

**立法會**  
**Legislative Council**

LC Paper No. CB(1)2082/04-05  
(These minutes have been seen  
by the Administration)

Ref: CB1/SS/8/04

**Subcommittee on Proposed Resolutions  
under the Road Traffic (Driving-offence Points) Ordinance (Cap. 375)  
and Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240)**

**Meeting on  
Friday, 10 June 2005, at 8:30 am  
in Conference Room A of the Legislative Council Building**

**Members present** : Hon Alan LEONG Kah-kit, SC (Chairman)  
Ir Dr Hon Raymond HO Chung-tai, S.B.St.J., JP  
Hon LEE Cheuk-yan  
Hon Martin LEE Chu-ming, SC, JP  
Hon Margaret NG  
Hon Bernard CHAN, JP  
Hon Howard YOUNG, SBS, JP  
Hon LAU Kong-wah, JP  
Hon Miriam LAU Kin-yee, GBS, JP  
Hon Andrew CHENG Kar-foo  
Hon Albert CHAN Wai-yip  
Hon Audrey EU Yuet-mee, SC, JP  
Hon WONG Kwok-hing, MH  
Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon Patrick LAU Sau-shing, SBS, JP

**Members absent** : Hon LEUNG Yiu-chung  
Hon Abraham SHEK Lai-him, JP  
Hon LI Fung-ying, BBS, JP  
Hon CHEUNG Hok-ming, SBS, JP  
Hon CHIM Pui-chung

- Public Officers Attending** : Mr Joshua LAW  
Permanent Secretary for the Environment, Transport and Works
- Ms Annie CHOI  
Deputy Secretary for the Environment, Transport and Works
- Ms Elizabeth TAI  
Principal Assistant Secretary for the Environment, Transport and Works
- Mr K K LAU  
Deputy Commissioner for Transport/  
Planning & Technical Services
- Mr T F LEUNG  
Chief Engineer/Road Safety and Standards  
Transport Department
- Mr Blake HANCOCK  
Chief Superintendent (Traffic Headquarters)  
Hong Kong Police Force
- Mr Michael CHIU  
Senior Superintendent  
(Administration ) (Traffic Headquarters)  
Hong Kong Police Force
- Mr Simon IP  
Chief Inspector (Traffic Summons Unit 2)  
(Traffic Headquarters)  
Hong Kong Police Force
- Clerk in attendance** : Mr Andy LAU  
Chief Council Secretary (1)2
- Staff in attendance** : Ms Connie FUNG  
Assistant Legal Adviser 3
- Ms Anita SIT  
Senior Council Secretary (1)9
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## **I Election of Chairman**

Mr Alan LEONG was elected Chairman of the Subcommittee.

### Late membership

2. The Subcommittee agreed to accept Mr Albert CHAN's application for late membership.

## **II Meeting with the Administration**

- proposed resolution under the Road Traffic (Driving-offence Points) Ordinance issued vide LC Paper No. CB(3)637/04-05 on 26 May 2005 and proposed resolution under the Fixed Penalty (Criminal Proceedings) Ordinance;
  - the Legal Service Division Report (LC Paper No. LS75/04-05);
  - information paper for the Transport Panel meeting held on 18 March 2005;
  - supplementary information paper for the Transport Panel meeting held on 18 March 2005;
  - extract of minutes of the Transport Panel meeting on 18 March 2005;
  - submission from 運輸業關注違例駕駛記分小組 dated 8 June 2005; and
  - letter from the Permanent Secretary for the Environment, Transport and Works (Transport) to the Chairman of the House Committee dated 3 June 2005.
3. The Subcommittee deliberated (index of proceedings attached at **Annex A**).
4. The Administration was requested to provide supplementary information as follows-
- (a) the implementation programme for expanding red light camera coverage to all red light jumping blackspots, including the scope of the project and the timing for submitting the funding proposal to Finance Committee;
  - (b) the timetable for the review of the relevant legislation governing failure to comply with traffic signals, particularly the need to differentiate deliberate red light jumping from other scenarios of non-compliance for the purpose of imposing appropriate penalties;
  - (c) the enforcement and prosecution policy on amber light jumping;
  - (d) the respective successful rates of prosecution against failure to comply with traffic signals based on photos captured by red light cameras and observation of Police officers on the ground; and
  - (e) the basis for arriving at the conclusion that “electronic prosecution” would increase to over 97% after all the red light cameras had been installed, and

the enforcement situation against red light jumping at the remaining 1 700 signalized junctions in Hong Kong which were not equipped with red light cameras.

*(Post-meeting note: The Administration's letter providing the above information was tabled at the meeting on 16 June 2005 and issued vide LC Paper No. CB(1) 1790/04-05 dated 15 June 2005.)*

Meeting to receive views from the transport trades

5. The Subcommittee agreed to hold a meeting to receive views from the transport trades. The meeting was scheduled for 14 June 2005 at 2:30 pm.
6. The Subcommittee also agreed to tentatively schedule a further meeting for 16 June 2005 at 10:45 am.

