

立法會 *Legislative Council*

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Subcommittee on Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2020 and Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulation 2020

Background brief

Purpose

This paper provides background information on the Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2020 ("Cap. 374A Amendment Regulation") made under section 9 of the Road Traffic Ordinance (Cap. 374), and the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulation 2020 ("Cap. 374D Amendment Regulation") made under section 7 of Cap. 374. It also summarizes the major views and concerns expressed by members of the Panel on Transport ("the Panel") when the relevant subject was discussed.

Background

Relaxation of vehicle length restriction of light buses

2. According to the information provided by the Administration, presently the overall length of a light bus, which is stipulated under the First Schedule to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A) shall not exceed 7 metres. By virtue of the power empowered by regulation 4 of Cap. 374A, the Commissioner for Transport may, depending on individual circumstances, exercise her discretion to grant exemption on the vehicle overall length restriction on a light bus with public interest in mind. The vehicle length of light bus models with more environmental benefits and/or barrier-free facilities available in the market often exceeds the current legal requirements.

3. To take forward the "low-floor wheelchair-accessible light bus trial scheme" ("the Scheme")¹ which aims to introduce more low-floor wheelchair-accessible light buses, the Commissioner for Transport has been granting exemptions to vehicles from complying with the vehicle construction requirements, including the statutory vehicle overall length restriction, on a case-by-case basis under Cap. 374A. Other than public light buses, exemptions have also been granted to private light buses with vehicle length of more than 7 metres. Examples include vehicles providing services to meet special transport needs of persons with disabilities.

4. To further promote the Government's policy objective on green and barrier-free transport, having critically reviewed the current legal requirements and the light bus models available in the market, the Government proposes to relax the vehicle overall length restriction of light bus from 7 metres to 7.5 metres to allow light buses with more environmental benefits and/or barrier-free facilities to be introduced into Hong Kong, while continuing to encourage healthy competition by increasing the supply of vehicle models which comply with the local legal requirements in the market with public interest in mind.

Relaxation of maximum gross vehicle weight restriction of light buses

5. As advised by the Administration, the current maximum gross vehicle weight of a light bus is 5.5 tonnes as stipulated in the Second Schedule to Cap. 374A. Due to the increase in length of light buses available in the market, their relative weight would also have increased. In addition, to further improve roadside air quality, the Government has been encouraging the use of electric light buses, which are usually heavier than conventional light buses due to the weight of the batteries, exceeding the maximum gross vehicle weight restriction. At present, the Commissioner for Transport would exercise her discretion in light of public interest to exempt vehicles from complying with the maximum gross vehicle weight restriction.

6. In view of the above, the Government proposes to relax the maximum gross vehicle weight restriction of light buses from 5.5 tonnes to 8.5 tonnes, so

¹ To promote the concept of "Transport for All", the Government launched the Scheme in January 2018, where two low-floor wheelchair accessible light buses were introduced by phases to two hospital routes (including routes operating via Queen Mary Hospital and Prince of Wales Hospital respectively) starting from the first and second quarter of the same year. The Transport Department is reviewing the effectiveness and efficiency of the low-floor wheelchair-accessible light buses and if the Scheme is proven feasible and desirable, the Government would discuss with the trade on further promoting low-floor light buses.

that the local legal requirements would be able to accommodate light buses of longer length as well as electric light buses. Generally, vehicles of up to 8.5 tonnes are able to manoeuvre on the majority of public roads in Hong Kong.

Destination Indicator

7. According to regulations 50(1) and (2) of the Road Traffic (Public Service Vehicles) Regulations (Cap. 374D), a destination indicator has to be displayed at the front of public light buses, where the destination shown has to be clearly indicated in English letters and Chinese characters while the background colour of such indicator is classified according to the area where the public light bus is operating.²

8. Along with time and the development of new towns, the provision of public light bus services has become flexible where cross-district service is also popular. Further, other than destination indicators by means of a roller blind, the use of electronic destination indicators has become increasingly common in view of technological development. To align with the flexible operational mode of the public light bus trade, the Government proposes to relax the background colour requirement of destination indicators by means of a roller blind by allowing the public light bus operators to choose from one of the background colours allowed under the current law (i.e. white words on dark blue, green, yellow or red background), and stipulate the colour requirement of destination indicators by any other means (including electronic destination indicators) (i.e. yellow or amber words on a dark and non-reflective background).

Fare Card

9. According to regulation 50(4) of Cap. 374D, fares on a card displayed on a public light bus shall be in red English letters and Chinese characters on a white background.

10. Given public light bus operators commonly indicate the fare by Arabic numerals, the Government considers the language and colour requirement of a fare card set out in the current law outdated. In this regard, the Government proposes to amend the current language requirement of a fare card, where fares must be clearly shown in Arabic numerals with a dollar sign "\$", while the colour requirement shall be removed.

