

立法會

Legislative Council

LC Paper No. CB(1)294/06-07

(These minutes have been
seen by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

Minutes of meeting held on Tuesday, 24 October 2006, at 8:30 am in the Chamber of the Legislative Council Building

- Members present** : Hon Andrew CHENG Kar-foo (Chairman)
Hon CHEUNG Hok-ming, SBS, JP (Deputy Chairman)
Hon Mrs Selina CHOW LIANG Shuk-ye, GBS, JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-ye, GBS, JP
Hon LI Fung-ying, BBS, JP
Hon Tommy CHEUNG Yu-yan, JP
Hon Albert CHAN Wai-yip
Hon WONG Kwok-hing, MH
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon Ronny TONG Ka-wah, SC
- Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LAU Chin-shek, JP
Hon LEUNG Kwok-hung
- Public Officers attending** : **Agenda item V**

Miss Angela LEE
Principal Assistant Secretary for the Environment, Transport
and Works

Ms Macella LEE
Acting Principal Assistant Secretary for the Environment,
Transport and Works

Mr Alan WONG
Commissioner for Transport

Mr Albert YUEN
Assistant Commissioner for Transport/
Bus and Railway

Mr Leung Tak-fai
Chief Engineer/Road Safety & Standards
Transport Department

Mr David Tsang
Senior Engineer/Vehicle Safety
Transport Department

Agenda item VI

Ms Annie CHOI
Deputy Secretary for the Environment, Transport and Works

Ms Macella LEE
Acting Principal Assistant Secretary for the Environment,
Transport and Works

Mr LEUNG Tak-fai
Chief Engineer/Road Safety & Standards
Transport Department

Mr TSENG Hing-wah
Senior Engineer/Vehicle Regulations and Standards
Transport Department

Mr Blake HANCOCK
Chief Superintendent of Police (Traffic)

Mr LI Chiu-keung
Superintendent (Central Traffic Prosecutions)
Hong Kong Police Force

Mr YUEN Chung-biu
Superintendent (Law Revision & Projects (Traffic))
Hong Kong Police Force

- Attendance by invitation** : **Agenda item V**
- The Kowloon Motor Bus Company (1933) Limited/
Long Win Bus Company Limited
- Mr Edmond T M HO
Deputy Managing Director
- Miss Winnie NG
Executive Director
- Mr LUI Po-chiu
Operations Director
- Citybus Limited/New World First Bus Services Limited
- Mr Samuel CHENG
Managing Director
- Mr William CHUNG
Head of Operations
- Mr Paul LI
Head of Engineering
- New Lantao Bus Company (1973) Limited
- Mr Peter MOK
Executive Director
- Clerk in attendance** : Mr Andy LAU
Chief Council Secretary (1)2
- Staff in attendance** : Ms Sarah YUEN
Senior Council Secretary (1)6
- Miss Winnie CHENG
Legislative Assistant (1)5
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I Confirmation of minutes and matters arising

(LC Paper No. CB(1)111/06-07 - Minutes of the meeting held on 12 October 2006)

The minutes of the meeting held on 12 October 2006 were confirmed.

II Information papers issued since the meeting held on 23 June 2006

(LC Paper No. CB(1)2157/05-06(01) - Administration's response to the submission from Taxi & P.L.B. Concern Group on public transport policy (LC Paper No. CB(1)1322/05-06)

LC Paper No. CB(1)1871/05-06(01) - Administration's response to the submission from a taxi driver on illegal offer of discounts to passengers by some taxi drivers (LC Paper No. CB(1)1742/05-06)

LC Paper No. CB(1)2151/05-06(01) - Submission from HK Public Light Bus Owner & Driver Association on public light bus policy

LC Paper No. CB(1)1902/05-06(01) - Submission from Hongkong Guangdong Boundary Crossing Bus Association on public transport interchanges at Lok Ma Chau Terminus of the Sheung Shui to Lok Ma Chau Spur Line and at the Shenzhen Bay Port

LC Paper No. CB(1)2296/05-06(01) - Referral from Complaints Division on traffic in Northwest New Territories

LC Paper No. CB(1)1963/05-06(01) - Information paper on "Western Harbour Crossing Tolls" provided by the Administration

LC Paper No. CB(1)2065/05-06(01) - Financial information in regard to the Western Harbour Crossing provided by the Administration

LC Paper No. CB(1)2185/05-06(01) - Information paper on Route 3 (Country Park Section) Tolls provided by the Administration

LC Paper No. CB(1)2185/05-06(02) - Letter and press release from Route 3 (CPS) Company Limited on Route 3 (Country Park Section) Tolls

LC Paper No. CB(1)2119/05-06(01) - Submission from 三巴駕駛教師 on private driving instructor's licences

