

香港特別行政區政府  
The Government of the Hong Kong Special Administrative Region

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本局檔號 OUR REF.: THB(T) CR 1/5591/2019  
來函檔號 YOUR REF.: CB4/PAC/R72

25 July 2019

Mr Anthony Chu  
Clerk to Public Accounts Committee  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

Dear Mr Chu,

**Public Accounts Committee**

**Consideration of Chapter 1 of the Director of Audit's Report No. 72**

**Planning, provision and management of public parking spaces**

I refer to your letter of 4 June 2019, seeking further information to facilitate the Public Accounts Committee's consideration of Chapter 1 of the Director of Audit's Report No. 72.

The requested information is now enclosed for your reference, please. This is a consolidated reply from the Transport and Housing Bureau and the Transport Department.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'SOM YEE-MAN'.

( SOM Yee-man, Emily )  
for Secretary for Transport and Housing

c.c. Commissioner for Transport 2802 2361

**Public Accounts Committee**  
**Consideration of Chapter 1 of the Director of Audit's Report No. 72**  
**Planning, Provision and Management of Public Parking Spaces**

Enquiries from Clerk to the Public Accounts Committee dated 4 June 2019

To facilitate the Public Accounts Committee's consideration of Chapter 1 of the Director of Audit's Report No. 72 ("Audit Report"), I should be grateful if you could provide us with the information below:

Planning and provision of public parking spaces in Government, Institution or Community developments

- (a) with reference to Case 1 in paragraph 2.12 of the Audit Report and the reply from the Director of Leisure and Cultural Services Department dated 27 May 2019 (R72/1/GEN7), the progress of new public parking spaces under the principle of "Single Site, Multiple Uses" in Government, Institution or Community ("G/IC") developments would largely hinge on the coordination among the relevant departments concerned as well as the support of the local communities. Has the Transport and Housing Bureau/Transport Department considered putting in place any measures/mechanism to facilitate better coordination among government bureaux/departments concerned and solicit the support of the local community so that the public parking spaces could be made available to the public as soon as possible; and

**Reply**

- (a) The Transport Department ("TD") has been monitoring the parking demand of Tseung Kwan O, and will identify suitable government sites or facilities in the district for provision of public car parks under the principle of "single site, multiple uses" so as to optimise the use of the sites.

When planning for public car parks, TD will critically review the demand for parking spaces, including taking into account local traffic conditions, land availability, utilisation of public car parks nearby, illegal parking in the vicinity and views of District Councils and other stakeholders. If the provision of public car parks is considered necessary, TD will take the initiative to liaise with the government departments concerned during the planning

**\*Note by Clerk, PAC:** *See Appendix 10 of this Report for the reply from Director of Leisure and Cultural Services dated 27 May 2019.*

stage of the relevant projects, and request for the provision of public car parks under the projects.

In addition, the Government is revising internal guidelines to the effect that all government departments are required to consult TD on the need to provide public car parks during the early stage of project planning, such as when devising the major facilities of the projects, and to conduct technical and traffic impact assessments as appropriate. TD will also issue internal guidelines on the provision of public parking spaces in proposed new development and redevelopment projects.

- (b) according to the reply from the Director of Lands dated 24 May 2019 (R72/1/GEN5) concerning Case 3 in paragraph 2.13 of the Audit Report, the owner of the subject car park expressed genuine difficulties in enforcing the improper parking by individual private car drivers in light goods vehicle parking spaces. Using this case as an illustration, please advise what measures that can be taken by the Lands Department or other government departments to facilitate the owner's compliance with the relevant lease condition which requires the owner to provide a specified number of parking spaces for certain types of vehicles;

**Reply**

- (b) Pursuant to the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O), the lot owner may take such actions as impounding or removal of any vehicles which are parked on the area in contravention of any signs or road markings.

To facilitate parking of private cars, we are of the view that the lot owner may consider installing gates and putting up direction signs at the car park to direct drivers of private cars to suitable parking spaces. The lot owner may also consider making use of smart devices, such as mobile applications, to direct private car drivers to the locations of designated parking spaces so that their vehicles could be parked more swiftly.

As to individual drivers who repeatedly ignore warnings, the lot owner may take appropriate actions under the powers conferred by the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O) for proper management of parking spaces in the car park concerned.

