

立法會
Legislative Council

LC Paper No. CB(1) 806/08-09

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by the Administration)

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Panel on Environmental Affairs

**Minutes of special meeting
held on Wednesday, 15 January 2009, at 5:00 pm
in the Chamber of the Legislative Council Building**

- Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)
Hon CHAN Hak-kan (Deputy Chairman)
Ir Dr Hon Raymond HO Chung-tai, SBS, S.B.St.J., JP
Hon James TO Kun-sun
Hon LAU Kong-wah, JP
Hon Miriam LAU Kin-yeo, GBS, JP
Hon Andrew CHENG Kar-foo
Hon Albert CHAN Wai-yip
Hon LEE Wing-tat
Hon Jeffrey LAM Kin-fung, SBS, JP
Hon CHEUNG Hok-ming, SBS, JP
Hon KAM Nai-wai, MH
Hon Cyd HO Sau-lan
Hon CHAN Kin-por, JP
Dr Hon Priscilla LEUNG Mei-fun
- Member attending** : Hon WONG Kwok-hing, MH
- Members absent** : Hon WONG Yung-kan, SBS, JP
Prof Hon Patrick LAU Sau-shing, SBS, JP
- Public officers attending** : Mr Edward YAU
Secretary for the Environment

Mr Carlson KS CHAN
Deputy Director of Environmental Protection (3)
Environmental Protection Department

Action

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Mr W C MOK
Acting Assistant Director (Air Policy)
Environmental Protection Department

Mr Edmond HO
Principal Environmental Protection Officer (Mobile Source)
Environmental Protection Department

Attendance by invitation : Taxi Dealers & Owners Association Ltd

Mr NG Kwan-sing
President

Tuen Mun District Tourists and Passengers Omnibus Operators Association

Mr Leo YIP
Vice-Chairman

N. W. Area Taxi Drivers & Operators Association

Mr WONG Wing-chung
Chairman

Sun Hing Taxi Radio Service General Association

Mr CHAN Wai-ming
President

Hong Kong Environmental Industry Association

Mr Daniel CHENG
President

Kowloon Truck Merchants Association Ltd

Mr LEUNG Kun-kuen
Chairman

Tai Wo Motors Ltd

Mr Aaron NG
Vice-Chairman

United Friendship Taxi Owners & Drivers Association Ltd

Mr LEUNG Chak-sang
Chairman

China Hongkong and Macau Boundary Crossing Bus Association

Mr Alan CHAN
Secretary General

Public Omnibus Operators Association

Mr Aaron YEUNG
Chairman

Kowloon District Tourists and Passengers Omnibus Operators Association

Mr LAI Chin-to
Chairman

荃灣區旅運巴士同業聯會

Mr TANG Chi-keung
Chairman

Hong Kong District Tourists and Passengers Omnibus Operators Association

Mr CHEUNG Ying-fat
Vice-Chairman

Lam Tin Wai Hoi Public Light Bus Association

Mr NGAI Chor

Mini Spotters

Ms Annelise CONNELL
Spokesperson

N.T. Taxi Operations Union

Mr CHAN Shu-sang
Chairman

Individual

Mr Martin OEI
Political Commentator

New Territories Taxi Drivers' Rights Alliance

Mr LEUNG Yee-weng
Chairman

Public Light Bus General Association

Mr LING Chi-keung
Chairman

Individual

Mr YEUNG Hing-choi

Red Star Logistics Co Ltd

Ms Pusince MAN
Executive

Urban Taxi Drivers Association Joint Committee Co Ltd

Mr KWAN Yuk-wah
Vice Chairman

Rights of Taxi (Si Hai) Telecommunication Center Ltd

Mr CHAN Kim-fung
Chairman

Rights of Taxi Owner and Driver Association Ltd

Mr LAU Kim-wan
Chairman

Wai Yik H.K. KLN. & N.T. Taxi Owners Association Ltd

Mr William LI
Vice-Chairman

Chuen Lee Radio Taxi Association Ltd

Ms WU Yim-chun
Chairman

Hong Kong Vehicle Transportation Association

Mr KONG Chi-keung
Chairman

The Conservancy Association

Mr Peter LI
Campaign Manager

Clean Air Action

Ms Yolanda NG
Convenor

The Hong Kong Taxi & Public Light Bus Association Ltd

Mr WONG Kam-por
Director

Clear The Air

Ms Amy NG
Head of Idling Engines Committee

Taxi Drivers & Operators Association Ltd

Mr NG Yip-pui
Head Officer

Taxi & Bus Passengers for Clean Air

Mr HUI Fai
Spoke Person

Association of N.T. Radio Taxicabs Ltd

Mr CHAN Shing-chuen
Vice-Chairman

HK Public Light Bus Owner & Driver Association

Mr LAI Ming-hung
Secretary General

Taxi & P.L.B. Concern Group

Mr W M PANG

Hong Kong Waste Disposal Industry Association

Mr Eric KONG
Vice-Chairman

Green Sense

Ms Gabrielle HO
Project Manager

Greener Action

Mr Angus HO
Executive Director

The Kowloon Taxi Owners Association Ltd

Mr YUM Tai-ping
Chairman

Civic Party

Ms Christine HUNG
Chairman, Environment Subgroup

Yuen Long District Tourists and Passengers Omnibus Operators Association Ltd

Mr Jack CHEUNG
Chairman

Hong Kong Automobile Association

Mr Wesley WAN
President

Clerk in attendance : Miss Becky YU
Chief Council Secretary (1)1

Staff in attendance : Mrs Mary TANG
Senior Council Secretary (1)2

Miss Mandy POON
Legislative Assistant (1)4

I. Banning idling vehicles with running engines

Meeting with Taxi & Bus Passengers for Clean Air

Mr HUI Fai, Spokesperson, said that the Taxi & Bus Passengers for Clean Air was a group of about 400 Hong Kong residents who took public transportation on a

daily basis, and who would support early enactment of the legislation to ban idling vehicles with running engines (idling vehicles) without further exemptions. He said that with the worsening roadside pollution, each and every road user would be breathing in more toxic fumes everyday. He stressed that as cleaner air would attract talents and investment, there was a need for Hong Kong to enact the anti-idling legislation as otherwise it would be losing out to Singapore.

