

**立法會**  
**Legislative Council**

LC Paper No. CB(4)1371/16-17  
(These minutes have been seen  
by the Administration)

Ref: CB4/SS/6/16

**Subcommittee on Two Proposed Resolutions  
under the Fixed Penalty (Traffic Contraventions) Ordinance and  
the Fixed Penalty (Criminal Proceedings) Ordinance**

**Minutes of the second meeting held on  
Friday, 5 May 2017, at 9:00 am  
in Conference Room 1 of the Legislative Council Complex**

**Members present** : Hon Frankie YICK Chi-ming, JP (Chairman)  
Hon James TO Kun-sun  
Hon Jeffrey LAM Kin-fung, GBS, JP  
Hon YIU Si-wing, BBS  
Dr Hon Helena WONG Pik-wan  
Ir Dr Hon LO Wai-kwok, SBS, MH, JP  
Hon CHAN Chun-ying  
Hon Tanya CHAN  
Hon CHEUNG Kwok-kwan, JP  
Hon HUI Chi-fung  
Hon LUK Chung-hung  
Hon LAU Kwok-fan, MH  
Hon Jeremy TAM Man-ho

**Members attending** : Hon LEUNG Kwok-hung  
Hon CHU Hoi-dick

**Members absent** : Hon Paul TSE Wai-chun, JP  
Hon CHAN Han-pan, JP

**Public Officers  
attending** : **Agenda item II**

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

Mr Tony LI  
Principal Assistant Secretary for Transport and  
Housing (Transport) 2

Mr Chris CHAN  
Assistant Commissioner/Planning  
Transport Department

Mr Luke YUEN Chi-kin  
Chief Superintendent/Traffic (Acting)  
Hong Kong Police Force

Mr Michael YIP Siu-ming  
Superintendent of Police (Administration)  
(Traffic Branch Headquarters)  
Hong Kong Police Force

Mr Gary LI Ming-fung  
Government Counsel  
Department of Justice

**Attendance by  
invitation** : **Agenda item II**

***Session I***

Hong Kong Taxi Owners' Association Limited

Mr WONG Po-keung  
Chairman

Labour Party

Mr SUNG Tsz-ming  
Member

Public Omnibus Operators Association Limited

Mr LI Kar-ki  
Treasurer

Tai Wo Motors Limited

Mr Aaron NG Hoi-shan  
Vice Chairman

Kowloon Truck Merchants Association Limited

Mr LEUNG Kun-kuen  
Chairman

Hong Kong Public Light Bus Owner & Driver  
Association

Mr WONG Wing-kwong  
Secretary

港粵運輸司機從業員協會

Mr TCHENG Veng  
Vice Chairman

Container Transportation Employees General Union

Mr CHAN Dik-sau  
Chairman

Tsuen Wan District Tourists and Passengers  
Omnibus Operators Association

Mr TANG Chi-keung  
Chairman

Hong Kong Container Tractor Owner Association  
Limited

Mr LAM Hoi-tat  
Chairman

Public Light Bus General Association

Mr LING Chi-keung  
Chairman

DAB

Mr CHUNG Kin-fung  
Deputy Spokesperson of DAB

Hong Kong Van Drivers Association

Mr FUNG Chun-pong  
副秘書長

Hong Kong Container Drayage Services Association  
Limited

Mr Clarence WONG Siu-wah  
Chairman

Liberal Party

Mr FU Chuen-fu  
Member

The Chamber of Hong Kong Logistics Industry Ltd

Mr CHAN Fu-chuen  
Executive Vice Chairman

Hong Kong Automobile Association

Mr Chacky IP C K  
Chief Executive Officer

***Session II***

CALL4VAN客貨車

符榮朝先生  
Founder of CALL4VAN

Clean Air Network

Mr Andrew CHAN Kwan-pui  
Communication Officer

汽車交通運輸業總工會貨運車從業員分會

蕭德雄先生  
權益主任

United Friendship Taxi Owners & Drivers Association Limited

Mr YU Kwok-keung  
Chairman

New World First Bus Services Limited

Mr Vincent FUNG  
Senior Operations Manager

Citybus Limited

Mr Kevin LI  
Public Affairs Manager

Civic Exchange

Ms Joyce LAU Hor-chung  
Director of Media and Communications

Public transportation think tank of Hong Kong

Mr CHAN Tik-yiu  
Executive

Individual

何志強先生

School Buses Operators Association Ltd.