**\*Note by Clerk, PAC:** *See Appendix 11 of this Report for the reply from Director of Lands dated 24 May 2019.*

- (c) referring to the reply from Secretary for Transport and Housing dated 9 May 2019 (R72/1/GEN1) concerning public parking spaces in G/IC developments, will the Administration discuss with the relevant government departments on the possibility of extending the operating hours of the premises to increase the availability of these parking spaces to the public;

**Reply**

- (c) TD will actively follow up with relevant government departments on the proposed extension of operating hours of the concerned facilities and work towards incorporating related provisions into new management contracts for car parks as soon as possible so as to increase the availability period of these parking spaces.

**Management of government multi-storey car parks**

- (d) with reference to paragraph 3.18 of the Audit Report and R72/1/GEN1 regarding item (e), please advise when TD discovered that the surface of the rooftop of the Kwai Fong Car Park not suitable for parking, the reason(s) for TD to make such decision. Whether TD was aware of the problem(s) before construction works were carried out to the 7/F of the Car Park and details of the works done to make the rooftop suitable for parking (including the area of the rooftop);
- (e) according to item (e) in R72/1/GEN1, the re-roofing works of the Kwai Fong Car Park was discussed at the site meeting held on 8 July 2014 among TD, Architectural Services Department (“ArchSD”) and ArchSD’s consultant and contractor, and the basic repair works on the roof was subsequently completed in October 2018. Please advise/provide:
- (i) a chronology of actions taken by TD and ArchSD in respect of the rooftop parking spaces in the Kwai Fong Car Park from the completion of its security installation works in October 2013 to the conduct of the aforesaid site meeting on 8 July 2014 (including the dates of meetings held during the period and matters covered);

**\*Note by Clerk, PAC:** *See Appendix 6 of this Report for the reply from Secretary for Transport and Housing dated 9 May 2019.*

- (ii) the conclusions reached at the aforesaid site meeting, whether it was concluded that the re-roofing works were needed; if yes, why the works were not carried out subsequently; if not, reason(s) for that; and
- (iii) the estimated loss of parking fees arising from the closure of rooftop parking spaces at the Kwai Fong Car Park from the completion of its security installation works in October 2013 up to its being used as a temporary vehicle detention centre since 1 April 2019.

### **Reply**

#### **(d) and (e)(i)-(ii)**

During the period between September 2012 and May 2013, six theft cases of copper plates took place at Kwai Fong Car Park. To enhance security of the car park, the car park operator engaged by TD carried out security enhancement works at the car park, including the rooftop area. The works were completed in October 2013.

On the other hand, on 31 October 2013, TD held a meeting with the works consultant of the Architectural Services Department (“ArchSD”) regarding the repair works for Kwai Fong Car Park, including the rooftop area. The works consultant subsequently reported to ArchSD on the same day the matters discussed at the meeting, including re-roofing works which would form part of the works to be undertaken. On 5 November 2013, the works consultant further reported to ArchSD that the scope of works would be amended, pointing out that serious water leakage on the rooftop had caused a lot of concrete spalling on the 7th floor of the car park. On 22 November 2013, ArchSD reminded the works consultant to ensure that the re-roofing works, upon completion, should not affect the use of the rooftop as a car park.

All in all, TD was aware of the serious water leakage problem at the rooftop of the car park as early as October 2013 when the security enhancement works were completed. As such, TD considered that the rooftop was temporarily not suitable for parking and was in need of massive re-roofing works.

A chronology of events, decisions made and the justifications are summarised as follows -

October 2013	The security enhancement works, prompted by the theft cases of copper plates at the rooftop of Kwai Fong Car Park and carried out by the car park operator engaged by TD, were completed.
31 October 2013	TD held a meeting with the works consultant of ArchSD regarding the repair works for Kwai Fong Car Park, including the rooftop area. The works consultant subsequently reported to ArchSD on the same day the matters discussed at the meeting, including re-roofing which would form part of the works to be undertaken.
5 November 2013	The works consultant further reported to ArchSD that the scope of works would be amended, pointing out that serious water leakage on the rooftop had caused a lot of concrete spalling on the 7th floor of the car park.
22 November 2013	ArchSD reminded the works consultant to ensure that the re-roofing works should sustain the designed vehicular traffic and should not affect the use of the rooftop as a car park.
8 July 2014	At the works meeting attended by TD and ArchSD, the works consultant of ArchSD stated that re-roofing works would be carried out on the rooftop of Kwai Fong Car Park and the rooftop would be turned into a works site.
18 March 2015	A meeting was held again among TD, Electrical and Mechanical Services Department (“EMSD”), ArchSD, its works consultant and contractor to discuss the details of the works arrangements and programme. ArchSD indicated that the works contract had been awarded to the contractor and it would commence on 23 March 2015. At the meeting, the works consultant of ArchSD said that the re-roofing works were expected to be completed by 7 August 2015.

