

立法會 *Legislative Council*

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by the Administration)

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Panel on Transport

**Minutes of special meeting held on
Friday, 5 December 2003, at 10:45 am
in the Chamber of the Legislative Council Building**

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

Members absent : Hon LAU Chin-shek, JP
Dr Hon TANG Siu-tong, JP

**Public Officers
attending** : **Agenda Item I**

Environment, Transport and Works Bureau

Ms Annie CHOI
Deputy Secretary for the Environment, Transport and Works
(Environment and Transport)

Mrs Sharon YIP
Principal Assistant Secretary for the Environment, Transport
and Works (Environment and Transport)

Agenda Item II

Environment, Transport and Works Bureau

Ms Annie CHOI
Deputy Secretary for the Environment, Transport and Works
(Environment and Transport)

Mrs Sharon YIP
Principal Assistant Secretary for the Environment, Transport
and Works (Environment and Transport)

Transport Department

Mr Peter LUK
Assistant Commissioner for Transport/New Territories

Mr K K KONG
Chief Transport Officer/Public Light Buses and Islands

Agenda Item III

Environment, Transport and Works Bureau

Ms Annie CHOI
Deputy Secretary for the Environment, Transport and Works
(Environment and Transport)

Mrs Sharon YIP
Principal Assistant Secretary for the Environment, Transport
and Works (Environment and Transport)

Transport Department

Mr K K LAU
Deputy Commissioner for Transport/Planning & Technical
Services

Mr T F LEUNG
Chief Engineer/Road Safety and Standards Division

Hong Kong Police Force

Mr Dave LING
Chief Superintendent of Police
(Traffic Branch Headquarters)

Mr Patrick YEOW
Superintendent of Police
(Law Revision & Research)

**Attendance by
invitation : Agenda Item I**

Tuen Mun Road Traffic Incident Independent Expert Panel

Dr CHENG Hon-kwan, GBS, JP
Chairman

Ir Edmund LEUNG, JP
Member

Dr WONG Sze-chun
Member

Mr C S WAI
Secretary (Principal Assistant Secretary for the Environment,
Transport and Works (Works))

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

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

Miss Winnie CHENG
Legislative Assistant 5

Action

I Report on Enhancement of Highway Safety

(LC Paper No. CB(1)455/03-04(01) - Report on Enhancement of Highway Safety by the Tuen Mun Road Traffic Incident Independent Expert Panel)

At the invitation of the Chairman, Dr CHENG Hon-kwan, Chairman of the Tuen Mun Road Traffic Incident Independent Expert Panel (the Expert Panel), briefly outlined the issues examined and recommendations made by the Expert Panel to improve Hong Kong's highway safety, having regard to the traffic incident that occurred on Tuen Mun Road on 10 July 2003. The Expert Panel's Report on Enhancement of Highway Safety was tabled at the meeting (and subsequently issued to members vide LC Paper No. CB(1)455/03-04(01)). Dr CHENG invited members to note that matters relating to the causes and liability of persons involved in the incident fell outside the Expert Panel's terms of reference and did not feature in the review.

2. With the aid of PowerPoint, Dr WONG Sze-chun, member of the Expert Panel, took members through the key findings and recommendations set out in the Report on the following aspects:

- (a) Traffic accident trends in Hong Kong (Chapter 4 of the Report);
- (b) Driving behaviour (Chapter 5 of the Report);
- (c) Legislation and enforcement (Chapter 6 of the Report);
- (d) Traffic engineering and management (Chapter 7 of the Report);
- (e) Vehicle control (Chapter 8 of the Report);
- (f) Vehicle parapet design (Chapter 9 of the Report) and;
- (g) Tuen Mun Road (Chapter 10 of the Report).

3. Members expressed appreciation for the Expert Panel's comprehensive study of highway safety conditions in Hong Kong, as well as its recommendations to achieve further improvements. Considering that there should be absolutely no compromise in terms of road safety, they generally called on the Administration to implement the Expert Panel's recommendations as early as possible.

4. The Deputy Secretary for the Environment, Transport and Works (Environment and Transport) (DS for ETW) advised that the Administration would carefully consider the recommendations made by the Expert Panel, and would revert to members on its assessment and plan to take forward such recommendations.