Meeting with Taxi Dealers & Owners Association Ltd

2. Mr NG Kwan-sing, President, said that the taxi trade had all along been very cooperative in implementing environmental measures, as in the case of the switch to liquefied petroleum gas (LPG) taxis. However, the revised proposal of extending the exemptions to cover only the first five taxis at the taxi stand was not adequate, particularly on rainy days when windows could not be opened for ventilation, and on days when the ambient temperature was very high. There was also a lack of supporting measures in implementing the ban. Hence, the Association would request that taxis be exempted from the ban on idling vehicles.

Meeting with Tuen Mun District Tourists and Passengers Omnibus Operators Association

3. Mr Leo YIP, Vice-Chairman, said that the transport trade had been very cooperative in implementing the various environmental initiatives, such as the switch to LPG and Ultra Low Sulphur Diesel, as well as the replacement with Euro IV vehicles. Given that the ban would seriously affect the operation of the transport trade, the Association would urge that tourist and passengers omnibuses be exempted from the ban. There was a need for supporting measures, such as the use of ancillary air-conditioning systems, before consideration could be given to introducing the ban.

Meeting with N. W. Area Taxi Drivers & Operators Association

(LC Paper No. CB(1) 540/08-09(02))

4. Mr WONG Wing-chung, Chairman, said that the proposed ban would affect the health conditions of taxi drivers, which might in turn undermine driving safety. Hence, the taxi trade would strongly object to the ban in the absence of supporting measures. Before implementing the ban, the Administration should provide funding for the installation of separate ancillary air-conditioning systems for taxis so that air-conditioning could be maintained while the vehicle engine was switched off. Consideration should also be given to providing covers and rest stops at taxi stands, for the comfort of both passengers and drivers, particularly the latter who had to switch off their vehicles while waiting.

Meeting with Sun Hing Taxi Radio Service General Association

(LC Paper No. CB(1) 540/08-09(03))

5. Mr CHAN Wai-ming, President, said that the proposed ban would give rise to much discomfort to both drivers and passengers. Representatives of the Administration and green groups should experience for themselves how it felt when driving a taxi in hot weather. He said that if the ban were to be implemented, the

18 300 taxi drivers in Hong Kong would go on strike for one day in protest of the ban.

Meeting with Hong Kong Environmental Industry Association

(LC Paper No. CB(1) 540/08-09(04))

6. Mr Daniel CHENG, President, said that he was aware of the discomfort and inconvenience to drivers in complying with the ban, particularly in hot weather. Noting that some tourist and passenger buses were equipped with separate air-conditioning systems within the bus cabins, he hoped that the Administration would explore the feasibility of introducing such technology to Hong Kong with a view to resolving the difficulties arising from the compliance with the ban.

Meeting with Kowloon Truck Merchants Association Ltd

7. Mr LEUNG Kun-kuen, Chairman, said that he was pleased that vehicles which were required to keep their engines running for some ancillary purposes were exempted from the ban. Hence, the Association would support the proposed ban, which was not expected that to affect the operation of truck merchants. Besides, compliance with the ban would save fuel cost and reduce wear and tear of engines. He however shared taxi drivers' concerns about operational difficulties associated with compliance with the ban and he hoped that necessary assistance would be given.

Meeting with Tai Wo Motors Ltd

(LC Paper No. CB(1) 540/08-09(05))

8. Mr Aaron NG, Vice-Chairman, said that the Administration did not provide the necessary exemptions for the transport trades when formulating the proposed ban. Nor had it taken into account the impacts of the ban on drivers and passengers, particularly in hot weather and rainy days. He called for exemptions to be granted as appropriate.

Meeting with United Friendship Taxi Owners & Drivers Association Ltd

9. Mr LEUNG Chak-sang, Chairman, said that the revised exemption to cover the first five taxis at a taxi stand was still inadequate, as this would mean that the sixth taxi and others waiting in line would need to switch on and off their engines whenever they had to move forward in a taxi stand, thereby resulting in even more roadside pollution. Since the proposed ban would give rise to a lot of inconvenience to drivers, consideration should be given to fully exempting taxis from the ban.

Meeting with China Hongkong and Macau Boundary Crossing Bus Association

10. Mr Alan CHAN, Secretary General, said that while the Association would support the proposed ban in principle, it held the view that more exemptions should be granted to tourist and passenger buses during the hot summer months when the temperature inside the cabin could be as high as 50°C to 60°C. He also called for the extension of the grace period within which drivers of diesel commercial vehicles equipped with turbochargers were allowed to have their engines switched on before they were required to switch off their engines when their vehicle idle from three

minutes to 10 minutes.

