

LCQ15: Combating illegal vehicle modifications

Following is a question by the Hon Tony Tse and a written reply by the Secretary for Transport and Logistics, Mr Lam Sai-hung, in the Legislative Council today (January 17):

Question:

Some members of the public have complained about the noise nuisance they have suffered over the years from illegally modified vehicles and suspect that such vehicles are involved in night-time street racing, posing a threat to public safety. In this connection, will the Government inform this Council:

(1) whether it has studied the introduction of measures to effectively combat the noise nuisance caused by illegally modified vehicles; if so, of the details;

(2) as the Government indicated in its reply letter to the Panel on Transport of this Council on May 3 last year that the Police and the Transport Department (TD) had conducted a number of joint operations against illegal vehicle modifications, whether the Police and the TD have jointly reviewed the effectiveness of such joint operations;

(3) whether it will amend the legislation to increase the penalties for illegal vehicle modifications in order to enhance deterrence;

(4) whether it will list the road sections where vehicle noise complaints are frequently received as "black spots of noise nuisance", so as to strengthen law enforcement against illegal vehicle modifications; and

(5) whether it has adopted new technologies (such as the noise detector developed by the Environmental Protection Department and the Hong Kong Productivity Council, etc) to carry out roadside monitoring, so as to step up efforts to combat illegal vehicle modifications; if not, of the reasons for that?

Reply:

President,

Having consulted the Environmental and Ecology Bureau, the Hong Kong Police Force (Police) and the Transport Department (TD) in respect of combating noise nuisance caused by illegally modified vehicles, my reply to various parts of the question raised by the Hon Tony Tse is as follows:

(1) and (4) Noise Control (Motor Vehicles) Regulation (Cap. 400I) stipulates that all vehicles first registered must conform to the prescribed noise emission standards. In accordance with the Road Traffic Ordinance (Cap. 374),

the Commissioner for Transport may refuse to register any vehicle which does not comply with the noise emission standards.

In addition, vehicles are required to be fitted with silencers under the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A). To prevent vehicles from emitting excessive noise due to illegal modifications after first registration, Cap. 374A also requires the silencers to be maintained in good and efficient working order, and not to be altered or replaced to avoid the emanation of greater noise. Any person who contravenes the requirement commits an offence and is liable to a maximum fine of \$10,000 and to a maximum of 6 months' imprisonment.

Under section 80 of the Road Traffic Ordinance, if a police officer has reason to believe that a vehicle has been illegally altered (including causing excessive noise as a result of illegal modification), the police officer is empowered to direct the vehicle to be driven to a vehicle examination centre for further examination by a vehicle examiner. If it is proven that the vehicle owner contravenes the relevant law, the Police will prosecute the vehicle owner concerned. The Police and the TD will continue to work closely on the related enforcement matters.

As regards noise nuisance caused by illegal car racing, the Police and the TD have been actively following up the complaints received, and the Police will from time to time carry out operations, including the joint operation with the TD mentioned in Part (2) below, in accordance with the legal provisions mentioned above. The Police and the TD do not keep statistics on the number of complaints about vehicle noise at individual road sections, but they will determine the locations and time of operations on the basis of the complaints and intelligence received.

(2) and (3) The Police and the TD have been working closely on tackling excessive noise emission, for instance, by suspected "defective vehicles" with modified exhaust pipes as well as complaints against vehicle noise, with a view to combating illegally modified vehicles through the existing reporting mechanism and roadside law enforcement by the Police. In 2023, the Police and the TD conducted a total of 41 joint operations against illegal modification of vehicles, which was a double of the 21 joint operations conducted in 2022, while the number of vehicle examination orders issued from the joint operations decreased from about 2 400 in 2022 to about 2 000 in 2023. In addition, the number of defective vehicle reports received by the Vehicle Inspection Office of the TD decreased from about 4 300 in 2022 to about 3 800 in 2023. The above figures show the effectiveness of the joint operations of the Police and the TD, and that the existing legislation maintains its deterrent effect. The Police and the TD will continue with the relevant work.

(5) The Environmental Protection Department (EPD) has all along been keeping abreast of the development of overseas technologies in monitoring excessive noise emitted from modified vehicles. The EPD has applied artificial intelligence in recent years in analysing sounds and images and developed technology to automatically identify illegally modified vehicles that emit excessive noise. The Police and the TD will continue to keep in view

technological developments (including those developed by the EPD) and introduce suitable technologies to facilitate law enforcement in a timely manner.