

IMPROVING ROAD SAFETY IN NEW ZEALAND

Reason for this briefing	This briefing provides you with an overview of road safety in New Zealand. It outlines the current trends in road safety, the current approach to improving road safety, and a suite of actions you might like to consider to improve road safety in New Zealand.
Action required	Officials from the Ministry would welcome the opportunity to meet with you to discuss your priorities for improving road safety.
Government commitment	This briefing responds to the Government's commitments on road safety.
Deadline	The Ministry suggests a discussion before the end of the year.
Reason for deadline	To understand your priorities for actions to take on improving road safety and address New Zealand's rising road toll.

Contact for telephone discussion (if required)

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Privacy

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Attention:	Hon Julie Anne Genter, Associate Minister of Transport Copy to Hon Phil Twyford, Minister of Transport	Security level:	In-Confidence

Minister of Transport's office actions

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| <input type="checkbox"/> <i>Noted</i> | <input type="checkbox"/> <i>Seen</i> | <input type="checkbox"/> <i>Approved</i> |
| <input type="checkbox"/> <i>Needs change</i> | <input type="checkbox"/> <i>Referred to</i> | <input type="checkbox"/> <i>Overtaken by events</i> |
| <input type="checkbox"/> <i>Withdrawn</i> | <input type="checkbox"/> <i>Not seen by Minister</i> | |

Purpose of briefing

1. This briefing has been developed jointly by the Ministry of Transport (the Ministry), the New Zealand Transport Agency (NZ Transport Agency), and the New Zealand Police (the NZ Police). It provides you with an introduction to road safety in New Zealand, and outlines the key road safety trends and New Zealand's current approach to improving road safety. It also responds to the Government's commitments on road safety, and identifies other opportunities to improve road safety.
2. We understand the Minister of Police and the office of the Prime Minister has requested from NZ Police a separate briefing on the road toll and road policing matters. A copy of this briefing has been provided as part of the response to that request.
3. In summary, the Government's commitments on road safety include the following matters, which are addressed on the pages indicated.
 - Take decisive action to reduce New Zealand's road toll, including reviewing the Safer Journeys' strategy and investigating the 'Vision Zero' framework (see Building towards a new strategy, p. 6).
 - Ensure funding is provided to improve safety on sections of state highways and local roads that have been identified as problem areas (see Increasing investment in high risk roads, p. 7).
 - Prioritise improvements in road safety on the areas of highest enforceable risk, including speeding and addressing intersection behaviour (see Speed management, p. 8, and Offences and penalties, p. 17).
 - Prioritise infrastructure, legislative, and other changes to increase uptake of, and safety for, walking and cycling (see Protecting vulnerable users, p. 10).
 - Renew focus on expanding the use of alcohol interlocks and investigating roadside drug testing (see Renewing the focus on impaired driving, p. 13).
 - Encourage and enforce seatbelt wearing (see Reducing fatalities from not wearing seatbelts, p. 15).
 - Improve access to driver licensing to range of groups, including students and rural communities (see Driver and motorcyclist licensing, p. 15).

Executive Summary

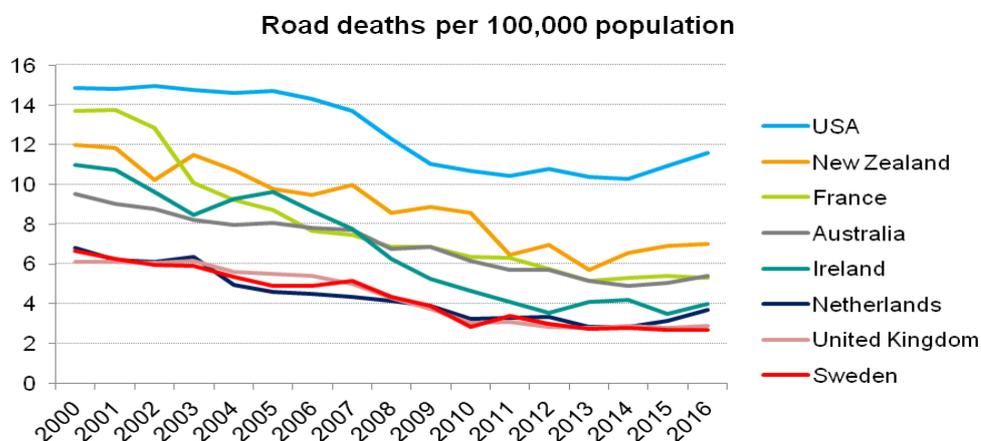
4. Overall, road travel in New Zealand has become much safer in the last 25 years. This can largely be attributed to improvements in road infrastructure, the vehicle fleet, changes in travel patterns, and driver behaviour. However, over the last four years, road deaths in New Zealand have been rising – a trend also observed in many international jurisdictions. Increases in road travel explain some, but not all, of the rise in road deaths.

