

## LEGISLATIVE COUNCIL BRIEF

Road Traffic Ordinance  
(Chapter 374)

### ROAD TRAFFIC (CONSTRUCTION AND MAINTENANCE OF VEHICLES) (AMENDMENT) REGULATION 2021

#### INTRODUCTION

A The Secretary for Transport and Housing has made the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2021 (“the Amendment Regulation”) (at Annex A) under section 9 of the Road Traffic Ordinance (Cap. 374) to provide that the driver’s door of a light bus<sup>1</sup> is an emergency exit if, among other things, at least one emergency window and at least one escape hatch are provided on the light bus.

#### JUSTIFICATIONS

##### Existing Requirements for Emergency Exits of Light Buses

2. At present, under regulation 67(1) of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A), a light bus is required to have not less than two exits<sup>2</sup> (one of which may be an emergency exit<sup>3</sup>) which shall be situated to the rear of the driver seat

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<sup>1</sup> According to section 2 of Cap. 374, “light bus” means “a motor vehicle constructed or adapted for use solely for the carriage of a driver and not more than 19 passengers and their personal effects, but does not include an invalid carriage, motor cycle, motor tricycle, private car or taxi”.

<sup>2</sup> According to regulation 2 of Cap. 374A, “exit” means any aperture or space provided to enable passengers to leave a vehicle.

<sup>3</sup> According to regulation 2 of Cap. 374A, “emergency exit” means an exit on a vehicle which is provided for use only in case of emergency as required by the regulations.

and not be situated on the same side of the vehicle, or one exit in the back of the vehicle. Such exits shall be of width not less than 530 millimetres and clear height not less than 1.2 metres.

### **Technical Study on Emergency Exits of Light Buses**

3. In 2019, the Transport Department engaged a consultant to conduct a technical study on emergency exits of light buses and review the statutory requirements and the acceptable means of escapes under different jurisdictions. As revealed in the technical study, with the advancement of technology in the automobile industry, a number of jurisdictions (such as the European Union, the Mainland China, Singapore, the United Kingdom and the United States) have adopted, in addition to emergency doors, various escape means for light buses, including emergency window<sup>4</sup> and escape hatch<sup>5</sup> (details at Annex B).

B

4. The aforementioned technical study has also analysed traffic accidents involving light buses in Hong Kong in 2010-2019. The analysis showed that the majority of light bus traffic accidents involved frontal collision or no impact at all, where the emergency doors as a means of escape were not affected. Furthermore, accidents involving the overturning of public and private light buses constituted only 0.2% and 0.1% respectively of their total number of accidents. In other words, the vehicles remained in upright position after the accidents in over 99% of light bus accidents. Therefore, doors and windows were the most common means of escape. As for other accidents involving collision at the side or rear of the vehicle, since the emergency doors might be damaged, it would be important to maintain an effective alternative means of emergency exit, whether in the form of a door, window or escape hatch.

5. In considering whether to accept alternative means of emergency exits for light buses, passenger safety is of utmost priority. The impact of different design of emergency exits on the ease of escape and the amount of time needed for evacuation under different circumstances need to be

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<sup>4</sup> An “emergency window” means a window on a vehicle that is provided for use only in case of emergency for leaving the vehicle.

<sup>5</sup> An “escape hatch” means an opening at the roof of a vehicle that is provided for use only in case of emergency for leaving the vehicle.

carefully examined. The technical study has compared the required safe egress time for passengers to get out of the vehicle in an accident, with different types and design of emergency exits. It was found that the level of safety and the required safe egress time by using driver's door<sup>6</sup> together with emergency window and escape hatch as the means of escape were similar to that of using an emergency door in a light bus under different collision scenarios (including the vehicle maintaining an upright position, turning sideways or turning upside down after the accident). Therefore, the technical study concluded that with the use of such alternative means of emergency exits in light buses, passenger safety during emergency situations would be equally upheld.

6. As an international city, on the basis that our foremost priority on passenger safety will not be compromised, a regular review and update of vehicle safety standards to keep in pace with widely recognised vehicle safety standards internationally is deemed desirable. Furthermore, allowing the driver's door to be an emergency exit for light buses (together with the provision of emergency window and escape hatch) would enable more flexibility in the design of the vehicles, such that manufacturers could adopt other means of emergency escape applicable to light buses to cater for the Hong Kong market. This will facilitate the introduction of more vehicle models into Hong Kong, allowing more choices for the transport trades.

### **Proposed Legislative Amendments**

7. To allow flexibility in the design of emergency exits of light buses that provide the same level of safety as the existing emergency door, we propose amending Cap. 374A to provide that the driver's door of a light bus is an emergency exit if at least one emergency window and at least one escape hatch are provided on the light bus (subject to fulfilment of relevant requirements regarding their design, position, height and width). The current requirements on the design and specification of emergency exits and doors will remain.

8. In addition, regulation 67(1)(b) of Cap. 374A currently allows

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<sup>6</sup> A "driver's door" is the door next to the driver's driving seat leading to the exterior of the vehicle.

vehicles to have only one exit at the rear without any other exits. As such design is outdated and no longer used in Hong Kong, we propose repealing the relevant provision from the regulations.

## **AMENDMENT REGULATION**

9. **Section 3** of the Amendment Regulation provides for the definitions of “emergency window” and “escape hatch” and amends the definition of “exit” to exclude “emergency window” and “escape hatch” under Cap. 374A.

