

# 立法會

## *Legislative Council*

LC Paper No. CB(1)444/10-11  
(These minutes have been seen  
by the Administration)

Ref : CB1/PL/TP/1

### **Panel on Transport**

**Minutes of meeting held on  
Friday, 23 July 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)  
Hon LAU Kong-wah, JP  
Hon Abraham SHEK Lai-him, SBS, JP  
Hon LI Fung-ying, SBS, 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 KAM Nai-wai, MH  
Hon WONG Sing-chi  
Hon IP Wai-ming, MH

**Members absent** : Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon Ronny TONG Ka-wah, SC  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP  
Hon LEUNG Kwok-hung  
Hon Albert CHAN Wai-yip

**Public officers attending : Agenda item II**

Ms Eva CHENG, JP  
Secretary for Transport and Housing

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

Miss Erica NG  
Principal Assistant Secretary for Transport and  
Housing (Transport) 2

Ms Irene HO  
Assistant Secretary (Transport)  
Transport and Housing Bureau

Mr Stephen Harvey VERRALLS  
Chief Superintendent (Traffic)(Ag)  
Hong Kong Police Force

Ms Angela NG  
Senior Superintendent (Administration)  
(Traffic Branch Headquarters)  
Hong Kong Police Force

Mr Shylock WONG  
Superintendent (Law Revision & Projects)  
(Traffic Branch Headquarters)  
Hong Kong Police Force

Mr TSANG King-man  
Assistant Commissioner / Technical Services  
Transport Department

Dr Tina MOK  
Principal Medical & Health Officer (1)  
Department of Health

Dr F C KWOK  
Assistant Government Chemist  
(Forensic Science Div)(Ag)  
Government Laboratory

Dr W C CHENG  
Senior Chemist (Forensic Toxicology A Section)  
Government Laboratory

Dr LAU Fei-lung  
Director  
Hong Kong Poison Information Centre  
Hospital Authority

**Agenda item III**

Ms Maisie CHENG  
Deputy Secretary for Transport & Housing

Mrs Apollonia LIU  
Principal Assistant Secretary for Transport &  
Housing

Mr WONG Hang-chi  
Deputy Director of Highways

Mr YEUNG Kwok-kuen  
Regional Highway Engineer / New Territories  
Highways Department

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

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

Miss Pauline NG  
Clerical Assistant (1)1

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Action

- I Information papers issued since last meeting**
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|----------------------------------|---|
| (LC Paper<br>CB(1)2506/09-10(01) | No. — Submission on changes made by MTR Corporation Limited (MTRCL) to staff welfare from six staff unions of MTRCL |
| LC Paper<br>CB(1)2506/09-10(02)  | No. — Submission complaining about the service of bus route 89D from a member of the public)                        |

Members noted the above papers issued since the last meeting.

- II Initial proposals to combat drug driving**
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|----------------------------------|--|
| (LC Paper<br>CB(1)2587/09-10(01) | No. — Administration's paper on initial proposals to combat drug driving   |
| LC Paper<br>CB(1)2587/09-10(02)  | No. — Legislative Council question on "Driving a motor vehicle under the influence of medicines or drugs" raised at the Council meeting on 24 February 2010 and the Administration's reply |
| LC Paper<br>CB(1)2587/09-10(03)  | No. — Legislative Council question on "Drug driving" raised at the Council meeting on 2 June 2010 and the Administration's reply   |
| LC Paper<br>CB(1)2580/09-10(01)  | No. Powerpoint presentation materials provided by the Administration)  |

2. With the aid of power-point, the Secretary for Transport and Housing (STH) and the Principal Assistant Secretary for Transport and Housing (Transport) 2 (PAS(T)2) briefed members on the Administration's initial proposals to combat drug driving (the initial proposals). Members in general expressed support for the initial

proposals in recognition of the serious risks posed by drug driving.

Discussion

*The proposal to conduct the preliminary impairment test at police stations*

3. Mr WONG Kwok-hing pointed out that some of the initial proposals required further examination in the light of the views of the trade and the public. In particular, he questioned the proposal to conduct the preliminary impairment test at a police station instead of at the scene, as the effects of drug(s) on the driver concerned might have worn off when he reached the police station. Moreover, if there were goods or passengers on board, the above proposal would cause even greater inconvenience and nuisance. Some of the drivers were also concerned that they might be denied fair treatment with no third parties present at the police station.

