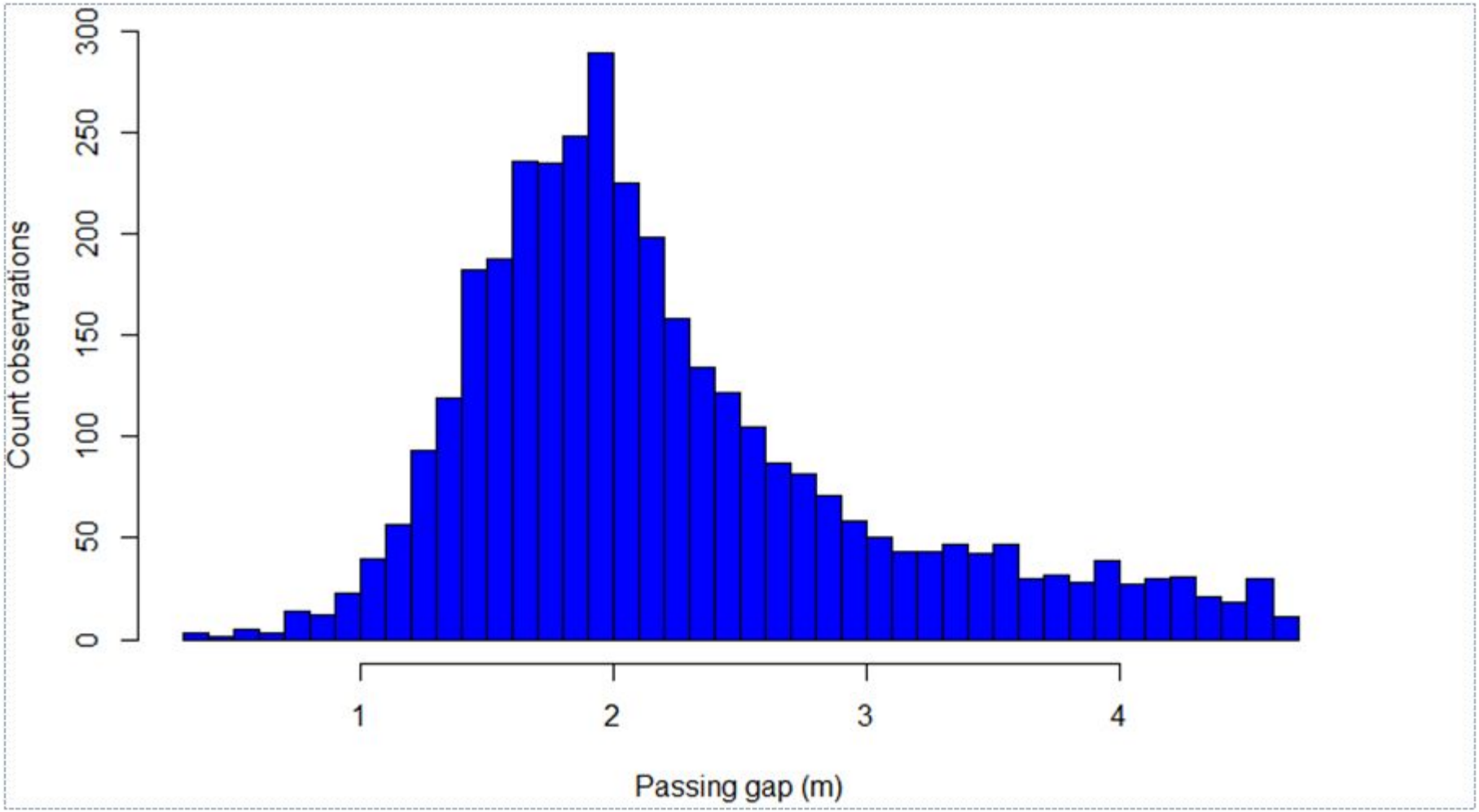


Figure 4.1 Overtaking gap distribution on urban Roads (60km/h and below)

