

Speed enforcement

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Executive summary

This chapter provides staff guidance on conducting speed enforcement.

The key, critical points for staff to note are:

- Excessive speed is a key cause of crashes.
- Speed limits must be consistently enforced.
- All Police speed enforcement equipment must be calibrated within a 12 month period.
- Only Police who hold, or are undergoing supervised training for, a Certificate of Proficiency for New Zealand Police Speed Enforcement Equipment, may use radar/laser equipment.

Overview

Excess speed is a key cause of crashes in New Zealand and a major contributor to injuries suffered. An analysis of New Zealand fatal crashes has shown that speeding is a valid and significant predictor of crash rates. Proactive speed enforcement to change driver behaviour is the most effective enforcement activity, because of its wide deterrent effects, to reduce vehicle speed.

Statistics from the New Zealand Transport Agency (NZTA) indicate that speed contributed to 31 percent of fatal crashes and 21 percent of serious injury crashes in the period 2013 to 2015. In 2015, 101 people died, 496 were seriously injured, and 1,831 received minor injuries in crashes where speed was a contributing factor. The social cost of these crashes was about \$940 million.

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

- reduce mean speeds and influence a reduction in road trauma
- ensure Police enforcement action is fair and transparent
- provide motorists with certainty of outcome should they exceed a speed limit.

The content of this chapter covers both speed enforcement (estimated speeds, pace checking and operating radar/laser equipment), and speed camera enforcement (operation of mobile and static 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.

 [speed-detection-device-operators-manual.pdf](#)

774.4 KB

Speed tolerance thresholds

Speed threshold levels

The following principles apply, other than in exceptional circumstances.

Drivers who are detected...	must be...
at a speed of more than 10 km/h above the speed limit	issued with an infringement offence notice or charging document.
driving a heavy motor vehicle, at a speed of more than 5 km/h above the speed limit	
towing a light trailer, at a speed of more than 5 km/h above the speed limit	
within a school zone , at a speed of more than 4 km/h above the speed limit	

Police may issue an offence notice at any speed above the posted speed limit, but should take note of any applicable threshold level and exercise their discretion where appropriate. A [written traffic warning](#) should not be issued for speed (in this context speeding outside any established threshold) unless there is an exceptional circumstance, which must be recorded on the rear of any WTW issued.

Remember: Enforce speed limits fairly, transparently and consistently. Refer to the ['Written Traffic Warnings'](#) chapter for further information on warnings.

Reduced speed enforcement threshold during official New Zealand holiday periods

Increased traffic density and higher than usual network demands increase the road trauma risk during New Zealand's official holiday periods.

Police enforce a reduced speed enforcement threshold of 4 km/h during official holiday periods. Motorists exceeding the 4km/h threshold must be dealt with promptly. The action taken will be at the discretion of Police, after consideration of the circumstances surrounding the offending. However, it is vital that visible Police action occurs.

The official New Zealand holiday periods, for which the Ministry of Transport reports holiday fatalities, are the:

- **Easter holiday**, which covers the period from 4pm on the day before Good Friday to 6am the following Tuesday
- **Queen's Birthday holiday**, which covers the period from 4pm on the Friday before the weekend to 6am the following Tuesday
- **Labour Weekend holiday**, which covers the period from 4pm on the Friday before the holiday to 6am the following Tuesday
- **Christmas holiday**, which covers the period from 4pm on 24 December (or 22 or 23 December if 24 December falls on a Saturday or Sunday respectively) to 6am on:
 - 3 January, if 1 January falls on a Monday, Tuesday or Wednesday
 - 4 January, if 1 January falls on a Sunday
 - 5 January, if 1 January falls on Thursday, Friday or Saturday.

Note: Implementation and enforcement of a reduced speed enforcement threshold outside the official holiday periods must be approved in writing by the Assistant Commissioner: Road Policing or on the direction of the Police Executive.

Use of discretion

Applying discretion to speeding offences should be considered in line with the following principles:

- Police will always consider driver explanations.
- Discretion should be exercised wisely and within the guidelines of this chapter.
- A driver must show exceptional mitigating circumstances to justify being issued a [warning](#) for a trauma-causing offence.
- Police will treat all offending drivers fairly and consistently.

Police may exercise greater discretion when enforcing offences not directly related to speed or trauma (e.g. a warrant of fitness that has expired within a month of the vehicle being stopped by Police). Refer to the '[Traffic compliance scheme](#)' chapter.

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. This may include sports activities and drama nights.

Unless there are exceptional circumstances, any driver detected travelling at a speed of more than 4 km/h above the school zone speed limit **must** be issued an offence notice.

Speed enforcement by officers

Tactics

Police:

- employ good tactics to ensure speed detection and enforcement does not pose unnecessary risks to public and Police safety
- take care when performing a U-turn, and use emergency lights and sirens promptly so that drivers become aware of the Police presence and pull over at the earliest possible opportunity
- should not accelerate unnecessarily fast from stationary mode 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, and must be carried in the patrol vehicle.