4. STH responded that reference had been made to overseas experience when working out the initial proposals. In recognition of Hong Kong's busy traffic and hence greater disruption, it was considered that the impairment test could produce more accurate results if conducted indoor (such as at a police station). Regarding the above concern about unfair treatment, it should be noted that the preliminary impairment test would be conducted with video-recording facilities by trained police officers according to approved procedures. Such arrangement should be able to safeguard drivers' interests. As to how vehicles carrying passengers would be handled if the drivers concerned had to undergo the preliminary impairment test at the police station, these passengers would be handled in the same way as those affected by road blocks. Moreover, although passengers might be inconvenienced, the test was in fact designed to ensure their safety. The Chief Superintendent of Police (Traffic), Hong Kong Police Force (CSP T) added that the Police would help ensure the security of the goods, if any, on the vehicles. While the drivers concerned might have to arrange for other drivers to drive away their vehicles, the Police would allow the vehicles to stay in the police station until the arrangement could be made.

5. Mr WONG Kwok-hing was not assured, and pointed out that the passengers concerned might need to hurry to work or even to the airport. STH responded that a driver would be required to undergo the preliminary impairment test only when the Police had reasonable cause to believe that the driver was suspected to be influenced or impaired by

drugs. Given the circumstances, she believed the passengers affected would appreciate the need to conduct the test on the driver to ensure their safety.

6. Mr LAU Kong-wah also questioned the objectivity of the proposed preliminary impairment test, pointing out that a person who had not taken drugs might still fail the tests because the movements required to be performed could be difficult even for normal people. He expressed concern as to whether the accuracy of the test or of the assessment made might easily be subject to disputes. He also queried whether the police officers would be able to make accurate judgment in conducting the Pupil Measure Test. He further pointed out that the accuracy of the impairment tests conducted in the United Kingdom (UK) was low being at only 66%. He considered that conduct of the random breath test (RBT) to detect drink driving at the scene to ensure objectivity and fairness was the reason for RBTs' success. He was of the view that to minimize disputes, there was a need to use equipment for preliminary screening as in Australia, where a rapid oral fluid testing device was adopted to conduct preliminary tests at roadside.

7. STH assured members that apart from providing sufficient training to police officers and developing proper testing standards to ensure objectivity and fairness, the Administration would clearly explain to the public the operational details of the preliminary impairment test before its introduction. STH and CSP T explained that with 10 years' experience in regulating drug driving, UK had already developed scientific guidelines for conducting its field impairment tests with test standards set for each of the five components and to take into account physical conditions of individual drivers which might affect their performance. In fact, in calculating the 66% accuracy rate of the UK tests, the negative cases had also been taken into account. If criteria similar to those of Australia were used to assess the accuracy, the success rate of the UK tests would be 94%, comparable to that of the Australian tests at 95%. As to the proposal on using equipment, STH explained that the Australian experience could not be directly applied to Hong Kong because the equipment used there could not detect ketamine, the most common drug of abuse in drug driving cases in Hong Kong. Although the Administration had been closely liaising with suppliers on the required equipment and some suppliers had indicated interest in supplying it, no reliable rapid oral fluid test device on ketamine could be found in the market for enforcement purposes. As such, pending the availability of the required equipment, there was a need to use the impairment test as a preliminary test in the initial stage.

8. The Deputy Chairman considered that the preliminary impairment test should be conducted on the roadside, and that a lane could be cordoned off to provide the space required. Mr WONG Sing-chi also opined that the Administration should try to conduct the preliminary impairment test on the spot rather than at police stations to avoid disputes that the driver's failure in the impairment test conducted at a police station was caused by other factors and not due to having taken drugs. STH explained that whether the preliminary tests could be conducted on the roadside would depend on the availability of a rapid oral fluid testing device because without which, only impairment tests could be conducted, and such tests could not possibly be conducted on the roadside given the road environment in Hong Kong. She reiterated that the Administration had been closely liaising with suppliers on the required testing device and some suppliers had indicated interest in supplying it. She added that the proposal to conduct the impairment test at roadside required careful consideration also because of its privacy implications and the difficulty it might cause to video-recording.

