

## **LEGISLATIVE COUNCIL BRIEF**

Road Traffic Ordinance (Chapter 374)  
Fixed Penalty (Criminal Proceedings) Ordinance (Chapter 240)

**Road Traffic (Construction and Maintenance of Vehicles)  
(Amendment) Regulation 2024**  
**Road Traffic (Safety Equipment) (Amendment) Regulation 2024**  
**Road Traffic (Traffic Control) (Amendment) Regulation 2024**  
**Road Traffic (Expressway) (Amendment) Regulation 2024**  
**Fixed Penalty (Criminal Proceedings) Ordinance –  
Resolution of the Legislative Council**

## **INTRODUCTION**

To enhance road safety and facilitate the application of new car technologies in Hong Kong in keeping up with the international vehicle construction and maintenance standards, latest automotive technology development and road conditions in Hong Kong, the Secretary for Transport and Logistics has made –

- (a) the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2024 ( “Cap. 374A Amendment Regulation”) (at **Annex A**) under section 9 of the Road Traffic Ordinance (Cap. 374) (“RTO”);
- (b) the Road Traffic (Safety Equipment) (Amendment) Regulation 2024 (“Cap. 374F Amendment Regulation”) (at **Annex B**) under section 10 of RTO;
- (c) the Road Traffic (Traffic Control) (Amendment) Regulation 2024 (“Cap. 374G Amendment Regulation”) (at **Annex C**) under section 11 of RTO; and
- (d) the Road Traffic (Expressway) (Amendment) Regulation 2024 ( “Cap. 374Q Amendment Regulation”) (at **Annex D**) under sections 13(b) and 131(1) of RTO.

## JUSTIFICATIONS

2. Each piece of the above Amendment Regulations contains specific proposals for enhancing road safety and facilitating the application of new car technologies, which are summarised in the table below –

Proposals	Amendment Regulations
1. Requiring electric / hybrid electric vehicles (“EVs”) <sup>1</sup> to be equipped with an acoustic vehicle alerting system (“AVAS”)	Cap. 374A Amendment Regulation
2. Requiring vehicles with extendable aerial structures to be equipped with an over-height warning system	Cap. 374A Amendment Regulation
3. Revising the statutory requirements of reflecting mirrors and introducing requirements of camera-monitor systems (“CMS”)	Cap. 374A Amendment Regulation
4. Revising the statutory requirements of visual display units (“VDU”)	Cap. 374A Amendment Regulation
5. Updating miscellaneous requirements on vehicle construction	Cap. 374A Amendment Regulation
6. Introducing requirements on remote control parking (“RCP”) systems and revising the driving rules to enable the use of RCP function by drivers	Cap. 374A Amendment Regulation; and Cap. 374G Amendment Regulation
7. Mandating the use of Child Restraining Device (“CRD”) in private cars	Cap. 374F Amendment Regulation
8. Extending the types of electric vehicles <sup>2</sup> that can be used on expressways, without the need to obtain an expressway permit, provided that the electric vehicles conform to certain specifications	Cap. 374Q Amendment Regulation

<sup>1</sup> Covering vehicles which are capable of being propelled by electric motor without an internal combustion engine operating.

<sup>2</sup> In the context of electric vehicles used on expressways, electric vehicle refers to a vehicle solely propelled by an electric motor.

## **Proposal (1): Requiring EVs to be equipped with an AVAS**

3. The AVAS is a device which emits warning sound<sup>3</sup> whenever an electric vehicle fitted with it is operating at low speed, so as to alert nearby pedestrians and other road users of the presence of a moving vehicle. To enhance road safety, we propose to introduce AVAS as one of the requirements for assessing whether the design and construction of an electric vehicle is suitable for registration<sup>4</sup> in Hong Kong. Vehicles manufactured on or after a designated date must be equipped with an AVAS in compliance with international standards for registration and licensing in Hong Kong. The designated date is proposed to be 1 January 2026, taking into account the lead time required by vehicle manufacturers to adapt to the new statutory requirements.<sup>5</sup>

4. A defence will be provided for contravention of the requirement that AVAS must be maintained in good and efficient working order, to cover the situation where the defect occurred in the course of the journey during which the contravention was detected, or, at the time of the detection, steps had already been taken to have the defect remedied with all reasonable expedition.

## **Proposal (2): Requiring vehicles with extendable aerial structures to be equipped with an over-height warning system**

5. To further improve the safety of vehicles with extendable aerial structure, we propose to require the installation of an over-height warning system for all registered and licensed vehicles with extendable aerial structures. Any vehicle fitted with an extendable aerial structure that may be raised or extended upwards such that it would exceed the vehicle's specified overall height must be equipped with an over-height warning system to alert the driver when the extendable aerial structure is not properly stowed while the vehicle is in motion.

6. Taking into account the required lead time for preparation by the trade as well as for ensuring the smooth transition for the relevant vehicles to comply with the new requirements, we have set respective effective dates for different vehicle types as follows –

---

<sup>3</sup> The warning sound shall comply with relevant international standards and the sound level is between 50 dB(A) and 75 dB(A) in general.

<sup>4</sup> In accordance with section 24(2) of RTO, the Commissioner for Transport may refuse to register a motor vehicle in the class specified in the application for its registration if the Commissioner considers that by reason of its design or construction or otherwise the vehicle is not suitable for registration in that class. The vehicle owner must ensure that the vehicle complies with the requirements of relevant regulations for completion of the vehicle registration.

<sup>5</sup> The Transport Department (TD) has been requiring new EVs to install AVAS through administrative means via the vehicle type approval mechanism.

<b>Vehicle type</b>	<b>First Registration Date</b>	<b>Effective Date for new requirements</b>
All vehicles with extendable aerial structure	On or after 1 March 2025	1 March 2025
Lorry cranes (motor vehicles with their vehicle registration documents specifying their body type as lorry crane)	Before 1 March 2025	1 September 2025
Vehicles with extendable aerial structure (other than lorry cranes) (e.g. tipper, mobile crane, aerial platform)	Before 1 March 2025	1 September 2026

7. Vehicles are not subject to the statutory requirements to be equipped with an over-height warning system before their respective effective date<sup>6</sup>. For those vehicles that are first registered before 1 March 2025, we propose to include transitional provisions in the Cap. 374A Amendment Regulation such that, notwithstanding the respective effective date for different types of vehicles, they are not required to comply with the above requirements until the first examination date of the concerned vehicles for licence renewal or until the date on which the vehicle licences cease to be valid, whichever is the earlier. This will allow sufficient time for the trade to achieve compliance with the requirements.

8. In addition, taking into consideration the Government's policy of progressively phasing out Euro IV diesel commercial vehicles<sup>7</sup> ("DCVs") and the trade's concern about the cost effectiveness of retrofitting these vehicles which will soon be scrapped, we propose to exempt Euro IV DCVs with extendable aerial structures which are about to be phased out from the retrofitting requirement of installing over-height warning systems<sup>8</sup>.

---

<sup>6</sup> At present, TD requires new vehicles equipped with extendable aerial structures to install an over-height warning system through administrative means via the vehicle type approval mechanism.

<sup>7</sup> The Government will progressively phase out Euro IV DCVs which include goods vehicles, light buses and non-franchised buses. The Government will stop issuing licences to Euro IV DCVs after the specified deadlines for cancelling the vehicle registration unless they can comply with the emission standards applicable to a DCV of the same class seeking first registration on the date of the vehicle licence application.

<sup>8</sup> The total numbers of vehicles proposed to be exempted from the requirement of installing over-

9. A defence will be provided for contravention of the requirement that an over-height warning system must be maintained in good and efficient working order, to cover the situation where the defect occurred in the course of the journey during which the contravention was detected, or, at the time of the detection, steps had already been taken to have the defect remedied with all reasonable expedition.

### **Proposal (3): Revising the statutory requirement of reflecting mirrors and introducing requirements of CMS**

10. The requirements of the installation of reflecting mirrors are set out in the existing regulation 39 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (“Cap. 374A”) but there is no specific requirement on the performance of reflecting mirrors and the required field of vision. In addition, CMSes, commonly known as “digital mirrors”, are currently available on the market. They usually consist of small camera units fitted externally on the vehicle and monitor units installed inside the driving cabinet. Compared with the surface area of reflecting mirrors, smaller camera units of CMSes improve aerodynamics of vehicle, resulting in reduction of air resistance and in turn fuel consumption and carbon dioxide emissions. Some vehicle manufacturers have started using CMSes to replace conventional reflecting mirrors<sup>9</sup>.

11. To ensure that the performance of reflecting mirrors and CMSes, as well as their installation are up to prevailing international standards, we propose amending Cap. 374A to set out the specifications and standards which contain installation and performance requirements for reflecting mirrors and CMS (such as image quality, reflecting mirror area and field of vision, etc.). Taking into account the required lead time for production of vehicles in compliance with the requirements and achieving relevant safety certification by the trade, we suggest to require vehicles manufactured or first registered on or after 1 January 2028 (which is about three years after the commencement of the Cap. 374A Amendment Regulation) to comply with the requirements for reflecting mirrors and/or CMS, before registration and licensing of the vehicle in Hong Kong. The amendments will also allow the use of CMS as an alternative to conventional reflecting mirrors.

---

height warning system are approximately 400 lorry cranes and 1 000 relevant vehicles other than lorry cranes respectively. These vehicles are expected to be phased out by the end of 2027 and 2028 respectively at the latest under the Environmental Protection Department’s policy.

<sup>9</sup> The installation of CMSes has been approved by TD via exemptions currently under Cap. 374A.

#### **Proposal (4): Revising the statutory requirements of VDU**

12. In recent years, there has been an increasing variety of information that could be displayed on VDU such as messaging, video streaming, etc. In addition, it has been increasingly popular for drivers to use driving-related mobile applications for seeking information on navigation, real time traffic condition, electric vehicle charging stations, parking facilities, etc.

13. With reference to overseas practices and taking into account the road traffic conditions in Hong Kong, as well as the advancement of technology, we propose to relax the existing restrictions on VDU that may be installed and the types of information to be displayed by VDU under regulation 37 of Cap. 374A, such that there is no restriction on the information that may be displayed on a VDU installed in or on a vehicle when the parking brake of the vehicle is applied (i.e. the vehicle is parked). The amendment will come into operation on 1 March 2025.

#### **Proposal (5): Updating of miscellaneous requirements on vehicle construction**

14. With the advancement of automotive technology, some requirements stipulated in the existing legislation in respect of, for example, lighting lamps, reflectors<sup>10</sup> and the maximum overall height of single-decked bus may no longer be in line with the prevailing international vehicle standards and technological development. Two major amendments are proposed –

- (a) relaxing the maximum allowable overall height of single-decked buses from 3.5 metres to 4.0 metres, which tallies with relevant standards on the Mainland and in the European Union; and
- (b) allowing the use of light-emitting diodes (“LED”) for lamps and direction indicators carried by vehicles and aligning the lighting and reflector requirements with the prevailing international standards<sup>11</sup>.

15. The amendment will come into operation on 1 March 2025.

---

<sup>10</sup> Reflector is installed at the rear of a vehicle. Through reflecting the light beam emitted from the headlamp of the vehicle behind, it is easier for the driver of the vehicle behind to notice the presence of the vehicle ahead.

<sup>11</sup> The installation of LED has been approved by TD via exemptions under Cap. 374A currently.

## **Proposal (6): Introducing requirement on RCP system and revising the driving rules to enable the use of RCP function by driver**

16. A growing number of vehicle models have, in recent years, been equipped with the Advanced Driver Assistance System (“ADAS”) to enhance driving experience as well as to promote road and vehicle safety. Amongst various functions of ADAS, the RCP function enables the driver to use a device (such as mobile telephone or key fob) to remotely control and park the vehicle at designated parking space. During the course of operation, the driver should stay remotely but close to the vehicle in order to monitor and control the vehicle. This function is particularly useful to enable the driver to safely park the vehicle in narrow parking spaces. The occurrence of accidental contact of other vehicles or nearby structure/object may also be reduced.

