

LN147-E

L.N. 147 of 2002

Road Traffic (Construction And Maintenance
Of Vehicles) (Amendment) (No. 2)

Regulation 2002

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

1. Commencement

This Regulation shall come into operation on a day to be appointed by the Secretary for the Environment, Transport and Works by notice published in the Gazette.

2. Interpretation

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

"head restraint" (頭部保護裝置) means a device the function of which is to limit the rearward displacement of the head of a seated passenger in relation to his torso in order to reduce the danger of injury to the cervical vertebrae of the passenger in the event of an accident;

"retractable belt" (可回卷安全帶) has the same meaning as in the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg.);

"specified date" (指明日期) means the date of commencement of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) (No. 2) Regulation 2002 (L.N. 147 of 2002);".

3. Passenger seats

Regulation 73 is amended---

(a) in paragraph (1)(b), by repealing "a length of at least 380 millimetres" and substituting "a width of at least 380 millimetres, and in the case of a public light bus registered on or after the specified date, a width of at least 450 millimetres,";

(b) by adding---

"(1A) In every public light bus registered on or after the specified date---

(a) every seat shall have a back rest of not less than 700 millimetres in height and if a back rest exceeds 800 millimetres in height, the seat concerned shall also be equipped with a head restraint;

(b) where a retractable belt is fitted to the seat concerned, the surface or edge of any guard, or the top or edge of any screen or partition, that would likely to be struck by the head of a passenger wearing the retractable belt in the event of an accident, shall be provided with padding of impact energy absorption material, but nothing in this subparagraph shall require padding to be provided on any surface

more than 1 000 millimetres from the intersection of the centre lines of the seat cushion and the back rest or more than 150 millimetres on either side of the longitudinal vertical plane which passes through the intersection;

(c) all seats and their anchorages shall conform with one or more of the specifications and standards set out in Part 1 of Schedule 15;

(d) all head restraints shall conform with one or more of the specifications and standards set out in Part 2 of Schedule 15;

(e) the seats and head restraints---

(i) shall not have sharp edges which may increase the risk or severity of injury to seated passengers in traffic accidents; and

(ii) shall be made of impact energy absorption material and fire resistant material; and

(f) the accessories attached to the seats and head restraints shall not have sharp edges which may increase the risk or severity of injury to seated passengers in traffic accidents and shall be made of impact energy absorption material.

(1B) For the purposes of paragraph (1A)(a), all measurements for determining the height of back rest shall be taken, with the seat cushion and back rest undepressed, through the centre line of the individual seating place and measured from the horizontal surface of the seat cushion intersected at the front lower edge of the back rest to the front upper edge of the back rest."

4. Schedule amended

The Fourth Schedule is amended, in Part III, in Column 1, by repealing "International Centre" and substituting "Internationalization Center".

5. Schedule 15 added

The following is added---

"SCHEDULE 15 [reg. 73(1A)]

PART 1

Seats and their Anchorages for Public Light Buses

Registered on or after Specified Date

1. ECE Regulation No. 80 made by the Economic Commission for Europe dated 25 May 1989 (E/ECE/324-E/ECE/TRANS/505/Rev. 1/Add. 79) including all revisions for seats of large passenger vehicles and of these vehicles with regard to the strength of the seats and their anchorages made before the date this section comes into operation.

2. ECE Regulation No. 17 made by the Economic Commission for Europe dated 14 August 1970 (E/ECE/324-E/ECE/TRANS/505/Rev. 1/Add. 16) including all revisions for vehicles with regard to the seats, their anchorages and any head restraints made before the date this section comes into operation; and ECE Regulation No. 21 made by the Economic Commission for Europe dated 2 June 1971 (E/ECE/324-

E/ECE/TRANS/505/Rev. 1/Add. 20) including all revisions for vehicles with regard to their interior fittings made before the date this section comes into operation.

3. Directive 74/408/EEC issued by the European Economic Community dated 22 July 1974 including all revisions for motor vehicles with regard to the seats, their anchorages and head restraints made before the date this section comes into operation.

