For discussion
3 February 2012

Bills Committee on Road Traffic (Amendment) (No.2) Bill 2011

Response to Members' Request for Information

Purpose

This paper provides the Administration's responses to the questions raised by Members at the meetings of the Bills Committee (BC) on Road Traffic (Amendment) (No.2) Bill 2011 (the Bill) on 20 December 2011 and 12 January 2012.

Government subsidies for enrolling in pre-service course

2. The Administration has proposed to require the attendance and completion of a designated pre-service course as a condition for the issue of a full driving licence to drive a public light bus (PLB). The proposed requirement will be similar to the requirement for an applicant to pass the driving test, which is one of the prerequisites for obtaining a full PLB driving licence. The fees currently paid by an applicant for obtaining a full PLB driving licence comprise mainly (i) the fees collected by the Government for the issue of learner's driving licence and arrangement for the driving test; and (ii) the fees for driving learning programme collected by either private driving instructors or driving schools. In the future, an applicant will need to complete a pre-service course after passing the driving test. Following the user-pay-principle, the applicant will be responsible for paying the related fees. In view of the concerns expressed by the trade and suggestions made by Members, we will explore with the relevant departments if there is any appropriate arrangement such as employee re-training service/scheme to provide some form of subsidy for attending the pre-service course.

Traffic accidents involving PLBs before and after the installation of speed limiters

3. The number of PLBs involved in traffic accidents categorized by severity for the period from July 2009 to December 2011 is given in the table below, with breakdowns of PLBs with speed limiters installed:

	Fatal	**Serious**	**Slight**	**Total**
2009 Jul – Dec	9 (0)	88 (0)	427 (0)	524 (0)
2010 Jan – Jun	13 (0)	81 (0)	486 (0)	580 (0)
2010 Jul – Dec	10 (4)	64 (13)	492 (110)	566 (127)
2011 Jan – Jun	6 (4)	80 (60)	488 (380)	574 (444)
2011 Jul – Dec	11 (10)	71(69)	471 (453)	553 (532)

Note: Number of PLBs with speed limiters installed are shown in brackets.

4. The administrative measures requiring the installation of speed limiter on all PLBs were effected in June 2010 and all PLBs were installed with speed limiters by the end of 2011. Based on the available statistics, we note that from June 2010 onward, the number of PLBs involved in traffic accidents has been quite stable, but the numbers involved in fatal accidents and the total number of accidents have slightly decreased in 2011. As explained at the meeting held on 12 January 2012, it is necessary to conduct the study over a sufficiently long time period (i.e. several years) in order to have a more meaningful and reliable assessment on the effectiveness of speed limiter in reducing traffic accidents involving PLBs.

Overseas experience of decrease in accident rate after installation of electronic data recording devices (EDRD)

5. The European Union (EU) introduced EDRD (also known as "digital tachograph") to record the driving and rest hours of long haul drivers, so as to allow effective monitoring of compliance with the driving hours regulations. According to the EU, a study in 2006 identified fatigue of truck drivers as the main cause of 6% of accidents, and the EU considered that enhanced compliance with the driving hours regulations would help reduce the risks of driver fatigue-related accidents. However, there are insufficient available study findings that could show in quantifiable terms the effectiveness of EDRD in reducing accident rates.

Need for mandating the installation of speed display device (SDD), speed limiter and EDRD altogether

6. Different safety devices serve different functions. Speed limiters can effectively prevent drivers from driving above the set speed, and in turn reduce the incidence and severity of traffic accidents. We have therefore accorded priority to their mandatory installation on new and existing PLBs alike. As for EDRD, the data stored in the device is useful for fleet management, monitoring of drivers' driving behaviour and accident investigation. We therefore propose that all new PLBs have to be installed with such device. The purpose of installing SDD on a PLB is to let passengers know the driving speed, and the sound signal of the device can effectively remind and alert drivers to drive within the set speed, properly and carefully at all times. SDD thus serves as an important monitoring and alerting device. On most of the urban roads where the speed limit is normally set at 50 km/h, the driving speed shown on SDD would help passengers monitor whether the PLB has exceeded the 50 km/h speed limit. SDD also helps passengers and PLB drivers monitor whether the speed limiter on the PLB operates properly or whether it has been tampered with. If the driving speed as shown on SDD exceeds 80 km/h, i.e. the set speed for the speed limiter installed on PLBs, it may indicate that there are some problems with the speed limiter and passengers on board could remind the driver that the set speed is exceeded, and if the advice is ignored, the passenger may lodge a complaint or report to the Police. When alerted by passengers, PLB drivers can reduce the driving speed to the set speed or below and take appropriate follow up actions regarding the operation of the speed limiter.

The use of EDRD in enhancing safety

7. EDRD helps deter improper driving behaviour of PLB drivers. It also assists the Transport Department (TD) to investigate complaints about PLB service, and the police in investigating traffic accidents or offence(s) under the Road Traffic Ordinance (Cap. 374). As an EDRD can record the speed profile of the vehicle, a PLB driver would be induced and encouraged to exercise caution throughout his driving duty. In other words, EDRD can effectively influence the attitude of a driver at the beginning of his duty. If a driver fails to drive properly, he will be subject to public complaint or even prosecution. The record in EDRD will be used by TD for investigation of service-related complaints against PLB services in conjunction with the operator, thus enhancing monitoring of PLB operation. If a PLB installed with EDRD is

involved in a traffic accident or offence(s) under the Road Traffic Ordinance (Cap. 374), the driving record captured in EDRD may also be used in the investigations by the Police. EDRD thus has a deterrent effect and facilitates investigation which is conducive to continuous enhancement of road safety.

Tampering with SDD

8. Since the introduction of the legislative requirement for installation of SDD in May 2008, TD received from time to time complaints against defective SDD or suspected tampering cases. The numbers of complaint cases relating to SDD received by the Transport Complaints Unit over the past two years are at the Annex. For complaint cases relating to defective SDD and in which the vehicle registration number is known, TD would ask the relevant operator to rectify the defect(s) immediately and call up the PLB vehicle in question for follow up inspection to ensure that the problem is rectified. In the past two years, there were 5 prosecution cases in which the SDDs on PLBs were found not having been properly installed or maintained.

Advice Sought

9. Members are requested to note and comment on the Administration's responses set out in this paper.

Transport and Housing Bureau
January 2012

Annex

Numbers of complaint cases relating to SDD received by the Transport Complaints Unit in 2010 and 2011

	2010	2011
Defective SDD	12	10
Suspected tampering with SDD	3	0
Total	15	10