8 April 2015	The relevant works commenced.
October 2015	Noting that there was no progress on the re-roofing works and the water leakage and concrete spalling on the 7th floor remained, TD approached ArchSD for an explanation of the works delay.
November 2015	The works consultant of ArchSD indicated that the contractor had completed the works on barrier-free access facilities, but the re-roofing works were still underway.
19 November 2015	ArchSD informed TD that it had sorted out the technical constraints with regard to the re-roofing works and re-designed a new re-roofing system. However, given that it would incur higher construction cost, the re-roofing works would not be carried out within 2015. ArchSD further stated that it was attempting to sort out the funding issue and would keep TD informed of the progress in due course.

(e)(iii)

Kwai Fong Car Park provides a total of 552 parking spaces for private cars, van-type light goods vehicles (“LGVs”) and taxis, of which 477 parking spaces are located on the 1st to 7th floors (accounting for 86.4% of the total number of parking spaces), and the remaining 75 parking spaces are located on the rooftop. According to the operator’s observation, users of the car park generally prefer parking their vehicles on the lower floors for convenient entry and exit, while the utilisation rate of the rooftop floor is relatively low. Also, TD has been monitoring the utilisation rate of Kwai Fong Car Park. Records indicate that the monthly average maximum utilisation rate of the car park rose from 44% in October 2013 to about 70% in 2015 (when the 7th floor and rooftop of the car park were closed due to the works carried out by ArchSD’s contractor), and to about 80% in March 2019 (i.e. before the rooftop was formally converted into a temporary vehicle detention centre). In other words, under most circumstances, the demand for parking spaces at Kwai Fong Car Park did not outgrow the supply thereat.

According to the information provided by the operator, the utilisation rate of Kwai Fong Car Park from 11 am to 1 pm on weekdays has increased since 2017. In order to reserve parking spaces for vehicles with monthly parking tickets, staff of the car park sometimes had to impose measures to restrict the entry of vehicles during the period concerned. Operating records of the car park show that restriction on vehicle entry had to be imposed on an average of 10 and 11 days each month in 2017 and 2018 respectively, and 6 days on average each month in 2019 (from January to March). Nonetheless, as the operator had no such records concerning the number of vehicles that could not park into the car park in such circumstances, TD is unable to provide a precise estimate of the parking fees forgone arising from the closure of the rooftop parking spaces. By making reference to the utilisation rates during the same time periods with no restriction on vehicle entry imposed, and assuming that all vehicles were able to use the car park when the restriction was in place, TD roughly estimates that the parking fees forgone during the time periods when restriction on vehicle entry was imposed from January 2017 to March 2019 amounts to around \$19,000.

- (f) according to the reply from Secretary for Transport and Housing dated 9 May 2019 concerning item (f), TD's car parks are designated as private roads under regulation 7 of the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O) and the Department of Justice has advised that it may not be the most desirable way to handle abandoned vehicles in such circumstances as Case 4 in paragraph 3.21 of the Audit Report by virtue of Cap. 374O. Please provide the rationale for designating government multi-storey car parks as private roads under Cap. 374O given that they are government properties, and advise whether there is a need to ascertain the applicability of Cap. 374O to the management of government multi-storey car parks.

### **Reply**

- (f) Since mid-1980s, the Government has contracted out the management of multi-storey public car parks to private operators. In connection with this policy, the Government published in the Gazette at that time that government multi-storey public car parks ceased to be deemed as car parks designated by the Commissioner for Transport under Cap. 220 (repealed), the Laws of Hong Kong.

Since then, these car parks have been operated in the same way as other privately-operated public car parks and they have been

**\*Note by Clerk, PAC:** *See Appendix 6 of this Report for the reply from Secretary for Transport and Housing dated 9 May 2019.*



managed in accordance with the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O) (“the Regulations”).

