

Road Traffic (Autonomous Vehicles) Regulation and Road Traffic (Amendment) (Autonomous Vehicles) Ordinance 2023 (Commencement) Notice gazetted

The Road Traffic (Autonomous Vehicles) Regulation (AV Regulation) and the Road Traffic (Amendment) (Autonomous Vehicles) Ordinance 2023 (Commencement) Notice (Commencement Notice) were gazetted today (December 8).

The AV Regulation, which was made under the Road Traffic (Amendment) (Autonomous Vehicles) Ordinance 2023 (AV Ordinance), sets out a specific statutory and regulatory regime to facilitate the wider trial and use of autonomous vehicles (AVs) in Hong Kong. The AV Regulation and the Commencement Notice will be tabled before the Legislative Council (LegCo) on December 13 for negative vetting and the new regulatory regime for AVs will come into effect on March 1, 2024.

A spokesman for the Transport and Logistics Bureau said, "AV technology has been rapidly developing in recent years and is becoming increasingly popular across the globe. The AV Regulation establishes a clear regulatory framework for conducting AV trials in Hong Kong in the form of a pilot scheme. On the premise of ensuring road safety, it will facilitate the industry in testing and applying AV technology with more flexibility, thereby promoting smart mobility."

"Any person or institution who intends to test and use AVs on the roads in Hong Kong must apply to the Commissioner for Transport for a pilot licence and an AV certificate in accordance with the new legislation, pass the vehicle examination and testing arranged by the Transport Department (TD), have the AVs registered and licensed pursuant to the existing registration and licensing regime for motor vehicles and comply with the relevant requirements of the AV Regulation in respect of insurance coverage, maintenance, reporting and investigation of incidents or accidents, etc," the spokesman added.

The TD will issue a Code of Practice (CoP) to applicants and holders of pilot licences and AV certificates, setting out detailed technical and operational requirements for vehicle design and construction, network security, personnel training and record-keeping, etc in relation to the AV, and update the CoP as necessary with a view to keeping abreast of the evolving AV technology and the latest international standards while flexibly coping with the development of the industry with proper risk control.

The Road Traffic (Amendment) (Autonomous Vehicles) Bill 2022 that the Government introduced into the LegCo was passed by the LegCo in May this

year, and became the AV Ordinance. The regulatory details and the commencement date are now provided in the AV Regulation and the Commencement Notice respectively.