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Panel on Transport

**Background Brief on
Safety of Franchised Bus Operation**

Purpose

This paper provides background information on safety of franchised bus operation, and summarizes the major views and concerns expressed by members of the Panel on Transport (“the Panel”) in the past.

Background

2. Transport Department (“TD”) monitors the operation of franchised bus services in accordance with the Public Bus Services Ordinance (Cap. 230) and the Road Traffic Ordinance (Cap. 374) (“RTO”) and their Regulations. The franchised bus operators are required to carry out maintenance and repair as the Commissioner for Transport may specify, and TD’s examiners are empowered to inspect the buses and maintenance facilities at any reasonable time. While buses should observe the general speed limit designated on roads, the maximum speed of a bus is restricted under the RTO to 70 km/h on roads with a posted speed limit over 70km/h.

3. There are five franchised bus companies in Hong Kong. They are:

Franchised bus company	Expiry date of franchise
• Citybus Limited (Hong Kong Island and cross-harbour bus network)	1 June 2016
• Citybus Limited (Airport and North Lantau bus network)	1 May 2013
• New Lantao Bus Company (1973) Limited	1 March 2017
• Kowloon Motor Bus Company (1933) Limited	1 July 2017
• The New World First Bus Services Limited	1 July 2013
• Long Win Bus Company Limited	1 May 2013

Previous discussions by the Panel on Transport

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

Seat belt

5. In the course of deliberation, some members of the Panel urged the Administration to consider imposing a mandatory requirement for all new and existing buses to be installed with seat belts. The Administration's view was that according to TD's research on overseas experience, the additional safety benefit of installing seat belts on all seats might not be as great as envisaged. In response to members' request, the Administration had provided supplementary information on requirements of installation of seat belts on buses in some overseas countries (**Annex A**).

Maximum duty and driving duty of drivers

6. The Panel had also reviewed the maximum duty and driving duty of franchised bus drivers. Some members were concerned about the long working hours of bus drivers and the resulting safety implications. They requested the Administration to expeditiously review the guidelines on bus driver working hours so that bus drivers would not be required to work for more than 8 hours a day. Some other members however held the view that while there should not be any compromise on road safety, the issue of working hours of bus drivers must be considered objectively. In reviewing the matter, it would be most important to consider the views of the bus drivers as some might find the present arrangements acceptable. They might even welcome the opportunity to work a longer shift so that they could get extra pay or make better use of their rest time. Hence, a certain degree of flexibility should be allowed.

Review of the safety arrangements by franchised bus companies

7. Subsequent to the meeting in November 2003, the Administration had asked all franchised bus operators to conduct a thorough review on their safety arrangements and areas where further enhancement to road and passenger safety could be made. The review covered the following areas:

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

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

8. In May 2004, the Administration provided an information paper to the Panel (LC Paper No. CB(1) 1955/03-04(01)), informing members of the major findings of the review and the recommended measures to further enhance bus safety.

Findings of the review of the safety arrangements

9. The Administration advised that in considering the operators' review reports, TD had taken into account the recommendations made by the Tuen Mun Traffic Incident Independent Expert Panel and comments expressed by the Panel during earlier discussions on the subject. In brief, the franchised bus operators and TD had analyzed the bus accident records and had the following major observations:

- (a) franchised bus operation had a relatively stable safety record. Between 1999 and 2003, there was in general a downward trend in the number of bus accidents per million km operated and most of them were slight accidents;
- (b) no direct correlation was identified statistically between bus accident rates and drivers' age, years of service and working hours; and
- (c) driver factor contributed to about one-third of the bus accidents involving injuries in 2003. Passengers not holding handrails tight was also one of the major causes of personal injuries in bus accidents.

