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Panel on Transport
Legislative Council Secretariat
Legislative Council Complex
1 Legislative Council Road
Central, Hong Kong
(Attn: Ms Doris LO)

15 Aug 2017

Dear Ms LO,

Panel on Transport
Letter from Dr Hon Elizabeth QUAT on the
Mechanism of Issuing Private Driving Instructors' Licences

Thank you for your letter dated 13 July 2017 on the captioned. In view of the traffic conditions in Hong Kong, the Government has adopted a “two-pronged” approach in respect of driver training. On the one hand, we promote off-street driver training through the establishment of designated driving schools to alleviate congestion on public roads. On the other hand, we maintain an appropriate number of private driving instructors (PDIs) for on-street driver training provided that such activities will not aggravate traffic congestion or cause any road safety concern.

Under the “two-pronged” policy, the Transport Department (TD) reviews regularly the need to issue new PDI licences. In making the decision, the Commissioner for Transport (“the Commissioner”) has to consider the following factors stipulated in regulation 21A of the Road Traffic (Driving Licences) Regulations (Cap 374B, Laws of Hong Kong):

- (a) prevailing traffic conditions;
- (b) policy adopted for driver training for the time being; and

- (c) the demand for learner drivers to receive driving instruction from PDIs in respect of that particular group of motor vehicles¹.

As required by the aforesaid regulation 21A, if the Commissioner intends to issue new PDI licences, he or she should publish a notice to invite applications from members of the public. If the total number of the applications received by the Commissioner exceeds the number of licences that he or she proposes to issue, the Commissioner may arrange the applications and the order in which they are to be dealt with to be determined by lot. Eligible applicants will be invited to take a PDI Test conducted by the TD according to their ballot order determined by lot. The Commissioner has no power to issue PDI licences directly, or give any priority, to any individuals or particular groups of individuals.

The TD has been maintaining communication with the driving instructor trade to review the above issuing mechanism. In response to the concerns of some driving instructor groups over the issuing mechanism of PDI licences, the TD put forth nine licensing options (see **Annex**) in 2013-14 and stated that it had an open mind on all those options. Extensive consultation was also conducted. Nevertheless, as regards whether and how the existing issuing mechanism should be changed, no consensus could be reached by the stakeholders. Moreover, the PDI trade in general was of the view that the benchmarks of the three groups of PDIs should be maintained, and urged the TD to resume issuing new PDIs as soon as possible to meet market demand. In this connection, the Government considered that it was appropriate to continue with the existing mechanism, which was a long-established one based on the consensus reached by the driving instructor trade back in 1999. The Government reported the findings of the review to the Panel on Transport of the Legislative Council in March 2014.

It was mentioned in Dr Hon Elizabeth QUAT's letter that there was a view that the existing issuing mechanism (drawing lot to determine the order in which the applications are to be dealt with) would result in the varying standards of PDIs and impair the quality of learner drivers. As advised by the TD, even though the order in which each application is to be dealt with is determined by drawing lot, the TD assesses each eligible applicant using a set of uniform standards through some stringent testing procedures, including written and road tests (the road test also includes an oral test on the basic driving knowledge and a session on commentary driving skills), so as to ensure that all successful applicants have attained the standard of a PDI. The requirements of the PDI Test are much higher and more stringent than those of the ordinary driving licence test. The TD therefore does not agree that the

¹ Group 1 - private cars and light goods vehicles;
Group 2 - public light buses, private light buses, public buses and private buses;
Group 3 - medium goods vehicles, heavy goods vehicles and articulated vehicles.

PDI's would have lower standard or fall short of the expected standard under the drawing lot arrangement.

As mentioned above, the TD has been liaising with the driving instructor trade regarding the issuing mechanism of PDI licences. In the end of 2016, it commenced a new round of review on the need to issue new PDI's. The review is expected to be completed in late 2017 and stakeholders such as the trade will be consulted on the review findings.

Yours sincerely,

(Alison TSE)
for Secretary for Transport and Housing

c.c.:
Transport Department (Attn.: Mr Eric WAN)

**Proposed Options for the Issuing Mechanism of
Private Driving Instructors' Licences**

Option	Contents
1	Maintaining the status quo (i.e. both the existing issuing mechanism of new private driving instructors' (PDI) licences and the benchmarks of the three groups remain unchanged).
2	Maintaining the benchmarks; new PDI licences for issue to be equally shared among (i) PDIs of other groups; (ii) serving and former restricted driving instructors (RDIs) and (iii) members of the public.
2(A)	Similar to Option 2 but grouping PDIs and RDIs into one group; new PDI licences to be equally shared by (i) driving instructors (including PDIs of other groups, serving and former RDIs) and (ii) members of the public.
3	Maintaining the benchmarks; new PDI licences to be equally shared among (i) PDIs of other groups and (ii) serving and former RDIs. If there are any PDI licences in any group left after processing the applications by PDIs and RDIs, members of the public will be invited to apply.
3(A)	Similar to Option 3 but grouping PDIs and RDIs into one group.
4	Maintaining the benchmarks; new PDI licences to be issued to serving and former RDIs only.
5	Maintaining the benchmarks; new PDI licences to be issued under this review to be equally shared among (i) PDIs of other groups and (ii) serving and former RDIs. All new PDI licences to be issued in next biennial review would be allocated to members of the public and so forth.
5(A)	Similar to Option 5 but grouping PDIs and RDIs into one group.
6	Maintaining the existing grouping of PDIs but removing the benchmarks of each group (i.e. no restriction on the number of PDI licences). Any interested and qualified person can apply for a PDI licence at any time.