10. **Section 4** of the Amendment Regulation amends regulation 67 of Cap. 374A by removing the current requirement that allows the use of one single exit at the rear of vehicles as emergency exit, which is an outdated design and no longer used in Hong Kong.

11. **Section 5** of the Amendment Regulation adds the new **regulations 67A, 67B and 67C** to provide that the driver’s door of a light bus is an emergency exit if certain conditions (including the provision of an emergency window and escape hatch) are satisfied, and to provide for the requirements applicable to the emergency window and escape hatch.

C

The existing provisions being amended are at Annex C.

## **LEGISLATIVE TIMETABLE**

12. The legislative timetable will be as follows –

Publication in the Gazette	20 August 2021
Tabling at the Legislative Council (“LegCo”) for negative vetting	25 August 2021
Commencement of the Amendment Regulation	15 October 2021

## **IMPLICATIONS OF THE PROPOSAL**

13. The proposal to introduce alternative means of emergency exits for light buses would provide more options and flexibility to the trade in acquiring new light buses. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. It has no economic, civil service, financial, productivity, family, environmental, sustainability or gender implications. The proposal will not affect the current binding effect of Cap. 374 and its subsidiary legislation.

## **PUBLIC CONSULTATION**

14. With regard to the above legislative amendments on introducing the driver's door (with the provision of at least one emergency window and at least one escape hatch) as an alternative means of emergency exits on light buses, the vehicle manufacturers and public light bus trades have been consulted and they generally welcomed the above proposal.

15. The Government consulted the LegCo Panel on Transport and the Transport Advisory Committee on 19 and 23 February 2021 respectively. Members did not raise any objection to the legislative proposal.

## **PUBLICITY**

16. The Government will issue a press release on 18 August 2021 while a spokesperson will be available to answer media enquiries. When the Amendment Regulation comes into operation, the Transport Department will work closely with the trade on the publicity of the new requirements, including issuing letters and technical guidelines, as well as arranging briefing sessions for the trade, so as to ensure smooth implementation.

## **ENQUIRIES**

17. Any enquiries on this brief can be directed to Ms Jerry JI, Principal Assistant Secretary for Transport and Housing (Tel.: 3509 8171).

**Transport and Housing Bureau**  
**18 August 2021**

## Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2021

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

### 1. Commencement

This Regulation comes into operation on 15 October 2021.

### 2. Road Traffic (Construction and Maintenance of Vehicles) Regulations amended

The Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) are amended as set out in sections 3, 4 and 5.

### 3. Regulation 2 amended (interpretation)

(1) Regulation 2, at the end of the definition of *emergency exit*—

#### Add

“Note—

See also regulation 67A in relation to an emergency exit of a light bus.”.

(2) Regulation 2, definition of *exit*—

#### Repeal the semicolon

#### Substitute

“, but does not include an emergency window or escape hatch;”.

(3) Regulation 2—

#### Add in alphabetical order

“*emergency window* (緊急窗口) means a window on a vehicle that is provided for use only in case of emergency for leaving the vehicle;

*escape hatch* (逃生艙口) means an opening at the roof of a vehicle that is provided for use only in case of emergency for leaving the vehicle;”.

### 4. Regulation 67 amended (entrances and exits on light buses)

(1) Regulation 67—

#### Repeal paragraph (1)

#### Substitute

“(1) There must be at least 2 exits (one of which may be an emergency exit) on a light bus, and the exits must be situated on at least 2 of the following—

- (a) the near side of the light bus;
- (b) the off side of the light bus;
- (c) the rear of the light bus.”.

(2) Regulation 67(3)—

#### Repeal

“emergency”.

### 5. Regulations 67A, 67B and 67C added

After regulation 67—

#### Add

“67A. Driver’s door on light bus

(1) In this regulation—

**driver's door** (司機門) means a door provided at the driver's compartment of a light bus to enable the driver to board or alight from the light bus.

- (2) For the purposes of this Part (except regulations 71 and 72(5)), a driver's door of a light bus is an emergency exit if—
- (a) no seat is fitted immediately adjacent to the driver's seat of the light bus;
  - (b) (where a separate seat is placed to the side of the driver's seat of the light bus) there is a clear width of not less than 460 millimetres between the driver's seat and the separate seat (measured from the edges of the 2 seats that are nearest to each other);
  - (c) the driver's door is readily accessible to passengers without obstruction from the passenger seats through the gangway of the light bus and through the passage from the gangway to the driver's seat (*passage*);
  - (d) the width of the passage—
    - (i) is not less than 300 millimetres at heights up to 750 millimetres above the level of the deck of the light bus;
    - (ii) is not less than 350 millimetres at heights exceeding 750 millimetres but not exceeding 1 200 millimetres above the level of the deck of the light bus; and
    - (iii) is not less than 460 millimetres at heights exceeding 1 200 millimetres above the level of the deck of the light bus;

- (e) the access between the driver's seat and the steering wheel—
  - (i) is not less than 600 millimetres in height; and
  - (ii) is not less than 400 millimetres in width; and
- (f) the light bus is also provided with the following—
  - (i) at least one emergency window that complies with regulation 67B; and
  - (ii) at least one escape hatch that complies with regulation 67C.

