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

1 April 2019

(Fax no.: 2840 0716)

Dear Ms Lau,

**Legislative Council Panel on Transport
Letter from Hon Jeremy TAM Man-ho on issues relating to the
issuing mechanism of private driving instructors' licences**

Thank you for your letter dated 22 February 2019 to the Secretary for Transport and Housing. Regarding matters relating to the issuing mechanism of private driving instructors' ("PDI") licences as raised by Hon Jeremy TAM Man-ho, our reply is as follows.

The Transport Department ("TD") has conducted a comprehensive review on the issuing mechanism of PDI licences. The scope of the review includes the issuing mechanism of PDI licences, the benchmarks and other relevant matters. The TD is currently consolidating and analysing the information gathered from relevant surveys, and expects to complete the review within the latter half of 2019. The TD will conduct the biennial review on the need to issue new PDI licences taking into account the research result, and report the review outcome to the Legislative Council ("LegCo") Panel on Transport in due course.

Regarding the "inactive" PDI issue as mentioned in the incoming letter, the TD has, in the 2016 review on the number of PDI licences, assessed the trade's practice situation based on figures of

whether PDIs have brought learner drivers to attend driving tests. Relevant information is provided in a paper for LegCo Panel on Transport (Paper No. CB(4)613/17-18(06)). The TD does not maintain the numbers of times for which the PDIs have engaged in teaching each year as mentioned in the incoming letter. Currently, there is neither legislation nor licensing requirement that mandates PDIs to provide a certain minimum extent of driving training services. There is currently no clear or widely-accepted definition to distinguish whether the PDI is “active” or not. The TD is proactively discussing with the trade on the issue, and will examine its impact on the supply of driving training market in the aforementioned review on the issuing mechanism.

Furthermore, in the review on the issuing mechanism of PDI licences and related matters, the TD will also study the Hon TAM’s two suggestions, i.e. whether to accord priority to PDIs of other groups to apply for Group 1 qualification, and whether there is a need to raise the benchmarks of PDI licences of various groups.

Regarding the issue of providing driving training without licence as mentioned in the incoming letter, the TD did not receive any reports relating to the provision of driving training without licence or with borrowed licence in the past three years. Nevertheless, the trade reflected to the TD that some people allegedly provided driving training without licence, and the TD immediately informed the Police to follow up. The TD and the Police conducted joint operation in Wan Chai and Kowloon West in June and July 2018 respectively to combat malpractices relating to driving learning such as providing driving training without licence, learning driving during non-specified hours, driving in learner drivers prohibited zones and not displaying a learner plate when learning driving, etc. During the operation, the Police intercepted 30 vehicles, and issued 80 summonses and one fixed penalty notice to driving instructors and learner drivers who committed offences. The Police detected a case of providing driving training without licence during the operation, and arrested a 71-year-old man. The legal proceedings of the case are in progress. The TD will continue to keep close contact with the Police and take enforcement action as and when necessary.

We would like to thank the Hon TAM again for his concerns on issues relating to PDIs.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Alison TSE', with a long horizontal flourish extending to the right.

(Miss Alison TSE)
for Secretary for Transport and Housing

c.c.:

Transport Department (Attn: Ms Louisa FUNG) (Fax: 2714 4440)

Hong Kong Police Force (Attn: Mr Choy Chun Wah) (Fax: 2200 4314)