



# Speed camera enforcement

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# Speed camera enforcement, Continued...

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## Summary

This section contains the following topics:

- [Introduction](#)
- [Roles and Responsibilities](#)

## Introduction

Excessive speed is a key cause of road trauma in New Zealand, and a major factor in the severity of crashes. Speed enforcement aimed at changing driver behaviour on the road network has been proven to be effective.

New Zealand Transport Agency (NZTA) statistics indicate that speed contributed to 35 percent of fatal crashes and 16 percent of injury crashes in 2010. In 2010, 131 people died, 500 were seriously injured and 1,793 received minor injuries in crashes where speed was a contributing factor. The social cost of these crashes was about \$825 million.

In response to these statistics, Police works with key road safety partners and communities to reduce vehicle speeds. Police work strategically with the National Road Safety Committee (NRSC) and at a district, Territorial Local Authority, or area level through the development of Road Safety Action plans. All these groups run speed management operations, of which speed camera operation is a part.

This chapter describes the Speed Camera Enforcement policy managed by Police Calibration Services (PCS) in conjunction with District Road Policing Managers (RPM). It also summarises the legislation relating to the use of cameras, and applies to all Police employees, hereafter referred to as employees.

Refer to the '[Speed enforcement](#)' chapter for use of Police vehicle speedometers and radar/laser equipment.

Read the New Zealand Police Speed Enforcement Equipment training material for specific speed camera operation procedures.

## Roles and Responsibilities

Roles	Responsible for ensuring
District Commander (or their delegated representative)	<ul style="list-style-type: none"> <li>• this policy is implemented in their district</li> <li>• employees are trained to use the relevant speed camera enforcement equipment</li> <li>• all speed enforcement equipment used has a current and valid certificate of accuracy</li> <li>• all reasonable measures are taken to ensure the equipment is well looked after</li> <li>• any speed enforcement equipment that is lost or damaged, (not considered to be normal operational wear or usage) is replaced or repaired</li> <li>• speed camera site applications are reviewed and approved before forwarding to the PCS</li> <li>• breaches of this policy are reported to the National Manager: Road Policing.</li> </ul>



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National Manager: Road Policing	<ul style="list-style-type: none"><li>• all speed camera equipment is approved and certified before deployment</li><li>• that Police Calibration Services (PCS) regularly test and re-certify speed camera equipment</li><li>• districts are supported with their speed enforcement programmes as appropriate</li><li>• audit compliance with this policy.</li></ul>
Police Infringement Bureau	<ul style="list-style-type: none"><li>• images are verified before notices are issued</li><li>• notice explanations are adjudicated in a fair and consistent manner</li><li>• store the original copy of all deployment register sheets.</li></ul>
Police Calibration Services	<ul style="list-style-type: none"><li>• all speed camera operators are trained</li><li>• all speed camera operator training records maintained</li><li>• appropriate speed camera sites are approved</li><li>• all speed cameras and speed camera sites are maintained by an external service agency</li><li>• all speed camera certificates of accuracy are retained</li><li>• copies of speed camera certificates of accuracy are supplied for disclosure</li><li>• all mobile and static speed cameras are regularly calibrated with not more than 12 months between certification</li><li>• annual inspection and certification of static camera sites.</li></ul>
Road Policing Performance & Reporting team	<ul style="list-style-type: none"><li>• that the speed camera enforcement programme is continually monitored.</li></ul>
Speed Camera Operators	<ul style="list-style-type: none"><li>• compliance with this policy</li><li>• compliance with speed camera deployment and health and safety procedures</li><li>• daily operating checks and deployment registers are completed and sent to PIB daily</li><li>• reporting all equipment faults to the PCS.</li></ul>



## Speed enforcement

This section contains the following topics:

- [Speed camera enforcement equipment](#)
  - [Who can use speed camera enforcement equipment?](#)
  - [Approved vehicle surveillance equipment](#)
  - [Certification standards](#)
  - [Speed camera equipment certificates of accuracy](#)
  - [Evidential sufficiency of AVSE image](#)
- [Speeding offences](#)
  - [Liability for moving vehicle offences](#)
  - [Defences against proceedings](#)

Proactive speed enforcement to change road user behaviour is the most effective enforcement activity, due to its wide deterrent effects, to reduce vehicle speeds.

