

立法會
Legislative Council

LC Paper No. CB(1)1955/01-02
(These minutes have been seen
by the Administration)

Ref : CB1/PL/TP/1

Legislative Council
Panel on Transport

Minutes of meeting held on
Friday, 25 January 2002, at 8:30 am
in the Chamber of the Legislative Council Building

- Members present** : Hon Miriam LAU Kin-ye, JP (Chairman)
Hon Abraham SHEK Lai-him, JP (Deputy Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Albert HO Chun-yan
Ir Dr Hon Raymond HO Chung-tai, JP
Hon CHAN Kwok-keung
Hon LAU Kong-wah
Hon Andrew CHENG Kar-foo
Hon TAM Yiu-chung, GBS, JP
Dr Hon TANG Siu-tong, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon LEUNG Fu-wah, MH, JP
Hon LAU Ping-cheung
- Non-Panel members attending** : Hon Emily LAU Wai-hing, JP
Hon LAW Chi-kwong, JP
- Members absent** : Hon Mrs Selina CHOW LIANG Shuk-ye, JP
Hon Andrew WONG Wang-fat, JP
Hon LAU Chin-shek, JP
Hon WONG Sing-chi

**Public officers
attending** : **Agenda Item IV**

Transport Department

Ms Shirley LAM
Principal Assistant Secretary for Transport (5)

Transport Department

Mr Daniel AU
Assistant Commissioner for Transport/New Territories

Mr LEE Yan-ming
Chief Traffic Engineer/NT West

Highways Department

Mr W C CHAN
Deputy Project Manager/Major Works

Environmental Protection Department

Mr Simon Y M HUI
Principal Environmental Protection Officer (Assessment
and Audit)

Fire Services Department

Mr PIK Ying-keung
Chief Fire Officer

Hong Kong Police Force

Mr Michael CHAN Man-wai
District Operations Officer

Agenda Item V

Transport Bureau

Mr Arthur HO
Deputy Secretary for Transport

Mr Patrick HO
Principal Assistant Secretary for Transport (1)

Transport Department

Dr Dorothy CHAN
Deputy Commissioner for Transport/
Operations and Management

Ms Zina WONG
Assistant Commissioner for Transport/Bus and Railway

Ms Cinderella LAW
Principal Transport Officer/New Territories

Mr W M WONG
Chief Transport Officer/Bus and Railway (3)

Agenda Item VI

Transport Bureau

Mr Roy TANG
Principal Assistant Secretary for Transport (3)

Mr K M WOO
Chief Inspecting Officer (Railways)

Transport Department

Ms Carolina YIP
Principal Transport Officer

Agenda Item VII

Transport Bureau

Mr Arthur HO
Deputy Secretary for Transport

Mr Patrick HO
Principal Assistant Secretary for Transport (1)

Transport Department

Mr Robert FOOTMAN
Commissioner for Transport

Mr Daniel AU
Assistant Commissioner for Transport/New Territories

**Attendance by
invitation**

: Agenda Item VI

MTR Corporation Limited

Mr Martin BROWN
Head of Operations

Mr Adi LAU
Infrastructure Manager

Miss Maggie SO
External Affairs Manager

Agenda Item VII

Maxicab Operators General Association Limited

Mr HIEW Moo-siew
Chairman

Mr WONG Mo
Director

Hong Kong Scheduled (GMB) Licensee Association

Mr WONG Man-kit
Chairman

Mr MA Kiu-sang
Vice Chairman

The Environmental Light Bus Alliance

Mr CHAN Man-chun
Initiator

Mr TSE Kin-wai
Initiator

Sai Kung PLB Drivers and Owners Association

Mr TAM Yip-choi
Member

Mr SO Sai-hung
Member

Public Light Bus General Association

Mr NG Mon-shing
主席

香港九龍新界公共專線小型巴士聯合總商會

Mr LEUNG Hung
Chairman

Mr TAM Chun-tat
Vice Chairman

Motor Transport Workers General Union

歐陽明先生
理事

HK Public-Light Bus Owner & Driver Association

鍾志華先生
副主席

黎銘洪先生
秘書

Lam Tin Wai Hoi Public Light Bus Merchants Association
Limited

Mr NGAI Chor
主席

Mr HO Sau-chiu
委員

Lei Yue Mun Ko Chiu Road Public Light Bus Merchants
Association Limited

伍熾良先生
委員

Mr POON Shing-cho
委員

Tuen Mun PLB Association

鍾世興先生
主席

梁志偉先生
執委

荃灣公共小型巴士商會有限公司

Mr MA Ming-shun
主席

Mr CHAN Chet-yin
副主席

Clerk in attendance : Mr Andy LAU
Chief Assistant Secretary (1)2

Staff in attendance : Ms Alice AU
Senior Assistant Secretary (1)5

Action

I Confirmation of minutes and matters arising

(LC Paper No. CB(1)733/01-02 - Minutes of meeting held on 23 November 2001;

LC Paper No. CB(1)867/01-02 - Minutes of joint meeting held with Environmental Affairs Panel and Planning, Lands and Works Panel on 27 November 2001; and

LC Paper No. CB(1)871/01-02 - Minutes of meeting held on 14 December 2001)

The minutes of joint meeting held with the Environmental Affairs Panel and the

Planning, Lands and Works Panel on 27 November 2001 and the minutes of meetings held on 23 November 2001 and 14 December 2001 were confirmed.

II Information papers issued since last meeting

- (LC Paper Nos. CB(1)842/01-02(01) and (02) - Submissions on concessionary fares for students;
- LC Paper No. CB(1)889/01-02(01) - Views on infrastructural projects raised by Yuen Long District Council Members at the meeting with LegCo Members on 10 January 2002; and
- LC Paper No. CB(1)898/01-02(01) - Operation and financial position of Light Rail)

2. Members noted the above information papers issued since last meeting.

III Items for discussion at the meeting on 22 February 2002

- (LC Paper No. CB(1)872/01-02(01) - List of outstanding items for discussion; and
- LC Paper No. CB(1)872/01-02(02) - List of follow-up actions

Clerk 3. The Chairman invited members to go through the Panel's lists of outstanding items for discussion and follow-up actions (LC Paper Nos. CB(1)872/01-02(01) and (02) respectively).

4. Members noted that the Administration had proposed two items for discussion at the next regular Panel meeting in February 2002:

- (a) Measures to enhance safety of school transport vehicles; and
- (b) Progress report of speed limit review.

Admin 5. After deliberation, members agreed that the Administration should be requested to provide an information paper on item (b) above. They would decide on whether it was necessary to follow up on the item at a later meeting. Apart from item (a) above, members also agreed to discuss the item on "Policy on the provision and operation of tunnels" at the next meeting.

(Post-meeting note: An information paper provided by the Administration entitled "Progress report of speed limit review 2001" was circulated to members vide LC Paper No. CB(1)1110/01-02(01).)

6. At the suggestion of the Chairman, members agreed to include the item on

“Measures to maximize the utilization of Route 3” in the Panel’s list of outstanding items for discussion.

IV Improvement of Tung Chung Road

(LC Paper No. CB(1)872/01-02(03) - Information paper provided by the Administration)

7. The Chairman reminded members that the item on “Improvement of Tung Chung Road” was last discussed by the Panel on 19 January 2001. During the meeting between Legislative Council Members and Islands District Council Members (IsDC) held on 13 December 2001 which she had also attended, concerns had been raised by IsDC Members about the progress of the project.