林志平先生  
主席

Trans-Consult Asia Ltd.

Mr Alok JAIN  
Managing Director

Motor Transport Workers General Union

Mr CHAN Siu-wah  
Chairman

汽車交通運輸業總工會非專利巴士分會

譚偉照先生  
主任

城市的士車主司機聯會

莊永德先生  
Chairman

Individual

Mr LOW Shih-cheng

Yuen Long District Tourists and Passengers Omnibus  
Operators Association

Mr MAN Hoi-tik  
Vice Chairman

Tuen Mun District Tourists and Passengers Omnibus  
Operators Association

Mr CHEUNG Po-sing  
Vice Chairman

The Kowloon Motor Bus Co. (1933) Ltd.

Mr LAM Tsz-ho  
Manager, Planning & Development

強記旅運有限公司

張巧英女士

強記旅遊服務有限公司

張志康先生

Motor Transport Workers General Union Public  
Light Bus Branch

陳逢源先生  
主任

**Clerk in attendance :** Ms Doris LO  
Chief Council Secretary (4)6

**Staff in attendance :** Ms Vanessa CHENG  
Assistant Legal Adviser 5

Ms Macy NG  
Senior Council Secretary (4)6

Ms Emily LIU  
Legislative Assistant (4)6

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Action

- I. Confirmation of minutes of meeting**  
(LC Paper No. CB(4)918/16-17 - Minutes of meeting held on  
21 March 2017)

The minutes of the meeting held on 21 March 2017 were confirmed.

**II. Meeting with deputations and the Administration**

- (LC Paper No. CB(4)932/16-17(01) - List of follow-up actions arising from the meeting on 21 March 2017
- LC Paper No. CB(4)932/16-17(02) - Administration's response to issues raised at the meeting on 21 March 2017
- LC Paper No. CB(4)973/16-17(01) - Letter dated 4 May 2017 from Legal Adviser to the Subcommittee to the Administration
- File Ref: THB(T)L1/12/65 - Legislative Council Brief
- LC Paper No. LS35/16-17 - Legal Service Division Report
- LC Paper No. CB(4)675/16-17(01) - Paper on the two proposed resolutions under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) and the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) prepared by the Legislative Council Secretariat (Background brief)
- LC Paper Nos. CB(4)675/16-17(02) and (03) - Marked-up copies of the two proposed resolutions under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) and the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240) prepared by the Legal Service Division



*Submissions from deputations/individuals attending the meeting*

- LC Paper No. CB(4)910/16-17(01) - Submission from Hong Kong Public Light Bus Owner & Driver Association
- LC Paper No. CB(4)910/16-17(03) - Submission from the Chamber of Hong Kong Logistics Industry Ltd
- LC Paper No. CB(4)910/16-17(07) - Submission from Hong Kong Automobile Association
- LC Paper No. CB(4)910/16-17(09) - Submission from Clean Air Network
- LC Paper No. CB(4)910/16-17(06) - Submission from 汽車交通運輸業總工會貨運車從業員分會 and Motor Transport Workers General Union
- LC Paper No. CB(4)910/16-17(10) - Submission from Citybus Limited
- LC Paper No. CB(4)965/16-17(02) - Submission from Civic Exchange
- LC Paper No. CB(4)965/16-17(01) - Submission from Public transportation think tank of Hong Kong
- LC Paper No. CB(4)910/16-17(13) - Submission from School Buses Operators Association Ltd.
- LC Paper No. CB(4)910/16-17(14) - Submission from Trans-Consult Asia Ltd.
- LC Paper No. CB(4)932/16-17(03) - Submission from The Kowloon Motor Bus Co.

(1933) Ltd

- LC Paper No. CB(4)1000/16-17(01) - Submission from Hong Kong Taxi Owners' Association Limited
- LC Paper No. CB(4)1000/16-17(02) - Submission from Container Transportation Employees General Union
- LC Paper No. CB(4)1000/16-17(03) - Submission from Tsuen Wan District Tourists and Passengers Omnibus Operators Association
- LC Paper No. CB(4)1000/16-17(07) - Submission from Kowloon Truck Merchants Association Limited

