

立法會
Legislative Council

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(These minutes have been seen
by the Administration)

Ref : CB4/SS/1/16

**Subcommittee on
Road Traffic (Public Light Buses: Limit on Number) Notice 2016**

**Minutes of first meeting on
Tuesday, 1 November 2016, at 2:30 pm
in Conference Room 2A of the Legislative Council Complex**

Members present : Hon Frankie YICK Chi-ming (Chairman)
Hon WU Chi-wai, MH
Hon CHAN Han-pan, JP
Hon POON Siu-ping, BBS, MH
Hon LAM Cheuk-ting
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Hon Jeremy TAM Man-ho

Members absent : Dr Hon Junius HO Kwan-yiu, JP
Hon Tanya CHAN

Public Officers : **Agenda item II**
Attending
Mr Andy CHAN, JP
Deputy Secretary for Transport and Housing
(Transport) 2

Miss Crystal YIP
Principal Assistant Secretary for Transport and
Housing (Transport) 1

Mr Angus WAT
Assistant Secretary for Transport and Housing
(Transport) (Public Transport Strategy Study) B

Ms Stella LEE
Assistant Commissioner/Management and
Paratransit
Transport Department

Mr Edmond POON
Principal Transport Officer/Urban
Transport Department

Clerk in attendance : Ms Sophie LAU
Chief Council Secretary (4)6

Staff in attendance : Miss Joyce CHAN
Assistant Legal Adviser 1

Ms Macy NG
Senior Council Secretary (4)6

Miss Katherine CHAN
Council Secretary (4)6

Ms Emily LIU
Legislative Assistant (4)6

Mr Griffin FUNG
Legislative Assistant (4)8

Action

I. Election of Chairman

Mr Frankie YICK, the member who had the highest precedence among those present at the meeting, presided over the election of the Chairman of the Subcommittee. He invited nominations for the chairmanship of the Subcommittee.

2. Mr CHAN Han-pan nominated Mr Frankie YICK, and the nomination was seconded by Mr POON Siu-ping. Mr Frankie YICK accepted the nomination.

3. There being no other nominations, Mr Frankie YICK was elected Chairman of the Subcommittee.

4. Members agreed that there was no need to elect a deputy chairman of the Subcommittee.

II. Meeting with the Administration

(File Ref: THB(T)CR19/5591/72 - Legislative Council Brief

L.N. 101 of 2016 - Road Traffic (Public Light Buses: Limit on Number) Notice

LC Paper No. LS1/16-17 - Legal Service Division Report)

5. The Chairman informed members that due to the adjournment of the Council meeting on 19 October 2016, the motion to extend the scrutiny period of the Road Traffic (Public Light Buses: Limit on Number) Notice 2016 ("the Notice") was not moved by the Chairman of the House Committee at the Council meeting on 19 October 2016. As such, the scrutiny period expired on 20 October 2016 and no amendments could be made to the Notice. Notwithstanding this, members wished to give their views on the Notice for reference of the Administration.

6. The Administration briefed members on the Notice. The Subcommittee deliberated (index of proceedings attached in **Annex**).

7. The Subcommittee completed scrutiny of the Notice at the meeting and it would submit a report on its deliberations to the House Committee in due course.

