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<p>1 Monday, 30 July 2018</p> <p>2 (10.00 am)</p> <p>3 REPRESENTATIVES FROM MOTOR TRANSPORT WORKERS GENERAL UNION</p> <p>4 MR CHAN KWONG NUNG, MR LAI SIU CHUNG, MR LAM TIN FU,</p> <p>5 MR CHEUNG TSZ KEI, MR LAU SIN TAT, MR LAM PO KEUNG</p> <p>6 (Evidence given in Cantonese; transcription of the</p> <p>7 simultaneous interpretation)</p> <p>8 CHAIRMAN: Good morning.</p> <p>9 We thank the Motor Transport Workers General Union</p> <p>10 for sending their representatives to assist us with</p> <p>11 their evidence today.</p> <p>12 We thank you, Mr Cheung, as the principal</p> <p>13 vice-chairman, and the other representatives.</p> <p>14 The method by which we would take your evidence is</p> <p>15 to have questions posed of you by Ms Wong, Senior</p> <p>16 Counsel, who is one of the counsel assisting this</p> <p>17 Committee.</p> <p>18 If at any stage you, Mr Cheung, wish one of your</p> <p>19 fellow representatives to deal with the question, please</p> <p>20 defer to him, and we will hear from whoever it is that</p> <p>21 you wish us to hear from.</p> <p>22 I'll ask Ms Wong to start asking questions now.</p> <p>23 EXAMINATION BY MS WONG</p> <p>24 MS MAGGIE WONG: Yes. Good morning, gentlemen.</p> <p>25 I would like to introduce a few remarks first, about</p>	<p>1 to examine the operation and management of bus</p> <p>2 franchises under the current legislative franchise and</p> <p>3 other contractual requirements; and to examine the</p> <p>4 present regulatory and monitoring system for franchised</p> <p>5 buses; and lastly, to make recommendation to the Chief</p> <p>6 Executive on safety-related measures with a view to</p> <p>7 sustaining a safe and reliable franchised bus service in</p> <p>8 Hong Kong.</p> <p>9 So this committee's task is to look at the safety</p> <p>10 aspects of bus operation, franchised bus operations.</p> <p>11 The why I raise this is, I understand that your</p> <p>12 submission raised a lot of issues concerning work, but</p> <p>13 this Committee is only tasked to look at safety-related</p> <p>14 measures in relation to the operation of franchised bus</p> <p>15 operation.</p> <p>16 So I hope you understand that the questions will be</p> <p>17 focused along that area.</p> <p>18 Your organisation previously made a number of</p> <p>19 submissions to the Committee. The first submission is</p> <p>20 dated 23 April 2018. The Chinese is at TU-1C page 277</p> <p>21 to 289. English at 289-1 to 289-12.</p> <p>22 This submission, the first submission, is made in</p> <p>23 response to the committee's letter to your organisation,</p> <p>24 to your union, dated 28 March 2018; is that correct?</p> <p>25 MR CHEUNG TSZ KEI: Right.</p>
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<p>1 your organisation.</p> <p>2 Was Motor Transport Workers General Union</p> <p>3 established in 1920?</p> <p>4 MR CHEUNG TSZ KEI: Yes.</p> <p>5 MS MAGGIE WONG: And we can see at TU bundle 1C at</p> <p>6 page 289-15 showing the membership of your trade union,</p> <p>7 and -- it is not translated, but I'll read out the</p> <p>8 actual numbers.</p> <p>9 Your organisation currently has membership of 29,670</p> <p>10 people, in which 11,868 people are members coming from</p> <p>11 franchised bus trade union, and 10,436 people are</p> <p>12 members of bus captains of franchised bus operators.</p> <p>13 Is that correct?</p> <p>14 MR CHEUNG TSZ KEI: That's right.</p> <p>15 MS MAGGIE WONG: And your organisation has five sub-unions.</p> <p>16 It contains Kowloon Motor Bus, Citybus, New World Bus,</p> <p>17 Long Win Bus and New Lantao Bus.</p> <p>18 MR CHEUNG TSZ KEI: Right.</p> <p>19 MS MAGGIE WONG: Before I start questions, may I take you to</p> <p>20 the terms of reference for this Committee. It is in TU</p> <p>21 bundle 1C at page 263 in Chinese; and the English can be</p> <p>22 found at TD-1 bundle at page 3.</p> <p>23 In essence, this committee's task is to look at the</p> <p>24 evidence from the point of view of safety in the light</p> <p>25 of the fatal accident on 10 February; and it is tasked</p>	<p>1 MS MAGGIE WONG: And your submission raised a number of</p> <p>2 issues. May I first take you to the broad areas first.</p> <p>3 CHAIRMAN: Before you move on, Ms Wong, might I say this,</p> <p>4 Mr Cheung, if it helps you.</p> <p>5 There are available to you hard copies of your</p> <p>6 submissions in the files. They are being brought up on</p> <p>7 the screen, but if ever you want to have a look at the</p> <p>8 hard copy, so perhaps you can look at other parts of the</p> <p>9 document, then just ask to be provided with the hard</p> <p>10 copy.