

# 立法會

## *Legislative Council*

LC Paper No. CB(1)1596/09-10  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/TP/1

### **Panel on Transport**

#### **Minutes of meeting held on Friday, 26 February 2010, at 8:30 am in Conference Room A of the Legislative Council Building**

- Members present** : Hon CHEUNG Hok-ming, GBS, JP (Chairman)  
Hon Andrew CHENG Kar-foo (Deputy Chairman)  
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Hon LAU Kong-wah, JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon LI Fung-ying, BBS, JP  
Hon Tommy CHEUNG Yu-yan, SBS, JP  
Hon WONG Kwok-hing, MH  
Hon LEE Wing-tat  
Hon Jeffrey LAM Kin-fung, SBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon KAM Nai-wai, MH  
Hon WONG Sing-chi  
Hon IP Wai-ming, MH  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
- Members attending** : Hon LEUNG Yiu-chung  
Hon IP Kwok-him, GBS, JP
- Member absent** : Hon Abraham SHEK Lai-him, SBS, JP
- Public officers attending** : **Agenda item III**  
Ms Eva CHENG, JP  
Secretary for Transport & Housing

Mrs Apollonia LIU  
Principal Assistant Secretary for Transport and  
Housing (Transport)

Mr Anthony LOO, JP  
Assistant Commissioner / Urban  
Transport Department

**Agenda item IV**

Mr Alan K M CHU  
Deputy Secretary for Transport & Housing  
(Transport)

Miss Erica NG  
Principal Assistant Secretary for Transport and  
Housing (Transport)

Miss LUI Ying  
Assistant Commissioner / Administration &  
Licensing  
Transport Department

Mr CHAN Ka-kit  
Senior Superintendent (Traffic Management &  
Prosecutions Bureau)  
Hong Kong Police Force

**Agenda item V**

Mr YAU Shing-mu, JP  
Under Secretary for Transport and Housing  
(Transport)

Mr CHOW Chun-wah  
Principal Assistant Secretary for Transport and  
Housing (Transport)

Ms Carolina YIP, JP  
Deputy Commissioner / Transport Services &  
Management  
Transport Department

Mr Albert YUEN, JP  
Assistant Commissioner/Bus & Railway  
Transport Department

**Clerk in attendance** : Ms Joanne MAK  
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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Action

**I Information papers issued since last meeting**

- (LC Paper No. CB(1)1035/09-10(01) — Submission on bus overloading from a member of the public
- LC Paper No. CB(1)1035/09-10(02) — Submission on drug driving from a member of the public
- LC Paper No. CB(1)1098/09-10(01) — Administration's response to a further submission on Hong Kong Resorts' proposal to allow taxis and buses into Discovery Bay from a member of the public (LC Paper No. CB(1) 838/09-10(02))
- LC Paper No. CB(1)1177/09-10(01) — Submission dated 7 February 2010 on Hong Kong Resorts' proposal to allow taxis and buses into Discovery Bay from a member of the public
- LC Paper No. CB(1)1177/09-10(02) — Submission on the working hours of cross-border bus drivers from a member of the public
- LC Paper No. CB(1)1253/09-10(01) — Submission from a group of cross-border bus drivers on their working hours in general)

Members noted the above papers issued since the last meeting.

**II Items for discussion at the next meeting scheduled for 30 March 2010**

(LC Paper No. CB(1)1190/09-10(01) — List of outstanding items for discussion

LC Paper No. CB(1)1190/09-10(02) — List of follow-up actions)

2. Members agreed to discuss the following items at the next regular meeting on Tuesday, 30 March 2010, at 8:30 am –

(a) Private driving instructors' licences; and

(b) Proposed retention of one supernumerary Principal Government Engineer post and one supernumerary Chief Engineer post; and extension of redeployment of one Chief Engineer post in the Hong Kong Zhuhai-Macao Bridge Hong Kong Project Management Office of Highways Department.

3. As proposed by Ms Miriam LAU, members agreed to invite deputations from private driving instructors to give views on item (a) above.

4. Members also agreed to add the following two items to the Panel's list of outstanding items for discussion –

(a) Regulation of delivery motorcycles; and

(b) Concessionary public transport fares for persons with disabilities.

5. Members further agreed that, as proposed by the Panel on Welfare Services (WS), a joint meeting should be held with the WS Panel to discuss item (b) above in due course.

