

## LCQ5: Operational safety of non-franchised bus and public transport services for Airport Island

Following is a question by Hon Holden Chow and a reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (January 23):

Question:

On the early morning of November 30 last year, a serious traffic accident involving a non-franchised bus happened on Cheung Tsing Highway, resulting in a number of casualties. It has been reported that as the majority of the passengers on the bus concerned at the time of the accident were employees of an airline company but the bus had not been issued with an employees' service endorsement by the Transport Department, the operator concerned has allegedly breached the law. Regarding the follow-up work on the accident, will the Government inform this Council:

(1) how the authorities currently monitor the road safety of non-franchised buses providing transport service for employees;

(2) of the number of prosecutions instituted by the authorities in the past five years against operators who had illegally provided transport service for employees; the new measures to be put in place to step up efforts to combat such unlawful act; and

(3) given that some people working at the airport have indicated that the transport services between the urban areas and the airport during early morning hours are insufficient and limited in choice, and the situation will aggravate with an increase in job opportunities at the airport upon completion of the airport's third runway, of the measures the authorities have put in place to address such problems; whether they will request the various franchised bus companies to enhance overnight bus services, and discuss with the MTR Corporation Limited the extension of the Tung Chung Line to the airport island and the service hours of the Line, so as to facilitate residents in the urban areas and Tung Chung to take up employment at the airport?

Reply:

President,

The Government attaches great importance to the operational safety of public transport services. In response to the serious traffic accident involving a non-franchised bus (NFB) that occurred in Tsing Yi last year, the Transport Department (TD) has promptly held a special meeting with the trade

to discuss various measures to enhance the operational safety of NFBs, including installing and providing safety devices, applying new technologies, and drawing up guidelines on working hours and rest time for drivers. The TD has also set up a special working group to further follow up on and implement the measures. As regards the said accident, the Police are still investigating and the TD is following it up in accordance with the established mechanism. My reply to the various parts of the Hon Holden Chow's question is as follows:

(1) The Government attaches importance to the road safety of NFBs, focusing on the driving behaviour and vehicle safety in particular. On law enforcement, the Police have been taking stern and vigorous enforcement actions in recent years to combat improper driving behaviour with a view to reminding motorists to stay alert at all times, reducing the risk of traffic accidents and enhancing road safety. Roadside equipment such as red light cameras and speed enforcement cameras as well as mobile instruments such as laser guns are used for enforcement actions. At the same time, the Police are taking enforcement actions according to the "Selected Traffic Enforcement Priorities" (such as speeding, use of mobile phones/telecommunications equipment during driving, drink driving, drug driving). The average number of prosecutions involving NFBs in contravention of traffic regulations per annum over the past five years is about 5 887.

As regards vehicle safety, all NFBs currently have to undergo the TD's vehicle type approval procedures to ensure that their designs and construction comply with the Road Traffic (Construction and Maintenance of Vehicles) Regulations, and then pass a pre-registration examination. All in-service NFBs are also required to pass annual vehicle examinations for assurance of their roadworthiness before their vehicle licences can be renewed. The TD also conducts spot checks. Vehicles which cannot comply with the standards will be classified as failing the inspection. For seriously non-compliant vehicles, their vehicle licences will be instantly suspended. The TD will follow up with the NFB operators where necessary on matters concerning the maintenance and repair of the bus fleets.

(2) As regards the regulation of NFB services, under the existing law, all operators of NFB services must hold valid Passenger Service Licences (PSLs) and Passenger Service Licence Certificates. Operators or drivers are liable to prosecution if their vehicles carry passengers without PSLs.

As for NFBs with PSLs, they should also obtain relevant service endorsements. If the operators do not follow the conditions of PSLs when providing services (including operating certain type of service without obtaining the relevant service endorsements, etc.), the Commissioner for Transport may appoint a public officer to conduct an administrative inquiry under the existing law. If the inquiry confirms that there are irregularities for the relevant services, the Commissioner may impose penalty, such as suspending, cancelling or amending the PSLs, depending on the actual circumstances and severity of each case. Since most irregularities concerning NFBs involve the provision of services without obtaining the relevant valid service endorsements or violation of the conditions of PSLs, rather than providing services without any PSLs, as mentioned above, such irregularities

will be handled through the inquiry procedures and prosecution will not be applicable, according to the existing law.

In the past five years, the TD conducted inquiries into 159 cases of operating unauthorised services by holders of PSLs for NFBs and school private light buses, 12 of which involved employees' services.

To safeguard the effective operation of public transport services, the TD has been monitoring the operation of NFB services, including conducting on-site investigations. The TD will continue to step up the investigation work, in particular targeting the black spots and complaint cases, and will maintain close communication with the trade. Meanwhile, the TD will strive to shorten the time required for completing investigations and inquiries.

(3) The TD has been mindful of the public transport services for the Airport Island. Apart from the Airport Express, there are at present 79 franchised bus routes (including 28 overnight routes) and 285 employees' service routes (including 104 overnight routes) plying between the Airport Island and various areas in the territory. To facilitate the commuting of the Airport employees to and from work, the TD has introduced express overnight bus services since mid-2015. The existing 37 day-time bus routes and two new routes to be introduced in 2019 have adopted a service timetable that include the early morning hours (viz. the first departure between 5am and 6am). The TD will continue to closely monitor the public transport service arrangements on the Airport Island, review with the franchised bus operators in a timely manner, and will continue to process the applications for the employees' service routes in accordance with the established mechanism.

According to the information of the Development Bureau, the Civil Engineering and Development Department is currently conducting the Study on Traffic, Transport and Capacity to Receive Visitors for Lantau. On the other hand, as the Government has invited the Airport Authority Hong Kong (AAHK) to submit a proposal for the topside development at the Hong Kong Boundary Crossing Facilities Island, the Government will comprehensively review the need of transport connection and facilities among North Lantau, the Airport Island and the Hong Kong Boundary Crossing Facilities Island after AAHK submits the development proposal. To cope with the additional passenger demand arising from the commissioning of the third runway, the TD will devise plans in a timely manner and discuss with the relevant public transport service operators (including the MTRCL and franchised bus operators) where necessary on strengthening and adjusting the public transport services to satisfy passengers' needs.