

立法會
Legislative Council

LC Paper No. CB(1)1641/12-13

(These minutes have been seen
by the Administration)

Ref : CB1/PL/TP/1

Panel on Transport

**Minutes of special meeting held on
Tuesday, 27 November 2012, at 8:30 am
in Conference Room 2 of the Legislative Council Complex**

- Members present** : Hon CHAN Kam-lam, SBS, JP (Chairman)
Hon Gary FAN Kwok-wai (Deputy Chairman)
Hon LEE Cheuk-yan
Hon James TO Kun-sun
Hon WONG Kwok-hing, MH
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon Ronny TONG Ka-wah, SC
Hon Mrs Regina IP LAU Suk-yee, GBS, JP
Hon LEUNG Kwok-hung
Hon Michael TIEN Puk-sun, BBS, JP
Hon NG Leung-sing, SBS, JP
Hon Frankie YICK Chi-ming
Hon WU Chi-wai, MH
Hon CHAN Han-pan
Dr Hon KWOK Ka-ki
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu
Ir Dr Hon LO Wai-kwok, BBS, MH, JP
Hon Christopher CHUNG Shu-kun, BBS, MH, JP
Hon Tony TSE Wai-chuen
- Members absent** : Hon CHAN Hak-kan, JP
Hon Albert CHAN Wai-yip
Dr Hon Elizabeth QUAT, JP
Hon CHUNG Kwok-pan

**Public Officers
attending** : **Agenda item I**

Prof Anthony CHEUNG, GBS, JP
Secretary for Transport and Housing

Mr Andy CHAN
Deputy Secretary for Transport and Housing
(Transport)

Mrs Ingrid YEUNG, JP
Commissioner for Transport

Miss Cindy LAW, JP
Assistant Commissioner/Administration &
Licensing
Transport Department

Mr LEUNG Tak-fai
Assistant Commissioner/Technical Service
Transport Department

Miss Rachel KWAN
Principal Transport Officer/Bus and Railway
Transport Department

Mr CHEUNG Chi-hoi
Regional Highway Engineer/Urban
Highways Department

Mr David LEUNG, JP
Deputy Commissioner (Occupational Safety and
Health)
Labour Department

**Attendance by
invitation** : **Agenda item I**

Mr TANG Wah-shing
Executive Director
Occupational Safety & Health Council

Mr Samuel CHENG
Managing Director
New World First Bus Services Limited

Mr William CHUNG
Head of Operations
New World First Bus Services Limited

Mr Vincent FUNG
Senior Engineering Support Manager
New World First Bus Services Limited

Mr Kenrick FOK
Operations Director
The Kowloon Motor Bus Company (1933) Limited

Ms Vivien CHAN
Corporate Affairs Director
The Kowloon Motor Bus Company (1933) Limited

Mr HO Chi-man
Head of Depots
The Kowloon Motor Bus Company (1933) Limited

Motor Transport Workers General Union New
World Bus Branch

Mr CHAN Shu-ming
Director

Kowloon Motor Bus Workers General Union

Ms CHU Siu-hung
Chairman

Motor Transport Workers General Union K.M.B.
Branch

Ms CHENG Wai-kwan
Director

Motor Transport Workers General Union L.W.B.
Branch

Mr CHEUNG Tsz-kei
Director

New World First Bus Company Staff Union

Mr LAM Kam-piu
理事長

Motor Transport Workers General Union

Mr LAM Tin-fu
Deputy Secretary

Citybus Limited Employees Union

Mr TANG Sin-hing
Chairman

The K.M.B. Staff Union

Mr CHAN Yee-chuen
理事

Long Win Bus Staff Union

Mr LAU Kee-wai
理事

Motor Transport Workers General Union City Bus
Branch

Mr WONG Ka-lok
Director

Clerk in attendance: Ms Sophie LAU
Chief Council Secretary (1)2

Staff in attendance : Mr Andy LAU
Assistant Secretary General 1

Ms Macy NG
Senior Council Secretary (1)2

Ms Clara LO
Legislative Assistant (1)9

Action

I The serious traffic accident happened on 19 November 2012 in Chai Wan and the related issues

