

立法會

Legislative Council

LC Paper No. CB(1)105/10-11
(These minutes have been seen
by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

**Minutes of meeting held on
Monday, 28 June 2010, at 8:30 am
in the Chamber 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 LI Fung-ying, SBS, JP
Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon WONG Kwok-hing, MH
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 LEUNG Kwok-hung
Hon Albert CHAN Wai-yip
- Member attending** : Hon LEE Cheuk-yan
- Members absent** : Hon Miriam LAU Kin-ye, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LEE Wing-tat
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

**Public officers
attending**

: Agenda item IV

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

Mr K M TSANG
Assistant Commissioner / Technical Services
Transport Department

Mr Everett LUK
Chief Engineer / Traffic & Transport Survey
Transport Department

Agenda item V

Miss Erica NG
Principal Assistant Secretary for Transport and
Housing

Mr David TO
Assistant Commissioner for Transport / Planning

Mr CHAU Sau-ming
Senior Engineer / Strategic Roads
Transport Department

Mr TAO Kei-hung
Chief Engineer / Major Works
Highways Department

Agenda item VI

Miss Janet WONG
Principal Assistant Secretary for Transport and
Housing

Mr Joseph LAI
Commissioner for Transport

Mr Albert YUEN
Assistant Commissioner / Bus and Railway
Transport Department

Attendance by invitation : Agenda item VI

The Kowloon Motor Bus Company (1933) Limited /
Long Win Bus Company Limited

Mr Edmond HO
Managing Director

Mr Kenrick FOK
Operations Director

Ms Winnie HO
Corporate Affairs Director

Citybus Limited/New World First Bus Services
Limited

Mr Samuel CHENG
Managing Director

Mr William CHUNG
Head of Operations

New Lantao Bus Co. (1973) Ltd.

Mr Peter MOK
Director

Clerk in attendance : Ms Joanne MAK
Chief Council Secretary (1)2

Staff in attendance : Ms Sarah YUEN
Senior Council Secretary (1)6

Miss Angela LAM
Legislative Assistant (1)5

Action

- I Confirmation of minutes**
(LC Paper No. CB(1)2320/09-10 — Minutes of the meeting held
on 23 April 2010)
The minutes of the meeting held on 23 April 2010 were confirmed.

II Information papers issued since last meeting

- (LC Paper No. CB(1)2041/09-10(01) — Submission on organized undermining of official taxi fares to and from Discovery Bay Tunnel Link from a member of the public
- LC Paper No. CB(1)2041/09-10(02) — Submission on fare increase by the MTR Corporation Limited from the North Tin Shui Wai Transport Concern Group
- LC Paper No. CB(1)2242/09-10(01) — Administration's response to the submission dated 6 May 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)1933/09-10(01) dated 18 May 2010)
- LC Paper No. CB(1)2284/09-10(01) — Submission on cross-boundary traffic from Designing Hong Kong
- LC Paper No. CB(1)2284/09-10(02) — Submission complaining about the collection of personal data by Hong Kong and Kowloon Ferry Holdings Limited when selling monthly tickets and related matters)

2. Members noted the above papers issued since the last meeting.

III Items for discussion at the next meeting scheduled for 23 July 2010

- (LC Paper No. CB(1)2316/09-10(01) — List of outstanding items for discussion
- LC Paper No. CB(1)2316/09-10(02) — List of follow-up actions)

3. Members agreed to discuss the following items at the next regular meeting on Friday, 23 July 2010, at 8:30 am –

- (a) Initial proposals to combat drug driving; and

- (b) Emergency works for public roads during typhoon and rainy season.

IV Provision of Traffic and Incident Management System in Transport Department

(LC Paper No. CB(1)2296/09-10(01) — Administration's paper on provision of Traffic and Incident Management System in Transport Department

LC Paper No. CB(1)2393/09-10(01) Administration's paper on provision of Traffic and Incident Management System in Transport Department (power-point presentation materials)

4. With the aid of power-point, the Deputy Secretary for Transport and Housing (Transport) (DS(T)) and the Chief Engineer/Traffic & Transport Survey, Transport Department briefed members on the Administration's proposal to develop a Traffic and Incident Management System (TIMS) in the Transport Department (TD) to facilitate traffic and transport incident management and dissemination of real-time traffic and transport information to the public.

