

LCQ22: Drivers' use of mobile phones or tablet computers while driving

Following is a question by the Hon Frankie Yick and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (September 8):

Question:

It has been reported that in recent years, as more and more members of the public call taxis, light goods vehicles and goods vehicles by using online ride-hailing applications or making phone calls, most of the drivers of such vehicles place several mobile phones or tablet computers on the dashboard to facilitate communication with their customers. However, such devices not only block the drivers' view, but may also distract them and, as a result, traffic accidents are prone to occur. In this connection, will the Government inform this Council:

(1) of the number of law enforcement operations mounted by the Police in the past three years against drivers' acts of using mobile phones or tablet computers by holding them in their hands or between their heads and shoulders while driving, with a breakdown by vehicle type;

(2) as the Government indicated as early as in 2015 that it was collecting information for conducting a study on further restricting drivers' use of mobile phones while driving, and such information included the number of mobile phones placed, at the time traffic accidents with casualties occurred, on the dashboards of the vehicles involved in such accidents, as well as overseas countries' regulation of drivers' use of mobile phones while driving and relevant studies, and that the Government had invited the Road Safety Research Committee under the Road Safety Council to conduct a study on the subject concerned, of the latest progress and results of the various relevant studies; whether the Government has decided to impose further regulation, including restricting the number of mobile phones or tablet computers placed on the dashboard; if so, of the details; if not, the reasons for that; and

(3) whether it will formulate non-legislative measures to eradicate drivers' acts of using mobile phones or tablet computers while driving; if so, of the details and the expected effectiveness of such measures?

Reply:

President,

The Government has always attached great importance to road safety, and has been ensuring the safety of road users through regulation by law and promoting attentive driving through education and publicity. The Road Traffic Ordinance (Cap. 374) has stipulated stringent provisions on "dangerous driving" and "careless driving". If a motorist uses a mobile phone or other

smart device while driving in such a way as to affect his driving, he may have committed the offence of "dangerous driving" or "careless driving", irrespective of whether his driving has caused a traffic accident. In addition, pursuant to the Road Traffic (Traffic Control) Regulations (Cap. 374G), if a motor vehicle being driven by a motorist is in motion, it is an offence for the motorist to use a mobile phone while holding it in his hand or between his head and shoulder, or use other telecommunications equipment while holding it in his hand. The current version of the Road Users' Code has also given clear guidelines to motorists that they should avoid using mobile phones or other smart devices as far as possible while driving, and should drive attentively.

Having consulted the Transport Department (TD) and the Hong Kong Police Force (the Police), my reply to the Hon Frankie Yick's question is as follows:

(1) According to the information of the Police, between 2018 and 2021 (January to July), the numbers of enforcement actions taken by the Police against a motorist who was using a mobile phone or telecommunications equipment by holding it in his hand or between his head and shoulder while driving, with a breakdown by class of vehicles, are tabulated below:

Vehicle class	2018	2019	2020	2021 (January to July)
Private car	12 747	10 325	10 854	6 524
Motor cycle	38	33	71	37
Goods vehicle	11 957	10 389	12 503	7 670
Taxi	484	334	262	174
Public light bus	84	64	61	29
Public bus	317	322	98	55
Other	85	102	70	47
Total	25 712	21 569	23 919	14 536

(2) and (3) The Government notes the public's concern about motorists, particularly taxi drivers, placing several mobile phones on the dashboard while driving and also understands that motorists may have practical needs to use mobile phones or other devices for, for instance, obtaining information about navigation, real-time traffic conditions and parking space, etc. As to whether further restrictions should be imposed on the use of or placing mobile phones and other devices while driving, the Government would accord the highest priority to road safety while accommodating practical needs. The TD is conducting a study by taking into account the technology development in mobile phone and vehicle devices as well as the change in habits in using them. The TD is considering the direction of regulating the number and location of mobile phones to be placed by motorists, and the mode in which

the mobile phone is used as well as the purpose of using it, etc. To this end, TD is making reference to the regulations and practices in other jurisdictions, observing the situation on using mobile phones and other devices on vehicles by motorists, and considering various factors such as whether motorists would switch between multiple mobile applications if restriction is imposed on the number of mobile phones placed on the dashboard while driving. Upon the formulation of concrete proposals, the Government will consult stakeholders in due course.

Meanwhile, the Government and the Road Safety Council (RSC) will continue to adopt a multi-pronged approach in raising the road safety awareness of motorists (including drivers of taxi and commercial vehicles). The TD has been maintaining close communication with the trades and from time to time reminds the trades to follow traffic laws and observe road safety. In addition, TD has been collaborating with the RSC and the Police in launching various publicity and educational activities, such as producing television and radio announcements on the theme of "driving attentively", and disseminating relevant video clips and messages through social media platforms. The TD also publishes and distributes publicity leaflets as well as Road Safety Bulletins to remind motorists (including drivers of taxi and commercial vehicles) to be attentive and avoid using mobile phones and/or smart devices while driving.

On regulating taxi services, with a view to enhancing the safety and quality of services, starting from October 1, 2020, applicants for a taxi full driving licence must have completed the pre-service course at the training school specified by the Commissioner for Transport and obtained the course certificate before they are issued with such driving licence. The course covers knowledge on driving and road safety, etc, which would help enhance the awareness of safe driving among taxi drivers.

On law enforcement, the Police will continue to take rigorous enforcement action against inattentive and dangerous driving behavior under the "Selected Traffic Enforcement Priorities". This aims to change and eradicate the unsafe and irresponsible driving behavior of motorists in order to enhance the motorists' driving safety and ensure the safety of their own as well as other road users.

The Government hopes that the multi-faceted effort on legislation, publicity and education, licence application and law enforcement, etc. can facilitate motorists, especially drivers of taxi and commercial vehicles, in continually improving driving habit and maintaining safety awareness at all times.