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- LC Paper No. CB(1)2164/05-06(01) - Administration's response to the submission from 三巴駕駛教師 on private driving instructor's licences (LC Paper No. CB(1)2119/05-06)
- LC Paper No. CB(1)2159/05-06(01) - Submission dated 18 August 2006 from Hong Kong, Kowloon and N.T. Public & Maxicab Light Bus Merchants' United Association on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(02) - Submission dated 16 August 2006 from 捷益專線小巴有限公司 on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(03) - Submission dated 18 August 2006 from 潮聯公共小型巴士有限公司 on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(04) - Submission dated 18 August 2006 from East Success Properties Investment Limited on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(05) - Submission dated 16 August 2006 from Hon Wah Public Light Bus Association Limited on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(06) - Submission dated 18 August 2006 from The Kowloon PLB Chiu Chow Traders & Workers Friendly Association on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(07) - Submission dated 22 August 2006 from Public Light Bus General Association on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(08) - Submission dated 17 August 2006 from Lei Yue Mun Ko Chiu Road Public Light Bus Merchants Association Ltd. on provision of MTR South Island Line
- LC Paper No. CB(1)2159/05-06(09) - Submission dated 17 August 2006 from Lam Tin Wai Hoi Public Light Bus Association on provision of MTR South Island Line

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- LC Paper No. CB(1)2177/05-06(01) - Administration's response to submissions on provision of MTR South Island Line (LC Paper No. CB(1)2159/05-06(01) - (09))
- LC Paper No. CB(1)2184/05-06(01) - Submission from G.M.B. Maxicab Operators General Association Ltd on provision of MTR South Island Line
- LC Paper No. CB(1)96/06-07(01) - Submission from a member of the public on hazard warning light)

2. Members noted the information papers issued since the meeting held on 23 June 2006.

III Items for discussion at the next meeting scheduled for 24 November 2006

- (LC Paper No. CB(1)110/06-07(01) - List of outstanding items for discussion
- LC Paper No. CB(1)110/06-07(02) - List of follow-up actions)

3. Members agreed that the following items proposed by the Administration would be discussed at the next regular meeting scheduled for 24 November 2006 –

- (a) Review of the roles and functions of taxis and van-type light goods vehicles in the transport services sector; and
- (b) Improvement to Tuen Mun Road and Tung Chung Road.

(Post-meeting note: At the request of the Administration and with the concurrence of the Chairman, item (b) was subsequently revised to "Tuen Mun Road and Central Kowloon Route". The revised agenda and a self-explanatory letter from the Administration regarding the change were issued to members vide LC Paper No. CB(1)305/06-07 dated 17 November 2006.)

4. In consideration of the impending commissioning of the Hong Kong-Shenzhen Western Corridor (the Corridor) in July 2007, members also agreed to discuss the following items at the regular meeting scheduled for 15 December 2006 –

- (a) Public transport arrangements at the new boundary control points; and
- (b) Measures to enhance the utilization of Route 3 and the regulatory arrangements for cross-boundary vehicles.

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5. Regarding item (a) above, members noted that various public transport trades were concerned about the public transport arrangements at the new boundary control points at the Corridor and Sheung Shui to Lok Ma Chau Spur Line. Members would like to be briefed on the layout design of the public transport interchanges and the Administration's plan regarding the provision of public transport services at the new boundary control points.

6. As to item (b) above, members expressed the need for the Administration to report on the progress of efforts made to enhance the utilization of Route 3 and in finalizing regulatory arrangements for cross-boundary vehicles, in particular on whether the cross-boundary vehicle quota would be increased in the long run.

IV Proposal from Tai Po District Council about the setting up of a joint working group with relevant District Councils to monitor the service of Kowloon-Canton Railway Corporation

(LC Paper No. CB(1)100/06-07(01) - Letter dated 15 September 2006 from Tai Po District Council)

7. Members noted the proposal from Tai Po District Council (TPDC) about the setting up of a joint working group by the Panel with relevant District Councils (DCs) to monitor the service of Kowloon-Canton Railway Corporation. The Chairman pointed out that as advised by the Clerk, the terms of reference (TOR) of the Panel were to monitor and examine Government policies and issues of public concern relating to transport matters, and there was no provision in the Rules of Procedure (RoP) of the Legislative Council (LegCo) authorizing the Panel to form a working group with outside parties for specific purposes. In recognition of the wish of the relevant DCs along the East Rail (ER) corridor to play a more active role in monitoring the ER operation, and that the Subcommittee on Matters Relating to Railways (the Subcommittee) had been formed under the Panel to oversee the planning and operation of railways, the Chairman opined that it might be more advisable to invite TPDC or any joint working group it might form with other relevant DCs to forward their views to the Subcommittee for follow-up.

8. Mrs Selina CHOW considered it not appropriate to accept TPDC's proposal. She also pointed out that LegCo Members already held on a roster basis meetings with members of the 18 DCs to discuss and exchange views on matters of mutual interest, and that the existing practice of Panels was that district issues should be handled at the district level. Even if the Subcommittee were to follow up TPDC's proposal, it should only address DCs' concerns from a macro policy perspective rather than responding to district needs. Ms Miriam LAU, Chairman of the Subcommittee, shared Mrs CHOW's views. She pointed out that being a subcommittee under the Panel, the Subcommittee was similarly bound by the Panel's TOR and the RoP. As such, the Subcommittee could not form a joint working group with outside parties. It however welcomed views from DCs on relevant macro rail issues, and would follow up on related matters and invite DCs' attendance where appropriate. Mr LAU Kong-wah supported their views, and

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opined that while LegCo Members were also concerned about local issues, LegCo and DCs should each perform their respective roles and functions at their levels.

9. Mr Ronny TONG, however, opined that despite LegCo's regular meetings with DCs, communication between the two was insufficient, and LegCo should proactively help DCs follow up local issues to better serve the public. He therefore indicated support for TPDC's proposal, and said a suitable mechanism to foster co-operation between the Panel and DCs in this regard should be worked out.