**67B. Emergency window on light bus**

- (1) An emergency window of a light bus—
- (a) must—
    - (i) be made of readily-breakable safety glass; or
    - (ii) be capable of being easily and instantaneously opened from the inside of the light bus by means of a device (which is located in a prominent position and readily reachable by persons inside the light bus in case of emergency) to the satisfaction of the Commissioner;
  - (b) must be capable of being fully opened;
  - (c) must be capable of being easily opened from the outside of the light bus in case of emergency;
  - (d) must be designed to prevent any inadvertent operation;
  - (e) must not be of an ejectable type;
  - (f) must not be fitted in a position that might in any way cause danger to passengers;



- (g) must not obstruct clear passage from the inside or outside of the light bus;
  - (h) for a hinged type—must be capable of being opened outward, and must be fitted with an audible and visible warning device to alert the driver when the window is not completely and securely closed;
  - (i) must be situated at either the forward half or the rearward half of the passengers' compartment in the light bus such that there must be at least one exit or emergency window at each half of the compartment;
  - (j) must be easily accessible to passengers without obstruction from any part of the gangway of the light bus for obtaining access to the exterior of the light bus; and
  - (k) must be clearly marked as such inside the light bus in English and Chinese writing.
- (2) In a light bus, the means of operation of an emergency window must be clearly indicated.
- (3) If an emergency window is situated on the near side or off side of a light bus—
- (a) the window must be of an aperture area of not less than 0.4 square metre;
  - (b) the height of the window must be not less than 0.5 metre;
  - (c) the width of the window must be not less than 0.7 metre; and
  - (d) the height of the lower edge of the window above the level of the deck of the light bus—

- (i) if the window is of a breakable glass type—must be not more than 1.2 metres and not less than 500 millimetres;
  - (ii) if the window is of a hinged type and the window aperture is equipped with a guard that is of a height not less than 650 millimetres above the level of the deck of the light bus—must be not more than 1.2 metres and not less than 500 millimetres; or
  - (iii) if the window is of a hinged type and the window aperture is not equipped with a guard referred to in sub-subparagraph (ii)—must be not more than 1.2 metres and not less than 650 millimetres.
- (4) If an emergency window is situated at the rear of a light bus, the window must be of an aperture area of not less than 0.4 square metre and must be in either of the following proportions—
- (a) the height of the window is not less than 0.5 metre and the width of the window is not less than 0.7 metre;
  - (b) the height of the window is not less than 0.35 metre and the width of the window is not less than 1.55 metres.
- (5) If an emergency window aperture is equipped with a guard, the area of the aperture above the guard must not be less than the area set out in paragraph (3)(a) or (4).
- (6) The gangway of a light bus and the passage between 2 seats leading to an emergency window of the light bus must conform with regulations 71 and 73(1) respectively.

- (7) A light bus is not taken to fail to comply with paragraph (1)(c) by reason only of the fact that, for the purpose of securing the light bus when unattended, any emergency window has been fitted with a supplementary lock (with or without an actuating mechanism), if the lock is so designed and constructed that a single movement of a device provided on the inside of the light bus will at all times allow the emergency window to be readily opened.
- (8) A light bus is not taken to fail to comply with paragraph (1)(j) by reason only of the presence of any passenger seat adjacent to an emergency window of the light bus.

**67C. Escape hatch on light bus**

- (1) An escape hatch of a light bus—
  - (a) must be capable of being easily and instantaneously opened from the inside of the light bus by means of a device (which is located in a prominent position and readily reachable by persons inside the light bus in case of emergency) to the satisfaction of the Commissioner;
  - (b) must be capable of being fully opened;
  - (c) must be capable of being easily opened from the outside of the light bus in case of emergency;
  - (d) must be designed to prevent any inadvertent operation;
  - (e) must not be of an ejectable type;
  - (f) must not be fitted in a position that might in any way cause danger to passengers;
  - (g) must not obstruct clear passage from the inside or outside of the light bus;

- (h) for a hinged type—must be capable of being opened outward, and must be fitted with an audible and visible warning device to alert the driver when the hatch is not completely and securely closed;
  - (i) must be situated not more than 1.6 metres above a seat or any equivalent support (including a support that is foldable or movable if the support can be locked in its position of use) measured from the outermost surface of the roof of the light bus; and
  - (j) must be clearly marked as such inside the light bus in English and Chinese writing.
- (2) If there is only 1 escape hatch on a light bus, the escape hatch must be situated in the middle part of the roof of the light bus.
  - (3) If there is more than one escape hatch on a light bus, each escape hatch must be separated by a distance of at least 2 metres (being the distance measured between the edges of the apertures of the escape hatches that are nearest to each other in a line parallel to the longitudinal axis of the light bus).
  - (4) In a light bus, the means of operation of an escape hatch must be clearly indicated.
  - (5) The aperture of an escape hatch of a light bus must be—
    - (a) of an area of not less than 0.45 square metre; and
    - (b) of such a shape that a rectangle of 0.6 metre in width and 0.7 metre in length may be inscribed in the aperture.
  - (6) A light bus is not taken to fail to comply with paragraph (1)(c) by reason only of the fact that, for the purpose of securing the light bus when unattended, any escape hatch

has been fitted with a supplementary lock (with or without an actuating mechanism), if the lock is so designed and constructed that a single movement of a device provided on the inside of the light bus will at all times allow the escape hatch to be readily opened.