8. The Principal Assistant Secretary for Transport (5) (PAS for T(5)) briefly introduced the paper provided by the Administration (LC Paper No. CB(1)872/01-02(03)). She invited members to note that the Administration was pushing ahead with the widening works of the existing Tung Chung Road with a target completion date of 2006. The estimated project cost was in the order of \$1 billion. The Administration was fully aware of the urgency of the improvement project and would take all possible steps to advance the programme of the project. In this respect, the necessary administrative and statutory procedures and detailed design would be carried out concurrently where possible. Construction works would also be carried out at different locations concurrently and it was intended that the works would be completed in phases from end 2005 to end 2006. Improvement works would be carried out in sections and each section would be opened to traffic as soon as it was completed to bring about local improvements.

9. In response to Ir Dr Raymond HO, PAS for T(5) advised that the Environmental Impact Assessment (EIA) study was being taken forward by the Highways Department (HyD) and the expected completion date was April 2002. Pending approval given by the Director of Environmental Protection in accordance with the Environmental Impact Assessment Ordinance (EIA Ordinance) (Cap. 499), it was hoped that detailed design of the project could start later during the year.

Implementation programme

10. Members in general were dissatisfied that the project would only be completed in 2006. Mindful of the serious safety risks caused by the substandard conditions of Tung Chung Road, they called on the Administration to take all possible measures to expedite the project so that early improvement could be provided to address the dire transport needs of the Lantau residents.

11. Citing the programme for Shenzhen Western Corridor and Deep Bay Link, Mr CHENG Kar-foo said that he found it hard to accept that such mammoth projects costing several tens of billions of dollars would be completed by 2005, while the

relatively small-scale project of the widening of Tung Chung Road with an estimated project cost of \$1 billion could only be completed in 2006. In this connection, he queried the long time required to undertake preparatory work such as investigation, EIA study, preliminary design and detailed design of the project.

12. In response, PAS for T(5) explained that according to the proposed programme, preparatory work including EIA study and preliminary design, as well as detailed design of the project would each take 12 months to complete. As the decision to take forward the widening option was only made in early 2001, the proposed programme was indeed the fastest possible for projects of a similar nature and scale which normally took about eight years to complete. Notwithstanding the explanation given, Mr CHENG called on the Administration to take every possible measures to fast-track the preliminary and detailed design of the project with a view to compressing the whole programme from more than five years to three or four years.

13. Mr TAM Yiu-chung noted the Administration's intention to conduct certain activities in parallel where possible, and expressed appreciation for the Administration's proactive attitude in taking the project forward. For the purpose of expediting progress, he asked whether the Administration would consider carrying out the improvement works under a design-and-build contract. Sharing this view, Ir Dr Raymond HO considered that if the design-and-build mode was adopted for the project, much time would be saved in respect of pre-construction activities such as preliminary and detailed design. Mr Abraham SHEK also remarked that no contractor under a design-and-build contract would consider spending as many as 35 months to complete a \$1 billion project.

14. In reply, PAS for T(5) explained for the present project, a design-and-build contract might not help much in shortening the delivery time because the Administration was already taking forward the preliminary design of the project and different activities would be undertaken in parallel where possible. To supplement, the Deputy Project Manager/Major Works of HyD (DPM/MW, HyD) said that a design-and-build contract would require certainty in respect of the work items involved in the project. Hence, tenders could only be invited after all the necessary statutory procedures were completed, including gazettal under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), resolving objections under the Ordinance and obtaining approval from the Executive Council. If working against such a schedule, detailed design could only commence after the contract had been awarded. But according to the proposed programme, the above-mentioned activities would be carried out in parallel where possible, thereby achieving time savings.

15. While noting the Administration's reply, Ir Dr Raymond HO considered that as much time was needed to complete all the necessary administrative, land resumption and EIA procedures, it would be most important for the Administration to ensure that a better consultation and liaison mechanism was in place to solicit and address as early as possible the concerns of all interested parties, including the local District Council and community groups. His view was shared by Dr TANG Siu-tong.

16. Expressing disappointment with the Administration's refusal to consider other options which might speed up progress, Mr Abraham SHEK opined that the Administration would need to change its mindset and explore new ways to expedite the implementation of capital works projects so as to create more job opportunities during the present times of economic downturn.

17. In response, PAS for T(5) assured members that the Administration would actively identify further areas where time savings could be achieved. Referring to the proposed timetable of Tung Chung Road improvement between Lung Tseng Tau and Cheung Sha in Annex B to the paper, she said that HyD would closely liaise with the Environmental Protection Department (EPD) during the course of the EIA study with a view to shortening the EIA approval process from five months to four months. This activity would also be synchronized with those in connection with seeking funding approval for the project and selecting consultants for detailed design. The Administration would also critically examine ways in which construction works could be completed ahead of the 35-month schedule. For this purpose, suitable conditions would be included in the relevant contract.

18. While reiterating the Administration's concern about the early completion of the project, PAS for T(5) cautioned that when considering the matter, other factors would have to be taken into account, including the need to minimize potential impact on the surrounding Country Park and other environmentally sensitive areas such as Tung Chung Stream. Hence, mitigation measures would have to be planned for and implemented carefully.

19. Ir Dr Raymond HO however opined that potential impacts on the environment should not take precedence over the safety consideration of local residents. He was particularly dissatisfied with the relevant provisions in the EIA Ordinance which required year-round monitoring for evaluating potential environmental impacts regardless of the seriousness of the problem. As a result, the EIA study process was prolonged unnecessarily in some cases. In this respect, he said that Mr LAU Ping-cheung, Mr Abraham SHEK and himself had been examining the relevant issues involved and would recommend legislative amendments for the Administration to consider.

20. Mr TAM Yiu-chung opined that as many parts of Tung Chung Road were not close to any residence, construction work should also be carried out at night so as to speed up progress. In this respect, he called on the Administration to consider his suggestion and enquired about possible time savings if construction work was carried out in both day and night time.

21. In response, PAS for T(5) advised that 35 months was the time taken for carrying out construction works in day time only. Acknowledging members' call to speed up progress, she said that the Administration would actively pursue Mr TAM's suggestion. However, she cautioned that the safety risks involved and likely impact

on the affected wildlife would have to be carefully assessed. In this connection, HyD would further examine the feasibility of carrying out construction work at night in particular sections of Tung Chung Road. If considered feasible, arrangements would be made to apply for approval from the Agriculture, Fisheries and Conservation Department (AFCD) and EPD to carry out construction work at night. By then, the Administration would be in a better position to assess the amount of time that could be saved. In this respect, the Chairman considered that early planning should be made so that approval from AFCD and EPD could be sought in the first instance.

22. Expressing support for Mr TAM Yiu-chung's suggestion, Ir Dr Raymond HO remarked that in respect of construction safety, night time work should not present a major problem with the availability of good lighting equipment. It was indeed a common practice in the Mainland to carry out construction works at night.

23. Dr TANG Siu-tong was concerned that developments in Lantau had been delayed unnecessarily as a result of environmental concerns. In this connection, he sought the tentative view of EPD on the likely success of the on-going EIA study which was due to complete in April 2002.

24. In response, the Principal Environmental Protection Officer (Assessment and Audit) of EPD (PEPO/EPD) said that it would not be appropriate to pre-empt the decision of the Director of Environmental Protection (DEP) as the statutory authority for approving the EIA and granting the environmental permit even before the application was submitted. However, he confirmed that both EPD and AFCD were actively involved in the EIA study process. So far, no major adverse impact had been identified which might seriously jeopardize the success of the EIA report.

