

LEGISLATIVE COUNCIL BRIEF

ROAD TRAFFIC LEGISLATION (AMENDMENT) BILL 1999

PROBATIONARY DRIVING LICENCE SCHEME FOR INEXPERIENCED MOTORCYCLISTS

INTRODUCTION

At the meeting of the Executive Council on 23 November 1999, the Council ADVISED and the Chief Executive ORDERED that the Road Traffic Legislation (Amendment) Bill 1999, at Annex A, should be introduced into the Legislative Council to implement the probationary driving licence scheme for inexperienced motorcyclists.

BACKGROUND AND ARGUMENT

Accident Statistics for Motorcyclists

2. An analysis of the road traffic accidents in Hong Kong in the past five years (1994 - 1998) revealed that motorcyclists had a much higher accident involvement rate (an average of 22 per 1,000 drivers) than that of private cars and light goods vehicles (6.8 and 4 per 1,000 drivers respectively). Among motorcyclists, inexperienced drivers (i.e. those with less than one year of driving experience) had an accident involvement rate of about **five times** that of experienced drivers. For private cars and light goods vehicles, the accident involvement rate of inexperienced drivers was 1.7 and 1.9 times higher than the experienced drivers respectively. Details of the accident statistics are at Annex B.

3. The accident involvement rate of inexperienced motorcyclists has remained at a high level for the past few years. To address the issue, it is proposed that a probationary driving licence system should be introduced to allow these drivers to gain more road experience under a more restrictive, hence, safer driving environment before being granted a full driving licence. The Administration will continue to monitor the accident involvement rates of newly-qualified drivers of private cars and light goods vehicles to assess whether similar schemes would be required for this group.

Probationary Driving Licence System - overseas experience

4. Under the existing licensing system, a learner motorcyclist is required to enroll with a designated driving school for a mandatory training course to acquire the basic knowledge and skills. After passing Part A (Written Test) and Part B (Competency Test) of the driving test, a learner driving licence will be issued to the eligible applicant to enable him to practise on public roads. Upon passing Part C (Road Test) of the driving test, the learner motorcyclist will then be eligible to apply for a full driving licence.

5. To reduce the accident involvement rate of inexperienced drivers, countries such as Australia and Singapore adopt a probationary driving licence system. Singapore imposes a probationary period of 12 months on all newly qualified drivers while in Australia, the 12-month probationary period only applies to new drivers of private cars and motorcycles. During the probationary period, if the probationary drivers violate certain traffic laws or accumulate a specified number of driving-offence points, they will be subject to extensions of the probationary period or required to undergo further training or re-testing.

The Proposal

6. It is proposed that when a motorcyclist has passed Part C (Road Test) of the driving test, he can only apply for a probationary driving licence, instead of a full driving licence, and must undergo a mandatory probationary period. After satisfactory completion of the probationary period, the motorcyclist will be issued a full driving licence.

Probationary Period

7. The accident statistics revealed that those motorcyclists with less than one year of driving experience had a much higher accident involvement rate. It is therefore proposed that the probationary period should be set at one year to allow newly qualified motorcyclists to build up their road experience before being granted a full driving licence.

Restrictions

8. During the probationary period, motorcyclists will be required to display a "P" plate at the front and rear of their motorcycles for enforcement purposes, and will not be allowed to carry passengers. They will also be

prohibited to drive at a speed above 70 km/h and to travel on the offside (fast) lane on expressways where there are three lanes or more.

Extension of Probationary Period and Cancellation of Probationary Licence

9. To deter inexperienced drivers from violating the above restrictions and committing traffic offences, it is proposed that when a probationary motorcyclist is convicted of a minor offence as listed in Annex C, his probationary period will be extended by six months. It is further proposed that the probationary driving licence will immediately be cancelled under the following conditions -

- (a) when convicted of a serious offence as listed in Annex C while driving a motor cycle;
- (b) when convicted of two or more minor offences as listed in Annex C while driving a motor cycle; or
- (c) when convicted of a minor offence as listed in Annex C while driving a motor cycle and thereafter a subsequent offence, either serious or minor, during the remaining extended probationary period.

