

立法會
Legislative Council

LC Paper No. CB(1)2133/99-00

(These minutes have been seen
by the Administration and
cleared with the Chairman)

Ref: CB1/BC/12/99/2

Bills Committee on
Road Traffic Legislation (Amendment) Bill 2000

Meeting on
Monday, 29 May 2000, at 2:30 pm
in the Chamber of the Legislative Council Building

Members present : Hon CHAN Kwok-keung (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon Bernard CHAN
Hon CHAN Kam-lam
Hon Howard YOUNG, JP
Hon LAU Kong-wah
Hon Mrs Miriam LAU Kin-yee, JP
Hon CHOY So-yuk
Hon Andrew CHENG Kar-foo

Member absent : Hon Andrew WONG Wang-fat, JP

Public officers attending : Mr Brian LO
Principal Assistant Secretary for Transport

Mr Thomas THUMB
Assistant Commissioner for Transport/Technical Services

Mr William TANG
Chief Superintendent of Police, Traffic

Mr W L CHEUNG
Government Counsel

Clerk in attendance : Mr Andy LAU
Chief Assistant Secretary (1)2

Staff in attendance : Mr LEE Yu-sung
Senior Assistant Legal Adviser

Miss Irene MAN
Senior Assistant Secretary (1)9

I. Meeting with the Administration

(LC Paper No. CB(1) 1682/99-00 (01) & LegCo Brief issued by the Administration under ref. TRAN 3/9/21 Pt 6)

At the invitation of the Chairman, the Principal Assistant Secretary for Transport (PAS for T) briefed members on the legislative intent of the Road Traffic Legislation (Amendment) Bill 2000 (the Bill). He said that speeding remained a significant problem in Hong Kong. In order to address the speeding problem, the Administration proposed to impose heavier penalties for excessive speeding as such driving behaviour imposed serious threats to other road users. The proposal was as follows:

- (a) to increase the fixed penalties for speeding in excess of the speed limit by 30-45 km/h and by more than 45 km/h from the existing level of \$450 to \$600 and \$1,000 respectively;
- (b) to revise the driving-offence points incurred for driving in excess of the speed limit by 30-45 km/h from 5 to 6 points and from 8 to 10 points for driving in excess of the speed limit by more than 45 km/h; and
- (c) to introduce the penalty of mandatory disqualification from holding or obtaining a driving licence for a period of not less than 6 months where a person was convicted of speeding in excess of the speed limit by 45 km/h under section 41 of the Road Traffic Ordinance (Cap. 374).

2. Members noted the information paper provided by the Administration.

3. Members were generally in support of the proposal to increase the penalty levels for the more serious speeding offences. They were however concerned about the existence of speed traps due to the unrealistic speed limits on certain road sections and the lack of warning signs to advise motorists of abrupt changes in speed limits ahead. They therefore cast doubt on the appropriateness and fairness of increasing the penalty levels for the more serious speeding offences under such circumstances. Deliberations of the Bills Committee were summarized below.

Breakdown of speeding statistics

4. Mr CHAN Kam-lam requested the Administration to provide the breakdown of enforcement statistics on speeding offences in Hong Kong with reference to the different speed limits of road sections. PAS for T replied that the Police did not maintain a breakdown of the relevant enforcement statistics. However, the Administration had already made available some speeding statistics on Fanling and Tolo Highways for 1999 based on data gathered from speed enforcement cameras installed on the highways for members' reference. The Chief Superintendent of Police, Traffic (CS of P) added that special arrangements could be made to obtain the information as requested by members. However, it would take some time for the Police to compile the statistics.

5. Some members opined that the majority of speeding offences occurred on roads with a lower speed limit of 50 km/h or 70 km/h. At some selected locations, almost every passing vehicle would be stopped by the Police if enforcement action was taken there. They pointed out that due to the shortage of warning signs and road markings, motorists might not be aware of or have sufficient time to lower their speed from 80 km/h to 50 km/h. In that case, they would commit an offence of speeding in excess of the speed limit by 30 km/h - 45 km/h and would be subject to an increased penalty under the present proposal. They therefore cast doubt on the fairness and appropriateness of increasing the penalty levels for speeding in excess of the speed limit by 30 km/h to 45 km/h.