Meeting with Public Omnibus Operators Association

11. Mr Aaron YEUNG, Chairman, said that environmental protection measures were meant to protect health. However, the proposed ban aimed at protecting the environment at the expense of the health of drivers. Hence, more exemptions should be granted to cater for the needs of drivers. He also pointed out the many problems associated with the use of the more environment-friendly Euro IV vehicles.

Meeting with Kowloon District Tourists and Passengers Omnibus Operators Association

12. Mr LAI Chin-to, Chairman, said that passengers and tourists would be reluctant to board coaches with sealed windows after implementation of the ban, particularly during summer when the temperature inside cabin could reach to about 40 °C. To avoid conflict between drivers and passengers, consideration should be given to exempting coaches from the ban. As vehicles with ancillary functions, such as those with refrigeration for frozen meat, were exempted from the ban, he failed to see why taxis and buses carrying passengers on board could not be so exempted.

Meeting with 荃灣區旅運巴士同業聯會

13. Mr TANG Chi-keung, Chairman, said that the tourist coach associations were not opposed to the ban, but considered that necessary exemptions should be granted to take into account the operational difficulties of the trades. He pointed out that it was not fair for the green groups to accuse the transport industries of not adopting environmental practices when they were not aware of the associated operational difficulties, such as those related to the use of Euro IV vehicles.

Meeting with Hong Kong District Tourists and Passengers Omnibus Operators Association

14. Mr CHEUNG Ying-fat, Vice-Chairman, pointed out the difficulties associated with compliance with the ban by school buses. He said that as school buses would often have to wait in line to pick up students from schools, the cabin with sealed windows would become very hot when the outside temperature was high. There was a need for drivers to turn on the air-conditioning for a while to cool down the temperature for the comfort of students. He therefore opined that a 15-minute grace period should be given to school bus drivers so that they could cool down the cabin temperature before allowing students to board the buses. This would prevent complaints from parents about their children getting sick because of the high cabin temperature.

Meeting with Lam Tin Wai Hoi Public Light Bus Association

(LC Paper No. CB(1) 540/08-09(08) — Joint submission from Lam Tin Wai Hoi Public Light Bus Association, The Kowloon PLB Chiu Chow Traders & Workers Friendly Association, Hon Wah

15. Mr NGAI Chor said that drivers of red minibuses would find it hard to comply with the ban. While exemptions would be granted to the first two minibuses at minibus stands, the third and those behind would have to switch on and off their engines while moving along the line. This would lead to more emissions and roadside pollution. Besides, as Euro IV vehicles would need a longer rest time before the engines could be restarted, the proposed ban would have a deleterious effect on these vehicles. He therefore urged the Administration to seriously consider exempting minibuses from the ban.

Meeting with Mini Spotters

(LC Paper No. CB(1) 540/08-09(09))

16. Ms Annelise CONNELL, Spokesperson, said that Mini Spotters was a traffic safety organization. She pointed out under the existing laws, drivers were not allowed to leave their vehicles without switching off their engines. As such, 90% of drivers who left their vehicles idling with running engines in fact broke the law. It was also illegal for a taxi to stop anywhere in Hong Kong except at a taxi stand and that was why taxi drivers wanted exemptions because they knew that they were breaking the law. The same also applied to loading and unloading of goods at restricted zones, drivers of first or second public light bus (PLB) leaving the vehicle, and PLB drivers not moving forward in a PLB stand. She said that if the Environmental Protection Department did not take necessary enforcement against such criminal behaviours to protect the public, Mini Spotters would go to the Police.

Meeting with N.T. Taxi Operations Union

17. Mr CHAN Shu-sang, Chairman, said that the Union would object to the proposed ban, which was impracticable and failed to take account of the occupational health of taxi drivers. He said that drivers would find it hard to bear if they had to switch off their engines and air-conditioning when idling in hot weather and on rainy days. There were also practical difficulties which the Administration failed to address in implementing the ban at taxi stands. He pointed out that taxis waiting at a stand with 20 or more taxis in front would have to switch on and off their engines at least 20 times while moving in line, equivalent to hundreds of times in a shift of eight hours and over 20 000 times in a month, which might exceed the design capacity of the engines. Besides, the frequent switching off and restarting of engines would accelerate the wear and tear of starters and batteries, thus increasing the maintenance costs.

Meeting with Mr Martin OEI

(LC Paper No. CB(1) 540/08-09(11))

18. Mr Martin OEI opined that the proposed ban on idling vehicles had not been well thought out as it failed to take into account the occupational safety of drivers.

He pointed out the legislation on idling vehicles in Toronto provided exemptions for days with temperature at or above 27°C, and situations beyond the control of drivers, such as passengers who had medical proof that they could not tolerate high temperatures. However, similar exemptions were lacking under the proposed ban. He stressed the need for the proposed ban to be compatible with other legislation, including those on occupational safety.

Meeting with New Territories Taxi Drivers' Rights Alliance

(LC Paper No. CB(1) 540/08-09(12))

19. Mr LEUNG Yee-weng, Chairman, recalled that he had extended an invitation to the Secretary for the Environment in September 2008 to experience for himself how it felt like when driving a taxi under hot weather conditions. He said that it would be impractical for taxi drivers to switch off their engines and air-conditioning when the outside temperature was over and above 30°C or on rainy days when car windows could not be opened. The ban would have adverse impacts on the health of taxi drivers who had to spend their entire working day in the taxi cabin. In fact, there was a recent incident where a driver fell ill when driving with the air-conditioning off. The ban would pose health risk on drivers which would in turn affect passenger safety.