As regards the handling of abandoned vehicles, TD has all along followed the relevant provisions of the Regulations when drafting the tender documents for contracting out the management of car parks and incorporated the relevant provisions as formal tender requirements as well as contract terms after consultation with the Department of Justice (“DoJ”), which include forfeiting the vehicles and the delivery of such to the Police for handling.

Pursuant to the latest legal advice given by DoJ, any car park operators engaged by TD may, according to the “Conditions of Parking and Use” displayed at the car parks, put up a vehicle for sale direct in such way as may be deemed appropriate and the sales proceeds may be used to recover any amount owed to the Government, upon informing the owner that his/her vehicle would be put up for sale unless it is removed from the car park. In this connection, TD has formally issued written instructions to the car park operators, requiring them to handle abandoned vehicles in accordance with the above legal advice with immediate effect.

- (g) with reference to paragraphs 3.19 to 3.24 and Case 4 in paragraph 3.21 of the Audit Report on parking spaces occupied by abandoned vehicles, please advise/provide:
  - (i) the relevant extract of the operating agreement between TD and car park contractor on how to handle abandoned vehicles (Case 4 as an illustration);
  - (ii) how the 13 abandoned vehicles were handled;
  - (iii) the car park contractor in Case 4 had contacted the Hong Kong Police Force (“HKPF”) for several times on disposing of the abandoned vehicle in question. During the series of communication, was TD informed all along? If yes, has TD offered any advices to the contractor, and details of these advices. If no, how could TD monitor the work of the contractor; and
  - (iv) TD was devising a set of procedures to enable expeditious handling of abandoned vehicles. The progress in this regard and a copy of the relevant procedural guidelines if

available. Any other measures taken/to be taken by TD to tackle the problem of abandoned vehicles in government multi-storey car parks.

**Reply**

- (g)(i) The clauses in relation to the handling of abandoned vehicles in the Management, Operation and Maintenance contract signed between TD and the car park operators are at **Annex**.
- (g)(ii) Regarding the 13 abandoned vehicles mentioned in the Audit Report, the operators have, in all cases, served notices by registered post to the registered addresses of the vehicle owners, stating that their respective vehicles have been parked at the car park for a prolonged period, and requesting payment in full of the accrued parking fees and removal of the vehicle from the car park. Where the vehicle owners have failed to pay the parking fees and remove their vehicles from the car park within the specified period, the operators have impounded the vehicles with authorised immobilisation device, and served notices by registered post to the vehicle owners again, stating that their vehicles would become government property and that the Government is entitled to sell the vehicles if the vehicles are not driven away from the parking spaces and the accrued parking fees remain unsettled. The operators have also published the same notice in Chinese and English newspapers, and contacted the Police for disposal of the vehicles concerned. In seven out of the 13 cases, the operators have issued more than two notices by registered post to the registered vehicle owners. Two of them have settled all accrued parking fees and retrieved their vehicles upon receipt of the second notice.
- (g)(iii) Car park operators, selected by TD through open tender exercises, are responsible for the management, operation and maintenance of the car parks in accordance with the contracts awarded. The major scope of work of the car park operators includes -
- (1) deploying appropriate manpower to operate the car parks round the clock to ensure their safe and effective operation;
  - (2) collecting parking fees and other approved fees for the car parks and maintaining proper fee collection records;

- (3) maintaining all systems and facilities in the car parks, including conducting regular inspections to ensure proper operation and cleanliness of the facilities;
- (4) carrying out basic repairs and maintenance (including replacing fluorescent tubes, replacing glass panels and painting); and
- (5) liaising with relevant government works department(s)/ system contractor(s) for carrying out urgent/major maintenance works.

The Transport Facilities Management Section of TD deploys staff to inspect the car parks on a weekly basis. Items to be checked include whether sufficient manpower has been deployed by the operators to operate the car parks in compliance with the contractual requirements, whether critical facilities are functioning properly, whether car park staff have fulfilled their duties in respect of reporting defective items to relevant department(s), and whether parking fees are properly collected by car park staff. As the handling of abandoned vehicles is not among the core duties of the operators, it is accorded with a relatively lower priority in TD's monitoring of the operators' performance of duties. In fact, TD has recognised that there is inadequacy in the monitoring work on this front. To strengthen the monitoring of the operators' performance in this regard, TD has requested the operators to submit monthly reports on the handling of abandoned vehicles since February 2019. Besides, TD will deploy staff to conduct surprise checks to ensure accuracy of the reports.