9. STH pointed out that although the current legislation stipulated that a person committed an offence if he drove under the influence of drugs to such an extent as to be incapable of having proper control of the vehicle, the current legislation did not require a driver to provide body fluid specimens for analysis. Hence, the police had to seek the consent of the driver concerned before taking his body fluid specimen. This had caused certain difficulties in collection of evidence. It was therefore proposed to introduce preliminary tests to help frontline police officers determine whether a driver was driving under the influence of drugs (including dangerous drugs), so as to assess whether the driver should be required to provide blood or other body fluid specimen for further analysis. Whether conducted at the scene or not, the impairment test could serve as an objective method to help the Police establish reasonable suspicion in drug driving cases, so that building on this reasonable suspicion, police officers could require the suspected driver to give specimens of oral fluid or blood or other body fluid specimens for laboratory analysis to ascertain whether he had taken any drugs.

10. Mr Jeffrey LAM expressed concern about the accuracy of the proposed preliminary impairment test in detecting drug driving because in his view the effect of drugs on driving ability might take time to show, and that drivers tested might use physical problems to account for failure in the test. He therefore also supported the use of equipment to take specimens of oral fluid or blood or other body fluid specimens for laboratory analysis.

11. STH responded that before the Police could require a driver to take the preliminary impairment test, they had to have reasonable cause to believe that the driver was suspected to be influenced or impaired by drug. There was therefore no need for concern about the effect not being shown. The Director, Hong Kong Poison Information Centre, Hospital Authority (D/HKPIC) added that how long the effect would last would hinge on how the drug concerned was taken. If inhaled or injected, the effect would show in just one to two minutes. If taken orally, the time would be half an hour. As such, most drug drivers could be detected if required to take the impairment test. STH further assured members that when a rapid oral fluid testing device suitable for local use was developed, the Administration would consider using it for preliminary screening. Meanwhile, the Administration would carefully work out the procedures for conducting the preliminary impairment test with reference to established overseas practices, so as to ensure its accuracy.

12. Highlighting the success of the Australian experience, the Deputy Chairman opined that notwithstanding equipment and resource constraints, preliminary tests should be conducted using currently available equipment, and improvements could be introduced later as new technologies evolved. STH pointed out that the best scenario was that an equipment which could detect traces of a number of drugs, particularly ketamine, could be identified early for use.

*Other views and concerns about the proposed drug driving tests*

13. Noting that refusal to undergo drug driving tests would be an offence, Mr WONG Sing-chi questioned the rationale behind point (6) of Annex G to the Administration's paper for this item, namely, that when the driver concerned was sober, consent would need to be sought from him to have the blood tested. CSP T responded that at present, when a person was unconscious, the Police did not have the power to take body fluids from him. This was a loophole because if the person remained unconscious sufficiently long, the traces of alcohol or drug in his body might have disappeared. The Administration was therefore proposing to plug this loophole by empowering the Police to take blood from such a person, and by specifying that consent would need to be sought from him only when he was sober.

14. Mr IP Wai-ming enquired whether factors other than drug or alcohol could be at play if a driver could not drive properly. STH responded that an eliminative approach would be adopted in identifying



the factor affecting a driver's driving ability, under which the alcohol screening test would be administered first. If cleared of that, the impairment test would be conducted during which the driver would be asked if he was suffering from any physical conditions that would affect his test performance. If the driver performed poorly in the impairment test, the taking of body fluid would then follow to provide more details for identification of the cause.

15. Noting that refusal to take the relevant drug driving tests would be an offence, Mr IP Wai-ming sought details of the penalties. PAS(T)2 responded that the offence would be subject to the same penalty for the offence of driving a motor vehicle under the influence of drink.

*The need to differentiate between genuine and inadvertent drug driving*

16. Mr WONG Kwok-hing pointed out that some illicit drugs such as triazolam/midazolam/zopiclone, nimetazepam and certain cough medicines might be used for medical purposes. There was therefore a need to ensure that clear explanations on their likely adverse influence on a person's driving ability would be given, and that they could not be easily purchased over the counter to prevent drivers from being inadvertently caught drug driving. STH responded that according to the codes of practice issued by the Medical Council and Dental Council, drugs prescribed had to be labelled clearly explaining the dosage and things to note including the major side effects. The Hospital Authority was also making efforts to standardize drug labelling in Government and private clinics. Trained pharmacists had also been made aware of the need to explain the side effects to purchasers of prescription drugs, in particular their likely impacts on driving ability. During consultation on the initial proposals, these professional associations would be consulted on drug labelling, and on how to publicize and enforce their codes of practice, so as to ensure patients' safety as well as the safety of others.

