

立法會
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Panel on Transport

**Background brief on the proposed extension of the
probationary driving licence scheme to
inexperienced private car and light goods vehicle drivers**

Purpose

This paper sets out the background to the proposed extension of the Probationary Driving Licence (PDL) scheme to inexperienced private car and light goods vehicle (LGV) drivers.

Probationary driving licence for inexperienced motorcyclists

2. On 26 June 2000, the Road Traffic Ordinance (Cap. 374) and its subsidiary legislation, the Traffic Accident Victims (Assistance Fund) Ordinance (Cap. 229) and the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) were amended in the Legislative Council to implement a PDL scheme for inexperienced motorcyclists. The scheme came into operation on 1 October 2000.

3. Under the PDL Scheme for motor cyclists, any person who applies to take a motor cycle driving test is only eligible to apply for a PDL upon passing the test. The holder of a PDL is required by law to undergo a mandatory 12-month probation period. For the purpose of enhancing road safety, holders of the PDL are subject to additional driving restrictions on top of existing ones applicable to ordinary motorists. These include the following driving restrictions –

- (a) a “P” plate is required to display at the front and rear of the motor cycle or tricycle;
- (b) the driver is prohibited to carry any passenger;
- (c) the driver is prohibited to drive at a speed of more than 70 km/h;
and
- (d) the driver is prohibited to drive on the fast lane on expressways where there are three lanes or more.

If a probationary driving licence holder commits a “serious” road traffic offence (an offence that will incur 10 or more demerit points under the Road Traffic (Driving-offence Points) Ordinance (Cap. 375)), his probationary driving licence will be cancelled upon conviction of that offence. If a probationary driving licence holder commits a “minor” road traffic offence (an offence that will incur less than 10 demerit points under Cap. 375, or any of the four restrictions introduced under the scheme), his probation period will be extended by six months upon conviction of that offence. If, during the remaining probation period, he is convicted again of a subsequent offence either of a serious or minor nature, his probationary driving licence will be cancelled.

4. When the PDL scheme was examined by the Bills Committee formed to study the Bill, some members pointed out that for the purpose of enhancing road safety, the PDL scheme for drivers of motor cycles and motor tricycles should be extended to cover drivers of private cars and light goods vehicles (LGVs), having regard to the adoption of PDL schemes of wider coverage in some overseas places and the upward increase of the accident involvement rates for inexperienced drivers of private cars and LGVs in 1999. The Administration however advised the Bills Committee that an analysis of the road traffic accidents in Hong Kong from 1995 to 1999 revealed that motorcyclists had a much higher accident involvement rate than drivers of private cars and LGVs. Among motorcyclists, inexperienced drivers had an accident involvement rate of about 5 times that of experienced drivers. For private cars and LGVs, the accident involvement rates of inexperienced drivers were 1.8 and 1.9 times higher than those of experienced drivers respectively. The Administration considered at that time that the PDL scheme should first be introduced to inexperienced drivers of motor cycles and motor tricycles as a matter of priority. It would closely monitor the accident involvement rates of inexperienced drivers of other types of drivers and the results of the PDL scheme for motorcyclists. If warranted, it would consider the need for extending the scheme to other types of vehicles in future.

5. The matter was further brought up at the Council meeting on 13 December 2000. An oral question was raised by Hon Andrew Cheng on the possibility of extending the PDL scheme to inexperienced drivers of LGVs and other classes of vehicles. The Administration’s view was that as there was no indication that the accident involvement rate of inexperienced LGV or private car drivers was on the increase, it had no immediate plan to extend the PDL scheme to cover drivers of other classes of vehicles. The Administration however undertook to monitor the situation closely.

Report on enhancement of highway safety

6. On 10 July 2003, an accident occurred at Tuen Mun Road where a double-deck bus collided with a container truck and smashed the bridge parapet, plunging 30 metres into the valley resulting in 21 deaths and 20 injuries. Following the accident, the Chief Executive appointed an independent Expert Panel to examine and make recommendations on safety measures to prevent similar accidents. In November 2003, the Expert Panel submitted the Report on Enhancement of Highway Safety (the Report) to the Chief Executive. In December 2003, the Panel on Transport held two meetings, on 5 December and 19 December 2003, to discuss the recommendations of the Report.

