立法會
Legislative Council

**Paper for the House Committee Meeting
on 12 September 2025**

**Legal Service Division Report on
Road Traffic (Amendment) (Ride-hailing Service) Bill 2025**

I. SUMMARY

1.	**The Bill**	The Bill seeks to amend the Road Traffic Ordinance (Cap. 374) to:

      (a)   provide for the regulation of ride-hailing service;

      (b)   introduce a licensing regime for ride-hailing platforms, ride-hailing vehicles and drivers of such vehicles;

      (c)   provide for the regulation of any other public vehicle passenger transport service booked through licensed ride-hailing platforms; and

      (d)   enhance the enforcement regime against illegal carriage of passengers for hire or reward, and provide for related matters.

2.	**Public Consultation**	According to the Administration, the Transport Advisory Committee, the taxi trade representatives and ride-hailing platform companies generally supported the Government's proposal to regulate ride-hailing service but they also raised various suggestions and concerns.
3.	**Consultation with LegCo Panel**	The Panel on Transport was consulted on the legislative proposal at its meeting on 18 July 2025. While the Panel supported the introduction of the Bill into the Legislative Council, concerns were raised on various issues.
4.	**Conclusion**	The Legal Service Division is scrutinizing the legal and drafting aspects of the Bill. Since the Bill seeks to introduce a new regulatory regime in relation to ride-hailing service, Members may consider forming a Bills Committee to study the Bill in detail.

II. REPORT

The date of First Reading of the Bill is 10 September 2025.   Members may refer to the Legislative Council ("LegCo") Brief (File ref.: TLB CR 240-001-007) issued by the Transport and Logistics Bureau on 4 September 2025 for further details.

Object of the Bill

2.   The Bill seeks to amend the Road Traffic Ordinance (Cap. 374) to:

(a)   provide for the regulation of ride-hailing service;

(b)   introduce a licensing regime for ride-hailing platforms, ride-hailing vehicles and drivers of such vehicles;

(c)   provide for the regulation of any other public vehicle passenger transport service booked through licensed ride-hailing platforms; and

(d)   enhance the enforcement regime against illegal carriage of passengers for hire or reward, and provide for related matters.

Background

3.   There is currently no law in Hong Kong regulating the operation of ride-hailing platforms.   According to paragraphs 4 and 5 of the LegCo Brief, some ride-hailing platforms provide passenger transport services using private cars which may not hold valid permits for carrying passengers or have in place appropriate third-party risks insurance, thus posing safety risks to passengers and other road users.   The Bill is introduced into LegCo to establish a new regime to regulate ride-hailing service, mainly by adding a proposed new Part 6A (proposed new sections 55A to 55ZE) to Cap. 374 (see clause 8 of the Bill).   Key provisions of the Bill are summarized in the ensuing paragraphs.

Provisions of the Bill

<u>Proposed exception to the prohibition against using motor vehicles for carriage of passengers for hire or reward</u>

4.   Under the existing section 52(3) of Cap. 374, driving, using, suffering or permitting a motor vehicle to be used for the carriage of passengers for hire or reward is prohibited, subject to certain exceptions.   The Bill seeks to add a proposed new section 52(3A) to Cap. 374 (clause 7(1)) to provide for a new exception to the above restrictions.   The effect would be to allow a person to use a private car to provide ride-hailing passenger transport service if all of the following conditions are met:

(a)   the private car is a ride-hailing vehicle under the proposed new section 55A(1) of Cap. 374 (i.e. a private car in respect of which a ride-hailing vehicle permit is in force);

(b)   the person is a ride-hailing vehicle driving permit holder; and

(c)   the service is booked through a licensed platform.

Licensing of ride-hailing platforms

5.   The Bill seeks to provide that a person wishing to operate a ride-hailing platform[1] to provide ride-hailing platform service[2] would have to obtain a ride-hailing service licence (proposed new section 55B).   A person who does not comply with the above requirement would commit an offence and would be liable on conviction to a fine of HK$1,000,000 and to imprisonment for 12 months.   The Commissioner for Transport ("Commissioner") could invite applications for ride-hailing service licence from companies registered in Hong Kong under the Companies Ordinance (Cap. 622) (proposed new sections 55G and 55H).   In determining the licence application, the Commissioner would take into account factors such as the applicant's experience in operating a ride-hailing platform, and its financial capability (proposed new section 55I).

6.   The Bill seeks to provide for certain basic requirements for provision of ride-hailing service, including that:

(a)   ride-hailing passenger transport service[3] booked through the platform is provided by a private car with valid ride-hailing vehicle permit and is provided by a driver who holds valid ride-hailing vehicle driving permit (proposed new sections 55C and 55D); and

(b)   ride-hailing vehicles used for providing ride-hailing passenger transport service booked through the platforms are driven by the registered owners of those vehicles (proposed new sections 55E and 55F).

7.   It is also proposed under the Bill that certain obligations would be imposed on ride-hailing service licensees, which include the licensee's obligation to ensure that proper and efficient ride-hailing service (or public vehicle passenger transport service) is maintained, and to keep and provide proper records of data relating to the services provided through the ride-hailing platform (proposed new sections 55K and 55L).