Meeting with Public Light Bus General Association

20. Mr LING Chi-keung, Chairman, said that the Association comprised both red and green minibus operators, and that it had all along been supportive of measures to protect the environment. In fact, the Association had participated in the clean air campaign organized by the Administration. However, he queried the practicability of the proposed ban at PLB stands where only the first two PLB buses would be exempted. The drivers of the third PLB and others waiting in line would have a hard time coping with the ban in times of hot weather. The adverse impact on the health of drivers would affect driving safety and in turn threaten passenger safety. He also called upon full exemption for all vehicles waiting in line at gas stations as otherwise all drivers awaiting refill had to switch on and off their engines, thereby causing excessive emissions and threatening the health of drivers and those working at gas stations. Lastly, he urged that all passenger buses and PLBs should be exempted from the ban.

Meeting with Mr YEUNG Hing-choi

(LC Paper No. CB(1) 540/08-09(13))

21. Mr YEUNG Hing-choi said that he would like to express his views from the perspective of an ordinary Hong Kong citizen and a driver of private cars. He said that although he did not belong to any green group, he had been adopting green driving practices and would not normally turn on air-conditioning unless really necessary. However, it was not always practicable to do so in times of rainy/stormy weather or with elderly/sick persons on board the vehicle. There same would apply to tourist buses which would have difficulties in complying with the ban in times of hot weather. He hoped that the law could be more accommodating to the needs of the public, and that green groups should be aware of the impacts of environmental

initiatives on the general community.

Meeting with Red Star Logistics Co Ltd

22. Ms Pusince MAN, Executive, said that there were hundreds of container trucks queuing at container terminals for loading and unloading of goods at any one time. It was impractical for these trucks to comply with the ban because frequent switching on and off of engines would cause damages to the ignition systems as a lead time of about 15 to 20 minutes was required between switching on and off of engines. The engine failure of any one vehicle within the queue would put the entire operation of the container terminal to a halt. Besides, the frequent restarting of engines would give rise to more emissions. Therefore, the logistics trade had much difficulty in complying with the ban.

Meeting with Urban Taxi Drivers Association Joint Committee Co Ltd

23. Mr KWAN Yuk-wah, Vice Chairman, said that he supported the need to protect the environment, but there were different aspects on environmental protection. He failed to see why there was still a need to impose the ban on taxis, which had all been switched to the more environment-friendly LPG taxis at the request of the Administration, in an attempt to improve the environment. Besides, the Administration should take into account the difficulties of drivers in complying with the ban, particularly in times of hot weather and on rainy days. The proposed ban would give rise to discontent and grievances within the community.

Meeting with Rights of Taxi (Si Hai) Telecommunication Center Ltd

24. Mr CHAN Kim-fung, Chairman, said that the taxi trade had been very cooperative in adopting various environmental measures. He drew attention to the difficulties faced by taxi drivers who had to spend their entire working day in the taxi cabin under intense heat during summer. The proposed ban would aggravate the situation, particularly on rainy days. It would also give rise to discomfort to both drivers and passengers. The frequent switching on and off of engines would also generate more emissions. He urged members not to support the ban.

Meeting with Rights of Taxi Owner and Driver Association Ltd

25. Mr LAU Kim-wan, Chairman, remarked that the environmental protection measures taken by the Administration were not able to bring any benefits to the community, but had caused inconvenience to the trades. He opined that consultation on the proposed ban should be conducted during summer so that the public could experience for themselves how it felt like when the ban was imposed. He said that all should say no to the ban. As an alternative, the Administration should plant more trees at taxi stands to provide shades for taxis. Consideration should be given to provide green roofing at the covered taxi stands.

Meeting with Wai Yik H.K. KLN. & N.T. Taxi Owners Association Ltd

26. Mr William LI, Vice-Chairman, said that before imposing the ban, the Administration should have due regard to the occupational health of taxi drives who had to spend long hours inside the taxi, which was in effect their workplace. Taxi drivers would find it very hard to bear if they had to turn off their engines in order to comply with the ban during summer. He was aware that there were solar-powered cooling systems sold in Japan that could be turned on while the engines were switched off. He suggested that the Government should provide subsidy to assist taxi drivers to install such systems in their vehicles.

Meeting with Chuen Lee Radio Taxi Association Ltd

27. Ms WU Yim-chun, Chairman, said that the proposed ban was meant to require drivers to switch off their engines, but not their air-conditioning. If the advancement in technology was able to allow for the switching off of engines while keeping the air-conditioning running, the gravity of the problem could be much reduced. She urged the Government to provide subsidy for the installation of such devices so that drivers could leave their air-conditioning on with the vehicle engines being switched off.

Meeting with Hong Kong Vehicle Transportation Association
(LC Paper No. CB(1) 540/08-09(14))

28. Mr KONG Chi-keung, Chairman, said that the Hong Kong Vehicle Transportation Association would support the proposed ban.

Meeting with The Conservancy Association
(LC Paper No. CB(1) 540/08-09(15))

29. Mr Peter LI, Campaign Manager, said that The Conservancy Association would fully support the proposed ban as everyone should be held responsible to keep the air clean. He was well aware of the difficulties of drivers in complying with the ban, but there was a need to ban idling vehicles for the benefit of the community. To allay the concern about the impacts of frequent switching on and off of engines on vehicle performance, the Administration should publish the results of the studies on the subject conducted in the United States and Japan.

