

**立法會**  
**Legislative Council**

LC Paper No. CB(1)258/14-15  
(These minutes have been seen  
by the Administration)

Ref : CB1/SS/12/13

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

**Minutes of meeting held on  
Tuesday, 16 September 2014, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Ir Dr Hon LO Wai-kwok, BBS, MH, JP (Chairman)  
Hon Frankie YICK Chi-ming  
Hon Gary FAN Kwok-wai  
Dr Hon KWOK Ka-ki  
Hon POON Siu-ping, BBS, MH

**Member absent** : Hon TANG Ka-piu, JP

**Public officers  
attending** : Agenda Item I

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

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

Mr Albert SU  
Assistant Commissioner/Management and  
Paratransit  
Transport Department

Ms Stella LEE  
Principal Transport Officer/Urban  
Transport Department

Mr Patrick WONG  
Chief Transport Officer/Driving Services  
Transport Department

**Attendance by  
invitation**

: Agenda Item I

Hong Kong Public Light Bus Owner and Driver  
Association

Mr LAI Ming-hung  
Secretary

Leslie Chan Community Services Office

Mr Leslie CHAN Ka-long  
Representative

Hong Kong Scheduled (GMB) Licensee  
Association

Ms Christine CHAN  
Secretary General

Motor Transport Workers General Union Public  
Light Bus Branch

Mr CHAN Fung-yuen  
Director

Hop Fat Light Bus Co. Ltd

Mr Eric TSE  
General Manager

Choi Kee (Yuen Long) Maxicab Route PLB  
Limited

Mr Jacko TAM  
Manager

Choi Kee (Mong Kok) Maxicab Route PLB  
Limited

Mr Chris TAM  
Manager

Cheung Wong Maxicab Routes Co., Limited

Mr Simon LEE  
Manager

Sun Cheong Transportation HK Co., Ltd.

Mr William WONG  
Manager

City Joy Investment Ltd.

Mr CHUNG Chi-wai  
Manager

Aberdeen Maxicab Service Co. Ltd.

Mr CHAN Man-chun  
CEO

Shine Wah Services Ltd

Mr Scottie LIU  
Manager

G.M.B. Maxicab Operators General Association  
Limited

馮德強先生  
副主席

Holy Gain Ltd

Mr NGAI Pui-yeung  
Director

**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

Mr Raymond SZETO  
Council Secretary (1)5

Ms Michelle NIEN  
Legislative Assistant (1)5

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Action

**I Meeting with deputations and the Administration**

Submissions from deputations not attending the meeting

- (LC Paper No. CB(1)1970/13-14(11) —Submission from Honest Profit Corporation Limited
- LC Paper No. CB(1)1970/13-14(12) —Submission from Kam Jet Ltd
- LC Paper No. CB(1)1970/13-14(13) —Submission from Yuk Tin Limited
- LC Paper No. CB(1)1970/13-14(14) —Submission from Central Venture Limited
- LC Paper No. CB(1)1970/13-14(15) —Submission from Win Access International Limited
- LC Paper No. CB(1)1970/13-14(16) —Submission from Main River Transportation Ltd
- LC Paper No. CB(1)1970/13-14(17) —Submission from Asia Brighter Ltd
- LC Paper No. CB(1)1970/13-14(18) —Submission from Hop Wo Investment Co. Ltd
- LC Paper No. CB(1)1970/13-14(19) —Submission from Eternal Loyal Ltd
- LC Paper No. CB(1)1970/13-14(20) —Submission from Yau Man Investment Ltd
- LC Paper No. CB(1)1970/13-14(21) —Submission from Extra Billion Investment Ltd
- LC Paper No. CB(1)1970/13-14(22) —Submission from Wyman Development Ltd

LC Paper No. CB(1)2009/13-14(01) —Submission from Mr YEUNG  
(*tabled and subsequently issued via* Wai-sing, Eastern District  
*email on 16 September 2014*) Council Member)

Meeting with the Administration

(LC Paper No. CB(1)1970/13-14(01) —List of follow-up actions arising  
from discussion at the meeting on  
30 July 2014

LC Paper No. CB(1)1970/13-14(02) —Administration's response to the  
issues raised by members at the  
meeting on 30 July 2014

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))

The Chairman reminded the deputations that their written submissions provided to the Subcommittee and views presented at the meeting would not be covered by the protection and immunity provided under the Legislative Council (Powers and Privileges) Ordinance (Cap. 382).