*Submissions from deputations/individuals not attending the meeting*

- LC Paper No. CB(4)911/16-17(01) - Submission from Hong Kong Society for Transportation Studies (HKSTS) Limited
- LC Paper No. CB(4)911/16-17(02) - Submission from New Lantao Bus Co. (1973) Ltd.
- LC Paper No. CB(4)910/16-17(05) - Submission from a member of the public
- LC Paper No. CB(4)910/16-17(08) - Submission from the Federation of Bus Industry Trade Unions
- LC Paper No. CB(4)910/16-17(11) - Submission from Hong Kong Scheduled (GMB) Licensee Association
- LC Paper No. CB(4)910/16-17(02) - Submission from Federation of Hong Kong Transport Worker Organizations

- LC Paper No. CB(4)910/16-17(04) - Submission from a member of the public
- LC Paper No. CB(4)910/16-17(12) - Submission from Non-franchised Public Buses Workers Association
- LC Paper No. CB(4)1000/16-17(04) - Submission from Civic Party
- LC Paper No. CB(4)1000/16-17(05) - Submission from Lok Ma Chau China-Hong Kong Freight Association
- LC Paper No. CB(4)1000/16-17(06) - Submission from Green Power)

2. The Subcommittee received views from 38 deputations/individuals attending the meeting and deliberated (index of proceedings in **Annex**).

Follow-up actions to be taken by the Administration

3. The Administration was requested to provide supplementary information/responses on the followings –

- (a) the demand to supply ratio of parking spaces for each vehicle type in each of the past five years; and
- (b) whether the Administration has any plan to improve the above ratios in the coming five years; if it has, the Administration's plan.

*(Post-meeting note: The Administration's response was issued to members vide LC Paper No. CB(4)1028/16-17(03) on 22 May 2017.)*

**III. Any other business**

4. Members agreed to hold the next meeting after the Administration had briefed the Panel on Transport on the parking policy at its meeting on 19 May 2017. There being no other business, the meeting ended at 12:30 pm.

*(Post-meeting note: The next meeting was scheduled for 23 May 2017 at 8:30 am.)*

Council Business Division 4  
Legislative Council Secretariat  
11 July 2017

**Proceedings of the second meeting of  
Subcommittee on Two Proposed Resolutions  
under the Fixed Penalty (Traffic Contraventions) Ordinance and  
the Fixed Penalty (Criminal Proceedings) Ordinance  
on Friday, 5 May 2017, at 9:00 am  
in Conference Room 1 of the Legislative Council Complex**

