

LEGISLATIVE COUNCIL BRIEF

Road Traffic Ordinance (Chapter 374)

**ROAD TRAFFIC (SAFETY EQUIPMENT) (AMENDMENT)
REGULATION 2026**

INTRODUCTION

The Secretary for Transport and Logistics has made the Road Traffic (Safety Equipment) (Amendment) Regulation 2026 (“Cap. 374F Amendment Regulation”) (at Annex) under section 10 of the Road Traffic Ordinance (Cap. 374) to repeal the provision added by the Road Traffic (Safety Equipment) (Amendment) Regulation 2025 (“Regulation”) to the Road Traffic (Safety Equipment) Regulations (Chapter 374F) relating to the requirement for passengers to wear seat belts on buses.

JUSTIFICATIONS

2. The legislative intent of the Regulation was to extend the statutory requirement for the wearing of seat belts to cover the seats of all vehicles (including all franchised and non-franchised buses), regardless of the date of first registration of buses, thereby reducing the risk of passengers suffering from serious injuries or death in traffic accidents, providing better protection for passengers.

3. Recently, having consulted the Department of Justice, it is considered that there are technical deficiencies in the legal provision relating to the requirement for passengers to wear seat belts on franchised and non-franchised buses (i.e. Regulation 8D). The provision cannot fully reflect the legislative intent mentioned above. Therefore, the

Transport and Logistics Bureau announced on 30 January 2026 to promptly repeal the relevant provision (i.e. Regulation 8D) of the Road Traffic (Safety Equipment) Regulations (Chapter 374F) and to make consequential amendments by way of publishing in the Gazette as subsidiary legislation. Upon repealing and amending the relevant provisions, there is no longer any statutory requirement for passengers to wear seat belts on franchised or non-franchised buses.

4. We have noticed, in recent days, different opinions regarding the implementation of the seat belt wearing requirement on both franchised and non-franchised buses. The Government's policy objective is to safeguard passenger safety through the proper use of seat belts. As the next step, we will undertake a renewed review of the arrangements for wearing seat belts on buses and initiate a public consultation to solicit broad input from the community. Concurrently, we will engage subject-matter experts to examine the design, installation and effectiveness of seat belt arrangements, and formulate recommendations on the directions and specifics of implementation. Meanwhile, we will continue to enhance publicity and education efforts to encourage the voluntary practice of wearing seat belts on buses.

CAP. 374F AMENDMENT REGULATION

5. The Cap. 374F Amendment Regulation aims to amend the Road Traffic (Safety Equipment) Regulations (Chapter 374F) to –

- (a) repeal Regulation 8D to remove the requirement for passengers to wear seat belts on passenger's seats of buses (if fitted); and
- (b) repeal references to Regulation 8D in other provisions.

LEGISLATIVE TIMETABLE

6. The legislative timetable is as follows –

Publication in the Gazette	6 February 2026
Tabling at LegCo for negative vetting	25 February 2026

COMMENCEMENT

7. The commencement date for the Cap. 374F Amendment Regulation is set as 6 February 2026 on which it is published in the Gazette.

IMPLICATIONS OF THE CAP. 374F AMENDMENT REGULATION

8. Cap. 374F Amendment Regulation has no economic, civil service, productivity, environmental, sustainability, and gender or family implications. Cap. 374F Amendment Regulation is in conformity with the Basic Law, including the provisions concerning human rights, and does not affect the current binding effect of the Road Traffic Ordinance and its subsidiary legislation. The statutory requirement for the wearing of seat belts on other types of vehicles (including private cars, taxis, goods vehicles, light buses¹, special purpose vehicles, student service vehicles²) other than franchised and non-franchised buses remains in effect. Furthermore, the requirement of fitting seat belts for passenger seats on franchised and non-franchised buses is provided for under a separate regulation (i.e. Regulation 8AB). Such a requirement is not affected by the Cap. 374F Amendment Regulation and remains applicable to every bus

¹ According to the Road Traffic Ordinance (Chapter 374), light buses are defined as a motor vehicle constructed or adapted for use solely for the carriage of a driver and not more than 19 passengers and their personal effects, but does not include an invalid carriage, motor cycle, motor tricycle, private car or taxi.

² According to the Road Traffic Ordinance (Chapter 374), buses are defined as a motor vehicle constructed or adapted for the carriage of a driver and more than 19 passengers and their personal effects. When the non-franchised buses are used for student services, passengers must wear seat belts in accordance with Regulation 8G of the Road Traffic (Safety Equipment) Regulations (Chapter 374F).

first registered on or after 25 January 2026.

PUBLIC CONSULTATION

9. The Government has taken into account the views of society on the scope of application of the Regulation since its commencement in proposing the legislative amendments outlined above.

PUBLICITY

10. A spokesperson will be available to respond to media enquiries.

ENQUIRIES

11. 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
February 2026**

Road Traffic (Safety Equipment) (Amendment) Regulation 2026

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

1. Road Traffic (Safety Equipment) Regulations amended

The Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) are amended as set out in sections 2, 3 and 4.

Secretary for Transport and Logistics

2026

2. Regulation 8D repealed (passengers required to wear seat belts)

Regulation 8D—

Repeal the regulation.

3. Regulation 10 amended (power of Commissioner to exempt persons from regulation 3, 7, 7A, 7B, 8B, 8D or 8G)

(1) Regulation 10, heading—

Repeal

“, 8D”.

(2) Regulation 10—

Repeal

“, 8D”.

4. Regulation 12 amended (offences)

Regulation 12(1)—

Repeal

“, 8D”.

Explanatory Note

This Regulation amends the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) to repeal the requirement for the wearing of seat belts in respect of passenger's seats of buses.