

## LCQ8: Noise emitted by motor vehicles

Following is a question by the Hon Michael Tien and a written reply by the Secretary for the Environment, Mr Wong Kam-sing, in the Legislative Council today (March 20):

Question:

At present, the Noise Control (Motor Vehicles) Regulation (Cap. 400 sub. leg. I) requires that every vehicle first registered must conform to the noise emission standards prescribed under the Regulation. Also, the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374 sub. leg. A) require that every vehicle propelled by an internal combustion engine must be fitted with a silencer maintained in good and efficient working order, and must not be altered or replaced in such a way that makes the noise greater. However, quite a number of members of the public have relayed that they often find vehicles, suspected of having been modified illegally, running on the expressways near their residences and emitting annoying noise. In this connection, will the Government inform this Council whether it will amend the legislation to empower the Police, where they suspect that the noise emitted by a moving vehicle has exceeded the prescribed standards, to stop the vehicle and have the vehicle towed to a vehicle examination centre for a noise test and, upon confirmation that the noise has exceeded the prescribed standards, to institute prosecution against, and issue a vehicle repair order to, the vehicle owner concerned; if so, of the work schedule; if not, the reasons for that?

Reply:

President,

Reply to the question raised by the Hon Michael Tien is as follows:

In accordance with the Road Traffic Ordinance (Ordinance), motor vehicles for first registration have to comply with the noise emission standards stipulated in the Noise Control (Motor Vehicles) Regulation. In addition, vehicles are required to be fitted with silencers under the Road Traffic (Construction and Maintenance of Vehicles) Regulations. To prevent a small number of vehicles from emitting excessive noise due to illegal alteration after first registration, the Road Traffic (Construction and Maintenance of Vehicles) Regulations also require the silencers to be maintained in good and efficient working order, and not to be altered or replaced leading to emanation of greater noise from the escape of the exhaust gases.

If excessive noise was found emanating from silencer and the police officer reasonably suspected that the silencer has been altered or replaced, the Police are empowered under Section 80 of the current Ordinance to direct the vehicle to be driven to vehicle examination centres and to arrange a vehicle examiner to examine the vehicle. If contravention of the relevant

legislation is confirmed, the Police will initiate prosecution.

To combat illegal activities including alteration and replacement of vehicle silencers, the Police would conduct territory-wide and district-based enforcement operations from time to time. Members of the public may also report vehicles suspected of emanating excessive noise due to silencer alteration through the government hotline 1823 or the Transport Department (TD)'s Defective Vehicle Report Form. Under Section 79 of the Ordinance, the TD may serve the registered vehicle owner an examination order requiring production of the vehicle for examination at a vehicle examination centre.