

L.N. 180 of 2024

**Road Traffic (Traffic Control) (Amendment) Regulation
2024**

(Made by the Secretary for Transport and Logistics under section 11
of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation comes into operation on 1 March 2025.

2. Road Traffic (Traffic Control) Regulations amended

The Road Traffic (Traffic Control) Regulations (Cap. 374 sub.
leg. G) are amended as set out in sections 3 to 6.

3. Regulation 2 amended (interpretation)

(1) Regulation 2(1)—

Add in alphabetical order

“*remote control parking device* (遙控泊車設備) has the
meaning given by regulation 40C(5) of the Road
Traffic (Construction and Maintenance of Vehicles)
Regulations (Cap. 374 sub. leg. A);”.

(2) After regulation 2(3)—

Add

“(3A) In these regulations, a reference to remotely parking
a motor vehicle—

- (a) is a reference to parking the vehicle by the use
of a remote control parking device; and
- (b) includes moving the vehicle out of the place
where it is parked by the use of a remote
control parking device.”.

4. Regulation 42 amended (general driving rules)

(1) Regulation 42(1), English text—

Repeal

“shall not—”

Substitute

“must not—”.

(2) Regulation 42(1)(e), English text, proviso—

Repeal

“shall”

Substitute

“does”.

(3) After regulation 42(1)—

Add

“(1A) Subregulation (1)(g) does not prevent the driver of a motor vehicle from using a mobile telephone, or any other telecommunications equipment, which is a remote control parking device (*device*) if—

(a) the driver uses the device to remotely park the vehicle; and

(b) the driver is outside the vehicle at all times when the device is being so used.”.

(4) Regulation 42(2)—

Repeal

“subregulation (1)(g)”

Substitute

“this regulation”.

5. Regulation 42A added

After regulation 42—

Add

“42A. Remote control parking device

- (1) The driver of a motor vehicle must not use a remote control parking device to remotely park the vehicle unless, at all times when the device is being so used, the driver—
 - (a) is outside the vehicle; and
 - (b) maintains a visual line of sight with the vehicle.
- (2) Subject to subregulation (3), the driver of a motor vehicle must, after having remotely parked the vehicle, ensure that—
 - (a) the engine of the vehicle is stopped; and
 - (b) the parking brake of the vehicle is applied.
- (3) Subregulation (2)(a) does not apply if—
 - (a) the vehicle is designed so that the engine is used for purposes other than the propulsion of the vehicle; and
 - (b) the driver is in attendance.
- (4) To avoid doubt, the person in charge of a motor vehicle who vacates the vehicle for remotely parking the vehicle must also comply with regulation 44.”.

6. Regulation 61 amended (offences and penalties)

Regulation 61(2), after “42,”—

Add

“42A,”.

Road Traffic (Traffic Control) (Amendment) Regulation 2024

L.N. 180 of 2024
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Mable CHAN
Secretary for Transport and
Logistics

10 December 2024

Explanatory Note

Currently, regulation 42(1)(g) of the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G) (*principal Regulations*) prohibits the driver of a motor vehicle from using a mobile telephone or other telecommunications equipment in the specified manner while the vehicle is in motion.

2. Section 4 amends regulation 42 of the principal Regulations so that the prohibition under regulation 42(1)(g) does not prevent the driver from using a remote control parking device outside the vehicle to park the vehicle or move it out of the place where it is parked (*remote parking*).
3. Section 5 adds a new regulation 42A to the principal Regulations to regulate the use of a remote control parking device to perform remote parking. Section 6 amends regulation 61(2) of the principal Regulations to create an offence for contravention of the new regulation 42A.