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**Legislative Council**

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Date : 23 April 2012

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

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**Council meeting of 9 May 2012**

**Four proposed resolutions to be moved by  
the Secretary for Transport and Housing**

I forward for Members' consideration four proposed resolutions (**Appendices I to IV**) which the Secretary for Transport and Housing will move at the Council meeting of 9 May 2012 under the following four Ordinances:

- (a) Eastern Harbour Crossing Ordinance (Cap. 215);
- (b) Tate's Cairn Tunnel Ordinance (Cap. 393);
- (c) Western Harbour Crossing Ordinance (Cap. 436); and
- (d) Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Cap. 474).

The President has directed that they be printed in the terms in which they were handed in on the Agenda of the Council.

2. The speeches in both Chinese and English (**Appendices V to VIII**) which the Secretary will deliver when moving the four proposed resolutions are also attached.

(Mrs Justina LAM)  
for Clerk to the Legislative Council

Encl.

## Eastern Harbour Crossing Ordinance

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### Resolution

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(Under section 54 of the Eastern Harbour Crossing Ordinance (Cap. 215))

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**Resolved** that the Eastern Harbour Crossing Road Tunnel (Amendment) Bylaw 2012, made by the New Hong Kong Tunnel Company Limited on 30 March 2012, be approved.

**Eastern Harbour Crossing Road Tunnel (Amendment)  
Bylaw 2012**

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## Eastern Harbour Crossing Road Tunnel (Amendment) Bylaw 2012

(Made by the New Hong Kong Tunnel Company Limited under section 54 of the Eastern Harbour Crossing Ordinance (Cap. 215) subject to the approval of the Legislative Council)

### 1. Commencement

This Bylaw comes into operation on 18 May 2012.

### 2. Eastern Harbour Crossing Road Tunnel By-laws amended

The Eastern Harbour Crossing Road Tunnel By-laws (Cap. 215 sub. leg. E) are amended as set out in sections 3 to 13.

### 3. By-law 2 amended (interpretation)

#### (1) By-law 2, definition of *autotoll booth*—

##### Repeal

“equipped with an automatic toll collection facility approved by the Commissioner”

##### Substitute

“designated as an autotoll booth under by-law 16A(2)”.

#### (2) By-law 2, Chinese text, definition of *訂明交通標誌*—

##### Repeal

“附表所訂明的大小、顏色及類型”

##### Substitute

“大小、顏色及類型均在附表訂明”。

#### (3) By-law 2, Chinese text, definition of *訂明道路標誌*—

##### Repeal

“附表所訂明的大小、顏色及類型”

##### Substitute

“大小、顏色及類型均在附表訂明”。

#### (4) By-law 2—

##### Add in alphabetical order

“*light signal* (交通燈) has the same meaning as in the regulations;

*prescribed light signal* (訂明交通燈) means a light signal of the size, colour and type prescribed in the Schedule;”.

### 4. By-law 5 amended (control of traffic)

By-law 5—

##### Repeal

“Drivers of vehicles”

##### Substitute

“All persons in the road tunnel area”.

### 5. By-law 7 amended (directions of tunnel officers to be obeyed)

By-law 7—

##### Repeal

“The driver of a vehicle”

##### Substitute

“All persons in the road tunnel area”.

### 6. By-law 9 amended (meaning of traffic signs and road markings)

#### (1) By-law 9, heading, after “traffic signs”—

##### Add

“, light signals”.

#### (2) By-law 9(1), after “a prescribed traffic sign”—

##### Add

“, a prescribed light signal”.

#### (3) By-law 9(1), after “that sign”—

**Add**

“, signal”.

- (4) By-law 9(2), after “traffic sign”—

**Add**

“, light signal”.

- (5) By-law 9(2), after “that sign”—

**Add**

“, signal”.

7. **By-law 10 substituted**

By-law 10—

**Repeal the by-law****Substitute**

**“10. Traffic signs, light signals and road markings to be obeyed**

- (1) The driver of a vehicle in the road tunnel area must comply with the requirement indicated by any prescribed traffic sign or prescribed light signal.
- (2) A person in the road tunnel area must comply with the requirement indicated by any traffic sign, light signal or road marking that is—
- prescribed under the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G);
  - erected, placed or otherwise displayed by the Road Company within the road tunnel area pursuant to the regulations; and
  - applicable to the person.”.

8. **By-law 12 amended (general restrictions)**

By-law 12(1)(j), after “traffic sign”—

**Add**

“, light signal”.

9. **By-law 15 amended (liability for tolls)**

By-law 15—

**Repeal**

“The driver”

**Substitute**

“The owner or the driver”.

10. **By-law 16A amended (automatic toll collection facilities)**

By-law 16A—

**Repeal paragraph (2)****Substitute**

- “(2) The Road Company may, with the written approval of the Commissioner, designate a toll booth at which an automatic toll collection facility is installed under paragraph (1) as an autotoll booth—
- by displaying above a lane that leads to the toll booth a prescribed traffic sign of the type shown in Figure No. 20 in the Schedule; or
  - by displaying at the side of the toll booth a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule.”.

11. **By-law 16B heading amended (prohibition against interference with or falsification of electronic toll passes)**

By-law 16B, heading—

**Repeal**

“toll”.

12. **By-law 18 amended (vehicles requiring permits)**

By-law 18(1)(b)—

**Repeal**

“11 metres”

**Substitute**

“12 metres”.

**13. Schedule amended**

(1) The Schedule—

**Repeal**

“[by-laws 2, 3, 9 & 10]”

**Substitute**

“[by-laws 2, 3, 9 & 16A]”.

(2) The Schedule—

**Repeal Figure No. 5**

**Substitute**

“Figure No. 5



Use Dipped Headlights

This sign indicates that all traffic must proceed through the road tunnel on dipped headlights.”.

(3) The Schedule, Figure No. 6—

**Repeal**

“FOLLOWING THE SIGN.”

**Substitute**

“FOLLOWING THE SIGN.

THE SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

(4) The Schedule, Figure No. 7—

**Repeal**

“FOLLOWING THE SIGN.”

**Substitute**

“FOLLOWING THE SIGN.

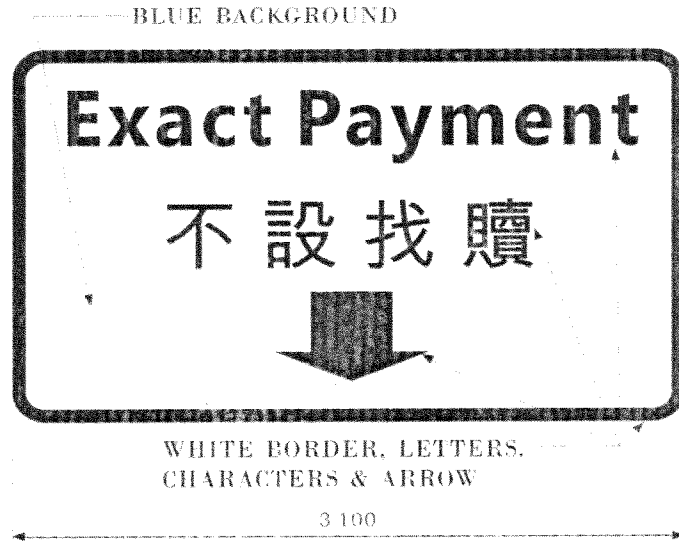
THE SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

(5) The Schedule—

**Repeal Figure No. 15**

**Substitute**

“Figure No. 15



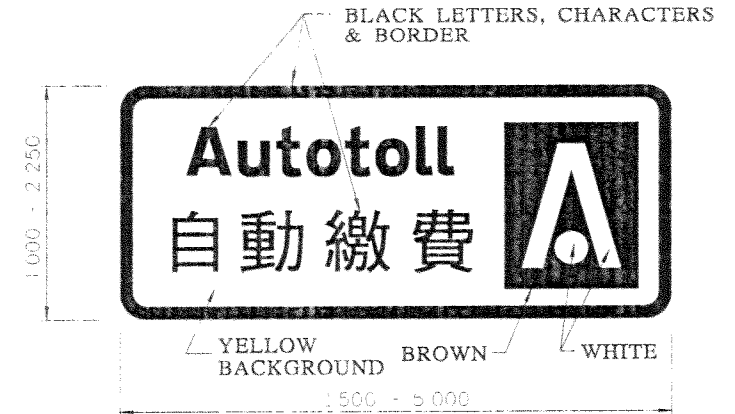
No Change Toll Sign

When this sign is displayed over a toll booth or booths adjacent to a traffic lane or lanes as indicated by the downward pointing arrows on the sign, it indicates that the toll booth or booths are for use only by drivers paying the correct toll and requiring no change to be given.

