

LEGISLATIVE COUNCIL BRIEF

Road Traffic (Parking) (Amendment) Regulation 2000 and Road Traffic (Parking) (Approved Cards) Notice

INTRODUCTION

By virtue of section 12 of the Road Traffic Ordinance (Cap. 374) and section 28(1) (c) of the Interpretation and General Clauses Ordinance (Cap. 1), the Secretary for Transport is empowered to make and amend the Road Traffic (Parking) Regulations (Cap. 374, sub. leg.).

2. In exercise of the aforesaid power, the Secretary for Transport has made the Road Traffic (Parking) (Amendment) Regulation 2000 at **Annex A**.

3. By virtue of regulation 12A of the Road Traffic (Parking) Regulations (Cap. 374, sub. leg.), the Commissioner for Transport is empowered to, by notice published in the Gazette, approve any cards for use in payment of a parking fee in conjunction with parking meters or pay and display machines, and specify card operated parking meters or pay and display machines for such use of the approved cards.

4. In exercise of the aforesaid power, the Commissioner for Transport has made the Road Traffic (Parking) (Approved Cards) Notice at **Annex B**.

BACKGROUND AND ARGUMENT

Development of Parking Meters

5. When considering the upgrading from mechanical to electronic parking devices (EPDs) back in 1996, the inter-departmental Working

Group on Cashless EPDs opted for a closed system with disposable cards as a first step because at that time a secure and reliable reloadable card system was still under development and not readily available in the market. The Working Group's aim was to open up the EPD system to accept reloadable electronic purse cards at a later stage when such cards had been tried out. The EPDs were therefore designed in such a way to ensure that they could accept other reloadable electronic purse cards with limited modification to the software.

6. The Working Group decided in 1996 to try out two contact cards, namely Mondex and Visa Cash as the contactless system i.e. Octopus was still under development for public transport application. Mondex and Visa Cash were then and are still now the only multi-purpose electronic purse cards approved by the Hong Kong Monetary Authority in the market.

7. Electronic parking meters and pay and display machines were introduced in April 1998 to replace the coin-operated mechanical parking meters, which had come to the end of their useful life. The replacement programme was completed in September 1999. The EPDs now operate as a closed system accepting Transport Department's e-Park card only.

8. Opening up the parking meter system can, on the one hand, bring convenience to the users as the current e-Park cards are non-reloadable and, on the other hand, save Government funds annually in terms of card procurement and handling costs. We are now in a position to open up the system through a small-scale trial with Mondex and Visa Cash in March 2000.

9. Apart from the trial of contact electronic purse cards for EPDs, funds have also been secured for conducting a trial of the contactless card i.e. the Octopus around end 2000. Subject to the results of these trials and the terms to be offered to Government, the EPD system would be opened up to accept contact and/or contactless electronic purse cards.

Trial Schemes

10. Government plans to first conduct a small-scale 6-month trial with Mondex and Visa Cash. For this purpose, 700 EPDs each in Wan Chai, Tsim Sha Tsui and Mong Kok will be upgraded to accept Mondex or Visa Cash respectively. We also plan to conduct a separate trial with Octopus around end 2000.

11. To enable the trials to be conducted, it is necessary for the Commissioner for Transport to publish in the Gazette a notice to approve the above cards for use in payment of a parking fee in conjunction with the EPDs under Regulation 12A of the Road Traffic (Parking) Regulations (Cap. 374 sub. leg.) (“the Regulations”). Amendments to the explanatory note to Figure No. 18 in Schedule 1 of the Regulations are also required to explain that the Time Plate in Figure 18 may be used with a parking meter which can be operated by an approved card. Since Octopus is used by simply placing it on the sensor of the parking meter rather than by inserting it into the parking meter, amendments to the definition of “card operated parking meter” in Regulation 2 are also required.

AMENDMENT REGULATION

12. The Amendment Regulation is to:

- (a) make it clear that a parking card or an approved card may be used for payment of a parking fee by a means other than insertion of the card in the parking meter so as to cater for the use of contactless card; and
- (b) to clarify that the Time Plate in Figure No. 18 of Schedule 1 may be used with a parking meter which can be operated by cards approved by C for T.

