

Road Traffic Ordinance (Amendment of Schedule 10) Order 2015

Under the Road Traffic Ordinance (the Ordinance) (Cap. 374)¹, the Commissioner for Transport may, for the purpose of ascertaining whether a motor vehicle complies with vehicle emission standards, require the registered owner to have the motor vehicle tested at a designated vehicle emission testing centre (DVETC). The legal provision has enabled the Environmental Protection Department to run a *smoky vehicle control programme*, which targets mainly diesel vehicles and started in 1988, and a *strengthened emission control programme for petrol and liquefied petroleum gas (LPG) vehicles*, which started in September 2014. The Ordinance² has also prescribed a fee payable by the registered owner of a motor vehicle to the proprietor of a DVETC for a test done on the vehicle. The test fee has not been revised since 1998, despite the introduction of a dynamometer emission test, which involves greater expenses for acquiring and operating the necessary equipment and longer testing time. The captioned Order is to amend the test fee to a more reasonable level.

Our responses to the concerns/views raised by members are as follows:

Requirement to pass the emission test

(a) Difficulties to Pass the Emission Test within 12 Working Days for those Vehicles found to be Emitting Excessively by Remote Sensing Devices

It is our standing practice to extend the prescribed period for passing the emission test for vehicles (diesel as well as petrol/LPG vehicles caught emitting excessively by remote sensing devices³) that have a genuine need for more time to fix their excessive emission problems. The owner or his mechanic can apply for the extension by mail/fax or in person to provide justifications. Each case will be considered on its merits.

¹ Section 77B of RTO.

² Section 77C(3)(a) of RTO.

³ Remote sensing devices targets petrol and LPG vehicles but not diesel vehicles for emission checking

(b) The Cost Burden on Vehicle Owners if their Vehicles need to be Re-tested after Repair because the Emission Problems have Not been Fixed

Under the user-pays principle, the vehicle owner should pay the fee for the emission test of his vehicle. It is not justified for the Government to pay the test fee for him except under special circumstances such as helping the vehicle repair trade, as a whole, to master the skill of fixing excessive emission problems as part of an effort to introduce a more stringent test requirement. During the initial periods of introducing the dynamometer emission tests (in 2000 for smoky vehicles and in 2014 for petrol/LPG vehicles with excessive emissions), we paid the emission test fee once for those vehicle owners whose vehicles failed an emission test, because the vehicle repair trade had not mastered the skill to fix the emission problem. The arrangement was withdrawn after the vehicle repair trade had generally become conversant with the repair. For instance, the free test was stopped by end January 2015 in the case of introducing the dynamometer emission test for petrol/LPG vehicles. At present, the passing rate for petrol/LPG vehicles is 98%.

Nevertheless, there are still some individual vehicle mechanics who may need our advice in fixing a petrol/LPG vehicle's excessive emission problem. We are now operating a hotline to provide technical support to vehicle mechanics for the repair. If necessary, we will join the mechanic in diagnosing the excessive emission problem and effecting the repair (including tuning the engine-combustion system). In doing so, we will offer free emission test for ascertaining the effectiveness of the repair.

Emission test fee level

(c) The Higher Emission Test Fee for Light Diesel Vehicles being Unfair to their Owners

DVETC operators would set up their centres close to their target vehicles' operational areas. The higher emission test fee proposed under the Order for light diesel vehicles as compared with that for heavy diesel vehicles merely reflects the higher rental in the urban areas, where light diesel vehicles operate. Unlike light diesel vehicles, heavy diesel vehicles operate outside the urban areas, where

rentals are less. After all, vehicle owners could avoid paying the test fee by keeping the emissions of their vehicles at acceptable level via proper and timely vehicle maintenance.

Operation of Designated Vehicle Emission Testing Centres

(d) & (e) DVETCs being Unsustainable in the face of Possible Reduced Number of Vehicles with Excessive Emissions

There is interest in the private sector to operate DVETCs because nearly all DVETC operators are also in the business of vehicle repair. The dynamometer for the emission test could help show their customers that the repair work has been properly done. The key discouragement to setting up a DVETC is the unacceptably low emission test fee, which has not been adjusted since 1998 despite the introduction of the dynamometer emission test that requires costly test equipment and longer testing time. We will review the test fee more often to keep the emission test fee at a more reasonable level.

(f) Measures to Help the Vehicle Repair Trade to Minimize Re-testing after Repair

As part of the preparation for introducing the strengthened emission control for petrol/LPG vehicles, we held over 40 dynamometer emission test demonstration cum seminars to help the vehicle maintenance trade to understand the new test method and the maintenance required for fixing excessive emission problems. We will continue to work closely with vehicle repair trade associations to disseminate the relevant vehicle maintenance information to the trade, and arrange as necessary further seminars, emission test demonstrations etc. to their members. To sustain these training efforts on the long term, we have liaised with the Vocational Training Council (VTC) to incorporate the information in their vehicle technology training courses. In 2014 to 2015, VTC also organized 12 classes for in service mechanics on fixing the excessive emission problems of petrol/LPG vehicles. The vehicle repair trade, on the whole, has now mastered such skills.

