

**For discussion
26 November 2004**

Legislative Council Panel on Transport

Proposed Introduction of the Probationary Driving Licence Scheme for Private Cars and Light Goods Vehicles

Purpose

This paper sets out the Administration's proposal to introduce a probationary driving licence (PDL) for new drivers of private cars and light goods vehicles.

PDL Scheme for Motorcyclists

2. The PDL Scheme for motorcyclists has been in place since October 2000. Under the scheme, newly qualified motorcyclists are required to undergo a mandatory 12-month probation period after being issued with the PDLs. During the probation period, the PDL holders are required to –

- (a) display “P” plates on the motorcycles or motor tricycles;
- (b) refrain from carrying passengers;
- (c) keep the driving speed at or below 70km/h even when the prescribed speed limit is above 70km/h; and
- (d) refrain from driving on the offside lane of expressways where there are three or more traffic lanes.

3. A PDL holder will have his/her licence cancelled if he/she is convicted of a serious traffic offence that incurs 10 or more demerit points¹

¹ When a person is convicted of an offence listed in the Schedule to the Road Traffic (Driving-offence Points) Ordinance, he/she shall incur 3, 5 or 10 demerit points depending on the severity of the offence.

under the Road Traffic (Driving-offence Points) Ordinance. If he/she is convicted of a minor offence which incurs less than 10 demerit points or if he/she is in breach of any of the aforesaid restrictions, the probation period will be extended by 6 months. If he/she is convicted of another traffic offence, the PDL will be cancelled.

4. The PDL Scheme could be considered as extended training for inexperienced motorcyclists, allowing them to accumulate sufficient on-road driving experience. At the same time, the “P” plate would help to remind other drivers to be more cautious of and patient with novice motorcyclists.

5. Immediately after the introduction of the PDL Scheme, the accident involvement rate of novice motorcyclists (i.e. less than one year’s driving experience) dropped from an average of 63.94 per 1000 motorcyclists per year in the 3 years preceding the legislation to 33.64 per 1000 motorcyclists per year in the 3 years after the legislation has been enacted. This indicates that the Scheme has been successful in reducing accidents involving novice motorcyclists. Statistics in 2002² and 2003³ further show that motorcyclists who have undergone the PDL Scheme continue to have a lower accident rate when they drive in the second and third years, as compared with the same group of drivers in previous years. This reflects the lasting benefits of the Scheme.

Overseas Practices

6. In many overseas countries, there are restrictions imposed on new drivers of various types of vehicles. Novice drivers in Australia and Singapore must carry “P” plates. Those in Canada, New Zealand and some US states have to comply with night-time driving and passenger restrictions. Some countries require new drivers to be accompanied by supervisors. If the drivers are convicted of traffic offences, the novice period would be extended or the licence would be suspended. These measures aim to reduce

² The accident involvement rate of second-year motorcyclists was 27.07 per 1000 motorcyclists in 2002 as compared to 44.88, 48.24 and 54.75 for drivers with similar experience in 1999, 2000 and 2001 respectively.

³ In 2003, the accident involvement rate of third-year motorcyclists was 16.21 per 1000 motorcyclists as compared to 34.01, 49.88 and 37.26 for drivers with similar experience in 2000, 2001 and 2002 respectively.

the accident risks of inexperienced drivers by sharpening their hazard perception and reducing their exposure to high-risk situations.

Introduction of the PDL Scheme to Private Cars and Light Goods Vehicles (LGVs)

7. Currently, the traffic legislation in Hong Kong requires applicants for driving licences of taxis, light buses, medium/heavy goods vehicle and buses to have at least three years' driving experience. However, there is no such a requirement for private cars and LGVs. In other words, while novice taxi drivers, light bus/bus drivers and medium/heavy goods vehicle drivers should have adequate on-road experience before they learn to drive a new vehicle type, such may not be the case for new drivers of private cars and LGVs.

8. We have also looked into the accident involvement rates of private car and LGV drivers in the past few years⁴. As set out at **footnote 4**, for private car drivers, the accident involvement rate of first-year drivers is 2.3 times as much as that of those with over one year's experience. Taking the average, the accident involvement rate is as high as 9.86 per 1000 drivers in the first year but it drops to 4.35 per 1000 drivers from the second year

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Accident Involvement per 1000 Private Car Drivers

Year	Driving Experience	
	< 1 year	≥ 1 year
1999	11.68	4.91
2000	10.37	4.68
2001	9.71	4.41
2002	10.16	4.26
2003	7.39	3.49
<i>Average</i>	9.86	4.35

Accident Involvement per 1,000 LGV Drivers

Year	Driving Experience	
	< 1 year	≥ 1 year
1999	6.07	2.78
2000	4.79	2.72
2001	4.81	2.41
2002	4.72	2.42
2003	3.55	2.06
<i>Average</i>	4.79	2.48

onwards. Similarly, for LGVs, the accident involvement rate of first-year drivers is 4.79, which is almost twice the accident involvement rate of 2.48 for drivers with driving experience of more than one year. Moreover, compared with motorcycles, accidents involving private cars and LGVs would be more likely to lead to casualties of other road users given the limited road space and large number of road users in Hong Kong.

