

**立法會**  
**Legislative Council**

LC Paper No. CB(1)2853/09-10  
(These minutes have been seen  
by the Administration)

Ref : CB1/BC/6/09

**Bills Committee on Motor Vehicle Idling (Fixed Penalty) Bill**

**Minutes of the fourth meeting held on  
Monday, 7 June 2010, at 4:30 pm  
in the Chamber of the Legislative Council Building**

**Members present** : Hon Audrey EU Yuet-mee, SC, JP (Chairman)  
Hon CHAN Kam-lam, SBS, JP  
Hon Miriam LAU Kin-ye, GBS, JP  
Hon LI Fung-ying, BBS, JP  
Hon WONG Kwok-hing, MH  
Hon Andrew LEUNG Kwan-yuen, SBS, JP  
Hon KAM Nai-wai, MH  
Hon Cyd HO Sau-lan  
Hon CHAN Hak-kan  
Hon IP Wai-ming, MH  
Dr Hon PAN Pey-chyou  
Hon LEUNG Kwok-hung  
Hon Tanya CHAN

**Members absent** : Hon LEE Cheuk-yan  
Hon LEUNG Yiu-chung  
Hon LEE Wing-tat  
Hon CHEUNG Hok-ming, GBS, JP  
Hon Mrs Regina IP LAU Suk-ye, GBS, JP

**Public officers attending** : **Agenda item I**  
Dr Kitty POON  
Acting Secretary for the Environment

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Mr Carlson CHAN  
Deputy Director of Environmental Protection (3)

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

Mr Edmond HO  
Principal Environmental Protection Officer  
(Mobile Source)

Ms Angie LI  
Government Counsel  
Department of Justice

**Attendance by  
invitation**

**: Agenda item I**

The Hong Kong Asthma Society

Dr Alfred TAM  
Chairman

The Hong Kong Taxi & Public Light Bus  
Association Limited

Mr William LAM  
Secretary

Electric Transport System Limited

Mr Nigel LAM  
Chief Executive Officer

HK Public Light Bus Owner & Driver Association

Mr LAI Ming-hung  
Secretary General

Hong Kong Bus Suppliers Association

Mr John MA  
Chairman

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China Hong Kong and Macau Boundary Crossing  
Bus Association

Mr Alan CHAN  
Vice-chairman

Yuen Long District Tourists and Passengers  
Omnibus Operators Association Ltd.

Mr YIP Wing-ching  
Vice-chairman

Civic Exchange

Mr Mike KILBURN  
Environmental Programme Manager

Green Power

Mr Henry LUI  
Assistant Conservation Manager

The Hong Kong Paediatric Society

Dr YU Chak-man  
Council Member

Individual

Ms Amy NG

Hong Kong District Tourists and Passengers  
Omnibus Operators Association

Mr CHAN Chi-tak  
Chairman

Clean Air Action

Ms Yolanda NG  
Convenor

Green Sense

Miss HO Ka-po  
Project Manager

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**Clerk in attendance** : Ms Joanne MAK  
Chief Council Secretary (1)2

**Staff in attendance** : Ms Sarah YUEN  
Senior Council Secretary (1)6

Mr Ken WOO  
Council Secretary (1)2

Miss Angela LAM  
Legislative Assistant (1)5

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**I. Meeting with deputations/the Administration**

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| (LC Paper No. CB(3)598/09-10<br>File Ref: EP CR 9/150/27 | - The Bill<br>Legislative Council Brief<br>issued by the<br>Environmental Protection<br>Department   |
| LC Paper No. LS 58/09-10                                 | - Legal Service Division<br>report on the Bill   |
| LC Paper No. CB(1)1967/09-10(01)                         | - Assistant Legal Adviser 5's<br>letter dated 11 May 2010 to<br>the Administration and the<br>Administration's reply letter<br>dated 17 May 2010 |
| LC Paper No. CB(1)1968/09-10                             | - Paper on Motor Vehicle<br>Idling (Fixed Penalty) Bill<br>prepared by the Legislative<br>Council Secretariat                                    |
| LC Paper No. CB(1)2090/09-10(01)                         | - Report of a trial conducted<br>by Hon Miriam LAU in<br>collaboration with the Hong<br>Kong and Kowloon Taxi<br>Merchants' Joint Committee      |
| LC Paper No. CB(1)2117/09-10(01)                         | - Administration's reply letter<br>dated 24 September 2009 to<br>Hon Miriam LAU  |
| LC Paper No. CB(1)2117/09-10(02)                         | - Administration's reply letter<br>dated 6 November 2009 to<br>Hon Miriam LAU  |
| LC Paper No. CB(1)2117/09-10(03)                         | - List of follow-up actions<br>arising from the meeting on<br>27 May 2010  |