25. In that case, the Chairman considered that given its direct involvement, EPD should be able to complete scrutiny of the EIA report well within the statutory limit. In reply, PEPO/EPD assured members that priority would be given to the EIA study for the project. He further explained that under the EIA Ordinance, different statutory limits were imposed for DEP's review of an EIA report (60 days), consultation with the public and Advisory Council on Environment (ACE) (60 days) and DEP's reply after consultation (30 days). The whole process would take five months to complete. While the statutory public consultation period could not be shortened, he said that EPD would try to complete the review process as soon as practicable, say within 30 days. Subject to the comments raised by the public and ACE, DEP would also endeavour to give an early reply before the 30-day statutory limit expired. In this connection, both the Chairman and Dr TANG Siu-tong called on EPD to make greater efforts to ensure that the whole EIA process could be completed within the shortest possible time.

Assessment on the tunnel option

26. Noting that 16 bridge structures would be built along the 7.2 km long overland route, Mr CHENG Kar-foo did not agree with the Administration's assertion that the

proposed design compared favourably to other options (e.g. a short tunnel) in terms of potential impact on the ecology, landscape and water quality. Citing the example of countries like Switzerland and Austria where many tunnels were built along the mountainous terrain to avoid creating environmental disturbance, he sought the Administration's stance on the tunnel option which was generally supported by the green groups.

27. In response, PAS for T(5) explained that the tunnel option would present some quite insurmountable difficulties in terms of implementation. In view of the difficult terrain, the road would have to climb to a certain height along the steep slopes before short tunnels could be used. Otherwise, a long tunnel would have to be built through the mountains from Tung Chung to South Lantau. However, such a long length of single tube 2-lane 2-way tunnel would be very undesirable from the traffic safety point of view. If a twin tunnel was to be built instead, excessive capacity would be provided, which was considered not justified given the planning intentions to preserve the village and natural landscape setting of South Lantau. PAS for T(5) assured members that with the widening of Tung Chung Road, the Administration was convinced that it was the most cost-effective option, while the potential impact and disturbance on the environment and ecology would be kept to an absolute minimum.

28. Given the difficult terrain, Ir Dr Raymond HO said that his preliminary view was that the widening of Tung Chung Road might present a better option. However, he sought clarification on the 16 "bridge structures" to be built along the proposed alignment, i.e. whether they were bridges which spanned over a valley or merely minor structures which spanned over a space underneath. In reply, DPM/MW, HyD said that the bridge structures covered both types referred to by the member. The actual form of such structures would be decided during the detailed design stage.

Contingency measures in case of traffic accidents

29. Mr LEUNG Fu-wah was concerned about the contingency measures to be taken to relieve congestion in case of a serious traffic accident during construction. In reply, the Assistant Commissioner for Transport/New Territories (AC for T/NT) explained that the existing Tung Chung Road was a substandard one-lane village road catering for two-way traffic. Should a serious traffic accident happened during construction resulting in road closure, the situation would be more or less the same as it was now. Notwithstanding, he assured members that special attention would be paid to ensure that suitable traffic management measures were put in place during construction to minimize the risk of traffic accidents while maintaining normal traffic flow.

30. Mr LEUNG recalled that the widening option was proposed only after the EIA report of the Lantau North-South Link Road between Tai Ho Wan and Mui Wo was rejected by DEP. In this respect, he was concerned that the widened Tung Chung Road with a single 2-lane configuration as proposed might not bring about much improvement in the event of a serious accident.

31. In reply, PAS for T(5) explained that after its completion, the upgraded Tung Chung Road would be a standard road having two lanes to cater for traffic in each direction. The situation would be much better than the existing Tung Chung Road which was a substandard one-lane village road. She also drew members' attention to the fact that the Lantau North-South Link Road between Mui Wo and Tai Ho Wan originally proposed was also a single 2-lane carriageway. Supplementing on the control measures in case of a traffic accident, AC for T/NT advised that at present, whenever an accident happened in Tung Chung Road, traffic would be brought to a standstill with road closure. However, after the road was widened, through traffic could be maintained during emergency lane closure. In response to Mr LEUNG's follow-up enquiry, AC for T/NT confirmed that those obsolete sections of Tung Chung Road (mainly in the southern section) would be reserved as a temporary traffic diversion route in the event of temporary closure of the new road.

Traffic throughput of the upgraded Tung Chung Road

32. Mr LEUNG Fu-wah noted that the anticipated throughput of the upgraded Tung Chung Road would be 770 vehicles per hour in 2006. In this respect, he asked whether the existing prohibition on the use of Tung Chung Road would be relaxed after the project was completed. AC for T/NT replied that given the current conservatory planning policy of South Lantau, any significant increase in traffic was not anticipated even after Tung Chung Road was widened. Expected to be operating at a steady state, Tung Chung Road would be operating close to design capacity of 980 vehicles per hour by 2016 during morning peaks.

33. Summing up the discussion, the Chairman reiterated the grave concerns expressed by members and IsDC about the long time taken to complete the project. In this respect, the Administration was requested to consider expediting the project in each stage of implementation and to revert to the Panel in early 2003 on the detailed timetable for implementation.

Admin

V Better co-ordination of public transport services arising from the commissioning of MTR Tseung Kwan O Extension

(LC Paper No. CB(1)872/01-02(04) - Information paper provided by the Administration)

34. The Assistant Commissioner for Transport/Bus and Railway (AC for T/B&R) briefly introduced the Administration's paper on "Better co-ordination of public transport services arising from the commissioning of MTR Tseung Kwan O Extension (Phase 1)" (LC Paper No. CB(1)872/01-02(04)). She then gave a presentation on the public transport service plan (PT Plan) to tie in with the target opening of MTR Tseung Kwan O Extension (Phase I) (TKE) in mid-August 2002.

(Post-meeting note: A set of presentation materials tabled at the meeting was

subsequently issued to members vide LC Paper No. CB(1)929/01-02(01).)

35. AC for T/B&R stated that with the opening of TKE, the capacity of external public transport services for Tseung Kwan O (TKO) would more than double. Given the attractions of TKE service in terms of journey time, fare, convenience and reliability, there would be substantial changes to the travel pattern of passengers, many of whom were expected to switch to the use of the new railway. In this connection, it would be necessary to introduce changes to the public transport services for TKO, including introduction of new routes, frequency enhancement, and re-routeing of some existing routes to feed passengers to TKE stations, and frequency adjustment or route modification/cancellation for overlapping services. It was expected that the service changes would help relieve the congestion problem at TKO Tunnel.

Level of TKE fares

36. Relaying the concerns raised by local residents on TKE fares, Mr CHENG Kar-foo considered that as the project cost for the project had been substantially reduced from the original budget of \$30.5 billion to \$18 billion, there should be room for the MTR Corporation Limited (MTRCL) to set TKE fares at a level lower than that dictated under the zonal fare structure of the existing MTR lines. If the fares were set to reflect the actual project costs, the savings achieved could then be transferred to the passengers. Using the current level of adult MTR fares from Lam Tin/Tsuen Wan to Central as a yardstick (i.e. \$11.8 for travelling with an Octopus card and \$13 for a single journey ticket), he was strongly of the view that a lower level of fares should be set for TKE, preferably under \$10. Given the Government's majority shareholding in MTRCL, Mr CHENG called on the Administration to strongly put forth this message to the Board for consideration.

