

立法會
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**LegCo Panel on Environmental Affairs
and LegCo Panel on Transport**

**Minutes of joint meeting
held on Monday, 29 October 2001 at 2:30 pm
in Conference Room A of the Legislative Council Building**

Members present : Members of the LegCo Panel on Environmental Affairs

Hon CHOY So-yuk (Chairman)
Hon Cyd HO Sau-lan (Deputy Chairman)
Hon Martin LEE Chu-ming, SC, JP
Hon CHAN Yuen-han, JP
* Hon LAU Kong-wah
Hon Emily LAU Wai-hing, JP
* Hon Abraham SHEK Lai-him, JP
Hon Henry WU King-cheong, BBS
* Hon Tommy CHEUNG Yu-yan, JP
Hon Michael MAK Kwok-fung
Dr Hon LO Wing-lok
* Hon LAU Ping-cheung

Members of the LegCo Panel on Transport

Hon Mrs Miriam LAU Kin-ye, JP (Chairman)
Hon Abraham SHEK Lai-him, JP (Deputy Chairman)
Hon David CHU Yu-lin, JP
Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon CHAN Kwok-keung
Hon Andrew WONG Wang-fat, JP
Hon LAU Chin-shek, JP
Hon Andrew CHENG Kar-foo

Members absent : Members of the LegCo Panel on Environmental Affairs

* Ir Dr Hon Raymond HO Chung-tai, JP
Hon SIN Chung-kai
Hon WONG Yung-kan
Hon LAW Chi-kwong, JP
Hon Audrey EU Yuet-mee, SC, JP

Members of the LegCo Panel on Transport

Hon Albert HO Chun-yan
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Hon WONG Sing-chi

(*Also members of the LegCo Panel on Transport)

Public officers attending : Environment and Food Bureau

Mr Thomas CHOW
Deputy Secretary

Mr Howard CHAN
Principal Assistant Secretary

Environmental Protection Department

Mr K S CHAN
Principal Environmental Protection Officer

Clerk in attendance : Miss Becky YU
Chief Assistant Secretary (1)1

Staff in attendance : Mrs Mary TANG
Senior Assistant Secretary (1)2

I Election of Chairman

Nominated by Ms Emily LAU and seconded by Mrs Miriam LAU, Miss CHOY So-yuk was elected Chairman of the joint meeting.

II Tightening of noise emission standards of motor vehicles

(LC Paper No. CB(1) 136/01-02(01) -- Information paper provided by the Administration)

2. The Deputy Secretary for the Environment and Food (DS/EF) briefed members on the Administration's proposal to tighten the noise emission standards for newly registered motor vehicles under the Noise Control (Motor Vehicles) Regulation (the Regulation) by highlighting the salient points in the paper.

Noise testing

3. Responding to Mrs Miriam LAU's question on the availability of testing laboratories for noise compliance, the Principal Environmental Protection Officer (PEPO) advised that there were four major private laboratories in Hong Kong which provided testing for compliance with the noise emission standards for motor vehicles. When the noise emission standards for motor vehicles were first introduced in 1996, there were only a few smaller laboratories which were equipped for testing for noise compliance. At present, there were over a hundred experts in Hong Kong qualified to provide such services. PEPO confirmed that it was a standing practice for used cars to be individually tested for noise compliance for the purpose of first registration.

4. Ms Cyd HO enquired about the testing method for noise. Mr Andrew WONG also asked whether testing was performed on a smooth road surface as the choice of materials used for the road surface would affect the noise emission from vehicles. PEPO advised that simulation test with different urban driving conditions was performed. The Principal Assistant Secretary for Environment and Food (PAS/EF) added that the methodology was based on internationally accepted practice. Measures were also being put in place to address the noise impact of existing roads. At Mr WONG's request, the Administration agreed to provide supplementary information on the materials used for paving the roads in Hong Kong.