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<b>Meeting with deputations and the Administration</b>			
<i>Session I</i>			
000252 – 000707	Chairman	Opening remarks and meeting arrangements	
000708 – 000921	Hong Kong Taxi Owners' Association Limited	Presentation of views (LC Paper No. CB(4)1000/16-17(01))	
000922 – 001051	Tai Wo Motors Limited	Presentation of views	
001052 – 001413	Labour Party	Presentation of views	
001414 – 001724	Public Omnibus Operators Association Limited	Presentation of views	
001725 – 002033	Kowloon Truck Merchants Association Limited	Presentation of views (LC Paper No. CB(4)1000/16-17(07))	
002034 – 002304	Hong Kong Public Light Bus Owner & Driver Association	Presentation of views (LC Paper No. CB(4)910/16-17(01))	
002305 – 002524	港粵運輸司機從 業員協會	Presentation of views	
002525 – 002828	Container Transportation Employees General Union	Presentation of views (LC Paper No. CB(4)1000/16-17(02))	
002829 – 003132	Tsuen Wan District Tourists and Passengers Omnibus Operators Association	Presentation of views (LC Paper No. CB(4)1000/16-17(03))	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
003133 – 003411	Hong Kong Container Tractor Owner Association Limited	Presentation of views	
003412 – 003543	Public Light Bus General Association	Presentation of views	
003544 – 003851	DAB	Presentation of views	
003852 – 004051	Hong Kong Van Drivers Association	Presentation of views	
004052 – 004356	Hong Kong Container Drayage Services Association Limited	Presentation of views	
004357 – 004701	Liberal Party	Presentation of views	
004702 – 004927	The Chamber of Hong Kong Logistics Industry Ltd	Presentation of views (LC Paper No. CB(4)910/16-17(03))	
004928 – 005210	Hong Kong Automobile Association	Presentation of views (LC Paper No. CB(4)910/16-17(07))	
005211 – 005822	Chairman Administration	<p>The Administration responded that:</p> <p>(a) the Administration had taken note of the deputations' views;</p> <p>(b) to alleviate road traffic congestion, the Administration was taking forward progressively the measures recommended by the Transport Advisory Committee, including restoring the deterrent effect of fixed penalty charges for Congestion-Related Traffic Offences taking into account inflation since the last increase in 1994. Measures to contain the growth of private cars would involve enactment or amendments of legislation and hence support from the Legislative Council ("LegCo") and the public was necessary;</p> <p>(c) the Administration would address the problem of parking space shortage, with priority accorded to</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>considering and meeting the parking need of commercial vehicles. On this, the Transport Department ("TD") would commence a consultancy study on parking for commercial vehicles within 2017. The Administration would brief the Panel on Transport soon on the relevant details;</p> <p>(d) as a short-term measure, TD and respective District Councils ("DCs") had identified around 300 additional on-street overnight parking spaces for commercial vehicles, among which around 80 parking spaces had been available for use. The remaining spaces were being implemented, under consultation, or shelved due to public objection; and</p> <p>(e) the Administration had been encouraging the public to use public transport for commuting, while providing a suitable number of parking spaces for private cars, subject to the consideration that the provision of such parking spaces would not indirectly discourage the public from using public transport.</p>	
005823 – 010717	Chairman Mr LAU Kwok-fan Administration	<p>Mr LAU was of the views that:</p> <p>(a) increasing the fixed penalties of Congestion-Related Traffic Offences across the board would have negative impact on the livelihood of the transport trade;</p> <p>(b) the Administration's advice that the public should better secure a parking space before deciding to buy a private car was not practicable. Even if car owners could secure parking spaces at their places of residence, they would still have problem parking cars when driving to other places, in particular in busy districts. The Administration should comprehensively review the parking provision taking into account the parking needs of private cars, and improve ancillary transport facilities;</p> <p>(c) given the shortage of parking spaces, the proposed sharp increase in fixed penalty charges for Congestion-Related Traffic Offences might push up parking fees and incentivize illegal parking;</p> <p>(d) a more effective means to combat illegal parking was to step up enforcement by taking targeted enforcement actions at black spots, issuing multiple/repeated issuance of Fixed Penalty Tickets</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>("FPTs") against illegal parking, and strengthening manpower for enforcement; and</p> <p>(e) the Administration should review the transport policy of using railway as the backbone of public transport and its impact on the development of other public transport.</p> <p>The Administration responded that:</p> <p>(a) Hong Kong was facing the critical problem of scarce land resources similar to other major cities, but unlike some of those cities, there was no cap on the number of vehicles. For Tokyo in Japan, purchase of vehicles was subject to availability of parking spaces;</p> <p>(b) for travelling to busy districts or town centres, the public were encouraged to use public transport services which were usually conveniently available in these places;</p> <p>(c) the proposed increase in the fixed penalties of Congestion-Related Traffic Offences was to restore the deterrent effect since the last increase in 1994. The number of FPTs issued had dropped 7% in the following year in 1995, decreased further in 2005 but rebounded notably in recent years; and</p> <p>(d) stringent enforcement actions had been taken against Congestion-Related Traffic Offences, including issuance of FPTs, and issuance of multiple FPTs if the cases warranted, by frontline police officers and traffic wardens.</p>	
010718 – 011554	Chairman Mr CHAN Chun-ying Administration	<p>Mr CHAN was of the views that:</p> <p>(a) given the relatively low FPT to vehicle ratios in 2016 (i.e. 2.18) and 2005 (i.e. 1.11) compared to that of 1994 (i.e. 4.63) whilst the level of fixed penalties had remained unchanged, it was questionable whether the rampant illegal parking problem in recent years was primarily due to the loss of deterrent effect of the level of fixed penalty charges, or might have suggested that the enforcement actions were lacking in strength; and</p> <p>(b) to address the problem of traffic congestion, the Administration should review other factors, such as the capacity of roads, in terms of length and width,</p>	