17. To regulate the safe performance and enable the use of RCP function, we propose to amend the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) (“Cap. 374G”) to relax the existing prohibition from using a mobile telephone or other telecommunications equipment by a driver when the motor vehicle driven by the driver is in motion<sup>12</sup> under regulation 42(1)(g) of Cap. 374G so as to enable the use of RCP function<sup>13</sup> under specified conditions. A motor vehicle may only be equipped with a RCP system that is of a design and construction approved by the Commissioner for Transport for the vehicle model and the construction and maintenance of the RCP system will be regulated under Cap. 374A. The amendment will come into operation on 1 March 2025.

---

<sup>12</sup> The existing reg. 42(1)(g) of Cap. 374G prohibits the driver from using a mobile telephone or any other telecommunications equipment while holding it in his hand if the motor vehicle being driven by him is in motion. As the use of the RCP function to control the vehicle would be considered to be driving the vehicle, the driver, in using the mobile telephone or other telecommunications equipment to remotely park the vehicle, would in absence of any amendments contravene the existing reg. 42(1)(g).

<sup>13</sup> Although the driver will be outside of the vehicle when using the remote control parking device to remotely park the vehicle, the driver using the RCP function still has full control of the movement and direction of the vehicle. In this regard, it is noted that “driver”, in relation to any vehicle, is defined under section 2 of the RTO to mean “any person who is in charge of or assisting in the control of it” and does not specify that such person must be in the driver’s seat. As such, we suggest that the relevant driving offences under RTO should still be applicable to any person who is using the RCP function to control the vehicle. While embracing the vehicle technology advancement by enabling the use of the RCP function, it is not intended to alter the prevailing regulatory regime under RTO in respect of a driver’s liability in the course of driving or using the vehicle.

## **Proposal (7): Mandating the use of CRD in private cars**

18. The CRDs provide effective protection for child passengers in case of traffic accidents. The use of CRDs can reduce the risks of child passengers being killed or seriously injured in head-on collisions by around 70%<sup>14</sup>. We propose that, irrespective of sitting in the front or rear seats, child passengers aged below 8 must use CRDs in private cars, unless they reach a body height of 1.35 metres<sup>15</sup>, whereas passengers aged 8 or more or with a body height of at least 1.35 metres must either use a CRD or wear an adult seat belt, otherwise the driver must not drive the private car on any road.

19. Two particular circumstances of having a reasonable excuse will be provided as defences to cater for certain exceptional circumstances under which a driver of a private car may not be aware of the need or be able to ensure compliance of the relevant requirement. They include a private car driver having a reasonable ground to believe that the passenger has attained 8 years of age or has reached a body height of 1.35 metres, or the passenger is being transported in cases of emergency (such as carrying a child passenger for emergency treatment) where the driver may not have time to arrange a CRD for use by the child passenger.

20. Considering the importance of safeguarding the safety of child passengers, and the availability of various types of portable CRDs such as seat belt adjuster, wearable safety restraint vest, and foldable booster, etc. on the market, we see the need to require drivers who occasionally pick up child passengers to comply with the relevant requirement as well. TD will advise drivers of the CRDs meeting relevant standards through road safety publicity and education activities.

21. The amendment will commence on 1 November 2025, in order to allow sufficient time for motorists to get prepared for the new requirements and for the Government to step up publicity.

---

<sup>14</sup> We have made reference to the studies in the United States and Canada on the use of CRDs, in which the effectiveness of CRDs in protecting the users was studied.

<sup>15</sup> Overall speaking, body height and age are the common determining factors as to whether a child should use a CRD. If a child is tall enough to sit without slouching, and is able to keep his/her back against a vehicle seat with the knees naturally bent over the edge of the seat and feet flat on the floor, in principle, an adult seat belt can be used.



## **Proposal (8): Extending the types of electric vehicles that can be used on expressways**

22. Taking into account the rapid development of electric automotive technology including the general design and the maximum design speed of relevant vehicles which are on par with that of the motor vehicles propelled by conventional engines, and the specifications and standards of electric vehicles used on expressway being adopted in other jurisdictions, we propose amending Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q) (“Cap. 374Q”) to permit electric taxis, electric private light buses, electric buses (including private buses and public buses), electric goods vehicles (including light, medium and heavy goods vehicles) and electric recovery vehicles with a minimum rated power of 7 kilowatts to travel on expressways without the need to apply for an expressway permit from the Commissioner for Transport under regulation 50A of the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) (“Cap. 374E”).

23. The existing permit requirement for the above electric commercial vehicles was devised in 2012, which aimed to ensure that electric commercial vehicles, which were then still nascent products, could be safely used on expressways without impeding traffic. Having regard to technical advancement, we consider that electric commercial vehicles with a minimum rated power of 7 kilowatts are, by now, safe and efficient for running on expressways. As regards electric private cars, motor cycles and motor tricycles, those with a minimum rated power of 7 kilowatts and 3 kilowatts respectively are already allowed on expressways without the need for a permit. The amendment will come into operation on 1 March 2025.

## **Proposed Penalty**

24. Penalty levels under the existing regulatory regime of Cap. 374 and its subsidiary legislation are applicable to the aforementioned proposals (1) to (8) for the purpose of enhancing road safety and facilitating the application of automobile technology.

25. For the penalties for contravening or not complying with the mandatory requirements for EVs to install AVAS, for vehicles with extendable aerial structures to install over-height warning system, or the statutory requirements of reflecting mirrors and CMS and VDU and the miscellaneous requirements on vehicle construction, we propose adopting the current penalties stipulated in regulation 121(1) and (2) of Cap. 374A. The offence provisions under regulation 121(1) and (2) would apply to non-compliance or contravention of

regulations 37 for VDU, regulation 38A for AVAS, regulations 39 and 39AA to 39AAG for reflecting mirrors and CMS, regulation 40D for over-height warning systems and regulations 88A, 88B, 90, 97, 98, 105, 107, 110 and 111 for miscellaneous requirements on vehicle construction. The penalty for regulation 121(1) and (2) without reasonable excuse is a fine at level 3 (i.e. \$10,000) and imprisonment for 6 months.<sup>16</sup>

26. For the penalties for contravening or not complying with the requirements on RCP system and the driving rules in respect of RCP function, we propose adopting the current penalties stipulated in regulation 121(1) and (2) of Cap. 374A and regulation 61(2) of Cap. 374G respectively. Any person who contravenes regulation 40C of Cap. 374A is liable to a fine at level 3 (i.e. \$10,000) and to imprisonment for 6 months. Any driver who without reasonable excuse contravenes new regulation 42A of Cap. 374G, i.e. the proposed requirement for using the RCP, is liable to a fine at level 1 (i.e. \$2,000).<sup>17</sup>

27. For the penalties for breaching the new requirements of CRD, same as the existing practice, the Police may issue a Fixed Penalty Notice of \$230 to the driver concerned; while serious cases may be referred to the court which could impose a maximum fine at level 1 (i.e. \$2,000) by virtue of regulation 12(3)(a) of the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) (“Cap. 374F”). In tandem with the Cap. 374F Amendment Regulation, subject to approval of the LegCo by resolution under section 12 of the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), we propose to amend the Schedule to that Ordinance so as to add the offence regarding the use of CRD to the Schedule. The draft resolution is at **Annex E**.

28. For the penalties for contravening the prohibition on the types of electric vehicles that can be used on expressways, we propose adopting the current penalties stipulated in regulation 26 of Cap. 374Q.<sup>18</sup> Any person who without reasonable excuse contravenes regulation 4(1) of Cap. 374Q is liable on first conviction to a fine at level 2 (i.e. \$5,000) and imprisonment for 3 months and on second or subsequent conviction to a fine at level 3 (i.e. \$10,000) and

---

<sup>16</sup> The offence for contravention of the existing regulations of Cap. 374A, such as regulation 39A for installing reversing video device and regulation 89 for installing obligatory front lamps, imposes the same level of penalty.

<sup>17</sup> The offence for contravention of the existing regulations of Cap. 374G, such as regulation 12(1) for entering bus lane without permit and regulation 42(1)(b) for causing or allowing the engine of a motor vehicle on a road to run while the cover of the fuel tank is removed, is liable to the same level of penalty.

<sup>18</sup> The offence for contravention of the existing regulations of Cap. 374Q, such as regulation 9(1) for stopping a motor vehicle or causing to remain at rest on the carriageway of an expressway, or regulation 10 for driving or stopping a motor vehicle or causing or permitting it to remain at rest on a verge or central reservation of an expressway, is liable to the same level of penalty.

imprisonment for 6 months.

## **THE AMENDMENT REGULATIONS AND LEGCO RESOLUTION**

29. The main provisions of the Amendment Regulations are as follows –

### **The Cap. 374A Amendment Regulation**

- (a) **Section 3** of the Amendment Regulation amends the existing definitions of “outermost part”, “overall height”, “overall length” and “overall width” in regulation 2 of Cap. 374A, and adds new definitions to regulation 2 for the interpretation of new provisions (including “camera-monitor system” and “extendable aerial structure”);
- (b) **Section 5** of the Amendment Regulation amends regulation 37 of Cap. 374A so that there is no restriction on the information that may be displayed by a VDU of a motor vehicle when the parking brake of the vehicle is applied;
- (c) **Section 6** of the Amendment Regulation adds a new regulation 38A to Cap. 374A–
  - (i) to provide for the definitions of “acoustic vehicle alerting system” and “specified vehicle” for the interpretation of that regulation; and
  - (ii) to require EVs manufactured on or after 1 January 2026 to be equipped with AVAS;
  - (iii) to require AVAS to be maintained in good and efficient working order, and to provide for a defence provision;
- (d) **Section 7** of the Amendment Regulation amends regulation 39 of Cap. 374A, and **section 8** of the Amendment Regulation adds regulations 39AA to 39AAG to Cap. 374A–
  - (i) regulation 39 provides for the requirements on mirrors for observing traffic to the rear and on both sides rearwards for vehicles other than those referred to in regulations 39AA, 39AAC and 39AAD;
  - (ii) regulation 39AA provides for the requirements on mirrors for observing traffic to the rear for motor cycles and motor tricycles manufactured before 1 January 2028 and invalid carriages;
  - (iii) regulation 39AAB provides for the requirements on mirrors for observing alighting passengers for light buses manufactured and buses first registered before 1 January 2028;
  - (iv) regulation 39AAC provides for the requirements on mirrors and CMS for observing traffic for certain vehicles manufactured or first

- registered on or after 1 January 2028;
  - (v) regulation 39AAD provides for the requirements on mirrors for observing traffic for motor cycles and motor tricycles manufactured on or after 1 January 2028 and special purpose vehicles adapted from them;
  - (vi) regulation 39AAE provides for the requirements on mirrors and CMS for observing alighting passengers for light buses manufactured and buses first registered on or after 1 January 2028; and
  - (vii) regulations 39AAF and 39AAG provide for miscellaneous requirements in relation to mirrors and CMS;
- (e) **Sections 4, 9 and 10** of the Amendment Regulation make minor textual amendments to regulations 5, 40A and 40B of Cap. 374A;
- (f) **Section 11** of the Amendment Regulation adds regulation 40C as well as regulations 40D, 40E and 40F to Cap. 374A, which concern RCP and over-height warning system respectively –
  - (i) regulation 40C introduces requirements on a RCP system that a motor vehicle may be equipped with, and provides for the definitions of “remote control parking device” and “remote control parking system” and the meaning of “remotely parking a motor vehicle” for the interpretation of that regulation;
  - (ii) regulation 40D provides for the requirements of over-height warning system for vehicles with extendable aerial structures;
  - (iii) regulation 40E provides for the exemption and transitional provisions for certain lorry cranes; and
  - (iv) regulation 40F provides for the exemption and transitional provisions for certain vehicles with extendable aerial structures other than lorry cranes;
- (g) **Section 12** of the Amendment Regulation amends regulation 56 of Cap. 374A to exclude a camera unit of a CMS from the requirement in relation to side overhang of a bus or light bus under that regulation;
- (h) **Section 13** of the Amendment Regulation amends regulation 81A of Cap. 374A to substitute “van” with “van-type light goods vehicles” (a new definition added to regulation 2 of Cap. 374A) with regard to protective partitions inside van-type light goods vehicles in order to achieve consistency in expressions with regulation 2(1) of Cap. 374E;
- (i) **Sections 14 to 21, 23, 26 and 27** of the Amendment Regulation amend regulations 90, 97, 98, 105, 107, 110 and 111 of, and the Ninth and Tenth

