

3 March 2022

IR-01-23-3550

Shaun Brown

fyi-request-21731-303a20e4@requests.fyi.org.nz

Dear Shaun

I refer to your Official Information Act 1982 (OIA) request dated 4 February 2023 for information relating to speed enforcement.

I have answered each part of your request below:

1. *Has the 'Speed Enforcement' chapter of the Police Manual been updated since it was last released on 08 December 2021?*
2. *If it has, please provide:*
 - a. *A copy of the latest version of the document.*
 - b. *The date on which the current version of the document came into effect.*
 - c. *The next planned review date of the document.*
 - d. *The licence under which the document and any accompanying information is released.*

Please find included with my response the latest version of the 'Speed enforcement' chapter from the Police Manual. This version of the chapter was published on 1 June 2021. The next scheduled review date is 1 June 2027; however, this chapter may be reviewed earlier if required.

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3. *Please identify any Police guidance related to the legality of people parking, walking, or standing behind speed camera vans.*

Police has not issued any guidance specific to the interference with vehicle surveillance equipment. This part of your request is therefore refused pursuant to section 18(g) of the OIA as no such guidance exists.

Please note that as part of its commitment to openness and transparency, Police proactively releases some information and documents that may be of interest to the

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public. An anonymised version of this response may be publicly released on the New Zealand Police website.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Yours sincerely



Superintendent Steve Grealley
Director: National Road Policing Centre
New Zealand Police

Speed enforcement

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Policy statement and principles

What

Speed is globally recognised as the leading contributor to the incidence of crashes and the seriousness of crash outcomes. An analysis of New Zealand fatal crashes has shown that speeding is a valid and significant predictor of crash rates. Consistent and proactive speed enforcement activity is essential to influence safe driving speeds and reduce serious outcome crashes.

Why

Police is the principal enforcement agency for the Land Transport Act 1998 and related Regulations. Road policing activities are funded by the National Land Transport Fund.

In New Zealand for the years 2018 - 2020, driver speed was a factor in 30% of fatal crashes, 20% of serious injury crashes and 16% of minor injury crashes (Ministry of Transport).

Effective targeting of speeding drivers will reduce the number of deaths and injuries on our roads and contribute to [Our Business](#).

How

Police will ensure that:

- staff focus on prevention through risk targeted speed deployment that includes a variety of approaches, including enforcement
- excess speed is actively enforced to reduce the overall mean speed of the network
- speed enforcement equipment is supplied, maintained and updated as appropriate to enable employees to enforce speed limits
- all users of speed enforcement equipment are trained and certified appropriately.

Overview

Speed limits must be consistently enforced by appropriately trained Police employees, using approved and calibrated equipment to:

- prevent death and injury on the roads
- ensure enforcement methods withstand scrutiny and align to road safety outcome risks
- provide consistent public expectations of the Police response to speeding offences.

The content of this chapter covers both speed enforcement (estimated speed, pace checking and operating radar/laser equipment), and safe speed camera enforcement (operation of mobile and static safe speed cameras). It applies to all Police employees.

Refer to the '[Fleeing drivers](#)' and '[Traffic patrol techniques](#)' chapters for stopping drivers.

For the operation of speed detection equipment refer to the 'Speed Detection Equipment Operators Manual' below.

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 [speed detection device operators manual .pd](#)

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Speed enforcement levels

Officer enforcement discretion

Enforcement officers should take circumstance appropriate action for any speed above posted or temporary speed limits, with resolutions applied in line with the following principles:

- Whilst Police should always acknowledge and consider explanations for exceeding the speed limit, there should be exceptional mitigating circumstances to justify a [warning](#) being issued for excess speed; for example a genuine medical emergency.
- In all cases the opportunity should be taken to educate the driver around the relationship between speed and survivability when a vehicle is involved in a crash. A few kilometres per hour can be the difference between a collision being inconsequential or completely avoided, and a crash with fatal or life-changing outcomes.
- Police will treat all road users and vehicle owners in line with [Police Values](#).

A [written traffic warning](#) (WTW) should not be issued for a speed related offence, unless aligned to the approach for [Speed Limit Changes](#) or there is an exceptional circumstance, which must be recorded on the notice. Refer to the '[Written Traffic Warnings](#)' chapter for further information on warnings.