Implementation timetable

5. Mr WONG Kwok-hing welcomed the above proposal but considered it overdue because the incident of occurrence of serious traffic congestions that triggered the review of the mechanism for handling emergency traffic and transport incidents actually happened on 9 May 2005. Mr LAU Kong-wah also found the proposal overdue, and questioned why TIMS would not be commissioned until 2015 as the development of TIMS did not require high technology, and similar systems were readily available in many places. The Deputy Chairman shared the two members' views and expressed concern that the project price might go up as a result of inflation over the long implementation period. Ms LI Fung-ying was concerned that by the time the system was commissioned, the technology concerned might have already become outdated, so that the resources injected would be wasted. She and the Deputy Chairman enquired about measures to accelerate the relevant procurement process, and questioned why overseas experience could not help accelerate the progress.

6. The Assistant Commissioner for Transport/Technical Services (AC for T/TS) responded that after taking into account overseas experience and Hong

Kong's stringent tendering procedures, and the fact that TIMS was a new system and hence required time to develop, the Administration considered it necessary to take five years to introduce the system. Moreover, regard also had to be given to local conditions when pre-defining and pre-programming contingency plans under TIMS based on contingency scenarios and lessons learned from past incidents. In fact, Singapore also took five years to develop a similar system. Notwithstanding, a phased approach would be adopted, and simpler functions of TIMS would be commissioned earlier than 2015 where possible. He further assured members that despite the long time required, after commissioning of TIMS there would be linkage between systems to allow comprehensive, effective and efficient traffic and incident management on a territory-wide basis.

7. Noting the above response, Mr KAM Nai-wai expressed regrets that the above linkage between systems had not been made available upon the establishment of TD's Emergency Transport Co-ordination Centre (ETCC) in 2000. Mr WONG Sing-chi also questioned why TIMS had not been developed immediately after the establishment of ETCC. Mr IP Wai-ming was equally concerned to note ETCC's limited incident management capability.

8. Highlighting the significant benefits which TIMS could bring to motorists, especially the value-added services that could be developed as a result, Mr WONG Sing-chi proposed that, to accelerate the development of TIMS, instead of developing it in-house incurring significant expenditure on consultancy services, the Administration should co-operate with the private sector by offering loans, or subsidy in the form of use of Government facilities or assistance in making the necessary arrangements. In his view, not only would such joint efforts accelerate the development of TIMS but its on-going enhancement to sustain competitiveness could also be ensured.

9. AC for T/TS responded that ever since ETCC's establishment, the Administration had been studying how advanced technologies could be deployed to improve its service. Improvements already introduced included the use of mobile closed-circuit television (CCTV). As for co-operation with the private sector, it was already the Administration's plan to develop TIMS's general framework first to facilitate private companies to extract traffic speed and incident information for the development of value-added traffic-related services tailor-made for individual motorists to suit their respective needs. As such, the Administration had already involved the private sector in planning for the dissemination of real-time traffic information proposed under TIMS. A subsidy of some \$2.6 million had also been made to a working group with representatives from the Hong Kong Productivity Council and wireless and IT federations for developing a common platform for such purpose although a commercially viable model for implementing the system concerned had yet to be identified.

Co-ordination in the management of traffic and transport incidents

10. Mr WONG Kwok-hing asked who would in the first instance be responsible for co-ordinating the overall management of traffic and transport incidents. Mr IP Wai-ming was keen to ensure that the officer concerned would be sufficiently senior to enlist co-operation from relevant parties in handling the incidents. In this regard, he sought details on how TD and the Hong Kong Police Force had co-operated in the past, particularly on whether their working relationship was smooth.

