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Secretary General
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn.: Ms Sophie LAU)
[Fax: 2978 7569]

Dear Ms LAU,

Photograph requirement of taxi driver identity plates

Thank you for your letter dated 24 September 2014, enclosing with it the Hon KWOK Wai-keung's letter dated 15 September 2014 on the photograph requirement of taxi driver identity plates ("TDIPs") to the Chairman of the Panel on Transport of the Legislative Council. Our detailed reply is as follows.

Taxi drivers have since 1994 been required to display a valid TDIP pursuant to Regulation 51(5) of the Road Traffic (Public Service Vehicles) Regulations (Cap. 374D) ("the Regulations"). With this requirement, it would be easier for taxi passengers to learn of the identity of the driver and, where necessary, follow up on his/her service

performance with such information. This arrangement also helps establish the professional image of taxi drivers. To ensure that the photograph on the TDIP is an accurate depiction of the taxi driver's appearance, Regulation 51(6)(d) of the Regulations stipulates that the TDIP shall bear a photograph taken not earlier than 12 months before the day of display.

The Government consulted the taxi trade before the TDIP requirements (including the validity period of the photograph) were introduced. These statutory requirements and information on how to display the TDIPs properly have been publicised through such channels as taxi conferences held by the Transport Department ("TD"), TD's Taxi Newsletter and the departmental website.

Currently, the Government has authorised 37 contractors to provide TDIP replacement service at 53 venues across Hong Kong. Some of these venues provide 24-hour service so that the drivers can replace their TDIPs at any time.

We take note that some members of the transport trade find it inconvenient to have to replace their TDIP photographs every year. They suggest that the Government should consider relaxing the validity period of such photographs to, say, five years or longer, and specifying the validity period on the TDIPs. Taking into account the views expressed by the trade recently, the TD considers that there are merits in the proposed relaxation of the validity period of the TDIP photographs. Yet, details of the extension would have to be further examined. Further, any changes would have to be implemented through legislative amendments. The legislation process would take time. Thus, even if the proposal is found to be feasible upon examination of the details, the implementation timetable can yet be known. The TD will continue to

communicate closely with the trade on the matter.

On law enforcement, the Police stress that their focus is to combat taxi malpractices such as overcharging and soliciting. In case there are TDIP-related complaints lodged by taxi passengers, the Police will follow up and investigate, and consider initiating prosecution having regard to the actual circumstances. Police figures show that there were a total of 122 cases in which the offenders were prosecuted and fined for failure to display TDIPs in accordance with statutory requirements during the period from 2010 to 2014 (January to August). Such cases include failure to display a TDIP, display of an expired TDIP, or failure to display a TDIP properly. Meanwhile, the statistics of the Transport Complaints Unit show an upward trend in the number of complaints about the TDIPs. In their recent enforcement actions against the aforementioned malpractices, the Police have also found that the TDIPs displayed by some offenders did not comply with the statutory requirements and have initiated prosecution accordingly. In view of the above, the TD has through its taxi conferences held recently and has issued letters to taxi associations to remind the trade of the relevant requirements. It has come to our knowledge that many taxi drivers have replaced their TDIPs after having a better understanding on the TDIP requirements.

The TD will review from time to time the design, specifications, replacement, etc. of the TDIPs. Since its introduction in 1994, the TD, having regard to the improvement proposals put forward by the Transport Advisory Committee, Quality Taxi Services Steering Committee and taxi associations, had made changes to the design of the TDIPs and implemented a large-scale replacement exercise in 2002 and 2009 respectively. We welcome the trade to continue providing views on these matters.

Yours sincerely,

(Ophelia LUI)
for Secretary for Transport and Housing

c.c.

Commissioner for Transport

(Attn.: Mr LEUNG Wai-hung, Dannis) (Fax No.: 2824 2176)