Police must consistently enforce speed limits to:

- reduce mean speeds and influence a reduction in road trauma
- ensure Police actions are fair and transparent
- provide motorists with a certainty of outcome should they exceed speed limits.

## Speed camera enforcement equipment

### Who can use speed camera enforcement equipment?

Only employees trained and certified to operate the relevant speed camera equipment may operationally deploy such equipment and only from Police owned or operated vehicles.

### Approved vehicle surveillance equipment

The [Land Transport Act 1998](#) (LTA) provides the legal framework for 'speed cameras' by defining approved vehicle surveillance equipment (AVSE) that can detect moving vehicle offences.

Only 'AVSE' approved by the Minister of Police, by way of a notice in the New Zealand *Gazette*, can be used to enforce speeding offences.

There are three approved AVSE speed camera devices in New Zealand. The Gazetted Land Transport (Approved Vehicle Surveillance Equipment) Notices are shown in this table.

Publication	Approving
<a href="#">1994 – SR 1994/202</a>	<ul style="list-style-type: none"> <li>• AutoPatrol PR-100NZ (The now superseded model of radar based mobile camera)</li> <li>• AutoPatrol SP-200 (Our current static or pole mounted speed camera)</li> </ul>
<a href="#">(No 2) 2008 SR 2008/447</a>	<ul style="list-style-type: none"> <li>• REDFLEXradarcam camera system (the current mobile radar based speed camera system)</li> <li>•</li> </ul>
<a href="#">SR 2011 200</a>	<ul style="list-style-type: none"> <li>• NZREDFLEXdual-radar static camera system</li> </ul>

### Certification standards

Testing and issuing of Speed Camera and Tuning Fork Certificates of Accuracy is covered by section [146](#) of the LTA. This requires that the Certificate of Accuracy must not have been issued more than 12 months prior to the date of the alleged offence.

This testing and calibration includes:

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- mobile and static speed cameras;
- static speed camera sites; and
- tuning forks.

**Note:** Speed cameras must be recalibrated, and new certificates issued whenever they have been repaired. Any speed enforcement equipment without a current Certificate of Accuracy must **not** be used for speed enforcement purposes.

### **Speed camera equipment certificates of accuracy**

PCS calibrates all speed camera equipment.

PCS advises districts when their speed camera equipment is due for calibration, and holds the original certificates of accuracy for every camera and tuning fork. A copy of the calibration certificate must be kept at the district to which the equipment has been assigned.

However, the absence of a current certificate may not jeopardise a prosecution, as long as a Police witness can give evidence that the testing was carried out and the equipment was found to be accurate.

**Note:** Where the accuracy of the device is in question the defendant must make an application not less than 14 days prior to the hearing, for the production of the certificate of accuracy (section [146](#) of the LTA).

### **Evidential sufficiency of AVSE image**

Section [145](#) of the LTA covers the evidential sufficiency of a moving vehicle image taken by AVSE and particularly shows or records:

- a motor vehicle on a road, and
- the speed at which the vehicle was moving, and
- the date and time the image was taken, and
- the location of the vehicle.

In the absence of proof to the contrary, this is sufficient to be produced in evidence for a moving vehicle offence.

**Note:** Section [55](#) of the LTA makes it an offence to tamper or interfere with AVSE, or the operation of AVSE.

## **Speeding offences**

### **Liability for moving vehicle offences**

Section [133](#) of the LTA shows proceedings may be taken against any person who, at the time of the offence, was:

- the person allegedly committing the offence; and/or
- the registered owner or one of the owners of the vehicle involved; or
- lawfully entitled to possession of the vehicle, whether jointly owned or not regardless of whether that person is an individual, or was the driver or person in charge of the vehicle at the time.

### **Defences against proceedings**

It is a defence to proceedings under section [133](#) of the LTA that at the time the offence was committed:

- the person was not lawfully entitled to possession of the vehicle, whether jointly owned or not; or
- another person was driving the vehicle; and

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- immediately after becoming aware of the alleged offence, the person advises the enforcement authority in writing of these things, and
- the person gives the enforcement authority a statutory declaration:
  - identifying the driver, by giving name and address or
  - other particulars that may lead to identification, or
  - establishing that they could not identify the driver, after taking all reasonable steps to do so.



## Speed camera site selection and approval

This section contains the following topics:

- [Process](#)
- [Mobile speed camera sites](#)
- [Static speed cameras](#)
- [Static speed camera sites](#)

Speed cameras may only be used at approved sites which are selected to:

- reduce fatal and serious crashes caused by speed; and
- reduce the incidences of speeding.