Schedules to, Cap. 374A, and add regulations 88A and 88B and Schedule 6A to Cap. 374A, mainly to–

- (i) provide for the restrictions on the light sources of certain lamps and direction indicators;
  - (ii) require certain lamps and direction indicators that are fitted with LED modules to conform with any specification or standard specified for them in new Schedule 6A; and
  - (iii) make other technical and miscellaneous amendments;
- (j) **Section 22** of the Amendment Regulation amends the First Schedule to Cap. 374A to increase the maximum overall height specified for single-decked buses in that Schedule;
- (k) **Sections 24 and 25** respectively amend the Seventh and Eighth Schedules to Cap. 374A to revise the requirements as to the position of obligatory rear lamps and obligatory reflectors on certain vehicles; and
- (l) **Section 28** of the Amendment Regulation adds a new Schedule 20 and 21 to Cap. 374A to respectively set out the specifications and standards for AVAS as well as mirrors and CMSes;

#### **The Cap. 374G Amendment Regulation**

- (m) **Section 3** of the Amendment Regulation amends regulation 2 of Cap. 374G to provide for the definition of “remote control parking device” and the meaning of “remotely parking a motor vehicle” for the interpretation of new provisions;
- (n) **Section 4** of the Amendment Regulation amends regulation 42 of Cap. 374G so that the prohibition under regulation 42(1)(g) does not prevent the driver of a motor vehicle from using a RCP device outside the vehicle to perform remote parking;
- (o) **Section 5** of the Amendment Regulation adds new regulation 42A to Cap. 374G to regulate the use of a RCP device to perform remote parking; and
- (p) **Section 6** of the Amendment Regulation amends regulation 61(2) of Cap. 374G to create an offence for contravention of the new regulation 42A;

#### **The Cap. 374F Amendment Regulation**

- (q) The Cap. 374F Amendment Regulation aims at amending Cap. 374F to –

- (i) impose new requirements for the use of child restraining devices in private cars for passengers under the age of 8 years and whose height are less than 1.35 metres;
- (ii) create new offences for drivers driving private cars when there are child passengers not securely fastened to the seats by means of child restraining devices that are suitable for use by the passengers; and
- (iii) update and reorganise the specifications and standards for seat belts (including child restraining devices) set out in Part I of Schedule 2 to Cap. 374F;

### **The Cap. 374Q Amendment Regulation**

- (r) The Cap. 374Q Amendment Regulation amends regulation 4 of Cap. 374Q so that electric motor vehicles of eight additional classes (i.e. taxis, private light buses, private buses, public buses, light goods vehicles, medium goods vehicles, heavy goods vehicles and recovery vehicles) that conform with relevant rated power specifications are permitted to be used on an expressway; and

### **The LegCo Resolution under Cap. 240**

- (s) The LegCo Resolution amends the Schedule to Cap. 240 to add a new offence created under the Cap. 374F Amendment Regulation, and to update the description of an existing offence, both of which are offences relating to the use of CRD in private cars.

## **LEGISLATIVE TIMETABLE**

30. The legislative timetable of the Amendment Regulations will be as follows –

Publication in the Gazette

13 December 2024

Tabling at the Legislative Council for  
negative vetting

31. The Secretary for Transport and Logistics plans to move a motion at the LegCo meeting in around March 2025 for approval of the resolution to amend the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance by positive vetting.

## **COMMENCEMENT**

32. Unless otherwise specified in the respective instruments, the commencement date of the above Amendment Regulations is set on 1 March 2025.

## **IMPLICATIONS OF THE AMENDMENT REGULATIONS**

33. The proposals aim to improve road safety through enhancing the design and construction standards of vehicles taking account of the prevailing international vehicle standards and technological development. The above Amendment Regulations have no economic, civil service, productivity, environmental, sustainability, and gender or family implications. The actual financial implications of the proposed penalties are subject to the amount of fine imposed by the Court in the event of prosecution. In any case, raising government revenue is not the policy intent behind the proposals. The Amendment Regulations are in conformity with the Basic Law, including the provisions concerning human rights, and will not affect the current binding effect of RTO and its subsidiary legislation.

## **PUBLIC CONSULTATION**

34. With regard to the above proposed legislative amendments, the Transport Department has consulted relevant stakeholders, including registered vehicle manufacturers, vehicle body builders, spare part providers, vehicle maintenance services providers, etc. We have also consulted the Road Safety and Research Committee and Road Safety Council on different proposals from 2018 to 2023. The LegCo Panel on Transport and Transport Advisory Committee were consulted in December 2022 and January 2023 respectively on item (1) – (6) and item (8), and in July 2022 on item (7). Members generally supported the proposed legislative amendments.

## **PUBLICITY**

35. The Government will issue a press release on 13 December 2024 with a spokesperson available to answer media enquiries. When the Amendment Regulations come into operation, the Transport Department will roll out publicity activities to promulgate the new requirements, including issuing letters and technical guidelines so as to ensure smooth implementation.

## **ENQUIRIES**

36. Any enquiries about this brief can be directed to Miss CHENG Sze-ling, Principal Assistant Secretary for Transport and Logistics, at 3509 8192.

**Transport and Logistics Bureau**  
**Transport Department**  
**December 2024**



## Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2024

### Contents

Section	Page
1. Commencement .....	1
2. Road Traffic (Construction and Maintenance of Vehicles) Regulations amended .....	1
3. Regulation 2 amended (interpretation).....	1
4. Regulation 5 amended (construction and maintenance).....	3
5. Regulation 37 amended (visual display units) .....	4
6. Regulation 38A added.....	6
38A. Acoustic vehicle alerting systems .....	6
7. Regulation 39 substituted.....	7
39. Mirrors for observing traffic to rear and on both sides rearwards—for vehicles other than those referred to in regulations 39AA, 39AAC and 39AAD.....	7
8. Regulations 39AA to 39AAG added.....	9
39AA. Mirrors for observing traffic to rear—for motor cycles and motor tricycles manufactured before 1 January 2028 and invalid carriages .....	9

Section	Page
39AAB. Mirrors for observing alighting passengers—for light buses manufactured and buses first registered before 1 January 2028 .....	9
39AAC. Mirrors and camera-monitor systems for observing traffic—for certain vehicles manufactured or first registered on or after 1 January 2028 .....	10
39AAD. Mirrors for observing traffic—for motor cycles and motor tricycles manufactured on or after 1 January 2028 and special purpose vehicles adapted from them .....	12
39AAE. Mirrors and camera-monitor systems for observing alighting passengers—for light buses manufactured and buses first registered on or after 1 January 2028 .....	13
39AAF. Miscellaneous requirements in relation to mirrors.....	14
39AAG. Miscellaneous requirements in relation to camera-monitor systems .....	15
9. Regulation 40A amended (sideguards) .....	16
10. Regulation 40B amended (rearguards).....	16
11. Regulations 40C to 40F added.....	16

Section	Page
40C. Remote control parking systems.....	17
40D. Over-height warning systems for vehicles with extendable aerial structures—requirements .....	18
40E. Over-height warning systems for vehicles with extendable aerial structures—exemption and transitional provisions for certain lorry cranes.....	20
40F. Over-height warning systems for vehicles with extendable aerial structures—exemption and transitional provisions for certain vehicles other than lorry cranes.....	21
12. Regulation 56 amended (side overhang).....	22
13. Regulation 81A amended (protective partitions inside vans).....	23
14. Regulations 88A and 88B added.....	23
88A. Restriction on light sources.....	24
88B. Lamps and direction indicators with LED modules.....	24
15. Regulation 90 amended (character of front lamps).....	25
16. Regulation 97 amended (headlamps to be carried by vehicles with 2 or 3 wheels).....	25
17. Regulation 98 amended (headlamps to be carried by vehicles with 4 or more wheels) .....	26
18. Regulation 105 amended (reversing lamps).....	26

Section	Page
19. Regulation 107 amended (character of reflectors) .....	27
20. Regulation 110 amended (character of front corner and side marker lamps) .....	29
21. Regulation 111 amended (amber lamps on certain vehicles).....	30
22. First Schedule amended (overall dimensions of vehicles) .....	30
23. Schedule 6A added .....	31
Schedule 6A Specifications and Standards for Lamps and Direction Indicators with LED Modules.....	31
24. Seventh Schedule amended (requirements as to the number and position on vehicles of obligatory rear lamps) .....	35
25. Eighth Schedule amended (requirements as to the number and position on vehicles of obligatory reflectors).....	36
26. Ninth Schedule amended (direction indicators).....	36
27. Tenth Schedule amended (stop lamps) .....	39
28. Schedules 20 and 21 added.....	39
Schedule 20 Specifications and Standards for Acoustic Vehicle Alerting Systems .....	39
Schedule 21 Specifications and Standards for Mirrors and Camera-monitor Systems.....	40

## Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2024

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

### 1. Commencement

This Regulation comes into operation on 1 March 2025.

### 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 to 28.

### 3. Regulation 2 amended (interpretation)

- (1) Regulation 2, definition of *outermost part*—

#### Repeal

everything after “not include”

#### Substitute

“—

- (a) a door, hinged side or other adjustable part of the vehicle when opened or extended;
- (b) a driving mirror;
- (c) a camera unit of a camera-monitor system; or
- (d) a direction indicator;”.

- (2) Regulation 2, definition of *overall height*—

#### Repeal

everything after “normal pressure”

#### Substitute

“and with its extendable aerial structure (if any) completely  
lowered or retracted, measured vertically from the surface  
to—

- (a) the highest point of the vehicle; or
- (b) the highest point of the load on the vehicle,  
whichever is the higher;”.

- (3) Regulation 2, definition of *overall length*, after paragraph (a)—

#### Add

“(ab) any camera unit of a camera-monitor system;”.

- (4) Regulation 2, definition of *overall width*, after paragraph (a)—

#### Add

“(ab) any camera unit of a camera-monitor system;”.

- (5) Regulation 2, Chinese text, definition of ~~警報儀器~~—

#### Repeal

“儀器。”

#### Substitute

“儀器；”.

- (6) Regulation 2—

#### Add in alphabetical order

“*camera-monitor system* (攝像顯示器系統) means a system  
that—

- (a) contains a combination of camera units and monitor  
units; and

- (b) is designed to be fitted to a motor vehicle to display to its driver when in the driving seat any or all of the following—

- (i) the front view outside the vehicle;
- (ii) the rear view outside the vehicle;
- (iii) the side views outside the vehicle;

*extendable aerial structure* (可延伸架空結構) means any equipment, machine or structure that—

- (a) is fitted externally on a vehicle; and
- (b) can be raised or extended upwards (irrespective of the angle at which it can be raised or extended);

*LED* means light-emitting diode;

*lorry crane* (機動式起重吊車) means a motor vehicle the registration document of which specifies lorry crane as its type of body;

*UN Regulation* (聯合國規例), when preceded or followed by a number, or any combination of letters, numbers and punctuation marks, means the regulation that bears the number or combination and is made by the United Nations Economic Commission for Europe;

*van-type light goods vehicle* (客貨車) means a light goods vehicle constructed with a fully enclosed body that is an integral part of the vehicle;”.

#### 4. Regulation 5 amended (construction and maintenance)

Regulation 5(1), English text—

##### Repeal

“body work and fittings shall”

##### Substitute

“bodywork and fittings must”.

