

立法會
Legislative Council

LC Paper No. CB(1)1539/10-11
(These minutes have been seen
by the Administration)

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Panel on Transport

**Minutes of meeting held on
Friday, 28 January 2011, at 8:30 am
in Conference Room A of the Legislative Council Building**

Members present : Hon Andrew CHENG Kar-foo (Chairman)
Hon CHEUNG Hok-ming, GBS, JP (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yee, GBS, JP
Hon Abraham SHEK Lai-him, SBS, JP
Hon LI Fung-ying, 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 CHAN Hak-kan
Hon WONG Sing-chi
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Tanya CHAN

Member attending : Dr Hon Priscilla LEUNG Mei-fun

Members absent : Hon Tommy CHEUNG Yu-yan, SBS, JP
Hon IP Wai-ming, MH
Hon Albert CHAN Wai-yip

Public officers attending : **Agenda item IV**

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

Mr S H VERRALLS
Chief Superintendent (Traffic)
Hong Kong Police Force

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

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

Agenda item V

Mrs Apollonia LIU LEE Ho-kei
Principal Assistant Secretary (Transport) 5
Transport and Housing Bureau

Mr James CHAN Shiu-on
Assistant Director (Technical)
Highways Department

Mr NIP Chi-kwong
Chief Highway Engineer
(Research and Development)
Highways Department

Agenda item VI

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

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

Mr Leung Tak-fai
Assistant Commissioner for Transport/Technical
Service
Transport Department

Mr Harry Chan
Chief Engineer/Road Safety & Standards
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 Mandy LAM
Legislative Assistant (1)2

Action

I Confirmation of minutes

- (LC Paper No. CB(1)942/10-11 - Minutes of special meeting on
9 November 2010
LC Paper No. CB(1)1159/10-11 - Minutes of meeting on
26 November 2010)

The minutes of the special meeting and the regular meeting held on 9 and 26 November 2010 respectively were confirmed.

II Information papers issued since last meeting

- (LC Paper No. CB(1)912/10-11(01) - Administration's paper on
standing passengers on
canvassing vehicles
LC Paper No. CB(1)887/10-11(01) - Administration's paper on
tender exercise for occupation
and use of Tuen Mun Ferry
Terminal for operation of

- cross boundary passenger ferry services
- LC Paper No. CB(1)918/10-11(01) - Administration's paper on Route 3 (Country Park Section) tolls
- LC Paper No. CB(1)1041/10-11(01) - Submission from a member of the public complaining about the driving attitude of a driver of green minibus route no. 56
- LC Papers Nos. CB(1)1041/10-11(02), (03) and (04) - Submissions from members of the public objecting to stopping the operation of the bus terminus at Central Ferry Pier
- LC Paper No. CB(1)1041/10-11(05) - Submission from a member of the public complaining about the frequency of KMB Route 297
- LC Paper No. CB(1)1041/10-11(06) - Submission from Citybus Limited/New World First Bus Services Limited objecting to increasing the number of seats of public light buses from the present 16 to 20
- LC Paper No. CB(1)1119/10-11(01) - Submission from a member of the public on relocation of bus stops along Mongkok Road
- LC Paper No. CB(1)1119/10-11(02) - Submission from a member of the public complaining about the installation of traffic lights at the junction of King Cho Road and Lim Cho Street
- LC Paper No. CB(1)1119/10-11(03) - Submission from Taxi & P.L.B. Concern Group demanding issue of more passenger service licences for public light buses
- LC Papers Nos. CB(1)1145/10-11(01) and (02) - Memos referring to the Panel the views and concerns raised by Kwun Tong District Council members at their meeting-cum-luncheon with

LegCo Members on 13 May 2010 respectively about the provision of hillside escalator links and elevator systems in Kwun Tong, and transport problems in Choi Ying Estate and Choi Fook Estate)

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

III. Items for discussion at the next meeting scheduled for 25 February 2011

(LC Paper No. CB(1)1130/10-11(01) - List of outstanding items for discussion

LC Paper No. CB(1)1130/10-11(02) - List of follow-up actions)

3. Members noted the following letters tabled at the meeting –

- (a) Letter dated 23 December 2010 from GMB Maxicab Operators General Association Ltd. and Hong Kong Scheduled (GMB) Licensee Association requesting the Panel to discuss the issue on passenger seating capacity of green minibuses (LC Paper No. CB(1)1197/10-11(01));
- (b) Letter dated 26 January 2011 from Messrs WONG Sing-chi and KAM Nai-wai requesting the Panel to discuss cessation of the Hung Hom-Central and Hung Hom-Wanchai services of The "Star" Ferry Company, Limited; and
- (c) Letter dated 24 January 2011 from Dr Priscilla LEUNG also requesting the Panel to discuss cessation of the Hung Hom-Central and Hung Hom-Wanchai services of The "Star" Ferry Company, Limited.

