

LEGISLATIVE COUNCIL BRIEF

Road Traffic Ordinance
(Chapter 374)

**Road Traffic (Construction and Maintenance of Vehicles)
(Amendment: Requirements for Speedometers and Speed Display
Devices) Regulation 2007**

**Road Traffic (Construction and Maintenance of Vehicles)
(Amendment: Safety Requirements for Passenger Seats in Student
Service Vehicles) Regulation 2007**

**Road Traffic (Construction and Maintenance of Vehicles)
(Amendment: Maximum Permitted Smoke or Visible Vapour
Emissions) Regulation 2007**

**Road Traffic (Traffic Control) (Amendment: Addition of Traffic
Signs) Regulation 2007**

INTRODUCTION

The Secretary for the Environment, Transport and Works has made the Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Requirements for Speedometers and Speed Display Devices) Regulation 2007 (at **Annex A**), the Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Safety Requirements for Passenger Seats in Student Service Vehicles) Regulation 2007 (at **Annex B**), the Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Maximum Permitted Smoke or Visible Vapour Emissions) Regulation 2007 (at **Annex C**) and the Road Traffic (Traffic Control) (Amendment: Addition of Traffic Signs) Regulation 2007 (at **Annex D**) to ensure the regulations are able to meet present-day requirements and to enhance road safety.

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JUSTIFICATIONS

Speedometers

2. The construction and maintenance requirements of speedometers are set out in Regulation 24 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub.

leg. A) (“the Construction and Maintenance Regulations”). The existing legislation allows the speedometer to display the speed of a vehicle within a margin of accuracy of plus or minus 10 percent if and when the motor vehicle is being driven at a speed in excess of 15 km/h.

3. According to international standard¹, a speedometer must indicate the speed of a vehicle in a way that the actual speed is equal to or lower than the speed displayed by it. To align with international standard, we consider it necessary to amend Regulation 24 of the Construction and Maintenance Regulations to the effect that such standard will apply to all newly registered motor vehicles.

Speed Display Devices

4. To allow passengers of public light buses (“PLBs”) monitor the speed of the vehicles and hence deter speeding, we have made the installation of speed display device (“SDD”) mandatory for all PLBs through the relevant licensing conditions with effect from 30 April 2005. We consider it necessary to include construction and maintenance requirements of SDD in the Construction and Maintenance Regulations, and to make misuse or malfunctioning of SDD an offence to increase deterrent.

Safer Seats for Student Service Vehicles

5. The safety record of student service vehicles has been generally satisfactory as compared to other vehicle types². Nevertheless, to render better protection to passengers of student service vehicles, who are mostly young children, we consider it necessary to further enhance the safety provisions in all rear seats of such vehicles. In particular, we have reviewed possible safety measures in respect of vehicle construction, namely the introduction of passenger seat belts and the use of safer seats³.

6. Our review on overseas practices shows that there is as yet

¹ The international standard refers to the regulation established by Economic Commission for Europe of United Nations under the 1958 Agreement.

² In the past five years, the average number of accidents involving student service vehicles on school trips was 50 per year, accounting for around 0.33% of the total.

³ Safer seats refer to strong, closely spaced seats with strong floor anchorage, high energy-absorbing seat back and fire-resistant seating upholstery, which would more effectively protect the passengers in the event of an accident.

no consensus on the compulsory fitting and wearing of seat belts on student service vehicles. Supporters consider that seat belts would enhance passenger safety, but those against point to the practical difficulties in providing an appropriate type of seat belts that could suit young students of all age groups. In case of emergency, the seat belts may even prevent rapid egress of students from the vehicles as they may not be able to unfasten their seat belts quickly by themselves. There is also the question as to who should be held responsible if the seat belts are not worn.

7. Our review also indicates that in Canada and the United States, safer seats adopted for use on student service vehicles have proved to be effective and provided a similar level of protection as seat belts to young students. In Canada, the number of injuries sustained by school bus users has been reduced by about 26 percent since the introduction of safer seats in 1975.

8. Given the above findings, we consider it necessary to amend the Construction and Maintenance Regulations that all newly registered student service vehicles shall be equipped with safer seats in accordance with specified standards.

Maximum Permitted Smoke or Visible Vapour Level

9. Regulation 31 of the Construction and Maintenance Regulations stipulates that every motor vehicle shall be so constructed and maintained that no excessive smoke or visible vapour is emitted therefrom. Smoke or visible vapour shall be deemed to be excessive if the emissions from the vehicle exceed the maximum permitted level specified in Part I of the Fourth Schedule to the Construction and Maintenance Regulations. At present, the maximum permitted smoke or visible vapour level is 60 Hartridge Smoke Units (“HSU”) or 2.13 m^{-1} . The Commissioner for Transport (“the Commissioner”) would inspect the smoke or visible vapour level of motor vehicles during vehicle examinations.

10. Since 1988, vehicles that are found to be smoky by spotters of the Environmental Protection Department under the Smoky Vehicle Control Programme are required to be tested at a designated vehicle emission testing centre under Section 77B of the Road Traffic Ordinance (Cap. 374). On the advice of the Director of Environmental Protection in 1995 with the aim to improve roadside air quality, the Commissioner

has set a tighter level⁴ (i.e. 50 HSU or 1.61 m⁻¹) for these smoky vehicles to ensure that they would be better maintained.

11. We consider it necessary to align the maximum permitted smoke or visible vapour level set out in Part I of the Fourth Schedule to the Construction and Maintenance Regulations with the tighter level as mentioned in paragraph 10 above. Similar to the Smoky Vehicle Control Programme, the amended level will not apply to motor vehicles having a permitted gross vehicle weight exceeding 5.5 tonnes and manufactured before 1 January 1990.

Addition of Traffic Signs

12. Regulation 14 of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) (“the Traffic Control Regulations”) empowers the Commissioner to designate any area as a prohibited zone which prohibits the driving of any motor vehicle or any specified class or description of motor vehicle on any roads within the prohibited zone.

13. Nevertheless, there is currently no prescribed traffic sign in the Traffic Control Regulations that indicates a prohibition against the driving of vehicles carrying dangerous goods on roads generally⁵. Therefore, while the Commissioner may wish to designate a particular section of road⁶ as a prohibition zone for vehicles carrying dangerous goods of categories 1, 2 and 5 as defined under the Dangerous Goods Ordinance (Cap. 295) for road safety reasons, there is no appropriate prescribed traffic sign to indicate the prohibition. It is therefore necessary to amend the Traffic Control Regulations by including the relevant signs.

