

L.N. 140 of 2024

**Road Traffic (Registration and Licensing of Vehicles)
(Amendment) Regulation 2024**

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Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2024

(Made by the Secretary for Transport and Logistics under section 6(1)
of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation comes into operation on 30 December 2024.

2. Road Traffic (Registration and Licensing of Vehicles) Regulations amended

The Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) are amended as set out in sections 3 to 8.

3. Regulation 2 amended (interpretation)

(1) Regulation 2(1)—

Repeal the definition of *vehicle licence*

Substitute

“*vehicle licence* (車輛牌照), in relation to a motor vehicle or trailer, means a vehicle licence issued under regulation 21(8)(b) on licensing the vehicle or trailer under these regulations;”.

(2) Regulation 2(1)—

Add in alphabetical order

“*documentary proof* (文件證明), in relation to a policy of insurance, means the original or a copy of—

(a) the policy of insurance; or

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- (b) a certificate of insurance or certificate of security issued in respect of the policy of insurance in accordance with regulation 3(1) of the Motor Vehicles Insurance (Third Party Risks) Regulations (Cap. 272 sub. leg. A);

licensing notice (發牌通知) means a notice issued under regulation 21(8)(a);”.

4. Regulation 12M amended (return of documents and refund on cancellation of personalized registration marks)

- (1) Regulation 12M(1), English text—

Repeal

“shall”

Substitute

“must”.

- (2) Regulation 12M(1)—

Repeal

“sent to him”

Substitute

“sent to the holder”.

- (3) Regulation 12M(1)(a)—

Repeal

“him”

Substitute

“the holder”.

- (4) Regulation 12M(2), English text—

Repeal

“shall”

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Substitute

“must”.

- (5) Regulation 12M(3), English text—

Repeal

“shall”

Substitute

“must”.

- (6) Regulation 12M(3)(b)(iii)(B)—

Repeal

everything after “issue”

Substitute

“a licensing notice and a new vehicle licence under regulation 21(8) in respect of the vehicle.”.

- (7) Regulation 12M(4), English text—

Repeal

“shall apply”

Substitute

“applies”.

- (8) Regulation 12M(5), English text—

Repeal

“shall”

Substitute

“is to”.

5. Regulation 17 amended (transfer of motor vehicle ownership)

- (1) Regulation 17(1), English text—

Repeal

“shall” (wherever appearing)

Substitute

“must”.

- (2) Regulation 17(1A), English text—

Repeal

“he”

Substitute

“the Commissioner”.

- (3) Regulation 17(2)(a) and (b), English text—

Repeal

“shall deliver”

Substitute

“must deliver”.

- (4) Regulation 17(2)(b)—

Repeal subparagraph (ii)

Substitute

“(ii) either of the following—

(A) documentary proof of a policy of insurance in respect of the vehicle in the name of the new owner that is valid at the time of delivery;

(B) any other information or document specified by the Commissioner that enables the Commissioner to be satisfied that there is such a policy of insurance;”.

- (5) Regulation 17(2)(b)(iii)—

Repeal

“his”

Substitute

“the new owner’s”.

- (6) Regulation 17(2)(b), English text—

Repeal

“shall pay”

Substitute

“must pay”.

- (7) Regulation 17(3), English text—

Repeal

“shall” (wherever appearing)

Substitute

“must”.

- (8) Regulation 17(3), English text—

Repeal

“his”

Substitute

“the new registered owner’s”.

- (9) Regulation 17(3A) and (3B), English text—

Repeal

“shall”

Substitute

“must”.

- (10) Regulation 17(4), English text—

Repeal

“payment to him”

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Substitute

“receiving payment”.

- (11) Regulation 17(4A)(b)—

Repeal

“him”

Substitute

“the new owner”.

- (12) Regulation 17(5)(a)—

Repeal

“to him”.

- (13) Regulation 17(5A), English text—

Repeal

“shall”

Substitute

“must”.

- (14) Regulation 17(6), English text—

Repeal

“No person shall”

Substitute

“A person must not”.

- (15) Regulation 17(6)—

Repeal paragraph (b)

Substitute

“(b) subregulation (2)(b) has been complied with.”.

6. Regulation 21 amended (licensing of motor vehicles)

- (1) Regulation 21(1)—

Repeal everything before paragraph (b)

Substitute

- “(1) If the registered owner of a motor vehicle wishes to have the vehicle licensed, the owner must—
- (a) deliver to the Commissioner an application, in a form specified by the Commissioner, that complies with subregulation (1A); and”.

