

# A BILL

# To

Amend the Road Traffic Ordinance and the Road Traffic (Construction and Maintenance of Vehicles) Regulations.

Enacted by the Legislative Council.

## **1. Short title and commencement**

(1) This Ordinance may be cited as the Road Traffic (Amendment) Ordinance 2003.

(2) Sections 2, 5, 6 and 7 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**

Section 2 of the Road Traffic Ordinance (Cap. 374) is amended in the definition of “light bus” by repealing “having a permitted gross vehicle weight not exceeding 4 tonnes which is”.

## **3. Transport Tribunals’ panel**

Section 16(2) and (4) is amended by repealing “Chief Secretary for Administration” and substituting “Secretary for the Environment, Transport and Works”.

## **4. Appointment of Transport Tribunals**

Section 17(1) and (2)(a) is amended by repealing “Chief Secretary for Administration” and substituting “Secretary for the Environment, Transport and Works”.

## **Road Traffic (Construction and Maintenance of Vehicles) Regulations**

### **5. Second Schedule amended**

The Second Schedule to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) is amended in Part I by repealing “4.0” and substituting “5.5”.

## **Consequential Amendments**

### **Motor Vehicles (First Registration Tax) Ordinance**

#### **6. Interpretation**

Section 2(1) of the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330) is amended in the definition of “light bus” by repealing “having a permitted gross vehicle weight not exceeding 4 tonnes which is”.

## **Road Tunnels (Government) Regulations**

#### **7. Interpretation**

Regulation 2(1) of the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A) is amended in the definition of “light bus” by repealing “having a permitted gross vehicle weight not exceeding 4 tonnes which is”.

## **Explanatory Memorandum**

The main purpose of this Bill is to amend the Road Traffic Ordinance (Cap. 374) (“the Ordinance”) to—

- (a) increase the maximum gross vehicle weight of a light bus from 4.0 tonnes to 5.5 tonnes; and
- (b) transfer the power to appoint a Transport Tribunals’ panel and Transport Tribunals from the Chief Secretary for Administration to the Secretary for the Environment, Transport and Works.

2. Clause 2 amends section 2 of the Ordinance to remove the restriction on gross vehicle weight from the definition of “light bus”.

3. Clause 3 amends section 16(2) of the Ordinance to transfer the power to appoint a Transport Tribunals' panel from the Chief Secretary for Administration to the Secretary for the Environment, Transport and Works. The clause also amends section 16(4) of the Ordinance so that a notice of resignation by a member of the panel may be given to the Secretary for the Environment, Transport and Works.
4. Clause 4 amends section 17(1) and (2)(a) of the Ordinance to transfer the power to appoint Transport Tribunals and a chairman of a Transport Tribunal from the Chief Secretary for Administration to the Secretary for the Environment, Transport and Works.
5. Clause 5 amends the Second Schedule to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) to increase the maximum gross vehicle weight of a light bus from 4.0 tonnes to 5.5 tonnes.
6. Clauses 6 and 7 repeal the references to permitted gross vehicle weight of a light bus in other enactments.