**III Assessment results on proposals for provision of hillside escalator links and elevator systems**

(LC Paper No. CB(1)1190/09-10(03) — Administration's paper on assessment results on proposals for provision of hillside escalator links and elevator systems

LC Paper No. CB(1)1191/09-10 — Background brief on establishment of an assessment system for provision of hillside

	escalator links and elevator systems prepared by the Legislative Council Secretariat
LC Paper No. CB(1)1220/09-10(01)	— Submission on provision of hillside escalator links and elevator systems from Kwai Chung Estate Residents Right Concern Group
LC Paper No. CB(1)1271/09-10(01)	Submission on provision of hillside escalator links and elevator systems from Kwai Chung Estate Community Mutual Support Development Concern Group)

6. The Secretary for Transport and Housing (STH) briefed members on the assessment results on the proposals for the provision of hillside escalator links and elevator systems (the proposals) using the assessment system developed for determining the merits and relative priority of such proposals (the assessment system). Members noted that of the 20 proposals assessed, 18 had been prioritized while two had been screened out in the initial screening stage. The Administration would conduct feasibility studies on the prioritized proposals, starting with those ranked top ten in the assessment.

Concern about the plan to conduct the relevant feasibility studies in two batches

7. A number of members present at the meeting indicated that it was undesirable for the Administration to conduct feasibility studies on the proposals in different stages. Pointing out that the number of prioritized proposals was only 18, they urged the Administration to conduct feasibility studies on them all in one go. The reasons they gave included the following –

- (a) Mr LAU Kong-wah, Ms Miriam LAU and Mr Ronny TONG opined that the priorities of these proposals might be adjusted when their actual technical feasibility and detailed cost estimates were ascertained through the feasibility studies;
- (b) Mr LAU Kong-wah, Mr WONG Kwok-hing, Mr IP Kwok-him, Ms Miriam LAU and Mr Ronny TONG pointed out that many of these proposals had been raised for years to meet local needs and were supported by the District Councils (DCs) concerned, and hence should be taken forward as soon as practicable;

- (c) Mr WONG Kwok-hing, Ms LI Fung-ying, the Deputy Chairman and Mr Ronny TONG considered that the proposals would greatly benefit the public by helping to create jobs as well as sparing the elderly and those exhausted after work the need to walk uphill;
- (d) Ms Miriam LAU and Mr Ronny TONG pointed out that if feasibility studies were conducted on the top 10 prioritized proposals first, only five districts would immediately benefit. On the contrary, if feasibility studies were conducted on all 18 proposals in one go, four more districts would benefit. Since these four districts had never been provided with escalator links/elevator systems before, the residents concerned would be aggrieved if these four districts were as presently proposed not scheduled for feasibility studies;
- (e) Ms Miriam LAU, the Deputy Chairman, Mr Jeffrey LAM and Mr Ronny TONG noted that the difference in scores accorded to the top 10 and those accorded to the remaining eight proposals under the relevant ranking system was small. For example, the difference in scores between the 10<sup>th</sup> and the 11<sup>th</sup> was only 0.4, and that between the 10<sup>th</sup> and the 14<sup>th</sup> was 1.1. Moreover, the scores of the 14<sup>th</sup> proposal in circumstantial sub-total and beneficial sub-total were both higher than those of the 9<sup>th</sup> by a wide margin. As such, they considered it unjustified to draw a line between the 10<sup>th</sup> proposal and those that followed; and
- (f) The Deputy Chairman, Mr LEUNG Yiu-chung, Mr Ronny TONG and Mr IP Wai-ming opined that, considering the long lead time required to actually implement the proposals, the prioritized proposals should all be taken forward in parallel where resources permitted.

8. In response, STH made the following points –

- (a) Due to manpower and resource constraints, there was a practical need to conduct feasibility studies on the prioritized proposals in two batches as planned. In fact, the purpose of establishing the assessment system was essentially to provide objective criteria for prioritizing the proposals for orderly phased implementation;
- (b) The remaining eight proposals had not been screened out but feasibility studies on them would be conducted as and when resources were released after the implementation of the proposals in the first batch reached an advanced stage. Moreover, the Administration was already taking forward the prioritized proposals as quickly as practicable by conducting feasibility

studies on as many as 10 proposals in one go. Moreover, for a prioritized proposal of a smaller scale and hence of a relative lower construction cost, it could be funded using the block vote under the Capital Works Reserve Fund, thus avoiding the time required to seek funding approval from the Finance Committee (FC); and

- (c) The total scores accorded to the prioritized proposals were made up of scores for circumstantial, beneficial and implementation factors under the assessment system, and hence could fully reflect the overall desirability of these proposals. Moreover, the evaluation criteria adopted in the assessment system were also very objective.

9. Mr LAU Kong-wah and Mr IP Wai-ming were not convinced by the reason given in paragraph 8(a) above, pointing out that consultants could be engaged to help conduct the feasibility studies. Mr KAM Nai-wai also expressed disappointment that while billions would be spent on constructing the Guangzhou-Shenzhen-Hong Kong Express Rail Link (XRL), resource constraints had been quoted as an excuse for not conducting feasibility studies on all proposals prioritized in one go. In Mr KAM's view, the provision of such useful facilities as hillside escalator links/elevator systems should not be hindered by the construction of XRL.

