

## **LEGISLATIVE COUNCIL BRIEF**

### **Road Traffic (Traffic Control) (Amendment) Regulation 1999**

#### **INTRODUCTION**

By virtue of section 11 of the Road Traffic Ordinance (Cap. 374) and section 28(1)(c) of the Interpretation and General Clauses Ordinance (Cap. 1), the Secretary for Transport is empowered to make and amend the Road Traffic (Traffic Control) Regulations (Cap. 374, sub. leg.).

2. In exercise of this power, the Secretary for Transport has made the Road Traffic (Traffic Control) (Amendment) Regulation 1999 at **Annex A**.

#### **BACKGROUND AND ARGUMENT**

##### **(A) Road Studs**

3. Regulations 13(3) and 13(4) of the Road Traffic (Traffic Control) Regulations stipulate the dimensions of depressible and non-depressible studs and the height by which a stud may project above the surface of the carriageway. For non-depressible studs this is not to be more than 18mm at the highest point.

4. Non-depressible studs currently available in the market are approximately 20mm in height and are considered acceptable but cannot fulfill the maximum projection height of 18 mm stipulated in the Regulations. However, as technology develops, such dimensional requirements can become out of date quickly. The Director of Highways considered that, rather than having to regularise this dimensional requirement in the Regulations each time a change is made

to tie in with current availability and standards, he would lay down such technical standards by administrative measures. Sections 13(3) and 13(4) are to be deleted from the regulations.

**(B) Traffic Lights**

5. Regulation 17(1)(c) of the Road Traffic (Traffic Control) Regulations says that green light signals indicate that vehicular traffic may pass the light signals and proceed straight on or to the left or to the right.

6. For traffic management purposes, a green light signal of the type described in this regulation is frequently used in conjunction with a 'no left turn/no right turn' sign as prescribed in Figure 122 of Schedule 1 of the same Regulations. The intended meaning for the combination of a green light signal and a 'no left turn/no right turn' sign is that traffic may proceed but not in the direction prohibited by the sign. This meaning is clear to motorists and so far there is no complaint on the use of the combination or misunderstanding of its intended meaning.

7. There is however an apparent inconsistency between the prescribed meaning of the green light signal, i.e. vehicles can proceed straight on or to the left or to the right, and that of the 'no left turn/no right turn' sign which prohibits either the left or right turning movement.

8. To remove the above inconsistency, amendment to the legislation is required.

**(C) Traffic Signs**

9. Schedule 1 of the Road Traffic (Traffic Control) Regulations, contains figures of regulatory, warning and informatory signs, and supplementary plates prescribed in those Regulations. Beneath each sign/supplementary plate is a note explaining its meaning. It is also

stipulated in the note of each sign, where applicable, combination of plate(s) which may be used in conjunction with that particular sign. Similarly, in the note of the relevant supplementary plate there is a corresponding description of the compatible main sign.

10. It is the purpose of this legislative amendment to add new signs and supplementary plates, and amend current signs, notes to signs and supplementary plates, so as to allow the necessary sign/supplementary plate combinations for traffic management purposes.

### **AMENDMENT REGULATION**

11. The Amendment Regulation is to:

- (a) remove the restrictions on the dimensions of depressible and non-depressible studs;
- (b) clarify the significance of green light signal under regulation 17(1)(c);
- (c) specify the signs / plates that could be used in conjunction with other signs / plates in Schedule 1; and
- (d) specify further traffic signs in Schedule 1.

### **PUBLIC CONSULTATION**

12. The Legislative Council Panel on Transport and Transport Advisory Committee were consulted in June 1999 and supported the proposed amendments.

### **FINANCIAL AND STAFFING IMPLICATIONS**

13. There are no financial and staffing implications.

### **ECONOMIC IMPLICATIONS**

14. There are no economic implications.

### **LEGISLATIVE TIME TABLE**

15. The Amendment Regulation will come into effect on 8 January 2000.

### **PUBLICITY**

16. The Amendment Regulation will be gazetted on 26 November 1999.

**Transport Bureau  
November 1999  
(TRAN 1/12/123)**