Remember: Enforce speed limits fairly, transparently and consistently, with the overriding principle of influencing safe speeds to prevent death and injury on the roads.

Safe speed camera detection levels

Safe speed cameras may be programmed to capture data and images for enforcement purposes for any speeds in excess of posted or temporary speed limits. The setting of safe speed camera enforcement levels principally includes consideration of road safety outcome risks and should be evidence based in their application. These settings will be determined, monitored and reviewed by Managers within the National Road Policing Centre as delegated by the Director.

School zones

A school zone is designated as a single named road, no more than 250 metres from the school boundary, on which any direct school access exists. Early childhood centres can be 'school zoned' if a road sign identifies where the centre is.

To protect children and vulnerable road users near schools, speed limits are enforced on a risk-targeted basis between 7:30am and 6pm on any school day or any other time there is a school activity or event, e.g. sports activities and drama nights.

Speed limit changes

Setting of speed limits

Speed limit changes are the responsibility of Road Controlling Authorities (RCAs); i.e., the applicable Council or, in the case of state highways, Waka Kotahi (NZ Transport Agency). RCAs are responsible under the [Land Transport Rule: Setting of Speed Limits 2022](#), for consulting and communicating the speed limit changes with the public through a speed management plan. Importantly, the rule sets out the requirements RCAs must comply with when setting speed limits.

The Land Transport (Register of Land Transport Records - Speed Limits) Regulations 2022, requires that a decision to set a speed limit is recorded in the register of land transport records. The register indicates the correct applicable speed limit for a road at any time. The Register must also inform the Commissioner of Police and the relevant RCA when a land transport record is created, amended, or revoked.

Note: Requests for media commentary around the implementation of new speed limits should be referred to the RCA (For more information refer to the [Communications](#) section on page 10).

Role of Police

It is important that the Police approach supports the implementation of safe speed limits. This includes applying an approach the public expects and deserves, that being one which ensures a balance between keeping people safe on the roads, whilst also alleviating perceptions of not being fair and reasonable as motorists adjust to the speed limit changes. This approach should contribute to sector confidence that safe speed limits can be implemented without generating public or political concerns.

Police approach

- Police will not be consulted independently on speed changes proposed by the RCA. To ensure Police views on safe speeds are represented, each Police District will need to proactively engage in the public consultation process related to their geographical police area. It is imperative therefore that Police District Commanders or their delegated representative:
 - are proactive and identify a single Police respondent to collaborate on behalf of Police with the RCA at the earliest opportunity
 - understand the extent and timing of the proposed changes and that there is a strong RCA led communication plan to ensure widespread public awareness ahead of and at the time of the changes
 - liaise early with the National Road Policing Centre - Strategy and Relationships Team to seek support in preparing the Police submission
- apply a “bedding in” approach for a period of one month from the speed limit changes being implemented
- continue to deploy to locations and times of greatest road safety outcome risks, i.e., not deploying to affected roads simply because it will be easy to catch motorists exceeding the new speed limits
- recognise that reduced speed limits will influence a reduction in mean speeds, even without enforcement, thereby, reducing road safety outcome risks
- if enforcement is carried out on affected roads during the first month after implementation and providing that the speed detected does not exceed the previous posted speed limit, adopt an approach that is appropriate to the circumstance, such as; engage, encourage, educate, warn, enforce methodology, with any such enforcement ideally conducted using marked Police patrol vehicles
- this provides motorists with fair and reasonable opportunity to adjust their driving behaviours in the wake of the changes, whilst also enabling appropriate responses to behaviours and circumstances that pose clear road safety outcome risks
- this approach assists in building trust and confidence by also alleviating perceptions that Police are taking advantage of the speed limit changes to simply catch people out and issue large numbers of infringement notices
- mobile safe speed cameras should not be deployed on the affected roads for at least the first month after changes are implemented, with the exception of school zones during high outcome risk times, and thereafter as aligned to road safety outcome risk priorities
 - again, this will alleviate perceptions that Police are taking advantage of the speed limit changes to simply catch people out and issue large numbers of infringement notices
 - Note that new site codes will be required before operating safe speed cameras on roads where speed limits have changed
- If static safe speed cameras are on roads affected by speed limit changes, **early advice must be provided to the Police Infringement Bureau (PIB)**. PIB will manage setting changes for the cameras to reflect the speed limit changes as recorded in

the register of land transport records and will implement a graduated response to motorists detected exceeding the new speed limit for the first month after implementation of the speed limit change.

