

立法會
Legislative Council

LC Paper No. CB(1)2283/03-04
(These minutes have been seen
by the Administration)

Ref: CB1/BC/1/03

**Bills Committee on
Road Traffic (Amendment) Bill 2003**

**First meeting on
Wednesday, 2 June 2004, at 8:30 am
in Conference Room B of the Legislative Council Building**

- Members present** : Hon Miriam LAU Kin-yee, JP (Chairman)
Dr Hon David CHU Yu-lin, JP
Hon Andrew WONG Wang-fat, JP
Hon LAU Kong-wah, JP
Hon Andrew CHENG Kar-foo
Hon LEUNG Fu-wah, MH, JP
- Public Officers
Attending** : Ms Annie CHOI
Deputy Secretary for the Environment, Transport and
Works (Environment and Transport) T3
- Ms Elizabeth TAI
Principal Assistant Secretary for the Environment
Transport and Works (Environment and Transport) T2
- Mr T F LEUNG
Chief Engineer/Road Safety and Standards
Transport Department
- Mrs Lily LAM
Chief Transport Officer/PLB & Administration
Transport Department
- Mr Y M LI
Senior Engineer/Vehicle Regulations & Standards
Transport Department
- Miss Selina LAU
Government Counsel
Department of Justice

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

Staff in attendance : Ms Connie FUNG
Assistant Legal Adviser 3

Mr Anthony CHU
Council Secretary (1)2

Action

I Election of Chairman

Ms Miriam LAU Kin-ye was elected Chairman of the Bills Committee.

II Meeting with the Administration

(LC Paper No. CB(3)52/03-04	--	The Bill;
File ref: ETWB(T)CR 6/3231/00 Pt 4	--	The Legislative Council Brief issued by the Environment, Transport and Works Bureau on 8 October 2003;
LC Paper No. LS3/03-04	--	The Legal Service Division Report;
LC Paper No. CB(1)2005/03-04(01)	--	A background brief on the Bill provided by the Administration;
LC Paper No. CB(1)2005/03-04(02)	--	Marked-up copy of the Bill; and
LC Paper No. CB(1)2004/03-04	--	A background brief on the Bill prepared by the Secretariat.)

2. The Bills Committee deliberated (index of proceedings attached at **Annex A**).

Clause-by-clause examination of the Bill

3. Members went through the clauses and completed scrutiny of the Bill.

Committee Stage amendment

4. Members agreed that clauses 2, 5, 6 and 7 of the Bill relating to the gross vehicle weight of light buses should come into operation on 1 August 2004. A Committee Stage amendment to this effect would be moved by the Administration.

(Post-meeting note: The Administration subsequently proposed that the whole Bill should come into operation on 1 August 2004. Members noted and agreed.)

Action

III Any other business

5. Members supported the Bill and agreed to report to the House Committee on 11 June 2004, recommending the resumption of the Second Reading debate on the Bill at the Council meeting on 30 June 2004. Members noted that the deadline for giving notice of Committee Stage amendments would be 19 June 2004.

6. There being no other business, the meeting ended at 9:26 am.

Council Business Division 1
Legislative Council Secretariat
30 June 2004

**Proceedings of the first meeting of the Bills Committee on
Road Traffic (Amendment) Bill 2003
Wednesday, 2 June 2004, at 8:30 am
in Conference Room B of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<i>Agenda Item I – Election of Chairman</i>			
000000 – 000017	Dr David CHU	Election of Chairman	
<i>Agenda Item II – Meeting with the Administration</i>			
000018- 000121	Chairman	Opening remarks	
000122- 000453	Administration	Briefing on the Bill (LC Paper No. CB(1)2005/03-04(01))	
000456- 000936	Dr David CHU Administration Chairman	Legal responsibility of not wearing seat belts Supported the proposal to install passenger protection equipment on public light buses (PLBs) to enhance passenger safety but concerned about the possible environmental impact associated with the increase in the maximum gross vehicle weight of light buses as higher fuel consumption might be resulted Accident and casualty rates of PLBs, and the need for extending the seat belt legislation to the rear seats of newly registered PLBs to enhance passenger safety	
000937- 001018	Mr Andrew WONG Administration	The definitions of front seats and rear seats	
001019- 001331	Chairman Administration Assistant Legal Adviser	Clause-by-clause examination of the Bill (The Bill LC Paper No. CB(3)52/03-04) Clause 1 Commencement date of the Bill	The Administration to take action under paragraph 4 of the minutes

Time marker	Speaker	Subject(s)	Action required
001332-003220	Chairman Administration Mr Andrew WONG Mr LEUNG Fu-wah Mr Andrew CHENG	<p>Clause 2 (Marked-up copy of the Bill LC Paper No. CB(1)2005/03-04(02))</p> <p>Appropriateness of the Administration's proposal to repeal the reference to permitted gross vehicle weight from the definition of "light bus" while retaining it in the definitions of "light goods vehicle", "medium goods vehicle" and "heavy goods vehicle", and the resulting inconsistency in the drafting of the definitions of different classes of vehicles in the Road Traffic Ordinance (Cap. 374)</p> <p>The need for the Administration to conduct a review on the definitions of different classes of vehicles</p>	
003221-003424	Chairman Mr Andrew WONG	<p>Clause 3 and Clause 4</p> <p>Discussion at the meeting of the Panel on Constitutional Affairs on the proposed transfer of certain statutory functions and powers from the Chief Secretary for Administration and the Financial Secretary to the responsible Directors of Bureaux</p>	
003425-003522	Chairman	Clause 6 and Clause 7	
003523-004423	Mr Andrew WONG Chairman Administration Mr LEUNG Fu-wah	<p>Clause 5</p> <p>Implications of effecting subsequent changes to the maximum gross vehicle weight of light buses by subsidiary legislation instead of by amendments to the principal ordinance</p> <p>Review on the drafting of the definitions of different classes of vehicles to ensure consistency</p> <p>Future changes to the permitted gross vehicle weight of vehicles should be subject to the approval of the Legislative Council instead of negative vetting so as to avoid any possible disruption to the industry players in case the proposal was not accepted by the Legislative Council</p>	
<i>Agenda Item III – Any other business</i>			
004424-004454	Chairman	Submission of report to the House Committee and resumption of Second Reading debate on the Bill	