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**AIR POLLUTION CONTROL (VEHICLE DESIGN
STANDARDS) (EMISSION) (AMENDMENT)
REGULATION 2006**

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**AIR POLLUTION CONTROL (VEHICLE DESIGN
STANDARDS) (EMISSION) (AMENDMENT)
REGULATION 2006**

(Made by the Secretary for the Environment, Transport and Works under section 43 of the Air Pollution Control Ordinance (Cap. 311) after consultation with the Advisory Council on the Environment)

1. Commencement

(1) This Regulation (other than sections 5 and 10) shall come into operation on 1 October 2006.

(2) Sections 5 and 10 shall come into operation on 1 January 2007.

2. Vehicle design standards for certain motor vehicles

Regulation 7(1) of the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J) is amended—

- (a) in paragraph (j)(v), by repealing “on or after 1 August 2003” and substituting “between 1 August 2003 and 30 September 2006 (both dates inclusive)”;
- (b) in paragraph (ja)(iv), by repealing “on or after 1 August 2003” and substituting “between 1 August 2003 and 30 September 2006 (both dates inclusive)”;
- (c) in paragraph (k)(iii), by repealing “on or after 1 October 2001” and substituting “between 1 October 2001 and 30 September 2006 (both dates inclusive)”;
- (d) in paragraph (ka)(iii), by repealing “on or after 1 August 2003” and substituting “between 1 August 2003 and 30 September 2006 (both dates inclusive)”;
- (e) in paragraph (l)(iii), by repealing “on or after 1 October 2001” and substituting “between 1 October 2001 and 30 September 2006 (both dates inclusive)”;
- (f) in paragraph (m), by repealing “on or after 1 October 1999” and substituting “between 1 October 1999 and 31 December 2006 (both dates inclusive)”;
- (g) in paragraph (n), by repealing “on or after 1 October 1999” and substituting “between 1 October 1999 and 31 December 2006 (both dates inclusive)”.

3. Vehicle design standards for certain motor vehicles registered on or after 1 January 2006

Regulation 7B(1) is amended—

- (a) in paragraph (f)(v), by repealing “on or after 1 January 2006” and substituting “between 1 January 2006 and 31 December 2006 (both dates inclusive)”;
- (b) in paragraph (i)(iii), by repealing “more than 1.7 tonnes but”;
- (c) in paragraph (j)(iv), by repealing “on or after 1 January 2006” and substituting “between 1 January 2006 and 31 December 2006 (both dates inclusive)”;
- (d) in paragraph (m)(ii), by repealing “more than 1.7 tonnes but”;
- (e) in paragraph (n)(v), by repealing “on or after 1 January 2006” and substituting “between 1 January 2006 and 31 December 2006 (both dates inclusive)”;
- (f) in paragraph (q)(iii), by repealing “more than 1.7 tonnes but”.

4. Regulation added

The following is added—

“7C. Vehicle design standards for certain motor vehicles registered on or after 1 October 2006

- (1) Subject to regulation 9—
 - (a) every goods vehicle, light bus or bus which—
 - (i) is equipped with a positive-ignition engine;
 - (ii) is constructed to operate on unleaded petrol only;
 - (iii) has a design weight of more than 3.5 tonnes; and
 - (iv) is registered on or after 1 October 2006,shall be so constructed that the emission from that goods vehicle, light bus or bus conforms to the standards specified in paragraph (b) or (c) of Schedule 13;
 - (b) every goods vehicle, light bus or bus which—
 - (i) is equipped with a compression-ignition engine;
 - (ii) has a design weight of more than 3.5 tonnes; and
 - (iii) is registered on or after 1 October 2006,shall be so constructed that the emission from that goods vehicle, light bus or bus conforms to the standards specified in paragraph (a), (b) or (c) of Schedule 13;

- (c) every light bus which—
- (i) is equipped with a positive-ignition engine;
 - (ii) is constructed to operate on liquefied petroleum gas only;
 - (iii) has a design weight of more than 3.5 tonnes; and
 - (iv) is registered on or after 1 October 2006,
- shall be so constructed that the emission from that light bus conforms to the standards specified in paragraph (a), (b) or (c) of Schedule 13.

