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Dear Ellen

I refer to your request dated 16 June 2020, pursuant to the Official Information Act 1982, seeking:

***“The information and research used to determine what a safe speed on a footpath is. This relates to the speed of 15km/h set in the Accessible Streets road rule change proposals for use on footpaths.”***

As noted in the Accessible Streets Cabinet paper and Regulatory Impact Assessment (RIA), the speed limit of 15km/h was proposed because it is roughly three times the average walking pace, it is an easily understood round number, and is intended to indicate that slow travel is required.

A speed limit of 10km/h was also considered, but it was felt that this may be too low and would result in many adult users being non-compliant. The RIA also noted that there is evidence that older children typically cycle at around a speed of 15km/h (with children under the age of six travelling at around 10km/h). Setting the speed limit too low could inadvertently result in making it illegal for many children to travel on footpaths at a safe, normal speed.

The 15km/h speed limit also aligned with the speed restrictions on e-scooters that were being trialled in Auckland. It was always intended that the outcome of the e-scooter trial in Auckland, along with feedback from the public during consultation, would help inform the final design of the rules package, including the speed limit on the footpath. This is currently being considered by officials.

The Cabinet paper and the RIA can be found on the Ministry of Transport website.

***“How was this information on speed used to make evidence-based policy decisions?”***

We are aware that a single speed limit might not be suitable in all locations. It is for this reason that, under the proposals, Road Controlling Authorities would be able to reduce the default speed limit and limit the types of vehicles that may use footpaths, shared paths, and cycle paths. This will enable local decision makers to adjust the settings to meet their community's needs.

***“I note Auckland Transport decisions on e-scooters were referred to. What information has been received from Auckland Transport on the impact on pedestrians of speed of vehicles on footpaths?”***

From November 2018 until October 2019, Auckland Council and Auckland Transport held two consecutive trials around licensing for rental e-scooters. Since that time, Auckland Council has undertaken several evaluations of these trials. These are publicly available on the Auckland Council website. You can find these via:

- [www.aucklandcouncil.govt.nz/licences-regulations/Documents/rental-e-scooters%20trial-provisional-strategic-evaluation.pdf](http://www.aucklandcouncil.govt.nz/licences-regulations/Documents/rental-e-scooters%20trial-provisional-strategic-evaluation.pdf)
- [www.aucklandcouncil.govt.nz/licences-regulations/report/rental-e-scooter-trial-2.0-evaluation-report.pdf](http://www.aucklandcouncil.govt.nz/licences-regulations/report/rental-e-scooter-trial-2.0-evaluation-report.pdf)

Information from these and other sources helped inform the development of the Accessible Streets package. A full list of evidence used to support the Accessible Streets package is outlined in the Cabinet paper references, the RIA, and the cost-benefit analysis.

***“What monitoring will be done of speed on footpaths? And by whom? I note moving vehicle infringements are managed by Police. I understand there is no reliable or enforceable means of gauging lower speeds.”***

Police would be the primary agency responsible for the enforcement of any rule changes. While Police are committed to ensuring the safety of all road users, Police will of course prioritise enforcement of those behaviours that present the greatest risk to road safety.

Accessible Streets is intended to support new behavioural norms on our roads and paths. While enforcement will be part of achieving this, the associated offences and penalties will predominantly be for minor infringements. For more serious offences, there are existing regulations to support enforcement.

As noted in the RIA, the safety impacts of Accessible Streets will be monitored as part of the implementation of *Road to Zero*.

***“What method will be used to ascertain speeds on footpaths that can be used for enforcement?”***

As mentioned above, Police would be the primary agency responsible for the enforcement of any rule changes. However, as noted in the overview to the Accessible Streets package, because of limitations of existing speed detection devices for lower speeds there could be practical challenges with enforcing speed limits.

While enforcement will be part of achieving new behavioural norms on our roads and paths, the associated offences and penalties will predominantly be for minor

infringements. For more serious offences, there are existing regulations to support enforcement.

***“What research has been done on the speed of pedestrians on footpaths and how this will be impacted by vehicles also using footpaths?”***

Waka Kotahi NZ Transport Agency (Waka Kotahi) developed a RIA and a cost-benefit analysis to help assess the various options considered as part of Accessible Streets. This document, as well as the Cabinet paper, noted that some of the proposed changes could have a negative impact on pedestrians in some instances.

While the RIA attempted to assess these impacts, it did not assess the potential effects on pedestrian speeds on the footpath.

***“At what point will footpath speed limits be reviewed? Is there a limit to the number of injuries to pedestrians on footpaths from vehicle users as a trigger for review?”***

Accessible Streets was released for public consultation in March 2020. Public consultation was extended due to COVID-19 and closed in May 2020. Waka Kotahi is still analysing submissions and undertaking targeted engagement with the disability sector to incorporate their feedback on the package and help develop a disability impact assessment. This will help inform the final design of the rules package.

Following this process, Cabinet will take further decisions on the Accessible Streets package.

You may be interested to know that following the release of Accessible Streets for public consultation, the Ministry proactively released all major briefings, including the Cabinet paper, on our website. You can find these documents at <https://www.transport.govt.nz/multi-modal/keystrategiesandplans/road-safety-strategy/accessible-streets/>. The majority of the information outlined in this response can be found within these documents.

The Ministry publishes our Official Information Act responses and the information contained in our reply to you will be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

You have the right under section 28(3) of the Official Information Act to make a complaint to the Ombudsman, whose address for contact purposes is:

The Ombudsman  
Office of the Ombudsmen  
P O Box 10-152  
WELLINGTON

**Email:** [info@ombudsman.parliament.nz](mailto:info@ombudsman.parliament.nz)

Yours sincerely

A handwritten signature in blue ink, appearing to read 'pp Maltz', with a stylized flourish extending to the right.

Helen Presland  
**Acting Manager, Mobility and Safety**  
*For CHIEF EXECUTIVE*