

立法會
Legislative Council

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by the Administration)

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**Subcommittee to Study the Transport Needs of and Provision of
Concessionary Public Transport Fares for Persons with Disabilities**

**Minutes of sixteenth meeting on
Tuesday, 29 April 2008, at 4:30 pm
in the Chamber of the Legislative Council Building**

- Members present** : Hon LEE Cheuk-yan (Chairman)
Hon LEUNG Yiu-chung
Hon Miriam LAU Kin-ye, GBS, JP
Hon Andrew CHENG Kar-foo
Hon WONG Kwok-hing, MH
Hon LEUNG Kwok-hung
Dr Hon Fernando CHEUNG Chiu-hung
- Members absent** : Hon LAU Kong-wah, JP
Hon TAM Yiu-chung, GBS, JP
- Public Officers attending** : Agenda item II

Mr Stephen SUI
Commissioner for Rehabilitation
Labour and Welfare Bureau

Mrs Avia LAI
Principal Assistant Secretary for Transport and
Housing (Transport)¹

Mr Don HO
Assistant Commissioner for Transport/
Management and Paratransit

Mr Kenneth MOK
Chief Transport Officer/Planning/Disabled Transport &
Projects
Transport Department

**Attendance by
invitation**

: Agenda item II

Equal Opportunities Commission

Dr Ferrick CHU Chung-man
Head, Policy & Research

The Hong Kong Society for Rehabilitation

Ms Candice LAM
Deputy Chief Executive Officer

Mr Rex LUK
Director (Transport and Travel)

Direction Association for the Handicapped

Mr LEE Yuen-tai
Chairman

The Parents' Association of Pre-school Handicapped
Children

Ms CHEUNG Kwok-chun
Representative

Rehabilitation Alliance Hong Kong

Mr LEE Tsz-yu
Committee Member

1st Step Association

Mr LEUNG Choy-yan
Chairperson

Disabled and Carers Concern Group

Mr NG Wing-man
Placement Student

Taxi Dealers & Owners Association Limited

Mr NG Kwan-sing
President

Tai Wo Motors Ltd.

Mr Aaron NG Hoi-shan
Vice-Chairman

The Hong Kong Taxi & Public Light Bus Association Limited

Mr TRAN Chau
President

The Fraternity Association of N.T. Taxi Merchants

Mr HO Che-kan
Chairman

Taxi & PLB Concern Group

Mr LAI Ming-hung
Chairman

United Friendship Taxi Owners & Drivers Association Ltd.

Mr WONG To
President of Club

Clerk in attendance : Ms Connie SZETO
Chief Council Secretary (1)6

Staff in attendance : Ms Sarah YUEN
Senior Council Secretary (1)6

Ms Michelle NIEN
Legislative Assistant (1)9

Action

I Confirmation of minutes and matters arising

(LC Paper No. CB(1)1338/07-08 - Minutes of the meeting held on 11 March 2008)

The minutes of the meeting held on 11 March 2008 were confirmed.

II Introduction of a new mode of accessible public transport service for persons with disabilities

(LC Paper No. CB(1)1389/07-08(01) Submission from Tai Wo Motors Ltd.

LC Paper No. CB(1)1327/07-08(04) Submission from Taxi & PLB Concern Group

LC Paper No. CB(1)1327/07-08(01) - Administration's paper on introduction of a new mode of accessible public transport service for persons with disabilities

LC Paper No. CB(1)1327/07-08(02) - Submission on introduction of a new mode of accessible public transport service for persons with disabilities from the Equal Opportunities Commission

LC Paper No. CB(1)1327/07-08(03) - List of follow-up actions prepared by the Secretariat (position as at 23 April 2008))

2. Members noted the following submissions tabled at the meeting:

- (a) Submission from Direction Association for the Handicapped;
- (b) Joint submission from The Parents' Association of Pre-school Handicapped Children, The Association of Parents of the Severely Mentally Handicapped and Hong Kong Association for Parents of Persons with Physical Disability; and
- (c) Revised version of the submission from Taxi & PLB Concern Group (LC Paper No. CB(1)1327/07-08(04)).

(Post-meeting note: The above submissions were circulated to members vide LC Paper No. CB(1)1412/07-08 on 30 April 2008.)