⁴ Section 77F of Cap. 374 empowers the Commissioner to set the smoke limit for vehicles tested at a vehicle emission testing centre that is designated by the Commissioner under Section 77C of Cap. 374.

⁵ At present, traffic signs relating to the prohibition of motor vehicles carrying dangerous goods of categories 1, 2 and 5 are prescribed in the relevant Ordinances of the respective tunnels. These signs can only apply in respective tunnel areas.

⁶ These road sections will include areas with enclosed environment similar to that of tunnels (e.g. underpasses).

THE AMENDMENT REGULATIONS

14. The main provisions of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Requirements for Speedometers and Speed Display Devices) Regulation 2007 are made to:

- (a) divide the general description of “speed indicators” in the principal Regulations into two separate categories of “speedometer” and “speed display device” for the purpose of clarity;
- (b) prohibit the fitting of a speedometer in a new motor vehicle which displays the speed of the motor vehicle slower than its actual speed;
- (c) require every public light bus to be fitted with a speed display device;
- (d) require every speedometer and speed display device to be approved by the Commissioner;
- (e) require every speedometer and speed display device approved by the Commissioner to bear an approval mark;
- (f) prohibit any modification of an approved speedometer or speed display device unless written permission has been obtained from the Commissioner;
- (g) require the speedometer of a new motor vehicle registered on or after 1 May 2008 to conform with the new installation and performance requirements set out in Part 2 of Schedule 16 to the Construction and Maintenance Regulations;
- (h) allow the speedometer of a motor vehicle registered before 1 May 2008 to conform with the existing installation and performance requirements set out in Part 1, or the new installation and performance requirements set out in Part 2, of Schedule 16 to the Construction and Maintenance Regulations; and
- (i) require every speed display device to conform with the new installation and performance requirements set out in Part 3 of Schedule 16 to the Construction and Maintenance Regulations.

15. The main provisions of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Safety Requirements for

Passenger Seats in Student Service Vehicles) Regulation 2007 are made to require a student service vehicle registered on or after 1 May 2009:

- (a) to have every seat to be forward-facing;
- (b) not to have sharp edges in all seats and in the accessories attached to the seats which may increase the risk or severity of injury to seated passengers in a traffic accident;
- (c) to have all seats and their anchorages to conform to the installation and performance requirements set out in Part 5 of Schedule 15 to Construction and Maintenance Regulations;
- (d) to have all restraining barriers and their anchorages to be constructed to the strength requirements provided for in subparagraph (c) in respect of the seats and their anchorages;
- (e) to have every controlled surface made of impact energy absorption material that conforms to the installation and performance requirements set out in Part 3 of Schedule 15 to the Construction and Maintenance Regulations;
- (f) not to have folding table or folding accessories installed on any controlled surface;
- (g) to have all seats and restraining barriers made of fire resistant material that conforms to the installation and performance requirements set out in Part 4 of Schedule 15 to the Construction and Maintenance Regulations;
- (h) to 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; and
- (i) to have every seat to be so fitted –
 - (i) that it has another seat back or a restraining barrier in front of it; and
 - (ii) that there is a clear space of not more than 740 millimetres in front of the back rest of any seat.

16. The main provisions of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment: Maximum Permitted Smoke or Visible Vapour Emissions) Regulation 2007 are made to tighten the maximum permitted level of smoke or visible vapour emitted from motor vehicles. The change does not apply to motor vehicles having a

permitted gross vehicle weight exceeding 5.5 tonnes and manufactured before 1 January 1990.

17. The main provisions of the Road Traffic (Traffic Control) (Amendment: Addition of Traffic Signs) Regulation 2007 are made to specify new traffic signs in Schedule 1 to the Traffic Control Regulations. The Regulation also provides that any person who without reasonable excuse fails to comply with the requirements indicated by the new traffic sign commits an offence.

18. The main provisions of the Construction and Maintenance Regulations and the Traffic Control Regulations being amended are at **Annex E**.

E

LEGISLATIVE TIMETABLE

19. The legislative timetable is as follows –

Publication in the Gazette	6 July 2007
Tabling at the Legislative Council	11 July 2007

The new construction and maintenance requirements for speedometers will apply to all new motor vehicles registered on or after 1 May 2008. The construction and maintenance requirements for SDD will apply to all PLBs with effect from 1 May 2008. The construction and maintenance requirements for safer seats will apply to all student service vehicles registered on or after 1 May 2009. The new maximum permitted smoke or visible vapour level will apply to all vehicles except those having a permitted gross vehicle weight exceeding 5.5 tonnes and manufactured before 1 January 1990, with effect from 1 May 2008. The Amendment Regulation relating to addition of traffic signs will come into effect on 1 December 2007.

IMPLICATIONS OF THE PROPOSAL

20. The proposals are in conformity with the Basic Law, including provisions concerning human rights. They do not affect the binding effect of the Road Traffic Ordinance. The proposals should have no financial, civil service, economic, productivity, environmental or sustainability implications.

PUBLIC CONSULTATION

21. We circulated information papers to the Legislative Council Panel on Transport on our proposals set out in paragraphs 2 to 11 and paragraphs 12 to 13 at its meetings in April and May 2007 respectively. Members have no objection to our proposals.

22. The Motor Trader Association of Hong Kong has been consulted on the proposed amendments relating to speedometer. The green minibus operators and the PLB associations representing red minibus operators been consulted on the proposed amendments relating to SDD. The student service vehicle trade with representatives from operators, vehicle owners and drivers of school buses and school private light buses have been consulted on the proposed amendments relating to safer seat. Relevant associations representing the goods vehicles drivers, green minibus operators, red minibus operators, franchised bus companies, non-franchised bus companies and the trucking industry have been consulted on the proposed amendments relating to maximum permitted smoke or visible vapour level. All parties concerned in general had no objection to the proposed amendments.

PUBLICITY

23. A spokesman will be available to answer media enquires.

ENQUIRIES

24. For enquires, please contact Miss Rosanna Law, Principal Assistant Secretary for the Environment, Transport and Works, at 2189 2182.

Environment, Transport and Works Bureau
June 2007

**ROAD TRAFFIC (CONSTRUCTION AND
MAINTENANCE OF VEHICLES)(AMENDMENT :
REQUIREMENTS FOR SPEEDOMETERS AND
SPEED DISPLAY DEVICES) REGULATION 2007**

(Made by the Secretary for the Environment, Transport and Works under section 9 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 1 May 2008.

