

**L.N. 179 of 2024**

**Road Traffic (Safety Equipment) (Amendment)  
Regulation 2024**

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

**1. Commencement**

This Regulation comes into operation on 1 November 2025.

**2. Road Traffic (Safety Equipment) Regulations amended**

The Road Traffic (Safety Equipment) Regulations (Cap. 374  
sub. leg. F) are amended as set out in sections 3 to 8.

**3. Regulation 2 amended (interpretation)**

(1) Regulation 2(1), definition of *approved*—

**Repeal paragraph (c).**

(2) Regulation 2(1), definition of *approved*—

**Repeal paragraph (d)**

**Substitute**

“(d) in relation to a seat belt, means a seat belt of a type conforming with one or more of the specifications and standards set out in Division 1 or 2 of Part I of Schedule 2;

(da) in relation to a child restraining device, means a child restraining device of a type conforming with one or more of the specifications and standards set out in Division 2 of Part I of Schedule 2;”.

(3) Regulation 2(1)—

**Repeal the definition of *seat belt***

**Substitute**

“*seat belt* (安全帶)—

- (a) means a restraining device intended to be worn by a person in a vehicle and designed to prevent or lessen injury to the person in the event of an accident to the vehicle; and
- (b) includes a child restraining device;”.

(4) Regulation 2(1)—

**Add in alphabetical order**

“*child* (兒童) means a person under 8 years of age;

*child restraining device* (兒童束縛設備) means a restraining device intended to be worn by a child passenger in a vehicle and designed to prevent or lessen injury to the passenger in the event of an accident to the vehicle;”.

(5) After regulation 2(2)—

**Add**

“(3) For the purposes of these regulations, a child restraining device is suitable for use by a child passenger if the device is an approved child restraining device that is suitable for use by the passenger with regard to the passenger’s age or weight.”.

**4. Regulation 7 amended (drivers and passengers of private cars required to wear seat belts)**

(1) Regulation 7—

**Repeal subregulation (3)**

**Substitute**

- “(3) Subject to subregulations (4) and (5) and regulation 8, a person must not drive a private car on any road—
- (a) when a passenger in the specified passenger’s seat, or a middle front seat, of the car is not securely fastened to the seat by means of a seat belt, if any, provided for the seat; or
  - (b) when—
    - (i) there is a passenger in a middle front seat of the car that is not provided with a seat belt; and
    - (ii) the specified passenger’s seat of the car is provided with a seat belt and is not occupied by any person.”.

- (2) After regulation 7(3)—

**Add**

- “(4) Subject to subregulation (5) and regulation 8, a person must not drive a private car on any road when a child passenger (whose height is less than 1.35 m) in the specified passenger’s seat, or a middle front seat, of the car is not securely fastened to the seat by means of a child restraining device that is suitable for use by the passenger.

- (5) Subregulations (3) and (4) do not apply if the passenger has been exempted under regulation 10 from compliance with subregulation (1) or (2).”.

**5. Regulation 7A amended (drivers and passengers of taxis, light buses and goods vehicles required to wear seat belts)**

Regulation 7A(3)(a)(i) and (ii)—

**Repeal**

“restraining device for a young person”

**Substitute**

“child restraining device”.

**6. Regulation 7B amended (passengers in rear seats of private cars, taxis and public light buses required to wear seat belts, etc.)**

(1) Regulation 7B(2)—

**Repeal**

“subregulation (3) and to”

**Substitute**

“subregulations (3) and (7) and”.

(2) Regulation 7B(2)—

**Repeal**

“unless the passenger has been exempted under regulation 10 from compliance with subregulation (1)”.

(3) Regulation 7B—

**Repeal subregulation (3)**

**Substitute**

“(3) Subject to subregulation (7) and regulation 8, a person must not drive a private car on any road when a child passenger (whose height is less than 1.35 m) in a rear seat of the car is not securely fastened to the seat by means of a child restraining device that is suitable for use by the passenger.”.

(4) Regulation 7B—

**Repeal subregulation (4).**

(5) Regulation 7B(5)—

**Repeal**

“No person shall”

**Substitute**

“Subject to subregulation (7), a person must not”.

- (6) Regulation 7B(5)—

**Repeal**

everything after “another person”

**Substitute a full stop.**

- (7) Regulation 7B(6)—

**Repeal**

“regulation 8”

**Substitute**

“subregulation (7) and regulation 8”.

- (8) Regulation 7B(6)—

**Repeal**

everything after “another person”

**Substitute a full stop.**

- (9) After regulation 7B(6)—

**Add**

“(7) Subregulations (2), (3), (5) and (6) do not apply if the passenger has been exempted under regulation 10 from compliance with subregulation (1).”.

**7. Regulation 12 amended (offences)**

- (1) Regulation 12(3)(a), after “7(3)”—

**Add**

“or (4)”.

- (2) After regulation 12(3)—

**Add**

- “(4) Without limiting the scope of the reasonable excuse mentioned in subregulation (3), a driver of a private car has a reasonable excuse for contravening regulation 7(4) or 7B(3) if, at the time of the alleged offence—
- (a) the passenger concerned is being transported in an emergency; or
  - (b) the driver has a reasonable ground to believe that the passenger concerned—
    - (i) has attained 8 years of age; or
    - (ii) is of 1.35 m or above in height.
- (5) In a criminal proceeding for an offence under subregulation (3)—
- (a) the burden of establishing that a driver has a reasonable excuse mentioned in the subregulation lies on the driver; and
  - (b) the driver is taken to have established the reasonable excuse if—
    - (i) there is sufficient evidence to raise an issue with respect to the reasonable excuse; and
    - (ii) the contrary is not proved by the prosecution beyond reasonable doubt.”.