11. DS(T) responded that TD would oversee ETCC but as the incident concerned escalated, the Transport and Housing Bureau and all major relevant departments such as the Hong Kong Police Force would also be involved. AC for T/TS added that the rank of the TD officer who oversaw ETCC would be determined according to the seriousness of incidents concerned. Normally he would be a Chief Transport Officer. However, all less than normal incidents would be reported to the Commissioner for Transport (C for T), the Deputy Commissioner for Transport (DC for T) and the AC for T on duty through SMS, and DC for T would decide whether to involve more senior officials. Where the incident was very serious, both C for T and DC for T and even representatives from public transport operators would be involved to facilitate co-ordination. AC for T/TS further advised that the Police and TD had been co-operating smoothly, and could satisfactorily handle most traffic and transport incidents through telephone communication only.

12. Noting the above response, Mr IP Wai-ming sought details on the ranks of officials in charge of ETCC since its establishment when serious incidents occurred, in particular the 2005 incident, and whether the official-in-charge had all been sufficiently empowered to ensure satisfactory co-ordination in handling the incidents. AC for T/TS responded that C for T himself co-ordinated the handling of the serious congestions during the World Trade Organization Hong Kong Ministerial Conference 2005 incident. In fact, DC for T or AC for T would always be involved when more serious incidents occurred. So far TD had not encountered any problem in working with other departments.

13. Mr WONG Kwok-hing and Mr LAU Kong-wah considered the efficient handling of traffic and transport incidents very important. As such, Mr LAU proposed that, pending the commissioning of TIMS, measures should be mapped out to improve the co-ordination in incident handling, so as to prevent the occurrence of traffic congestion whenever there was heavy rain, such as the case on 26 June 2010. To achieve that, efficient on-the-spot handling by the Police was more important than the involvement of C for T. He was therefore disappointed to note that despite the injection of substantial funding to upgrade the Police's information technology (IT) system, it could not perform the functions of TIMS but the latter had to be separately

developed. Mr KAM Nai-wai shared his concern about traffic congestion associated with heavy rain, particularly about the Administration's failure to disseminate to motorists information on the road traffic conditions in a timely manner under the circumstances. He sought details on the traffic and transport information presently available from the Police's IT system, and on the difference between such information and that from TIMS.

14. DS(T) and AC for T/TS responded that short-term measures as outlined in the appendix of the paper had been implemented over the years to improve co-ordination in handling transport incidents. For example, agreement with mobile network operators for the provision of CCTV images showing road traffic conditions and dissemination of special traffic news to their subscribers on mobile phones, establishment of designated communication links among different departments to expedite remedial work, etc. DS(T) and AC for T/TS pointed out that apart from disseminating real-time traffic information, TIMS would establish a common data platform to facilitate all relevant stakeholders such as the Police to report, view and update the information of an incident. At present, the traffic information available to police officers handling an incident on the spot was mainly collated through telephone communication and the Police's traffic radio system. Such details might not be comprehensive enough to shed light on the territory-wide traffic conditions.

Functions and cost-effectiveness of TIMS

15. Mr WONG Kwok-hing was keen to ascertain whether and how TIMS could help handle railway incidents. AC for T/TS responded that TIMS was designed to handle railway and other public transport incidents as well. Moreover, even after its commissioning TIMS could still be reviewed and enhanced as appropriate to meet new needs.

16. Mr KAM Nai-wai declared interests as a part-time consultant for a company dealing in global positioning systems (GPS), and sought details on the traffic and transport information that TIMS could provide to private companies to facilitate the use of GPS, which was well developed in Tokyo with an urban landscape similar to that of Hong Kong. AC for T/TS responded that as a medium-term measure, the Administration would develop an interactive voice response system to provide to the public real-time information about traffic speed and prevailing road traffic conditions. TIMS would in due course also establish a data sharing platform to facilitate private companies and relevant parties to extract traffic speed and incident information for the development of value-added traffic-related services.

17. The Deputy Chairman expressed concern about the lack of improvement in incident management despite the injection of substantial resources to improve the hardware concerned and conduct relevant consultancy studies in the past. He also expressed reservations about spending as much as

\$20 million on consultancy services for TIMS, and suspected that it might be more cost-effective to buy back the other two road harbour crossings to relieve congestion at the Cross-Harbour Tunnel (CHT) than spending \$100 million over five years from 2011-2012 to 2015-2016 on TIMS, especially as TIMS's estimated economic benefit was only approximately \$359 million in a ten-year period from 2015 to 2024. He also queried whether a driver would be able to change route by the time when he received the traffic and transport information from TIMS. Mr IP Wai-ming also questioned the need to use consultancy services, and the cost-effectiveness of spending \$100 million on TIMS, which would only reduce the duration of a traffic incident by 10 minutes on average.