### Process

This table shows the process steps to select and seek approval for both mobile and static speed cameras sites.

Stage	Process
1	<p>Potential speed camera sites are selected on the basis of a speed-related problem identified from the community, NZTA, or within Police.</p> <p>Speed camera site information will be provided on request by the NZTA and may include a map overlaid with the number of speed related crashes over a specified section of road, usually over the previous five years.</p> <p>This information may be used to support the instigation of a site where speed related crashes are the main problem targeted.</p> <p>Other factors that may be taken into account for site selection may include:</p> <ul style="list-style-type: none"> <li>• local knowledge of unreported accidents</li> <li>• public complaints</li> <li>• speed offending levels in the area</li> <li>• any other relevant factor.</li> </ul>
2	<p>The District Commander or their nominee <b>must</b> consult with:</p> <ul style="list-style-type: none"> <li>• NZTA</li> <li>• Road Controlling Authority</li> <li>• Territorial Local Authority</li> <li>• NZ Automobile Association</li> <li>• Transit New Zealand;</li> </ul> <p>and <b>may</b> consult with community groups such as:</p> <ul style="list-style-type: none"> <li>• Road Transport Associations</li> <li>• local Iwi or Hapu</li> <li>• School representatives</li> <li>• Road Safety Committees</li> <li>• Commerce Groups</li> <li>• Area Health Boards</li> <li>• any interested party.</li> </ul> <p>The consultative group may also consider whether the objectives can be met by other means such as traffic engineering.</p>



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3	When selecting a speed camera site, selection consideration must be given to: <ul style="list-style-type: none"> <li>• site definition, ensuring a single named roadway</li> <li>• Readily identifiable location site commencement and end points</li> <li>• the objectives to be achieved – such as reducing the number of crashes and/or speed at the site</li> <li>• engineering improvements taken or proposed</li> <li>• whether the posted speed limit is lawful</li> <li>• a synopsis of evidence to support the site – such as the number of speed related crashes, traffic analysis data, or number of public complaints.</li> </ul>
4	Complete the Speed Camera Site Selection form or the Speed Camera Site Selection - School Zone form and submit to the RPM for review. The RPM, if in agreement, will forward to PCS for site approval. These forms are available from the Road Policing section of Police forms in Microsoft® Word.
5	The Manager, PCS will review the proposed speed camera sites, based on the submitted form, and advise the District Road Policing Manager of the outcome.  <b>Note:</b> Copies of Speed Camera Site Selection form should be held within district and the original at the PCS to ensure traceability.
6	Arrange regular speed camera site reviews by the speed camera operator to identify changing vehicle and site dynamics. A five yearly review is considered minimum.

**Note:** The main reason for rejection of a nominated site is that the site boundary descriptions are inadequate. These need to be clearly identifiable (preferably on a map) and fixed. If we can find it on a map and it is not too large most sites easily meet the PCS approval process.

### **Mobile speed camera sites**

A mobile speed camera is located in a Police vehicle that can be moved to any approved speed camera site.

Mobile sites should be no longer than 5km in rural areas, or three blocks in urban areas. Mobile sites may be adjoining, but each must be selected independently.

### **Static speed cameras**

A static speed camera is a permanent pole installation at an approved speed camera site. The installation may or may not contain an active camera. Static cameras can detect vehicle speed by use of radar, laser or by piezo-electric strip and/or loop in the road.

### **Static speed camera sites**

A static speed camera site will be in a defined area (three blocks) with the size dependent on the number of lanes being monitored.

Static sites must:

- have a short fixed location
- be suitable for and have a 230 volt power supply.

Static sites should:

- be visible and close to people or dwellings
- enable camera operators or service agents, when access is required, to park close by, legally and safely.

It must be established that the:

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## **Speed camera enforcement, Continued...**

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- proposed site will not be subject to planned engineering changes within the next two years.
- power authority can supply the proposed site with a 230-volt AC power supply. The proximity of other services must be identified from the TLA or road controlling authority to identify potential installation problems. Installation is not the time to discover the proximity of telephone, or other services.



## Mobile speed camera deployment

### Vehicle deployment procedures

A mobile speed camera vehicle must be deployed in the following manner.