(7) In paragraph (2)—

*middle part* (中間部分), in relation to the roof of a light bus, means the middle part of the roof area of the passengers' compartment in the light bus when dividing the roof area into 3 parts of equal length longitudinally.”

Secretary for Transport and Housing

2021

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### Explanatory Note

The Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (*principal Regulations*) provide for the requirements in relation to the construction, maintenance and equipment of light buses. The main purpose of this Regulation is to amend the principal Regulations—

- (a) to provide that the driver's door of a light bus is an emergency exit if certain conditions (including the provision of an emergency window and escape hatch) are satisfied; and
- (b) to provide for the requirements applicable to an emergency window and escape hatch on a light bus.

**Acceptable Means of Emergency Exit of Light Buses under Different Jurisdictions**

Acceptable Means of Emergency Exit	Jurisdiction
<ul style="list-style-type: none"> <li>• Emergency door (<i>only</i>)</li> </ul>	Australia
	Hong Kong
	Japan
	Macao
<ul style="list-style-type: none"> <li>• Emergency door/ Driver's door</li> <li>• Emergency window</li> <li>• Escape hatch</li> </ul>	European Union
	Mainland China
	Singapore
	United Kingdom
	United States

## 2. Interpretation

In these regulations, unless the context otherwise requires—

**1949 Convention** (1949 年 國 際 公 約 ) means the International Convention relative to the international circulation of motor traffic concluded at Geneva on 19 September 1949; (*L.N. 48 of 2007*)

**agricultural implement** (農具) means an agricultural implement or agricultural machine, being in either case a vehicle;

**agricultural tractor** (農業用拖拉機) means a motor vehicle which is designed or adapted for use primarily in agriculture and which is not used on a road for the conveyance of any goods other than agricultural produce or articles required for the purposes of agriculture;

**agricultural trailer** (農業用拖車) means a trailer other than an agricultural trailed appliance, which is constructed or adapted for the purpose of agriculture, horticulture or forestry and which is only used for one or more of those purposes; (*L.N. 203 of 1990*)

**air pollutant** (空氣污染物) has the same meaning as in section 2 of the Air Pollution Control Ordinance (Cap. 311); (*L.N. 160 of 2000*)

**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; (*L.N. 151 of 2007; 6 of 2012 s. 11*)

**approved EDRD** (認可電子數據記錄儀)—see regulation 24C(3); (*6 of 2012 s. 11*)

**approved speed limiter** (認可車速限制器)—see regulation 24B(2); (*6 of 2012 s. 11*)

**articulated vehicle** (掛接車輛) means a motor vehicle with a trailer so attached that part of the trailer is superimposed upon the motor vehicle, and when the trailer is uniformly loaded a substantial part of the weight of the load is borne by the motor vehicle;

**Authority** (監督) has the same meaning as in section 2 of the Air Pollution Control Ordinance (Cap. 311); (*L.N. 160 of 2000*)

**axle weight** (車軸重量), in relation to each axle of a motor vehicle or trailer, means the sum of the weights transmitted to the road surface by all the wheels of that axle; and in counting the number of axles and in determining the sum of the weights transmitted to the road surface by any one axle of a vehicle, where the centres of the areas of contact between all the wheels and the road surface can be included between any 2 vertical planes at right angles to the longitudinal axis of the vehicle less than one metre apart, those wheels shall be treated as constituting one axle;

**braking efficiency** (制動效能), in relation to the application of brakes to a motor vehicle at any time, means the maximum braking force capable of being developed by the application of those brakes, expressed as a percentage of the gross vehicle weight of the vehicle;

**close-coupled** (緊耦合), in relation to a trailer, means that the wheels on the same side of the trailer are so fitted that all times while it is in motion they remain parallel to the longitudinal axis of the trailer, and that the distance between the centres of their respective areas of contact with the road surface does not exceed 850 millimetres;

**combination of vehicles** (組合式車輛) means coupled vehicles which travel on the road as a unit;

**compression-ignition engine** (壓燃式引擎) means an engine in which the fuel is injected into the cylinders or combustion space of the engine and is there ignited during normal running solely by the heat of compression of the cylinder charge;

**deck** (層、車廂地板) means a floor or platform of a vehicle upon which seats are provided for the accommodation of passengers;

**dipped beam** (低光) means a beam of light emitted by a headlamp carried on a vehicle, being a beam which is deflected downwards or both downwards and to the left to such an extent that it is at all times incapable of dazzling any person who is on the same horizontal plane as the vehicle at a greater distance than 8 metres from the headlamp and whose eye-level is not less than one metre above that plane;

**direction indicator** (轉向指示器) means a device required to be fitted to a motor vehicle or trailer for the purpose of indicating the intention of the driver to change the direction of the vehicle to the right or to the left;

**double-decked bus** (雙層巴士) means a bus having 2 decks one of which is wholly or partly above the other and each deck of which is provided with a gangway serving seats on that deck only;

**dual purpose lamp** (雙用途燈) means a lamp combining an obligatory front lamp and an obligatory rear lamp;

**EDRD** means an electronic data recording device; (6 of 2012 s. 11)

**electronic data recording device** (電子數據記錄儀) means a device which records and stores running data digitally by a solid state electronic method and includes all components of the EDRD referred to in section 1 of Schedule 19; (6 of 2012 s. 11)

**emergency exit** (緊急出口) means an exit on a vehicle which is provided for use only in case of emergency as required by these regulations;