37. In response, the Deputy Secretary for Transport (DS for T) advised that the matter of fares was being considered by the Corporation and no further details were available at the moment. However, MTRCL had indicated that the fares of TKE would be competitive and broadly in line with the zonal fare structure of the existing MTR Lines. When determining fares, due consideration would be given to the prevailing economic condition, the Corporation's financial situation, passenger affordability and competition from other public transport modes. The Corporation was also required to consult the Transport Panel and the Transport Advisory Committee. Given the Corporation's autonomy in fare determination, the Administration would participate in the decision-making process through its members on the Board when the relevant recommendation was submitted to the Board for consideration.

38. Notwithstanding the Administration's reply, Mr CHENG Kar-foo said that when determining a competitive level of fares, the Corporation should not make reference to the fares of existing franchised bus services in TKO which were on the high side. As TKE's opening was only a few months away, Mr LEUNG Fu-wah was not convinced that the Administration had no idea about the level of TKE fares.

Sharing Mr CHENG's view about the existing level of bus fares, he asked whether the Administration would allow franchised bus companies to compete with TKE on fares.

39. In response, the Deputy Commissioner for Transport explained that under the existing regime, the scale of bus fares was determined according to route groups and journey distance. This formula approach was commonly adopted in the bus industry as the actual operating costs incurred could be accurately reflected. As the opening of TKE would not have any impact on the fare structure, there was no justification for changes. In this connection, she said that so far, no such applications had been received from any franchised bus operators.

40. While welcoming the early opening of TKE to address the transport need of local residents, Miss Emily LAU queried why the project cost of TKE could be reduced to as much as 40% below the original estimate. This called into question the basis on which the original estimate was calculated. In this respect, she had raised this issue with the Administration. Subject to the Administration's response, she would pursue the matter in another forum.

41. In reply, DS for T said that a detailed response would be provided to members separately in reply to an oral question. In brief, he explained that the construction costs of TKE had been reduced mainly due to the Corporation's initiatives to save cost and enhance efficiency, and the economic condition in recent years resulting in contracts awarded in lower prices.

Implementation of the PT Plan

42. Given the competitive advantages of railway operation, Mr CHENG Kar-foo considered that for the purpose of maintaining healthy competition among public transport service providers, the Administration should not seek to extend overt interference on the operation of public transport services after TKE's commissioning. Otherwise, the Administration might be seen as acting with a conflict of interest in the matter given the Government's majority shareholding in MTRCL. He remarked that in face of keen competition from the new railway, franchised bus operators might choose to lower the fares to attract passengers. In his opinion, any changes of public transport services should be left to market forces to decide so that reasonable choice would be offered to passengers. In particular, the Administration should not drastically cut down on existing bus routes which were welcomed by the passengers or cheaper than TKE during the initial stage. Sharing similar views, Mr Albert HO pointed out that the question of maintaining healthy competition among public transport services after the commissioning of new railways would also arise with the impending opening of West Rail (Phase I). The Administration's efforts to co-ordinate public transport services should not simply mean that no overlapping services were allowed.

43. While expressing support for the Government's stated policy of according priority to railways, Miss Emily LAU considered that in order to gain the support of

the local residents for bus route rationalization proposals under the PT Plan, greater efforts should be made to ensure that the passengers were fully aware of the changes to be introduced and their needs were taken into account. Furthermore, greater emphasis should be placed on the environmental benefits to be achieved through such schemes. Considering that it would be most important to allow reasonable choice to passengers, she sought the Administration's stance on the provision of existing cross-harbour franchised bus routes after TKE's opening.

44. Mr LAU Kong-wah expressed his appreciation for the convenient service which TKE would offer as about 80% of TKO residents would be within walking distance to railway stations. He was however concerned about the feeder service to be provided for those residents living in housing estates scattered further away from TKE stations. In this connection, he referred to the free feeder bus service offered by the Kowloon-Canton Railway Corporation to onward-travelling passengers using Octopus card and asked whether similar service for TKE would be contemplated by MTRCL. Mr LAU also pointed out that notwithstanding the anticipated switch of passengers to TKE after its commissioning, it would need a longer time to establish the actual changes to the travel pattern of passengers. Hence, the Administration should not rush through the PT Plan and reduce the number of external bus routes significantly during the initial stage. Otherwise, the passengers would be left with no choice if the level of TKE fares turned out to be higher than bus fares.

45. In response, AC for T/B&R stressed that the Administration was mindful of the need to ensure better co-ordination of public transport services after TKE's opening. When planning for the changes to the public transport network, the Administration had taken the following factors into account:

- (a) the need to enhance services feeding to TKE stations;
- (b) the enhancement of services to non-railway corridors;
- (c) the varying degrees to which overlapping services were affected by the opening of TKE; and
- (d) the implication on affected passengers, such as in terms of the availability of alternative transport modes, fares, travelling time and convenience.

In this connection, the Transport Department (TD) had held briefings to solicit the views of relevant District Councils (DCs) on the initial PT Plan. In general, the need to make suitable arrangements to public transport services after TKE's opening was accepted. They were also willing to hold further discussions on the proposals of bus route rationalization. For this purpose, TD would set up working groups with DC Members and local representatives to examine and discuss details of the arrangements. The target was to finalize the PT Plan in mid-2002.

46. AC for T/B&R also assured members that service adjustments under the PT Plan would be introduced in a progressive manner taking into account the actual situation on the ground. By adopting a phased approach, it would ensure smooth implementation of the PT Plan and avoid confusion. There would be comprehensive publicity before implementation of any changes. TD would closely monitor the implementation of the service changes after TKE's opening. If necessary, refinements might be made to the phased implementation programme and other service adjustments might be implemented in consultation with the working groups.

47. AC for T/B&R further advised that at present, there were four cross-harbour franchised bus routes in TKO. Apart from the one plying from Hong Shing Garden, the other three routes were all plying from the centre of TKO. Subject to the level of TKE fares, the patronage of these three routes might be affected to varying degrees. Depending on the circumstances, cancellation of routes with low utilization or route amalgamation would be considered so as to enhance network efficiency, relieve congestion and address environmental concerns.

48. Given the current restriction on the operation of new cross-harbour routes to the Central Business District, Mr Albert HO considered that any cross-harbour route cancelled under the PT Plan for TKE should be allocated to other areas not readily served by the existing rail network. In this connection, he specifically requested the Administration to take into account the transport need of Tuen Mun, Yuen Long and Ma On Shan areas and the views of the relevant District Councils.

Admin 49. In reply, DC for T said that the member's suggestion would be considered in the context of the relevant route development programmes. At members' request, DC for T agreed to revert back to the Panel on the PT Plan after consultation with the relevant DCs in mid-2002, preferably before the last Panel meeting in the current session. Arrangements in respect of bus route rationalization and feeder services provision would be included.

50. Regarding feeder services for housing estates not within easy walking distance to TKE stations, AC for T/B&R stated that adequate provision would be made under the PT Plan. Such feeder routes would mainly be operated by franchised bus companies as well as green minibus operators. In this respect, discussions were being held by MTRCL with the concerned parties to explore the feasibility of introducing concessionary interchange fares for passengers. However, no plans had been made for MTRCL to operate feeder bus services directly.

