

Proposed Amendments to the Road Traffic (Construction & Maintenance of Vehicles) Regulations (Cap. 374 sub.leg.A)

WTO Notification Document

Proposed amendments in the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) to –

- (a) divide the general description of “speed indicators” in the Regulations into two separate categories of “speedometer” and “speed display device” for clarity purpose;
- (b) prohibit the fitting of a speedometer in a new motor vehicle which displays the speed of the motor vehicle slower than its actual speed;
- (c) require every public light bus to fit with a speed display unit;
- (d) require every speedometer and speed display device to be approved by the Commissioner of Transport (“Commissioner”);
- (e) require every speedometer and speed display device approved by the Commissioner to bear an approval mark;
- (f) prohibit any modification on the approved speedometer and speed display device unless consent to such modification has been obtained from the Commissioner;
- (g) require the speedometer of a new motor vehicle registered on or after [mid 2007] to conform with the new installation and performance requirements set out in Part II of Schedule 16 to the Regulations as amended by this Regulation (“amended Regulation”);
- (h) allow the speedometer of a motor vehicle registered before [mid 2007] to conform with the existing installation and performance requirements set out in Part I, or the new installation and performance requirements set out in Part II, of Schedule 16 to the amended Regulation; and
- (i) require every speed display device to conform with the new installation and performance requirements set out in Part III of Schedule 16 to the amended Regulation.

Proposed additional definitions :

“approval mark”, in relation to an installation in a vehicle, means a mark recognized or assigned by the Commissioner and inscribed on the installation or the vehicle as a whole indicating compliance with the applicable requirements contained in these regulations;

“approved standard”, in relation to the design and construction of a vehicle or the design and construction of any component of a vehicle, means a standard or code of practice developed by a national or international standards body specified in these regulations or recognized by the

Commissioner setting out the criteria for evaluating whether a vehicle, or any component of a vehicle, is suitable and safe for the purposes for which it is used on road;
“new motor vehicle” has the meaning assigned to it by section 2(1) of the Motor Vehicles (First Registration Tax) Ordinance (Cap. 330).

Proposed Schedules :

SCHEDULE 16

PART I

**INSTALLATION AND PERFORMANCE REQUIREMENTS OF
SPEEDOMETERS
FOR EXISTING VEHICLES**

1. A speedometer shall be so placed that it can be easily read by the driver sitting at the driver seat.
2. A speedometer shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
3. A speedometer shall be capable of indicating the speed within a margin of accuracy of plus or minus 10 per cent if and when the motor vehicle is being driven at a speed in excess of 15 kilometres per hour.
4. A speedometer shall be clearly legible both by day and by night.

PART II

**INSTALLATION AND PERFORMANCE REQUIREMENTS OF SPEEDOMETERS
FOR NEW VEHICLES**

1. A speedometer shall be so placed that it can be easily read by the driver sitting at the driver seat.
2. A speedometer shall be clearly legible both by day and by night.
3. A speedometer shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
4. A speedometer shall observe the following relationship between the speed indicated on the display of the speedometer (V1) and the actual speed of the vehicle (V2) :
 - (a) In the case of a private car, taxi, light bus, bus, goods vehicle and special purpose vehicle :
$$0 \leq (V1 - V2) \leq 0.1 V2 + 6 \text{ km/h.}$$
 - (b) In the case of –

- (i) a motor cycle with engine capacity not exceeding 50 c.c. or maximum design speed not exceeding 50 km/h; and
- (ii) a motor tricycle with engine capacity not exceeding 50 c.c. or maximum design speed not exceeding 50 km/h :

$$0 \leq (V1 - V2) \leq 0.1 V2 + 4 \text{ km/h.}$$

- (c) In the case of a motor vehicle other than those referred to in paragraphs (a) and (b) :

$$0 \leq (V1 - V2) \leq 0.1 V2 + 8 \text{ km/h.}$$

5. A speedometer shall conform with the following approved standards :

- (a) ECE Regulation No. 39 made by the Economic Commission for Europe dated 20 November 1978 (E/ECE/324-E/ECE/TRANS/505/REV. 1/Add.38) including all revisions for uniform provisions concerning the approval of speedometer equipment including installation made before the date this paragraph comes into operation;
- (b) Directive 75/443/EEC issued by the European Economic Community dated 26 June 1975 including all revisions with regard to speedometer equipment of motor vehicles made before the date this paragraph comes into operation;
- (c) Device Type Designation Standard for Speedometers, Attachments of Type Designation Regulations for Devices made under Ministry of Transport Ordinance No. 66 of 9 October 1998 including all revisions made before the date this paragraph comes into operation;
- (d) Technical Standard for Speedometers, Attachment of Announcement that Prescribes Details of Safety Regulations for Road Vehicle made under Ministry of Land, Infrastructure and Transport Announcement No. 619 of 15 July 2002 including all revisions made before the date this paragraph comes into operation and test Procedure for Speedometers (TRIAS 58-2003) of the Type Approval Procedure made under Circular of Koshin No. 453 of 24 August 1971 including all revisions made before the date this paragraph comes into operation; or
- (e) Any newer version of the approved standards set out in the above paragraphs at the discretion of the Commissioner.

6. The requirements in section 5 of this Part do not apply to a speedometer fitted on a particular type of vehicle if a test certificate or performance comparison report as the case may require has been submitted to the Commissioner proving that the performance of the speedometer is equivalent or superior to one or more of the approved standards referred to in that section and—

- (a) approval has been given by the Commissioner; and
- (b) the speedometer bears an approval mark to that effect.

PART 3

INSTALLATION AND PERFORMANCE REQUIREMENTS OF SPEED DISPLAY DEVICES

1. A speed display device shall be so placed that it can be easily read by any seated passenger inside the vehicle.

2. A speed display device shall be clearly legible both by day and by night.
3. A speed display device shall be calibrated and marked in kilometres per hour so as to indicate clearly the speed at which the motor vehicle is being driven.
4. A speed display device shall not affect the accuracy of any equipment originally installed in the vehicle.
5. A speed display device shall observe the following relationship between the speed indicated on the display of the speed display device (V1) and the actual speed of the vehicle (V2) :
$$0 \leq (V1 - V2) \leq 0.1 V2.$$
6. A speed display device shall be able to give both audio and visual warnings when the speed indicated on the display of the speed display device of the vehicle exceeds 80 kilometres per hour.
7. A speed display device shall be so designed to prevent tampering of its accuracy.
8. For the purposes of section 7 of this Part, a detailed design plan of a speed display device seeking approval shall be submitted to the Commissioner to show that the device cannot be tampered by means of using simple tool, equipment or fabrication readily available to the public at large.