18. In response, DS(T) and AC for T/TS made the following points –

- (a) TIMS was an innovative system that could achieve the purposes of quicker detection and confirmation of incidents; more efficient inter-departmental co-ordination among TD, the Police and the Highways Department, etc.; earlier availability of response plan options for decision making; more efficient mobilization of recovery teams; and earlier dissemination of incident information to minimize traffic congestion near the accident area;
- (b) Owing to the complexity of Hong Kong's road network and transport facilities and hence the need to work out a system that suited local conditions, consultancy services had to be engaged for the development of TIMS; and
- (c) The above \$359-million estimated economic benefit had only taken into account the reduction in incident duration as a result of TIMS but not the benefit that could be achieved from the earlier dissemination of incident information, which could reduce the severity of the traffic impacts of an incident by alerting more motorists or travellers to use alternative driving routes or transport modes, which in turn would relieve traffic congestion near the incident area, benefit the road network and reduce travellers' journey time as a whole.

Admin 19. Mr KAM Nai-wai requested the Administration to, before submitting the TIMS proposal to the Finance Committee (FC), provide information on the overseas experience which the Administration had made reference to, such as how TIMS compared to similar systems in New York and Tokyo in terms of functions, in particular the functions which TIMS did not have and the reasons.

Admin The Deputy Chairman further requested the Administration to provide the sum total previously spent on studies on similar electronic traffic control systems.

20. Referring to the Administration's response in paragraph 18(c) above, Mr KAM Nai-wai asked how the Administration had worked out the estimate that TIMS could reduce the duration of a traffic incident by 10 minutes on average, i.e. about 23% of the normal 44-minute duration of an incident. AC for T/TS responded that the above reduction in incident duration had been worked out by taking into account the four-minute saving (as estimated through overseas experience and consultancy studies) from the average 14 minutes required for detecting incidents, the availability of response plan options for decision making three minutes earlier than the six minutes normally required and, as a result of the acceleration of the above two processes, the three-minute saving from the average 24 minutes required for incident recovery.

Other views and concerns

21. Ms LI Fung-ying questioned why no staff cost but only the cost of contract staff was shown in the non-recurrent expenditure of the TIMS project. AC for T/TS responded that additional staff who would be employed on time-limited contract terms would be required to develop and test TIMS before its commissioning. Such contract staff would no longer be required thereafter. Instead, internal redeployment of staff resources incurring an additional recurrent expenditure would be made to take care of TIMS's daily operation and maintenance, in particular the employment of two IT professionals to maintain and provide on-going enhancement to TIMS. At Ms LI's request, AC for T/TS agreed to supplement in the TIMS proposal to FC the non-recurrent expenditure on TD staff who were also required to help develop TIMS over the five years from 2011-2012 to 2015-2016.

Admin

22. Mr Jeffrey LAM indicated support for the TIMS proposal in principle. He, however, pointed out that the real-time traffic and transport information provided at the Island Eastern Corridor and Gloucester Road served little purpose because it was not accurate, and the variable message signs were placed too near the ingresses concerned to facilitate route change. In response, AC for T/TS advised that an additional sign had recently been installed in the Eastern District to facilitate motorists' decision on whether the Eastern Harbour Crossing should be used. The Administration also regularly conducted on-site data checks to ensure data accuracy. The Administration was in general satisfied with the accuracy of the traffic and transport information provided on the above road sections although, if the traffic conditions changed too quickly, the changes might not be reflected sufficiently fast.

23. Mr Jeffrey LAM enquired whether during an incident both the ambulance and towing services would be arranged through the Police, and whether more emergency openings could be provided at the concrete central dividers of roads, so as not to restrict traffic, in particular ambulances, from making turns. AC for T/TS responded that TD would not only communicate with the Police during an incident but would also contact the Fire Services

Department (FSD) and the Highways Department direct. As to the design of central dividers, there was in fact a working group in this regard, and recently TD had been examining with FSD on whether and how the number of emergency openings of central dividers could be suitably adjusted.

