
Road Traffic (Amendment) (Ride-hailing Service) Ordinance 2025

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HONG KONG SPECIAL ADMINISTRATIVE REGION

ORDINANCE NO. 43 OF 2025



John KC LEE
Chief Executive
23 October 2025

An Ordinance to amend the Road Traffic Ordinance to provide for the regulation of ride-hailing service; to introduce a licensing regime for ride-hailing platforms, ride-hailing vehicles and drivers of such vehicles; to provide for the regulation of any other public vehicle passenger transport service booked through licensed ride-hailing platforms; to enhance the enforcement regime against illegal carriage of passengers for hire or reward; and to provide for related matters.

[]

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Road Traffic (Amendment) (Ride-hailing Service) Ordinance 2025.
- (2) This Ordinance comes into operation on a day to be appointed by the Secretary for Transport and Logistics by notice published in the Gazette.

2. Enactments amended

The enactments specified in Parts 2 and 3 are amended as set out in those Parts.

Part 2

Amendments to Road Traffic Ordinance (Cap. 374)

3. Section 2 amended (interpretation)

(1) Section 2—

Repeal

“, unless the context otherwise requires”.

(2) Section 2, definition of *public service vehicle*—

Repeal

everything after “車輛”

Substitute

“—see section 2C;”.

(3) Section 2—

Add in alphabetical order

licensed platform (持牌平台)—see section 55A(1);

ride-hailing passenger transport service (網約車載客服務)—see section 55A(1);

ride-hailing regulation (《網約車規例》)—see section 55A(1);

ride-hailing service licensee (網約車服務持牌人)—see section 55A(1);

ride-hailing vehicle (網約車車輛)—see section 55A(1);”.

4. Section 2C added

After section 2B—

Add

“2C. Meaning of *public service vehicle*

- (1) A motor vehicle is a public service vehicle if it is—
 - (a) a motor vehicle registered as a public bus, public light bus or taxi;
 - (b) a motor vehicle registered as a private car and in respect of which a hire car permit is in force; or
 - (c) a ride-hailing vehicle that is in the course of providing ride-hailing passenger transport service.
- (2) For the purposes of subsection (1)(c), a ride-hailing vehicle is in the course of providing ride-hailing passenger transport service throughout the period—
 - (a) beginning when a booking of the service is accepted by the driver of the vehicle through a licensed platform; and
 - (b) ending when the booking is cancelled or the service is completed.”.

5. Section 13 amended (provision for the Commissioner and others to act and charge fees, and for absolute liability)

Section 13, after “12A”—

Add

“, 55ZD”.

6. Section 15 amended (penalties under the regulations)

Section 15, after “12A,”—

Add

“55ZD,”.

7. Section 52 amended (restriction on the use of vehicles)

(1) After section 52(3)—

Add

“(3A) Subsection (3) is subject to section 55C.”.

(2) After section 52(5)—

Add

“(5A) However, subsection (5)(a) does not apply to a ride-hailing service licensee in respect of a ride-hailing vehicle for any ride-hailing passenger transport service that may be booked through the licensee’s licensed platform.”.

(3) After section 52(6)—

Add

“(6A) However, a person does not contravene subsection (6) in respect of a ride-hailing vehicle only because—

(a) a certificate issued under the ride-hailing regulation in respect of the vehicle is displayed on the vehicle in compliance with the regulation;
or

(b) it is indicated on a licensed platform that the vehicle is available for providing ride-hailing passenger transport service.”.

8. Part 6A added

After Part 6—

Add

“Part 6A

Ride-hailing Service

Division 1—Interpretation

55A. Interpretation of Part 6A

(1) In this Part—

Cap. 272 (《第272章》) means the Motor Vehicles Insurance (Third Party Risks) Ordinance (Cap. 272);

licensed platform (持牌平台) means a ride-hailing platform in respect of which a ride-hailing service licence is in force;

public vehicle passenger transport service (公共車輛載客服務), in relation to a licensed platform, means a service for the carriage of any passenger for hire or reward that is provided by using a public service vehicle within the meaning of section 2C(1)(a) or (b), which is booked through the platform;

ride-hailing passenger transport service (網約車載客服務) means a service for the carriage of any passenger for hire or reward that falls within the following descriptions—

- (a) the service is provided by using a private car in respect of which no hire car permit is in force; and
- (b) the location for picking up the passenger is determined or substantially determined at the time of booking of the service;

ride-hailing platform (網約車平台) means an electronic or telecommunications platform through which ride-hailing platform service is provided;

ride-hailing platform service (網約車平台服務) means a service that involves—

- (a) taking bookings (whether directly or indirectly), through an electronic or telecommunications platform, for the provision of ride-hailing passenger transport service (whether immediately or at a later time); and
- (b) connecting (whether directly or indirectly), through an electronic or telecommunications platform, the persons making the bookings with the persons providing the ride-hailing passenger transport service;

ride-hailing regulation (《網約車規例》) means a regulation made under section 55ZD;

ride-hailing service (網約車服務) means a service comprising—

- (a) a ride-hailing platform service; and
- (b) a ride-hailing passenger transport service;

ride-hailing service licence (網約車服務牌照) means a licence issued under section 55J(1);

ride-hailing service licensee (網約車服務持牌人) means the holder of a ride-hailing service licence that is in force;

ride-hailing vehicle (網約車車輛) means a private car in respect of which a ride-hailing vehicle permit is in force;

ride-hailing vehicle driving permit (網約車車輛駕駛許可證) means a permit issued under section 55Y(1);

ride-hailing vehicle driving permit holder (網約車車輛駕駛許可證持有人) means the holder of a ride-hailing vehicle driving permit that is in force;

ride-hailing vehicle permit (網約車車輛許可證) means a permit issued under section 55U(1).

- (2) For the purposes of this Part, a reference to the services provided through a licensed platform is a reference to—
- (a) the ride-hailing platform service provided through the platform;
 - (b) the ride-hailing passenger transport service booked through the platform; and
 - (c) if any public vehicle passenger transport service may be booked through the platform—that service.

Division 2—Basic Requirements for Provision of Ride-hailing Service

55B. Operation of ride-hailing platform requires licence

- (1) A person must not operate a ride-hailing platform for providing ride-hailing platform service unless a ride-hailing service licence is in force in respect of the platform.
- (2) For the purposes of subsection (1), for determining whether a person operates a ride-hailing platform for providing ride-hailing platform service, it does not matter that the person is located in a place outside Hong Kong if the ride-hailing passenger transport

service that is or may be booked through the platform is or is to be performed wholly or partly within Hong Kong.

- (3) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine of \$1,000,000 and to imprisonment for 12 months.
- (4) A prosecution for an offence under subsection (3) may only be started before the end of 3 years beginning on the date on which the offence is committed.

Note—

This replaces the time limit under section 26 of the Magistrates Ordinance (Cap. 227).

55C. Provision of ride-hailing passenger transport service requires permits

- (1) A person may drive or use a private car for providing ride-hailing passenger transport service without contravening section 52(3)(a) if all the following conditions are met—
 - (a) the private car is a ride-hailing vehicle;
 - (b) the person is a ride-hailing vehicle driving permit holder;
 - (c) the service is booked through a licensed platform.
- (2) A person may suffer or permit a private car to be driven or used for providing ride-hailing passenger transport service without contravening section 52(3)(b) if all the following conditions are met—
 - (a) the private car is a ride-hailing vehicle;

- (b) the private car is driven or used by a ride-hailing vehicle driving permit holder;
- (c) the service is booked through a licensed platform.