5. The current strategy for improving road safety, Safer Journeys (the Strategy), was released in 2010, for the decade to 2020. Given the Government's priorities regarding road safety, recent increases in the road toll, changing technologies, and a greater understanding of what interventions do and do not work domestically and internationally, the Ministry agrees that it should be a priority to undertake work to review and develop a new strategy.
6. This would include investigating the 'Vision Zero' framework in the New Zealand context, as well as considering the full range of benefits and harms created by transport. For example, health related impacts from carbon emissions and noise pollution, as well as how improving safety can support greater choice in transport options. The Ministry would also be interested in exploring whether there is benefit in having a multi-modal transport safety strategy.
7. The Ministry estimates that a review of the Strategy, necessary foundation work, and the development of a new strategy will require a cross-agency programme of work over the next 12–18 months. The key reason for this timeline is that the Ministry believes a participative process that involves all agencies with an interest, communities, and the private sector is needed. The Ministry will provide you with a detailed plan for developing the next road safety strategy for your consideration before the end of 2017.
8. The Ministry appreciates that while strategy work is needed, further action is also needed now to reduce fatalities and harm on our roads. In parallel to the strategy work, the Ministry suggests prioritising a number of proven initiatives to contribute to sustained improvements in road safety in New Zealand. The full suite of initiatives amounts to a multi-year work programme. The Ministry suggests the following actions be given earliest priority.
 - Infrastructure investment – accelerating investment on high-risk roads, and delivering the Government's commitment to ensure funding is provided to improve safety on sections of state highways and local roads that have been identified as problem areas.
 - Speed – accelerating the implementation of the speed management programme, and introducing associated measures to support improved network management and compliance.
 - Vehicles – progressing a vehicles package, which includes considering mandating vehicle safety and environmental standards, and improving the level of information provided at point of sale.
9. The Government has also signalled a commitment to increase the priority for, and funding of, walking and cycling infrastructure investments. This briefing discusses some improvements that could be made through land transport rule changes, see the section on Vulnerable road users (p. 10). This will also be complemented by further information on walking and cycling in relation to your proposed infrastructure investments, in a subsequent briefing that you will be receiving.
10. The Ministry would welcome the opportunity to discuss your priorities with you for progressing initiatives to improve road safety in New Zealand.

Road safety trends and our current approach

11. New Zealand's road toll has generally followed a downward trend since its peak of 795 deaths in 1987, to a low of 253 deaths in 2013. Since 2013, the road toll has been steadily rising. The road toll in 2016 was 328 road deaths. As at 6 November 2017, the provisional road toll for 2017 is 322 deaths, this is 47 higher than this time last year¹. This is partly explained by an increase in road travel, but even considering this, the fatality rate per billion kilometres travelled has risen 16 percent since 2013.
12. These trends in the road toll have been observed in comparable OECD countries. However, New Zealand has continued to perform relatively poorly on road deaths per head of population compared to other OECD countries (see Figure 1 below).

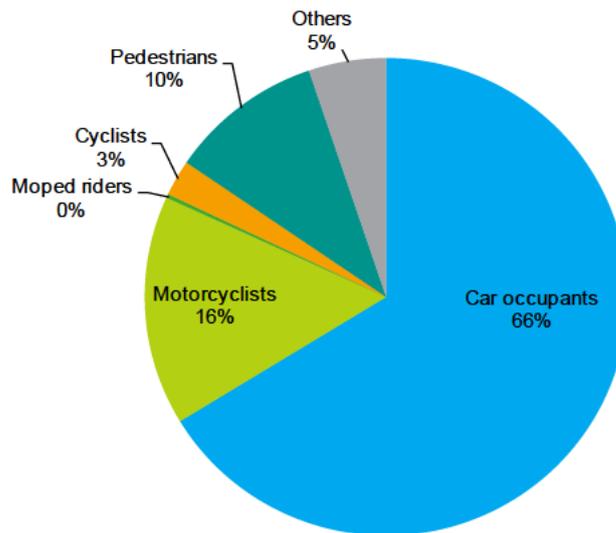
Figure 1: Road deaths per 100,000 population 2000-16 (based on 2016 provisional data)



13. Speed, alcohol, failing to give way or stop, and inattention continue to be the main contributing factors in fatal and serious injury crashes. In recent years, there has also been a significant increase in the number of people killed who were not wearing seatbelts. The age and technology standards of a vehicle also contributes to whether or not there is an injury or fatality as a result of the crash.
14. Cars continue to be the dominant form of travel in New Zealand, and car occupants make up approximately two thirds of those killed on New Zealand's roads. Motorcyclists make up 16 percent of road deaths and vulnerable users (pedestrians and cyclists), make up 13 percent of those killed on New Zealand's roads.