Recommendations to further enhance safety of franchised bus operation

10. The Administration also advised that in order to further enhance safety of franchised bus operation, TD would work together with franchised bus companies to speed up the implementation of a number of improvement measures, including the introduction of annual medical check for drivers aged 50 or above, enhancement of the training programmes for bus drivers, revision of the guidelines on working schedule for bus drivers, installation of speed limiters and blackbox on all new buses to be purchased, deployment of staff to conduct speed checks at critical locations to monitor driving attitude of drivers, retrofitting of armrests at exposed seats, etc.

11. The Administration also pointed out that TD would continue:

- (a) to monitor bus operation closely and analyze the causes and trend of bus accidents, and map out improvement measures to enhance

bus safety;

- (b) to conduct careful route planning, taking into account the suitability of franchised bus operation with due regard to the design or conditions of the roads and deployment of suitable bus models on the routes;
- (c) to ensure that all buses are maintained up to the required standard;
- (d) to foster a responsible and caring driving culture through publicity and driving training, and promote the safety awareness of bus passengers through various publicity means; and
- (e) to keep track of the best practices of bus safety arrangements in overseas countries and consider the adoption of appropriate arrangements in Hong Kong.

Guidelines on working schedule of franchised bus drivers

12. At the meeting on 29 October 2004, the Panel reviewed with the Administration and franchised bus companies the guidelines on working schedule of franchised bus drivers. The Panel carried a motion strongly urging the Administration to study revising the guidelines such that

- (a) maximum duty (including all breaks) should be reduced from not exceeding 14 hours to not exceeding 10 hours;
- (b) driving duty (i.e. maximum duty minus all breaks of 30 minutes or more) should be reduced from not exceeding 11 hours to not exceeding 8 hours;
- (c) meal time schedule for drivers should not deviate from normal human biological clocks; and
- (d) schedules for driving routes should be given to bus drivers seven days in advance

to enhance safety of franchised bus service operations.

13. On 24 November 2004, the Administration submitted a report to the Panel on the progress of the review of the guidelines. According to the Administration, concerns had been expressed by some staff unions on the proposed reduction of the maximum working hours and driving hours which might affect their income. Franchised bus companies were also examining the implications of the proposed shortening of working hours and driving hours, including the number of drivers that would be affected, impact on the drivers' take home pay, additional driving duties that would have to be created and the cost implications, etc.

14. As regards the period of notification on driver schedule and timing of the meal breaks, the franchised bus companies and their staff unions considered that driver scheduling arrangements varied among companies and their current arrangements were generally satisfactory. They indicated that there might not be a need to draw up guidelines on these two aspects.

Recent bus incidents

15. There has been wide public concern about the recent spate of bus incidents, including fatal traffic accidents involving franchised buses, emission of smoke due to engine failure, shattering of bus window and windscreen, passengers being thrown out from the upper saloon of a bus, etc. The Panel agreed to hold a meeting on 24 October 2006 to discuss measures to enhance safety of franchised bus operation with the Administration and franchised bus companies.

16. A list of relevant papers is at **Annex B**.

Council Business Division 1
Legislative Council Secretariat
23 October 2006

**Overseas experience on
installation of seat belts on franchised buses**

Transport Department has collected information on requirements of installation of seat belts on buses in some overseas countries including Australia, United Kingdom, New Zealand, European Union, New York State of U.S.A., Canada and Singapore. It is observed that most countries examined require the installation of seat belts on driver's seat but do not require the installation of seat belts on all other seats of buses. For countries where the seat belt requirement applies, urban bus routes and urban bus with standing passengers are exempted. The requirements are summarised below –

Countries	Remarks
Australia	Seat belt shall be installed on driver's seat on all buses. As regards other seats, installation of seat belts is required for exposed seats but urban routes are exempted from the requirement.
United Kingdom	Installation of seat belts on all seats is required for buses first used on or after 1.10.2001. However, such requirement does <u>not</u> apply to buses designed for urban use with standing passengers.
New Zealand	All light motor vehicles manufactured on or after 1.10.2003 shall have seat belts installed on all seats. However, this requirement does not apply to buses with over 12 seats and exceeding 3.5 tonnes.
European Union	The requirements to install seat belts on all seats will apply to all new vehicles including buses on the market from July 2004 onwards. The new requirements are expected to be implemented across member states in 2006. However, requirements for seat belts on urban buses will be left to member state governments to decide.
New York State of U.S.A.	Large school buses manufactured after 1 July 1987 shall have seat belts installed on all seats.