10. STH responded that district-based projects like the provision of hillside escalator links/elevator systems and territory-wide infrastructure projects like XRL could proceed in parallel. By introducing the assessment system, the Administration aimed to provide a comprehensive set of objectives and transparent evaluation criteria in determining the merits and relative priority of the proposals to facilitate proper deployment of resources to ensure their smooth implementation. Moreover, apart from proposals assessed under the assessment system, the Housing Authority (HA) would also separately examine the feasibility of proposals which fell within the boundary of public housing estates (PHEs). For projects which formed an integral part of major projects, they would also be considered as part of the respective major projects. The latter two types of proposals could also benefit local residents.

11. Ms LI Fung-ying referred to STH's response as set out in paragraph 8(b) above, and commented that even if funding for the prioritized proposals could not be secured from the Capital Works Reserve Fund and additional funding was required, FC would support the relevant funding proposals. Mr IP Kwok-him shared her view.

Other views concerning the feasibility studies

12. Mr LAU Kong-wah and Ms LI Fung-ying expressed concern about the

long time likely required for conducting feasibility studies on the proposals prioritized, and enquired how proposals so found infeasible would be handled. STH responded that while the time for conducting the feasibility studies would vary with the complexity of the proposals, it was estimated that the studies would generally take about eight to 12 months. However, since studies on the top 10 proposals might not commence at exactly the same time, it might take 24 to 48 months for all these studies to complete. Notwithstanding, the Administration would adopt a rolling approach in taking forward the exercise, and would not await completion of all those on the top 10 proposals before commencing studies on the remaining eight proposals. Also, if a proposal was found too complicated for implementation, it might be reprioritized and its place taken by the foremost proposal on the prioritized list.

13. Mr Jeffrey LAM asked whether the Administration was aware of the conduct of any feasibility studies on the 18 prioritized proposals before and, if so, how duplication of efforts could be avoided. In this regard, he recalled that a few studies had already been conducted on the pedestrian link at Tsz Wan Shan in the context of the Shatin to Central Link, a station of which might be located in Tsz Wan Shan. The Assistant Commissioner for Transport/Urban (AC for T/U) confirmed that preliminary studies had been conducted on the Tsz Wan Shan proposal as well as on the proposed lift and pedestrian walkway system at Waterloo Hill. The relevant information would be referred to when feasibility studies were conducted on these two proposals and would not be wasted.

14. Pointing out that a consultant had already been engaged to conduct a study on the proposals, Mr IP Wai-ming considered that the Administration was trying to procrastinate implementation of the prioritized proposals by planning to conduct feasibility studies on them before actually taking them forward. In his view, there was no need to conduct the feasibility studies because community needs and not feasibility should be the foremost consideration in deciding whether to implement the prioritized proposals. STH responded that contrary to Mr IP's perception, priority in terms of manpower and resources had in fact been accorded to the proposals under the policy of improving pedestrian environment. AC for T/U also clarified that the consultant had been engaged to establish the assessment system including the scoring scale. Although the Transport Department (TD) had already assessed and prioritized the proposals according to the criteria under the finalized assessment system, there was still a need to conduct feasibility studies on them to ascertain their actual technical feasibility and detailed cost estimates.

#### Views and concerns about implementation of the proposals prioritized

15. Mr LAU Kong-wah urged the Administration to accelerate implementation of prioritized proposals which could effect more convenient

connection to MTR stations by co-operating with MTR Corporation Limited (MTRCL), which in his view might likely agree to fund these proposals in recognition of the great benefits which they could bring to both MTRCL and the residents concerned by expanding the catchment areas of the stations. STH responded that proposals related to large infrastructure projects would be taken forward in the context of these projects.

16. Ms LI Fung-ying opined that to avoid wasting resources and time, the relevant DCs' views on and support for the proposals should be ascertained when the feasibility studies on them were conducted instead of thereafter as presently proposed. In this way, DCs' objection, if any, could be taken into account when determining the feasibility of the proposals. STH responded that it was also the plan of the Administration to interactively liaise and consult the DCs concerned when conducting feasibility studies on the prioritized proposals.

17. In reply to the Deputy Chairman and Mr Ronny TONG, STH advised that the costs of the proposed escalator links/elevator systems would vary according to their complexity and scale. By way of illustration, AC for T/U reported that the cost of the existing escalator link system between Central and Mid-levels commissioned in 1993 was about \$240,000,000, and that of the Fortress Hill Pedestrian Link completed in 2003 was about \$21,000,000.

18. Noting that the feasibility studies on the top 10 proposals would take 24 to 48 months to fully complete, Mr LEUNG Yiu-chung enquired about the time required to actually implement these proposals. STH responded that the exact details would not be available before complexity of the works concerned could be ascertained by the feasibility studies to be conducted on these proposals. However, it should be noted that although proposals of a smaller scale could be expedited through funding from the block vote of the Capital Works Reserve Fund, there remained a need to undergo the statutory objection-handling procedure under the Roads (Works, Use and Compensation) Ordinance (Cap. 370) for each of the proposals. Mr LEUNG considered it unacceptable that it might take at least two to three years to implement each proposal. He reckoned that the feasibility study on the proposal ranked 11<sup>th</sup> could not even commence in the next five to six years.

