



10 June 2016

16/4483

Daniel Thomas  
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Dear Daniel!

I refer to your Official Information Act request of 18 May 2016 for information about how NZ Police estimates the speed of moving vehicles.

You requested:

*The method of how NZ police officers estimate the speed of a moving vehicle while followed by a patrol car.*

*With regard to s12 of the OIA I am a New Zealand citizen and I reside in Auckland, New Zealand. I would prefer to receive an electronic response. Queries about this request will be automatically forwarded to me by the fyi.org.nz website.*

Please find attached an excerpt from Police policy for Speed Enforcement which details how pace checking, using a patrol vehicle speedometer, is carried out.

I trust you find this information useful.

Yours sincerely

Superintendent Steve Grealley  
National Manager Road Policing



## Speed enforcement, Continued...

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### Speed enforcement by officers

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#### Tactics

Good tactics must be employed to ensure speed detection and enforcement does not pose unnecessary risks to public and police safety.

Care must be taken when performing a U-turn, and red and blue emergency lights should be used promptly so that drivers become aware of the Police presence and pull over at the earliest possible opportunity.

Police 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 by appropriately qualified personnel trained by PCS and duly authorised for that purpose by the Commissioner of Police. When vehicles pass calibration, a Certificate of Accuracy Speedometer and/or Odometer (POL430) is issued.

#### 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 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](#)



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[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 must not be carried out in temporary speed limit areas or [school zones](#). Any enforcement in temporary speed limit areas or school zones must be by way of estimated speed, radar/laser, mobile speed cameras and static speed cameras.

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

<b>Vehicle speedometer</b>	30	40	50	60	70	80	90	100	110	120	130	140	150
<b>True speed</b>	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](#) must be calibrated within a 12 month period. IONs and charging documents cannot be issued after pace checking unless the Police vehicle's speedometer is currently [certified](#).

### Who can use radar/laser equipment?

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.

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](#).