

# LCQ21: Illegal carriage of passengers for reward by van-type light goods vehicles and cross-boundary private cars

Following is a question by the Hon Andrew Lam and a written reply by the Secretary for Transport and Logistics, Mr Lam Sai-hung, in the Legislative Council today (October 30):

Question:

The Government released in July this year the preliminary findings on the study on combating illegal carriage of passengers for hire or reward and regulation of online hire car hailing platforms. In this connection, will the Government inform this Council:

(1) whether the aforesaid study has covered any study on the operation mode of illegal carriage of passengers for reward by van-type light goods vehicles (vans) and cross-boundary private cars (PCs); if so, of the preliminary findings, and whether any conclusion has been drawn on the factors affecting the regulation of online hailed cars; if not, the reasons for not including such study;

(2) of the number of prosecutions and convictions involving illegal carriage of passengers for reward by vans in the past three years, and the penalty imposed in each of the convicted cases;

(3) of the number of prosecutions and convictions involving illegal carriage of passengers for reward by cross-boundary PCs in the past three years, and the penalty imposed in each of the convicted cases; whether any unlawful employment was involved in such cases; if so, of the number; and

(4) of the number of cross-boundary PCs in Hong Kong that may legally carry passengers for hire or reward; whether there are any measures to combat illegal carriage of passengers for reward by cross-boundary PCs?

Reply:

President,

Having consulted the Transport Department (TD), the Hong Kong Police Force (HKPF) and the Immigration Department, our reply to various parts of the question raised by the Hon Andrew Lam is as follows:

(1) The Government strives to enhance personalised point-to-point transport services. As reported to the Panel on Transport of the Legislative Council in

July this year, the Government is proactively conducting a study with a view to formulating legislative proposals on the regulation of online hailed car platforms and improving the legislation to combat illegal carriage of passengers for hire or reward. The TD is studying and examining the overall demand and supply of local personalised point-to-point transport services, including conducting surveys on passenger demand and changes (which cover various types of online hailed cars); as well as considering relevant information including the current operation modes and regulatory arrangement in respect of the provision of personalised point-to-point transport services in Hong Kong and other places. After taking into account findings of the study in a holistic manner and listening to the views of stakeholders, the Government will formulate legislative proposals on the regulation of the types and number of vehicle for providing compliant services through online hailed car platforms, as well as the licensing requirements for the vehicles and drivers, etc. in 2025.

(2) and (3) The numbers of convicted cases involving illegal carriage of passengers for hire or reward by light goods vehicles and cross-boundary private cars in the past three years (from mid-2021 to mid-2024) were 23 and four respectively. Subject to the circumstances of individual cases, the penalties imposed by the courts included fines and disqualifying the drivers involved from driving temporarily, as well as suspension of vehicle licences and impoundment of vehicles involved following the statutory periods specified under the law. The Government does not maintain other information requested in the question.

(4) As at September 2024, there were 524 cross-boundary hire cars holding regular quotas for cross-boundary hire cars, closed road permits (CRP) and private service (limousine) (cross-boundary service) hire car permits.

The HKPF will continue to combat the offences of illegal carriage of passengers for hire or reward by cross-boundary private cars. Upon the public's provision of information to report illegal activities, the HKPF will follow up and investigate in a serious manner, and take enforcement actions against relevant activities if there is sufficient evidence. To enhance the deterrent effect, the Government increased the penalties for illegal carriage of passengers for hire or reward by motor vehicles in December 2023. These include increasing the maximum fine and term of imprisonment, as well as lengthening the period of suspension of vehicle licences and impoundment of vehicles. On the other hand, for cases of illegal carriage of passengers for hire or reward by cross-boundary private cars, the TD will revoke the CRP of the subject vehicle on the ground of breaching CRP conditions. Moreover, the TD has strengthened its publicity efforts since the second quarter of this year through displaying posters and notices at various land boundary control points and the airport, as well as sending e-mails and distributing leaflets, etc, to remind CRP holders and relevant operators not to engage in illegal carriage of passengers for hire or reward, and remind them of the consequences and penalties of engaging in such illegal activities.