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| (LC Paper CB(1)205/12-13(01) | No. - Administration's paper on "The serious traffic accident in Chai Wan on 19 November 2012" |
| LC Paper CB(1)223/12-13(01) | No. - Administration's paper on "Occupational safety and health of professional drivers" |
| LC Paper CB(1)205/12-13(02) | No. - Background brief on "Safety of franchised bus operation and safety of long downhill roads" prepared by the Legislative Council Secretariat |
| LC Paper CB(1)192/12-13(01) | No. - Letter dated 19 November 2012 from Dr Hon KWOK Ka-ki |
| LC Paper CB(1)192/12-13(02) | No. - Letter dated 19 November 2012 from Hon Christopher CHUNG Shu-kun |
| LC Paper CB(1)205/12-13(03) | No. - Joint letter dated 20 November 2012 from Hon WONG Kwok-hing, Hon TANG Ka-piu and Hon KWOK Wai-keung |
| LC Paper CB(1)205/12-13(04) | No. - Letter dated 20 November 2012 from Hon Gary FAN Kwok-wai |
| LC Paper CB(1)234/12-13(01) | No. Submission from Hon Gary FAN Kwok-wai) |

Meeting with deputations and the Administration

The Chairman said that a serious traffic accident had taken place in Chai Wan on 19 November 2012 involving two buses and a taxi and this had aroused extensive public concern on the health and driving attitudes of professional drivers, particularly bus captains. At the request of fellow

members and trade unions, this special meeting was called to discuss the issues concerned. In addition to relevant Government Bureaux and departments, representatives of the Occupational Safety & Health Council ("OSH Council"), The Kowloon Motor Bus Company (1933) Limited ("KMB") and New World First Bus Services Limited ("NWFB"), and relevant staff unions of franchised bus companies were invited to attend the meeting. The Chairman also remarked that some workers unions of other transport modes had expressed interest to attend the meeting. However, given the considerable number of workers unions in the public transport sector, he had decided that only workers unions of franchised bus companies were invited to keep the discussion more focused.

2. Upon invitation, Secretary for Transport and Housing ("STH") and Commissioner for Transport ("C for T") gave a brief account on the Administration's paper [LC Paper No. CB(1)205/12-13(01)] which set out:

- (a) the Administration's investigation into the traffic accident and follow-up actions;
- (b) the details of the health check and working hour arrangements for bus captains of franchised bus companies;
- (c) the road design and road safety measures at the road section concerned; and
- (d) the Administration's follow-up actions on road safety of road-based public transport modes.

3. Deputy Commissioner (Occupational Safety and Health) ("DC(OSH)") of the Labour Department ("LD") also briefed members on the measures taken by LD to improve the occupational safety and health ("OSH") of professional drivers, and the protection of professional drivers under the current legislative regime.

4. The Chairman then invited representatives of the workers unions attending the meeting to express their views.

Motor Transport Workers General Union New World Bus Branch

5. Mr CHAN Shu-ming said that the bus captain of NWFB involved in the bus accident ("the NWFB captain") had been driving large coaches since 1984. He was understood to be health conscious, did not smoke and drink, and would sometimes do physical exercises. Mr CHAN considered that the

bus accident was unrelated to the working hours of the NWFB captain, who was on leave one day before the bus accident and was assigned only about 8.5 working hours on the day of the bus accident. The bus accident happened shortly after the tea break. Mr CHAN added that according to the management of NWFB, the captain concerned had successfully passed the health check arranged by NWFB in July 2012. Noting from the press reports that the NWFB captain was unconscious suddenly in the course of driving, Mr CHAN considered that the bus accident was beyond the control of the NWFB captain.

Kowloon Motor Bus Workers General Union

6. Ms CHU Siu-hung considered the health check provided by KMB acceptable. She said that at present, bus captains aged 50 years or more were required to undergo annual health checks, whereas for bus captains aged 60 or more, an electrocardiogram ("ECG") was also required. She said that bus captains were generally health conscious as they knew that their health conditions would possibly endanger the lives of a large number of passengers. However, attack of hidden or sudden illnesses was beyond the control and expectation of bus captains.