10. The Chairman declared interests as a member of TPDC, and recalled that it was during discussion of the various issues relating to ER's operation that it dawned upon TPDC members that a joint working group with relevant DCs might need to be set up to more actively monitor ER's service. In this connection, he shared Mr Ronny TONG's views concerning LegCo's regular meetings with DCs, and suggested that the Subcommittee might consider how it could formalize liaison and co-operation with the above joint working group of the DCs, and proactively seek written and even oral views from it on relevant issues to enable the DCs concerned to play a part in monitoring ER's operation.

11. Whilst emphasizing that the Subcommittee had always attached great importance to DCs' views, Ms Miriam LAU cast doubt on the possibility of establishing any formal link between the Subcommittee and the DCs' joint working group on the basis of the Subcommittee's TOR and the RoP. In her view, the establishment of any such formal link would implicate not only on the Subcommittee or the Panel but also on the operation of the Council and hence had to be examined by the whole Council. Moreover, the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382) might not apply to meetings of any such setup. Mr Ronny TONG, however, was not convinced of Ms LAU's points, and queried why Cap. 382 would not apply to meetings of the setup.

12. The Clerk remarked that since there was no provision in the RoP authorizing the Panel to form a working group with outside parties for specific purposes, meetings of such a working group would not be considered as formal meetings of LegCo to which Cap. 382 applied. To improve LegCo's liaison with DCs, it was the prevailing practice of the Council to forward agendas for all meetings of the committees of LegCo and the Council to all 18 DCs on a weekly basis so as to facilitate their expression of views on specific items at forthcoming meetings.

13. Mr CHEUNG Hok-ming declared interests as a member of TPDC, and explained that TPDC's proposal had arisen from the need to team up with other DCs to more effectively monitor ER's operation. Since the relevant DCs' aim was to enlist LegCo's assistance in addressing their concerns, if the Subcommittee could address the concerns of the joint working group of the DCs actively and regularly, there might not be a need to establish an official link between the two.

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Clerk

14. Summing up, the Chairman directed the Clerk to explain to TPDC the limitations imposed by the TOR of the Panel and by the RoP on the establishment of the proposed joint working group with the Panel, and inform TPDC that it or any joint working group it might form with other DCs could submit any views they might have on rail issues to the Subcommittee for follow-up.

(Post-meeting note: The Clerk's letter to TPDC in this regard was sent to TPDC on 27 October 2006 and issued to members via LC Paper No. CB(1)188/06-07 dated 27 October 2006.)

V Safety of franchised bus operations

- (LC Paper No. CB(1)110/06-07(03) - Information paper provided by the Administration
LC Paper No. CB(1)113/06-07 - Background brief on safety of franchised bus operation prepared by the Secretariat)

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15. The Commissioner for Transport (C for T) briefed members on the Administration's paper. In reviewing the safety of franchised bus operations, a macro perspective should be adopted to assess the extent of the problem. Notwithstanding the seemingly alarming press report on the findings of a recent study conducted by the Department of Medicine and Therapeutics (the Department) of The Chinese University of Hong Kong on a group of middle-aged commercial drivers that about 61% and 24% of the interviewed bus drivers admitted to having daytime sleepiness and fallen asleep symptom when driving respectively, and six bus drivers who had been involved in traffic accidents said that the accidents were related to their sleepiness, the actual number of traffic incidents involving buses each day was less than five, with 85% of them being slight accidents. At present, there were about 5 883 franchised buses running on the roads and over 60% of bus accidents were not attributed to driver factor. All franchised bus operators had been making efforts to improve their service. He further informed members that the Administration was seeking a copy of the study report from the Department so as to better understand the study methodology and findings. He assured members that the Administration would examine the report in detail. At the Chairman's request, he undertook to forward a copy of it to the Panel upon receiving the report from the Department and obtaining its consent.

Seat belt on franchised bus

16. Mr WONG Kwok-hing expressed regret at the recent spate of traffic accidents involving buses. Referring to an accident in which passengers were thrown out from the upper saloon of the bus after collision with another vehicle, he asked why, unlike public light buses (PLBs) where vehicles registered after 1 August 2004 were required to be installed with high back seats and seat belts, buses were not required to do so. In reply to him on plans to require buses to install seat belts and the timetable, C for T advised that

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the seat belt requirement and legislation had been implemented by phases, starting with private cars, and PLBs were only required to install seat belts since 2004. Where buses were concerned, all franchised bus operators had committed that starting from 1997, all newly purchased buses would be equipped with seat belts at the exposed seats. As to whether seat belts would be retrofitted on existing buses not so equipped, such would hinge on the structural designs of individual buses. The Administration would also need to examine the feasibility jointly with the bus companies because retrofitting of seat belt was no simple task, and the retrofit design plans had to be tested on buses to ascertain whether they could withstand the impact posed by the additional anchor points arising from the facilities in an accident. He however pointed out that as he observed, passengers seldom wore seat belts even when such were available. Bus drivers might also have concerns if they were required to ensure the proper wearing of seat belts by passengers. As such, although the Administration would examine with bus companies and the Police whether failure to wear seat belts on buses should be prosecuted, at present bus passengers would only be encouraged to wear seat belts where provided by stepping up publicity.