4. At the Chairman's invitation, Dr Priscilla LEUNG briefed members on her letter. After discussion, members agreed to discuss the following items at the next regular meeting on 25 February 2011 –

- (a) Application for toll increase by New Hong Kong Tunnel Company Limited;

- (b) Issues relating to public light buses (PLBs) - limitation on the number of PLBs, update on installation of safety equipment, and passenger seating capacity; and
- (c) The "Hung Hom-Central" and "Hung Hom-Wanchai" ferry services.

5. As there would be three discussion items for the next meeting, members decided to extend the meeting to end at 11:00 am.

IV Enhanced implementation of random breath testing

(LC Paper No. CB(1)1130/10-11(03) - Administration's paper on enhanced implementation of random breath testing

LC Paper No. CB(1)1136/10-11 - Background brief on random breath test)

6. The Principal Assistant Secretary for Transport and Housing (Transport) 2 (PAS(T)2) and the Chief Superintendent of Police (Traffic), Hong Kong Police Force (CSP T) briefed members on the results of the Random Breath Test (RBT) operations conducted by the Police to combat drink driving and the proposals to enhance implementation of RBT. Members were in general supportive of the proposals but expressed reservation about the proposal to conduct RBTs on drivers of vehicles in motion including those travelling on expressways (the expressway proposal). They were concerned about the safety of drivers and police officers during such operations.

Views and concerns about the expressway proposal

7. Ms LI Fung-ying sought estimates on the increase in risks to drivers and police officers if the expressway proposal was taken forward. Mr Ronny TONG, the Deputy Chairman, Ms Miriam LAU and the Chairman also expressed concerns about the safety implications of the expressway proposal. In particular, the Deputy Chairman pointed out that the speed limits of expressways could be as high as 110 kilometres per hour. Some vehicles might even be speeding. The Chairman added that some drivers might be seriously drunk, and it might not be appropriate to ask police officers to risk their lives to chase these drivers.

8. In response, CSP T made the following points –

- (a) At present roadblocks would not normally be set up on expressways. This was generally known to the driving public, so that habitual drink drivers could plan their routes such that they would unlikely encounter police RBT operations. There was therefore a need for the expressway proposal to plug the above loophole in the combat against drink driving;
- (b) Police officers were trained, and were used to stopping vehicles on expressways. In fact, some 6 000 enforcement stops were made on expressways annually; and
- (c) Safety of drivers and police officers was always the Administration's utmost concern. If the driver concerned would not stop and it was too dangerous to enforce stop, police officers might follow the vehicle concerned if safe, or seek reinforcement through radio communication to stop the vehicle at other spots, or simply jot down the relevant vehicle details for follow-up later instead of chasing the vehicle.

9. In response to Ms LI Fung-ying on the criteria that would be adopted in determining which vehicles to stop under the expressway proposal, CSP T advised that while operations would be targeted at expressways known to be commonly used by drink drivers, the Police might also stop vehicles randomly instead of only stopping drivers who had already demonstrated abnormal driving behaviours because drivers' driving manners might not necessarily become abnormal after consuming alcohol.

10. Noting the above response, the Deputy Chairman and Ms Miriam LAU sought further details on the criteria for police officers to decide on which vehicles to stop under the expressway proposal, so as to ensure that the proposal would not cause inconvenience and even nuisance to the public or lead to abuse of police power. Ms LAU was concerned that it might be controversial to randomly conduct breath tests on drivers of vehicles in motion who had not demonstrated any abnormal driving behaviours to cause reasonable suspicion, or committed any traffic offence.

11. CSP T responded that basically the Police would not indiscriminately conduct RBTs on drivers of vehicles in motion on expressways. Instead, such operations would be intelligence-based and focused on drink-driving blackspots. For example, if the Police were concerned about the Kwun Tong Bypass being frequently used by drink drivers, the Police might target actions at that route. He also reiterated the need for the Police to not only look for drivers with abnormal driving manners but also randomly stop vehicles on

expressways in the same manner as they did during roadblock operations, and said that in so doing the officers concerned might decide to stop one vehicle every three or four vehicles.

