

**立法會**  
**Legislative Council**

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**Panel on Transport**  
**Meeting on 16 December 2015**

**Background brief on congestion-related traffic offences**

**Purpose**

This paper provides background information on congestion-related traffic offences. It also summarizes the major views and concerns expressed by the Legislative Council ("LegCo") Members during past discussions.

**Background**

2. In March 2014, the Secretary for the Transport and Housing invited the Transport Advisory Committee ("TAC") to conduct a study to identify various factors contributing to road traffic congestion in Hong Kong and to put forward practicable recommendations to the Administration to tackle road traffic congestion. TAC has submitted its report<sup>1</sup> on 30 December 2014 and concludes that there is a need for the Administration to consider implementing additional measures as well as strengthening the existing ones. It has recommended in TAC Report a total of twelve short, medium and long-term practicable measures at the territorial level, which are set out at **Appendix I**, to contain road traffic congestion.

3. One of the short and medium-term measures recommended in TAC report is to raise the fixed penalty charges for congestion-related traffic offences to restore the deterrent effect. The current fixed penalty charges are set at \$320 or \$450 for congestion-related traffic offences,

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<sup>1</sup> Available at [http://www.thb.gov.hk/eng/boards/transport/land/Full\\_Eng\\_C\\_cover.pdf](http://www.thb.gov.hk/eng/boards/transport/land/Full_Eng_C_cover.pdf)

such as illegal parking<sup>2</sup>. Such levels have not been adjusted since 1994 while the Composite Consumer Price Index ("CCPI") increased by about 40% from 1994 to 2013. The deterrent effects of fixed penalty charges have no doubt been gradually eroded over time due to inflation and the increase in income level. The Working Group on Road Traffic Congestion under TAC thus considers that the Administration should raise the fixed penalty charges by at least 40%.

4. In May 2015, the Administration<sup>3</sup> responded that although the number of fixed penalty tickets issued has increased by over 98% over the past decade, illegal parking was still rampant, which suggests that the current penalty level may not be adequate. The Administration also notes that CCPI from 1994 to 2013 has increased by about 40%. The Administration will suitably take this into account when considering the way forward regarding the level of fixed penalty charges.

### **Major views and concerns of Members**

5. Members have expressed views on congestion-related traffic offences in the Fourth and Fifth LegCo. They mainly raised concern about *the number of parking offences* and *law enforcement against illegal parking*.

#### Number of parking offences

6. Members at the special Finance Committee on 31 March 2015 expressed concern about the number of parking offences in the past five years. According to the information<sup>4</sup> provided by the Administration in March 2015, the figures of fixed penalty tickets issued for parking offences increased from 737 061 in 2010 to 1 069 567 in 2014 and the details are at **Appendix II**.

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<sup>2</sup> Congestion-related traffic offences include illegal parking, loading/unloading goods or picking up/setting down passengers in restricted zones, etc. These offences are set out under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) and the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240).

<sup>3</sup> Source: The Administration's paper on "the Government's response to the Report on Study of Road Traffic Congestion in Hong Kong submitted by the Transport Advisory Committee" issued in May 2015 [LC Paper No. CB(4)922/14-15(04)]

<sup>4</sup> Source: Replies to initial written questions raised by the Finance Committee Members in examining the Estimates of Expenditure 2015-16 on 31 March 2015 (Session No.: 10) (Questions Serial Nos. 1312 and 5966)

## Law enforcement against illegal parking

### *Panel on Transport*

7. Members of the Panel on Transport at its meetings on 20 March and 12 May 2015 considered that the Administration should strengthen law enforcement against illegal parking to solve the traffic congestion problem during peak hours in busy districts. Some members also opined that the busy road traffic condition in Hong Kong was one of the major causes of lost bus trips. They therefore suggested strengthening the law enforcement against illegal parking near bus stops.

### *Panel on Security*

8. At the Panel on Security meeting on 17 January 2012, some members expressed concern about road safety issue. They were dissatisfied that the Police did not take enforcement action against illegal parking. In response, the Administration admitted that traffic enforcement was inadequate in certain police regions to prevent illegal parking. They explained that the primary aim of traffic enforcement was to ensure the safety of road users and to maintain smooth traffic flows. Individual police officers might have shown excessive tolerance for minor traffic offences. The Administration pledged that attention would be paid to the matter.

### *Council meetings*

9. At the Council meeting on 25 November 2009, a Member raised a question on traffic control in congested areas. He expressed that along the major roads in busy areas, such as Queen's Road Central, Connaught Road Central and Pedder Street, there were always lorries and light goods vehicles parked in the loading/unloading areas, occupying those places or loading and unloading goods on the traffic lanes, and together with the "long queues" of taxis waiting for passengers, causing traffic blockages. He urged the Administration to step up enforcement actions, such as deploying more law enforcement officers to patrol illegal parking black spots, against illegal parking.

10. Besides, another Member at the Council meeting on 23 November 2011 raised a question on cancellation of metered parking spaces. The Administration had designated some of the previous on-street metered parking spaces as "no parking areas" with yellow

markings in recent years, and drivers who continued to park their vehicles in these areas would be prosecuted. Yet, many vehicles were still illegally parked in such areas with yellow markings where parking had already been prohibited, and some of these areas are even occupied for operating valet parking business, but the offenders were not prosecuted. She urged the Administration to consider stepping up law enforcement, including increasing the number of law-enforcing officers and frequency of patrols, and stepping up prosecution against drivers who committed parking offences, in order to achieve a deterrent effect.

