

OC220808

7 October 2022

Mr Lord

fyi-request-20421-054e7cbe@requests.fyi.org.nz

Tēnā koe Mr Lord,

I refer to your email dated 31 August 2022, requesting the following under the Official Information Act 1982 (the Act):

“I would like to request all data and information on record that shows the harm and dangers done by checking an electronic device while stationary at a red light.

Furthermore the data used and research done in deciding to put forward making electronic device use while stationary at red lights illegal in April 2021.”

Your request was partially transferred to Te Manatū Waka on 7 September 2022, we are responding to the second part of your request. You can expect a separate response to the first part of your request from Waka Kotahi NZ Transport Agency (Waka Kotahi).

The change in April 2021 which you are referencing adjusted the infringement fee for using a mobile phone while driving from \$80 to \$150. This change did not alter the existing laws for using a mobile phone while driving. As such, it did not consider the safety risk of using an electronic device while stationary at red lights.

I am therefore refusing your request under the following section/s of the Act:

18(d) the information requested is or will soon be publicly available

A copy of the Cabinet paper can be found on Te Manatū Waka website:

<https://www.transport.govt.nz/assets/Uploads/Cabinet/Increasing-the-Infringement-Fee-for-Using-a-Mobile-Phone-While-Driving-Cabinet-paper.pdf>.

In 2020, 24 people died and another 125 people were seriously injured due to a driver diverting their attention while driving. Diverted attention is not limited to just using a cell phone and you can find out more information about diverted driving and the harm associated with it here: <https://www.transport.govt.nz/statistics-and-insights/safety-annual-statistics/diverted-attention/>.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman’s website www.ombudsman.parliament.nz.

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā



Helen White
Manager Mobility and Safety