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By Fax & Post 2121 0420
14 August 2001

Mr Andy Lau
Clerk to Transport Panel
Legislative Council Secretariat
3/F, Citibank Tower
3 Garden Road
Central
Hong Kong

Dear Mr Lau,

Use of Vehicle Headlamps and Hazard Warning Lights

At the meeting held on 25 May 2001, the LegCo Panel on Transport discussed the “Use of Vehicle Headlamps and Hazard Warning Lights”. While the Panel supported the Administration’s proposal to improve the existing legislation concerning the use of vehicle lights, Members asked for the following supplementary information –

- (a) an analysis on the safety benefits, if any, of requiring vehicle headlamps to be automatically switched on upon ignition; and
- (b) the legislative intent of the provision prohibiting drivers to switch on the hazard warning lights while their vehicles are in motion when it was first enacted.

This letter reports on our findings.

At present, Sweden, Norway, Iceland, Denmark and some provinces in Canada require vehicle headlamps to be turned on under all lighting conditions. In Finland, a similar requirement exists, but it only applies during the winter months on roads outside built-up areas. Of these countries, only the relevant provinces in Canada have legislation which further requires

vehicle headlamps to be automatically switched on upon ignition. The Administration is not aware of any research by the Canadian authorities or other overseas experts on the safety benefits of the latter requirement as far as its relationship with the number of traffic accidents is concerned.

The Administration notes that the above countries are all located within or close to the Arctic Circle with extremely short hours of daylight during the winter months. Having regard to the difference in climatological characteristics and traffic conditions, the Administration considers that the road safety practices in these countries may not be fully relevant in the Hong Kong environment. The Administration is not aware of any country with similar daylight conditions as those of Hong Kong requiring vehicle headlamps to be automatically switched on upon ignition. In addition, given the heavy traffic and pedestrian flows in Hong Kong during daytime, if all vehicles were to turn on their headlamps, they could dazzle pedestrians and may increase the risk of traffic accidents.

However, the Administration considers that motorcycles warrant special consideration. Given the smaller size of motorcycles, turning on the main headlamps would make motorcycles more conspicuous in the traffic stream. This would help reduce the chance of collisions and traffic accidents. The Administration will hence include the requirement for motorcycles to turn on the main headlamps under all lighting conditions in our legislative proposal.

When Regulation 47(3) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg.) which prohibits drivers to switch on the hazard warning lights while their vehicles are in motion was drafted, it was considered that the hazard warning lights should only be used to inform other road users that the vehicle concerned was broken down, and that they could overtake it if traffic conditions permit. When the Regulations were first enacted in 1983, the number of roads where motorists could travel at 80 km/h or above was extremely limited. However, with the development of expressways and the strategic road network in Hong Kong and the growth in the vehicle fleet, hazard warning lights nowadays can also serve the purpose of warning following drivers travelling at high speed of the need to slow down or stop in order to cope with the prevailing traffic conditions. We consider that this practice could enhance road safety and the existing regulation should be amended to allow the use of hazard warning lights for this purpose.

We are pleased to note that the LegCo Panel on Transport supported the Administration's proposals and we will proceed with the necessary legislative amendments as soon as possible.

Yours sincerely,

(Brian Lo)
for Secretary for Transport