Communications

For significant speed limit changes a communication plan should be developed, in consultation with the National Road Policing Centre and Media and Communications as required. This should be largely for reactive purposes rather than proactive, noting that requests for media commentary around the implementation of new speed limits should be referred to the applicable RCA. Consider incorporating an approach to significant interest groups, such as AA, to confirm that Police will be deploying to road safety outcome risk and will not be targeting the affected roads for enforcement just because the speed limits have reduced.

Speed enforcement by officers

Tactics

Police:

- apply [TENR](#) in every situation
- employ safe tactics to ensure speed detection and enforcement does not pose unnecessary risks to public and Police safety
- use emergency lights and sirens promptly
- use tactics that minimise the need to complete a U-turn and chase, and take additional care to check for other road users before performing a U-turn
- should not accelerate unnecessarily for the purpose of speed enforcement.

Police vehicle speedometers

Police vehicles used for speed enforcement purposes must have their speedometers calibrated annually in accordance with CU10 (Standard Test and Calibration Procedure Speedometer Testing) by appropriately qualified personnel trained by Police Calibration Services and duly authorised for that purpose by the Commissioner of Police.

When vehicles pass calibration, a Certificate of Accuracy Speedometer and Odometer (POL430) is issued, the record of which must be readily available to all officers using the vehicle for speed enforcement.

Pace checking

Pace checking is a method of speed enforcement using the Police vehicle's certified speedometer to establish the speed of the target vehicle. In general, this should be conducted at a constant distance and speed behind the suspect vehicle over a distance of not less than 250 metres.

If Police employees drive above the speed limit to gather evidence of an alleged offence, then Police is reliant on the exemptions under the [Land Transport \(Road User\) Rule 2004](#) and the [Land Transport Act 1998](#) for non-compliance with certain traffic rules and regulations where compliance would prevent the execution of that duty. Refer to the [What is a tactical approach](#) and [Legal provisions - defences section](#) of the [Urgent Duty Driving \(UDD\)](#) chapter.

An appropriate following distance should be maintained according to clause [5.9 Land Transport \(Road User\) Rule 2004](#).

Police must drive at an appropriate speed and manner and bear in mind that they:

- are individually legally responsible for their actions, including careless, reckless or dangerous manner and dangerous speed
- must prioritise public and Police safety
- must adhere to the '[Urgent duty driving](#)' chapter.

Pace checks should not be carried out in temporary speed limit areas or [school zones](#). Any enforcement in those areas or zones should be by way of radar/laser, safe speed cameras and estimated speed.

If someone is suspected of travelling at excess speed in circumstances where there is undue risk to any road users, they should be signalled to stop as soon as reasonably practicable to minimise exposure to the immediate road safety outcome risks, despite there perhaps being insufficient evidence to support enforcement action.

Prior to an Infringement Offence Notice (ION) or charging document being issued, the speedometer accuracy certificate of the Police vehicle must be reviewed in order to obtain the true speed of the alleged speeding driver. Any discrepancy between the Police vehicle speedometer and the actual speed can then be taken into account.

For example, the following is taken from a Police Vehicle Certificate of Accuracy (POL430).

Results of test in kilometres per hour

Vehicle speedometer	30	40	50	60	70	80	90	100	110	120	130	140	150
True speed	29	39	49	59	69	78	88	98	108	118	128	138	148

If a vehicle was pace checked at 120 km/hr, then the ION would be issued for 118 km/hr.

Note: [Police vehicle speedometers](#) should be calibrated within a 12 month period prior to the date of the offence.

Should it be identified that the vehicle speedometer is not within the 12 month calibration period, consider initiating action based on an estimated speed. However, IONs cannot be issued for estimated speeds. The offence must be proceeded with by way of a charging document.

Who can use radar/laser equipment?

Only Police employees who hold or are undergoing supervised training (by a certified instructor qualified in the use of the equipment) for a Certificate of Proficiency for New Zealand Police Speed Enforcement Equipment may use radar/laser equipment.

Note: All radar/laser equipment used by Police must be operated in accordance with the [Speed Detection Equipment Operators Manual](#).