If the probationary driving licence is cancelled, the probationary motorcyclist will be required to apply and retake the Road Test, and on passing proceed on a 12-month probationary period.

Penalty

10. In addition to the extension of probationary driving period and cancellation of the probationary driving licence, the probationary motorcyclist will also be subject to pecuniary penalties, imprisonment sentence for conviction of traffic offences, and the Driving-Offence Points system.

Licence Fee

11. The proposed fee for the new one-year probationary driving licence is \$52, which is one-tenth of that for a 10-year full driving licence. For the extension of the probationary driving licence (for six months), the fee is proposed to be \$26, which is one half of that for a 12-month probationary driving licence.

THE BILL

12. To implement the probationary driving scheme, amendments to the Road Traffic Ordinance (Chapter 374) and its subsidiary legislation, the Traffic Accident Victims (Assistance Fund) Ordinance (Chapter 229) and the Fixed Penalty (Criminal Proceedings) Ordinance (Chapter 240) are required. These amendments are dealt with in a composite bill.

13. The Bill comprises three sets of legislative amendments. **Part II** of the Bill amends the Road Traffic Ordinance and its subsidiary legislation to provide for the probationary driving period and the probationary driving licence. Provisions have also been made for the issue, renewal and cancellation of probationary driving licences as well as the fees payable in respect of such licences.

14. **Part III** of the Bill amends Section 6 and the Schedule of the Traffic Accident Victims (Assistance Fund) Ordinance to impose a levy on the holder of the new probationary driving licence which contributes to the fund for assisting traffic accident victims. This is in line with the arrangement currently applied to holders of other licences under the Road Traffic Ordinance.

15. **Part IV** of the Bill amends the Fixed Penalty (Criminal Proceedings) Ordinance to specify the penalty levels for the new driving offences created under the probationary driving scheme.

LEGISLATIVE TIMETABLE

16. The legislative timetable will be -

Publication in the Gazette	26 November 1999
First Reading and commencement of Second Reading debate	8 December 1999
Resumption of Second Reading Debate, committee stage and Third Reading	to be notified

COMMENCEMENT

17. The Bill will take effect on a date to be appointed by the Secretary for Transport.

BINDING EFFECT OF THE LEGISLATION

18. The amendments in the Bill will not affect the current binding effect of the Road Traffic Ordinance (Cap. 374), the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229) and the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240).

HUMAN RIGHTS IMPLICATIONS

19. The Department of Justice advises that the proposed legislative amendments are consistent with the human right provisions of the Basic Law.

FINANCIAL AND STAFFING IMPLICATIONS

20. The Police and the Transport Department will absorb the additional workload generated from the proposed legislative amendments. There are no financial and staffing implications.

ECONOMIC IMPLICATIONS

21. The proposed legislative amendments will have economic benefits in terms of savings in human lives and reduction in costs of traffic accidents.

PUBLIC CONSULTATION

22. The probationary driving licence proposal was put to the Transport Advisory Committee and the Legislative Council Panel on Transport in November and December 1998 respectively and received wide support. The Road Safety Council also supported the proposal.

PUBLICITY

23. The Bill will be gazetted on 26 November 1999. A press release will be issued on 24 November 1999.

ENQUIRIES

24. Any enquiries can be directed to the following officer in the Transport Bureau -

Mr Brian Lo
Principal Assistant Secretary for Transport
(Telephone No. : 2189 2182)

Transport Bureau
Government Secretariat
24 November 1999

A BILL

To

Amend the Road Traffic Ordinance, the Traffic Accident Victims (Assistance Fund) Ordinance and the Fixed Penalty (Criminal Proceedings) Ordinance.

Enacted by the Legislative Council.

PART I
PRELIMINARY

1. Short title and commencement

- (1) This Ordinance may be cited as the Road Traffic Legislation (Amendment) Ordinance 1999.
- (2) This Ordinance shall come into operation on a day to be appointed by the Secretary for Transport by notice in the Gazette.