Action

Meeting with persons with disabilities (PwD) groups

3. At the Chairman's invitation, the PwD groups took turns to express their views as follows:

- (a) PwD groups were strongly aspired to see early provision of the new accessible hire car (AHC) service by Hong Kong Society for Rehabilitation and the introduction of wheelchair accessible taxis (WATs) by the taxi trade to meet their special or urgent transport needs. They urged the Government to provide incentives to assist the taxi trade in introducing WATs, such as releasing the technical details for developing the vehicle models for AHC service, and ensure that the introduction of AHC service would not affect resources allocated for rebus service;
- (b) While agreeing that both AHCs and WATs should charge fares higher than rebus, PwD groups were concerned about the high fares charged for both services, in particular the minimum charge of \$50 and the night surcharge of \$100 for AHC service; and
- (c) There were also views that the funding for AHC service should be used for procurement of more rebus to meet the increasing demand for rebus service; that the introduction of AHC service would not pose competition to WATs; that training should be provided to AHC and WAT drivers to enhance their service to PwDs; and that the Taxi Voucher Scheme once implemented in 1987 should be re-launched with better reimbursement arrangements.

Meeting with the taxi trade

4. At the Chairman's invitation, deputations from the taxi trade took turns to express views. The deputations pointed out that the trade was very willing to provide PwDs with barrier-free transport service. However, they were disappointed with the uncooperative and discouraging attitude of the Government which had frustrated the trade's initiative in introducing WATs to Hong Kong. They pointed out that due to restrictions of the Air Pollution Control (Vehicle Designing Standards) (Emission) Regulations (Cap. 311J), only liquefied petroleum gas (LPG)-driven or petrol-driven WATs were allowed in Hong Kong. This had discouraged the taxi trade from introducing WATs driven by other types of fuel in Hong Kong which involved substantially lower capital and operating costs. The deputations also called on the Government to re-launch the Taxi Voucher Scheme, and expressed concern about unfair competition posed by AHC service.

Meeting with the Equal Opportunities Commission (EOC)

5. At the Chairman's invitation, Dr Ferrick CHU, Head, Policy & Research of EOC briefed members on EOC's submission. He highlighted the need for the

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Administration to facilitate the introduction of WATs, such as by subsidizing WAT service and relaxing the fuel restrictions under Cap. 311J, in order to promote PwDs' full integration into the society. He stressed the importance for the Government to adopt a "disability mainstreaming" strategy in policy making. With such strategy, PwDs' needs would be taken into account throughout the policy formulation and programme development process, instead of adding a rehabilitation or integration component in the late stage of a development project. The strategy would enhance co-ordination among policy bureaux and departments and achieve more effective results in meeting PwDs' special needs in a timely manner.

Meeting with The Hong Kong Society for Rehabilitation

6. At the Chairman's invitation, Ms Candice LAM, Deputy Chief Executive Officer of HKSR explained that AHC service would provide more transport options for PwDs and alleviate the inadequate provision of rebus service. AHC service had to be pre-booked and only wheelchair-bound passengers and their companions could use the service. Furthermore, as the service operation would require more manpower and time in handling the loading and unloading of passengers, the cost of operation would be higher. Having regard to all these restrictions and the fare level of existing hire car services in the market, the fare level of AHC service would be higher than taxi. AHC service would be put to trial in June 2008 and fully implemented in October 2008. She added that AHC service would not affect the provision of rebus service.

Meeting with the Administration

7. At the Chairman's invitation, the Administration highlighted the various efforts made by Transport Department (TD) and the taxi trade to facilitate the introduction of WATs to Hong Kong such as the arrangement of briefing sessions for vehicle suppliers on the specifications required for LPG driven WATs, and explained the difficulties encountered including higher vehicle cost, uncertain market demand, and maintenance support etc., which the trade might take into account when assessing the commercial viability of the introduction of WATs. While the exact WAT models to be introduced to Hong Kong and when to do so were commercial decisions, the Administration would continue to facilitate discussion between the taxi trade and vehicle suppliers to search for suitable vehicle models. As regards the taxi trade's concern about the fuel restrictions under Cap. 311J, TD had already conveyed the trade's request of relaxing the restrictions to the Environmental Protection Department (EPD). Due to the much higher emission from diesel taxis, EPD considered that relaxing the restrictions might compromise air quality in Hong Kong.

Discussion

8. Members in general were disappointed that no progress was made to follow up the motion passed by the Subcommittee at its meeting on 24 July 2007 which

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urged the Government to draw up specific plans and timetable for the introduction of WAT service, ascertain the fees charged for and the long-term position of AHC service, as well as consult relevant parties with a view to formulating a policy with specific action plans for the provision of the new transport services for PwDs. Members noted that other than undertaking to continue assisting the taxi trade and the vehicle suppliers in exploring suitable models of LPG-driven or petrol-driven WATs for Hong Kong, TD had not addressed the concerns about financial viability of WATs and the high fares of the service. The Subcommittee stressed the need for the Government to work out the long-term positions of AHC and WAT services as new modes of transport for PwDs and devise feasible charging policies.