**engineering plant** (工程裝置) means—

- (a) movable plant or equipment being a motor vehicle or trailer, specially designed and constructed for the purposes of road construction, maintenance or marking, or other engineering operations, and which—
  - (i) cannot, owing to the requirements of those purposes, comply in all respects with the requirements of these regulations; and
  - (ii) is not constructed primarily to carry a load other than a load which is either excavated materials raised from the ground by apparatus on the motor vehicle or trailer, or materials which the vehicle or trailer is specially designed to use or treat while carried thereon; or
- (b) a mobile crane which does not comply in all respects with the requirements of these regulations;

**entrance** (入口) means any aperture or space provided to enable passengers to board a vehicle;

**exhaust emission** (排氣污染物) means any air pollutant emitted from the tail pipe of a motor vehicle; (*L.N. 160 of 2000*)

**exit** (出口) means any aperture or space provided to enable passengers to leave a vehicle;

**extreme rear** (尾端) means the rearmost point for the time being of a vehicle or a sidecar, inclusive of any luggage carrier and any tailboard or other adjustable part except when the tailboard or adjustable part is extended whilst the vehicle is stationary and being loaded or unloaded;

**fare receipt** (車費收據), in relation to a taxi, means a receipt within the meaning of regulation 49A(1) of the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) which complies with the requirements of that regulation; (*L.N. 148 of 1997*)

**fitted EDRD** (已裝配電子數據記錄儀) means an approved EDRD fitted to a motor vehicle to which regulation 24C applies; (*6 of 2012 s. 11*)

**fitted speed limiter** (已裝配車速限制器) means an approved speed limiter fitted to a motor vehicle to which regulation 24B applies; (*6 of 2012 s. 11*)

**fog lamp** (霧燈) means a lamp on a motor vehicle which is to be used primarily in conditions of fog or mist;

**front corner marker lamp** (前角標誌燈) means a lamp required to be carried by a trailer by regulation 108 and which shows a white light to the side and front of the trailer through an arc extending 90 degrees forward from a line at right angles to the longitudinal axis of the trailer;

**gangway** (過道), in relation to a bus or light bus, means the space provided for obtaining access from any entrance to the passengers' seats or from any such seat to an exit, other than an emergency exit, but does not include a staircase or any space in front of a seat which is required only for the use of passengers occupying that seat or that row of seats;

**goods-carrying trailer** (載貨拖車) means a trailer constructed or adapted for use for the carriage of goods of any description and which is either—

- (a) a semi-trailer; or
- (b) a trailer with 4 or more wheels drawn by a goods vehicle or an industrial tractor or land tractor;

**gross combined weight** (組合式車輛總重) means the actual weight transmitted to the road surface by all the wheels of a combination of vehicles;

**half-decked bus** (一層半式巴士) means any bus which is neither a single-decked bus nor a double-decked bus;

**head restraint** (頭部保護裝置) means a device the function of which is to limit the rearward displacement of the head of a seated passenger in relation to his torso in order to reduce the danger of injury to the cervical vertebrae of the passenger in the event of an accident; (*L.N. 147 of 2002*)

**headlamp** (大燈) means a lamp, other than a fog lamp, required to be carried by a vehicle and which is designed, when lit, to illuminate the road in front of the vehicle;

**hours of darkness** (黑夜時間) has the meaning assigned to it by regulation 2(1) and (2) of the Road Traffic (Traffic Control)

Regulations (Cap. 374 sub. leg. G);

**illuminated area** (照明面積), in relation to a lamp on a vehicle, means the area of the orthogonal projection on a vertical plane at right angles to the longitudinal axis of the vehicle of that part of the lamp through which the light is emitted;

**industrial tractor** (工業用拖拉機) means a motor tractor, other than a land tractor, which—

- (a) is designed and used primarily for work off roads, or for work on roads in connexion only with road construction, maintenance or refuse collection (including any such motor vehicle when fitted with an implement or implements designed primarily for use in connexion with such work, whether or not any such implement is of itself designed to carry a load); and
- (b) is so constructed as to be incapable of exceeding a speed of 30 kilometres per hour on the level under its own power;

**internal combustion engine** (內燃引擎) means a compression-ignition engine or a positive-ignition engine;

**international circulation permit** (國際通行許可證) has the meaning assigned to it by regulation 2 of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E);

**land implement** (土地機具) means any implement or machinery used with a land locomotive or a land tractor in connexion with agriculture, grass cutting, forestry, land levelling, dredging or similar operations and any trailer which for the time being carries only the necessary gear or equipment of the land locomotive or land tractor which tows it;

**land implement conveyer** (土地機具運輸裝置) means a trailer, having an unladen weight not exceeding 510 kilograms, which is specially designed and constructed for the conveyance of not more than one land implement and which is marked with its unladen weight, has each of its wheels fitted with a pneumatic tyre and is towed by a land locomotive or land tractor;

**land locomotive** (土地機車) means a locomotive designed and used primarily for work on the land in connexion with agriculture, forestry, land levelling, dredging or similar operations, which is driven on a road only when proceeding to and from the site of such work and which when so driven hauls nothing other than land implements or land implement conveyers;

**land tractor** (土地拖拉機) means a motor tractor designed and used primarily for work on the land in connexion with agriculture, grass cutting, forestry, land levelling, dredging or similar operations, which is not constructed or adapted itself to carry a load other than—

