

立法會
Legislative Council

LC Paper No. CB(4)593/18-19
(These minutes have been seen
by the Administration)

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Panel on Transport

**Minutes of meeting held on
Friday, 27 April 2018, at 8:30 am
in Conference Room 1 of the Legislative Council Complex**

Members present : Hon Frankie YICK Chi-ming, SBS, JP (Chairman)
Hon LAM Cheuk-ting (Deputy Chairman)
Hon Tommy CHEUNG Yu-yan, GBS, JP
Hon Jeffrey LAM Kin-fung, GBS, JP
Hon CHAN Hak-kan, BBS, JP
Hon WONG Kwok-kin, SBS, JP
Hon Mrs Regina IP LAU Suk-ye, GBS, JP
Hon Paul TSE Wai-chun, JP
Hon Claudia MO
Hon Michael TIEN Puk-sun, BBS, JP
Hon Steven HO Chun-yin, BBS
Hon WU Chi-wai, MH
Hon YIU Si-wing, BBS
Hon Charles Peter MOK, JP
Hon CHAN Chi-chuen
Hon CHAN Han-pan, JP
Hon LEUNG Che-cheung, SBS, MH, JP
Dr Hon KWOK Ka-ki
Dr Hon Elizabeth QUAT, BBS, JP
Hon POON Siu-ping, BBS, MH
Hon CHUNG Kwok-pan
Hon Alvin YEUNG
Hon Andrew WAN Siu-kin
Hon CHU Hoi-dick

Dr Hon Junius HO Kwan-yiu, JP
Hon Wilson OR Chong-shing, MH
Hon CHAN Chun-ying
Hon Tanya CHAN
Hon LUK Chung-hung
Hon LAU Kwok-fan, MH
Hon Kenneth LAU Ip-keung, BBS, MH, JP
Dr Hon CHENG Chung-tai
Hon KWONG Chun-yu
Hon Jeremy TAM Man-ho
Hon Gary FAN Kwok-wai
Hon AU Nok-hin
Hon Tony TSE Wai-chuen, BBS

Members attending : Hon James TO Kun-sun
Dr Hon Priscilla LEUNG Mei-fun, SBS, JP

Members absent : Dr Hon Helena WONG Pik-wan
Ir Dr Hon LO Wai-kwok, SBS, MH, JP
Hon HO Kai-ming

Public officers attending : **Agenda item III**

Ms Rebecca PUN Ting-ting, JP
Deputy Secretary for Transport and Housing
(Transport)¹

Ms Judy CHUNG Sui-kei
Principal Assistant Secretary for Transport and
Housing (Transport)⁵

Mr CHUI Wing-wah
Deputy Director of Highways
Highways Department

Mr Kelvin LO Kwok-wah, JP
Project Manager/Major Works
Highways Department

Mr Philip LAM Yat-ming
Chief Engineer 5/Major Works
Highways Department

Mr CHU Shun-wah
Principal Project Coordinator/Pedestrian Hillside
Links
Highways Department

Mr Patrick HO Kwong-hang
Chief Traffic Engineer/New Territories West
Transport Department

Agenda item IV

Ms Judy CHUNG Sui-kei
Principal Assistant Secretary for Transport and
Housing (Transport)5

Mr CHUI Wing-wah
Deputy Director of Highways
Highways Department

Mr Terrie HUNG Kwok-chuen
Chief Engineer/Research and Development
Highways Department

Mr Tony YAU Kwok-ting
Chief Engineer/Road Safety and Standards
Transport Department

Agenda item V

Dr Raymond SO, BBS, JP
Under Secretary for Transport and Housing

Mr Tony LI Yeuk-yue
Principal Assistant Secretary for Transport and
Housing (Transport)2

Mr Wilson PANG Wai-shing
Assistant Commissioner for Transport/Technical
Services
Transport Department

Mr Michael LAW Hing-sun
Chief Engineer/Traffic and Transport Survey
Transport Department

Clerk in attendance: Mr Lemuel WOO
Chief Council Secretary (4)6

Staff in attendance : Miss Katherine CHAN
Council Secretary (4)6

Ms Emily LIU
Legislative Assistant (4)6

Action

I. Information paper(s) issued since the last meeting

(LC Paper No. CB(4)761/17-18(01) - Letter from Hon Jeremy TAM Man-ho on issues relating to the study on the rationalization of traffic distribution of the three Road Harbour Crossings and the three land tunnels between Kowloon and Sha Tin

LC Paper Nos. CB(4)773/17-18(01) and CB(4)937/17-18(01) - Joint letter from Hon Jeremy TAM Man-ho, Dr Hon KWOK Ka-ki, Hon Tanya CHAN and Hon Alvin YEUNG on transport arrangements of the Hong Kong-Zhuhai-Macao Bridge and the Administration's response