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 drivers speed, or
- any admission by the driver, or
- the speed of the offending driver relative to a patrol vehicles speed.

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

Pace checking

Pace checking is a form 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 speed over a distance of not less than 250 metres. If Police drive above the speed limit to gather evidence of an alleged offence, then Police are reliant on the defences 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.

An appropriate following distance should be maintained according to the [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
- 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 temporary speed limit areas or school zones should be by way of estimated speed, radar/laser, mobile speed cameras and static speed cameras.

However, situations may arise where a pace check in a temporary speed limit or school zone can be justified based on your [TENR](#) risk assessment. There is an expectation however that pace checks will not be conducted in high risk areas, e.g., road works with loose surface material and worksites where workers are only separated from the main traffic flow by cones.

Prior to an [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 you identify that the vehicle speedometer is not within the calibration period, consider initiating action based on an estimated speed. However, IONs cannot be issued for estimated speeds.

Who can use radar/laser equipment?

Only Police 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.

If radar/laser equipment is deployed from a vehicle, it must be from a Police owned or operated vehicle.

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](#).

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.

Calibration testing

Police Calibration Services (PCS) subjects all radar/laser equipment and Police vehicle speedometers 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, and holds the certificates of accuracy for every device.

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.
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 250 metres from the point where the posted speed changes, and vehicles are not targeted within 250 metres from the point where the posted speed changes.	Unless there is good reason to do so, such as ensuring the safety of children. This does not apply in school zones or temporary speed limit areas.
When speed is enforced in stationary mode, Police are not positioned within 250 metres of a final merge of a passing lane, and vehicles are not targeted within 250 metres of a final merge of a passing lane.	This is to ensure drivers do not brake at high speed, thus causing risk. However, enforcement in mobile mode may occur anywhere.
When vehicles are used to operate speed enforcement equipment, they are parked in accordance with the Land Transport (Road User) Rule 2004 , or any bylaws in force for that location.	Police have 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. 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 an enforcement vehicle is illuminated from a light source so that it is visible or vehicle park lights are operated when conducting speed checks or any similar enforcement, when stationary on the roadside.
All radar/laser equipment must be operated in an overt manner. Hidden or camouflaged deployment must not be used.	Unless there is a specific operation targeting offending consisting of: <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. 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 Investigation Unit . Unmarked patrol vehicles may be used for speed enforcement. However, Police are reminded of the risks associated with speed enforcement from these vehicles.

Motorcycle officers

Motorcycle officers who have completed the Motorcycle Qualifying Course and are trained and certified in the use of laser devices from Police motorcycles (in accordance with the Police '[Speed Detection Equipment Operators Manual](#)') can enforce speed limits of traffic travelling in the same direction and on the same side of the road as their motorcycle is parked.

Any offending vehicle can be signalled to stop, or may be followed and stopped where it is safe or practicable to do so after full consideration of the risks involved to both the motorcycle officer and other road users.

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 • all speed enforcement equipment is presented for calibration when required • district audits are conducted to ensure compliance with this policy • all reasonable measures are taken to ensure equipment is well looked after and operated correctly • that if any radar or laser equipment supplied to a district is lost or damaged (i.e., outside normal operational wear or usage), the equipment is replaced or repaired • 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 National Manager: Road Policing.
National Manager: Road Policing	<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.
Road Policing Support Assurance Group	<ul style="list-style-type: none"> • audit 'district audits' • audit Police vehicle speedometer calibrations to ensure compliance with CU10 • reports breaches of this chapter to the National Manager: Road Policing.
Manager: Calibrations	<ul style="list-style-type: none"> • a database is maintained and certificates of proficiency produced for all Police who have passed the Speed Detection Code of Operations module • the approval system for Police vehicle speedometer calibration is managed • calibration of all radar equipment every 12 months • calibration of all mobile and static speed cameras every 12 months • calibration of all laser equipment every 12 months • inspection and certification of static camera sites every 12 months.
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 adhere to the Speed Detection Equipment Operators Manual.

Speed camera enforcement

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

Police works with its road safety partners and communities to reduce vehicle speeds and works strategically with the National Road Safety Committee and at district, territorial local authority, and area levels to develop Road Safety Action Plans. All these groups run speed management operations, including deployment of speed cameras.

Traffic safety cameras have been used in New Zealand since 1993. Camera-based enforcement has been carried out using a mix of mobile (vehicle-mounted) and static (or fixed) cameras.

Speed camera enforcement is managed by Police Calibration Services (PCS) in conjunction with District Road Policing Managers (RPMs).

Standard operating procedures explain how to download data and undertake other activities associated with the static cameras. The procedures are available from the Manager: Calibrations.

Note: The use of Police vehicle speedometers and radar and laser equipment is covered in the '[Speed enforcement by officers](#)' section of this chapter.

Who can use speed camera enforcement equipment?

