

立法會 *Legislative Council*

LC Paper No. CB(1)112/04-05

Ref: CB1/PL/TP

Panel on Transport

Background brief on Work arrangements for drivers of franchised bus companies

Purpose

This paper provides background information on work arrangements for drivers of franchised bus companies, and summarizes the major views and concerns expressed by Members in the past.

Background

2. It has been reported that some bus drivers and trade unions complained that the franchised bus companies which they served forced the drivers to operate buses of different models and run various routes every day, and they were not given reasonable time for meal, rendering the drivers more prone to mistakes and thereby increasing the chances of traffic accidents.

3. At the Panel meeting on 12 October 2004, members agreed to review the related issues with the Administration and the concerned franchised bus companies at the forthcoming meeting to be held on 29 October 2004. Representatives of labour unions from the concerned companies have also been invited to the meeting to give views on the matter.

4. A relevant oral question was raised by Hon WONG Kwok-hing at the Council meeting on 13 October 2004. The question and the Administration's reply are in **Appendix I**. Members were mainly concerned about the safety of franchised bus operation, in particular, the correlation between bus accident rate and the length of drivers' duty hours/work arrangements.

Previous discussions by the Panel

5. Safety of franchised bus operation has always been high on the agenda of the Panel. In November 2003, the Panel reviewed with the Administration on measures taken and being planned to ensure and enhance the safety of franchised bus operation.

6. According to the Administration, Transport Department (TD) has issued guidelines to the franchised bus operators on drivers' working hours to ensure that their drivers are provided with reasonable rest time. The guidelines were reviewed in March 2000 and are listed below:

- Guideline A bus drivers should have a break of at least 30 minutes after 6 hours of duty and within that 6-hour duty, the drivers should have total service breaks of at least 20 minutes;
- Guideline B maximum duty (including all breaks) should not exceed 14 hours in a day;
- Guideline C driving duty (i.e. maximum duty minus all breaks of 30 minutes or more) should not exceed 11 hours in a day; and
- Guideline D break between successive working days should not be less than 8 hours (subsequently increased to 9 hours (see paragraph 15 below).

7. Some members were concerned about the long working hours of bus drivers and the resulting safety implications. They requested the Administration to expeditiously review the said guidelines so that bus drivers would not be required to work for more than 8 hours a day.

8. Some other members however held the view that while there should not be any compromise on road safety, the issue of working hours of bus drivers must be considered objectively. In reviewing the matter, it would be most important to consider the views of the bus drivers as some might find the present arrangements acceptable. They might even welcome the opportunity to work a longer shift so that they could get extra pay or make better use of their rest time. Hence, a certain degree of flexibility should be allowed.

9. In response to members' concerns and in order to further enhance the safety of franchised bus operation, the Administration asked all franchised bus operators to conduct a thorough review on their safety arrangements and areas where further enhancement to road and passenger safety could be made. The review covered the following areas:

- (a) analysis of correlation between bus accidents and drivers' age, experience and working hours;
- (b) driver training;
- (c) driver working schedule;
- (d) installation of safety devices and measures to monitor driving behaviour;

- (e) vehicle examination; and
- (f) measures to promote safety awareness of drivers and passengers.

10. In May 2004, the Panel noted the information paper provided by the Administration on the findings of the review and the recommended measures to further enhance bus safety. In brief, the franchised bus operators and TD had analyzed the bus accident records and had the following major observations:

- (a) franchised bus operation had a relatively stable safety record. In the past five years, there was in general a downward trend in the number of bus accidents per million km operated and most of them were slight accidents;
- (b) no direct correlation was identified statistically between bus accident rates and drivers' age, years of service and working hours; and
- (c) driver factor contributed to about one-third of the bus accidents involving injuries in 2003. Passengers not holding handrails tight was also one of the major causes of personal injuries in bus accidents.

11. Regarding bus driver working schedule, the Administration has provided the following information to the Panel.

12. According to TD's recent research on overseas practices as set out in **Appendix II**, the length of maximum duty of bus drivers ranges from 9 hours to 16 hours per day; the maximum driving duty from 7 to 13 hours per day; and the minimum rest period between working days from 8 to 12 hours. TD's current guidelines lie within these ranges.

13. TD and the franchised bus operators have jointly reviewed the working hours of their drivers. It is found that:

- (a) all franchised bus operators except New World First Bus Services Limited (NWFB) were able to fully comply with the guidelines; and
- (b) NWFB fully complied with Guidelines B and D while the rate of compliance with Guidelines A¹ and C² in the second half of 2003 were 94% and 88% respectively. NWFB will take action as explained in paragraph 15(b).

¹ The non-compliance with Guideline A was mainly due to the overnight shifts in which drivers usually had a rest after each trip, but not a break of 30 minutes after 6 hours of duty, since the maximum length of driving duty in overnight shifts was usually less than 7 hours.