- LC Paper No. CB(4)785/17-18(01) - Administration's response to the letters from Hon LAM Cheuk-ting and Dr Hon CHENG Chung-tai on issues relating to management of bus captains
- LC Paper No. CB(4)807/17-18(01) - Memorandum referring to the Panel the views and concerns raised by Kwun Tong District Council members regarding the traffic congestion problem in Kowloon Bay Business Area
- LC Paper No. CB(4)814/17-18(01) - Administration's response to the letter from Hon Jeremy TAM Man-ho on private driving instructors' licences
- LC Paper Nos. CB(4)838/17-18(01) and CB(4)937/17-18(02) - Letter from Hon CHAN Han-pan on transport arrangements of the Hong Kong-Zhuhai-Macao Bridge and the Administration's response
- LC Paper Nos. CB(4)869/17-18(01) and CB(4)963/17-18(01) - Joint letter from Dr Hon KWOK Ka-ki, Hon Jeremy TAM Man-ho, Hon Tanya CHAN and Hon Alvin YEUNG on issues relating to the Hong Kong-Zhuhai-Macao Bridge Project and the Administration's response

- LC Paper Nos. CB(4)869/17-18(02) - Letter from Hon Claudia
and CB(4)963/17-18(01) MO on issues relating to
the Hong
Kong-Zhuhai-Macao
Bridge Project and the
Administration's response
- LC Paper Nos. CB(4)884/17-18(01) - Letter from Hon Jeremy
and CB(4)963/17-18(01) TAM Man-ho on issues
relating to the Hong
Kong-Zhuhai-Macao
Bridge Project and the
Administration's response
- LC Paper No. CB(4)892/17-18(01) - Administration's response
to the joint letter from
Hon Tanya CHAN,
Hon Jeremy TAM Man-ho,
Dr Hon KWOK Ka-ki and
Hon Alvin YEUNG on the
operational details of the
Hong Kong section of the
Guangzhou-Shenzhen-
Hong Kong Express Rail
Link
- LC Paper Nos. CB(4)916/17-18(01) - Letter from Hon Gary FAN
and CB(4)963/17-18(01) Kwok-wai on issues
relating to the Hong
Kong-Zhuhai-Macao
Bridge Project and the
Administration's response
- LC Paper No. CB(4)917/17-18(01) - Letter from the
Independent Review
Committee on Hong
Kong's Franchised Bus
Service

- LC Paper No. CB(4)923/17-18(01) - Administration's response to the joint letter from Hon Jeremy TAM Man-ho, Dr Hon KWOK Ka-ki, Hon Tanya CHAN and Hon Alvin YEUNG on the working and rest time arrangements for professional drivers
- LC Paper No. CB(4)938/17-18(01) - Letter from Hon CHAN Han-pan on fares on green minibuses
- LC Paper No. CB(4)974/17-18(01) - Letter from Hon Jeremy TAM Man-ho on bus services
- LC Paper No. CB(4)975/17-18(01) - Submission from a member of the public on driving licence fees for the elderly
- LC Paper No. CB(4)983/17-18(01) - Letter from Hon Frankie YICK Chi-ming on hire car service
- LC Paper No. CB(4)989/17-18(01) - Letter from Hon CHU Hoi-dick on matters relating to the Hong Kong section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link)

Members noted the above papers issued since the last meeting.

II. Items for discussion at the next meeting

- (LC Paper No. CB(4)951/17-18(01) - List of outstanding items for discussion
- LC Paper No. CB(4)951/17-18(02) - List of follow-up actions)

2. Members agreed to discuss the following items at the next regular meeting to be held on 18 May 2018:

- (a) Progress of implementation of measures under Public Transport Strategy Study;
- (b) MTR fare adjustment for 2018; and
- (c) Operational arrangements for the Hong Kong-Zhuhai-Macao Bridge ("HZMB") and the Hong Kong Port.

3. To allow sufficient time for discussion, members agreed to advance the starting time of the next regular meeting to 10:00 am.

4. Ms Tanya CHAN referred to the joint letter she had submitted together with Mr Jeremy TAM, Dr KWOK Ka-ki and Mr Alvin YEUNG on the operational details of the Hong Kong section ("HKS") of the Guangzhou-Shenzhen-Hong Kong Express Rail Link ("XRL") [LC Paper No. CB(4)722/17-18(01)], which was considered at the last meeting of the Panel on Transport ("the Panel") on 16 March 2018. She reiterated the request therein that the matter should be discussed at the Panel meeting or the Subcommittee on Matters Relating to Railways ("the Subcommittee") meeting as early as practicable.

5. The Chairman said that after the last regular meeting, he had discussed with the Subcommittee Chairman on whether the said matter should more appropriately be followed up by the Panel or the Subcommittee in future. The Chairman assured members that he or the Subcommittee Chairman would invite the Administration to report to members the operational details and relevant issues on HKS of XRL as appropriate, following the past practice that the planning and implementation of new railway projects would be dealt with by the Subcommittee, whereas matters relating to fares would be considered by the Panel.

(Post-meeting note: The Administration briefed members on the progress update of the construction of HKS of XRL at the Subcommittee meeting on 1 June 2018, and on the operating arrangements for HKS of XRL at the Panel meeting on 31 August 2018.)

Overseas and local duty visits

6. The Chairman proposed to conduct an overseas duty visit to Singapore to study the country's experience in the development of a smart city, in view of Singapore having been ranked the top performer in a global smart city index recently. The Deputy Chairman and Mr CHAN Han-pan concurred with the Chairman's suggestion as Singapore's efforts in transport management, such as smart parking, could be of good reference for Hong Kong. The Chairman instructed the Clerk to consult members' views on the proposed overseas duty visit to Singapore.