17. In reply to Mr LEE Wing-tat on the meaning of "exposed seats", the Assistant Commissioner for Transport/Bus and Railway explained that they were forward facing seats in a franchised bus which were not immediately behind another forward-facing seat or an internal partition/panel. There were usually 14 exposed seats in a double deck bus: five seats at the last row on the lower deck, four seats at third row facing backward-facing seats on the lower deck, four seats at the first row on the upper deck and the middle seat at the last row on the upper deck. Noting the explanation, Mr LEE pointed out that the percentage of seats equipped with seat belts on franchised buses was indeed very low. In response, C for T added that in interpreting the issue on provision of seat belts on buses, reference should be made to overseas experience on the use of seat belts and the correlation between bus casualties/fatalities and the availability of seat belts.

18. Mr LEE Wing-tat, however, stressed the need to install seat belts on all seats of buses so that passengers who cared about their lives could choose to wear seat belts on their own. In his view, the lack of a phased programme for retrofitting seat belts on all buses was irresponsible and unfair to passengers, and would cause them anxiety when riding on buses without adequate safety device. He therefore called upon the Administration to liaise with the franchised bus operators on the retrofitting of seat belts on all seats in existing buses and work out the additional cost. Measures should also be taken to ensure that passengers would use seat belts where such were available. In response, C for T said that whether the majority of passengers felt anxious while travelling on bus without seat belt would have to be studied. It also took time for the Administration to ascertain the technical viability of retrofitting seat belts on buses not originally equipped with such, taking into account the technical difficulties such as the structural strength of seats, adequate anchorage points and design of buses, and to work with the franchised bus operators on a retrofitting programme, etc. He however assured members that according to Transport Department (TD)'s research on overseas experience, installation of seat belts on exposed seats could already greatly reduce the

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casualty/fatality rate and the additional safety benefit of installing seat belt on all seats in a bus might not be as great as envisaged.

19. Ms Miriam LAU agreed with the Administration on the need to conduct trials and tests to ensure the retrofit design plans could really meet the safety requirements, pointing out that according to experts in the related field, there was genuine difficulty in retrofitting passenger seat belts and high back seats on vehicles not originally designed for and fitted with such facilities. Apart from the difficulty in ensuring the facilities so retrofitted would be effective, care also had to be exercised to ensure they could meet the safety requirements lest they would pose danger to passengers instead of protecting them. She also shared C for T's view that many passengers did not use seat belts even when these were available. The reason might be that, as different from taxis and PLBs, there was no mandatory requirement for wearing of passenger seat belts on franchised buses. In consideration of this and the genuine need to wear seat belts when sitting on exposed seats, she asked the Administration to consider requiring bus passengers to wear seat belts where such were available. The Administration noted her views.

20. Noting that only 34% of the total number of franchised buses were equipped with seat belts at the exposed seats, the Chairman expressed concern that a great number of passengers were facing the danger of sitting on exposed seats with no seat belts every day. He therefore did not accept that a study to ascertain the need to install seat belts on all buses should first be conducted, and requested the Administration to ensure all exposed seats would be installed with seat belts immediately, and to require passengers to wear them where such were available. In response, C for T reported that studies conducted in Australia and Canada had indicated that it was very difficult to ensure passengers would use seat belts. He also reiterated the need to conduct tests to ascertain the technical viability of retrofitting seat belts on existing buses but undertook to examine the Chairman's request. In this regard, Mr WONG Kwok-hing said that the Administration should provide to the Panel the timetable of the retrofitting tests.

Working schedule for bus drivers

21. Mr WONG Kwok-hing enquired about measures to ensure that bus drivers would have sufficient rests in-between each trip, especially in the case of drivers serving long routes because, when there were delayed or lost trips as a result of traffic congestion, drivers would tend to drive faster to make up for the time lost. In this regard, he also remarked that with the change of employment terms for bus drivers to contract terms, more and more bus drivers were prone to immense psychological pressure in fear of loss of continued employment. This would directly affect the safety of franchised bus operation. In response, C for T pointed out that scheduling arrangements for drivers varied among companies but the franchised bus operators could all comply with the present guidelines on working schedule of franchised bus drivers (the Guidelines). Placing great emphasis on operational safety, some bus companies were even doing better than the Guidelines, which only set out the minimum requirements. For example, while according to the Guidelines, the driving duty (i.e. maximum duty minus all breaks of 30 minutes or more) should not exceed 11 hours, the average driving duties of the

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drivers of the bus companies were less than nine hours.

22. Ms LI Fung-ying referred to the motion passed by the Panel at its meeting on 29 October 2004 asking the Administration to study revising the Guidelines to enhance safety of franchised bus service operations. While recognizing that due to likely impact on bus drivers' take-home pay it might not be advisable to rigidly revise the Guidelines as proposed, she was keen to ensure that the working schedule of franchised bus drivers was reasonable, and sought specific details on how the franchised bus companies fared in complying with the Guidelines.

