

**L.N. 196 of 2025**

**Road Traffic (Traffic Control) (Amendment) (No. 2)  
Regulation 2025**

(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 25 January 2026.

**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, 4 and 5.

**3. Regulation 42 amended (general driving rules)**

(1) Regulation 42(1)(f)—

**Repeal**

“he”

**Substitute**

“the driver”.

(2) Regulation 42(1)(g)—

**Repeal**

“him”

**Substitute**

“the driver”.

(3) Regulation 42(1)(g)(i)—

**Repeal**

“telephone while holding it in his hand or between his”

**Substitute**

“telecommunications device while holding it in the driver’s hand or between the driver’s”.

- (4) Regulation 42(1)(g)(ii)—

**Repeal**

“other telecommunications equipment while holding it in his”

**Substitute**

“regulated telecommunications equipment while holding it in the driver’s”.

- (5) Regulation 42(1)(g)(iii)—

**Repeal**

“his”

**Substitute**

“the driver’s”.

- (6) Regulation 42(1)(g)(iii)(A)—

**Repeal**

“telephone”

**Substitute**

“telecommunications device”.

- (7) Regulation 42(1)(g)(iii)(B)—

**Repeal**

“other”

**Substitute**

“regulated”.

- (8) Regulation 42(1A)—

**Repeal**

“telephone”

**Substitute**

“telecommunications device”.

- (9) Regulation 42(1A)—

**Repeal**

“other”

**Substitute**

“regulated”.

- (10) Regulation 42(2), definition of *accessory*—

**Repeal**

“means, in relation to a mobile telephone or any other telecommunications equipment,”

**Substitute**

“, in relation to a mobile telecommunications device or any regulated telecommunications equipment, means”.

- (11) Regulation 42(2), definition of *accessory*, paragraph (a)—

**Repeal**

“mobile telephone or other telecommunications”

**Substitute**

“device or”.

- (12) Regulation 42(2), definition of *accessory*, paragraph (b)—

**Repeal**

everything after “to the”

**Substitute**

“device or equipment in order to facilitate the use of the device or equipment;”.

(13) Regulation 42(2)—

**Repeal the definition of *telecommunications equipment*.**

(14) Regulation 42(2)—

**Add in alphabetical order**

***“mobile telecommunications device*** (流動電訊裝置) has the meaning given by regulation 42B(9);

***regulated telecommunications equipment*** (受規管電訊設備)—

- (a) means any equipment, apparatus or device (whether or not installed on a motor vehicle) that is designed to be, or is capable of being, used to communicate with any person orally by means of radio waves or other electromagnetic means; but
- (b) does not include a mobile telecommunications device.”.

#### **4. Regulation 42B added**

After regulation 42A—

**Add**

##### **“42B. Mobile telecommunications devices on motor vehicles being driven**

- (1) This regulation applies in relation to a mobile telecommunications device that is placed on a motor vehicle in such a way that it can be readily removed from the motor vehicle.
- (2) A person must not drive the motor vehicle if—
  - (a) a mobile telecommunications device is placed on the motor vehicle—

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- (i) for a motor cycle or motor tricycle—at any spot that is forward of the back of the driver; or
    - (ii) for any other motor vehicle—at any spot in the motor vehicle that is forward of a virtual straight line drawn from, and parallel to, the bottom of the back of the driving seat;
  - (b) the device is not one that is being used only by any passenger of the motor vehicle; and
  - (c) subject to subregulations (7) and (8), a screen of the device is visible to the driver.
- (3) However, subregulation (2) does not prohibit a person from driving the motor vehicle if on the motor vehicle—
- (a) there is only 1 mobile telecommunications device that falls within the descriptions of paragraphs (a), (b) and (c) of that subregulation and it is an exempted device; or
  - (b) there are only 2 mobile telecommunications devices that fall within those descriptions and each of them is an exempted device.
- (4) For the purposes of subregulation (3), a mobile telecommunications device is an exempted device if—
- (a) no screen of the device that is visible to the driver has a diagonal length of more than 19 centimetres; and
  - (b) the device does not obstruct the driver's view of all of the following while in the driving seat—
    - (i) the road and traffic; and

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- (ii) any mirror, device or monitor unit fitted to the motor vehicle under Cap. 374A for indirect vision to the road and traffic.
- (5) For a mobile telecommunications device with 2 or more screens that is, according to the design of the device, capable of being folded or bent, the following applies to measurement for the purposes of subregulation (4)(a)—
  - (a) if 2 or more of those screens are, according to that design, capable of displaying continuous visual content together, they are to be regarded as 1 screen; or
  - (b) if, when the device is folded or bent, not all of the screens of the device are, according to that design, capable of displaying continuous visual content together, only the screens that are so capable are to be regarded as 1 screen.
- (6) For a mobile telecommunications device a screen of which is, according to the design of the device, capable of being folded or bent, if only a part of the screen is, according to that design, capable of displaying continuous visual content when the screen is folded or bent, that part of the screen is, for measurement for the purposes of subregulation (4)(a), to be regarded as 1 screen.
- (7) For a mobile telecommunications device with 2 or more screens that is, according to the design of the device, capable of being folded or bent—
  - (a) if not all of those screens are, according to that design, capable of displaying visual content when the device is folded or bent; and

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(b) every screen that is so capable is not visible to the driver,

the device does not fall within the description of subregulation (2)(c).

(8) For a mobile telecommunications device a screen of which is, according to the design of the device, capable of being folded or bent—

(a) if a part of the screen is, according to that design, incapable of displaying visual content when the screen is folded or bent, and only that part of the screen is visible to the driver; and

(b) in the circumstance, the device has no other screen that is, according to that design, capable of displaying visual content and visible to the driver,

the device does not fall within the description of subregulation (2)(c).

(9) In this regulation—

**Cap. 374A** (《第374A章》) means the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A);

**mobile telecommunications device** (流動電訊裝置)—

(a) means a mobile telephone, a tablet computer or a laptop computer; but

(b) does not include a device that is regulated under Cap. 374A;

(10) For the purposes of this regulation—

- (a) a reference to a mobile telecommunications device that is placed on a motor vehicle includes a mobile telecommunications device that is placed on any part of the body of a person on the motor vehicle; and
- (b) if a screen of a mobile telecommunications device is wholly or partly visible to a driver (whether directly or in any reflection) while the driver is in the driving seat, the screen is to be regarded as visible to the driver.”.

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

Regulation 61(2), after “42A,”—

**Add**

“42B,”.

Mable CHAN  
Secretary for Transport and  
Logistics

2 September 2025

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### Explanatory Note

This Regulation adds a new regulation 42B to the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) (*principal Regulations*) and amends regulations 42 and 61 of the principal Regulations.

2. The main amendments to regulation 42 of the principal Regulations are the repeal of the definition of *telecommunications equipment* and the addition of the new definitions of *mobile telecommunications device* and *regulated telecommunications equipment*. Technical amendments are also made to that regulation.
3. The new regulation 42B of the principal Regulations regulates the placing, size, number and use of mobile telecommunications devices (as defined by subregulation (9) of that regulation) on motor vehicles being driven.
4. Regulation 61(2) of the principal Regulations is amended to create an offence for contravention of the new regulation 42B.