² Referring to Schedule 6 to Cap. 374D, the background colour of the destination indicator of public light buses shall be dark blue (for any route on Hong Kong Island), green (for any route which terminates in Kowloon), yellow (for any route which terminates in the New Territories) or red (for any route which operates through the Cross-Harbour Tunnel).

Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2020 and Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulation 2020

11. The above Amendment Regulations, tabled in LegCo on 22 April 2020 for negative vetting, will come into operation on 5 July 2020. The main provisions of the Amendment Regulations are as follows:

Road Traffic (Construction and Maintenance of Vehicles) (Amendment) Regulation 2020

- (a) **Section 3** of the Cap. 374A Amendment Regulation amends the First Schedule to Cap. 374A to increase the maximum overall length of a light bus to 7.5 metres;
- (b) **Section 4** of the Cap. 374A Amendment Regulation amends the Second Schedule to Cap. 374A to increase the maximum gross vehicle weight of a light bus to 8.5 tonnes;

Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulation 2020

- (c) **Sections 3(3) and 4** of the Cap. 374D Amendment Regulation revise the requirements in respect of a destination indicator displayed on a public light bus; and
- (d) **Section 3(4)** of the Cap. 374D Amendment Regulation revises the requirements in respect of a fare card displayed on a public light bus.

Major views and concerns of Members

12. At the Panel meeting held on 20 March 2020, members were briefed on the proposed legislative amendments to relax the vehicle length and weight restrictions of light buses and other relevant technical amendments.

13. At the above Panel meeting, members raised no objection to the Administration's legislative proposals. A member sought explanations on the reasons for strictly specifying the restrictions of 7.5 metres in length and 8.5 tonnes in gross weight in the proposed legislative amendments, as the length and

gross weight of light bus models deployed under the Scheme exceeded the proposed restrictions. The member also asked whether it was the Administration's plan to exclude certain light bus models and if the Administration had kept a preferred list of light bus models for introduction into the market.

14. The Administration advised that it maintained an open mind on the types of light bus to be introduced as long as they could bring environmental benefits to the community or could serve persons with disabilities. Upon member's request, details of light bus brand/models which had more environmental benefits and with barrier-free facilities available in the market were provided at paragraph 5 and Annex C of the LegCo Brief issued on 14 April 2020. The Administration added that the Commissioner for Transport had the discretion for granting exemptions to vehicles from complying with the requirements under Cap. 374A if the vehicles could provide services to meet special transport needs of people with disabilities or with other greener benefits.

15. Members were concerned that it would be difficult for longer light bus to park and manoeuvre at public light bus termini or public transport interchanges in districts where traffic was heavy. They asked when the Transport Department ("TD") would undertake modification works to existing road sections to facilitate longer light buses.

16. The Administration advised that TD had examined public transport interchanges, public light bus termini and road sections where green minibuses operated, and had commenced feasible modification works at the relevant sites to ensure that longer light buses would be able to park and manoeuvre. However, as modification works might not be conductible at some of the sites due to circumstantial restrictions, TD would carry out remedial arrangements, including but not limited to erecting road signs to restrict the entrance of longer length vehicles, and if necessary make further arrangements to the alighting/drop-off points of individual public light bus routes to accommodate operational needs. Upon member's request, information on the number of public transport interchange and public light bus termini that cannot accommodate public light buses of more than 7.5 metres and the modifications that had been/would be made was provided at paragraph 7 and Annex D of the LegCo Brief issued on 14 April 2020.

Latest development

17. At the special meeting of the House Committee on 8 May 2020, members agreed to form a Subcommittee to examine the above legislative amendments.

Relevant Papers

18. A list of relevant papers is in **Appendix**.

Council Business Division 4
Legislative Council Secretariat
18 May 2020

Appendix

List of relevant papers

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
20.3.2020	Panel on Transport	Administration's paper on relaxation of vehicle length restriction of light bus and other relevant technical amendments	CB(4)378/19-20(04) https://www.legco.gov.hk/yr19-20/english/panels/tp/papers/tp20200320cb4-378-4-e.pdf
16.4.2020*	Panel on Transport	Administration's supplementary information regarding the proposal to relax vehicle length restriction of light bus and other relevant technical amendments	CB(4)478/19-20(01) https://www.legco.gov.hk/yr19-20/english/panels/tp/papers/tp20200320cb4-478-1-e.pdf
--	--	Legislative Council Brief	File Ref.: THB(T)L 3/2/4 https://www.legco.gov.hk/yr19-20/english/subleg/brief/2020ln039_040_brf.pdf
8.5.2020	House Committee	Legal Service Division Report	LC Paper No. LS65/19-20 https://www.legco.gov.hk/yr19-20/english/hc/papers/hc20200508ls-65-e.pdf

*Issue date