

TD's response to media enquiries on convicted cases involving use of private car for illegal carriage of passengers for hire or reward

In response to media enquiries today (July 17) on the conviction of 28 drivers involving the use of private cars for illegal carriage of passengers for hire or reward, a spokesman for the Transport Department (TD) gave the following reply:

The Government has been paying close attention to the use of private cars or light goods vehicles (LGVs) for illegal carriage of passengers for hire or reward (commonly known as "pak pai" services) and will tackle such offences by taking stringent enforcement actions. The TD has been in close liaison with the Police and will refer suspected cases to the Police for follow-up actions.

Subsections (3), (5) and (10)(a) of section 52 and Schedule 4 of the Road Traffic Ordinance (Cap 374) stipulate that an offender who uses a private car or LGV for the illegal carriage of passengers for hire or reward, or who solicits or attempts to solicit any person to travel in such a vehicle, is liable to a fine of \$5,000 and three months' imprisonment on the first conviction. The licence of the subject vehicle may also be suspended for three months. On the second or subsequent conviction, the person is liable to a fine of \$10,000 and six months' imprisonment. For a subsequent offence in respect of the same motor vehicle, the licence of that vehicle may be suspended for six months.

The Government is open-minded in respect of the application of communications technologies, including the use of Internet or mobile applications for calling hire cars. However, the hire car services adopting new technologies or platforms must be in compliance with the relevant law and regulations to protect the interest and safety of passengers. A hire car permit is required for the provision of hire car services which must be in compliance with the requirements of the relevant laws and the conditions of hire car permit.

As regards today's case in which 28 drivers provided carriage services through the "Uber" mobile application and were fined by the court for illegal carriage of passengers for hire or reward, the TD will follow the established procedure to deliver a notice of intention to suspend the licence of the motor vehicle to the registered owner pursuant to section 90 of the Road Traffic Ordinance.

The TD will proceed to arrange suspension of the vehicle licence in accordance with the relevant legislative requirements and direct the registered owner to deliver the motor vehicle into the custody of the

department until the expiry of the suspension period.

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The TD will continue to support the Police in their enforcement actions to combat the illegal carriage of passengers. From 2015 to July 17, 2018, a total of 46 vehicles have been impounded by the TD with the vehicle licences suspended due to convictions for the offence of illegal carriage of passengers for hire or reward.