V The traffic benefits from the opening of Tsing Sha Highway
(LC Paper No. CB(1)2296/09-10(02) — Administration's paper on the traffic benefits from the opening of Tsing Sha Highway)

Capacity and traffic benefits of the Tsing Sha Highway

24. Mr Jeffrey LAM sought details on the capacity of the Tsing Sha Highway (i.e. the eastern half of Route 8), and when it would be reached. The Assistant Commissioner for Transport/Planning (AC for T/P) responded that the peak hour volume/capacity (V/C) ratio of the section of the Tsing Sha Highway between Sha Tin and Cheung Sha Wan was, as shown in the relevant paper for the Public Works Subcommittee meeting on 22 May 2002, estimated to be 0.6 in 2007 and 2011, higher than its present V/C ratio of 0.5 as reported in the paper for this agenda item. The V/C ratio of the section of the Tsing Sha Highway between Tsing Yi and Cheung Sha Wan was 0.4, lower than the forecast 0.6. As to the overall design capacity of the Tsing Sha Highway, as a dual three carriageway highway, it could basically accommodate a traffic volume of 120 000 vehicles but there was also a need to take into consideration the capacity of its slip roads and connecting roads. Since at present its daily two-way flow was only some 30 000 vehicles, the Administration was confident that it would have adequate spare capacity to cope with increases in traffic demand arising from the continuous development of its neighbouring areas.

25. Mr Jeffrey LAM enquired about the changes in the traffic volumes of the Lion Rock Tunnel (LRT) and the Tate's Cairn Tunnel (TCT) upon the commissioning of the Tsing Sha Highway and the long-term measures to further relieve the congestion problem at LRT and TCT. AC for T/P responded that it was estimated that the V/C ratio of LRT would be lowered from 1.3 to 1.1 in 2011, whereas that for TCT would drop from 1.1 to 1.0. The present scenarios at the two tunnels were as estimated. The V/C ratio of the Cheung Tsing Tunnel had also been lowered from 1.0 to 0.7 as estimated. With the Tsing Sha Highway fully commissioned to relieve the traffic burdens of the above two tunnels, the V/C ratios of the tunnels would remain stable for a long time.

Proposals to boost the use of the Tsing Sha Highway

Through lowering its tolls

26. The Deputy Chairman opined that the Tsing Sha Highway was at present seriously under-utilized. He suggested that its use should be maximized by reducing its toll from the current \$8 to \$4 or even lower, so as to improve the traffic conditions of Kowloon West and in turn the traffic to the Hong Kong International Airport (HKIA) and the New Territories, and to effectively relieve the traffic burden of LRT and TCT. In particular, it should be noted that motorists who used the Tsing Sha Highway mostly had to pay extremely high tolls for use of the Western Harbour Crossing (WHC).

27. The Principal Assistant Secretary for Transport and Housing (PAS(T)) responded that the toll originally proposed for the Tsing Sha Highway was \$12 and had already been reduced to \$8 in response to members' views. Moreover, it always took time for motorists to become aware of and adapt to using the new roads. It was expected that the usage of the Tsing Sha Highway would increase in due course. Mr KAM Nai-wai also urged the Administration to conduct a trial on the Deputy Chairman's proposed toll reduction for three months to see its effect on LRT and TCT. The Deputy Chairman added that alternatively, promotion offers could be made for certain periods as in the case of WHC. In response, PAS(T) reiterated that the Administration was of the view that the toll level of the Tsing Sha Highway was appropriate, and it would from time to time review its usage to see whether any promotional measure was necessary.

Through improving the signage

28. Mr KAM Nai-wai urged the Administration to improve the signage of the Tsing Sha Highway to facilitate its use for journeys from WHC to Sha Tin or HKIA and vice versa, and from HKIA to Sha Tin and vice versa. In particular, clear and advance signs should be provided to properly direct motorists to Tsing Sha Highway's ingress in the vicinity of the Sha Tin Railway Station.