9. Separately, the Tuen Mun Road Traffic Incident Independent Expert Panel⁵, in examining measures to enhance highway safety in Hong Kong, recommended that Government should explore the feasibility of introducing the PDL Scheme for private cars and LGVs, such that novice drivers might have more practical field training, particularly on the use of expressways. The recommendation was supported by Members.

10. In view of Hong Kong's traffic condition, higher accident involvement rates of novice private car and LGV drivers as well as the recommendation of the Independent Expert Panel and international practices, we propose to introduce the PDL Scheme for new drivers of private cars and LGVs.

Key Features of the Proposed Scheme

11. Under the Scheme, candidates who have passed the driving test for private cars will be issued a PDL for private cars. In line with existing practice⁶, those who have passed the driving test for LGVs will be issued a PDL for both private cars and LGVs. In both cases, the probation period will be 12 months. We propose that the PDL should carry the following requirements –

- (a) to display “P” plates on the vehicle;

⁵ Following the traffic incident on Tuen Mun Road on 10 July 2003, the Chief Executive appointed an Independent Expert Panel to examine and make recommendations on safety measures to prevent similar catastrophes. The Panel made over 100 recommendations in the areas of driving behaviour, road engineering, parapet design, road safety legislation and traffic management in their Report on Enhancement of Highway Safety. Their recommendations have been accepted by the Panel and the Administration.

⁶ Under the current licensing regime, applicants for LGV driving licences, after passing the LGV driving test, will be issued both private car and LGV licences.

- (b) to keep the driving speed at or below 70 km/h even when the prescribed speed limit is above 70km/h;
- (c) to refrain from driving on the offside lane of expressways where there are three or more traffic lanes;
- (d) to have the PDL cancelled upon conviction of a serious road traffic offence which incur 10 or more demerit points under the Road Traffic (Driving-offence Points) Ordinance;
- (e) to have the probation period extended by 6 months upon conviction of minor road traffic offences (incurring less than 10 demerit points) or upon breaching of any of the three restrictions listed in (a) to (c) above; and
- (f) to have the PDL cancelled upon conviction of another road traffic offence, whether it is a serious or minor offence, during the probation period.

12. On paragraphs 11 (d) and (f) above, it must be noted that for full driving licences, in the event of cancellation or suspension, all vehicle types under the person's licence will be affected, regardless of the type of vehicle driven at the time when the traffic offence is committed. This is because a repeat traffic offender who exhibits unsatisfactory driving behaviour should not be allowed to drive on the road and put the safety of other motorists and road users at risk. Moreover, the demerit points incurred when driving different types of vehicles are accumulated in one common account, and it is impossible to differentiate between different vehicle types for disqualification/suspension purposes. By the same token, if a person holds the PDLs of more than one type of vehicles, regardless of the type of vehicle driven at the time when the offence is committed, his/her PDLs for all types of vehicles should be affected, as we consider that PDL holders should not be subject to less stringent restrictions than full licence holders.

Consultation

13. We have consulted the Road Safety Research Committee of the Road Safety Council on the proposal. Most members of the Committee support the proposal, although a few members have expressed concern that the Scheme might affect the livelihood of inexperienced LGV drivers and might be considered as discriminatory to new drivers. A summary of the views of the Committee is at **Annex A**.

14. We have also consulted the motoring associations, viz. the Hong Kong Automobile Association (HKAA) and the Institute of Advanced Motorists Hong Kong (IAMHK). HKAA has no objection in principle to the proposed extension of the PDL Scheme to cover new drivers of private cars and LGVs. IAMHK has expressed its full support for the proposal and considers that the Scheme would help inexperienced drivers to become familiar with the road system and driving environment.

15. We have also consulted the goods vehicle trade. The various trade associations⁷ generally support the proposal and members have raised several suggestions on the restrictions to be imposed under the PDL Scheme. The goods vehicle drivers associations⁸ have no objection to the proposal in principle, but one member considers that the Scheme might adversely affect the job opportunities and income of newly qualified LGV drivers. In addition, he feels that the display of “P” plates would make inexperienced drivers feel discriminated against. Views of the trade are summarised at **Annex B**.

