



Speed enforcement

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Summary

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Introduction

Excessive speed is a major cause of road trauma, and an important factor in the severity of crashes. Enforcement of speed limits is an effective activity, due to its wide deterrent effect, to change road user driving behaviour.

Speed limits must be consistently enforced by appropriately trained Police employees, using approved and calibrated equipment to:

- reduce mean speeds and influence a reduction in road trauma
- ensure Police enforcement action is fair and transparent
- enable Police to recognise reasonable variations in speedometer accuracy across the national vehicle fleet
- provide motorists with a certainty of outcome should they drive at excessive speeds.

This chapter applies to all Police employees, hereafter referred to as "Police".

Refer to the '[Fleeing Driver](#)' and '[Traffic Patrol Techniques](#)' chapters for stopping drivers. For the operation of speed detection equipment refer to the 'Measurement Standards Laboratory Speed Detection Operations Code'.

Note: All mobile and static speed cameras must be operated in accordance with the '[Speed camera enforcement](#)' chapter.

Speed discretion levels

These principles apply, other than in exceptional circumstances.

| Drivers who are detected... | must be... |
|---|--|
| at a speed of more than 10 km/h above the speed limit | issued with infringement /offence notice or summons. |
| driving a heavy motor vehicle, at a speed of more than 5 km/h above the speed limit | |
| towing a light trailer, at a speed of more than 5 km/h above the speed limit | |
| within a school zone, at a speed of more than 4 km/h above the speed limit | |

Lower speed tolerance during official New Zealand holiday periods

Increased traffic density and higher than usual network demands increase the road trauma risk during New Zealand's official holiday periods.

Police will increase the focus on speeding motorists by enforcing a lowered speed tolerance of 4 km/h during these periods. Motorists exceeding the 4km/h tolerance must be dealt with promptly by Police. The level of action taken by Police will be at the discretion of the officer, after consideration of the circumstances surrounding the offending, however, it is vital that visible Police action occurs.

The official New Zealand holiday periods, for which the Ministry of Transport' reports fatalities, are:



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- The **Easter holiday** covers the period from 4:00pm on the day before Good Friday through to 6:00am the following Tuesday.
- **Queen's Birthday holiday** covers the period from 4:00pm on the Friday before the weekend through to 6am the following Tuesday.
- The **Labour Weekend holiday** covers the period from 4:00pm on the Friday before the holiday through to 6:00am the following Tuesday.
- The **Christmas holiday** covers the period from 4:00pm on 24 December (22 or 23 December if 24 December falls on a Saturday or Sunday respectively) and 6:00am on 3 January (if 1 January falls on a Monday, Tuesday or Wednesday), 4 January (if 1 January falls on a Sunday), or 5 January (if 1 January falls on Thursday, Friday or Saturday).

Note: Implementation and enforcement of the lower speed tolerance outside of the official holiday periods must be approved in writing by the Assistant Commissioner: Road Policing or on the direction of the Police Executive.

Use of discretion

Applying discretion to trauma offences should be considered in line with the following principles:

- Police will always consider driver explanations
- discretion should be exercised wisely and within the guidelines of this chapter
- a driver must show exceptional mitigating circumstances to justify being issued a warning for a trauma causing offence
- it is reasonable for offending drivers to be treated both fairly and consistently.

Police can exercise a wider degree of discretion when enforcing offences not directly related to speed or trauma, i.e., a warrant of fitness which has expired within a month of being stopped by Police. Please refer to the '[Traffic compliance scheme](#)' chapter.

School zones

A school zone is designated as a single named road, no more than 250m metres from the school boundary, on which any direct school access exists. Early childhood centres can be 'zoned' if a road sign identifies where the centre is.

Speed limits are enforced on a risk targeted basis, between 0730 and 1800 hours on any school day or any other time there is a school activity or event. This may include sports activities and drama nights.

As part of the 'Speed Kills Kids' programme, any driver who is detected within a school zone, at a speed of more than 4 km/h above the speed limit, **must** be issued with an offence notice.



Speed enforcement equipment

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Who can use speed enforcement equipment?

Only Police employees, who hold or are undergoing supervised training for a 'Certificate of Proficiency for New Zealand Police Speed Enforcement Equipment', may use that equipment for speed enforcement purposes.

If speed enforcement equipment is deployed from a vehicle, it must only be from a Police owned or operated vehicle.

Note: All speed detection equipment used by Police must be operated in accordance with the 'Speed Detection Operations Code'.

Certification standards

Section [146](#) of the Land Transport Act (LTA) 1998 requires all speed enforcement equipment to be calibrated within a 12 month period. This includes:

- mobile and static speed cameras
- static speed camera sites
- laser speed guns
- Police vehicle radar speed detectors and tuning forks
- [Police vehicle speedometers](#).