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		<p>to cope with the vehicle growth over the years. He also asked about the progress of the study on Electronic Road Pricing ("ERP") Scheme.</p> <p>The Administration responded that:</p> <p>(a) after the increase in the level of penalties on 1 June 1994, the FPT to vehicle ratio had dropped from 4.63 in 1994 to 4.25 in 1995, reflecting the increased deterrent effect. Hong Kong experienced economic downturn and the outbreak of Severe Acute Respiratory Syndrome ("SARS") in 2003, and the number of FPTs issued in 2005 was exceptionally low under such particular circumstances. The number of FPTs had increased annually after 2005 and was over 1.6 million in 2016. Nevertheless, illegal parking problem was still rampant, reflecting that the current level of fixed penalty charges had lost its deterrent effect;</p> <p>(b) the total length of roads had increased since 1994. However, due to scarce land resources and environmental factors, it was impossible to continuously expand the roads to accommodate the rapid increase in the number of private cars; and</p> <p>(c) following the first phase of the public engagement exercise in respect of the implementation of the ERP Pilot Scheme in Central, the Administration was conducting an in-depth feasibility study based on the views collected to develop feasible options for the ERP Pilot Scheme and would further engage the public.</p> <p>The Chairman pointed out that despite the economic impact of SARS in mid-2003, the economic momentum had largely been resumed around the end of that year. Therefore, he did not agree with the Administration's viewpoint that the low number of FPTs issued in 2005 was related to the impact of SARS.</p>	
011555 – 012342	Chairman Mr LAU Kwok-fan Administration	<p>Mr LAU considered that:</p> <p>(a) due to insufficient housing supply in urban areas, some people had to live in remote areas where public transport services were inadequate. For them, private cars had become an item of necessity;</p> <p>(b) there were some innovative car parking solutions in Japan such as automatic underground car parks that</p>	

Time marker	Speaker	Subject(s)	Action required
		<p>occupied relatively limited ground spaces. Making reference, the Administration should explore various means to increase the number of parking spaces, such as building multi-storey car parks on short-term tenancy land and underground car parks, and introducing electronic parking systems; and</p> <p>(c) issuance of FPTs should not be regarded as among the core duties of frontline police officers. Rather, more traffic wardens should be deployed to support enforcement.</p> <p>The Administration advised that:</p> <p>(a) public transport was the most dominant mode of commuting in Hong Kong, accounting for nearly 90% of the daily passenger trips. Excessive increase in the number of private cars would cause serious traffic congestion and roadside air pollution;</p> <p>(b) for new housing developments, traffic impact assessments would be conducted to assess the transport demand with a view to providing suitable public transport services. TD would also require developers to provide suitable number of public parking spaces in development projects. Further, under the revised Practice Note issued by the Buildings Department in March 2017, underground public parking spaces that complied with specified conditions would not be gross floor area ("GFA") accountable (i.e. 100% concession from GFA calculation) in a private development project, thus providing an incentive for the provision of more parking spaces underground for public use; and</p> <p>(c) special enforcement actions had been carried out against serious illegal parking-related offences. The Police issued a total of 1.63 million FPTs and towed away 54 vehicles in 2016. In parallel, the Police had enhanced education and publicity which were instrumental in bringing about law-abiding behaviour of road users.</p> <p>The Chairman opined that due to the housing problem in Hong Kong, some people had to live in rural areas or new development areas where access to public transport was limited. Their need for using private cars for commuting should not be ignored.</p>	

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012343 – 012904	Chairman Mr CHAN Chun-ying Administration	<p>Mr CHAN was of the view that:</p> <p>(a) the Administration should, while not encouraging excessive purchases of private cars, pay heed to the genuine need for the use of private cars, particularly by households with young children or elderly and those living in remote areas without convenient connections by public transport; and</p> <p>(b) amongst the Congestion-Related Traffic Offences under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237) and the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), the Administration should impose deeper increases of more than 50% for those serious road traffic offences, such as unlawfully entering box junction and making "U" turn causing obstruction, and complement with stricter enforcement actions including towing away illegally parked vehicles that had caused serious obstruction. For offences relating to the lack of parking spaces, it should consider shelving the proposed penalty increases, unless there were effective means to solve the root problems of inadequate parking spaces and transport facilities in some areas.</p> <p>The Administration responded that two resolutions in respect of Cap. 237 and Cap. 240 were proposed respectively. The Administration would positively considered members' views on the resolution under Cap. 240, which included offences such as unlawfully entering box junctions and making "U" turns causing obstruction. As regards the fixed penalty under Cap. 237, the Administration referred to its written response to members' questions raised at the last meeting on 21 March 2017 (Annex to LC Paper No. CB(4)932/16-17(02)) that in gist, the Department of Justice considered that in accordance with Cap. 237, a uniform level of penalty as prescribed in section 13, should apply to the different contraventions under Cap. 237, and LegCo had not been empowered to prescribe different levels of fixed penalties for different contraventions prescribed thereunder. Noting that the Legal Adviser to the Subcommittee considered that the explanation offered by the Administration per its written response of 26 April 2017 (Annex to LC Paper No. CB(4)932/16-17(02)) was not conclusive as to whether different levels of fixed penalties could be prescribed by resolution by LegCo for different contraventions under Cap. 237, the Administration would provide further</p>	

