

For information

Legislative Council Panel on Transport

**Miscellaneous Amendments to
Road Traffic (Safety Equipment) Regulations (Cap. 374F),
Road Traffic (Traffic Control) Regulations (Cap. 374G) and
Road Traffic (Registration and Licensing of Vehicles) Regulations
(Cap. 374E)**

PURPOSE

This paper sets out proposed amendments to the Road Traffic (Safety Equipment) Regulations (Cap. 374F), the Road Traffic (Traffic Control) Regulations (Cap. 374G) and the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E).

BACKGROUND

2. Road traffic legislation has been reviewed regularly to ensure that it is up-to-date and is able to meet present-day requirements. This paper sets out some proposed amendments to the captioned subsidiary legislation under the Road Traffic Ordinance. Details are set out below.

Standards for Protective Helmets and Seat Belts

3. The standards for approved protective helmets and seat belts are set out in the Schedules to the Road Traffic (Safety Equipment) Regulations (Cap. 374F). In recent years, new and improved standards for helmets and seat belts have been introduced in the market. We therefore intend to update the relevant Schedules by including such new standards. Similar to the notification system for seat belts, we further propose to specify in Cap. 374F that the Commissioner for Transport (C for T) may notify by general notice published in the Gazette the types of approved helmets that meet the prescribed standards.

“Keep left” and “No-stopping” signs

4. The Road Traffic (Traffic Control) Regulations (Cap. 374G) prescribe the traffic signs used on roads, including the “keep left” and “no-stopping” signs. Failing to comply with the prescribed traffic signs under Regulation 59 of Cap. 374G is an offence.

5. In 2001, a new “keep left” sign was included in Cap. 374G as a variation to the old sign. New “no-stopping” signs were also included with a view to replacing the old signs. The “new” and “old” signs are at **Annex A**.

6. The Transport Department then commenced a sign replacement programme to replace the old “no-stopping” signs with the new ones. Upon the completion of the programme in the second half of 2005, Cap. 374G will have to be amended such that the old “no-stopping” signs will be repealed. To ensure that failure to comply with the new “keep left” and “no-stopping” signs will continue to be an offence under Regulation 59 of Cap. 374G, the figure numbers of the new signs will also be added to that Regulation.

Standing Passengers on Moving Vehicles

7. A float vehicle is a vehicle mounted with a decorated platform with performers standing thereon. Currently, their operation is subject to Movement Permits issued by C for T.

8. However, according to Cap. 374G, passengers travelling in any vehicle are required to be properly seated. In addition, according to the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E), vehicles operating under Movement Permits are not allowed to carry loads other than such equipment, spares or fuel as are normally carried on such vehicles.

9. The Hong Kong Disneyland is scheduled for opening in the summer of 2005. Float parades will be one of the major regular events in the Disneyland. To cater for such parades as well as other occasions on which float parades would be held, we need to amend Cap. 374G and

Cap. 374E to empower C for T to exempt floats from the aforesaid restrictions.

10. A summary of the proposed legislative amendments described in paragraphs 3 to 9 above is at **Annex B** for Members' easy reference.

CONSULTATION

11. The Hong Kong Motorcycle Chamber of Commerce, the Hong Kong Motorcycle Association, the Motor Traders Association of Hong Kong, major protective helmet distributors and retailers have been consulted on the proposed updating of the standards of helmets and seat belts, and they all indicated support. Proposed amendments relating to floats and "keep left"/"no-stopping" signs are technical in nature and have no implications for the transport trade.

WAY FORWARD



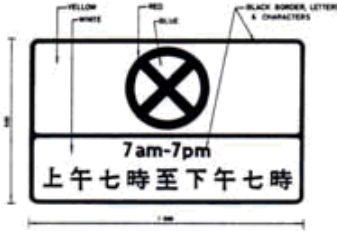
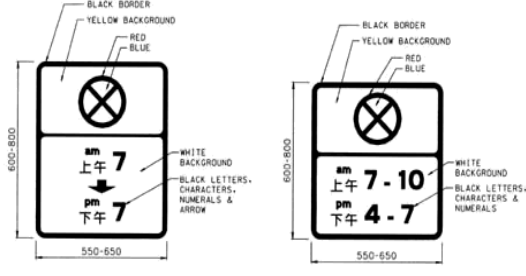
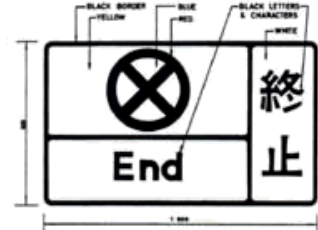
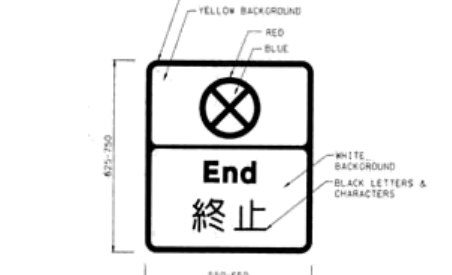