² The non-compliance with Guideline C were relatively slight deviations from the requirement and the maximum driving duty in such cases were around 12 hours in a day.

14. TD has examined with the operators the possibility to shorten the maximum duty length and driving duty duration (i.e. Guidelines B and C) but all of them do not support the ideas because:

- (a) there is no observed correlation between bus accident rate and the length of drivers' duty hours;
- (b) the current requirements are in line with overseas practice;
- (c) at present, the average duty length of a bus driver is about 10 hours a day which is well below the maximum of 14 hours stipulated in the guideline; and
- (d) reducing the maximum driving hours allowed will reduce flexibility in bus scheduling and operation.

15. In view of the importance to prevent fatigue driving as expressed by the Tuen Mun Road Traffic Incident Independent Expert Panel and Legislative Council Members, franchised bus companies have agreed to the following changes:

- (a) all companies have increased the minimum break for drivers between successive working days from 8 hours to 9 hours (Guideline D); and
- (b) NWFB will ensure full compliance with Guidelines A and C by early 2005 through re-scheduling of driver duties and redeployment of drivers.

16. Details of the other recommended measures to enhance safety of franchised bus operation are set out in LC Paper No. CB(1) 1955/03-04(01).

17. A list of relevant papers is at **Appendix III**.

LegCo Question No. 3
(Oral Reply)

Asked by : Hon WONG Kwok-hing Date of meeting : 13 October 2004

Replied by : Secretary for the Environment,
Transport and Works

Question:

It has been reported that some bus drivers and trade unions complained that the franchised bus companies which they served forced the drivers to operate buses of different models and run various routes every day, and they were not given reasonable time for meal, rendering the drivers more prone to mistakes and thereby increasing the chances of traffic accidents. In this connection, will the Government inform this Council:

- (a) whether it has received complaints about the above problems from bus drivers or trade unions of franchised bus companies over the past three years; if so, of the number of complaints received, the details of the authorities' response and how the cases have been handled;
- (b) of a breakdown, by type and number, of the accidents and complaints in respect of the franchised bus services provided by the New World First Bus Services Limited, as well as the annual rates of accident and complaint, in the past three years, and how such figures compare to those of the former China Motor Bus Company; and
- (c) whether any guidelines have been formulated on the bus models and number of routes to be run by franchised bus drivers every day, as well as the timing of breaks for meal and rest, etc.; if so, of the details; if not, whether such guidelines will be formulated; if they will be, when they will be formulated and issued?

Reply:

Madam President,

- (a) Over the past three years, Transport Department (“TD”) has received a total of eight comments or complaints from representatives of the trade unions of franchised bus companies or individual bus drivers expressing their grievances about drivers being arranged to operate various routes on the same day, unreasonable mealtime and prolonged duty time, etc.

Upon receipt of the complaints, TD immediately conveyed the staff’s concern to the relevant bus companies and requested their follow-up actions. TD also encouraged the bus companies and their staff to reach a mutual understanding and to resolve the matter by agreement through communication in order to provide proper and efficient services. The bus companies concerned had held meetings with the union representatives to explain and follow up the issues.

- (b) On 1 September 1998, New World First Bus Services Limited (“NWFB”) started to provide bus services previously operated by China Motor Bus Company Limited (“CMB”). During the three years between 2001 and 2003, the number of accidents involving NWFB was 288.67 per year on average and the accident rate per million vehicle-kilometre was 4.54. During the three years between 1995 and 1997, the number of accidents involving CMB was 249.67 per year on average and the accident rate per million vehicle-kilometre was 5.55. As regards complaints, NWFB was involved in 291 cases per year on average during the three years between 2001 and 2003 and the complaint rate was 1.54 per million passenger journeys. CMB was involved in 779.33 complaints per year on average during the three years between 1995 and 1997 and the complaint rate was 4.25 per million passenger journeys. Details of the bus accidents and types of complaints are in Annexes I and II distributed to Members. The performance of NWFB is better than CMB in the above two respects.
- (c) TD has issued guidelines on work schedule of bus drivers to all franchised bus companies. Bus operators are responsible for making appropriate arrangements on driving duty and mealtime for their staff. Details of the guidelines are in Annex III distributed to Members.

The guidelines did not cover the number of bus models or routes operated daily by bus driver. TD recently received comments from franchised bus staff unions about the number of routes and buses operated in a day as well as mealtime arrangement. TD has discussed the matters with the bus companies including whether there is a need to draw up guidelines

for the above issues. Having considered that there is no information showing that the number of bus models or bus routes operated by a bus driver per shift has adverse impact on bus safety, we do not have any plan to introduce additional guidelines on the above aspects.