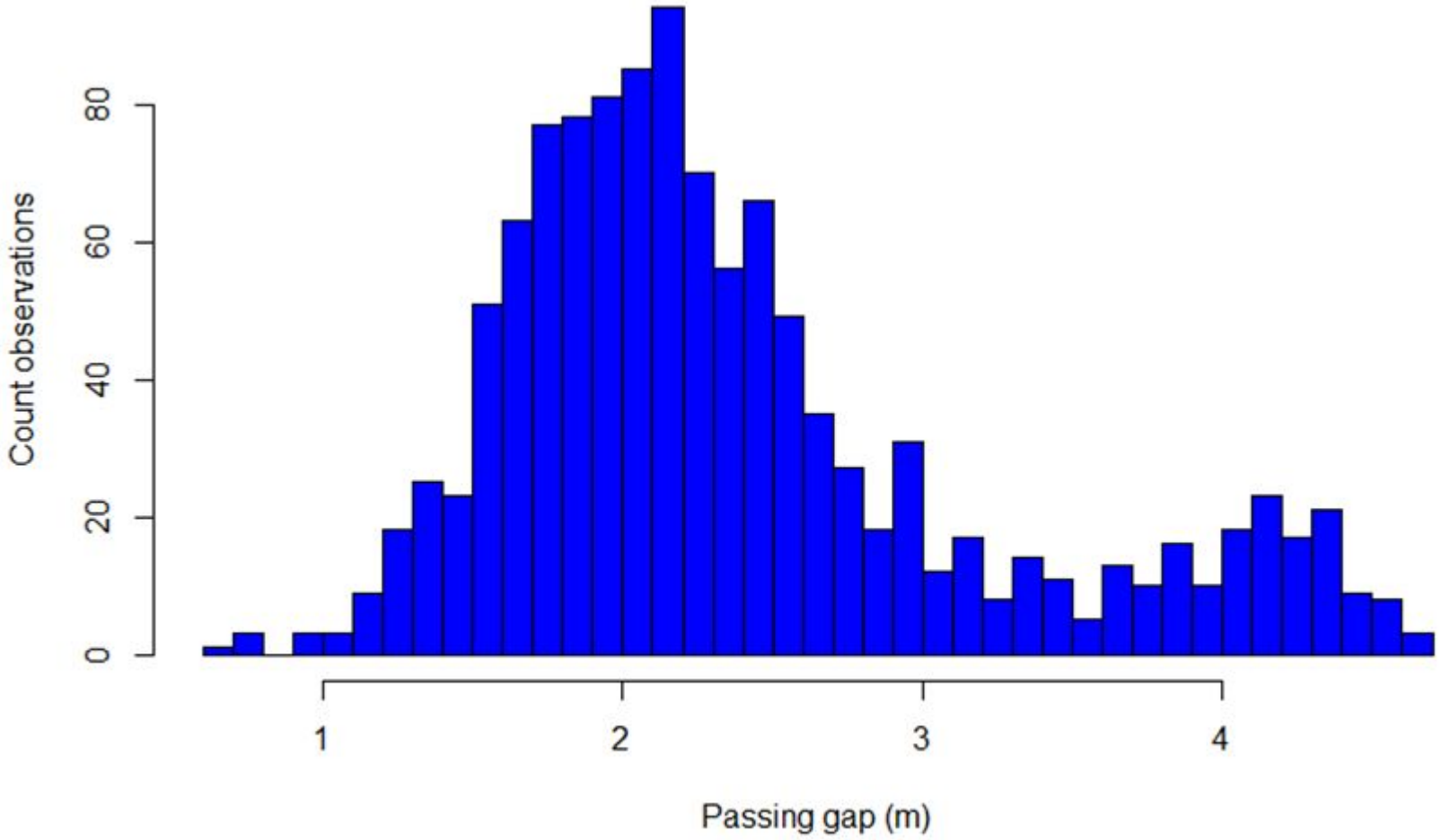


Figure 4.2 Overtaking gap distribution on major arterials and rural roads (60km/h and above)

Table 4.12 Beginner rider acceptance of overtaking gap by strata

	Overtaking gap (m)	Observed	Buttons	Acceptance	Cumulative acceptance
Urban <=60km/h	0.00 - 0.49	1	0		
	0.50 - 0.99	11	6	45%	50%
	1.00 - 1.49	94	8	91%	87%
	1.50 - 1.99	231	9	96%	93%
	2.00+	309	1	100%	96%

Table 5-1. Discomfort rates from motorist overtaking events by overall and beginner riders

Rider type	Discomfort rate from motorist overtaking interactions	Cyclist ride time (per Discomfort event)
Overall riders	1 in 40	22 mins
Beginner riders	1 in 37	31 mins

Main challenges

- **Enforcement**
- **Education**
- **Ability to pass**

Current rule

2.6 General requirements about passing other vehicles

(1) A driver must not pass or attempt to pass another vehicle moving in the same direction unless—