- (a) water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment;
- (b) an implement fitted to the tractor and used for work on the land in connexion with any agricultural or forestry operations;

**liquefied petroleum gas** (石油氣) has the same meaning as in section 2 of the Gas Safety Ordinance (Cap. 51); (*L.N. 160 of 2000*)



**locomotive** (機車) means a motor vehicle which is not constructed itself to carry a load, other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment, and the unladen weight of which exceeds 8 tonnes;

**main beam** (主光) means a beam of light emitted by a headlamp, being a beam which is not a dipped beam;

**matched pair of headlamps** (配對大燈) means a pair of headlamps on a vehicle, one on each side of the vertical plane passing through the longitudinal axis of the vehicle (disregarding, for the purpose of ascertaining such axis, any sidecar attached thereto) which comply with the following requirements—

- (a) each headlamp in the pair is at the same height above the ground; and
- (b) the distance between the centre of each headlamp in the pair and the said vertical plane passing through the longitudinal axis of the vehicle does not vary by more than 25 millimetres;

**matched pair of obligatory headlamps** (配對強制性大燈) means a matched pair of headlamps required to be carried by a vehicle by regulation 96, 97 or 98;

**maximum stabilized speed** (最高穩定速度), in relation to a motor vehicle fitted with a speed limiter, means the highest speed at which the vehicle is able to travel when the vehicle is under the continuous and stable control of the speed limiter; (*6 of 2012 s. 11*)

**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); (*L.N. 152 of 2007*)

**motor tractor** (機動拖拉機) means a motor vehicle which is not constructed itself to carry a load, other than water, fuel, accumulators and other equipment used for the purpose of propulsion, loose tools and loose equipment and the unladen weight of which does not exceed 8 tonnes;

**multi-pull means of operation** (多次拉力操作工具), in relation to a braking system, means a device which causes the muscular energy of the driver to apply the brakes of that system progressively as a result of successive applications of that device by the driver;

**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); (*L.N. 151 of 2007*)

**obligatory front lamp** (強制性前燈) means a lamp, showing to the front of a vehicle a white light, required to be carried by regulation 89;

**obligatory headlamp** (強制性大燈) means any headlamp required to be carried by a vehicle by regulation 96, 97 or 98;

**obligatory rear lamp** (強制性後燈) means a lamp, capable of showing to the rear of a vehicle a red light, required to be carried by regulation 103; (*L.N. 258 of 1984*)

**obligatory reflector** (強制性反光體) means a red reflector required to be fitted to a vehicle by regulation 106;

**outermost part** (最外部分), in relation to a vehicle, does not include a door, hinged side or other adjustable part of the vehicle when opened or extended or a driving mirror or a direction indicator;

**overall height** (全高度) means the height of a vehicle standing on a level surface with all tyres inflated to normal pressure, measured vertically from such surface to the highest point of such vehicle or of the load on such vehicle whichever is the higher;

**overall length** (全長度) means the length of a vehicle measured between vertical planes at right angles to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of—

- (a) any driving mirror;
- (b) any starting handle;
- (c) any hood when down;
- (d) any expanding or extensible contrivance forming part of a turntable fire escape fixed to the vehicle; (*L.N. 4 of 2014*)
- (e) any front corner marker lamp or side marker lamp; and (*L.N. 4 of 2014*)
- (f) any camera unit of a reversing video device, (*L.N. 4 of 2014*)

and in ascertaining the extreme projecting points of a vehicle account shall be taken of any device or any receptacle on or attached to the vehicle which increases the carrying capacity of the vehicle unless—

- (i) it is a tailboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading;
- (ii) it is a tailboard which is let down in order to facilitate the carriage of, but which is not essential for the support of, loads which are in themselves so long as to extend at least as far as the tailboard when in the upright position; or
- (iii) it is a receptacle which is constructed or adapted for the purpose of being lifted on or off vehicles with goods contained therein and is from time to time actually used for that purpose;

**overall width** (全寬度) means the width of a vehicle measured between vertical planes parallel to the longitudinal axis of the vehicle and passing through the extreme projecting points thereof exclusive of—

- (a) any driving mirror;
- (b) any direction indicator;
- (c) so much of the distortion of any tyre as is caused by the weight of the vehicle; and
- (d) any front corner marker lamp or side marker lamp,

and in ascertaining the extreme projecting points of a vehicle account shall be taken of any device or any receptacle on or attached to the vehicle which increases the carrying capacity of the vehicle unless—

- (i) it is a sideboard which is let down while the vehicle is stationary in order to facilitate its loading or unloading; or
- (ii) it is a receptacle which is constructed or adapted for the purpose of being lifted on or off vehicles with goods contained therein and is from time to time actually used for that purpose;

**overhang** (懸出量) means the distance measured horizontally and parallel to the longitudinal axis of a vehicle between the vertical planes at right angles to that axis passing through the 2 points respectively specified in paragraphs (a) and (b) of this definition—