⁷ The trade associations include Hong Kong Guangdong Transportation Association, Hong Kong Container Drayage Services Association Ltd, Hong Kong Container Tractor Owner Association Ltd, Kowloon Truck Merchants Association Ltd, Federation of Hong Kong Industries, Lok Ma Chau China – Hong Kong Freight Association, The Concrete Producers Association of Hong Kong Ltd and The Goods Vehicle Fleet Owners Association Ltd.

⁸ The goods vehicle drivers association include Container Transportation Employee General Union, Container Truck Drivers Union, Hong Kong Kowloon Taxi & Lorry Owners’ Association Ltd, Mixer Truck Drivers’ Association, Motor Transport Workers General Union, Organisation of Hong Kong Drivers, Pioneer Concrete Owners Drivers Association, The Hong Kong Union of Light Van Employees and Transport and Delivery Workers Union.

16. In addition, we have consulted the Transport Advisory Committee. Members fully supported the proposal and suggested that probationary drivers who were convicted of minor road traffic offences should be required to attend driving improvement courses.

Advice Sought

17. Members are invited to comment on the preliminary proposals set out in paragraphs 11 and 12. Subject to Members' comments, we will prepare the necessary legislative proposals.

Environment, Transport and Works Bureau
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Views of the Road Safety Research Committee

1. **Views of those members supporting the introduction of the PDL Scheme to private cars and LGVs**
 - (a) The PDL Scheme allows inexperienced drivers to consolidate their driving skills during the probation period and to become more confident and comfortable in driving without the company of an instructor.
 - (b) The Scheme could be viewed as an extension of the training and serves as a reminder to the drivers that they should drive very carefully.
 - (c) The “P” plate and the driving restrictions would help inexperienced drivers to familiarize with the driving environment through a gradual learning process.
 - (d) The “P” plate would serve as a signal to other road users, reminding experienced drivers to be more tolerant and pay more attention to new drivers.
 - (e) The probation period for drivers would help to enhance road safety.

2. **Concerns and suggestions of those members having reservations in the introduction of the Scheme to private cars and LGVs**
 - (a) The proposal might affect the income of those inexperienced LGV drivers who earn their living by driving.
 - (b) Inexperienced drivers may simply refrain from driving for a year during the probation period and get the full licence upon its expiry.

- (c) It would be better to extend the learning period or strengthen training so that inexperienced drivers could gain adequate driving experience before they obtain a full licence. Re-education or more severe penalty on traffic offence could also be considered.
- (d) Displaying the “P” plate would make inexperienced drivers feel discriminated against.

Summary of Views of the Goods Vehicle Trade

Items	Trade's View	Response
Consultation with the trucking industry associations representing owners of trucks and goods vehicles		
1	The trade associations supported the proposal in principle.	
2	Suggestions raised include : a) Front passenger seats should not be occupied when PDL holders for private cars are driving. b) The 70km/h speed limit should be lifted. c) The PDL holders should be allowed to attend the Driving Improvement Course, such that demerit points could be deducted during the probation period.	We would further consider the suggestions.
3	The associations raised concerns about how to eliminate 'compensatory behaviour' (i.e. drivers did not drive during the probation period and then started to drive again). The trade in general considered the response as reasonable and acceptable.	Such 'compensatory behaviour' was possible even without the PDL Scheme. There would never be a foolproof scheme. However, the behavior of a small group of people should not prevent a scheme that benefits the majority.

Items	Trade's View	Response
Consultation with the goods vehicle drivers associations		
4	<p>The associations supported the proposal in principle, except for one member who expressed strong objection due to the following reasons –</p> <ul style="list-style-type: none">a) Display of “P” plates would make drivers feel discriminated against; andb) The Scheme might deprive inexperienced LGV drivers of their share in the business and adversely affect their livelihood.	<p>We appreciate the hardship the trade may face and pointed out that PDL Scheme was not to penalise inexperienced drivers, but was an extension of their training. Display of the “P” plate would allow them to accumulate more on-road experience. The “P” plate would also remind other experienced drivers to be more cautious, caring and patient with these inexperienced drivers.</p>
5	<p>Other suggestions/issues raised:</p> <ul style="list-style-type: none">a) Impose driving experience requirement on applicants for LGV licence, i.e. similar to other vehicle types; andb) Tighten driving test requirements.	<p>We will further consider the suggestions.</p>