Motor Transport Workers General Union K.M.B. Branch

7. Ms CHENG Wai-kwan highlighted that bus captains were in fact under great pressure in respect of the possible responsibility to bear criminal consequences in case of traffic accident, or to a lesser extent, complaints lodged by passengers, tight bus schedule and the busy road traffic. She pointed out that such pressure would adversely affect the health conditions of bus captains. Ms CHENG said that although she was not opposed to enhancing the health check arrangements for bus captains, she considered that such measure would be costly and might not guarantee that bus captains would not suddenly faint.

Motor Transport Workers General Union L.W.B. Branch

8. Mr CHEUNG Tsz-kei cited two examples explaining that some hidden illnesses could not be easily identified by health checks and the current health check arrangements by Long Win Bus Company Limited ("LW") was already very effective. Pointing out that there were many possible causes of traffic accidents, for instance, bus captains' hidden illnesses, the life style or driving attitudes of individual bus captains, and stressful working conditions, Mr CHEUNG considered that the public should not just focus on the bus captains' health check because health check alone

could not solve the problem.

NWFB Company Staff Union

9. Mr LAM Kam-piu criticized the current transport policy because it had not addressed the traffic congestion problem in Hong Kong. He said that bus captains were facing high pressure from busy road conditions, tight bus schedule, and complaints from the public. He considered that the Guidelines on Bus Captain's Working Hours, Rest Times and Meal Breaks ("the Guidelines") adequate and flexible. He said that he did not object to strengthening the health check arrangements for bus captains and any programmes which might benefit bus captains' health.

*Motor Transport Workers General Union
(LC Paper No. CB(1)234/12-13(02))*

10. Mr LAM Tin-fu considered that professional drivers attached great importance to road safety to prevent traffic accidents, which would not only put drivers' own safety at risk but also endanger passengers and other road users. Sharing the view of other deputations, he considered that strengthening the health check arrangements was not a panacea for enhancing road safety, as some hidden or sudden illnesses could not be easily identified.

11. Mr LAM was concerned that the tense working environment of bus captains, the strict management style of bus companies, and penalties for different traffic offences, had put great pressure on bus captains and affected their health, hence posing risks to road safety. He considered it unfair that bus captains were not protected from the relevant labour legislations in case of traffic accident. He urged the Administration to request bus companies to treat bus captains well, review the current grey areas of the relevant labour and traffic legislations, and to improve the traffic flow in Hong Kong.

Citybus Limited ("Citybus") Employees Union

12. Mr TANG Sin-hing said that the Union would not object to Citybus' plan to seek professional advice on requiring bus captains of the age of below 60 to take ECG. He pointed out that under the current Guidelines, the working hours of bus captains could be long or short, and swapping of duties were allowed. He hoped that the working hours of bus captains could be more evenly spaced. He also said that although bus companies were required to submit a report to the Transport Department ("TD") every three months on the implementation of the Guidelines, staff unions were not

informed of the content of the report. He complained that there was no channel for staff unions to reflect to the Government their views on the working conditions of bus captains.

The K.M.B. Staff Union

13. Mr CHAN Yee-chuen considered that the NWFB captain concerned should not be solely responsible for the bus accident as he might be suffering from hidden illness caused by pressure at work. He also reckoned that health check might not be able to identify hidden illnesses. Mr CHAN hoped that bus companies would communicate with staff unions with a view to understanding their hardship at work.

LW Bus Staff Union

14. Mr LAU Kee-wai said that although it was stipulated in the Guidelines that there should be a break of not less than 10 hours between successive working days, such a guideline did not take into account the sleeping and travelling time required by bus captains in between. He stressed that bus captains were under great pressure which would affect their driving attitudes. He also criticized that the meal break for bus captains very often did not follow the human biological clock, and there were insufficient rest times during working hours.