Alternative proposals

12. Out of safety concern about the expressway proposal, Mr Ronny TONG urged the Police to conduct RBTs at the on-ramps and off-ramps of expressways instead. In his view, since the speed of vehicles on these locations would not be too high, the above proposed approach would be safer while similarly effective. CSP T responded that roadblocks would already be set up on the above locations. He assured members that the design of the expressways concerned would be taken into consideration when implementing the expressway proposal, and that operations would only be conducted on the expressways if their design was suitable, such as in the case of the Tolo Highway which had wide road shoulders and even police observation platforms. In the case of the Kwun Tong Bypass which did not have wide road shoulders, vehicles concerned would be taken away from the Bypass before RBTs were conducted on the drivers.

13. Pointing out that some drivers might be in a hurry, Ms Miriam LAU expressed concern about the delays that might be caused by requiring them to stop on the expressways or even leave the expressways to receive RBT. She and the Chairman opined that roadblocks which were more acceptable should instead be set up. The Chairman further opined that to enhance deterrent effect, roadblocks should be set up randomly instead of at fixed spots.

14. In response, CSP T reiterated the need to plug the loophole in the combat against drink driving described in paragraph 8(a) above, and that RBTs would not be conducted on expressways indiscriminately but only at locations where the Police believed had problems as gathered from intelligence and observation. Pointing out that accidents involving drink driving had decreased significantly by 68% since the introduction of RBT, he also highlighted the need to enhance the implementation of RBT to save more lives and families, and reduce stress on the public health system. He further assured members that the Police would not abuse their power and would only conduct RBTs for the sake of public interest.

Other views and concerns

15. While glad to note the success of RBTs in deterring drink driving, Mr WONG Kwok-hing sought a breakdown of the 715 arrests made during the period from 9 February 2009 to 31 October 2010 by vehicle category, location,

time of day and time of year, so as to analyze whether drink driving occurred more often near the border or major bar areas, during night time, and during festive seasons and weekends.

16. In response, CSP T provided the following information –

- (a) The above requested breakdown by vehicle category was 62.6% for private cars and motorcycles, 14.1% for taxis, 2% for PLBs, 20.4% for goods vehicles and some 1% for other categories. As to the breakdown for the pre-screening test, 88% of those drivers who failed the test were driving private cars or motorcycles, 0.9% were driving taxis, 0.4% PLBs, 10.6% goods vehicles, and 0.1% other vehicles;
- (b) Concerning the locations, the distribution was in general even although more drink driving cases were found in New Territories (NT) South than in other regions, probably because NT residents normally passed through NT South on their way to and from Kowloon;
- (c) As to the time of day, a vast majority of drink driving accidents happened between 9:00 pm and 3:00 am in the morning. As such, 60% of RBT operations were scheduled between 9:00 pm and 6:00 am; and
- (d) Regarding the time of year, there would be a general increase in drink driving cases during weekends and festive seasons, particularly at Christmas and New Year. However, operations conducted during 2010 showed a significant decrease of some 50% in drink driving cases even during festive periods when compared with 2009.

Admin.

At Mr WONG Kwok-hing's request, CSP T agreed to provide the above details in writing after the meeting.

17. In response to Mr WONG Kwok-hing on why there were more drink driving cases in NT South and the mitigating measures, CSP T explained that the reason might be that there was a north-south expressway there to serve as the major link between Kowloon and NT, so that active efforts were targeted there. In response to Mr WONG, PAS(T)2 agreed to relay his proposal on installing more publicity panels against drink driving at the major roads, tunnels and road junctures in NT South to the Road Safety Council, which

had provisions for promoting road safety, including campaigns against drink driving.

18. Ms Miriam LAU urged the Administration to step up publicity and public education efforts to draw drivers' attention to the long-lasting effect of drinking, so as to clarify the misunderstanding that driving after drinking a few hours or the night before was alright. The Administration noted her view.

V Highway repair and maintenance: current approach and future development

(LC Paper No. CB(1)1130/10-11(04) - Administration's paper on highway repair and maintenance by Highways Department – current approach and future development

LC Paper No. CB(1)1202/10-11(01) Powerpoint presentation materials provided by the Administration)

19. The Principal Assistant Secretary for Transport and Housing (Transport) 5 (PAS(T)5) briefed members on the current approach and future development of highway repair and maintenance by the Highways Department (HyD). With the aid of power-point, the Assistant Director (Technical), HyD (AD of Hy(T)) provided details on the measures taken by HyD in recent years to improve road repair and maintenance.