#### 5. Regulation 37 amended (visual display units)

- (1) Regulation 37(1)—

##### Repeal

“No person shall”

##### Substitute

“Subject to paragraph (4), a person must not”.

- (2) Regulation 37(1), English text—

##### Repeal

“no motor vehicle shall have installed therein or thereon”

##### Substitute

“a motor vehicle must not have installed in or on it”.

- (3) Regulation 37(1)—

##### Repeal

“may be installed under”

##### Substitute

“complies with the requirements specified in”.

- (4) Regulation 37(1), Chinese text, after “該等地方安裝”—

##### Add

“該”.

- (5) Regulation 37(1), Chinese text, after “裝有”—

##### Add

“該”.

- (6) Regulation 37(1)(b) and (c), English text—

##### Repeal

“thereof”

**Substitute**

“of the visual display unit”.

- (7) Regulation 37(2)—

**Repeal**

“Subject to paragraph (3), a visual display unit that is designed to give the driver”

**Substitute**

“For the purposes of paragraph (1), the requirements are that the visual display unit is designed in such a way that, when the parking brake of the vehicle is not applied, the visual display unit only displays any or all of the following information”.

- (8) Regulation 37(2)(c)—

**Repeal**

“or”.

- (9) Regulation 37(2), English text—

**Repeal**

everything after “navigating the vehicle”

**Substitute a full stop.**

- (10) Regulation 37—

**Repeal paragraph (3)**

**Substitute**

- “(3) A person must not make any alteration to such a visual display unit installed in or on a motor vehicle so as to enable it to display information other than any of the information mentioned in paragraph (2) when the parking brake of the vehicle is not applied.”.

- (11) After regulation 37(3)—

**Add**

- “(4) This regulation does not apply in relation to a visual display unit that is installed in such a way that it can be readily removed from the motor vehicle.”.

**6. Regulation 38A added**

After regulation 38—

**Add**

**“38A. Acoustic vehicle alerting systems**

- (1) This regulation applies to a specified vehicle that—
- (a) is capable of being solely propelled by an electric motor; and
  - (b) is manufactured on or after 1 January 2026.
- (2) The vehicle must be equipped with an acoustic vehicle alerting system—
- (a) that conforms with the performance requirements of any specification or standard set out in Schedule 20; and
  - (b) the operation of which cannot be manually suspended or stopped.
- (3) The acoustic vehicle alerting system must be maintained in good and efficient working order.
- (4) It is a defence in any proceedings for a contravention of paragraph (3) to prove that—
- (a) the defect occurred in the course of the journey during which the contravention was detected; or

- (b) at the time when the contravention was detected, steps had already been taken to have the defect remedied with all reasonable expedition.

(5) In this regulation—

**acoustic vehicle alerting system** (車輛聲響警報系統) means a system, device or equipment that—

- (a) is designed to be fitted in a motor vehicle; and
- (b) emits sounds in order to alert other road users of the approach or presence of the vehicle;

**specified vehicle** (指明車輛) means—

- (a) a private car;
- (b) a taxi;
- (c) a light bus;
- (d) a bus;
- (e) a goods vehicle; or
- (f) a special purpose vehicle that is adapted from any motor vehicle mentioned in paragraph (a), (b), (c), (d) or (e).”.

## 7. Regulation 39 substituted

Regulation 39—

**Repeal the regulation**

**Substitute**

“39. **Mirrors for observing traffic to rear and on both sides rearwards—for vehicles other than those referred to in regulations 39AA, 39AAC and 39AAD**

- (1) This regulation applies to—

- (a) any of the following motor vehicles that is manufactured before 1 January 2028—

- (i) a private car;
- (ii) a taxi;
- (iii) a light bus;
- (iv) a van-type light goods vehicle;

- (b) any of the following motor vehicles that is first registered before 1 January 2028—

- (i) a bus;
- (ii) a light goods vehicle (other than a van-type light goods vehicle);
- (iii) a medium goods vehicle;
- (iv) a heavy goods vehicle;

- (c) a special purpose vehicle that is adapted from—

- (i) any motor vehicle mentioned in subparagraph (a) or (b);
- (ii) a motor cycle or motor tricycle manufactured before 1 January 2028; or
- (iii) an invalid carriage; and

- (d) a special purpose vehicle other than one mentioned in—

- (i) subparagraph (c);
- (ii) regulation 39AAC(1)(a)(vii) or (b)(v); or
- (iii) regulation 39AAD(1)(c).

- (2) The vehicle must be equipped with at least two mirrors that are fitted in the following manner—

- (a) one of the mirrors must be fitted externally on the off side of the vehicle; and
- (b) the other mirror must be fitted either internally to the vehicle or externally on the near side of the vehicle.
- (3) The mirrors must be so constructed and fitted to the vehicle as to assist the driver to become aware of traffic to the rear and on both sides rearwards.”.

**8. Regulations 39AA to 39AAG added**

Before regulation 39A—

**Add**

**“39AA. Mirrors for observing traffic to rear—for motor cycles and motor tricycles manufactured before 1 January 2028 and invalid carriages**

- (1) This regulation applies to—
  - (a) a motor cycle or motor tricycle that is manufactured before 1 January 2028; and
  - (b) an invalid carriage.
- (2) The vehicle must be equipped with a mirror that—
  - (a) is fitted externally on the off side of the vehicle; and
  - (b) is so constructed and fitted to the vehicle as to assist the driver to become aware of traffic to the rear.

**39AAB. Mirrors for observing alighting passengers—for light buses manufactured and buses first registered before 1 January 2028**

- (1) This regulation applies to—

- (a) a light bus that is manufactured before 1 January 2028; and
- (b) a bus that is first registered before 1 January 2028.
- (2) The vehicle must be equipped with at least one mirror that—
  - (a) is fitted externally on the near side front of the vehicle; and
  - (b) is of such size and so constructed and fitted to the vehicle as to give the driver a full and clear view of any passenger who is alighting from the vehicle.
- (3) The mirror fitted to a motor vehicle under paragraph (2) may be the same mirror fitted to the vehicle externally on its near side under regulation 39(2)(b).

**39AAC. Mirrors and camera-monitor systems for observing traffic—for certain vehicles manufactured or first registered on or after 1 January 2028**

- (1) This regulation applies to—
  - (a) any of the following motor vehicles that is manufactured on or after 1 January 2028—
    - (i) a private car;
    - (ii) a taxi;
    - (iii) a light bus;
    - (iv) a van-type light goods vehicle;
    - (v) a motor cycle the bodywork of which partly or wholly encloses the driver;
    - (vi) a motor tricycle the bodywork of which partly or wholly encloses the driver;

- (vii) a special purpose vehicle that is adapted from any motor vehicle mentioned in sub-paragraph (i), (ii), (iii), (iv), (v) or (vi); and
- (b) any of the following motor vehicles that is first registered on or after 1 January 2028—
  - (i) a bus;
  - (ii) a light goods vehicle (other than a van-type light goods vehicle);
  - (iii) a medium goods vehicle;
  - (iv) a heavy goods vehicle;
  - (v) a special purpose vehicle that is adapted from any motor vehicle mentioned in sub-paragraph (i), (ii), (iii) or (iv).
- (2) Subject to paragraph (3), the vehicle—
  - (a) must comply with the following requirements—
    - (i) it must be equipped with such number of mirrors as is specified in any scheduled standard; and
    - (ii) the mirror or mirrors must conform with the performance and installation requirements of that scheduled standard;
  - (b) must be equipped with a camera-monitor system that conforms with the performance and installation requirements of any scheduled standard; or
  - (c) must be equipped with a combination of the following appliances that conforms with the installation requirements of any scheduled standard—

- (i) a mirror that conforms with the performance requirements of that scheduled standard; and
  - (ii) a camera-monitor system that conforms with the performance requirements of that scheduled standard.
- (3) For a medium goods vehicle mentioned in paragraph (1)(b)(iii), even if a requirement on the provision of front view by a mirror or camera-monitor system as set out in any scheduled standards is optional in relation to the vehicle, the vehicle must still be equipped with the mirror or system that conforms with the requirement as if the requirement were compulsory in relation to the vehicle.
- (4) In this regulation—  
*scheduled standard* (附表標準) means a specification or standard set out in Part 1 of Schedule 21.
- (5) In this regulation, a reference to the installation requirements of a scheduled standard includes a requirement on the field of vision to be provided as set out in that standard.

**39AAD. Mirrors for observing traffic—for motor cycles and motor tricycles manufactured on or after 1 January 2028 and special purpose vehicles adapted from them**

- (1) This regulation applies to any of the following motor vehicles that is manufactured on or after 1 January 2028—
  - (a) a motor cycle—
    - (i) the bodywork of which does not enclose the driver; or
    - (ii) that does not have bodywork;
  - (b) a motor tricycle—



- (i) the bodywork of which does not enclose the driver; or
  - (ii) that does not have bodywork;
- (c) a special purpose vehicle that is adapted from any motor vehicle mentioned in subparagraph (a) or (b).
- (2) The vehicle must be equipped with such number of mirrors as is specified in any specification or standard set out in Part 2 of Schedule 21, and the mirror or mirrors must conform with the performance and installation requirements of that specification or standard.
- (3) Even if a mirror is not required to be fitted externally on the off side of the vehicle under paragraph (2), at least one mirror must be so fitted to the vehicle.

**39AAE. Mirrors and camera-monitor systems for observing alighting passengers—for light buses manufactured and buses first registered on or after 1 January 2028**

- (1) This regulation applies to—
  - (a) a light bus that is manufactured on or after 1 January 2028; and
  - (b) a bus that is first registered on or after 1 January 2028.
- (2) The vehicle—
  - (a) must be equipped with at least one mirror that—
    - (i) is fitted externally on the near side front of the vehicle; and
    - (ii) is of such size and so constructed and fitted to the vehicle as to give the driver a full and clear view of any passenger who is alighting from the vehicle; or

- (b) must be equipped with a camera-monitor system that—
    - (i) gives the driver a full and clear view of any passenger who is alighting from the vehicle; and
    - (ii) conforms with the performance requirements of any specification or standard set out in Part 1 of Schedule 21.
- (3) The mirror or camera-monitor system fitted to a motor vehicle under paragraph (2) may be the same mirror or camera-monitor system fitted to the vehicle under regulation 39AAC(2).

**39AAF. Miscellaneous requirements in relation to mirrors**

- (1) The edges of a mirror fitted internally to a motor vehicle must be surrounded by some material such that, if the mirror or that material is struck by any person in or on the vehicle, severe cuts are unlikely to be inflicted on the person.
- (2) The mirror that is fitted externally to a motor vehicle must—
  - (a) be fitted to the vehicle in such a way that it remains steady under normal driving conditions; and
  - (b) if the vehicle is fitted with windows and a windscreen—be fitted in such a way as to be visible to the driver (when in the driving seat) through—
    - (i) a side window; or
    - (ii) the portion of the windscreen that is swept by the windscreen wipers.

- (3) Unless a mirror referred to in paragraph (2) is so designed as not to cause injury to any person in the event of a collision, the mirror must not—
- (a) if the bottom of the mirror is less than 2 metres above the road surface when the vehicle is laden—project more than 10 centimetres beyond the overall width of the vehicle; or
- (b) if the vehicle is towing a trailer with an overall width greater than that of the towing vehicle—project more than 20 centimetres beyond the overall width of the trailer.

**39AAG. Miscellaneous requirements in relation to camera-monitor systems**

- (1) The edges of a monitor unit of a camera-monitor system that is fitted internally to a motor vehicle must be surrounded by some material such that, if the monitor unit or that material is struck by any person in or on the vehicle, severe cuts are unlikely to be inflicted on the person.
- (2) A camera unit of a camera-monitor system fitted externally on a motor vehicle must be fitted to the vehicle in such a way that it remains steady under normal driving conditions.
- (3) Unless a camera unit referred to in paragraph (2) is so designed as not to cause injury to any person in the event of a collision, the camera unit must not—
- (a) if the bottom of the camera unit is less than 2 metres above the road surface when the vehicle is laden—project more than 10 centimetres beyond the overall width of the vehicle; or

- (b) if the vehicle is towing a trailer with an overall width greater than that of the towing vehicle—project more than 20 centimetres beyond the overall width of the trailer.”.