PART II

AMENDMENT OF ROAD TRAFFIC ORDINANCE
AND ITS SUBSIDIARY LEGISLATION

Road Traffic Ordinance

2. Speed limit

Section 40 of the Road Traffic Ordinance (Cap. 374) is amended -

- (a) in subsection (5), by repealing everything after "at which a" and substituting

-

"-

- (a) medium goods vehicle;
(b) heavy goods vehicle;
(c) bus;

- (d) motor cycle or motor tricycle driven by the holder of a probationary driving licence,
shall travel on such road shall be 70 km an hour.”;
- (b) by adding -
“(7) In this section, “probationary driving licence” (暫准駕駛執照) has the meaning assigned to it by regulation 2 of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.).”.

Road Traffic (Driving Licences) Regulations

3. Interpretation

Regulation 2 of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) is amended -

- (a) in the definition of “full driving licence”, by adding”, probationary driving licence” before “or”;
- (b) by adding -
““probationary driving licence” (暫准駕駛執照) means a driving licence to drive a motor cycle or motor tricycle issued under regulation 12G;
“probationary driving period” (暫准駕駛期) means the probationary driving period provided for in regulation 12F;”.

4. Applications for full driving licences

Regulation 10(3) is amended by repealing everything after

“Commissioner that” and substituting -

“on a date within 4 months before the application, the applicant is medically fit to drive and control any vehicle in that class and the Commissioner shall satisfy himself that -

- (a) the medical fitness of the applicant has not deteriorated substantially since that date; and
- (b) the applicant is able to read a registration mark at a distance of 23 metres in good daylight (with the aid of spectacles or other corrective lenses, if worn).”.

5. Issue of full driving licences

Regulation 11 is amended -

- (a) in paragraph (1), by adding “(other than a full driving licence to drive a motor cycle or motor tricycle)” after “licence”;

- (b) by adding -

“(2A) The Commissioner shall issue a full driving licence to drive a motor cycle or motor tricycle to an applicant for such licence if he has complied with regulation 12F.”.

6. Regulations added

The following are added -

“12F. Probationary driving period

- (1) An applicant for a full driving licence to drive a motor cycle or motor tricycle shall not be issued with such licence unless he has completed a probationary driving period

of driving such vehicle within 3 years before the date of application for such licence.

(2) Subject to paragraphs (4) and (5), a probationary driving period shall be a duration of 12 months.

(3) A person's probationary driving period commences on the date a probationary driving licence is issued to him.

(4) A person's probationary driving period shall be extended by 6 months if he is convicted of one offence mentioned in the Twelfth Schedule, and the offence was committed by him while driving a motor cycle or motor tricycle during his probationary driving period.

(5) For the purposes of paragraphs (1) and (4), a person's probationary driving period shall not include -

- (a) if his probationary driving licence is cancelled under regulation 12I, a period commencing on the issue of the licence and ending on the cancellation of it; or
- (b) a period during which he does not hold a valid probationary driving licence.

12G. Issue of probationary driving licences to drive motor cycles and motor tricycles

(1) A person who wishes to apply for a probationary driving licence to drive a motor cycle or motor tricycle shall apply to the Commissioner in a form specified by the Commissioner, signed by the applicant, together with his identity document and the fee prescribed in the Second Schedule.

(2) Regulation 10(2) and (3) shall apply to an applicant referred to in paragraph (1) to the same extent as regulation 10(2) and (3) applies to an applicant referred to

in regulation 10(1).

(3) On receipt of an application under paragraph (1) and of the fee prescribed in the Second Schedule, the Commissioner shall, subject to paragraph (4) and regulations 6, 7 and 9, issue to the applicant a probationary driving licence, valid for 12 months from the date of issue of the licence.

- (4) The Commissioner shall refuse to issue a probationary driving licence -
- (a) unless the applicant has passed, within 3 years prior to the date of his application, a motor cycle driving test under regulation 12D; and
 - (b) if the applicant has previously been issued with a probationary driving licence after passing the driving test.

12H. Renewal of probationary driving licences

(1) Subject to paragraph (3) and regulations 6 and 9, the Commissioner shall renew a probationary driving licence for 6 months on receipt of an application for such renewal in a form specified by the Commissioner, signed by the applicant, together with -

- (a) his identity document;
- (b) the probationary driving licence; and
- (c) the fee prescribed in the Second Schedule.

