

LCQ5: Vehicle registration and licensing

Following is a question by the Hon Hui Chi-fung and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (April 17):

Question:

The requirements for the registration of pure electric vehicles and plug-in hybrid electric vehicles (new energy vehicles) include that the applicants must prove that the vehicles concerned are fully compliant with the emission standards specified in the relevant regulations. Some vehicle owners have relayed that in the course of importing certain models of new energy vehicles, they were unable to (i) obtain documents issued by the vehicle manufacturers concerned as proof of emission compliance, nor (ii) find an approved test laboratory in Hong Kong to conduct exhaust emission tests, rendering the vehicles concerned unable to be registered. Regarding vehicle registration and licensing, will the Government inform this Council:

(1) of the respective numbers of enquiries and requests for assistance about the aforesaid situation received by the Government in each of the past five years;

(2) whether it will examine (i) lowering the exhaust emission standards with which new energy vehicles are required to comply and (ii) exempting applicants from producing documentary proof issued by vehicle manufacturers; if so, of the details; if not, the reasons for that;

(3) of the number of vehicles in each of the past five years that the Commissioner for Transport (the Commissioner) refused to register on the grounds that the vehicles' exhaust emission performance had failed to comply with the specified emission standards, with a breakdown by the type of energy (such as pure electric and hybrid) used by such vehicles;

(4) of the number of vehicles in each of the past five years that the Commissioner refused, by invoking section 24(1)(c) of the Road Traffic Ordinance (Cap. 374), to register on the grounds that the vehicles were not roadworthy, with a breakdown by (i) the class to which such vehicles belonged and (ii) the type of energy used by them;

(5) given that section 24(2) of Cap. 374 provides that "the Commissioner may refuse to register a motor vehicle in the class specified in the application for its registration if he considers that by reason of its design or construction or otherwise the vehicle is not suitable for registration in that class", of the number of vehicles in each of the past five years that the Commissioner refused, by invoking the section, to register in the relevant class, with a breakdown by (i) the class to which such vehicles

belonged and (ii) the type of energy used by them;

(6) of the respective numbers of vehicles in each of the past five years that the Commissioner (i) refused to license and (ii) cancelled the licence, by invoking section 25(1) of Cap. 374, with a breakdown by (a) the brand of such vehicles, (b) the class to which they belonged and (c) the type of energy used by them;

(7) of the number of electric mobility devices in each of the past five years that the Commissioner refused to register, with a breakdown by the type (e.g. mini-motor cycles, electric bicycles, electric scooters and electric unicycles) to which such devices belonged; and

(8) of the respective numbers of (i) brand new and (ii) used private vehicles (including new energy vehicles) imported in each of the past five years?

Reply:

President,

Having consulted the Environmental Protection Department (EPD), we would like to furnish a consolidated reply to the various parts of the Hon Hui Chi-fung's question as follows:

(1) From 2014 to end March 2019, EPD received 34 applications for exhaust emission approval of plug-in hybrid vehicles (including 30 vehicle type approval applications and 4 individual/parallel import applications). EPD granted emission compliance certificates to all these applications. One of the applicants had expressed that no recognised testing laboratories could be found in Hong Kong to conduct exhaust emission test, but finally obtained the supporting document from the relevant vehicle manufacturer.

(2) Pure electric vehicles (PEVs) do not have tailpipe emissions. Hence, the exhaust emission standards as stipulated in the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311J) are not applicable to PEVs. No application from PEVs is required to be submitted to EPD regarding the vehicle exhaust emission standards.

All vehicles imported for use on roads in Hong Kong, which are equipped with internal combustion engines (including Plug-in Hybrid Electric Vehicles (PHEVs)), have to comply with the vehicle exhaust emission standards as stipulated in the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations (Cap. 311J). For air quality consideration, the Government considers that it would not be appropriate to relax the exhaust emission standards, with which new energy vehicles need to comply.

In vetting applications for exhaust emission approval for newly registered vehicles, EPD has all along followed the international established practice and requires the applicant to provide an emission testing report issued by an independent and recognised third-party testing organisation (local or outside Hong Kong alike) after testing, a certificate issued by an

official regulatory body of other jurisdictions after testing or a certificate issued in respect of an individual vehicle by its manufacturer (only applicable to individual/parallel import application) to prove that the relevant vehicle's emissions comply with the statutory exhaust emission standards in Hong Kong. The supporting document issued by a vehicle manufacturer is merely one of the options available.

