立法會 Legislative Council

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Panel on Transport Meeting on 20 March 2020

Updated background brief on safety of franchised bus operation

Purpose

This paper provides updated background information on safety of franchised bus operation. It also summarizes the major views and concerns expressed by Legislative Council Members on the subject.

Background

Franchised buses

- 2. Franchised buses are the largest road-based carriers serving areas without direct railway access as well as providing feeder service connecting the railway network and inter-district service. As at end-2018, the six franchises under five franchised bus operators operate around 680 bus routes with a total of about 6 100 buses in their fleet. Franchised buses on average carried more than 4 million passengers each day in 2018 that constituted 31% of total public transport patronage.
- 3. In 2018, the total number of franchised buses involved in accidents was 2 376, which accounted for about 10% of all motor vehicles. The figures of motor vehicles involved in accidents by class of motor vehicles, including franchised bus, for 2009 to 2018 are tabulated in **Appendix I**.

Current regime on the provision of franchised bus service

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The five franchised bus operators include The Kowloon Motor Bus Company (1933) Limited ("KMB"), Citybus Limited ("CTB"), New World First Bus Services Limited ("NWFB"), Long Win Bus Company Limited ("LW") and New Lantao Bus Company (1973) Limited ("NLB"). CTB operates two franchises, one for Hong Kong Island and Cross-Harbour Bus Network and another for Airport and North Lantau Bus Network.

- 4. The Transport Department ("TD") monitors the operation of franchised bus services and maintenance of the buses in accordance with the Public Bus Services Ordinance (Cap. 230), the Road Traffic Ordinance (Cap. 374), and their Regulations. They include various requirements to ensure the operational safety, the safety standard and roadworthiness of in-service franchised buses, as well as to ensure that the captains are medically fit for driving buses.
- To enhance driving safety of franchise bus captains, TD has 5. promulgated the Guidelines on Bus Captain Working Hours, Rest Times and Meal Breaks ("the Guidelines") since 1983 for franchised bus companies to take into account when arranging duty schedules for full-time and part-time bus Following TD's last update of the guidelines in February 2018, the franchise bus operators started to implement the latest guidelines by phases since the second quarter of 2018, with targeted full implementation by the second quarter of 2019, subject to the progress of the recruitment of bus captains to fill up the shortfall arising from the shortening of duty hours and driving hours of the existing bus captains. The details of the latest Guideline are set out in **Appendix II.** Franchised bus operators are required to submit regular reports on the implementation of the Guidelines to TD for monitoring. In addition, TD engages independent contractors to conduct surveys on the working hours, rest time and meal breaks of bus captains annually to monitor the compliance of the Guidelines by franchise bus operators.

Enhancement of safety of franchised buses

6. Following the fatal traffic accident involving a franchised bus of the Kowloon Motor Bus Company (1933) Limited ("KMB") on Tai Po Road on 10 February 2018 ("the February 10 accident"), the Chief Executive set up the Independent Review Committee on Hong Kong's Franchised Bus Service ("IRC")² to comprehensively review the operation and monitoring of franchised buses and to make recommendations to ensure that franchised bus services in Hong Kong are safe and reliable. IRC commenced its work in late March 2018 and submitted a report to the Chief Executive on 31 December 2018.³ Among the 45 recommendations on safety enhancement put forward by IRC in its report, 33 of them were implemented or being implemented, four were planning to implement, and the remaining eight were subject to study. The progress of the

The information about the Committee, including its membership and the arrangement of its public hearings, could be found at the website: https://www.irc-bus.gov.hk/eng/index.html

The Report of the Independent Review Committee on Hong Kong's Franchised Bus Service released on 8 January 2019 is hyperlinked in Appendix IV.

follow-up actions on the 45 recommendations provided by the Administration in April 2019 is attached in **Appendix III**.

7. The Government attaches great importance to ensuring the safety of franchise bus services. Prior to the conclusion of the work of IRC, TD has taken a number of proactive follow-up actions, including setting up in March 2018 a Working Group on the Enhancement of Safety of Franchise Bus ("Working Group") to consider and study possible measures to further enhance bus safety. TD has already turned this Working Group into a permanent set up so as to provide a regular platform for the Government, franchised bus operators and relevant experts to continue discuss and follow up on various initiatives to enhance franchise bus safety. The Working Group has been re-named as the Committee on Enhancement of Franchised Bus Safety.

Major views and concerns of Members

8. The Panel on Transport ("the Panel") has been actively following up issues relating to safety of franchised bus operation. Council questions on relevant matters were also raised. The major views and concerns of Members are summarized in the ensuing paragraphs.

Driving safety of franchised buses

Safety Director

9. Noting that as recommended by IRC, a dedicated safety team led by a Safety Director would be set up to monitor and promote the safety of franchised bus, a member asked when such team would be set up. The Administration advised that TD would draw up the implementation plan in respect of staff establishment and scopes of work for setting up a Safety Director and a small safety team. In the interim, the relevant divisions in TD would continue to look after the safety issues relating to franchised bus safety. TD would seek resources in accordance with established procedures in implementing the recommendation where appropriate. Meanwhile, according to the information provided by the Administration, all franchised bus operators had each appointed their Safety Directors.

Manpower resource and the employment of part-time bus captains and driving safety

10. After the February 10 accident, members had raised concerns about the issues relating to employment of part-time captains at the special meeting held