Co-ordination of road works

20. Ms Miriam LAU highlighted local complaints about roadworks conducted by HyD, which reportedly had disrupted traffic and caused delays and inconvenience to road users. In particular, there were complaints that works were conducted on different sections of a road at the same time, and about repeated openings on the same road section. She called for greater co-ordinating efforts to obviate the above situations, and urged HyD to give greater consideration to drivers' needs, and avoid conducting works during peak hours. Better still, such works should be conducted at night as far as practicable. The Chairman shared her views.

21. In response, AD of Hy(T) made the following points –

- (a) Not all road works were conducted by HyD. Public utilities companies also conducted excavation works from time to time. Regular meetings with utilities operators were held to better co-ordinate road works and develop common utility trenches to minimize excavation works and disruptions. New equipment had also been introduced to reduce the noise impacts of road works;
- (b) Temporary traffic management measures would need to be worked out with the Police and the Transport Department (TD) before roads could be closed to allow implementation of any road works. In addition, for congested areas, permission would not be given by the authorities for conduct of road works during peak hours but during the period road openings would be decked over to allow traffic to resume on the road section(s) concerned; and
- (c) HyD was aware of the disruptions road works might cause, and had already been conducting most of its works at night. However, considering the noise impacts of such works, works could only be conducted at night for sparsely populated road sections.

22. Ms LI Fung-ying pointed out that the roads in some remote areas of Hong Kong were too narrow to ensure smooth traffic at all times, particularly when there were road works and the weather was bad. As such, good co-ordination of road works on these roads was very important. AD of Hy(T) responded that HyD had already established a formal three-tier system with utility undertakings to monitor and co-ordinate with participants ranging from high-level management to working-level staff. Under the system, forums were provided for working level to co-ordinate front-line issues of road excavation works, for mid-level management to discuss technical matters, and for top management to discuss policy issues, with a view to improving the operation of the road excavation system. Moreover, excavation permits for works on public roads would need to be secured from HyD before road opening works could commence. Before the permits were issued, the street excavation promoters had to obtain approval from TD and the Hong Kong Police Force on their temporary traffic arrangements to ensure the works would not be too disruptive to prevailing traffic.

Greening efforts

23. Mr WONG Kwok-hing enquired about the scale of greening works that would be conducted on highways and the relevant implementation timetable. In this regard, he expressed appreciation for the design of the noise barrier along Yeung Uk Road, which had used plenty of plants to reduce dust and air pollution, and urged the Administration to construct more similar noise barriers in future.

24. PAS(T)5 responded that construction of noise barriers was under the policy purview of the Environment Bureau. She and AD of Hy(T) also explained that greening would be conducted not only on noise barriers but also on road sections, and in deciding on the mode of greening, there was a need to consider the cost for the works (which was high in greening vertical surfaces), and the recurrent cost and difficulty involved in maintaining the plants concerned (in particular the need to ensure that the maintenance works would not cause disruptions to traffic). AD of Hy(T) further supplemented the following points –

- (a) HyD was responsible for maintaining roads, and would endeavour to beautify noise barriers in new projects. For example, HyD was at present conducting greening works on Tolo Highway and when widening Tuen Mun Road (TMR). In particular, TMR's town centre section would be provided with a noise barrier made up of vertical green walls and green roofs. The Administration was, however, still examining the types of plants to be used in these two projects to identify a plant species that would grow easily by itself, so as to minimize maintenance efforts and costs. To make up for trees that had to be felled or pruned when constructing and maintaining those expressways under HyD's control, the Department also planted some 30 000 trees every year during the past 3 years; and
- (b) The Tree Management Office under the Development Bureau (the Tree Management Office) advocated the adoption of an integrated approach in managing trees, with individual departments responsible for the conditions of trees under their care respectively. For example, HyD was responsible for conducting regular vegetation maintenance operations on roadside slopes and within expressways under HyD's control. The Leisure and Cultural Services Department (LCSD) was responsible for greening of footway along other roads and landscaped areas.

Admin.

25. Mr WONG Kwok-hing requested the Administration to provide more details on HyD's greening programme for this year, such as the target, progress and how HyD planned to take the programme forward. He further pointed out that maintenance of the above noise barrier along Yeung Uk Road had been made easy by the provision of a self-watering system and the selection of a plant species that could tolerate strong sunlight, was readily replaceable, and had no need for pruning. He urged the Administration to promote use of the plant species concerned. The Administration noted his request and views.

