

立法會
Legislative Council

LC Paper No. CB(1)1847/99-00

Ref: CB1/SS/5/99

**Paper for the House Committee meeting
on 16 June 2000**

**Report of the
Subcommittee on Road Traffic (Safety Equipment)
(Amendment) Regulation 2000 and
Road Traffic (Construction and Maintenance of Vehicles)
(Amendment) (No.2) Regulation 2000**

This paper reports on the deliberations of the Subcommittee on Road Traffic (Safety Equipment) (Amendment) Regulation 2000 and Road Traffic (Construction and Maintenance of Vehicles) (Amendment) (No.2) Regulation 2000.

Background

2. The Road Traffic (Safety Equipment) (Amendment) Regulation 2000 seeks to amend the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg.) and make consequential amendments to the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg.). The purpose of the Amendment Regulation is to extend the seat belt legislation to cover rear seats of taxis, and improve and rectify the inconsistencies of the existing seat belt legislation. If enacted, the Amendment Regulation will come into operation on 1 January 2001.

3. The Road Traffic (Construction and Maintenance of Vehicles) (Amendment) (No.2) Regulation 2000 seeks to amend the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg.). The purpose of the Amendment Regulation is to extend the emission tests to cover petrol and liquefied petroleum gas (LPG) vehicles as part of their roadworthiness inspection and to introduce exhaust emission standards for these vehicles. If enacted, the Amendment Regulation will come into operation on 1 November 2000.

Subcommittee

4. At the House Committee meeting held on 26 May 2000, members decided to form a subcommittee to study the two Amendment Regulations. The Subcommittee comprises six members with Hon Mrs Miriam LAU elected as Chairman. The

membership list of the Subcommittee is at **Appendix I**. The Subcommittee completed its deliberations in one meeting.

Deliberations of the Subcommittee

Road Traffic (Safety Equipment) (Amendment) Regulation 2000

5. Members of the Subcommittee welcome the proposed extension of the seat belt legislation to cover rear seats of taxis. Concerns however have been raised in respect of a number of issues and are summarized below.

6. The Subcommittee notes that the present design and construction of taxis do not allow the installation of more than three approved rear seat belts on taxis. As such, in case 5 passengers wish to take a taxi at the same time, 2 of them shall sit in the front and the remaining 3 in the rear. In view of the limited space available, the taxi trade has expressed concern, through a member, about the difficulty in manoeuvring while driving if the middle front seat of a taxi is occupied by a passenger, thereby leading to safety implications.

7. Another safety concern raised by the Subcommittee is about the availability of seat belts on taxis. Under the existing legislation, the maximum passenger seating capacity of a taxi is 5. However, for the purpose of establishing the number of persons that may be carried in a taxi, 3 children aged 3 years or above but each not exceeding 1.3 metres in height shall be counted as 2 persons. Under such circumstances, there may be cases where seat belts will not be available to taxi passengers, for example, 3 adults plus 3 children not exceeding 1.3 metres in height or in the extreme case, 7 children not exceeding 1.3 metres in height. Apart from the availability of seat belts, members are concerned about the resulting safety implications if a child is allowed to sit on one's knees in a rear seat of a taxi in case of accident.

8. To address the concerns of the Subcommittee, the Administration undertakes to review the proposal to reduce the maximum passenger seating capacity of a taxi from 5 to 4. It will also examine whether the aforesaid formula for establishing the number of persons that may be carried in a taxi shall be cancelled so that each person, no matter he is an adult or a child, shall be provided with a seat belt on a taxi.

9. The Subcommittee notes that with the implementation of the proposed extension of seat belt requirement, the Administration will step up publicity to enhance the public's awareness that they themselves would have to be responsible for any non-compliance with the new seat belt legislation on taxis. The owner of a taxi will ensure that proper notice is displayed in accordance with the legislation.

Road Traffic (Construction and Maintenance of Vehicles) (Amendment) (No.2)
Regulation 2000

10. Members of the Subcommittee welcome the proposal to extend the emission tests to cover petrol and LPG vehicles so as to ensure that a certain degree of vehicle maintenance is upheld. Concerns however have been raised in respect of a number of issues and are summarized below.

11. The Subcommittee notes that the European Commission (Euro) standards will be adopted as the emission standards for petrol vehicles. Concerns have been raised as to whether the proposed standards are appropriate and whether pre-Euro vehicles will have difficulties in meeting the standards.

12. The Administration has pointed out to members that the Euro standards are commonly adopted as the emission standards for petrol vehicles elsewhere. They provide flexibility in the sense that different emission standards are imposed on different category of vehicles with reference to the date of manufacture and the maximum permissible level specified by the vehicle manufacturer. This will ensure that the standards so imposed are realistic as vehicle manufacturers shall be fully conversant with their own products. In case such standards are not available, prescribed standards will be applied to different categories of vehicles with reference to their ages. The Administration assured members that the standards are not very tight and the vehicle maintenance trades in Hong Kong should be able to cope with the required maintenance work. The Administration has also consulted the Motor Traders Association, the Service Managers Association, and the Hong Kong Vehicle Repair Merchants Association, etc and they indicated support to the proposal.

13. In order to ensure that small and medium size service depots can have access to vehicle technical data/information, and acquire the necessary techniques and equipment for undertaking the maintenance work, the Subcommittee requests the Administration to make available the relevant repair manuals from the vehicle manufacturers to the trades.

14. The Subcommittee notes that classic vehicles manufactured before 1 January 1975 will be exempted from the emission tests. The Administration has also pointed out to the Subcommittee that the inclusion of the emission test will not cause any delay to the annual roadworthiness inspection. Since the additional costs incurred for the emission tests will be borne by the car testing centres, the testing fees will remain unchanged.

Recommendation

15. The Subcommittee supports the two Amendment Regulations put forward by the Administration.

Advice Sought

16. Members are invited to note the deliberations of the Subcommittee and support the recommendation at paragraph 15 above.

Council Business Division 1
Legislative Council Secretariat
13 June 2000

《2000年道路交通(安全裝備)(修訂)規例》及
《2000年道路交通(車輛構造及保養)(修訂)(第2號)規例》小組委員會
Subcommittee on
Road Traffic (Safety Equipment) (Amendment) Regulation 2000 and
Road Traffic (Construction and Maintenance of Vehicles)
(Amendment) (No. 2) Regulation 2000

委員名單
Membership list

劉健儀議員(主席)	Hon Mrs Miriam LAU Kin-ye, JP (Chairman)
何秀蘭議員	Hon Cyd HO Sau-lan
陳國強議員	Hon CHAN Kwok-keung
劉江華議員	Hon LAU Kong-wah
鄭家富議員	Hon Andrew CHENG Kar-foo
馮志堅議員	Hon FUNG Chi-kin

合共: 6 位議員
Total: 6 members

日期: 2000年6月8日
Date: 8 June 2000