Action

5. Members agreed that the Panel would discuss the Administration's response to the Expert Panel's Report at its meeting scheduled for 19 December 2003. In view of the heavy agenda, the meeting would start at 10:00 am.

Improving driving behaviour through enforcement and education

6. Mr CHENG Kar-foo considered that targeted actions should be taken against repeated offenders, and called for the early implementation of the Expert Panel's recommendation to require as a mandatory measure drivers who had accumulated a certain number of Driving Offence Points to attend the Driver Improvement Scheme (DIS). Moreover, the Administration should make reference to the experience of overseas countries, such as Victoria in Australia, where the accident record saw a significant improvement after heavier penalties were imposed on driving offences. Mr CHENG also called for the early installation of speed enforcement cameras (SEC) on all strategic trunk roads so as to increase the deterrent effect of enforcement actions against speeding.

7. Mr TAM Yiu-chung cited the low attendance rate of DIS, and enquired about the effectiveness of the training courses. Dr CHENG Hon-kwan said that motorists who had attended DIS generally found the courses useful in improving their understanding of what proper driving behaviour and attitudes should be. As such, the Expert Panel had put forward its recommendation with a view to inducing positive change to the driving practices. DS for ETW also said that under current practice, motorists chose to take part in DIS on a voluntary basis except when directed by the court. The Administration would study the Expert Panel's recommendation in this respect. If considered feasible, steps would be taken to amend the relevant legislation.

8. Mr LEUNG Fu-wah considered that it might be useful for the Administration to look into the road safety risks caused as a result of professional drivers who were subject to overworked conditions. To provide raw data for further research, he requested the Administration to differentiate between the involvement of professional and non-professional drivers in traffic accidents. His view was noted by the Administration.

9. Mr Albert CHAN said that the Administration should take immediate actions to step up enforcement against driving offences, including tailgating and speeding of vehicles, especially heavy vehicles. In parallel, more warning signs should be installed. The Police should also deploy more resources to patrolling so as to ensure vehicle safety and roadworthiness.

10. In response, Dr CHENG Hon-kwan concurred with members' view that the Administration should step up enforcement actions, and one of the Expert Panel's recommendations was that the Transport Department (TD) and the Hong Kong Police Force (the Police) should expedite the necessary preparatory work to bring the SEC system on Tuen Mun Road to full operation as soon as possible. The Expert Panel further recommended that once the SEC system was in operation, the Police should

Action

deploy more resources to patrolling, and to target at tailgating and careless lane changing which were the top two contributory factors of traffic accidents.

11. The Chairman enquired about the Expert Panel's consideration on the enforcement difficulty in respect of the proposed "tailgating" offence. In reply, Dr CHENG Hon-kwan said that it would inevitably involve subjective judgement. The proposal and related legislative amendments would need to be further examined by the Administration and members.

12. The Chairman also sought the Expert Panel's view on the additional road safety benefits to be achieved through expanding the "probationary" driving licence arrangement for motorcyclists to cover not only new private car and light goods vehicle drivers, but also drivers of heavy vehicles. Dr CHENG responded that the proposed arrangement was intended to allow new drivers to obtain on-the-road practical experience during the probationary period before being issued with a full driving licence. Under the current licensing arrangement, applicants must hold a valid full driving licence for private cars for at least three years immediately preceding before they could apply for a driving licence for commercial vehicles (including medium and heavy goods vehicles).

13. Ms Miriam LAU opined that the Administration should not only rely on the use of heavier penalties to tackle the problem of improper driving behaviour. Instead, the Administration should aim at cultivating road safety awareness among motorists and putting that into practice.

Enhancing bus safety on Tuen Mun Road and other high priority locations

Parapet design

14. Mr Albert CHAN pointed out that with a large number of heavy vehicles, in particular double-decked buses travelling at high speed, Tuen Mun Road was a critical location which merited special attention. Moreover, the sub-standard conditions at Tuen Mun Road including the steep gradient, sharp bends and the lack of provision of hard shoulders at some locations made it all the more necessary for the Administration to provide parapets that were high enough to prevent tall vehicles from over-turning and fell from great heights. Sharing similar views, Mr CHENG Kar-foo called on the Administration to consider, as a matter of priority, installing taller parapets on certain blackspots having similar characteristics as the July incident site.