4. (a) Technical Standard for Seats and Seat Anchorages and Type Approval Test Procedures (TRIAS) 35-1975; and

(b) Technical Standard for Seatback Impact Absorption and Type Approval Test Procedures (TRIAS) 36-1975,

made by the Minister of Land, Infrastructure and Transport of Japan for motor vehicle with a passenger capacity of 11 or less in Circular of Jisha No. 899 of 1 October 1983 and Circular of Kinshin No. 453 of 24 August 1971 including all revisions of those standards and test procedures made before the date this section comes into operation.

5. Federal Motor Vehicle Safety Standard No. 201 of Federal Regulations Vol. 36 No. 232 of USA dated 2 December 1971 including all revisions for occupant protection in interior impact made before the date this section comes into operation; and Federal Motor Vehicle Safety Standard No. 207 of Federal Regulations Vol. 36 No. 232 of USA dated 2 December 1971 including all revisions for seating systems made before the date this section comes into operation.

6. Australian Design Rule 68/00 approved in Motor Vehicles Standards Determination No. 3 of 1992 (Australia) including all revisions for occupant protection in buses made before the date this section comes into operation.

PART 2

Head Restraints for Public Light Buses

Registered on or after Specified Date

1. ECE Regulation No. 25 made by the Economic Commission for Europe dated 30 December 1971 (E/ECE/324-E/ECE/TRANS/505/Rev. 1/Add. 24) including all revisions for head restraints (headrests), whether or not incorporated in vehicle seats, made before the date this section comes into operation.

2. ECE Regulation No. 17 made by the Economic Commission for Europe dated 14 August 1970 (E/ECE/324-E/ECE/TRANS/505/Rev. 1/Add. 16) including all revisions for vehicles with regard to the seats, their anchorages and any head restraints made before the date this section comes into operation.

3. Directive 78/932/EEC issued by the European Economic Community dated 20 November 1978 including all revisions for head restraints of seats of motor vehicles made before the date this section comes into operation.

4. Directive 74/408/EEC issued by the European Economic Community dated 22 July 1974

including all revisions for motor vehicles with regard to the seats, their anchorages and head restraints made before the date this section comes into operation.

5. Technical Standard for Head Restraints and Type Approval Test Procedures (TRIAS) 32-1983 made by the Minister of Land, Infrastructure and Transport of Japan for driver's seat and front seat beside the driver's seat of a motor vehicle with a passenger capacity of 11 or less in Circular of Jisha No. 899 of 1 October 1983 and Circular of Kinshin No. 453 of 24 August 1971 including all revisions of that standard and test procedures made before the date this section comes into operation.

6. Federal Motor Vehicle Safety Standard No. 202 of Federal Regulations Vol. 36 No. 232 of USA dated 2 December 1971 including all revisions for head restraints made before the date this section comes into operation.

7. Australian Design Rule 22/00 approved in Road Vehicle (National Standards) Determination No. 2 of 1995 (Australia) including all revisions for head restraints made before the date this section comes into operation."

Dr. Sarah LIAO

Secretary for the Environment,

Transport and Works

9 October 2002

Explanatory Note

This Regulation amends the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg.) to require public light buses registered on or after the date of commencement of this Regulation to---

(a) have a width of at least 450 millimetres for every seat;

(b) have a back rest for every seat and, if a back rest exceeds 800 millimetres in height, to have the seat concerned equipped with a head restraint;

(c) (in cases where a retractable belt is fitted to the seat concerned) be provided with padding of impact energy absorption material for the surface or edge of any guard that would likely to be struck by the head of a passenger wearing the retractable belt in the event of an accident;

(d) have seats and their anchorages that conform with one or more of the specifications and standards set out in Part 1 of Schedule 15; and

(e) (in cases where head restraints shall be provided) have head restraints that conform with one or more of the specifications and standards set out in Part 2 of Schedule 15.