55D. Ride-hailing service licensees must ensure vehicles and drivers have valid permits

- (1) A ride-hailing service licensee commits an offence if any ride-hailing passenger transport service booked through the licensee's licensed platform is provided by a non-compliant participant.
- (2) A ride-hailing service licensee who commits an offence under subsection (1) is liable—
 - (a) on a first conviction, to—
 - (i) a fine at level 3 in respect of each non-compliant participant; and
 - (ii) imprisonment for 6 months; and
 - (b) on each subsequent conviction, to—
 - (i) a fine at level 4 in respect of each non-compliant participant; and
 - (ii) imprisonment for 12 months.
- (3) It is a defence for a ride-hailing service licensee charged with an offence under subsection (1) to establish that, at the time of the alleged offence, the licensee took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by the licensee.
- (4) A ride-hailing service licensee is taken to have established a matter that needs to be established for a defence under subsection (3) if—

- (a) there is sufficient evidence to raise an issue with respect to that matter; and
- (b) the contrary is not proved by the prosecution beyond reasonable doubt.

(5) In this section—

non-compliant participant (違規參與的車輛或司機) means—

- (a) a private car that is not a ride-hailing vehicle; or
- (b) a driver who is not a ride-hailing vehicle driving permit holder.

55E. Ride-hailing vehicle may only be driven or used by its owner for providing ride-hailing passenger transport service

- (1) A person must not drive or use a ride-hailing vehicle for providing ride-hailing passenger transport service unless the person is the registered owner of the vehicle.
- (2) A person must not suffer or permit a ride-hailing vehicle to be driven or used for providing ride-hailing passenger transport service unless the vehicle is so driven or used by the registered owner of the vehicle.
- (3) A person who contravenes subsection (1) or (2) commits an offence and is liable on conviction to a fine at level 3.

55F. Ride-hailing service licensees must ensure drivers are owners of vehicles

- (1) A ride-hailing service licensee commits an offence if—

- (a) a ride-hailing vehicle is driven or used for providing ride-hailing passenger transport service booked through the licensee's licensed platform; and
 - (b) the vehicle is so driven or used by a person who is not the registered owner of the vehicle.
- (2) A ride-hailing service licensee who commits an offence under subsection (1) is liable on conviction to a fine at level 3.
 - (3) It is a defence for a ride-hailing service licensee charged with an offence under subsection (1) to establish that, at the time of the alleged offence, the licensee took all reasonable precautions and exercised all due diligence to avoid the commission of the offence by the licensee.
 - (4) A ride-hailing service licensee is taken to have established a matter that needs to be established for a defence under subsection (3) if—
 - (a) there is sufficient evidence to raise an issue with respect to that matter; and
 - (b) the contrary is not proved by the prosecution beyond reasonable doubt.

Division 3—Ride-hailing Platforms

Subdivision 1—Ride-hailing Service Licences

55G. Commissioner may invite application for ride-hailing service licence

- (1) The Commissioner may, by notice published in the Gazette, invite applications for a ride-hailing service licence.

- (2) A notice published under subsection (1) is not subsidiary legislation.

55H. Application for ride-hailing service licence

- (1) A company that wishes to obtain a ride-hailing service licence may, in response to an invitation under section 55G(1), apply to the Commissioner for such a licence.
- (2) The application must be made in the form specified by the Commissioner.
- (3) In this section—
company (公司) has the meaning given by section 2(1) of the Companies Ordinance (Cap. 622).

55I. Decision on application for ride-hailing service licence

- (1) The Commissioner may grant or refuse an application made under section 55H.
- (2) In determining the application, the Commissioner may take the following matters into account—
- (a) the applicant's experience in operating a ride-hailing platform;
 - (b) the applicant's financial capability;
 - (c) the applicant's proposed level of investment in relation to the operation of a ride-hailing platform in Hong Kong;
 - (d) the qualifications of the applicant's directors and other persons concerned in the management of the applicant;

- (e) the proposed standard of the ride-hailing platform service to be provided, and the ride-hailing passenger transport service to be booked, through the ride-hailing platform proposed to be operated by the applicant; and
 - (f) any other matters the Commissioner considers relevant to the regulation of ride-hailing service.
- (3) The Commissioner must give written notice of the Commissioner's decision on the application to the applicant.
 - (4) If the Commissioner refuses the application, the notice must state the reasons for the refusal.

55J. Issue of ride-hailing service licence

- (1) If the Commissioner grants an application under section 55I(1), the Commissioner must, in respect of the platform that the applicant proposes to operate as a ride-hailing platform, issue to the applicant a ride-hailing service licence.
- (2) When issuing the licence, the Commissioner may impose on the licence any conditions the Commissioner considers appropriate.
- (3) Without limiting subsection (2), the conditions may relate to one or more of the following matters—
 - (a) the services provided through the licensed platform;
 - (b) the collection, transmission, storage and provision of data, and the keeping of records, relating to the services provided through the platform;

- (c) the submission to the Commissioner of returns and accounts in relation to the services provided through the platform;
- (d) the ride-hailing vehicles and ride-hailing vehicle driving permit holders signed up with the platform for providing ride-hailing passenger transport service booked through the platform;
- (e) the ride-hailing service licensee's directors and other persons concerned in the management of the licensee.

Subdivision 2—Obligations of Ride-hailing Service Licensees

55K. Ride-hailing service licensee must ensure proper and efficient ride-hailing service etc. is maintained

- (1) A ride-hailing service licensee must, during any period within which the licensee's ride-hailing service licence is in force—
 - (a) ensure that proper and efficient ride-hailing service is maintained to the satisfaction of the Commissioner; and
 - (b) if any public vehicle passenger transport service may be booked through the licensee's licensed platform—ensure that proper and efficient public vehicle passenger transport service is maintained to the satisfaction of the Commissioner.
- (2) In determining whether a ride-hailing service licensee complies with subsection (1), the Commissioner may have regard to—

- (a) whether the licensee ensures the quality of the service in accordance with—
 - (i) any provision of this Ordinance that applies to a ride-hailing service licensee;
 - (ii) the conditions of the licensee's ride-hailing service licence; and
 - (iii) the directions given to the licensee under section 55M; and
- (b) any other matters the Commissioner considers appropriate.

55L. Ride-hailing service licensee must keep and provide proper record of operational data

- (1) A ride-hailing service licensee must, in accordance with the ride-hailing regulation, keep proper record of the data relating to the services provided through the licensee's licensed platform.
- (2) The ride-hailing service licensee must, on request of the Commissioner, provide to the Commissioner any record kept under subsection (1) in a manner the Commissioner considers appropriate.

55M. Commissioner may give direction to ride-hailing service licensee

- (1) The Commissioner may, in accordance with the ride-hailing regulation and after consulting a ride-hailing service licensee, give a direction to the licensee in respect of a matter that relates to—
 - (a) the licensee's ride-hailing service licence;
 - (b) the services provided through the licensee's licensed platform; or

- (c) the ride-hailing vehicles or ride-hailing vehicle driving permit holders signed up with the platform for providing ride-hailing passenger transport service booked through the platform.
- (2) If the Commissioner decides to exercise the power under subsection (1), the Commissioner must give written notice of the decision and the reasons for the decision to the licensee.

Subdivision 3—Financial Penalties and Cancellation etc. of Ride-hailing Service Licences

55N. Commissioner may appoint public officer to conduct inquiry

- (1) The Commissioner may appoint a public officer to conduct an inquiry in accordance with the ride-hailing regulation if the Commissioner has reason to believe that—
 - (a) a ride-hailing service licensee fails to comply with section 55K(1);
 - (b) any condition of the ride-hailing service licence has not been or is not being complied with; or
 - (c) any other provision of this Ordinance that applies to a ride-hailing service licensee has not been or is not being complied with.
- (2) After the inquiry, the public officer who conducts it must report to the Commissioner.