- on 15 February 2018. Given the serious shortage of bus captain in the franchised bus companies, a few members expressed grave concern that suspending part-time bus captains from service might increase the workload and pressure of full-time bus captains, resulting in more conflict between bus captains and passengers and, eventually, a negative impact on road safety.
- 11. A member asked whether the Administration would consider rationalizing some duplicated bus routes operated by different bus companies to solve the shortage problem of bus captains. In this regard, members noted that the Administration had been reviewing franchised bus services regularly with regard to new transport and housing developments, and discussing with franchised bus companies in drawing up rationalization proposals for franchised bus services under the annual Bus Route Planning Programmes. Members also noted that KMB was discussing with TD on the feasibility of temporarily reducing the bus frequencies of some routes with low utilization to relieve the workload of full-time bus captains.
- 12. KMB explained that the suspension of part-time bus captains was arranged to address public's concern about the performance of part-time bus captains after the February 10 accident. In this regard, a member opined that the above mentioned arrangement appeared to be a public relation technique rather than a well-conceived arrangement. Another member requested KMB to stop the suspension of hiring of part-time drivers unless the rate of accident involving part-time bus captains was higher than that of full-time bus captains, or the driving attitudes and performance of part-time bus captains were less satisfactory than that of full-time bus captains.
- 13. Members were advised that the Administration had been working with the bus companies to take initiatives to resolve the aging problem and high turnover rate of bus captains. Specifically, recruitment fairs for bus captains, which aimed at attracting more new blood to join the bus industry, were organized in Tung Chung, Tuen Mun, Tin Shui Wai and Tsuen Wan in the period between March 2018 and February 2019. Moreover, part-time and retired bus captains would also be recruited to meet the operational need. The Administration stressed that part-time bus captains would be subject to the same standard of professional requirement and that the safety of franchised bus operation would not be compromised.

Remuneration and working conditions of bus captains

14. At the Panel meetings held on 25 July 2018 and 18 January 2019, members expressed concern about the low level of pay for bus captains. A member pointed out that the basic monthly salary for the bus captains was lower

than the median monthly wage for the land transport industry. These members opined that because of the barely adequate salary, bus captains were compelled to work overtime in order to earn extra income. The unattractive remuneration and long working hours of bus captains made it difficult for the franchised bus operators to recruit adequate manpower, which in turn formed a vicious circle and intensified the manpower shortage problem and put the safety of franchised bus at stake. Members asked about the concrete measures to be taken by the Administration to induce franchised bus operators to improve the remuneration of bus captains, and urged the Administration to take the initiative to encourage the franchised bus companies to provide incentive and better career path to attract new blood to join the industry with a view to improving the quality of franchised bus service.

- 15. Members were advised that the determination of the remuneration of bus captains was a commercial decision of the concerned franchised bus operators in consultation with the staff unions, which would be subject to a host of factors such as the labour market situation and financial situation of the operators, etc. That said, the Administration encouraged the franchised bus operators to offer competitive remuneration package and provide good working environment to retain staff and attract new entrants.
- 16. Members expressed concern about the working hours and rest time for bus captains stipulated in the recently reviewed Guidelines. Noting that the Guidelines which had been revised in 2018 did not carry any penalty provisions, a member queried the efficacy of the Guidelines and asked whether the Administration would conduct further review on the mechanism on the monitoring of franchised bus operation in a holistic manner. Some members expressed dissatisfaction that the Guidelines still allowed a special shift duty of not exceeding 14 hours. They urged the Administration to expeditiously shorten the duty hours of bus captains, in particular the duty hours of the special shift.
- 17. The Administration advised that the franchised bus operation was governed by the regulations and franchise agreement for which the franchised bus companies were obliged to observe the requirements and conditions concerned. In the light of the recommendations of IRC, the Government would review the recently amended Guidelines upon its full implementation in the second quarter of 2019, with a view to completing the review by 2020. The review would cover, amongst others, an analysis relating to the special shift arrangement.

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Training and driving attitude of bus captains

- At the Panel meeting held on 15 February 2018, members had raised 18. concerns about the monitoring of the provision of bus driving training by franchised companies and issues relating to driving attitude and traffic conviction records of bus captains. Members noted from the Administration's paper⁴ that franchised bus companies provided various types of training for newly-recruited bus captains, including driving skills, incident handling and provided serving bus captains with regular driving enhancement training If it was found that the bus captains had the need for enhancement on driving attitude and behaviour, franchised bus companies would provide driving improvement course or supplementary driving training for the bus captains to reinforce their driving skills, enhance their safety awareness and foster good driving behaviour. If serving bus captains were involved in traffic accidents or violate traffic laws in driving duty, bus companies would take appropriate disciplinary actions against them or even dismiss them depending on the nature and severity of the incidents.
- 19. A member asked the Administration to consider mandating bus captains to obtain safety cards/certificates and attend regular training workshops to be provided by the Administration. Another member asked whether part-time bus captains had to gain a certain number of bus driving hours within a specified period of time prior to driving a bus, and if the bus captains failed to meet the required driving hours, whether they had to undergo a re-training programme. KMB advised that if bus captains, regardless of full-time or part-time, had not driven a route for a month or more, they would have to practise driving on that route again. Moreover, in assigning duties to a particular bus captain for a particular route, the bus captain's driving experience for that route would be taken into consideration.

Abuse and assaults on bus captains

20. At the Panel meeting held on 18 January 2019, some members considered that abuse assaults on bus captains was intolerable and called on the Administration to take further measures to ensure the safety of bus captains. A member was of the view that the relevant legislation in regulating abuse/assault on bus captains was outdated as compared with other jurisdictions and suggested the Administration reviewing the level of penalty under relevant legislation in order to enhance the deterrent effect. Another member was concerned that it was difficult to prosecute assailants as they could easily escape from the scene.

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⁴ LC paper No. CB4)617/17-18(01)

- 21. The Administration advised that Section 13A of the Public Bus Services Regulations (Cap. 230A) stipulated that no passenger should willfully impede or distract the bus captain. Bus captains were authorized under the above legislation to request personal data of the assailants for referring the case to relevant enforcement authorities for prosecution, and the maximum penalty that could be imposed would be a fine of \$3,000 and imprisonment of six Apart from the provisions under Cap. 230A, there were other legislation in place that could handle cases of assault on bus captains with much heavier penalties imposed on conviction, such as Section 39 of the Offences Against the Person Ordinance (Cap. 212) which provided that any person convicted of an assault occasioning actual bodily harm would be liable to imprisonment for three years. As regards the level of penalty, the Administration advised that the Court would make appropriate judgment having regard to the actual circumstances of individual cases. The Administration would also discuss with franchised bus operators and the Police on measures to enhance enforcement actions, such as exploring the feasibility of installing video cameras with audio capacity at the bus entrance to facilitate the Police's collection of evidence for prosecutions.
- As regards members' views that the Administration should step up its publicity efforts in promoting passenger courtesy, the Administration advised that TD was coordinating a series of promotional activities such as the rolling out of radio and television Announcements of Public Interest to raise public awareness on courtesy behavior when using public transport services.