29. AC for T/P responded that the Administration already had a strategy of providing clear and sufficient signage for new roads as far as possible including both temporary and permanent signs. Where permanent signs were concerned, they were usually placed in sets of three alerting motorists in advance, midway and before the ingress/egress. More temporary signs, in the form of yellow road signs would also be used in recognition that they were more conspicuous. The Administration would continue to improve the signage of new roads after their commissioning in response to public feedbacks. In fact, in the light of past experiences more signage had already been provided for the Tsing Sha Highway. Directions on its use had also been provided on the

Internet.

Through relieving congestion at ingress

30. Mr WONG Sing-chi pointed out that the Shatin section of Tai Po Road near New Town Plaza, which was the road leading to the Tsing Sha Highway, was always seriously congested during peak hours. He urged the Administration to improve the situation to boost the use of the Tsing Sha Highway. He further highlighted the need to improve other supporting road facilities to ensure smooth traffic from the Northern District to Tai Po, Sha Tin and onward to Kowloon.

31. AC for T/P responded that the Administration had in fact planned to widen the above section of Tai Po Road to support the commissioning of the Tsing Sha Highway by permanently closing the slip road in front of Scenery Court. However, although no objection was received after gazettal of the relevant road improvement works in 2003 under the Roads (Works, Use and Compensation) Ordinance (Cap. 370), in November 2007 the Sha Tin residents concerned and the Sha Tin District Council (STDC) objected strongly to permanent closure of the slip road. The Administration had since been actively exploring other options to solve the above congestion problem, and in January 2010 had in fact proposed to STDC two options that would not necessitate closure of the slip road, and a further option that could provide an alternative to the slip road after its closure. These three options together with the original option of closing the slip road had been put forward to the public for consideration. Meanwhile, to solve the congestion problem early, the Administration was also exploring further options, and negotiating with STDC on all contemplated options.

VI Safety of franchised bus operation

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| (LC Paper No. CB(1) 2316/09-10(03) | — Administration's paper on working hour and rest time arrangements of franchised bus captains |
| LC Paper No. CB(1)2319/09-10 | — Background brief on safety of franchised bus operation prepared by the Legislative Council Secretariat |
| LC Papers Nos. CB(1)2265/09-10(01), (02) and (03) | — Administration's responses to the three submissions from the KMB Staff Union, the Citybus Limited Employees Union and the New World First Bus Company Staff Union |

respectively

LC Paper No. CB(1)2394/09-10(01) — Submission from the Motor Transport Workers General Union)

32. C for T updated members on the progress in the pursuit of measures to further enhance the working hour and rest time arrangements for the bus captains of franchised bus companies, in particular the following improvements –

- (a) During a six-hour duty, a total service break of at least 20 minutes should be provided, of which no less than 12 minutes should be within the first four hours of the duty. The time a bus captain spent at a terminal point preparing a bus for the next departure and monitoring passenger boarding would not be regarded as rest time;
- (b) The duration of the break between two successive working days would be revised from the current 9.5 hours minimum to ten hours minimum (the proposed break revision); and
- (c) The meal break time for bus captains would be no less than 45 minutes initially, with further improvement to no less than one hour.

Comments on the proposed improvements

General

33. The Deputy Chairman expressed disappointment at the proposed improvements to the Guidelines on Bus Captain Working Hours (the Guidelines), which he considered insignificant as no improvement had been proposed to the maximum duty length of 14 hours and driving duty of 11 hours allowed under the Guidelines. Pointing out that bus safety hinged on bus captains' health, he highlighted the importance of enabling them to properly rest and eat, and expressed regrets at TD's failure to bring about greater improvements in bus captains' working conditions. Mr WONG Sing-chi shared his views, and commented that the proposed improvements were only cosmetic. C for T responded that TD had in fact taken upon itself to bring about improvements to bus captains' working conditions.

On the proposed improvement to bus captains' meal break

34. Highlighting the lack of canteens at bus termini, Mr IP Wai-ming considered it inadequate to initially ensure that the meal break time for bus

captains would be no less than 45 minutes. C for T responded that the improvement of meal breaks to no less than 45 minutes would be completed by around the third quarter of 2011 and in about one year thereafter the break would be further improved to no less than one hour. Despite the phased approach, the initial improvement would still be a significant step forward considering the absence of specific requirement in this regard at present, and that the meal break time of other professions was similar.

