

**L.N. 1 of 2020**

**Road Traffic (Driving Licences) (Amendment) Regulation  
2020**

(Made by the Secretary for Transport and Housing under section 8(1)  
of the Road Traffic Ordinance (Cap. 374))

**1. Commencement**

This Regulation comes into operation on 1 October 2020.

**2. Road Traffic (Driving Licences) Regulations amended**

The Road Traffic (Driving Licences) Regulations (Cap. 374 sub.  
leg. B) are amended as set out in sections 3 to 7.

**3. Regulation 8 amended (previous experience and driving record)**

(1) Regulation 8(1A), English text—

**Repeal**

“paragraph (1) are”

**Substitute**

“paragraph (1) are that”.

(2) Regulation 8(1A)—

**Repeal subparagraph (b)**

**Substitute**

“(b) subject to paragraph (1B)—

- (i) the licence was issued to the person before the relevant date;
- (ii) the licence was issued to the person pursuant to regulation 11(1AA)(a) or (1AB)(a) on or after the relevant date; or

- (iii) the licence was issued to the person pursuant to regulation 11(1AA)(c), (1AB)(c) or (d), (2), (3) or (3A) on or after the relevant date, and the person has held the licence for at least 1 year immediately preceding the application; and”.

#### 4. Regulation 8A amended (pre-service course)

- (1) Regulation 8A, heading, after “**course**”—

**Add**

“for taxis, public light buses and public buses”.

- (2) Regulation 8A(1)—

**Repeal**

“public light bus”

**Substitute**

“taxi, public light bus or public bus”.

- (3) Regulation 8A—

**Repeal paragraph (2)**

**Substitute**

- “(2) Despite paragraph (1), this regulation does not apply to an applicant for a full driving licence to drive a taxi or public bus if—
  - (a) the applicant falls within regulation 11(2CA)(a)(i) or (c)(i) and has applied before 1 October 2020 for the driving test relevant to the licence; or
  - (b) the applicant falls within regulation 11(2CA)(a)(ii) or (c)(iii) and has applied before 1 October 2020 for the driving test that entitles the applicant to be issued with the licence under that regulation.”.

- (4) Regulation 8A(3)—

**Repeal**

“public light bus”

**Substitute**

“taxi, public light bus or public bus”.

- (5) Regulation 8A(3)—

**Repeal**

“the year”

**Substitute**

“1 year”.

- (6) After regulation 8A(4)—

**Add**

“(4A) If the Commissioner considers that an applicant need not complete any part of a pre-service course because the applicant’s previous experience is adequate for the purpose of that part, the Commissioner may exempt the applicant from that part.”.

- (7) Regulation 8A(5)—

**Repeal the definition of *commencement date*.**

**5. Regulation 11 amended (issue of full driving licences)**

- (1) Regulation 11(1AA)(a), after the semicolon—

**Add**

“or”.

- (2) Regulation 11(1AA)—

**Repeal subparagraph (b).**

- (3) Regulation 11(1AB)—

**Repeal subparagraph (b).**

- (4) Regulation 11(1AB)(d)(ii)(C)—

**Repeal**

“(1AA)(b) or (c)”

**Substitute**

“(1AA)(c)”.

- (5) Regulation 11(1B)—

**Repeal**

“taxi, private light bus, public bus,”

**Substitute**

“private light bus.”

- (6) Regulation 11(2A)—

**Repeal**

“taxi, private light bus, public bus,”

**Substitute**

“private light bus.”

- (7) Regulation 11(2C)—

**Repeal**

“licence to drive a public light bus”

**Substitute**

“licence to drive a taxi, public light bus or public bus”.

- (8) Regulation 11(2C)—

**Repeal subparagraph (b)**

**Substitute**

“(b) the applicant satisfies the condition set out in paragraph (2CA)(a), (b) or (c).”.

(9) After regulation 11(2C)—

**Add**

“(2CA) The condition is that—

- (a) if the application relates to a taxi, the applicant—
  - (i) has passed, within 3 years prior to the date of the application, a driving test in respect of taxis; or
  - (ii) holds a valid full driving licence for a class of motor vehicle which the Commissioner accepts as evidence of the applicant’s competence to drive a taxi;
- (b) if the application relates to a public light bus, the applicant—
  - (i) has passed, within 3 years prior to the date of the application, a driving test in respect of public light buses and private light buses;
  - (ii) holds a valid full driving licence to drive a private light bus obtained under paragraph (1B); or
  - (iii) holds a valid full driving licence for a class of motor vehicle which the Commissioner accepts as evidence of the applicant’s competence to drive a public light bus; or
- (c) if the application relates to a public bus, the applicant—
  - (i) has passed, within 3 years prior to the date of the application, a driving test in respect of public buses and private buses;

- (ii) holds a valid full driving licence to drive a private bus obtained under paragraph (1B); or
- (iii) holds a valid full driving licence for a class of motor vehicle which the Commissioner accepts as evidence of the applicant's competence to drive a public bus.”.

**6. Regulation 12 amended (application for and issue of learners' driving licences)**

(1) Regulation 12(5)—

**Repeal**

“his application for such licence, the applicant”

**Substitute**

“the application for such licence”.

(2) Regulation 12(5)(a), English text—

**Repeal**

“is a holder”

**Substitute**

“the applicant is a holder”.

(3) Regulation 12(5)—

**Repeal subparagraph (b)**

**Substitute**

“(b) subject to paragraphs (7) and (8)—

- (i) the licence was issued to the applicant before the relevant date;
- (ii) the licence was issued to the applicant pursuant to regulation 11(1AA)(a) or (1AB)(a) on or after the relevant date; or

(iii) the licence was issued to the applicant pursuant to regulation 11(1AA)(c), (1AB)(c) or (d), (2), (3) or (3A) on or after the relevant date, and the applicant has held the licence for at least 1 year immediately preceding the application.”.

(4) Regulation 12(6)—

**Repeal**

“his application”

**Substitute**

“the application”.

**7. Regulation 12L amended (cancellation of full driving licences issued to holders of probationary driving licences, etc.)**

(1) Regulation 12L(1B)(b)—

**Repeal**

“11(1B)”

**Substitute**

“11(1B) or (2C)”.

(2) Regulation 12L(1D)(b)(ii)—

**Repeal**

“11(2) or (2A)”

**Substitute**

“11(2), (2A) or (2C)”.

Frank CHAN Fan  
Secretary for Transport and  
Housing

19 December 2019

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### **Explanatory Note**

This Regulation amends the Road Traffic (Driving Licences) Regulations (Cap. 374 sub. leg. B) (*principal Regulations*) mainly to—

- (a) relax the eligibility requirement for applying for a learner's driving licence or a full driving licence to drive a taxi, public light bus, private light bus, public bus, private bus, medium goods vehicle, heavy goods vehicle or special purpose vehicle;
- (b) extend the mandatory pre-service course requirement to cover an applicant for a full driving licence to drive a taxi or public bus; and
- (c) empower the Commissioner for Transport to cancel a full driving licence to drive a taxi, public light bus or public bus in certain circumstances under regulation 12L of the principal Regulations.