

Government responds to Report of Independent Review Committee on Hong Kong's Franchised Bus Service

The Independent Review Committee on Hong Kong's Franchised Bus Service submitted its Report to the Chief Executive on December 31, 2018. Having studied the report carefully and consulted the Department of Justice on the manner of the publication of the Report, the Government has released the report in full today (January 8), except that, after seeking legal advice, a part of a sentence in the acknowledgement chapter of the Report is redacted to ensure a fair trial of the ongoing criminal proceedings. The Government will release the full Report after all relevant criminal legal proceedings have been concluded.

The Transport and Housing Bureau (THB) thanked the Chairman of the Independent Review Committee on Hong Kong's Franchised Bus Service, the Honourable Justice Michael Victor Lunn, and the two members, Mr Rex Auyeung Pak-kuen and Professor Lo Hong-kam, for examining the operation and management of bus franchises under the current legislative and franchise requirements, and the regulatory and monitoring system for franchised buses from the point of view of safety, as well as putting forward a total of 45 recommendations of safety-related measures under 16 areas with a view to sustaining a safe and reliable franchised bus service in Hong Kong.

The Secretary for Transport and Housing, Mr Frank Chan Fan, said that safety is of utmost priority in the transport policy. The Government will, in collaboration with franchised bus operators, proactively pursue the recommendations with a view to sustaining the Government's efforts in enhancing the safety of franchised buses.

"The great majority of the Committee's recommendations are very practical and have proven to be effective in other jurisdictions like London, Melbourne and Singapore from which the Committee has sought input from their respective regulatory bodies for reference. We have provided comprehensive and positive responses to each of the recommendations. We will focus on following up on these actions, in consultation with relevant government bureaux/departments and stakeholders where appropriate," Mr Chan said.

The Commissioner for Transport, Ms Mable Chan, said, "The Transport Department (TD) always attaches great importance to ensuring the safety of franchised bus service, and will continue to strive to work with the franchised bus operators to enhance their operational safety. Among the 45 recommendations of the report, 44 concern the TD's work, of which 30 items are implemented or are being implemented, six are under planning to be implemented, and eight are subject to study."

Following the fatal accident on February 10, 2018, the TD has taken a number of proactive follow-up actions prior to the conclusion of the work of

the Independent Review Committee, Ms Chan said. In particular, the department set up in mid-March 2018 the Working Group on the Enhancement of Safety of Franchised Buses, which comprises members from all franchised bus operators and the major bus manufacturers, to consider and study possible measures to further enhance bus safety. The TD has already turned the Working Group into a permanent setup to provide a regular platform for the Government, franchised bus operators and relevant experts to continue to discuss and follow up on various initiatives to enhance franchised bus safety.

The TD will continue to actively take forward the recommendations and will further pursue its work through the Working Group in four key areas, including:

- (1) further exploring the feasibility and effectiveness of installing safety-related devices and making use of new technology in franchised buses to ensure safe driving (such as bus monitoring and control systems and driver assistance and monitoring devices);
- (2) enhancing the working environment (such as the guidelines on the working and rest hours, and provision of rest and toilet facilities, etc) and training of bus captains;
- (3) strengthening accident analyses and safety performance management (such as standardising the relevant data to facilitate report and analysis systems, and drawing up a set of more nuanced safety performance indicators to measure safety performance of franchised bus operators); and
- (4) enhancing general road and infrastructure safety as well as bus-friendly measures on roads (such as studying the feasibility and applicability of low speed limit zones and introducing a Road Safety Audit to identify potential road safety deficiencies and suggest measures to eliminate or mitigate those deficiencies).

Further, the TD agrees with the recommendation to appoint a Safety Director and to set up a small dedicated bus safety team in the TD, and will work out the implementation plan. In the interim, the relevant divisions in the TD will continue to look after the safety issues relating to franchised buses.

Mr Chan said that the Government is mindful of the recommendations which will involve legislative amendments (including turning the guidelines on working hours, etc into regulations and introducing specific legislation to make it an offence to make threatening, abusive or insulting communication towards a bus captain). The Government will consider and study the proposals in detail as these proposals will have very wide read-across implications.

The Government's full response to the 45 recommendations is in the Annex.

The THB and the TD will brief the Legislative Council Panel on Transport on the findings of the Report and the follow-up actions of the Government at its meeting on January 18.