The remaining problem is more about some individual mechanics encountering problems during their repair. The hotline explained in (b) is an effective solution.

If necessary, we will join the mechanic in diagnosing the excessive emission problem and effecting the repair (including tuning the engine-combustion system). However, the demand for such assistance has reduced from a few cases per day at the introduction of the strengthened emission control to less than once per week at present, as vehicle mechanics have got more familiar with the vehicle repair.

Additional Information

(a) Details of the test services provided by DVETCs are tabulated below:

Company	Address	Remarks
For Diesel Vehicle up to 5.5 tonnes		
Crown Motors Ltd.	Lot 355, Kiu Wong Street, Kiu Tau Wai Industrial Area, Ping Shan, Yuen Long, N.T.	Testing service is suspended; dynamometer out of service.
Dah Chong Hong (Motor Service Centre) Ltd.	G/F, 20 Kai Cheung Road, Kowloon Bay, Kowloon	In operation
	1 Hong Yip Street, Yuen Long, N.T	Testing services suspended; awaiting replacement of dynamometer.
	111 Li Nam Road, Ap Li Chau, Aberdeen, Hong Kong	CLOSED
China Inspection Co., Ltd.	50 Fuk Hi Street, Wang Chau Industrial Estate, Yuen Long, N.T.	Testing service is suspended; dynamometer out of service.
Hong Kong Automobile Association	Marsh Road, Wan Chai, Hong Kong	CLOSED
Sime Darby Motor Service Ltd.	12 Fung Yip Street, Chai Wan, Hong Kong	CLOSED
For Diesel Vehicle over 5.5 tonnes		
Crown Motors Ltd.	Lot 355, Kiu Wong Street, Kiu Tau Wai Industrial Area, Ping Shan, Yuen Long, N.T.	Testing service is suspended; dynamometer out of

		service. The centre will be converted to testing petrol/LPG vehicles
China Inspection Co., Ltd.	50 Fuk Hi Street, Wang Chau Industrial Estate, Yuen Long, N.T.	In operation
Dah Chong Hong (Motor Service Centre) Ltd.	111 Li Nam Road, Ap Li Chau, Aberdeen, Hong Kong	CLOSED
Hong Kong United Dockyards Ltd.	TYTL 108, Sai Tso Wan Road, Tsing Yi, N.T.	CLOSED
Sime Darby Motor Service Ltd.	12 Fung Yip Street, Chai Wan, Hong Kong	CLOSED
For Petrol and LPG Vehicles		
Dah Chong Hong (Motor Service Centre) Ltd.	G/F, 20 Kai Cheung Road, Kowloon Bay, Kowloon	In operation
Environmental Technology Consultants Ltd.	G/F, 92 Sung Wong Toi Road, Tokwawan, Kowloon, Hong Kong.	In operation
Yau Shing Motor Service Ltd.	Unit 3, Decca Ind Centre, 12 Kut Sing St., Chai Wan, Hong Kong	In operation
HK Vehicle Carbon Emission Testing Company Ltd	22A Yip Cheong St., On Lok Tsuen, Fanling, N.T.	In operation

(b) & (c)

The number of vehicles served with emission testing notice (ETN) in the past year is tabulated below:

	Diesel vehicles up to 5.5 tonnes*	Diesel vehicles over 5.5 tonnes*	Petrol and LPG vehicles#
No. of ETNs issued in 2014	2208	3230	3083
No. of tests conducted for ETN issued in 2014 (1)	2381	3128	3741
No. of vehicles tested for ETN issued in 2014 (2)	1658	2630	2434
Average tests per vehicle [= (1)/(2)]	1.4	1.2	1.5

**In 2014, 1150 diesel vehicles caught emitting excessive smoke did not undertake as required the emission test at a DVETC. Among them, 828 diesel vehicles had subsequently passed the same dynamometer smoke test in Transport Department during annual examination. The remaining vehicles were scrapped of their owner's own volition or had their licences cancelled due to failure to undertake the emission test.*

The figures are for the period from September 2014 to end of April 2015 since the strengthened emission control of petrol/LPG vehicles started on 1 Sep 2014. As at end April, 649 petrol/LPG vehicles caught emitting excessively by remote sensing devices did not undertake as required the emission test at a DVETC. Among them, 198 vehicles were scrapped of their owner's own volition or had their licences cancelled due to failure to undertake the emission test. The rest were being repaired.

Each DVETC can handle about 32 emission tests per day. Assuming 240 working days a year, a DVETC can execute about 7,700 emission tests per year. There are now one DVETC in operation for diesel vehicles over 5.5 tonnes and for smaller diesel vehicles each; and four DVETCs for petrol/LPG vehicles. The testing capacity is well above the demand for emission testing as shown in the above table.