55O. Financial penalties

- (1) If, after considering a report in relation to a ride-hailing service licensee under section 55N(2), the

Commissioner is satisfied as to a matter set out in section 55N(1)(a), (b) or (c), the Commissioner may, by written notice to the licensee, impose a financial penalty on the licensee.

- (2) The notice must specify—
 - (a) the reasons for imposing the penalty;
 - (b) the amount of the penalty imposed; and
 - (c) the manner and deadline for payment.
- (3) The amount specified under subsection (2)(b) must not exceed—
 - (a) \$50,000 for the first occasion on which a financial penalty is imposed on the licensee;
 - (b) \$100,000 for the second occasion on which a financial penalty is imposed on the licensee; or
 - (c) \$200,000 for the third or any subsequent occasion on which a financial penalty is imposed on the licensee.
- (4) The deadline specified under subsection (2)(c) must not be earlier than the end of the period of 21 days beginning on the date on which the notice is given under subsection (1).
- (5) If—
 - (a) the licensee applies under section 55ZC(1) for a review of the decision to impose a financial penalty under subsection (1); and
 - (b) any of the following events occurs—
 - (i) the application is withdrawn or is to be regarded as being withdrawn under the ride-hailing regulation;

- (ii) the decision is confirmed or varied by the Transport Tribunal,
- the licensee must, within 30 days after the date of the occurrence of the event, pay the penalty.
- (6) The financial penalty is to be paid to the Government and the Government may recover any unpaid penalty as a civil debt.

55P. Commissioner may cancel etc. ride-hailing service licence

- (1) This section applies if—
 - (a) the Commissioner, after considering a report made under section 55N(2), is satisfied as to a matter set out in section 55N(1)(a), (b) or (c); or
 - (b) a financial penalty is imposed under section 55O, and the penalty has not been paid in full in accordance with that section.
- (2) The Commissioner may do one or more of the following—
 - (a) cancel the ride-hailing service licence concerned;
 - (b) suspend the licence for a period of time the Commissioner considers appropriate;
 - (c) vary the licence in respect of—
 - (i) the validity period of the licence; or
 - (ii) the conditions of the licence.
- (3) If the Commissioner decides to exercise any power under subsection (2), the Commissioner must give written notice of the decision and the reasons for the decision to the licensee.

- (4) Subject to the ride-hailing regulation, the decision takes effect on the date following the end of the period of 21 days beginning on the date on which the notice is given under subsection (3).
- (5) If the ride-hailing service licence of a person is suspended under subsection (2)(b), the person must, during the period of suspension—
 - (a) continue to be regarded for the purposes of this Part, but not sections 55B and 55K, to be a ride-hailing service licensee; and
 - (b) without limiting paragraph (a), continue to be required to comply with the provisions of this Part relating to a ride-hailing service licensee as would apply to the person were the licence not so suspended.

Division 4—Ride-hailing Vehicles

Subdivision 1—Ride-hailing Vehicle Permits

55Q. Commissioner may limit number of ride-hailing vehicle permits

- (1) The Commissioner may, by notice published in the Gazette, specify a limit on the number of ride-hailing vehicle permits that may be issued.
- (2) A limit specified under subsection (1) does not affect any ride-hailing vehicle permit that is in force when the limit takes effect.
- (3) To avoid doubt, the Commissioner is not obliged to issue ride-hailing vehicle permits up to the limit specified under subsection (1).

55R. Commissioner may invite application for ride-hailing vehicle permit

- (1) The Commissioner may, by notice published in the Gazette, invite applications for a ride-hailing vehicle permit.
- (2) A notice published under subsection (1) is not subsidiary legislation.

55S. Application for ride-hailing vehicle permit

- (1) A registered owner of a private car who wishes to obtain a ride-hailing vehicle permit in respect of a private car may, in response to an invitation under section 55R(1), apply to the Commissioner for such a permit.
- (2) The application must be made in the form specified by the Commissioner.

55T. Decision on application for ride-hailing vehicle permit

- (1) The Commissioner may grant or refuse an application made under section 55S.
- (2) If the number of applications made in response to an invitation under section 55R(1) exceeds the maximum number of ride-hailing vehicle permits specified by the Commissioner for the invitation, the Commissioner, in determining whether to grant the application, may adopt any method of selection specified in the ride-hailing regulation as the Commissioner considers appropriate.
- (3) The Commissioner must not grant the application unless—
 - (a) the applicant is a ride-hailing vehicle driving permit holder;

- (b) the applicant is the registered owner of the private car concerned;
- (c) a vehicle licence is in force in respect of the private car;
- (d) the private car was manufactured less than 12 years before the date of the application;
- (e) if the private car was manufactured not less than 6 years before the date of the application—a certificate of roadworthiness (as defined by section 88A) has been issued in respect of the private car within 1 year before the date of the application;
- (f) there is in force in relation to the use of the private car for providing ride-hailing passenger transport service a policy of insurance or security in respect of third party risks that complies with Cap. 272;
- (g) if a hire car permit is in force in respect of the private car—the applicant has given written consent that the hire car permit is to be cancelled on the issue of the ride-hailing vehicle permit;
- (h) if the applicant has held a ride-hailing vehicle permit within 3 years before the date of the application—the permit was not cancelled under section 55V(2)(a) during that period;
- (i) the applicant has paid any fee prescribed in the ride-hailing regulation for the application for, and the issue of, the ride-hailing vehicle permit; and

- (j) if any other requirement specified in the ride-hailing regulation for the purposes of this section is applicable to the applicant—that other requirement is met.
- (4) The Commissioner must give written notice of the Commissioner's decision on the application to the applicant.
- (5) If the Commissioner refuses the application, the notice must state the reasons for the refusal.
- (6) The Secretary may, by notice published in the Gazette, amend the number of years specified in subsection (3)(d).

55U. Issue of ride-hailing vehicle permit

- (1) If the Commissioner grants an application under section 55T(1), the Commissioner must, in respect of the private car concerned, issue to the applicant a ride-hailing vehicle permit.
- (2) On the issue of a ride-hailing vehicle permit under subsection (1), the Commissioner must cancel—
 - (a) any hire car permit that is in force in respect of the private car; and
 - (b) any ride-hailing vehicle permit that is in force in respect of a private car owned by the applicant.
- (3) When issuing the ride-hailing vehicle permit, the Commissioner may impose on the permit any conditions the Commissioner considers appropriate.
- (4) Without limiting subsection (3), the conditions may relate to one or more of the following matters—
 - (a) the ride-hailing passenger transport service provided by the ride-hailing vehicle;

- (b) the maintenance of the vehicle;
- (c) the policy of insurance or security in respect of third party risks that complies with Cap. 272 in relation to the use of the vehicle for providing ride-hailing passenger transport service;
- (d) the display of any certificate issued by the Commissioner in respect of the vehicle.

Subdivision 2—Cancellation etc. of Ride-hailing Vehicle Permits

55V. Commissioner may cancel etc. ride-hailing vehicle permit

- (1) This section applies if the Commissioner is satisfied that—
 - (a) section 52(3), (5), (6), (7) or (8) or 55E is contravened in respect of a ride-hailing vehicle;
 - (b) any condition of a ride-hailing vehicle permit has not been or is not being complied with; or
 - (c) any other provision of this Ordinance that applies to a holder of the permit has not been or is not being complied with.
- (2) The Commissioner may do one or more of the following—
 - (a) cancel the ride-hailing vehicle permit concerned;
 - (b) suspend the permit for a period of time the Commissioner considers appropriate;
 - (c) vary the permit in respect of—
 - (i) the validity period of the permit; or
 - (ii) the conditions of the permit.