23. In response, Miss Winnie NG, Executive Director of The Kowloon Motor Bus Company (1933) Limited/Long Win Bus Company Limited (KMB/LWB) reported that in KMB/LWB, drivers' average duty hours were around ten hours. They would have a meal break of about 30 minutes after four hours of duty, and short rests of five to ten minutes in-between each trip. She emphasized that KMB/LWB's present driver scheduling arrangements had been in use for quite some time and were in keeping with the relevant labour legislation. KMB/LWB also kept up close communication with its staff and their unions to ensure the working schedule was reasonable. According to a recent meeting with them, they found the present arrangements acceptable. Mr William CHUNG, Head of Operations of Citybus Limited/New World First Bus Services Limited (Citybus/NWFBS), reported that Citybus/NWFBS had been able to achieve 100% compliance with the Guidelines. Regular liaison with staff unions had also been kept up and no complaints on the working schedule had been received. Mr Peter MOK, Executive Director of New Lantao Bus Company (1973) Limited (NLB), reported that NLB's compliance with the Guidelines had been satisfactory, with its drivers' driving duty kept at around nine hours, during which they would be allowed sufficient time for taking rests and meals. The break between successive duty shifts had also been kept at nine hours.

24. Ms LI Fung-ying pointed out that although the three bus companies were not aware of any complaints from their staff about the working schedule, she had heard many such complaints. Whilst in principle drivers would entitle to have a short rest of five to ten minutes in-between each trip, very often, due to traffic congestion en-route, they had to catch up the time lost and hence, the resting period would be forfeited. She further pointed out that in ensuring sufficient breaks between successive duty shifts, there was a need to consider the actual time required for travelling from workplace to home and vice versa, given that some drivers might live in remote areas. The bus companies were urged to give due regard to such circumstances instead of mechanically abiding by the Guidelines. In this regard, Mr Peter MOK of NLB advised that due to the lower frequency of NLB's bus service, NLB's drivers could have longer rests in-between each trip. Moreover, in consideration of the distance of Lantau from the urban area, NLB had provided for its drivers hostels in the vicinity of its bus termini in Mui Wo, Tai O and Pui O so as to minimize its drivers' travelling time and maximize their time for rest.

25. Ms Miriam LAU shared Ms LI Fung-ying's view and pointed out that there was a

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need to consider the traffic conditions en-route so that drivers could have a reasonable break before resuming their duties. The Chairman also shared Ms LI's views. Pointing out that due to frequent complaints, members were gravely concerned that arrangements should be made to ensure that bus drivers could get enough rest, he urged the Administration to play a greater role in this regard. In response, C for T assured members that efforts would be made to relieve congestion in general to facilitate all road users. The Administration would also examine whether the Guidelines could address the congestion problem along individual bus routes that would affect bus drivers' rests in-between each trip. Noting the assurance, Mr WONG Kwok-hing urged TD to study and monitor the actual resting period of drivers in-between each trip, in particular for drivers serving long routes.

Health of bus drivers

26. Mr LAU Kong-wah opined that the health of drivers was of paramount importance as these would have serious implications on safety of road users. In response to him on whether the companies were ready to do more to ensure bus drivers' health, Miss Winnie NG of KMB/LWB assured members that KMB/LWB attached great importance to the physical and mental health of drivers because their performance would directly affect passenger safety. Apart from requiring every driver to pass a medical examination before he joined the company, KMB/LWB also had its own medical centre where free medical service was available to its drivers. As to the introduction of annual medical check for drivers above a certain age, KMB/LWB had discussed the proposal with staff and staff unions but had yet to reach a consensus with them. KMB/LWB would continue to examine the proposal with due regard to passenger safety and would report any progress in this regard to the Panel. Mr Samuel CHENG, Managing Director of Citybus/NWFBS, advised that Citybus/NWFBS had similar practices but annual medical check was conducted for Citybus/NWFBS drivers aged 50 or above. Moreover, Citybus/NWFBS was also keen to remind and encourage its drivers to adopt a healthy lifestyle in recognition of its importance to ensuring their performance. Mr Peter MOK of NLB said that NLB's practices were similar to those of Citybus/NWFBS. However, due to resource constraints, instead of conducting health talks for its drivers, NLB could only disseminate to them information in this regard.

KMB/
LWB

27. Ms Miriam LAU pointed out that a tight working schedule might not be the cause of all bus accidents as shown in the recent incident where the driver was only driving his second trip after a rest day. Instead, some bus accidents might have been caused by drivers' reluctance to admit indisposition due to fear of losing their jobs. In her view, annual medical check for drivers above a certain age might not help to solve the above problem because young drivers could also have health conditions that rendered them unfit for driving. In recognition of the importance of drivers' well-being to passenger and road safety and thus public interest, she urged the bus companies to conduct health talks or provide free medical checks for all drivers to remind them of the need to monitor their health conditions more closely. Where necessary, arrangements should be made to redeploy bus drivers to other posts in consideration of their health conditions.

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28. In response, Miss Winnie NG of KMB/LWB assured members that in recognition of the great responsibility of bus drivers for passenger and road safety and the many challenges they faced on the roads every day, KMB/LWB had all along attached great importance to both the physical and mental health of its drivers. As such, yoga classes, recreational activities and social functions were organized for them to help them relieve stress. Redeployment to clerical posts would also be arranged for drivers who were no longer fit for driving. She undertook to strengthen communication with drivers to actively identify their health needs. Mr Samuel CHENG of Citybus/NWFBS advised that drivers of Citybus/NWFBS recognized the importance of health to their performance, and would willingly make use of the medical service provided by Citybus/NWFBS when they had health problems. In fact, as a result of mutual trust between the company and the drivers built up over the years, Citybus/NWFBS's drivers were confident that they would be given time and guidance to improve their health should they fail their annual medical check. On most occasions, drivers who failed the check could pass the follow-up check after making efforts to improve their health for a while. Citybus/NWFBS drivers therefore did not need to worry that medical checks would cost them their jobs. Mr Peter MOK of NLB said that due to resource constraints and NLB's unsatisfactory business, NLB could only alert drivers to the importance of health by providing them information on occupational safety and health. Where medical services were concerned, apart from hospitalization subsidies, NLB had also arranged for the provision of medical services to its drivers at concessionary rates.