Health check arrangements for bus captains/professional drivers

- 23. At the Council meetings of 23 February 2011 and 26 April 2017, Members raised questions about the measures implemented by the Administration to safeguard the health of professional drivers. Further, at the Panel meetings on 27 November 2012 and 20 January 2017, some members expressed concern about health problems and fatigue of bus captains that had led to a few traffic accidents. Therefore, they considered that all franchised bus operators should review the health check requirements for bus captains, and the working hours and rest time of both full-time and part-time bus captains. There was also a suggestion that the Administration should consider subsidizing the fees for medical check-up taken by professional drivers.
- 24. The Administration advised that franchised bus operators had devised clear requirements on the age and physical health of bus captains. On the age requirement, the retirement age for bus captains is 60 or 65. Depending on their manpower needs, some operators would flexibly extend the employment

period of their bus captains on contract basis up to the age limit of 66 or 67. Franchised bus operators had also put in place a requirement for bus captains to undergo health checks before joining the service, and formulated detailed arrangements for serving bus captains of different ages to undergo annual health checks having regard to their health conditions.

Structural safety of franchised buses

Design and construction of franchised buses

- 25. The design and construction of franchised bus was one of the major concerns of the Panel because in a number of bus accidents, the top of the buses concerned were ripped off, indicating the need for stronger bus body to provide greater protection to passengers. The Administration assured members that the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A) had stipulated the requirement for the design and construction of franchised bus. All double-deck buses operating in Hong Kong were imported from Europe and could comply with the European requirements. The major bus manufacturers had also confirmed that the body structure of franchised buses in Hong Kong was the same as those supplied to other countries such as the United Kingdom, the United States and Singapore.
- As a result of a spate of franchised bus incidents which involved broken windscreen and passengers being thrown out from the upper deck of a bus after collision with another vehicle, the Panel discussed the measures to prevent the recurrence of similar incidents, including the selection of better materials for windscreen and passenger windows on buses. The Administration reported in March 2007 that it had agreed with franchised bus companies to apply a transparent protective film onto the upper deck toughened glass windscreens of all existing buses, which would effectively contain the shattered glass fragments in the event of an accident, or to replace them with laminated glass.

Use of technologies for bus safety

27. At the Panel meeting held on 15 February 2018, a member expressed concern over some reports that when the February 10 accident occurred, the subject bus was travelling at a speed above the statutory limit of 70 km/h. The member asked whether the speed limiter of the subject bus was out of order, and whether the Administration would consider requiring all bus companies to install devices which could effectively control the vehicle speed when travelling on downhill roads. A member opined that, before all the speed limiters of buses

had been replaced, the Administration should consider lowering the speed limits of those meandering or narrow road sections.

- 28. KMB advised that every KMB bus had been installed with a speed limiter which prevented it from going faster than 70 km/h. However, when the bus was travelling downslope, the speed might exceed the above limit due to gravity. After the February 10 accident, KMB had immediately explored with a number of speed limiter suppliers on measures to address the above problem.
- 29. A few members urged the Administration to make use of technologies to enhance bus safety and prevent accident. A member pointed out that there had been driver's monitoring system which could detect the driver's attentiveness or even emotional states. The member also suggested making public the information collected from the driving recorder installed on buses to assist members of the public in monitoring traffic blackspots. Another member suggested the Administration and public transport operators to study the feasibility of adopting Lane Departure Warning System and Pre-Crash Safety System to enhance safety.
- 30. According to the Administration, all new double-deck buses procured from July 2018 onwards by the franchised bus operators would be incorporated with the electronic stability control system ("ESC") and retarder for capping the maximum speed of the speed limiters on downhill ("speed limiting retarder"). Franchised bus operators had also embarked on the trials of driver monitoring device, collision alert and lane keeping device in 2018. The Administration would review the costs and benefits of these devices with a view to coming up with some recommendations and action plans by the franchised bus operators in the latter half of 2019.
- 31. Another member opined that strengthening of the monitoring system on bus captains and installation of related devices might put extra pressure on bus captains. Members noted that the Administration would be cautious about the privacy issues arising from the installation of any kind of monitoring devices as a means to supervise the bus captains.

Installation and wearing of seat belts on franchised buses

32. At the special meeting held on 15 February 2018, a member suggested that all franchised bus operators should consider retrofitting seat belt to all seats in buses by phases so as to minimize the number of casualties in case of bus accident. Another member, nevertheless, quoted the view of some transport experts that seat belt might not minimize the number of casualties for such kind of serious bus accident.

- At the Panel meeting held on 25 July 2018, members noted that the Administration might give consideration to retrofitting all seats on the upper deck with seats belts on existing buses deployed for specific bus routes, i.e. long-haul routes which were operated via expressways with relatively fewer bus stops. A member pointed out that the recent fatal accident on Tai Po Road and the one occurred during the lunar new year of 1998 did not involve buses of the specific bus routes mentioned above. The member therefore queried whether the proposed way forward with regard to the installation of seat belts on franchised buses could address the safety issue and asked for the reason for only giving consideration to the above mentioned types of buses but not the others.
- 34. Another member was worried that the extra cost incurred by the installation of seat belts might lead to increase in bus fares. Moreover, noting the low usage rate of seat belts on public light buses, the member was concerned that it would take a very long time before passengers would get used to the wearing of seat belts on buses.
- 35. The Administration advised that technical and operational feasibility had to be considered for the installation of seat belts on franchised buses. Due to structural constraints, it would be technically impracticable, if not infeasible, to retrofit seat belts on all the passenger seats on the lower deck of the existing buses. The Administration further advised that it should be more feasible to retrofit seat belts on all passenger seats of the upper deck only in some vehicle models of the existing double-deck fleet. In order to provide an extra protection to seated passengers, all new buses ordered from July 2018 onwards would have all passenger seats installed with seat belts. The Administration would also enhance the publicity efforts to encourage passengers to wear seat belts.