- (3) If the Commissioner decides to exercise any power under subsection (2), the Commissioner must give written notice of the decision and the reasons for the decision to the holder of the permit.
- (4) Subject to the ride-hailing regulation, the decision takes effect on the date following the end of the period of 21 days beginning on the date on which the notice is given under subsection (3).

Division 5—Drivers of Ride-hailing Vehicles

Subdivision 1—Ride-hailing Vehicle Driving Permits

55W. Application for ride-hailing vehicle driving permit

- (1) A person who wishes to obtain a ride-hailing vehicle driving permit may apply to the Commissioner for such a permit.
- (2) The application must be made in the form specified by the Commissioner.

55X. Decision on application for ride-hailing vehicle driving permit

- (1) The Commissioner may grant or refuse an application made under section 55W.
- (2) The Commissioner must not grant the application unless—
 - (a) the applicant is aged 21 or above;
 - (b) the applicant is the holder of a valid full driving licence to drive a private car or light goods vehicle and has held the licence for at least 1 year before the date of the application;

- (c) the applicant has, within 3 years before the date of the application, passed a driving test in respect of ride-hailing vehicles;
- (d) the applicant has, within 1 year before the date of the application, completed a pre-service course in respect of ride-hailing vehicles;
- (e) the applicant has not, within 5 years before the date of the application, been convicted of an offence under section 36, 36A, 39, 39A, 39B, 39C, 39J, 39K, 39L, 39O(1) or 39S;
- (f) the applicant—
 - (i) is the holder of a permanent identity card; or
 - (ii) is the holder of an identity card (other than a permanent identity card) and is not subject to any condition of stay other than a limit of stay as defined by section 2(1) of the Immigration Ordinance (Cap. 115);
- (g) if the applicant was disqualified from driving a private car or taxi under this Ordinance, the Road Traffic (Driving-offence Points) Ordinance (Cap. 375) or the Taxi-Driver-Offence Points Ordinance (Cap. 647)—the period of disqualification has expired on or before the date of the application;
- (h) if any physical fitness requirements specified in the ride-hailing regulation are applicable to the applicant—all the requirements are met;
- (i) if the applicant has held a ride-hailing vehicle driving permit within 3 years before the date of the application—the permit was not cancelled under section 55Z(2)(a) during that period;

- (j) the applicant has paid any fee prescribed in the ride-hailing regulation for the application for, and the issue of, the ride-hailing vehicle driving permit; and
 - (k) if any other requirement specified in the ride-hailing regulation for the purposes of this section is applicable to the applicant—that other requirement is met.
- (3) However, subsection (2)(c) and (d) does not apply to an applicant who holds a valid full driving licence to drive a taxi.
 - (4) The Commissioner must give written notice of the Commissioner's decision on the application to the applicant.
 - (5) If the Commissioner refuses the application, the notice must state the reasons for the refusal.
 - (6) In subsection (2)(f)—

identity card (身分證) has the meaning given by section 1A(1) of the Registration of Persons Ordinance (Cap. 177);

permanent identity card (永久性居民身分證) has the meaning given by section 1A(1) of the Registration of Persons Ordinance (Cap. 177).

55Y. Issue of ride-hailing vehicle driving permit

- (1) If the Commissioner grants an application under section 55X(1), the Commissioner must issue to the applicant a ride-hailing vehicle driving permit.

- (2) When issuing the permit, the Commissioner may impose on the permit any conditions the Commissioner considers appropriate, including any conditions relating to the provision of ride-hailing passenger transport service.

Subdivision 2—Cancellation etc. of Ride-hailing Vehicle Driving Permits

55Z. Commissioner may cancel etc. ride-hailing vehicle driving permit

- (1) This section applies if the Commissioner is satisfied that—
 - (a) a ride-hailing vehicle driving permit holder is convicted of an offence under section 52(10)(a) (for contravening section 52(7) or (8)) or an offence under section 52(10)(c);
 - (b) any condition of a ride-hailing vehicle driving permit has not been or is not being complied with; or
 - (c) any other provision of this Ordinance that applies to a holder of the permit has not been or is not being complied with.
- (2) The Commissioner may do one or more of the following—
 - (a) cancel the ride-hailing vehicle driving permit concerned;
 - (b) suspend the permit for a period of time the Commissioner considers appropriate;
 - (c) vary the permit in respect of—
 - (i) the validity period of the permit; or

- (ii) the conditions of the permit.
- (3) If the Commissioner decides to exercise any power under subsection (2), the Commissioner must give written notice of the decision and the reasons for the decision to the ride-hailing vehicle driving permit holder.
- (4) Subject to the ride-hailing regulation, the decision takes effect on the date following the end of the period of 21 days beginning on the date on which the notice is given under subsection (3).

55ZA. Ride-hailing vehicle driving permit to be cancelled or suspended under certain circumstances

- (1) If a ride-hailing vehicle driving permit holder's full driving licence to drive a private car or light goods vehicle is cancelled, the ride-hailing vehicle driving permit concerned is cancelled.
- (2) If a ride-hailing vehicle driving permit holder is disqualified from driving a taxi under this Ordinance or the Taxi-Driver-Offence Points Ordinance (Cap. 647) for a period, the ride-hailing vehicle driving permit concerned is to be suspended during that period.

Division 6—Miscellaneous

55ZB. Restrictions on transfer of licences and permits

- (1) A ride-hailing service licence must not be transferred without the approval of the Commissioner.
- (2) A ride-hailing vehicle permit or ride-hailing vehicle driving permit must not be transferred.

55ZC. Right to apply for review by Transport Tribunal

- (1) A person aggrieved by a specified decision may apply in writing to the Commissioner for a review of the decision by a Transport Tribunal.
- (2) The application must be made within 21 days beginning on the date on which the written notice of the specified decision is given to the aggrieved person.
- (3) In this section—
specified decision (指明決定) means a decision by the Commissioner—
 - (a) to refuse an application for a ride-hailing service licence under section 55I(1);
 - (b) to give a direction under section 55M(1);
 - (c) to impose a financial penalty under section 55O(1);
 - (d) to cancel, suspend or vary a ride-hailing service licence under section 55P(2)(a), (b) or (c);
 - (e) to refuse an application for a ride-hailing vehicle permit under section 55T(1);
 - (f) to cancel, suspend or vary a ride-hailing vehicle permit under section 55V(2)(a), (b) or (c);
 - (g) to refuse an application for a ride-hailing vehicle driving permit under section 55X(1); or
 - (h) to cancel, suspend or vary a ride-hailing vehicle driving permit under section 55Z(2)(a), (b) or (c).