19. Mr Jeffrey LAM sought implementation details of the 18 prioritized proposals, particularly on whether land resumption would be involved. STH responded that the need and extent of land resumption would only become clear after completion of the feasibility studies. She undertook to report on the progress of the studies and the way forward to the Panel in due course. She added that to meet community needs as far as practicable, the proposals would be implemented as part of the relevant infrastructure projects where applicable. For example, the pedestrian link at Tsz Wan Shan would be taken forward in the context of the Shatin to Central Link.

Admin

Views and concerns about individual proposals

20. Mr KAM Nai-wai enquired why the proposals to provide an additional escalator link system between Central and Mid-levels and an escalator link system at Ap Lei Chau had been screened out in the initial screening stage of the ranking system. In particular, he questioned why the former, which was supported by the Central & Western District Council (CWDC), had been screened out while the escalator link system at Ladder Street, which CWDC had not discussed in depth, was ranked fourth. Mrs Regina IP had similar queries about the exclusion of the additional escalator link system. AC for T/U responded that a similar facility, i.e., the existing escalator link system between Central and Mid-levels, was only about 100 metres from Peel Street where the proposed additional escalator link system was located. The additional system could therefore mostly serve areas already covered by the existing system rather than benefitting more people. Considering the need to utilize resources more effectively, the additional system was not preferred. On the other hand, the escalator link system at Ladder Street, which had been proposed by certain CWDC members, was 400 to 500 metres away from the existing system, and hence could serve a wider catchment population.

21. Mr IP Kwok-him disagreed and pointed out that CWDC members were mostly in favour of the additional escalator link system at Peel Street. Moreover, the existing escalator link system could not fully meet pedestrian need because it could only provide one-way traffic at any one time. AC for T/U responded that while DCs' views were important, the escalator link system at Ladder Street was preferred considering the greater number of people it could benefit. Notwithstanding, the Administration would listen to CWDC's views and make adjustments where necessary when consulting it on the way forward for the proposal.

22. Mr WONG Kwok-hing considered it unacceptable that only five out of the eight proposals related to Kwai Tsing District had been included in the first batch of prioritized proposals for conduct of feasibility studies. He urged the Administration to include in the first batch the remaining three Kwai Tsing District proposals, in particular the lift and pedestrian walkway system between Wo Tong Tsui Street and Kwai Hing Road (the Wo Tong Tsui Street/Kwai Hing Road system), which had been ranked 11<sup>th</sup> despite its importance. The reasons he gave were that all PHEs in the district were in uphill areas, the residents were mostly old people, and that there was huge fiscal surplus. Mr KAM Nai-wai also expressed sympathy with the elderly residents of Kwai Chung Estate who requested provision of the Wo Tong Tsui Street/Kwai Hing Road system.

23. STH responded that since proposals for Kwai Tsing District already made up half of the top 10 proposals on which feasibility studies would be conducted in the first batch, it might not be fair to include the Wo Tong Tsui

Street/Kwai Hing Road system in this batch of proposals as proposed. Moreover, HA was already setting aside resources to provide for escalator links/elevator systems in PHEs in uphill areas including those in Kwai Tsing District. Mr WONG Kwok-hing was however unconvinced. Referring to the submission from Kwai Chung Estate Community Mutual Support Development Concern Group tabled at the meeting, he strongly requested the Administration to conduct feasibility study on the Wo Tong Tsui Street/Kwai Hing Road system early in recognition of the large number of elderly residents in Kwai Chung Estate.

#### Comments on the assessment system

24. The Deputy Chairman, Mr KAM Nai-wai and Mr WONG Kwok-hing considered it unreasonable that the maximum score for the evaluation criterion of "existing population of 65 year-old or above within catchment" under the scoring system was only "5", whereas those for "road safety" and "improvement to existing pedestrian conditions" were even higher (both were "6"). The Deputy Chairman opined that the Administration should adopt a people-oriented approach for the works, instead of spending money on developing the assessment system under discussion, which was not found elsewhere, to bureaucratically prioritize the proposals. He considered that priority should be given to all proposals which could benefit elderly residents. He reminded the Administration that Hong Kong's population was aging and there was a need to meet the increasing demands for escalator links/elevator systems so resulting.

25. In response, STH and AC for T/U made the following points –

- (a) The Administration had placed emphasis on the objectiveness and comprehensiveness of the assessment system. For this, apart from consulting the Panel in May 2009 before finalizing the system, test runs were also conducted in establishing the assessment system to ensure that the system was sufficiently robust;
- (b) Similar assessment system was not found in other cities/countries possibly because, being less densely populated and hilly than Hong Kong, their need for hillside escalator links/elevator systems was not as great and hence prioritization was not required. The cost for conducting the consultancy study to establish the assessment system was about \$400,000;
- (c) Hillside escalator links/elevator systems might not be the only means to meeting the needs of the aged; improvements to the traffic condition and pedestrian environment in the districts concerned were also important to them; and

- (d) Criteria such as "existing population/employment within catchment", "connectively with existing/committed centres of activity within catchment" (centres of activity included elderly centres and homes for the aged), and "revitalization of /benefits to local community" would allow proposals benefitting senior citizens to attract extra points in the scoring. Moreover, the criterion "topographical conditions, i.e. steep gradient/level difference" which was given a score of "11" was also in favour of the elderly citizens.