2. The Subcommittee deliberated (Index of proceedings attached at **Appendix**).

3. The Subcommittee received views from 14 deputations/individuals attending the meeting, and noted 13 written submissions from other organizations/individuals which/who did not attend the meeting.

4. The views of the deputations were summarized as follows –

- (a) The mandatory requirement for new applicants of public light bus ("PLB") driving licence to take pre-service course before they were issued PLB driving licences would exacerbate the difficulties of the PLB industry in recruiting PLB drivers, and therefore PLB operators preferred that the commencement date of the requirement be deferred; and

- (b) The Administration should provide assistance to the PLB industry in coping with the impact of introducing the requirement for taking pre-service course, such as the provision of subsidies for drivers.

5. The Administration was requested to take the following actions –

- (a) to consider the postponement of the date on which Part 4 of the Road Traffic (Amendment) Ordinance 2012 in relation to the pre-service course requirement comes into operation (currently set to be 1 June 2015);
- (b) to provide a summary of the concerns raised by deputations at the meeting and the Administration's response;
- (c) to provide supplementary information explaining the difficulties which the Administration has encountered when proposing to District Councils or local communities to relax the restricted zones for passengers pick-up/drop off; and
- (d) to provide further analysis, from the statistics of traffic accidents involving public light buses from 2009 to 2013, on whether Green Mini-buses or Red Mini-buses are more prone to traffic accidents.

6. Members agreed that a meeting should be conducted at 10:45 am on 7 October 2014 to follow up on the Administration's response to deputations and the Subcommittee in relation to the Road Traffic (Amendment) Ordinance 2012 (Commencement) Notice ("the Notice") and that the Chairman would 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.

## **II Any other business**

7. There being no other business, the meeting ended at 4:06 pm.

**Proceedings of the meeting of  
the Subcommittee on Road Traffic (Amendment) Ordinance 2012 (Commencement) Notice  
on Tuesday, 16 September 2014, at 2:30 pm  
in Conference Room 1 of the Legislative Council Complex**

Time marker	Speaker	Subject(s)	Action required
<b>Agenda Item I – Meeting with deputations and the Administration</b>			
000447 – 000615	Chairman	Opening remarks	
000616 – 001023	Hong Kong Public Light Bus Owner and Driver Association ("HKPLBODA")	Presentation of views – <ul style="list-style-type: none"> <li>- The new requirement under the Road Traffic (Amendment) Ordinance ("the Amendment Ordinance") for new applicants of public light bus ("PLB") driving licence to take a pre-service course before they were issued PLB driving licences would discourage drivers from entering the trade and would exacerbate the manpower shortage problem; and</li> <li>- The commencement date of Part 4 of the Amendment Ordinance in relation to the pre-service course requirement should be deferred.</li> </ul>	
001024 – 001416	Leslie Chan Community Services Office	Presentation of views – <ul style="list-style-type: none"> <li>- The Administration had over-estimated the supply of PLB drivers;</li> <li>- The Administration should allow expansion of seating capacity of public light buses ("PLBs"); and</li> <li>- There should be no need for subsidy, etc., as PLB operators would provide training to their drivers.</li> </ul>	
001417 – 001549	Hong Kong Scheduled (GMB) Licensee Association	Presentation of views  (LC Paper No. CB(1)1970/13-14(03))	
001550 – 001955	Motor Transport Workers General Union Public Light Bus Branch	Presentation of views – <ul style="list-style-type: none"> <li>- The requirement of PLB drivers to take pre-service course would unduly label PLB drivers;</li> </ul>	