(a) the movement can be made with safety; and

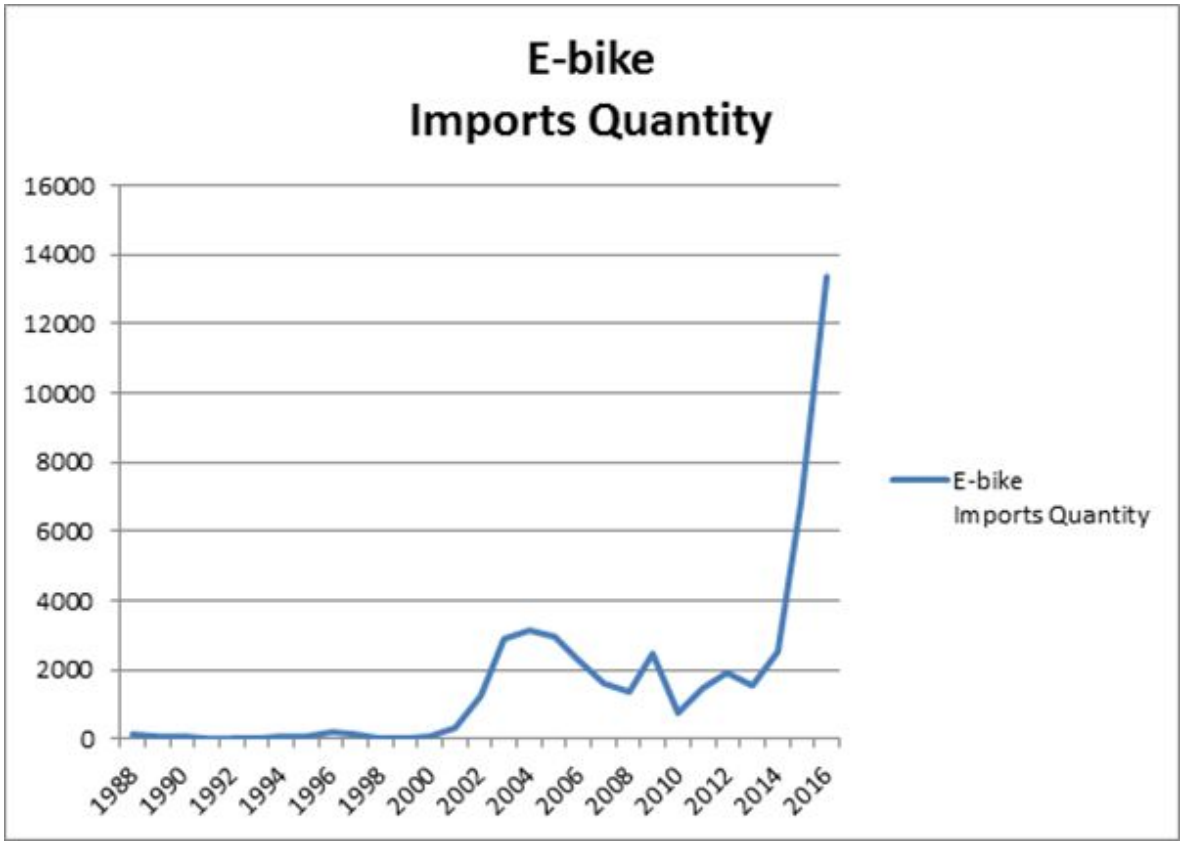
(b) the movement is made with due consideration for other users of the road; and

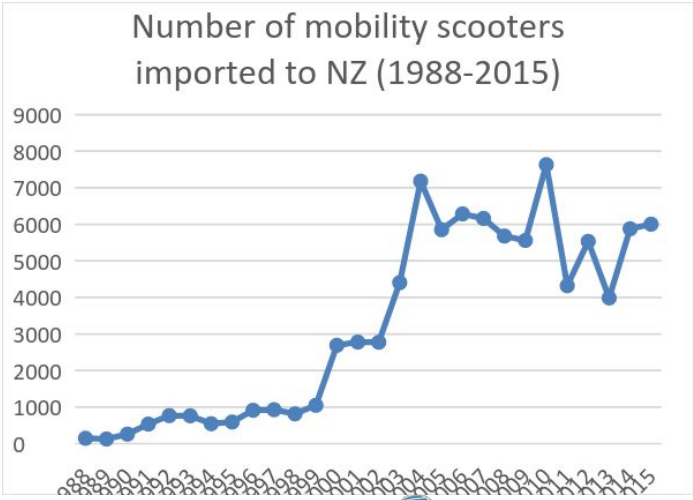
Recommendations

- **Education campaign**
- **If a law is introduced, consider 1.0m for <60 kph and 1.5m for >60 kph; trial it; improve infrastructure**
- **More research into mobility culture**
- **Also, consideration for MOG campaign for shared paths**

E-bikes and Low Powered Vehicles

- E-bike sales are huge in Europe, Australia and much of Asia
- Other low powered vehicles have many toes in the water
- Our regulations are not designed to cope with radical change





Our Regulation is very simple…

- E-bikes and wheeled recreation device power is limited to 300 Watts
- Mobility devices are limited to 1,500 Watts
- RUR 11.1 states that devices must be used
  in a careful and considerate manner, and
  not at a speed that constitutes a hazard to other users

…but can be very confusing

Is it an e-bike or a wheeled recreation device or a mobility device or a motor vehicle

How fast can they go?

- Overseas, limits are usually placed on maximum motor-assisted speed
- We rely on the user to behave responsibly

Lots of questions:

- How popular are these devices likely to become?
- Are they causing a significant safety problem?
- Are they causing significant conflict with traditional users?
- How are the regulated overseas?
- How should we regulate them?
- What are the alternatives to regulation?
- Should we design infrastructure differently because of them?

NZTA Research Report nearing completion

Footpath Cycling

NZ TRANSPORT AGENCY
WAKA KOTAHI

BIKE TO THE FUTURE

New Zealand Government

Footpath cycling is legal in NZ only if…

- You are delivering mail, newspapers or printed material
- Your wheels have a diameter no more than 355mm

Footpath cycling is legal for all ages in:

- Six Australian states, many US states and Norway

Footpath cycling is legal for young children in:

- Australia, Japan, France, Germany, Belgium and Finland

Footpath cycling is illegal (but generally unenforced) in:

- Netherlands, UK, Ireland and Sweden

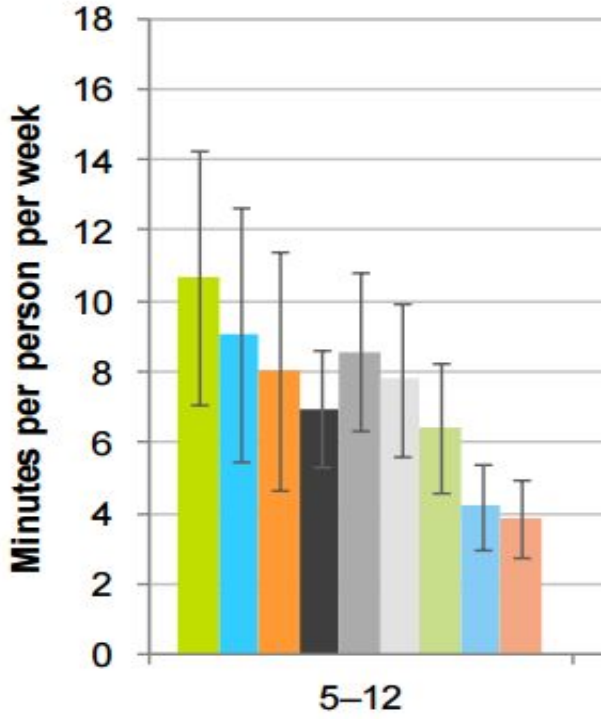
No national rule in USA and Canada

Joanne Clendon's petition

The petition asks that the House recommend a change to the New Zealand Road Rules to allow cycling on the footpath by children under 14 years of age (and accompanying adults), seniors over the age of 65, and vulnerable users (such as those with mental or physical disabilities); make bells mandatory for any bicycle used on footpaths or shared use paths; and allow local authorities to exclude, on a reasonable basis, certain areas of footpath from being used for cycling.

What's the problem?

- There is a period of approximately years during which most children cannot ride legally on the footpath or safely on the road
- UCP has limited coverage
- The law is not respected
- Footpath cycling can also be risky
- Skills trainers typically avoid the topic
- Footpath cycling can discourage others



2-wheel cycle, 310mm (outside diameter)


2-wheel cycle, 400mm (outside diameter)

Mobility devices

Must be solely powered by a motor up to 1200W

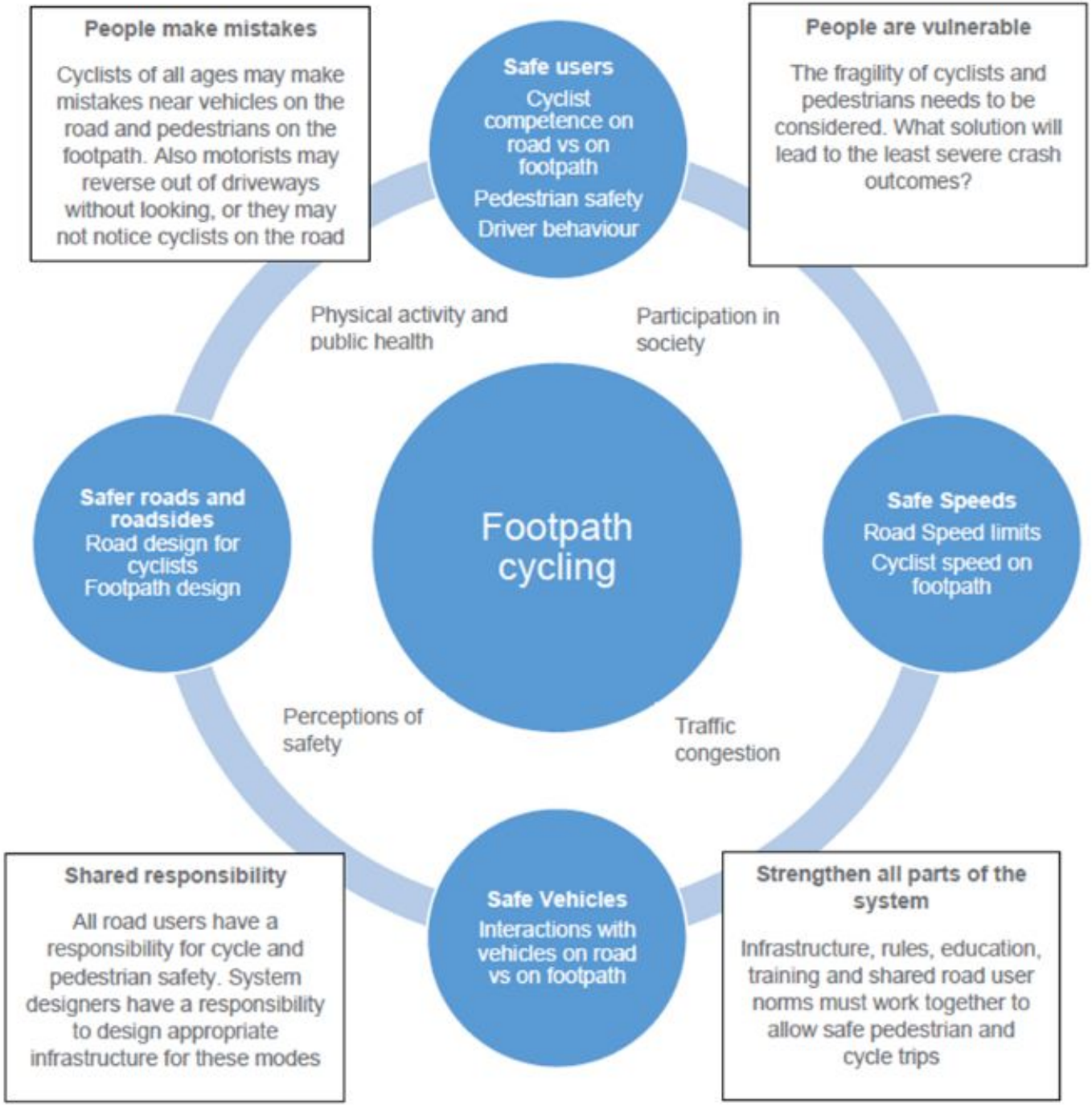
Research findings:

- Ultimately **Safety** and **Participation** are the two key issues – both are complex and interrelated.

- **Safety** for the cyclist and other footpath users needs to be considered (e.g. at driveways/side roads, between users)
- Footpath cycling risk depends very much on the environment and behaviour. Overall, greater frequency of crashes, but lower severity.

- **Participation** of older and mobility impaired pedestrians may reduce if more cyclists were on the footpath
- Whatever the outcome it is acknowledged that there are advantages and disadvantages for one or more groups

Crash type – urban only	1996 to 2005	2006 to 2015
All crashes which involved a cyclist, pedestrian, skateboarder, in-line skater or wheeled pedestrian	**19,359**	**19,358**
Crashes involved a pedestrian	**10,339**	**9,445**
Fatalities involving a pedestrian	343	221
Serious injuries involving a pedestrian	2,515	2,234
Crash involved a cyclist	**8,911**	**9,795**
Crash involved a cyclist riding on-road	**8,194**	**8,740**
Fatalities involving a cyclist riding on-road	55	44
Serious injuries involving a cyclist riding on-road	1,111	1,410
Crash involved a cyclist riding on a footpath	**717**	**1,055**
Fatalities involving a cyclist riding on the footpath	6	2
Serious injuries involving a cyclist riding on the footpath	96	111
Crash involved cyclist riding on a footpath and involved a pedestrian	12	13
Crash involved cyclist riding on a footpath and involved a pedestrian and resulted in a fatality	0	0
Crash involved cyclist riding on a footpath and involved a pedestrian and resulted in a severe injury to the pedestrian or the cyclist	4	7
Crash involved cyclists riding on the road and involved a pedestrian	60	73


People make mistakes
Cyclists of all ages may make mistakes near vehicles on the road and pedestrians on the footpath. Also motorists may reverse out of driveways without looking, or they may not notice cyclists on the road
Safe users
Cyclist competence on road vs on footpath
Pedestrian safety
Driver behaviour
People are vulnerable
The fragility of cyclists and pedestrians needs to be considered. What solution will lead to the least severe crash outcomes?
Physical activity and public health
Participation in society
Safer roads and roadsides
Road design for cyclists
Footpath design
Footpath cycling
Safe Speeds
Road Speed limits
Cyclist speed on footpath
Perceptions of safety
Traffic congestion
Shared responsibility
All road users have a responsibility for cycle and pedestrian safety. System designers have a responsibility to design appropriate infrastructure for these modes
Safe Vehicles
Interactions with vehicles on road vs on footpath
Strengthen all parts of the system
Infrastructure, rules, education, training and shared road user norms must work together to allow safe pedestrian and cycle trips

Research conclusions:

"On balance, a rule permitting footpath cycling for those aged 12 and under (and accompanying adults) has merit…….with clear expectations of pedestrian priority reinforced"

But with supporting measures in place……such as education and training.

"For mobility trikes, the current rules are inequitable and favour those using mobility scooters. People using mobility trikes should be allowed to use the footpath, to maintain independence and mobility, in the same way as others using mobility aids".

Supporting measures:

- Promote RUR 11.1
- Create a sign for ‘Pedestrians Only’ areas
- Increase cycle skills training
- Develop more cycleways and safer speeds areas
- Better footpath design (esp’ at driveways and side-roads)
- Consider investing more in footpaths around primary schools
- Consider restricting e-bike use by young children

A person using the path—

(a) must use it in a careful and considerate manner; and

(b) must not use it in a manner that constitutes a hazard to other persons using it.

A person using a wheeled recreational device on a footpath must give way to pedestrians and drivers of mobility devices.


Should Kiwis be allowed to cycle on the footpath?
Yes - but only kids aged 12 or younger.
35%
I think everyone should be able to cycle on the footpath, as long as they're safe.
35%
No - if children are old enough to ride a bike on the footpath, they can ride it on the street.
17%
We should keep the status quo - don't change the law but turn a blind eye to young kids cycling on the footpath.
13%
3.6K voters
APESTER