- (a) the rearmost point of the vehicle exclusive of—
  - (i) any hood when down;
  - (ii) any expanding or extensible contrivance forming part of a turntable fire escape fixed to the vehicle;
  - (iii) in the case of a motor vehicle constructed solely for the carriage of passengers and their effects and adapted to carry not more than 7 passengers, any luggage carrier fitted to the vehicle; and
  - (iv) in the case of a vehicle constructed to tow a trailer, any part of the vehicle designed primarily for use as a means of attaching the trailer and any fitting designed for use in connexion with such part, being a part and fitting the total length of which measured parallel to the longitudinal axis of the vehicle does not exceed 300 millimetres; and
- (b)
  - (i) in the case of a motor vehicle having not more than 3 axles of which only one is not a steering axle, the centre point of that axle;
  - (ii) in the case of a motor vehicle having 3 axles of which the front axle is the only steering axle and of a motor vehicle having 4 axles of which the 2 foremost are the only steering axles, a point 100 millimetres to the rear of the centre of a straight line joining the centre points of the 2 rearmost axles; and
  - (iii) in any other case, a point situated on the longitudinal axis of the vehicle and such that a line drawn from it at right angles to that axis will pass through the centre of the minimum turning circle of the vehicle;

**passenger vehicle** (客運車輛) means a vehicle constructed solely for the carriage of passengers and their effects;

**pedestrian-controlled vehicle** (徒步控制車輛) means a vehicle, other than a rickshaw, which is controlled by a pedestrian and not constructed or adapted for use or used for the carriage of a driver or passenger; (*L.N. 95 of 1993*)

**permanent top** (固定車頂) means any covering of a vehicle, other than a hood made of canvas or other flexible material which is capable of being readily folded back so that no portion of such hood or any fixed structure of the roof remains vertically above any part of any seat of the vehicle, or, in the case of a double-decked bus, of any seat on the upper deck of the bus;

**pneumatic tyre** (充氣輪胎) means a tyre which is—

- (a) provided with a continuous closed chamber containing air at a pressure substantially exceeding atmospheric pressure when the tyre is in the condition in which it is normally used, but is not subjected to any load;
- (b) capable of being inflated and deflated without removal from the wheel or vehicle; and
- (c) of such construction that when it is deflated and is subjected to a normal load, the sides of the tyre collapse;

**poor visibility conditions** (能見度低的情況) has the meaning assigned to it by regulation 2(1) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G);

**positive-ignition engine** (強制點火式引擎) means an engine operating on the otto cycle in which a mixture of fuel and air is drawn into cylinders and ignited after compression by means of an electric spark applied at a known and predetermined moment of the cycle;

**primary emergency exit** (主要緊急出口) means an emergency exit, being an exit provided in a single-decked bus or in the lower deck of a double-decked bus, of which the dimensions are not less than 1 350 millimetres by 500 millimetres;

**printing** (打印) includes any electronic or mechanical mode of representing words in a visible form; (*L.N. 148 of 1997*)

**rear lamp** (後燈) means a lamp showing to the rear of a vehicle a red light visible from a reasonable distance;

**rear marking** (車尾標記) means a rear marking of the type shown in any of the diagrams numbered 1 to 5 set out in Part I of the Eleventh Schedule;

**rear platform** (車尾平台) means a platform at the rear of a vehicle from which passengers can step directly to the ground through an exit without any step intervening;

**receipt printing device** (收據打印設備), in relation to a taxi, means the device installed in respect of the taxi in accordance with regulation 42A; (*L.N. 148 of 1997*)

**recut pneumatic tyre** (重切充氣輪胎) means any pneumatic tyre in which an existing tread pattern has been cut or burnt deeper or a new tread pattern has been cut or burnt except where the pattern is cut entirely in additional material added to the tyre for the purpose;

**reflecting area** (反光面積), in relation to a reflector on a vehicle, means the area of the orthogonal projection on a vertical plane at right angles to the longitudinal axis of the vehicle of that part of the reflector designed to reflect light;

**retractable belt** (可回卷安全帶) has the same meaning as in the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F); (*L.N. 147 of 2002*)

**reversing lamp** (倒車燈) means a lamp showing to the rear of a vehicle a white light for the purpose of reversing;

**reversing video device** (倒車視像裝置) means a device that is designed to be fitted to a vehicle to display to the driver in the driving position a current closed-circuit view of the rear area of the vehicle when the vehicle is reversing or about to reverse; (*L.N. 4 of 2014*)

**rigid vehicle** (整體式車輛) means a motor vehicle which is not constructed or adapted to form part of an articulated vehicle;

**running data** (行車數據), in relation to an EDRD fitted to a motor vehicle, means those data of the vehicle and the EDRD which are referred to in sections 3 and 4 of Schedule 19; (*6 of 2012 s. 11*)

**safety glass** (安全玻璃) means glass so constructed or treated that if fractured it does not fly into fragments capable of causing severe cuts;

**safety glazing** (安全透明物料) means material (other than glass) so constructed or treated that if fractured it does not fly into fragments capable of causing severe cuts;

**sealed beam lamp** (封閉式大燈) means a lamp unit comprising a reflector system, a lens system and one or more electrical filaments, which has been sealed in the course of manufacture and which cannot be dismantled without rendering the unit unusable as a lamp;

**secondary emergency exit** (備用緊急出口) means an emergency exit, other than a primary emergency exit provided in a bus, of which the dimensions are not less than 900 millimetres by 500 millimetres;

**set speed** (設定速度), in relation to a speed limiter fitted to a motor vehicle, means the intended maximum speed of the vehicle as limited by the speed limiter; (6 of 2012 s. 11)

**side marker lamp** (旁標誌燈) means a lamp required to be carried by a trailer by regulation 109 and which shows a white light to the side of the trailer through an arc extending a minimum of 70 degrees forward from a line at right angles to the longitudinal axis of the trailer and a red light to the side through an arc extending a minimum of 70 degrees rearward from that line;