51. Responding to the concerns raised by members on the need to maintain competition, DS for T said that keen competition already existed in the market among various public transport modes, especially between railways and franchised buses. The Government's transport objective was to provide a safe, efficient, reliable and environmentally friendly transport system for the people. Given the rail-based transport strategy, the use of railways would be encouraged. With the opening of a new railway, changes to the existing public transport services would be required. It

would be most important to achieve the right balance so that healthy competition and reasonable choice were maintained. In this respect, he assured members that the Administration would be acting in its capacity as the regulator rather than a shareholder of the Corporation. Before any changes were finalized, due regard would be given to the views expressed by members of the public.

VI Review of incidents related to the Airport Railway

(LC Paper No. CB(1)872/01-02(05) - Information paper provided by MTR Corporation Limited)

52. The Chairman advised that the item was proposed by Mr CHENG Kar-foo. After perusing the information paper provided by MTR Corporation Limited, Mr CHENG had written to her the day before expressing dissatisfaction about the lack of a detailed account on the Airport Railway incident which happened on 6 November 2001. Specifically, Mr CHENG had requested the Administration and MTRCL to respond to the following points at the meeting:

- (a) whether an investigation report had been submitted by the Corporation to the Administration; if yes, what was the Administration's evaluation on the report;
- (b) whether MTRCL would consider disclosing the investigation report; if not, why not; and
- (c) in view of repeated service disruptions on the Airport Railway since it commenced operation in July 1998, whether the Administration would consider imposing sanctions on the Corporation with a view to ensuring the standard of performance.

(Post-meeting note: The letter from Mr CHENG Kar-foo to the Chairman was tabled at the meeting and subsequently issued to members vide LC Paper No. CB(1)929/01-02(02).)

53. At the invitation of the Chairman, Mr Martin BROWN, Head of Operations of MTRCL (HO/MTRCL), introduced the information paper provided by the Corporation (LC Paper No. CB(1)872/01-02(05)) on disruptions to train service which had occurred since the Airport Railway came into operation in July 1998 and the remedial measures which had since been taken.

Incident on 6 November 2001

54. Mr Adi LAU, Infrastructure Manager of MTRCL, then gave an account of the incident which took place on 6 November 2001. A summary on the cause of the incident as well as the recovery and remedial measures taken was given in the Annex to the paper.

55. In this connection, the Chief Inspecting Officer (Railways) confirmed that a full investigation report on the said incident had been submitted by the Corporation to the Railway Inspectorate. After reviewing the report, the Administration was satisfied that the cause of the service disruption incident had been identified. Taking into account the experience of this incident, TB would follow up with the Corporation on precautionary measures to be taken, particularly in respect of the choice of tunnel repair materials and supervision of tunnel wall maintenance works.

56. Responding to the questions raised by Mr CHENG Kar-foo in his letter, the Principal Assistant Secretary to Transport (3) (PAS for T(3)) said that the information paper was prepared in such a way as to facilitate a general discussion by members on the subject matter. Subject to members' request, the Administration would be most willing to provide additional information about any specific incident as it had done so in the past. He recalled that recently, an information paper on the Kwun Tong Line incident on 2 September 2001 was provided to the Panel on members' request.

57. PAS for T(3) further advised that given the technical nature of the investigation report submitted by the Corporation, the Administration considered that instead of disclosing the report in its original form, it might be more useful to set out the relevant information in a summary table to facilitate understanding. In this connection, he said that if considered necessary, the Administration could disclose any information provided by the Corporation on railway operation upon consultation with the Corporation. However, it was not obliged to obtain the Corporation's agreement.

58. As regards the standard of service required of the Corporation, PAS for T(3) drew members' attention to the detailed performance requirements set out in the Operating Agreement (OA) which was a legally binding document entered into between the Government and MTRCL. Under the OA, MTRCL was required to meet passenger service standards (thresholds) in respect of Train Service Delivery, Train Punctuality, Passenger Journeys on Time, reliability of value adding machines, etc. Currently, these thresholds were set in the region of 98% to 98.5% which was indeed an extremely high level of performance by any international standards. In this respect, he referred members to paragraph 2 of the paper for updated information about the Airport Railway's performance during the first eleven months of 2001. The two key performance indicators of "Passenger Journeys on Time" and "Train Punctuality" were maintained at 99.8% and 99.9% respectively.

59. PAS for T(3) further explained that in case MTRCL failed to meet the service thresholds, the Chief Executive (CE) in Council could give directions in accordance with the relevant provisions under the Mass Transit Railway Ordinance (the MTR Ordinance) (Cap. 556) for imposing financial penalties and, in serious cases, suspension or revocation of franchise.

Standard of performance on the Airport Railway

60. Mr CHENG Kar-foo was however not convinced that with eight significant disruptions adding up to a total of 26 hours of service suspension, the Airport Railway could still maintain such a high standard of performance in respect of “Passenger Journeys on Time” and “Train Punctuality”. Considering that these performance indicators were clearly inadequate, he was worried that the standard of MTR service might be declining after the Corporation’s privatization. He thus urged the Administration to consider setting an additional performance requirement on train services disruption. Otherwise, it would be very difficult for CE in Council to exercise its powers to impose penalty for serious service failure if and when necessary.

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61. In reply, PAS for T(3) undertook to consider and revert to the Panel on Mr CHENG’s suggestion, taking into account the prevailing international practice in the railway industry. However, he stressed that the existing service thresholds were already very high. The important thing was to ensure that the Corporation had reviewed and improved the remedial measures in the light of any incidents. In this respect, as confirmed by the Railway Inspectorate, the Corporation had carried out detailed investigation into the cause of every incident with the objective of establishing the root cause of the incident and any improvement which could be made to prevent similar incidents in the future. As the Corporation had met all its contractual thresholds, no consideration had been given to recommending CE in Council to impose any sanctions against MTRCL regarding delivery of service.

62. Given the importance of the service provided by the Airport Railway and in view of the bad impression that might be created on overseas tourists, Mr CHENG Kar-foo opined that as a deterrent, the Administration should consider imposing some kind of sanctions against the Corporation should any more service disruptions occur. Mr Albert CHAN remarked that when considering whether sanctions should be imposed, the Administration should also take into account the satisfaction level of the affected passengers in respect of contingency arrangements, in particular those who had missed their flights as a result of such delays.

63. Mr LEUNG Fu-wah was also skeptical about the Corporation’s assertion that the service performance of the Airport Railway had been maintained at very high standards. To facilitate members’ understanding, he opined that instead of merely presenting the performance levels for the first eleven months of 2001, an overall picture on the Airport Railway’s performance since its opening in July 1998 should be given. In addition, the performance level of the MTR urban lines should be presented separately so that a comparison with that of the Airport Railway could be made. In this connection, Mr Tommy CHEUNG sought information on how the record of the Airport Railway in respect of service disruptions compared with international standards.

64. In response, PAS for T(3) explained the way in which the performance levels of “Passenger Journeys on Time” and “Train Punctuality” was calculated. Citing the performance criteria of “Passenger Journeys on Time”, he said that all passengers travelling on the Airport Railway who were delayed by at least five minutes would be

calculated. HO/MTRCL also advised that an estimate of the number of passengers affected would be made on the basis of the numbers travelling on previous days. Responding to the Chairman's enquiry, the Principal Transport Officer of the Transport Department stated that when calculating the performance level of "Train Punctuality", the actual number of train trips delayed during service disruption would be determined according to the train schedule.