Time marker	Speaker	Subject(s)	Action required
		<ul style="list-style-type: none"> <li>- The Administration should relax PLB restricted zones; and</li> <li>- The Administration should improve PLB drivers' working conditions.</li> </ul>	
001956 – 002357	Hop Fat Light Bus Co. Ltd	Presentation of views (LC Paper No. CB(1)1970/13-14(04))	
002358 – 002408	Choi Kee (Yuen Long) Maxicab Route PLB Limited	Presentation of views (LC Paper No. CB(1)1970/13-14(06))	
002409 – 002622	Choi Kee (Mong Kok) Maxicab Route PLB Limited	Presentation of views (LC Paper No. CB(1)1970/13-14(07))	
002623 – 002820	Cheung Wong Maxicab Routes Co., Limited	Presentation of views – <ul style="list-style-type: none"> <li>- The requirement of applicants of PLB driving licence to complete a pre-service course in addition to other requirements such as the mandatory installation of speed limiters would aggravate their burden; and</li> <li>- Increasing PLB drivers' remuneration would not ease the manpower shortage situation. On the contrary, PLB drivers might choose to work fewer hours to keep their income below the welfare benefit entitlement threshold.</li> </ul>	
002821 – 002830	Sun Cheong Transportation HK Co., Ltd.	Presentation of views (LC Paper No. CB(1)1970/13-14(08))	
002831 – 002921	City Joy Investment Ltd.	Presentation of views – <ul style="list-style-type: none"> <li>- The pre-service course would not help PLB drivers achieve better safety awareness.</li> </ul>	
002922 – 003346	Aberdeen Maxicab Service Co. Ltd. ("AMSCL")	Presentation of views – <ul style="list-style-type: none"> <li>- The effectiveness of the pre-service course was dubious; and</li> <li>- There were considerable difficulties in the recruitment of PLB drivers and the labeling effect caused by the introduction of the pre-service course would only exacerbate the</li> </ul>	



Time marker	Speaker	Subject(s)	Action required
		current problem.	
003347 – 003448	Shine Wah Services Ltd	Presentation of views - There were difficulties in recruiting suitable PLB drivers.	
003449 – 003636	G.M.B. Maxicab Operators General Association Limited	Presentation of views (LC Paper No. CB(1)1970/13-14(09))	
003637 – 003843	Holy Gain Ltd	Presentation of views (LC Paper No. CB(1)1970/13-14(10))	
003844 – 004518	Chairman Administration	The Administration's consolidated responses to the deputations' views and suggestions were as follows – (a) Measures had been taken to ease the potential impact of the implementation of the pre-service course requirement – (i) The pre-service course for PLB drivers had been included under Skills Upgrading Scheme Plus of the Employment Retraining Board ("ERB"). Those who attended the pre-service course conducted by ERB training bodies would be eligible for full or partial (70%) course fee waiver, depending on their income; (ii) Consideration was given to meet the needs of applicants for PLB driving licences in designing the pre-service course, for example, the course would take only 4 half-days or 2 full-days; (iii) The implementation of the pre-service course would not affect existing holders of PLB driving licence; and (iv) The Transport Department ("TD"), in collaboration with the Labour Department ("LD"), had provided assistance to the PLB trade in recruiting new PLB drivers. (b) TD had taken measures to assist the PLB trade e.g. to improve the operating efficiency through	

Time marker	Speaker	Subject(s)	Action required
		reorganization of routes and to improve financial viability through fare increase.	
004519 – 004533	Chairman	The Chairman requested the Administration to provide a written reply to the concerns raised by the deputations.	The Administration to take action as per paragraph 5(b) of the minutes.
004534 – 004745	Chairman Mr POON Siu-ping Administration	<p>Mr POON Siu-ping enquired whether the Administration had assessed the impact of implementing the pre-service course on the recruitment of PLB drivers.</p> <p>The Administration anticipated that the impact would be small. As employment as PLB drivers was a matter of personal choice, it would be difficult to make an assessment.</p>	
004746 – 005409	Chairman Mr Frankie YICK Administration	<p>Mr Frankie YICK noted the PLB industry's difficulties in recruiting drivers and that most PLB operators preferred the deferral of the commencement date specified in the Notice. Green minibuses ("GMB") driver was not an attractive job as its remuneration was low compared to other professional drivers. As the Administration was reluctant to import drivers from outside Hong Kong, the deferral of the Notice would help alleviate manpower shortage faced by the trade.</p> <p>The Administration noted the views of the Subcommittee and the deputations on the difficult operating environment of the PLB industry.</p>	
005410 – 005941	Chairman Mr Gary FAN Administration	<p>Mr Gary FAN expressed support for the deferral of the commencement date of the pre-service course requirement, and enquired whether the Administration would provide further subsidies to drivers taking the pre-service course.</p> <p>The Administration noted Mr FAN's views and reiterated that those who attended the pre-service course conducted by ERB training bodies would be eligible for full or partial (70%) course fee waiver, depending on their income.</p>	
005942 – 010318	Chairman Administration	In response to the Chairman, the Administration advised that full course fee waiver would be	