**8. Schedule 2 amended (approved seat belts and approved anchorage points)**

Schedule 2—

**Repeal Part I**

**Substitute**

## **“Part I**

### **Approved Seat Belts**

#### **Division 1—Seat Belts (other than Child Restraining Devices)**

1. A seat belt (other than a child restraining device) in respect of which either the seat belt assembly or the vehicle to which it is attached is permanently marked by the manufacturer of the belt or vehicle with the specification number, mark or symbol indicating compliance with any of the following—
  - (a) British Standard for Seat Belt Assemblies for motor vehicles BS 3254: 1960 or BS 3254 (including Part 1: 1988 Specification for restraining devices for adults);
  - (b) British Standard Specification for Passive Seat Belt Systems BS AU 160a or BS AU 183: 1989;
  - (c) ECE Regulation No. 16 made by the Economic Commission for Europe dated 7 May 1973 (including all revisions for seat belt made before 1 August 1998);
  - (d) Australian Standards for Seat Belt Assemblies for motor vehicles E35-1965, E35, Part 1-1970 or E35, Part 2-1970 (including retractors) (including modifications authorized by Australian Design Rules No. 4, 4A, 4B and 4C); AS 2596-1995 or AS 2596-1983 (including modifications complying with Australian Design Rule No. 4);

- (e) New Zealand Specification for Seat Belt Assemblies for motor vehicles NZS 1662: 1969 or NZS 5401;
  - (f) Federal Motor Vehicle Safety Standard (USA) No. 209 for Seat Belt;
  - (g) Japanese Industrial Standard JIS D4604: 1969 (three-point belts only) or D4604: 1988;
  - (h) Australian Design Rule 4/03 approved in Road Vehicle (National Standards) Determination No. 2 of 1997 (Australia) (including all revisions of that Rule made before 30 June 2005);
  - (i) Technical Standard for Seat Belt Assemblies made by the Minister of Land, Infrastructure and Transport of Japan in Attachment 32 to Announcement No. 619 of 15 July 2002 (including all revisions of that Standard made before 30 June 2005);
  - (j) Seat Belt Assembly Test Procedure (TRIAS) 31-1994 made by the Minister of Land, Infrastructure and Transport of Japan in Circular of Koshin No. 453 of 24 August 1971 (including all revisions of that Test Procedure made before 30 June 2005);
  - (k) Directive 77/541/EEC issued by the European Economic Community dated 28 June 1977 (including all revisions of that Directive made before 30 June 2005).
2. A seat belt (other than a child restraining device) that—
- (a) is of a type approved by the Commissioner and specified by the Commissioner by notice published in the Gazette; and



- (b) bears a marking determined by the Commissioner indicating that the type has been accepted as capable of affording to persons in a motor vehicle a degree of protection from injury equal to, or greater than, that provided by a seat belt of a type specified in paragraph 1.

## **Division 2—Child Restraining Devices**

- 3. A child restraining device in respect of which either the device assembly or the vehicle to which it is attached is permanently marked by the manufacturer of the device or vehicle with the specification number, mark or symbol indicating compliance with any of the following—
  - (a) British Standard for Seat Belt Assemblies for motor vehicles BS 3254: 1960 or BS 3254 (including Part 2: 1991 Specification for restraining devices for children);
  - (b) British Standard Specification for Passive Seat Belt Systems BS AU 157a, BS AU 185, BS AU 186, BS AU 186a, BS AU 202 or BS AU 202a;
  - (c) ECE Regulation No. 16 made by the Economic Commission for Europe dated 7 May 1973 (including all revisions made before 1 August 1998); ECE Regulation No. 44 made by the Economic Commission for Europe dated 1 February 1981 (including all revisions for child restraining devices made before 1 August 1998); or UN Regulation No. 129 made by the United Nations Economic Commission for Europe dated 7 August 2013 (including all revisions for child restraining devices made before 1 November 2025);

- (d) Australian Standards for Seat Belt Assemblies for motor vehicles AS 1754-1995;
  - (e) New Zealand Specification for Seat Belt Assemblies for motor vehicles NZS 5411;
  - (f) Federal Motor Vehicle Safety Standard (USA) No. 213;
  - (g) Japanese Industrial Standard JIS D0401: 1990 or JIS D0401: 1996;
  - (h) Directive 77/541/EEC issued by the European Economic Community dated 28 June 1977 (including all revisions of that Directive made before 30 June 2005);
  - (i) Australian/New Zealand Standard AS/NZS 1754: 2010 or AS/NZS 1754: 2013;
  - (j) National Standard of the People's Republic of China GB 27887-2011 for restraining devices for child occupants of power-driven vehicles.
4. A child restraining device that—
- (a) is of a type approved by the Commissioner and specified by the Commissioner by notice published in the Gazette; and
  - (b) bears a marking determined by the Commissioner indicating that the type has been accepted as capable of affording to persons in a motor vehicle a degree of protection from injury equal to, or greater than, that provided by a child restraining device of a type specified in paragraph 3.”.

Road Traffic (Safety Equipment) (Amendment) Regulation 2024

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Mable CHAN  
Secretary for Transport and  
Logistics

10 December 2024

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### **Explanatory Note**

This Regulation amends the Road Traffic (Safety Equipment) Regulations (Cap. 374 sub. leg. F) (*principal Regulations*)—

- (a) to impose new requirements for the use of child restraining devices for passengers who are under 8 years of age and whose height are less than 1.35 m (*child passengers*) in private cars;
- (b) to create new offences for drivers driving private cars when there are child passengers not securely fastened to the seats by means of child restraining devices that are suitable for use by the passengers with regard to their ages or weights; and
- (c) to update and reorganize the specifications and standards for seat belts (including child restraining devices) set out in Part I of Schedule 2 to the principal Regulations.