15. Mr WONG Sing-chi considered that the Administration should actively pursue the technical feasibility and benefits of installing multiple containment parapets in Hong Kong.

16. Mr TAM Yiu-chung noted that there were other locations on Tuen Mun Road having similar characteristics as the July incident site, and stressed the need for further

Action

road safety enhancement measures, in addition to parapets, to guard against the risk factors of high ground level and high usage of double-decked buses at such locations.

17. Noting the Expert Panel's view that there was at present a technical dilemma in preparing a parapet design that could satisfy different containment levels at the same time, Ms Miriam LAU sought clarification on the recommendations of the Expert Panel regarding the design of parapet, particularly the choice of containment level and parapet height with particular attention to the congested environment in Hong Kong and the unique situation of having a large fleet of double-decked buses operating on the road network.

18. Addressing members' concern about improvements to parapet design for bus safety, Dr CHENG said that the extensive use of double-decked buses was a distinct feature of Hong Kong's transport system and hence, this factor was not covered under foreign standards in vehicular parapet design. The Expert Panel considered that with more testing and research, workable parapet designs could hopefully be developed to cater for Hong Kong's unique situation. In so doing, the Administration should also follow closely the development of various international standards.

19. In response to Mr Albert CHAN' suggestion that taller parapets be provided for bus safety, Dr CHENG explained that according to computer simulations on existing P1 parapets, a 1.1 metre (m) parapet would be adequate to prevent a double-decked bus travelling at 50 kilometres per hour (km/h) from rolling over if the impact angle was small. Based on this analysis, the Expert Panel did not consider taller parapets were necessary for the safety of double-decked buses. Moreover, the provision of taller parapets might also have structural implications. It was further recommended that the Highways Department (HyD) should conduct further computer simulations to establish the ultimate capacity of all P1 vehicle parapets relating to an impact by a double-decked bus. In view of the high bus usage in Hong Kong, the Expert Panel suggested that when new parapet designs were developed, double-decked bus should be included as one type of heavy vehicle for design consideration.

20. Mr CHENG Kar-foo however maintained that the Expert Panel's view on the use of taller parapets should not pre-empt further efforts by the Administration to ascertain the technical benefits and desirability of installing taller parapets in Hong Kong to guard against heavy vehicles from over-turning.

21. In terms of enhancement of parapet design in the long term, Dr CHENG said that the Expert Panel had recommended that HyD should expand the range of containment levels, in particular at the high end, and review the parapet height requirements, having regard to the extensive use of double-decked buses and the maximum legislated vehicle weight permitted on the road system in Hong Kong. HyD should continue to monitor the development of multiple containment parapet overseas, and develop appropriate parapet designs for Hong Kong.

Action

22. Ir Dr Raymond HO concurred that Hong Kong should develop its own design standards to cater for the unique traffic conditions. To this end, the Administration would need to conduct more research on new parapet designs and materials.

23. Having reviewed the accident statistics involving the collision of vehicles with a vehicular parapet or a roadside safety barrier in the past five years, Dr CHENG said that it was worthy to note that over 90% of the cases involved light vehicles. However, the severity of any incidents involving heavy vehicles or double-decked buses should not be dismissed. In an attempt to strike a balance, the Expert Panel recommended that a proper risk assessment and cost-benefit analysis should be conducted when considering the design requirements of parapets under any road safety enhancement schemes. After all, strengthening the parapets was but one enhancement measure, and it might not be the most cost-effective option. In certain cases, a good traffic management scheme to accommodate driver behaviour might be more effective.

Traffic engineering and management

24. Reiterating his concern about the sub-standard conditions of Tuen Mun Road, Mr Albert CHAN considered that it might be desirable from the bus passengers' point of view to impose speed limit and/or lane-use restriction on buses and heavy vehicles for certain sections of Tuen Mun Road where no hard shoulders was provided. Moreover, he said that the Administration should, as a matter of priority, install additional signs to forewarn motorists about the hidden danger at specific locations of Tuen Mun Road, including sharp bends and sudden and strong crosswinds.