On the other hand, the car park operator concerned did not seek assistance from TD in the course of handling Case 4. In fact, in 2017 and 2018, TD conducted four meetings with the operator on matters relating to the day-to-day operation of the car park. Yet, the operator did not express any difficulties in handling abandoned vehicles at the meetings.

- (g)(iv) In the light of the recent legal advice of DoJ, TD has approved the following procedures in order that the car park operators could expedite the disposal of abandoned vehicles -

- (1) If a vehicle without a valid monthly parking ticket is found stationary at the same parking space for a continuous period of more than 30 days, it will be deemed as a suspected abandoned vehicle. In such case, the operator must serve the first letter to the registered address of the vehicle owner by registered post on the 31st day after the suspected abandoned vehicle is parked in the car park, appealing to the vehicle owner to remove the vehicle from the parking space and pay the accrued parking fees within seven days from the date of the letter.
- (2) On the 8th day after the issue of the first letter, the operator's staff should impound the vehicle with an immobilisation device approved by the Government. If the vehicle remains stationary at the parking space and that the accrued parking fees are not settled, the operator must serve a second letter to the registered address of the vehicle owner by registered post within three days after the vehicle has been impounded, informing the vehicle owner that the vehicle will become government property and the Government is entitled to put up the vehicle for sale or dispose of the vehicle in such way that may be deemed appropriate if the vehicle remains stationary at the parking space and parking fees are left unpaid within 25 days from the date of the second letter.
- (3) On the 26th day after the issue of the second letter, the operator must serve a third letter to the registered address of the vehicle owner by registered post, informing the vehicle owner that the vehicle has become government property.
- (4) After the issue of the third letter, the operator must remove the vehicle from the car park immediately for follow-up action, e.g. making arrangements for auction.

In addition, TD has recently confirmed to take forward the installation of "Bay Guidance System" at its car parks. It is expected that the installation works will commence in mid-2020 for completion in the first quarter of 2021. Under the said system, real-time parking occupancy information can be collected through the cameras installed on individual parking spaces. Such information, after processing, will be disseminated through panels installed on major driveways of the car parks to help motorists locate vacant parking spaces, thereby reducing their

time spent in search for vacant parking spaces within the car parks. At the same time, the system can also help identify vehicles that have been parked at the same parking spaces for a prolonged period and are suspected to be abandoned vehicles. TD has already requested EMSD to include in the relevant tender documents this identification feature as well as the automatic dissemination of alert messages to the car park operators for handling the concerned vehicles.

#### Management of on-street parking spaces

- (h) with reference to paragraph 4.29(b) of the Audit Report, please explain the discrepancies revealed by a comparison of the result of Audit's site visit to a non-metered parking place and a car park managed by the Leisure and Cultural Services Department ("LCSD") at Shek O Road on 13 December 2018 with TD's inventory list, and the actual number of parking spaces provided by the aforesaid parking place and LCSD's car park respectively;

#### Reply

- (h) At present, there are a total of 223 non-metered on-street parking spaces at Shek O Road (including those in the vicinity of Shek O Beach). Among them, 28 parking spaces are managed by TD (14 located near Tung Au Barbecue Site and the other 14 located near 19 Shek O Road), whereas 195 parking spaces located in the vicinity of Shek O Beach are managed by LCSD (190 being public parking spaces and five being used for meeting the operational needs of the venue).

TD's inventory list had at one point mistakenly included the 190 public parking spaces managed by LCSD as non-metered on-street parking spaces managed by TD, thus giving a total figure of 218 (i.e. 28+190), instead of 28, as the number of non-metered public parking spaces managed by TD at Shek O Road.

The relevant parking space figures have now been rectified. On the other hand, TD is pressing ahead with the updating of its internal Transport Information Systems. Upon completion of the system update, the information of all parking spaces could be displayed on the same Geographic Information System Platform, thereby eliminating the risk of double-counting parking spaces at the same locations.

### Implementation of parking-related technology initiatives

- (i) referring to paragraph 5.16(b) of the Audit Report about the occupation of parking spaces with electric vehicle (“EV”) chargers by non-EVs, please advise the factors to be considered in identifying the locations for installation of EV chargers at car parks and measures to ensure that parking spaces with EV chargers would be available for use of EVs.