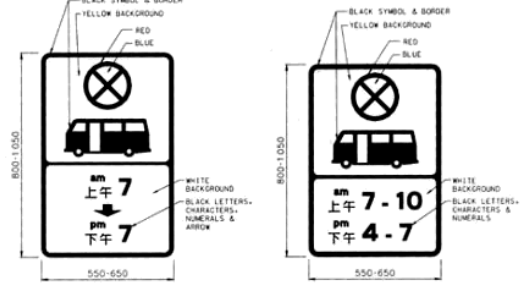
12. We are now preparing the relevant amendment regulations. We aim to table them at the Legislative Council for negative vetting in early May 2005. We also aim to bring into effect the amendments relating to floats by the end of June 2005 to tie in with the opening of the Disneyland. Amendments relating to the standards of helmets and seat belts may also come into effect at the same time. The effective date for the amendments relating to "keep left" and "no-stopping" signs will be decided in due course, taking into account the progress of the sign replacement programme.

ADVICE SOUGHT

13. Members are invited to give their views on the proposed legislative amendments set out in paragraphs 3 to 9 above.

Environment, Transport and Works Bureau
April 2005

**“Keep left” and “No-stopping” signs
(as prescribed in Schedule 1 to the
Road Traffic (Traffic Control) Regulations)**

Sign	Old Sign	New Sign
Keep left	 <p>(Figure No. 130)</p>	 <p>(Figure No. 169)</p>
“No-stopping” zone	 <p>(Figure No. 141)</p>	 <p>(Figure No. 165)</p>
“No-stopping” zone end	 <p>(Figure No. 142)</p>	 <p>(Figure No. 166)</p>
Public Light Bus “No-stopping” zone	 <p>(Figure No. 143)</p>	 <p>(Figure No. 167)</p>

<p>End of Public Light Bus “No-stopping” zone</p>	<p>(Figure No. 144)</p>	<p>(Figure No. 168)</p>
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Summary of Proposed Legislative Amendments

Regulation / Schedule	Existing Provision	Proposed amendments
Road Traffic (Safety Equipment) Regulations (Cap. 374F)		
Schedule 1	Standards of approved protective helmets	<ol style="list-style-type: none"> 1. Two existing standards will be repealed and new standards will be included in the Schedule. 2. Types of protective helmets approved by C for T shall be notified by notice published in the Gazette.
Schedule 2	Standards of approved seat belts	New standards will be included in the Schedule.
Road Traffic (Traffic Control) Regulations (Cap. 374G)		
Regulation 53(2)	<i>“....., no driver of a vehicle on a road shall permit a passenger to travel in any vehicle unless seated in a properly constructed seat secured to the bodywork of the vehicle except where the vehicle is a public service vehicle licensed to carry standing passengers.....”</i>	C for T will be empowered to exempt floats from this requirement, so that passengers may stand on floats. However, such exemption will be subject to various conditions, e.g. speed, time, route, etc.
Regulation 59(1)	<i>“Subject to regulation 60, no driver of a vehicle on a road shall fail to comply with the requirement indicated by- (a) a traffic sign of the type shown in any of the Figure Nos. 101 to 117, 120 to 123, 128 to 153 inclusive, 159, 161 and 162 in Schedule 1 or Figure No. 804 in Schedule 4.....”</i>	<ol style="list-style-type: none"> 1. References to Figure Nos. 141-144 in Schedule 1 relating to old “no-stopping” signs will be excluded. 2. References to Figure Nos. 165 – 169 of Schedule 1 relating to new “keep left” and “no-stopping” signs will be included.

Regulation / Schedule	Existing Provision	Proposed amendments
Schedule 1	Figure Nos. 141 – 144 relating to “no-stopping” signs and associated references	These figures and associated references will be repealed.
Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374E)		
Regulation 53(3)	<i>“Every movement permit shall be subject to the conditions that- (a) when the vehicle to which the permit relates is being moved on a road, no load is carried on the vehicle other than such equipment, spares or fuel as are normally carried on such vehicle.....”</i>	C for T will be empowered to exempt floats operating under Movement Permits from the “no load” requirement.