Comparison between NWFB and CMB - Bus Accident Rate**CMB**

Year	Fatal Accidents¹	Serious Accidents²	Slight Accidents³	Total	Accident Rate⁴
1995	2	54	193	249	5.62
1996	4	45	206	255	5.73
1997	3	48	194	245	5.30
Annual Average	3	49	197.67	249.67	5.55

NWFB

Year	Fatal Accident¹	Serious Accidents²	Slight Accidents³	Total	Accident Rate⁴
2001	2	54	243	299	4.91
2002	4	41	232	277	4.21
2003	0	49	241	290	4.50
Annual Average	2	48	238.67	288.67	4.54

Note 1 A fatal accident is one in which at least one person is killed immediately, or is injured and subsequently dies of his injuries within 30 days of the accident.

Note 2 A serious accident is one in which one person or more is/are injured and detained in hospital for more than 12 hours.

Note 3 A slight accident is one in which one person or more is/are injured but not to the extent that detention in hospital is required for more than 12 hours.

Note 4 Number of accident per million vehicle-kilometre.

Comparison between NWFB and CMB – Bus Services Complaints**CMB**

Year	Service Arrangement¹	Service Quality²	General³	Total	Complaint Rate⁴
1995	202	743	31	976	5.11
1996	132	535	22	689	3.84
1997	100	536	37	673	3.81
Annual Average	144.67	604.67	30	779.33	4.25

NWFB

Year	Service Arrangement¹	Service Quality²	General³	Total	Complaint Rate⁴
2001	71	139	25	235	1.21
2002	50	223	23	296	1.51
2003	53	271	18	342	1.89
Annual Average	58	211	22	291	1.54

Note 1 Including complaints received by the Transport Complaints Unit on passenger capacity, routeing, hours of operation and location of stops (complaints on cross harbour bus services are not included because some routes are jointly operated by different bus companies.)

Note 2 Including complaints received by the Transport Complaints Unit on regularity of service, conduct and performance of staff, passenger services and facilities (complaints on cross harbour bus services are not included because some routes are jointly operated by different bus companies.)

Notes 3 Including complaints received by the Transport Complaints Unit not related to service arrangement and service quality, e.g. bus fare, fare tendering and the impact made by buses on transport, etc.

Note 4 Number of complaints per million passenger journeys.

Guidelines on the Work Schedule
for Bus Drivers Issued by Transport Department

- Guideline A Bus drivers should have a break of at least 30 minutes after 6 hours of duty and within that 6-hour duty, the drivers should have total service breaks of at least 20 minutes;
- Guideline B Maximum duty (including all breaks) should not exceed 14 hours in a day;
- Guideline C Driving duty (i.e. maximum duty minus all breaks of 30 minutes or more) should not exceed 11 hours in a day; and
- Guideline D Break between successive working days should not be less than 9 hours.

Summary of overseas requirements on bus driver working hours and rest breaks

City / Country	Maximum duty hours per day	Service break requirement	Maximum Driving Duty per day	Break between 2 successive working days
(1) British Columbia, Canada	15 hrs	Nil	13 hrs	8 hrs
(2) Norway	9 hrs	(a) Rest break after 4 hr 30 min of work (b) Meal break not stated	9 hrs	11 hrs
(3) San Mateo County, California, USA	16 hrs	(a) Rest break after 6 hr of work (b) Meal break after 6 hr of work	10 hrs	8 hrs
(4) Switzerland	12 hrs	(a) Rest break after half of work time (b) 3 rest breaks of at least 30 min	7 hrs	12 hrs
(5) Queensland, Australia	14 hrs	Rest break after 5 hrs	12 hrs	10 hrs
(6) Denmark	-	(a) Rest break after 4 hr 30 min (b) No restriction on meal break	9 hrs	11 hrs
(7) Hong Kong	14 hrs	(a) Rest break after 6 hr of work (b) Total service breaks of at least 20 mins within the 6-hour duty	11 hrs	9 hrs

Work arrangements for drivers of franchised bus companies

List of relevant papers

Council/Committee	Date of meeting	Papers
Transport Panel (TP)	28 Nov 2003	<p data-bbox="651 467 2047 587">Measures to enhance the safety of franchised bus operation [LC Paper No. CB(1)406/03-04(04)] http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tp1128cb1-406-4e.pdf</p> <p data-bbox="651 587 2047 783">Supplementary information on overseas experience on installation of seat belts on all seats in a bus and number of different levels of warnings issued and the number of dismissals made by the franchised bus operators in the past five years [CB(1)1815/03-04(01)] http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tp1128cb1-1815-1e.pdf</p>
TP	28 May 2004	<p data-bbox="651 791 2047 943">Report on Franchised Bus Operators' Review of Arrangements to Enhance Safety of Franchised Bus Operation[CB(1)1955/03-04(01)] http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tpcb1-1955-1e.pdf</p>
Council	13 Oct 2004	<p data-bbox="651 951 2047 1026">Oral question raised by Hon WONG Kwok-hing on work arrangements for drivers of franchised bus companies</p>