(Post-meeting note: A circular on the proposed overseas duty visit to Singapore was issued to members vide LC Paper No. CB(4)1050/17-18 on 9 May 2018. The proposed visit was also discussed at the Panel meeting on 18 May 2018.)

7. Mr Gary FAN reiterated his request for conducting a site visit to HZMB, which was made earlier in his letter [LC Paper No. CB(4)916/17-18(01)] dated 10 April 2018 but had not been addressed in the Administration's response [LC Paper No. CB(4)963/17-18(01)]. Dr KWOK Ka-ki concurred with Mr FAN and hoped that the visit could be arranged before the agenda item on operational arrangements for HZMB and the Hong Kong Port was discussed at the next regular meeting. The Chairman instructed the Clerk to follow it up with the Administration.

(Post-meeting note: The proposed visit to HZMB was discussed at the Panel meeting on 18 May 2018.)

III. Provision of Hillside Escalator Link and Elevator System and Elevated Walkway

(LC Paper No. CB(4)951/17-18(03) - Administration's paper on provision of Hillside Escalator Link and Elevator System and Elevated Walkway

LC Paper No. CB(4)951/17-18(04) - Paper on two construction projects for the provision of elevated walkway and for the hillside escalator links and elevator systems prepared by the Legislative

Council Secretariat
(background brief)

Relevant papers

LC Paper Nos. CB(4)211/17-18(01) - Submission from Mr PAU Ming-hong of Kwai Tsing District Council Member on issues relating to the provision of hillside escalator links and elevator systems and the Administration's response) and CB(4)978/17-18(01)

8. At the invitation of the Chairman, Deputy Secretary for Transport and Housing (Transport)1 ("DS(T)1") briefed members on the Administration's funding applications for the following projects to enhance the accessibility of hillside area and create a pleasant walking environment:

- (a) Lift and Pedestrian Walkway System between Castle Peak Road and Kung Yip Street, Kwai Chung ("LPWS project") with an estimated capital cost of \$584.4 million in money-of-the-day ("MOD") prices; and
- (b) Elevated Pedestrian Corridor in Yuen Long Town connecting with Long Ping Station ("EPC project") with an estimated capital cost of \$1,708.5 million in MOD prices.

9. With the aid of PowerPoint presentation, Principal Project Coordinator/Pedestrian Hillside Links ("PPC/PHL") and Chief Engineer 5/Major Works of the Highways Department ("HyD") briefed members on the details of respective projects (LC Paper No. CB(4)1023/17-18(01)).

Lift and Pedestrian Walkway System between Castle Peak Road and Kung Yip Street, Kwai Chung

General views

10. Dr KWOK Ka-ki, Mr CHAN Han-pan, Mr LAU Kwok-fan, Mr POON Siu-ping, Mr Gary FAN, Mr Jeffrey LAM and Mr Andrew WAN indicated support for the LPWS project.

11. Mr YIU Si-wing and Mr LAU Kwok-fan pointed out that there was an existing footbridge across Castle Peak Road-Kwai Chung connecting Greenknoll Court and the western footpath of Castle Peak Road-Kwai Chung. For the economical use of resources, they asked whether the Administration had considered extending the existing footbridge instead of constructing a new footbridge across Castle Peak Road. Mr Andrew WAN, however, indicated support for the construction of a new footbridge as the existing one had been very old.

12. Deputy Director of Highways ("DDHy") advised that HyD had studied the feasibility of extending the existing footbridge mentioned by members above. The study revealed that the existing footbridge was not wide enough to accommodate the estimated pedestrian flow. To extend the footbridge would also entail substantial structural changes as well as changes in alignment of the Castle Peak Road. The Administration therefore decided to construct a new elevated pedestrian walkway as it would be more cost-effective and would minimize the nuisance caused to the public. DDHy supplemented that the existing footbridge would still be open for public use even with the new elevated walkway.

Lift design and energy saving measures

13. Mr CHAN Han-pan asked about the capacity of the lifts to be installed under the LPWS project. PPC/PHL advised that the two lifts near Kung Yip Street and the lift adjacent to the western footpath of Castle Peak Road could each accommodate 12 persons whereas those near Greenknoll Court could each accommodate 16 persons. He added that the speed of lifts would be designed to suit the demand and there would be sufficient waiting area for passengers.

14. Dr KWOK Ka-ki asked whether the Administration would adopt energy saving measures for the lifts under the two projects and install solar panels on the footbridge roof. In reply, Project Manager/Major Works of HyD ("PM/MW") advised that LED lights and sensors would be installed in the lifts under the projects. He explained that after the sensors detected no activity for a period of time, the lifts would be put to standby mode for energy saving. HyD would also actively consider installing solar panels on the footbridge roof.

15. The Chairman and Mr LAU Kwok-fan both expressed concerns about the poor ventilation of the lifts in certain lifts and pedestrian walkway systems. In response, DDHy advised that newly designed lifts would no longer be provided with air conditioners but would adopt mechanical

ventilation system instead. In designing the lift tower, he said that a balanced mix of solid walls and glazed panels would be adopted under the projects.

Schedule of implementation

16. Mr Jeffrey LAM asked about the schedule of implementing the LPWS project. DDHy advised that subject to funding approval of the Finance Committee in 2017-2018 legislative year, HyD planned to commence the construction works in the first quarter of 2019 for completion in the second quarter of 2023.