Young Children vs Teens and Adults

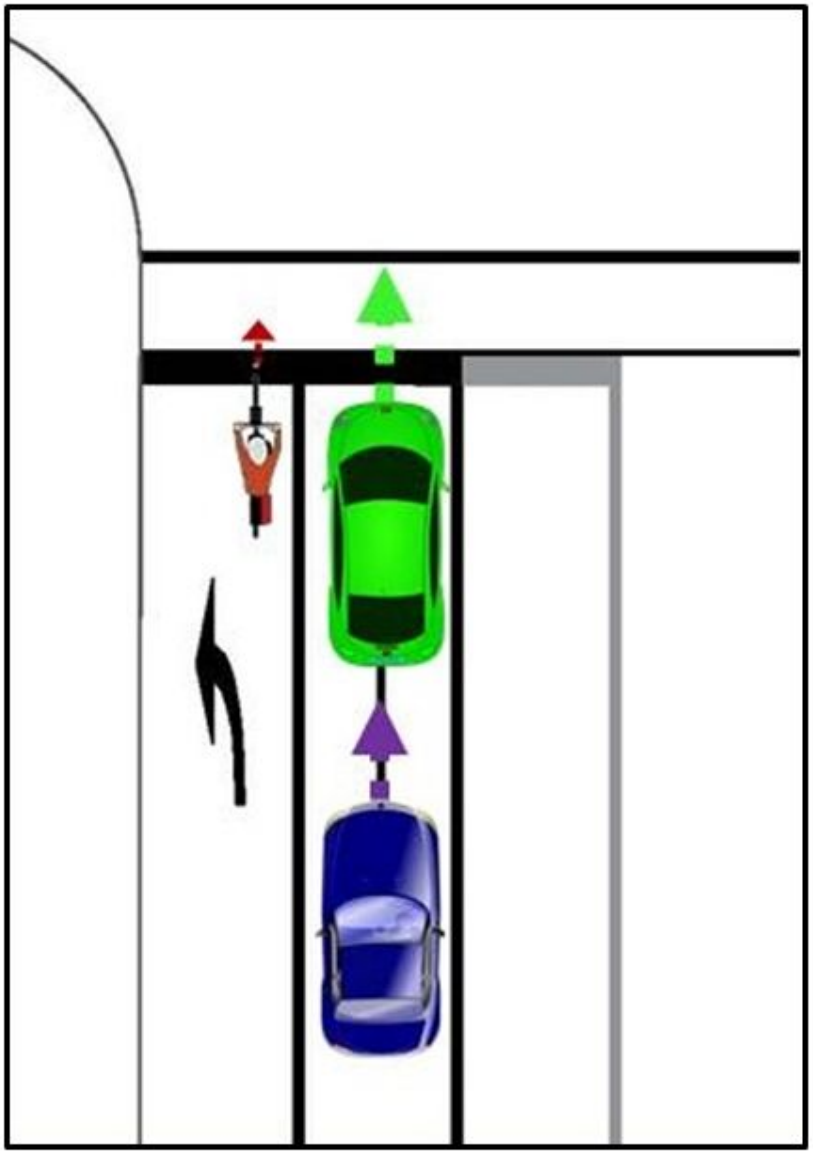
- Young children are easier to control and more likely to receive training
- Young children go slower (i.e. weaker and don't use racing or e-bikes)
- Young children are smaller and less intimidating
- Young children are less capable in traffic (physically and intellectually)
- Adults have more transport choices
- If all ages were allowed on footpaths, the case for cycle infrastructure is harder to make
- Teens and adults most likely to indulge in risky behaviour
- Police more likely to enforce law where adults are cycling on the footpath
- Relatively easy to differentiate between primary and high school children