26. Mrs Regina IP highlighted complaints about the suitability of the trees planted along highways, especially those along the Island Eastern Corridor Link (the Link) which reportedly had caused various problems and were difficult to maintain, and asked which department decided on the trees to be planted on highways. AD of Hy(T) responded that HyD and the Tree Management Office would closely liaise in this regard. He also explained that the trees planted along the Link had been planted before the establishment of the Office and might have been selected for their ability to grow quickly. Guidelines on the selection of trees for expressways to ensure their suitability had subsequently been worked out. Efforts would also be made to replace by phases trees along highways which were not suitable for the locations concerned.

27. Mr WONG Kwok-hing urged the Administration to ensure regular trimming of trees along roads in remote areas, such as Chi Ma Wan Road, to prevent branches of overgrown trees from blocking traffic signs at roadsides or driver visibility. In response, AD of Hy(T) agreed to relay his concern to the department responsible for the maintenance of the trees along the road section concerned. He also assured members that in cases where road safety was affected, HyD would not hesitate to undertake urgent works to alleviate the situation in the first instance, prior to maintenance actions by the relevant departments.

28. Mrs Regina IP asked which party was responsible for the daily maintenance and trimming of trees. According to her, outsourcing of the tasks might not be desirable because the contractors concerned very often seemed to lack the necessary expertise. AD of Hy(T) responded that the contractors engaged by HyD to perform such tasks were required to have the relevant expertise and had to conduct patrol operations on the 1 000 hectares of trees (involving roughly some 500 000 trees) under HyD's management and supervision every six months to ensure they were in good conditions. Trees would be felled or pruned or cabled where necessary. The advice of the Tree Works Vetting Committee under HyD would be sought as appropriate.

Comments on the measures taken by the Highways Department to improve road repair and maintenance

29. Noting that Government highway contractors would be required to use bituminous materials with a recycled asphalt pavement (RAP) content between 10% to 15%, Mr Jeffrey LAM enquired whether the percentage could be increased to maximize reuse and minimize the amount of waste generated by highway maintenance works to reduce pressure on public fill areas due to the disposal of such waste. AD of Hy(T) responded that apart from meeting the specified standard, there was also difficulty in increasing the percentage because the recycling procedure involved the milling of defective road surfaces, and transporting of the bituminous waste generated from maintenance works to the batching plant for sorting and screening to ensure that the recycled material could meet a certain standard. Not only would the conduct of the above processes require a large plot of land, but storage of the recycled materials pending their use by other projects would also take up much space. This notwithstanding, the Administration was already examining the feasibility of further increasing the percentage of RAP content in bituminous materials to over 20%. While aware of Hong Kong's space constraints, Mr LAM considered the above targeted percentage insufficient, and strongly urged the Administration to maximize the percentage to benefit the environment.

30. Mr Jeffrey LAM referred to the non-illuminated retro-reflective traffic bollards (NRTBs) the feasibility of which was being explored by HyD, and enquired whether light-emitting diode (LED) lighting could be installed on the bollards to ensure visibility and pedestrians' awareness of them. AD of Hy(T) responded that the purpose of using NRTBs, which could function without electricity, was to minimize electricity consumption and cost. The installation of LED lighting on NRTBs might defeat the above purpose. He however agreed to consider Mr LAM's proposal.

Other views and concerns

31. Pointing out that bituminous materials were more sound absorbent, Mr Jeffrey LAM enquired why the materials had not been paved on certain sections of the Link, such as the section between Kodak Building and the headquarters of the Independent Commission Against Corruption, and the section between Victoria Park and the Wan Chai Fire Station. He opined that notwithstanding cost considerations, the latter section should be paved with bituminous materials to provide a quiet environment in Victoria Park for the public, and a stable driving environment along the Link.

32. AD of Hy(T) responded that the Link was at first only paved with concrete. Bituminous materials were only added at a later stage to address concerns about the Link's noise impacts. However, concrete was more durable than bituminous materials and required less frequent road closure to conduct maintenance. There was also a need to ascertain whether structurally a road section could withstand the additional weight concerned before bituminous materials would be paved on it. As such, to strike a balance, bituminous materials had been used to pave the Link only where feasible and necessary (e.g. the sections which were close to residential premises).

