

LN160-E

L.N. 160 of 2000

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

(Made under section 9 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 1 November 2000.

2. Interpretation

Regulation 2 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg.) is amended by adding---

" "air pollutant" (空氣污染物) has the same meaning as in section 2 of the Air Pollution Control Ordinance (Cap. 311);

"Authority" (監督) has the same meaning as in section 2 of the Air Pollution Control Ordinance (Cap. 311);

"exhaust emission" (排氣污染物) means any air pollutant emitted from the tail pipe of a motor vehicle;

"liquefied petroleum gas" (石油氣) has the same meaning as in section 2 of the Gas Safety Ordinance (Cap. 51);

"unleaded petrol" (無鉛汽油) has the same meaning as in section 2 of the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap. 311 sub. leg.);".

3. Smoke, etc.

Regulation 31(2) is amended---

(a) by adding "Part I of" before "the Fourth Schedule";

(b) by repealing "that Schedule" and substituting "that Part".

4. Regulation added

The following is added---

"31A. Exhaust emission

(1) Without limiting regulation 31, this regulation applies to every motor vehicle (other than a motor cycle or a motor tricycle) that is---

(a) manufactured on or after 1 January 1975 and is equipped with a positive-ignition engine and uses unleaded petrol as fuel; or

(b) equipped with a positive-ignition engine and uses liquefied petroleum gas as fuel.

(2) A motor vehicle to which this regulation applies shall be so constructed and maintained that its exhaust emission is not excessive.

(3) For the purposes of paragraph (2), exhaust emission is excessive, in the case of a motor vehicle that is equipped with a positive-ignition engine and uses unleaded

petrol as fuel, if the exhaust emission, measured in accordance with the procedure specified in column 2 of Part II of the Fourth Schedule and which is applicable to that motor vehicle having regard to its date of manufacture, does not comply with the standard applicable to that motor vehicle specified in column 3 of that Part.

(4) For the purposes of paragraph (2), exhaust emission is excessive, in the case of a motor vehicle that is equipped with a positive-ignition engine and uses liquefied petroleum gas as fuel, if the exhaust emission, measured in accordance with the procedure specified in column 1 of Part III of the Fourth Schedule, does not comply with the standard specified in column 2 of that Part.

(5) For the purposes of paragraphs (3) and (4), exhaust emission shall be measured by means of any one of the apparatuses specified by the Commissioner from time to time by notice published in the Gazette.

(6) For the avoidance of doubt, a notice under paragraph (5) is not subsidiary legislation.

(7) It shall be a defence in any proceedings in respect of a contravention of this regulation to prove that the excessive exhaust emission was due to some temporary or accidental cause which could not be prevented by the exercise of reasonable care.".

#### 5. Fourth Schedule substituted

The Fourth Schedule is repealed and the following substituted---

"FOURTH SCHEDULE [regs. 31 & 31A]

#### PART I

Maximum Permitted Smoke or Visible Vapour Emissions  
from Motor Vehicles

Column 1      Column 2

Maximum permitted smoke or visible

Maximum permitted smoke or vapour level in absolute units of  
visible vapour level      light absorption (M-1)

60 Hartridge Smoke Units      2.13

#### PART II

Standards for Exhaust Emissions from Motor Vehicles  
Equipped with Positive-Ignition Engine and  
using Unleaded Petrol as Fuel

Column 1      Column 2      Column 3

Date of manufacture      Measurement procedures      Emission standards

Between 1 January 1975      As specified in item 8.2.1(a)      (a) carbon monoxide  
level at

and 31 December 1986      of Annex II of the Council      idle is not to exceed  
the

(both dates inclusive) Directive 96/96 EC made by the Council of the European Union maximum permissible level specified by the vehicle manufacturer and which is available to the Authority;

or

(b) where the specified level is not available to the Authority, carbon monoxide level at idle is not to exceed 4.5% vol.

Between 1 January 1987 and 31 December 1991 As specified in item 8.2.1(a) (a) carbon monoxide level at

of Annex II of the Council idle is not to exceed the

(both dates inclusive) Directive 96/96 EC made by the Council of the European Union maximum permissible level specified by the vehicle manufacturer and which is available to the Authority ;

or

(b) where the specified level is not available to the Authority, carbon monoxide level at idle is not to exceed 3.5% vol.

On or after 1 January 1992 As specified in item 8.2.1(b) (a) carbon monoxide level at

of Annex II of the Council idle is not to exceed the

Directive 96/96 EC made by maximum permissible

the Council of the European level specified by the

Union vehicle manufacturer and which is available to the Authority ;

or

(b) where the specified level is not available to the Authority---

(i) at idle, carbon monoxide level is not to exceed 0.5% vol.; and

(ii) at high idle, carbon monoxide level is not to exceed 0.3% vol.

and Lambda2 is not to exceed  $1 \pm 0.03$

Part III

Standards for Exhaust Emissions from Motor Vehicles

Equipped with Positive-Ignition Engine and

using Liquefied Petroleum Gas as Fuel

Column 1 Column 2

Measurement procedure Emission standards

As specified in item 4-21-1 of Chapter 11-2 Carbon monoxide level is not to exceed 1.0%

of the Automobile Type Approval vol.; and Hydrocarbons are not to exceed

Handbook for Japanese Certification, 300ppm vol. as normal-hexane equivalent

October 1997, Technical Edition II by the

Japan Automobile Standards International  
Centre

Note: 1. At high idle, the speed of engine must not be less than 2000 rev/min.  
2. Lambda is the quantity of intake air divided by the theoretical air requirement of the engine."

Nicholas NG

Secretary for Transport

15 May 2000

Explanatory Note

This Regulation amends the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg.) by introducing exhaust emission standards for motor vehicles that are equipped with positive-ignition engines and use either unleaded petrol or liquefied petroleum gas as fuel. From 1 November 2000, exhaust emissions from these motor vehicles, as measured by the prescribed procedures, is excessive if the emissions exceed the prescribed standards set out in section 5 of this Regulation.