Certification standards

Section [146](#) of the Land Transport Act 1998 requires all speed enforcement equipment to be calibrated within a 12 month period. This includes:

- laser speed detection devices
- Police vehicle radar speed detectors and tuning forks
- Police vehicle speedometers
- Mobile and static Safe Speed cameras.

Note: Speed enforcement equipment that has not been calibrated within the last 12 months and issued with a current certificate of accuracy must **not** be used for speed enforcement purposes. Refer to the [Calibrating Road Policing Equipment](#) chapter.

Calibration testing

[Police Calibration Services \(PCS\)](#) subjects all radar/laser equipment to calibration testing to ensure the equipment is functioning in accordance with the manufacturer's specifications and accurately records a vehicle's speed. PCS advises districts when their equipment is due for calibration. PCS holds certificates of accuracy for every device and a duplicate is sent to District.

Deployment of radar/laser equipment

Radar/laser equipment can be used on all roads but must be deployed in the following manner.

Ensure	Note
Equipment is operated in accordance with the Police Speed Detection Equipment Operators Manual , appropriate to the device being used.	If deployed for speed enforcement purposes. This means laser speed enforcement equipment can be used only when stationary.

<p>When speed is enforced in an area where drivers are transitioning from a higher speed to a lower speed area, Police are not positioned within 200 metres from the point where the posted speed changes, and vehicles are not targeted within 200 metres from the point where the posted speed changes.</p> <p>In situations where advance advisory signs are in place warning motorists of the change in speed limit, a 100 metre distance from the point of the posted speed limit change applies to officer enforcement activity.</p>	<p>The exception is if there is good reason to do so, such as ensuring the safety of vulnerable road users or if other unsafe driving behaviours are occurring within the area.</p> <p>This does not apply in school zones or temporary speed limit areas.</p>
<p>When speed is enforced in stationary mode, Police are not positioned within 250 metres of a final merge of a passing lane or slow vehicle lane, and vehicles are not targeted within 250 metres of a final merge of a passing lane.</p>	<p>This is to ensure drivers do not brake at high speed, thus causing risk. However, enforcement in mobile mode may occur anywhere.</p> <p>The exception is if there is good reason to do so, such as ensuring the safety of vulnerable road users or if other unsafe driving behaviours are occurring within the area.</p>
<p>When vehicles are used to operate speed enforcement equipment in stationary mode, they are parked safely and in accordance with the Land Transport (Road User) Rule 2004, or any bylaws in force for that location.</p>	<p>Police has an exemption from parking related offences that arise under the Land Transport (Road User) Rule 2004, by virtue of clause 1.8(3)(b), where the action was necessary in the performance of duty. However, this exemption should be used in limited circumstances.</p> <p>Despite the general exemption under the Land Transport (Road User Rule) 2004, for the purposes of staff and public safety it is a requirement that during the hours of darkness any vehicle undertaking stationary speed enforcement at the roadside has its park lights operating and visible, unless clearly illuminated and visible from another light source.</p>
<p>All radar/laser equipment must be operated in an overt manner. Hidden or camouflaged deployment must not be used.</p>	<p>Unless there is a specific operation targeting offending consisting of:</p> <ul style="list-style-type: none"> - sustained loss of traction - engagement in an unauthorised street or drag race - dangerous or reckless driving - breaches of heavy motor vehicle (HMV) rules - another type of operation that cannot be effectively or safely conducted using overt means. <p>Such speed enforcement operations (involving hidden or camouflaged deployment) must have written operation orders and have prior written approval from the District Road Policing Manager. In the case of HMVs, prior written approval should be gained from the Manager: Commercial Vehicle Safety Team or a member of the National Road Policing Centre Governance Group.</p> <p>Unmarked patrol vehicles may be used for speed enforcement. However, Police must be conscious of the reduced visibility risks associated with speed enforcement from these vehicles, especially when undertaking urgent duty driving, accelerating from stationary mode and completing U-turns.</p>

Estimated speeds

An estimated speed is an assessment made by Police of a motor vehicle observed to be travelling at a speed well in excess of the prescribed speed limit. The offending driver's speed has not or could not be detected by the use of any speed detection equipment or by any pace checking.

