

LEGISLATIVE COUNCIL BRIEF

Air Pollution Control Ordinance (Cap. 311)

**Air Pollution Control (Vehicle Design Standards)
(Emission)(Amendment) Regulation 2000**

and

**Air Pollution Control (Motor Vehicle Fuel)
(Amendment)(No. 2) Regulation 2000**

INTRODUCTION

The Secretary for the Environment and Food has made the Air Pollution Control (Vehicle Design Standards)(Emission)(Amendment) Regulation 2000 and the Air Pollution Control (Motor Vehicle Fuel) (Amendment) (No. 2) Regulation 2000, at **Annex A and B** respectively, under Section 43 of the Air Pollution Control Ordinance (Chapter 311), to tighten the emission standards for certain motor vehicles and to provide for more stringent requirements on the specifications for unleaded petrol and motor vehicle diesel. Specifically, the proposed amendments are to:

- (a) tighten the emission standards for newly registered motor vehicles of design weight not more than 3.5 tonnes to Euro III level at the same time as the European Union;
- (b) tighten the emission standards for newly registered diesel private cars to the latest Californian emission requirements; and
- (c) tighten the specifications of unleaded petrol and motor vehicle diesel to support the introduction of Euro III standards.

BACKGROUND AND ARGUMENT

2. Motor vehicles are the major source of air pollution in Hong Kong. To control the air pollution caused by them, we have established a policy to adopt the most stringent requirements for the emissions of newly registered motor vehicles and the quality of motor vehicle fuels when they can be made available to Hong Kong. With the approval of the Legislative Council, we have implemented the Euro II emission standards since 1997.

3. The European Union (EU) will start introducing its Euro III emission standards to newly registered motor vehicle of design weight not more than 3.5 tonnes, which include private cars, light vans and some light buses, from 1 January 2001. A Euro III standard vehicle will emit about 38% less particulates and 20% less hydrocarbon and nitrogen oxides than a Euro II vehicle, if combined with the use of better quality motor vehicle fuel. We propose to introduce these more stringent vehicle emission standards and motor fuel requirements from 1 January 2001.

4. The Euro III standards also require on-board diagnostic system (OBD) to be equipped to some newly registered petrol motor vehicles of design weight not more than 3.5 tonnes by 1 January 2001. The OBD system will provide useful information to the vehicle users and the service trade to help improve maintenance of the vehicle. We propose to follow the EU to introduce the same requirement by 1 January 2001.

5. As part of the strategy to reduce reliance on diesel vehicles, we introduced in 1998 the Californian emission standards for newly registered diesel private cars. The emission standards were so stringent that very few models of diesel private cars could meet them. California has now tightened the emission standards further for newly registered diesel private cars. We propose to do likewise for the same purpose.

6. The proposals will not be applied to diesel taxis as we are working separately to require all new taxis to use LPG by 1 January 2001.

THE REGULATIONS

The Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2000

7. The Air Pollution Control (Vehicle Design Standards)(Emission) (Amendment) Regulation 2000 amends the Air Pollution Control (Vehicle Design Standards)(Emission) Regulation (cap 311. sub. Leg.) by imposing more stringent vehicle design standards for emission of air pollutants applicable to certain motor vehicles. The amendments include :

- (a) tightening the emission standards for newly registered motor vehicles of design weight not more than 3.5 tonnes to the Euro III level. Emission standards from countries such as Japan and the United States will be accepted whenever they are compatible with the Euro III requirements;
- (b) requiring the installation of OBD system for certain classes of newly registered petrol vehicles in line with the Euro III requirements; and
- (c) tightening the emission standards for newly registered diesel private cars to the latest Californian requirements.

The Air Pollution Control (Motor Vehicle Fuel)(Amendment)(No. 2) Regulation 2000

8. The Air Pollution Control (Motor Vehicle Fuel)(Amendment)(No. 2) Regulation 2000 amends Schedule 1 and 2 to the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap 311, sub. leg.) by providing for more stringent standards on the specifications for motor vehicle diesel and unleaded petrol. We propose to upgrade the specifications of the unleaded petrol and motor diesel in the Regulation to those currently adopted by the European Union to support the introduction of Euro III emission standards. The major changes to the fuel specifications will include the introduction of limits of vapour pressure and some fuel components for unleaded petrol and the lowering of sulphur content for motor vehicle diesel from 0.05% to 0.035% by weight.

LEGISLATIVE TIMETABLE

9. Both Regulations will be published in the Gazette on 19 May 2000 and tabled in the Legislative Council for negative vetting on 24 May 2000. Subject to the negative vetting by the Legislative Council, the new requirements will take effect on 1 January 2001.

BASIC LAW IMPLICATIONS

10. The Department of Justice advises that both amendment Regulations are consistent with the Basic Law.

HUMAN RIGHTS IMPLICATIONS

11. The Department of Justice advises that both amendment Regulations have no human rights implications.

BINDING EFFECT OF THE LEGISLATION

12. The proposed amendments to the Air Pollution Control (Vehicle Design Standards)(Emission) Regulation will not affect the current binding effect of the Air Pollution Control (Vehicle Design Standards)(Emission) Regulation.

13. The proposed amendments to the Air Pollution Control (Motor Vehicle Fuel) Regulation will not affect the current binding effect of the Air Pollution Control (Motor Vehicle Fuel) Regulation.

FINANCIAL AND STAFFING IMPLICATIONS

14. Implementation of the proposed amendments to the Air Pollution Control (Vehicle Design Standards) (Emission) Regulation and the Air Pollution Control (Motor Vehicle Fuel) Regulation will not require any additional financial commitment from the government. Additional staff are not required.

ECONOMIC IMPLICATIONS

15. The Motor Traders Association has advised that the increase in vehicle cost due to the proposal will be insignificant. According to the oil companies, the proposed tightening of fuel specifications may increase the price of motor fuels by about 3 to 5%.

PUBLIC CONSULTATION

16. The Motor Traders Association supports the proposed upgrade to Euro III standard for vehicles not more than 3.5 tonnes. They have confirmed that vehicles meeting the proposed emission standards would be available by 1 January 2001. The oil companies have also confirmed that unleaded petrol and motor diesel that comply with the proposed specifications will be available by 1 January 2001. The Advisory Council on the Environment endorsed the proposals on 16 May 2000. An information paper on the proposed amendments was issued to the Legislative Council Panels on the Environmental Affairs and Transport on 9 May 2000.

PUBLICITY

17. A press release will be issued on 19 May 2000. A spokesman will be available for answering media enquiries.

ENQUIRIES

18. For any enquiries, please contact Mr. Dave Ho, Assistant Secretary for the Environment and Food, at 2136 3308.

Environment and Food Bureau
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