

**For information**

**Legislative Council Panel on Transport**

**Standing Passengers on Canvassing Vehicles**

**PURPOSE**

This paper informs Members of the outcome of the Administration's study on the proposal to allow passengers to stand on canvassing vehicles.

**BACKGROUND**

2. Prior to June 2005, passengers are not allowed to stand on moving vehicles under Regulation 53 of the Road Traffic (Traffic Control) Regulations (Cap. 374G), except where the vehicle is a public service vehicle licensed to carry standing passengers<sup>1</sup>.

3. In 2005, legislative amendments were enacted to empower the Commissioner for Transport to exempt floats<sup>2</sup> from the restriction in order to facilitate float parades at the Hong Kong Disneyland, and parade vehicles to be used during festivals, subject to the conditions set out in the legislation. The relevant amendments to Cap. 374G took effect as from 30 June 2005.

4. A subcommittee was formed by the Legislative Council in May 2005 to examine the relevant legislative amendments. In that context, Members suggested that the Administration should take a broader view by considering whether the legislative amendments could facilitate not only float parades to be held in Hong Kong Disneyland, but also canvassing activities

---

<sup>1</sup> According to the current vehicle licensing practice, standing passengers are allowed on a single-decked bus or on the lower deck of a double-decked bus. In addition, to render better protection to standing passengers, Regulation 74 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A) specifies that grab-rails, straps, stanchions or other devices of adequate strength shall be so placed that at least one such means of support is available to each standing passenger of normal height.

<sup>2</sup> According to Regulation 53A of Cap. 374G, a float is a vehicle decorated for the purpose of a parade, or fitted with a platform for holding performances/displaying decoration for the purpose of the parade.

during elections. Noting that the safety and traffic control requirements for standing passengers on canvassing vehicles went beyond the ambit of the relevant legislative amendments, Members suggested that the Administration should separately examine the proposal.

## **OUR DELIBERATIONS**

5. Road safety is our prime concern in considering any transport policy and traffic management measure. Standing passengers on vehicles travelling at normal speeds on normal roads, including canvassing vehicles, are much more vulnerable to serious injuries in the event of collisions or sudden stops. It is with this consideration in mind that in the legislative amendments we put forward in 2005, we restricted standing passengers to parade vehicles which satisfy the following conditions –

- (a) the vehicle must be travelling at a specified speed<sup>3</sup>;
- (b) the vehicle must be travelling at a specific time on a specific route;
- (c) the roads along such route will be used exclusively for the purpose of the parade; and
- (d) adequate measures will be adopted in order to ensure the safety of standing passengers on such vehicle.

A canvassing vehicle is unlikely to be able to meet the above conditions which are considered necessary to ensure the safety of standing passengers, e.g. the route adopted by a canvassing vehicle will not be used exclusively by such vehicle, and thus it cannot be travelling at a very low speed.

6. We have conducted some research on overseas legislation regarding standing passengers on moving vehicles. The places under review include Australia, New Zealand, Japan, Singapore and the United Kingdom. All these overseas authorities have seat belt regulations, which generally stipulate that passengers riding on a vehicle shall wear seat belts. Exemption is granted to buses designed for urban use or for carrying standing passengers, but no exemption is granted to canvassing vehicles.

---

<sup>3</sup> Taking the exemption granted for floats in Hong Kong Disneyland as an example, the specified speed is 8 km/h, which is very slow.

7. As canvassing vehicles are mostly open top vehicles, and in the light of overseas experiences, we do not consider it advisable on road and passenger safety grounds to introduce legislative amendments to allow passengers to stand on canvassing vehicles.

### **ADVICE SOUGHT**

8. Members are invited to note the contents of this paper.

**Transport and Housing Bureau  
December 2010**