¹ A road death is any person who dies as a result of injuries received in a crash involving a motor vehicle or a cyclist that occurs on a public road. The death must occur within 30 days of the crash and be accidental. Deaths resulting from natural causes are excluded. Pedestrian deaths involving a train are excluded. However, cyclist deaths involving a train at a level crossing are included, as these are a vehicle on a public road.

Figure 2: 2013-16 Road Toll by Transport Mode



15. Further analysis on the factors contributing to death and serious injury on New Zealand roads is provided in each of the sections below.

Safer Journeys – New Zealand’s current approach to road safety

16. Safer Journeys (the Strategy) is the current road safety strategy for New Zealand. It was developed to guide improvements in road safety for the period 2010 to 2020. The Strategy’s vision is a safe road system increasingly free of death and serious injury.
17. The Strategy adopts a Safe System approach. The Safe System approach aims for a more forgiving road system that takes into account human fallibility and vulnerability. It recognises that accidents are inevitable, but that deaths and serious injuries are not. The Safe System approach considers all components of the road transport system, including safe roads and roadsides, safe speeds and vehicles, and safe road use.
18. The National Road Safety Committee (NRSC) is a cross-agency committee, responsible for ensuring the delivery of the Strategy and associated Safer Journeys’ Action Plans. The NRSC aims to pull together all agencies with an interest in road safety to make the most of inter-agency opportunities. The NRSC consists of representatives from the Ministry, the NZ Transport Agency, the Accident Compensation Corporation (ACC), the N Z Police, Local Government New Zealand, the Ministries of Justice, Health, and Education, and WorkSafe New Zealand. These agencies are collectively referred to as “road safety partners”. The Ministry chairs the NRSC, and is responsible for leading the development of the Strategy in collaboration with its road safety partner agencies.

Building towards a new strategy

19. The Government has indicated that it will take decisive action to reduce New Zealand's road toll, including reviewing the Strategy and investigating the 'Vision Zero' framework.
20. The current Strategy was developed pre-2010 and was designed to drive action over the 2010 to 2020 period. In developing and implementing the current strategy, there has been significant learning around what interventions in this area work, and which do not. This draws from both New Zealand and international experience, including those countries who have adopted 'Vision Zero'.
21. Given the road safety commitments the Government has made, and that the Strategy effectively ends in 2020, the Ministry recommends that work is undertaken as a priority to develop a new road safety strategy for New Zealand. This work would include consideration of adopting the 'Vision Zero' framework and measurable targets and outcomes for road safety improvements in New Zealand. This work would also include a review of the current strategy, international road safety strategies, implementation of a data strategy to ensure a robust evidence base, and testing of the intervention logic and investment framework needed to underpin a new strategy.
22. The Ministry will explore the benefits of a broader transport safety strategy for New Zealand. This will include considering the full range of benefits and harms created by transport. For example, health related impacts from carbon emissions and noise pollution, as well as how improving safety can support greater choice in transport options. The Ministry will also explore whether there is benefit in having a multi-modal transport safety strategy.
23. This is a significant programme of work for the Ministry and its road safety partners, and is expected to take 12–18 months. A key reason the Ministry is suggesting this timeframe is that in order to make real sustainable long-term change, a participative engagement approach is needed with a range of agencies, the private sector, the public, and communities to develop and deliver the strategy.
24. As part of this work, the Ministry would also seek to improve the alignment between the new strategy and the funding signals the Government currently provides regarding road safety through the Government's Policy Statement on land transport (GPS). Related to this, the Ministry is already working with the NZ Police and the NZ Transport Agency to on options to strengthen the current model for funding road policing. You will be receiving a separate briefing on the GPS and funding matters for further discussion with officials.

Other initiatives for consideration

25. The Ministry appreciates that while strategy work is needed, further action is needed now to reduce fatalities and harm on our roads. In parallel to this strategic work, there are a variety of proven initiatives that can be progressed now to improve road safety in New Zealand. These are outlined below and deliver on many of the Government's commitments. The initiatives outlined take a strategic approach to intervening across the transport system and are at various stages of development. The full suite of initiatives amounts to a multi-year work programme.
26. The Ministry suggests the following initiatives be given earliest priority.
- Infrastructure investment – accelerating investment on high-risk roads, and delivering the Government's commitment to ensure funding is provided to improve safety on sections of state highways and local roads that have been identified as problem areas.
 - Speed – accelerating the implementation of the Safer Speeds Programme, and introducing associated measures to support improved compliance.
 - Vehicles – progressing a vehicles package, which includes considering mandating vehicle safety and environmental standards, and improving the level of information provided at point of sale, to support buyers to make safer choices when purchasing vehicles.

