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**Subcommittee on Tsing Sha Control Area
(Tolls, Fees and Charges) Regulation**

Background Brief

Route 8

Route 8 is a strategic road linking Sha Tin and North Lantau. The section linking Tsing Yi and North Lantau came into operation in 1997. The remaining section of Route 8 between Tsing Yi and Sha Tin is under construction. This section is about 15 km in length, and comprises three road tunnels (Sha Tin Heights Tunnel, Eagle's Nest Tunnel and Nam Wan Tunnel), a cable-stayed bridge across the Rambler Channel (Stonecutters Bridge), four viaducts (Lai Chi Kok Viaduct, Ngong Shuen Chau Viaduct, Nam Wan East Viaduct and Nam Wan West Viaduct), as well as several interchanges and slip roads.

2. The section between Sha Tin and Cheung Sha Wan is scheduled to open in March 2008, followed by the Nam Wan Tunnel and viaducts at Tsing Yi in late 2008 and the Stonecutters Bridge in mid-2009.

3. For effective and efficient traffic control and incident management, the section of Route 8 between Tsing Yi and Sha Tin will form one single control area – Tsing Sha Control Area (TSCA). The management, operation and maintenance of TSCA will be outsourced to an operator through open tender. This is similar to the arrangement for the Tsing Ma Control Area (TMCA). The ownership of TSCA will remain with the Government as in the case of TMCA.

4. TSCA is to be governed by the Tsing Sha Control Area Ordinance (No. 16 of 2007) (TSCAO), which was enacted on 27 June 2007 and has not yet come into operation.

5. Section 26(2) of TSCAO empowered the Secretary for Transport and Housing to make regulations to provide for matters relating to the management, operation and maintenance of TSCA and the regulation of traffic in TSCA. To this end, a related

regulation, namely the Tsing Sha Control Area (General) Regulation (L.N. 222 of 2007) was tabled at the Legislative Council on 28 November 2007 and considered by the House Committee on 30 November 2007.

6. Section 26(1) of TSCAO also provides that the Chief Executive in Council may, by regulation, prescribe and provide for the payment of tolls for the use of TSCA as well as other fees and charges.

Tsing Sha Control Area (Tolls, Fees and Charges) Regulation

7. The Tsing Sha Control Area (Tolls, Fees and Charges) Regulation is made by the Chief Executive in Council under section 26(1) of TSCAO to prescribe and provide for the payment of tolls, surcharge, fees and charges relating to TSCA and provide for entitlement to changes given for overpayment of tolls.

Proposed toll regime

8. According to the Legislative Council Brief, the section of TSCA between Cheung Sha Wan and Tsing Yi will not be tolled as vehicles can leave TSCA through the slip roads at West Kowloon, and its major alternative routes are toll free. However, the section between Sha Tin and Cheung Sha Wan will be tolled. This is in line with the current practice at other major alternative routes, i.e. Lion Rock Tunnel¹, Tate's Cairn Tunnel² and Shing Mun Tunnels³. Similar to other Government toll tunnels, a two-way toll collection arrangement will be adopted at the tolled section of TSCA. Taxi passengers using the tolled section of TSCA will need to pay an additional fare at a value equal to the proposed toll level for taxis. This is also consistent with existing practice.

9. Regarding the proposed tolls for TSCA, the Administration's proposal is to set a

¹ The Lion Rock Tunnel provides a road link from north Kowloon to Sha Tin and north-eastern New Territories. It was used on average by 89 200 vehicles daily in 2006. The toll is \$8.

² The Tate's Cairn Tunnel is operated by the Tate's Cairn Tunnel Company Limited. It was used on average by 55 100 vehicles daily in 2006. From 1 August 2005, tolls have increased from a range between \$10 and \$20 to a range between \$10 and \$26.

Vehicle class	Toll
Motorcycles	\$10
Private cars and taxis	\$12
Light buses and Light goods vehicles	\$18
Medium/Heavy goods vehicles	\$23
Single-decked buses	\$24
Double-decked buses	\$26
Extra axle	\$15

³ The Shing Mun Tunnels link up Tsuen Wan to Sha Tin. They were used on average by 52 800 vehicles each day in 2006. The toll is \$5.

toll of \$12 for private cars/taxis with corresponding levels for other types of vehicles. The proposed tolls for major vehicle classes are set out below:

Vehicle Class	Proposed Toll
Private Car and Taxi	\$12
Motorcycle	\$10
Light Bus	\$18
Single-decked Bus	\$24
Double-decked Bus	\$30
Light Goods Vehicle	\$12
Medium Goods Vehicle	\$18
Heavy Goods Vehicle	\$24

10. The Administration has set out the key factors in the Legislative Council Brief which it has taken into consideration in drawing up the toll levels for TSCA, namely, the user-pays principle, the strategic location and tolls of alternative routes, public acceptability and affordability, the estimated daily traffic flow in TSCA and the diversion effect to ease the traffic of the alternative routes.

Proposed Fees and Charges

11. Similar to the arrangements for TMCA and other Government tunnels, fees and charges will be imposed in respect of TSCA. Following Government's established principle of setting fees and charges on a full cost recovery basis, the proposed levels of fees and charges for TSCA are generally comparable to the existing levels of fees and charges for TMCA. Further details are set out in the Legislative Council Brief.

Consultation with the Panel on Transport

12. The Panel on Transport was consulted on 9 July 2007 on the proposed tolls and other charges for TSCA. On the proposed toll levels for TSCA, some members expressed the views that the Administration should take all relevant factors into consideration, including the impacts of the proposed toll levels on public transport fares as well as the effectiveness of the proposed toll levels in achieving traffic diversion among alternative routes.