Motor Transport Workers General Union City Bus Branch

15. Pointing out that the health check arrangements for bus captains had been implemented for more than ten years, Mr WONG Ka-lok considered such arrangements effective. Mr WONG added that as there were in fact traffic accidents involving other modes of transport, he considered it unfair to single out the health problem of bus captains.

Health check arrangements for bus captains/professional drivers

16. Dr KWOK Ka-ki considered that bus companies should not be given discretion in arranging health checks for bus captains. He pointed out that people with heart diseases or other diseases were getting younger and younger and the morbidity rate of heart diseases for those in occupations like drivers was high. He advised that the majority of heart diseases could hardly be identified by resting ECG, unless treadmill stress test or other precise tests were used. He considered that the Administration should consult experts on the requirements of more stringent health checks for bus captains. Mr Ronny TONG raised similar concern.

17. STH replied that the Administration was aware of the public's concern about the health check arrangements by bus companies. He advised that the items covered in the health checks were currently determined by individual bus companies with similar scope. The Administration was open-minded to the arrangements and the bus companies would consult the medical sector on how the current mechanism could be improved. Staff unions of the bus captains would be consulted too.

18. Mr Samuel CHENG, Managing Director of NWFB ("MD/NWFB") and Mr Kenrick FOK, Operations Director of KMB ("OD/KMB") added that NWFB and KMB were also open-minded on the arrangements of health checks. At the moment, they were consulting medical practitioners and experts on how the current arrangements could be improved.

19. Mr POON Siu-ping asked for information on the number of traffic accidents caused by bus captains suffering from unconsciousness while driving. Noting that a detailed health check would be very expensive, he asked whether the Administration would consider subsidizing the fees for medical check-up taken by professional drivers.

20. STH said that there was only a small number of past cases in which the bus captain had become unconscious while driving. He added that there was no clear definition of professional drivers. If they were meant to be holders of driving licence for commercial vehicles, the number would be in the order of 1.3 million. Nevertheless, he took note of Mr POON's suggestion of subsidizing the fees for medical check-up taken by professional drivers.

The Guidelines

21. The majority of members was dissatisfied with the existing Guidelines and urged the Administration to review them expeditiously. Members particularly pointed out that the following arrangements were very undesirable:

- (a) the prolonged working hours of bus captains, who were required to perform a maximum duty for as long as 14 hours, and driving duty for as long as 11 hours in a working day;
- (b) the insufficient rest time for bus captains, who very often had to give up their rest times in order to make up for the time lost in traffic congestion;

- (c) the insufficient break time of 10 hours between successive working days, which had not taken into account the time required for bus captains to travel from home to the workplace;
- (d) the practices of the so-called "route-hopping" and "vehicle-hopping", in which a bus captain was assigned to work on more than one route or even to drive different models of buses on a single shift; and
- (e) the practices of arranging bus captains to work on two split shifts, one in the morning and the other in the evening, to avoid granting the paid meal-hour.

22. Mr LEE Cheuk-yan referred to paragraph 17 of the Administration's paper [LC Paper No. CB(1)205/12-13(01)], which mentioned that TD would, in conjunction with franchised bus companies, review the arrangements of health checks for bus captains. He commented that the Administration was not working hard to address the health problems of bus captains at root. He urged the Administration to work out measures to strengthen the health of bus captains by dealing with the issue of rest time and made the following suggestions:

- (a) bus captains should be given at least five minutes break between two bus journeys;
- (b) within a six-hour duty, bus captains should have rest times totalling 30 minutes; and
- (c) one-hour meal break should be allowed for bus captains.

23. C for T responded that although the Guidelines did not specify the duration of break between two bus journeys, there was a provision that bus captains should have rest times totalling 20 minutes within 6-hour duty of which no less than 12 minutes should be within the first four hours of duty; and a rest time of at least 30 minutes after 6 hours of duty. She said that bus companies were required to report to TD the implementation of the above provision in their regular report.

