

香港特別行政區政府  
The Government of the Hong Kong Special Administrative Region

政府總部  
運輸及房屋局  
運輸科  
香港花園道美利大廈



Transport and  
Housing Bureau  
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22 October 2009

Mr Raymond Lam  
Clerk to Security Panel  
Legislative Council Secretariat  
3/F, Citibank Tower  
3 Garden Road  
Central, Hong Kong  
(Fax : 2509 0775)

Dear Mr Lam,

**Security Panel Special Meeting on 29 September 2009**

Hon Audrey Eu enquired about the Police's enforcement relating to traffic violations on certain road sections mentioned in some recent media reports.

Under section 40 of the Road Traffic Ordinance (Cap. 374), the maximum speed at which a vehicle may be driven on any road shall be 50km/h. The Commissioner for Transport (the Commissioner) may by notice in the Gazette vary the speed limit for any road, and when doing so, the Commissioner shall also cause traffic signs to be so erected, replaced, removed or altered as to ensure that adequate guidance is given to motorists as to the speed limit to be currently observed on that road. In other words, if no speed limit traffic signs are found for a road, the applicable speed limit for it is 50 km/h. Otherwise, traffic signs showing the applicable speed limits would be displayed to guide motorists.

Variation of speed limits has all along been synchronised with the display of speed limit traffic signs. Whenever the Commissioner decides to vary the speed limit of a road (or a section of it), the Transport Department (TD) will request the Highways Department (HyD) to erect the new signs; the signs will be temporarily covered up after their erections. TD will decide on an effective date for imposing the new speed limit, arrange issue of the Gazette notice, and inform Police. TD will liaise with HyD to uncover the new signs on the same date that the new speed limit shall come into effect as stated in the Gazette notice. Therefore, the speed limits shown on the traffic signs as seen by motorists are consistent with the speed limits published in the Gazette notices. Motorists should always observe the speed limits as shown on traffic signs.

Based on a Gazette notice published in 1984, some recent media reports suggested that the speed limits as shown on traffic signs at some road sections were different from the speed limits as specified in the 1984 Gazette notice. In fact, the speed limits for the concerned road sections have been varied by subsequent Gazette notices according to the provisions stipulated under section 40 of the Road Traffic Ordinance (Cap. 374) and are consistent with the on-site traffic signs.

The Police implement enforcement actions against speeding offences based on the speed limits as specified in the latest Gazette notices. In relation to an individual case, the Police needed to seek clarification on certain legal issues. In the interest of the public, the Police had suspended speeding prosecutions on the concerned road sections during that period, but at the same time carried out additional patrols and snap checks in order to ensure that road safety was not compromised. The Police have resumed prosecution actions on all road sections and will continue to implement enforcement actions to effectively deter and tackle traffic violations to ensure road safety.

Yours sincerely,

(Erica Ng)

for Secretary for Transport and Housing

c.c. Chairman, Panel on Security  
Commissioner of Police (Attn : Mr Mike Demaid-Groves)  
Commissioner for Transport (Attn : Mr K B To)