

政府總部  
運輸及房屋局  
運輸科  
香港添馬添美道 2 號  
政府總部東翼



Transport and  
Housing Bureau  
Government Secretariat  
Transport Branch

East Wing, Central Government Offices  
2 Tim Mei Avenue, Tamar, Hong Kong

本局檔號 Our Ref.: THB(T)CR 1/ 4651/2018

電話 Tel. No.: 3509 8155

來函檔號 Your Ref.: CB4/SS/4/18

傳真 Fax No.: 2104 7274

By fax (2840 0269) and  
By email (gchfung@legco.gov.hk)

Ms Macy NG  
Clerk to Subcommittee on Three Regulations to Exempt the Toll for  
Franchised Buses Using Government Tunnels as well as the  
Tsing Ma and Tsing Sha Control Areas  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

21 December 2018

Dear Ms NG,

**Follow-up actions arising from the meeting on 14 December 2018 of  
Subcommittee on Three Regulations to Exempt the Toll for  
Franchised Buses Using Government Tunnels as well as  
the Tsing Ma and Tsing Sha Control Areas**

Thank you for your letter of 14 December 2018. Our reply on the follow-up actions arising from the meeting on 14 December 2018 is as follows.

**Exempting tunnel tolls for non-franchised buses (residents' service) and green minibuses ("GMBs")**

As franchised buses are road-based mass carriers with high carrying capacity, they should be accorded with priority to have the tunnel and road toll exemption. As mentioned in the 2018 Policy Address, the Government will adopt the concept of "Congestion Charging" and study the toll levels of

government tolled tunnels and the Tsing Ma and Tsing Sha Control Areas for all vehicle classes, in order to enable efficient people carriers and vehicles that support economic activities to enjoy lower tolls while vehicles with low carrying capacity would need to pay higher tolls. After conducting relevant studies, we will further consider if the exemption arrangement should be extended.

As compared with franchised buses, there are only a small number of GMB routes plying through tolled tunnels. GMBs also have a lower carrying capacity and we have to carefully consider if it is appropriate to have such an arrangement as franchised bus toll exemption applied to them. As for non-franchised buses, the services provided by the operators are generally arranged through negotiations between the passenger groups and operators themselves. Fare levels and rate of fare adjustment are also not subject to the approval of the Transport Department ("TD"). Thus, even if the tunnel and road tolls for non-franchised buses can be lowered or exempted in the future, it will be more difficult for the TD to ensure that the operators will set aside their funds, like those of franchised buses, with a view to relieving the future fare increase pressure, or to ensure that the operators would reduce fares.

### **Direct reduction in fares for bus routes using tolled tunnels**

When determining the fares of franchised bus services, the Government will take into account a basket of factors in a holistic manner, instead of determining the fare levels according to the operations costs (e.g. tolls for using different tunnels, etc.) of individual routes. For example, both Route 269C (Tin Shui Wai – Kwun Tong) and Route 258X (Tuen Mun (Po Tin Estate) – Kwun Tong) ply between New Territories West and Kwun Tong. Although Route 269C goes via the tolled Tai Lam Tunnel and Route 258X goes via Tuen Mun Road which is an untolled road, the present fares for both routes are the same at \$18.4. Another example is that both Route 68X (Hung Shui Kiu (Hung Fuk Estate) – Mongkok (Park Avenue)) and Route 63X (Hung Shui Kiu (Hung Fuk Estate) – Jordan (West Kowloon Station)) ply between Hung Shui Kiu and Yau Tsim Mong District. While the former goes via the tolled Tai Lam Tunnel and the latter goes via the untolled Tuen Mun Road, the present fares for both routes are the same at \$14.2. From the above examples, it could be seen that if we directly reduce the fares for bus routes using tolled tunnels and roads, it will be unfair to passengers of routes crossing no tolled tunnels and roads, and inconsistent with the bus fare setting mechanism as a whole. Therefore, we consider that the present proposal of reducing the overall fare increase rates of franchised bus operators through exemption of tunnel tolls is more preferable.

**Legislative amendments after taking over of Western Harbour Crossing and Tai Lam Tunnel by the Government**

Generally speaking, upon the expiry of the franchises of the tunnels operating under the "Build-Operate-Transfer" ("BOT") model, the Government will need to introduce a bill to amend the relevant provisions so as to provide the necessary legal basis for the continued operation and management of such tunnels as government tunnels, and to repeal the legislation governing the operation of the tunnels under the BOT model. Only when the legislative amendments have come into operation and the tunnels concerned have been included in the legal framework of the Road Tunnels (Government) Ordinance (Cap. 368) and its subsidiary legislation, the Road Tunnels (Government) Regulations (Cap. 368A) amended by the Road Tunnels (Government) (Amendment) (No. 2) Regulation 2018 (i.e. the arrangement of exempting the franchised buses from paying the tolls for using the tunnels concerned) will be applicable to the tunnels concerned.

Yours sincerely,



( Nick Choi )

for Secretary for Transport and Housing

c.c.: Transport Department (Attn.: Mr Patrick WONG) (Fax no.: 2824 0433)  
Department of Justice (Attn.: Angie LI) (Fax no.: 3918 4613)