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Panel on Transport  
Legislative Council Secretariat  
Legislative Council Complex  
1 Legislative Council Road  
Central, Hong Kong  
(Attn: Mr Lemuel Woo)

23 March 2018

(Fax No. 2840 0269)

Dear Mr Woo,

**Panel on Transport**  
**Letter from Hon Jeremy TAM Man-ho on**  
**private driving instructors' licences**

Thank you for your letter dated 5 March 2018 on the captioned issue. Our reply is as follows.

We and representatives from the Transport Department (“TD”) attended the Panel on Transport (“Panel”) meeting on 23 February 2018 to brief Members on the outcome of the biennial review conducted by the TD on Private Driving Instructor’s (“PDI”) licences. As mentioned in the discussion paper we submitted to the Panel, the Government has adopted a “two-pronged approach” for driver training in view of the traffic situation in Hong Kong. Licences held by driving instructors can generally be categorised into two types: the PDI licences and licences for restricted driving instructor (“RDI”) under the employment of designated driving schools. The government has adopted this policy to maintain adequate supply of PDIs for on-street driver training provided that such activities will not aggravate the traffic situation or cause road safety concerns. On the other hand, we provide off-street driver training

through the establishment of designated driving schools to reduce traffic congestion caused by driver training.

Under this policy, the TD completed the new round of the review on the numbers of PDI licences in 2016. The TD learnt that varying extents of the “inactive” PDIs situation exist in the three PDI groups, and has touched on the issue in the discussion paper. Nevertheless, the current legislation does not require relevant driving instructors to declare their operating or teaching status (such as teaching hours and number of students), or to return their licences if they do not engage in active teaching. Furthermore, there is currently no clear or widely-accepted definition to distinguish whether the PDI is “active” or “inactive”. From the implementation angle, the TD will have practical difficulties (including the determination of whether the PDI is “active” or “inactive”).

On the other hand, the “inactive” PDIs issue does not necessarily mean shortage or inadequacy of PDIs, and may be related to the overall market demand for PDIs. The TD has looked into the number of driving test forms sold annually as the indicator of driver training demand, and noted that from 1999 to 2016, the numbers of driving test forms sold in respect of Group 2 and Group 3 vehicles had been dropping persistently. Their cumulative drop far exceeded the drop in the numbers of PDI licences of the corresponding PDI groups, revealing that the demand for driver training of the relevant vehicles had been persistently low. Therefore, the TD believed that the higher percentage of “inactive” PDIs in Group 2 and 3 could be a result of low market demand for driver training of Group 2 and 3 vehicles. As for Group 1 PDIs, the number of PDI licences was still above 90% of the benchmark. According to the TD’s assessment, even if we do not take into account the estimated number of “inactive” PDIs, the supply of PDIs in this group could still meet the market demand. Having regard to the above analysis, the TD concluded the result of the 2016 review, i.e. no new PDI licence would be issued.

We note the views and concerns of various Members including Hon. Tam towards the “inactive” PDIs issue. In light of the results of the 2016 review, the TD will conduct a review on a number of major areas including the issuing mechanism of PDI licences, the benchmarks level and other relevant matters under which the “inactive” PDIs issue will be covered. During the review process, the TD will consult the views of the trade and various stakeholders on the relevant issues, so as to continue enhancing the relevant measures.

Due to the requirements of the relevant legislation, RDIs could

only provide driver training services to students of the designated driving school which employs RDIs. When being assessed and employed, RDIs are already fully aware of the licencing condition that they could only provide driver training on behalf of the driving school. The relevant remuneration package is a mutual agreement between the employee and the employer, and is protected by the labour legislation. The TD has been taking note of the remuneration packages of RDIs and issues such as labour relations and employees' benefits of the driving schools through communication with their management. The Government has taken the practical traffic condition of Hong Kong into consideration in formulating the "two-pronged approach" for driver training. It could enable learner drivers to choose the driver training mode which suits them. This policy has all along been effective, and should not be changed at this stage.

We would like to thank Hon Tam again for his concerns on issues relating to driving instructors.

Yours sincerely,

(Miss Alison Tse)  
for Secretary for Transport and Housing