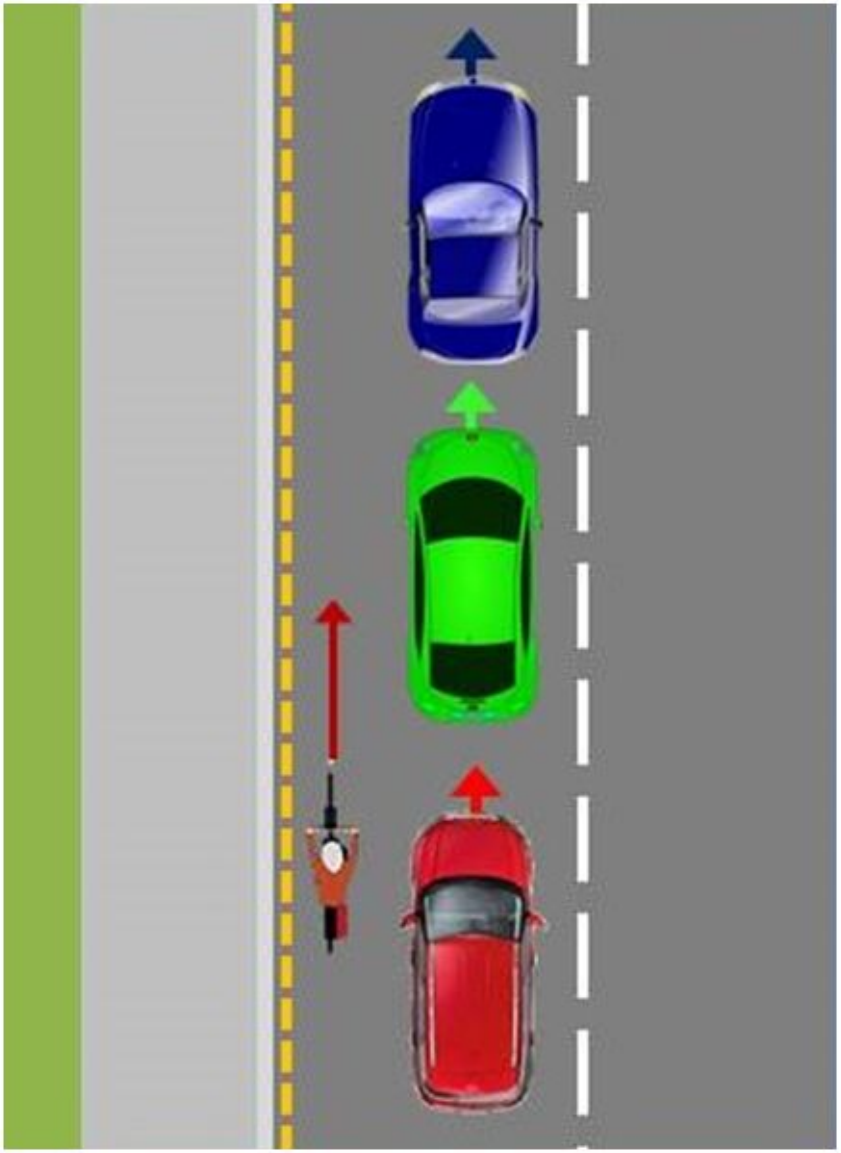
- Shared paths encourage fast cycling

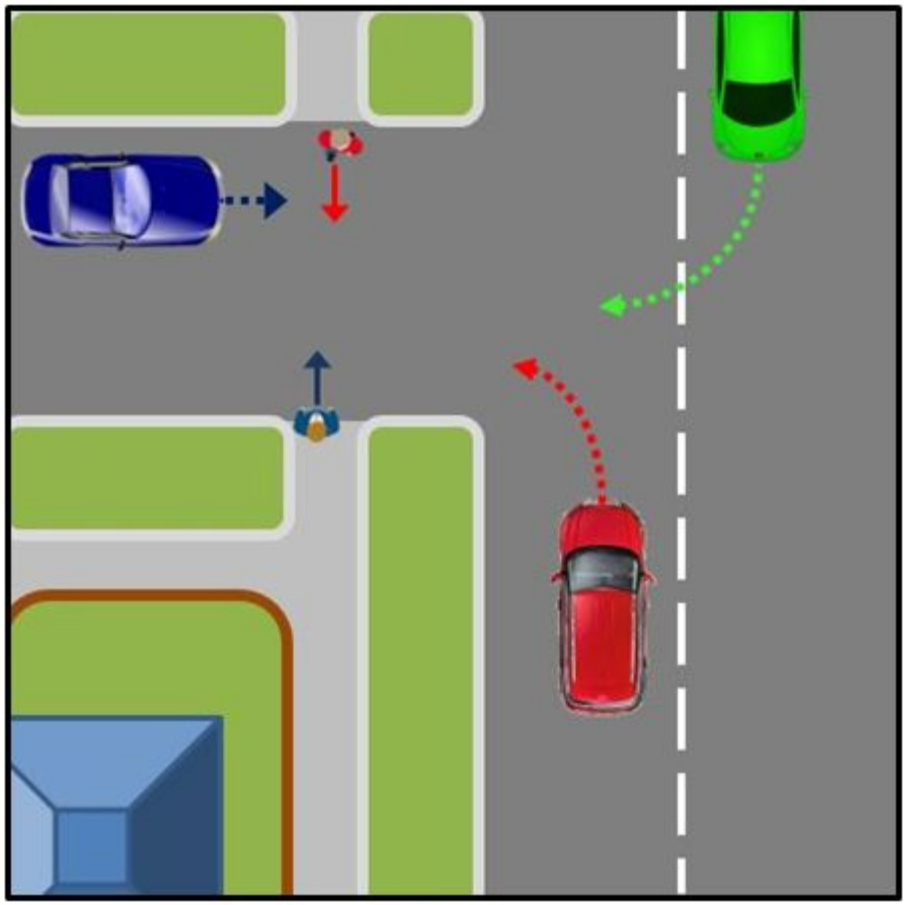
RURs Research

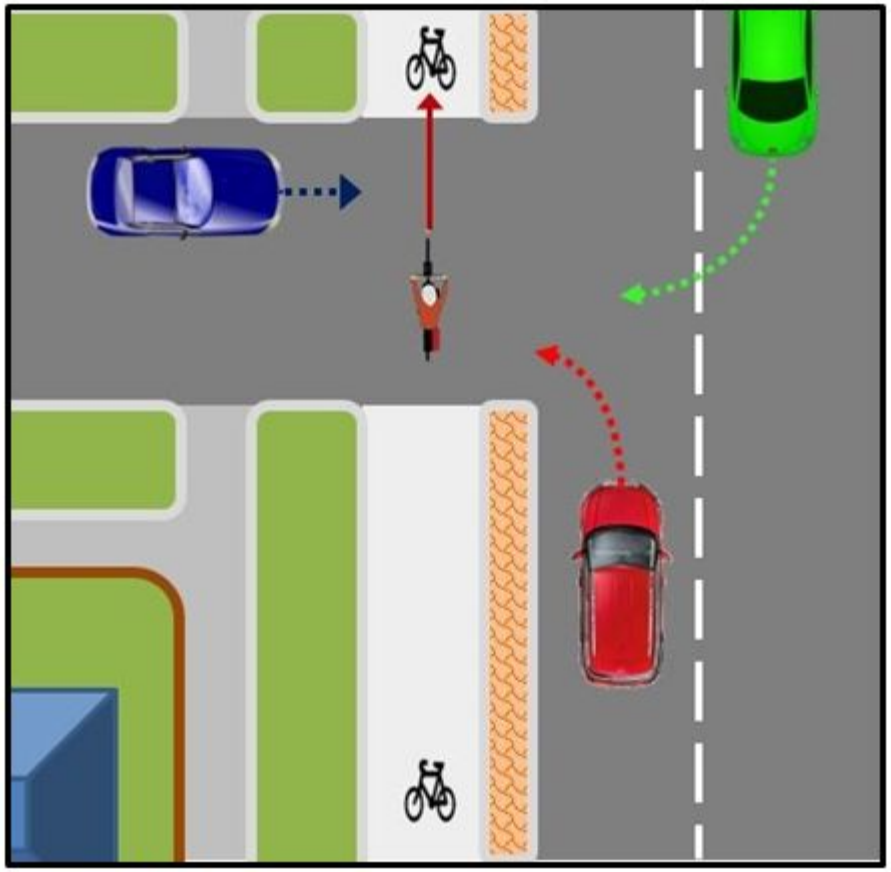
Problems:

- **Lack of priority over turning traffic**
- **High crash risk at intersections**
- **Rules out of steep with common behaviour**










EXIT
PARKING 30m