26. Mr LEUNG Yiu-chung was unconvinced, and stressed the need to raise the maximum score for the evaluation criterion of "existing population of 65 year-old or above within catchment" in recognition of the importance of escalator links/elevator systems to the elderly in meeting their daily needs.

Motions

27. After discussion Mr WONG Kwok-hing moved the following motion, which was seconded by Ms LI Fung-ying –

"促請政府將18項要求興建'上坡地區自動扶梯連接系統和升降機系統'的建議地區全部列入可行性研究。"

(Translation)

"That this Panel urges the Government to include all the districts covered by the 18 proposals for 'provision of hillside escalator links and elevator systems' in its feasibility studies in this regard."

Admin

28. The Chairman put the motion to vote. Nine members voted for and no member voted against it. The Chairman declared that the motion was carried.

29. Highlighting DC support, Mr KAM Nai-wai urged that the Administration should also conduct feasibility studies on the two proposals screened out in the initial screening stage, namely, the additional escalator link system between Central and Mid-levels and the escalator link system at Ap Lei Chau. He therefore moved the following motion, which was seconded by the Deputy Chairman –

"強烈要求政府就'已根據評審制度評估共20項興建上坡地區自動扶梯連接系統和升降機系統的建議'立刻全部進行可行性研究。"

(Translation)

"That this Panel strongly requests the Government to immediately conduct feasibility studies on all the '20 proposed hillside escalator and elevator systems' which have been assessed 'based on the assessment system'."

Admin

30. The Chairman put the motion to vote. Eight members voted for the motion, one member abstained from voting and no member voted against the motion. The Chairman declared that the motion was carried.

31. Ms Miriam LAU explained that in consideration of the need to give due regard to the assessment system, she had abstained from voting on the above motion. In her view, it might be undesirable to request the conduct of feasibility studies on the two proposals mentioned in paragraph 29 above, which had not even proceeded to the scoring stage under the assessment system.

32. Recapitulating his views in paragraph 24 above, Mr KAM Nai-wai further moved the following motion, which was seconded by the Deputy Chairman –

"強烈要求政府提高就興建上坡地區自動扶梯系統和升降機系統的評分機制中'受惠區域內年屆65歲或以上的現有人口'的評分分數，以惠及人口老化的社區。"

(Translation)

"That this Panel strongly requests the Government to increase the maximum score for the evaluation criterion of 'existing population of 65 year-old or above within catchment' under the assessment system for provision of hillside escalator links and elevator systems, so as to benefit areas with an aging population."

Admin

33. The Chairman put the motion to vote. Nine members voted for and no member voted against it. The Chairman declared that the motion was carried.

#### **IV Report on the effectiveness of the new arrangements under the Driving-offence Points System**

(LC Paper No. CB(1)1190/09-10(04) — Administration's paper on report on the effectiveness of the new arrangements under the Driving-offence Points System

LC Paper No. CB(1)1190/09-10(05) — Extract from the report of the former Bills Committee on Road Traffic

(Driving-offence Points)  
(Amendment) Bill 2009)

34. The Deputy Secretary for Transport and Housing (Transport) (DSTH(T)) informed members about the effectiveness of the Road Traffic (Driving-offence Points) (Amendment) Ordinance 2009 (the Amendment Ordinance) in tackling the circumvention problem in the service of summons under the Driving-offence Points (DOP) system through effecting the following new arrangements –

- (a) Providing that a summons served by registered post in accordance with the Road Traffic (Driving-offence Points) Ordinance (Cap. 375) (the Ordinance) was deemed to have been served even if it was returned as undelivered (the "deemed served" provision), so that a non-appearance arrest warrant (NAW) could be issued against the driver concerned; and
- (b) Requiring the Commissioner for Transport to refuse to issue, reissue or renew a driving licence to a person if the person failed to appear in court to answer a summons served on the person under the Ordinance.

Views and concerns about the drivers yet to be served with summonses when the Amendment Ordinance took effect

35. Mr WONG Kwok-hing welcomed the above new arrangements and enquired about the status of the 536 drivers yet to be served with summonses when the Amendment Ordinance took effect at end May 2009. DSTH(T) responded that 346 of these drivers subsequently appeared before the court and were disqualified from driving by the court. The number of drivers who remained uncaught and hence not yet disqualified despite the issue of NAWs against them was therefore only 190.

