

立法會
Legislative Council

LC Paper No. CB(1)2039/13-14
(These minutes have been seen
by the Administration)

Ref : CB1/SS/12/13

**Subcommittee on Road Traffic (Amendment) Ordinance 2012
(Commencement) Notice**

**Minutes of first meeting held on
Wednesday, 30 July 2014, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Members present : Hon Frankie YICK Chi-ming
Hon Gary FAN Kwok-wai
Hon POON Siu-ping, BBS, MH
Hon TANG Ka-piu, JP
Ir Dr Hon LO Wai-kwok, BBS, MH, JP

Member absent : Dr Hon KWOK Ka-ki

**Public Officers
attending** : Agenda item II

Ms Ivy LAW
Deputy Secretary for Transport and Housing
(Transport) 3

Ms Cordelia LAM
Principal Assistant Secretary for Transport and
Housing (Transport) 2

Mr Michael NG
Acting Assistant Commissioner /
Management and Paratransit
Transport Department

Mr Patrick WONG
Chief Transport Officer / Driving Services
Transport Department

Ms Stella LEE
Principal Transport Officer / Urban
Transport Department

Mr Peter SZE
Senior Government Counsel
Department of Justice

Clerk in attendance: Mr Derek LO
Chief Council Secretary (1)5

Staff in attendance : Ms Clara TAM
Assistant Legal Adviser 9

Mr Daniel SIN
Senior Council Secretary (1)7

Ms Michelle NIEN
Legislative Assistant (1)5

Action

I Election of Chairman

Mr Frankie YICK Chi-ming, the member with the highest precedence in the Council among all members of the Subcommittee present, presided over the election of Chairman of the Subcommittee. He invited nominations for the chairmanship of the Subcommittee.

2. Mr POON Siu-ping nominated Dr LO Wai-kwok, and the nomination was seconded by Mr Frankie YICK Chi-ming. Dr LO Wai-kwok accepted the nomination. There being no other nomination, Dr LO Wai-kwok was elected Chairman of the Subcommittee. Members agreed that there was no need to elect a Deputy Chairman.

II Meeting with the Administration

(L.N. 102 of 2014

—Road Traffic (Amendment)
Ordinance 2012 (Commencement)
Notice

File Ref: THB(T)CR 5/14/3231/00

—Legislative Council Brief

LC Paper No. LS71/13-14

—Legal Service Division Report

LC Paper No. CB(1)1861/13-14(01)

—Paper on the Road Traffic
(Amendment) Ordinance 2012
(Commencement) Notice prepared
by the Legislative Council
Secretariat (Background brief)

3. The Subcommittee deliberated (index of proceedings in the **Appendix**).

4. Members agreed that a public hearing should be conducted at 2:30 pm on 16 September 2014 to receive deputations' views in relation to the Road Traffic (Amendment) Ordinance 2012 (Commencement) Notice ("the Notice") and that the Chairman should move a motion at the Council meeting of 15 October 2014 to extend the scrutiny period of the Notice to the Council meeting of 5 November 2014.

Follow-up action required of the Administration

5. The Subcommittee requested the Administration to provide monthly statistics of traffic accidents involving public light buses, including the number of vehicles and victims involved and the number of fatal accidents and incidents with serious casualties, which would reflect the effectiveness of the requirement of fitting an approved speed limiter on all public light buses in reducing the number of traffic accidents.

III Any other business

6. There being no other business, the meeting ended at 11:24 am.

**Proceedings of first meeting of the
Subcommittee on Road Traffic (Amendment) Ordinance 2012 (Commencement) Notice
on Wednesday, 30 July 2014, at 10:45 am
in Conference Room 3 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
Election of Chairman			
000050 – 000141	Mr Frankie YICK Mr POON Siu-ping Dr LO Wai-kwok	Election of Chairman	
Meeting with the Administration			
000311 – 000635	Chairman Administration	The Administration briefed members on the background and major objectives of the Road Traffic (Amendment) Ordinance 2012 (Commencement) Notice ("the Notice").	
000636 – 001644	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK relayed the view of the public light bus ("PLB") trade that the Subcommittee should hold a public hearing to receive deputations' views and that the commencement date of Part 4 of the Road Traffic (Amendment) Ordinance 2012 ("the Ordinance") should be postponed for two more years.</p> <p>Mr YICK also commented that since the implementation of various safety measures under the Ordinance, the number of major traffic accidents involving PLBs had decreased.</p> <p>Mr YICK expressed concerns about the shortage of PLB drivers, and the trade's worry that the proposed implementation of mandatory attendance of pre-service course might exacerbate the manpower situation.</p> <p>The Administration provided the traffic accident statistics from 2011 to 2013. The Administration then explained that the proposed mandatory attendance at and completion of a pre-service course by applicants of PLB driving licence could help improve drivers' awareness of safe driving and further reduce traffic accidents.</p> <p>The Administration also outlined measures being undertaken by the Transport Department with the Labour Department, the Correctional Services Department and the support service centres for ethnic minorities operated by Government-funded non-profit-making organizations in attracting new PLB drivers.</p>	