55ZD. Regulation of ride-hailing service

- (1) The Secretary may make regulations to provide for the regulation of ride-hailing service, including—
 - (a) the regulation of ride-hailing platforms;
 - (b) the regulation of ride-hailing vehicles; and
 - (c) the regulation of drivers of ride-hailing vehicles.
- (2) In addition, a regulation made under subsection (1) may also provide for the regulation of any public vehicle passenger transport service that may be booked through a licensed platform.
- (3) Without limiting subsection (1)(a), a regulation made under subsection (1) may provide for—
 - (a) the powers of the Commissioner to—
 - (i) grant and refuse an application for a ride-hailing service licence;
 - (ii) grant and refuse an application for an extension of the validity period of a ride-hailing service licence;
 - (iii) impose restrictions on the change of ownership of a ride-hailing service licensee;
 - (iv) amend a ride-hailing service licence; and
 - (v) cancel, suspend and vary a ride-hailing service licence;
 - (b) the validity period of a ride-hailing service licence;
 - (c) the collection, transmission, storage and provision of the data, and the keeping of records, relating to the services provided through a licensed platform;

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- (d) the power of the Commissioner to exempt a ride-hailing service licensee from complying with a provision of this Ordinance that applies to a ride-hailing service licensee or licensed platform; and
 - (e) the procedures for giving a direction under section 55M and conducting an inquiry under section 55N.
- (4) Without limiting subsection (1)(b), a regulation made under subsection (1) may provide for—
- (a) the powers of the Commissioner to—
 - (i) grant and refuse an application for a ride-hailing vehicle permit;
 - (ii) renew and refuse to renew a ride-hailing vehicle permit;
 - (iii) amend a ride-hailing vehicle permit;
 - (iv) cancel, suspend and vary a ride-hailing vehicle permit;
 - (v) issue a certificate in respect of a ride-hailing vehicle (*ride-hailing vehicle certificate*), and cancel and suspend such a certificate; and
 - (vi) specify by notice published in the Gazette the position and manner in which a ride-hailing vehicle certificate is to be displayed;
 - (b) the validity period of a ride-hailing vehicle permit and a ride-hailing vehicle certificate; and
 - (c) the method of selection for the purposes of section 55T(2).
- (5) Without limiting subsection (1)(c), a regulation made under subsection (1) may provide for—

- (a) the powers of the Commissioner to—
 - (i) grant and refuse an application for a ride-hailing vehicle driving permit;
 - (ii) renew and refuse to renew a ride-hailing vehicle driving permit; and
 - (iii) cancel, suspend, withhold and vary a ride-hailing vehicle driving permit;
 - (b) the validity period of a ride-hailing vehicle driving permit;
 - (c) the physical fitness requirements applicable to any applicant for a ride-hailing vehicle driving permit or any ride-hailing vehicle driving permit holder; and
 - (d) the instruction and testing of applicants for ride-hailing vehicle driving permits or ride-hailing vehicle driving permit holders.
- (6) Without limiting subsection (1), a regulation made under that subsection may provide for—
- (a) the review by a Transport Tribunal of any decision made by the Commissioner under the regulation; and
 - (b) any other matters for carrying into effect the provisions of this Ordinance relating to the regulation of ride-hailing service.

55ZE. Fees

- (1) The ride-hailing regulation may—
- (a) prescribe the fees that may be charged for—
 - (i) the application for and the issue of ride-hailing service licences;

- (ii) the application for an extension of the validity period for such a licence;
 - (iii) the application for, and the issue and renewal of, ride-hailing vehicle permits, certificates in respect of ride-hailing vehicles and ride-hailing vehicle driving permits; and
 - (iv) any matter arising under the ride-hailing regulation; and
 - (b) authorize the Commissioner to waive, exempt, reduce or refund the whole or any part of such fees.
- (2) For the purposes of subsection (1)(a)—
 - (a) different fees may be prescribed for different types of licences, permits or certificates; and
 - (b) different fees may be prescribed for different circumstances.
- (3) A fee under subsection (1)(a) need not be limited by reference to the amount of administrative or other costs incurred or likely to be incurred by the Government for the purposes of this Ordinance.

55ZF. Regulation for related amendments consequent on enactment of Road Traffic (Amendment) (Ride-hailing Service) Ordinance 2025 (43 of 2025)

The Secretary may by regulation make related amendments to any enactment as are necessary consequent on the enactment of the Road Traffic (Amendment) (Ride-hailing Service) Ordinance 2025 (43 of 2025).”.

9. Section 63E amended (certificate of service)

Section 63E(1), after “or (6)”—

Add

“and for the purposes of Part 9C”.

10. Section 69 amended (disqualification on conviction of certain offences)

(1) Section 69(1)—

Repeal paragraph (a)

Substitute

“(a) an offence under this Ordinance (other than a specified offence) in connection with the driving of a motor vehicle;”.

(2) After section 69(1)—

Add

“(1A) However, if a person is convicted of a specified offence in connection with the driving of a motor vehicle, the court or magistrate before which the person is convicted must make an order that the person be disqualified for a period specified in subsection (1B), unless the court or magistrate for special reasons orders that the person be disqualified for a shorter period or that the person not be disqualified.

(1B) The period for which the person is to be disqualified is a period of not less than 12 months, but not more than 3 years, beginning on the date of the conviction.”.

(3) Section 69(2)(b), after “subsection (1)”—

Add

“or a specified offence described in subsection (1A)”.

(4) Section 69(2)(b), after “driving licence”—

Add

“or ride-hailing vehicle driving permit as defined by section 55A(1)”.

(5) After section 69(3)—

Add

“(4) In this section—

specified offence (指明罪行) means an offence under section 52(10)(c) for contravening section 52(3)(a).”.

11. Section 88B amended (examination of private cars before licensing)

After section 88B(4)—

Add

“(5) Before granting an application for a ride-hailing vehicle permit (as defined by section 55A(1)), or an application for the renewal of the permit, in respect of a private car, the Commissioner may, for the purpose of ascertaining whether the private car is roadworthy, require the registered owner to have the private car examined at a car testing centre.

(6) The Commissioner may exercise the power under subsection (5) in relation to—

- (a) any class or description of private cars; or
- (b) a particular private car.”.

12. Part 9C added

After Part 9B—

Add

“Part 9C

Suspension of Licences of Motor Vehicles before Conviction in Certain Circumstances

Division 1—Interpretation

88R. Interpretation of Part 9C

In this Part—

hearing (聆訊)—

- (a) means a hearing mentioned in section 88Y(1)(a);
and
- (b) includes a hearing adjourned under section 88ZC(2)(a);

prosecution deadline (檢控期限), in relation to an offence, means the time when the period within which criminal proceedings may be instituted for the offence ends;

section 88S notice (第88S條通知書) means a notice given under section 88S(1);

section 88T notice (第88T條通知書) means a notice served under section 88T(1);

section 88X application (第88X條申請) means an application made under section 88X(1);

section 88ZA order (第88ZA條命令) means an order made under section 88ZA(1);

specified offence (指明罪行) means an offence under section 52(10)(c) for contravening section 52(3)(a);

suspension period (暫時吊銷期) means the period specified in section 88ZF(1).

Division 2—Power of Commissioner to Suspend Licences of Motor Vehicles and Related Matters

88S. Commissioner of Police’s notice to Commissioner

- (1) The Commissioner of Police may, in the circumstances set out in subsection (3), give a notice to the Commissioner notifying the Commissioner of the circumstances.
- (2) The notice must be accompanied by evidence in support of the circumstances set out in the notice.
- (3) The circumstances are that—
 - (a) a specified offence is suspected to have been committed in respect of a motor vehicle on a date that is on or after the date on which this Part comes into operation and at a particular time and place (*suspected offence*);
 - (b) a demand has been made to the registered owner of the motor vehicle under section 63(2)(a) in respect of the suspected offence; and
 - (c) after the end of the period of 60 days beginning on the date on which the notice of the demand is served on the registered owner under section 63A(1) or (3), the Commissioner of Police has reasonable cause to believe that the driver of the motor vehicle at the material time of the suspected offence cannot be identified for the purpose of instituting criminal proceedings against the driver for the suspected offence (whether or not because of a failure of the registered owner to comply with the demand).
- (4) For the purposes of subsection (3)(c), if the notice of the demand is served on the registered owner as

described in that subsection more than once on different dates, the notice is taken to have been served on the registered owner on the earliest of those dates.

(5) In subsection (3)(c)—

material time (關鍵時間), in relation to a suspected offence, means the date on which and the time at which the offence is suspected to have been committed.