6. CS of P remarked that speed limits were set after detailed examination by professionals in the Transport Department. The Police would take necessary actions to enforce this driving rule in a strict manner. However, he expressed worries about the non-compliance of statutory speed limits by motorists. He pointed out that it would be very dangerous if motorists chose to drive at a speed limit which they considered appropriate, resulting in frequent lane changing activities which would hamper the safety of other road users including passengers and pedestrians.

7. On enforcement method, CS of P advised that to improve the transparency in enforcement, advisory signs about the installation of automated speeding enforcement cameras along the roads had been installed to forewarn drivers. On the choice of enforcement sites, he advised that the Administration would take into account the accident history and physical environment of a particular road section such as the feasibility of installing cameras there. Enforcement would also be taken in response to complaints from the general public. He stressed that it was not the intention of the Police to issue as many fixed penalty tickets against speeding as possible. Rather, they would prefer to see a reduction in the related prosecution figures as that would imply that the problem was under control.

Speed Limit Structure in Hong Kong

8. With the advent in road design and construction and improved performance of motor vehicles, the Chairman opined that the speed limit of 50 km/h for urban areas might have become outdated.

9. Dr Raymond HO opined that the existing speed limit structure should be streamlined from five tiers to two tiers (i.e. one for roads within built-up areas and one for highways).

10. PAS for T advised that speed limits were imposed primarily to promote road safety. At present, a three-tier system of 50/80/100 speed limit structure was adopted. In general, 50 km/h was the standard speed limit on roads in the built-up areas, whether they were in Hong Kong, Kowloon or the New Territories. For newly constructed roads outside the built-up areas, the speed limit was 80 km/h but some of the older urban expressways and rural dual-carriageways had a speed limit of 70 km/h. For high standard expressways, the speed limit was 100 km/h. There was an exception of adopting a speed limit of 110 km/h on North Lantau Highway which was a longer distance road, engineered to higher design speeds, and with minimal interference from slip roads, etc.

11. Dr Raymond HO did not accept the Administration's explanation. He and some other members took the view that there were effectively five different speed limits on roads in Hong Kong (i.e. 50/70/80/100/110).

12. Mr Andrew CHENG pointed out that most countries adopted a three-tier speed limit structure. He urged the Administration to streamline the speed limit structure to three-tier (i.e. 50/70/100 or 60/80/100) and impose different Driving-Offence Points for different speeding offences with reference to the speed limits of roads under different structure and the severity of the offences. For example, in case a three-tier structure of 50/70/100 was adopted, a lighter penalty should be imposed for minor speeding on roads with a speed limit of 50 km/h. In case the speed limits of roads were rationalized by adopting the latter structure (i.e. 60/80/100), a minor speeding on roads with a speed limit of 60 km/h should also be subject to a heavier penalty.

13. Mr CHAN Kam-lam also suggested imposing different penalties for different speeding offences with reference to the speed limits of roads (i.e. a lighter penalty for speeding on roads with a speed limit of 50 km/h and a heavier penalty for speeding on roads with a higher speed limit).

14. Mr LAU Kong-wah requested the Administration to consider revising the maximum speed at which a vehicle might be driven on any road from 50 km/h to 60 km/h.

15. PAS for T replied that the general maximum speed limit of 50 km/h for roads in urban areas in Hong Kong was in line with the international practice. An overwhelming majority of European, North American and Asian countries also adopted 50 km/h as the general speed limit for roads in their urban areas. An across the board revision of the speed limit for roads in the urban area from 50 km/h to 60 km/h in the Hong Kong environment would have road safety implications.

16. PAS for T further advised that Hong Kong was a very crowded city with a high density of vehicles and pedestrians in the urban built-up areas. The proposal to

introduce different penalties for different speeding offences with reference to the speed limits of roads might send a wrong signal to road users that speeding on roads with a lower speed limit was less serious or dangerous. This would go against the objective of enhancing road safety. Indeed, excessive speeding on roads with a lower speed limit in the urban areas might pose a greater potential hazard than excessive speeding on expressways as there were more pedestrians and vehicles using road sections in the urban areas.