</p> <p>11 Do you understand?</p> <p>12 MR CHEUNG TSZ KEI: I understand.</p> <p>13 CHAIRMAN: Yes, Ms Wong, what is the reference?</p> <p>14 MS MAGGIE WONG: The reference first is 289-14-7, and I'm</p> <p>15 making reference to the first 10 paragraphs which made</p> <p>16 reference to abuse of bus captains.</p> <p>17 Your submission raised a few experiences, or actual</p> <p>18 experiences of many members showing that there were</p> <p>19 uncivilised passengers that ignore the laws and assault</p> <p>20 the bus captains by physical violence or abusive</p> <p>21 behaviour. That's the first topic that your submission</p> <p>22 raised.</p> <p>23 And then in your second point that you made, it is</p> <p>24 about improvements to operational safety of franchised</p> <p>25 buses, and that's at paragraph 11 at page 289-14-9 in</p>

Page 5	<p>1 English. The Chinese is at page 285.</p> <p>2 And the improvements you made are in essence three</p> <p>3 essential improvements.</p> <p>4 First, you asked that the traffic lights be improved</p> <p>5 by having count down timers or flashing device. Second,</p> <p>6 you asked that there be more yellow squares in bus stops</p> <p>7 to allow the buses to park into the bus zone. And</p> <p>8 third, the entry and exit of bus stops.</p> <p>9 The third topic you raised in your submission is the</p> <p>10 working condition, and that is at paragraph 15 in the</p> <p>11 bundle TU-1C bundle at page 289-14-10, paragraph 15.</p> <p>12 In Chinese, it's page 287; in English page 289-10.</p> <p>13 And you raised three particular matters, if I may</p> <p>14 broadly summarise. That's the resting time facilities</p> <p>15 and training.</p> <p>16 So those are the three topics that I'm going to</p> <p>17 explore with you in this session.</p> <p>18 The second submission you made to the Committee is</p> <p>19 in response to letters from the Committee to you dated 8</p> <p>20 and 13 June 2018. And your submission is dated</p> <p>21 10 July 2018. The Chinese is at page 289-16 to</p> <p>22 page 289-23. That's the second submission.</p> <p>23 And the English is also in 1C bundle, page 289-23-1</p> <p>24 to page 289-23-10.</p> <p>25 In this submission you expressed in the second</p>	Page 7	<p>1 bus terminus, Eastern Hospital, South Horizons, Airport</p> <p>2 Ground Transportation Centre bus terminus, Castle Peak</p> <p>3 Road cafeteria bus terminus, Yat Tung Estate, Mong Kok</p> <p>4 railway station and Lantau toll plaza.</p> <p>5 And you identify in each case that all the bus</p> <p>6 drivers that you mentioned have suffered injuries and</p> <p>7 have to take sick leave. Can you confirm those nine</p> <p>8 incidents were reported to your union and seek your help</p> <p>9 in liaising with the police or the relevant bus</p> <p>10 companies?</p> <p>11 MR LAM TIN FU: Chairman, we quoted these nine cases, and in</p> <p>12 our submission we made it clear that these nine members</p> <p>13 sought help from our staff and then they sought</p> <p>14 financial assistance from the Occupational Safety And</p> <p>15 Health Association of the General Trade Union, but we</p> <p>16 have made it clear in our submission that some members</p> <p>17 were assaulted and they were widely reported in the</p> <p>18 media, and they did not seek help from our union.</p> <p>19 We couldn't confirm whether they were our members</p> <p>20 and didn't know where they happened. So none of our</p> <p>21 staff provided assistance to them. So for the nine</p> <p>22 cases we have here, because they were seriously injured,</p> <p>23 and they had to take prolonged sick leave, they had</p> <p>24 financial difficulties. These were members who we got</p> <p>25 information from the occupational safety and health of</p>