88T. Commissioner to serve notice for suspension of vehicle licence and delivery of motor vehicle

(1) The Commissioner must, after receiving a section 88S notice in respect of a motor vehicle, serve a notice (**relevant notice**) on the registered owner of the motor vehicle—

(a) directing that—

(i) the vehicle licence of the motor vehicle is to be suspended under section 88U(2) for the suspension period beginning on the date specified in the relevant notice (**specified date**); and

(ii) the registered owner is to deliver the motor vehicle into the custody of the Commissioner on the specified date and at the time and place specified in the relevant notice; and

(b) informing the registered owner that the registered owner may make an objection to the direction in accordance with subsection (5).

- (2) However, the relevant notice may only be served before the prosecution deadline for the suspected offence set out in the section 88S notice.
- (3) The relevant notice—
 - (a) must be dated;
 - (b) must state that the Commissioner has received a section 88S notice in respect of the motor vehicle; and
 - (c) must specify the registration mark of the motor vehicle.
- (4) The relevant notice must be served together with—
 - (a) a copy of the section 88S notice; and
 - (b) a copy of the evidence accompanying the section 88S notice.
- (5) The objection—
 - (a) must be in writing;
 - (b) must be given to the Commissioner within 30 days after the date of the relevant notice; and
 - (c) must state the grounds for the objection.
- (6) If the registered owner makes an objection to the direction in accordance with subsection (5), the direction ceases to have effect.
- (7) The specified date must be a date later than 30 days after the date of the relevant notice.
- (8) The Commissioner may, by another notice served on the registered owner, do one or both of the following—
 - (a) change the specified date to a later date;

- (b) change the time or place for the delivery of the motor vehicle into the custody of the Commissioner.

88U. Commissioner to suspend vehicle licence if registered owner does not make objection in accordance with section 88T(5)

- (1) Subsection (2) applies if the registered owner of a motor vehicle who is served with a section 88T notice in respect of the motor vehicle does not make an objection to the direction concerned in accordance with section 88T(5).
- (2) The Commissioner must suspend the vehicle licence of the motor vehicle for the suspension period beginning on—
 - (a) the date specified in the notice under section 88T(1)(a)(i); or
 - (b) if the date described in paragraph (a) is changed to a later date under section 88T(8)(a)—the later date.

88V. Commissioner to provide registered owner's objection etc. to Commissioner of Police

- (1) Subsection (2) applies if the registered owner of a motor vehicle who is served with a section 88T notice in respect of the motor vehicle makes an objection to the direction concerned in accordance with section 88T(5).
- (2) The Commissioner must, as soon as reasonably practicable after receiving the objection, provide the Commissioner of Police with a copy of the notice and a copy of the objection.

88W. Cancellation of notices

- (1) The Commissioner may, before the date specified in subsection (2), cancel one or both of the following notices—
 - (a) a section 88T notice;
 - (b) a notice served under section 88T(8).
- (2) The date is—
 - (a) the date specified in the section 88T notice under section 88T(1)(a)(i); or
 - (b) if the date described in paragraph (a) is changed to a later date under section 88T(8)(a)—the later date.
- (3) If the Commissioner cancels a notice under subsection (1), the Commissioner must, by notice served on the registered owner concerned, notify the registered owner of the cancellation.

Division 3—Application to Magistrate and Related Matters

88X. Application for suspension of vehicle licence

- (1) The Commissioner of Police may, within 30 days after receiving a copy of the objection of the registered owner of a motor vehicle that is mentioned in section 88V(2), apply to a magistrate for an order to suspend the vehicle licence of the motor vehicle under section 88ZA(1).
- (2) An application made under subsection (1)—
 - (a) must specify—

- (i) the name and address of the registered owner;
 - (ii) the registration mark of the motor vehicle; and
 - (iii) the suspected offence in respect of the motor vehicle as set out in the section 88S notice concerned; and
- (b) must be accompanied by—
- (i) evidence in support of the application;
 - (ii) a copy of the section 88S notice;
 - (iii) a copy of the section 88T notice in respect of the motor vehicle that is served on the registered owner as a result of the section 88S notice; and
 - (iv) a copy of the objection.

88Y. Service of summons etc. of section 88X application

- (1) A magistrate must, after receiving a section 88X application—
 - (a) issue a summons to the registered owner of the motor vehicle in respect of which the application is made to appear at the hearing of the application on the date and at the time and place specified in the summons; and
 - (b) provide the summons to the Commissioner of Police for the purposes of subsection (2).
- (2) The summons is to be served on the registered owner by a police officer.
- (3) The summons must be served together with—
 - (a) a copy of the application; and

- (b) a copy of the evidence in support of the application.
- (4) The summons and the copies mentioned in subsection (3) may be served on the registered owner—
 - (a) in person;
 - (b) by leaving them with another person for the registered owner at the registered owner's last or most usual place of residence; or
 - (c) by sending them by ordinary post to the registered owner's residential or business address.
- (5) A certificate of service in the form specified under subsection (8) purporting to be signed by or for the Commissioner of Police is admissible in evidence without further proof on its production.
- (6) The certificate may state the following matters—
 - (a) the summons and the copies mentioned in subsection (3) have been served on the registered owner in person;
 - (b) the summons and copies have been left with another person for the registered owner at the registered owner's last or most usual place of residence; or
 - (c) the summons and copies have been sent by ordinary post to the registered owner's residential or business address.
- (7) Unless the contrary is proved—
 - (a) it is presumed that the certificate is signed by or for the Commissioner of Police; and

- (b) the certificate is evidence of the facts stated in it.
- (8) The Commissioner of Police may, by notice published in the Gazette, specify the form of the certificate.
- (9) A notice published under subsection (8) is not subsidiary legislation.

88Z. How registered owner may show cause why order should not be made

- (1) This section applies if a section 88X application is made in respect of a motor vehicle.
- (2) The copy of the objection of the registered owner of the motor vehicle accompanying the application is to be regarded as written representations made by the registered owner to a magistrate to show cause why the order sought in the application should not be made.
- (3) In addition, the registered owner may do one or both of the following to show cause why the order should not be made—
 - (a) make further written representations to a magistrate before the hearing of the application;
 - (b) appear at the hearing (whether in person or by counsel or solicitor).

Division 4—Magistrate’s Determination, Magistrate’s Powers and Notice for Section 88ZA Order

88ZA. Magistrate’s determination on hearing section 88X application

- (1) If, on the hearing of a section 88X application in respect of a motor vehicle, the conditions specified in subsection (3) are met, a magistrate may make an order that the vehicle licence of the motor vehicle be suspended by the Commissioner for the suspension period.
- (2) Before determining whether to make an order under subsection (1) in respect of a motor vehicle, the magistrate must have regard to—
 - (a) any evidence received by the magistrate that the magistrate considers relevant to the hearing;
 - (b) any representations made by or on behalf of the registered owner of the motor vehicle, whether orally or in writing; and
 - (c) any representations made by or on behalf of the Commissioner of Police, whether orally or in writing.
- (3) The conditions specified for subsection (1) are that—
 - (a) the magistrate is satisfied that the suspected offence specified in the application has been committed in respect of the motor vehicle;
 - (b) the magistrate is also satisfied that the registered owner fails to show cause why an order should not be made under subsection (1) in respect of the motor vehicle; and

- (c) the magistrate, having regard to the circumstances of the case, considers it appropriate to make the order in respect of the motor vehicle.
- (4) The standard of proof on a section 88X application is the standard of proof applicable to civil proceedings in a court of law.
- (5) An order made under subsection (1) must—
 - (a) specify the registration mark of the motor vehicle; and
 - (b) direct that—
 - (i) the period for which the vehicle licence of the motor vehicle is to be suspended is to begin on the date to be specified by the Commissioner under section 88ZE(2)(b); and
 - (ii) the registered owner is to deliver the motor vehicle into the custody of the Commissioner on the date and at the time and place to be specified by the Commissioner under section 88ZE(2)(c).
- (6) The Commissioner of Police must—
 - (a) notify the Commissioner of the determination of the magistrate as to whether an order is made under subsection (1) in respect of the motor vehicle; and
 - (b) if an order is made under subsection (1)—provide the Commissioner with a copy of the order.