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Noise emission standards

5. Mr Henry WU enquired about the basis upon the Administration's decision to adopt the European and Japanese noise standards in Hong Kong was arrived at. He expressed concern about the impact of the proposal on vehicles imported from other countries such as the United States and Korea. PEPO explained that the decision was made because Europe and Japan were the two countries from which most of the vehicles in Hong Kong were imported. Besides, the noise standards adopted in the United States were less stringent and not suitable for a congested city like Hong Kong. The current

proposal of adopting the latest European and Japanese noise standards in Hong Kong was not expected to cause significant economic implications to vehicle importers since vehicle manufacturers in both Europe and Japan already had to comply with the proposed standards.

6. Mrs Selina CHOW questioned how the Regulation was to be applied when it required all motor vehicles to meet the European *or* Japanese noise standards. Mr Andrew WONG asked what standards would apply to Japanese vehicles which were manufactured in Europe and vice versa. Mr Tommy CHEUNG also enquired about the standards to be applied for vehicles imported from places other than Europe and Japan. PEPO explained that the proposed implementation of the latest objective noise standards in Hong Kong was meant to reduce traffic noise. It would not have regard to the place of origin of the vehicles so long as they were able to comply with the European or Japanese noise emission standards, based on their respective testing methods. Vehicle manufacturers would be given the choice to decide which noise standards to adopt. He added that under the existing procedures for new motor vehicles, the vehicle supplier had to submit a noise certification report for each vehicle type or model to the Department of Environmental Protection (DEP). The Commissioner for Transport would grant approval for first registration only if DEP was satisfied with the report. Mr WONG was of the view that vehicle manufacturers would most likely choose the less stringent European standards.

7. The Chairman opined that instead of adopting the European and Japanese noise emission standards at the same time in Hong Kong, the Administration should aim at an uniform and more stringent standard. PAS/EF advised that as Hong Kong did not have any mainstream vehicle manufacturing industry, it was not practicable to come up with its own noise emission standards. He further pointed out that as Hong Kong did not have a large vehicle import market, it was most unlikely that vehicle manufacturers would specially design vehicle models to meet Hong Kong's own noise standards. The application of the European and Japanese noise standards had facilitated the importation of different vehicle models. Besides, the proposed noise standards were objective standards which could be measured.

8. Mrs Selina CHOW agreed with the Administration that if Hong Kong were to set its own stringent noise emission standard, it might have the counter effect of restricting vehicle imports. As a result, there would be fewer choices of vehicle models which could be imported for use in Hong Kong. There would also be cost implications since vehicles imported to Hong Kong would require modifications at additional cost which would be ultimately borne by consumers. As Hong Kong prided itself for the availability of wide variety of goods and its open market, it would be more appropriate for Hong Kong to go along with international standards rather than having a separate and stringent standard of its own. There should be a balanced consideration between having a stringent noise emission standard and maintaining Hong Kong's free market economy. DS/EF assured members that in adopting the European and Japanese noise emission standards, the Administration had take into account factors, including the availability

and supply of vehicles, to ensure that the economy of Hong Kong would not be adversely affected as a result of the implementation of the noise emission standards.

9. Ms Emily LAU expressed support for the early implementation of the proposal which would help reduce the overall traffic noise in Hong Kong. She emphasized that Hong Kong should keep up with the latest international environmental standards in order to foster a cleaner environment conducive to attracting foreign investors. She also noted that there was a price to be paid for environmental protection and a balanced consideration would need to be made.

Transitional arrangements

10. Noting that some vehicle manufacturers were already promoting new models for 2002, Mr Henry WU expressed concern that they might not be able to comply with the proposed noise standards if these were to be implemented on 1 March 2002. Expressing similar concern, Mr Andrew CHENG enquired about the arrangements to be made if orders were already placed with the vehicle manufacturers for import after 1 March 2002. DS/EF said that the Administration had consulted the trades concerned, including the Motor Traders Association of Hong Kong which dealt with importation of vehicles from different countries including Korea, and they had indicated no objection to the proposal and the proposed grace periods. PAS/EF added that transitional arrangements could be made where necessary for vehicle ordered or imported before the commencement of the new standards. For certain specially made vehicles which were still on the production line, some changes might be needed in the production process to enable the vehicles to comply with the new noise standards. Sufficient lead time would be allowed for these vehicles to meet the noise standards. Agreement had been reached with the motor associations that a grace period of one year, to be applied flexibly, would be allowed for certain categories of goods vehicles and buses which were specially designed for Hong Kong. The Director of Environmental Protection (DEP) could exercise discretion in exempting vehicles from compliance with the new noise standards.