In estimating the driver's speed, Police should rely on their experience in assessing speed. This should include proven experience with operating Police speed detection equipment, and:

- the relative speed of other traffic in relation to the alleged driver's speed, or
- any admission by the driver, or
- the speed of the offending driver relative to a patrol vehicle's speed.

Drivers cannot be issued with an ION for an estimated excess speed. The offence must be proceeded with by way of a charging document.

Interference with operation of speed measuring device

It is an offence to use or possess any equipment designed to interfere with the operation of a speed-measuring device (radar jammer) in a motor vehicle (section [16B](#) of the Land Transport Act 1998).

Specimen Charge	Offence	Penalties
B404	Used equipment in a vehicle that interfered with a speed measuring device	Infringement fee \$50, 25 demerit points
B405	Had equipment in a vehicle designed to interfere with a speed measuring device	Infringement fee \$50, 25 demerit points

Note: It is **not** an offence to use a radar/laser detector.

Roles and responsibilities

Role	has responsibility for ensuring
District Commander (or their delegated representative)	<ul style="list-style-type: none"> - this chapter is implemented in their district - staff are trained and certified to use the equipment they operate in accordance with this chapter - approves suitably trained staff in speed enforcement who have completed the training - notifies Police Calibration Services (PCS) on the prescribed form when they have approved a person as speed enforcement qualified. - all speed enforcement equipment is presented for calibration when required - district vehicle, equipment and infringement notice audits are conducted to ensure compliance with this policy - all reasonable measures are taken to ensure equipment is well looked after and operated correctly - a report is submitted if any radar or laser equipment supplied to a district is lost or damaged (i.e., outside normal operational wear or usage), to PCS - only certified speed enforcement equipment is used - training records are maintained, updated and held in the district - breaches of this chapter are reported to the Director: Road Policing.
Director: National Road Policing Centre	<ul style="list-style-type: none"> - the appropriate authority is gained before new speed enforcement equipment is deployed and certified - PCS completes annual certifications of accuracy for speed enforcement equipment - support to districts is provided as appropriate - audit adherence to this chapter.
Manager: Police Calibration Services	<ul style="list-style-type: none"> - a database is maintained and certificates of proficiency produced for all Police who have been nominated by a Road Policing Manager - the approval system for Police vehicle speedometer calibration is managed - calibration of all radar equipment annually - calibration of all mobile and static speed cameras annually - calibration of all laser equipment annually - inspection and certification of static camera sites annually.
Police involved in speed enforcement	<ul style="list-style-type: none"> - they adhere to this chapter - they complete daily operating checks and log books - they comply with the Speed Detection Equipment Operators Manual.
Police Infringement Bureau (PIB)	<ul style="list-style-type: none"> - processing and management of all notices - notice explanations are adjudicated fairly and consistently, whilst having regard for road safety outcome risks.

Speed camera enforcement

Safe speed cameras have a proven history of reducing speed-related crashes internationally. These cameras assist to reduce serious and fatal crashes on New Zealand roads.

Who can use speed camera enforcement equipment?

Only Police employees trained and certified to operate specific speed camera equipment may operationally deploy such equipment. Equipment may only be used from Police-owned or operated vehicles (if operating a mobile camera).

Roles and responsibilities

Roles	Responsible for ensuring
District Commander (or their delegated representative)	<ul style="list-style-type: none"> - this chapter is implemented in their district - employees are trained to use the relevant speed camera enforcement equipment - all speed enforcement equipment used has a current and valid certificate of accuracy - all reasonable measures are taken to ensure the equipment is well looked after - report any speed enforcement equipment that is lost or damaged, (beyond normal operational wear or usage) to PCS - mobile speed camera site applications are reviewed and approved before forwarding to PCS - mobile speed cameras are deployed to address road safety risk(s) - breaches of this chapter are reported to the Director: Road Policing.
Director: National Road Policing Centre	<ul style="list-style-type: none"> - all speed camera equipment is approved and certified before deployment - that PCS regularly tests and re-certifies speed camera equipment - districts are supported with their speed enforcement programmes as appropriate - audit adherence to this chapter.
Manager: Police Calibration Services	<ul style="list-style-type: none"> - all speed camera operators are trained - all speed camera operator training records are maintained - appropriate speed camera sites are approved - all speed cameras are maintained by an external service agent - all speed camera certificates of accuracy are retained - copies of speed camera certificates of accuracy are supplied for disclosure - all mobile safe speed cameras are regularly calibrated with not more than 12 months between certifications.
Traffic Camera Operators	<ul style="list-style-type: none"> - compliance with this chapter - compliance with speed camera deployment and health and safety procedures - mobile camera checks and deployment registers are completed for each camera site - data is downloaded from each camera every two to five days and forwarded to PIB along with the original deployment register for that period - all equipment faults or other problems are reported to PCS promptly.
Police Infringement Bureau (PIB)	<ul style="list-style-type: none"> - processing and management of all notices - images are verified before notices are issued - notice explanations are adjudicated fairly and consistently whilst having regard for road safety outcome risks - the original of all deployment register sheets is stored in line with the current document retention policy.