25. In response, Dr CHENG Hon-kwan said that most sections of Tuen Mun Road were provided with hard shoulders. The Expert Panel had reservations about the proposal to impose lane-use restriction on buses and heavy goods vehicles as motorists were well accustomed to the 'keep left unless overtaking' practice. The proposed change might create confusion and increase the risk of accidents. Moreover, if a bus broke down in the middle of the road, there might be potential danger to passengers during emergency evacuation.

26. Ir Dr Raymond HO stressed the importance of the proper use of traffic signs and road markings in giving clear direction and guidance to motorists. As such, the Administration should aim at seeking early improvements in the designs of traffic signs and road markings, taking into account the recommendations made by the Expert Panel.

27. Regarding the overall safety on Tuen Mun Road, Dr CHENG Hon-kwan advised that having examined the past accident statistics, the Expert Panel considered that Tuen Mun Road was intrinsically safe as its accident rates were about average for all expressways in Hong Kong, including those more recently built to current design standards. Nonetheless, there was always room for improvement and a comprehensive road safety review for Tuen Mun Road was recommended to identify any possible safety enhancement measures. Improvement schemes which could be implemented within a

Action

short period should be drawn up as interim enhancement, while structural improvements would be covered by the Tuen Mun Road reconstruction and improvement project.

28. Both Mr Albert CHAN and Mr WONG Sing-chi however disagreed with the Expert Panel's observation that Tuen Mun Road was intrinsically safe. They considered that this might undermine the vigilance of motorists when driving along certain more dangerous sections of the road.

The Administration's initial response

29. Noting the concerns expressed by members on the safety of Tuen Mun Road, DS for ETW drew members' attention to the following measures taken by the Administration after the July incident:

- (a) HyD had strengthened the parapet at the incident spot with additional posts. A line of safety barrier alongside the parapet had also been installed to cater for smaller vehicles.
- (b) TD had put in place additional advance warning signs and road markings to alert motorists of the exit ahead.
- (c) TD had embarked on a comprehensive road safety review on Tuen Mun Road to identify any possible road safety improvements to be made before the implementation of the Tuen Mun Road reconstruction and improvement project.
- (d) In terms of bus safety, TD had requested all franchised bus operators to conduct a thorough review and submit a detailed report to TD around January 2004 on their safety arrangements and areas where further enhancement to road and passenger safety could be made.
- (e) The Police had stepped up publicity for professional drivers in order to promote road safety awareness and proper driving behaviour.

30. DS for ETW assured members that the Administration would carefully study the Expert Panel's recommendations and work out an implementation plan to take them forward under different key areas. The Administration would brief members at the next Panel meeting to be held on 19 December 2003.

II Measures to enhance the safety of public light bus operations

(LC Paper No. CB(1)477/03-04(01) - Information paper provided by the Administration)

Action

31. Ms Miriam LAU referred to the accident and enforcement statistics given at Annexes A and B to the information paper provided by the Administration (LC Paper No. CB(1)477/03-04(01)), and highlighted the fact that notwithstanding the 1 815 prosecution cases against drivers of public light buses (PLBs) for speeding offences in 2002, there were only 19 speed-related traffic accidents involving PLBs. This phenomenon which merited further consideration by the Administration might be indicative of other more pre-dominant contributing factors to traffic accidents involving PLBs. If that was the case, the Administration should re-consider its priorities and resource allocation when formulating measures to enhance passenger safety on PLBs. As a comparison, she enquired about the number of speed-related traffic accidents involving private cars.

32. Mrs Selina CHOW also said that in the busy urban roads of Hong Kong, traffic accidents might be more of a result of other improper driving behaviour such as tailgating, inappropriate lane changing or failing to confine to the nearside lane. Instead of pinpointing speeding as the culprit, the Administration should conduct further research on the major causes of PLB-related traffic accidents so that resources could be used appropriately to tackle the problem at root. Instead of requiring the installation of speed display devices (SDDs) on PLBs which would necessarily incur a cost on the operators, she opined that more stringent enforcement actions should be taken by the Police to deter speeding.