Meeting with Clean Air Action

30. Ms Yolanda NG, Convenor, said that there was a need for early implementation of the ban to improve air quality, and that prolonged consultation and further exemptions would only defeat the purpose of the ban. She said that Clean Air Action and other green groups had conducted a number of roadside surveys which revealed that idling vehicles could increase the ambient temperatures of streets by as much as 3°C. She however agreed that more studies should be made on the technology which could keep the air-conditioning on while the vehicle engines were off for the comfort of drivers and passengers. A hotline should also be provided for complaints against idling vehicles.

Meeting with The Hong Kong Taxi & Public Light Bus Association Ltd

31. Mr WONG Kam-por, Director, said that the Association held the view that taxis and PLBs should be exempted from the ban to protect the occupational health of drivers. The Administration should step up publicity on the need to switch off engines while idling, and consider implementing the ban by stages, starting with private cars to be followed by public vehicles if the outcome had proved to be satisfactory.

Meeting with Clear The Air

(LC Paper No. CB(1) 540/08-09(06))

32. Ms Amy NG, Head of Idling Engines Committee, said that Clear The Air did not agree to any exemptions for idling vehicles as these would undermine the efforts in reducing air pollution. Besides, taxi drivers who left their engines running while idling were in fact doing harm to themselves as they would inhale pollutants emitted from their vehicles. This would also pose serious health risks to young children and pregnant women, as well as those who had respiratory or heart disease. Lastly, she stressed that it was a basic human right to enjoy clean air and if drivers continued to keep their idling engines running, they would become the victim of poor air quality. To address the problem of over-heating inside the taxi cabin, consideration should be given for the Government to subsidize the installation of separate solar-powered cooling systems for taxis.

Meeting with Taxi Drivers & Operators Association Ltd

(LC Paper No. CB(1) 540/08-09(01))

33. Mr NG Yip-pui, Head Officer, said that the Association would strongly object to the ban as frequent switching on and off of engines would give rise to more emissions.

Meeting with Association of N.T. Radio Taxicabs Ltd

34. Mr CHAN Shing-chuen, Vice-Chairman, declared interest as a taxi driver. He was concerned that taxi drivers who had to switch off their engines while awaiting passengers at taxi stands would be exposed to intense heat during summer. There were also difficulties for them to comply with the ban on rainy days, where condensation resulting from switching off of engines would make the glass windows foggy, thereby affecting driving safety. He would urge representatives of the Administration to experience for themselves how it felt like to comply with the ban on rainy days.

Meeting with HK Public Light Bus Owner & Driver Association

(LC Paper No. CB(1) 592/08-09(01))

35. Mr LAI Ming-hung, Secretary General, considered it necessary for green groups to declare whether they had received benefits from franchise buses and rail companies because with implementation of the ban, passengers would likely to take

buses/trains instead of taxis. Given that there were no proper PLB stands for red minibuses, these should be exempted from the ban.

Meeting with Taxi & P.L.B. Concern Group
(LC Paper No. CB(1) 592/08-09(02))

36. Mr W M PANG did not consider that there should not be any emission problems with LPG taxi, which was considered an environment-friendly vehicle. He said that taxi drivers who had to spend long hours in the taxi would find it very hard to bear if they had to switch off engines in times of hot weather and on rainy days. The intense heat in the cabin would affect the health of drivers. Besides, the frequent switching on and off of engines would cause damages to the batteries and ignitions systems. As the poor air quality was a result of emissions from across the boundary, measures should be taken by the Mainland authorities to address the problem.

Meeting with Hong Kong Waste Disposal Industry Association

37. Mr Eric KONG, Vice-Chairman, said that the Association supported measures to protect the environment. He did not have anything more to add because vehicles which had to run their engines for ancillary purposes were exempted from the ban.

Meeting with Green Sense
(LC Paper No. CB(1) 592/08-09(03))

38. Ms Gabrielle HO, Project Manager, said that the Green Sense had all along been supportive of the proposed ban. It was also supportive of other more effective measures to improve air quality. In order to implement the ban more effectively, efforts should be made to import coaches with windows which could be opened. This could enable coach drivers to switch off air-conditioning in times of cooler weather. Reference could also be made to overseas experience in implementing anti-idling legislation such as Japan.

Meeting with Greener Action
(LC Paper No. CB(1) 592/08-09(04))

39. Mr Angus HO, Executive Director, said that the Greener Action supported the early implementation of the proposed ban. While acknowledging the concerns of drivers in complying with the ban, he pointed out that these were raised in their own interest rather than for the benefit of the general community. In fact, drivers' concern about the health impact associated with the ban could be addressed through concerted efforts to improve air quality. He said that the Government would seem to have given way to the transport trades if further exemptions were granted. To facilitate the implementation of the ban, he suggested that –

- (a) a three-month pilot study on the proposed ban should be launched to gauge public views;
- (b) driving instructors should be requested to educate learners on the need to switch off engines while idling;

- (c) imported buses/coaches should be installed with windows which could be opened; and
- (d) drivers of taxis and coaches should be encouraged to open their windows when driving.

Meeting with The Kowloon Taxi Owners Association Ltd

40. Mr YUM Tai-ping, Chairman, said that drivers of taxis and coaches would have no choice but to circulate around in order to avoid switching off their engines while idling after implementation of the ban. Besides, frequent switching on and off of engines would lead to engine failure and result in traffic congestion. To this end, consideration should be given to granting exemptions on rainy days or days with ambient temperature of over 27°C. Vehicles waiting in line at gas filling stations should also be exempted from the ban.