(2) In this regulation, “goods vehicle” (貨車), “light bus” (小型巴士) and “bus” (巴士) shall have the meanings assigned to them, respectively, in section 2 of the Road Traffic Ordinance (Cap. 374).”.

5. Regulation added

The following is added—

“7D. Vehicle design standards for motor cycles and motor tricycles registered on or after 1 January 2007

(1) Subject to regulation 9, every motor cycle registered on or after 1 January 2007 shall be so constructed that the emission from that motor cycle conforms to the standards specified in paragraph (a), (b) or (c) of Schedule 14.

(2) Subject to regulation 9, every motor tricycle registered on or after 1 January 2007 shall be so constructed that the emission from that motor tricycle conforms to the standards specified in Schedule 15.”.

6. Compliance with more stringent standards

Regulation 8 is amended by adding “, 7C, 7D” after “7B”.

7. Vehicles to which regulations 7, 7B and 14 do not apply

Regulation 9 is amended—

- (a) in the heading, by adding “, 7C, 7D” after “7B”;
- (b) by adding “, 7C, 7D” after “7B”.

8. Certain motor vehicles to be equipped with on-board diagnostic system

Regulation 14 is amended by adding—

“(7) Every motor vehicle under regulation 7C(1)(b) shall be fitted with an on-board diagnostic system so constructed that it conforms to the requirements specified in—

- (a) the on-board diagnostic system specifications administered by the Environmental Protection Agency of the United States of America;
- (b) the on-board diagnostic system specifications stipulated in Directive 2005/55/EC made by the European Parliament and the Council; or
- (c) the on-board diagnostic system specifications administered by the Ministry of Land, Infrastructure and Transport of Japan.”.

9. Schedule 13 added

The following is added—

“SCHEDULE 13

[reg. 7C]

VEHICLE DESIGN STANDARDS (EMISSION) FOR
CERTAIN MOTOR VEHICLES REGISTERED
ON OR AFTER 1 OCTOBER 2006

- (a) European Union Motor Vehicle Emission Standards
 - (i) All the testing procedures, requirements and emission limits as specified in Directive 2005/55/EC made by the European Parliament and the Council.
 - (ii) The emission of gaseous and particulate pollutants and opacity of smoke from the engine shall comply with the limit values set out in Row B1 of the Tables in Section 6.2.1 of Annex I to Directive 2005/55/EC made by the European Parliament and the Council as amended by Commission Directive 2005/78/EC.
 - (iii) All the type approval requirements as specified in Council Directive 70/156/EEC made by the Council as amended by its subsequent amendments up to and including amendments made by Commission Directive 2004/104/EC.

- (b) United States of America Motor Vehicle Emission Standards
- (i) All the testing procedures, requirements and emission limits as stated in the Code of Federal Regulations Title 40 Protection of Environment Part 86 Control of Emissions from new and in-use highway vehicles and engines of the United States of America.
 - (ii) The emission limit values shall comply with—
 - (A) emission standards for 2005 and later model year Otto-cycle heavy-duty engines and vehicles for positive-ignition engines; or
 - (B) emission standards and supplemental requirements for 2007 and later model year diesel heavy-duty engines for compression-ignition engines.
 - (iii) All the type approval requirements administered by the Environmental Protection Agency of the United States of America.
- (c) Japan Motor Vehicle Emission Standards
- (i) All the testing procedures, requirements and emission limits as specified in the Safety Regulation for Road Vehicles (i.e. the Ministry of Transport Ordinance No. 67 of 28 July 1951) as amended by its subsequent amendments up to and including amendments made by Ministry of Land, Infrastructure and Transport Ordinances No. 49 of 6 April, 2005.
 - (ii) The emission limit values shall comply with the limit values set out in the New Long-term Regulation enforced on 1 October 2005.
 - (iii) All the type approval requirements administered by the Ministry of Land, Infrastructure and Transport of Japan.”.