Increasing investment in high risk roads

27. The Government has indicated a commitment to ensure funding is provided to improve safety on sections of state highways and local roads that have been identified as problem areas.
28. The Government has also signalled a commitment to increase the priority for, and funding of, walking and cycling infrastructure investments. We have covered the safety elements of this in the section on vulnerable road users below. This is complemented by further information on walking and cycling in a subsequent briefing that you will be receiving.

What is currently occurring?

29. Both State highways and local roads present road safety challenges. Between 2013 and 2016, 38 percent of deaths and serious injuries that occurred in New Zealand were on the state highway network and 62 percent were on local roads. Over the same period, 55 percent of deaths and serious injuries occurred on the open road where the speed limit was more than 70 km/h, and 45 percent occurred in urban areas where the speed limit was below this.
30. Around 40 percent of New Zealand's state highway network has a two-star safety rating, which means they feature hazards such as narrow shoulders, slanting surfaces, ditches, poles, and other roadside hazards. Deaths and serious injuries on the state highway network are primarily a result of head on crashes and vehicles running off the road.

31. In 2016, the Safer Roads and Roadsides Programme was announced. It allocated \$600 million for safety improvements on New Zealand's highest risk rural state highways. This is split into approximately \$100 million a year across six years, to make improvements to more than 90 high-risk sites on rural state highways. This programme targets less than 15 percent of the state highway network (which is less than two percent of New Zealand's overall road network), and 25 percent of the deaths and serious injuries that occur on the state highway network. Accelerating and extending this programme, to make the network more forgiving, and to address the head on and run off road crash risk on national and regional arterials, is critical.
32. At present, the NZ Transport Agency is working with local authorities to develop a package of investments in local roads, which would total \$800 million worth of investment. It focuses on 670 kilometres of urban and local road corridors and 172 intersections. Once delivered, the programme is estimated to reduce number deaths and serious injuries by 160 per year. Local authorities currently co-fund this work, based on a 50:50 ratio with the NZ Transport Agency. Due to competing funding priorities within local councils, this often means that even existing funding allocated to local roading improvements is under spent. This is likely to be a matter that will require further consideration in order to progress the Government's commitments in this area.

What is the main opportunity?

33. Improving roads and roadsides through continued investment is a core part of the safe system approach. Safety upgrades should target high risk locations with a mix of road improvements including shoulder widening, side and median barriers, intersection improvements, rumble strips, wide centrelines, road marking, and improved signage.
34. The Ministry suggests that through the GPS you increase the strategic priority for investing in safety improvement projects on high-risk roads. There are a range of options that you could consider to increase the investment from central and local government in this area, both through increasing funding through the GPS, as well as considering additional mechanisms outside of the GPS, such as increasing Crown funding for local councils. The Ministry would welcome the opportunity to discuss these options with you further, to determine the scope of what you would like to consider.

Speed management

35. The Government has indicated that it would like to prioritise improvements in road safety on the areas of highest enforceable risk, including speeding and addressing intersection behaviour.

What is currently occurring?

36. Speed continues to be a major contributing factor to deaths and serious injuries on New Zealand roads. In 2016, speed contributed to 21 percent of deaths and serious injuries in road crashes.

37. This year, a new approach to speed management was introduced in New Zealand – the Safer Speeds Programme. The Safer Speeds Programme included changes to the Land Transport (Setting of Speed Limits) Rule 2003 (the Speed Rule) and the release of a new Speed Management Guide (the Guide) for use by road controlling authorities (RCAs). The changes to the Speed Rule also introduced the ability for RCAs to set a speed limit of 110km on appropriately engineered roads.
38. The Safer Speeds Programme promotes a risk-based approach to speed management. The guide recognises the different design and use of roads, and the need for safe and appropriate speed limits. It promotes a variety of treatment options to support safe and appropriate speeds, including engineering improvements to roads, as well as changing speed limits depending on the risks relating to the particular road. It also encourages stronger sector and community engagement on road safety risk, to ensure greater understanding and support for speed management from local communities and the public.
39. Implementing the new approach is the responsibility of RCAs, which include NZ Transport Agency, Auckland Transport, and local councils. The initial focus will be on treating the five to ten percent of roads that present the greatest road safety and transport efficiency benefits. The NZ Transport Agency has identified these roads for all RCAs to consider.