Time marker	Speaker	Subject(s)	Action required
		Mr YICK requested the Administration to provide monthly statistics of traffic accidents involving PLBs, including the number of vehicles and victims involved, and the number of fatal accidents and incidents with serious casualties.	The Administration to take action as per paragraph 5 of the minutes
001645 – 001738	Chairman Mr Frankie YICK Administration	Mr Frankie YICK said that the Administration should consider reviewing the requirement that an applicant of commercial vehicle driving licence was required to hold a private car licence for three years.	
001739 – 002044	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping queried whether a person having attended a pre-service course would be required to sit for an examination on the course.</p> <p>Mr POON noted that the cost of installing electronic data recording device ranged widely between \$1,800 and \$5,000. He queried whether the approved device with the lowest price would still meet the statutory requirements.</p> <p>The Administration confirmed that the pre-service course included an assessment, and that any electronic data recording device approved by the Commissioner for Transport would be able to meet the statutory requirement.</p>	
002045 – 002216	Chairman Mr Frankie YICK	<p>The Chairman commented that the PLB trade should have already indicated its consent to the requirement of mandatory attendance and completion of a pre-service course by applicants of PLB driving licence when the relevant Bill was enacted.</p> <p>Mr Frankie YICK advised that the PLB trade had not anticipated the current severe manpower shortage situation when the proposal was first introduced for consultation. Mr YICK indicated that he would move amendment to the Notice if the Administration did not agree to defer commencement of the Notice.</p>	
002217 – 002425	Chairman	The Chairman proposed and members agreed that a public hearing session on the Notice be held at 2:30 pm on 16 September 2014, and that the scrutiny period for the Notice be extended to 5 November 2014.	

Time marker	Speaker	Subject(s)	Action required
002426 – 002720	Chairman Administration	<p>The Chairman asked if the Administration would defer the commencement date by two more years as requested by the PLB trade.</p> <p>The Administration emphasized that the pre-service course requirement was introduced to further enhance road safety. The Administration would listen to the views of members and the deputations at the coming public hearing session before considering the way forward.</p>	
002721 – 003011	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping asked if an applicant should complete and pass the assessment of a pre-service course before sitting for the tests for the PLB driving licence.</p> <p>The Administration responded that an applicant could choose to attend the pre-service course before or after passing a driving test for PLB, provided that the pre-service course was completed within the year preceding the date of application for a PLB driving licence.</p> <p>Mr POON asked if the pre-service courses would be conducted in Cantonese, and whether arrangements would be made to facilitate ethnic minorities to attend those courses.</p> <p>The Administration advised that pre-service courses would mainly be conducted in Cantonese. However, under the Code of Practice for the provision of a pre-service course now being prepared, training schools would be required to provide course materials in English or provide assistance to applicants by allowing them to bring their own interpreters as appropriate.</p>	
003012 – 003216	Chairman Mr Frankie YICK	<p>Mr Frankie YICK explained that the manpower shortage in the PLB trade had become more acute since 2013. It was difficult for PLB operators to attract or retain drivers by increasing wage levels or improving service conditions. There were stringent mechanisms regulating the adjustment of PLB fares and PLB operators might have practical difficulties in meeting the additional cost through fare increase.</p>	
003300 – 003857	Chairman Mr TANG Ka-piu Administration	<p>Mr TANG Ka-piu commented that he had consulted the Motor Transport Workers General Union, whose members did not have strong views on the commencement date for the mandatory pre-service</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>course requirement.</p> <p>Mr TANG commented that the Administration should review the urgency to appoint 1 June 2015 as the commencement date if the deputations at the public hearing session did not indicate strong demand for, or objection to, the implementation of the requirement as scheduled.</p> <p>In response to Mr TANG, the Administration explained that, although the number of prosecutions against speeding PLB had decreased, both the overall number of accidents and casualties had increased in 2013 compared with 2012, and that the proposed mandatory attendance of pre-service course would help improve road safety.</p>	
003858 – 003921	Chairman	The meeting was adjourned at 11:24 am.	