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Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2020

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Air Pollution Control (Vehicle Design Standards) (Emission) (Amendment) Regulation 2020

(Made by the Secretary for the Environment under section 43 of the Air Pollution Control Ordinance (Cap. 311) after consultation with the Advisory Council on the Environment)

1. Commencement

This Regulation comes into operation on 1 October 2020.

2. Air Pollution Control (Vehicle Design Standards) (Emission) Regulations amended

The Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J) are amended as set out in sections 3 to 19.

3. Regulation 4A amended (vehicle design standards relating to smoke emission for motor vehicles registered on or after 1 April 1995)

Regulation 4A(4)—

Repeal

“7G(17) and (18) and 7H(6) and (7)”

Substitute

“7G(13A) and (18) and 7H(5A) and (7)”.

4. Regulation 7B repealed (vehicle design standards for certain motor vehicles registered on or after 1 January 2006)

Regulation 7B—

Repeal the regulation.

Section 5

5. **Regulation 7D amended (vehicle design standards for motor cycles and motor tricycles registered on or after 1 January 2007)**
Regulation 7D—
Repeal subregulation (1).
6. **Regulation 7E repealed (vehicle design standards for certain motor vehicles registered on or after 1 June 2012)**
Regulation 7E—
Repeal the regulation.
7. **Regulation 7F amended (vehicle design standards for private cars and taxis registered on or after 1 July 2017)**
Regulation 7F—
Repeal subregulations (2), (4), (7), (9), (11) and (13).
8. **Regulation 7G amended (vehicle design standards for goods vehicles and light buses registered on or after 1 January 2018)**
 - (1) Regulation 7G—
Repeal subregulations (2), (4), (6), (8) and (10).
 - (2) Regulation 7G(12)(d)—
Repeal
“on or after 1 October 2018”
Substitute
“between 1 October 2018 and 28 February 2021 (both dates inclusive)”.
 - (3) After regulation 7G(12)—
Add
“(12A) Every light bus which—
 - (a) is equipped with a positive-ignition engine;

- (b) is constructed to operate on unleaded petrol only;
- (c) has a design weight of more than 3.5 tonnes; and
- (d) is registered on or after 1 March 2021, must be so constructed that the emission from that light bus conforms to the standards specified in paragraph (b) or (c) of Part 2 of Schedule 17, paragraph (b) of Part 2 of Schedule 18 and Schedule 19.”.

- (4) Regulation 7G(13)(c)—

Repeal

“on or after 1 October 2018”

Substitute

“between 1 October 2018 and 28 February 2021 (both dates inclusive)”.

- (5) After regulation 7G(13)—

Add

“(13A) Every light bus which—

- (a) is equipped with a compression-ignition engine;
- (b) has a design weight of more than 3.5 tonnes; and
- (c) is registered on or after 1 March 2021, must be so constructed that the emission from that light bus conforms to the standards specified in paragraph (b) or (c) of Part 2 of Schedule 17, paragraphs (a) and (b) of Part 2 of Schedule 18 and Schedule 19.”.

- (6) Regulation 7G(14)(d)—

Repeal

“on or after 1 October 2018”

Substitute

“between 1 October 2018 and 28 February 2021 (both dates inclusive)”.

- (7) After regulation 7G(14)—

Add

“(14A) Every light bus which—

- (a) is equipped with a positive-ignition engine;
- (b) is constructed to operate on liquefied petroleum gas only;
- (c) has a design weight of more than 3.5 tonnes; and
- (d) is registered on or after 1 March 2021,

must be so constructed that the emission from that light bus conforms to the standards specified in paragraph (b) or (c) of Part 2 of Schedule 17, paragraph (b) of Part 2 of Schedule 18 and Schedule 19.”.

- (8) Regulation 7G—

Repeal subregulations (15) and (17).

9. Regulation 7H amended (vehicle design standards for buses registered on or after 1 October 2018)

- (1) Regulation 7H(2)(d)—

Repeal

“on or after 1 October 2018”

Substitute

“between 1 October 2018 and 28 February 2021 (both dates inclusive)”.