Action

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| LC Paper No. CB(1)2117/09-10(04) | - List of follow-up actions arising from the meeting on 1 June 2010                 |
| LC Paper No. CB(1)2117/09-10(05) | - Submission from The Hong Kong Asthma Society                                      |
| LC Paper No. CB(1)2117/09-10(09) | - Submission from Electric Transport System Ltd                                     |
| LC Paper No. CB(1)2117/09-10(06) | - Submission from Chit Fai Motors Co. Ltd.  |
| LC Paper No. CB(1)2117/09-10(07) | - Submission from New Territories West Buses/Coaches Association                    |
| LC Paper No. CB(1)2117/09-10(08) | - Submission from Motor Transport Workers General Union Non-franchised Bus Division |
| LC Paper No. CB(1)2117/09-10(10) | - Submission from The Australian Chamber of Commerce in Hong Kong and Macau         |
| LC Paper No. CB(1)2203/09-10(01) | - Submission from Civic Exchange  |
| LC Paper No. CB(1)2203/09-10(02) | - Submission from Green Power   |
| LC Paper No. CB(1)2203/09-10(03) | - Submission from The Conservancy Association)                                      |

The Bills Committee received views from the 14 deputations attending the meeting (index of proceedings attached at **Annex**).

*(Post-meeting note: a summary of views expressed by deputations attending the meetings on 1 and 7 June 2010 (LC Paper No. CB(1)2711/09-10) has been prepared by the Secretariat.)*

2. The Bills Committee noted the following major views expressed by deputations at the meeting –

- (a) Non-franchised bus operators requested that exemptions for public light buses (PLBs) (i.e. exempting the first two PLBs of each route at a PLB stand) should be applicable to non-franchised buses as well;
- (b) The proposals from Electric Transport System Limited (ETS) on how to keep the ambient temperature inside an idling vehicle with the engine switched off at an optimal level; and

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- (c) The Hong Kong Asthma Society, the Hong Kong Paediatric Society and some green groups' views on the serious health hazards posed by roadside emissions and on the need to implement the prohibition against idling vehicles with running engines (the idling prohibition).

3. In response, the Administration highlighted the public's call for improvement to air quality, and the various exemptions already incorporated in the Bill to cater to the specific operational needs of different transport trades. The Administration, however, undertook to seriously examine all views received in conjunction with the Bills Committee with a view to forging a consensus on whether any further exemptions should be granted.

4. The Bills Committee discussed the impacts of the idling prohibition on professional drivers and the need for further exemptions to be granted on very hot days.

Follow-up actions required of the Administration

Admin 5. The Administration was requested to provide the following information to address concerns raised by members at the meeting -

- (a) Response to the submission from Mr Nigel LAM of ETS [LC Paper No. CB(1)2117/09-10(09)] regarding the availability of devices "that can power most vehicles' air conditioning systems whilst their engines are switched off" and assessments on the technical viability and the cost involved;
- (b) Information on the provision of supporting facilities such as the provision of shades and covers for stands/termini for taxis, PLBs, etc; and
- (c) Justifications for granting exemption from complying with the idling prohibition to the first two green PLBs of each route at a PLB stand but not to non-franchised buses.

Date of next meeting

Clerk 6. Members agreed that the next meeting of the Bills Committee would be held on Friday, 25 June 2010, from 3:30 pm to 5:30 pm (or immediately after the House Committee meeting, whichever was the later).

*(Post-meeting note: The above meeting was subsequently rescheduled for 8 July 2010 at 8:30 am.)*

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**II Any other business**

7. There being no other business, the meeting ended at 6:35 pm.

Council Business Division 1  
Legislative Council Secretariat  
20 September 2010

**Proceedings of the fourth meeting of  
the Bills Committee on Motor Vehicle Idling (Fixed Penalty) Bill  
on Monday, 7 June 2010, at 4:30 pm  
in the Chamber of the Legislative Council Building**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda Item I –Meeting with deputations and the Administration</b>			
000023 – 000234	Chairman	Opening remarks	
000235 – 000543	The Hong Kong Asthma Society	Presentation of views (LC Paper No. CB(1)2117/09-10(05))	
000544 – 000710	The Hong Kong Taxi & Public Light Bus Association Limited	Presentation of views	
000711 – 001046	ETS	Presentation of views (LC Paper No. CB(1)2117/09-10(09))	
001047 – 001346	HK Public Light Bus Owner & Driver Association	Presentation of views	
001347 – 001648	Hong Kong Bus Suppliers Association	Presentation of views	
001649 – 002021	China Hong Kong and Macau Boundary Crossing Bus Association	Presentation of views	
002022 – 002228	Yuen Long District Tourists and Passengers Omnibus Operators Association	Presentation of views	
002229 – 002447	Civic Exchange	Presentation of views (LC Paper No. CB(1)2203/09-10(01))	
002448 – 002729	Green Power	Presentation of views (LC Paper No. CB(1)2203/09-10(02))	
002730 – 003039	The Hong Kong Paediatric Society	Presentation of views (LC Paper No. CB(1)2053/09-10(05))	
003040 – 003346	Ms Amy NG	Presentation of views	
003347 – 003558	Hong Kong District Tourists and Passengers Omnibus Operators Association	Presentation of views	
003559 – 003931	Clean Air Action	Presentation of views	
003932 – 004128	Green Sense	Presentation of views	
004129 – 004607	Chairman Administration HK Public Light Bus Owner & Driver Association	Administration's response to the deputations' views	
004608 – 005347	Ms Miriam LAU The Hong Kong Asthma Society	Discussion on the need for further exemptions to address the operational needs of taxis, PLBs and buses, and to prevent drivers' health and engines	