The number of arrows and the overall dimensions of the sign may be varied to suit the particular circumstances.”

- (6) The Schedule—  
**Repeal Figure No. 20**  
**Substitute**

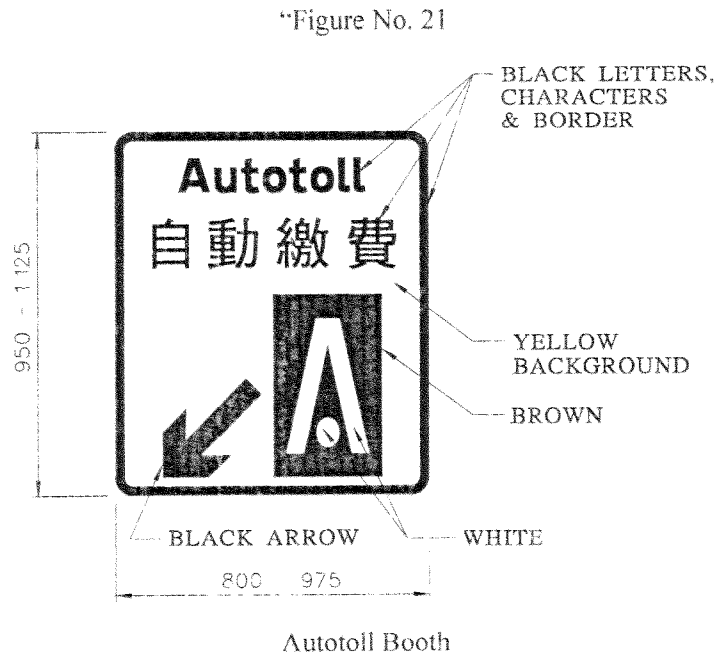
“Figure No. 20



Lane  
 (Autotoll Only)

This sign is displayed above a lane that leads to an autotoll booth. It indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may proceed in the lane.”

- (7) The Schedule—  
**Repeal Figure No. 21**  
**Substitute**



When this sign is displayed at the side of a toll booth it indicates that the toll booth is an autotoll booth. It may be used in conjunction with the sign in Figure No. 20 and it indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may pass through the autotoll booth.”

**14. Transitional provision**

During the period of 12 months after the commencement date of this Bylaw—

- (a) a prescribed traffic sign of the type shown in Figure No. 20 in the Schedule to the Eastern Harbour Crossing Road Tunnel By-laws (Cap. 215 sub. leg. E) (*principal*

*By-laws*) as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 20 in the Schedule to the principal By-laws as amended by this Bylaw; and

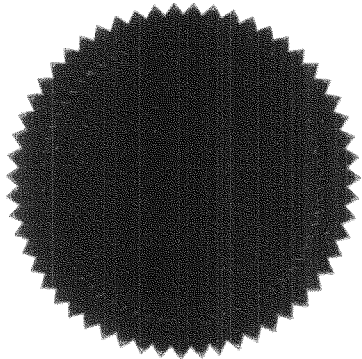
- (b) a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the principal By-laws as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the principal By-laws as amended by this Bylaw.



Made by the New Hong Kong Tunnel Company Limited this  
30<sup>th</sup> day of March 2012.

Signed by  
under the Common Seal of the Company

  
Miranda Yip



New Hong Kong Tunnel Company Limited

### Explanatory Note

This Bylaw amends the Eastern Harbour Crossing Road Tunnel By-laws (Cap. 215 sub. leg. E) to—

- (a) require all persons in the road tunnel area to comply with any order, signal, requirement or instruction given or made by a tunnel officer in the course of his duty;
- (b) enable the use of light signals to regulate vehicular traffic or pedestrians in the road tunnel area;
- (c) make the owner of a vehicle in respect of which a toll is payable also liable for paying the toll;
- (d) conform to the statutory maximum length of rigid vehicles as described in the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A);
- (e) introduce a new design of signage for “Use dipped headlights” (Figure No. 5);
- (f) enable speed limit signs (Figure Nos. 6 and 7) with or without the letters “km/h” on them to serve the same meaning;
- (g) revoke the prohibition on motor cycles using the “Exact Payment” toll booths; and
- (h) adopt new and standardized autotoll booth signs (Figure Nos. 20 and 21) in the road tunnel area as part of the standardization programme launched by the Transport Department to standardize the signs for autotoll booths at various tolled tunnels and bridges in Hong Kong.

## **Tate's Cairn Tunnel Ordinance**

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### **Resolution**

(Under section 35 of the Tate's Cairn Tunnel Ordinance (Cap. 393))

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**Resolved** that the Tate's Cairn Tunnel (Amendment) Bylaw 2012, made by the Tate's Cairn Tunnel Company Limited on 30 March 2012, be approved.

## Tate's Cairn Tunnel (Amendment) Bylaw 2012

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## Tate's Cairn Tunnel (Amendment) Bylaw 2012

(Made by the Tate's Cairn Tunnel Company Limited under section 35 of the Tate's Cairn Tunnel Ordinance (Cap. 393) subject to the approval of the Legislative Council)

### 1. Commencement

This Bylaw comes into operation on 18 May 2012.

### 2. Tate's Cairn Tunnel By-laws amended

The Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B) are amended as set out in sections 3 to 13.

### 3. By-law 2 amended (interpretation)

(1) By-law 2, definition of *autotoll booth*—

#### Repeal

“equipped with an automatic toll collection facility approved by the Commissioner”

#### Substitute

“designated as an autotoll booth under by-law 16A(2)”.

(2) By-law 2, definition of *electronic pass*, after “the Company”—

#### Add

“or its agent”.

(3) By-law 2, Chinese text, definition of ~~訂明交通標誌~~—

#### Repeal

“附表所訂明的大小、顏色及類型”

#### Substitute

“大小、顏色及類型均在附表訂明”.

(4) By-law 2—

### Add in alphabetical order

“*light signal* (交通燈) has the same meaning as in the regulations;

*prescribed light signal* (訂明交通燈) means a light signal of the size, colour and type prescribed in the Schedule;”.

### 4. By-law 3 amended (application)

By-law 3(2), before “traffic sign”—

#### Add

“prescribed”.

### 5. By-law 9 substituted

By-law 9—

#### Repeal the by-law

#### Substitute

### “9. Meaning of traffic signs, light signals and road markings

(1) The meaning of a prescribed traffic sign or prescribed light signal is in accordance with the content and the note relating to the figure of that sign or signal in the Schedule.

(2) The meaning of a traffic sign, light signal or road marking prescribed by the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) is in accordance with the content and the note relating to the figure of that sign, signal or marking in the Schedules to those regulations.”.