17. Mr POON Siu-ping expressed concern about the lengthy time required to implement the LPWS project and urged for its early implementation. DDHy explained that due to the complexity of the project which involved construction works above slopes, the Administration considered that the proposed schedule was reasonable.

Temporary traffic arrangements during works in progress

18. Mr Jeffrey LAM asked whether there would be temporary traffic diversion arrangements when implementing the LPWS project and, if there was, whether the Administration would inform motorists well in advance of the relevant arrangements.

19. DDHy advised that although the LPWS project would not entail permanent road change, short-term traffic diversion might be implemented during the construction stage. He assured members that the Administration would duly inform the relevant District Council and the incorporated owners of nearby premises before the works commenced, and provide sufficient signage alerting motorists about the traffic diversion arrangements during the construction stage.

Enhancement of pedestrian facilities in the vicinity of the project

20. Dr CHENG Chung-tai noted that the projected daily usage rate of the proposed walkway system would be about 5 100 pedestrian trips. He was concerned whether the existing pedestrian facilities at Kung Yip Street, which was connected to the walkway system, could accommodate the increased number of pedestrian trips. Mr CHAN Han-pan expressed a similar concern about the insufficient pedestrian facilities at Kung Yip Street. They asked whether the Administration would enhance the pedestrian at-grade facilities of Kung Yip Street under the LPWS project.

21. DDHy replied that improving the pedestrian facilities at Kung Yip Street was not within the scope of the LPWS project. Nevertheless, HyD would liaise with the Transport Department ("TD") to assess whether the pedestrian facilities at Kung Yip Street need to be improved. He added that, as a portion of the pedestrians from Shek Lei area using the pedestrian walkway would depart at the exit of Castle Peak Road-Kwai Chung for taking buses, the actual number of pedestrian trips to Kwai Hing MTR Station via Kung Yip Street would be less than 5 100.

22. Mr Andrew WAN pointed out that the at-grade road on Castle Peak Road-Kwai Chung connecting to one of the lift towers of the proposed walkway system was steep and narrow. He asked whether measures would be taken to enhance pedestrian safety on that road section. DDHy undertook to look into the matter raised by Mr WAN.

Elevated Pedestrian Corridor in Yuen Long Town connecting with Long Ping Station

Project cost and schedule of implementation

23. Dr KWOK Ka-ki, Mr CHAN Han-pan, Mr LAU Kwok-fan, Mr POON Siu-ping, Mr Gary FAN, Mr Tony TSE and Mrs Regina IP indicated support for the EPC project. However, Dr KWOK Ka-ki expressed grave concern about the high project cost for implementing the project, i.e. \$1,708.5 million. Mr KWONG Chun-yu shared a similar concern and asked whether the EPC project was the most expensive among its kind of projects in Hong Kong, and the factors contributing to the high cost.

24. In response, PM/MW explained that owing to the existence of cavities underneath the site, there was a need to install piles (with some deepest ones near 90 metres) for the footbridge under the EPC project. Therefore, the foundation cost of the EPC project would be higher than that of normal footbridge projects by 60%. Furthermore, steel deck structures in longer span would be adopted for the pedestrian corridor to minimize visual impact to the surroundings along the nullah, contributing to a higher project cost.

25. Mr POON Siu-ping was concerned about the lengthy time required to implement the EPC project and asked whether the relevant works could be expedited. PM/MW replied that, to avoid affecting the drainage capacity of the Yuen Long Town Nullah during rainy seasons, the foundation works of the EPC project had to be carried out in three dry seasons whereas the superstructure construction and electrical and mechanical installation works

would be carried out in the remaining two years. The Administration was considering how the construction programme could be optimized with a view to commissioning the elevated pedestrian corridor in stages earlier.

Alignment and design of the elevated pedestrian corridor

26. Dr KWOK Ka-ki and Mr KWONG Chun-yu asked about the reasons why the elevated pedestrian corridor was not extended to Ma Tin Road to relieve the congestion problem of Castle Peak Road-Yuen Long (commonly known as Yuen Long Main Road). Dr KWOK further asked whether the Administration would consider widening the at-grade footpath along Yuen Long Main Road or minimizing road traffic to enhance pedestrian safety.

27. PM/MW advised that the findings of relevant study on population growth revealed that there was no imminent traffic need for extending the elevated pedestrian corridor southward to Ma Tin Road. However, he informed members that the EPC project would allow provision for future extension at the southern end of the elevated pedestrian corridor, and HyD would review on a regular basis whether there was a need for such extension.

28. PM/MW further pointed out that the two existing road crossings across Yuen Long Main Road were very congested. As such, the proposed elevated pedestrian corridor under the EPC project, which would be in parallel to the above road crossings and provide a more direct, continuous access to Long Ping Station, would be able to divert pedestrian flow from the Yuen Long Main Road to it and hence relieve the congestion there.

29. Mr Tony TSE said that some professional institutes had given views on enhancing the design of the EPC project and he was thankful to HyD for arranging to consult the District Council on their views. Mr TSE said that while the professional institutes respected the District Council's decision to adopt HyD's original proposal, they requested the Administration to include greening features and reserve spaces for erecting intelligent panels along the pedestrian corridor for advertisements/publicity with necessary facilities, such as power supply.

