

**香港工程師學會****THE HONG KONG INSTITUTION OF ENGINEERS**

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Your reference: CB1/BC/6/09

By mail and by fax at 2121 0420

1 June 2010

Clerk to Subcommittee
Bills Committee on Motor Vehicle Idling (Fixed Penalty) Bill
Legislative Council Secretariat
3rd Floor, Citibank Tower
3 Garden Road, Central
Hong Kong

(Attn: Ms YUEN)

Dear Ms Yuen,

LegCo Bills Committee on Motor Vehicle Idling (Fixed Penalty) Bill
Views on Motor Vehicle Idling (Fixed Penalty) Bill

Thank you for your letter of 19 May 2010 inviting the Institution to put forth our views on Motor Vehicle Idling (Fixed Penalty) Bill.

The Hong Kong Institution of Engineers (HKIE) always welcomes measures to be taken by the Administration to ensure the territory be more environmental friendly by tackling misuse and abuse of mechanism, equipment and systems that are potential pollution sources. The HKIE agrees if need be we must enact statues to ensure this objective.

The HKIE also firmly believes any law to be made must be equitable and fair, be simple and direct in its enforcement and cost effective. Above all, the law must not be too intrusive to citizens in conducting their daily lives.

The HKIE does not find the proposed Bill satisfy both criteria.

The primary objection from the HKIE to the proposed Bill in the last years was that the HKIE found the reason being dubious in opting coverage of 365 days, around the clock and at all locations for simplicity in enforcement. The HKIE viewed that was not justifiable and easily enforceable.

The HKIE regrets to note instead of addressing the optimal solution by not allowing engines idling, may it for generation of pollutants or noise, at designated locations and time, the proposed Bill is now to be included a whole list of exceptions in the guise of preserving a simple Bill.

The HKIE opines at certain locations because of the dense traffic as the case of transit stops of mini-buses within very narrow streets and often close to mass transit exits,

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- 2 -

1 June 2010

Ms Yuen

the health risk to pedestrians is of an extreme scale. Perhaps that was the origins of the many complaints received on running engines. The irony is such would not be statutorily tolerated.

On the other hand the HKIE noted there were indeed some improved amendments.

The HKIE is pleased to note the rationale of the need to legislate is no longer emphasizing because of drivers idling internal combustion engines (ICEs) to run the air-conditioning for own comfort as to incriminating those drivers of private cars for justification, a question that the HKIE had raised in the beginning.

The HKIE is also pleased to note the technical parameters of various engines are now taken into account.

The HKIE also noted private roads are now included.

The HKIE does not find the 3-in-60 minutes easily enforceable and noted with interest the Administration has now conceded the primal objective of the proposed Bill is now to "educate" the community and success would be based on behaviour changes and not on the numbers or reported contraventions. The HKIE shall leave this to the Legislative Councilors to decide its appropriateness.

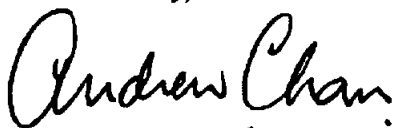
The HKIE does not find the reference to Canadian model totally relevant as Toronto allows temperature concessions.

To this end, the HKIE would like to point out the interests of physically challenged, either temporarily, as one on the way to and from medical consultation, or more permanent and those of certain mental stage, aged and infant and other health reasons should be clearly spelt out and accepted as a Class for exemption if the Bill is to be enacted.

Lastly the HKIE does not find the structure of the proposed Bill would allow parents to keep engines running in order to pick up their kids in a safe manner in bad weather.

Thank you.

Yours sincerely,

A handwritten signature in black ink that reads 'Andrew Chan'.

Ir Dr Andrew CHAN
President

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