- (2) A probationary driving licence may be renewed at any time within -
- (a) 15 days before its expiry, such renewal to be effective from the date of expiry; or

- (b) 3 years after its expiry, such renewal to be effective from the date of renewal.
- (3) Regulation 10(3) shall apply to an applicant referred to in paragraph (1) to the same extent as regulation 10(3) applies to an applicant referred to in regulation 10(1).

12I. Cancellation of probationary driving licences

- (1) Without prejudice to regulation 20, the Commissioner shall cancel a probationary driving licence if the licence holder is convicted of -
- (a) an offence mentioned in the Twelfth Schedule more than once;
 - (b) 2 or more offences mentioned in the Twelfth Schedule; or
 - (c) an offence in respect of which 10 or more points shall be incurred under section 4 of the Road Traffic (Driving-offence Points) Ordinance (Cap. 375),

and such offence or offences was or were committed by him while driving a motorcycle or motor tricycle during his probationary driving period.

- (2) If an appeal is lodged against a conviction referred to in paragraph (1) which causes the cancellation of a probationary driving licence under this regulation, such Cancellation shall not take effect until the appeal is withdrawn or dismissed.

12J. No fee payable in respect of certain probationary driving licences

No fee shall be payable in respect of a probationary driving licence issued to or renewed for a disabled person.

12K. Driving during probationary driving period.

(1) The holder of a probationary driving licence shall not drive a motor cycle or motor tricycle unless it has a plate displayed in accordance with the Thirteenth Schedule.

(2) The holder of a probationary driving licence shall not drive a motor cycle or motor tricycle with any passenger on it.

12L. Cancellation of full driving licences

to drive motor cycles and

motor tricycles

(1) Without prejudice to regulation 20, the Commissioner shall cancel a full driving licence to drive a motor cycle or motor tricycle if the licence holder is convicted of, after his probationary driving period -

- (a) an offence mentioned in the Twelfth Schedule; or
- (b) an offence in respect of which 10 or more points shall be incurred under section 4 of the Road Traffic (Driving-offence Points) Ordinance (Cap. 375),

and such offence was committed by him while driving such vehicle during his probationary driving period.

(2) If an appeal is lodged against a conviction referred to in paragraph (1) which causes the cancellation of a full driving licence under this regulation, such cancellation shall not take effect until the appeal is withdrawn or dismissed.”.

7. Offences

Regulation 46(2) is amended by adding “12K(1) or (2),” after

“9(5),”.

8. Fees

The Second Schedule is amended -

- (a) by adding”, 12G(3), 12H(1)” after “12B(2);
- (b) by adding -
 - “1A. Fee for issue of probationary driving licence 52”;
- (c) in item 2, by adding -
 - “(k) Renewal of probationary driving licence 26”.

9. Schedules added

The following are added -

“TWELFTH SCHEDULE [regs. 12F, 12I
& 12L]