Countries	Remarks
Canada	A bus with a gross vehicular weight greater than 4,536 kg shall have seat belt installed for the driver seat but seat belts for the other passenger seats are not required.
Singapore	Installation of seat belts is required for the driver's seat and the specified passenger seats*.

2. Studies on fitting of seat belts on buses conducted in Australia and Canada indicated that the additional safety benefit of installing seat belt on all seats in a bus might not be as great as envisaged due to the following reasons:

- (a) unrestrained passengers can cause injury to other passengers who have fastened the seat belts. Hence, installation of seat belts might not be an effective safety measure if standees are allowed on buses; and
- (b) overall effectiveness of seat belts also depends on whether the belts are used by all passengers. It is difficult to ensure that all passenger use seat belts on buses, e.g. passengers carrying large bags and parcels may find fastening seat belt inconvenient and may not bother to do so. Passengers sitting on aisle seats may also find it inconvenient to unbuckle seat belts to allow passengers in and out of window seats.

Transport Department
May 2004

* "Specified passenger's seat" means:

- (a) a forward-facing front seat alongside the driver's seat; and in the case of a vehicle which has more than one such seat, the one furthest from the driver's seat; or
- (b) if the vehicle has no such seat as mentioned in (a) above, the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver's seat, unless there is a fixed partition separating such seat from the space in front of it alongside the driver's seat.

Relevant documents on the safety of franchised bus operation

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
28.11.03	Panel on Transport	Minutes of the meeting	CB(1)589/03-04 http://www.legco.gov.hk/yr03-04/english/panels/tp/minutes/tp031128.pdf
		Administration's paper on the measures taken and being planned to ensure and enhance the safety of franchised bus operation	CB(1)406/03-04(04) http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tp1128cb1-406-4e.pdf
		Administration's supplementary information on "Measures to enhance the safety of franchised bus operation"	CB(1)1815/03-04(01) http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tp1128cb1-1815-1e.pdf
	Panel on Transport	Administration's paper on the major findings of the review conducted by the franchised bus companies on their safety arrangements and the recommended measures to further enhance bus safety	CB(1)1955/03-04(01) http://www.legco.gov.hk/yr03-04/english/panels/tp/papers/tpcb1-1955-1e.pdf
29.10.04	Panel on Transport	Minutes of the meeting	CB(1)286/04-05 http://www.legco.gov.hk/yr04-05/english/panels/tp/minutes/tp041029.pdf
		Administration's paper on the duty arrangements for bus drivers adopted by franchised bus companies and their relationship with safety of bus operation	CB(1)111/04-05(05) http://www.legco.gov.hk/yr04-05/english/panels/tp/papers/tp1029cb1-111-5e.pdf

Date of meeting	Meeting	Minutes/Paper	LC Paper No.
		Background brief on work arrangements for drivers of franchised bus companies prepared by the Secretariat	CB(1)112/04-05 http://www.legco.gov.hk/yr04-05/english/papers/tp1029cb1-112-e.pdf
		Administration's paper on the progress of the review on the Guidelines on working schedule of franchised bus drivers	CB(1)324/04-05(01) http://www.legco.gov.hk/yr04-05/english/papers/tp1029cb1-324-1e.pdf
		Administration's supplementary information on "Report on follow up of the Motion on Safety of Franchised Bus Service Operations"	CB(1)1086/04-05(01) http://www.legco.gov.hk/yr04-05/english/papers/tp1029cb1-1086-1e.pdf

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