### 6. By-law 10 substituted

By-law 10—

#### Repeal the by-law

#### Substitute

- “10. Traffic signs, light signals and road markings to be obeyed**
- (1) The driver of a vehicle in the tunnel area must comply with the requirement indicated by any prescribed traffic sign or prescribed light signal.
- (2) A person in the tunnel area must comply with the requirement indicated by any traffic sign, light signal or road marking that is—
- (a) prescribed under the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G);
- (b) erected, placed or otherwise displayed by the Company within the tunnel area pursuant to the regulations; and
- (c) applicable to the person.”.
- 7. By-law 12 amended (general restrictions)**  
By-law 12(1)(j), after “traffic sign”—  
**Add**  
“, light signal”.
- 8. By-law 15 amended (liability for tolls)**  
By-law 15—  
**Repeal**  
“The driver”  
**Substitute**  
“The owner or the driver”.
- 9. By-law 16 amended (collection of tolls)**  
By-law 16(1)(b), after “the Company”—  
**Add**  
“or its agent”.

- 10. By-law 16A amended (automatic toll collection facilities)**
- (1) By-law 16A—  
**Repeal paragraph (2)**  
**Substitute**  
“(2) The Company may, with the written approval of the Commissioner, designate a toll booth at which an automatic toll collection facility is installed under paragraph (1) as an autotoll booth—
- (a) by displaying above a lane that leads to the toll booth a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule; or
- (b) by displaying at the side of the toll booth a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule.”.
- (2) By-law 16A(3), after “the Company” (wherever appearing)—  
**Add**  
“or its agent”.
- 11. By-law 16B amended (prohibition against interference with or falsification of electronic toll passes)**
- (1) By-law 16B, heading—  
**Repeal**  
“toll”.
- (2) By-law 16B(1), after “the Company”—  
**Add**  
“or its agent”.
- 12. By-law 20 amended (general prohibitions)**  
By-law 20(j), Chinese text—  
**Repeal**  
“規則”

**Substitute**

“規例”.

**13. Schedule amended**

- (1) The Schedule—

**Repeal**

“[by-laws 2, 3, 9 &amp;10]”

**Substitute**

“[by-laws 2, 3, 9 &amp;16A]”.

- (2) The Schedule, English text, Figure No. 1—

**Repeal**

“TRAFFIC LANE”

**Substitute**

“LANE”.

- (3) The Schedule, English text, Figure No. 3—

**Repeal**

“TRAFFIC LANE” (wherever appearing)

**Substitute**

“LANE”.

- (4) The Schedule, English text, Figure No. 4—

**Repeal**

“TRAFFIC LANE” (wherever appearing)

**Substitute**

“LANE”.

- (5) The Schedule, Figure No. 6—

**Repeal**

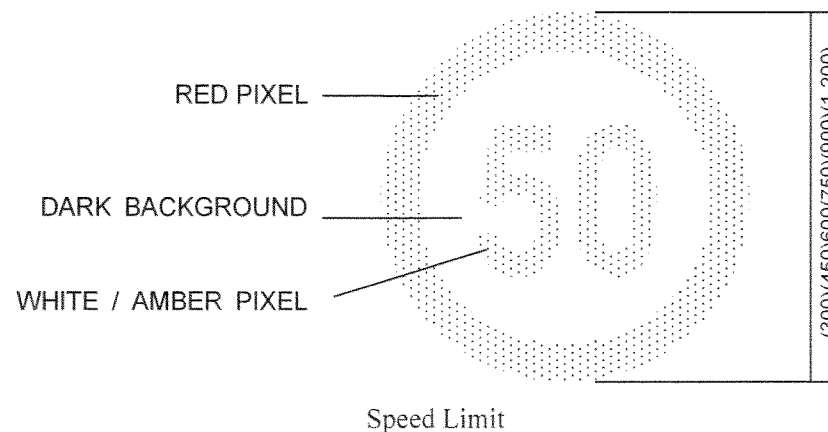
“FOLLOWING THE SIGN.”

**Substitute**

“FOLLOWING THE SIGN.

THE SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (6) The Schedule, after Figure No. 6—

**Add**“Figure No. 6A”

This sign indicates that a speed limit of 50 km per hour is imposed on the section of the road immediately following the sign.

The sign may be erected on both sides of the road and/or on a central reservation in the case of a dual carriageway at the start of a restriction facing oncoming traffic.

The 300 mm sized sign may also be erected at intervals along the road to remind motorists of the speed limit in force.”.

- (7) The Schedule, Figure No. 7—

**Repeal**

“FOLLOWING THE SIGN.”

**Substitute**

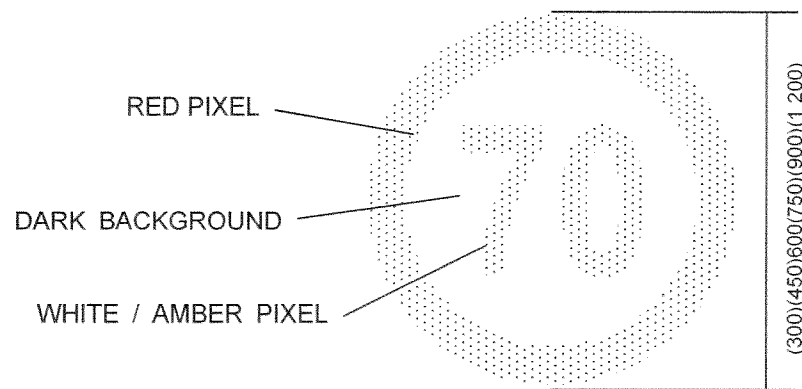
“FOLLOWING THE SIGN.

THE SIGN MAY BE USED WITHOUT THE LETTERS  
“km/h”.”.

- (8) The Schedule, after Figure No. 7—

**Add**

“Figure No. 7A



Speed Limit

This sign indicates that a speed limit of 70 km per hour is imposed on the section of the road immediately following the sign.

The sign may be erected on both sides of the road and/or on a central reservation in the case of a dual carriageway at the start of a restriction facing oncoming traffic.

The 300 mm sized sign may also be erected at intervals along the road to remind motorists of the speed limit in force.”.

- (9) The Schedule, Figure No. 8—

**Repeal**

“525”

**Substitute**

“525 (825)”.

- (10) The Schedule, Figure No. 8—

**Repeal**

“1400”

**Substitute**

“1 400 (1 975)”.

- (11) The Schedule, English text, Figure No. 15—

**Repeal**

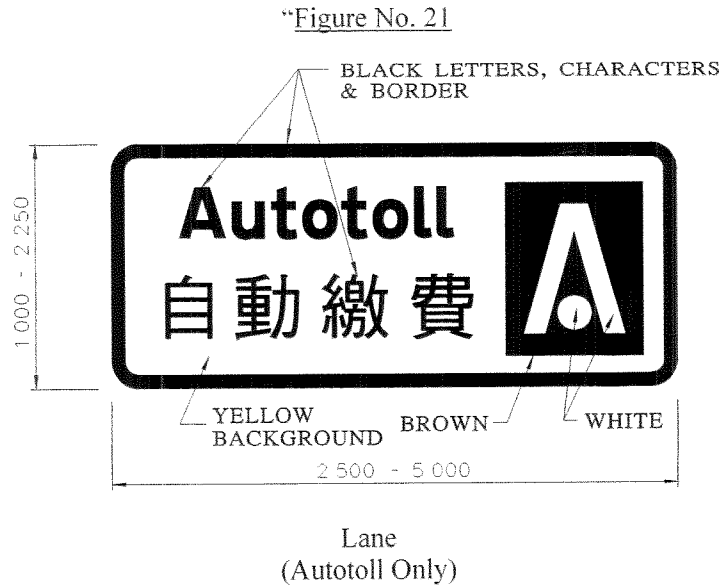
“TRAFFIC LANE”

**Substitute**

“LANE”.

