

《2018 年道路交通（修訂）條例草案》

Road Traffic (Amendment) Bill 2018

A BILL

To

Amend the Road Traffic Ordinance to empower the Secretary for Transport and Housing to make regulations to provide for the period for which driver identity plates for public service vehicles remain valid; to amend the Road Traffic (Public Service Vehicles) Regulations to specify the period for which taxi driver identity plates and public light bus driver identity plates remain valid and to revise the requirements relating to the display of the plates; and to provide for related matters.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 2018.
- (2) This Ordinance comes into operation on the expiry of 3 months beginning on the day on which it is published in the Gazette.

2. Enactments amended

- (1) The Road Traffic Ordinance (Cap. 374) is amended as set out in Part 2.
 - (2) The Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) are amended as set out in Part 3.
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Part 2

Amendments to Road Traffic Ordinance

3. Section 7 amended (regulation of public service vehicles)

(1) Section 7(1)(j)—

Repeal

“identity plates of drivers,”.

(2) After section 7(1)(j)—

Add

“(ja) the period for which driver identity plates for public service vehicles remain valid and the display of the plates in the vehicles;”.

(3) Section 7(1A), English text—

Repeal

“identity plate,”

Substitute

“driver identity plate, driver identity”.

Part 3

Amendments to Road Traffic (Public Service Vehicles) Regulations

4. **Regulation 51 amended (notices and numbers to be displayed on certain public service vehicles)**
- (1) Regulation 51, heading—
Repeal
“Notices and numbers”
Substitute
“Information”.
- (2) Regulation 51(1), English text—
Repeal
“him”
Substitute
“the passenger”.
- (3) Regulation 51(5), English text—
Repeal
“him”
Substitute
“the passenger”.
- (4) Regulation 51, Chinese text—
Repeal subregulation (5A)
Substitute
“(5A) 當公共小巴為了(出於出租或取酬目的)讓乘客上車而停定時，或當公共小巴被用於(出於出租或取酬目的)運載乘客時，司機須於該小巴內，用符合

第(7)款的證件架，展示符合第(6)款的公共小巴司機證，而證件架及司機證均不得以任何形式遮蔽。”。

- (5) After regulation 51(5A)—

Add

“(5B) A driver identity plate referred to in this regulation is valid for 10 years from the date of issue.”.

- (6) Before regulation 51(6)(a)—

Add

“(aa) be a valid driver identity plate;”.

- (7) Regulation 51(6)(a)—

Repeal

“; and”

Substitute a semicolon.

- (8) Regulation 51(6)—

Repeal paragraph (d)

Substitute

“(d) bear the driver’s photograph that is recent as at the date of issue;

(da) show the date of issue and the date of expiry; and”.

- (9) Regulation 51(6)(e)—

Repeal

“and (d)”

Substitute

“, (d) and (da)”.

5. Regulation 63 added

After regulation 62—

Add

“63. Transitional provisions relating to driver identity plates

(1) The pre-amended Regulations continue to apply to a driver identity plate issued before the commencement date as if the Amendment Ordinance had not been enacted.

(2) In this regulation—

Amendment Ordinance (《修訂條例》) means the Road Traffic (Amendment) Ordinance 2018 (of 2018);

commencement date (生效日期) means the date on which the Amendment Ordinance comes into operation;

driver identity plate (司機證) means a taxi driver identity plate or a public light bus driver identity plate referred to in regulation 51;

pre-amended Regulations (《未經修訂規例》) means these regulations as in force immediately before the commencement date.”

Explanatory Memorandum

The main purposes of this Bill are to amend the Road Traffic Ordinance (Cap. 374) (*Ordinance*) so that the Secretary for Transport and Housing (*Secretary*) is empowered to prescribe the period for which driver identity plates for public service vehicles remain valid, and to specify in the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) (*Regulations*) the period for which taxi driver identity plates and public light bus driver identity plates remain valid.

2. Clause 1 sets out the short title and provides for commencement.
3. Clause 3(1) and (2) amends section 7 of the Ordinance to empower the Secretary to make regulations to provide for the period for which driver identity plates for public service vehicles remain valid.
4. Clause 4(5) adds a new subregulation (5B) to regulation 51 of the Regulations to specify 10 years as the period for which taxi driver identity plates and public light bus driver identity plates remain valid. Clause 4(6) adds a new paragraph (aa) to regulation 51(6) of the Regulations to provide that the driver identity plates displayed in taxis and public light buses must be valid. Clause 4(8) and (9) amends regulation 51(6) of the Regulations to revise the requirement relating to the driver's photograph on the plates and to require that the date of issue and the date of expiry must be shown on the plates.
5. Clause 5 adds a transitional provision to the Regulations to provide that the revised requirements on driver identity plates do not apply to driver identity plates issued before the Road Traffic (Amendment) Ordinance 2018 comes into operation.

6. Clauses 3(3) and 4(1), (2), (3), (4) and (7) make minor textual amendments to section 7 of the Ordinance and regulation 51 of the Regulations respectively.