2. Interpretation

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

““approval mark” (認可標記), in relation to an installation in a vehicle, means a mark indicating compliance with the applicable requirements contained in these regulations;

“new motor vehicle” (新汽車) has the meaning assigned to it by section 2(1) of the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330);”.

3. Regulations substituted

Regulation 24 is repealed and the following substituted –

“24. Speedometer

(1) Every motor vehicle, other than a motor vehicle which it is at all times unlawful to drive at a speed exceeding 20 kilometres per hour and an invalid carriage, shall be fitted with an approved speedometer.

(2) An approved speedometer which is fitted as required by paragraph (1) shall be –

(a) maintained in good working order; and

(b) kept free from any obstruction which might prevent it from being easily read by the driver.

(3) For the purposes of this regulation, “approved speedometer” (認可速度錶) means –

(a) in the case of a motor vehicle which is registered before 1 May 2008, a speedometer which conforms with the installation and performance requirements for speedometers set out in Part 1 or 2 of Schedule 16;

(b) in the case of a new motor vehicle which is registered on or after 1 May 2008, a speedometer which –

(i) conforms with the installation and performance requirements for speedometers set out in Part 2 of Schedule 16;

(ii) has been examined to the satisfaction of the Commissioner; and

(iii) either –

(A) bears an approval mark recognized or assigned by the Commissioner; or

(B) is fitted to a vehicle bearing an approval mark recognized or assigned by the Commissioner in respect of the speedometer.

(4) No alteration in respect of design, accuracy or position shall be made to an approved speedometer fitted as required by paragraph (1), except as permitted in writing by the Commissioner.

(5) For the purposes of paragraph (3)(b)(ii), the Commissioner shall signify his satisfaction in writing.

(6) It shall be a defence in any proceedings in respect of a contravention of paragraph (2)(a) to prove that –

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.

24A. Speed display device

(1) Every public light bus shall be fitted with an approved speed display device.

(2) An approved speed display device which is fitted as required by paragraph (1) shall be –

- (a) maintained in good working order; and
- (b) kept free from any obstruction which might prevent it from being easily read by any passenger.

(3) For the purposes of this regulation, “approved speed display device” (認可速度顯示器) means a speed display device which –

- (a) conforms with the installation and performance requirements for speed display devices set out in Part 3 of Schedule 16;
- (b) has been examined to the satisfaction of the Commissioner; and
- (c) either –
 - (i) bears an approval mark recognized or assigned by the Commissioner; or
 - (ii) is fitted to a vehicle bearing an approval mark recognized or assigned by the

Commissioner in respect of the speed display device.

(4) No alteration in respect of design, accuracy or position shall be made to an approved speed display device fitted as required by paragraph (1), except as permitted in writing by the Commissioner.

(5) For the purposes of paragraph (3)(b), the Commissioner shall signify his satisfaction in writing.

(6) It shall be a defence in any proceedings in respect of a contravention of paragraph (2)(a) to prove that –

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.”.

4. Schedule 16 added

The following is added –

“SCHEDULE 16

[regs. 24 &
24A]

PART 1

INSTALLATION AND PERFORMANCE REQUIREMENTS FOR SPEEDOMETERS FOR MOTOR VEHICLES REGISTERED BEFORE 1 MAY 2008

1. A speedometer shall be so placed that it can be easily read by the driver.
2. A speedometer shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.

3. A speedometer shall be capable of indicating the speed within a margin of accuracy of plus or minus 10 per cent if and when the motor vehicle is being driven at a speed in excess of 15 kilometres per hour.
4. A speedometer shall be clearly legible both by day and by night.

PART 2

INSTALLATION AND PERFORMANCE REQUIREMENTS FOR SPEEDOMETERS FOR MOTOR VEHICLES REGISTERED ON OR AFTER 1 MAY 2008

1. A speedometer shall be so placed that it is within the field of vision of the driver when he is facing forward and can be easily read by him from that position.
2. A speedometer shall be clearly legible both by day and by night.
3. A speedometer shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
4. A speedometer shall observe the following relationship between the speed indicated on the display of the speedometer (V1) and the actual speed of the vehicle (V2) –
 - (a) in the case of a private car, taxi, light bus, bus, goods vehicle and special purpose vehicle –
$$0 \leq (V1 - V2) \leq 0.1 V2 + 6 \text{ km/h};$$
 - (b) in the case of –
 - (i) a motor cycle the cylinder capacity of the engine of which does not exceed 50 c.c. or the maximum

design speed of which does not exceed 50 km/h;
or

- (ii) a motor tricycle the cylinder capacity of the engine of which does not exceed 50 c.c. or the maximum design speed of which does not exceed 50 km/h,

$$0 \leq (V1 - V2) \leq 0.1 V2 + 4 \text{ km/h};$$

- (c) in the case of a motor vehicle other than those referred to in paragraphs (a) and (b) –

$$0 \leq (V1 - V2) \leq 0.1 V2 + 8 \text{ km/h}.$$

5. A speedometer shall conform with –

- (a) ECE Regulation No. 39 made by the Economic Commission for Europe dated 20 November 1978 (E/ECE/324-E/ECE/TRANS/505/REV. 1/Add. 38) including all revisions with regard to speedometer equipment including its installation made before the date this paragraph comes into operation;
- (b) Council Directive 75/443/EEC of 26 June 1975 made by the Council of the European Communities including all revisions with regard to speedometer equipment of motor vehicles made before the date this paragraph comes into operation;
- (c) Directive 2000/7/EC of the European Parliament and of the Council of 20 March 2000 including all revisions with regard to speedometer equipment of two- or three- wheel motor vehicles made before the date this paragraph comes into operation;
- (d) Device Type Designation Standard for Speedometers specified in Attachment No. 51 to the Type Designation

Regulations for Devices made under the Ministry of Transport Ordinance No. 66 of 9 October 1998 of Japan including all revisions made before the date this paragraph comes into operation;

- (e) Technical Standard for Speedometers specified in Attachment No. 88 to the Announcement That Prescribes Details of Safety Regulations for Road Vehicles made under the Ministry of Land, Infrastructure and Transport of Japan Announcement No. 619 of 15 July 2002 including all revisions made before the date this paragraph comes into operation, and the Test Procedure for Speedometers (TRIAS 58-2003) of the Type Approval Test Procedures made by the Ministry of Land, Infrastructure and Transport of Japan in Circular of Koshin No. 453 of 24 August 1971 including all revisions made before the date this paragraph comes into operation;
or
- (f) any newer version of the standards referred to in paragraphs (a), (b), (c), (d) and (e) approved at the discretion of the Commissioner in writing.