What are the main opportunities?

40. Accelerating the implementation of the new speed management approach to address high-risk roads more quickly is the main opportunity in the speed area. The Ministry and the NZ Transport Agency could consider options to support accelerated implementation of the new speed management approach. This is likely to include a mix of engineering improvements and speed limit reductions where engineering improvements are either not justified or where other treatments are unavailable in the short term.
41. The Ministry also suggests a range of complementary initiatives to support management of the network and improved compliance, as part of the implementation of the new speed management approach. Management of speed is a highly emotive and public issue, and a package of complementary measures could help to improve buy-in from local communities and the public. In particular, the Ministry suggests considering:
 - increased use of technology to improve speed management through accelerating the expansion of fixed and mobile speed cameras and red light cameras at high risk roads and intersections. The Ministry also suggests considering introducing point-to-point speed cameras, which are generally fairer and more effective than the current static cameras as they measure the average speed over a section of road.
 - whether speed camera fine revenue could be used by RCAs on local safety initiatives, rather than being returned to the Crown consolidated fund. This would be a substantial policy change and would need further consideration.

42. In Europe, introduction of point-to-point cameras has had positive effects on reducing speeds and fatal and serious injuries. The NZ Transport Agency has recently been trialling (but not enforcing) the use of point-to-point speed cameras in the Waterview Tunnel. These trials are comparing how many vehicles would be ticketed for speeding using a static camera, compared to point-to-point. Evidence to date has shown that when using the point-to-point camera system only 0.1 percent of vehicles would attract infringement notices under the current enforcement thresholds, as opposed to 0.6% currently ticketed with static cameras. This reinforces the view that point-to-point cameras are fairer.
43. Deployment of speed monitoring technology can also be done through advisory and other non-enforcement mechanisms, which may be more publicly acceptable. For example, signs that advise a driver of their current speed and, where appropriate, display a message to slow down.

Protecting vulnerable users

44. The Government has indicated that it would like to prioritise infrastructure, legislative and other changes to increase uptake of, and safety for, walking and cycling.

What is currently occurring?

45. Protecting vulnerable road users, including pedestrians and cyclists, is part of achieving safer roads in New Zealand. So far in 2017 (as at 6 November 2017), there have been 16 cycling and 32 pedestrian fatalities (based on provisional data). This is an increase in the number of fatalities from previous years. Trucks were involved in 50 percent of fatal cycling crashes (eight fatalities), but only in three percent of serious injury crashes. This shows a shift in the severity of crashes, with less serious injury crashes and more fatalities to date in 2017.
46. The Ministry suggests that main opportunities to improve cycling and pedestrian safety are in regards to investing further in infrastructure and effective speed management. Infrastructure investments including urban cycleways, 'Active Neighbourhoods', and other initiatives for walking and cycling, will be discussed in further detail in a subsequent briefing that you will receive.

47. As well as infrastructure improvements, the Ministry is also working with the NZ Transport Agency on other changes to target safety improvements for pedestrians and cyclists. Key initiatives being progressed include:
- implementation of the new speed management approach to help to reduce the risk to vulnerable road users
 - consideration of rule changes to allow for best-practice cycleway design
 - an investigation of the case for mandating side-under run systems on trucks and other heavy goods vehicles that prevent cyclists and motorcyclists from going under the wheels of trucks in a collision
 - a review of vehicle classifications to consider the treatment of low powered vehicles, including their use on footpaths and licensing requirements for these vehicles (these include electric hover boards, electric scooters, mobility devices, and segway-type devices)
 - a NZ Transport Agency review of the Pedestrian Planning and Design Guide, and how it is being implemented across the country. This is part of work in response to the Disability Action Plan 2014-18.

What are the main opportunities?

48. Investigating the case for mandating side-under run systems on trucks and other heavy goods vehicles, is being considered. The Ministry suggests this is progressed as a priority as part the vehicles package discussed below. There are also a number of other cycling and pedestrian related land transport rule changes which could be progressed to improve safety.

Vehicle standards

49. The Government has indicated it is a priority to ensure all reasonable actions are taken to lower our crash rate and road toll, including for pedestrians and cyclists.
50. Safety outcomes could be improved for all road users, including vulnerable users, through changes to New Zealand's vehicle fleet. The development of vehicle technology, both in terms of improvements to current safety technologies and vehicle design, as well as the introduction of connected and automated vehicles, is likely to have significant safety benefits for all road users, as well as environmental benefits.
51. This briefing focuses on improvements to New Zealand's vehicle fleet through improving safety and environmental standards and providing information about vehicle safety. You will be receiving a separate briefing on the impact of technology on the transport system and the work the Government may need to undertake to ensure New Zealand is ready for the introduction of autonomous vehicles, and other intelligent transport systems. You will also receive a briefing on transport related climate change matters.