**9. Regulation 40A amended (sideguards)**

- (1) Regulation 40A(2), English text—

**Repeal**

“shall”

**Substitute**

“does”.

- (2) Regulation 40A(2)(e) and (f), English text—

**Repeal**

“body work”

**Substitute**

“bodywork”.

**10. Regulation 40B amended (rearguards)**

- Regulation 40B(2)(e) and (i), English text—

**Repeal**

“body work”

**Substitute**

“bodywork”.

**11. Regulations 40C to 40F added**

- Part II, after regulation 40B—

**Add**

**“40C. Remote control parking systems**

- (1) A motor vehicle must not be equipped with a remote control parking system unless the system is an approved remote control parking system under paragraph (2).
- (2) A remote control parking system of a motor vehicle (*subject vehicle*) is an approved remote control parking system if—
  - (a) the system is of a design and construction approved by the Commissioner in respect of the model of the subject vehicle;
  - (b) a remote control parking device that can control the subject vehicle through the system enables the subject vehicle to move only if—
    - (i) the application of the device that is designed for remotely parking the subject vehicle is continuously activated;
    - (ii) the signal between the subject vehicle and the device is maintained; and
    - (iii) the distance between the subject vehicle and the device does not exceed 6 metres; and
  - (c) the system is capable of—
    - (i) detecting road users, other vehicles and any other obstacles in the area surrounding the subject vehicle when the subject vehicle is being remotely parked; and
    - (ii) bringing the subject vehicle to a stop immediately.
- (3) For the purposes of paragraph (2)(a), the Commissioner is to signify the approval in writing.

- (4) The remote control parking system of a motor vehicle must be maintained in good and efficient working order.
- (5) In this regulation—

*remote control parking device* (遙控泊車設備) means a device that is used or designed to be used to control a motor vehicle through the remote control parking system of the vehicle;

*remote control parking system* (遙控泊車系統), in relation to a motor vehicle, means a system that is used or designed to be used to remotely park the vehicle by controlling all of the following—

- (a) the braking system of the vehicle;
  - (b) the steering mechanism of the vehicle;
  - (c) an accelerator device of the vehicle.
- (6) In this regulation, a reference to remotely parking a motor vehicle—
    - (a) is a reference to parking the vehicle by the use of a remote control parking device; and
    - (b) includes moving the vehicle out of the place where it is parked by the use of a remote control parking device.

**40D. Over-height warning systems for vehicles with extendable aerial structures—requirements**

- (1) Subject to regulations 40E and 40F, this regulation applies to a vehicle fitted with an extendable aerial structure that, when raised or extended upwards, may cause the extended overall height of the vehicle to exceed its specified overall height.

- (2) The vehicle must be equipped with a warning system that is capable of giving audible and visible warnings to the driver when in the driving seat during the time the extended overall height of the vehicle exceeds its specified overall height while the vehicle is in motion.
- (3) The warning system must be so constructed that its operation cannot be manually suspended or stopped while the vehicle is in motion.
- (4) The warning system must comply with both of the following requirements—
  - (a) every part of the system must be properly and securely fitted to the vehicle;
  - (b) the system must be maintained in good and efficient working order.
- (5) It is a defence in any proceedings for a contravention of paragraph (4)(b) to prove that—
  - (a) the defect occurred in the course of the journey during which the contravention was detected; or
  - (b) at the time when the contravention was detected, steps had already been taken to have the defect remedied with all reasonable expedition.
- (6) In this regulation—

**extended overall height** (延伸後全高度), in relation to a vehicle fitted with an extendable aerial structure, means, while the vehicle is standing on a level surface with all tyres inflated to normal pressure and with the structure raised or extended upwards, the height of the vehicle measured vertically from the surface to—

  - (a) the highest point of the vehicle; or
  - (b) the highest point of the structure,

whichever is the higher;

**specified overall height** (指明全高度), in relation to a vehicle, means the overall height specified in relation to the vehicle in column 4 of the First Schedule.

**40E. Over-height warning systems for vehicles with extendable aerial structures—exemption and transitional provisions for certain lorry cranes**

- (1) Regulation 40D does not apply to a lorry crane (other than a lorry crane specified in paragraph (2)) that is first registered before 1 March 2025 until—
  - (a) the date on which the lorry crane is next required under section 78(1) of the Ordinance to be produced for examination before it is licensed (but excluding a date that falls before 1 September 2025); or
  - (b) the date on which the vehicle licence in respect of the lorry crane ceases to be valid,whichever is the earlier.
- (2) A specified lorry crane that is first registered on or before 31 December 2012 is exempt from regulation 40D so long as the condition specified in paragraph (3) is met in relation to the lorry crane.
- (3) For the purposes of paragraph (2), the condition is that if the lorry crane were first registered on 1 March 2025, its emission could not conform to the vehicle design standards that would be applicable to the lorry crane under the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J).
- (4) If a lorry crane specified in paragraph (2) ceases to be exempt from regulation 40D on a date (**cessation date**), that regulation does not apply to the lorry crane until—

- (a) the date on which the lorry crane is next required under section 78(1) of the Ordinance to be produced for examination before it is licensed (but excluding a date that falls before the cessation date); or
  - (b) the date on which the vehicle licence in respect of the lorry crane ceases to be valid,
- whichever is the earlier.

(5) In paragraph (2)—

***specified lorry crane*** (指明機動式起重吊車) means a lorry crane that is a controlled vehicle within the meaning of section 3(1)(da) of the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation (Cap. 311 sub. leg. X).

**40F. Over-height warning systems for vehicles with extendable aerial structures—exemption and transitional provisions for certain vehicles other than lorry cranes**

- (1) Regulation 40D does not apply to a motor vehicle (other than a motor vehicle specified in paragraph (2) or a lorry crane) that is first registered before 1 March 2025 until—
  - (a) the date on which the vehicle is next required under section 78(1) of the Ordinance to be produced for examination before it is licensed (but excluding a date that falls before 1 September 2026); or
  - (b) the date on which the vehicle licence in respect of the vehicle ceases to be valid,whichever is the earlier.
- (2) A specified vehicle that is first registered on or before 31 December 2013 is exempt from regulation 40D so long as

the condition specified in paragraph (3) is met in relation to the vehicle.

- (3) For the purposes of paragraph (2), the condition is that if the vehicle were first registered on 1 March 2025, its emission could not conform to the vehicle design standards that would be applicable to the vehicle under the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J).
- (4) If a motor vehicle specified in paragraph (2) ceases to be exempt from regulation 40D on a date (***cessation date***), that regulation does not apply to the vehicle until—
  - (a) the date on which the vehicle is next required under section 78(1) of the Ordinance to be produced for examination before it is licensed (but excluding a date that falls before the cessation date); or
  - (b) the date on which the vehicle licence in respect of the vehicle ceases to be valid,whichever is the earlier.

(5) In paragraph (2)—

***specified vehicle*** (指明汽車) means a motor vehicle that—

- (a) is a controlled vehicle within the meaning of section 3(1)(da) of the Air Pollution Control (Air Pollutant Emission) (Controlled Vehicles) Regulation (Cap. 311 sub. leg. X); and
- (b) is not a lorry crane.”.

**12. Regulation 56 amended (side overhang)**

Regulation 56—

**Repeal**

“or a driving mirror, shall”

**Substitute**

“, a driving mirror, or a camera unit of a camera-monitor system, may”.

**13. Regulation 81A amended (protective partitions inside vans)**

- (1) Regulation 81A, English text, heading—

**Repeal**

“vans”

**Substitute**

“van-type light goods vehicles”.

- (2) Regulation 81A(1), English text—

**Repeal**

“van” (wherever appearing)

**Substitute**

“van-type light goods vehicle”.

- (3) Regulation 81A—

**Repeal paragraph (2).**

- (4) Regulation 81A(3)(a) and (b), English text—

**Repeal**

“van”

**Substitute**

“van-type light goods vehicle”.

**14. Regulations 88A and 88B added**

Part VII, before regulation 89—

**Add**

**“88A. Restriction on light sources**

- (1) This regulation applies to a lamp or direction indicator required or permitted to be carried by a motor vehicle or trailer under this Part other than—
- (a) a blue lamp carried under regulation 112; and
  - (b) a lamp carried under regulation 113.
- (2) The light shown by the lamp or direction indicator must be derived from—
- (a) an electric bulb;
  - (b) a sealed beam lamp; or
  - (c) an LED module.

**88B. Lamps and direction indicators with LED modules**

- (1) This regulation applies to a lamp or direction indicator—
- (a) that is fitted with an LED module; and
  - (b) that—
    - (i) is set out in column 2 of Schedule 6A; and
    - (ii) is required or permitted to be carried by a motor vehicle or trailer under the provision specified in column 3 of that Schedule opposite to the lamp or direction indicator.
- (2) In addition to any requirement under these regulations that applies to the lamp or direction indicator, the lamp or direction indicator must also conform with—
- (a) any specification or standard specified in column 4 of Schedule 6A opposite to the lamp or direction indicator; or

- (b) any specification or standard that is demonstrated to the Commissioner to be substantially the same as, or more stringent than, any specification or standard referred to in subparagraph (a).”.

**15. Regulation 90 amended (character of front lamps)**

- (1) Regulation 90, heading—

**Repeal**

“front”

**Substitute**

“obligatory front”.

- (2) Regulation 90(1)—

**Repeal everything before the dash**

**Substitute**

- “(1) This regulation applies to an obligatory front lamp other than”.

**16. Regulation 97 amended (headlamps to be carried by vehicles with 2 or 3 wheels)**

Regulation 97—

**Repeal paragraph (2)**

**Substitute**

- “(2) If a beam that is emitted by a headlamp required to be carried by a motor vehicle under this regulation is derived from an electric bulb or a sealed beam lamp, the rating of the filament, or at least one of the filaments, of the electric bulb or sealed beam lamp must not be less than—
- (a) if the vehicle is a motor cycle (whether or not a sidecar is attached)—18 watts; and

- (b) in any other case—

- (i) for a dipped beam emitted by the headlamp—24 watts; and

- (ii) for a main beam emitted by the headlamp—30 watts.”.

**17. Regulation 98 amended (headlamps to be carried by vehicles with 4 or more wheels)**

Regulation 98—

**Repeal paragraph (2)**

**Substitute**

- “(2) If a main beam or dipped beam that is emitted by a headlamp required to be carried under this regulation is derived from an electric bulb or a sealed beam lamp, the rating of the filament, or at least one of the filaments, of the electric bulb or sealed beam lamp must not be less than 30 watts.”.

**18. Regulation 105 amended (reversing lamps)**

- (1) Regulation 105(2), English text—

**Repeal**

“shall comply”

**Substitute**

“must comply”.

- (2) Regulation 105(2)(a) and (b), English text—

**Repeal**

“shall be”

**Substitute**

“must be”.

- (3) Regulation 105(2)—

**Repeal subparagraph (c)**

**Substitute**

“(c) if the lamp is fitted with one or more electric bulbs or a sealed beam lamp—the rated wattage of the electric bulb or the total rated wattage of all the bulbs or the rated wattage of the sealed beam lamp must not exceed 24 watts; and”.

- (4) Regulation 105(2)(d), English text—

**Repeal**

“shall be”

**Substitute**

“must be”.

**19. Regulation 107 amended (character of reflectors)**

- (1) Regulation 107—

**Renumber the regulation as regulation 107(2).**

- (2) Before regulation 107(2)—

**Add**

“(1) An obligatory reflector must either—

- (a) comply with the requirements under paragraph (2); or
- (b) both—
  - (i) comply with the requirements under paragraph (2)(a)(i), (c) and (d); and

- (ii) conform with any specification or standard specified in paragraph (3).”.