Static Safe Speed camera enforcement

Roles and responsibilities

Roles	Responsible for ensuring
District Commander (or their delegated representative)	<ul style="list-style-type: none"> - this chapter is implemented in their district - report any damage of enforcement equipment to PCS - breaches of this chapter are reported to the Director: Road Policing.
Director: National Road Policing Centre	<ul style="list-style-type: none"> - all speed camera equipment is approved and certified before deployment - that PCS regularly tests and re-certifies speed camera equipment - consultation on site selection is undertaken with relevant interested parties - audit adherence to this chapter.
Manager: Police Calibration Services	<ul style="list-style-type: none"> - all speed camera certificates of accuracy are retained - copies of speed camera certificates of accuracy are supplied for disclosure - all static safe speed cameras and camera sites are regularly calibrated with not more than 12 months between certifications
Manager: Police Infringement Bureau (PIB)	<ul style="list-style-type: none"> - staff authorised to access the static safe speed camera systems are trained - all camera system operator training records are maintained - camera system operators follow the 'Static Camera Expansion Programme Process Guide' when completing any tasks or actioning faults - processing and management of all notices - images are verified before notices are issued - notice explanations are adjudicated fairly and consistently, whilst having regard for road safety outcome risks. - Work Authority requests are actioned promptly.

Safe speed camera site selection and deployment

Static and mobile speed cameras may be used at approved sites (selected to reduce crashes caused by speed).

Site selection process for static and mobile safe speed cameras

This table below summarises the site selection process for safe speed camera sites.

Stage	Process
1	<p>The Sites Selection Methodology is objective, rigorous, and defensible and has been applied nationally and consistently.</p> <p>All safe speed camera sites are selected on the basis of their risk (as determined from the Sites Selection Methodology). This includes crash history and/or predictive analysis.</p>
2	<p>For static camera sites, consultation must be undertaken by the Director: National Road Policing Centre (or their nominee). For mobile camera sites, consultation must be undertaken by the District Commander (or their nominee).</p> <p>For both static and mobile camera sites, consultation must be undertaken with the relevant road controlling authority (whether Waka Kotahi New Zealand Transport Agency, a territorial local authority, or Auckland Transport).</p> <p>The consultative group must consider whether the objectives can be met by other means such as traffic engineering or education.</p>
3	<p>When proposing a new safe speed camera site, consideration must be given to:</p> <ul style="list-style-type: none"> - site definition, ensuring a single named roadway - readily identifiable location site commencement and end points - engineering improvements taken or proposed - whether the posted speed limit is lawful - a synopsis of evidence to support the site - such as the number of speed related crashes and traffic analysis data.
4	<p>Speed camera site reviews to identify changing vehicle and site dynamics should occur regularly (no more than five yearly) for both static camera sites (by the Director: National Road Policing Centre or their nominee) and for mobile camera sites (by the District Commander or their nominee).</p>

Criteria for static safe speed camera sites

A static speed camera is a permanent pole installation at an approved speed camera site. The site may or may not have an active camera. Static cameras detect vehicle speed using radar and laser.