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		<p>provided for course takers with monthly income of \$9,000 or below, and partial course fee waivers (70%) would be provided for course takers with monthly income between \$9,001 and \$19,500. The current arrangement of the pre-service courses should not cause a significant burden on applicants of PLB driving licence.</p>	
<p>010319 – 011846</p>	<p>Chairman Mr Frankie YICK AMSCL HKPLBODA Administration</p>	<p>In respect of the provision of training course after the new PLB drivers were employed as proposed by deputations, Mr YICK Chi-ming asked the deputations whether PLB operators had examined the feasibility and arrangements of the relevant course.</p> <p>Mr CHAN Man-chun of AMSCL said that a post-appointment course with subsidy would provide incentives for new drivers to join the PLB industry. Mr LAI Ming-hung of HKPLBODA proposed a subsidy for PLB drivers attending training course to improve the overall safety awareness of the industry.</p> <p>The Administration replied that the pre-service course was one of the pre-requisites to apply for PLB driving licence. The provision of subsidies for course takers would be contrary to the "User Pays" principle that the Government had all along adhered to in the provision of this type of services to the public. In any case, eligible course-takers could already apply for full or 70% waiver of the course fee.</p> <p>Mr YICK Chi-ming questioned whether the commencement date promulgated by the Administration was appropriate. He urged the Administration to review the employment situation of the PLB industry.</p> <p>Mr YICK noted from the deputations that the PLB trade could not attract and retain drivers because the remuneration was low compared to other professional drivers. He urged the Administration to implement measures to improve the operating environment of the PLB trade.</p> <p>The Administration replied that measures had been taken by TD to assist the PLB trade, e.g. to improve the operating efficiency through reorganization of</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>routes and frequency adjustments; to solicit local support to implement fare adjustments to improve the financial viability of the Green minibus ("GMB") services; to provide opportunities for introducing new GMB routes; and to relax restricted zones for Red minibuses ("RMBs") to pick up/drop off passengers at locations where traffic situations warrant and with no objection from locals.</p>	
011847 – 011951	Chairman Administration	<p>The Chairman enquired whether the pre-service courses would be run in languages other than Cantonese. The Administration replied that training institutions offering pre-service courses would be required to provide English course materials as necessary, and should allow course takers to bring along their interpreters.</p>	
011952 – 012434	Chairman Mr Gary FAN Administration	<p>Mr Gary FAN Kwok-wai asked whether applicants of PLB driving licence were required to the purchase of the driving test form in order to take the pre-service course. He requested the Administration to explain any difficulties encountered in relaxing PLB restricted zones for RMBs at a district level.</p> <p>The Administration replied that the taking of the pre-service course did not require the purchase a driving test form. Regarding difficulties encountered in relaxing restricted zones for RMBs to pick up / drop off passengers at district level, TD would provide the information after the meeting.</p>	<p>The Administration to take action as per paragraph 5(c) of the minutes.</p>
012435 – 012946	Chairman Administration	<p>Briefing by the Administration on its written response to issues arising from the discussion at the meeting held on 30 July 2014 [LC Paper No. CB(1)1970/13-14(02)].</p>	
012947 – 013103	Chairman Mr Frankie YICK Administration	<p>In response to Mr YICK Chi-ming, the Administration undertook to provide breakdown of statistics on PLBs' accidents by RMBs and GMBs.</p>	<p>The Administration to take action as per paragraph 5(d) of the minutes.</p>
013104 – 013640	Chairman Mr Gary FAN Administration	<p>Legislative timetable and follow-up arrangements on issues arising from the meeting</p> <p>Date of next meeting</p> <p>In response to Mr Gary FAN Kwok-wai's enquiry, the Administration said that the views of the</p>	<p>The Administration to take action as per paragraph 5(a) of the minutes.</p>

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
		deputations and members on the proposed deferral of the commencement date would be carefully considered. The Administration undertook to formulate the Government's stance.  Closing remarks	

Council Business Division 1  
Legislative Council Secretariat  
20 November 2014