33. Noting that street furniture such as street lights, pedestrian islands and traffic sign plates were maintained by HyD, Ms LI Fung-ying urged HyD to embody the barrier-free concept in the above maintenance works to address complaints that the above facilities sometimes obstructed the way of wheelchairs and baby cars. AD of Hy(T) responded that traffic signs were designed by TD. HyD was mainly responsible for the actual installation and maintenance, and the widths of roads and pavements had to meet certain standards. Greater importance had also been attached to ensuring barrier-free access when designing new roads and street furniture in recent years. Where necessary, several signs might even be merged into one to minimize the number of sign poles. Noting the response, Ms LI urged HyD to make greater efforts to improve the accessibility of roads in old districts, in particular Sham Shui Po, when maintaining street furniture.

34. The Chairman highlighted accidents involving vehicles which rammed into stationary works vehicles (WV(s)) for mounting flashing arrow signs, and complaints that there were not sufficient advance warning signs to indicate the presence of such vehicles ahead, and urged the Administration to ensure that there would be sufficient distance between a stationary WV and a road bend or road section with inadequate sightline, especially on fast lanes, and that there would be sufficient advance warning signs, traffic cones and barriers before a WV to provide buffer.

35. AD of Hy(T) responded that road maintenance contractors had to conduct works according to HyD's Code of Practice for the Lighting, Signing and Guarding of Road Works, and ensure that the distance between the WV and the shadow vehicle (SV) would follow the buffer distances specified therein. For example, for moving works at a bend or location with inadequate sightline distance, the SV should stay before the start of the bend or before the crest of a slope. The Chief Highway Engineer (Research and Development), HyD supplemented that the SV should also keep a distance of at most 100m from the WVs. When the length of a road section with

inadequate sightline distance was longer than 100m, additional WVs should be provided between the SV and the first WV to prevent any vehicle bypassing the SV from wedging in the relevant road section inadvertently. The buffer distance for the SV was at least 30 metres and 45 metres respectively for stationary and mobile operations on roads with speed limit of 70 to 80 kilometres. He further explained that the complaints highlighted by the Chairman above might have stemmed from circumstances where placement of the cones and warnings was yet to complete. Noting the response, the Chairman reminded HyD to tighten supervision of its contractors to ensure compliance with the above Code.

VI Regulation of cyclists in the use of safety equipment

- (LC Paper No. CB(1)1130/10-11(05) - Administration's paper on cycling safety and use of safety equipment for cyclists
- LC Paper No. CB(1)1137/10-11 - Background brief on promotion of cycling safety
- LC Paper No. CB(1)1174/10-11(01) Submission from We-Think (Policy Research) Network
- LC Paper No. CB(1)1193/10-11(01) Administration's paper on general improvement measures to existing cycling facilities (follow-up paper))

Concerns about cycling safety and the need to mandate wearing of cycle helmets

36. Mr WONG Kwok-hing referred to the summary of overseas practices on the mandatory wearing of cycle helmets in the Administration's paper for this item (Annex C to LC Paper No. CB(1)1130/10-11(05)) and, pointing out that quite a number of overseas jurisdictions had such a requirement, urged the Administration to conduct a trial scheme and/or an opinion survey on the requirement to ascertain its effect and/or acceptability. The Under Secretary for Transport and Housing (USTH) responded that the Administration also attached a lot of importance to cycling safety, and that the Administration had all along been encouraging cyclists to wear helmets. Overseas experience had shown that making the wearing of helmets a legal requirement would reduce cycling activities and hence compromise efforts to promote cycling as a healthy recreational activity. Besides, places such as the United Kingdom (UK) had been able to encourage more cyclists to wear helmets voluntarily through education and publicity.

37. Mr Ronny TONG considered the statistics of bicycle accidents provided in Annex A to LC Paper No. CB(1)1130/10-11(05) alarming, and opined that while there was a need for flexibility, it might still be necessary to mandate cyclists to use safety equipment under certain circumstances. In this regard, he asked whether cycle tracks were defined as roads under relevant legislation, and pointed out that while it might be relatively safe to ride on cycle tracks, it might not be so when cycling on public roads, where there were other users. As such, it might be a responsible move to prohibit cyclists riding on public roads from carrying passengers, and require them to use helmets as motor-cyclists did.