### **Reply**

- (i) According to TD’s understanding, the selection of parking spaces in government car parks for installation of EV chargers by the Environmental Protection Department (“EPD”) was mainly based on technical considerations in the past. Parking spaces installed with EV chargers are generally located near the car park exit or on lower floors so that the chargers and associated wiring could be installed closer to the electrical rooms. TD renders necessary assistance during the process, including designating parking spaces for installation of such chargers by EPD as per its request, as well as temporarily closing the parking space when a charger undergoes maintenance. The car park operators engaged by TD will also refer cases of defective chargers spotted during routine inspections to the charger maintenance contractor engaged by EPD for follow-up actions.

In view of the relatively more convenient locations of the parking spaces with EV chargers, they may be occupied by non-EVs due to convenience. EPD plans to install additional EV chargers on higher floors of government car parks so as to provide EV drivers with more opportunities to charge their EVs. TD will continue to offer assistance as necessary throughout the process.

EPD is co-ordinating the Government’s plan to extend the public EV-charging network at government car parks in the coming three years. As regards car parks managed by TD, EPD proposes to install chargers at Kwai Fong, Aberdeen and Kennedy Town Car Parks which are currently not equipped with chargers, and to install additional chargers at car parks currently equipped with chargers, subject to the capacity of their electrical installations. TD will provide support to the retrofitting works.

In addition, as mentioned above, TD has recently confirmed to take forward the installation of “Bay Guidance System” at its car parks. Apart from displaying the real-time occupancy situation of the car parks and the number of vacant parking spaces, the said system can collect real-time parking occupancy information of individual parking spaces through the cameras installed at each of the parking spaces. Such information, after processing, will be disseminated through panels installed on major driveways of the car parks to help motorists locate the vacant parking spaces, thereby reducing their time spent in search for vacant parking spaces within the car parks.

TD has discussed with EPD in respect of specifying in the tender documents of the aforesaid system the identification of parking spaces with EV chargers, thereby enabling EV drivers to get hold of information about the availability of vacant parking spaces installed with EV chargers within the car parks.

- (j) Director of Housing said at the public hearing that the information of 10 car parks under the Housing Department’s purview was available to TD’s “HKeMobility” mobile application before the audit review. Please provide the names of these 10 car parks and advise when the information about their parking vacancies would be available on the “HKeMobility” mobile application.

**Reply**

- (j) The names of the 10 car parks, which are managed by the Housing Department and are disseminating parking vacancy information through TD’s “HKeMobility” mobile application, as well as the commencement dates of such information dissemination are as follows -

<b>Name of Car Park</b>	<b>Commencement Date of Information Dissemination</b>
Choi Tak Estate Car Park	4/1/2017
Yau Lai Shopping Centre Carpark	4/1/2017
Domain Car Park	4/1/2017
Po Heung Estate Car Park	10/7/2018
Po Shek Wu Estate Car Park	12/9/2018
Lung Poon Court Car Park	2/1/2019
Kwai Shing West Estate Car Park	2/1/2019
Lai King Estate Car Park	2/1/2019

Name of Car Park	Commencement Date of Information Dissemination
Cheung Ching Estate Car Park	2/1/2019
Cheung Shan Estate Car Park	2/1/2019

- (k) the development cost of TD’s “HKeMobility” mobile application, the expenditures incurred for its maintenance and enhancement since its launch in July 2018, and the existing staff establishment for managing the mobile application; and

**Reply**

- (k) The development cost of TD’s “HKeMobility” mobile application was \$600,000. The mobile application not only provides parking vacancy information, but also allows members of the public to search for routes of various transportation modes (e.g. walking, driving or taking public transport), journey time, transport fares, etc. in a one-stop approach. The expenditure incurred for the application’s maintenance and enhancement since its launch in July 2018 amounts to \$1.84 million. As the day-to-day management of “HKeMobility” is an on-going task of TD staff, TD does not have separate breakdown for the staff establishment involved.
- (l) the timetable for disseminating the parking vacancy information of 11 government multi-storey car parks.

**Reply**

- (l) In order to disseminate more real-time parking vacancy information of government car parks, except the Yau Ma Tei Car Park which will be demolished due to the construction of the Central Kowloon Route, TD completed in June 2019 the upgrading of access control systems for its ten government car parks, so that the original half-hourly manual updating of parking vacancy information can be upgraded to automatic transmission of real-time parking vacancy information to TD’s “HKe-Mobility” mobile application and the Government’s public information portal “data.gov.hk”. The aforesaid ten government car parks involve about 4 100 private car parking spaces and their parking vacancy information has been disseminated in full.