1	Speed camera vehicles <b>must</b> be legally parked.
2	Speed camera vehicles <b>must</b> be deployed in a manner that is visible from the roadside and are prohibited from being deployed in a hidden fashion.
3	The position in which the speed camera vehicle is parked must, so far as is practicable, be at the optimal distance from the normal traffic lanes to ensure the safety of the operator and best quality photography, i.e. about one and one half lane widths away from the normal path of vehicles.
4	When the speed camera is being deployed, on a roadway, the speed camera vehicle tailgate <b>must</b> either be fully extended or closed.
5	The use of private land for the parking of speed camera vehicles is permitted where the occupier of the land has clearly given permission for such use.
6	The speed camera vehicle must be parked on a straight section of road so that the operator has adequate reference points for aligning the camera. This ensures that any vehicle, which is being measured and/or photographed, is travelling on a straight section of road at that time.
7	Where a speed camera is deployed in an area where drivers are making the transition from a higher speed limit to a lower speed limit the speed camera vehicle must not be positioned closer than 250 (two hundred and fifty) metres from the point where the speed limit reduces. This restriction does <b>not</b> apply within School Zones or Temporary Speed limit sites.
8	A speed camera must not be deployed within 250 (two hundred and fifty) metres of the finish of any passing lane.
9	In any situation where a camera is operational at a site, a second camera must not be deployed in the same site or in any other site adjoining the first.
10	Where a speed camera is deployed in a school zone speed camera site, it must only be operated in the following circumstances: <ul style="list-style-type: none"><li>• between the hours of 0730Hrs to 1800 hrs on a school day; or</li><li>• at any other time that a school activity occurs, this includes sports activities held at school grounds.</li></ul>



### **School zone mobile speed camera areas**

This section contains the following topics:

- [School zone overview](#)
- [School zone site selection](#)
- [School zone speed enforcement](#)
- [Speed camera vehicle deployment standard](#)

#### **School zone overview**

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 cameras can be deployed in school zones between the hours of 0730 and 1800 on any school day or any other time there is a school activity or event. This may include sports activities and any other school function.

#### **School zone site selection**

Districts must complete the Speed Camera Site Selection form - School Zone for each school site that requires attention.

Sites will be approved under the provisions of the **SPEED KILLS KIDS** campaign initiative and consequently, sites do not require a history of speed related crashes.

These sites, identified through specific site codes, will automatically have the lower tolerance applied when deployed. Any ensuing notices must include reference to the school concerned.

#### **School zone speed enforcement**

The speed camera tolerance in a school zone is 4 km/h.

#### **Speed camera vehicle deployment standard**

Refer to the [mobile speed camera deployment](#) section.



### **Speed camera deployment data and images**

This section contains the following topics:

- [Static speed cameras](#)
  - [Static camera incident control number \(ICN\)](#)
  - [Static camera data disk](#)
  - [Processing static camera images](#)
- [Mobile speed cameras](#)
  - [Mobile speed camera DVDs](#)
  - [Mobile camera incident control number \(ICN\)](#)
  - [Processing DVD images](#)

To avoid undue delay in instituting proceedings, ensure that all wet film magazines or DVDs are dispatched for processing no later than five days after the first image is recorded.

#### **Static speed cameras**

The SP-200 static speed camera only uses 'wet' film.

#### **Static camera incident control number (ICN)**

Every image is identified by a nine digit incident control number (ICN) that is generated at the same time as the image and incorporated into it. The ICN comprises a six digit wet film roll number and three digit frame identifier. This numbering system enables every image to be traced. See example below.



The integrity of the speed camera programme is maintained by the ICN accuracy.

#### **Static camera data disk**

Statistical data gathered during the deployment is stored on a 1.44 MB (3.5") floppy disk, which shares the six digit film roll number.



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### **Processing static camera images**

Send all film magazines (with its' floppy disk) direct to the processing company in the supplied pelican case, utilising the supplied address and courier labels.

### **Mobile speed cameras**

Mobile speed cameras only use digital media.

### **Mobile speed camera DVDs**

Mobile speed cameras record images and statistical deployment data onto a DVD.

### **Mobile camera incident control number (ICN)**

Every image is identified by a nine digit incident control number (ICN) that is generated at the same time as the image and incorporated into it. The ICN comprises a six digit DVD number and a three digit frame identifier. See example below.



### **Processing DVD images**

Send the DVD to the Police Infringement Bureau, PO Box 9147, Wellington, Attention: O/C Systems Section.