

LEGISLATIVE COUNCIL BRIEF

Road Traffic Ordinance (Chapter 374)

Road Traffic (Public Service Vehicles) (Amendment of Schedule 5) (No. 2) Regulation 2008

INTRODUCTION

At the meeting of the Executive Council on 27 May 2008, the Council ADVISED and the Chief Executive ORDERED that under section 7(1C) of the Road Traffic Ordinance (Cap. 374) (“the Ordinance”), the Road Traffic (Public Service Vehicles) (Amendment of Schedule 5) (No. 2) Regulation 2008 (“the Amendment Regulation”), at **Annex**, be made to enable taxi drivers to collect from passengers the \$30 Lantau Link toll paid by the drivers when entering Ma Wan for taking up the hiring which begins from Ma Wan involving the use of the Lantau Link, with effect from 3 July 2008.

JUSTIFICATIONS

2. At present, under the one-way toll collection arrangement, vehicles entering Ma Wan via Lantau Link have to pay a double toll of \$30 which covers the tolls for both the trips to and from Ma Wan using the Lantau Link and hence vehicles do not have to pay toll again when leaving Ma Wan via the Lantau Link.

3. Schedule 5 to the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) (“the principal Regulations”) specifies the circumstances under which a taxi driver may collect from a passenger additional fare to cover the toll charge paid by the driver for the use of various tolled bridges and tunnels in connection with the hire and the amount of such additional fare. Since at present taxis are not allowed to access Ma Wan, there is no provision in Schedule 5 to the principal Regulations that enables taxi drivers to collect from passengers the toll paid by the drivers for a hiring which begins from Ma Wan involving the use of the Lantau Link.

4. The Administration has decided to permit urban taxis to operate in Ma Wan during the overnight period from 11pm to 7am. This is to meet the residents' urgent transport needs arising from medical grounds and emergencies. Schedule 5 to the principal Regulations has to be amended to enable taxi drivers to collect from passengers the \$30 Lantau Link toll paid by the drivers when entering Ma Wan via the Lantau Link for taking up the hiring which begins from Ma Wan and involves the use of the Lantau Link. This is in line with the existing arrangement for a taxi hiring to Lantau / Chek Lap Kok beginning from places outside involving the use of the Lantau Link whereby a taxi passenger is required to pay \$30 additional fare for the Lantau Link toll that will be paid by the driver when leaving Lantau / Chek Lap Kok.

LEGISLATIVE TIMETABLE

5. The legislative timetable is as follows –

| | |
|------------------------------------|-------------|
| Publishing in the Gazette | 30 May 2008 |
| Tabling at the Legislative Council | 4 June 2008 |
| Effective date | 3 July 2008 |

IMPLICATIONS OF THE AMENDMENT REGULATION

6. The Amendment Regulation has no civil service, economic, financial, productivity, environmental or sustainability implications. The proposal is in conformity with the Basic Law, including the provisions concerning human rights. The Amendment Regulation will not affect the current binding effect of the Ordinance.

PUBLIC CONSULTATION

7. We consulted the urban taxi trade at the Urban Taxi Conference convened by the Transport Department on 11 December 2007. The trade accepted the arrangement of \$30 additional fare. The Transport Department also informed Ma Wan residents of this legislative amendment at the meetings with the Park Island Owners' Committee and the Ma Wan Rural Committee on 11 March 2008. They noted that this was in line with the existing arrangement for taxi drivers to collect from passengers tolls paid by the drivers and made no comments.

PUBLICITY

8. A press release will be issued. A spokesman will be available to handle media enquiries.

BACKGROUND

9. Ma Wan is connected with an access road linking up with the Lantau Link within the meaning of the Tsing Ma Control Area Ordinance (Cap 498). Under the current traffic and transport arrangements for Ma Wan, taxis are not allowed to access Ma Wan. There are strong requests from local residents for allowing access of taxis to Ma Wan during the overnight period to meet their transport needs. After assessing the impact of the proposal on the traffic conditions in Ma Wan and the Lantau Link, the Administration decided to allow urban taxis to operate in Ma Wan during the overnight period.

ENQUIRIES

10. For any enquiries, please contact Miss Cindy Law, Assistant Commissioner for Transport at 2399 2525.

Transport and Housing Bureau
Transport Department
May 2008

**ROAD TRAFFIC (PUBLIC SERVICE VEHICLES)
(AMENDMENT OF SCHEDULE 5) (NO. 2)
REGULATION 2008**

(Made by the Chief Executive in Council under section 7(1C) of the
Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 3 July 2008.

2. Taxi fares

Schedule 5 to the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) is amended, in item 4, by adding –

- “(vic) For every hiring which –
- (a) begins from Ma Wan; and
 - (b) involves the use of the Lantau Link
within the meaning of the Tsing Ma
Control Area Ordinance (Cap. 498) \$30.00”.

Clerk to the Executive Council

COUNCIL CHAMBER

2008

Explanatory Note

This Regulation amends Schedule 5 to the Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D) to provide that an additional fare of \$30 is required to be paid where any hiring of a taxi begins from Ma Wan and involves the use of the Lantau Link.