

香港特別行政區政府
The Government of the Hong Kong Special Administrative Region

政府總部
環境運輸及工務局
香港花園道美利大廈



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22 September 2006

Mr Andy Lau
Clerk to Transport Panel
Legislative Council Secretariat
3/F., Citibank Tower
3 Garden Road
Hong Kong
Fax: 2121 0420

Dear Mr Lau,

**Review of the Arrangements for the Issue and Renewal of
Driving Licences for Commercial Vehicles**

At the meeting of the Panel on Transport on 27 May 2005, we undertook to review the legislation such that non-local residents without a valid employment visa will not be able to obtain a taxi driving licence. This letter sets out our proposed way forward.

Issue and Renewal of Driving Licences for Commercial Vehicles

Under the current Road Traffic (Driving Licences) Regulations (Cap. 374B), the Commissioner for Transport ("C for T") does not have the legal authority or discretion to reject an application for a driving licence for commercial vehicles¹ ("CDL") even if the applicant is not allowed to perform commercial driving duties for employment purpose. We therefore propose to amend Cap. 374B, so that C for T would be given the discretion to issue CDLs only to those who are eligible to perform

¹ Commercial vehicles include taxis, public and private light buses, public and private buses, medium and heavy goods vehicles and articulated vehicles.

commercial driving duties in Hong Kong, such as Hong Kong Permanent Identity Card holders² and holders of non-Permanent Identity Cards who are not subject to a condition of stay (other than a time limit of stay). C for T will have the discretion to refuse to issue CDLs to those who are not eligible to perform commercial driving duties in Hong Kong.

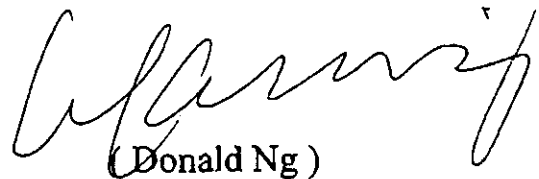
The same arrangements would apply to the renewal of CDLs. CDLs already issued to persons who are not eligible to take up commercial driving duties in Hong Kong will not be renewed.

Licence Endorsement

Under the present endorsement arrangement, public/ private bus driving licence holders are directly granted public/private light bus driving licences without having to sit for another driving test. This is because driving licence holders of a larger passenger-carrying vehicle are recognized by the Transport Department to have the competence to drive a similar vehicle of smaller carrying capacity. Again, C for T does not have the discretion to take into account the applicant's eligibility to perform commercial driving duties under this arrangement. In this connection, we also propose to amend Cap. 374B so that when issuing driving licences under the above endorsement arrangement, C for T would have the discretion to consider the eligibility of the applicant to perform commercial driving duties in Hong Kong.

Timetable

We hope to have the amendment regulations ready for tabling at LegCo in the first half of 2007.



(Donald Ng)

for Secretary for the Environment,
Transport and Works

² All Hong Kong Permanent Identity Card holders are not subject to any condition of stay.