30. The Chairman requested the Administration to take note of the relevant professional institutes' views. He also agreed that spaces should be reserved for erecting advertising panels as it would help reduce the disarray caused by hanging multifarious banners along the railing of the footbridge.

Other concerns

31. Mrs Regina IP was concerned whether there would be sufficient construction workers to implement the EPC project and whether noise nuisance would be caused to the residents nearby when the piling works was in progress. In response, PM/MW advised that the EPC project was not labour intensive. He also assured members that the Administration would comply with the relevant environmental protection requirements when carrying out the piling works.

32. Dr CHENG Chung-tai asked whether the landscape in the vicinity of the elevated pedestrian corridor connected to Long Ping Station would be improved under the EPC project. PM/MW replied that, in tandem with the EPC project, the Drainage Services Department ("DSD") would take forward the Improvement of Yuen Long Town Nullah (Town Centre Section) Project to enhance the local environment of Yuen Long Town Nullah at the town centre section and its surroundings, and HyD had been working closely with DSD to integrate the EPC project with DSD's project and coordinate the implementation schedules of both projects.

Implementation of Hillside Escalator Link and Elevator System projects

33. Mr Jeffrey LAM considered that, in the planning of housing development projects, the Administration should assess from the outset the need to provide Hillside Escalator Link and Elevator System ("HEL") in the projects concerned with a view to providing the necessary facilities to the residents in a timely manner.

34. Mr Gary FAN asked whether the Administration was determined to implement all the outstanding ranked HEL projects as set out in the Administration's paper, irrespective of the challenges encountered. In reply, DS(T)1 advised that if the technical feasibility studies conducted for the HEL proposals revealed that they were technically feasible, HyD would conduct ground investigation, carry out preliminary design and consult District Councils as well as relevant stakeholders progressively, arrange for the gazettal of the proposals, handle objections which might arise, carry out detailed design and, where necessary, carry out land acquisition for the HEL projects. She explained that, as various considerations and complexities were involved, whether the projects could be successfully implemented would depend on whether the difficulties encountered could be duly solved.

35. Mr Gary FAN enquired about the progress of implementing the Escalator Link System between Sha Tin Sui Wo Court and MTR Fo Tan Station. In reply, DDHy advised that the project involved complicated land issues as a substantial part of the proposed alignment ran through lots held by the Hong Kong Housing Authority and Link REIT. Notwithstanding this, the Administration was liaising with relevant parties to address the issues.

36. In response to Mr YIU Si-wing's enquiries regarding the progress of the HEL projects in general, DS(T)1 replied that the Administration would first implement the 18 ranked proposals in the respective districts. At present, three out of the 18 ranked proposals had been completed and opened for public use, four were under construction and six were at different stages of investigation and design. The Administration would seek funding approval from the Legislative Council when the projects were ready for construction.

37. As for the more than 110 new HEL proposals received in the past few years covering different districts, DS(T)1 advised that TD had commenced a study since end 2017 to review and improve the assessment mechanism established in 2009 for the HEL proposals ("TD's Study"). TD would carry out initial screening and assessment of those new HEL proposals on the basis of the new assessment mechanism with a view to selecting and prioritizing the feasible and justifiable proposals to facilitate the drawing up of a timetable for implementing the proposals.

38. Mr CHAN Han-pan asked whether the Administration would consider installing HEL on the slope between Wo Yi Hop Road and Wah Sing Street to facilitate residents travelling to the MTR station. DDHy replied that the Administration had no plan to provide HEL at Wah Sing Street at the moment. However, that proposal could be considered after completion of TD's Study.

39. Mr CHAN Han-pan expressed grave concern about the very slow progress of implementing the HEL projects. He urged that, apart from the scoring criteria for assessing the HEL proposals, the Administration should also review the procedures for seeking funds to implement the projects with a view to expediting the project implementation process.

40. DS(T)1 explained that various challenges were encountered during the implementation of different HEL projects. HyD had to discuss with various stakeholders and undertake relevant studies to resolve the problems, which took considerable time. During the process, HyD would have to balance the demands of relevant stakeholders. DS(T)1 added that, as the

scale and cost of each HEL project varied, the Administration considered it more appropriate to seek funding for individual projects in accordance with the established procedures for implementing public works projects. However, the Administration would review the funding arrangements for the HEL projects in connection with TD's Study.

Conclusion

41. After discussion, the Chairman concluded that the Panel supported the Administration's submission of the financial proposal on LPWS and EPC projects to the Public Works Subcommittee for consideration.

IV. Legislative amendments on enhancing the safety requirements of road works

(LC Paper No. CB(4)951/17-18(05) - Administration's paper on legislative amendments on enhancing the safety requirements of road works

LC Paper No. CB(4)951/17-18(06) - Paper on safety requirements for road works prepared by the Legislative Council Secretariat (updated background brief))

42. At the invitation of the Chairman, Principal Assistant Secretary for Transport and Housing (Transport)5 ("PAS(T)5") briefed members on the latest progress of the review of road works requirements. She said that the "Code of Practice for the Lighting, Signing and Guarding of Road Works" ("the Code") was amended by HyD and published in the Gazette pursuant to the Road Traffic Ordinance (Cap. 374). It was the Fifth Edition of the Code ("the revised Code") and had taken effect from 1 January 2018.

