

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

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21 February 2014

Clerk to Subcommittee
Legislative Council
Legislative Council Complex
1 Legislative Council Road
Central
Hong Kong
(Attn: Ms Sophie Lau)

Dear Ms Lau,

**Subcommittee on Transport (Construction and Maintenance of
Vehicles)(Amendment) Regulation 2014
List of follow-up actions**

The Subcommittee discussed the captioned Regulation at its meeting on 10 February 2014. The Government's response to the list of follow-up actions required by Members of the Subcommittee is enclosed at Annex.

Yours faithfully,


(Kwong Ka-yin)
for Secretary for Transport and Housing

Encl.

**Subcommittee on Road Traffic (Construction and Maintenance of Vehicles)
(Amendment) Regulation 2014**

Follow-up actions required of the Administration

- (a) The number of Euro V goods vehicles in Hong Kong and how many of them are installed with reversing video device (RVD)**

At present, there are 12,830 registered Euro V goods vehicles in Hong Kong. As RVD is not a mandatory installation on goods vehicles, the Transport Department (TD) does not have data on the number of Euro V goods vehicles installed with RVD.

- (b) With respect to the text of "except when the visibility is reduced by weather conditions" as appeared in regulation 39A(4)(b) under section 4 of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2014, information regarding the interpretation and operation of the exception**

Under the new regulation 39A(4)(b), the closed-circuit view displayed by an RVD must be clear. The capability of the camera unit of an RVD to provide a clear view, however, may unavoidably be limited by weather conditions such as heavy rain, cloud, fog and smoke. To recognise this external hindrance, an exception is expressly provided for in the new regulation to ensure that an owner or driver of a goods vehicle will not contravene the regulation and commit a criminal offence simply due to an external factor which is beyond his or her control.

However, for the purposes of this exception, it is not possible for the concept of visibility to be quantified. Various weather conditions as mentioned above will, in one way or the other, make the closed-circuit view of an RVD unclear. It is impracticable to specify every eventuality in the regulation. The provision is subject to the interpretation of the court having regard to the evidence and circumstances of an individual case.

(c) The number of traffic accidents involving reversing goods vehicles from the year 2007 to 2013

The number of reversing goods vehicles involved in traffic accidents from 2007 to 2013 is set out in the following table-

Year	Number of reversing goods vehicles involved in traffic accidents
2007	144
2008	122
2009	113
2010	115
2011	116
2012	133
2013	115

(d) Information on the technical difficulties involved for mandatory installation of reversing video device on existing goods vehicles

In formulating the legislative amendment proposal, TD has consulted the goods vehicle trade, vehicle and equipment suppliers, Hong Kong Productivity Council, and government department users. The information received and experience shared show that there are concerns over the reliability of RVDs retrofitted onto existing goods vehicles.

Goods vehicles are usually subject to much harsher working conditions in construction sites or on roads due to high vibration and shock loads. RVD intended for goods vehicle should be able to withstand heavy and constant vibration and should be shock-proof. However, as many RVD components available on the market at present are designed for non-vehicle use or for use on smaller vehicles with better suspension systems and lower voltages, retrofitting of unsuitable RVD by inexperienced after-market installers onto existing goods vehicles is a reason for early failure.

Besides, a retrofitted RVD will be attached to the vehicle body externally. The exposure of components (such as wiring, voltage converters and camera units) to a wide range of ambient conditions (such as rain, heat and moisture) as well as harsh environments may lead to frequent failure. In addition, vehicle manufacturers and suppliers in general do not provide technical support for after-market installations. The lack of support will render a retrofitted RVD more unreliable.

On the other hand, an RVD for a new goods vehicle is selected and installed by experienced vehicle suppliers as part of the new vehicle. More protection can be provided to the wiring and components of the RVD by suitable positioning at the stage of building the vehicle body. The installation of wiring and locations for voltage converters and camera units will not be constrained by inadequate existing space. Technical support from the manufacturer can also be obtained if needed.

- (e) **With respect to the Chinese rendition of the English text "detected", which appears as "揭發" in regulation 39A(6) under section 4 of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2014, to consider whether it is more appropriate to amend the rendition to "發現" or "發覺" in the Chinese text.**

The Department of Justice has agreed that amendment be made by way of LegCo Resolution by repealing "揭發" and substituting with "發覺" in the proposed regulation 39A(6)(a) and (b) under section 4 of the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2014.

**Transport and Housing Bureau
February 2014**