88ZB. What if registered owner does not appear at hearing

- (1) Subsection (2) applies if the registered owner of the motor vehicle in respect of which a section 88X application is made does not appear at the hearing of the application (whether in person or by counsel or solicitor).
- (2) The magistrate before whom the application is heard may consider the application at the hearing in the absence of the registered owner.

88ZC. Other powers of magistrate in relation to section 88X application

- (1) Subject to other provisions of this Part, for securing the attendance of witnesses and generally for conducting the proceedings for a section 88X application, a magistrate has all the powers of a magistrate hearing a complaint under the Magistrates Ordinance (Cap. 227).
- (2) Also, in the proceedings for a section 88X application, the magistrate before whom the application is heard—
 - (a) may adjourn the hearing of the application to a date, time and place that the magistrate considers appropriate;
 - (b) may give any direction that the magistrate considers necessary for the further conduct of the proceedings; and
 - (c) may make any order as to costs that the magistrate considers appropriate.

88ZD. Review and appeal of magistrate's determination

For the purposes of a review or appeal against a magistrate's determination in proceedings under this Part, section 104 of the Magistrates Ordinance (Cap. 227) and Part VII of that Ordinance apply as if the proceedings were proceedings that a magistrate has power to determine in a summary way.

88ZE. Commissioner to serve notice for suspension of vehicle licence and delivery of motor vehicle for section 88ZA order

- (1) Within 14 days after the date on which a determination to make a section 88ZA order in respect of a motor vehicle becomes final, the Commissioner must serve a notice, together with a copy of the order, on the registered owner of the motor vehicle.
- (2) The notice under subsection (1) must state—
 - (a) the registration mark of the motor vehicle in respect of which the order is made;
 - (b) the date on which the suspension period of the vehicle licence of the motor vehicle under the order begins; and
 - (c) the date on which, the time at which and the place to which the motor vehicle is to be delivered into the custody of the Commissioner for the purposes of the order.
- (3) For the purposes of subsection (1), a determination to make a section 88ZA order becomes final—
 - (a) if not appealed against—at the end of the period for bringing an appeal; or

- (b) if appealed against—when the appeal or further appeal is finally disposed of.
- (4) For the purposes of subsection (3)(b), an appeal is finally disposed of—
 - (a) if it is determined and the period for bringing any further appeal has ended; or
 - (b) if it is abandoned or otherwise ceases to have effect.
- (5) In this section—
 - (a) a reference to an appeal includes a review under section 104 of the Magistrates Ordinance (Cap. 227); and
 - (b) a reference to bringing an appeal includes an application for leave to appeal.

Division 5—Suspension of Vehicle Licences and Seizure etc. of Motor Vehicles

88ZF. Period of suspension of vehicle licence

- (1) The period specified for the purposes of sections 88U(2) and 88ZA(1) is 6 months.
- (2) The Chief Executive in Council may, by notice published in the Gazette, amend the period specified in subsection (1).

88ZG. Commissioner to keep record of suspension of vehicle licences

The Commissioner must keep a record of every suspension of a vehicle licence under section 88U(2) or a section 88ZA order in the form as the Commissioner considers appropriate.

88ZH. Seizure, removal, forfeiture and disposal of motor vehicle

- (1) If the vehicle licence of a motor vehicle is suspended under section 88U(2), sections 94, 95 and 96 apply with the following modifications—
 - (a) in section 94(1)—
 - (i) “section 88T(1) (or, if applicable, a notice served under section 88T(8))” is substituted for “section 93”; and
 - (ii) “section 95 (as modified by section 88ZH(1))” is substituted for “section 95”;
 - (b) in sections 95(1) and 96(1)(a), “section 88T(1) (or, if applicable, a notice served under section 88T(8))” is substituted for “section 93”;
 - (c) in section 96(1)(b), “section 95 (as modified by section 88ZH(1))” is substituted for “section 95”; and
 - (d) in section 96(2)(b)(ii) and (3)—
 - (i) “section 94 (as modified by section 88ZH(1))” is substituted for “section 94”; and
 - (ii) “section 95 (as modified by section 88ZH(1))” is substituted for “section 95”.
- (2) If a notice is served on the registered owner of a motor vehicle under section 88ZE(1), sections 95 and 96 apply with the following modifications—
 - (a) in sections 95(1) and 96(1)(a), “section 88ZE(1)” is substituted for “section 93”;
 - (b) in section 96(1)(b), “section 95 (as modified by section 88ZH(2))” is substituted for “section 95”;

- (c) the following provision is substituted for section 96(2)(b)(ii)—
 - “(ii) if the motor vehicle was seized by a police officer under section 95 (as modified by section 88ZH(2))—pays to the Commissioner the removal charge specified in Schedule 5; and”;
- (d) the following provision is substituted for section 96(3)—
 - “(3) If, within 30 days after the expiry of the period of suspension of the vehicle licence, the registered owner—
 - (a) claims the motor vehicle; and
 - (b) if the motor vehicle was seized by a police officer under section 95 (as modified by section 88ZH(2))—pays to the Commissioner the removal charge specified in Schedule 5,the Commissioner must return the motor vehicle to the registered owner.”.

Division 6—Miscellaneous Provisions

88ZI. Record and certificate of suspected offences

- (1) The Commissioner must keep a record of the registration mark of every motor vehicle in respect of which a specified offence is suspected to have been committed.
- (2) The Commissioner must, on an application made in the manner specified by the Commissioner, issue a certificate stating whether or not at the time of the issue of the certificate, any specified offence is,

according to the record maintained under subsection (1), suspected to have been committed in respect of the motor vehicle bearing the registration mark specified in the application.

- (3) A certificate issued under subsection (2) is valid for 72 hours from the time of issue.

88ZJ. Commissioner of Police to supply information for record

For the purposes of section 88ZI, the Commissioner of Police must notify the Commissioner of every specified offence suspected to have been committed.

88ZK. Removal of registration mark from record

- (1) If the registration mark of a motor vehicle is recorded under section 88ZI because of a specified offence that is suspected to have been committed in respect of the motor vehicle, the Commissioner must immediately remove from the record the registration mark when the earliest of the following events occurs—
 - (a) no section 88S notice is given in respect of the motor vehicle because of the specified offence before the prosecution deadline for the offence;
 - (b) no section 88T notice in respect of the motor vehicle is served because of the specified offence before the prosecution deadline for the offence;
 - (c) a section 88T notice served in respect of the motor vehicle because of the specified offence is cancelled under section 88W(1);

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- (d) no section 88X application is made in respect of the motor vehicle because of the specified offence before the end of the period described in section 88X(1);
 - (e) a section 88X application made in respect of the motor vehicle because of the specified offence (*relevant application*) is withdrawn;
 - (f) a determination to refuse to make a section 88ZA order as a result of the relevant application becomes final;
 - (g) a determination to make a section 88ZA order as a result of the relevant application is overturned on appeal and the appeal is finally disposed of.
- (2) For the purposes of subsection (1)(f), a determination to refuse to make a section 88ZA order becomes final—
- (a) if not appealed against—at the end of the period for bringing an appeal; or
 - (b) if appealed against—when the appeal or further appeal is finally disposed of.
- (3) For the purposes of subsections (1)(g) and (2)(b), an appeal is finally disposed of—
- (a) if it is determined and the period for bringing any further appeal has ended; or
 - (b) if it is abandoned or otherwise ceases to have effect.
- (4) In this section—
- (a) a reference to an appeal includes a review under section 104 of the Magistrates Ordinance (Cap. 227); and

- (b) a reference to bringing an appeal includes an application for leave to appeal.