65. Advising generally on the performance level of the MTR system as compared with other systems in the world, HO/MTRCL said that while there was no internationally-accepted standard on service disruptions, his professional belief was that a very high standard of service delivery was achieved on the MTR system by comparison to other countries. PAS for T(3) also drew members' attention to the fact that apart from the sanctionable performance requirements under the OA, the real targets which MTRCL would strive to achieve under the OA were the Customer Service Pledges (CSPs) which were even higher than the performance requirements. In this respect, Miss Maggie SO, External Affairs Manager of MTRCL (EAM/MTRCL), stated that CSPs for both the Airport Railway and MTR urban lines would be established and published by the Corporation annually. Their actual performance as measured against the CSPs were also published on a quarterly basis. All the relevant reports would be sent to members for information and made available to the public.

66. PAS for T(3) further assured members that when the thresholds were set in the first place, reference had been made to the Corporation's historical performance. In actual fact, the performance requirements were calculated in accordance with the relevant formulae prescribed under the OA, leaving no room for either over- or under-estimation. As regards the performance requirements of the MTR urban lines, he confirmed that different benchmarks for the Airport Railway and MTR urban lines were set to reflect the different operational features of the two systems.

67. As far as customer satisfaction on contingency arrangements was concerned, PAS for T(3) said that while no numerical benchmark could be set, the Corporation was required under the OA to develop and maintain contingency plans to be implemented in the event of service disruptions. Should the Corporation fail in this respect, it would be in breach of its duty to provide a proper and efficient service under the MTR Ordinance, for which sanctions could be imposed accordingly. In this respect, HO/MTRCL advised that prior to the commencement of service of the Airport Railway, the Corporation had established a number of contingency procedures, which had proved to be effective in incident handling. The contingency measures had been reviewed and improved wherever possible in the light of any incidents.

68. In reply to Mr LEUNG Fu-wah's question, HO/MTRCL stated that in case of train service interruptions, both hand-written notices and electronic display boards would be used to disseminate essential information to passengers, such as the cause of the incident, the expected time of recovery, contingency transport arrangements, etc. Under the circumstances, the Corporation would notify Transport Department, other

transport operators and electronic media on train service and alternative transport arrangements.

69. Mr LAU Ping-cheung sought information about the arrangements in place to handle claims for compensation from passengers who had missed their flights as a result of train service disruption. EAM/MTRCL replied that such claims from the passengers would normally be channelled to the Corporation via the relevant airlines.

70. Despite the Corporation's claim that there had been no repeat failure on the Airport Railway since its opening, Mr CHENG Kar-foo pointed out that as many as six incidents were related to traction power and overhead line. He thus queried whether such a high incidence of failure in the power supply system was normal. Concurring with Mr CHENG's observation, the Chairman was concerned that the performance of the Airport Railway in this respect did not measure up to the good record of the MTR urban lines which were in fact older systems. Mr Albert CHAN was worried that given the continuous spate of service disruptions on the Airport Railway, it might be indicative of the use substandard materials or workmanship in the construction of the Airport Railway.

71. In reply, PAS for T(3) explained that service disruptions would normally occur as a result of failure in either of the two major systems of railway operation, i.e. the signalling system or the power supply system. After reviewing the incidents, the Railway Inspectorate was satisfied that the six incidents were caused by failure in different parts of the overhead line equipment. To supplement, HO/MTRCL explained that as a substantial part of the Airport Railway was in the open air, its overhead line equipment might be subject to more incidents of that nature when compared with the urban lines. Apart from the design improvements already built in to cater for the special operating condition of the Airport Railway, the Corporation would continue to look into ways in which the reliability of service could be further improved.

72. Responding to members' concerns about the safety of the Airport Railway, HO/MTRCL stressed that there was no question whatsoever about the safety of the Airport Railway as none of the eight incidents affected safety. Considering that six out of these incidents had happened in the first 18 months of operation while there was only two in 2001, there was in fact continuing improvement and the Corporation would continue to strive for zero incident. Generally speaking, the reliability of and customer satisfaction for the Airport Railway had increased over the past few years. He re-assured members that any service disruption incident would be taken seriously by the Corporation. Every effort would be made to ensure that no repeating incident would occur once the remedial measures were completed.

VII Review of the operation of public light buses

(LC Paper No. CB(1)560/01-02(03) - Information paper provided by the Administration; and

LC Paper No. CB(1)872/01-02(11) - Response provided by the Administration to the issues raised in submissions from the trade received for the meeting on 14 December 2001)

73. The Chairman recapped that when the subject matter was last discussed at the meeting held on 14 December 2001, members agreed that deputations of the public light bus (PLB) trade would be invited to present their views to the Panel. In this connection, she invited members to note LC Paper No. CB(1)872/01-02(11) which set out the Administration's response to the issues raised in the submissions from the trade received for the meeting on 14 December 2001.

74. The Chairman welcomed the deputations to the meeting and invited them to take turn to present their views on the Administration's review of the operation of PLBs (details of which were set out in LC Paper No. CB(1)560/01-02(03)).

Views presented by deputations

G.M.B. Maxicab Operators General Association Ltd
[LC Paper No. CB(1)872/01-02(06)]

75. Mr HIEW Moo-siew, the Chairman of Maxicab Operators General Association Limited, reiterated the trade's strong request that the existing weight limit of PLBs should be relaxed to 5.5 tonnes, instead of 5 tonnes as proposed by the Administration. In this regard, he called for an early decision from the Government so as to enable the operators a wider choice of vehicles in the market. Furthermore, he put forth that notwithstanding the Government's professed policy of according priority to railways, the Administration should clearly define the role and functions to be assumed by PLBs, in particular green minibuses (GMBs), in Hong Kong's public transport system so as to allow for the proper development of the trade. In this connection, he supported the Administration's proposal to promote GMB services in private residential development.

Hong Kong Scheduled (GMB) Licensee Association
[LC Paper No. CB(1)628/01-02(02)]

76. Mr WONG Man-kit, the Chairman of Hong Kong Scheduled (GMB) Licensee Association, referred to the submission he tabled at the meeting and put forward the following views for members and the Administration to consider:

- (a) While GMB operators were willing to support the Administration's proposed initiatives to improve operation, their ability to do so was seriously hampered by the increasingly difficult operating environment in recent years. Hence, the Association suggested that a working group be formed by LegCo Members to examine the issues involving the Government's policy on PLBs.

- (b) The Administration should consider whether there was a need to retain the existing legislation under which any vehicles having a seating capacity of more than 17 were classified as buses. Citing his experience in the operation of PLBs in Shenzhen, Mr WONG said that after the increase of the seating capacity of these PLBs from 18 to 21 (the limit could be further increased to 29 seats subject to the operational need of the operators), the quality of service had seen a marked improvement in a short period of time. In this respect, he called on the Administration to make reference to the experience in Shenzhen when considering the trade's long-standing request for increasing the seating capacity of PLBs.

(Post-meeting note: The submission tabled at the meeting was subsequently circulated to members vide LC Paper No. CB(1)929/01-02(03).)