Only Police 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 • any speed enforcement equipment that is lost or damaged, (beyond normal operational wear or usage) is replaced or repaired • mobile speed camera site applications are reviewed and approved before forwarding to the PCS • mobile speed cameras are deployed to address road safety risk(s) • breaches of this chapter are reported to the National Manager: Road Policing.
National Manager: Road Policing	<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.
Police Infringement Bureau (PIB)	<ul style="list-style-type: none"> • images are verified before notices are issued • notice explanations are adjudicated fairly and consistently • the original of all deployment register sheets is stored.
Manager: Calibrations	<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 and speed camera sites are maintained by an external service agency • all speed camera certificates of accuracy are retained • copies of speed camera certificates of accuracy are supplied for disclosure • all mobile and static speed cameras are regularly calibrated with not more than 12 months between certifications • annual inspection and certification of static camera sites.
Road Policing Performance and Reporting Team	<ul style="list-style-type: none"> • the speed camera enforcement programme is continually monitored.
Speed camera operators (mobile and static)	<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 and sent to PIB daily • each static camera's deployment register is updated on each visit to the camera and left in the side cabinet • data is manually downloaded from each static camera every 2-5 days (depending on volume of traffic at each site)* • all equipment faults or other problems are reported to PCS promptly.

* A manual process for extracting images from the static cameras, copying them to DVD, and delivering the DVD to PIB will be followed until the Police ICT system and infrastructure can utilise the wireless capabilities of the new static camera system and data can be downloaded remotely from the camera. This chapter will be revised and reissued at that point.

Speed camera site selection and deployment

Site selection process for static and mobile cameras

This table below summarises the site selection process for static and mobile speed cameras sites.

Stage	Process
1	<p>A formal Sites Selection Methodology was used to rank all state highways and other roads across the country on the basis of their proven crash risk. The highest risk sites that are physically suitable for a static camera have been selected; other high-risk sites have been considered for other forms of enforcement activity (such as a mobile camera).</p> <p>The Sites Selection Methodology is objective, rigorous, and defensible and has been applied nationally and consistently.</p> <p>Future static speed camera sites will be selected on the basis of their proven risk (as determined from the Sites Selection Methodology) and their suitability for a static camera (or if the site is unsuitable, a mobile camera).</p>
2	<p>For static camera sites, consultation must be undertaken by the National Manager: Road Policing (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:</p> <ul style="list-style-type: none"> • relevant road controlling authority (whether NZTA, a territorial local authority, or Auckland Transport) • New Zealand Automobile Association. <p>Consultation may also be undertaken with community groups such as:</p> <ul style="list-style-type: none"> • road transport associations • local iwi or hapū • school representatives • road safety committees • commerce groups • area health boards • any other interested party. <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 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>Complete the Speed Camera Site Selection form or the Speed Camera Site Selection - School Zone form. 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.</p>
5	<p>The Manager: Calibrations reviews the proposed speed camera site, based on the submitted form, and advises the District Road Policing Manager of the outcome of this consideration (approved or not approved).</p> <p>Note: Copies of Speed Camera Site Selection forms should be held within district and the original at the PCS to ensure traceability.</p>
6	<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 National Manager: Road Policing or their nominee) and for mobile camera sites (by the District Commander or their nominee).</p>

Criteria for static 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 sensor 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 250 metres of the final merge of a passing lane and vehicles must not be targeted within 250 metres of the final merge of a passing lane.
- The site must have access to a suitable power source.

Additionally:

- the camera unit must be able to face 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 temporary blocking objects (e.g., buses at bus stops)
- 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 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 5 km in rural areas, or three blocks in urban areas. Mobile sites may be adjoining, but each must be selected independently.

Mobile speed camera deployment

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

1	A speed camera vehicle must be legally parked. If it is dark, the vehicle must have its park lights on.
2	A speed camera vehicle must be deployed so it is visible to traffic. The speed camera vehicle must not be hidden.
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 1½ lane widths away from the normal path of vehicles).
4	When the speed camera vehicle is being deployed on a roadway, the speed camera vehicle tailgate must be fully extended or closed.
5	A speed camera vehicle may park on private land, if the occupier of the land gives clear permission for such use.
6	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.
7	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.
8	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 the passing lane and must not target vehicles within 250 metres of the final merge of a passing lane.
9	When a camera is operational at a site, a second camera must not be deployed in the same site or an adjoining site.
10	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 ([POL 581](#)) 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 tolerance 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.

Speed camera deployment data and images

Mobile and static cameras use digital media

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

Send DVDs to the Police Infringement Bureau (PIB) within five days

To avoid undue delay in initiating proceedings, all DVDs containing downloaded images from camera deployments must be sent to PIB no later than five days after the first image is recorded.

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

Static camera 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.





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 two 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	<ul style="list-style-type: none"> • REDFLEXradarcam camera system (the mobile radar-based speed camera system)
2014 - SR 2014/191 Land Transport (Approved Vehicle Surveillance Equipment) Notice 2014	<ul style="list-style-type: none"> • REDFLEXspeed Radar NK7 static 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 not been issued 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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