Subsidy to promote the uptake of new safety technology

On a member's concern about the subsidy to be provided to franchised bus operators to monitor and promote the uptake of new safety technology as recommended by IRC, the Administration advised that it had set aside \$500 million to subsidize franchised bus operators for retrofitting ESC, speed limiting retarder and seat belts on seats in the upper deck of suitable existing buses. The related cost/benefit analysis had been completed. TD would discuss and prepare for the retrofitting work with the franchised bus operators and bus manufacturers. Under the subsidy scheme, the Government would subsidize the franchised bus operators 80% of the relevant costs. The remaining costs and maintenance in future would be borne by the franchised bus operators. The

subsidy scheme was expected to be officially rolled out in end-2019 or early 2020.

Latest development

- 37. A serious traffic accident involving a KMB bus occurred on Fanling Highway on 18 December 2019, in which six passengers died while 39 passengers were injured. Apart from the investigation being conducted by the Police, TD has requested KMB to submit an investigation report as soon as possible.
- 38. The Administration will update the Panel on the measures to enhance safety of franchised bus operations, including the staff proposal for establishing a dedicated team in TD to enhance the safety of franchised buses as recommended by IRC at the meeting to be held on 20 March 2020.

Relevant papers

39. A list of relevant papers is in **Appendix IV**.

Council Business Division 4
<u>Legislative Council Secretariat</u>
12 March 2020

 $\label{eq:Appendix I} \mbox{Motor vehicle involvements by class of motor vehicle in accidents from 2009 to 2018}$

Class of motor vehicle	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Franchised bus	1 916	1 983	2 143	2 217	2 344	2 350	2 279	2 269	2 269	2 376
Non-franchised bus	406	459	486	476	503	500	483	453	457	423
Motor cycle	2 556	2 428	2 328	2 245	2 222	2 281	2 328	2 355	2 280	2 386
Private car	6 085	6 255	6 591	6 859	7 093	7 224	7 757	8 207	8 607	8 813
Public light bus	1 110	1 146	1 142	1 067	1 128	1 085	1 105	1 080	1 010	958
Light goods vehicle	2 527	2 726	2 689	2 637	2 706	2 621	2 708	2 947	2 790	2 896
Medium & heavy goods vehicle	907	1 031	1 141	1 105	1 085	1 125	1 063	1 167	1 162	1 083
Taxi	3 801	4 053	4 259	4 240	4 395	4 211	4 332	4 493	4 359	4 436
Others*	300	326	299	329	357	332	306	320	278	290
All motor vehicles	19 608	20 407	21 078	21 175	21 833	21 729	22 361	23 291	23 212	23 661

Source: The Transport Department's website (https://www.td.gov.hk/mini_site/atd/2019/en/section7_2.html)

^{*} Including other motor vehicles such as tram, private light bus, private bus, etc., but excluding bicycles, handcarts and vehicles with unknown vehicle type.

Guidelines on Bus Captain Working Hours, Rest Times and Meal Breaks

(Revised in 2018)

- Guideline (1) (a) Maximum duty hours ¹ in a shift should not exceed 12 hours, and driving hours ² therein should not exceed 10 hours.
 - (b) Duty hours in a special shift duty arranged to cater for service demand in the morning and evening peaks may exceed 12 hours but maximum duty hours should not exceed 14 hours, and driving hours therein should not exceed 10 hours. A rest break of no less than 3 consecutive hours should be provided in the special shift.
- Guideline (2) The off-duty break between 2 successive shifts should not be less than 10 hours. The total off-duty breaks in 3 successive shifts, other than special shift duties, should not be less than 22 hours.
- Guideline (3) Bus captains should have a rest break³ of at least 40 minutes after 6 driving hours², and within that 6-hour duty, they should have short rest breaks⁴ totalling not less than 20 minutes, of which no less than 12 minutes should be within the first 4 hours of duty. The time bus captains spend at a terminal point preparing for the next departure and monitoring boarding of passengers should not be regarded as rest break/short rest break.
- Guideline (4) Bus captains working for 8 hours or above in a shift should have a meal break of no less than 1 hour.

Source: Annex to the press release of the Transport Department issued on 23 February 2018 (http://www.td.gov.hk/en/publications and press releases/press releases/transport department/index id 2917.html)

¹ Duty hours refer to the total number of hours from the beginning to the end of a shift, including all the rest breaks.

² Driving hours refer to the total hours performing driving duty plus short rest breaks in a shift.

³ Inclusive of meal breaks.

⁴ Short rest breaks refer to rest times of less than 40 minutes.

Report of the Independent Review Committee on Hong Kong's Franchised Bus Service <u>Summary of Recommendations and the latest progress on the follow-up actions</u>

	Recommendations by the Independent Review Committee	Latest Progress on the Follow-up Actions
(i) S	afety Director	
(1)	The Transport Department (TD) to establish a structure to develop a proactive approach to bus safety.	 Planning to implement The TD is drawing up the details on implementation plan in respect of staff
(2)	The TD to appoint a Safety Director and a small bus safety team.	establishment and scopes of work for setting up a Safety Director and a small safety team. In the interim, the relevant divisions in the TD will continue to look after the safety issues relating to franchised bus safety. The TD will seek resources in accordance with established procedures in implementing the recommendation where appropriate.
(3)	Franchised bus operators to appoint their own Safety Directors.	 Implemented/Being implemented All franchised bus operators have each appointed their Safety Directors.

	Recommendations by the Independent Review Committee	Latest Progress on the Follow-up Actions
(ii)	Permanent Working Group on the enhancement of safety of franchised buses	
(4)	Membership of the Permanent Working Group to be expanded to include independent members with expertise relevant to franchised bus safety.	 Implemented/Being implemented The TD has set up a Working Group on Enhancement of Safety of Franchised Bus (Working Group) shortly after the Tai Po Bus incident in March 2018 to consider and study possible measures to further enhance bus safety. The TD has already turned this Working Group into a permanent set up so as to provide a regular platform for the Government, franchised bus operators and relevant experts to continue discuss and follow up on various initiatives to enhance franchised bus safety. The Working Group is re-named as the Committee on Enhancement of Franchised Bus Safety (Committee) and its first meeting will be held in April 2019. The TD has identified suitable experts as members of the Committee.
(iii)	Technological safety devices: The TD's technology team	
(5)	A dedicated technology team to be formed urgently in the TD.	 Implemented/Being implemented The TD will establish the transport technology team in mid-2019.
(6)	The technology team to establish lines of communication with well-respected overseas jurisdictions, such as the Transport for London (TfL) and Land Transport Authority (LTA) to share information.	Implemented/Being implemented • At present, lines of communication with well-respected overseas jurisdictions, such as TfL and LTA, to share information already exist. The transport technology team to be established would continue and further enhance such lines of communications and exchanges with overseas jurisdictions.