11. Ms Emily LAU questioned the need for a longer lead time for goods vehicles and buses which were manufactured in Europe and Japan for the exclusive use in Hong Kong since they should have been manufactured in accordance with the stringent noise standards adopted in these countries. DS/EF explained that in general, vehicles which were specially designed for use in a certain country would be made to meet the standards required by that country. As such, vehicles manufactured in countries such as Europe and Japan might not necessarily be able to meet the European and Japanese noise standards if these were designed for use in another country. Some changes would have to be made and sufficient lead time was needed. He reiterated that the proposal aimed to keep Hong Kong's noise emission standards for motor vehicles in line with the latest international standards.

12. Mrs Miriam LAU cautioned about the confusion which might arise if different grace periods were allowed for certain categories of goods vehicle and buses. She also

enquired whether transitional arrangements were in place for vehicles which were imported but remained unsold by 1 March 2002 to prevent similar recurrence of the problems arising from the introduction of the new exhaust emission standards years ago. Mrs Selina CHOW echoed that there should be proper transitional arrangements for those unsold vehicles, of which there might be plenty. There was also a need to further consult the trades on the transitional arrangements to avoid uncertainty and confusion.

13. DS/EF said that according to the findings of the consultation with the trades, there was no problem of compliance with the noise emission standards by most vehicles, except for certain categories of goods vehicles and buses which were specially designed for use in Hong Kong. For these special categories, grace periods would be given. As regards vehicles which were imported but remained unsold by 1 March 2002, PAS/EF said that suitable arrangements would be made by DEP to exempt such vehicles from compliance with the noise emission standards where necessary. At members' request, The Administration undertook to discuss with the trades again and provide a paper to address their concerns.

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Control of noise generated by existing vehicles

14. Mr Andrew CHENG enquired about the impact of the proposed implementation of noise emission standards on the existing fleet of public buses. PAS/EF explained that the proposal would only apply to newly registered vehicles and not existing vehicles on the road. Ms Cyd HO however pointed out that existing vehicles, particularly those very old ones, might have been the major source of traffic noise. PEPO advised that there was not much correlation between the level of noise emission and the age of vehicles. He said that traffic noise would be reduced with the gradual replacement of the existing fleet by vehicles which complied with the tightened standards.

15. Ms Emily LAU remained of the view that suitable measures should be implemented to reduce the traffic noise generated by existing vehicles. PAS/EF advised that at present, all commercial vehicles and petrol vehicles aged over six years were required to undergo annual testing which covered all aspects of vehicle performance, including noise emission where appropriate. Where the vehicles concerned failed to meet the required standards, the owners would be required to properly maintain their vehicles or take measures to lower the noise emission. Mr Andrew WONG enquired about the penalties for illegal modification of vehicle parts resulting in exceeding the prescribed standards. PAS/EF said that there were provisions under the Road Traffic Ordinance (Cap. 374) for enforcement against illegal modifications of vehicles.

16. Ms Cyd HO considered that there was a need for control of excessive noise generated by televisions installed in public buses. PEPO advised that there was as yet no control on the noise from the use of television and hi-fi equipment within the vehicle.

17. In response to Ms HO's further question, DS/EF advised that the amendments to the Regulation would be subject to negative vetting. He assured members that the

Administration would consult the trades again and set out their views on the timetable for implementation in the paper accompanying the draft subsidiary legislation.

III Any other business

18. There being no other business, the meeting ended at 3:30 pm.

Legislative Council Secretariat

21 November 2001