29. Highlighting the tendency of early incidence of chronic diseases in the population, the Chairman urged the franchised bus operators to consider starting drivers' annual health checks at a younger age. In response, C for T pointed out that in consideration that passengers' lives were in the hands of bus drivers, bus drivers had the responsibility to lead a balanced life and ensure their physical condition was good enough to enable them to perform their driving duties. He believed most bus drivers well recognized such responsibility and would see the doctor and take a day off when they were not feeling well. This explained why the accident rate involving buses had been so low despite the high mileage operated by franchised buses. In fact, according to Road Traffic (Driving Licences) Regulations (Cap. 374B), a driver had the responsibility to refrain from driving if he suffered from any disease or physical disability which was liable to cause the driving by him of a motor vehicle to be a source of danger to the public. Moreover, should a driver become aware of any disease or disability from which he did not suffer at the time when the issue or renewal of his licence was applied for, he should forthwith give notice in writing of such fact to TD. C for T assured members that the Administration would work with the unions of bus companies to step up publicity in this regard.

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30. Mr LAU Kong-wah sought details on the bus companies' specific measures to ensure the health of their drivers, such as by lowering the age for annual medical check. In his view, apart from job security, bus drivers might also be concerned about the coverage of their companies' medical plans. In response, Miss Winnie NG of KMB/LWB reiterated that KMB/LWB attached much importance to its drivers' health but time would be required to work out further improvement measures. In fact, recently a meeting had been held between KMB/LWB and its drivers in the hope of achieving a consensus on how to safeguard passenger safety by helping them to ensure health while at the same time address their concerns about increased health checks. In this regard, members' views expressed at this meeting would be actively considered. Mr Samuel CHENG of Citybus/NWFBS emphasized that bus drivers had a role to play in ensuring their health. Citybus/NWFBS was open as to whether the age for annual medical checks should be lowered. However, there was also a need to strike a proper balance, having considered the concerns expressed by the staff side about the implications of increased medical checks on their job security. The company would continue to discuss the related matters with the staff side.

Bus windows

31. In reply to Mr WONG Kwok-hing on existing and planned measures to minimize the damage done to passengers on the upper deck of a bus in collision, Senior Engineer/Vehicle Safety of TD (SE/VS) said that the two basic types of automotive glass commonly used on franchised bus windscreens were laminated safety glass and toughened (tempered) safety glass, both of which were up to international standard and could reduce injury upon broken. To provide better protection for passengers from broken window glasses, the toughened glass of upper deck windscreen had already been heat-treated to increase its strength, and to allow it to fracture into small pieces when broken. In view of the recent incidents involving broken window glasses on franchised buses, TD was conducting in conjunction with bus operators a feasibility study of adhering an anti-shatter protective film on the upper deck windscreen. The film would be put to test before being applied widely.

32. In reply to Ms LI Fung-ying on the details and timetable of the above feasibility study, SE/VS advised that the study aimed to examine the feasibility of adhering an anti-shatter protective film on the upper deck windscreen to give better protection to passengers in case the glasses were broken. The study would also look at the availability of alternative measures. It was believed that within two to three months, the study would be able to produce some results.

Other views

33. Responding to Mr WONG Kwok-hing's question on whether there were plans to require all franchised buses to install blackboxes to ensure safe operation of buses, C for T confirmed that it was TD's plan to require all newly purchased buses to be equipped with such device. Where feasible, the device would also be installed at the existing fleet. It was hoped that all buses would be so equipped within a few years.

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34. Summing up, the Chairman urged the Administration to update the Panel in three months' time on the progress of the various measures taken to enhance bus safety as discussed above.

VI Safety of reversing goods vehicles

(LC Paper No. CB(1)110/06-07(04) - Information paper provided by the Administration)

35. Members noted the following two submissions on safety of reversing goods vehicles tabled at the meeting –

(a) Submission dated 23 October 2006 from Federation of Hong Kong Transport Worker Organizations; and

(b) Submission dated 23 October 2006 from a number of organizations.

(Post-meeting note: The above submissions were issued to members vide LC Paper No. CB(1)155/06-07 dated 25 October 2006.)

36. The Deputy Secretary for the Environment, Transport and Works (DS/ETW) briefed members on the Administration's paper. In particular, she reported that to enhance the safety of reversing goods vehicles, a review of the road environment would be conducted in collaboration with the relevant DCs over the following three months to identify roads with potential danger for vehicle reversing. The review would consider measures to improve the safety of these roads, such as installation of signs to warn drivers and pedestrians of possible reversing vehicles, restrictions on the time or location of loading or unloading activities or restrictions on access by certain types of vehicles.

