

**Table D**

**Summary of Penalties introduced in  
Road Traffic (Amendment) Ordinance 2012**

<b>Offence</b>	<b>Reference examples</b>	<b>Penalties</b>
<b>(1) Contravention of maximum speed limit for PLB under the Road Traffic Ordinance (Cap 374)</b>		
<ul style="list-style-type: none"><li>Travelling speed of PLB on road exceeds 80km/hr.</li></ul>	---	<ul style="list-style-type: none"><li>Liable to a fine of \$4,000.</li><li>Incur Driving-offence Points of 3 to 10 points.</li><li>Liable to driving disqualification for a period of not less than 6 months or mandatory attendance and completion of a driving improvement course if driving in excess of speed limit by more than 45 km/hr.</li></ul>
<b>(2) Contravention of requirements for speed limiter under the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap 374A)</b>		
<ul style="list-style-type: none"><li>Any person who uses or causes or permits to be used on any road any vehicle which does not comply in all respect with the provision of the above regulations.</li><li>Any person who contravenes or</li></ul>	<ul style="list-style-type: none"><li>A PLB is not fitted with an approved speed limiter.</li><li>The approved speed limiter on a PLB is not installed by an authorized speed limiter installer.</li><li>The set speed with which a fitted speed limiter is calibrated is not identical to the set speed</li></ul>	<ul style="list-style-type: none"><li>Liable to a fine of \$10,000 and to imprisonment for 6 months.</li></ul>

Offence	Reference examples	Penalties
<p>fails to comply with any requirement under the above regulations.</p> <ul style="list-style-type: none"> <li>Any person who without lawful authority or reasonable excuse willfully interferes with the proper operation of any part of a fitted speed limiter; or alter the set speed with which a fitted speed limiter is calibrated to a value that does not comply regulation 24B(5) of the above regulations.</li> </ul>	<p>determined by the Commissioner for Transport (“the Commissioner”).</p> <ul style="list-style-type: none"> <li>A fitted speed limiter is not maintained in good and efficient working order.</li> <li>A fitted speed limiter is not sealed by the Commissioner or a person authorized by the Commissioner in writing.</li> <li>Use of a fitted speed limiter the seal of which is not intact.</li> <li>A plate marked legibly and correctly with the required information of a speed limiter is not affixed on a fitted speed limiter or on a place adjacent to the speed limiter.</li> <li>A sign which complies with regulation 24B(12) of the above regulations is not displayed in a conspicuous position in the passengers’ compartment.</li> </ul>	
<b>(3)(a) Contravention of requirements for the EDRD under the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap 374A)</b>		
<ul style="list-style-type: none"> <li>Any person who uses or causes or permits to be used on any road any vehicle which does not comply in all respect with the provision of the above regulations.</li> </ul>	<ul style="list-style-type: none"> <li>A PLB is not fitted with an approved EDRD.</li> <li>The approved EDRD on a PLB is not installed by an authorized EDRD installer.</li> <li>A fitted EDRD is not maintained in good working order.</li> </ul>	<ul style="list-style-type: none"> <li>Liable to a fine of \$10,000 and to imprisonment for 6 months.</li> </ul>

Offence	Reference examples	Penalties
<ul style="list-style-type: none"> <li>Any person who contravenes or fails to comply with any requirement under the above regulations.</li> <li>Any person who without lawful authority or reasonable excuse willfully interferes with the proper operation of any part of a fitted EDRD; alters the over-speed threshold stored in a fitted EDRD to a value that does not comply with regulation 24C(6) of the above regulations; removes a fitted EDRD from the motor vehicles; or falsifies, suppresses or destroys any data stored in a fitted EDRD (whether or not the EDRD has been removed from the motor vehicle).</li> </ul>	<ul style="list-style-type: none"> <li>A fitted EDRD is not sealed by the Commissioner or a person authorized by the Commissioner in writing.</li> <li>A plate which marked legibly and correctly with the required information of an EDRD is not affixed on a fitted EDRD or on a place adjacent to the EDRD.</li> <li>Use of a fitted EDRD the seal of which is not intact.</li> </ul>	
<b>(3)(b) Contravention of requirement about retrieving electronic data of the EDRD under the Road Traffic Ordinance (Cap. 374)</b>		
<ul style="list-style-type: none"> <li>If there is a driver or any other person inside the vehicle, the driver does not observe the direction of a police officer to drive the vehicle to</li> </ul>	---	<ul style="list-style-type: none"> <li>Liable to a fine of \$5,000.</li> </ul>

Offence	Reference examples	Penalties
<p>the vehicle examination centre or police station specified by the police officer; or the driver and any other person do not observe the direction of a police officer to leave the vehicle and himself or herself drive or remove the vehicle or cause it to be driven or removed to any vehicle examination centre or police station, for retrieving the data stored in an EDRD.</p>		
<p><b>(4) Contravention of requirements for display of PLB driver identity plate under the Road Traffic (Public Service Vehicles) Regulations (Cap 374D)</b></p>		
<ul style="list-style-type: none"> <li>• When a PLB is standing for the purpose of picking up passengers, or being used for the carriage of passengers, for hire or reward, the driver does not display in it a PLB driver identity plate in a PLB driver identity plate holder both of which must comply the specifications specified by the Commissioner;</li> <li>• The PLB driver identity plate and PLB driver identity plate holder are</li> </ul>	---	<ul style="list-style-type: none"> <li>• Liable to a fine of \$2,000.</li> </ul>

Offence	Reference examples	Penalties
obscured.		