10. Schedules 14 and 15 added

The following are added—

“SCHEDULE 14

[reg. 7D]

VEHICLE DESIGN STANDARDS (EMISSION) FOR
MOTOR CYCLES REGISTERED ON OR AFTER
1 JANUARY 2007

- (a) European Union Motor Cycle Emission Standards

- (i) All the testing procedures, requirements and emission limits as specified in Directive 97/24/EC made by the European Parliament and the Council as amended by its subsequent amendments up to and including amendments made by Directive 2005/30/EC made by the European Parliament and the Council.
 - (ii) The emission limit values for Type I test shall comply with the limit values set out in Row B of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC made by the European Parliament and the Council as amended by its subsequent amendments up to and including amendments made by Directive 2005/30/EC made by the European Parliament and the Council.
 - (iii) All the type approval requirements as specified in Directive 2002/24/EC made by the European Parliament and the Council as amended by its subsequent amendments up to and including amendments made by Directive 2005/30/EC made by the European Parliament and the Council.
- (b) United States of America Motor Cycle Emission Standards
- (i) All the testing procedures, requirements and emission limits as stated in the Code of Federal Regulations Title 40 Protection of Environment Parts 9, 86, 90 and 1051 Control of Emissions from highway motor cycles of the United States of America.
 - (ii) The emission limit values shall comply with emission standards for 2006 and later model year motor cycles.
 - (iii) All the type approval requirements administered by the Environmental Protection Agency of the United States of America.
- (c) Japan Motor Cycle Emission Standards
- (i) All the testing procedures, requirements and emission limits as specified in the Safety Regulation for Road Vehicles (i.e. the Ministry of Transport Ordinance No. 67 of 28 July 1951) as amended by its subsequent amendments up to and including amendments made by Ministry of Land, Infrastructure and Transport Ordinances No. 49 of 6 April, 2005 and Ministry of Land, Infrastructure and Transport Notice No. 909 of 29 August 2005.
 - (ii) The emission limit values shall comply with the limit values set out in the Ministry of Land, Infrastructure and Transport Notice No. 909 of 29 August 2005.
 - (iii) All the type approval requirements administered by the Ministry of Land, Infrastructure and Transport of Japan.

SCHEDULE 15

[reg. 7D]

VEHICLE DESIGN STANDARDS (EMISSION) FOR
MOTOR TRICYCLES REGISTERED ON OR
AFTER 1 JANUARY 2007

European Union Motor Tricycle Emission Standards

- (i) All the testing procedures, requirements and emission limits as specified in Directive 97/24/EC made by the European Parliament and the Council as amended by its subsequent amendments up to and including amendments made by Directive 2005/30/EC made by the European Parliament and the Council.
- (ii) The emission limit values for Type I test shall comply with the limit values set out in Row A of the Table in Chapter 5, Annex II, Section 2.2.1.1.5 to Directive 97/24/EC made by the European Parliament and the Council as amended by its subsequent amendments up to and including amendments made by Directive 2005/30/EC made by the European Parliament and the Council.
- (iii) All the type approval requirements as specified in Directive 2002/24/EC made by the European Parliament and the Council as amended by its subsequent amendments up to and including amendments made by Directive 2005/30/EC made by the European Parliament and the Council.”.

Dr. Sarah LIAO

Secretary for the Environment,
Transport and Works

3 May 2006

Explanatory Note

This Regulation amends the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J). The purpose, mainly, is to impose more stringent vehicle design standards on certain motor vehicles, in order to reduce the emission of air pollutants from them.

2. New Regulation 7C specifies enhanced design standards for certain goods vehicles, light buses and buses, with a design weight of more than 3.5 tonnes, which are first registered on or after 1 October 2006. Regulation 7(1) is amended so that the existing standards will not apply to the same types of vehicles which are registered after 30 September 2006 (sections 2 and 4).
3. New Regulation 7D specifies enhanced design standards for every motor cycle or motor tricycle which is first registered on or after 1 January 2007. Regulation 7(1)(m) and (n) is amended so that the existing standards will not apply to such motor cycles and tricycles which are registered after 31 December 2006 (sections 2 and 5).
4. Regulation 7B (which deals with design standards for certain motor vehicles registered on or after 1 January 2006) is amended to apply the same design standards to goods vehicles and light buses with a design weight of 1.7 tonnes or less and those with a design weight of more than 1.7 tonnes but not more than 3.5 tonnes. The reason is that on and from 1 January 2007 the distinction will no longer be relevant (section 3).
5. Regulation 14 is amended to require certain motor vehicles equipped with a compression-ignition engine, having a design weight of more than 3.5 tonnes and first registered on or after 1 October 2006, to be fitted with an on-board diagnostic system that conforms to certain specified requirements (section 8).