Recommendations by the
Independent Review Committee

Latest Progress on the Follow-up Actions

(7) Franchised bus operators appoint to members of their own staff to responsible for technological safety devices and to establish lines of communication franchised with bus operators in well-respected overseas jurisdictions to share information.

Implemented/Being implemented

• At present, franchised bus operators already have lines of communications with well-respected overseas jurisdictions to share information. The TD will discuss with franchised bus operators to appoint dedicated staff to be responsible for technological safety devices enhance lines and to communication with franchised bus operators in well-respected overseas jurisdictions to share information.

(iv) Subsidies

(8) The TD to establish a small fund to provide grants to franchised bus operators to promote the uptake of new safety technology.

Planning to implement

• The TD will consider options (including making use of currently available funds) in providing funding to franchised bus operators to promote the uptake of new safety technology.

(9) The TD to engage an independent consultant to conduct a cost/benefit analysis in respect of the retrofitting of seat belts on the upper decks of some franchise buses.

Implemented/Being implemented

• The TD has engaged an independent consultant to conduct the cost benefit analysis with a view to completing it in mid-2019.

(10) The TD to engage an independent consultant to conduct cost/benefit analyses in respect of the retrofitting of the electronic stability control system (ESC) and speed limiters with retardation function (speed limiting retarder), and all other safety devices proved to be technically successful, before the TD requires installation of those devices by franchised bus operators.

Implemented/Being implemented

 Having considered the proven effectiveness of installing ESC and speed limiting retarder and in the light of the IRC recommendation, the TD will confirm the cost and benefits of retrofitting these devices in mid-2019, by liaising with bus manufacturers and franchised bus operators to collect cost details and making reference to overseas studies.

Recommendations by the Independent Review Committee	Latest Progress on the Follow-up Actions
 (v) Safety Performance Indicators (11) The TD to establish more nuanced Safety Performance Indicators (SPIs). (12) The TD to seek elucidation and clarification from TfL of the Safety Performance Indicators adopted by TfL. 	 Implemented/Being implemented The TD has already obtained information on TfL's SPIs and drawn up an initial set of proposed SPIs. The TD will discuss and finalise the SPIs with the franchised bus operators, and align and standardise the relevant data format in mid-2019, with a view to measuring the safety performance by the new set of key performance indicators starting from the first quarter of 2020.
 (vi) Franchised Bus Accident Data (13) The accident data material in the Bus Safety Chapter of the Forward Planning Programmes (FPP) to be made public. 	 Implemented/Being implemented The TD has already required and secured the agreement of franchised bus operators to have the accident data in the Safety Chapter of the FPP made public. The TD is liaising with franchised bus operators to align and standardise the accident data with a view to publishing the accident data contained in the FPP to be submitted in June 2019 by end 2019.
 (14) The TD to require the franchised bus operators to report all franchised bus accidents to the TD on a monthly basis. (15) Consideration should be given by the TD to instituting a common reporting/analysis system of franchised bus accident data. 	 Implemented/Being implemented The TD has required the bus operators to report all franchised bus accidents to the TD on a monthly basis. The TD will maintain a standardised database on such accidents to facilitate common reporting and analysis system.

Recommendations by the Independent Review Committee

Latest Progress on the Follow-up Actions

- (16) The TD to stipulate to the franchised bus operators common thresholds for reporting instances of excessive speeding and harsh braking.
- (17) The TD to stipulate to the franchised bus operators common thresholds of excessive acceleration.

(vii) Real-time alerts

(18) The TD to require the franchised bus operators to provide real-time alerts of excessive speeding, deceleration and acceleration to bus captains and to generate records of those events.

Implemented/Being implemented

 The TD is reviewing and discussing with franchised bus operators on setting common thresholds among franchised bus operators for follow up actions, including the provision of real-time alerts and records generation, in respect of excessive speeding, harsh braking and excessive acceleration.

(19) The TD and franchised bus operators to explore the feasibility of making use of the generation of real-time, or near real-time, of excessive speeding, deceleration and acceleration to provide an automatic alert to the franchised bus operators Control Room, permitting communication with the bus if appropriate.

Planning to implement

• The TD will explore with franchised bus operators on the feasibility and possible implementation timetable.

(viii) Bus captain training

(20) The TD to collaborate with the franchised bus operators to identify key indicators of the effectiveness of the bus captain training system.

Implemented/Being implemented

- The Practice Note on Training Framework for Franchised Bus Captains (Practice Note) issued by the TD has been implemented by all franchised bus operators since October 2018.
- With experience gained from implementing the training programmes and management systems by individual franchised bus operators after one-year implementation, the TD will further collaborate with the franchised bus operators to identify and stipulate common key indicators of the effectiveness of the bus captain training system starting late 2019.
- (21) The TD to stipulate that fatigue management form part of the training courses provided to bus captains.

Implemented/Being implemented

• This will be followed up at the Committee as part of the review of the Practice Note after one year of implementation in late 2019.

