

立法會
Legislative Council

LC Paper No. CB(1)2455/03-04
(These minutes have been seen
by the Administration)

Ref: CB1/SS/7/03

**Subcommittee on
four items of subsidiary legislation relating to the
installation of passenger protection equipment on
all newly registered public light buses**

**Meeting on
Monday, 28 June 2004, at 4:30 pm
in the Chamber of the Legislative Council Building**

- Members present** : Miriam LAU Kin-yee, JP (Chairman)
Ir Dr Hon Raymond HO Chung-tai, JP
Hon LAU Kong-wah, JP
Hon Andrew CHENG Kar-foo
- Members absent** : Hon LI Fung-ying, JP
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 W C MOK
Chief Assistant Secretary for the Environment,
Transport and Works (Environment)
- Miss LUI Ying
Assistant Commissioner for Transport/
Administration and Licensing

Mr J P CHEUNG
Principal Transport Officer/Urban
Transport Department

Mr Y M LI
Senior Engineer/Vehicle Regulations & Standards
Transport Department

Mr Mario CHOY
Senior Transport Officer/Public Light Bus
Transport Department

Ms Joyce LAM
Senior Executive Officer/Public Vehicles
Transport Department

Miss Selina LAU
Government Counsel
Department of Justice

**Attendance by
invitation**

: The Hong Kong Taxi & Public Light Bus Association Limited

陳洲先生
理事長

黃錦波先生
理事

Hong Kong, Kowloon and New Territories Public &
Maxicab Light Bus Merchants' United Association

Mr LEUNG Hung
Chairman

Mr TO Chi-keung
Vice-Chairman

HK Public-Light Bus Owner & Driver Association

黎銘洪先生
秘書長

G.M.B. Maxicab Operators General Association Ltd.

Mr HIEW Moo-siew
主席

Mr SO Sai-hung
總幹事

Public Light Bus General Association

凌志強先生
主席

萬振輝先生
副主席

The Environmental Light Bus Alliance

Mr CHAN Man-chun
Spokesman

Hong Kong Scheduled (GMB) Licensee Association

Mr WONG Man-kit
Chairman

Crown Motors Limited

Mr William SAN
Deputy Managing Director

Mr Samson TSUI
General Manager - Sales Division

Mr Joseph TSANG
Technical Support Manager - Service Division

Universal Cars Limited

Mr Peter LAU
General Manager (Truck & Bus)

Motor Traders Association of Hong Kong

Mr Michael LEE
Chairman

Mr Evans NG
Secretary to the Technical Committee

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

Staff in attendance : Ms Connie FUNG
Assistant Legal Adviser 3

Ms Alice AU
Senior Council Secretary (1)5

Miss Winnie CHENG
Legislative Assistant 5

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I Election of Chairman

Ir Dr Raymond HO, the member who had the highest precedence among members of the Subcommittee, presided over the election of Chairman. Ms Miriam LAU was nominated by Mr LAU Kong-wah and the nomination was seconded by Ir Dr Raymond HO. Ms LAU accepted the nomination. There being no other nominations, Ms Miriam LAU was elected Chairman of the Subcommittee. Ms LAU then took over the chair.

II Meeting with deputations/the Administration

- (LC Paper No. CB(1)2259/03-04(01) - Submission dated 28 June 2004 from Hong Kong, Kowloon and New Territories Public & Maxicab Light Bus Merchants' United Association;
- LC Paper No. CB(1)2259/03-04(02) - Submission dated 28 June 2004 from HK Public-Light Bus Owner & Driver Association;
- LC Paper No. CB(1)2259/03-04(03) - Submission dated 26 June 2004 from Hon Wah Public Light Bus Association Ltd;
- LC Paper No. LS88/03-04 - The Legal Service Division Report;
- File Ref: ETWB(T)1/12/65(03)Pt.13 - The Legislative Council Brief on Fixed Penalty (Criminal Proceedings) (Amendment) Regulation 2004 issued by the

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| | Environment, Transport and Works Bureau on 2 June 2004; |
| LC Paper No. CB(1)1868/03-04 | - Report of the Subcommittee on Proposed resolution under section 12 of the Fixed Penalty (Criminal Proceedings) Ordinance; |
| LC Paper No. CB(1)2005/03-04(01) | - Background brief on the Road Traffic (Amendment) Bill 2003 provided by the Environment, Transport and Works Bureau; and |
| LC Paper No. CB(1)2068/03-04 | - Report of the Bills Committee on Road Traffic (Amendment) Bill 2003) |

2. The Subcommittee deliberated (index of proceedings attached at **Annex A**).
3. The Subcommittee noted the following papers tabled at the meeting:
 - (a) Letter dated 28 June 2004 from Mr LEUNG Fu-wah who was unable to attend the meeting;
 - (b) Submission dated 28 June 2004 from Universal Cars Limited;
 - (c) Submission dated 28 June 2004 from Zung Fu Company Limited; and
 - (d) Submission dated 28 June 2004 from Yardway Motors Ltd.

(Post-meeting note: The above papers were subsequently issued to members vide LC Paper No. CB(1)2281/03-04.)

4. The Subcommittee received views from the attending deputations of the public light bus (PLB) trade and vehicle suppliers of PLB, and deliberated on the problem as raised by the PLB trade that the proposed commencement of the four items of subsidiary legislation in relation to the installation of passenger protection equipment on all new PLBs registered on or after 1 August 2004 might disrupt their plans to replace diesel PLBs with liquefied petroleum gas (LPG) PLBs. The PLB trade was concerned that as indicated by one of the major vehicle suppliers of LPG PLBs, new short wheel base vehicles would not be available in the market until November 2004 due to changes in the manufacturing process to cope with the installation of passenger protection equipment on new PLBs. As a result of the shortage of supply of short wheel base LPG PLBs, owners of diesel PLBs would be deprived of the right to obtain the one-off grant of \$60,000 as provided for under the incentive scheme to encourage diesel PLB owners to replace their vehicles with ones that were run on LPG.