17. While agreeing that stringent measures against drug driving were justified, Ms LI Fung-ying stressed the need to differentiate between drivers who really abused drugs and those who took drugs for medical purposes. She pointed out that in reality the doctor or the nurse seldom spared time to explain the side effects of drugs (e.g. causing drowsiness) to patients. Moreover, a driver might just take over-the-counter drugs the ingredients and side effects of which were unclear to him. She expressed concern about the implications on a driver's third party risks insurance if he inadvertently committed the drug driving offence under the above circumstances.

18. STH reiterated that according to the existing section 39 of RTO, it was already an offence for a person to drive a motor vehicle under the influence of drugs to such an extent as to be incapable of having proper control of the motor vehicle. The initial proposals only sought to enhance the objectivity of this provision and facilitate evidence collection to improve road safety. Moreover, existing drug labelling requirements and codes of practice for doctors and dentists had already provided that the side effects of drugs should be clearly explained to patients and, to tie in with the initial proposals, improvements in drug labelling in terms of consistency and clarity could be considered in consultation with the associations. Publicity and education efforts would also be geared up. The Principal Medical & Health Officer (1), Department of Health (PM&HO) added that for over-the-counter drugs, the current drug labelling requirements demanded the provision of clear information on the side effects as well as warnings against driving or operation of machines where necessary for drugs that could cause drowsiness, which were mainly for treating colds.

19. Mr IP Wai-ming, however, pointed out that the font size of drug label warnings was always very small. He was also keen to ensure that the non-drowsiness claims of drugs were really reliable, and opined that the drug manufacturers concerned should be cautioned against making such claims lightly. STH responded that improvements to the drug labelling requirements, including whether the font size of warnings should be specified, would be pursued during the above consultation exercise. PM&HO added that the present provisions had already required the warnings to be presented in a clear and legible manner. She further explained that drugs with non-drowsiness claims might still cause drowsiness because reactions to drugs varied among individuals.

20. Noting the above response, Mr IP Wai-ming expressed concern that drivers might still be inadvertently caught drug driving notwithstanding improvements to the drug labelling requirements. Addressing his concern, STH explained that since a wide range of drugs were available in the market and reaction to drugs varied among individuals, it was difficult to ascertain the effect of every type of drug on driving behaviour. The proposed defence had therefore been put forward to help protect drivers from being inadvertently caught drug driving. Moreover, a small dosage of mild medicines for treating colds or pain would unlikely cause drivers to perform poorly in the preliminary test.

21. Mr LAU Kong-wah enquired how the labelling requirements would apply to Chinese prescription medicines. D/HKPIC responded that most Chinese medicines were mild and would not cause drowsiness unless overdosed, or prepared to treat insomnia. As such, the risks posed by Chinese medicines were expected to be low in general. Mr LAU called for more efforts to ascertain the risks in recognition that Chinese medicines were popular, and that drivers who had unknowingly committed the drug driving offence would be prosecuted before they could invoke the proposed defence.

*Suggestion of trying out the initial proposals at sites near to border control points and legislative timetable*

22. Mr WONG Kwok-hing and Mr WONG Sing-chi opined that the initial proposals should be put on trial at blackspots such as in the vicinity of border control points before their formal implementation. STH responded that legislation to empower the Police to require drivers to undergo the various tests concerned were yet to be made available. Under the circumstances, the Administration had reservations about conducting field trials of the tests. STH added that the Police had already been targeting their actions at cross-boundary vehicles through road blocks and various enforcement campaigns. There was however difficulty in conducting a trial of the initial proposals on these vehicles pending the availability of the relevant empowering provisions. CSP T confirmed that road blocks were often set up in New Territories North targeting not only at drink driving but also drug driving.

23. The Deputy Chairman considered it necessary to introduce measures to combat drug driving expeditiously considering the strong public concern about drug driving. To expedite the legislative process concerned, he proposed that the necessary empowering provisions should be incorporated in the Road Traffic (Amendment) Bill 2010 (the Amendment Bill 2010) presently under scrutiny. He considered that the medical field and the transport trade would not object to his proposal. In his view, the major concern regarding the current proposals was the preliminary impairment test, and on how reasonable suspicion should be established.