Time marker	Speaker	Subject(s)	Action required
		response to the Subcommittee in due course.	
012905 – 013040	Chairman	<p>The Chairman urged the Administration to pay heed to the following views and concerns raised by deputations:</p> <p>(a) there was not any on-street parking spaces suitable for long vehicle models of about 11-metre long;</p> <p>(b) the provision of night-time on-street metered parking spaces for commercial vehicles should be advanced from 12:00 midnight to 10:00 pm;</p> <p>(c) it was an over-doing by issuing FPTs to public light buses ("PLBs") parked at PLB terminus at midnight; and</p> <p>(d) whether the Administration would consider the proposal of building a multi-storey car park building for commercial vehicles in Kwai Tsing District.</p>	
<b><i>Break from 013041 to 014346</i></b>			
<b><i>Session II</i></b>			
014347 – 014537	Chairman	Meeting arrangements	
014538 – 014946	CALL4VAN客貨車	Presentation of views	
014947 – 015300	Clean Air Network	Presentation of views (LC Paper No. CB(4)910/16-17(09))	
015301 – 015622	汽車交通運輸業 總工會貨運車 從業員分會	Presentation of views (LC Paper No. CB(4)910/16-17(06))	
015623 – 015934	United Friendship Taxi Owners & Drivers Association Limited	Presentation of views	
015935 – 020105	New World First Bus Services Limited	Presentation of views	
020106 – 020246	Citybus Limited	Presentation of views (LC Paper No. CB(4)910/16-17(10))	
020247 – 020444	Civic Exchange	Presentation of views (LC Paper No. CB(4)965/16-17(02))	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
020445 – 020755	Public transportation think tank of Hong Kong	Presentation of views (LC Paper No. CB(4)965/16-17(01))	
020756 – 021030	何志強先生	Presentation of views	
021031 – 021236	School Buses Operators Association Ltd.	Presentation of views (LC Paper No. CB(4)910/16-17(13))	
021237 – 021539	Trans-Consult Asia Ltd.	Presentation of views (LC Paper No. CB(4)910/16-17(14))	
021540 – 021743	Motor Transport Workers General Union	Presentation of views (LC Paper No. CB(4)910/16-17(06))	
021744 – 022056	汽車交通運輸業總工會非專利巴士分會	Presentation of views	
022057 – 022342	城市的士車主司機聯會	Presentation of views	
022343 – 022731	Mr LOW Shih-cheng	Presentation of views	
022732 – 023020	Yuen Long District Tourists and Passengers Omnibus Operators Association	Presentation of views	
023021 – 023330	Tuen Mun District Tourists and Passengers Omnibus Operators Association	Presentation of views	
023331 – 023552	The Kowloon Motor Bus Co. (1933) Ltd.	Presentation of views (LC Paper No. CB(4)932/16-17(03))	
023553 – 023859	強記旅運有限公司	Presentation of views	
023900 – 024031	強記旅遊服務有限公司	Presentation of views	

Time marker	Speaker	Subject(s)	Action required
024032 – 024327	Motor Transport Workers General Union Public Light Bus Branch	Presentation of views	
024328 – 025155	Chairman Administration Mr LEUNG Kwok-hung	<p>The Administration responded that:</p> <ul style="list-style-type: none"> <li>(a) illegal parking had adversely affected operations of public transport and commercial vehicles, and aggravated roadside air pollution and traffic congestion;</li> <li>(b) the Administration was taking forward progressively the measures recommended by the Transport Advisory Committee to alleviate road traffic congestion and control car growth. Measures to contain the growth of private cars would likely involve enactment of legislation, hence support from LegCo and the public would be required;</li> <li>(c) priority would be accorded to accommodating the parking needs of commercial vehicles. TD had identified about 300 additional on-street overnight parking spaces for commercial vehicles, and would commence a consultancy study within 2017 to address the parking needs of commercial vehicles, including school buses;</li> <li>(d) stringent enforcement actions had been taken against Congestion-Related Traffic Offences, including special enforcement actions at black spots, issuing FPTs without prior warning, issuing summons to drivers who intentionally violated the law, issuing repeated FPTs and towing away illegally parked vehicles which caused serious obstruction or danger to other road users. 54 and 58 vehicles were towed away in 2016 and the first three months of 2017 respectively; and</li> <li>(e) the parking time units of on-street metered parking spaces were generally set as 30 minutes, one hour or two hours, with the majority of which set as two hours. TD would consider shortening the parking time units of some on-street metered parking spaces to, say, 30 minutes or one hour at designated places to facilitate turnover. Where necessary, it would consult the views of DCs and the community.</li> </ul> <p>On the Chairman's enquiry, the Administration supplemented that continuous occupation of a particular</p>	