**single-decked bus** (單層巴士) means a bus upon which no part of a deck or gangway is vertically above another deck or gangway;

**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); (L.N. 152 of 2007)

**speed limiter** (車速限制器) means a device the function or one of the functions of which is to limit the maximum stabilized speed of a motor vehicle by controlling—

- (a) for a vehicle propelled by an internal combustion engine only, the fuel feed to the engine;
- (b) for a vehicle propelled by an electric motor only, the electric motor output; or
- (c) for a vehicle capable of being propelled by both an internal combustion engine and electric motor either in combination or separately, both the fuel feed to the engine and the electric motor output; (6 of 2012 s. 11)

**split braking system** (分路式制動系統), in relation to a motor vehicle, means a braking system so designed and constructed that—

- (a) it comprises two independent sections of mechanism capable of developing braking force such that, excluding the means of operation, a failure of any part (other than a fixed member or a brake shoe anchor pin) of one of the said sections shall not cause a decrease in the braking force capable of being developed by the other section;
- (b) the said two sections are operated by a means of operation which is common to both sections; and
- (c) the braking efficiency of either of the said two sections can be readily checked;

**stop lamp** (停車燈) means a lamp required to be fitted to a motor vehicle, or to a trailer towed by a motor vehicle, for the purpose of warning other road users, when the lamp is lit, that the brakes of the motor vehicle or, in the case of a trailer, the brakes of the towing vehicle or of the combination of vehicles, are being applied;

**stored energy** (儲存能量), in relation to a braking system of a vehicle, means energy (other than the muscular energy of the driver or the mechanical energy of a spring) stored in a reservoir for the purpose of applying the brakes under the control of the driver, either directly or as a supplement to his muscular energy;

**straddle carrier** (跨運車) means a motor vehicle constructed to straddle and lift its load for the purpose of transportation;

**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; (*L.N. 152 of 2007*)

**supplementary main beam** (輔助主光) means a main beam which is emitted by an obligatory headlamp which can also emit a dipped beam and which can only be used in conjunction with a main beam from another obligatory headlamp on the same side of the vertical plane passing through the longitudinal axis of the vehicle;

**tangential plane** (切向平面), in relation to sideguard requirements, means the vertical plane formed by the external face of the outermost tyre at the rear and on the same side as the sideguard; (*L.N. 203 of 1990*)

**towing implement** (拖曳機具) means any device on wheels designed for the purpose of enabling a motor vehicle to tow another vehicle by the attachment of that device to that other vehicle in such a manner that part of that other vehicle is secured to and either rests on or is suspended from the device and some but not all of the wheels on which that other vehicle normally runs are raised off the ground;

**track laying vehicle** (履帶式車輛) means a vehicle that is so designed and constructed that its weight is transmitted to the road surface either by means of continuous tracks or by a combination of wheels and continuous tracks in such circumstances that the weight transmitted to the road surface by the tracks is not less than half the weight of the vehicle;

**two-tone horn** (雙音喇叭) means an instrument or apparatus which, when operated, automatically produces a sound which alternates at regular intervals between 2 fixed notes;

**unladen weight** (淨重量), in relation to a vehicle, means the weight of the vehicle inclusive of the body and all parts (the heavier

being taken where alternative bodies or parts are used) including the weight of water or accumulators which are necessary to, or ordinarily used with, the vehicle when working on a road, but exclusive of the weight of fuel, loose tools and loose equipment in the vehicle;

**unleaded petrol** (無鉛汽油) has the same meaning as in section 2 of the Air Pollution Control (Motor Vehicle Fuel) Regulation (Cap. 311 sub. leg. L); (*L.N. 160 of 2000*)

**warning instrument** (警報儀器) means any instrument required to be fitted to or carried on or in a vehicle for audibly signalling its approach or presence;

**wheel** (車輪), in the case of a motor vehicle or trailer, means a wheel the tyre or rim of which when the vehicle is in motion on a road is in contact with the ground; and any two such wheels shall be treated as one wheel if the distance between the centres of the areas of contact between them and the road surface is less than 460 millimetres;

**wheel span** (輪距) means the distance between the foremost and rearmost axles;

**wide tyre** (寬輪胎) means a pneumatic tyre which has an area of contact with the road surface of not less than 300 millimetres in width when measured at right angles to the longitudinal axis of the vehicle.

(*L.N. 152 of 2007; E.R. 1 of 2013*)

#### **67. Entrances and exits on light buses**

- (1) On a light bus there shall be either—
  - (a) not less than 2 exits (one of which may be an emergency exit) which shall—
    - (i) not both be situated on the same side of the vehicle; and
    - (ii) be situated to the rear of the driver's seat; or
  - (b) one exit in the back of the vehicle.
- (2) Handrails shall be fitted on each side of every entrance and exit provided in a light bus (other than an emergency exit) to assist passengers to board or alight from the vehicle.
- (3) Every entrance and every emergency exit of a light bus shall, subject to paragraph (5), be not less than 530 millimetres wide.
- (4) The clear height of every exit of a light bus shall be not less than 1.2 metres.
- (5) Notwithstanding paragraph (3), the Commissioner may permit in writing the use of a light bus the entrances or exits of which are less than 530 millimetres wide.