24. STH responded that apart from specifying the drugs to be subject to zero tolerance control, there was also a need to put in place provisions to empower the Police to conduct drug tests. The latter move would be complicated considering the tests' implications not only on human rights but also on privacy, as evidenced by the hot debate on the RBT before its introduction. Moreover, although overseas experience was available, it

could not be directly borrowed but regard had to be given to local conditions. Notwithstanding, the Administration had started to draft the necessary enforcement guidelines, so that when the legislative proposals on drug driving were finalized, the enforcement procedures would also be ready to address concern about abuse. The Administration aimed at completing the consultation on the initial proposals during the summer months.

25. In response to the Deputy Chairman on the legislative timetable, STH said that the Administration planned to consult medical associations, pharmacist associations, the transport trades and motorists associations etc. on the initial proposals. Notwithstanding the number and complexity of issues involved such as disclaimers and drug labelling, the Administration aimed to introduce the necessary legislative amendments within the next legislative session.

26. The Deputy Chairman expressed dissatisfaction with the above legislative timetable and urged the Administration to bring about the necessary legislative amendments as early as practicable, preferably in the context of the Amendment Bill 2010 and if not, to introduce the drug driving bill the latest in October 2010, so that the law could take effect before Christmas. STH reiterated that the conduct of the various drug driving tests required sound legal basis, and assured members that the Administration would try to complete the relevant consultation exercise during the summer months.

27. Noting that it might take a year for the relevant anti-drug driving provisions to take effect, Mr WONG Kwok-hing enquired about measures that would be taken in the interim to combat the drug driving problem considering its seriousness, particularly at the blackspots concerned which in his view were mostly in the vicinity of border control points. STH responded that there might not be any drug driving black spots as such as the 37 drug driving incidents that had happened so far mostly occurred in different areas. In the meantime, the Administration would tackle the drug driving problem as vigorously as permitted under existing laws. She added that the Police had already stepped up enforcement efforts through setting up road blocks with satisfactory results in bringing about changes in driving behaviour, particularly where drink driving was concerned.

### III Emergency works for public roads during typhoon and rainy season

(LC                      Paper                      No. — Administration's paper on  
CB(1)2587/09-10(04)                      emergency works for  
public roads during  
typhoon and rainy  
season)

28. The Deputy Secretary for Transport & Housing (DSTH) briefed members on the arrangements and procedures for handling emergency works for public roads by the Highways Department (HyD) during the typhoon and rainy season.

#### Proposals on prevention of flooding

##### *By keeping river channels unobstructed*

29. The Deputy Chairman referred to the spate of flooding in Tai Po the day before this meeting, and sought details on the work performed by HyD in preventing flooding, namely, clearing or repairing road drainage or roadside slope drainage systems to enable flooding to subside, and conducting regular vegetation maintenance operation at roadside slopes and expressways. Pointing out that to prevent flooding in NT, not only road drainage but also river channels had to be kept unobstructed, he also expressed concern that no department seemed to be responsible for the latter but the management of different parts of the river were entrusted to different departments. The Deputy Chairman further pointed out that the flooding in Tai Po might have been caused by the felling of trees to make way for the Tolo Highway widening works, which might have loosened the soil and discharged debris into rivers. He therefore urged HyD to strengthen the slopes affected by the Tolo Highway works, and called upon the Transport and Housing Bureau (THB) to improve co-operation among relevant bureaux/departments to tackle the flooding problem.

30. DSTH responded that under emergency circumstances, all relevant departments would fully co-operate to solve any drainage problems efficiently. She also clarified that the village affected by the flooding in Wun Yiu, Tai Po was some distance from the site of the Tolo Highway works. Notwithstanding, the Administration would carefully examine whether there was any correlation between the two and if so, map out measures to improve the situation. She further emphasized that the felling of trees necessitated by large-scale works projects would be

conducted according to the relevant environmental impact assessment (EIA) report. The Deputy Director of Highways (DDHy) supplemented that contractors of roadworks were strictly required to prevent discharge of debris into nearby rivers in taking forward the works. There would also be resident engineers and inspectors of works on site to ensure the above, and contractors would be required to take preventive actions as necessary. He also assured the meeting that HyD was already examining whether the recent flooding in Tai Po was associated with the works of the Tolo Highway widening project.