88ZL. Application of Divisions 2 to 5

- (1) Divisions 2, 3, 4 and 5 cease to apply, or do not apply, if—
 - (a) a motor vehicle is sold or otherwise disposed of; and
 - (b) the new registered owner of the motor vehicle is, at the time of delivery of the notice of transfer of ownership in accordance with the regulations, in possession of a valid certificate issued by the Commissioner under section 88ZI to the effect that at the time of issue, no specified offence is suspected to have been committed in respect of the motor vehicle.
- (2) Subject to subsection (1), Divisions 2, 3, 4 and 5 apply despite that a transfer of the ownership of a motor vehicle has been registered by the Commissioner after a specified offence is suspected to have been committed in respect of the motor vehicle.

88ZM. Service of documents etc. by Commissioner

A document or a copy of evidence required under this Part to be served by the Commissioner on the registered owner of a motor vehicle may be served on the registered owner—

- (a) in person; or

- (b) by sending the document or copy by registered post to the registered owner at the address shown in the register of motor vehicles maintained by the Commissioner under this Ordinance.

Division 7—Operation of this Part etc. not Affected by Criminal Proceedings

88ZN. Operation of this Part etc. not affected by criminal proceedings

- (1) Subsection (2) applies if a section 88S notice is given in respect of a motor vehicle because of a specified offence that is suspected to have been committed in respect of the motor vehicle on a particular date and at a particular time and place.
- (2) Even if criminal proceedings are instituted against the driver of the motor vehicle for a specified offence committed in respect of the motor vehicle on the particular date and at the particular time and place, any of the following is not affected—
 - (a) the operation of other provisions of this Part in relation to the motor vehicle as a result of the section 88S notice;
 - (b) any proceedings arising out of or relating to the operation of any of those provisions.”.

13. Part 10 heading amended (suspension of licences of motor vehicles)

Part 10, heading—

Repeal

“Licences of Motor Vehicles”

Substitute

“Licences of Motor Vehicles on Conviction”.

14. Section 93 amended (suspension of vehicle licence and delivery of vehicle into custody of Commissioner)

After section 93(2)—

Add

“(2A) Subsections (1) and (2) are subject to sections 102AA(3) and 102AAB(3).”.

15. Section 95 amended (seizure and removal of vehicle)

(1) Section 95(2)—

Repeal

“under section 93”.

(2) Section 95(3)—

Repeal

“under section 93”.

16. Sections 102AA and 102AAB added

Part 10, after section 102—

Add

“102AA. Effect of suspension under section 88U on operation of this Part

(1) This section applies if—

- (a) a notice is served on the registered owner of a motor vehicle under section 88T(1) because of an offence under section 52(10)(c) for contravening section 52(3)(a) (*specified offence*) that is suspected to have been committed in respect of the motor vehicle on a particular date and at a particular time and place;
 - (b) the vehicle licence of the motor vehicle is suspended under section 88U(2); and
 - (c) the driver of the motor vehicle is convicted of a specified offence committed in respect of the motor vehicle on the particular date and at the particular time and place.
- (2) If the conviction is the first conviction of a specified offence in respect of the motor vehicle, sections 90, 91, 92, 93, 94, 95 and 96 do not apply in relation to the conviction.
 - (3) If the conviction is a subsequent conviction of a specified offence in respect of the motor vehicle, the period of suspension of the vehicle licence of the motor vehicle under section 93(1) or (2) must be reduced by the period of suspension of the vehicle licence under section 88U(2).

102AAB. Effect of order under section 88ZA on operation of this Part

- (1) This section applies if—
 - (a) an application is made under section 88X(1) because of an offence under section 52(10)(c) for contravening section 52(3)(a) (*specified offence*) that is suspected to have been committed in respect of a motor vehicle on a

- particular date and at a particular time and place;
- (b) an order is made under section 88ZA(1) in respect of the motor vehicle after the hearing of the application;
 - (c) a notice in respect of the order has been served on the registered owner of the motor vehicle under section 88ZE(1); and
 - (d) the driver of the motor vehicle is convicted of a specified offence committed in respect of the motor vehicle on the particular date and at the particular time and place.
- (2) If the conviction is the first conviction of a specified offence in respect of the motor vehicle, sections 90, 91, 92, 93, 94, 95 and 96 do not apply in relation to the conviction.
- (3) If the conviction is a subsequent conviction of a specified offence in respect of the motor vehicle, the period of suspension of the vehicle licence of the motor vehicle under section 93(1) or (2) must be reduced by the period of suspension of the vehicle licence under the order.”.

17. Section 102I amended (Commissioner may designate pre-service training schools)

- (1) Section 102I(3)(b)(i) and (ii)—

Repeal

“or taxis”

Substitute

“, taxis or ride-hailing vehicles”.

- (2) Section 102I(3)(b)(iii)—

Repeal

“; and”

Substitute a semicolon.

- (3) After section 102I(3)(b)(iii)—

Add

“(iia) to a ride-hailing vehicle driving permit holder as defined by section 55A(1); and”.

18. Schedule 5 amended (removal and storage charges)

Schedule 5—

Repeal

“[ss. 96,”

Substitute

“[ss. 88ZH, 96,”.

Part 3

Related Amendments

Division 1—Dangerous Goods (Control) Regulation (Cap. 295 sub. leg. G)

19. **Section 81 amended (Class 1 SIDG not permitted in public transport carrier)**

Section 81(3), definition of *public transport carrier*—

Repeal

“public bus, public light bus, taxi”

Substitute

“public service vehicle within the meaning of section 2C(1)(a) or (c) of the Road Traffic Ordinance (Cap. 374)”.

Division 2—Waste Disposal Ordinance (Cap. 354)

20. **Section 16A amended (prohibition of unlawful depositing of waste)**

Section 16A(6)—

Repeal

“public bus, public light bus, taxi”

Substitute

“public service vehicle within the meaning of section 2C(1)(a) or (c) of the Road Traffic Ordinance (Cap. 374)”.

Division 3—Smoking (Public Health) Ordinance (Cap. 371)

21. Section 2 amended (interpretation)

Section 2(1), definition of *public transport carrier*, after “taxi,”—

Add

“ride-hailing vehicle.”.

22. Schedule 1 amended (public transport carriers where smoking is prohibited)

Schedule 1, after item 4—

Add

“4A. A ride-hailing vehicle (as defined by section 55A(1) of the Road Traffic Ordinance (Cap. 374)) that is in the course of providing ride-hailing passenger transport service within the meaning of section 2C(2) of that Ordinance.”.

Division 4—Road Traffic (Driving-offence Points) Ordinance (Cap. 375)

23. Section 8 amended (disqualification)

Section 8(7), before “international”—

Add

“ride-hailing vehicle driving permit (as defined by section 55A(1) of the Road Traffic Ordinance (Cap. 374)),”.

**Division 5—Entertainment Special Effects (General)
Regulation (Cap. 560 sub. leg. A)**

24. Section 26 amended (pyrotechnic special effects materials not permitted in public vehicles, etc.)

Section 26—

Repeal

“taxi”

Substitute

“public service vehicle within the meaning of section 2C(1)(a) or (c) of the Road Traffic Ordinance (Cap. 374)”.