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**11. Impounding, Removal, Storage and Disposal of Vehicles**

11.1 The Contractor shall ensure that the authorized officers and the Contractor's Employees working within the Carparks and Additional Carparks are fully conversant with the Regulations and shall take appropriate enforcement action in accordance with the Regulations against illegal parking and other traffic offences.

11.2 Subject always to the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O), the Contractor shall ensure and procure an authorized officer of the Government to impound or remove any vehicle which is parked on a restricted parking area within the Carpark or Additional Carpark in contravention of any sign or road marking when:

- (a) the vehicle is unattended and the driver cannot be located; or
- (b) the driver is unable to remove the vehicle, or refuses or fails to remove the vehicle, on being requested to do so by the Government or an authorized officer of the Government

by fixing an approved immobilization device to the vehicle at:

- (i) the restricted parking area where the vehicle is parked; or
- (ii) any place to which the vehicle is removed from such restricted parking area,

and the Government may detain the impounded or removed vehicle until full payment of impounding, removal and/or storage charges as specified in Schedule 2 to the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O) in respect of that vehicle.

11.3 For the purpose of Clause 10.2(c) and Clause 11.2, the Contractor shall have a reasonable cause to believe a vehicle to be abandoned where a vehicle not having a valid Monthly Parking Ticket or Quarterly Parking Ticket has been stationary at a parking space for a continuous period of thirty (30) days or more.

11.4 The Contractor shall collect the impounding, removal and storage charges in respect of any vehicle being impounded and removed under Clause 11.2 on behalf of the Government. For the avoidance of doubt, the impounding, removal and storage charges so collected shall belong to the Government absolutely. All such revenues collected by the Contractor shall be collected and held on trust for the Government and shall be returned to Government in full. If for any reason whatsoever, the Contractor fails to collect in full any impounding, removal and/or storage charges in respect of any vehicle being impounded and removed under Clause 11.2, the Contractor shall make up the shortfall.

11.5 Where a vehicle detained under Clause 11.2 is not claimed within three (3) days after its detention, the Contractor shall ensure and procure an authorized officer of the Government to serve by post on the registered owner of the vehicle a notice informing him:

- (a) of the detention of the vehicle and the place of detention; and
- (b) that unless the vehicle is removed from the place of detention, on payment of any charges

payable under Regulation 11(4) of the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O), within twenty-five (25) days after the service of the notice on him, the vehicle:

- (i) shall become the property of the Government free from the rights of any person; and
- (ii) may be disposed of by the Commissioner of Police by sale or otherwise as he thinks fit,

and at the same time the Contractor shall ensure and procure an authorized officer of the Government to serve by post on the Commissioner of Police a copy of the notice and to send a copy of the notice to the Commissioner.

11.6 Where a vehicle comprised in a notice served under Clause 11.5 has not been removed in accordance with the notice within seven (7) days after the service of the notice, the Contractor shall ensure and procure an authorized officer of the Government to publish, or to cause to be published, not later than fourteen (14) days after such service, that notice once each in an English language newspaper and a Chinese language newspaper published daily and circulating generally in Hong Kong.

11.7 Where a notice in respect of a vehicle has been served under Clause 11.5 and published under Clause 11.6 and the vehicle has not been removed in accordance with the notice, the Contractor shall ensure and procure an authorized officer of the Government to:

- (a) forthwith inform the Commissioner of Police that a vehicle detained under Regulation 11 of the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O) has not been removed in accordance with a notice served and published under Regulation 12 of the Road Traffic (Parking on Private Roads) Regulations (Cap. 374O);
- (b) provide the Commissioner of Police with particulars of the service and publication of the notice together with such other particulars in respect of the vehicle and the circumstances of its detention as the Commissioner of Police requires; and
- (c) deliver the vehicle into the custody of the Commissioner of Police on such day and at such time and place as the Commissioner of Police thinks fit.

11.8 The Contractor shall not raise any objection or make any claims for compensation or relief of whatever nature against the Government for any loss of income or any other direct or indirect or consequential loss whatsoever arising from its compliance with this Clause.