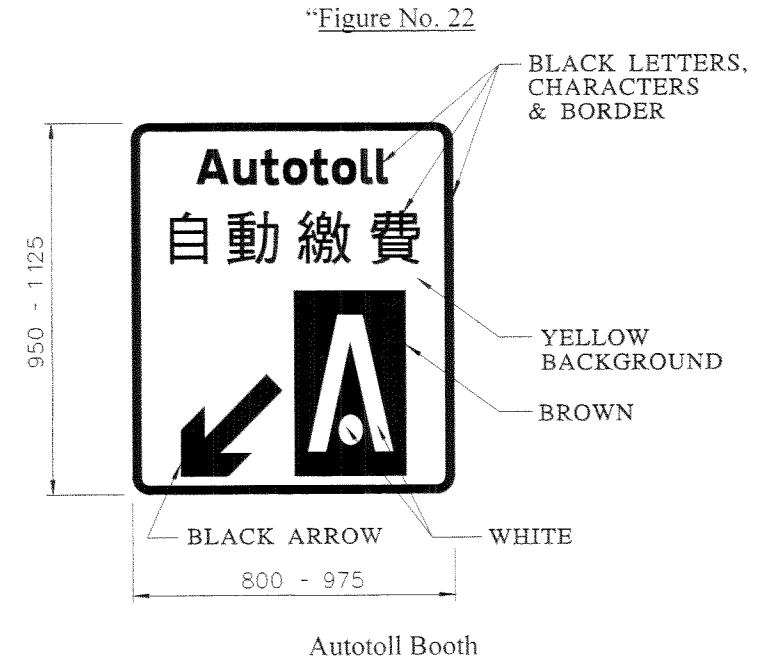
- (12) The Schedule—

**Repeal Figure No. 21****Substitute**



This sign is displayed above a lane that leads to an autotoll booth. It indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may proceed in the lane.”.

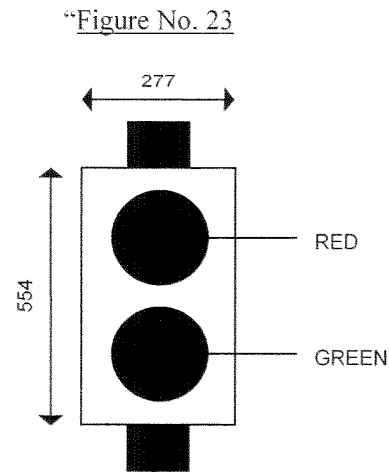
- (13) The Schedule—  
**Repeal Figure No. 22**  
**Substitute**



When this sign is displayed at the side of a toll booth it indicates that the toll booth is an autotoll booth. It may be used in conjunction with the sign in Figure No. 21 and it indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may pass through the autotoll booth.”.

- (14) The Schedule—  
**Repeal Figure No. 23**  
**Substitute**





This signal is placed in a vertical position at the side of a lane dedicated for use of an automatic toll collection facility. It may be used in conjunction with the signal in Figure No. 24.

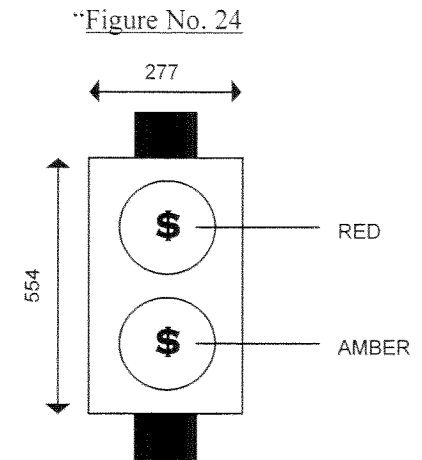
The significance of the signal is as follows—

- (i) The display of a red signal indicates that the appropriate toll payment has not been made and that the account balance with the company or its agent in respect of the electronic pass is nil.
- (ii) The display of a green signal indicates that the appropriate toll payment has been made.”.

(15) The Schedule—

**Repeal Figure No. 24**

**Substitute**



This signal is placed in a vertical position at the side of a lane dedicated for use of an automatic toll collection facility. It may be used in conjunction with the signal in Figure No. 23.

The significance of the signal is as follows—

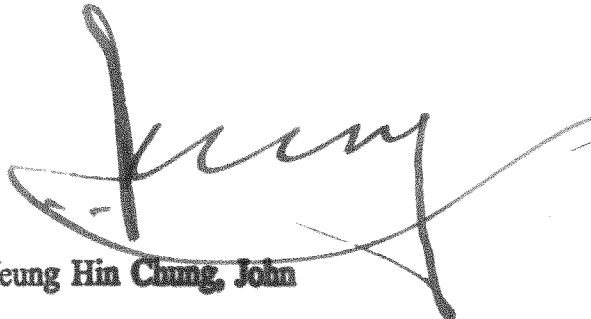
- (i) The display of the red dollar sign indicates that the account balance with the company or its agent in respect of the electronic pass is nil.
- (ii) The display of the amber dollar sign indicates that the account balance with the company or its agent in respect of the electronic pass is less than the amount specified by the company or its agent.”.

#### 14. Transitional provision

During the period of 12 months after the commencement date of this Bylaw—

- (a) a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B) (*principal By-laws*) as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the principal By-laws as amended by this Bylaw; and
- (b) a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule to the principal By-laws as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule to the principal By-laws as amended by this Bylaw.

Made by the Tate's Cairn Tunnel Company Limited this 30<sup>th</sup> day of March 2012.



**Yeung Hin Chung, John**

Signed by  
under the Common Seal of the Company



Tate's Cairn Tunnel Company Limited

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### **Explanatory Note**

The purposes of this Bylaw are to amend the Tate's Cairn Tunnel By-laws (Cap. 393 sub. leg. B) to—

- (a) enable the use of light signals to control vehicular traffic or pedestrians in the tunnel area;
- (b) impose liability for tolls on vehicle owners in addition to the driver of vehicles;
- (c) enable Tate's Cairn Tunnel Company Limited or its assignee to delegate certain powers to their agents;
- (d) enable speed limit signs (Figure Nos. 6 and 7) with or without the letters "km/h" on them to serve the same meaning;
- (e) introduce light emitting diode (LED) speed limit signs (Figure Nos. 6A and 7A); and
- (f) adopt new and standardized autotoll booth signs (Figure Nos. 21 and 22) in the tunnel area as part of the standardization programme launched by the Transport Department to standardize the signs for autotoll booths at various tolled tunnels and bridges in Hong Kong.

## Western Harbour Crossing Ordinance

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### Resolution

(Under section 32 of the Western Harbour Crossing Ordinance (Cap. 436))

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**Resolved** that the Western Harbour Crossing (Amendment) Bylaw 2012, made by the Western Harbour Tunnel Company Limited on 30 March 2012, be approved.

## Western Harbour Crossing (Amendment) Bylaw 2012

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## Western Harbour Crossing (Amendment) Bylaw 2012

(Made by the Western Harbour Tunnel Company Limited under section 32 of the Western Harbour Crossing Ordinance (Cap. 436) subject to the approval of the Legislative Council)

### 1. Commencement

This Bylaw comes into operation on 18 May 2012.

### 2. Western Harbour Crossing Bylaw amended

The Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) is amended as set out in sections 3 to 11.

### 3. Section 1 amended (interpretation)

(1) Section 1, definition of *autotoll booth*—

#### Repeal

“equipped with an automatic toll collection facility approved by the Commissioner”

#### Substitute

“designated as an autotoll booth under section 18(2)”.

(2) Section 1, definition of *nearside lane*, after “most lane”—

#### Add

“(in relation to the direction of traffic)”.

(3) Section 1, Chinese text, definition of *訂明交通標誌*—

#### Repeal

“附表所訂明的大小、顏色及類型”

#### Substitute

“大小、顏色及類型均在附表訂明”.