Note: Speed enforcement equipment that has not been calibrated within the last 12 months, and issued with a current certificate of accuracy, must **not** be used for speed enforcement purposes.

Calibration testing

Police Calibration Services (PCS) subject all speed enforcement equipment to calibration testing to ensure the equipment is functioning in accordance with the manufacturer's specifications and accurately records a vehicle's speed. PCS advises districts when their equipment is due for calibration, and holds the certificates of accuracy for every device.

Police vehicle speedometers

These must be calibrated annually in each district, by appropriately qualified personnel determined and trained by PCS. When vehicles pass calibration, a Certificate of Accuracy Speedometer and/or Odometer (POL430) is issued.

Radar/laser equipment

Radar/laser equipment can be used on all roads; however, these guidelines must be followed.

| Ensure | Note |
|--|---|
| Equipment is operated in accordance with the Police Speed Detection Operators Manual (DUT244), appropriate to the device being used. | If deployed for speed enforcement purposes. This means that laser speed enforcement equipment can only be used whilst stationary. |



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| | |
|--|--|
| <p>When speed is enforced in an area where drivers are making a transition from a higher speed to a lower speed area, vehicles are not targeted within 250 metres from the point where the posted speed changes.</p> | <p>Unless there is good reason to do so, such as protecting people operating road works or to ensure the safety of children.</p> <p>This does not apply in a school zone.</p> |
| <p>When vehicles are used to operate speed enforcement equipment, they are parked in accordance with the Land Transport (Road User) Rule 2004, or any bylaws in force for that location.</p> | <p>Police have an exemption from parking related offences that arise under the Land Transport (Road User) Rule 2004, by virtue of clause 1.8(3)(b) where the action was necessary in the performance of duty. However, this exemption should be used in limited circumstances.</p> <p>Despite the general exemption under the Land Transport (Road User Rule) 2004, for the purposes of staff and public safety, it is a requirement that enforcement vehicles are illuminated from a light source so that it is visible or operate their vehicle park lights when conducting speed checks, or any similar enforcement, when stationary on the roadside during the hours of darkness.</p> |
| <p>All speed enforcement equipment must be operated in an overt manner. Hidden or camouflaged deployment must not be used.</p> | <p>Unless there is a specific operation targeting offending consisting of:</p> <ul style="list-style-type: none"> • sustained loss of traction • engaging in an unauthorised street or drag race • dangerous or reckless driving • an operation that cannot effectively or safely be conducted using overt means • heavy motor vehicles (HMVs), <p>Such operations must have written operation orders and have prior written approval from the District Road Policing Manager. In the case of HMVs, prior written approval should be gained from the O/C Commercial Vehicle Investigation Unit.</p> <p>Unmarked patrol vehicles may be used for speed enforcement; however, Police are reminded of the risks associated with speed enforcement from these vehicles.</p> |

Interference with operation of speed measuring device

It is an offence to use or possess any equipment designed to interfere with the operation of a speed measuring device (i.e. radar jammer) in a motor vehicle ([s16B](#)).

Motorcycle officers

Motorcycle officers who have completed the Motorcycle Qualifying Course and are trained and certified in the use of laser devices from Police motorcycles (in accordance with the Police Speed Detection Operators Manual, DUT244) can enforce speed limits of traffic travelling in the same direction in which their motorcycle is parked.

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Any offending vehicle can be signalled to stop, or officers may follow the offending vehicle and stop it where it is safe or practicable to do so after full consideration of the risks involved to both the motorcycle officer and other road users.



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Roles and responsibilities

| Role | has responsibility for ensuring... |
|--|---|
| District Commander (or their delegated representative) | <ul style="list-style-type: none">• this chapter is implemented in their district• staff are trained to use the equipment they are using• all speed enforcement equipment is presented for calibrating when required• all reasonable measures are taken to ensure the equipment is well looked after and operated correctly• that if any radar or laser equipment that is supplied to a district is lost or damaged, (not considered to be normal operational wear or usage), the equipment is replaced or repaired• only certified speed enforcement equipment is used• training records are maintained updated and held in the district• breaches of this chapter are reported to the National Manager: Road Policing. |
| National Manager: Road Policing | <ul style="list-style-type: none">• the appropriate authority is gained before new speed enforcement equipment is deployed and certified• PCS complete annual certifications of accuracy for speed enforcement equipment• support to districts is provided as appropriate• audit adherence to this chapter. |
| Police Calibration Services (PCS) | <ul style="list-style-type: none">• a database is maintained and certificates of proficiency produced for all Police who have passed the Speed Detection Code of Operations module• management of the approval system for Police vehicle speedometer calibration• an annual calibration of all radar equipment• a biannual calibration of all mobile and static speed cameras• a biannual calibration of all laser equipment• an annual inspection and certification of static camera sites. |
| Police involved in speed enforcement | <ul style="list-style-type: none">• adherence to this chapter• completion of daily operating checks and log books. |

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