*By taking precautionary measures whenever there was heavy rain*

31. Mr WONG Sing-chi drew the Administration's attention to such flooding blackspots as the section of Princess Margaret Road in the vicinity of the Pui Ching Road Flyover, which was at a low level compared with the surrounding area, and urged the Administration to take precautionary measures for such flooding blackspots whenever there was heavy rain. In response, DDHy undertook to pay greater attention to the above road section; he also welcomed the public to report on other such vulnerable road sections to HyD for follow-up. In fact, HyD had been closely co-operating with the Drainage Services Department (DSD) in making improvements to the drainage of such black spots. In the past two years, HyD had introduced improvements to 19 road sections susceptible to flooding by installing additional gully inlets or increasing the capacity of drainage pipes. Special teams would also be sent to patrol flooding blackspots when there was heavy rain to take timely remedial actions.

*By estimating flooding risks*

32. Mr LAU Kong-wah highlighted the need to address public concern about flooding incidents like those that had happened the day before, especially as many villages in NT were, like the village in Wun Yiu which suffered the heaviest loss, made up of cottages dispersed along the river, and were thus vulnerable to flooding. In his view, given the scale of the problem, there was a need to adopt a strategic approach to prevent flooding by involving not only HyD but also the Housing Department (HD) to regulate the clustering of cottages, and the Civil Engineering and Development Department to prevent landslides. He further enquired whether the Administration had made any estimate of the susceptibility of the various NT villages to flooding, so as to facilitate prevention and issue of flooding warnings.

33. DSTH stressed the practical need for clear demarcation of duties regarding the maintenance and monitoring of slopes because Hong Kong was hilly and landslide prevention work was important and demanding. In this regard, HyD was mainly responsible for slopes along roads, especially those affected by roadworks, and had its own mechanism for their monitoring and maintenance. DDHy supplemented that HyD would also support other departments (e.g. HD and DSD) in performing remedial works in emergency situations. As to preventive measures, he undertook to examine in conjunction with relevant departments what role HyD could effectively play in the overall prevention of flooding in future. Noting the response, Mr LAU Kong-wah emphasized that comprehensive estimate of various villages' flooding risks was necessary to enable timely preventive measures to be taken.

*By actively tackling flooding blackspots*

34. Ms LI Fung-ying expressed concern about the progress in tackling flooding blackspots, such as the section of road underneath the railway bridge opposite the new municipal building next to the Tai Po Market Railway Station, the subway linking the Tai Po Market Railway Station with Kwong Fuk Estate, and the subway leading from the Tai Po Market Railway Station to the nearby shuttle bus stop. DDHy responded that HyD would follow up to improve the situation of such road and subways immediately after the meeting. If blockage of local drain pipe(s) or malfunction of the pump room was the cause, the situation could likely be improved within a short time. However, where the cause was not local problems but blockage of the underground drainage system of a wider area, HyD would need to liaise with DSD for long-term solution.

*By setting up a flood prevention centre*

35. Mr LEE Wing-tat noted that flooding incidents in NT in recent years often occurred in areas where there were works projects nearby. As such, to prevent flooding a flood prevention centre should be established under a lead department, preferably the Development Bureau which oversaw most of the works departments, to orchestrate concerted efforts in preventing floods, instead of allowing different departments to continue to perform their respective flood prevention duties separately. He further said that the flood prevention centre proposal should be referred to the Development Bureau for consideration.

Admin

36. DSTH responded that the Administration recognized the importance of prevention, and had therefore already taken many

preventive measures. Under normal emergency circumstances, the Emergency Control Centres (ECCs) of different departments would come into operation on their own. Where the situation was serious, the Emergency Monitoring and Support Centre under the Security Bureau would come into play to monitor the emergency services of all relevant departments in response to emergency situations and coordinate information dissemination, etc. On a day-to-day basis, while individual departments would each ensure satisfactory prevention works for their respective areas of responsibility, there could also be more general coordination in some areas (e.g. slope safety which fell under the purview of Development Bureau).

### Workers deployed to clear blockage of roads

37. Mr IP Wai-ming highlighted the danger of working under typhoon and rainstorm warnings, and enquired about the guidelines for deploying workers to clear blockage of roads under the circumstances. He also asked whether performance of the above duties could be deferred until the weather improved.

38. DSTH responded that HyD's emergency handling manual already clearly stated how staff should act under different circumstances, and reminded them that they should ensure their own safety first. As such, the workers concerned should slow down or even stop their work if their safety was at risk. Similar conditions had also been written into HyD's contracts with its term maintenance contractors to provide that under emergency circumstances e.g. when typhoon signal number 8 or above, or the black rainstorm signal, was hoisted), the contractors might suspend the patrol or blockage clearance work concerned. HyD had also ensured that the labour insurance which contractors took out for their staff would cover work under inclement weather.

