

立法會
Legislative Council

LC Paper No. CB(3) 398/16-17

Ref. : CB(3)/M/OR

Tel : 3919 3300

Date : 14 March 2017

From : Clerk to the Legislative Council

To : All Members of the Legislative Council

Council meeting of 29 March 2017

**Proposed resolution under
the Road Traffic Ordinance**

The Secretary for Transport and Housing will move the proposed resolution in **Appendix 1** under section 23(3) of the Road Traffic Ordinance (Cap. 374) at the above meeting. The President has directed that the proposed resolution be printed in the terms in which it was handed in on the Agenda of the Council.

2. The speech, in both Chinese and English, which the Secretary will deliver when moving the proposed resolution is in **Appendix 2**.

(Dora WAI)
for Clerk to the Legislative Council

Encl.

Road Traffic Ordinance

Resolution

(Under section 23(3) of the Road Traffic Ordinance (Cap. 374))

Resolved that the period for which the limit specified in the Road Traffic (Public Light Buses: Limit on Number) Notice 2016 (L.N. 101 of 2016) on the total number of vehicles that may be registered as public light buses remains in force, being 12 months beginning on 21 June 2016, be extended to 20 June 2022.

DRAFT

(Refer to the final speech to be delivered at the Legislative Council)

**Speech by the Secretary for Transport and Housing
for moving of a motion under the Road Traffic Ordinance
at the Legislative Council meeting on 29 March 2017**

President,

In accordance with the Road Traffic Ordinance (Cap. 374) (“the Ordinance”), I move that the motion under my name, as printed on the Agenda, be passed to extend the effective period of the existing cap on the number of public light buses (“PLBs”) by five years until 20 June 2022.

Our transport policy is underpinned by public transport services with railways as its backbone. Other modes of public transport play supplementary roles. The role of PLBs is to provide supplementary feeder service, as well as to serve areas with relatively lower passenger demand or where the use of high-capacity transport modes is not suitable. The number of PLBs has thus been subject to a cap of 4 350 since 1976. At present, about 75% of the PLBs are green minibuses while the rest are red minibuses. The average daily total PLB patronage is approximately 1.8 million passenger trips, which corresponds to a generally stable share of around 15% of the public transport market over the past five years.

The aforesaid cap on the number of PLBs at 4 350 has all along been imposed by subsidiary legislation made under section 23 of the Ordinance. According to that provision, the Chief Executive-in-Council may, by publication of notice in the Gazette, limit the number of a class of vehicle which may at any time be registered. The Ordinance also provides that the Legislative Council (“LegCo”) may by resolution extend the period for which a limit remains in force. Over the years, the LegCo has time and again passed resolutions to extend the effective period of the cap on the number of PLBs. In recent years, the effective period of the cap has normally been extended by five years each time so as to provide a relatively stable operating environment for the PLB trade to face its challenges.

In 2015, the Government conducted a survey and reviewed whether the cap on the number of PLBs should be maintained. It was recommended that the effective period of the cap be extended by five years again, which was supported by the LegCo Panel on Transport and the public transport trade. We tabled a resolution to that effect at the LegCo in early 2016 accordingly. Nevertheless, in view of the special circumstances last year, namely the vast number of agenda items which the LegCo had to deal with and the progress in the transaction of the LegCo business, LegCo was unable to deal with the resolution in time before the effective period expired by 20 June 2016. Given the aforesaid situation, the Chief Executive-in-Council made the Road Traffic (Public Light Buses: Limit on Number) Notice 2016 (Cap. 374X) ("the Notice") in June 2016, which imposes the same cap of 4 350 vehicles on the number of PLBs to prevent a legal lacuna from arising. Its effective period is however limited to 12 months up to 20 June 2017. When making the Notice, we advised LegCo that during the 12-month effective period of the Notice, we would arrange to table a resolution again to extend the effective period of the cap by five years to ensure its continuity. The motion I am moving is to extend the effective period of the cap on the number of PLBs as imposed by the Notice by five years until 20 June 2022. This will bring the recommendation of the earlier review, which has been supported by the LegCo and the trade, into full implementation.

The motion that has to be handled right now only deals with the recommendation of maintaining the cap on the number of PLBs. As regards the seating capacity of PLBs, the Government put forward a proposal for increasing the seating capacity in June 2016 and listened to the views of the LegCo Panel on Transport in December 2016. We are formulating the implementation proposal and drafting the Bill for increasing the seating capacity of PLBs, which is expected to be introduced into the LegCo shortly. We may discuss the issue of seating capacity of PLBs in detail during the scrutiny of the Bill by the Bills Committee by then.

President, in accordance with section 23(3) of the Road Traffic Ordinance, I now move the motion to extend the effective period of the existing cap on the number of PLBs (at 4 350) as imposed by the Notice for another five years until 20 June 2022. I sincerely hope that Members will support the motion. Thank you.