(4) Section 1—

#### Add in alphabetical order

“*bus* (巴士) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*heavy goods vehicle* (重型貨車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*light goods vehicle* (輕型貨車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*light signal* (交通燈) means an illuminated signal to control vehicular traffic or pedestrians within the tunnel area;

*medium goods vehicle* (中型貨車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*middle lane* (中間行車綫) means the lane between the nearside lane and the right most lane (in relation to the direction of traffic) in any road within the tunnel area;

*motor cycle* (電單車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*motor tricycle* (機動三輪車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*prescribed light signal* (訂明交通燈) means a light signal of the size, colour and type prescribed in the Schedule;

*private car* (私家車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);”.

#### 4. Section 2 amended (application)

Section 2(2), before “traffic sign”—

##### Add

“prescribed”.

#### 5. Section 7 substituted

Section 7—

##### Repeal the section

##### Substitute

#### “7. Speed limit

- (1) Subject to subsection (2), the driver of a vehicle in the tunnel area must not cause or permit the vehicle to travel at a speed exceeding the speed indicated by a speed limit sign as prescribed by Figure No. 6, 7 or 7A in the Schedule.
- (2) The driver of a vehicle in the tunnel area must not cause or permit the vehicle to travel at a speed exceeding 70 km per hour if—
  - (a) the speed limit sign mentioned in subsection (1) is a speed limit sign as prescribed by Figure No. 7A in the Schedule; and
  - (b) either—
    - (i) the vehicle is a bus, medium goods vehicle or heavy goods vehicle; or
    - (ii) the vehicle is a motor cycle, motor tricycle, private car or light goods vehicle, and the driver is authorized to drive the vehicle by a probationary driving licence issued under regulation 12G of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B).”.

#### 6. Section 9 substituted

Section 9—

##### Repeal the section

##### Substitute

#### “9. Meaning of traffic signs, light signals and road markings

- (1) The meaning of a prescribed traffic sign or prescribed light signal is in accordance with the content and the note relating to the figure of that sign or signal in the Schedule.

- (2) The meaning of a traffic sign, light signal or road marking prescribed by the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) is in accordance with the content and the note relating to the figure of that sign, signal or marking in the Schedules to those regulations.”.

**7. Section 10 substituted**

Section 10—

**Repeal the section**

**Substitute**

**“10. Traffic signs, light signals and road markings to be obeyed**

- (1) The driver of a vehicle in the tunnel area must comply with the requirement indicated by any prescribed traffic sign or prescribed light signal.
- (2) A person in the tunnel area must comply with the requirement indicated by any traffic sign, light signal or road marking that is—
- prescribed under the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G);
  - erected, placed or otherwise displayed by the Company within the tunnel area pursuant to the regulations; and
  - applicable to the person.”.

**8. Section 12 substituted**

Section 12—

**Repeal the section**

**Substitute**

**“12. Control of use of lanes in tunnel**

- (1) Subject to subsection (2), any medium goods vehicle or a heavy goods vehicle may, except when otherwise directed by a tunnel officer, be driven only in the nearside lane or middle lane inside the tunnel.
- (2) The following vehicles may, except when otherwise directed by a tunnel officer, be driven only in the nearside lane inside the tunnel—
- a bus;
  - a vehicle requiring a permit under section 21;
  - a vehicle to which section 22 applies;
  - a vehicle towing another vehicle.”.

**9. Section 13 amended (general restrictions)**

Section 13(1)(j), before “signal”—

**Add**

“light”.

**10. Section 18 amended (automatic toll collection facilities)**

Section 18—

**Repeal subsection (2)**

**Substitute**

- “(2) The Company may, with the written approval of the Commissioner, designate a toll booth at which an automatic toll collection facility is installed under subsection (1) as an autotoll booth—
- by displaying above a lane that leads to the toll booth a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule; or
  - by displaying at the side of the toll booth a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule.”.

**11. Schedule amended**

(1) The Schedule—

**Repeal**

“[ss. 1, 2, 7, 9, 10 & 18]”

**Substitute**

“[ss. 1, 2, 7, 9 & 18]”.

(2) The Schedule—

**Repeal Figure No. 11**

**Substitute**

**“Figure No. 11**



**Keep to Nearside Lane Sign**

This sign indicates that buses must keep to the nearside lane inside the tunnel.”.

(3) The Schedule, after Figure No. 11—

**Add**

**“Figure No. 11A**



**Keep to Nearside Lane or Middle Lane Sign**

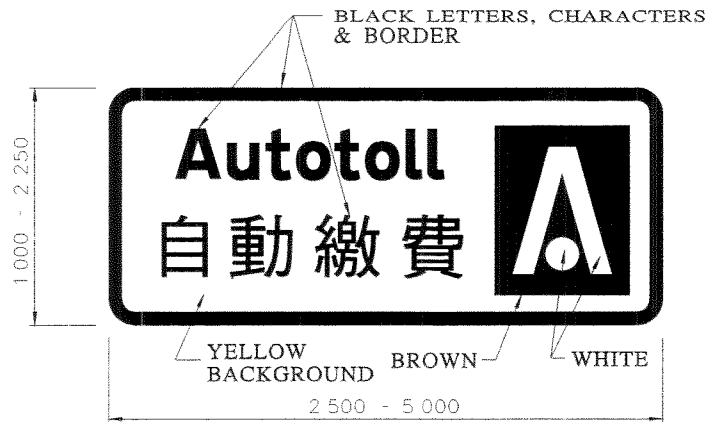
This sign indicates that medium goods vehicles and heavy goods vehicles must keep to the nearside lane or the middle lane inside the tunnel.”.

(4) The Schedule—

**Repeal Figure No. 21**

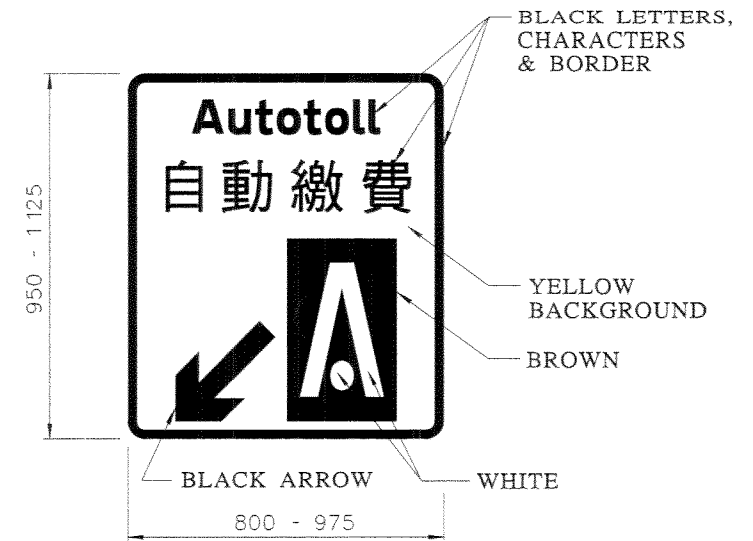
**Substitute**



**Figure No. 21****Lane  
(Autotoll Only)**

This sign is displayed above a lane that leads to an autotoll booth. It indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may proceed in the lane.”.

- (5) The Schedule—  
**Repeal Figure No. 22**  
**Substitute**

**Figure No. 22****Autotoll Booth**

When this sign is displayed at the side of a toll booth it indicates that the toll booth is an autotoll booth. It may be used in conjunction with the sign in Figure No. 21 and it indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may pass through the autotoll booth.”.

