

LCQ9: Combatting illegal parking

Following is a question by the Hon Michael Tien and a written reply by the Secretary for Transport and Housing, Mr Frank Chan Fan, in the Legislative Council today (April 3):

Question:

Roadside lay-bys are supposed to be used for picking up/setting down passengers or loading/unloading goods by vehicles. However, it is learnt that the problem of vehicles parking (including stopping and waiting) illegally at lay-bys is serious. Examples include the lay-by at Mei Wan Street, Tsuen Wan, where illegal parking is particularly serious during weekends and public holidays. Some drivers illegally pick up/set down passengers or load/unload goods on traffic lanes marked with double yellow lines because the lay-bys are occupied, thereby causing traffic congestion. On the other hand, the Energizing Kowloon East Office of the Development Bureau is conducting a Proof of Concept Trial on Illegal Parking Monitoring System, and the Police will launch another trial scheme to explore the use of video analytic techniques in the law enforcement actions against traffic contraventions. In this connection, will the Government inform this Council whether it has studied if the Police may rely solely on video footage as evidence to institute prosecution against the driver or owner of a vehicle illegally parked respectively for the situations where the driver is and is not in the vehicle respectively; if it has studied and the outcome is in the affirmative, of the details; if the study outcome is in the negative, whether the Government will consider amending the legislation to empower the Police to institute prosecution by this means?

Reply:

President,

My reply to the Hon Michael Tien's question is as follows:

The Government is very concerned about the illegal vehicle parking and waiting situation. In this regard, the Hong Kong Police Force have been closely monitoring the traffic conditions in various districts and taking stringent enforcement actions against vehicles causing serious obstruction to traffic and posing danger.

Apart from stepping up enforcement efforts, the Government is actively examining the application of new technologies to assist frontline officers in taking enforcement actions against traffic contraventions, thereby enhancing enforcement efficiency and strengthening the deterrent effect. The Energizing Kowloon East Office of the Development Bureau commenced in 2018 two proof-of-concept (PoC) trials on the use of video analytics technology to detect improper use of roadside loading/unloading bays and illegal parking. The PoC trials include on-site tests of video cameras for monitoring purpose and studies on how to use the video analytics technology for prosecution against

illegal parking. The Police provide advice and assistance from the perspective of traffic enforcement. In addition, the Police are planning in collaboration with the Logistics and Supply Chain MultiTech R&D Centre a separate trial by mounting video cameras on selected lampposts that provide good vantage points and making use of the video analytics technology for actual enforcement against certain offences which more commonly cause traffic obstruction, including illegal stopping of vehicle at a bus stop and no-stopping restriction zone, etc. Depending on the progress of the preparatory work, the trial is expected to commence within 2019. Taking into account the results of the aforesaid trials and such relevant factors as technical feasibility and cost-effectiveness, the Government will actively consider the further application of the video analytics technology to facilitate the Police's enforcement against illegal parking and other traffic offences.

According to the law, illegal parking of vehicles is an act of contravention, irrespective of whether the driver is inside the vehicle or not. On the use of video footage as evidence for prosecution, the Police carried out a territory-wide trial in 2018. Under the trial, police officers used portable video cameras to record traffic offences stipulated in the Fixed Penalty (Criminal Proceedings) Ordinance (Cap. 240), including illegal stopping of vehicle at a bus stop and picking up/setting down passengers or loading/unloading goods in a restricted zone, etc, and then served the fixed penalty notices (FPNs) to the offenders by post. The Police are currently reviewing the effectiveness of the trial. On the other hand, under the Fixed Penalty (Traffic Contraventions) Ordinance (Cap. 237), the Police should only affix a FPN to the vehicle concerned or give the FPN personally to the person in charge of the vehicle. Serving a FPN by post is not allowed. As such, the above-mentioned trial did not cover the illegal parking offences under Cap. 237. The Government is considering amendments to the law to increase the means of serving FPNs (including by electronic means) and plans to consult the Legislative Council Panel on Transport later this year.