III. Any other business

8. There being no other business, the meeting ended at 3:18 pm.

**Proceedings of first meeting of
Subcommittee on Road Traffic (Public Light Buses: Limit on Number) Notice 2016
on Tuesday, 1 November 2016, at 2:30 pm
in Conference Room 2A of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Agenda Item I – Election of Chairman			
000118 – 000232	Mr Frankie YICK Mr CHAN Han-pan Mr POON Siu-ping	<ul style="list-style-type: none"> - Election of Chairman - Mr Frankie YICK was elected Chairman of the Subcommittee. - Members agreed that there was no need to elect a deputy chairman of the Subcommittee. 	
000233 – 000408	Chairman	<ul style="list-style-type: none"> - Remarks on the legislative timetable 	
Agenda Item II - Meeting with the Administration			
000409 – 001217	Chairman Administration	<ul style="list-style-type: none"> - The Administration's briefing on the Road Traffic (Public Light Buses: Limit on Number) Notice 2016 ("the Notice") 	
001218 – 001621	Chairman Mr CHAN Han-pan Administration	<ul style="list-style-type: none"> - Mr CHAN indicated that he had no objection to extending the effective period of the cap on the number of public light buses ("PLBs") at 4 350 ("the cap") for another five years. He enquired whether the cap could be reviewed during the five-year extended period or not. - The Administration advised that: <ul style="list-style-type: none"> (a) since the resolution tabled at the Legislative Council ("LegCo") meeting on 6 January 2016 to extend the effective period of the cap on the number of PLBs could not be dealt with before the expiry date on 20 June 2016, the Chief Executive in Council had re-imposed the same cap for 12 months by making the Notice. Such cap could only last for one year and the validity of the cap could be extended by the LegCo; (b) if the LegCo and public considered that there would be a need to review the cap and having consulted the trade, the Administration would need to go through 	

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		<p>certain established procedures before putting up any proposal to the LegCo for discussion; and</p> <p>(c) during the 12-month period that the Notice was in force, the Government would seek LegCo's approval to extend the effective period of the cap by resolution. Members would then have an opportunity to review the appropriateness of the cap.</p>	
001622 – 002249	Chairman Mr WU Chi-wai Administration	<ul style="list-style-type: none"> - Mr WU considered the cap non-controversial. He enquired about: <ul style="list-style-type: none"> (a) the number of PLBs in operation; (b) the Government's established policy to contain and reduce the total number of PLBs; and (c) whether the Administration would relax the restriction areas of PLBs to meet transport needs of citizens. - The Administration advised that: <ul style="list-style-type: none"> (a) of the 4 350 PLBs, 3 180 licences were for green minibuses ("GMB") and 1 170 licences were for red minibuses ("RMB"), and that the former had to provide services according to schedules and specified routes while the latter did not have to. The Administration however did not have information on the actual number of PLBs in-active service; (b) the Government had been encouraging the conversion of RMB to GMB, and the Government had imposed certain restrictions on RMB operation as RMBs were not required to operate on fixed routes; and (c) the Government would consider the requests made from the RMB trade from time to time, and when justified would relax the restricted zones for RMBs to pick-up/drop off passengers. 	

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002250 – 002704	Chairman Mr POON Siu-ping Administration	<ul style="list-style-type: none"> - Mr POON supported the Notice. He asked: <ul style="list-style-type: none"> (a) whether the number of in-service GMB drivers could meet the service requirements; and (b) whether or not RMBs were mandated to provide service. - The Administration advised that: <ul style="list-style-type: none"> (a) although there was a shortage of GMB drivers, no routes were cancelled due to shortage of drivers; (b) Transport Department ("TD") did not have information on the number of in-service GMB drivers at hand. TD understood that GMB operators had been taking measures to overcome difficulties in recruitment of full-time GMB drivers. For example, the operators were hiring part-time employees to fill the gap of about 10% to 20% shortage of drivers; and (c) as regards the issue fo GMBs being left idle, since GMBs were required to operate scheduled services, GMBs should normally be in operation at all times and not left idle. As RMBs were not required to operate on fixed routes and RMB operators were free to deploy their vehicles on any route, TD did not have information on whether all RMBs were in operation. 	
002705 – 003314	Chairman Mr Jeremy TAM Administration	<ul style="list-style-type: none"> - Mr TAM considered it difficult to judge whether the cap was realistic or not without information on whether all licensed PLBs were in operation. He considered that TD should check the number of licensed PLBs with paid valid vehicle licence to estimate the number of PLBs in operation. He requested that such information should be made available to Members when they examined the resolution on the cap in 2017. - The Administration explained that: <ul style="list-style-type: none"> (a) 4 350 was the maximum number of vehicles that could be registered as PLBs. 	