APPROVED CARDS NOTICE

13. The Approved Cards Notice is to:
- (a) approve stored value cards issued under the Banking Ordinance presently known as Mondex Cards, Visa Cash Cards and Octopus Cards as approved cards for use in payment of a parking fee in conjunction with parking meters or pay and display machines; and
 - (b) specify that a card operated parking meter or a pay and display machine, which is labeled with the logo of the approved card, may accept such a card for payment of a parking fee.

PUBLIC CONSULTATION

14. The trial on the use of electronic purse cards for electronic parking meters has been planned and funded as part of the “Procurement of Electronic Parking Devices” project approved by the Finance Committee (FC). In the context of the 1999 Controlling Officer’s Report, it was reported to FC that we plan to implement a trial on the use of Mondex and Visa Cash in late 1999. Members generally supported early implementation of the trial schemes.

HUMAN RIGHTS IMPLICATIONS

15. The Department of Justice advises that the proposed legislation has no human rights implications.

FINANCIAL AND STAFFING IMPLICATIONS

16. There are no financial and staffing implications.

ECONOMIC IMPLICATIONS

17. There are no economic implications.

LEGISLATIVE TIME TABLE

18. The Amendment Regulation and Approved Cards Notice will come into effect on 23 March 2000.

PUBLICITY

19. The Amendment Regulation and Approved Cards Notice will be published in the Gazette on 18 February 2000.

Transport Bureau
February 2000
(TBCR 30/5591/75)

ROAD TRAFFIC (PARKING) (AMENDMENT) REGULATION 2000

(Made under section 12 of the Road Traffic Ordinance (Cap. 374))

1. Commencement

This Regulation shall come into operation on 23 March 2000.

2. Interpretation

Regulation 2(1) of the Road Traffic (Parking) Regulations (Cap. 374 sub. leg.) is amended, in the definition of “card operated parking meter”, by adding “or other use” after “insertion”.

3. Figures

Schedule 1 is amended, in Figure No. 18, in the note, by adding “OR AN APPROVED CARD” after “A PARKING CARD”.

Secretary for Transport

15 February 2000

Explanatory Note

This Regulation amends the Road Traffic (Parking) Regulations (Cap. 374 sub. leg.) to

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- (a) amend the definition of “card operated parking meter” to make it clear that a parking card or an approved card may be used for payment of a parking fee by a means other than the insertion of the card in the meter (see section 2);
- (b) amend the wording shown under the traffic sign in Figure No. 18 of Schedule 1 (see section 3).

ROAD TRAFFIC (PARKING) (APPROVED CARDS) NOTICE

(Made under regulation 12A of the Road Traffic (Parking)

Regulations (Cap. 374 sub. leg.))

1. Commencement

This Notice shall come into operation on 23 March 2000.

2. Approved card

Subject to section 3 -

- (a) a multi-purpose card issued pursuant to section 16 (3A) (a) or (3B) of the Banking Ordinance (Cap. 155); and
- (b) a Card within the meaning of section 2 of the Banking Ordinance (Declaration under Section 2(14) (d)) (No. 2) Notice 1997 (Cap. 155 sub. leg.),

are approved as approved cards for the purposes of regulation 12A(a) of the Road Traffic (Parking) Regulations (Cap. 374 sub. leg.).

3. Specification of card operated parking machines, etc.

A card operated parking meter or pay and display machine which is labelled with a logo in respect of an approved card, or class of approved card, is specified for the purposes of section 2 in relation to the approved card, or class of approved card, as the case may be.

Commissioner for Transport

14 February 2000

Explanatory Note

This Notice -

- (a) approves certain cards for use in payment of a parking fee in conjunction with card operated parking meters or pay and display machines (see section 2) (such cards are presently commonly known as Mondex Cards, Visa Cash Cards or Octopus Cards); and
- (b) specifies the card operated parking meters and pay and display machines for which those approved cards may be used (see section 3).