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	Recommendations by the	Latest Progress on the Follow-up Actions	
	Independent Review Committee		
		Implemented/Being implemented	
	course/programme for bus captains to deal with abusive and angry passengers.	• The TD plans to arrange on-line training course/programme for drivers of public transport vehicles, including franchised bus captains, to deal with abusive and angry passengers.	
	Guidelines on Bus Captain Working Hours, Rest Times and Meal Breaks		
(23)	The Guidelines on working hours, etc. to be	Subject to study	
	stipulated in regulations.	The TD will study the proposal and its wider implications in consultation with relevant government bureaux/departments.	
(24)	An expert(s) on fatigue identification and management to be appointed as an ad hoc	Subject to study • The TD reviewed the Guidelines wi	
	member of the Permanent Working Group.	franchised bus operators in late 2017 and the	
(25)	Consideration to be given by the Permanent Working Group of whether permitting 14 hours of duty in a split shift is compatible	latest Guidelines revised in February 2018 will be implemented in full by the second quarter of 2019.	
	with bus safety.	The TD has appointed an expert on fatigue	
(26)		identification and management to the Committee.	
	Working Group to restricting the total hours of driving by a bus captain in periods of 14 or 28 days.	• The TD will review the Guidelines after its full implementation in the second quarter of 2019 with a view to completing the review in	
(27)	The Permanent Working Group to engage an independent consultant to conduct a cost/benefit analysis of the effect of abrogating the special shift exception to the 22 hours of duty rule, in particular the potential safety improvements, the number and cost of the additional bus captains that would be required and the implication to franchised bus fares.	2020. The review will cover, amongst others, an analysis relating to the special shift arrangement.	

Recommendations by the Independent Review Committee

Latest Progress on the Follow-up Actions

(28) Citybus Limited (CTB) / New World First Bus (NWFB) and the TD to work closely together to ensure that CTB/NWFB provides adequate rest facilities for drivers working on split shifts.

Implemented/Being implemented

• In September 2018, CTB/NWFB have provided a new rest room with sleeping area with beds and recliner chairs at Chai Wan Depot, and new rest facilities with beds and recliner chairs at the parking sites at Ocean Park and Sheung Wan for bus captains. The TD will continue to work with CTB/NWFB to explore provision of more rest facilities for bus captains at other convenient locations.

(x) Part-time bus captains: other employment

(29) The TD to stipulate to the franchised bus operators the information that they are required to obtain, maintain and update in respect of the other employment of part-time captains, including the nature of the employment and the hours worked.

Implemented/Being implemented

• Each franchised bus operator already has its own mechanism for the part-time captains to report other employment. The TD will discuss with franchised bus operators to stipulate them to align the information obtained / kept regarding the part-time bus captains.

(30) The TD to require NLB to obtain information and maintain records of the duty and driving hours and off-duty breaks in their other employment of the bus captains provided to them by Kwoon Chung Motors Company Limited, or any other supplier of buses and drivers to NLB, and that NLB is required to be satisfied that, when they are performing driving duties for NLB, they are compliant with the Guidelines on Bus Captain Working Hours, Rest Times and Meal Breaks.

Implemented/Being implemented

 The TD has required NLB, and NLB has committed, to obtain information and maintain records of the duty and driving hours and off-duty breaks in their other employment of the bus captains provided to them by supplier of buses and drivers.

(xi) The provision of rest and toilet facilities for bus captains

(31) The TD to amend the Transport Planning and Design Manual (TPDM) to delete the provision that toilet facilities for bus operator's staff will not be required in a bus terminus if such facilities are available in a nearby development.

Implemented/Being implemented

 While the provision is currently in the TPDM, the TD has requested and the Food and Environment Department has agreed in principle to consider providing public toilets

Recommendations by the		Latest Progress on the Follow-up Actions		
	Independent Review Committee			
(32)	The TD to invite the Planning Department to amend paragraph 4.1.6 of Chapter 8 of the Hong Kong Planning Standards and Guidelines (HKPSG) to stipulate that the provision of toilets and rest facilities are required at bus termini.	at new public transport interchanges during the planning stage since 2016. In any case, the relevant section of the TPDM is being revised with a view to completing the revision in mid- 2019. Once the TPDM has been revised, corresponding amendments will be made to the HKPSG.		
(33)	The Government to provide built-in structures of a bus regulator's office, and restrooms with toilets facilities at new public transport interchanges and bus termini.	 Implemented/Being implemented The TD has already committed to incorporating such facilities in the planning of new public transport interchanges and bus termini. 		
(34)	The TD to invite a representative of the Secretary for Transport and Housing to become a member of the TD's task force monitoring the provision of ancillary facilities at public transport interchanges and bus termini.	Implemented/Being implemented • Transport and Housing Bureau's representative will join the multi-departmental meeting coordinated by the TD in monitoring the provision of ancillary facilities at public transport interchanges and bus termini.		
(xii)	Abuse and assaults on bus captains			
(35)	The TD and the Hong Kong Police Force (HKPF) to conduct a long-term programme in the news print media, television and social media to educate the public and abusing a bus captain performing his duties is not only unacceptable but also a criminal offence.	 Implemented/Being implemented The TD and the HKPF have started discussion with franchised bus operators to formulate the long-term publicity programme. On 25 February 2019, the TD rolled out a series of Announcements in the Public Interest on television and the internet to raise passengers' awareness of safety and courtesy (including respect for bus captains) when using public transport services. 		
(36)	The TD to require the franchised bus operators to display notices to remind franchised bus passengers that abusing a bus captain is unacceptable and constitutes a criminal offence.	Implemented/Being implemented • The TD has standardised the wording of notices and required the franchised bus operators to arrange for posting them inside bus compartments to remind passengers not to disturb bus captains while driving.		
(37)	The TD to require the franchised bus operators to install video cameras with audio capability at the entrance of buses and where the bus captain is seated.	 Subject to study The TD will discuss with the franchised bus operators on the recommendation. 		

Recommendations by the Independent Review Committee

Latest Progress on the Follow-up Actions

(38) The TD to propose specific legislation be enacted to make it an offence to make a threatening, abusive or insulting communication towards a bus captain performing his public duties.

Subject to study

• The TD will review the adequacy of the existing legislation dealing with threatening, abusive insulting or communication captain towards a bus performing his driving duties and its wider implications, in consultation with relevant government bureaux/departments.

(xiii) Illegal stopping by vehicles at and near franchised bus stops

(39) Legislative provisions to be presented to the Legislative Council as soon as possible to provide for the service of fixed penalty tickets, other than by affixing them to the vehicle or giving them to the vehicle driver, and to permit service by E-ticket.