Meeting with Civic Party

(LC Paper No. CB(1) 592/08-09(05))

41. Ms Christine HUNG, Chairman of Environment Subgroup, said that the Civic Party was in favour of the early enactment of legislation to ban idling vehicles, and agreed that certain exemptions should be provided to reduce the impacts on the transport trades. The proposed ban was only a small step towards better air quality, and more measures should be worked out to combat air pollution. These would include introducing more environment-friendly franchise buses and phasing out pre-Euro and Euro I buses. While the proposed measures might incur additional costs on the one hand, these could reduce health costs on the other. The Administration should also review and update the Air Quality Objectives to keep these in line with the World Health Organization guidelines.

Meeting with Yuen Long District Tourists and Passengers Omnibus Operators Association Ltd

42. Mr Jack CHEUNG, Chairman, said that there was a need for coach drivers to cool down their cabins before picking up passengers. This was particularly true for school bus drivers to ensure a reasonably comfortable cabin for the younger students. Hence, a grace period should be given to allow coach drivers to turn on their engines in preparation for the pick-up of passengers. He also hoped that the Administration would conduct studies on the introduction of separate ancillary air-conditioning systems to allow for cooling while the engines were switched off.

Meeting with Hong Kong Automobile Association

43. Mr Wesley WAN, President, said that Association would support in principle the proposed ban which might not have a significant impact on drivers of private cars. However, it would create a lot of compliance difficulties on the part of drivers of taxis and coaches. To this end, efforts should be made to step up publicity on the need for drivers to switch off engines voluntarily. Clear enforcement guidelines should also

be made to avoid unnecessary conflicts. Consideration should be given to lifting the ban on days when the hot warning signal was hoisted, and providing incentives to encourage the switch to hybrid vehicles which had separate air-conditioning system when engines were off.

44. The Chairman also drew members' attention to the following submissions from deputations not attending the meeting –

LC Paper No. CB(1) 540/08-09(07) — Submission from Association of Engineering Professionals in Society Ltd

LC Paper No. CB(1) 540/08-09(10) — Submission from Green Council

LC Paper No. CB(1) 540/08-09(16) — Submission from Hong Kong Kowloon Taxi & Lorry Owners' Association Ltd

LC Paper No. CB(1) 540/08-09(17) — Submissions of similar nature from Ms Ava HAU, Ms CHUNG fei-fei, Mr Raymond KWOK, Ms Mikko SIPILA and Mr Gregory YING

LC Paper No. CB(1) 592/08-09(06) — Submissions of similar nature from Mr Kelvin LEUNG, Ms CHEUNG Shuk-ping, Mr Patrick LEE, Ms CHENG Yuk-yung

Meeting with the Administration

(LC Paper No. CB(1) 540/08-09(18) — Administration's paper on Banning idling vehicles with running engines

LC Paper No. CB(1) 540/08-09(19) — Paper on the control of idling vehicles with running engines prepared by the Legislative Council Secretariat (updated background brief)

45. At the invitation of the Chairman, the Secretary for the Environment (SEN) provided a consolidated response to the views expressed by deputations. He said that the Administration acknowledged the close tie between air pollution and public health, and had taken various means to improve air quality, including the imposition of a cap on emissions from power generation, introduction of cleaner vehicle fuels and replacement of more polluting vehicles etc. The ban on idling vehicles was first discussed in 2000, and efforts had since been made to promote the voluntary switching off of vehicle engines while idling. However, complaints against idling vehicles continued to increase and the driving habit of many drivers had yet to be changed. Following the five-month public consultation on the proposal to introduce a statutory ban against idling engines in 2007/2008, which revealed a broad-based support for the ban, the Administration held further consultation with political parties and transport trades with a view to resolving the operational difficulties associated with the ban.

Exemptions for certain vehicles had also been worked out. SEN noted that it would not be possible to formulate a proposal that would meet the demands from all parties given the diversified views expressed. Having considered the operational needs of transport trades and enforcement practicability, the Administration had revised the exemption arrangements to include the first five taxis at a taxi stand as well as the first two green minibuses of each route. As for red minibuses, those with one or more passengers on board plus the one immediately behind each of these red minibuses at a stand would be exempted. Coaches with sealed windows would also be exempted if there were one or more passengers on board. As regards the proposed provision of a grace period before issuance of a fixed penalty ticket, SEN said that the Administration adopted an open mind and would welcome further views from the public before a decision on the ban was reached. Meanwhile, efforts would be made to step up publicity on the need to switch off engines while idling. He stressed that the responsibility to resolve the air pollution problem did not rest only with the transport trades, but the entire community. There was a need for consensus before proceeding further with efforts to improve air quality.

46. Dr Priscilla LEUNG declared interest as the Chairman of the Green Council. While supporting the legislation to ban idling vehicles as this would help improve roadside air quality, she agreed that exemptions should be granted to certain trades taking into account their operational needs, including emergency vehicles (such as ambulance vehicles), vehicles carrying corpses and taxis carrying sick persons. Consideration should also be given to lifting the ban on days where hot warning signals were hoisted. To ensure impartiality, defence provisions should be provided as appropriate. Enforcement agents should also wear uniforms as in the case of Toronto. She further pointed out that measures to reduce air pollution should not be confined to vehicles, but should apply to buildings as well. Measures should be put in place to encourage the use of heating or cooling system on a need basis when the indoor temperature reached a certain level.

47. In response, SEN explained that exemptions would be granted to vehicles required to keep their engines on for ancillary purposes, such as ambulance vehicles, vehicles selling ice-cream etc. However, he failed to see why taxis carrying sick persons would need to leave their engines idling. On the request for exemptions on days with hot warning signals, SEN said that this would need further consideration, bearing in mind that the anti-idling legislation in tropical cities like Singapore did not provide for such exemptions. As regards enforcement, SEN said that in addition to staff of the Environmental Protection Department (EPD), traffic wardens would be empowered to take enforcement actions against idling vehicles. The Administration would also look into the proposed inclusion of defence provisions taking into account enforcement practicability.