Time marker	Speaker	Subject(s)	Action required
		on-street metered parking space for more than 24 hours was prohibited under the law.	
025156-030147	Chairman Administration Mr James TO	<p>Mr TO considered that:</p> <ul style="list-style-type: none"> <li>(a) increasing the fixed penalty charges for Congestion-Related Traffic Offences had no effect on controlling the growth in the number of vehicles;</li> <li>(b) enforcement actions including issuance of FPTs should target at vehicles obstructing the traffic or affecting road safety. Yet, on the one hand, only a very small number of illegally parked vehicles were towed away; on the other hand, there were cases that PLBs parking at PLB terminus at midnight, or vehicles parking at dead end of an abandoned road section were charged with FPTs; and</li> <li>(c) the Administration should sharply increase the fixed penalty charges against illegally parking at black spots to increase punitive effect.</li> </ul> <p>The Administration responded that:</p> <ul style="list-style-type: none"> <li>(a) the proposal to increase the fixed penalty charges for Congestion-Related Traffic Offences aimed at easing the road traffic congestion problem, but not for controlling the number of vehicles per se; and</li> <li>(b) the Police had stepped up enforcement actions in response to society's demand through a step-by-step approach, including issuing FPTs without warning and repeatedly, and towing away the vehicles concerned after giving prior warning. Of the 1.6 million FPTs issued in 2016, 150 000 FPTs (i.e. about 9%) were issued during special enforcement actions, the other 91% of were issued during daily patrols of police officers and traffic wardens, and about 1% during midnight (1:00 am to 5:59 am). The individual cases quoted by a deputation involving PLBs parked at PLB terminus during midnight might be due to the obstruction caused or complaints received. The drivers concerned could make an appeal to the Police in case of any injustice or misjudgement involved.</li> </ul>	
030148-031514	Chairman Mr LEUNG Kwok-hung Administration	<p>Mr LEUNG opined that:</p> <ul style="list-style-type: none"> <li>(a) police officers might need to meet a quota for issuing FPTs so that they were issuing FPTs to PLBs</li> </ul>	

Time marker	Speaker	Subject(s)	Action required
		<p>parked at PLB terminus at midnight;</p> <p>(b) the Administration's policies of providing tax concessions for electric vehicles ("EVs") and free recharging service had encouraged purchases of EVs, and resulted in more traffic congestion;</p> <p>(c) the Administration should introduce weekly, monthly or quarterly passes for all public transport modes, and buy back and run railway operations itself; and</p> <p>(d) the Administration's measures were ineffective in tackling the problem caused by chauffeur cars picking up and setting down their bosses in busy districts. A progressive scale of penalties commensurate with the income of the vehicle owners concerned, like that imposed in some Scandinavian countries, could be considered.</p> <p>Mr LEUNG requested the Administration to provide supplementary information/responses on the followings:</p> <p>(a) the demand to supply ratio of parking spaces for each vehicle type in each of the past five years; and</p> <p>(b) whether the Administration had any plan to improve the above ratios in the coming five years; if it had, the Administration's plan.</p> <p>The Administration responded that:</p> <p>(a) frontline police officers were not required to meet any target/quota of issuing FPTs;</p> <p>(b) the Administration would introduce short-term measures to provide additional parking spaces for commercial vehicles, and carry out a feasibility study in 2017 on constructing a multi-storey car park building for heavy goods vehicles in Kwai Chung;</p> <p>(c) the Administration would adopt a two-pronged approach to alleviate road traffic congestion by carrying out the consultancy study on parking for commercial vehicles and raising the fixed penalty charges for Congestion-Related Traffic Offences in tandem. In fact, some illegal parking cases were not related to a lack of parking spaces nearby; and</p>	<p>Administration (paragraph 3 of the minutes refers)</p>



