

立法會
Legislative Council

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From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 6 July 2005

**Proposed resolution under
the Road Traffic (Driving-offence Points) Ordinance**

Further to LC Paper No. CB(3) 679/04-05 issued on 6 June 2005, the Secretary for the Environment, Transport and Works has given fresh notice to move a resolution at the Council meeting commencing on 6 July 2005 under the Road Traffic (Driving-offence Points) Ordinance. The President has directed that “it be printed in the terms in which it was handed in” on the Agenda of the Council.

2. The draft speech, in both English and Chinese versions, which the Secretary for the Environment, Transport and Works will deliver when moving the proposed resolution, is also attached.

(Ray CHAN)
for Clerk to the Legislative Council

Encl.

ROAD TRAFFIC (DRIVING-OFFENCE POINTS) ORDINANCE

RESOLUTION

(Under section 4(3) of the Road Traffic (Driving-offence Points)
Ordinance (Cap. 375))

RESOLVED –

- (a) that the Schedule to the Road Traffic (Driving-offence Points) Ordinance (Cap. 375) be amended, in item 12, in column 4, by repealing “3” and substituting “5”; and
- (b) that this Resolution shall come into operation on 1 January 2006.

DRAFT

Speech to be made by the Secretary for the Environment, Transport and Works when moving the motion under section 4(3) of the Road Traffic (Driving-offence Points) Ordinance

Madam President,

I move that the resolution under section 4(3) of the Road Traffic (Driving-offence Points) Ordinance be passed.

2. Red light jumping is a serious offence that can bring about grave consequences. It endangers not only the driver and passengers of the vehicle in question, but also other road users, especially vulnerable pedestrians.

3. This motion seeks to increase the driving-offence points for failing to comply with traffic signals from 3 to 5 to create a stronger deterrent effect upon potential offenders.

4. Failure to comply with traffic signals has led to many serious traffic accidents. On average, there is one traffic accident and two casualties involving vehicles jumping red light per day. The number of casualties arising from this offence increased by 13% from 598 in 2003 to 675 in 2004, and the number of prosecutions increased by 74% from 22 590 in 2003 to 39 376 in 2004. These rising trends demonstrate the severity of the situation and point to the need to take prompt actions.

5. Indeed, we are putting in place a range of measures to combat this improper driving behaviour. To increase the deterrent effect, we plan to procure 68 additional red light cameras and install housings at 20 additional locations. With this expansion programme, we will have 96 cameras at 131 housings, representing some three-fold increase in the camera-to-housing ratio from 25% to 73%. We plan to seek funding approval from the Finance Committee on 8 July 2005. Subject to funding approval, we expect that the new cameras can come into operation by batches in April, July and November 2006. In fact, by the middle of 2006, some 94% of red light jumping prosecutions will be done by cameras. This will increase to 97% when all the new cameras and housings are installed in the latter half of 2006.

6. We will also install overhead traffic signals at a total of 40 junctions to improve the visibility of traffic signals to motorists. Apart from improvements to traffic facilities, we will step up the publicity on red light jumping and enhance training for drivers.

7. On top of the above, we consider it necessary to impose stiffer penalty on failure to comply with traffic signals. There is wide public support for this move. According to the opinion poll conducted earlier this year, around 80% of the respondents considered that the Government should increase the driving-offence points for red light jumping.

8. I must emphasise that our proposals are not targeted at any particular group of motorists, through there are comments from some quarters that an increase in the driving-offence points would affect the livelihood of professional drivers. We consider that such impact should be minimal, given that the driving-offence points would not be incurred if the drivers do not commit the offence, and the majority of drivers, including professional drivers, are law-abiding citizens. Moreover, the growing number of serious traffic accidents caused by red light jumping in recent years has resulted in a marked increase in the insurance premium for many types of commercial vehicles. With the above measures, we seek to deter red-light jumpers who show no respect for others' safety. This will reduce accident rates and in turn help lower the trade's insurance premium and improve its operating environment.

9. There are suggestions that red light jumping and amber light jumping should be separated as two offences carrying different penalties. I wish to point out that from the road safety angle, it is important for drivers to stop when the red or amber light is on. This is the spirit of the current legislation. We have reservations on the proposed separation of the two offences, as this would bring about immense enforcement problems for frontline police officers because the difference in the penalty level will provide a good incentive for red light jumpers to argue that they have merely jumped the amber light.

10. We fully appreciate that some amber light jumping offences may be inadvertently committed because of special circumstances and thus may not warrant a higher penalty. In this connection, I would like to assure this Council that:

- (a) Camera-based prosecution already constitutes some 80% of red light jumping prosecutions, and this will gradually increase by phases to 97% when the 68 additional red light cameras are put in place for operation by late 2006. These cameras will only "catch" red light jumping offences, not amber light jumping;

- (b) For the remaining non-camera prosecutions, the Police's prosecution policy is that where there are any elements uncertainty, the driver in question is always given the benefit of the doubt. For this reason, there has been *zero prosecution* on amber light jumping in the past three years. I can assure Members that this prosecution policy will continue.

11. Nevertheless, in view of Members' concern, we undertake to review this particular issue after the new penalties have been in place. In particular, we will look at overseas experience, the statistics for such offences and the enforcement problems. We aim to complete the review by the end of 2006.

12. Road safety is important to each and every citizen. Failure to comply with traffic signals affects the safety of all road users. In fact, professional drivers are the most frequent road users. Enhancing road safety will definitely be in their best interest. For the sake of providing a safer road environment for all, Madam President, I beg to move.

Environment, Transport and Works Bureau
6 July 2005