6. The requirements in section 5 of this Part do not apply to a speedometer fitted on a particular type of vehicle if a test certificate or performance comparison report, as the case may require, has been submitted to the Commissioner proving that the performance of the speedometer is equivalent or superior to one or more of the approved standards referred to in that section and –
 - (a) approval has been given by the Commissioner in writing;
and

- (b) the speedometer, or the vehicle to which the speedometer is fitted, bears an approval mark recognized or assigned by the Commissioner.

PART 3

INSTALLATION AND PERFORMANCE REQUIREMENTS FOR SPEED DISPLAY DEVICES

1. A speed display device shall be so placed that it can be easily read by any passenger.
2. A speed display device shall be clearly legible both by day and by night.
3. A speed display device shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
4. A speed display device shall not affect the accuracy of any equipment originally installed in the vehicle.
5. A speed display device shall observe the following relationship between the speed indicated on the display of the speed display device (V1) and the actual speed of the vehicle (V2) –
$$0 \leq (V1 - V2) \leq 0.1 V2.$$
6. A speed display device shall be able to give both audio and visual warnings when the speed indicated on the display of the speed display device of the vehicle exceeds 80 kilometres per hour.
7. A speed display device shall be so designed to prevent tampering of its accuracy.

8. For the purposes of section 7 of this Part, a detailed design plan of a speed display device in respect of which approval is sought shall be submitted to the Commissioner to show that the device cannot be tampered by means of using simple tool or equipment readily available to the public at large.”.

Secretary for the Environment,
Transport and Works

2007

Explanatory Note

This Regulation amends the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A)(“Regulations”) to –

- (a) divide the general description of “speed indicators” in the Regulations into two separate categories of “speedometer” and “speed display device” for the purpose of clarity;
- (b) prohibit the fitting of a speedometer in a new motor vehicle which displays the speed of the motor vehicle slower than its actual speed;
- (c) require every public light bus to be fitted with a speed display device;
- (d) require every speedometer and speed display device to be approved by the Commissioner for Transport (“Commissioner”);
- (e) require every speedometer and speed display device approved by the Commissioner to bear an approval mark;

- (f) prohibit any modification of an approved speedometer or speed display device unless written permission has been obtained from the Commissioner;
- (g) require the speedometer of a new motor vehicle registered on or after 1 May 2008 to conform with the new installation and performance requirements set out in Part 2 of Schedule 16 to the Regulations as amended by this Regulation (“amended Regulation”);
- (h) allow the speedometer of a motor vehicle registered before 1 May 2008 to conform with the existing installation and performance requirements set out in Part 1, or the new installation and performance requirements set out in Part 2, of Schedule 16 to the amended Regulation; and
- (i) require every speed display device to conform with the new installation and performance requirements set out in Part 3 of Schedule 16 to the amended Regulation.

**ROAD TRAFFIC (CONSTRUCTION AND
MAINTENANCE OF VEHICLES)(AMENDMENT:
SAFETY REQUIREMENTS FOR PASSENGER
SEATS IN STUDENT SERVICE VEHICLES)
REGULATION 2007**

(Made by the Secretary for the Environment, Transport and Works under
section 9 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

(1) Sections 2(1), 3(1) and (2) and 4(2), (3), (4), (5), (6), (7), (8), (9), (10), (11) and (12) shall come into operation on 1 December 2007.

(2) Subject to subsection (1), this Regulation shall come into operation on 1 May 2009.

2. Interpretation

(1) Regulation 2 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) is amended by repealing the definition of “specified date”.

(2) Regulation 2 is amended by adding –

““middle front seat” (前排中座) has the meaning assigned to it by regulation 2(1) of the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F);

“specified passenger’s seat” (指定乘客座位) has the meaning assigned to it by regulation 2(1) of the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F);

“student service vehicle” (學生服務車輛) means –

(a) a public bus –

(i) in respect of which a passenger service licence issued under

section 27 of the Ordinance which authorizes the operation of a public bus service referred to in section 27(3)(a) of the Ordinance is in force; and

- (ii) which is used in the provision of a student service within the meaning of section 4(3)(d) of the Public Bus Services Ordinance (Cap. 230);

(b) a private bus –

- (i) in respect of which a passenger service licence issued under section 27 of the Ordinance which authorizes the operation of a private bus service referred to in section 27(3)(b) of the Ordinance is in force; and
- (ii) which is used in the provision of a student service within the meaning of section 27(5)(a) of the Ordinance; and

(c) a school private light bus;”.

3. Passenger seats

(1) Regulation 73(1)(b) and (1A) is amended by repealing “the specified date” and substituting “1 August 2004”.

(2) Regulation 73(1A)(e)(i) is amended, in the Chinese text, by repealing “不得有可能在交通意外中令在座乘客受傷的危險或傷勢的嚴重程

度增加的鋒利邊緣” and substituting “均不得有可能在交通意外中增加在座乘客受傷的危險或加重在座乘客的傷勢的鋒利邊緣”.

(3) Regulation 73 is amended by adding –

“(1AA) In every student service vehicle registered on or after 1 May 2009 –

- (a) every seat shall be forward-facing;
- (b) all seats and the accessories attached to the seats shall not have sharp edges which may increase the risk or severity of injury to seated passengers in a traffic accident;
- (c) subject to paragraphs (1AB) and (1AC), all seats and their anchorages shall –
 - (i) conform to the installation and performance requirements of any specification or standard specified in any section of Part 5 of Schedule 15; and
 - (ii) bear approval marks recognized or assigned by the Commissioner;
- (d) subject to paragraph (1AB), all restraining barriers and their anchorages shall –
 - (i) be constructed to the strength requirements provided for in subparagraph (c) in respect of the seats and their anchorages; and
 - (ii) bear approval marks recognized or assigned by the Commissioner;

- (e) subject to paragraph (1AB), every controlled surface shall be made of impact energy absorption material;
- (f) subject to paragraph (1AB), no folding table or folding accessories shall be installed on any controlled surface;
- (g) subject to paragraph (1AB), all seats and restraining barriers shall be made of fire resistant material;
- (h) subject to paragraphs (1AB) and (1AC), 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 that conforms to the installation and performance requirements of any specification or standard specified in any section of Part 2 of Schedule 15;
- (i) subject to paragraph (1AB), every seat shall be so fitted that it has in front of it –
 - (i) another seat back that complies with subparagraph (c); or
 - (ii) a restraining barrier that complies with subparagraph (d),which is so placed and constructed as to afford adequate protection for a seated passenger against being thrown forward to another position in the vehicle in a traffic accident; and

- (j) subject to paragraphs (1)(d), (1AB) and (1AD), every seat shall be so fitted that there is a clear space of not more than 740 millimetres in front of the back rest of any seat.