35. Mr LEE Cheuk-yan called for immediate improvement of bus captains' meal break time to one hour on grounds that meal break was a basic human right. The Deputy Chairman said that franchised bus companies were making substantial profits and they should treat their staff better.

36. C for T responded that there was a need to adopt a phased approach in improving bus captains' meal breaks because additional bus captains would need to be recruited and trained to cover the service gaps arising from the increase in meal break time. As understood from the bus companies, in particular The Kowloon Motor Bus Company (1933) Limited (KMB), some 500 additional bus captains would need to be recruited if a one-hour meal break was to be introduced immediately. Considering the lead time for the recruitment exercise, the Administration considered it more practical to require bus captains to have 45-minute meal breaks initially because, this initial improvement alone would necessitate the recruitment of 200 additional staff members by KMB, not to mention the need to fill positions left vacant by natural wastage, and the time required for training new recruits.

37. Mr LEE Cheuk-yan enquired whether a new guideline on meal breaks would be added to the Guidelines to prevent bus companies from meeting the new 45-minute meal break requirement just by adding 15 minutes to the 30-minute rest break after six hours of duty already available to bus captains. The Assistant Commissioner for Transport/Bus and Railway responded that whether the above rest break could merge with the meal break would depend on specific duty arrangements. If a bus captain had meal after a six-hour duty, his meal break might overlap with the above 30-minute rest break. The Administration would improve the working hour and rest time arrangements of bus captains by clarifying that the time they spent at a terminal point preparing a bus for the next departure and monitoring passenger boarding would not be regarded as rest time.

38. Mr WONG Sing-chi considered it unacceptable that the Administration should allow meal breaks of bus captains to overlap with their rest breaks, so that the latter would in effect be shorter than 30 minutes. He opined that the tolerance of such arrangement would encourage abuse. C for T responded that only in the event that a bus captain would have meal after a six-hour duty would his lunch break overlap with his rest break. The same would not happen in other cases. Moreover, bus captains could also rest during meal

breaks. Mr WONG remained concerned that bus companies could make use of duty arrangements to deny bus captains proper meal and rest breaks.

On the proposed improvements to bus captains' rest breaks

39. Mr WONG Sing-chi pointed out that although Guideline A of the Guidelines specified that within a six-hour duty, bus captains should have total service breaks of at least 20 minutes of which no less than 12 minutes should be within the first four hours of the duty, on average a bus captain would in fact have only a few minutes' rest per hour, so that he might not even have sufficient time to go to the toilet. As such, bus captains would still have little or no rest time, and TD should continue to make efforts to ensure they would have sufficient rest breaks. The Administration noted his views.

40. Mr Albert CHAN opined that the franchised bus companies were exploiting bus captains. Pointing out that the treatment of bus captains in Hong Kong might be the worst among all developed countries, he suggested that the Secretariat's Research and Library Services Division should be asked to conduct a research into the rest breaks of bus captains overseas and of the workers working at factories under Foxconn International Holdings, and how they compared with Hong Kong bus captains' rest breaks. In his view, if the latter was even worse off than those available to Foxconn's workers, the bus companies should be strongly reprimanded.

41. Mr LEUNG Kwok-hung pointed out that to ensure bus safety, bus companies should treat bus captains well. To establish the relationship between bus safety and the rest breaks of bus captains, he opined that a survey should be conducted on, say, 50 bus captains to track the changes in their physical conditions when on duty. The Administration noted his views.