Review of road environment

37. In response to Mr CHEUNG Hok-ming on the timetable of the above review, DS/ETW advised that consultation with DCs would be conducted through the respective district offices. It was hoped that initial views in this regard could be gathered from different DCs within three months for consideration and follow-up as appropriate. Where installation of signs was involved, such could be followed up expeditiously. However, in case goods vehicles' access was to be restricted or banned, more detailed discussions with the DCs concerned would need to be conducted on a case-by-case basis, taking into account the practical needs of local residents and commercial activities, the knock-on impact on nearby roads, as well as the views of the local community, etc. Should large-scale improvement works be proposed, there would also be a need to examine whether there were any physical constraints.

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38. Ms Miriam LAU remarked that there was a need to take measures to effectively separate pedestrians from vehicles as the trade proposed as in some cases, reversing of vehicles might pose danger to pedestrians who walked on carriageway, particularly in the case of cul-de-sacs. In response, DS/ETW pointed out that less than 20% of accidents involving reversing of goods vehicles occurred in cul-de-sacs. Most happened when vehicles needed to park on the roadside. Moreover, separation measures would need to be considered, taking into account the physical constraints on-site. Notwithstanding, when conducting the above review of road environment, special attention would be paid to cul-de-sacs.

39. Mr Albert CHAN was concerned about the timetables of various measures to ensure safe reversing. He urged the Administration to speed up the related work. He also opined that traffic accidents involving reversing vehicles could be reduced early through administrative measures. For example, by prohibiting reversing of long goods vehicles in narrow roads, and by rectifying cases where the need to reverse vehicles had arisen from the unsatisfactory management of carparks, where part of the carriageways near the entrance of carparks were converted into car parking spaces, rendering insufficient manoeuvring spaces for vehicles to turn. Commenting on the proposal to prohibit long vehicles from reversing on certain road, DS/ETW assured members that such would be actively followed up with DCs with regard to the practical needs of local residents and commercial activities, so as to work out whether reversing should be totally banned or just restricted during certain hours of the day.

The existing audible device

40. Mr WONG Kwok-hing noted that with effect from 1 April 2000, the Administration had made it mandatory for all goods vehicles to be fitted with an automatic device (the 2000 requirement) capable of giving an audible warning to nearby pedestrians when it reversed (the audible device). Expressing concern that despite the 2000 requirement, there were still many fatal accidents involving reversing goods vehicles, he enquired about enforcement figures in this regard, and cast doubt on the use of the audible device to the elderly, and to other people with hearing problems.

41. In response, DS/ETW reported that there were 88 prosecutions against failure to comply with the 2000 requirement in 2003, 108 in 2004, 86 in 2005 and 33 in the first nine months of 2006. Apart from stepping up enforcement by the Police, the audible device was also checked in the annual vehicle examination to ensure its installation and proper functioning. Improper functioning of the audible device could lead to prosecution. As to Mr WONG Kwok-hing's concern about the usefulness of the audible device, she assured members that in recognition that the high-risk groups in traffic accidents were senior citizens and children, the Police were already putting special emphasis on these groups of road users to arouse their awareness of pedestrian safety by organizing talks at elderly centres, kindergartens and schools etc. In future, such publicity and educational activities would focus more on safety of reversing vehicles, particularly on the need to pay attention to the audible device.

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42. Ms Miriam LAU pointed out that the warning of the audible device might not be loud enough to alert pedestrians of a reversing vehicle. However, if the volume was increased, there might be complaints from the public about the noise level. In response to her on how to work out a noise level acceptable to all, DS/ETW agreed that there was a dilemma in this regard but stressed the need to ensure that the device was audible enough to enable it to serve its purpose.

Additional devices

General

43. Mr WONG Kwok-hing enquired when the Administration could finish examining the effectiveness of additional devices to assist reversing of goods vehicles, such as rear view mirrors, reversing sensors and video system, and whether their fitting on all goods vehicles should be mandated. In response, DS/ETW advised that not all these devices were suitable for all types of goods vehicles. The effectiveness and reliability of the devices would depend on the vehicle type, vehicle body form and proper maintenance. Moreover, there was also a need to ascertain the availability of such devices on the market and, in the absence of supply, the need to identify alternative devices. As such, the process would take time, and a timetable could not be provided. Nonetheless, as a first step, the Administration would compile design and installation guidelines for goods vehicle owners and encourage them to retrofit their vehicles with such devices. As the devices did not incur much cost, goods vehicle owners' response in this regard had been positive.

44. Noting that some time would be required to confirm the feasibility of fitting all goods vehicles the additional devices, Mr CHEUNG Hok-ming enquired about the measures that the Administration would take in the interim to ensure the safety of pedestrians who might not benefit from the audible device. In reply, DS/ETW said that meanwhile, publicity and education would be stepped up to enhance awareness of the danger of reversing vehicles and the need to pay attention to the warnings of the audible device.

45. Pointing out that the number of traffic accidents involving reversing goods vehicles was indeed quite significant, Mr LEE Wing-tat saw a need to mandate the fitting of the additional devices on all goods vehicles as soon as practicable. In his view, this step could be easily taken because it would involve the enactment of subsidiary legislation only, incur minimal costs, and the additional devices were readily available on the market. In response, DS/ETW said that 70% of the reversing accidents did not involve casualties/fatalities. The Administration would nonetheless aim to reduce such accidents through enhancing drivers' awareness of the need for safe reversing. As to mandating the installation of the additional devices on all goods vehicles, DS/ETW pointed out that the process would take time not because of cost considerations but the need to ensure that the legislative requirements would be clear, fair, reasonable and enforceable. As such, there was a need to work out specific technical requirements, and

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to ensure the effectiveness and availability of the devices. There was also a need for the Administration to explore with vehicle manufacturers the suitability of different devices for different vehicles and the feasibility of installing them both as retrofit and as built-in items.