24. STH invited members to note that the arrangements specified in the Guidelines were the minimum requirements which the bus companies should comply. According to the actual figures, the average maximum duty hours of bus captains in a working day were 10 hours and the average driving duty hours were 8.3 hours. He undertook that the Administration would review

the Guidelines in conjunction with stakeholders, including franchised bus companies and their staff unions. He added that TD was liaising with major staff unions of the bus captains to discuss the problems arising from the recent accident.

25. Mr TANG Ka-piu suggested that hourly-paid bus captains should be excluded when calculating the actual duty and driving hours, otherwise, the figures would be unable to reflect the true picture. He also declared that he was the Deputy Secretary of Motor Transport Workers General Union.

26. Mr LEUNG Kwok-hung considered the current Guidelines too loose, which had encouraged bus companies to only meet the minimum requirements. He made the following suggestions:

- (a) the specified working time for bus captains in the Guidelines should be reduced and any overtime work of bus captains should be paid;
- (b) the Administration should consult the staff side when revising the Guidelines;
- (c) the Administration should introduce legislation regulating the working hours, rest times and meal breaks of bus captains; or alternatively, clearly specify them in the bus franchise;
- (d) bus companies should set up a fund for the public to monitor their services;
- (e) information relating to the implementation of the Guidelines by bus companies should be made open;
- (f) punishment should be imposed on bus companies for non-compliance of the Guidelines, for example, those companies should not be allowed to increase their fares; and
- (g) the Administration should make reference to overseas practices in respect of working conditions of bus captains and review the effectiveness of existing arrangements, and report the study outcome to the Panel.

Mr Ronny TONG shared with Mr LEUNG on item (c) above.

27. STH expressed that he had taken note of the concerns of members in respect of the working hours of bus captains, and assured members that the Administration would take appropriate follow-up actions. He added that franchised bus companies were required to follow the Guidelines and report the implementation to TD regularly. STH supplemented that the Administration would from time to time make reference to the practices of overseas countries in reviewing the working conditions of bus captains.

28. Mr CHAN Han-pan raised the following enquiries:

- (a) apart from the regular report submitted by bus companies on the implementation of the Guidelines, whether the Administration would verify if bus companies had strictly followed the Guidelines, if so, how;
- (b) whether there was any punishment for not adhering to the Guidelines; and
- (c) whether TD had received complaints from bus captains concerning the non-compliance of the Guidelines and if so, what follow up actions had been carried out by TD.

Mr LEE Cheuk-yan raised the same enquiry on item (c) above.

29. In response, C for T replied that:

- (a) apart from requiring bus companies to submit a report every three months on the implementation of the Guidelines, every year, TD would also engage an independent party to conduct a survey on the working hours of bus captains without giving any prior notice to the bus company concerned;
- (b) TD had received individual views from bus captains regarding the implementation of the Guidelines. If non-compliance was identified, TD would require explanations and corresponding adjustments from the bus companies concerned. The department would also remind them of the requirement of full compliance;
- (c) in case of serious non-compliance, the bus companies concerned would be warned for its failure to provide proper and efficient bus services. In this regard, TD would follow up the matter

according to the relevant clauses laid down in the bus franchises;
and

- (d) as indicated by the report of the survey done in 2011, the compliance situation of the Guidelines was satisfactory. So far, there was no serious non-compliance case which required serious punishment.

30. Mr POON Siu-ping expressed concern on whether there was adequate communication between the Administration and bus captains, particularly on the implementation of the Guidelines. C for T replied that TD had held meetings with bus captains' staff unions and views were exchanged on their working hours. She said that TD welcomed any suggestions or views concerning the working conditions of bus captains and was willing to communicate with staff unions in respect of the implementation of the Guidelines.

31. Mr Christopher CHUNG declared that his brother was a retired bus captain. He requested the Administration to look into how franchised bus companies had been treating their bus captains. He highlighted that bus captains were indeed under enormous working pressure whilst their salary was as low as about \$8,000 to \$9,000. In order to earn more for a living, bus captains had to work overtime. In addition, bus captains were subject to deduction of allowance when they received public complaints. He criticized that franchised bus companies only pursued profit margins by increasing the number of bus routes without recruiting more bus captains; and attributed the prolonged working hours, high working pressure and low salary as reasons for failing to recruit bus captains. Mr WU Chi-wai shared similar views.