38. In response, USTH reiterated his reply in paragraph 36 about problems that arose from mandating the use of safety equipment in overseas jurisdictions. He also highlighted the need to exercise care in imposing on cyclists requirements that were applicable to motor-cyclists. The impact of any legislative control on the public and public acceptance, particularly where enforcement and prosecution were concerned, were also important factors for consideration. The Assistant Commissioner for Transport/Technical Service, TD (AC for T/TS) added that regulation 51 of the Road Traffic (Traffic Control) Regulations (Cap.374G) already stipulated that no person riding a bicycle on a road, including cycle tracks, should carry any other person. It also stipulated that, where a portion of a road was set aside for bicycles or tricycles, no person should ride a bicycle or a tricycle on any other portion of the road. Mr Ronny TONG, however, opined that cycling and motor-cycling were equally dangerous. As to public acceptance, he pointed out that although there had been resistance when the requirement to wear helmets was first imposed on motor-cyclists, the requirement became acceptable worldwide when the public realized the benefits it could bring.

39. Miss Tanya CHAN similarly considered it necessary to mandate the wearing of helmets, especially as many cyclists were cycling dangerously on tram lines. In her view, the public would accept the requirement given time as in the case of the seat belt requirement. USTH responded that the mandatory use of cycle helmets was not a commonly adopted international practice as revealed in the Administration's study of overseas experience in this regard, which showed that many European and Asian countries such as the UK, France, Germany, the Netherlands and Singapore did not mandate the wearing of helmets.

40. The Chairman called for early enactment of legislation to mandate wearing of cycle helmets, pointing out that the issue had already been discussed for some time. He did not consider the likely reduction in cycling activities a justification for not introducing the requirement because firstly,

refusal to wear helmets was in itself an irresponsible act. Secondly, the requirement might help minimize fatal cycling accidents. Thirdly, notwithstanding enforcement difficulties, the requirement should be introduced if justified. Fourthly, after active enforcement for some time, people would be educated to comply with the requirement.

41. While aware of the safety benefits of mandating the wearing of safety helmets, Ms Miriam LAU cast doubt on whether the requirement could put an end to cycling accidents, the statistics of which were in her view alarming. Moreover, cycling on public roads had increased because cycling had in fact already evolved from purely recreational to being used for travelling to work, delivery purposes, and even short-distance travel for interchange to other transport modes. As such, to enhance cycling safety there was a need to gear up publicity and enforcement efforts to alert cyclists to the need to observe relevant traffic laws and the consequences of non-compliance, especially as many cyclists were oblivious of such need and commonly jumped red lights. The Administration should also review the policy on the manner in which bicycles could use public roads.

42. USTH responded that the Administration attached great importance to cycling safety. As such, education and publicity had been kept up to enhance cyclists' safety awareness and knowledge of relevant laws and regulations, and promote use of safety equipment and cycle tracks. To achieve the above purposes, in recent years the Road Safety Council, the Police, TD and other relevant departments had also been joining hands to organize training courses, produce publicity leaflets, and organize safe cycling campaigns jointly with district councils. Cycling training facilities would also be provided in a number of districts, such as Wong Tai Sin and Sai Kung, in the coming five years. As indicated by the above described success experience of the UK, it was believed that more wearing of cycling helmets could be achieved through the above efforts. AC for T/TS supplemented that same as other drivers, cyclists also had to abide by relevant traffic legislation and were required to go with the flow direction of traffic and to comply with traffic light signals. In fact, the above had already been clearly specified in the Road Users' Code. Education and publicity had also been geared up to remind other drivers to pay attention to cyclists on the road.

43. Keen to ensure cycling safety, Miss Tanya CHAN enquired about the availability of cycling training facilities on the Hong Kong Island to enable children there to cycle safely. In her view, from the planning perspective, cycling training facilities should be provided in addition to cycle parking facilities. PAS(T)2 responded that according to LCSD, there were over ten cycling training premises all over Hong Kong, Kowloon and NT. Where the

Hong Kong Island was concerned, there were three such facilities in the Eastern District and one in Wanchai. LCSD also had plans to construct three more such facilities in the territory.

Improvements to cycle tracks

Calls for improvement

44. Mr WONG Kwok-hing highlighted complaints about the lighting in certain cycle subways, which might be too dim for cyclists entering these subways from the outside in broad daylight. AC for T/TS responded that action would be taken to review the cases concerned and improve the lighting as necessary.

45. Mr WONG Kwok-hing further highlighted complaints from residents of Yat Tung Estate about the connectivity of the cycle track network in Tung Chung, which were made up of isolated segments yet to be linked up. According to him, despite repeated discussion at the District Council level, improvement had yet to be seen and relevant departments were unwilling to follow up. At his request to visit the cycling network concerned, AC for T/TS explained that TD had already commissioned a consultancy study to review the existing cycle track networks in the nine existing new towns (the consultancy study). The consultancy study would identify deficiencies of the existing cycle track networks, propose remedial measures for improvements, and recommend an implementation programme for the proposed improvement works. The consultancy study would complete in end 2011.