43. PAS(T)5 further said that the Administration had indicated to the Panel at its meeting on 21 July 2017 that it was considering making relevant legislative amendments to the Road Traffic (Traffic Control) Regulations (Cap. 374G) ("the Regulations") with a view to further strengthening the regulation of traffic control and guarding measures implemented during road works. The proposed legislative amendments ("the Proposal") as set out in the Administration's paper were made after seeking advice from the Department of Justice. With the aid of a PowerPoint presentation [LC

Paper No. CB(4)1023/17-18(02)], Chief Engineer/Research and Development of HyD presented the details of the Proposal to members.

Road works safety

44. Mr POON Siu-ping asked about the effectiveness of the various measures introduced in the revised Code. DDHy replied that the number of traffic accidents involving roadworks operatives and works vehicles in the first two months of 2018 was four, and no fatality was recorded in these accidents. As the revised Code had only come into effect for a short period, it was premature for the Administration to evaluate its effectiveness. However, the Administration would continue to monitor the implementation of the revised Code.

45. Mr CHAN Chun-ying indicated support to the Proposal. He referred to a fatal traffic accident in Hung Hom in March 2018 in which a Senior Police Constable was hit and killed by a truck when he was collecting traffic cones at the scene of a traffic accident. Mr CHAN enquired whether government departments, including the Police, were required to comply with the requirements set down in the Code. DDHy replied that the Police had a set of guidelines to be observed by Police officers handling cases on the roads.

46. Mr CHAN Chun-ying further said that, in order to minimize the risks faced by road workers in carrying out mobile operations, the Administration should further improve the safety protection measures for road works, such as introducing equipment for erecting/collecting warning signs, road hazard warning lanterns and traffic cones. Sharing Mr CHAN's view, the Chairman pointed out that specialized equipment for erecting/collecting traffic cones had been in use in the Mainland. He requested the Administration to draw reference from the Mainland's experience.

47. In reply, DDHy said that the revised Code had included enhancement of guarding requirements (such as extending the application of shadow vehicles equipped with truck mounted attenuator with enhanced associated technical requirements, and the use of other temporary guarding equipment) to further minimize the risk of a vehicle crashing into a work site during accident and to reduce the consequential damage or injury.

48. As regards the Chairman's suggestion, DDHy said that the Administration had studied the practice adopted in the Mainland as well as the latest developments of equipment for erecting/collecting warning signs, road hazard warning lanterns and traffic cones. However, the equipment

available on the market did not fully comply with the requirements specified in the Code and, therefore, the Administration had sought the assistance of the Hong Kong Productivity Council to explore mechanizing the relevant mobile operations so as to reduce the risks faced by road workers.

49. The Chairman noted that, under the revised Code, advance warning signs were required to be displayed at least 600 metres in advance of the works area in the course of maintenance works on expressways with lane closure. He considered that the signs might not be clearly visible to road users to achieve the desired warning and guarding effect from such a far distance, particularly at road bends. In this regard, he urged the Administration to review the relevant requirement.

50. DDHy noted the Chairman's views and said that HyD would exercise vigilance in checking whether the safety requirements specified in the Code were complied with. However, under certain circumstances such as those involving complex urban road junctions, the site conditions might not allow for implementing the road safety measures in full. DDHy said that HyD would work closely with relevant departments and the person responsible under regulation 19 of the Regulations ("person responsible") to develop work plans which could enhance the overall safety of the road works having regard to the site constraints.

Criminal liability

51. Mr POON Siu-ping noted that at present, the person responsible who without reasonable excuse contravened any of the requirements on lanterns, traffic signs and road markings at road works specified under the Regulations might commit an offence and be liable on first conviction to a fine of \$5,000 and imprisonment for three months; and on second or subsequent conviction to a fine of \$10,000 and imprisonment for six months. He considered that the said penalty was relatively lenient and hence might not have sufficient deterrent effect when compared with other offences on occupational safety. Mr Michael TIEN shared a similar view and pointed out that, under section 36 of Cap. 374, a driver charged with "causing death by dangerous driving" was liable to a maximum fine of \$50,000 and imprisonment for 10 years. Therefore, he considered that the penalty levels for contravening the Regulations were too low.

52. In response, DDHy advised that the existing penalty level under the Regulations was in line with other relevant laws. As the person responsible would be liable to imprisonment of up to six months for failure to comply with the Regulations in planning the road works, he considered that the

penalty level should oblige one to be vigilant in ensuring that the safety requirements under the Code would be complied with. As regards Mr Michael TIEN's view, DDHy considered that the offence under section 36 of Cap. 374 was much more serious in nature and hence was not an appropriate subject to compare with.

53. Mr Michael TIEN further indicated that the existing legislation only specified the requirements to be observed by the person responsible as well as their criminal liability, but no corresponding requirements and liability were imposed on the contractors. Mr TIEN considered that the Administration should improve the situation so as to further enhance the safety requirements of road works. The Chairman concurred with Mr TIEN's views.