- (2) Regulation 21—

Repeal subregulation (1A)

Substitute

- “(1A) An application under subregulation (1) must—
- (a) state the name, address, e-contact means and identity document number of the registered owner;
 - (b) be accompanied by the original or a copy of the owner’s identity document; and
 - (c) be accompanied by—
 - (i) documentary proof of a policy of insurance in respect of the vehicle in the name of the owner that is valid on the date on which the licence takes effect; or
 - (ii) any other information or document specified by the Commissioner that enables the Commissioner to be satisfied that there is such a policy of insurance.
- (1B) If the Commissioner is not satisfied with the copy of any document mentioned in subregulation (1A)(b) or (c), the Commissioner may require the registered owner to produce the original of the document.”.

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- (3) Regulation 21(2), English text—

Repeal

“subregulation (1) shall”

Substitute

“subregulation (1) must”.

- (4) Regulation 21(2)—

Repeal

“him”

Substitute

“the registered owner”.

- (5) Regulation 21(2), English text—

Repeal

“application shall”

Substitute

“application must”.

- (6) Regulation 21—

Repeal subregulation (4)

Substitute

“(4) Subject to subregulations (3), (5) and (6), the Commissioner may license a motor vehicle for the period stated in an application under subregulation (1) in respect of the vehicle, and the licence takes effect from the date of issue of the relevant licensing notice.”.

- (7) Regulation 21(5)—

Repeal

everything after “may,”

Substitute

“within the 4 months immediately before the expiry of the vehicle licence (*existing vehicle licence*), license the vehicle for the further period stated in the application, and the licence takes effect immediately after the expiry of the existing vehicle licence.”

- (8) Regulation 21(5), Chinese text—

Repeal

“車輛提出”

Substitute

“汽車遞交”.

- (9) Regulation 21—

Repeal subregulation (6)

Substitute

“(6) If, after the expiry of a vehicle licence of a motor vehicle, the Commissioner receives an application under subregulation (1), the Commissioner may license the vehicle for the further period stated in the application, and the licence takes effect from the date specified in the relevant licensing notice, which date must not be earlier than the following date—

- (a) for an application sent by post—the date of the relevant post mark;
- (b) for any other case—the date on which the Commissioner receives the application.”.

- (10) Regulation 21(7), proviso—

Repeal

“, and in such a case the licence shall take effect from the date of issue thereof”.

(11) Regulation 21—

Repeal subregulation (8)

Substitute

- “(8) On licensing a motor vehicle under these regulations, the Commissioner must issue to the registered owner—
- (a) a written notice of the licensed period; and
 - (b) subject to subregulation (8A), a vehicle licence that is valid during the licensed period, in a form and containing the particulars specified by the Commissioner, for display on the vehicle in accordance with regulation 25.
- (8A) If the latest displayable vehicle licence of a motor vehicle is issued on or after 30 December 2024, on licensing the vehicle under subregulation (5) or (6) and issuing a licensing notice for the licensing—
- (a) the Commissioner is not obliged to actually issue another displayable vehicle licence; and
 - (b) if the Commissioner does not issue another displayable vehicle licence—
 - (i) the Commissioner is deemed to have issued, on the date of issue of the licensing notice, a vehicle licence for licensing the vehicle for the further period (*renewed vehicle licence*); and
 - (ii) the latest displayable vehicle licence is deemed to be the renewed vehicle licence.
- (8B) To avoid doubt, a displayable vehicle licence may be deemed one or more times under subregulation (8A)(b) to be a renewed vehicle licence of the relevant motor vehicle, and each of such deeming

does not affect the date of issue and effect of the displayable vehicle licence and each previous deemed renewed vehicle licence.”.

(12) Regulation 21(10)—

Repeal

“he”

Substitute

“the Commissioner”.

(13) Regulation 21—

Repeal subregulation (11)

Substitute

“(11) If, because of circumstances beyond the Commissioner’s control, the Commissioner is unable for the time being to issue a licensing notice or vehicle licence, the receipt issued by the Commissioner for the payment of the appropriate licence fee is deemed to be a valid vehicle licence in place of the vehicle licence to be issued—

(a) from—

(i) in the case of subregulation (5)—immediately after the expiry of the existing vehicle licence; or

(ii) in any other case—the date of issue of the receipt; and

(b) until the time when the following happens, whichever is the earlier—

(i) the issue of the licensing notice or vehicle licence;

(ii) the expiry of a period of 30 days after the date of issue of the receipt.”.

(14) Regulation 21—

Add

“(13) Despite the amendments of these regulations by the 2024 Amendment Regulation—

- (a) in relation to a motor vehicle, a vehicle licence (within the meaning of these regulations as in force immediately before 30 December 2024) that was issued before 30 December 2024 is taken to be a vehicle licence within the meaning of these regulations as amended by the 2024 Amendment Regulation; and
- (b) the date of issue and effect of such a vehicle licence are not affected.