- (3) Regulation 107(2)—

**Repeal**

“Every obligatory reflector shall comply with the following requirements”

**Substitute**

“For the purposes of paragraph (1)(a) and (b)(i), the requirements are”.

- (4) Regulation 107(2)(a), (b), (c) and (d), English text—

**Repeal**

“shall” (wherever appearing)

**Substitute**

“must”.

- (5) After regulation 107(2)—

**Add**

“(3) For the purposes of paragraph (1)(b)(ii), the specifications and standards are—

- (a) UN Regulation No. 3 (as amended by all revisions up to and including Supplement 12 to the 02 series of amendments on 23 June 2011);
- (b) UN Regulation No. 150 (as amended by all revisions up to and including Supplement 3 to the original version on 30 September 2021); and
- (c) any other specifications and standards that are demonstrated to the Commissioner to be substantially the same as, or more stringent than, any



specification or standard specified in subparagraph  
(a) or (b).”.

**20. Regulation 110 amended (character of front corner and side marker lamps)**

(1) Regulation 110(2), English text—

**Repeal**

“electricity shall”

**Substitute**

“electricity must”.

(2) Regulation 110(2)—

**Repeal subparagraph (b)**

**Substitute**

“(b) fitted with—

(i) one or more electric bulbs that comply with the following requirements—

(A) the rated wattage of the bulb or the total rated wattage of all the bulbs must not exceed 7 watts; and

(B) the rated wattage of each bulb must be indelibly marked on the glass or metal cap of the bulb in a readily legible manner; or

(ii) one or more LED modules the rated wattage or the total rated wattage of which does not exceed 1 watt; and”.

(3) Regulation 110—

**Repeal paragraph (3)**

**Substitute**

“(3) Paragraph (2)(a) does not apply to—

(a) a front corner marker lamp or side marker lamp that is fitted with an LED module; or

(b) a front corner marker lamp or side marker lamp that is carried by a trailer designed and constructed for the carriage of round timber, if the electricity illuminating that lamp is derived from a battery having a voltage of at least 3 volts.”.

**21. Regulation 111 amended (amber lamps on certain vehicles)**

Regulation 111—

**Repeal paragraph (7)**

**Substitute**

“(7) If a lamp carried pursuant to paragraph (1) is fitted with one or more electric bulbs, the rated wattage of the bulb or the total rated wattage of all the bulbs must not exceed 36 watts.”.

**22. First Schedule amended (overall dimensions of vehicles)**

(1) First Schedule—

**Repeal**

“reg. 6”

**Substitute**

“regs. 6 & 40D”.

(2) First Schedule—

**Repeal**

“Single-decked      12.0 metres      2.5 metres      3.5 metres”

**Substitute**

“Single-decked 12.0 metres 2.5 metres 4.0 metres”.

23. **Schedule 6A added**  
After the Sixth Schedule—  
**Add**

**“Schedule 6A**

[reg. 88B]

**Specifications and Standards for Lamps and  
Direction Indicators with LED Modules**

Column 1	Column 2	Column 3	Column 4
Item	Lamp or direction indicator	Provision	Specification or standard
1.	Obligatory front lamp	Regulation 89	1. UN Regulation No. 7 (as amended by all revisions up to and including Supplement 23 to the 02 series of amendments on 9 October 2014) ( <i>UN Regulation No. 7</i> )  2. UN Regulation No. 148 (as amended by all revisions up to and

Column 1	Column 2	Column 3	Column 4
Item	Lamp or direction indicator	Provision	Specification or standard
			including Supplement 3 to the original version on 30 September 2021) ( <i>UN Regulation No. 148</i> )
2.	Headlamp carried by vehicles with 2 or 3 wheels	Regulation 97	1. UN Regulation No. 112 (as amended by all revisions up to and including Supplement 12 to the original version on 19 August 2010)  2. UN Regulation No. 113 (as amended by all revisions up to and including Supplement 3 to the 01 series of amendments on 9 October 2014)  3. UN Regulation No. 149 (as amended by all revisions up to and including Supplement 3 to the original

Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation  
2024

Section 23

33

Column 1	Column 2	Column 3	Column 4
Item	Lamp or direction indicator	Provision	Specification or standard
			version on 30 September 2021) ( <i>UN Regulation No. 149</i> )
3.	Headlamps carried by vehicles with 4 or more wheels	Regulation 98	<ol style="list-style-type: none"> <li>UN Regulation No. 112 (as amended by all revisions up to and including Supplement 4 to the 01 series of amendments on 15 July 2013)</li> <li>UN Regulation No. 123 (as amended by all revisions up to and including Supplement 9 to the 01 series of amendments on 10 February 2018)</li> <li>UN Regulation No. 149</li> </ol>
4.	Obligatory rear lamp	Regulation 103	<ol style="list-style-type: none"> <li>UN Regulation No. 7</li> <li>UN Regulation No. 148</li> </ol>

Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation  
2024

Section 23

34

Column 1	Column 2	Column 3	Column 4
Item	Lamp or direction indicator	Provision	Specification or standard
5.	Reversing lamp	Regulation 105	<ol style="list-style-type: none"> <li>UN Regulation No. 23 (as amended by all revisions up to and including Supplement 19 to the original version on 15 July 2013)</li> <li>UN Regulation No. 148</li> </ol>
6.	Amber lamp	Regulation 111	UN Regulation No. 65 (as amended by all revisions up to and including Supplement 7 to the original version on 23 June 2011)
7.	Direction indicator	Regulation 114	<ol style="list-style-type: none"> <li>UN Regulation No. 6 (as amended by all revisions up to and including Supplement 25 to the 01 series of amendments on 9 October 2014)</li> </ol>

Column 1	Column 2	Column 3	Column 4
Item	Lamp or direction indicator	Provision	Specification or standard
			2. UN Regulation No. 148
8.	Stop lamp	Regulation 115	1. UN Regulation No. 7 2. UN Regulation No. 148”.

24. **Seventh Schedule amended (requirements as to the number and position on vehicles of obligatory rear lamps)**

- (1) Seventh Schedule, item 5, column 5—  
**Repeal**  
“1.1 metres”  
**Substitute**  
“1.5 metres or, if the bodywork of the vehicle makes it impossible for the maximum height to be within 1.5 metres, 2.1 metres”.
- (2) Seventh Schedule, item 7, column 5—  
**Repeal**  
“1.1 metres”  
**Substitute**  
“1.5 metres or, if the bodywork of the vehicle makes it impossible for the maximum height to be within 1.5 metres, 2.1 metres”.

25. **Eighth Schedule amended (requirements as to the number and position on vehicles of obligatory reflectors)**

- (1) Eighth Schedule, item 5, column 5—  
**Repeal**  
“1.4 metres”  
**Substitute**  
“1.5 metres or, if the bodywork of the vehicle makes it impossible for the maximum height to be within 1.5 metres, 2.1 metres”.
- (2) Eighth Schedule, item 7, column 5—  
**Repeal**  
“1.1 metres”  
**Substitute**  
“1.5 metres or, if the bodywork of the vehicle makes it impossible for the maximum height to be within 1.5 metres, 2.1 metres”.

26. **Ninth Schedule amended (direction indicators)**

- (1) Ninth Schedule, Part II, paragraph 2(b)(ii)—  
**Repeal**  
“80 square centimetres”  
**Substitute**  
“20 square centimetres”.
- (2) Ninth Schedule, Part II, paragraph 4(2)(a), before “the power”—  
**Add**  
“if the lamp is fitted with an electric bulb—”.

- (3) Ninth Schedule, Part II, paragraph 4(2)(b)—

**Repeal**

everything after “circuit”

**Substitute**

“and—

- (i) a separate electric bulb;
- (ii) a separate electric filament; or
- (iii) a separate LED module.”.

- (4) Ninth Schedule, Part II—

**Repeal paragraph 5**

**Substitute**

- “5. If a direction indicator carried in compliance with this Part is fitted with one or more electric bulbs, the rated wattage of the bulb or the total rated wattage of all the bulbs must be not less than 15 watts and not more than 36 watts.”.

- (5) Ninth Schedule, Part III, paragraph 6(2)—

**Repeal**

“13 as to the minimum total rated wattage of the bulb or bulbs illuminating any indicator shall”

**Substitute**

“13(a) as to the minimum rated wattage of the bulb or the minimum total rated wattage of all the bulbs illuminating an indicator does”.

- (6) Ninth Schedule, Part III, paragraph 7(c)—

**Repeal**

“80 square centimetres”

**Substitute**

“20 square centimetres”.

- (7) Ninth Schedule, Part III—

**Repeal paragraph 13**

**Substitute**

- “13. If a direction indicator fitted to a vehicle in compliance with this Part is fitted with one or more electric bulbs, the bulb or bulbs must comply with the following requirements—

- (a) except as provided in paragraph 6(2), the rated wattage of the bulb or the total rated wattage of all the bulbs must be not less than 15 watts and not more than 36 watts; and
- (b) the rated wattage of each bulb must be indelibly marked on the glass or metal cap of the bulb in a readily legible manner.”.

- (8) Ninth Schedule, Part V, paragraph 2(b)—

**Repeal sub-subparagraph (ii)**

**Substitute**

“(ii) the requirement of paragraph 2A is complied with;”.

- (9) Ninth Schedule, Part V, after paragraph 2—

**Add**

- “2A. For the purposes of paragraph 2(b)(ii), if the indicator is fitted with one or more electric bulbs, the rated wattage of the bulb or the total rated wattage of all the bulbs is not less than 15 watts and not more than 36 watts.”.

**27. Tenth Schedule amended (stop lamps)**

Tenth Schedule, Part II—

**Repeal paragraph 4**

**Substitute**

- “4. For the electric bulb or sealed beam lamp with which a stop lamp is fitted—
- (a) the rated wattage of the bulb or sealed beam lamp must be not less than 15 watts and not more than 36 watts; and
  - (b) the rated wattage of the bulb or sealed beam lamp must be indelibly marked on its glass or metal cap in a readily legible manner.”.

**28. Schedules 20 and 21 added**

After Schedule 19—

**Add**

**“Schedule 20**

[reg. 38A]

**Specifications and Standards for Acoustic Vehicle  
Alerting Systems**

1. UN Regulation No. 138 dated 5 October 2016.
2. Regulation (EU) No. 540/2014 of the European Parliament and the Council of the European Union as amended by the

subsequent amendments up to and including amendments made by Commission Delegated Regulation (EU) 2017/1576.

3. Article 43-7 of the Safety Regulations for Road Vehicles made by the Ministry of Land, Infrastructure, Transport and Tourism of Japan via Ministry of Land, Infrastructure, Transport and Tourism Ordinance No. 73 of 7 October 2016.
4. National Standard of the People’s Republic of China GB/T 37153-2018 for acoustic vehicle alerting system of electric vehicles running at low speed.
5. Any other specifications and standards that are demonstrated to the Commissioner to be substantially the same as, or more stringent than, any specification or standard specified in paragraph 1, 2, 3 or 4.

**Schedule 21**

[regs. 39AAC, 39AAD &  
39AAE]

## **Specifications and Standards for Mirrors and Camera-monitor Systems**

### **Part 1**

1. UN Regulation No. 46 (as amended by all revisions up to and including Supplement 1 to the 04 series of amendments on 9 October 2014).
2. Article 44 of the Safety Regulations for Road Vehicles made by the Ministry of Transport of Japan as amended by Ministry of Land, Infrastructure, Transport and Tourism Ordinance No. 50 of 17 June 2016.
3. National Standard of the People's Republic of China GB 15084-2022 for motor vehicles-Device for indirect vision-Requirement of performance and installation.
4. Any other specifications and standards that are demonstrated to the Commissioner to be substantially the same as, or more stringent than, any specification or standard specified in paragraph 1, 2 or 3.

