



**運輸署**  
*Transport Department*

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24 May 2011

Ms Joanne Mak  
Clerk to Transport Panel  
Legislative Council Secretariat  
3/F, Citibank Tower  
3 Garden Road  
Central, Hong Kong

Dear Ms Mak,

**Legislative Council Panel on Transport  
Regulation of motorcycles**

This letter provides the information sought by Members at the Legislative Council Transport Panel meeting on 28 March 2011.

According to the Police Force, in the years of 2008, 2009 and 2010, there were 28, 46 and 49 prosecutions respectively for contraventions of regulation 5(1)(b) of Cap 374A in relation to motorcycles, i.e. the bodywork and fittings were not in good and serviceable condition. There have been no prosecution cases for regulations 7(1) and 8, or for conversion of motorcycles into motor tricycles. The Police do not maintain separate prosecution record for motorcycles fitted with storage boxes, hence we are unable to provide the figures on prosecution cases involving motorcycles fitted with storage boxes.

Contraventions of regulations 5(1), 7(1) and 8 are offences under regulation 121 of Cap 374A, which provides that any person who uses or causes or permits to be used on any road any vehicle which does not comply in all respects with the provisions of these regulations commits an offence and is liable to a fine of \$10,000 and to imprisonment for 6 months. Both the driver and the registered owner / the responsible person are therefore liable to the penalty if found committing any of these offences, subject to proof of the facts and available evidence after investigation.

I should be grateful if you could distribute our reply to Members for reference.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'LAW Fung-ping', written over a vertical line.

( Miss LAW Fung-ping )  
for Commissioner for Transport

c.c. Secretary for Transport and Housing  
(Attn: Miss Erica Ng)