A location with a proven crash risk that warrants consideration as a static camera site must meet the following criteria:

- The camera, flash unit, and speed detection must have clear lines of sight.
- The road must be straight and of a constant slope for 100 metres.
- The cellular phone signal at the site must be sufficient.
- There must be easy and safe access to the site that will not interfere with traffic flows.
- If the camera is in an area where drivers are transitioning from a higher speed to a lower speed area, the camera must not be located within 250 metres from the point where the posted speed changes, and vehicles must not be targeted within 250 metres of the point where the posted speed changes. This restriction does not apply in school zones or temporary speed limit areas.
- The camera must not be located within 200 metres of the final merge of a passing lane and vehicles must not be targeted within 200 metres of the final merge of a passing lane.
- The site must have access to a suitable power source.

Additionally:

- It is preferable the camera unit faces south to avoid potential sun strike

- the equipment must be able to be secured
- the equipment must be protected from errant vehicles
- no large permanent metal objects are in the radar zone
- there can be no permanent blocking objects
- any underground services will not be negatively affected by the construction of the infrastructure necessary for a static camera.

In addition, confirm that the proposed site will not be subject to engineering changes within the next two years.

Criteria for mobile safe 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 five km in rural areas, or three blocks in urban areas. Mobile sites may be adjoining, but each must be selected independently.

For mobile safe speed camera sites, complete the Mobile Speed Camera Site Selection form (POL580) or the Mobile Speed Camera Site Selection - School Zone form (POL581). Submit the form to the RPM for review. The RPM, if in agreement, will forward the form to PCS for approval. These forms are available from the Road Policing section of Police forms in Microsoft Word.

The Manager: Police Calibration Services reviews the proposed speed camera site based on the submitted form. The approved site will be on the next update disc sent to district after PIB have created it.

Note: Copies of Speed Camera Site Selection forms should be held within district and the original at the PCS to ensure traceability.

Mobile speed camera deployment

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

1	Traffic Camera Operator safety must be the primary deployment consideration, including vehicles crashing into the stationary camera vehicle and clear Police radio communications from the deployment site.
2	A speed camera vehicle must be legally parked. If it is dark, the vehicle must have its park lights on. Refer to deployment of Radar/Laser for further details on parking police vehicles involved in speed enforcement.
3	A speed camera vehicle must be deployed so it is visible to traffic. The speed camera vehicle must not be hidden.
4	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 1½ lane widths away from the normal path of vehicles).
5	When the speed camera vehicle is being deployed on a roadway, the speed camera vehicle tailgate must be fully extended or closed.
6	A speed camera vehicle may park on private land, if the occupier of the land gives clear permission for such use.
7	A speed camera vehicle must be parked on a straight section of road, so the operator has adequate reference points for aligning the camera. This ensures any vehicle being measured or photographed is travelling on a straight section of road at that time.
8	If a speed camera vehicle is deployed in an area where drivers are transitioning from a higher speed to a lower speed area, it must not be positioned within 250 metres from the point where the posted speed changes, and must not target vehicles within 250 metres from the point where the posted speed changes. This restriction does not apply in school zones or temporary speed limit sites.
9	While a speed camera vehicle may be deployed within a section of road designated as a passing lane, it must not be positioned within 250 metres of the final merge of a passing lane or slow vehicle lane and must not target vehicles within 250 metres of the final merge of a passing lane or slow vehicle lane.
10	When a camera is operational at a site, a second camera must not be deployed in the same site or an adjoining site.
11	A mobile safe speed camera must not be deployed on the same road as an operating static safe speed camera unless: <ol style="list-style-type: none"> 1. the two locations on that road have a different speed limit; or 2. the cameras are a minimum of one kilometre apart on any road with a posted speed limit of less than 70 km/h, or 3. the cameras are a minimum of two kilometres apart on any road with a posted speed limit of 70 km/h or above. <p>Note: “Same road: includes the continuation of any section of roadway regardless of any change in name for that road.</p>
12	When a speed camera is deployed in a school zone speed camera site, it must be operated only: <ul style="list-style-type: none"> - between 7:30am to 6pm on a school day; or - at any other time that a school activity occurs, including sports activities held on school grounds.

School zone mobile speed camera sites

School zone overview

A school zone is designated as a single named road, no more than 250 metres from the school boundary, on which any direct school access exists. Early childhood centres can be ‘zoned’ as school zones, if a road sign identifies where the centre is.

School zone site selection

Districts must complete the Speed Camera Site Selection - School Zone form (POL581) for a school site that requires attention. School sites do not require a history of speed-related crashes.

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

Speed camera vehicle deployment standard

See the '[Mobile speed camera deployment](#)' section.