(14) Where the vehicle licence of a motor vehicle (*original vehicle licence*) is not in the current specified form, if the Commissioner decides to—

- (a) issue a duplicate vehicle licence for the original vehicle licence under regulation 59(1); or
- (b) issue an updated vehicle licence for updating the particulars in the original vehicle licence,

the Commissioner may issue the duplicate vehicle licence or updated vehicle licence in the current specified form.

(15) For the purposes of subregulation (14), a vehicle licence is issued in the current specified form if the vehicle licence is issued in the form currently specified under subregulation (8)(b) and contains the particulars currently specified under subregulation (8)(b).

(16) In this regulation—

2024 Amendment Regulation (《2024年修訂規例》) means the Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation 2024;

displayable vehicle licence (供展示用車輛牌照), in relation to a motor vehicle—

(a) means a vehicle licence actually issued under subregulation (8)(b) for display on the vehicle; and

(b) includes—

(i) a duplicate vehicle licence issued under regulation 59(1); and

(ii) a vehicle licence issued for updating the particulars in a vehicle licence.”.

7. Regulation 25 amended (display of vehicle licences)

(1) Regulation 25(1), English text—

Repeal

“no motor vehicle shall be upon or”

Substitute

“a motor vehicle must not be on or be”.

(2) Regulation 25(2)—

Repeal

everything before “be displayed”

Substitute

“(2) For the purposes of subregulation (1), if a receipt is deemed to be a valid vehicle licence pursuant to regulation 21(11) or 59(6), the receipt, or (for a receipt in the form of an electronic record) a clearly

legible printout of the receipt that conforms to the specifications specified by the Commissioner in the receipt, must”.

- (3) Regulation 25(2)(b)—

Repeal

“on”

Substitute

“in”.

8. Regulation 39 amended (issue of licences)

- (1) Regulation 39(1), after “regulation 38”—

Add

“in respect of a trailer”.

- (2) Regulation 39(1)—

Repeal

everything after “Commissioner”

Substitute

“may license the trailer for the period stated in the application, and the licence takes effect from the date of issue of the relevant licensing notice.”.

- (3) Regulation 39—

Repeal subregulation (2)

Substitute

“(2) Subject to subregulation (1) and regulation 38, Part III (except regulation 21(1A)(c), (3), (9) and (9A)) applies to the licensing of a trailer as if the trailer were a motor vehicle.”.

Road Traffic (Registration and Licensing of Vehicles) (Amendment) Regulation
2024

L.N. 140 of 2024
B2897

Section 8

- (4) Regulation 39—
Repeal subregulation (3).

LAM Sai-hung
Secretary for Transport and
Logistics

10 October 2024

Explanatory Note

This Regulation amends the Road Traffic (Registration and Licensing of Vehicles) Regulations (Cap. 374 sub. leg. E) (***RLV Regulations***) in relation to the licensing of motor vehicles (including trailers). The main purpose of the Regulation is to enable re-using displayable vehicle licences issued after the commencement of the Regulation on licensing those vehicles for further period.

2. Section 3 amends regulation 2 of the RLV Regulations as follows—
 - (a) amending the definition of ***vehicle licence*** to link licensing to vehicle licences issued for display under the new regulation 21(8)(b) of the RLV Regulations;
 - (b) adding new definitions of ***documentary proof*** and ***licensing notice*** for the interpretation of new provisions introduced by the Regulation.
3. Section 4 amends regulation 12M(3)(b)(iii)(B) of the RLV Regulations to deal with the issue of a new vehicle licence in the case of a cancellation of personalized registration mark.
4. Section 5 amends regulation 17(2)(b)(ii) and (6) of the RLV Regulations so that, on transfer of the ownership of a registered motor vehicle, proof of a valid policy of insurance may be by information or documents specified by the Commissioner for Transport (***Commissioner***).
5. Section 6 amends regulation 21 of the RLV Regulations, mainly—

- (a) to make clear that both originals and copies of supporting documents for licensing application are acceptable;
 - (b) to allow using information or documents specified by the Commissioner for proof of a valid policy of insurance;
 - (c) to provide for the issue of a written notice of the licensed period and a vehicle licence for display on licensing a motor vehicle; and
 - (d) for licensing a motor vehicle for a further period, to provide for the deeming of the displayable vehicle licence actually issued before to be the renewed vehicle licence.
6. Regulation 25 of the RLV Regulations requires the display of vehicle licences on motor vehicles. For receipts deemed to be valid vehicle licences, section 7 amends that regulation 25 to provide for the display of printouts of receipts in the form of electronic records.
7. Section 8 amends regulation 39 of the RLV Regulations to rationalize the provisions relating to the licensing of trailers.