## 12. Transitional provision

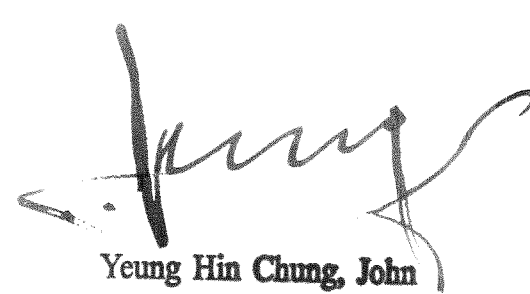
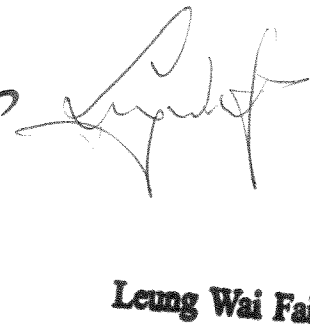
During the period of 12 months after the commencement date of this Bylaw—

- (a) a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) (*principal Bylaw*) as in

Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 21 in the Schedule to the principal Bylaw as amended by this Bylaw; and

- (b) a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule to the principal Bylaw as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 22 in the Schedule to the principal Bylaw as amended by this Bylaw.

Made by the Western Harbour Tunnel Company Limited this  
30<sup>th</sup> day of March 2012.

  
**Yeung Hin Chung, John**  
**Leung Wai Fai**

Signed by  
under the Common Seal of the Company



Western Harbour Tunnel Company Limited

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### **Explanatory Note**

The purposes of this Bylaw are to amend the Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) to—

- (a) restrict the maximum speed limit for certain vehicles in the tunnel at 70 km per hour even though there is a speed limit sign indicating a speed limit exceeding 70 km per hour;
- (b) allow medium goods vehicles and heavy goods vehicles to use the nearside lane or middle lane of the tunnel; and
- (c) adopt new and standardized autotoll booth signs (Figure Nos. 21 and 22) in the tunnel area as part of the standardization programme launched by the Transport Department to standardize the signs for autotoll booths at various tolled tunnels and bridges in Hong Kong.

**Tai Lam Tunnel and Yuen Long Approach Road  
Ordinance**

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**Resolution**

(Under section 26 of the Tai Lam Tunnel and Yuen Long Approach Road  
Ordinance (Cap. 474))

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**Resolved** that the Tai Lam Tunnel and Yuen Long Approach Road  
(Amendment) Bylaw 2012, made by the Route 3 (CPS) Company Limited  
on 3 April 2012, be approved.

## Tai Lam Tunnel and Yuen Long Approach Road (Amendment) Bylaw 2012

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## Tai Lam Tunnel and Yuen Long Approach Road (Amendment) Bylaw 2012

(Made by the Route 3 (CPS) Company Limited under section 26 of the Tai Lam Tunnel and Yuen Long Approach Road Ordinance (Cap. 474) after consultation with the Commissioner for Transport and subject to the approval of the Legislative Council)

- 1. Commencement**  
This Bylaw comes into operation on 18 May 2012.
- 2. Tai Lam Tunnel and Yuen Long Approach Road Bylaw amended**  
The Tai Lam Tunnel and Yuen Long Approach Road Bylaw (Cap. 474 sub. leg. C) is amended as set out in sections 3 to 11.
- 3. Section 1 amended (interpretation)**
  - (1) Section 1, definition of *autotoll booth*—  
**Repeal**  
“equipped with an automatic toll collection facility approved by the Commissioner”  
**Substitute**  
“designated as an autotoll booth under section 18(2)”.
  - (2) Section 1—  
**Repeal the definition of *light signal***  
**Substitute**  
“*light signal* (交通燈) means an illuminated signal to control vehicular traffic or pedestrians within the toll area;”.
  - (3) Section 1, definition of *prescribed light signal*—  
(a) **Repeal**  
“(訂明管制燈號)”

**Substitute**

“(訂明交通燈)”;

- (b) Chinese text—

**Repeal**

“由附表所”

**Substitute**

“均在附表”;

- (c) Chinese text—

**Repeal**

“的管制燈號”

**Substitute**

“的交通燈”.

- (4) Section 1, Chinese text, definition of ~~訂明交通標誌~~—

**Repeal**

“由附表所”

**Substitute**

“均在附表”.

- (5) Section 1—

**Add in alphabetical order**

“*light goods vehicle* (輕型貨車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*motor cycle* (電單車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*motor tricycle* (機動三輪車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);

*private car* (私家車) has the same meaning as in the Road Traffic Ordinance (Cap. 374);”.

**4. Section 7 amended (speed limit)**

- (1) Section 7(1), English text—

**Repeal**

“shall”

**Substitute**

“must”.

- (2) Section 7(1), English text, before “speed exceeding”—

**Add**

“a”.

- (3) Section 7(1), English text—

**Repeal**

“Figures”

**Substitute**

“Figure”.

- (4) Section 7—

**Repeal subsection (2)****Substitute**

“(2) The driver of a vehicle in the toll area must not cause or permit the vehicle to travel at a speed exceeding 70 km per hour if—

- (a) the speed limit sign mentioned in subsection (1) is a speed limit sign as prescribed by Figure No. 8 or 9 in the Schedule; and

- (b) either—

- (i) the vehicle is a bus, medium goods vehicle or heavy goods vehicle; or
- (ii) the vehicle is a motor cycle, motor tricycle, private car or light goods vehicle, and the driver is authorized to drive the vehicle by a probationary driving licence issued under

regulation 12G of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B).”.

**5. Section 9 substituted**

Section 9—

**Repeal the section**

**Substitute**

**“9. Meaning of traffic signs, light signals and road markings**

- (1) The meaning of a prescribed traffic sign or prescribed light signal is in accordance with the content and the note relating to the figure of that sign or signal in the Schedule.
- (2) The meaning of a traffic sign, light signal or road marking prescribed by the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) and the Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q) is in accordance with the content and the note relating to the figure of that sign, signal or marking in the Schedules to those regulations.”.

**6. Section 10 substituted**

Section 10—

**Repeal the section**

**Substitute**

**“10. Traffic signs, light signals and road markings to be obeyed**

- (1) The driver of a vehicle in the toll area must comply with the requirement indicated by any prescribed traffic sign or prescribed light signal.

- (2) A person in the toll area must comply with the requirement indicated by any traffic sign, light signal or road marking that is—
  - (a) prescribed under the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G);
  - (b) erected, placed or otherwise displayed by the Company within the toll area pursuant to the regulations; and
  - (c) applicable to the person.”.

**7. Section 12 amended (traffic confined to the nearside lane and/or middle lane in tunnel)**

- (1) Section 12, heading—

**Repeal**

**“Traffic confined to the nearside lane and/or middle lane in tunnel”**

**Substitute**

**“Control of use of lanes in tunnel”.**

- (2) Section 12(1)—

**Repeal**

**“A goods vehicle having a permitted gross vehicle weight in excess of 5.5 tonnes shall”**

**Substitute**

**“Subject to subsection (2), any medium goods vehicle or a heavy goods vehicle may”.**

- (3) Section 12(2), English text—

**Repeal**

**“shall”**

**Substitute**

**“may”.**

- (4) Section 12(2)(c)—

**Repeal**

“or”.

- (5) Section 12—

**Repeal subsection (3).****8. Section 13 amended (general restrictions)**

Section 13(1), Chinese text—

**Repeal**

“管制燈號” (wherever appearing)

**Substitute**

“交通燈”.

**9. Section 18 amended (automatic toll collection facilities)**

Section 18—

**Repeal subsection (2)****Substitute**

- “(2) The Company may, with the written approval of the Commissioner, designate a toll booth at which an automatic toll collection facility is installed under subsection (1) as an autotoll booth—
- (a) by displaying above a lane that leads to the toll booth a prescribed traffic sign of the type shown in Figure No. 23 in the Schedule; or
- (b) by displaying at the side of the toll booth a prescribed traffic sign of the type shown in Figure No. 24 in the Schedule.”.