Time marker	Speaker	Subject(s)	Action required
		(d) apart from certain cities in the Scandinavian countries, the majority of developed countries were not adopting a progressive scale of penalties against illegal parking based on the income of vehicle owners. Such a proposal would require thorough discussion and general consensus in society.	
031515 – 031857	Chairman Mr LAU Kwok-fan Administration	<p>Mr LAU stated that The Democratic Alliance for the Betterment and Progress of Hong Kong and the majority of deputations attending the meeting objected to increasing the fixed penalty charges for all Congestion-Related Traffic Offences. He reiterated that:</p> <p>(a) Congestion-Related Traffic Offences were committed by a small number of drivers but the Administration's proposal to increase fixed penalty charges would adversely affect the whole transport trade and the public. A more effective means to combat illegal parking was to step up enforcement;</p> <p>(b) given that the wage level of the transport trade had largely remained unchanged or had even decreased since 1994, the current fixed penalty charges (i.e. \$320 for parking-related traffic contraventions) should have sufficient deterrent effect; and</p> <p>(c) the proposed increase in fixed penalty charges against parking-related offences should only be considered after the parking review.</p> <p>The Chairman shared the view that stringent enforcement actions, such as towing away the vehicles, should be taken against illegal parking cases which were not related to the lack of parking spaces.</p>	
031858 – 032245	Chairman Mr Jeremy TAM Mr James TO Mr CHAN Siu-wah, representative of Motor Transport Workers General Union Mr 符榮朝, representative of CALL4VAN Mr LOW Shih-cheng	<p>Mr TO sought the deputations' views on his suggestion of increasing the penalty charges for Congestion-Related Traffic Offences occurred at black spots only.</p> <p>Mr CHAN opined that there would be difficulty in designating black spots for illegal parking.</p> <p>Mr 符 shared the practices in Sydney where a special team was deployed to a designated zone to issue FPTs against illegal parking, while there was still a uniform level of penalty charges applicable for different areas.</p> <p>Mr LOW cited a few examples of illegal parking black spots in Central and said that taxis were forced to pick up/set down passengers in restricted zones due to the</p>	

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		<p>serious problem of illegal parking in the district. He held the view that FPTs should not be issued to taxis setting down passengers at black spots which would less likely cause traffic congestion. He also opined that warnings should be given before issuing FPTs or towing away illegally parked vehicles.</p>	
032246 – 032258	Chairman	Extension of meeting time	
032259 – 032917	Chairman Mr Jeremy TAM Administration	<p>Mr TAM supported increasing the fixed penalty charges for Congestion-Related Traffic Offences which were not parking-related, such as unlawfully entering box junction. However, he and the Civic Party strongly objected to increasing the fixed penalty charges for certain parking-related offences. He was of the views that:</p> <ul style="list-style-type: none"> <li>(a) the Administration should, by means of legislative amendments, exclude the increase in fixed penalty charges for those offences caused by unavailable parking facilities under Cap. 237;</li> <li>(b) the additional overnight parking spaces provided along Hung To Road were always occupied by private cars or other obstructions and might not meet the fire safety requirements. The signage providing information on available parking time was not located at prominent locations. The Police should tow away those commercial vehicles remaining at the parking spaces after 7:00 am; and</li> <li>(c) the most effective means to tackle illegal parking was to tow away vehicles causing serious road obstruction, yet it was noted with disappointment that the number of vehicles being towed away in 2016 and 2017 was very low.</li> </ul> <p>The Administration responded that up to now, TD had provided around 80 additional on-street overnight parking spaces for commercial vehicles. The progress was in general in order. TD would look into the situation along Hung To Road. The Police would take enforcement actions against illegally parked vehicles with a step-by-step approach.</p> <p>The Chairman considered it necessary for the Police to take stringent enforcement actions against Congestion-Related Traffic Offences.</p>	

<b>Time marker</b>	<b>Speaker</b>	<b>Subject(s)</b>	<b>Action required</b>
<b>Confirmation of minutes of meeting and any other business</b>			
032918 – 033027	Chairman Mr Jeremy TAM	Confirmation of minutes of meeting  Concluding remarks, and date of next meeting	

Council Business Division 4  
Legislative Council Secretariat  
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