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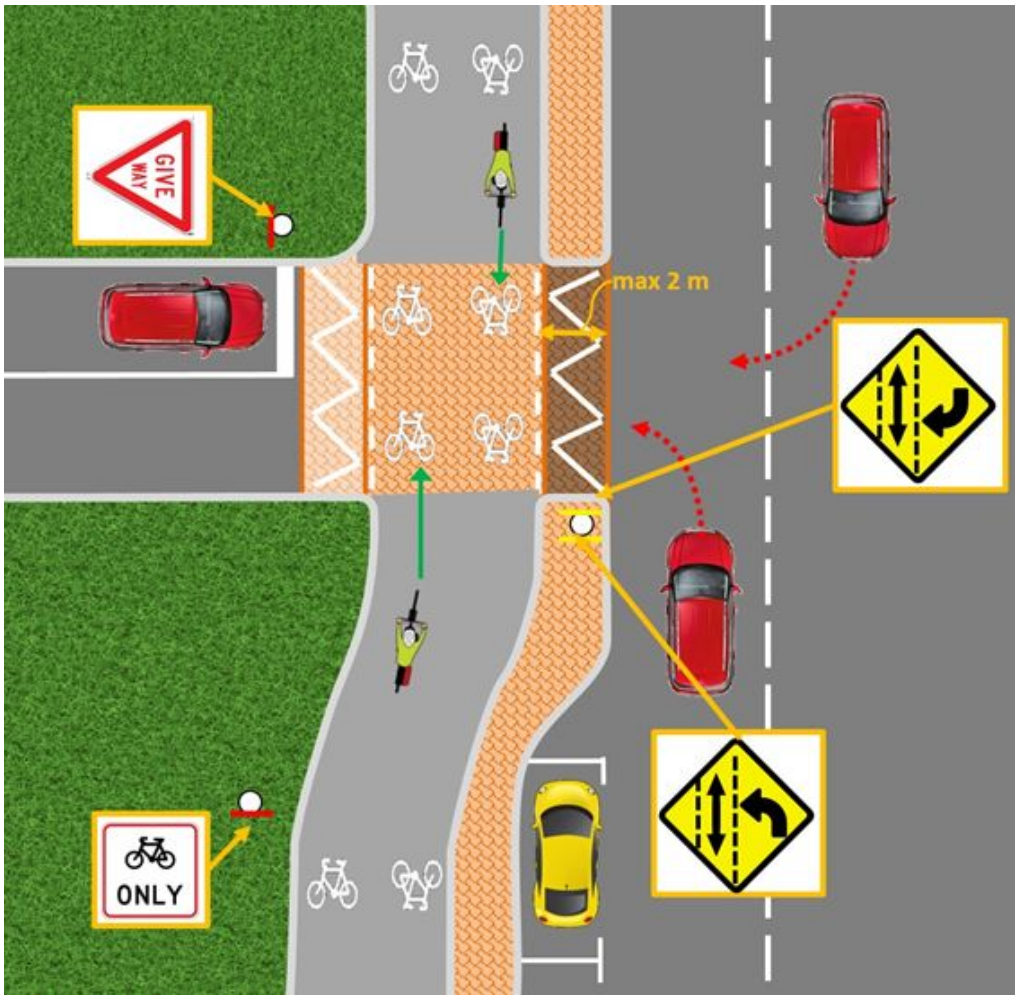
Hutt Rd
STOP


GIVE WAY
max 2 m
ONLY

What Next?

- Briefing to the Associate Minister
- Associate Minister gives direction
- Individual elements may proceed to a formal rules process
- Rules process includes public consultation
- E-bikes and LPVs will be considered at a later time