**III Any other business**

7. There being no other business, the meeting ended at 10:30 am.

Council Business Division 1  
Legislative Council Secretariat  
25 July 2005

**Proceedings of the meeting of  
the Subcommittee on Proposed Resolutions  
under the Road Traffic (Driving-offence Points) Ordinance (Cap. 375)  
and Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240)  
Friday, 10 June 2005, at 8:30 am  
in Conference Room A of the Legislative Council Building**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<i>Agenda Item I – Election of Chairman</i>			
000000 – 000335	Ir Dr Raymond HO Chairman Ms Miriam LAU Mr Albert CHAN Mr Martin LEE	- Election of Chairman  - Application for late membership by Mr Albert CHAN	
<i>Agenda Item II – Meeting with the Administration</i>			
000336 – 001250	Chairman Administration	- Administration's briefing on the justifications for the proposed resolutions to be moved under section 4(3) of the Road Traffic (Driving-offence Points) Ordinance (Cap. 375) and section 12 of the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240)  - Administration's explanation on the need to conclude the legislative exercise within the current legislative session	
001251 – 002915	Mr WONG Kwok-hing Administration Chairman	- Concerns of professional drivers about unfair enforcement against failure to comply with traffic signals and the need to improve the existing traffic light system  - Request of professional drivers to conduct a trial on the provision of a flashing green system  - Timetable for the installation of additional red light cameras and red light camera housings	
002916 – 010241	Ms Miriam LAU Administration Chairman	- Experience of Shenzhen and overseas places in the use of vehicular countdown and flashing green devices  - Existing legislation governing failure to comply with traffic signals  - Enforcement policy in respect of amber light jumping and failure to stop behind the stop line when the traffic signal turned red or amber	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		<ul style="list-style-type: none"> <li>- Review of existing legislation to differentiate deliberate red light jumping from other scenarios of non-compliance for the purpose of imposing appropriate penalties</li> </ul>	
010242 – 011925	Mr LEE Cheuk-yan Administration	<ul style="list-style-type: none"> <li>- Concerns of professional drivers about unfair enforcement against failure to comply with traffic signals</li> <li>- Administration’s advice that it planned to submit the funding proposal to the Finance Committee for procurement and installation of additional red light cameras and red light camera housings in the second half of 2005, and the current estimated project cost was some \$50 million</li> <li>- Basis for the Administration’s claim that “electronic prosecution” would increase from 80% at present to over 97% after all the planned red light cameras had been installed</li> <li>- Review of existing legislation to differentiate deliberate red light jumping from other scenarios of non-compliance for the purpose of imposing appropriate penalties</li> <li>- Mr LEE requested the Administration to confirm the timing of submitting the relevant funding proposal to the Finance Committee</li> </ul>	Administration to take follow-up action set out in paragraph 4(a) above
011926 – 013130	Mr Andrew CHENG Administration	<ul style="list-style-type: none"> <li>- Mr CHENG stated that the Democratic Party supported the Administration’s current proposal</li> <li>- Mr CHENG requested the Administration to provide information on the implementation programme for expanding red light camera coverage</li> <li>- Mr CHENG suggested that the Administration should further pursue the installation of speed limiter on public light buses</li> <li>- Administration advised that the number of prosecutions against the offence of using a handheld mobile telephone while driving was 2 988 in 2001, 3 818 in 2002 and 6 188 in 2003</li> </ul>	Administration to take follow-up action set out in paragraph 4(a) above

Time marker	Speaker	Subject(s)	Action required
		<ul style="list-style-type: none"> <li>- Administration advised that after the present proposed amendments regarding the penalty level for failure to comply with traffic signals were passed, it would be necessary to amend Form 1 “Notice of Particulars of Alleged Fixed Penalty Traffic Offence” under the Schedule to the Fixed Penalty (Criminal Proceedings) Regulations to effect the new penalty level. The amendment to the Form would be subsidiary legislation subject to negative vetting of the Legislative Council</li> </ul>	
013131 – 013609	Mr Howard YOUNG Administration	<ul style="list-style-type: none"> <li>- Follow-up on problems identified by the transport trades regarding the design of certain road junctions and the position of traffic signals</li> <li>- Suggestion to install red light camera housings in the first place</li> <li>- Suggestion to install speed limiter on coaches</li> </ul>	
013610 – 014524	Mr Patrick LAU Administration	<ul style="list-style-type: none"> <li>- Making right turns at signalized junctions</li> </ul>	
014525 – 020115	Mr LAU Kong-wah Administration	<ul style="list-style-type: none"> <li>- Mr LAU expressed support for the proposal to raise the penalty level for red light jumping and considered that implementation of the proposal should not be deferred until the completion of the installation of additional red light cameras</li> <li>- Mr LAU requested the Administration to confirm –               <ul style="list-style-type: none"> <li>(a) the timetable for the review of the relevant legislation governing failure to comply with traffic signals; and</li> <li>(b) the enforcement and prosecution policy on amber light jumping and whether the policy would continue</li> </ul> </li> </ul>	Administration to take follow-up action set out in paragraphs 4(b) and (c) above
<i>Agenda Item III – Any other business</i>			
020116 – 020415	Chairman Mr Andrew CHENG	Any other business  Date of next meeting	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
020416 – 021424	Mr Albert CHAN Administration Ms Miriam LAU Chairman Clerk Mr LEE Cheuk-yan	- Requests for supplementary information on-  (a) respective successful rates of prosecution against failure to comply with traffic signals based on photos captured by red light cameras and observation of Police officers on the ground; and  (b) basis for arriving at the conclusion that “electronic prosecution” would increase to over 97% after all the red light cameras have been installed, and the enforcement situation against red light jumping at the remaining 1 700 signalized junctions in Hong Kong which were not equipped with red light cameras	Administration to take follow-up action set out in paragraphs 4(d) and (e) above