What is occurring?

52. Relative to similar countries, New Zealand has an old vehicle fleet, with the average age of light vehicles having remained around 14 years since 2012. All vehicles added to the New Zealand fleet are imported.
53. Vehicle age is not, in and of itself, a predictor of crashes occurring. However, newer (usually less than five years old) vehicles typically have active safety features that can intervene to avoid crashes and help to reduce the likelihood of a crash occurring. Newer vehicles are also more likely to have technology that can reduce the risk of serious injury or death if a crash does occur. There are also technologies, such as under-run protection on trucks and other heavy vehicles, which can improve motorcycle and cyclist safety by preventing them falling under the truck should a crash occur.
54. Approximately half of the cars imported are new and half are used. Nearly all new cars (approximately 97%) sold in 2016 already have a five star safety rating², meaning they have new safety technologies fitted. However, older used cars, including both those already in the fleet and used imports, are much less likely to have new safety technologies. Research by the NZ Transport Agency indicates that only about 20 percent of ten year-old vehicles in the New Zealand fleet have the advanced safety features that are now standard in new cars.
55. The most recent amendments to minimum vehicle standards were made to require electronic stability control (a technology that actively intervenes to reduce crashes) to be fitted to new and used vehicles on a schedule from 2015 to 2020.
56. In the past, we also have expanded the provision of vehicle safety information, through the Government's Rightcar website and online retailers, such as Trade Me. However, these changes do not appear to have had a substantial impact on buyer behaviour.

What are the main opportunities?

57. Changes to the fleet could occur through mandating additional vehicle safety or environmental standards or through educational initiatives targeted at buyers of new and used cars, trucks, and motorbikes, as well as those hiring rental vehicles, to promote voluntary uptake of new technologies.

² Under the Australasian New Car Assessment Program (ANCAP), vehicles are awarded an ANCAP safety rating of between 1 to 5 stars indicating the level of safety they provide in the event of a crash. Used vehicles are generally tested to the separate Japan New Car Assessment Program (JNCAP).

58. The Ministry recommends progressing a vehicles package to improve safety for all road users and environmental outcomes as a matter of priority. Implementing this package would require changes to Land Transport rules. The Ministry suggests that the package includes progressing work on:
- whether six new light vehicle, heavy vehicle and motorcycling safety technologies³ should be mandated to improve safety outcomes for all road users, including vulnerable road users
 - providing further information about vehicle safety standards that would influence buyer behaviour, particularly whether requiring information to be provided at point of sale (as is done with vehicle fuel economy) would be appropriate. The Automobile Association (AA) supports vehicle safety information being provided at point of sale as part of its 2017 election calls.
59. Improving vehicle standards or having a newer vehicle fleet will not, in and of itself, improve environmental outcomes. People in New Zealand have been buying larger, more powerful vehicles that use relatively more fuel and have greater greenhouse gas emissions. Given this, policies need to be considered that will influence the supply of vehicles to New Zealand so our fleet becomes safer and has lower emissions.

Renewing the focus on impaired driving

60. The Government has indicated that it is a priority to renew focus on expanding the use of alcohol interlocks and investigating roadside drug testing.
61. Significant work has occurred on reducing the rates of impaired driving from alcohol over the last five years. However, alcohol remains a leading factor in serious road crashes. Drug-driving enforcement provides a key opportunity to address a growing road safety challenge.

Alcohol-impaired driving

What is currently occurring?

62. In 2014, the Government lowered the blood alcohol concentration (BAC) limit to 50 milligrams of alcohol per 100 millilitres of blood for drivers aged 20 and over (a zero limit applies to drivers under the age of 20). The Ministry is due to evaluate the effectiveness of this change in 2018.
63. From 1 July 2018, the mandatory use of alcohol interlock devices will be introduced for serious and repeat drink drivers. Funding for an associated subsidy scheme for alcohol interlock devices needs to be progressed as part of the development of the GPS.

³ Electronic Stability Control (ESC) for heavy vehicles, under-run protection on heavy vehicles which can improve motorcycle and cyclist safety, Anti-lock Braking System (ABS) for heavy vehicles and motorcycles, side protection standards for light vehicles, side-curtain airbags for light vehicles, and Autonomous Emergency Braking (AEB) for all vehicles except motorcycles.

64. While there may be scope to broaden the use of interlocks in the future, we believe the provisions applying from 1 July 2018 will effectively target the highest risk users. The Ministry recommends evaluating the effectiveness of these changes before considering extending the use of mandatory interlocks further.