36. Ms Miriam LAU said that she was glad to note that the Administration could more effectively bring reckless drivers to the court for disqualification hearings after introduction of the "deemed served" provision. However, she highlighted the danger which those drivers still at large could pose to road safety, and called for greater efforts to track them down and bring them before the court. DSTH(T) responded that the Administration was confident that these drivers would eventually be tracked down if they continued to drive.

37. In reply to Ms Miriam LAU and Mr Jeffrey LAM on how NAWs were followed up, DSTH(T) and the Senior Superintendent of Police (Traffic Management & Prosecutions Bureau) (SSP(TM&PB)) explained that when NAWs were issued, the details of the NAWs would be made accessible to all frontline police officers when they carried out their daily patrol duties. The

Police would also ascertain whether the drivers concerned were still in Hong Kong and send letters to them asking them to surrender to the Police Division or the court. Most drivers would respond quickly and contact the Police at this stage. If not, further efforts would be made to locate the drivers at the reported addresses or any addresses that surfaced during subsequent enquiries, in particular special cases where the drivers had accumulated many DOPs. In response to Ms LAU's question on whether the names of the drivers would be put on the stop list of the Immigration Department, SSP(TM&PB) explained that in recognition that the move might be too stringent unless the seriousness of the case so warranted, the Administration was still examining unresolved cases to see whether the drivers concerned should be so listed.

38. While appreciating the need to guard against being too stringent, Ms Miriam LAU reiterated the danger to road safety posed by the 190 drivers still at large, and opined that they should be put on the stop list but released on bail after being stopped, so that they could be tracked down without being denied from leaving Hong Kong. Mr Jeffrey LAM shared her concern, and stressed the need to locate these drivers before they committed traffic offences. DSTH(T) noted their concern and proposal for consideration and follow-up as appropriate. He however pointed out that these drivers might be inactive. If not, they would have been located already. SSP(TM&PB) assured members that since cases where the drivers concerned had accumulated excessive DOPs would be handled with priority, few really irresponsible drivers would be left on the road uncaught. The Administration was already making active efforts on all fronts to locate all drivers issued NAWs, and checking their new addresses through various channels. Given time, all such drivers would be located.

#### Views and concerns about how the DOP system could be improved

39. Mr WONG Kwok-hing enquired whether heavier penalties would be imposed on drivers who failed to appear at the scheduled hearings after summonses had been served or deemed-served on them, so that NAWs had to be issued against them. DSTH(T) responded that they were normally disqualified from driving for three to six months according to the relevant law. Mr WONG opined that heavier penalties should be imposed on these drivers considering the additional resources and cost incurred for the court to issue NAWs against them and for the Police to locate them. If not, there would not be sufficient effect in tackling the circumvention problem in the service of summonses.

40. DSTH(T) responded that most drivers were law-abiding, and all the new DOP summonses issued after the coming into operation of the Amendment Ordinance had been dealt with smoothly. In fact, the drivers in about 88% of these cases had appeared in court at the first or second hearing. Only a small percentage of DOP summonses required follow-up by the issue of NAWs.

Most drivers issued NAWs also responded quickly and some 60% of them had subsequently appeared before the court. Given the relatively short period of time since the Amendment Ordinance came into operation, the execution rate of NAWs was considered satisfactory and effective in bringing the drivers concerned before the court. DSTH(T) further explained that the cost incurred in issuing NAWs could in fact be offset by savings in costs incurred by having to make repeated attempts to serve DOP summonses before introduction of the "deemed served" provision.

41. Mr WONG Kwok-hing maintained that the Administration should map out more effective measures to discourage drivers from refusing to appear before the court unless NAWs were issued against them. DSTH(T) responded that the Administration would continue to monitor the effectiveness of the Amendment Ordinance in resolving the circumvention problem in the service of summons under the DOP system.

**V Proposed creation of one permanent Principal Transport Officer post in the Bus and Railway Branch of Transport Department**

(LC Paper No. CB(1)1190/09-10(06) — Administration's paper on proposed creation of one permanent Principal Transport Officer post in the Bus and Railway Branch of Transport Department)

42. The Under Secretary for Transport and Housing (Transport) (USTH) briefed members on the Administration's proposal to create one permanent Principal Transport Officer (PTO) (D1) post (the proposed post) in the Bus and Railway Branch (BRB) of TD to enhance its planning function and monitoring capability in respect of existing and new rail services, and to enhance its capability in public transport planning to cope with the increasing complexity of inter-modal co-ordination.

Cost of and justification for the proposed post

43. Mr Ronny TONG enquired about the cost and qualification requirement of the proposed post, and expressed concern about how an outside candidate could handle the relevant proposed job duties. The Deputy Commissioner for Transport/Transport Services & Management (DC for T/TS&M) explained that creation of the proposed post would incur additional notional annual salary cost at mid-point at \$1,245,600. When the related fringe benefits such as medical benefits were taken into account, the full annual average staff cost of the proposed post, including salaries and staff on-costs, would be \$1,920,912. She further explained that the proposed post would be filled by internal

promotion considering the lack of relevant experience in the market.