54. In reply, DDHy said that the Administration considered the existing legal requirements appropriate as the road works were carried out under the supervision or direction of the person responsible. Notwithstanding this, HyD's contractors were required to formulate safety plans and implement safety management systems for the road works undertaken by them. HyD's staff would conduct random and surprise inspections to the sites concerned on a regular basis and, if any irregularities were observed, actions could be taken against the contractors according to the contract terms. DDHy added that serious non-compliance would be reflected in the contractors' performance reports, which could affect their chances to bid for new public works contract as their past performance would be taken into consideration when their tender submissions were evaluated.

55. Mr Tony TSE noted that some of the detailed requirements on lighting, signing and guarding of road works had been stipulated in the subsidiary legislation. As time went by and with the advancement in technology, certain requirements might become obsolete and need to be updated. Mr TSE considered that, to allow greater flexibility for amendments to the detailed requirements for road works in future, such requirements should be specified in the form of administrative instructions rather than subsidiary legislation.

56. DDHy replied that, generally speaking, the legal requirements governing traffic issues of road works were stipulated in Cap. 374 and relevant regulations, whereas the detailed requirements for different types of devices (e.g. size, colour, materials, conditions necessitating the use of the devices, quantity to be placed, spacing and height, etc.) were specified in the Code. If necessary, the Director of Highways might prescribe and, from time to time, revise the Code by notice in the Gazette.

Motion

57. The Chairman said that he had received a motion proposed by Mr Michael TIEN. He considered the proposed motion directly related to the agenda item under discussion and it was appropriate for the Panel to deal with it. The Chairman then ordered that the voting bell be rung for five minutes to notify the Panel members of the voting.

58. The Chairman put the following motion to vote:

鑒於近年涉及道路工程工人和車輛的交通意外事故頻繁，死傷者大部分涉及道路工程工人，為加強保障道路工程工人的性命安全，本會促請政府：

1. 加強對有關提升道路工程安全要求和防護設施要求的法例刑責；及
2. 有關提升道路工程安全要求的法例修訂必須訂明對工程承辦商的罰則。

(Translation)

Given that traffic accidents involving road works operatives and vehicles have occurred frequently in recent years with a large proportion of the casualties being road works operatives, in order to enhance the protection for the lives and safety of road works operatives, this Panel urges the Government to:

1. increase the statutory criminal liability of contravening the requirements to enhance the safety of and provide guarding equipment for road works; and
2. stipulate, as a must, the penalties for works contractors in the legislative amendments on enhancing the safety requirements of road works.

59. The Chairman announced that 17 members voted for the motion, one voted against it and none abstained from voting. The Chairman declared that the motion was carried.

V. Installation of additional traffic detectors, Speed Map Panels and Journey Time Indication Systems

(LC Paper No. CB(4)951/17-18(07)

- Administration's paper on installation of additional traffic detectors, Speed Map Panel and Journey Time Indication Systems

LC Paper No. CB(4)951/17-18(08)

- Paper on installation of traffic detectors, Speed Map Panels and Journey Time Indication Systems prepared by the Legislative Council Secretariat (background brief))

(At 10:12 am, the Chairman proposed and members supported extending the meeting for 15 minutes to 10:45 am.)

60. At the invitation of the Chairman, Under Secretary for Transport and Housing ("USTH") briefed members on the Administration's proposal to install some 520 sets of traffic detectors (including video, automatic licence plate recognition and bluetooth detectors) on strategic routes and major roads; and provide 11 sets of Journey Time Indication Systems ("JTISs") and enhance an existing Speed Map Panel ("SMP") ahead of critical divergent points of strategic routes and major roads ("the Project"). Members noted that the cost of the Project would be about \$238.6 million in MOD prices.

61. With the aid of a PowerPoint presentation [LC Paper No. CB(4)1023/17-18(03)], Chief Engineer/Traffic and Transport Survey of TD ("CE/T&TS") briefed members on the details of the Project.

Protection of personal data

62. The Deputy Chairman noted that the proposed automatic licence plate recognition ("ALPR") detectors could capture images of the licence plate numbers of vehicles and match them with TD's vehicle licensing system, so as to provide information about the traffic volume of different vehicle class on roads. He expressed concerns whether the images of the inside of vehicle compartments would also be captured; and the measures adopted by the Administration to protect the personal data collected.

63. In response, Assistant Commissioner for Transport/Technical Services of TD ("AC/TS") and CE/T&TS explained that the images captured by the ALPR detectors would not be transmitted to TD's central computer system, and the vehicle licence plate numbers analyzed from the images would be cryptographically hashed before transmission. Furthermore, the hashed vehicle licence plate numbers and the images would be deleted immediately after use.

64. The Deputy Chairman further enquired whether any TD staff would monitor the ALPR detectors in operation and, if so, whether they could view peoples' faces inside the vehicles. CE/T&TS replied that the whole process was fully automatic without involving any human viewing.

65. Mr Charles MOK noted that the Administration would use the cryptographic hash, i.e. SHA-256, for secure applications in the ALPR detectors. He said that, to his knowledge, this type of cryptographic hash performed well in protecting data during transmission.

66. In response to Mr Charles MOK's enquiry about how the Administration would handle the personal data collected by bluetooth detectors, AC/TS said that the bluetooth detectors would generate data regarding the average vehicular speed and journey time by detecting Media Access Control ("MAC") addresses of the bluetooth devices in vehicles. The MAC addresses would be deleted immediately after use.