9. The Subcommittee was also disappointed that the Government had not formulated a comprehensive transport policy to facilitate the introduction of accessible public transport services for PwDs. Members were of the view that the segmented approach taken by the Government in pursuing the matter had resulted in a lack of co-ordination among policy bureaux and departments in resolving related issues. In this connection, the Subcommittee endorsed EOC's views on the need to adopt a "disability mainstreaming" strategy. In recognition that the formulation of a comprehensive policy for the introduction of new modes of accessible public transport service for PwDs involved a number of policy bureaux and departments, the Subcommittee agreed to write to the Chief Secretary for Administration (CS) urging him to look into the matter personally, so as to ensure that the Government would take immediate actions to formulate specific plans and timetable to facilitate the introduction of WATs in Hong Kong for use by PwDs.

(Post-meeting note: The letter to CS was circulated for members' comments vide LC Paper No. CB(1)1479/07-08 on 9 May 2008. The letter was issued to CS on 15 May 2008.)

Motion

10. In order to take forward the above stance of the Subcommittee and to address deputations' views and concerns, Dr Fernando CHEUNG moved the following motion:

"本委員會對於政府一直拒絕為殘疾人士制訂交通服務政策，迴避提出適合殘疾人士使用之的士之具體計劃和時間表，表示遺憾；

本委員會強烈要求政府：

- (一) 在半年內訂下引入傷殘的士計劃及時間表；
- (二) 積極考慮放寬香港法例第311J章之限制及其他有助於引入無障礙的士的措施；及

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- (三) 在發牌予易達轎車前，必須與各持份者，包括殘疾人士團體、運輸業界、非政府機構等商議，釐清此項服務作為長遠運輸工具之定位及運作細則。"

(Translation)

"That this Subcommittee expresses regret at the Government's persistent refusal to formulate a transport service policy for persons with disabilities ("PwDs") and its evasion of the responsibility to put forward specific plans and timetable for the introduction of taxis suitable for use by PwDs;

this Subcommittee strongly requests the Government to

- (a) formulate within 6 months plans and timetable for the introduction of taxis which are for PwDs;
- (b) actively consider relaxing the restrictions under Cap. 311J of the Laws of Hong Kong and adopting other measures which facilitate the introduction of wheelchair-accessible taxis; and
- (c) consult various stakeholders, including PwDs groups, the transport industry, non-governmental organizations, etc, to ascertain Accessible Hire Car's long-term position as a mode of transport service and the details of its operation before issuing licences to this type of vehicles."

11. The Subcommittee agreed to proceed with the motion and put it to vote. Of the members present, three voted for the motion. The Chairman declared that the motion was carried.

(Post-meeting note: The wording of the motion was circulated to members vide LC Paper No. CB(1)1416/07-08 on 30 April 2008.)

Follow-up action

Admin

12. The Administration was requested to follow up on the motion passed at the meeting and provide concrete response.

III Any other business

Meeting arrangements

13. The Subcommittee noted that a meeting to re-visit the subject of the provision of concessionary public transport fares for PwDs had already been scheduled for Thursday, 22 May 2008, at 8:30 am. The Chairman said that representatives from the MTR Corporation would attend the meeting but the

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Secretary for Transport and Housing had declined to attend.

14. There being no other business, the meeting ended at 6:35 pm.

Council Business Division 1
Legislative Council Secretariat
21 May 2008

**Proceedings of the sixteenth meeting of
the Subcommittee to Study the Transport Needs of and Provision of
Concessionary Public Transport Fares for Persons with Disabilities
on Tuesday, 29 April 2008, at 4:30 pm
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
Agenda Item I – Confirmation of minutes and matters arising			
000550 – 000734	Chairman	(a) Opening remarks by the Chairman (b) Confirmation of minutes of the meeting held on 11 March 2008 (LC Paper No. CB(1)1338/07-08)	
Agenda Item II – Introduction of a new mode of accessible public transport service for persons with disabilities			
<i>Meeting with persons with disabilities groups</i>			
000735 – 001203	Chairman Direction Association for the Handicapped	Presentation of views (LC Paper No. CB(1)1412/07-08(01))	
001204 – 001450	Chairman The Parents' Association of Pre-school Handicapped Children	Presentation of views (LC Paper No. CB(1)1412/07-08(02))	
001451 – 001752	Chairman Rehabilitation Alliance Hong Kong	Presentation of views	
001753 – 002116	Chairman 1 st Step Association	Presentation of views	
002117 – 002425	Chairman Disabled and Carers Concern Group	Presentation of views	
<i>Meeting with the taxi trade</i>			
002426 – 002759	Chairman Taxi Dealers & Owners Association Limited	Presentation of views	
002800 – 002851	Chairman Tai Wo Motors Ltd.	Presentation of views (LC Paper No. CB(1)1389/07-08(01))	
002852 – 003013	Chairman The Hong Kong Taxi & Public Light Bus Association Limited	Presentation of views	