44. Noting that apart from the PTO heading the existing Railway Monitoring Division (RMD), there were four other PTOs in TD, Mr Ronny TONG questioned why the four together could not share out the work overflowing from RMD and why the proposed post was deemed necessary.

45. DC for T/TS&M explained that with the increase in workload brought about by the commissioning of new railway projects and the need to provide steer to the studies at different stages of the railway planning process, including provision of public transport planning inputs to new railway projects under planning, there was a need to set up a new Railway Planning Division (RPD) under BRB. Since the PTO heading RMD already had to monitor the daily operation of 11 existing railways to ensure they could meet the relevant service performance targets set, and to regulate, develop and monitor the operation of franchised bus services provided by three bus companies, he did not have any scope to take up the additional responsibility of heading the planned RPD. The workload of the other PTOs were equally heavy. In particular, the two PTOs respectively heading the Urban Regional Offices and the New Territories Regional Offices were already heavily involved in traffic administration and monitoring the daily operation of various public transport services in the districts concerned.

46. The Deputy Chairman said that considering the significantly high staff cost involved, members might have reservations about creation of the proposed post unless it was adequately justified. Referring to the revised job description for the existing PTO heading RMD (Enclosure 3 of the Administration's paper), he urged the Administration to elaborate in greater detail the extra efforts which this PTO could make to better monitor rail services in accordance with public expectation after creation of the proposed post to share out TD's railway duties. Noting from the proposed job description for the proposed post (Enclosure 2 of the Administration's paper) that the main duties of the proposed post were mostly related to development of new railways, in particular items 3 and 5 therein, the Deputy Chairman also queried if there would be sufficient work to sustain the proposed post when the planned new railways were commissioned one after another in due course. He called upon the Administration to supplement the paper to provide further details on the above two enclosures to assure members that creation of the proposed post could ensure value for money.

47. In response, USTH assured members that TD's efforts in monitoring rail services would definitely be geared up with the creation of the proposed post. He and DC for T/TS&M also made the following points –

- (a) Under the policy of developing railways as the backbone of Hong Kong's transport system, further new railways would continue to

be planned in future after completion of the committed ones. There would therefore be long-term need for the proposed post;

- (b) The operation of new railways would also need to be monitored. Such increase in volume and complexity of monitoring work was beyond the capacity of the existing PTO heading RMD, and the proposed post was required to share out the rail monitoring duties;
- (c) With the increase in the complexity of the railway network, its enhanced role in the overall transport service, its delicate relationship with other transport modes and political sensitivity associated with different needs and interests at both district and community level, there was also a greater need to co-ordinate rail service with other public transport modes and to liaise with the local community; and
- (d) Apart from railway planning, the proposed PTO would also need to provide public transport planning inputs to major development projects, district planning studies and transport studies, and to provide input and assessment on new public transport modes.

48. Ms LI Fung-ying opined that as Hong Kong was a small place, the railway network could not endlessly expand. As a result, there might not be sufficient new railways in future to keep the proposed PTO adequately engaged. Moreover, there was already RMD to monitor rail service. She therefore opined that to ensure proper utilization of resources, it might be more practical to create the proposed post as a supernumerary post rather than a permanent one. Mr WONG Kwok-hing and Mrs Regina IP shared Ms LI's views. Mrs IP urged the Administration to consider Ms LI's suggestion of creating the proposed post as a supernumerary post.

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49. USTH responded that it was envisaged that apart from planning of the five new railways already committed, according to the Railway Development Strategy 2000, there were also other railways which the proposed PTO would need to plan. Moreover, the proposed PTO had to conduct public transport planning for new developments as pointed out in paragraph 47(d) above, and to help share out RMD's work in monitoring rail services as more new railways came on stream, so that TD could take timely actions to respond to, handle, and follow up rail incidents. As such, while the ratio of the various duties in the proposed job description for the proposed post might change with the focus shifting from railway planning to monitoring over time, the workload would consistently be heavy.

50. Noting the above response, Ms LI Fung-ying said that the proposed job description for the proposed post should be revised to incorporate the above

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described monitoring duties and to explain how such duties would be shared between the existing RMD and the planned RPD. She said that such information would facilitate consideration of the relevant funding proposal by the Establishment Subcommittee (ESC). Considering that the proposed PTO might incur not only his own staff costs but also cost of other staff required to serve him, Ms LI said that there was a need to convince members that there would be value for money in creating the proposed post. Ms Miriam LAU also considered it necessary to provide a more detailed and clearer job description in the Administration's paper to be submitted to ESC.

51. DC for T/TS&M responded that some of the committed railway projects would likely take about 10 years to complete. The proposed PTO would also be required to deal with the public transport planning aspects in relation to various new planning projects in Hong Kong and the New Development Areas which would have an even longer time frame for development. Another important task of the proposed PTO would be to undertake public transport studies to review and assess specific transport issues and examine the feasibility and impact of new public transport modes from time to time.