Bus captain unions' views

42. Mr WONG Kwok-hing highlighted the following points in the submission from bus captain branches of the Motor Transport Workers General Union (the General Union) tabled at the meeting –

- (a) By arranging for bus captains to be off duty after having been on duty six hours, bus companies could avoid complying with Guideline A of the Guidelines, which required bus captains to have a break of at least 30 minutes after six hours of duty;
- (b) There were not sufficient amenity facilities, such as pantries and toilets, at bus termini to enable bus captains to really take a break. According to the information collected by the General Union on 138 of the some 400 bus termini in total, 56.5 % of these 138 bus termini did not have toilets, less than 40% had

both rest areas and pantries, and most rest areas were too small to serve any purpose. As a result, the travelling time to and from toilets would take up most of the rest time bus captains could enjoy at bus termini;

- (c) According to the General Union's survey above, 97.8 % of bus termini did not have canteens. The need to walk to and from food outlets meant that little time was left for bus captains to take meals;
- (d) Certain bus captains who had to be on duty during both the morning and evening peak hours were opposed to the proposed break revision because their incomes might, as described in the submission, be adversely affected as a result; and
- (e) The Administration should penalize bus companies for non-compliance with the Guidelines, and should conduct more random compliance checks.

43. C for T responded to the above points as follows –

- (a) Regarding amenity facilities at bus termini, the Administration considered it more useful to clearly specify the duration of meal breaks for bus captains than providing canteens for them. Hence the proposal to ensure that the meal break time for bus captains would be no less than 45 minutes initially, with further improvement to no less than one hour. Meanwhile, the Administration would also request bus companies to provide microwave ovens, refrigerators and drinking water dispensers at bus termini as far as practicable to enable bus captains to bring their own meals instead of dining out; and
- (b) The proposed break revision had in fact been made in response to the concerns and requests of bus captains and members. In recognition of the concern in paragraph 42(d) above, the Administration would re-examine the proposed break revision with bus companies and their staff, so as to ensure that it would be able to give bus captains longer breaks between two successive working days without compromising their incomes. The proposed break revision would therefore not be implemented before December 2010.

44. C for T further said that bus companies had already been requested to set up internal monitoring mechanisms to ensure compliance with the Guidelines in actual operation and to submit reports to the Administration every three months. The Administration would also regularly meet with the

companies to examine their reports. TD also conducted whole-shift random on-board surveys on the working hour arrangements of bus drivers from time to time.

45. Noting the above response, Mr LEE Cheuk-yan enquired whether TD could meet with both bus companies and bus captain unions every three months to understand the circumstances instead of only receiving reports from bus companies. He added that the bus captain branches of the Hong Kong Confederation of Trade Unions had made similar requests as those in the General Union's submission.

Amenity facilities at bus termini

46. Mr IP Wai-ming asked whether the need to provide amenity facilities could be taken into consideration when designing bus termini in future. C for T advised that TD had obtained from bus companies the list of bus termini which had been unable to get the necessary approval from relevant departments, so that TD could play a coordinating role and assist in negotiating with relevant departments to facilitate the provision of amenity facilities at bus termini.

47. The Deputy Chairman was not convinced that the Administration had striven to ensure that bus termini were all equipped with necessary facilities such as toilets. Mr Albert CHAN further pointed out that it would not cost much to provide chemical toilets at those bus termini without toilets. He urged the Administration to ensure the provision of toilets at all bus termini as soon as practicable and provide a timetable for the work.

Admin

48. In response, C for T reiterated that TD was helping bus companies to liaise with relevant departments to provide toilets at bus termini. The Managing Director of KMB added that close to 70% of KMB's bus termini already had toilet facilities. As to the remaining bus termini, because of objections from relevant parties, there was difficulty in provision of even chemical toilets for them. It was hoped that TD's undertaking to assist in liaison with the departments concerned might help improve the situation. Noting the above, Mr CHAN asked for a list of the bus termini concerned, with details on when applications for toilet reprovisioning were made, why such applications had been turned down and which parties objected, so that members could help overcome the hurdles.

Admin

49. Mr LEUNG Kwok-hung opined that the non-provision of public toilets at bus termini was a planning mistake because the facility was necessary for use not only by bus captains but also by passengers. In his view, such planning mistakes should be rectified as a whole. The Administration also had the responsibility to ensure that public utilities companies like bus companies would treat its staff and clients reasonably by providing the necessary facilities. As such, the above requested details on the

reprovisioning of toilets at bus termini should be provided as soon as practicable.

VII Any other business

50. There being no other business, the meeting ended at 10:45 am.

Council Business Division 1
Legislative Council Secretariat
19 October 2010