7. The Report recommended, inter alia, that while road users, vehicles and road environment all had a bearing on road safety, the human factor was the most complex and dynamic. Accident trends and public views pointed to inappropriate driving behaviour as a major contributory factor of road accidents. As such, priority should be given to improving driving behaviour and attitude through public education and formal training.

Proposal to extend the probationary driving licence arrangement to inexperienced private car and LGV drivers

8. One of the recommendations put forward by the Expert Panel was the introduction of a PDL for inexperienced private car and LGV drivers. The Expert Panel was of the view that the rapid expansion of Hong Kong's expressway network had increased the need for field training on expressways. However, in view of the practical difficulties to include expressways as part of training and testing requirements, the Government should explore the feasibility of expanding the existing 'probationary driving licence' arrangement for motorcyclists to cover inexperienced private car and LGV drivers. The proposed arrangement would allow this group of drivers to obtain on-the-road practical experience, including expressway driving experience, during the 'probationary' period before being issued with a full driving licence.

9. The Administration also took the opportunity to report on the PDL scheme for motorcyclists. The scheme was proven to be effective in reducing traffic accidents involving inexperienced motorcyclists, and the average accident involvement rate dropped by about 60% after its introduction on 1 October 2000. The Transport Department was exploring the feasibility of extending the "P" licence arrangement to cover inexperienced private car and LGV drivers. Consultations would be made with the transport trades and relevant organizations on the proposed arrangement.

10. Members generally supported the Report's recommendation on extending the "P" licence arrangement to cover inexperienced private car and LGV drivers. However, concerns had been expressed that inexperienced drivers might choose

not to use expressways or even not to drive at all during the probation period.

11. On 19 October 2004, the Administration briefed the Transport Advisory Committee on its proposal to extend the PDL scheme to inexperienced private car and LGV drivers. The Administration will brief members on this proposal at the Panel meeting on 26 November 2004.

12. A list of relevant papers is in **Appendix**.

Council Business Division 1
Legislative Council Secretariat
22 November 2004

**Proposed extension of the probationary driving licence scheme to
inexperienced private car and light goods vehicle drivers**

List of relevant papers

Council/Committee	Date of meeting	Paper
Transport Panel (TP)	18 December 1998	Administration's paper on the proposed probationary driving licence scheme for inexperienced motorcyclists (LC Paper No. CB(1)620/98-99(03)) http://www.legco.gov.hk/yr98-99/english/panels/tp/papers/p620e3.pdf
Bills Committee on Road Traffic Legislation (Amendment) Bill 1999	24 May 2000	Legislative Council Brief on Road Traffic Legislation (Amendment) Bill 1999 (TRAN 3/07/20 Pt. 4) http://www.legco.gov.hk/yr99-00/english/bc/bc04/general/72_brf.pdf
Council meeting	26 June 2000	Report of the Bills Committee on Road Traffic Legislation (Amendment) Bill 1999 to the Council (LC Paper No. CB(1)1888/99-00) http://www.legco.gov.hk/yr99-00/english/bc/bc04/report/a1888e.pdf

Council/Committee	Date of meeting	Paper
Council meeting	13 December 2000	Question raised by Hon Andrew CHENG on traffic accidents involving light goods vehicles http://www.legco.gov.hk/yr00-01/english/counmtg/hansard/001213fe.pdf
TP	5 December 2003	Report on Enhancement of Highway Safety of the Tuen Mun Road Traffic Incident Independent Expert Panel (LC Paper No. CB(1)455/03-04(01)) http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tp1205cb1-455-1e.pdf
TP	19 December 2003	Administration's responses to the Report on Enhancement of Highway Safety of the Tuen Mun Road Traffic Incident Independent Expert Panel (LC Paper No. 586/03-04(03)) http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tp1219cb1-586-3e.pdf

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