The Environmental Light Bus Alliance

[LC Paper Nos. CB(1)887/01-02(01), CB(1)872/01-02(07) and CB(1)595/01-02(01)]

77. Mr CHAN Man-chun of the Environmental Light Bus Alliance referred members to the Executive Summary (Annex to LC Paper No. CB(1)887/01-02(01)) of the consultancy study report prepared by Professor C K LEUNG, Former Chairman of Transport Advisory Committee, for details about the options available to the trade in response to public and government expectations for PLB service improvements and its conversion from diesel to liquefied petroleum gas (LPG) on environmental grounds. As regards the Administration's review on the policy of PLBs, the Alliance had the following points to make:

- (a) Under the Third Comprehensive Transport Study, PLBs were being put in the third place within the Government's modal hierarchy on public transport services, together with taxis and Residents' Service (RS). However, without a clear definition of the respective roles to be played by PLBs, taxis and RS services, much conflict had been created. Hence, the Administration should review the situation and accord suitable priority to these modes. For this purpose, a working group comprising representatives of the trade and academics should be set up to conduct a comprehensive review on the Government's policy of PLBs.
- (b) Regarding the Administration's proposal to relax the weight limit of PLBs to 5 tonnes, the Alliance pointed out that under the relevant regulation of the United Nations (UN) Economic Commission for Europe, vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat were either classified as category M2 or M3. However, instead of adopting category M3 as standard which would allow the weight limit of PLBs to go up to 5.5 tonnes, the Administration had chosen to adopt category M2 which

limited the weight of vehicles to 5 tonnes. In this respect, the Alliance considered that the Administration should not arbitrarily adopt category M2 as standard without a good reason.

Sai Kung PLB Drivers and Owners Association

78. Mr SO Sai-hung of Sai Kung PLB Drivers and Owners Association concurred with the views expressed by other deputations that a comprehensive review on the role and operation of PLBs should be conducted expeditiously. Commenting on the Administration's proposal to encourage light buses to use cleaner fuel, he said that subsidies should also be given to those operators who replace their PLBs with diesel models conforming to Euro III emission standard.

Public Light Bus General Association

79. Referring to the Administration's proposed incentive scheme to encourage diesel light bus owners to replace their vehicles with an LPG or electric model, Mr NG Mou-shing of Public Light Bus General Association considered that the deadline of application for the one-off grant should be extended beyond end-2004 so that those PLBs which were replaced relatively recently could be left to run for the whole of their useful life.

香港九龍新界公共專線小型巴士聯合總商會

80. Mr LEUNG Hung, the Chairman of 香港九龍新界公共專線小型巴士聯合總商會 referred members to the submission he tabled at the meeting and highlighted the following points for members' consideration:

- (a) In view of the operating difficulties of the trade, the Administration should consider granting exemption to PLBs from the duty on diesel fuel, reducing the licence fee of PLBs and introducing more stringent supervision on the escalating insurance premium charged by insurance companies. Furthermore, no more RS services should be allowed to operate.
- (b) The weight limit of PLBs should be relaxed to 5.5 tonnes so that a wider choice of vehicles would be introduced and the market would not be monopolized by a small number of light bus manufacturers.
- (c) The Administration should revisit its stance on the restrictions currently imposed on PLB operation. In particular, PLBs should be allowed access to Tai Lam Tunnel and Tuen Mun Road. Furthermore, PLBs should be allowed to use bus lanes and given access to public and private residential developments at specified periods.

(*Post-meeting note*: The submission tabled at the meeting was subsequently circulated to members vide LC Paper No. CB(1)929/01-02(04).)

Motor Transport Workers General Union
[LC Paper No. CB(1)872/01-02(08)]

81. 歐陽明先生 of Motor Transport Workers General Union presented the views of the Union as set out in its submission to the Panel (LC Paper No. CB(1)872/01-02(08)). He specifically drew members' attention to the following points:

- (a) The Administration's existing policy of banning red minibuses (RMBs) from operating on expressways was discriminatory. Notwithstanding the Administration's claim that RMBs should be confined to their existing service areas, it was unreasonable and highly unfair that RMBs were not allowed to use specified sections of expressways even when they were not carrying passengers.
- (b) With the proliferation of franchised bus routes, both long- and short-haul, PLBs were facing unfair competition from franchised bus services and they could not properly perform their supplementary role in the transport system.
- (c) With GMBs making up only 56% of the PLB fleet, the progress of conversion by RMBs into GMBs was not satisfactory. It was mainly because many potential GMB routes serving new housing developments had been given to RS services to operate. The proliferation of RS services had seriously affected the operation of other public transport modes.

HK Public-Light Bus Owner & Driver Association
[LC Paper Nos. CB(1)872/01-02(09), CB(1)560/01-02(04) and CB(1)628/01-02(01)]

82. 黎銘洪先生 of HK Public-Light Bus Owner & Driver Association stated the Association's request for the Administration to relax its policy of containment on RMBs. Specifically, the following measures should be taken by the Administration:

- (a) To allow RMBs access to specified sections of expressways, bridges and tunnels during non-peak hours;
- (b) To allow RMBs to operate in public housing estates from 9:00 pm to 7:00 am;
- (c) To establish a working group comprising members from the Administration and the trade to review the existing stopping restrictions on RMBs; and

- (d) To appoint a specially tasked committee to conduct an overall review on the role and operation of PLBs.

Lam Tin Wai Hoi Public Light Bus Merchants Association Ltd

83. Mr NGAI Chor of Lam Tin Wai Hoi Public Light Bus Merchants Association Limited highlighted the operating difficulties faced by RMB individual owner-drivers. In particular, he drew members' attention to the serious problem of infiltration of triads in RMB operation and called on a greater effort on the Administration's part to curb such activities.

Tuen Mun PLB Association

84. While expressing general agreement with the views put forward by other deputations, 鍾世興先生 of Tuen Mun PLB Association called on the Administration to open Tuen Mun Road to RMBs plying between Yuen Long and Jordan as a matter of priority.

荃灣公共小型巴士商會有限公司
[LC Paper No. CB(1)872/01-02(10)]

85. Mr CHAN Chet-yin of 荃灣公共小型巴士商會有限公司 pointed out that as there were only 1 902 RMBs running in Hong Kong, it was unfair for the Administration to put the blame on RMBs as the main cause of traffic congestion. Hence, it was high time for the Administration to review the situation and relax the current restrictions on RMB operation. Regarding the conversion of RMBs to GMBs, he suggested that in order to expedite progress, RMB operators should be allowed to design new routes. Subject to TD's approval, the relevant RMB operators should be given priority in operating these new GMB routes. In addition, new GMB routes should be considered to serve various land boundary crossings at Sha Tau Kok, Man Kam To, Lo Wu and Huanggang.

Discussion with deputations and the Administration

86. Mr David CHU considered that valuable views had been put forward by the trade at the meeting. In order to promote co-ordination among different modes of public transport, he called on the Administration to consider the views from the trade and review its policy on PLB operation so that the important role of PLBs would be duly recognized while the trade would be given room to develop and maintain viable operation. Mr Albert CHAN also remarked that in face of the keen competition from railways and franchised buses, operators of PLBs, RS services and taxis should stand together and fight for their interests.

Role of PLBs

87. Responding to the views put forward by the deputations on the role of PLBs, the Commissioner for Transport (C for T) stated that the important role of PLBs in the public transport system was recognized by the Government. However, given the limited road space, priority would be given to the rail which was a less polluting and more efficient mode of transport. Within this policy framework which was broadly understood and accepted within the community, the Government would continue to work with the PLB trade to explore and develop further measures to facilitate their operation. As regards the trade's concerns about the growth of RS services, he advised that this concern was also shared by the Government. A number of actions had therefore been taken or were being planned to better regulate their trade.

