

**L.N. 147 of 2021**

**Road Tunnels (Government) (Amendment) Regulation  
2021**

(Made by the Chief Executive in Council under section 20 of the Road Tunnels (Government) Ordinance (Cap. 368))

**1. Commencement**

This Regulation comes into operation on 8 October 2021.

**2. Road Tunnels (Government) Regulations amended**

The Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A) are amended as set out in sections 3 and 4.

**3. Regulation 12AAB amended (driver liable if toll not paid)**

(1) Regulation 12AAB(1), after “(2)”—

**Add**

“, (2A)”.

(2) After regulation 12AAB(2)—

**Add**

“(2A) Despite paragraph (2), paragraph (1)(a) applies to a bus that falls within either or both of the descriptions in regulation 14(1)(a) and (b) in relation to a tunnel if—

(a) the bus is exempt under regulation 15(3) or (4) or both (as applicable) in relation to the tunnel; and

(b) the bus is not of the kind specified in regulation 14(1)(c) or (d) or (1A).”.

**4. Regulation 15 amended (exemptions)**

After regulation 15(2)—

**Add**

- “(3) A specified bus is exempt from regulation 14(1)(a) in relation to a tunnel if—
- (a) there is in force a Cap. 374A approval in relation to the width of the bus; and
  - (b) the approval applies in relation to the use of the tunnel by the bus and does not contain a term or condition to the effect that the use is restricted.
- (4) A specified bus is exempt from regulation 14(1)(b) in relation to a tunnel if—
- (a) there is in force a Cap. 374A approval in relation to the length of the bus; and
  - (b) the approval applies in relation to the use of the tunnel by the bus and does not contain a term or condition to the effect that the use is restricted.
- (5) In this regulation—
- Cap. 374A** (《第374A章》) means the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A);
- Cap. 374A approval** (《第374A章》批准) means—
- (a) an exemption from regulation 6(1) of Cap. 374A granted under regulation 4 of Cap. 374A; or

(b) a permit given under regulation 6(2) of Cap. 374A;

*specified bus* (指明巴士) means a bus that is not an articulated vehicle as defined by regulation 2 of Cap. 374A.”.

Wendy LEUNG  
Clerk to the Executive Council

COUNCIL CHAMBER

20 July 2021

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### Explanatory Note

Under the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A) (*principal Regulations*), oversized vehicles are required to obtain permits for using tunnels regulated by the Road Tunnels (Government) Ordinance (Cap. 368). This Regulation amends the principal Regulations to exempt an oversized bus from the requirement if—

- (a) there is in force an exemption from regulation 6(1) of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (*Cap. 374A*) granted under regulation 4 of Cap. 374A in relation to the restriction on the width or length of the bus; or
  - (b) there is in force a permit given under regulation 6(2) of Cap. 374A authorizing the use of the bus exceeding the restriction.
2. This Regulation also adjusts the toll payment arrangement in relation to an oversized bus so exempted.