8.   It is proposed under the Bill that the Commissioner could e.g. give a direction to a ride-hailing service licensee in respect of matters such as the services provided through the licensee's ride-hailing platform, appoint a public officer to conduct an inquiry into e.g. the licensee's failure to comply with certain obligations, and impose financial penalties on the licensee (proposed new sections 55M, 55N and 55O).

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[1]   Under the proposed new section 55A(1) of Cap. 374, "ride-hailing platform" means an electronic or telecommunications platform through which ride-hailing platform service is provided.

[2]   Under the proposed new section 55A(1) of Cap. 374, "ride-hailing platform service" means a service that involves booking ride-hailing passenger transport service through an electronic or telecommunications platform and connecting customers with those providing the service.

[3]   Under the proposed new section 55A(1) of Cap. 374, "ride-hailing passenger transport service" means a service for the carriage of passengers for hire or reward, the location for picking up is determined or substantially determined at the time of booking and for which, no hire car permit is in force.

Issuing of ride-hailing vehicle permits and ride-hailing vehicle driving permits

9.   The Bill seeks to provide that, similar to applications for ride-hailing service licences, the Commissioner could invite applications for ride-hailing vehicle permits. In order for the Commissioner to grant an application, certain conditions must be met, e.g. the applicant must hold a valid ride-hailing vehicle driving permit and is the registered owner of the private car concerned, and the car must be manufactured less than 12 years before the date of the application (proposed new sections 55R and 55T).

10.   It is proposed that the Commissioner could by notice published in the Gazette, specify a limit on the number of ride-hailing vehicle permits that may be issued. Such notice would be subsidiary legislation subject to the negative vetting procedure of LegCo under section 34 of the Interpretation and General Clauses Ordinance (Cap. 1) (proposed new section 55Q).

11.   In respect of applications for ride-hailing vehicle driving permits, in order for the Commissioner to grant an application, certain conditions must be met, e.g. the applicant must be aged 21 or above, hold a valid full driving licence for at least one year, hold a permanent identity card or an identity card not subject to any condition of stay other than a time limit of stay, have completed a pre-service course in respect of ride-hailing vehicles, not have any conviction relating to e.g. causing death by dangerous driving within five years before the date of the application, and meet all applicable physical fitness requirements (proposed new sections 55W and 55X).

The making of regulations relating to ride-hailing service

12.   The Bill seeks to empower the Secretary for Transport and Logistics ("Secretary") to make regulations to provide for a range of matters relating to the regulation of ride-hailing service, e.g. the validity period of a ride-hailing service licence or a ride-hailing vehicle permit, and the powers of the Commissioner to perform various acts, such as to amend, cancel, suspend or vary a ride-hailing service licence (proposed new section 55ZC). It is also proposed that such regulations could provide for matters such as prescribing fees, and review by a Transport Tribunal of any decision made by the Commissioner under the regulation (proposed new sections 55ZC and 55ZD). Such regulations would be subsidiary legislation subject to the negative vetting procedure of LegCo under section 34 of Cap. 1.

Proposed new penalty for illegal carriage of passengers for hire or reward

13.   Presently, section 69 of Cap. 374 provides that if a person is convicted for illegal carriage of passengers for hire or reward, the person could be disqualified from driving, but the exact or minimum period of disqualification has not been provided for. Clause 9 of the Bill proposes to amend section 69 of Cap. 374 to the effect that the mandatory period of disqualification for illegal carriage of passengers for hire or reward (unless the court orders otherwise) would be not less than 12 months, but not more than three years, beginning on the date of conviction.

Related amendments

14. The Bill also seeks to provide for related amendments to Cap. 374 and other relevant legislation.

Commencement

15. The Bill, if passed, would come into operation on a day to be appointed by the Secretary by notice published in the Gazette.

Public Consultation

16. According to paragraphs 45 to 47 of the LegCo Brief, the Government consulted the Transport Advisory Committee ("TAC") on 9 July 2025, and had multiple meetings over the past six months with taxi trade representatives (including the Hong Kong Taxi Council and the Hong Kong Taxi and Public Light Bus Association), several industry organizations and individuals, as well as ride-hailing platform companies from the Mainland and overseas. According to the Administration, TAC members and platform companies unanimously supported, and the taxi trade generally supported, legislating for the regulation of ride-hailing service, but they also raised various suggestions and concerns (including limitation on the number of ride-hailing vehicles and requirement on vehicle age).

Consultation with LegCo Panel

17. As advised by the Clerk to the Panel on Transport, the Panel was consulted on the legislative proposal on 18 July 2025. While the Panel supported the introduction of the Bill into LegCo, concerns were raised on various issues, including the proposed regulatory framework for the platforms, vehicles, and drivers providing the services, fare and insurance arrangements, the age limit in respect of a ride-hailing vehicle at the time of each application for a vehicle permit (or application for renewal), and the number of ride-hailing vehicles allowed to operate.

Conclusion

18. The Legal Service Division is scrutinizing the legal and drafting aspects of the Bill. Since the Bill seeks to introduce a new regulatory regime in relation to ride-hailing service, Members may consider forming a Bills Committee to study the Bill in detail.

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