Time marker	Speaker	Subject(s)	Action required
003014 – 003332	Chairman The Fraternity Association of N.T. Taxi Merchants	Presentation of views	
003333 – 003649	Chairman Taxi & PLB Concern Group	Presentation of views (LC Paper No. CB(1)1327/07-08(04))	
003650 – 003842	Chairman United Friendship Taxi Owners & Drivers Association Ltd.	Presentation of views	
<i>Meeting with the Equal Opportunities Commission</i>			
003843 – 004417	Chairman Equal Opportunities Commission (EOC)	Presentation of views (LC Paper No. CB(1)1327/07-08(02))	
<i>Meeting with the Hong Kong Society for Rehabilitation</i>			
004418 – 004727	Chairman The Hong Kong Society for Rehabilitation	Presentation of views	
<i>Meeting with the Administration</i>			
004728 – 005832	Chairman Administration	Briefing by the Administration and response to the deputations' views (LC Paper No. CB(1)1327/07-08(01))	
<i>Discussion</i>			
005833 – 010557	Chairman Ms Miriam LAU Administration	(a) Discussion on the need for a policy change under which the Administration should adopt a proactive approach and strengthen its efforts to work with the taxi trade and vehicle suppliers to facilitate the introduction of wheelchair accessible taxis (WATs) (b) Ms Miriam LAU's view that due to concerns about sustainability of the accessible hire car (AHC) service and affordability of persons with disabilities (PwDs) for the service, WAT service was more effective than AHC service in ensuring barrier-free transport for PwDs	
010558 – 011453	Chairman Dr Fernando CHEUNG Administration	Discussion on measures to take forward the motion on the introduction of new modes of accessible public transport service for PwDs passed at the Subcommittee's meeting on 24 July 2007	

Time marker	Speaker	Subject(s)	Action required
011454 – 012018	Chairman Mr WONG Kwok-hing Administration Taxi & PLB Concern Group	Discussion on the effectiveness of AHCs vis-à-vis WATs in addressing PwDs' long-term transport needs, and measures to enhance the financial viability of WATs and facilitate its introduction to Hong Kong e.g. relaxing the relevant fuel restrictions, exempting the fees for WAT permits	
012019 – 012843	Chairman Mr LEUNG Yiu-chung Administration	<p>(a) Discussion on the need to expedite the introduction of WATs to fill the present service gap of rebus service</p> <p>(b) Concern about PwD's affordability for AHC service</p> <p>(c) Discussion on the feasibility of working out performance indicators and an implementation timetable for monitoring the progress in improving rebus service to meet increasing demand and reduce the number of rejected orders</p> <p>(d) The Administration's response that in view of the changing demand for rebus service, it would be difficult to work out a target and a timetable for improving the service. It would continue to monitor the service demand and review the resources allocation for rebus service in the light of implementation of AHC service, the development of WAT service and further enhancement of the accessibility of public transport facilities</p>	
012844 – 013413	Chairman Mr LEUNG Kwok-hung EOC	Discussion on the availability and enforceability of a performance pledge in the provision of barrier-free transport for PwDs in terms of rebus service, the introduction of WATs, the accessibility of public transport facilities for PwDs, etc.	
013414 – 015804	Chairman Ms Miriam LAU Administration Dr Fernando CHEUNG Mr LEUNG Kwok-hung	<p>(a) Discussion on the availability under the Transport and Housing Bureau of a clear policy and specific plans to facilitate the introduction of WATs</p> <p>(b) Discussion on the co-ordination among relevant policy bureaux and departments in resolving related matters to facilitate the introduction of accessible public transport services for PwDs, in particular WATs, the need to formulate a comprehensive policy in this regard and urge the Chief Secretary for Administration to look into the matter personally</p> <p>(c) Discussion on the cost-effectiveness of AHC</p>	

Time marker	Speaker	Subject(s)	Action required
		service and whether resources for providing the service should be deployed for improving rebus service instead	
015805 – 020237	Chairman Taxi & PLB Concern Group United Friendship Taxi Owners & Drivers Association Ltd. Rehabilitation Alliance Hong Kong 1 st Step Association	Presentation of further views	
020238 – 020349	Chairman EOC	Presentation of views on the need for the Administration to adopt the "disability mainstreaming" strategy	
020350 – 020547	Chairman Dr Fernando CHEUNG Ms Miriam LAU Taxi & PLB Concern Group	(a) Voting on the motion moved by Dr Fernando CHEUNG (b) The Chairman's call upon deputations to submit further views to the Subcommittee or the Administration for consideration	The Administration to take follow-up action as requested in paragraph 12 of the minutes
Agenda Item III – Any other business			
020548 – 020711	Chairman	Date of next meeting and relevant arrangements	