**10. Section 23 amended (general prohibitions)**

Section 23(h)(i), Chinese text—

**Repeal**

“管制燈號”

**Substitute**

“交通燈”.

**11. Schedule amended**

- (1) The Schedule—

**Repeal**

“[ss. 1, 2, 7, 9, 10 &amp; 18]”

**Substitute**

“[ss. 1, 2, 7, 9 &amp; 18]”.

- (2) The Schedule, Figure No. 6—

**Repeal**

“FOLLOWING THE SIGN.”

**Substitute**

“FOLLOWING THE SIGN.

THIS SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (3) The Schedule, Figure No. 7—

**Repeal**

“FOLLOWING THE SIGN.”

**Substitute**

“FOLLOWING THE SIGN.

THIS SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (4) The Schedule, Figure No. 8—

**Repeal**

“FOLLOWING THE SIGN.”



**Substitute**

“FOLLOWING THE SIGN.

THIS SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (5) The Schedule, Figure No. 9—

**Repeal**

“FOLLOWING THE SIGN.”

**Substitute**

“FOLLOWING THE SIGN.

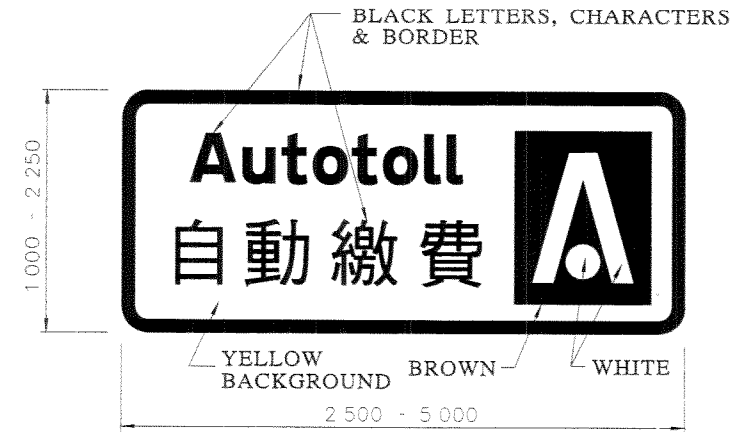
THIS SIGN MAY BE USED WITHOUT THE LETTERS “km/h”.”.

- (6) The Schedule—

**Repeal Figure No. 23**

**Substitute**

“Figure No. 23



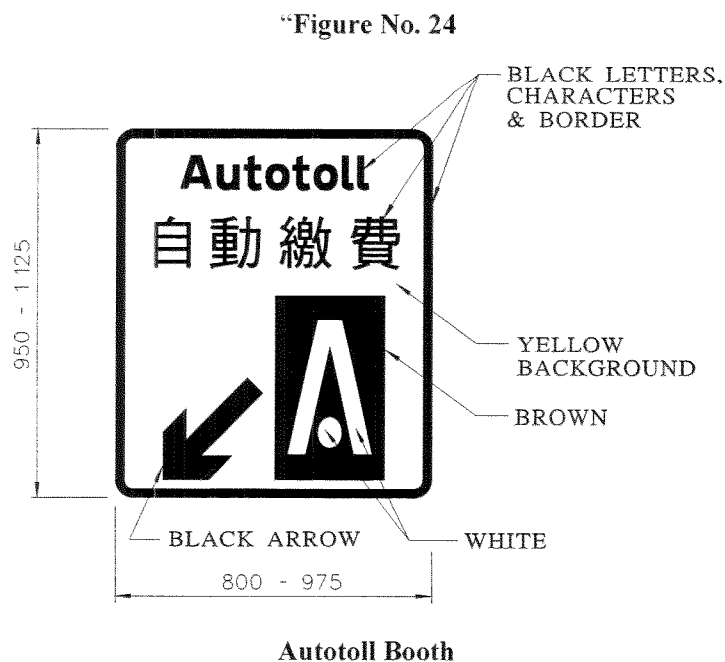
**Lane  
(Autotoll Only)**

This sign is displayed above a lane that leads to an autotoll booth. It indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may proceed in the lane.”.

- (7) The Schedule—

**Repeal Figure No. 24**

**Substitute**



When this sign is displayed at the side of a toll booth it indicates that the toll booth is an autotoll booth. It may be used in conjunction with the sign in Figure No. 23 and it indicates that only a vehicle with a valid electronic pass the account of which is opened in respect of the vehicle may pass through the autotoll booth.”.

## 12. Transitional provision

During the period of 12 months after the commencement date of this Bylaw—

- (a) a prescribed traffic sign of the type shown in Figure No. 23 in the Schedule to the Tai Lam Tunnel and Yuen Long Approach Road Bylaw (Cap. 474 sub. leg. C)

(*principal Bylaw*) as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 23 in the Schedule to the principal Bylaw as amended by this Bylaw; and

- (b) a prescribed traffic sign of the type shown in Figure No. 24 in the Schedule to the principal Bylaw as in force immediately before the commencement date of this Bylaw and erected at any time before that commencement date is to be treated as a prescribed traffic sign of the type shown in Figure No. 24 in the Schedule to the principal Bylaw as amended by this Bylaw.

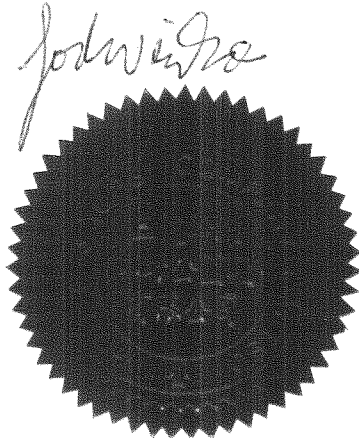
Made by the Route 3 (CPS) Company Limited this 3<sup>rd</sup> day  
of April 2012.

Signed by Mr. John Anthony Miller and Mr. So Wai Kei, Godwin  
under the Common Seal of the Company



Route 3 (CPS) Company Limited

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### Explanatory Note

The purposes of this Bylaw are to amend the Tai Lam Tunnel and Yuen Long Approach Road Bylaw (Cap. 474 sub. leg. C) to—

- (a) restrict the maximum speed limit for certain vehicles in the toll area at 70 km per hour even though there are speed limit signs indicating different speed limits; and
- (b) adopt new and standardized autotoll booth signs (Figure Nos. 23 and 24) in the toll area as part of the standardization programme launched by the Transport Department to standardize the signs for autotoll booths at various tolled tunnels and bridges in Hong Kong.

**Speech by the Secretary for Transport and Housing  
at the meeting of the Legislative Council in moving the motion  
on the Eastern Harbour Crossing Road Tunnel (Amendment) Bylaw 2012**

President,

I move that the first motion standing in my name on the agenda be passed.

By virtue of their respective governing Ordinances of the four Build-Operate-Transfer (BOT) tunnels, namely Eastern Harbour Crossing (EHC), Tate's Cairn Tunnel (TCT), Western Harbour Crossing (WHC), and Tai Lam Tunnel and Yuen Long Approach Road (also known as "Route 3"), the tunnel franchisees may amend their by-laws to provide for matters relating to the control and operation of the tunnel areas. The making of such by-laws is subject to the approval of the Legislative Council. Today, I will move four motions to be put to vote in succession, to amend the by-laws of the above four BOT tunnels. The key proposed amendments include providing for the adoption of standardised autotoll signage at the four tunnels, allowing the franchisees to regulate vehicular traffic and pedestrians by using light signals, providing for the liability of a vehicle owner to pay toll, specifying more clearly the speed limit for certain vehicles inside the tunnels, and the use of lanes inside the tunnels. These amendments are technical in nature, and aim to align the relevant by-laws with the Government tunnel regulations or with the by-laws made by other BOT tunnel franchisees. Since some of the by-law amendments proposed by the four tunnel franchisees are identical or similar, I shall first give an overall introduction of the key amendments, and then explain the contents of the first motion. I shall introduce the amendments of the remaining three motions when I move each of them later.

