

香港特別行政區政府

The Government of the Hong Kong Special Administrative Region

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運輸及房屋局  
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Transport and  
Housing Bureau  
Government Secretariat

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Ms. Sophie LAU  
Clerk to Panel on Transport  
Legislative Council  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong

24 July 2015

Dear Ms. LAU,

**Panel on Transport  
Driving safety of works vehicles**

Thank you for your letter of 11 June 2015 to the Transport and Housing Bureau referring the concerns of the Hon TANG Ka-piu over the driving safety of works vehicles. Our reply on this issue is set out below.

We believe that the works vehicles mentioned in the Hon TANG's letter refer to medium goods vehicles ("MGVs"), heavy goods vehicles ("HGVs") or special purpose vehicles ("SPVs"). For concrete mixers, depending on the gross weight, they can generally be classified as MGVs or HGVs. Section 42 of the Road Traffic Ordinance (Cap. 374) ("the Ordinance") specifies that no person shall drive a motor vehicle on a road unless he is the holder of a driving licence in respect of a vehicle of the class of vehicle which he is driving. Where the application is for a full driving licence to drive a MGV, HGV or SPV, the applicant should satisfy the following requirements:

- (a) be a holder of a Hong Kong Permanent Identity Card; or a holder of a

Hong Kong Identity Card (other than a Hong Kong Permanent Identity Card) and is not subject to any condition of stay (other than a limit of stay as defined in section 2(1) of the Immigration Ordinance (Cap. 115));

- (b) aged 21 or above;
- (c) physically fit to drive;
- (d) for application in respect of a full driving licence to drive a MGV or HGV, the applicant has passed, within 3 years prior to the date of his application, a driving test in respect of the class of motor vehicle to which his application relates;
- (e) for application in respect of a full driving licence to drive a SPV, the applicant must be a holder of a full driving licence to drive a vehicle of the same gross vehicle weight as that of the SPV under application; and be a holder of a valid full driving licence to drive a private car or light goods vehicle for at least 3 years immediately preceding his application, or if the full driving licence was issued to him after completion of the relevant probationary driving period, for at least 2 years immediately preceding his application;
- (f) the applicant has not been convicted of certain driving offences under the Ordinance during the 5 years preceding his application; and
- (g) for application in respect of a learner's driving licence for a MGV or HGV for taking the relevant driving test, the applicant is a holder of a valid full driving licence to drive a private car or light goods vehicle for at least 3 years immediately preceding his application, or if the full driving licence was issued to him after completion of the relevant probationary driving period, for at least 2 years immediately preceding his application.

Regarding vehicle maintenance, the existing legislation requires MGVs, HGVs and SPVs to pass the annual vehicle examination of the Transport Department for renewal of their vehicle licences. The vehicle examination mainly covers the braking system, body accessories (such as doors, seat belts, etc), suspension and steering systems, engine and exhaust system, lighting system, chassis and tyres, etc.

This requirement can ascertain the roadworthiness of the vehicles.

As for road control, in the light of such factors as road safety, traffic management, etc, restrictions have been imposed to prohibit vehicles from entering certain roads (such as restricting the length, height or weight of vehicles) and relevant traffic signs have been erected to remind drivers. According to the Road Traffic (Traffic Control) Regulations (Cap. 374G), if the driver of a vehicle under restriction enters a restricted road section without the relevant permit or contravenes any condition of the permit, he commits an offence and is liable on first conviction to a maximum fine of \$5,000 and imprisonment for 3 months and on second or subsequent conviction to a maximum fine of \$10,000 and imprisonment for 6 months.

In addition, drivers of MGVs or HGVs should observe a maximum speed limit of 70 km an hour as stipulated under the Ordinance. Any offender is liable to a fine of \$4,000. According to the Road Traffic (Expressway) Regulations (Cap. 374Q), these drivers are prohibited from using the offside lane of an expressway with 3 traffic lanes unless they are heading for an offside exit. Any offender is liable on first conviction to a fine of \$5,000 and imprisonment for 3 months and on second or subsequent conviction to a fine of \$10,000 and imprisonment for 6 months.

We believe that the above arrangements can effectively regulate the operation of MGVs, HGVs and SPVs on roads, thereby ensuring road safety.

Yours sincerely,

( Ms Freda CHAN )

for Secretary for Transport and Housing

c.c.:

Commissioner for Transport

(Attn.: Mr WONG Chi-hung, Mr Jimmy YEUNG and Mr Jones HO)

(Fax no.: 2802 9595, 2802 7533 and 2804 2592)

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