(1AB) Paragraph (1AA)(c), (d), (e), (f), (g), (h), (i) and (j) shall not apply in relation to any seat which is –

- (a) a specified passenger's seat on a school private light bus; or
- (b) a middle front seat on a school private light bus.

(1AC) Without prejudice to paragraph (1AB), paragraph (1AA)(c) and (h) shall not apply in relation to any seat which has no other seat situated immediately behind it.

(1AD) Where –

- (a) any space in front of the back rest of a seat is required for providing direct access to an emergency exit; and
- (b) as a result it is impractical to keep a clear space in compliance with paragraph (1AA)(j),

the clear space in front of the back rest of such seat shall be kept as small as reasonably practicable.”.

(4) Regulation 73(1B) is amended by repealing “paragraph (1A)(a)” and substituting “paragraphs (1A)(a) and (1AA)(h)”.

(5) Regulation 73(2) is amended by adding –

““controlled surface” (受管制表面) –

- (a) means any surface which is likely to be struck by the head of a seated passenger

moving in the forward direction in a traffic accident;

(b) includes the rear part, edge or top of seat backs, restraining barriers, guards, screens or partitions; and

(c) in the case of a continuous seat, includes all surfaces which are likely to be struck by the head of a passenger seated in any possible seating position on that seat;

“fire resistant material” (耐火物料), except in relation to public light buses registered before 1 May 2009, means material that conforms to the installation and performance requirements of any specification or standard specified in any section of Part 4 of Schedule 15;

“impact energy absorption material” (吸收碰撞能量物料), except in relation to public light buses registered before 1 May 2009, means material that conforms to the installation and performance requirements of any specification or standard specified in any section of Part 3 of Schedule 15;

“restraining barrier” (約束屏障) means a structure, other than the back of a seat, which is intended to afford adequate protection for a seated passenger against being thrown forward to another position in the vehicle in a traffic accident;”.

4. Schedule 15 amended

(1) Schedule 15 is amended, within the square brackets, by adding “, (1AA) & (2)” after “73(1A)”.

(2) Schedule 15 is amended, in the heading of Part 1, by repealing “SPECIFIED DATE” and substituting “1 AUGUST 2004”.

(3) Schedule 15 is amended, in Part 1, in sections 1 and 2, by repealing “the date this section comes into operation” wherever it appears and substituting “1 August 2004”.

(4) Schedule 15 is amended, in Part 1, by repealing section 3 and substituting –

“3. Council Directive 74/408/EEC of 22 July 1974 made by the Council of the European Communities including all revisions for motor vehicles with regard to the seats, their anchorages and head restraints made before 1 August 2004.”.

(5) Schedule 15 is amended, in Part 1, in sections 4, 5 and 6, by repealing “the date this section comes into operation” wherever it appears and substituting “1 August 2004”.

(6) Schedule 15 is amended, in Part 1, by adding –

“7. Any other specifications and standards which are demonstrated to the Commissioner to be substantially the same as or more stringent than any specification or standard specified in any other section of this Part.”.

(7) Schedule 15 is amended, in the heading of Part 2, by repealing “SPECIFIED DATE” and substituting “1 AUGUST 2004”.

(8) Schedule 15 is amended, in Part 2, in sections 1 and 2, by repealing “the date this section comes into operation” and substituting “1 August 2004”.

(9) Schedule 15 is amended, in Part 2, by repealing section 3 and substituting –

“3. Council Directive 78/932/EEC of 20 November 1978 made by the Council of the European Communities including all revisions for head restraints of seats of motor vehicles made before 1 August 2004.”.

(10) Schedule 15 is amended, in Part 2, by repealing section 4 and substituting –

“4. Council Directive 74/408/EEC of 22 July 1974 made by the Council of the European Communities including all revisions for motor vehicles with regard to the seats, their anchorages and head restraints made before 1 August 2004.”.

(11) Schedule 15 is amended, in Part 2, in sections 5, 6 and 7, by repealing “the date this section comes into operation” and substituting “1 August 2004”.

(12) Schedule 15 is amended, in Part 2, by adding –

“8. Any other specifications and standards which are demonstrated to the Commissioner to be substantially the same as or more stringent than any specification or standard specified in any other section of this Part.”.

(13) Schedule 15 is amended by adding –

“PART 3

IMPACT ENERGY ABSORPTION REQUIREMENTS FOR PUBLIC LIGHT BUSES AND STUDENT SERVICE VEHICLES REGISTERED ON OR AFTER 1 MAY 2009

1. Annex 4 of ECE Regulation No. 21 Rev. 2 made by the Economic Commission for Europe dated 12 October 1993 (E/ECE/324-E/ECE/TRANS/505/Rev. 1/Add. 20/Rev. 2) including all revisions made before 1 November 2006.
2. Any other specifications and standards which are demonstrated to the Commissioner to be substantially the

same as or more stringent than the standard specified in section 1.

PART 4

FIRE RESISTANCE REQUIREMENTS FOR PUBLIC LIGHT BUSES AND STUDENT SERVICE VEHICLES REGISTERED ON OR AFTER 1 MAY 2009

1. ECE Regulation No. 118 made by the Economic Commission for Europe dated 20 April 2005 (E/ECE/324-E/ECE/TRANS/505/Rev. 2/Add. 117) including all revisions made before 1 November 2006.
2. Any other specifications and standards which are demonstrated to the Commissioner to be substantially the same as or more stringent than the standard specified in section 1.

PART 5

SEATS AND THEIR ANCHORAGES FOR STUDENT SERVICE VEHICLES REGISTERED ON OR AFTER 1 MAY 2009

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 made before 1 November 2006.

2. Any other specifications and standards which are demonstrated to the Commissioner to be substantially the same as or more stringent than the standard specified in section 1.”.

(14) Schedule 15 (as amended by subsection (7) of this section) is amended, in the heading of Part 2, by repealing everything after “FOR” and substituting “PUBLIC LIGHT BUSES REGISTERED ON OR AFTER 1 AUGUST 2004 AND STUDENT SERVICE VEHICLES REGISTERED ON OR AFTER 1 May 2009”.

