

Traffic Note 10 – Revision 1

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Trials of traffic control devices – Guidelines

1 Introduction

This note sets out the information required for an application to the Director of Land Transport (the Director) for the trial of traffic control devices differing from those provided for under current rules.

In considering an application for a trial of the non-conforming device the Director must assume it will eventually result in a change to rules or policy. Land Transport New Zealand (Land Transport NZ) does not change policies and cannot recommend variations to rules without undertaking appropriate analysis and consultation. Costs, benefits, safety effects, resource consumption and implication for all road users and road providers must be fully understood.

2 Background

It is important road users travelling through various road controlling authority (RCA) areas receive a consistent set of messages about the environment. This consistency is provided by the application of legislation, policies and guidelines which dictate the safe and efficient use of traffic control devices.

The *Land Transport Rule: Traffic Control Devices 2004* (the rule) sets out rules for the installation of traffic control devices by RCAs. Section 3 of the rule describes general requirements for traffic control devices and requires RCAs to install only those devices described in the rule. Clause 3.4, however, provides for the Director to approve alternative traffic control devices for trial purposes.

3 Application

An application for a trial must provide sufficient information to allow an informed decision to be made and the level of detail required will vary depending on the nature of the device. The scope of the trial, the likely impact of the proposal on safety or efficiency and the significance of any change to existing policy or legislation should be included in the proposal.

The application should contain at least the following sections:

- outline of issues
- development background
- technical analysis
- impacts and risks assessment
- expected safety and efficiency gains
- consultation (undertaken and proposed)
- proposed assessment method.

The type of information provided in these sections is detailed at Appendix A. The appendix is a guide only. It may not be necessary to complete each category if it is not relevant to the device being proposed but more information may also be required. Relevant, additional information supporting the application should also be provided.

4 Approval

The Director, in reaching a decision on an application for a traffic control device trial, will study the details provided by the applicant and in addition will consider:

- policy, regulatory and legislative effects of implementing the proposal. This includes any effect on existing policy and whether there is a reasonable possibility of the rule being amended to include and implement the outcomes of a successful trial
- any communication, education, publicity and enforcement requirements at a local and, if appropriate, national level
- resource requirements for implementation and evaluation and ensure they have been identified and are available to both the applicant and within Land Transport NZ.
- priority of the project against other safety initiatives and opportunities

It is recommended the applicant discuss the issue with Land Transport NZ at an early stage in the development of a proposal. This could, for example, help identify sources of information, the level and type of information likely to be needed for the application and will facilitate the progress of any application.

5 Conditions

Where a trial is proposed the applicant is required to comply with the conditions described in *clause 3.4* of the rule. This clause also allows the Director to impose any terms and conditions he considers necessary.

6 Funding/assistance

Funding of any trial is the responsibility of the proposing authority. Land Transport NZ may be able and willing to assist in designing, implementing and evaluating a trial and might be able to assist in identifying possible funding sources. However, unless prior agreement has been reached, approval of the trial does not impose any obligation on Land Transport NZ to provide such assistance.

7 Publication of approval

If the application has been approved and satisfactory agreement reached on conditions relating to the use of the device appropriate legal documentation, including the required notice in the *New Zealand Gazette*, will be prepared and promulgated. An outline of the trial, contact details of those involved in the trial and a copy of the Gazette notice will be published as an appendix to *Traffic Note 14* and be available on the Land Transport NZ website.

8 Declining approval

If the application is declined the Director is required (*clause 3.4(2)* of the rule) to advise the applicant of the grounds for doing so.

9 Termination of trial

If the Director considers it unsafe to continue the trial it may be terminated by formal notice and the road controlling authority must remove the device immediately. (*clause 3.4(7)* and *clause 3.4(8)* of the rule).

10 Outcome of trials

If the trial is successful and the Director is satisfied the results justify a change to policy appropriate steps will be taken to allow all RCAs to use the device.

This may, however, require a change to the rule. If this is required the device may continue to be used only at the trial site or sites until the change is made.

If the device can be adopted without a rule change the Director will take the necessary steps to formalise the use of the device (eg notification in the *New Zealand Gazette*).

In either case, notification of the outcome will be made through publishing an amendment to *Traffic Note 14* and other appropriate mechanisms.

Appendix

Information that could be provided to support an application to the Director of Land Transport Safety for a trial of a traffic control device in terms of *clause 3.4 of the Land Transport Rule: Traffic Control Devices 2004*. Necessary information is denoted by (*).

1 Outline of the issues

- 1.1 The traffic control device being proposed *
- 1.2 The nature of the problem the proposal seeks to overcome *
- 1.3 Where the proposed trial will be located *
- 1.4 The time frames involved *
- 1.5 How the problem can only be addressed by non-standard treatment rather than existing practice
- 1.6 List those who need the change
- 1.7 Whether the proposal is a one-off local solution or will lead to a national policy

2 Development background

- 2.1 Information on the stage of development the proposal has reached and details of any outcomes including options considered and reasons why any have been discarded or preferred. *
- 2.2 Literature or investigation summaries from New Zealand or overseas
- 2.3 Outcomes of any previous trials or investigations
- 2.4 Any relevant overseas legislation, policies or guidelines investigated or referenced

3 Technical analysis

- 3.1 Detailed drawings of the proposed device *
- 3.2 Details of any materials of components used
- 3.3 Theoretical analyses and considerations supporting the proposal
- 3.4 Any computer or other technical analyses used in deriving the proposal
- 3.5 Details of any back-up safety systems where these might be required

4 Impacts and risks

The assessment should demonstrate that the proposal:

- 4.1 does not create any new safety or other problems. *
- 4.2 is a potential solution to the identified problem. *
- 4.3 addresses the relevant issues *
- 4.4 will be easily understood by road users. *

It may also include:

- 4.5 information regarding the likely level of up-take of the proposal
- 4.6 details of any impact on the uniformity or consistency of standards for such devices if the proposed change is implemented
- 4.7 effects on harmonisation of standards and international agreements (eg Australian standards)

5 Safety and efficiency gains

- 5.1 How the proposal effects each class of road user *
- 5.2 What the benefits and costs of implementing the proposal are likely to be with appropriate levels of detail supporting their derivation.

6 Consultation

- 6.1 List all interested parties *
- 6.2 Information on consultation undertaken and/or proposed *
- 6.3 How views of interested parties have been, or will be, considered *

7 Proposed assessment

The application should detail how the performance of the device will be assessed. The methodology proposed for the assessment should:

- 7.1 ensure information sought is well defined and appropriate *
- 7.2 address all relevant issues including the suitability of any site suggested for the evaluation
- 7.3 provide all information necessary to support any analysis required to determine whether benefits at reasonable cost will be achieved if the proposal is implemented nationally
- 7.4 ensure appropriate levels of understanding of the proposed device and its use have been obtained from road users through observation, interview or questionnaire *
- 7.5 include a detailed research or evaluation plan that must have a realistic time period for the assessment and provide for close monitoring of any trial especially in the early stages of field implementation.