What are the main opportunities?

65. The number of roadside breath tests undertaken by the NZ Police has dropped in recent years. Given the continued prevalence of alcohol in serious road crashes, the Ministry recommends consideration is given to further investment in targeted alcohol enforcement, as part of the development of the next Road Policing Programme. This may require an overall increase in funding, or a change in the mix of initiatives and interventions that are funded through the GPS.

Drug-impaired driving

66. Currently, the NZ Police have the ability to test for drug-impaired driving through an impairment test (based on a suspect's behaviour). Under the current impairment test, the threshold to warrant a drug test is high. This approach results in successful prosecutions but delivers far too few tests to be effective in deterring drug-impaired driving.

What is currently occurring?

67. In 2015, the Ministry undertook a review to identify the extent of the drug-driving problem and to investigate opportunities to strengthen the existing drug-driving enforcement model. The review confirmed that the estimated size of the drug-driving problem was significant. Recent research undertaken by NZ Transport Agency has found that one in 13 drivers killed on New Zealand roads has medication that may impair driving in their system. This does not include recreational drugs. It is estimated that this could increase to one in nine drivers if recreational drugs are included.

What is the main opportunity?

68. The Ministry's work on drug-driving is well developed and we have previously recommended the introduction of a random roadside oral fluid drug-testing regime.
69. The Ministry has a draft discussion document on this issue prepared, which could be advanced very quickly if you wish to proceed with it. This is a contentious issue. It is critical to make clear that this is a road safety initiative, and not a drug-enforcement strategy.
70. The introduction of oral fluid testing of drivers would require amendments to the Land Transport Act 1998 and potentially increased investment via the Road Policing Programme.

Reducing fatalities from not wearing seatbelts

71. The Government has indicated it is a priority to encourage and enforce seatbelt wearing.

What is currently occurring?

72. In 2016, 100 vehicle occupants who died in crashes were not wearing a seatbelt.⁴ This represents approximately 42 percent of vehicle occupants involved in a fatal crash that year. Reducing the lives lost from people not wearing seatbelts is the AA's number one election call.

73. The Ministry's surveys on seatbelt use continue to record high compliance with restraint use across the population – 96.5 percent in the 2016 observational survey. However, the surveys are largely conducted during the day and there tends to be lower compliance rates late in the evening and early morning, when many of these crashes are occurring. The number of individuals who do not wear seatbelts is still small and includes those likely to be engaged in more risky driver behaviour, in particular young male drivers driving late at night, where alcohol is also a factor.

74. The Ministry is currently collaborating with the AA, NZ Transport Agency, the Accident Compensation Corporation, and the NZ Police on research to gain a better understanding into why some people do not wear seatbelts. The Ministry will brief you on the outcomes of this research in December 2017.

Driver and motorcyclist licensing

75. The Government has indicated it is a priority to consider all reasonable actions to lower our crash rate and road toll, as well as expanding access to the driver licensing system through a range of initiatives.

What is currently occurring?

76. New Zealand has a graduated driver licensing system that is designed to reduce the risk that novice and high risk drivers pose, particularly while learning to drive or ride. However, these groups continue to be overrepresented in crash statistics. In 2016, young drivers were at fault in 23 percent of road deaths and motorcyclists at fault in 13 percent. Substantive changes were introduced to the graduated driver licensing system between 2009 and 2012. These changes included:

- raising the minimum age to be eligible for a learner licence to 16 years of age
- strengthening the driver licensing restricted test
- introducing a zero blood alcohol concentration for drivers under 20 years of age
- introducing competency-based motorcycle licence testing.

77. While the driver licensing system's main purpose is to improve road safety, it is also vital for people and businesses. Having a driver licence enables people to be mobile

⁴ Vehicle occupants include drivers and passengers. These figures include bus and truck occupants. In some cases, a seat belt may not have been available to the occupant.

and connected, improves their employability and social outcomes, and facilitates the distribution of goods. It also enables international people flows and trade, for tourism and business purposes.

78. The Ministry is undertaking work on a cross-government work programme to reduce barriers to accessing, or progressing through, the driver licensing system. The Ministry is currently preparing a briefing with other agencies to inform yourself and other Ministers with portfolio interests in this work.
79. The Ministry is also undertaking work on overseas drivers. Overseas licence holders represent a much smaller proportion of road deaths, with overseas licence holders at fault in seven percent of fatal crashes in 2016. In line with international treaty obligations, overseas drivers are able to drive for twelve months in New Zealand on their foreign driver licence.
80. Due to ongoing community concerns about overseas drivers and the higher rates of overseas driver crashes in key South Island tourist destinations, the Ministry, the NZ Transport Agency, and the NZ Police have been working with industry partners on the Visiting Drivers project. The project began in 2014. It has implemented initiatives to provide information to visiting drivers at each stage of their journey, from planning through booking, in-flight, on arrival, and on their journey. It has also introduced an industry code of conduct for rental car companies. The NZ Transport Agency is also making infrastructure investments in safety measures on roads, particularly in key South Island tourism destinations.