Action

Time marker	Speaker	Subject(s)	Action required
	The Hong Kong Paediatric Society ETS	<p>from being adversely affected by the idling prohibition</p> <p>Discussion on possible impacts of the idling prohibition on professional drivers' health and the relevant mitigating measures</p> <p>Discussion on ETS's proposed devices to keep at an optimal level the ambient temperature inside an idling vehicle with the engine switched off, and its offer to conduct a joint test with the Administration on the devices</p>	
005348 – 010011	Chairman Mr LEUNG Kwok-hung Administration	Discussion on the need to safeguard the interests of all stakeholders when taking forward the idling prohibition, in particular passengers, and professional drivers	
010012 – 011518	Chairman Ms LI Fung-ying The Hong Kong Asthma Society The Hong Kong Paediatric Society ETS Civic Exchange HK Public Light Bus Owner & Driver Association China Hong Kong and Macau Boundary Crossing Bus Association	<p>Discussion on the difficulties faced by professional drivers, who were unable to leave their vehicles for a long time due to the need to avoid being prosecuted for illegal parking</p> <p>Discussion on the health hazards of vehicle emissions on drivers and the health impact of the idling prohibition on passengers</p> <p>Discussion on the concerns and views expressed by operators of non-franchised buses (e.g. the trend for tourist coaches to use sealed windows to ensure the safety of passengers and their belongings)</p> <p>Discussion on the need and feasibility of providing suitable supporting facilities to facilitate implementation of the idling prohibition</p>	
011519 – 012600	Mr KAM Nai-wai Administration China Hong Kong and Macau Boundary Crossing Bus Association Hong Kong Bus Suppliers Association Clean Air Action	<p>Discussion on overseas experience in implementing the idling prohibition</p> <p>Discussion on the supporting facilities and measures that could facilitate implementation of the idling prohibition, such as identification of technologies which could keep air-conditioning running while the engine was switched off, provision of covers and shades for parking/waiting areas, conduct of studies on green</p>	

Action

Time marker	Speaker	Subject(s)	Action required
		<p>energy and vehicle materials that could reduce heat gain, etc</p> <p>Discussion on the likely impacts of the idling prohibition on the operation of boundary crossing buses, and on the need to apply the exemption presently available to PLBs to non-franchised buses</p>	
012601 – 013429	<p>Chairman Ms Cyd HO The Hong Kong Asthma Society Civic Exchange The Hong Kong Paediatric Society Green Power ETS Administration China Hong Kong and Macau Boundary Crossing Bus Association Hong Kong Bus Suppliers Association</p>	<p>Discussion on the approach adopted overseas for implementing the idling prohibition, namely, to warn rather than to penalize, and on provision of supporting facilities</p> <p>Discussion on the impacts of hot weather on a driver's judgement and vulnerability to heatstroke, and on the need to grant exemptions on days when "very hot weather warnings" were issued, or when the temperature reached 30 degrees Celsius</p> <p>Discussion on the engineering solutions proposed by ETS to facilitate implementation of the idling prohibition, and on the need to conduct tests on and provide incentives for the use of the relevant devices as well as electric vehicles</p> <p>Hong Kong Bus Suppliers Association's explanation of the difficulties in installing the above devices proposed because of the height and weight restrictions imposed on buses, and emphasis of the need to make good use of the Green Transport Fund to promote use of suitable facilities to facilitate the idling prohibition and use of electric vehicles</p>	
014725 – 015123	The Conservancy Association	Presentation of views (LC Paper No. CB(1)2203/09-10(03))	
015124 – 015328	Chairman HK Public Light Bus Owner & Driver Association	Presentation of supplementary comments	
015329 – 015531	Yuen Long District Tourists and Passengers Omnibus Operators Association Ltd	Presentation of supplementary comments	

Action

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
015532 – 015641	Civic Exchange	Presentation of supplementary comments	
015642 – 015846	Chairman The Conservancy Association	Presentation of supplementary comments	
015847 – 020055	ETS	Presentation of supplementary comments	
020056 – 020424	Chairman Ms Cyd HO Administration The Hong Kong Paediatric Society	<p>Ms HO's expression of regrets at the Administration's failure to provide medical expert's advice on the impact of the idling prohibition on very hot days on the health and performance of drivers, and information related to the issue of "very hot weather warnings"</p> <p>Discussion on how the Administration expected drivers to observe the precautions for heatstroke issued by the Government after the idling prohibition was in force</p> <p>Request of the Administration to provide a response to ETS's submission, and to explain the justifications for granting exemption from complying with the idling prohibition to the first two green PLBs of each route at a PLB stand but not to non-franchised buses</p>	Administration to provide information (paragraph 5 of minutes)
020425 – 020510	Chairman	Date of next meeting	