- (2) After regulation 7H(2)—

Add

“(2A) Every bus which—

- (a) is equipped with a positive-ignition engine;
- (b) is constructed to operate on unleaded petrol only;
- (c) has a design weight of not more than 9 tonnes; and
- (d) is registered on or after 1 March 2021,

must be so constructed that the emission from that bus conforms to the standards specified in paragraph (b) or (c) of Part 2 of Schedule 17, paragraph (b) of Part 2 of Schedule 18 and Schedule 19.”.

- (3) Regulation 7H—

Repeal subregulation (3).

- (4) Regulation 7H(5)(c)—

Repeal

“on or after 1 October 2018”

Substitute

“between 1 October 2018 and 28 February 2021 (both dates inclusive)”.

- (5) After regulation 7H(5)—

Add

“(5A) Every bus which—

- (a) is equipped with a compression-ignition engine;

- (b) has a design weight of not more than 9 tonnes;
and
- (c) is registered on or after 1 March 2021,
must be so constructed that the emission from that
bus conforms to the standards specified in paragraph
(b) or (c) of Part 2 of Schedule 17, paragraphs (a)
and (b) of Part 2 of Schedule 18 and Schedule 19.”.

(6) Regulation 7H—

Repeal subregulation (6).

10. Regulation 7I added

After regulation 7H—

Add

**“7I. Vehicle design standards for motor cycles registered on or
after 1 October 2020**

Subject to regulation 9, every motor cycle registered on or
after 1 October 2020 must be so constructed that the
emission from that motor cycle conforms to the standards
specified in paragraph (a) or (b) of Schedule 20.”.

**11. Regulation 8 amended (compliance with more stringent
standards)**

Regulation 8—

Repeal

“7B, 7D, 7E, 7F, 7G, 7H”

Substitute

“7D, 7E, 7G, 7H, 7I”.

- 12. Regulation 9 amended (vehicles to which regulations 7B, 7D, 7E, 7F, 7G, 7H and 14 do not apply)**
- (1) Regulation 9, heading—
Repeal
“7B, 7D, 7E, 7F, 7G, 7H”
Substitute
“7D, 7E, 7G, 7H, 7I”.
- (2) Regulation 9—
Repeal
“7B, 7D, 7E, 7F, 7G, 7H”
Substitute
“7D, 7E, 7G, 7H, 7I”.
- 13. Regulation 14 amended (certain motor vehicles to be equipped with on-board diagnostic system)**
- (1) Regulation 14—
Repeal subregulations (8), (9) and (10).
- (2) Regulation 14(12)—
Repeal
“7E(9), (10) and (11),”.
- 14. Schedule 12 repealed (vehicle design standards (emission) for certain motor vehicles registered on or after 1 January 2006)**
Schedule 12—
Repeal the Schedule.
- 15. Schedule 14 repealed (vehicle design standards (emission) for motor cycles registered on or after 1 January 2007)**
Schedule 14—

Repeal the Schedule.

16. Schedule 16 amended (vehicle design standards (emission) for certain motor vehicles registered on or after 1 June 2012)

(1) Schedule 16—

Repeal

“[regs. 7E,”

Substitute

“[regs.”.

(2) Schedule 16—

Repeal Part 1.

17. Schedule 17 amended (vehicle design standards (emission) for certain motor vehicles registered on or after 1 July 2017)

(1) Schedule 17, Part 1—

Repeal paragraph (a).

(2) Schedule 17, Part 2—

Repeal paragraph (a).

18. Schedule 18 amended (vehicle design standards for particulate emission from certain motor vehicles registered on or after 1 July 2017)

Schedule 18, Part 1—

Repeal paragraph (a).

19. Schedule 20 added

After Schedule 19—

Add

“Schedule 20

[reg. 7I]

Vehicle Design Standards (Emission) for Motor Cycles Registered on or after 1 October 2020