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		<p>It would be acceptable or permissible if the number of in-service PLBs was below the cap;</p> <p>(b) the required service to be provided by GMBs could not be made possible without a sufficient number of in-service GMBs; and</p> <p>(c) the number of licensed PLBs with valid vehicle licence might not be indicative of the actual number of PLBs in operation as licensed PLBs might still be left idle.</p>	
003315 – 003835	Chairman Mr LUK Chung-hung Administration	<ul style="list-style-type: none"> - Mr LUK supported the Notice to put a limit on the number of PLBs. He asked whether the Administration would require PLB operators to share the benefits they would gain from the proposal to increase the seating capacity of PLBs ("Seating Capacity Proposal") by raising the salary of PLB drivers and providing fare concessions to passengers. - The Administration advised that: <ul style="list-style-type: none"> (a) the primary aim of the Seating Capacity Proposal was to meet passenger demand without the need to increase the number of vehicles on the road; (b) the operating environment for GMB was not very good with about 60% GMB routes operating in deficit. The Administration however still encouraged the trade to take the opportunity to carry out improvement measures for PLB services, such as installing an additional half-step at the middle floor and handrails to facilitate boarding and alighting by passengers; and (c) the Administration would refer Mr LUK's suggestion to the trade through standing trade forum. 	
003836 – 004108	Chairman Mr LAM Cheuk-ting Administration	<ul style="list-style-type: none"> - Mr LAM relayed the concern of PLB trade that the implementation of the Seating Capacity Proposal would be in favour of a particular PLB manufacturer. He asked for the response of the Administration in this regard. 	

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		<ul style="list-style-type: none"> - The Administration advised that: <ul style="list-style-type: none"> (a) that was a misunderstanding. The Government would not formulate policies based on the availability or otherwise of a particular vehicle model. There was no question of favouritism; and (b) the Seating Capacity Proposal would be discussed at the meeting of the Panel on Transport in December 2016. 	
004109 – 004359	Chairman	<ul style="list-style-type: none"> - The Chairman supported to maintain the cap. He considered it difficult for PLB operators to share the benefits arising from the Seating Capacity Proposal, which sought to meet passenger demand and to relieve the problem of driver shortage. He considered it necessary to increase the income of PLB drivers to solve the driver shortage problem. As the patronage of PLBs was not expected to increase, the Administration should consider allowing PLBs to increase fares. 	
004400 – 004750	Chairman Mr Jeremy TAM Administration	<ul style="list-style-type: none"> - Mr TAM supported the Seating Capacity Proposal and enquired about the earliest time for implementation. - The Administration advised that subject to the support of the Panel on Transport in December 2016, the Administration would begin to prepare the necessary legislative amendments with a view to submitting the legislative proposal to the LegCo for scrutiny in the first half of 2017. It was expected that the Seating Capacity Proposal would come into operation starting from the first half of 2018, the earliest, if the legislative amendments were passed by LegCo, considering the lead time of placing vehicle procurement order and vehicle delay. - The Chairman said that according to his understanding, there were two models of PLBs operating in the market, namely long wheelbase models and short wheelbase models. He understood that a shorter lead time would be required to implement the Seating Capacity Proposal for the long wheelbase models, whereas longer lead time would be required for short wheelbase models as replacement of 	

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		<p>vehicle was required to accommodate the increased number of seats. The Chairman also drew to the Administration's attention that the information in footnote 3 of the LegCo Brief (THB(T) CR 19/5591/72) could be made clearer that the Government's established policy to contain and reduce the total number of PLBs and contain their service area only referred to RMBs, not all PLBs.</p> <p>- The Administration advised that long wheelbase PLB models accounted for about 15% of PLBs in the market. If the Seating Capacity Proposal was to be implemented, the majority of PLBs would need to be replaced to enable addition of seats.</p>	
Agenda Item III - Any other business			
004751 – 004756	Chairman	Closing remarks	