32. STH reiterated that the Administration would examine the working hours of bus captains in reviewing the Guidelines. He added that franchised bus companies were regulated by bus franchises, and the Administration also attached importance to the occupational safety of bus captains and road safety.

Measures to solve the traffic congestion problem to ease the pressure on bus captains

33. Some members, including Dr KWOK Ka-ki, Mr WU Chi-wai, Mr Frankie YICK and Mr Christopher CHUNG, urged the Administration to implement effective measures in addressing the traffic congestion problem, and to actively pursue the bus route rationalisation. Mr WU Chi-wai

considered that the Administration should endeavour to solve the difficulties encountered in implementing bus route rationalisation instead of putting the blame on District Councils ("DCs") for rejecting the relevant plans. He asked if the Administration had prepared any concrete schedule in carrying out the relevant work.

34. In response, STH said that the Administration had been pursuing the rationalisation of bus routes. However, it should be noted that suggestions of cancelling bus routes were sometimes met with strong resistance during district consultation. As rationalising bus routes involved the interests of different stakeholders, the Administration would thoroughly discuss the relevant plans with them. He added that following the commissioning of new transport infrastructure, the Administration would study how public transport services could be rationalised. He added that the Administration hoped to adopt a more strategic and macro approach in pursuing bus route rationalisation.

35. Mr Christopher CHUNG pointed out that among the bus routes on the Hong Kong Island, the fares of cross-harbour routes were higher than that of parallel routes. He considered that the fares of those cross-harbour routes should be reduced to enhance their patronage. STH noted his view.

36. The Chairman and Mr Frankie YICK hoped that DCs would cooperate with the Administration and franchised bus companies in the implementation of the bus route rationalisation with a view to improving the overall traffic conditions.

Legislative protection for professional drivers

37. Mr WONG Kwok-hing expressed his condolences and sympathy for the victims of the traffic accident. He expressed concern that the OSH Ordinance (Cap. 509) ("OSHO") did not provide protection to professional drivers and asked whether and when the Administration would review OSHO to include them. He also said that although OSHO safeguarded employed drivers' OSH while they were carrying out non-driving work, there were many bus or public light bus drivers who were self-employed. Mr WONG asked whether the Administration would also extend the scope of OSHO to cover self-employed drivers. Mr TANG Ka-piu recalled that in response to a Council question raised by Mr WONG in late 2011, the Secretary for Labour and Welfare had undertaken to review the existing OSH arrangements for professional drivers.

38. DC(OSH) said that Mr WONG's concern had been raised and discussed at a meeting of the Panel on Manpower ("Manpower Panel") in the Fourth Legislative Council. He reported that LWB had submitted a paper to report to the Manpower Panel the progress of reviewing the existing legislation relating to professional drivers in June 2012. DC(OSH) said that the safety of professional drivers was governed by relevant provisions of the Road Traffic Ordinance (Cap. 374) ("RTO") in the context of road safety. Subsequent to the bus accident and in the light of Mr WONG's concern raised at this meeting, he said that LD would examine the matter again by taking into account the investigation report of the bus accident and report the outcome to the Manpower Panel in due course. He noted that the investigation was still in progress, and hence there was not yet a concrete timetable for the review.

39. In respect of the protection for self-employed captains, DC(OSH) said that the Employment Ordinance (Cap. 57) did not cover self-employed persons. If employment-related legislations were to be amended to include self-employed persons, it would be a major departure from the policy objectives of the legislation and would also have far-reaching implications on a wide range of issues.

40. Mr WONG Kwok-hing was dissatisfied with DC(OSH)'s response that LWB would conduct the review after the investigation report of the bus accident had been finalized. He emphasized that his concern was related to the protection of all professional drivers in Hong Kong and not to a single event. He urged the Administration to address the problem that professional drivers were not protected under OSO and commented that the report submitted to the Manpower Panel in June 2012 had not addressed the problem. DC(OSH) noted the views of Mr WONG and said that lessons might be drawn from the bus accident.