Implemented/Being implemented

· For illegal stopping of vehicles at bus stop, existing legislation, viz. Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), already allows for serving fixed penalty tickets by post in addition to affixing the tickets to the vehicle or giving them personally to the person in charge of the vehicle. The Police are already conducting a territory-wide trial under which portable video cameras are used by police officers to record contraventions and take enforcement actions in respect of various offences under Cap. 240, including illegal stopping of vehicles at bus stops. For illegal parking of vehicles near a bus stop, existing legislation, viz. Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), requires serving fixed penalty tickets by affixing the tickets to the vehicle or giving them personally to the person in charge After consulting the of the vehicle only. Legislative Council Panel on Transport in the second quarter of 2019, the Government plans to introduce an amendment bill into the Legislative Council to expand the means of serving fixed penalty tickets under Cap. 237 and related legislation to permit service by E-ticket.

(40) The TD and the HKPF to explore the feasibility of installing CCTV cameras at suitable vantage points, in particular lampposts, to monitor blackspots of illegal stopping by vehicles at and near franchised bus stops.

Implemented/Being implemented

• The TD and HKPF are exploring the use of CCTV technologies to be mounted on lampposts to monitor blackspots of illegal stopping by vehicles. A trial is being planned to embark in 2019.

Recommendations by the	Latest Progress on the Follow-up Actions	
Independent Review Committee	Latest 110g1ess on the Ponow-up Actions	
(41) Franchised bus operators to cooperate we the police to make available CCT recordings obtained by cameras mount on franchised buses of illegal stopping vehicles at and near franchised bus stops.	• The TD will discuss with HKPF and franchised bus operators on the	
(xiv) Priority measures for franchised buses		
 (42) The TD to give consideration introducing a system of affording prior to buses as they exit bus stops to rejoin thighway. (43) The TD to make greater use of bus lanes appropriate locations. 	 Implemented/Being implemented The TD has drawn up a proposed design of the scheme, with a view to launching a trial in 2019. If the trial is successful, it will be implemented in selected locations. Implemented/Being implemented This is an on-going effort. The TD will continue to make greater use of bus lanes in appropriate locations. For example, a bus-only lane will be set up at the slip road leading from Po Hong Road to Tseung Kwan O Tunnel and the associated work is expected to be completed in 2019. 	
(xv) Route risk assessment		
(44) The TD to require the franchised be operators to provide the TD with a rourisk assessment for each of the routes which their buses ply.	tte The TD will follow up with individual	
(xvi) Speed limits		
(45) The TD to identify suitable locations conduct trials of a low-speed zone of km/h.		

Safety of franchised bus operation

List of relevant papers

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
28.6.2010	Panel on Transport	Administration's paper on working hour and rest time arrangements of franchised bus captains	CB(1)2316/09-10(03) http://www.legco.gov.hk/yr09- 10/english/panels/tp/papers/tp0 628cb1-2316-3-e.pdf
		Minutes of meeting	CB(1)105/10-11 http://www.legco.gov.hk/yr09- 10/english/panels/tp/minutes/tp 20100628.pdf
23.2.2011	Council meeting	Hon WONG Sing-chi raised a question on drivers' driving behaviour, health problems and working and rest time arrangements	http://www.info.gov.hk/gia/general/201102/23/P20110223010 4.htm
27.11.2012	Panel on Transport	Administration's paper on the serious traffic accident in Chai Wan on 19 November 2012	CB(1)205/12-13(01) http://www.legco.gov.hk/yr12- 13/english/panels/tp/papers/tp1 127cb1-205-1-e.pdf
			CB(1)223/12-13(01) http://www.legco.gov.hk/yr12- 13/english/panels/tp/papers/tp1 127cb1-223-1-e.pdf
		Minutes of meeting	CB(1)1641/12-13 http://www.legco.gov.hk/yr12- 13/english/panels/tp/minutes/tp 20121127.pdf

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
29.4.2015	Council meeting	Dr Hon KWOK Ka-ki raised a question on driving safety of New Lantao Bus	http://www.info.gov.hk/gia/gen eral/201504/29/P20150428067 1.htm
	Panel on Transport	Letter dated 17 February 2016 from Hon TANG Ka-piu on the safety of glass doors of franchised buses	CB(4)624/15-16(01) http://www.legco.gov.hk/yr15-16/chinese/panels/tp/papers/tpc
		Administration's response	CB(4)730/15-16(01) http://www.legco.gov.hk/yr15- 16/english/panels/tp/papers/tpc b4-730-1-e.pdf
		Letter dated 18 March 2016 from Hon Gary FAN Kwok-wai on the concern of the impact of employing a large pool of part-time bus drivers by The Kowloon Motor Bus Company. (1933) Limited	CB(4)779/15-16(01) https://www.legco.gov.hk/yr15- 16/chinese/panels/tp/papers/tpc b4-779-1-c.pdf
		Administration's response	CB(4)1015/15-16(01) https://www.legco.gov.hk/yr15- 16/english/panels/tp/papers/tpc b4-1015-1-e.pdf
29.6.2016	Council meeting	Hon Frankie YICK Chi-ming raised a question on manpower in transport industry	http://www.info.gov.hk/gia/gen eral/201606/29/P20160629052 5.htm

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
20.1.2017 & 24.2.2017	Panel on Transport	Motion proposed under the agenda item of "New franchise for the bus network of The Kowloon Motor Bus Company (1933) Limited " at the meeting on 20 January 2017 and passed at the meeting on 24 February 2017	CB(4)629/16-17(03) http://www.legco.gov.hk/yr16-17/chinese/panels/tp/papers/tp2 0170224cb4-629-3-ec.pdf
		Administration's response to the motion	CB(4)699/16-17(01) http://www.legco.gov.hk/yr16-17/english/panels/tp/papers/tp2 http://www.legco.gov.hk/yr16-17/english/tp/papers/tp2 http://www.legco.gov.hk/yr16-17/english/tp/papers/tp2