46. Mr CHAN Hak-kan saw room for improvement in the current design of cycle tracks, in particular the cycle subway near the Hong Kong Heritage Museum in Shatin, which had steep gradient and sharp curvature. In response to him on remedial measures that would be taken to improve cycle track design to reduce bicycle accidents, AC for T/TS explained that to enhance cycling safety, TD and HyD had already reviewed the design of cycle tracks and their ancillary facilities, and had already developed a new design guideline for cycle tracks, cycling ramps and subways. The new guideline required more user-friendly geometrical configurations including more gentle gradients, smoother curvatures, and better signage and road marking systems on approaches to long steep ramps and pedestrian crossings, so as to alert cyclists to the above, and remind them to slow down and even dismount to push their bicycles where necessary.

The replacement of steel bollards by plastic collapsible bollards

47. Mr WONG Kwok-hing enquired about the timetable for gradually replacing all existing steel bollards by plastic collapsible bollards. AC for T/TS responded that the replacement works would complete within five years.

48. Mr CHAN Hak-kan considered the above bollard replacement timetable too long considering the great risks posed by steel bollards. At his request to expedite the programme, AC for T/TS explained that given the large quantity of cycling facilities located in many districts, the replacement exercise would take time although the Administration was aware of the need to expedite it. Liaison would however be kept up with HyD to give priority to those busier cycle tracks and heavily used cycling facilities, and to expedite the progress where feasible.

Cycling as a means of transport

49. Mr CHAN Hak-kan highlighted the increasing use of cycling as a transport means in new towns and its importance to green living and, pointing out that bicycles could be taken on board trains in Taiwan, urged the Administration to ensure that the same would be permitted on those less busy MTR lines during non-peak hours. USTH responded that since Hong Kong was a densely populated city and general road traffic was heavy, and road space was limited, due to road safety considerations the Government's policy was to encourage the public to use public transport services, and did not encourage the use of cycling as a means of transport in urban areas. Moreover, Hong Kong's rail systems and road networks were sufficiently well developed to meet the general public's transport needs. Notwithstanding, the Administration also acknowledged the popularity of cycling activities in the rural areas. As such, cycle tracks and ancillary facilities would be provided when planning new towns and new development areas in NT, so that the public might ride safely for leisure or recreational purposes and short-distance travel. In fact, it was for supporting the above approach that the consultancy study had been commissioned.

50. Mr WONG Sing-chi stressed the importance of cycling as a supplementary transport mode in remote areas not adequately served by public transport services, and considered it undesirable for the Administration to continue to look upon cycling as an activity that could only serve recreational purposes, so that instead of mapping out a long-term cycling policy, the Administration was only planning to take remedial measures for improvements, and was not making sufficient efforts to address the shortage of cycle parking facilities, improve the connectivity of cycle track networks, and enhance cycling safety. He was particularly concerned that while deciding not to mandate the use of safety equipment and only relying on

education and publicity to promote cycling safety, many cyclists in the North District were fined for cycling on the pavement. In his view, these cyclists should not be fined unless cycling was a transport mode subject to traffic legislation. Referring to the development of electric bicycles, he also considered it necessary for the Administration to keep abreast with the relevant developments and make preparations accordingly.

51. USTH responded that Hong Kong's environment was unique. Apart from being densely populated, it was also hilly. Use of cycling as a transport mode might be difficult in some areas. Notwithstanding, in recognition of the increasing use of cycling in NT for leisure or recreational purposes, the Civil Engineering and Development Department had already been constructing a trunk cycle network with ancillary facilities linking the existing new towns between Ma On Shan and Tuen Mun (with possible extensions to Tsuen Wan and Sai Kung) in phases. As to the enforcement actions taken against cycling on pavement, he explained that according to relevant road safety legislation, bicycles were defined as vehicles and hence should not be used on the pavement.

Motion

52. After discussion, Mr WONG Kwok-hing moved the following motion, which was seconded by Mr CHAN Hak-kan –

"促請政府研究立法規管騎單車必須配戴頭盔。"

(Translation)

" That this Panel urges the Government to study the introduction of legislation to require cyclists to wear helmets."

53. The Chairman put the motion to vote. Six members voted for the motion, none voted against it and one abstained from voting. The Chairman declared that the motion was carried.

VII Any other business

54. There being no other business, the meeting ended at 10:40 am.