(3) According to the prevailing procedures for vehicle registration, when applying for first registration with the Transport Department (TD), all vehicles should have been granted EPD's approval for compliance with the emission standards stipulated in the Air Pollution Control (Vehicle Design Standards) (Emission) Regulations and Noise Control (Motor Vehicles) Regulations or for exemption from complying with the relevant emission regulations. TD therefore has not refused any registration of vehicles due to non-compliance with the aforementioned regulations.

(4) and (5) Prior to vehicle registration, applications should be made to TD for vehicle type approval or parallel import pre-registration inspection so as to ensure that the design and constructions of vehicles comply with the requirements as stipulated in the Road Traffic Ordinance (Cap. 374) and its subsidiary regulations. In the past five calendar years, TD did not reject any applications for type approval or parallel import pre-registration inspection for reasons of being "not roadworthy" or that "the vehicle is not suitable for registration in that class". According to the prevailing procedures for vehicle registration, all vehicles should have passed the vehicle type approval or parallel import pre-registration inspection before applying for first registration with TD. TD therefore has not refused any registration of vehicles due to non-compliance with the aforementioned requirements.

(6) In the past five calendar years, the numbers of vehicles in respect of which TD refused to issue vehicle licences or cancelled vehicle licences pursuant to section 25(1) of the Road Traffic Ordinance (Cap. 374) are tabulated below with breakdown by reasons. The breakdown of the reasons by brand, class and fuel type of vehicles is detailed at Annexes 1 to 3.

Reasons for refusal to issue vehicle licences or cancellation of vehicle licences (
(1) Vehicle owners' non-compliance with vehicle examination notice, examination order or vehicle repair order
(2) Vehicle owners' failure of having the vehicle tested at a vehicle emission test centre when required to do so or non-compliance with vehicle emission standards
(3) Vehicles' non-compliance with regulations in relation to the prohibition or control of the emission of air pollutants from motor vehicles

(7) Electric mobility devices are all mechanically propelled and thus belong to "motor vehicles". From the road safety perspective and from the smooth traffic angle, electric mobility devices would not be registered and licensed under the Road Traffic Ordinance (Cap. 374) by TD. Nevertheless, in view of

the rapid technological advancement of electric mobility devices, the Consultancy Study on Enhancing Walkability in Hong Kong commissioned by TD will look into the latest development of relevant technology, the usage of electric mobility devices in Hong Kong, and the suitability of their use in Hong Kong for short-distance commuting, etc. TD will also study the regulation of electric mobility devices in other jurisdictions, and make assessments on the implications of the use of these devices in Hong Kong on road safety, accessibility and road users, the relevant legal requirements, as well as management and implementation issues, etc. The consultancy study is expected to be completed in mid-2020. The Government will take into consideration the results of the study to review whether there is a need to introduce regulatory measures for electric mobility devices.

(8) TD does not maintain statistics in relation to imported new private cars and used private cars but could provide figures with regard to the numbers of first registered private cars with breakdown by first registration vehicle status and fuel type in the past five calendar years. Relevant information is tabulated as follows:

Year	Fuel type (Note 2)	Number of first registered private cars		
		New vehicles	Imported used vehicles (Note 3)	Others (Note 4)
2018	Petrol	33 860	7 498	193
	Diesel	265	0	0
	Electric	471	0	0
2017	Petrol	29 193	6 172	171
	Diesel	4 245	0	1
	Electric	3 860	0	0
2016	Petrol	29 576	6 460	230
	Diesel	1 896	0	0
	Electric	3 018	2	0
2015	Petrol	37 724	8 126	272
	Diesel	1 592	1	0
	Electric	2 606	0	1
2014	Petrol	36 452	7 273	520
	Diesel	1 546	0	0
	Electric	845	0	0

Note 1: TD has not further classified the cases by refusal to issue vehicle licences and cancellation of vehicle licences. There were some cases in which the vehicles failed to comply with more than one requirement, resulting in the vehicle licences not issued or be cancelled.

Note 2: The numbers of hybrid private cars have been incorporated into the table above in accordance with their respective fuel type.

Note 3: "Imported used vehicles" includes only used vehicles imported by registered distributors or importers for use in Hong Kong.

Note 4: "Others" includes non-brand new vehicles imported by registered owners into Hong Kong for self-use and vehicles sold through Government auctions.