- (a) European Union Motor Vehicle Emission Standards, comprising all of the following requirements—
 - (i) All the testing procedures, requirements and emission limits including those for on-board diagnostic (OBD) system (except Type IX test (sound level)) as specified in Regulation (EU) No. 168/2013 of the European Parliament and of the Council and Commission Delegated Regulation (EU) No. 134/2014 as amended by their subsequent amendments up to and including amendments made by Regulation (EU) 2019/129 of the European Parliament and of the Council.
 - (ii) The emission limit values for Type 1 test for vehicle category L3e (for a motor cycle without a sidecar) or L4e (for a motor cycle with a sidecar) as specified in Table A1 of Annex VI to Regulation (EU) No. 168/2013 of the European Parliament and of the Council and Commission Delegated Regulation (EU) No. 134/2014 as amended by their subsequent amendments up to and including amendments made by Regulation (EU) 2019/129 of the European Parliament and of the Council.
 - (iii) The OBD system standards for vehicle category L3e (for a motor cycle without a sidecar) or L4e (for a motor cycle with a sidecar) as specified in Table B1 of Annex VI to Regulation (EU) No. 168/2013 of the European Parliament and of the Council and

Commission Delegated Regulation (EU) No. 134/2014 as amended by their subsequent amendments up to and including amendments made by Regulation (EU) 2019/129 of the European Parliament and of the Council.

- (iv) The evaporative emission limit for vehicle category L3e (for a motor cycle without a sidecar) or L4e (for a motor cycle with a sidecar) as specified in Table C1 of Annex VI to Regulation (EU) No. 168/2013 of the European Parliament and of the Council and Commission Delegated Regulation (EU) No. 134/2014 as amended by their subsequent amendments up to and including amendments made by Regulation (EU) 2019/129 of the European Parliament and of the Council.
 - (v) All the type approval requirements as specified in Regulation (EU) No. 168/2013 of the European Parliament and of the Council and Commission Delegated Regulation (EU) No. 134/2014 as amended by their subsequent amendments up to and including amendments made by Regulation (EU) 2019/129 of the European Parliament and of the Council.
- (b) Japan Motor Cycle Emission Standards, comprising all of the following requirements—
- (i) All the testing procedures, requirements and emission limits including those for OBD system and evaporative emission limit as specified in the Safety Regulation for Road Vehicles (i.e. the Ministry of Transport Ordinance No. 67 of 28 July 1951) and the Announcement that Prescribes Details of Safety Regulations for Road Vehicles (i.e. the Ministry of Land, Infrastructure and Transport Announcement No. 619 of 15 July 2002) as amended by their

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subsequent amendments up to and including amendments made by the Ministry of Land, Infrastructure, Transport and Tourism Announcement No. 826 of 1 July 2015.

- (ii) All the type approval requirements administered by the Ministry of Land, Infrastructure, Transport and Tourism of Japan.”.

WONG Kam-sing
Secretary for the Environment

20 April 2020

Explanatory Note

This Regulation amends the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311 sub. leg. J) (*principal Regulations*) to—

- (a) impose more stringent vehicle design standards on—
 - (i) light buses registered on or after 1 March 2021 and having a design weight of more than 3.5 tonnes;
 - (ii) buses registered on or after 1 March 2021 and having a design weight of not more than 9 tonnes; and
 - (iii) motor cycles registered on or after 1 October 2020; and
 - (b) repeal obsolete provisions in the principal Regulations.
2. Regulations 7B, 7D(1), 7E, 7F(2), (4), (7), (9), (11) and (13), 7G(2), (4), (6), (8), (10), (15) and (17), 7H(3) and (6) and 14(8), (9) and (10) of, and Schedules 12 and 14, Part 1 of Schedule 16, paragraph (a) of Parts 1 and 2 of Schedule 17 and paragraph (a) of Part 1 of Schedule 18 to, the principal Regulations are obsolete and therefore repealed (sections 4, 5, 6, 7, 8(1) and (8), 9(3) and (6), 13(1), 14, 15, 16, 17 and 18).
3. The new regulation 7G(12A), (13A) and (14A) specifies enhanced vehicle design standards for light buses having a design weight of more than 3.5 tonnes that are registered on or after 1 March 2021 (section 8(3), (5) and (7)).

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Explanatory Note
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4. The new regulation 7H(2A) and (5A) specifies enhanced vehicle design standards for buses having a design weight of not more than 9 tonnes that are registered on or after 1 March 2021 (section 9(2) and (5)).
5. The new regulation 7I specifies enhanced vehicle design standards for motor cycles registered on or after 1 October 2020 (section 10).
6. The new Schedule 20 sets out the Euro 4 Motor Vehicle Emission Standards adopted in the European Union and the emission standards adopted in Japan. Motor cycles registered on or after 1 October 2020 are required to comply with either of those standards (section 19).