### **Part 2**

1. UN Regulation No. 81 (as amended by all revisions up to and including Supplement 2 to the original version on 18 June 2007).
2. Article 44 of the Safety Regulations for Road Vehicles made by the Ministry of Transport of Japan as amended by Ministry of Land, Infrastructure, Transport and Tourism Ordinance No. 50 of 17 June 2016.

3. National Standard of the People's Republic of China GB 17352-2010 for performance and installation requirements of rear views mirrors for motorcycles and mopeds.
4. Any other specifications and standards that are demonstrated to the Commissioner to be substantially the same as, or more stringent than, any specification or standard specified in paragraph 1, 2 or 3.”.

Secretary for Transport and Logistics

2024

---

### Explanatory Note

The main purposes of this Regulation are to amend the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) (*principal Regulations*)—

- (a) to relax the requirements in relation to the information that may be displayed by visual display units of motor vehicles;
  - (b) to require electric vehicles and hybrid electric vehicles to be equipped with acoustic vehicle alerting systems (*AVAS*);
  - (c) to revise the requirements in relation to mirrors and to introduce requirements in relation to camera-monitor systems (*CMS*) for certain vehicles;
  - (d) to regulate remote control parking systems of motor vehicles;
  - (e) to require certain vehicles with extendable aerial structures to be equipped with over-height warning systems; and
  - (f) to revise the requirements in relation to lighting, reflectors and other vehicle constructions.
2. Section 3 amends regulation 2 of the principal Regulations—
  - (a) to exclude a camera unit of CMS from the definition of *outermost part*, *overall length* and *overall width*;
  - (b) to clarify the calculation of the overall height of a vehicle with an extendable aerial structure; and
  - (c) to add new definitions (key definitions include *camera-monitor system* and *extendable aerial structure*).

3. Regulation 37 of the principal Regulations prohibits a visual display unit from being installed at a point forward of the driver's seat, or in the manner referred to in that regulation, except one that is designed to give the driver certain traffic-related information. Section 5 amends regulation 37 to relax the requirements so that there is no restriction on the information that may be displayed by a visual display unit of a motor vehicle when the parking brake of the vehicle is applied.
4. Section 6 adds new regulation 38A to the principal Regulations to require a specified vehicle manufactured on or after 1 January 2026 that is capable of being solely propelled by an electric motor to be equipped with an AVAS. The AVAS must, among others, conform with the performance requirements of any specification or standard set out in the new Schedule 20.
5. Regulation 39 of the principal Regulations provides for the requirements in relation to mirrors for observing the traffic and the alighting passengers. Section 7 substitutes regulation 39, and section 8 adds new regulations 39AA to 39AAG to the principal Regulations, to, among others, provide for the requirements in relation to mirrors and CMS for certain vehicles that are manufactured or first registered on or after 1 January 2028. In particular—
  - (a) certain vehicles (for example, private cars, taxis, light buses, buses and goods vehicles) must be equipped with either mirrors or CMS, or a combination of them, for observing the traffic (see new regulation 39AAC);
  - (b) certain motor cycles and motor tricycles must be equipped with at least one mirror externally on their off sides for observing the traffic (see new regulation 39AAD); and
  - (c) buses and light buses must be equipped with at least one mirror, or CMS, for observing the alighting passengers



(which may be the same mirror or CMS referred to in subparagraph (a)) (see new regulation 39AAE).

The new Schedule 21 sets out the specifications and standards in relation to the mirrors referred to in subparagraphs (a) and (b) and the CMS referred to in subparagraphs (a) and (c).

6. Section 11 adds new regulation 40C to the principal Regulations to introduce requirements on a remote control parking system (basically a system that is used or designed to be used to park a motor vehicle, or move it out of the place where it is parked, by a device (*device*)) which a motor vehicle may be equipped with. The requirements are as follows—
  - (a) the system is of a design and construction approved by the Commissioner for Transport for the particular vehicle model;
  - (b) the device enables the vehicle to move only if the specified conditions are met;
  - (c) the system is capable of detecting obstacles and immediately bringing the vehicle to a stop.
7. In addition, section 11 adds new regulations 40D to 40F to the principal Regulations—
  - (a) regulation 40D requires a vehicle with an extendable aerial structure as described in regulation 40D(1) to be equipped with an over-height warning system (basically a system that gives warnings if the structure is raised or extended upwards in such a way that the extended overall height (as defined in regulation 40D(6)) of the moving vehicle exceeds its maximum overall height); and
  - (b) regulations 40E and 40F provide for exemption and transitional provisions for certain lorry cranes and other motor vehicles.

8. Section 12 amends regulation 56 of the principal Regulations to exclude a camera unit of CMS from the requirement in relation to side overhang of a bus or light bus under that regulation.
9. In view of the new definition of *van-type light goods vehicle* added to regulation 2 of the principal Regulations, section 13 amends regulation 81A of the principal Regulations to achieve consistency in expressions.
10. Sections 14 to 21, 23, 26 and 27 amend regulations 90, 97, 98, 105, 107, 110 and 111 of, and the Ninth and Tenth Schedules to, the principal Regulations, and add new regulations 88A and 88B and Schedule 6A to the principal Regulations. Those amendments are mainly to require that the light sources of lamps (other than blue lamps or special purposes lamps) and direction indicators under Part VII of the principal Regulations must be electric bulbs, sealed beam lamps or light-emitting diodes (*LED*) modules. The new Schedule 6A sets out the respective specifications and standards for front lamps, headlamps, rear lamps, reversing lamps, amber lamps, direction indicators and stop lamps that are fitted with LED modules.
11. Section 22 amends the First Schedule to the principal Regulations to increase the maximum overall height specified for single-decked buses in that Schedule.
12. Sections 24 and 25 respectively amend the Seventh and Eighth Schedules to the principal Regulations to revise the requirements as to the position of rear lamps and reflectors on certain vehicles.
13. Section 28 adds new Schedules 20 and 21 to the principal Regulations to respectively set out the specifications and standards for AVAS as well as mirrors and CMS.

## Road Traffic (Safety Equipment) (Amendment) Regulation 2024

(Made by the Secretary for Transport and Logistics under section 10 of the Road Traffic Ordinance (Cap. 374))

### 1. Commencement

This Regulation comes into operation on 1 November 2025.

### 2. Road Traffic (Safety Equipment) Regulations amended

The Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) are amended as set out in sections 3 to 8.

### 3. Regulation 2 amended (interpretation)

(1) Regulation 2(1), definition of *approved*—

**Repeal paragraph (c).**

(2) Regulation 2(1), definition of *approved*—

**Repeal paragraph (d)**

**Substitute**

“(d) in relation to a seat belt, means a seat belt of a type conforming with one or more of the specifications and standards set out in Division 1 or 2 of Part I of Schedule 2;

(da) in relation to a child restraining device, means a child restraining device of a type conforming with one or more of the specifications and standards set out in Division 2 of Part I of Schedule 2;”.

(3) Regulation 2(1)—

**Repeal the definition of *seat belt***

**Substitute**

“*seat belt* (安全帶)—

(a) means a restraining device intended to be worn by a person in a vehicle and designed to prevent or lessen injury to the person in the event of an accident to the vehicle; and

(b) includes a child restraining device;”.

(4) Regulation 2(1)—

**Add in alphabetical order**

“*child* (兒童) means a person under 8 years of age;

*child restraining device* (兒童束縛設備) means a restraining device intended to be worn by a child passenger in a vehicle and designed to prevent or lessen injury to the passenger in the event of an accident to the vehicle;”.

(5) After regulation 2(2)—

**Add**

“(3) For the purposes of these regulations, a child restraining device is suitable for use by a child passenger if the device is an approved child restraining device that is suitable for use by the passenger with regard to the passenger’s age or weight.”.

### 4. Regulation 7 amended (drivers and passengers of private cars required to wear seat belts)

(1) Regulation 7—

**Repeal subregulation (3)**

**Substitute**

“(3) Subject to subregulations (4) and (5) and regulation 8, a person must not drive a private car on any road—

- (a) when a passenger in the specified passenger's seat, or a middle front seat, of the car is not securely fastened to the seat by means of a seat belt, if any, provided for the seat; or
- (b) when—
  - (i) there is a passenger in a middle front seat of the car that is not provided with a seat belt; and
  - (ii) the specified passenger's seat of the car is provided with a seat belt and is not occupied by any person.”.

## (2) After regulation 7(3)—

**Add**

- “(4) Subject to subregulation (5) and regulation 8, a person must not drive a private car on any road when a child passenger (whose height is less than 1.35 m) in the specified passenger's seat, or a middle front seat, of the car is not securely fastened to the seat by means of a child restraining device that is suitable for use by the passenger.
- (5) Subregulations (3) and (4) do not apply if the passenger has been exempted under regulation 10 from compliance with subregulation (1) or (2).”.

5. **Regulation 7A amended (drivers and passengers of taxis, light buses and goods vehicles required to wear seat belts)**

## Regulation 7A(3)(a)(i) and (ii)—

**Repeal**

“restraining device for a young person”

**Substitute**

“child restraining device”.

6. **Regulation 7B amended (passengers in rear seats of private cars, taxis and public light buses required to wear seat belts, etc.)**

## (1) Regulation 7B(2)—

**Repeal**

“subregulation (3) and to”

**Substitute**

“subregulations (3) and (7) and”.

## (2) Regulation 7B(2)—

**Repeal**

“unless the passenger has been exempted under regulation 10 from compliance with subregulation (1)”.

## (3) Regulation 7B—

**Repeal subregulation (3)****Substitute**

“(3) Subject to subregulation (7) and regulation 8, a person must not drive a private car on any road when a child passenger (whose height is less than 1.35 m) in a rear seat of the car is not securely fastened to the seat by means of a child restraining device that is suitable for use by the passenger.”.

## (4) Regulation 7B—

**Repeal subregulation (4).**

## (5) Regulation 7B(5)—

**Repeal**

“No person shall”

**Substitute**

“Subject to subregulation (7), a person must not”.

## (6) Regulation 7B(5)—

**Repeal**

everything after “another person”

**Substitute a full stop.**

- (7) Regulation 7B(6)—

**Repeal**

“regulation 8”

**Substitute**

“subregulation (7) and regulation 8”.

- (8) Regulation 7B(6)—

**Repeal**

everything after “another person”

**Substitute a full stop.**

- (9) After regulation 7B(6)—

**Add**

“(7) Subregulations (2), (3), (5) and (6) do not apply if the passenger has been exempted under regulation 10 from compliance with subregulation (1).”.

7. **Regulation 12 amended (offences)**

- (1) Regulation 12(3)(a), after “7(3)” —

**Add**

“or (4)”.

- (2) After regulation 12(3)—

**Add**

“(4) Without limiting the scope of the reasonable excuse mentioned in subregulation (3), a driver of a private car has a reasonable excuse for contravening regulation 7(4) or 7B(3) if, at the time of the alleged offence—

- (a) the passenger concerned is being transported in an emergency; or

- (b) the driver has a reasonable ground to believe that the passenger concerned—

(i) has attained 8 years of age; or

(ii) is of 1.35 m or above in height.

- (5) In a criminal proceeding for an offence under subregulation (3)—

- (a) the burden of establishing that a driver has a reasonable excuse mentioned in the subregulation lies on the driver; and

- (b) the driver is taken to have established the reasonable excuse if—

(i) there is sufficient evidence to raise an issue with respect to the reasonable excuse; and

(ii) the contrary is not proved by the prosecution beyond reasonable doubt.”.