33. Mr CHENG Kar-foo however cautioned that the importance of speeding as a major cause of PLB-related traffic accidents should not be dismissed or overlooked. He pointed out that the enforcement statistics at Annex B did suggest an alarming increase of prosecution cases against drivers of PLBs for speeding offences in the first nine months of 2003, notably for those cases where the speed limit was exceeded by 16 km/h to 30 km/h.

34. The Chairman said that PLB-related traffic accidents were caused by a whole host of different factors. Speeding might be a more predominant cause for accidents involving overnight PLB services. As such, he called on the Administration to continue to monitor the trend of PLB-related accidents so that comprehensive measures could be taken to reduce the accident rates and achieve further improvement in PLB safety.

35. Responding to Ms Miriam LAU's request for information on the number of speed-related traffic accidents involving private cars, the Assistant Commissioner for Transport/New Territories (AC for T/NT) said that he did not have the relevant statistics for private cars on hand. He further said that speeding was but one contributing factor to traffic accidents. Moreover, red minibuses were restricted to operate on expressways. This might explain why the occurrence of speed-related traffic accidents on roads with speed limits of 70 km/h or above was few and far between.

36. DS for ETW supplemented that although the number of speeding-related PLB traffic accidents was not great, speeding remained an undesirable driving behaviour

Action

which should be addressed, particularly taking into account the large number of passengers carried by PLBs. In view of public concern about the driving behaviour of PLB drivers, the Administration considered that the installation of SDDs on PLBs should be useful in reducing PLB-related traffic accidents.

Speed display devices

37. Members noted that at present, all 243 green minibuses (GMBs) on overnight services had been installed with SDDs. In addition, operators of existing daytime GMB routes via expressways were also encouraged to install SDDs on their vehicles. So far, 95 such GMBs had completed the installation and 41 of the remaining 117 GMBs had committed to install the device in the coming months. In future, TD would require vehicles operating new GMB routes via expressways and roads with speed limits of 70 km/h or above to be fitted with SDDs.

38. The Chairman cited cases where SDDs installed on overnight GMBs were switched off and enquired about the measures taken by the Administration to monitor and prevent the situation. AC for T/NT replied that TD were aware of only a few cases involving the malfunctioning of SDDs. In this regard, TD had stepped up communication with GMB operators to ensure regular monitoring on the normal operation of SDDs. In some cases, TD found that the malfunctioning of SDDs was caused by equipment failure. TD would continue to liaise with GMB operators to see what further actions could be taken.

39. Mr WONG Sing-chi referred to the installation of an external type of SDD on container trucks, and suggested that the Administration should explore the technical feasibility of installing similar device on PLBs so as to facilitate enforcement by the Police and reporting by other road users. Noting the member's suggestion, AC for T/NT agreed that TD would look into the application of such a device as well as the technical feasibility of installing the same on PLBs.

Admin

40. Citing the "third party reporting" system in New Zealand, Mr CHENG Kar-foo opined that the Administration should consider upgrading the technologies of SDDs so that the records kept by the devices could be used to supplement the Police's enforcement efforts. Coupled with legislative amendments to allow the use of complaints lodged by the passengers as evidence in prosecution cases, a much greater deterrent effect against speeding of PLB drivers could hopefully be achieved.

41. In response, AC for T/NT stated that when complaints lodged by the passengers were received, GMB operators would take action against the offending drivers accordingly. The sanction could range from the issuance of warning letters to the imposition of fines, or even dismissal in more serious cases. TD would in turn exercise monitoring on the performance of GMB operators through the mid-term review. An assessment of poor performance might affect their chance of being selected to operate new GMB routes.

Action

42. Regarding the enhancement of SDDs, AC for T/NT said that TD was planning a trial on the use of vehicle monitoring system (VMS) on four GMBs serving on routes with different operational characteristics. VMS could record operation data of the PLB in question, such as average speed per minute, daily highest speed, distance travelled, numbers of foot brake application, etc. An audible warning device was also in place to warn the driver when the speed of the vehicle exceeded the preset limit.

