

ADVISORY NOTE: A RULE CHANGE ON CYCLING ON FOOTPATHS HAS BEEN RECOMMENDED TO GOVERNMENT

23 May 2017

To: Road Controlling Authorities

The Select Committee considering a petition seeking a rule change to allow increased cycling on footpaths has recommended that the Government consider a change to the New Zealand Road Rules to:

- allow cycling on the footpath by children up to and including 12 years of age or year 8 (and accompanying adults), seniors over 65, and vulnerable users (such as those with mental or physical disabilities);
- make bells mandatory for any bicycle used on footpaths or shared use paths; and
- allow local authorities to exclude, on a reasonable basis, certain areas of footpath from being used for cycling.

Road Controlling Authorities should be aware of this recommendation and alert to its implications.

At the moment a local authority may choose to make a footpath available for shared use by pedestrians and cyclists where that footpath meets the minimum standards for shared facilities to be used safely by both.

There is no suggestion that these minimum standards will be reduced. Each local authority, therefore, would be expected to identify in their network where a footpath did not meet the minimum standards for it to be safely shared by cyclists and pedestrians, adopt the appropriate bylaw and schedules, and install the appropriate signs and markings for each affected length of footpath.

The Shared Footpaths Working Group considers that this change in the approach to the provision of shared facilities would introduce a new and onerous responsibility for Road Controlling Authorities. It would be prudent now for authorities to identify the lengths of footpath within

their networks that are below the minimum criteria for shared cycleways or have features that would affect being a designated shared space.

It is likely that substantial proportions of older metropolitan networks will not meet the minimum standards for footpaths to be shared by cyclists and would have little likelihood of being upgraded to be able to do so.

The Shared Footpaths Working Group is also unable to say with any confidence that allowing cycling on footpaths would deliver greater safety benefits than costs. The NZ Transport Agency has identified the cycling benefits of allowing cycling on footpaths, but the Shared Footpaths Working Group review of footpath accidents research has suggested the benefits might be marginal.

The Agency has relied on CAS data whereas other sources of data for pedestrian/cyclist accidents, such as hospital data, differ sufficiently that the different data cannot be reconciled. Until such time as clear data on current accident rates between cyclists and pedestrians is available, it would be premature to say that allowing cyclists to ride on footpaths does not increase the hazard for both the cyclists and other pedestrian users.

It is currently expected that a proposal to change the Rule in line with the Select Committee's recommendations would be released for public consultation this year (2017). Local authorities, as the owners of the affected assets, are advised to make submissions for their own network needs. The Shared Footpaths Working Group will work to support Road Controlling Authorities in preparing and presenting their submissions.

A handwritten signature in blue ink, consisting of a large, stylized 'M' and 'H' intertwined, with a horizontal line underneath.

Michael Harrison
Chair
Shared Footpaths Working Group
Road Controlling Authorities Forum (NZ) Inc.