17. PAS for T also considered the proposed 50/70/100 speed limit structure not feasible. As most of the new rural dual-carriageways and urban expressways were built to a standard which allowed a speed limit of 80 km/h, adopting a 50/70/100 speed limit structure meant that roads with limit of 80 km/h would have to be lowered to 70 km/h. This would have implications on the traffic throughput. On the other hand, a 60/80/100 speed limit structure was also considered not feasible, given the safety implications for revising the general speed limit of roads from 50 km/h to 60 km/h. In fact, a consultancy study in 1999 concluded that the speed limit structure adopted in Hong Kong generally accorded with international practices, and recommended that the present speed limit structure was suitable and that no changes should be made.

18. Whilst supporting the policy objective of enhancing road safety, Mr Andrew CHENG opined that the Administration failed to address the confusion caused by the complicated speed limit structure in Hong Kong. He requested the Administration to examine his proposal as set out in paragraph 12 above in detail.

19. Mr LAU Kong-wah did not accept the Administration's explanation. He pointed out that the setting of unrealistic speed limit might also have road safety implications. He queried why the speed limits on certain road sections with a design speed of 50 km/h could be relaxed while others could not. He opined that the design speed of 50 km/h should not be used as an excuse to reject future requests for relaxing the speed limit on a particular road section.

20. PAS for T said that in reviewing the speed limits of roads, the Administration would take into account a number of factors, including not only the design speed of the road section but also the accident history and the surrounding environment of the road section. It would also make reference to the prevailing speed adopted by the majority of drivers of light vehicles during off-peak periods.

Regulatory signs

21. Mrs Miriam LAU opined that in order to address the problem of speeding, motorists should be well informed of the abrupt changes in speed limits ahead. Due to the lack of advance warning signs to indicate changes of speed limits, there might be cases where motorists did not have sufficient time to prepare and adjust their speed accordingly. She therefore requested the Administration to improve the clarity of the warning signs and to provide a detailed programme of installation. A warning sign "減速" should be installed to forewarn motorists accordingly.

22. PAS for T advised that it had already been a standing practice to provide a pair of warning signs for advising motorists of the reduction in speed limit of the road section ahead if it involved a change of 20 km/h or more. The Administration would inspect all the relevant road sections and complete the installation of such signs in these road sections before the end of the year. To give drivers additional warning, the Administration had also conducted a trial of placing yellow bar road markings at locations where a significant reduction in speed limit was involved, for example, at the approaches to the toll plaza on North Lantau Highway. The Administration would be extending the road markings to other locations as appropriate.

23. Dr Raymond HO opined that road markings should be provided to forewarn motorists of any abrupt changes in speed limits ahead. He commented that road signs alone could not achieve the said purpose as the sightline of motorists might easily be blocked by other moving vehicles.

Case study

24. Mr LAU Kong-wah opined that there might be a need to carry out a case study to examine why the relaxation of speed limit on a certain road section which had the support of the relevant District Council and the general public was rejected.

25. Members expressed concern about the speed limits of the following road sections:

- (a) Princess Margaret Road leading to Tsim Sha Tsui East;
- (b) Lion Rock Tunnel Road leading to Tai Chung Kiu Road;
- (c) Tsuen Wan Road;
- (d) Waterloo Road leading to Radio Television Hong Kong;
- (e) Kwun Tong Road; and
- (f) Island Eastern Corridor leading to Gloucester Road outside Excelsior Hotel.

26. PAS for T replied that the Administration would look into the matter and see if adequate warning signs had been installed. Where appropriate, it would also review the speed limits of the above road sections.

27. Members requested the Administration to consider the following and provide further information at the next meeting:

- (a) revising the maximum speed at which a vehicle may be driven on any road from 50 km/h to 60 km/h;
- (b) imposing different penalties for different speeding offences with reference to the speed limits of roads and the severity of the offences;
- (c) streamlining the speed limit structure to three categories (i.e. 50/70/100 or 60/80/100) and imposing different Driving-Offence Points for different speeding offences with reference to the speed limits of roads under different structure and the severity of the offences; and
- (d) reviewing and speeding up the provision of regulatory and warning signs

to indicate change of speed limit.

(*Post meeting note* : The information was circulated to members vide LC Paper No. CB(1) 1746/99-00 (06))

28. The next meeting would be held on 5 June 2000 at 2:30 pm to receive deputations and to continue discussion with the Administration.

II. Any other business

29. There being no other business, the meeting ended at 4:15 pm.

Legislative Council Secretariat

9 August 2000