### **Latest developments**

11. The Administration plans to brief the Panel on Transport on the increase in fixed penalty for congestion-related traffic offences at its meeting to be held on 16 December 2015.

### **Relevant papers**

12. A list of relevant papers is at **Appendix III**.

Council Business Division 4  
Legislative Council Secretariat  
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### **Additional measures suggested by the Transport Advisory Committee**

#### Short and medium-term measures

- (a) Raise private car's First Registration Tax and Annual Licence Fee;
- (b) Tighten up standards for Environment-friendly Petrol Private Cars;
- (c) Raise "fuel levy" for diesel private cars;
- (d) Start planning for a congestion charging pilot scheme;
- (e) Increase meter parking charges;
- (f) Enhance publicity and education efforts to promote compliance with traffic rules and regulations;
- (g) Raise the fixed penalty charges for congestion-related offences to restore the deterrent effect;
- (h) Adopt a stricter approach and deploy more resources to enforce congestion-related offences by the Police;
- (i) Make further use of information technology in enforcement;

#### Long-term measures

- (j) Review parking policy and disseminate real-time information on parking vacancies;
- (k) Encourage on-street loading and unloading outside peak hours;  
and
- (l) Provide more park-and-ride facilities.

**Figures of fixed penalty tickets issued for parking offences  
by police regions in the past five years**

	<b>Police regions</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Parking offences	Hong Kong Island	171 225	182 755	234 548	242 946	219 129
	Kowloon East	77 033	86 884	101 895	126 029	138 915
	Kowloon West	281 480	288 995	309 877	335 087	329 870
	New Territories South	90 758	100 449	117 006	146 750	165 614
	New Territories North	116 565	137 719	144 058	169 600	216 039
	<i>Total</i>		<i>737 061</i>	<i>796 802</i>	<i>907 384</i>	<i>1 020 412</i>

Source: Replies to initial written questions raised by the Finance Committee Members in examining the Estimates of Expenditure 2015-16 on 31 March 2015 (Session No.: 10) (Question Serial No. 5966)

## Congestion-related traffic offences

## List of relevant papers

Date of meeting	Panel/Committee	Minutes/Paper	LC Paper No.
25.11.2009	Council Meeting	Hon Andrew LEUNG Kwan-yuen raised a question on traffic control in congested areas	<a href="http://www.info.gov.hk/gia/general/200911/25/P200911250168.htm">http://www.info.gov.hk/gia/general/200911/25/P200911250168.htm</a>
23.11.2011	Council Meeting	Hon Audrey EU Yuet-mee raised a question on cancellation of metered parking spaces	<a href="http://www.info.gov.hk/gia/general/201111/23/P201111230186.htm">http://www.info.gov.hk/gia/general/201111/23/P201111230186.htm</a>
17.1.2012	Panel on Security (Special meeting)	Brief report on Hong Kong's law and order situation in 2011 provided by the Hong Kong Police Force	CB(2)778/11-12(01) <a href="http://www.legco.gov.hk/yr11-12/english/panels/se/papers/se0117cb2-778-1-e.pdf">http://www.legco.gov.hk/yr11-12/english/panels/se/papers/se0117cb2-778-1-e.pdf</a>
		Minutes of meeting	CB(2)2683/11-12 <a href="http://www.legco.gov.hk/yr11-12/english/panels/se/minutes/se20120117.pdf">http://www.legco.gov.hk/yr11-12/english/panels/se/minutes/se20120117.pdf</a>
20.3.2015	Panel on Transport	Administration's paper on Public Transport Strategy Study – Tropical Study on franchised bus service	CB(4)655/14-15(04) <a href="http://www.legco.gov.hk/yr14-15/english/panels/tp/papers/tp20150320cb4-655-4-e.pdf">http://www.legco.gov.hk/yr14-15/english/panels/tp/papers/tp20150320cb4-655-4-e.pdf</a>

<b>Date of meeting</b>	<b>Panel/ Committee</b>	<b>Minutes/Paper</b>	<b>LC Paper No.</b>
		Minutes of meeting	CB(4)1293/14-15  <a href="http://www.legco.gov.hk/yr14-15/english/panels/tp/minutes/tp20150320.pdf">http://www.legco.gov.hk/yr14-15/english/panels/tp/minutes/tp20150320.pdf</a>
31.3.2015	Finance Committee (Special meeting)	Replies to initial written questions raised by Finance Committee Members in examining the Estimates of Expenditure 2015-16 (Session No. : 10) (Questions Serial Nos. 1312 and 5966)	<a href="http://www.legco.gov.hk/yr14-15/english/fc/fc/w_q/sb-e.pdf">http://www.legco.gov.hk/yr14-15/english/fc/fc/w_q/sb-e.pdf</a>
12.5.2015	Panel on Transport	Administration's paper on Government's response to the "Report on Study of Road Traffic Congestion in Hong Kong" submitted by the Transport Advisory Committee	CB(4)922/14-15(04)  <a href="http://www.legco.gov.hk/yr14-15/english/panels/tp/papers/tp20150512cb4-922-4-e.pdf">http://www.legco.gov.hk/yr14-15/english/panels/tp/papers/tp20150512cb4-922-4-e.pdf</a>
		Minutes of meeting	CB(4)85/15-16  <a href="http://www.legco.gov.hk/yr14-15/english/panels/tp/minutes/tp20150512.pdf">http://www.legco.gov.hk/yr14-15/english/panels/tp/minutes/tp20150512.pdf</a>