48. While acknowledging that the revised exemptions were a step forward, Ms Miriam LAU said that these could not fully resolve the difficulties faced by the transport trades as evidenced by the views expressed at the meeting. She pointed out that even private car drivers had expressed concern about the practical difficulties in complying with the ban, let alone taxi drivers. The revised arrangement to exempt the first five taxis at taxi stands was not enough, particularly on rainy days when the sixth taxi and others queuing in line were not allowed to turn on their air-conditioning.

As a result, taxi drivers would choose not to queue at taxi stands, but circulating around for passengers, thereby emitting more emissions. She invited SEN and other EPD staff to spend a hot summer day with her inside a taxi to experience how it felt like in order to comply with the ban in such weather condition. The same problem also applied to school buses picking up students, and tourist coaches which had much difficulty in finding a suitable parking space while waiting for their passengers. She stressed that when imposing the ban, care should be taken to ensure the health of drivers and safety of the public. She hoped that exemptions would be considered for days when hot warning signals were hoisted.

49. SEN explained that most school buses were diesel commercial vehicles with turbochargers, which could enjoy a three-minute grace period once every 60 minutes under the revised exemption arrangements. As for school buses with sealed windows, these would be exempted from the ban if one or more students were on board. As for tourist coaches, the drivers were expected to switch off the engines while waiting when no passengers were on board.

50. Mr WONG Kwok-hing noted that deputations' views were not opposing to each other. Conceted efforts were required to tackle the air pollution problem with a view to improving the health and safety of the public. The transport trades were also conscious of the need to protect the environment as they were mostly affected by roadside air quality since they had to spend most of their time on the roads. He urged the Administration to adopt a people-oriented approach and give further consideration to the following in order to resolve the difficulties faced by the trades in complying with the ban –

- (a) Providing exemptions during rainy days and days when the hot warning signals were hoisted;
- (b) Providing shades at taxi stands;
- (c) Ascertaining the impacts of frequent switching on and off of engines on the performance of vehicles;
- (d) Ascertaining the impact of the ban on the health and safety of drivers;
- (e) Addressing the problem encountered by red minibuses which did not have designated stands;
- (f) Addressing the problem faced by coaches with sealed windows; and
- (g) Providing subsidies for installation of separate cooling system which could be turned on while engines were off.

51. SEN said that the revised exemption arrangements were made having considered the operational needs of the transport trades. That said, it would not be easy to meet the aspirations of all parties. By way of illustration, the proposed exemptions on days of hot temperature would mean that the ban could not be applied in most of the year given the hot weather in Hong Kong. This was also contrary to

the experience in Singapore where the ban was applicable all year round irrespective of the weather. He nevertheless agreed that when possible, more trees could be planted at taxi stands as part of the greening project in Hong Kong. The revised exemptions for red minibuses at their stands were modeled after that for green minibuses i.e. the first two minibuses going to the same destination would be exempted. Coaches with sealed windows would be exempted when one or more passengers were on board. The Administration was also prepared to look into the practicality of installing ancillary cooling devices which could be turned on while the engines were off. In fact, it had received a funding application to study battery-operated ancillary cooling systems within vehicles.

52. Ms Cyd HO thanked deputations for their views on such a controversial subject. Sharing the concerns of Mr YEUNG Hing-choi and Mr Martin OEI about the occupational safety of drivers, she agreed that it would be very uncomfortable to stay inside a vehicle on a hot day without air-conditioning. There were incidents where children died from overheating when left in a vehicle cabin on a hot day. She therefore supported that exemptions should be granted on days when hot warning signals were hoisted, and that taxis with passengers with special needs on health ground should be allowed to keep their engines on while idling. She further pointed out that it might not be appropriate for the Administration to make a direct comparison between Singapore and Hong Kong, which had a much higher population and building density than the former. She also cautioned that the proposed ban might become "a good policy fallen victim to operational ridicule and extremely costly for marginal returns" as claimed in the submission from Hong Kong Institution of Engineers. SEN said that in enacting the anti-idling legislation, there was a need to strike a balance among different needs of the community. He noted the trades' view that some degrees of flexibility would need to be exercised on rainy days for practical reasons. The same would apply to passengers who would need air-conditioning on medical ground. The Administration was prepared to further discuss with Members and the public to address their concerns. Ms HO stressed the need to set out clearly the exemptions to be granted to avoid ambiguity and facilitate enforcement.

53. Mr Albert CHAN agreed that efforts should be made to resolve the operational difficulties of the affected trades, and to compensate for their loss before implementing the ban on idling vehicles. Consideration should also be given to providing incentives to encourage the switch to hybrid vehicles which would allow air-conditioning to be turned on while engines were idling. He enquired if Government vehicles would be exempted from the ban. SEN confirmed that the ban would be applicable to Government vehicles, except for vehicles of disciplinary forces and other emergency vehicles engaged in operational activities, as well as vehicles which were required to run their engines for ancillary purposes other than providing air-conditioning. To facilitate better understanding, the Administration undertook to provide a paper on the applicability of the proposed ban on Government vehicles.