46. Ms Miriam LAU expressed regrets of herself and the trade about the recent spate of accidents involving reversing goods vehicles. She referred to the submission dated 23 October 2006 from a number of organizations in this regard, and pointed out that the trade was indeed willing to install additional devices to enhance safety in reversing. However, to ensure feasibility and effect, she agreed with the Administration on the need for time to work out the relevant details with care having regard that certain devices might be suitable for certain goods vehicles only.

47. Mr LAU Kong-wah highlighted the need to enhance goods vehicle drivers' awareness of the need for safe reversing. In his view, in introducing the 2000 requirement, the Administration had made a mistake by focusing only on warning pedestrians of a reversing vehicle without also seeking to remind and assist drivers to reverse more safely. As such, the Administration should expeditiously examine the feasibility of mandating the fitting of the additional devices on all goods vehicles to rectify the mistake. The process should not take too long because the additional devices should have been examined when the 2000 requirement was explored. Supply of such additional devices would increase if their installation was made mandatory. The public also welcomed the move and the cost incurred was small. In particular, a phased approach could be adopted in mandating for their installation, starting with the reversing sensor, which was simpler and cheaper to install. In response, DS/ETW reiterated the need to first explore the suitability of different devices for different vehicles and the feasibility of installing them before making legislation for their mandatory installation. She further clarified that when the 2000 requirement was worked out in the 1990s, such devices were not very common and there was not much variety of such devices in the market.

The reversing sensor

48. Noting that installing reversing sensors only costed \$300 to \$1,000, Mr LEE Wing-tat opined that although such was not suitable for use on goods vehicles with highly-mounted vehicle body, goods vehicles other than the above should be required to install the sensors to ensure early installation of additional devices to assist drivers reverse their vehicles. In response, DS/ETW said that apart from goods vehicles with highly-mounted vehicle body, some other goods vehicles also had difficulty in installing the sensors because of inadequate space at the rear ends, or because there was a need to frequently open, close, adjust or extend the rear ends during operation. As such, the feasibility and durability of the device were questionable. This explained why the Administration would need to examine the related technical problems before mandating the installation of reversing sensors on goods vehicles. Notwithstanding this, owners of goods vehicles that did not have any problem with installing the device were encouraged to do so, and some of them had already responded positively.

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The rear video system

49. Mr Albert CHAN expressed great dissatisfaction with the Administration in regard to taking measures to enhance the safety of reversing goods vehicles, which in his view was negative. Pointing out that the installation of the rear video system on long vehicles was already mandated in overseas countries, he opined that if the Administration was really keen and determined to enhance safety in reversing vehicles, it could ensure that goods vehicles would be installed with the device by phases through administrative means. In his view, installation of this additional device on new goods vehicles should be made a licence condition. The Administration should also work out a legislative timetable to improve safety in reversing vehicles as a whole, instead of always claiming that there were difficulties.

50. In response, DS/ETW clarified that she had only highlighted the technical considerations in installing the additional devices and the need to further liaise with manufacturers and the trade in working out details that would be required if the installation of the devices was to be mandated. She further explained that as she understood, no place in the world had mandated the installation of reversing devices on all goods vehicles and, instead of lagging behind, Hong Kong was indeed taking the lead.

51. Regarding the cost of the rear video system, the Chairman pointed out that according to some manufacturers he had come into contact, instead of \$3,000 to \$9,000 as quoted in the Administration's paper, the cost was below \$1,000. The Administration was urged to reconfirm the cost. The Administration noted his request.

Other views and concerns

52. Ms Miriam LAU saw a need for the Administration to take measures to enhance professional drivers' road safety awareness, and to improve the Road Users' Code, which in her view did not have clear guidelines regarding reversing, particularly on the relevant speed limits. DS/ETW assured members that the Police and TD were making active efforts in this regard. In fact, the Administration was updating the Code and would submit the updated version to LegCo in due course.

53. In response to Mr LAU Kong-wah on the causes of the recent fatal traffic accidents involving reversing goods vehicles, the Chief Superintendent of Police (Traffic) explained that he could not provide the details because the incidents were still under investigation. He however advised that despite the recent incidents, the number of traffic accidents involving reversing goods vehicles had been small when compared to the total number of all accidents, and reversing was indeed far down the list of contributory factors of traffic accidents. The figure had also remained steady over the years and there was no obvious upward trend.

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54. The Chairman enquired about the implementation timetable of the proposal to make it a mandatory requirement for repeat traffic offenders to attend driving improvement courses. In reply, DS/ETW said that it was expected that the proposal would be ready for consultation by the end of 2006. The Panel would be briefed on the proposal accordingly.

Admin

55. In consideration that the Administration would need to respond to members' call to expedite the various measures to enhance safety of reversing goods vehicles, the Panel requested the Administration to update it in three months' time on the progress of the measures, particularly in exploring the feasibility of requiring goods vehicles to install rear video systems.

VII Any other business

56. There being no other business, the meeting ended at 10:40 am.

Council Business Division 1
Legislative Council Secretariat
23 November 2006