OFFENCES

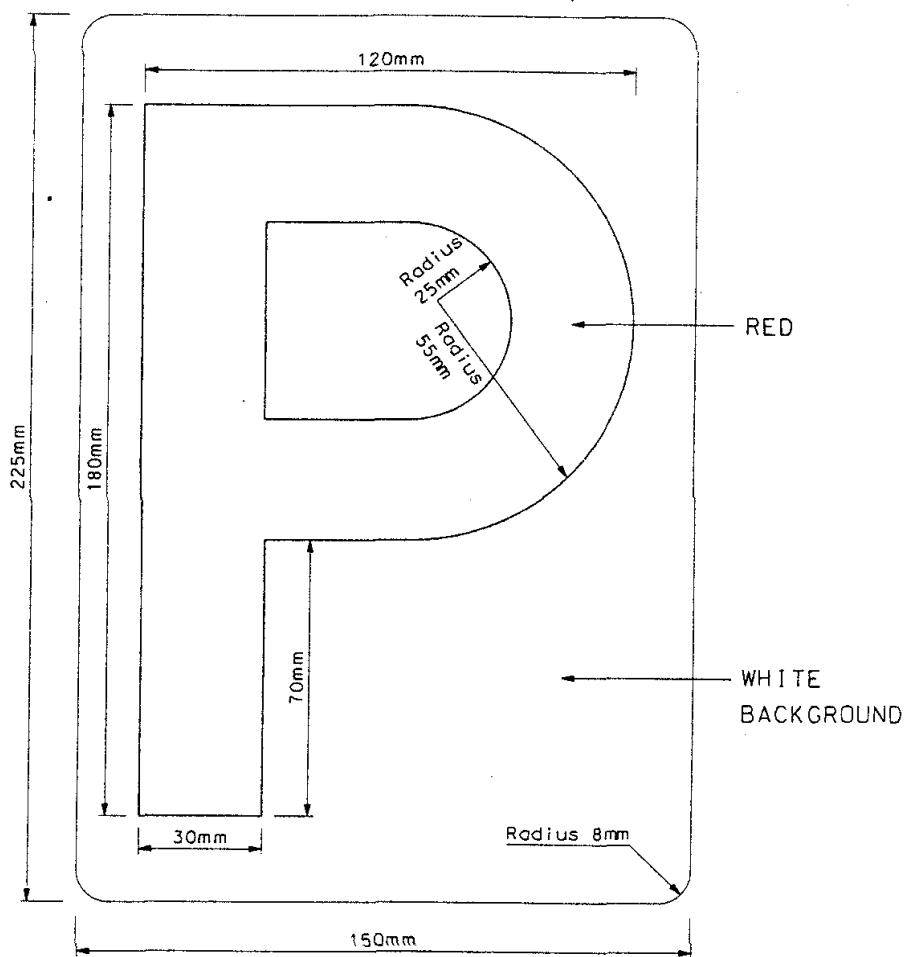
1. Any offence in respect of which less than 10 points shall be incurred under section 4 of the Road Traffic (Driving-offence Points) Ordinance (Cap. 375).
2. Contravention of section 40(5) of the Ordinance.
3. Contravention of regulation 12K(1) or (2).
4. Contravention of regulation 11(2) of the Road Traffic (Expressway) Regulations (Cap. 374 sub. leg.).

Annex A
(page 9 of 14)

THIRTEENTH SCHEDULE

[reg. 12K(1)]

**PLATE TO BE DISPLAYED ON VEHICLES DRIVEN BY
HOLDERS OF PROBATIONARY DRIVING LICENCES**



1. The vehicle shall have securely fixed, at the front and rear, a white plate 225 millimetres by 150 millimetres on which shall appear in red the letter "P" occupying an area stated above.
2. The plate shall be made of reflex-reflecting material."

Road Traffic (Expressway) Regulations

10. Restriction on vehicles using offside lane

Regulation 11 of the Road Traffic (Expressway) Regulations (Cap. 374 sub. leg.) is amended -

(a) in subregulation (1) -

- (i) in paragraph (g), by repealing “and”;
- (ii) in paragraph (h), by repealing the full stop and substituting”; and”;
- (iii) by adding -

“(i) a motor cycle or motor tricycle driven by the holder of a probationary driving licence.”;

(b) by adding -

“(4) In this regulation, “probationary driving licence” (暫准駕駛執照) has the meaning assigned to it by regulation 2 of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.).”.

PART III

AMENDMENT OF TRAFFIC ACCIDENT VICTIMS (ASSISTANCE FUND) ORDINANCE

11. Levy on licence holders

Section 6 of the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229) is amended -

(a) in subsection (1) (a), by repealing “or temporary” and substituting”, temporary driving licence or probationary”;

(b) by adding -

“(2A) A levy payable under subsection (1) (a) in respect of a probationary driving licence shall be reduced by 50% where the licence is renewed for 6 months.”.

12. Schedule amended

The Schedule is amended in Part II by adding -

“3A. Probationary driving licence not applicable \$38”.