5. The Subcommittee noted the Administration's explanation that a period of 20 months was already allowed for vehicle manufacturers to prepare for the new requirements. While it would not be appropriate to amend the legislative timetable simply because one supplier was unable to supply one of the PLB models in time, the

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Administration was prepared to make special arrangements to address the problem encountered by the PLB trade so that a PLB owner whose diesel PLB was reaching the age of ten years or above by end-2004, and who had placed a purchase order for an LPG PLB on or before 1 August 2004, might be eligible for the grant for an extended period.

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6. The Subcommittee deliberated on the Administration's proposal. Taking into account the views of the PLB trade, members considered that it would be more appropriate to adopt 31 December 2004 as the deadline for PLB owners to place purchase orders for replacement LPG PLBs. The Administration agreed to consider the suggestion and would revert to the Subcommittee. The Administration was requested to provide in writing the details of its proposal to members for information after the meeting.

(Post-meeting note: The paper was circulated to members vide LC Paper No. CB(1)2286/03-04(01).)

7. The Subcommittee noted that the PLB trade in principle accepted the Administration's proposal if the deadline for placing purchase orders for replacement LPG PLBs was extended to 31 December 2004. In this connection, the Subcommittee also urged the Administration to liaise with the PLB trade on the details of implementation as soon as possible.

8. The Subcommittee completed deliberation on the four items of subsidiary legislation, and accepted that the new safety requirements should come into effect on 1 August 2004 to enhance the safety of PLB passengers. The Subcommittee would report to the House Committee on 2 July 2004.

III Any other business

9. There being no other business, the meeting ended at 6:15 pm.

Council Business Division 1
Legislative Council Secretariat
28 July 2004

**Proceedings of the meeting of the Subcommittee on
four items of subsidiary legislation relating to the
installation of passenger protection equipment on
all newly registered public light buses
Monday, 28 June 2004, at 4:30 pm
in the Chamber of the Legislative Council Building**

Time Marker	Speaker	Subject(s)	Action required
<i>Agenda Item I – Election of Chairman</i>			
000000 – 000249	Ir Dr Raymond HO	Election of Chairman	
<i>Agenda Item II – Meeting with deputations/the Administration</i>			
000250 – 000649	Chairman	- Opening remarks - Letter from Mr LEUNG Fu-wah and three submissions tabled at the meeting (and subsequently issued vide LC Paper No. CB(1)2281/03-04)	
000650 – 000831	The Hong Kong Taxi & Public Light Bus Association Limited (HKTPLBA)	Presentation of views	
000832 – 001024	Hong Kong, Kowloon and New Territories Public & Maxicab Light Bus Merchants' United Association (PBMUA)	Presentation of views [LC Paper No. CB(1)2259/03-04(01)]	
001025 – 001200	HK Public-Light Bus Owner & Driver Association (HKPLBODA)	Presentation of views [LC Paper No. CB(1)2259/03-04(02)]	
001201 – 001337	G.M.B. Maxicab Operators General Association Ltd. (GMBMOGA)	Presentation of views	
001338 – 001441	Public Light Bus General Association (PLBGA)	Presentation of views	
001442 – 001620	The Environmental Light Bus Alliance (ELBA)	Presentation of views	
001621 – 001919	Hong Kong Scheduled (GMB) Licensee Association (HKSLA)	Presentation of views	

Time Marker	Speaker	Subject(s)	Action required
001920 – 002041	Crown Motors Limited (CML)	Presentation of views	
002042 – 002135	Universal Cars Limited (UCL)	Presentation of views	
002136 – 002253	Motor Traders Association of Hong Kong (MTAHK)	Presentation of views	
002254 – 014245	Mr LAU Kong-wah CML Chairman Administration PBMUA HKSLA HKPLBODA GMBMOGA HKTPLBA UCL ELBA	<ul style="list-style-type: none"> - Impact of the shortage of supply of Toyota's short wheel base liquefied petroleum gas (LPG) public light buses (PLBs) on the plan of some PLB operators to replace their diesel PLBs with LPG PLBs by year-end and be eligible for the one-off grant provided by the Government under the incentive scheme to encourage PLB owners to replace their diesel vehicles early with LPG ones - The Administration's explanation that since the enactment of the relevant legislation in 2002 requiring the installation of new passenger protection equipment on newly registered PLBs, a period of 20 months had been allowed for vehicle manufacturers to prepare for the new requirements. The Administration had also repeatedly reminded PLB suppliers that 1 August 2004 would be the commencement date for implementing the new statutory requirements. - The Administration's proposal to address the concern expressed by some PLB operators about the impact of the supply problem on their eligibility for the grant for conversion of diesel PLBs to LPG PLBs - Views of members on the Administration's proposal - Views of the PLB trade on the Administration's proposal - Revision to the Administration's proposal having regard to the views of members and the PLB trade 	The Administration to provide in writing the details of its proposal to members for information after the meeting

Time Marker	Speaker	Subject(s)	Action required
<i>Agenda Item III – Any other business</i>			
014246 – 014310	Chairman	- Reporting to the House Committee on 2 July 2004	

Council Business Division 1
Legislative Council Secretariat
28 July 2004