

# **LEGISLATIVE COUNCIL BRIEF**

## **Update of Road Users' Code**

### **INTRODUCTION**

Under section 109 of the Road Traffic Ordinance (Cap.374), the Secretary for Transport is to make and amend the Road Users' Code and approve any revision thereof.

2. In exercise of this power, the Secretary for Transport has approved the revision of the Road Users' Code and the revised Code is at Annex A.

### **BACKGROUND AND ARGUMENT**

3. The existing Road Users' Code was first published in 1987. It contains a wide range of rules, advice and information for all types of road users, including drivers, cyclists, passengers and pedestrians. The Code does not carry any legal effect. Failure on the part of any road user to observe any rule or follow any advice in the Code is not in itself an offence. However, any such failure may be taken into account in any court proceedings when deciding if a road user is at fault or not and to what extent.

4. Since the first issue of the Code in 1987, there have been a number of amendments to the traffic rules as well as enactments of new traffic regulations. The Code is required to be amended to reflect these changes.

### **THE REVISED ROAD USERS' CODE**

5. The Road Users' Code is revised to incorporate changes to traffic rules and regulations, and other miscellaneous amendments. New traffic regulations and by-laws that have been made and which have been incorporated into the revised code include, for example, the Western Harbour Crossing Ordinance and the associated regulations and by-laws, the Tsing Ma Control Area Ordinance and the associated regulations and the Road Traffic (Expressways) Regulations. Other major amendments include updating references to the seat belt legislation, the drink driving legislation and the signing of taxi stands to reflect the latest statutory requirements.

## **FINANCIAL AND STAFFING IMPLICATIONS**

6. There are no financial and staffing implications.

## **ECONOMIC IMPLICATIONS**

7. There are no economic implications.

## **PUBLICITY**

8. The revised Road Users' Code will be gazetted on 24 March 2000.

Government Secretariat  
Transport Bureau  
22 March 2000

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The Secretary for Transport submits the following note for Members' information -

<b>Title of the Note</b>	<b>Date of Gazette</b>
Update of Road Users' Code	24 March 2000

22 March 2000

Transport Bureau