Safe speed camera deployment data and images

Mobile and static safe speed cameras use digital media

Speed cameras record images and data that can be used for statistical purposes.

Send data from mobile cameras to the Police Infringement Bureau (PIB) within five days

To avoid undue delay in initiating proceedings, all data from mobile safe speed cameras must be sent to PIB no later than five days after the first image is recorded.

Standard operating procedures explain how a camera operator downloads data and sends it to the PIB.

Incident control number

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. This numbering system enables every image to be traced. See the examples below.

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

STATIC SAFE SPEED CAMERA IMAGE



ICN

Point of interest - camera alignment

Offending Vehicle

MOBILE SAFE SPEED CAMERA IMAGE

Wed 08 Apr 09 14:15:52
Posted Speed Limit: 50

Recorded Speed: 66
WW0021

Away
600074106

ICN



Legal framework for speed enforcement

Speeding offences

Liability for moving vehicle offences

Section [133](#) of the Land Transport Act 1998 provides that proceedings may be taken against any person who, at the time of the offence, was:

- the person allegedly committing the offence
- the registered owner or one of the owners of the vehicle involved
- 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

Where enforcement action is taken against the registered owner/owners, it is a defence to proceedings under section [133](#) of the Land Transport Act 1998 if, at the time the offence was committed:

- the person driving was not lawfully entitled to possession of the vehicle, whether jointly owned or not; or
- another person was driving the vehicle; and
 - immediately after becoming aware of the alleged offence, the person advised the enforcement authority in writing of these things, and
 - the person gives the enforcement authority a statutory declaration:
 - identifying the driver, by giving their name and address; or
 - other particulars that might lead to identification; or
 - establishing that they could not identify the driver, after taking all reasonable steps to do so.

Approved vehicle surveillance equipment

The [Land Transport Act 1998](#) 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 is allowed to be used to enforce speeding offences.

There are four approved AVSE speed camera devices in New Zealand used for enforcement. The statutory regulation numbers for the relevant gazetted Land Transport (Approved Vehicle Surveillance Equipment) Notices are shown in this table.

Publication	Approved Equipment
(No 2) 2008 SR 2008/447 Land Transport (Approved Vehicle Surveillance Equipment) Notice (No 2) 2008	- REDFLEXradarcam camera system (the mobile radar-based speed camera system).
2014 - LI 2014/191 Land Transport (Approved Vehicle Surveillance Equipment) Notice 2014	- REDFLEXspeed Radar NK7 static camera system.
2015 - LI 2015/58 Land Transport (Approved Vehicle Surveillance Equipment) Notice 2015	- REDFLEXred Radar NK7 red light/speed camera system
2017 - LI 2017/289 Land Transport (Approved Vehicle Surveillance Equipment) Notice 2017	- REDFLEXotl radar NK7 Static Speed camera system

Certification standards

Testing and issuing of Speed Camera and Tuning Fork Certificates of Accuracy are covered by section [146](#) of the Land Transport Act

1998. This section requires the Certificate of Accuracy to have been issued no more than 12 months before the date of the alleged offence.

Section [146](#) of the Land Transport Act 1998 mandates testing and calibration for:

- radar and laser speed detection devices
- mobile and static speed cameras
- static speed camera sites (certificates of accuracy (NK8) issued 12 monthly)
- tuning forks.

Note: Whenever a speed camera has been repaired, it must be returned to Police Calibration Services for testing and recertification if required. Any speed enforcement equipment without a current Certificate of Accuracy must **not** be used for speed enforcement. Note also that radars and lasers undergo this same testing.

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.

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

Note: When the accuracy of the device is in question, the defendant must make an application not less than 14 days before the hearing, for the production of the certificate of accuracy (section [146](#) of the Land Transport Act 1998).

Evidential sufficiency of approved vehicle surveillance equipment image

Section [145\(1\)](#) of the Land Transport Act 1998 covers the evidential sufficiency of a moving vehicle image taken by AVSE. The image must show or record:

- a motor vehicle on a road
- the speed of the vehicle
- the location of the vehicle
- the date and time when the image was taken.

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

Note: Section [55](#) of the Land Transport Act 1998 makes it an offence to tamper or interfere with AVSE or with the operation of AVSE.

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