Secretary for the Environment,
Transport and Works

2007

Explanatory Note

This Regulation amends the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (“principal Regulations”).

2. Regulation 73 of the principal Regulations sets out certain safety requirements for passenger seats in a bus, light bus, and public light bus registered on or after 1 August 2004.

3. This Regulation amends regulation 73 of, and Schedule 15 to, the principal Regulations by repealing “the specified date” wherever it appears and substituting “1 August 2004”.

4. This Regulation makes alterations to the Chinese text of regulation 73(1A)(e)(i) so as to achieve consistency between the Chinese equivalent for “shall not have sharp edges which may increase the risk or severity of injury to seated passengers in traffic accidents” in the Chinese text of regulation 73(1A)(e)(i) and that in the Chinese text of regulation 73(1AA)(b).

5. This Regulation also makes alterations to section 3 of Part 1 and sections 3 and 4 of Part 2 of Schedule 15 to make the description of the relevant Council Directives referred to in those sections consistent with the descriptions adopted by the Council of the European Communities.

6. This Regulation amends regulation 73 of the principal Regulations to require a student service vehicle registered on or after 1 May 2009 –

- (a) to have every seat to be forward-facing;
- (b) not to have sharp edges in all seats and in the accessories attached to the seats which may increase the risk or severity of injury to seated passengers in a traffic accident;
- (c) to have all seats and their anchorages to conform to the installation and performance requirements of any specification or standard specified in any section of Part 5 of Schedule 15 to the principal Regulations;
- (d) to have all restraining barriers and their anchorages to be constructed to the strength requirements provided for in subparagraph (c) in respect of the seats and their anchorages;
- (e) to have every controlled surface made of impact energy absorption material that conforms to the installation and performance requirements of any specification or standard specified in any section of Part 3 of Schedule 15 to the principal Regulations;
- (f) not to have folding table or folding accessories installed on any controlled surface;
- (g) to have all seats and restraining barriers made of fire resistant material that conforms to the installation and performance requirements of any specification or standard specified in any section of Part 4 of Schedule 15 to the principal Regulations;

- (h) to 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;
- (i) to have every seat to be so fitted that it has another seat back or a restraining barrier in front of it; and
- (j) to have every seat to be so fitted that there is a clear space of not more than 740 millimetres in front of the back rest of any seat.

7. This Regulation amends Schedule 15 to the principal Regulations by adding Parts 3, 4 and 5 to that Schedule which respectively set out the specifications and standards of –

- (a) the impact energy absorption requirements for public light buses and student service vehicles registered on or after 1 May 2009;
- (b) the fire resistance requirements for public light buses and student service vehicles registered on or after 1 May 2009; and
- (c) the seats and their anchorages for student service vehicles registered on or after 1 May 2009.

8. The amendments set out in paragraphs 6 and 7 are to take effect on 1 May 2009.

**ROAD TRAFFIC (CONSTRUCTION AND
MAINTENANCE OF VEHICLES) (AMENDMENT:
MAXIMUM PERMITTED SMOKE OR VISIBLE
VAPOUR EMISSIONS) REGULATION 2007**

(Made by the Secretary for the Environment, Transport and Works under section 9 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 1 May 2008.

2. Fourth Schedule amended

Part I of the Fourth Schedule to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) is repealed and the following substituted –

“PART I

MAXIMUM PERMITTED SMOKE OR VISIBLE
VAPOUR EMISSIONS FROM MOTOR VEHICLES

Column 1	Column 2
Maximum permitted smoke or visible vapour level (Hartridge Smoke Units)	Maximum permitted smoke or visible vapour level in absolute units of light absorption (m^{-1})
(a) Motor vehicles having a permitted gross vehicle weight exceeding 5.5 tonnes and manufactured before 1 January 1990 60	(a) Motor vehicles having a permitted gross vehicle weight exceeding 5.5 tonnes and manufactured before 1 January 1990 2.13
(b) All other motor	(b) All other motor

vehicles 50 vehicles 1.61”.

Secretary for the Environment,
Transport and Works

2007

Explanatory Note

The object of this Regulation is to tighten the maximum permitted level of smoke or visible vapour emitted from motor vehicles. The change does not apply to motor vehicles having a permitted gross vehicle weight exceeding 5.5 tonnes and manufactured before 1 January 1990.

**ROAD TRAFFIC (TRAFFIC CONTROL)(AMENDMENT:
ADDITION OF TRAFFIC SIGNS)
REGULATION 2007**

(Made by the Secretary for the Environment, Transport and Works under section 11 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 1 December 2007.

2. Failure to comply with traffic signs and road markings

Regulation 59(1)(a) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) is amended by repealing “172 and 173” and substituting “172, 173 and 174”.

3. Traffic signs

(1) Schedule 1 is amended by adding –

“REGULATORY

FIGURE No. 174



DANGEROUS GOODS PROHIBITED

This sign indicates that the following vehicles are prohibited from passing beyond the sign –

- (a) any vehicle carrying dangerous goods specified in Categories 1, 2 or 5 of the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap. 295 sub. leg. A);
- (b) any vehicle carrying any cylinder (as defined in regulation 61 of the Dangerous Goods (General) Regulations (Cap. 295 sub. leg. B)) used or to be used for the storage of compressed gas specified

in Category 2 of the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap. 295 sub. leg. A), whether or not such cylinder contains any quantity of such gas;

- (c) any vehicle constructed or adapted for the conveyance, or any vehicle carrying a container used or to be used for the storage, of goods specified in Category 5 of the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap. 295 sub. leg. A), whether or not such vehicle or container contains any quantity of such goods.

Notwithstanding the above, such prohibition shall not apply to –

- (a) a vehicle carrying any of the goods specified in Category 2 of the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap. 295 sub. leg. A) the quantity of which does not exceed the quantity specified in relation to such goods in the second column of the Table to regulation 74 of the Dangerous Goods (General) Regulations (Cap. 295 sub. leg. B);
- (b) a vehicle carrying any of the goods specified in Category 5 of the Schedule to the Dangerous Goods (Application and Exemption) Regulations (Cap. 295 sub. leg. A) the quantity of which does not exceed the quantity specified in relation to such goods in the seventh or eighth column of the Table to regulation 99 of the Dangerous Goods (General) Regulations (Cap. 295 sub. leg. B);

- (c) a vehicle conveying fuel carried in the fuel tank of that vehicle for the purpose only of its propulsion;
- (d) (in the case of a vehicle carrying petroleum spirit in its fuel tank for the purpose only of its propulsion) a vehicle conveying petroleum spirit, up to a maximum of 20 L in securely closed cans, carried on the vehicle for such purpose;
- (e) a vehicle carrying dangerous goods which is driven for any fire services, ambulance or police purpose.

