

L.N. 151 of 2007**ROAD TRAFFIC (CONSTRUCTION AND MAINTENANCE OF VEHICLES) (AMENDMENT: REQUIREMENTS FOR SPEEDOMETERS AND SPEED DISPLAY DEVICES) REGULATION 2007**

(Made by the Secretary for the Environment, Transport and Works under section 9 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 1 May 2008.

2. Interpretation

Regulation 2 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) is amended by adding—

““approval mark” (認可標記), in relation to an installation in a vehicle, means a mark indicating compliance with the applicable requirements contained in these regulations;

“new motor vehicle” (新汽車) has the meaning assigned to it by section 2(1) of the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330);”.

3. Regulations substituted

Regulation 24 is repealed and the following substituted—

“24. Speedometer

(1) Every motor vehicle, other than a motor vehicle which it is at all times unlawful to drive at a speed exceeding 20 kilometres per hour and an invalid carriage, shall be fitted with an approved speedometer.

(2) An approved speedometer which is fitted as required by paragraph (1) shall be—

(a) maintained in good working order; and

(b) kept free from any obstruction which might prevent it from being easily read by the driver.

(3) For the purposes of this regulation, “approved speedometer” (認可速度錶) means—

- (a) in the case of a motor vehicle which is registered before 1 May 2008, a speedometer which conforms with the installation and performance requirements for speedometers set out in Part 1 or 2 of Schedule 16;
- (b) in the case of a new motor vehicle which is registered on or after 1 May 2008, a speedometer which—
 - (i) conforms with the installation and performance requirements for speedometers set out in Part 2 of Schedule 16;
 - (ii) has been examined to the satisfaction of the Commissioner; and
 - (iii) either—
 - (A) bears an approval mark recognized or assigned by the Commissioner; or
 - (B) is fitted to a vehicle bearing an approval mark recognized or assigned by the Commissioner in respect of the speedometer.

(4) No alteration in respect of design, accuracy or position shall be made to an approved speedometer fitted as required by paragraph (1), except as permitted in writing by the Commissioner.

(5) For the purposes of paragraph (3)(b)(ii), the Commissioner shall signify his satisfaction in writing.

(6) It shall be a defence in any proceedings in respect of a contravention of paragraph (2)(a) to prove that—

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.

24A. Speed display device

(1) Every public light bus shall be fitted with an approved speed display device.

(2) An approved speed display device which is fitted as required by paragraph (1) shall be—

- (a) maintained in good working order; and
- (b) kept free from any obstruction which might prevent it from being easily read by any passenger.

(3) For the purposes of this regulation, “approved speed display device” (認可速度顯示器) means a speed display device which—

- (a) conforms with the installation and performance requirements for speed display devices set out in Part 3 of Schedule 16;
- (b) has been examined to the satisfaction of the Commissioner; and
- (c) either—
 - (i) bears an approval mark recognized or assigned by the Commissioner; or
 - (ii) is fitted to a vehicle bearing an approval mark recognized or assigned by the Commissioner in respect of the speed display device.

(4) No alteration in respect of design, accuracy or position shall be made to an approved speed display device fitted as required by paragraph (1), except as permitted in writing by the Commissioner.

(5) For the purposes of paragraph (3)(b), the Commissioner shall signify his satisfaction in writing.

(6) It shall be a defence in any proceedings in respect of a contravention of paragraph (2)(a) to prove that—

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.”.

4. Schedule 16 added

The following is added—

“SCHEDULE 16

[regs. 24 &
24A]

PART 1

INSTALLATION AND PERFORMANCE REQUIREMENTS FOR SPEEDOMETERS FOR MOTOR VEHICLES REGISTERED BEFORE 1 MAY 2008

1. A speedometer shall be so placed that it can be easily read by the driver.
2. A speedometer shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.

3. A speedometer shall be capable of indicating the speed within a margin of accuracy of plus or minus 10 per cent if and when the motor vehicle is being driven at a speed in excess of 15 kilometres per hour.
4. A speedometer shall be clearly legible both by day and by night.

PART 2

INSTALLATION AND PERFORMANCE REQUIREMENTS FOR SPEEDOMETERS FOR MOTOR VEHICLES REGISTERED ON OR AFTER 1 MAY 2008

1. A speedometer shall be so placed that it is within the field of vision of the driver when he is facing forward and can be easily read by him from that position.
2. A speedometer shall be clearly legible both by day and by night.
3. A speedometer shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
4. A speedometer shall observe the following relationship between the speed indicated on the display of the speedometer (V_1) and the actual speed of the vehicle (V_2)—
 - (a) in the case of a private car, taxi, light bus, bus, goods vehicle and special purpose vehicle—
$$0 \leq (V_1 - V_2) \leq 0.1 V_2 + 6 \text{ km/h};$$
 - (b) in the case of—
 - (i) a motor cycle the cylinder capacity of the engine of which does not exceed 50 c.c. or the maximum design speed of which does not exceed 50 km/h; or
 - (ii) a motor tricycle the cylinder capacity of the engine of which does not exceed 50 c.c. or the maximum design speed of which does not exceed 50 km/h,
$$0 \leq (V_1 - V_2) \leq 0.1 V_2 + 4 \text{ km/h};$$
 - (c) in the case of a motor vehicle other than those referred to in paragraphs (a) and (b)—
$$0 \leq (V_1 - V_2) \leq 0.1 V_2 + 8 \text{ km/h}.$$