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
		Letter dated 26 September 2017 from Hon LAU Kwok-fan on issues relating to the serious traffic accident in Sham Shui Po involving a franchised bus on 22 September 2017	CB(4)1624/16-17(02) http://www.legco.gov.hk/yr16-17/chinese/panels/tp/papers/tpc <a english="" href="http://www.legco.gov.hk/yr16-17/chinese/panels/tp/paper</td></tr><tr><td></td><td></td><td>Administration's response</td><td>CB(4)1652/16-17(01) http://www.legco.gov.hk/yr16- 17/english/panels/tp/papers/tpc b4-1652-1-e.pdf</td></tr><tr><td>25.10.2017</td><td>Council
meeting</td><td>Dr Hon CHIANG Lai-wan raised a question on bus captains' rest time, working hours and rest facilities</td><td>http://www.info.gov.hk/gia/gen
eral/201710/25/P20171025004
74.htm</td></tr><tr><td></td><td></td><td>1 0</td><td>http://www.info.gov.hk/gia/general/201710/25/P20171024007
12.htm</td></tr><tr><td>11.2.2018</td><td></td><td>Administration's press
release on fatal traffic
accident in Tai Po</td><td>http://www.info.gov.hk/gia/gen
eral/201802/11/P20180211001
57.htm</td></tr><tr><td>15.2.2018</td><td>Panel on
Transport</td><td>Administration's paper
on the bus accident in
Tai Po on 10 February
2018</td><td>CB(4)617/17-18(01) http://www.legco.gov.hk/yr17-18/english/panels/tp/papers/tp2 0180215cb4-617-1-e.pdf

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
		Administration's supplementary information on issues relating to the serious traffic accident on Tai Po Road happened on 10 February 2018 involving a franchised bus (Chinese version only)	CB(4)922/17-18(02) http://www.legco.gov.hk/yr17- 18/chinese/panels/tp/papers/tp2 0180215cb4-922-2-c.pdf
		Administration's response to the motions passed under the agenda item of "Issues relating to the serious traffic accident on Tai Po Road happened on 10 February 2018 involving a franchised bus" at the special meeting on 15 February 2018 as set out in LC Paper Nos. CB(4)630/17-18(02) to (04)	
		Minutes of meeting	CB(4)1441/17-18 https://www.legco.gov.hk/yr17- 18/english/panels/tp/minutes/tp 20180215.pdf
	Panel on Transport	Letter dated 2 August 2018 from The Kowloon Motor Bus Co. (1933) Ltd to Independent Review Committee on Hong Kong's Franchised Bus Service (English version	CB(4)1478/17-18(01) https://www.legco.gov.hk/yr17- 18/english/panels/tp/papers/tpc b4-1478-1-e.pdf

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
		only)	
	Panel on Transport	Administration's response to the letters from Hon LAM Cheuk-ting and Dr Hon CHENG Chung-tai on issues relating to management of bus captains as set out in LC Paper Nos. CB(4)711/17-18(01) and (02)	CB(4)785/17-18(01) http://www.legco.gov.hk/yr17- 18/english/panels/tp/papers/tpc b4-785-1-e.pdf
25.7.2018	Panel on Transport	Administration's paper on safety of franchised bus operation	CB(4)1407/17-18(03) https://www.legco.gov.hk/yr17-18/english/panels/tp/papers/tp2 0180725cb4-1407-3-e.pdf
15.6.2018 & 25.7.2018	Panel on Transport	Administration's response to two motions passed under the agenda item on "Fare increase applications by Citybus Limited (franchise for the Hong Kong Island and Cross-Harbour Bus Network) and New World First Bus Services Limited" and one motion passed under the agenda item on "Enhancing taxi service quality"	CB(4)215/18-19(01) https://www.legco.gov.hk/yr17- 18/english/panels/tp/papers/tp2 0180725cb4-215-1-e.pdf
5.12.2018	Council meeting	Hon Charles Peter Mok raised a question on road safety	https://www.info.gov.hk/gia/ge neral/201812/05/P2018120500 340.htm?fontSize=1

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
12.12.2018	Council meeting	Hon WU Chi-wai raised a question on provision of ancillary facilities for staff of franchised bus companies	https://www.info.gov.hk/gia/ge neral/201812/12/P2018121200 225.htm
18.1.2019	Panel on Transport	Administration's paper on Report of Independent Review Committee on Hong Kong's Franchised Bus Service	https://www.legco.gov.hk/yr18- 19/english/panels/tp/papers/tp2
		Letter dated 8 January 2019 from the Secretary of the Independent Review Committee on Hong Kong's Franchised Bus Service together with the Report of the Independent Review Committee on Hong Kong's Franchised Bus Service released on 8 January 2019	https://www.legco.gov.hk/yr18-
		motions passed under	CB(4)542/18-19(01) https://www.legco.gov.hk/yr18- 19/english/panels/tp/papers/tp2 0190118cb4-542-1-e.pdf

Date of meeting	Panel/ Committee	Minutes/Paper	LC Paper No.
		Minutes of meeting	CB(4)1031/18-19 https://www.legco.gov.hk/yr18- 19/english/panels/tp/minutes/tp 20190118.pdf
	Panel on Transport	Letter dated 16 January 2019 from Hon Jeremy TAM Man-ho requesting to improve the working hours of bus drivers (Chinese version only)	CB(4)529/18-19(01) https://www.legco.gov.hk/yr18-19/chinese/panels/tp/papers/tp2 https://www.legco.gov.hk/yr18-19/chinese/panels/tp-1-c.pdf
		Administration's response	CB(4)759/18-19(01) https://www.legco.gov.hk/yr18-19/english/panels/tp/papers/tp2 https://www.legco.gov.hk/yr18-19/english/panels/tp-1-e.pdf
27.2.2019	Council meeting	Hon Jeremy TAM Man-ho raised a question on monitoring speeding of franchised buses	https://www.info.gov.hk/gia/ge neral/201902/27/P2019022700 326.htm?fontSize=1
15.3.2019	Panel on Transport	Administration's response to item 7 of the Panel's List of follow-up actions regarding "Fare increase application by New Lantao Bus Co. (1973) Limited" at the meeting on 15 March 2019	CB(4)857/18-19(01) https://www.legco.gov.hk/yr18- 19/english/panels/tp/papers/tp2 0190315cb4-857-1-e.pdf

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