

Background information to the give way rule changes

Updated 22 February 2012

1. Why are the changes to the give way rules being made?

A change to the give way rules was identified as a road safety priority in the Government's road safety strategy to 2020, *Safer Journeys*.

The give way rules, prior to this amendment, have placed complex demands upon road users, which can result in compromised road safety at intersections. Intersection crashes currently account for 20 percent of fatal and serious injury crashes. The majority of fatal intersection crashes occur in rural areas, but the majority of serious injury crashes are in urban areas. In addition, the number of intersection crashes involving pedestrians hit by turning traffic has increased by 79 percent since 2000.

It's expected that the changes to the give way rules will reduce intersection crashes and improve safety, especially for pedestrians and cyclists.

This change also brings New Zealand's give way rules into line with give way rules in other jurisdictions, eliminating the need for drivers from overseas to adapt to different rules.

2. How do we know these changes will improve safety?

There was a 7.1 percent reduction in crashes in Victoria, Australia, following a similar give way rule change in 1993 to the one that will happen on 25 March 2012 in New Zealand.

It's estimated that changing New Zealand's give way rules will result in a reduction of about seven percent of relevant intersection crashes.

Overall, the give way rule changes should produce more cautious decision-making and reduce the level of judgement needed in complex and dynamic traffic environments and promote smoother traffic flow.

It is estimated that the change will save one life and prevent 97 injuries (13 serious and 84 minor injuries) each year.

3. How is it expected the new left turn v right turn priority will improve safety?

It's expected this change will reduce intersection crashes and improve safety, particularly for pedestrians and cyclists.

The change will:

- improve left-turn efficiency
- encourage the use of left-hand lanes by straight-through traffic at multi-lane intersections

- reduce the possibility of an intersection approach becoming jammed by left-turning vehicles giving way to right-turning vehicles who are waiting for straight-through traffic; and
- reduce demands on drivers. Bearing in mind a driver's overall responsibility to drive safely, drivers of left-turning vehicles will only need to check whether there are pedestrians crossing the road into which they are turning, and whether there are any cyclists on the left of the turning vehicle. The driver of a right-turning vehicle will need to assess only whether there is a sufficient gap in the oncoming traffic and check for pedestrians crossing.

4. Will this change cause delays to traffic turning right?

This change may potentially delay traffic turning right. This does have some safety implications because traffic waiting towards the middle of a road is at a higher risk of collision from behind than traffic waiting towards the left of the road.

However, with an increased number of right-turn bays on busier roads in recent years, this risk is much lower than it used to be. This change increases the efficiency of left-turns and, by encouraging through-traffic to stay towards the left of the road, away from oncoming traffic, it also reduces collision risk.

5. How is it expected the new T-intersection rule will improve safety?

Currently, road users have to learn and apply two rules for T-intersections: a major/minor rule if the intersection is controlled, and the give-way-to-the-right rule if it is not. Road users can misapply the rules or hesitate unduly when two vehicles are turning right at an uncontrolled T-intersection.

The new rule will simplify this for road users so that whether the T-intersection is controlled or not will make no fundamental difference. At most T- intersections the vehicle on the bottom of the 'T' will need to give way to all vehicles on the top of the 'T'.

6. Have the penalties for not complying with give way rules changed?

The penalties for breach of the give way rules have not changed, but two new offence provisions have been created for:

- (i) failing to observe the new T-intersection give way rule; and
- (ii) failing to give way to a vehicle on the roadway when exiting a driveway;

The penalties for breach of these rules is the same as applies for breach of other give way rules ie. a maximum fine of \$1,000 on summary conviction or an infringement fee of \$150, plus (in either case) 20 demerit points.

7. What is the history of New Zealand's give way rules?

Leading up to a change to the give way rules in 1977, there was a significant number of uncontrolled intersections, traffic volumes were increasing and occasions when two vehicles were turning were becoming more frequent. In situations where two vehicles were turning right and neither had priority, driver courtesy had to prevail.

Since the give way rules were changed in 1977, traffic turning left at an uncontrolled intersection has had to give way to right-turning traffic.

The legislation was designed to produce rules that were consistent and simple for road users to apply, and to formalise the priority for vehicles that were both turning right.

The introduction of those rules, however, coincided with a 2.5 percent increase in casualty crashes at intersections in the three years following the change.

The 'left turn v. right turn priority' has been an ongoing issue for debate, and revision of the rules was most recently considered when consulting on the draft Road User Rule in 2003. The changes put forward then are the same as those in the 2011 amendment Rule.

8. How is the legislation coming into effect?

The Land Transport (Road User) Amendment Rule 2011 introduces changes to the give way rules and has made a number of other changes to the Land Transport (Road User) Rule 2004. For more information go to:

www.nzta.govt.nz/resources/rules/road-user-2004-index.html

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