54. Mr CHAN Hak-kan noted that the Administration had failed to address the problem of possible damages to batteries and ignitions systems resulting from frequent switching on and off of engines. He enquired if studies on the effect of frequent switching on and off of engines on the performance of vehicles had been carried out by tertiary institutions. Consideration should also be given to providing subsidies for

installation of separate cooling devices if such technology was found to be feasible. Expressing similar concern, Mr Albert CHAN cautioned that the additional emissions generated from frequent switching on and off of taxi engines at taxi stands might offset the benefits of the proposed ban. SEN said that the ban would not give rise to frequent switching on and off of engines. By way of illustration, taxis waiting in line at taxi stands for active boarding would not need to switch off their engines. The same applied to vehicles waiting in line at container terminals and gas filling stations. Besides, it would be more environment-friendly to switch off idling engines than to leave them on. Studies in Canada also revealed that vehicles with engines left idling for 10 seconds would consume more fuels than restarting of engines.

55. Noting the general concern on the impact of frequent switching on and off of engines, the Chairman sought deputations' views in this respect. Mr CHAN Shu-sang/N.T. Taxi Operations Union said that taxis waiting in line for passengers at taxi stands would need to switch on and off their engines many times. The frequent switching on and off, which could amount to as many as 600 times a day or over 20 000 times a month, could be very damaging to the engines as these might not be designed for such usage. He was dissatisfied that no studies on such impact on engines had been conducted by the Administration. Mr Martin OEI pointed out that the computer parts of Euro IV vehicles would easily fail if the engines were switched on and off frequently. This would give rise to high repair and maintenance cost. Besides, it would take months for the spare parts to be imported from European countries. The long lead time for repair would affect the livelihood of vehicle owners and drivers. Mr NG Kwan-sing/Taxi Dealers & Owners Association Ltd was dissatisfied that the Administration had failed to provide as requested the report from Crown Motors on the impact of frequent switching on and off of engines on vehicle performance. Neither was there any progress on any study nor discussion with the trades in this respect. The taxi trade held the view that the ban should be implemented in phases so that they could be more prepared and better equipped in complying with the ban. Mr WONG Wing-chung/N. W. Area Taxi Drivers & Operators Association said that frequent switching on and off of engines would not only shorten the service life of the starter, but also generate more emissions. This would lead to more frequent repair/maintenance and higher operating cost. He requested that taxis should be exempted from the ban until supporting facilities, such as provision of shades at taxi stands and incentives for the switch to hybrid vehicles, were in place. Mr CHAN Wai-ming/Sun Hing Taxi Radio Service General Association said that he would strongly object to the statutory ban on idling vehicles. He added that taxi engines were designed to be switched on while idling. The frequent switching on and off of engines would damage the batteries and ignition systems, resulting in more waste to be disposed of. Mr YEUNG Hing-choi said that it took time for vehicles to be warmed up before they could perform satisfactorily. Therefore, frequent switching on and off of engines might adversely affect their performance. He further pointed out that the deteriorated roadside air quality was not entirely attributable to emissions from idling vehicles, but more to the congested traffic. The closure of industries across the boundary as a result of the financial tsunami might also result in the clearer skies recently. Mr LAU Kim-wan/Rights of Taxi Owner and Driver Association Ltd shared the concern that frequent switching on and off of engines would damage the batteries, resulting in more toxic waste to be disposed of at landfills and land contamination. Mr William LI/Wai Yik H.K. KLN. & N.T. Taxi

Owners Association Ltd said that starting of engines would consume more fuels than leaving the engines idling. He requested that more trees should be planted at taxi stands to provide shades for drivers while awaiting their passengers. However, his request for installation of a roof at the taxi stand at Wo Che had never been approved. Mr CHAN Shing-chuen/Association of N.T. Radio Taxicabs Ltd asked whether the Administration could guarantee that frequent switching on and off of engines would not affect their performance, as otherwise it should be held responsible for the repair of engines. Mr LAI Ming-hung/HK Public Light Bus Owner & Driver Association reiterated that the problem of no designated stands for some red minibuses, such as those at Lockhart Road, had yet to be resolved. Mr W M PANG/Taxi & P.L.B. Concern Group said that SEN had not answered the questions raised by the taxi trades. He hoped that the Administration would hold further discussions with the trades to address their concerns.

56. The Acting Assistant Director of Environmental Protection (Air Policy) said that he was well aware of the transport trades' concerns regarding the impacts of frequent switching on and off of engines on batteries and starters. He however pointed out that it was equally damaging for the vehicles and their parts if the engines were kept running while idling. Besides, the switching off of engines would save fuel and reduce the wear and tear of engines. A Canadian study had revealed that the fuel cost incurred from running the engine for one minute would be more than the potential increase in maintenance cost associated with restarting of the engine.

57. SEN acknowledged that the Administration, Members and the trades were trying hard to identify practical solutions to enforce the ban. The revised exemption arrangements for taxis, green and red minibuses at their stands had indeed taken into account the actual operating conditions. He stressed the need for a consensus before the statutory ban could be enforced, and that more discussions on the basis of the revised exemptions would be held before reaching a final decision. Ms Miriam LAU said that previous discussions between the Administration and the trades had helped narrow their differences. If needed, an engineer should be invited to provide expert advice on how the frequent switching on and off of engines would affect the performance of vehicles. Further exemptions might be required taking into account operational needs. She would suggest that the Administration should further consult the trade and work out an acceptable solution before the legislative proposal on the ban was submitted for discussion by the Panel.

58. The Chairman thanked deputations for their views, adding that they could send in their further submissions for consideration of the Panel if they had anything more to add.

II. Any other business

59. There being no other business, the meeting ended at 7:30 pm.