88. DS for T also stated that as identified in the Administration's review on the role and functions of PLBs, the supplementary role of PLBs should remain unchanged. As a supplementary public transport service provider, PLBs would have an important role to play as feeders to the mass carriers. In this respect, he assured members that the Administration would consider the views expressed by the deputations at the meeting and continue to look for ways to help the PLB trade.

Weight limit of PLBs

89. Noting the different weight limits proposed by the Administration and the trade, Mr CHENG Kar-foo said that his primary concern as a passenger was the safety and environmental implications involved. Taking into account the installation of new safety features such as seat belts and high seat backs as well as the requirement of LPG light buses, he sought the view of both the trade and the Administration on the comparative advantages of their proposals.

90. In response, Mr HIEW Moo-siew relayed the general view of the trade that 5 tonnes would not be able to meet the additional requirements arising out of the installation of new safety features and the conversion to LPG light buses. If the weight limit was relaxed to 5.5 tonnes, a much wider choice would be available. To supplement, Mr TSE Kin-wai of the Environmental Light Bus Alliance advised that currently, four different models weighting less than 5 tonnes were available in the market. If the limit was relaxed to 5.5 tonnes, different models available in US and European markets could also be introduced and the number of choices could increase to more than ten.

91. AC for T/NT replied that the weight limit of 5 tonnes was proposed after detailed study. Taking into account the installation of proposed in-vehicle safety and improvement features as well as the requirement of the anticipated conversion to LPG light buses, the required gross weight limit would not exceed 5 tonnes. Hence, the Administration was convinced that 5 tonnes was the right weight limit to adopt.

92. Responding to the trade's enquiry about the adoption of category M2 and not M3 as standard, AC for T/NT advised that the objective of the said UN regulation was to formulate a set of uniform technical prescriptions on the construction of vehicles.

Different technical requirements were laid down for different categories of vehicles for the purpose of improving road safety. The weight limit of 5 tonnes as proposed would fit into the M2 category which was defined as those vehicles “used for the carriage of passengers, comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes”. According to TD’s research, vehicles in the next higher M3 category were mainly buses or coaches having a carrying capacity of 29 seats or more. In this regard, the Chairman suggested that the Administration should also consider the additional safety benefits to be brought about by heavier vehicles.

93. Mr Albert CHAN was however not convinced of the Administration’s explanation. He opined that the crux of the issue was whether the trade would have a genuine choice of vehicles if the weight limit was only relaxed to 5 tonnes. He was concerned that by imposing such a limit, the Administration might be seen as protecting the interest of some manufacturers. He considered that if the seating capacity of PLBs would remain the same even though the weight limit was relaxed to 5.5 tonnes, the Administration should revisit its stance in the matter.

94. In reply, C for T said that it was completely wrong to suggest that the Government was putting a limit of any sort in order to benefit some manufacturers over the others. TD had in fact looked into the availability of additional models that would fall into the higher limit, but none could be identified. As it was quite clear that 5 tonnes would be adequate to meet the trade’s need, any move to further relax the weight limit would be overdoing it. Addressing the trade’s concern about the choice of vehicles, C for T advised that if any vehicle was identified which fell outside the 5 tonne-limit, he as the Commissioner for Transport would have the discretionary authority to grant an exemption for individual case on its merits.

95. Mr CHENG Kar-foo said that while he did not have any pre-determined views in the matter, he called on the Administration to make greater efforts to liaise with the trade with a view to resolving the difference between both sides. As the issue of weight limit of PLBs was inextricably linked with the trade’s request for increasing the seating capacity of PLBs, he considered that an early decision should be made as it might have implications on other Government’s policies, e.g. the role of franchised buses vis-à-vis PLBs. Hence, the Administration should take the opportunity to review whether its policy on PLBs should be adjusted to allow room for the trade to develop and maintain viable operation.

Restrictions on RMB operation

96. Mr LEUNG Fu-wah enquired about the rationale for restricting access of RMBs to expressways even when they were not carrying passengers. In reply, AC for T/NT advised that the restriction was currently imposed by regulatory traffic signs under the Road Traffic (Traffic Control) Regulations, Road Traffic Ordinance (Cap. 374) and no separate sign was available to allow RMBs access to restricted expressways when they were vacant. In this connection, both Mr LEUNG and the

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Chairman considered that if the policy intent was not to restrict access of RMBs when they were not carrying passengers, legislative amendments should be introduced accordingly. Mr CHAN Kwok-keung remarked that the problem could be overcome easily by designating a special plate for RMBs to display when they were vacant. Noting the members' views, AC for T/NT agreed to further examine the suggestions.

Insurance charge of PLBs

97. Noting the escalation of insurance charge of PLBs in recent years, Mr CHENG Kar-foo considered that the additional costs involved had created a heavy burden on the operation of PLBs. If their viable operation was affected as a result, fare increases might be inevitable, thereby affecting the livelihood of the people. Hence, notwithstanding the commercial operation of PLBs, he called on the Administration to render necessary assistance to the trade to resolve the matter.

98. In reply, C for T stated that the problem was not confined to the PLB trade. Similarly, the taxi trade and other motorists were also affected. In this respect, he advised that subject to the trade's view, a meeting could be arranged through the Commissioner of Insurance between the trade and the insurance industry so that both sides could understand the situation better.

Triad infiltration in PLB operation

99. In response to the Chairman's enquiry about the extent of the problem, Mr HIEW Moo-siew confirmed that GMB operation was also affected by the infiltration of triads. AC for T/NT advised that TD was also aware of the existence of such problem. Complaint cases lodged by PLB operators would be dealt with by the Police. In this connection, TD would liaise with the Police so that proper enforcement actions could be taken to tackle the problem at root. In view of the seriousness of the problem, Mr LEUNG Fu-wah considered that the Panel might need to hold a joint meeting with the Security Panel to discuss the issues involved.

Non-peak concessionary fares for the elderly

100. Mr LAW Chi-kwong asked whether the Administration would consider providing assistance to the trade for offering concessionary fares to the elderly during non-peak periods. He considered that if such an arrangement could be made, the elderly could benefit while non-peak revenue for PLBs would also increase. The Chairman opined that the Administration could help by taking further actions to promote the viable operation of PLBs.

101. In response, AC for T/NT explained that currently, concessionary fares for the elderly were offered on some GMB routes out of the initiative of individual operators. The Administration would provide assistance to PLB trade where possible to facilitate their operation. In this respect, a series of measures were being undertaken/examined to promote GMB services and improve PLB operation.

Admin 102. Summing up the discussion, the Chairman requested the Administration to provide a written reply to the following points raised by members and the PLB trade at the meeting:

- (a) to set up an independent body to conduct an overall review on the role and operation of PLBs;
- (b) to relax the existing prohibition on RMBs such as allowing RMBs access to specified sections of expressways during non-peak hours or when they were not carrying passengers, and lifting the prohibition on PLBs to public housing estates during non-peak hours; and
- (c) to address the problem associated with triad activities affecting the operation of PLBs. Subject to the Administration's response, the Panel would decide whether a joint meeting would be held with the Security Panel to discuss the matter.

Admin 103. The Chairman also called on the Administration to liaise with the PLB trade on their concerns about escalated insurance charge and to arrange a meeting through the Commissioner of Insurance between the trade and the insurance industry. Separately,

Admin the Administration should also speed up its consultation with the PLB trade on the way forward for light buses using cleaner fuel.

VIII Any other business

104. There being no other business, the meeting ended at 1:05 pm.