PART IV

**AMENDMENT OF FIXED PENALTY (CRIMINAL
PROCEEDINGS) ORDINANCE**

13. Offence

The Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) is amended after the heading “**Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.)**” by adding –

“33A. Regulation 12K(1) Driving a vehicle \$450
without a “P”
plate

33B. Regulation 12K(2) Failing to comply \$450”.
with restriction
on carrying
passengers

PART V

TRANSITIONAL

14. Transitional

- (1) Subject to subsections (3) and (4), this Ordinance shall not apply in relation to a person who -
 - (a) before the commencement of this Ordinance, has applied to take a motor cycle driving test under regulation 12B(1) of the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) (“the Regulations”); and
 - (b) passes the test under regulation 12D of the Regulations without having to take again, after that commencement, any part of the test.
- (2) Subject to subsections (3) and (4), the provisions of the Ordinances amended by this Ordinance in force immediately before the commencement of this Ordinance shall apply, where appropriate, in relation to the person referred to in subsection (1).
- (3) Section 4 of this Ordinance shall not apply in relation to an applicant referred to in regulation 10(3) of the Regulations if he has made his application under regulation 10(1) of the Regulations to the Commissioner before the commencement of this Ordinance.
- (4) Regulation 10(3) of the Regulations in force immediately before the commencement of this Ordinance shall apply in relation to the applicant referred to in subsection (3).

Explanatory Memorandum

The main purpose of this Bill is to introduce a probationary

driving licence scheme so as to provide better regulation of inexperienced drivers of motor cycles and motor tricycles.

2. The main provisions of the Bill are described as follows -

- (a) clause 2 amends section 40 of the Road Traffic Ordinance (Cap. 374) so that the holder of a probationary driving licence can only drive a motor cycle or motor tricycle at a maximum speed of 70 km per hour;
- (b) clause 3 defines “probationary driving licence” and “probationary driving period”;
- (c) clause 6 adds several new regulations to the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg.) to provide for the new probationary driving licence scheme, the issue, renewal and cancellation of probationary driving licences and the cancellation of a full driving licence to drive motor cycles and motor tricycles;
- (d) clause 7 creates 2 offences relating to driving a motor cycle or motor tricycle during the probationary driving period;
- (e) clause 8 prescribes the fees for the issue and renewal of probationary driving licences;
- (f) clause 10 amends regulation 11 of the Road Traffic (Expressway) Regulations (Cap. 374 sub. leg.) to prohibit the holder of a probationary driving licence to drive a motor cycle or motor tricycle in the offside lane of the carriageway of an expressway;
- (g) clause 11 amends section 6 of the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229) to

provide for the levy payable by the holder of a probationary driving licence under that Ordinance;

- (h) clause 13 amends the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) so as to include 2 new offences into the list of scheduled offences prescribed in that Ordinance;
- (i) clause 14 provides for transitional arrangements.

Accident Involvement Rates per 1,000 Drivers (1994 - 1998)
(Motorcycle)

	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
<u>Group A</u> (with less than 1 year driving experience)					
Number of involvements	575	637	583	546	345
Number of licensed drivers	8,123	8,137	8,074	5,815	5,943
Involvements per 1,000 drivers	70.79	78.28	72.21	93.90	58.05
<u>Group B</u> (with 1 or more years driving experience)					
Number of involvements	1,701	1,762	1,835	1,882	1,705
Number of licensed drivers	104,684	108,540	112,715	118,432	125,299
Involvements per 1,000 drivers	16.25	16.23	16.28	15.89	13.61
<u>Overall</u>					
Number of involvements*	2,683	2,761	2,779	2,718	2,354
Number of licensed drivers	112,807	116,677	120,789	124,247	131,242
Involvements per 1,000 drivers	23.78	23.66	23.01	21.88	17.94
<u>Ratio</u> (Group A/Group B)	4.4	4.8	4.4	5.9	4.3

Average ratio : 4.8

Note: * Including involvements of Full Driving Licence (FDL) drivers with driving experience 'Unknown'.