8. **Schedule 2 amended (approved seat belts and approved anchorage points)**

Schedule 2—

**Repeal Part I****Substitute**

**“Part I****Approved Seat Belts****Division 1—Seat Belts (other than Child Restraining Devices)**

1. A seat belt (other than a child restraining device) in respect of which either the seat belt assembly or the vehicle to which it is attached is permanently marked by the manufacturer of the belt or vehicle with the specification number, mark or symbol indicating compliance with any of the following—
  - (a) British Standard for Seat Belt Assemblies for motor vehicles BS 3254: 1960 or BS 3254 (including Part 1: 1988 Specification for restraining devices for adults);
  - (b) British Standard Specification for Passive Seat Belt Systems BS AU 160a or BS AU 183: 1989;
  - (c) ECE Regulation No. 16 made by the Economic Commission for Europe dated 7 May 1973 (including all revisions for seat belt made before 1 August 1998);
  - (d) Australian Standards for Seat Belt Assemblies for motor vehicles E35-1965, E35, Part 1-1970 or E35, Part 2-1970 (including retractors) (including modifications authorized by Australian Design Rules No. 4, 4A, 4B and 4C); AS 2596-1995 or AS 2596-1983 (including modifications complying with Australian Design Rule No. 4);
  - (e) New Zealand Specification for Seat Belt Assemblies for motor vehicles NZS 1662: 1969 or NZS 5401;

- (f) Federal Motor Vehicle Safety Standard (USA) No. 209 for Seat Belt;
  - (g) Japanese Industrial Standard JIS D4604: 1969 (three-point belts only) or D4604: 1988;
  - (h) Australian Design Rule 4/03 approved in Road Vehicle (National Standards) Determination No. 2 of 1997 (Australia) (including all revisions of that Rule made before 30 June 2005);
  - (i) Technical Standard for Seat Belt Assemblies made by the Minister of Land, Infrastructure and Transport of Japan in Attachment 32 to Announcement No. 619 of 15 July 2002 (including all revisions of that Standard made before 30 June 2005);
  - (j) Seat Belt Assembly Test Procedure (TRIAS) 31-1994 made by the Minister of Land, Infrastructure and Transport of Japan in Circular of Koshin No. 453 of 24 August 1971 (including all revisions of that Test Procedure made before 30 June 2005);
  - (k) Directive 77/541/EEC issued by the European Economic Community dated 28 June 1977 (including all revisions of that Directive made before 30 June 2005).
2. A seat belt (other than a child restraining device) that—
  - (a) is of a type approved by the Commissioner and specified by the Commissioner by notice published in the Gazette; and
  - (b) bears a marking determined by the Commissioner indicating that the type has been accepted as capable of affording to persons in a motor vehicle a degree of protection from injury equal to, or greater than,

that provided by a seat belt of a type specified in paragraph 1.

### **Division 2—Child Restraining Devices**

3. A child restraining device in respect of which either the device assembly or the vehicle to which it is attached is permanently marked by the manufacturer of the device or vehicle with the specification number, mark or symbol indicating compliance with any of the following—
  - (a) British Standard for Seat Belt Assemblies for motor vehicles BS 3254: 1960 or BS 3254 (including Part 2: 1991 Specification for restraining devices for children);
  - (b) British Standard Specification for Passive Seat Belt Systems BS AU 157a, BS AU 185, BS AU 186, BS AU 186a, BS AU 202 or BS AU 202a;
  - (c) ECE Regulation No. 16 made by the Economic Commission for Europe dated 7 May 1973 (including all revisions made before 1 August 1998); ECE Regulation No. 44 made by the Economic Commission for Europe dated 1 February 1981 (including all revisions for child restraining devices made before 1 August 1998); or UN Regulation No. 129 made by the United Nations Economic Commission for Europe dated 7 August 2013 (including all revisions for child restraining devices made before 1 November 2025);
  - (d) Australian Standards for Seat Belt Assemblies for motor vehicles AS 1754-1995;
  - (e) New Zealand Specification for Seat Belt Assemblies for motor vehicles NZS 5411;

- (f) Federal Motor Vehicle Safety Standard (USA) No. 213;
- (g) Japanese Industrial Standard JIS D0401: 1990 or JIS D0401: 1996;
- (h) Directive 77/541/EEC issued by the European Economic Community dated 28 June 1977 (including all revisions of that Directive made before 30 June 2005);
- (i) Australian/New Zealand Standard AS/NZS 1754: 2010 or AS/NZS 1754: 2013;
- (j) National Standard of the People's Republic of China GB 27887-2011 for restraining devices for child occupants of power-driven vehicles.

#### **4. A child restraining device that—**

- (a) is of a type approved by the Commissioner and specified by the Commissioner by notice published in the Gazette; and
- (b) bears a marking determined by the Commissioner indicating that the type has been accepted as capable of affording to persons in a motor vehicle a degree of protection from injury equal to, or greater than, that provided by a child restraining device of a type specified in paragraph 3.”.

Secretary for Transport and Logistics

2024

**Explanatory Note**

This Regulation amends the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) (*principal Regulations*)—

- (a) to impose new requirements for the use of child restraining devices for passengers who are under 8 years of age and whose height are less than 1.35 m (*child passengers*) in private cars;
- (b) to create new offences for drivers driving private cars when there are child passengers not securely fastened to the seats by means of child restraining devices that are suitable for use by the passengers with regard to their ages or weights; and
- (c) to update and reorganize the specifications and standards for seat belts (including child restraining devices) set out in Part I of Schedule 2 to the principal Regulations.

## Road Traffic (Traffic Control) (Amendment) Regulation 2024

(Made by the Secretary for Transport and Logistics under section 11 of the  
Road Traffic Ordinance (Cap. 374))

### 1. Commencement

This Regulation comes into operation on 1 March 2025.

### 2. Road Traffic (Traffic Control) Regulations amended

The Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) are amended as set out in sections 3 to 6.

### 3. Regulation 2 amended (interpretation)

#### (1) Regulation 2(1)—

##### Add in alphabetical order

*“remote control parking device (遙控泊車設備) has the meaning given by regulation 40C(5) of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A);”*.

#### (2) After regulation 2(3)—

##### Add

“(3A) In these regulations, a reference to remotely parking a motor vehicle—

- (a) is a reference to parking the vehicle by the use of a remote control parking device; and
- (b) includes moving the vehicle out of the place where it is parked by the use of a remote control parking device.”.

### 4. Regulation 42 amended (general driving rules)

#### (1) Regulation 42(1), English text—

##### Repeal

“shall not—”

##### Substitute

“must not—”.

#### (2) Regulation 42(1)(e), English text, proviso—

##### Repeal

“shall”

##### Substitute

“does”.

#### (3) After regulation 42(1)—

##### Add

“(1A) Subregulation (1)(g) does not prevent the driver of a motor vehicle from using a mobile telephone, or any other telecommunications equipment, which is a remote control parking device (*device*) if—

- (a) the driver uses the device to remotely park the vehicle; and
- (b) the driver is outside the vehicle at all times when the device is being so used.”.

#### (4) Regulation 42(2)—

##### Repeal

“subregulation (1)(g)”

##### Substitute

“this regulation”.



**5. Regulation 42A added**

After regulation 42—

**Add****“42A. Remote control parking device**

- (1) The driver of a motor vehicle must not use a remote control parking device to remotely park the vehicle unless, at all times when the device is being so used, the driver—
  - (a) is outside the vehicle; and
  - (b) maintains a visual line of sight with the vehicle.
- (2) Subject to subregulation (3), the driver of a motor vehicle must, after having remotely parked the vehicle, ensure that—
  - (a) the engine of the vehicle is stopped; and
  - (b) the parking brake of the vehicle is applied.
- (3) Subregulation (2)(a) does not apply if—
  - (a) the vehicle is designed so that the engine is used for purposes other than the propulsion of the vehicle; and
  - (b) the driver is in attendance.
- (4) To avoid doubt, the person in charge of a motor vehicle who vacates the vehicle for remotely parking the vehicle must also comply with regulation 44.”.

**6. Regulation 61 amended (offences and penalties)**

Regulation 61(2), after “42,”—

**Add**

“42A,”.

Secretary for Transport and Logistics

2024

### Explanatory Note

Currently, regulation 42(1)(g) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) (*principal Regulations*) prohibits the driver of a motor vehicle from using a mobile telephone or other telecommunications equipment in the specified manner while the vehicle is in motion.

2. Section 4 amends regulation 42 of the principal Regulations so that the prohibition under regulation 42(1)(g) does not prevent the driver from using a remote control parking device outside the vehicle to park the vehicle or move it out of the place where it is parked (*remote parking*).
3. Section 5 adds a new regulation 42A to the principal Regulations to regulate the use of a remote control parking device to perform remote parking. Section 6 amends regulation 61(2) of the principal Regulations to create an offence for contravention of the new regulation 42A.

## Road Traffic (Expressway) (Amendment) Regulation 2024

(Made by the Secretary for Transport and Logistics under sections 13(b) and 131(1) of the Road Traffic Ordinance (Cap. 374))

### 1. Commencement

This Regulation comes into operation on 1 March 2025.

### 2. Road Traffic (Expressway) Regulations amended

The Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q) are amended as set out in section 3.

### 3. Regulation 4 amended (vehicles permitted)

(1) Regulation 4—

#### Repeal subregulation (1)

#### Substitute

“(1) Subject to subregulation (2) and regulations 23 and 24, a person must not drive or use a vehicle on an expressway unless the vehicle is a specified vehicle that conforms with the following specifications—

- (a) the vehicle is propelled by an internal combustion engine only or is capable of being propelled by both an internal combustion engine and electric motor either in combination or separately, and the cylinder capacity of the engine is not less than 125 cubic centimetres; or
- (b) the vehicle is propelled by an electric motor only, and the motor's rated power as shown in the

registration document of the vehicle is not less than—

- (i) for a motor cycle or motor tricycle—3 kilowatts; or
- (ii) for a vehicle other than a motor cycle or motor tricycle—7 kilowatts.”.

(2) Regulation 4—

#### Repeal subregulations (1A) and (1B).

(3) Regulation 4(1C)—

#### Repeal

“(1B)(b)”

#### Substitute

“(1)(b)”.

(4) After regulation 4(2)—

#### Add

“(3) In this regulation—

*specified vehicle* (指明車輛) means—

- (a) a private car;
- (b) a taxi;
- (c) a private light bus;
- (d) a private bus;
- (e) a public bus;
- (f) a light goods vehicle;
- (g) a medium goods vehicle;
- (h) a heavy goods vehicle;
- (i) a motor cycle;
- (j) a motor tricycle; or

(k) a recovery vehicle.”.

Secretary for Transport and Logistics

2024

---

**Explanatory Note**

This Regulation amends regulation 4 of the Road Traffic (Expressway) Regulations (Cap. 374 sub. leg. Q) so that electric motor vehicles of 8 additional classes (i.e. taxis, private light buses, private buses, public buses, light goods vehicles, medium goods vehicles, heavy goods vehicles and recovery vehicles) that conform with relevant rated power specifications are permitted to be driven or used on an expressway.

## Fixed Penalty (Criminal Proceedings) Ordinance

### Resolution of the Legislative Council

Resolution made and passed by the Legislative Council under section 12 of the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) on 2025.

**Resolved** that, with effect from 1 November 2025, the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) be amended as set out in the Schedule.

## Schedule

### Amendments to Fixed Penalty (Criminal Proceedings) Ordinance

#### 1. Schedule amended (offence)

- (1) The Schedule, before heading “**Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D)**”—

#### Add

“39A.	Regulation 7(4)	Driving private car when front seat passenger under 8 years of age and less than 1.35 m in height not securely fastened with suitable child restraining device	\$230”.
-------	--------------------	--	---------

- (2) The Schedule—

#### Repeal item 55A

#### Substitute

“55A.	Regulation 7B(3)	Driving private car when rear seat passenger under 8 years of age and less than
-------	---------------------	---

1.35 m in height  
not securely  
fastened with  
suitable child  
restraining  
device

\$230”.

Clerk to the Legislative Council

2025

---

**Explanatory Note**

This Resolution amends the Schedule to the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) to—

- (a) add an offence newly created under the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) (*Regulations*) (driving private car when front seat passenger under 8 years of age and less than 1.35 m in height not securely fastened with suitable child restraining device); and
- (b) update the description of an existing scheduled offence to reflect the relevant amendments to the Regulations (driving private car when rear seat passenger under 8 years of age and less than 1.35 m in height not securely fastened with suitable child restraining device).