43. Responding to Mr CHENG Kar-foo's point on "third-party reporting" system, DS for ETW said that a similar reporting mechanism was in place in Hong Kong. Public complaints about undesirable driving behaviour could be lodged with the Transport Complaints Unit (TCU). Such cases would be investigated by the Police. However, it would require the co-operation of the complainants to give evidence in court if prosecution cases did go through.

44. Mr LEUNG Fu-wah pointed out that speeding was mainly caused by PLB drivers who attempted to increase their income by completing more trips in one shift. Hence, the installation of SDDs was only a monitoring tool which failed to tackle the problem at root. The Administration should instead work on the fundamental issues including the long working hours of PLB drivers. He further said that in order to facilitate reporting by the passengers, the Administration should ensure that relevant information such as complaint hotline numbers was prominently displayed near the SDD inside the vehicle. More publicity should also be launched to heighten public awareness of the reporting mechanism. AC for T/NT noted the member's view and agreed that TD would liaise with GMB operators on ways to improve the dissemination of information to passengers.

III Progress update on the installation of speed enforcement camera and red light camera systems

(LC Paper No. CB(1)477/03-04(02) - Information paper provided by the Administration)

45. Mr CHENG Kar-foo pointed out that the important function of speed enforcement cameras (SEC) in deterring speeding activities was clearly illustrated in the Expert Panel's Report on Enhancement of Highway Safety. As such, he expressed grave concern about the slow progress in the installation of 75 SECs at strategic roads and expressways. In particular, he said that when approving the funding request for the project in July 1999, the Finance Committee was informed that the project would be completed by September 2002. With such a delay in progress, he was dissatisfied that the Administration had not taken any initiative to report the delay to members in the first instance.

46. In response, the Deputy Commissioner for Transport/Planning & Technical Services (DC for T/P&TS) highlighted the following problems encountered during the installation of SECs under the project:

Action

- (a) additional time spent on pre-tender preparation work to ensure that the specifications could accommodate the latest technology available and that the system would be compatible with the existing traffic enforcement computer system;
- (b) additional time spent on resolving the problem with power supply at some locations; and
- (c) additional time to identify and carry out related works for 15 additional SEC sites on top of the original plan of 60 under the project.

47. DC for T/P&TS further said that the above technical problems had been resolved. All works at 43 of the 75 sites had been completed. Installation works at 10 other sites had been completed, awaiting power connection. The installation and power connection works for the remaining 22 sites would be completed by February 2004.

48. Mr CHENG Kar-foo sought elaboration on the progress of the eight proposed SEC sites on the Hong Kong Island, and asked whether the slippage was caused by negotiation with the Hongkong Electric Co Ltd (HEC) over the amount of electricity charges to be paid for the SECs.

49. DC for T/P&TS replied that the installation and power connection works for the eight proposed SEC sites on the Hong Kong Island had yet to be completed. According to the contract, the contractor was responsible for all costs of installation, including power connection charges. As the contractor knew all the details of installation work, and he could undertake some of the works required for power connection, resulting in lower connection charges, therefore the contractor was in the best position to negotiate the amount of connection charges with the power company. He further said that the charges would vary depending on locations, ranging from several thousands to several tens of thousands. The contractor had paid the charges for four sites on Hong Kong Island, while discussion on the remaining sites was still on-going.

50. Notwithstanding the Administration's explanation, Mr CHENG Kar-foo expressed serious concern about the failure of HEC as a public utility to co-operate with the Administration on this important initiative to enhance road safety. To facilitate monitoring, he requested the Administration to provide members with the following information after the meeting:

Admin

- (a) amount of connection charge to be charged by HEC for the supply of electricity to each of the eight proposed SEC locations on the Hong Kong Island, and the reasons why the contractor and HEC had yet to agree on the installation fee for the remaining SEC sites; and
- (b) progress of installing SECs on the proposed sites along Tuen Mun Road.

Action

IV Any other business

51. There being no other business, the meeting ended at 1:20 pm.

Council Business Division 1
Legislative Council Secretariat
23 February 2004