5. A speedometer shall conform with—
 - (a) ECE Regulation No. 39 made by the Economic Commission for Europe dated 20 November 1978 (E/ECE/324-E/ECE/TRANS/505/REV. 1/Add. 38) including all revisions with regard to speedometer equipment including its installation made before the date this paragraph comes into operation;
 - (b) Council Directive 75/443/EEC of 26 June 1975 made by the Council of the European Communities including all revisions with regard to speedometer equipment of motor vehicles made before the date this paragraph comes into operation;
 - (c) Directive 2000/7/EC of the European Parliament and of the Council of 20 March 2000 including all revisions with regard to speedometer equipment of two- or three- wheel motor vehicles made before the date this paragraph comes into operation;
 - (d) Device Type Designation Standard for Speedometers specified in Attachment No. 51 to the Type Designation Regulations for Devices made under the Ministry of Transport Ordinance No. 66 of 9 October 1998 of Japan including all revisions made before the date this paragraph comes into operation;
 - (e) Technical Standard for Speedometers specified in Attachment No. 88 to the Announcement That Prescribes Details of Safety Regulations for Road Vehicles made under the Ministry of Land, Infrastructure and Transport of Japan Announcement No. 619 of 15 July 2002 including all revisions made before the date this paragraph comes into operation, and the Test Procedure for Speedometers (TRIAS 58-2003) of the Type Approval Test Procedures made by the Ministry of Land, Infrastructure and Transport of Japan in Circular of Koshin No. 453 of 24 August 1971 including all revisions made before the date this paragraph comes into operation; or
 - (f) any newer version of the standards referred to in paragraphs (a), (b), (c), (d) and (e) approved at the discretion of the Commissioner in writing.
6. The requirements in section 5 of this Part do not apply to a speedometer fitted on a particular type of vehicle if a test certificate or performance comparison report, as the case may require, has been submitted to the Commissioner proving that the performance of the speedometer is equivalent or superior to one or more of the approved standards referred to in that section and—
 - (a) approval has been given by the Commissioner in writing; and

- (b) the speedometer, or the vehicle to which the speedometer is fitted, bears an approval mark recognized or assigned by the Commissioner.

PART 3

INSTALLATION AND PERFORMANCE REQUIREMENTS FOR SPEED DISPLAY DEVICES

1. A speed display device shall be so placed that it can be easily read by any passenger.
2. A speed display device shall be clearly legible both by day and by night.
3. A speed display device shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
4. A speed display device shall not affect the accuracy of any equipment originally installed in the vehicle.
5. A speed display device shall observe the following relationship between the speed indicated on the display of the speed display device (V1) and the actual speed of the vehicle (V2)—
 $0 \leq (V1 - V2) \leq 0.1 V2$.
6. A speed display device shall be able to give both audio and visual warnings when the speed indicated on the display of the speed display device of the vehicle exceeds 80 kilometres per hour.
7. A speed display device shall be so designed to prevent tampering of its accuracy.
8. For the purposes of section 7 of this Part, a detailed design plan of a speed display device in respect of which approval is sought shall be submitted to the Commissioner to show that the device cannot be tampered by means of using simple tool or equipment readily available to the public at large.”.

Dr. Sarah LIAO
Secretary for the Environment,
Transport and Works

27 June 2007

Explanatory Note

This Regulation amends the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (“Regulations”) to—

- (a) divide the general description of “speed indicators” in the Regulations into two separate categories of “speedometer” and “speed display device” for the purpose of clarity;
- (b) prohibit the fitting of a speedometer in a new motor vehicle which displays the speed of the motor vehicle slower than its actual speed;
- (c) require every public light bus to be fitted with a speed display device;
- (d) require every speedometer and speed display device to be approved by the Commissioner for Transport (“Commissioner”);
- (e) require every speedometer and speed display device approved by the Commissioner to bear an approval mark;
- (f) prohibit any modification of an approved speedometer or speed display device unless written permission has been obtained from the Commissioner;
- (g) require the speedometer of a new motor vehicle registered on or after 1 May 2008 to conform with the new installation and performance requirements set out in Part 2 of Schedule 16 to the Regulations as amended by this Regulation (“amended Regulation”);
- (h) allow the speedometer of a motor vehicle registered before 1 May 2008 to conform with the existing installation and performance requirements set out in Part 1, or the new installation and performance requirements set out in Part 2, of Schedule 16 to the amended Regulation; and
- (i) require every speed display device to conform with the new installation and performance requirements set out in Part 3 of Schedule 16 to the amended Regulation.