67. Mr AU Nok-hin considered that while the Administration had expressed that it would immediately delete the data collected by the ALPR detectors and the bluetooth detectors after use, it should study how to avoid collecting any personal data in the course of traffic data collection. He also asked whether any personal data collected by the traffic detectors would be passed to other government departments for other uses, such as evidence for taking enforcement actions. AC/TS stressed that the data collected by the traffic detectors under the Project could not possibly be passed to other departments as they would be deleted immediately after use.

Collection and application of traffic information

68. Concerning the proposed installation of traffic detectors, Mr Jeremy TAM enquired whether the Administration had explored the feasibility of collecting real-time traffic information through other means. He said that, in view of the extensive use of mobile communication devices in vehicles, the Administration should collaborate with the relevant telecommunication service providers to collect real-time traffic data. Mr TAM further pointed

out that such method for collecting traffic data had been adopted by some overseas countries to enhance road safety and traffic management.

69. USTH responded that the Administration would take Mr Jeremy TAM's views into account. He also stressed that the real-time traffic information collected from the proposed traffic detectors to be installed on strategic routes and major roads would be more accurate and reliable than that collected from other methods, and therefore, the Administration considered it appropriate to use the traffic detectors as the primary means to collect comprehensive real-time traffic information.

70. The Chairman considered that apart from installing traffic detectors on lampposts to enhance the efficiency of traffic and incident management, the Administration should consider installing positioning systems simultaneously in order to tie in with the future technological developments in autonomous vehicles. USTH said that the Administration would consider the Chairman's suggestion as appropriate.

71. Mr Michael TIEN considered that the ALPR detectors, if used together with closed circuit television cameras, might facilitate law enforcement by the Police against vehicles stopping in yellow boxes and vehicles parked at bus stops. Mr TIEN said that he had consulted the Secretary for Security ("S for S") on his suggestion earlier. S for S had indicated support from a security and law enforcement point of view, and undertook to refer the suggestion to the Transport and Housing Bureau ("THB") for consideration. Mr TIEN enquired whether THB would follow up his suggestion.

72. USTH replied that the Police and relevant bureaux, such as the Development Bureau, spared no effort to deploy technologies to assist in traffic management and enforcement actions. For example, trials on illegal parking monitoring system to combat illegal parking and related traffic offences would be carried out in Kowloon East under the Energizing Kowloon East initiatives. USTH assured members that the Administration would continue to follow up on the subject.

Proposed locations for installing traffic detectors, Journey Time Indication Systems and Speed Map Panels

73. Noting the Administration's proposal to provide JTISs ahead of critical divergent points of strategic routes and major roads, Mr AU Nok-hin pointed out that the number of JTISs installed on roads in the Southern District were not sufficient. He suggested that additional JTISs should be

installed at Pok Fu Lam Road near Pok Fu Lam Village and at Wong Chuk Hang Road near Aberdeen Sports Ground to facilitate motorists to better plan their journeys and select suitable routes.

74. Mr LAU Kwok-fan enquired about the criteria for choosing the locations for installing traffic detectors, JTISs and SMPs and suggested that the Administration should consult respective District Councils again and consider their views to better meet the traffic needs of the community.

75. In response, USTH said that the Administration had thoroughly considered the District Councils' suggestions on traffic grounds and incorporated some of them in the Project.

Motion

76. The Chairman said that he had received a motion proposed by Mr AU Nok-hin. He considered the proposed motion directly related to the agenda item under discussion and it was appropriate for the Panel to deal with it. The Chairman then ordered that the voting bell be rung for five minutes to notify the Panel members of the voting.

77. The Chairman put the following motion to vote:

本會要求政府增加安裝南區行車時間顯示系統，包括：

1. 薄扶林道近薄扶林村北行方向(金鐘經薄扶林道 X分鐘；金鐘經香港仔隧道 Y分鐘)；及
2. 黃竹坑道近香港仔運動場附近北行方向(金鐘經香港仔隧道 X分鐘；金鐘經南風道 Y分鐘)，

配合鴨脷洲大橋擬安裝行車時間顯示系統，方便駕駛者。

(Translation)

This Panel requests the Government to install additional JTISs in the Southern District, including:

1. on the northbound carriageway of Pok Fu Lam Road near Pok Fu Lam Village (Admiralty via Pok Fu Lam Road X minutes; Admiralty via Aberdeen Tunnel Y minutes); and

2. on the northbound carriageway of Wong Chuk Hang Road near Aberdeen Sports Ground (Admiralty via Aberdeen Tunnel X minutes; Admiralty via Nam Fung Road Y minutes),

so as to dovetail with the proposed installation of JTISs on Ap Lei Chau Bridge for the convenience of motorists.

78. The Chairman announced that 11 members voted for the motion, five voted against it and four abstained from voting. The Chairman declared that the motion was carried.

(Post-meeting note: The Chinese version of the Administration's response to the motion passed was issued vide LC Paper No. CB(4)1360/17-18(01) on 6 July 2018.)

Conclusion

79. After discussion, the Chairman concluded that the Panel supported the Administration's submission of the funding proposal of the Project to the Public Works Subcommittee for further consideration.

VI. Any other business

80. There being no other business, the meeting ended at 10:44 am.