41. Mr TANG Ka-piu and Mr WU Chi-wai shared similar views with Mr WONG Kwok-hing. Mr TANG criticized that there was no legislation, no statistics and no protection in respect of the professional drivers. He elaborated that:

- (a) OSO, which spelt out the employers' role in providing a safe and healthy workplace, excluded professional drivers from protection. As such, employers had no responsibility to consider how prolonged driving would affect the health of professional drivers;

- (b) both LD and Social Welfare Department were unable to provide breakdown of statistics relating to professional drivers on the number of work-related injuries, occupational diseases, and claims under the "Traffic Accident Victims Assistance Scheme" ("TAVAS"); and
- (c) self-employed captains, like the deceased taxi driver in the bus accident, were not protected in traffic accidents. Although they could apply for TAVAS, such application took time and the amount of death grant would be subject to the number of dependants.

Mr TANG urged LD to follow up the above three areas and come up with some proposals for reporting to the Manpower Panel within the current legislative session.

42. In response, DC(OSH) said that professional drivers were protected under various ordinances. Apart from RTO and OSHO mentioned in paragraphs 37 and 38, the Employees' Compensation Ordinance was applicable to employed professional drivers.

Other views and concerns

43. Mr Ronny TONG asked whether the Administration would set up an expert panel to examine the health check arrangements and working hours of bus captains. He recalled that an expert panel was set up to review the above items subsequent to the serious traffic accident happened on Tuen Mun Road in 2003. Noting Mr TONG's suggestion, STH undertook that TD would seriously examine the health check arrangements and working hours of bus captains in conjunction with the bus companies no matter whether an expert panel would be set up.

44. Mr TANG Ka-piu expressed concern over the air quality inside the bus compartment. He said that there were anonymous complaints that the ventilation systems of some buses were disabled to reduce electricity consumption. He asked if it was true or not. He also pointed out that given the overall poor air quality in Hong Kong, even if the ventilation system was enabled, the air quality inside bus compartment would not be improved. He opined that the air quality of bus compartment would also affect the health of bus captains.

45. Mr Vincent FUNG, Senior Engineering Support Manager of NWFB, said that the air-conditioning system in buses was an automatic system and

filters were provided for the system. As such, good air quality in bus compartment was always maintained.

46. Mr WU Chi-wai considered that the Administration should study the prevalence of occupational diseases among professional drivers and consider amending the list of disease or physical disability specified in the First Schedule of the Regulation 9(1) of the Road Traffic (Driving Licences) Regulations (Cap. 374B), which required an applicant for a driving licence to make a declaration if he was suffering from any specified disease or physical disability. STH agreed to study Mr WU's suggestion.

47. In response to Mr Christopher CHUNG's enquiry, MD/NWFB confirmed that income generated from advertisements in NWFB's buses and leasing of vacant bus depot were included in NWFB's franchise account. Ms Vivien CHAN, Corporate Affairs Director of KMB also said that income generated from advertisements in KMB's buses, which amounted to about \$100 million annually, was included in KMB's franchise account to subsidize bus fares.

48. At the invitation of the Chairman, the Deputy Chairman briefed members on his submission tabled at the meeting [CB(1)234/12-13(01)]. In brief, the Deputy Chairman suggested that the Administration should allocate additional resources to study and formulate policies to motivate professional drivers to undergo regular medical check-ups to safeguard their health as well as the safety of road users. Mr LEE Cheuk-yan expressed support for the suggestion made by the Deputy Chairman.

Summing up

49. The Chairman thanked all parties who had attended the meeting. He concluded that members generally expressed concern on the health check arranged by franchised bus companies for bus captains. In addition, members considered that the Administration should review the operation of franchised bus services, bus captains' rest times, working hours and remuneration, as well as measures to improve the existing traffic network. He called on the Administration to take into account the views expressed by members.

II Any other business

50. There being no other business, the meeting ended at 10:35 am.

Council Business Division 1
Legislative Council Secretariat
31 July 2013