39. Ms LI Fung-ying remained concerned about the safety of the frontline staff who performed remedial duties round the clock when there was emergency. Highlighting the importance of training, in particular understanding of the relevant guidelines, to ensuring safety, she called for greater training efforts. DSTH and DDHy responded that HyD provided briefing and training for its ECC staff every year before the rainy season. DDHy supplemented that videos would be used for training, and staff would be warned against doing things that might endanger themselves, so that they would all understand that they should stop work and find shelter when typhoon signal no 8 or above, or the black rainstorm signal was hoisted unless rescue work was involved. Even under such special



circumstances, staff would still be reminded to give due regard to safety, and to heed the directions of the responsible engineering staff on how the work should continue.

40. Mr IP Wai-ming sought figures on the number of workers employed by each of the term maintenance contractors engaged by HyD, and on the number of workers normally deployed for each operation. DDHy responded that over 80 people, including HyD's own staff, would be involved in HyD's ECC every time it was activated. As to the number of workers deployed by HyD's term contractors for each operation, that would depend on the seriousness of the incident concerned. Where the incident was serious as in the blockage of the Keung Shan Road by landslide in 2008, a few hundred workers could be involved. The same was true for the Tai Po flooding incident. If necessary, HyD could even call upon the resources of its capital works project contractors in the vicinity of the incident site to assist in the emergency works.

#### Proposals to improve co-ordination

41. Mr IP Wai-ming highlighted the Administration's proposal to develop a Traffic and Incident Management System (TIMS) in Transport Department (TD) to facilitate traffic and transport incident management and dissemination of real-time traffic and transport information to the public, and enquired whether HyD had any plan to correspondingly upgrade its information technology (IT) systems to achieve better co-ordination of its ECC with TD's Emergency Transport Co-ordination Centre (ETCC). Mr WONG Kwok-hing considered the use of IT important in improving co-ordination to efficiently handle the blockage of roads resulting from serious incidents or inclement weather, and enquired about the progress in the development of TIMS to support ETCC. DSTH responded that there was already good co-ordination among the ECCs respectively activated by all relevant departments in the event of emergencies. As to the progress of TIMS, since it was being studied by TD, which was not represented in the discussion of this item, the details would be provided to members after the meeting.

Admin

42. Mr WONG Kwok-hing expressed regrets at the above response, pointing out that TIMS had already been studied for years, and that the unavailability of the requested information indicated poor co-ordination among TD, HyD and THB. Pointing out that telephone communication might break down during serious traffic incidents, he stressed the

importance of developing TIMS early to facilitate overall co-ordination and efficient incident handling.

43. DSTH responded that inter-departmental co-ordination and co-operation, in particular that between TD and HyD, had always been satisfactory. The Regional Highway Engineer/New Territories confirmed that, and added that ETCC operated round the clock and, if there was a need to size up the territory-wide situation, ETCC could always deploy mobile closed-circuit television, or use the sources of HyD and the Police to further enhance the effectiveness and comprehensiveness of the data collection process. Moreover, while TD would be responsible for liaising with public transport operators to make the necessary transport arrangements, other departments would also help ensure smooth traffic, such as the clearance of road blockages by HyD. As such, pending development of TIMS, ETCC could already function satisfactorily. Mr WONG maintained that there was a need for the Administration to expedite the development of TIMS.

44. Highlighting the seriousness of the flooding in Tai Po the day before, Mr WONG Sing-chi pointed out that to minimize such tragic incidents, better co-ordination among departments should be ensured, such as by co-ordinating the efforts of different departments concerned to keep road shoulders and adjacent lanes of roads in the countryside clear. On the improvement of inter-departmental co-ordination, DSTH reiterated that co-ordination in emergencies was satisfactory, in that all relevant departments would work as a team to help tackle the incidents concerned. Relevant bureaux/departments would also seek to achieve better co-ordination among all relevant parties on prevention work. Ms LI Fung-ying pointed out that July was the typhoon and rainy season, and urged the Administration to improve co-ordination early to effectively prevent flooding incidents like the Wun Yiu incident.

#### **IV Any other business**

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