#### Concerns about how the proposed post could improve public consultation

52. Mrs Regina IP acknowledged the heavy workload of the existing RMD considering the many new railways in the pipeline and the difficulties in handling various local views and concerns about them. She therefore sought details on the proposed duty for the proposed post of "formulation of strategy in the consultation process" (item 6 of Enclosure 2 of the Administration's paper), and was keen to ensure that this duty would include genuine solicitation of local views in balancing the needs and interests of different stakeholders and modes of transport, and in resolving difficulties faced by affected residents.

53. USTH replied in the affirmative, and added that professional input was necessary in responding to residents' diverse views and counter-proposals regarding different aspects of the new railways planned. Hence, there was the need for the proposed post to improve the relevant consultation work.

54. Ms Miriam LAU enquired whether the proposed PTO would actually meet with residents affected by new railway projects to further improve the relevant public consultation work, such as by effecting two-way communication, and by exercising flexibility to positively respond to residents' counter-proposals. USTH again replied in the affirmative, and said that the proposed post could provide professional views on the feasibility and impacts of residents' counter-proposals.

55. The Chairman said that to allow sufficient time for discussion, he would extend the meeting by 15 minutes.

Concerns about how the proposed post could help ensure the quality of rail services

56. While not objecting to the creation of the proposed post, Mr WONG Kwok-hing was keen to ascertain who should be the first line staff to handle rail incidents and be held accountable to the Legislative Council before creation of the proposed post, and whether the incumbent of this post would in future be responsible for handling rail incidents and for ensuring railway safety and quality of rail services. He was concerned that, despite the need to ensure the quality of rail services, rail incidents had repeatedly occurred after the merger of MTRCL and Kowloon Canton Railway Corporation, and that the relevant parties had failed to respond quickly to the incidents.

57. USTH responded that if the rail incident affected the level of service, TD would be responsible for responding to the incident. DC for T/TS&M added that with effect from 1 February 2008, on which the Hong Kong Railway Inspectorate (HKRI) originally in the Transport Branch of the Transport and Housing Bureau was transferred to the Electrical and Mechanical Services Department (EMSD), both EMSD and TD would play a role in monitoring rail services. Under the arrangement, while HKRI would oversee railway safety, TD would focus on monitoring the railway service performance and the performance of other service-related operational aspects. At present the PTO heading the existing RMD of TD's BRB was responsible for TD's duties above. However, with the increase in workload brought about by the commissioning of new railways, the proposed post was required to share out TD's railway duties.

58. Mr WONG Kwok-hing considered the transfer of HKRI to EMSD undesirable, and was keen to ensure that HKRI was adequately staffed to enable it to perform its role satisfactorily. He therefore enquired whether the head of HKRI or the head of RMD was more senior, and whether the two units could be merged to effect better co-ordination and hence timely response to rail incidents.

59. USTH and DC for T/TS&M responded that the head of HKRI was a D2 post while that of RMD was a D1 post but the comparison was irrelevant because the two's foci were very different with the former monitoring railway systems highly related to electrical and mechanical engineering, such as signaling, trains, power supply and services, and the latter monitoring the service aspects of railways. The Administration was of the view that the two were both functioning effectively and did not see any need for their merger. Mr WONG Kwok-hing was unconvinced. Pointing out that technical issues also affected rail service, he considered the present arrangement undesirable and confusing. Ms Miriam LAU disagreed that there was a need to merge HKRI and RMD but she considered that it might not be appropriate to discuss the issue in detail in the context of the current staffing proposal.

Other views and concerns

60. While appreciating TD's need for additional manpower to perform its railway duties, which had increased with the large number of new railways in the pipeline, Ms Miriam LAU questioned the need to set up RPD on grounds that the work on most new railways had already commenced and, although the number of railways and hence the relevant monitoring work would increase, there was already RMD. She opined that to ensure satisfactory co-ordination, it might be more desirable for the existing RMD to absorb the proposed duties of the planned RPD instead of separately setting up RPD, so that there would be two divisions in TD separately performing railway duties.

61. USTH responded that new railway projects would take years to deliver and there was a need for the proposed RPD to monitor their planning, commissioning and construction. Moreover, the proposed RPD also had to conduct public transport planning for new developments. As to how the work of the existing RMD and the proposed RPD could be co-ordinated, TD would work out the details as appropriate in due course.

62. In response to Mrs Regina IP, USTH confirmed that the proposed PTO would also need to provide professional support for examining the feasibility of future railway projects by evaluating the need for them and their impacts on other public transport services.

63. Summing up, the Chairman advised that the relevant funding proposal would be submitted to ESC for consideration at its meeting on 28 April 2010 and, if endorsed, to FC on 14 May 2010 for approval.

**VI Any other business**

64. There being no other business, the meeting ended at 10:50 am.