Standardised autotoll signage

In May 2009, we introduced into the Legislative Council amendments to the Government tunnel regulations to provide for the adoption of standardised autotoll signage at all Government tolled tunnels, roads and

control areas. It was planned that after the standardised autotoll signage was adopted at all Government tolled tunnels, roads and control areas, the four BOT tunnel franchisees would follow suit. The four BOT tunnel franchisees have now put forward such amendment.

### Regulating traffic by illuminated traffic signs

At present, illuminated traffic signs or Light Emitting Diode traffic signs are used at all Government tolled tunnels, control areas and Route 3 to regulate traffic. The franchisees of EHC, TCT and WHC have proposed amendments to their by-laws to empower them to regulate traffic in the tunnel areas by using such illuminated traffic signs.

### Liability to pay tolls

The by-laws of the WHC and Route 3 provide that both the owner and the driver of a vehicle using the tunnels are liable to pay toll, whereas the by-laws of EHC and TCT only provide that the driver of a vehicle is liable to pay toll. The franchisees of EHC and TCT have proposed amendments to their by-laws to provide that the owner of a vehicle is also liable to pay toll, to reduce instances of toll evasion.

### Speed limit for WHC and Route 3

Under section 40 of the Road Traffic Ordinance (Cap. 374), the maximum speed limit on any road for certain vehicles, namely buses, medium goods vehicles and heavy goods vehicles, and vehicles driven by a person holding a probationary driving licence is 70 km/h, even if a higher speed limit is allowed on the relevant roads.

The maximum speed limit for the tunnels of WHC and the Tai Lam Tunnel of Route 3 is 80 km/h. As the existing by-laws of WHC and Route 3 have not specified that the speed of the abovementioned vehicles driven in the relevant tunnels cannot exceed 70 km/h, the franchisees of WHC and Route 3 have proposed to amend their by-laws to clearly specify that the maximum speed limit for such types of vehicles is 70 km/h. As for EHC and TCT, similar amendments to their by-laws are not necessary as the maximum speed limit for the two tunnels is 70 km/h.

## Allowing medium and heavy goods vehicles to use nearside and middle lanes of WHC

At present, all dual-three lane tunnels in Hong Kong allow medium and heavy goods vehicles to use the nearside lane and middle lane of the tunnels, but the by-laws of WHC only allow medium and heavy goods vehicles to use the nearside lane. The WHC franchisee has proposed amendments to its by-laws to allow medium and heavy goods vehicles to use the middle lane of the tunnel. This amendment will improve the traffic flow at WHC as such vehicles will be able to use two lanes instead of one.

I have given an overall introduction of the four amendment by-laws. I will now move on to the details of the first motion. This motion covers amendments made by the franchisee of EHC, the New Hong Kong Tunnel Company Limited under the Eastern Harbour Crossing Ordinance, to amend the Eastern Harbour Crossing Road Tunnel By-laws (the EHC By-laws).

Three key amendments have been mentioned in my overall introduction earlier: first, providing for standardised autotoll signage in the EHC By-laws; second, enabling the franchisee to control vehicular traffic and pedestrians by using light signals; and third, making the owner in addition to the driver of a vehicle liable to pay toll.

The EHC franchisee has also proposed other minor technical amendments, which include requiring all persons in the tunnel area as well as the drivers of vehicles to comply with any order or instruction given by a tunnel officer, updating the “Use dipped headlights” sign, and removing the obsolete prohibition on motor cycles from using the “exact payment” toll booths.

The amendment by-laws proposed by the four tunnel franchisees have been vetted by the Administration. Upon their implementation, motorists will benefit from the standardised autotoll signage, improved traffic flow and road safety at the tunnel areas. I appeal to Members to support this motion.

Subject to the approval of the motion by the Legislative Council, all the amendment by-laws will come into operation on 18 May 2012.

President, I move the motion.

**Speech by the Secretary for Transport and Housing  
at the meeting of the Legislative Council in moving the motion  
on the Tate's Cairn Tunnel (Amendment) Bylaw 2012**

President,

I move that the second motion standing in my name on the agenda be passed.

The motion that I now move covers amendments made by the franchisee of the Tate's Cairn Tunnel, the Tate's Cairn Tunnel Company Limited under the Tate's Cairn Tunnel Ordinance, to amend the Tate's Cairn Tunnel By-laws.

Three of the key amendments have been mentioned in the overall introduction that I gave when I moved the motion on the Eastern Harbour Crossing Road Tunnel (Amendment) Bylaw 2012 earlier: first, providing for standardised autotoll signage; second, enabling the franchisee to control vehicular traffic and pedestrians by using light signals; and third, making the owner in addition to the driver of a vehicle liable to pay toll.

Subject to the approval of the motion by the Legislative Council, the amendment by-laws will commence on 18 May 2012.

President, I move the motion.

**Speech by the Secretary for Transport and Housing  
at the meeting of the Legislative Council in moving the motion  
on the Western Harbour Crossing (Amendment) Bylaw 2012**

President,

I move that the third motion standing in my name on the agenda be passed.

The motion that I now move covers amendments made by the franchisee of the Western Harbour Crossing, the Western Harbour Tunnel Company Limited under the Western Harbour Crossing Ordinance, to amend the Western Harbour Crossing Bylaw.

These amendments have been mentioned in my overall introduction when I moved the motion on the Eastern Harbour Crossing Road Tunnel (Amendment) Bylaw 2012 earlier. They are: first, providing for standardised autotoll signage; second, enabling the franchisee to control vehicular traffic and pedestrians by using light signals; third, providing that the maximum speed limit inside the tunnel for buses, medium goods vehicles and heavy goods vehicles, as well as vehicles driven by a person holding a probationary driving licence is 70 km/h, even if the speed limit inside the tunnel is higher than 70 km/h; and fourth, allowing medium and heavy goods vehicles to use the middle lane of the tunnel in addition to the nearside lane, so as to align the arrangement with that of all other dual-three lane tunnels in Hong Kong. The last amendment will improve the traffic flow at WHC as medium and heavy goods vehicles will be able to use two lanes instead of one.

Subject to the approval of the motion by the Legislative Council, the amendment by-laws will commence on 18 May 2012.

President, I move the motion.



**Speech by the Secretary for Transport and Housing  
at the meeting of the Legislative Council in moving a motion  
on the Tai Lam Tunnel and Yuen Long Approach Road (Amendment)  
Bylaw 2012**

President,

I move that the fourth motion standing in my name on the agenda be passed.

The motion that I now move covers amendments made by franchisee of Route 3, the Route 3 (CPS) Company Limited under the Tai Lam Tunnel and Yuen Long Approach Road Ordinance, to amend the Tai Lam Tunnel and Yuen Long Approach Road Bylaw (Route 3 Bylaw).

The two key amendments proposed by the Route 3 franchisee are: first, providing for standardised autotoll signage; and second, providing that the maximum speed limit inside the tunnel for vehicles driven by a person holding a probationary driving licence is 70 km/h, even if the speed limit for the tunnel is higher than 70 km/h. In addition, the Route 3 Bylaw already allows the tunnel franchisee to control vehicular traffic and pedestrians by using light signals. The franchisee has proposed to update the relevant provisions to align them with the newly added provisions in the by-laws of the other three BOT tunnels.

Subject to the approval of the motion by the Legislative Council, the amendment by-laws will commence on 18 May 2012.

President, I move the motion.