Accident Involvement Rates per 1,000 Drivers (1994 - 1998)
(Private Car)

	<u>1994</u>	<u>1995</u>	<u>1996</u>	<u>1997</u>	<u>1998</u>
<u>Group A</u> (with less than 1 year driving experience)					
Number of involvements	727	655	633	607	651
Number of licensed drivers	69,467	70,178	64,580	67,738	67,429
Involvements per 1,000 drivers	10.47	9.33	9.80	8.96	9.65
<u>Group B</u> (with 1 or more years driving experience)					
Number of involvements	6,411	6,088	5,814	6,066	5,761
Number of licensed drivers	969,610	993,189	1,022,929	1,066,881	1,151,957
Involvements per 1,000 drivers	6.61	6.13	5.68	5.69	5.00
<u>Overall</u>					
Number of involvements*	7,984	7,634	7,283	7,460	7,145
Number of licensed drivers	1,039,077	1,063,367	1,087,509	1,134,619	1,219,386
Involvements per 1,000 drivers	7.68	7.18	6.70	6.57	5.86
<u>Ratio</u> (Group A/Group B)	1.6	1.5	1.7	1.6	1.9

Average ratio: 1.7

Note: * Including involvements of Full Driving Licence (FDL) drivers with driving experience 'Unknown'.

Accident Involvements Rates per 1,000 Drivers (1994 - 1998)
(Light Goods Vehicle)

	1994	1995	1996	1997	1998
<u>Group A</u> (with less than 1 year driving experience)					
Number of involvements	360	273	247	208	188
Number of licensed drivers	36,860	37,578	37,743	40,123	39,396
Involvements per 1,000 drivers	9.77	7.26	6.54	5.18	4.77
<u>Group B</u> (with 1 or more years driving experience)					
Number of involvements	3,406	3,069	2,692	2,874	2,535
Number of licensed drivers	810,120	813,606	825,567	851,785	908,772
Involvements per 1,000 drivers	4.20	3.77	3.26	3.37	2.79
<u>Overall</u>					
Number of involvements*	4,246	3,772	3,372	3,490	3,075
Number of licensed drivers	846,980	851,184	863,310	891,908	948,168
Involvements per 1,000 drivers	5.01	4.43	3.91	3.91	3.24
<u>Ratio</u> (Group A/Group B)	2.3	1.9	2.0	1.5	1.7

Average ratio: 1.9

Note: * Including involvements of Full Driving Licence (FDL) drivers with driving experience 'Unknown'.

**Serious and Minor Offences for
Probationary Drivers during the Probation Period**

Part I List of Serious Offences

Refer to those offences in the Schedule to paragraph 17 of the Road Traffic (Driving-offence Points) Ordinance (Cap. 375) with 10 or more demerit points –

<u>Offences</u>	<u>Section or Regulation</u>
Causing death by reckless driving	Road Traffic Ordinance (Cap. 374) section 36(1)
Reckless driving	Road Traffic Ordinance (Cap. 374) section 37(1)
Driving, attempting to drive or being in charge of a motor vehicle under the influence of drink or drugs	Road Traffic Ordinance (Cap. 374) section 39
Driving, attempting to drive or being in charge of a motor vehicle with alcohol concentration above prescribed limit	Road Traffic Ordinance (Cap. 374) section 39A
Failing to provide a specimen of breath for screening breath test without reasonable excuse	Road Traffic Ordinance (Cap. 374) section 39B(6)
Failing to provide a specimen of breath for breath analysis or a specimen of blood or urine for laboratory test without reasonable excuse	Road Traffic Ordinance (Cap. 374) section 39C(15)
Driving in a motor race or speed trial on a road	Road Traffic Ordinance (Cap. 374) section 55(1)

Part II List of Minor Offences

Refer to those offences in the Schedule to paragraph 17 of the Road Traffic (Driving-offence Points) Ordinance (Cap. 375) with less than 10 demerit points, such as careless driving, failing to comply with traffic signals, crossing double white lines, speeding, etc plus the following –

<u>Offences</u>	<u>Section or Regulation</u>
Failing to display P-plate (rear and/or front of the motor vehicle)	Road Traffic (Driving Licence) Regulations (Cap. 374, sub. leg) regulation 12K(1)
Carrying passenger(s)	Road Traffic (Driving Licence) Regulations (Cap. 374, sub. leg) regulation 12K(2)
Driving on offside lane on expressways where 3 or more traffic lanes are opened for use	Road Traffic (Expressway) Regulations (Cap. 374, sub. leg) regulation 11(1)
Driving in excess of the maximum speed limit of 70 kilometres an hour	Road Traffic Ordinance (Cap. 374) section 40(5)