What is the main opportunity?

81. The Ministry is due to evaluate the effectiveness of changes made to the graduated driver licensing system between 2009 and 2012. This work could be widened to consider broader policy work on strengthening the licensing requirements for high risk groups, including:
 - reviewing motorcycle licensing, including licensing for mopeds, and broader education and investment to improve motorcycle safety (as per the current action plan).
 - review licensing arrangements for overseas drivers and effectiveness of the Visiting Driver project initiatives
 - considering what more can be done to improve safety outcomes for high risk young drivers, such as introducing a hazard perception test to be part of the graduated driver licensing system, as has recently occurred in parts of Australia, or raising the driving age to 17.

82. The Government has also indicated that it wishes to:
- offer all secondary students five hours of professional driving lessons, a defensive driving course, and free testing for their learners' and restricted licence before they leave school (as part of its 'school leavers' toolkit)
 - consider introducing rural driver training programmes, especially for young drivers in poor or disadvantaged communities
 - expand access to driver testing and licensing into smaller towns where access to a car is the only means of getting to education or work, and for longer-term visitors to this country.
83. The Ministry will provide advice on the delivery of these commitments in the separate briefing on driver licensing.

Offences and penalties

84. The Government has indicated it is a priority to focus on areas of road safety that have the highest enforceable risk.

What is occurring?

85. A key tool that the government has to incentivise behaviour are penalties for non-compliance with road safety obligations under the Land Transport Act 1998 (the Act), and the corresponding regulations and rules.
86. The Ministry is currently conducting a review of the offences and penalties under the Act, and the corresponding rules and regulations. The offences and penalties regime has evolved over time and as a result does not always have consistent or appropriate penalties for different levels of offending. The level of these penalties often do not correspond with the severity of the road safety risk. For example, the infringement fee for using a cell phone while driving is \$80 and 20 demerit points, however, the infringement fine for driving an unregistered vehicle is \$200.
87. The offences and penalties regime is becoming more complex to administer and enforce. Questions have arisen about whether the current regime provides appropriate deterrents, or whether other types of sanctions or alternative mechanisms could be more effective in changing the behaviour of road users, including in some cases commercial operators. There is also a need to consider the social and economic consequences for individuals of entering the justice system, as a result of traffic offences, and to consider the impact of traffic-related offending on the justice sector as a whole.

What is the opportunity?

88. The level and nature of changes that occur as a result of the review could be relatively minor, in terms of making alignments to levels and the nature of current penalties. Alternatively, the review could take a broader approach and consider the suitability and effectiveness of current offences and penalties, against other potential measures to incentivise good road safety behaviour. This review could also take a mode-neutral approach and be extended to consider offences and penalties across land transport, maritime and civil aviation legislation. Either approach is likely to require substantial policy work.

Next steps

89. The Ministry would welcome an opportunity to discuss with you your priorities for improving road safety in New Zealand. The relative priority of the initiatives outlined in this briefing will need to be considered as part of the development of a detailed multi-year work programme for road safety partners.
90. Following discussion with you, the Ministry will work with our road safety partners to develop a multi-year work programme that reflects your priorities, for your consideration before the end of 2017. It should be noted that policy work on funding initiatives for the Government's commitments would need to be progressed immediately to feed into proposed processes for delivering a GPS.
91. The Ministry notes that the Government has also made commitments to:
- improve road transport and bus driver regulations around meals and rest breaks
 - introduce labour standards into Transport Operator Safety Systems in the trucking industry
 - investigate a Safe Rates system for the freight and courier industries, where remuneration levels and methods of contracting are considered as part of the overall safety requirements for drivers.
92. The Ministry is engaging with the Ministry of Business, Innovation and Employment (MBIE) on progressing these matters.

Recommendations

93. The Ministry recommends that you:

- (a) **agree** to discuss your priorities for improving road safety in New Zealand with officials before the end of the year. Yes/No
- (b) **note** a copy of this briefing has been provided to the Prime Minister and the Minister for Police.

Brent Johnston
Manager, Mobility and Safety
Ministry of Transport

MINISTER'S SIGNATURES:

Hon Julie Anne Genter
Associate Minister of Transport
Date:

Copy to **Hon Phil Twyford**, Minister of Transport