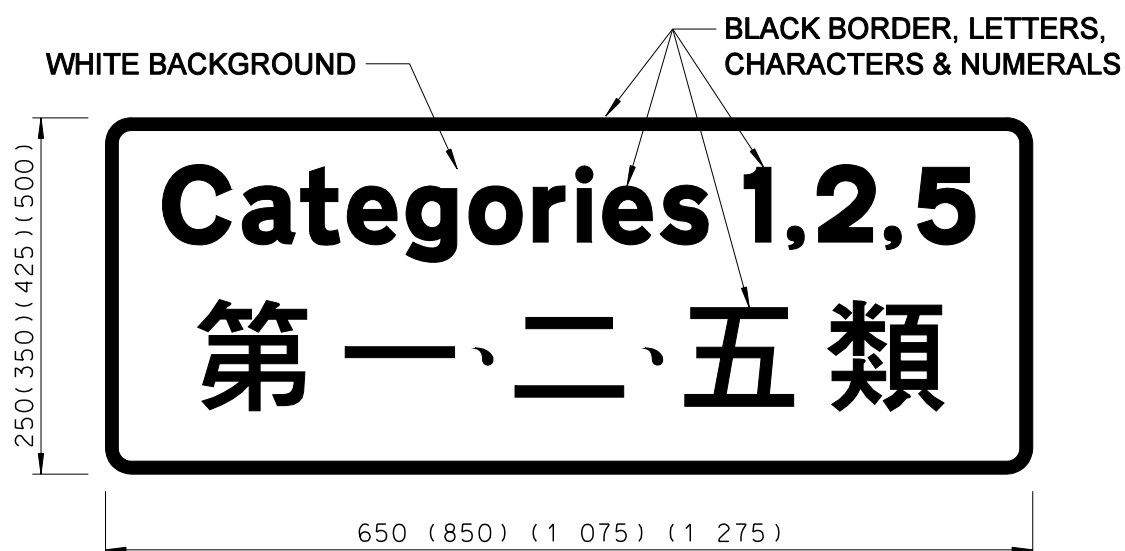
This sign may be used with the supplementary plate in Figure No. 434.”.

- (2) Schedule 1 is amended by adding –

“SUPPLEMENTARY

PLATE

FIGURE No. 434



This sign may be used with the sign in Figure No. 174 to indicate the category or categories of dangerous goods referred to in that figure.”.

Secretary for the Environment,
Transport and Works

2007

Explanatory Note

This Regulation specifies new traffic signs in Schedule 1 to the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G). This Regulation also provides that any person who without reasonable excuse fails to comply with the requirements indicated by the new traffic sign (Figure No. 174) commits an offence.

**Chapter: 374A Title: ROAD TRAFFIC (CONSTRUCTION AND
MAINTENANCE OF VEHICLES)
REGULATIONS**

Regulation: 24 Heading: Speed indicators

(1) Every motor vehicle, other than a motor vehicle which it is at all times unlawful to drive at a speed exceeding 20 kilometres per hour and an invalid carriage, shall be fitted with an efficient speedometer which shall be-

- (a) so placed that it can be easily read by the driver;
- (b) maintained in good working order;
- (c) kept free from any obstruction which might prevent it from being easily read by the driver;
- (d) calibrated and marked so as to indicate clearly the speed at which the motor vehicle is being driven; and
- (e) capable of indicating the speed within a margin of accuracy of plus or minus 10 per cent if and when the motor vehicle is being driven at a speed in excess of 15 kilometres per hour.

(2) It shall be a good defence to proceedings taken in respect of a contravention of paragraph (1)(b) to prove that-

- (a) the defect occurred in the course of the journey during which the contravention was detected; or
- (b) at the time when the contravention was detected steps had already been taken to have the defect remedied with all reasonable expedition.

Chapter: 374A Title: ROAD TRAFFIC (CONSTRUCTION AND MAINTENANCE OF VEHICLES) REGULATIONS

Regulation: 73 Heading: Passenger seats

(1) In every bus and light bus-

- (a) the supports of all seats shall be secured to the body of the vehicle;
- (b) 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, measured horizontally along the back of each seat shall be allowed for the accommodation of a seated passenger : (L.N. 147 of 2002)

Provided that in the case of a continuous seat fitted with arms for the purpose of separating the seating spaces, being arms so constructed that they can be folded back or otherwise put out of use, the seat shall be measured for the purposes of this sub-paragraph as though it were not fitted with arms;

- (c) every seat shall have a back rest so closed or otherwise constructed as to prevent, as far as reasonably practicable, the pockets or other personal belongings of passengers from being picked or subject to theft;

(d) all seats shall be so fitted-

- (i) that the distance between any part of the back rest of any seat placed lengthwise and the corresponding part of the back rest of the seat facing it shall be not less than 1.38 metres;

- (ii) that there is a clear space of at least 650 millimetres in front of the back rest of any seat measured from the centre of each complete length of the seat allowed for the accommodation of a seated passenger in accordance with sub-paragraph (b) and a clear space of 230 millimetres in front of any part of that seat:

Provided that in the case of a seat for more than 3 passengers where access to that seat can be obtained only from one end of the seat, the clear spaces shall respectively be at least 680 millimetres and 300

millimetres;

- (e) there shall be a clear space of at least 480 millimetres between any part of the front edge of any transverse seat and any part of any other seat which faces it;
- (f) for the purposes of sub-paragraph (e), any support provided for a table shall be disregarded if there is a clear space of at least 230 millimetres between that support and the front edge of the nearest seat and the support is not in such a position as to cause discomfort to passengers occupying the seats;
- (g) no seat shall be placed in such a position as to cause discomfort to passengers;
- (h) there shall, in respect of every seat, be a clear space measured vertically from the centre of each complete length of the seat allowed for the accommodation of a seated passenger in accordance with sub-paragraph (b) which shall be, in the case of a light bus not less than 910 millimetres and, in the case of a bus, not less than 960 millimetres;
- (i) where any seat is so placed that there is a risk that a passenger seated upon it may be thrown through any entrance to or exit from the vehicle or down a stairway in the vehicle, an effective screen or guard shall be placed so as to afford adequate protection against that occurrence to a passenger occupying that seat; and
- (j) the shortest distances between the edge of the well of any step in the vehicle and a vertical plane passing through the front edge of any seat shall be not less than 230 millimetres:

Provided that this sub-paragraph shall not apply in the case of the well of a step provided as a means of obtaining access only to any forward-facing front passenger seat placed alongside the driver in a light bus.

(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 1000 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. (L.N. 147 of 2002)

(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. (L.N. 147 of 2002)

(2) In this regulation-

"back rest" (靠背) includes any part of the vehicle which is available for seated passengers to lean against;

"seat" (座位) means a passenger seat.

Chapter: 374A **Title:** ROAD TRAFFIC (CONSTRUCTION AND
MAINTENANCE OF VEHICLES)
REGULATIONS

Schedule: 15 **Heading:**

[regulation 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 Koshin No. 453 of 24 August 1971 including all revisions of those standards and test procedures made before the date* this section comes into operation. (L.N. 68 of 2005)
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 Koshin No. 453 of 24 August 1971 including all revisions of that standard and test procedures made before the date* this section comes into operation. (L.N. 68 of 2005)
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.

(Schedule 15 added L.N. 147 of 2002)

**Chapter: 374A Title: ROAD TRAFFIC (CONSTRUCTION AND
MAINTENANCE OF VEHICLES)
REGULATIONS**

Schedule: 4 Heading:

[regulations 31 & 31A]

PART I

MAXIMUM PERMITTED SMOKE OR VISIBLE VAPOUR EMISSIONS
FROM MOTOR VEHICLES

Column 1	Column 2
Maximum permitted smoke or visible vapour level	Maximum permitted smoke or visible vapour level in absolute units of 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 and 31 December 1986 (both dates inclusive)	As specified in item 8.2.1(a) of Annex II of the Council Directive 96/96 EC made by the Council of the European Union	(a) carbon monoxide level at idle is not to exceed the 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) of Annex II of the Council	(a) carbon monoxide level at idle is not to exceed the

(both dates inclusive)	Directive 96/96 EC made by the Council of the European Union	<p>maximum permissible level specified by the vehicle manufacturer and which is available to the Authority ;</p> <p>or</p> <p>(b) where the specified level is not available to the Authority, carbon monoxide level at idle is not to exceed 3.5% vol.</p>
On or after 1 January 1992	As specified in item 8.2.1(b) of Annex II of the Council Directive 96/96 EC made by the Council of the European Union	<p>(a) carbon monoxide level at idle is not to exceed the maximum permissible level specified by the vehicle manufacturer and which is available to the Authority ;</p> <p>or</p> <p>(b) where the specified level is not available to the Authority-</p> <p>(i) at idle, carbon monoxide level is not to exceed 0.5% vol.; and</p> <p>(ii) at high idle¹, carbon monoxide level is not to exceed 0.3% vol. and Lambda² is not to exceed 1±0.03</p>

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 of the Automobile Type Approval Handbook for Japanese Certification, October 1997, Technical Edition II by the Japan Automobile Standards Internationalization Center (L.N. 147 of 2002)	Carbon monoxide level is not to exceed 1.0% vol.; and Hydrocarbons are not to exceed 300ppm vol. as normal-hexane equivalent

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.

(Fourth Schedule replaced L.N. 160 of 2000)

Chapter: 374G Title: ROAD TRAFFIC (TRAFFIC CONTROL) REGULATIONS

Regulation: 59 Heading: Failure to comply with traffic signs and road markings

PART IX

OFFENCES, PENALTIES AND APPLICATION

(1) Subject to regulation 60, no driver of a vehicle on a road shall fail to comply with the requirement indicated by-

- (a) a traffic sign of the type shown in any of the Figure Nos. 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 120, 121, 122, 123, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 145, 146, 147, 148, 149, 150, 151, 152, 153, 159, 161, 162, 165, 166, 167, 168, 169, 170, 171, 172 and 173 in Schedule 1 or Figure No. 804 in Schedule 4; (L.N. 305 of 1989; L.N. 147 of 1990; L.N. 66 of 2005; L.N. 62 of 2007)
- (b) a road marking of the type shown in any of the Figure Nos. 505, 507, 508, 509, 510, 511, 512, 513, 515, 516, 517, 518, 519, 523, 524 and 525 in Schedule 2 or Figure Nos. 801, 802 and 803 in Schedule 4; (L.N. 66 of 2005)
- (c) a traffic sign referred to in regulation 5(2)(b) or (c); or
- (d) a portable light signal prescribed under regulation 21(1), (2) or (3).

(2) Notwithstanding regulation 63 and subject to regulation 60, no driver of a vehicle on a road shall fail to comply with the requirement indicated by-

- (a) a traffic sign of the type shown in any of the Diagrams Nos. 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 38, 41, 47, 48, 49, 50 and 52 in the First Schedule to the Road Traffic (Roads and Signs) Regulations (Cap 220 sub. leg.); or (L.N. 66 of 2005)
- (b) a traffic sign of the type shown in Figure No. 10 or 45 in the Second Schedule to those regulations. (L.N. 263 of 1984)

(3) Traffic signs referred to in subregulation (2) shall be deemed to be prescribed traffic signs for the purposes of these regulations. (L.N. 263 of 1984)

(4) Subject to regulation 60, no driver of a vehicle of the North-west Railway or tram on a road shall fail to comply with the requirement indicated by-

- (a) a traffic sign of the type shown in any of the Figure Nos. 101, 102, 103, 104, 105, 110, 111, 128, 136, 148 and 160 in Schedule 1 or Figure No. 804 in Schedule 4;
- (b) a road marking of the type shown in any of the Figure Nos. 506, 507 and 508 in Schedule 2 or Figure Nos. 801 and 802 in Schedule 4; or
- (c) a portable light signal prescribed under regulation 21(1), (2) or (3). (L.N. 221 of 1986)

(5) Notwithstanding regulation 63 and subject to regulation 60, no driver of a vehicle of the North-west Railway or tram on a road shall fail to comply with the requirement indicated by-

- (a) a traffic sign of the type shown in any of the Diagram Nos. 23, 24 and 41 in the First Schedule to the Road Traffic (Roads and Signs) Regulations (Cap 220 sub. leg.); or
 - (b) a traffic sign of the type shown in Figure No. 10 in the Second Schedule to those regulations. (L.N. 221 of 1986)
- (L.N. 242 of 1987)