Page 6	<p>1 paragraph that you have gathered the responsible persons</p> <p>2 of the five branches of franchised buses to convene</p> <p>3 a taskforce and extensively collected the views of the</p> <p>4 managers, office, and members, and workers. You will</p> <p>5 see that at page 289-16 in Chinese, and page 289-23-1 in</p> <p>6 English. And in this submission you also extensively</p> <p>7 made submission on the assault or abuse of bus captain</p> <p>8 by passengers. You cited a number of incidents in the</p> <p>9 second submission.</p> <p>10 You also made the third submission, but before I go</p> <p>11 to the third submission I would deal with the assault,</p> <p>12 abuse of bus captain by passengers first. That is the</p> <p>13 first topic which has been extensively covered in both</p> <p>14 your first and second submissions.</p> <p>15 Mr Cheung, I believe in both of your submissions you</p> <p>16 mentioned that this complaint about assault has been</p> <p>17 raised by trade union and bus companies for a number of</p> <p>18 years.</p> <p>19 You quoted a number of incidents in 2016 and 2017</p> <p>20 and 2018. If I may go through this with you. Because</p> <p>21 you have identified nine assault incidents between</p> <p>22 3 January 2016 to 29 April 2018. That's Chinese at</p> <p>23 page 289-16 to page 289-17. And English at 289-23-2.</p> <p>24 This assault incidents took place at different</p> <p>25 places in Tuen Mun town centre, Tai Wai Mei Lam Estate</p>	Page 8	<p>1 the union, and in our latest submissions, we</p> <p>2 supplemented cases reported by the media.</p> <p>3 We wanted to talk about a case at number 9 bus of</p> <p>4 Shek O. A captain was assaulted by a passenger for</p> <p>5 about three to five minutes, it was widely reported in</p> <p>6 the media but he did not come to us for help so we could</p> <p>7 not tell his actual situation. That's what I have to</p> <p>8 add.</p> <p>9 MR LAI SIU CHUNG: May I add too.</p> <p>10 Yes, we do have some statistics, but this is just</p> <p>11 the tip of the iceberg, these nine cases. However,</p> <p>12 assault against captains have become more serious, on</p> <p>13 average there are nine cases a day, and we do have some</p> <p>14 information, the number of cases are increasing. So we</p> <p>15 have just suggested to bus companies that protective</p> <p>16 devices be provided. There should be a membrane, or</p> <p>17 a panel to help us.</p> <p>18 So this has always been happening. It is not</p> <p>19 confined to these nine cases, things have got more and</p> <p>20 more serious, and the passengers are very uncivilised.</p> <p>21 They use mobile phones to provoke and assault captains.</p> <p>22 There is a 230A regulation to protect captains but they</p> <p>23 have never been enforced.</p> <p>24 CHAIRMAN: Ms Wong, before you go on, it might assist you if</p> <p>25 we were to inform you that we have received on Friday,</p>

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<p>1 I think it was, some information from Kowloon Motor Bus 2 about statistics of complaints that they have received 3 from their bus captains, from the period 2015 through to 4 2018, and I think I'm right in remembering that there 5 are about 40 complaints that have been made so far this 6 year. 7 Are you aware of that information? It is on our 8 website. 9 MR LAI SIU CHUNG: Chairman, if I may tell you that in the 10 past two years, things have been more serious so there 11 should be more than 40 complaints. And it is only very 12 recently that a legal division has been set up in the 13 company to support bus captains. 14 For cases that came to us for help, we provided 15 assistance, but 40 complaints is not an accurate figure. 16 We should at least have eight or ten per month. So two 17 years, there should at least be 200 cases. 18 CHAIRMAN: I think you might have misunderstood me. 19 40 cases in the six months so far this year, seven 20 months this year -- from one bus company. 21 MR LAI SIU CHUNG: I don't dispute that. But I don't think 22 the figure is reliable. 23 CHAIRMAN: Well, no doubt you can provide us with reliable 24 figures, but before you do that, the nine cases you 25 described here cover the period from beginning of 2016</p>	<p>1 of us. 2 CHAIRMAN: Of course we will provide it to you. 3 MR LAI SIU CHUNG: (In English) Thank you. 4 CHAIRMAN: It may be easier if you look at the hard copy. 5 Take your time to digest the format. That's 6 probably what you need. Are we able to show the whole 7 page? Yes. 8 Would you be kind enough to go forward to 2018? 9 MS MAGGIE WONG: Yes. That would be at page 216. 10 It should be KMB-1 bundle, page 216. 11 CHAIRMAN: Gentlemen, are you ready now for questions to be 12 asked? 13 MR CHEUNG TSZ KEI: Yes. 14 MS MAGGIE WONG: If you look at the KMB-1 bundle at 15 page 216, item 148 onwards to 188 are the cases that 16 were compiled by the KMB from January 2018 to 17 22 July 2018. That's just for KMB only. 18 MR LAI SIU CHUNG: Well, that was reported to you by KMB, 19 but information was received from us that some minor 20 pushing were not reported to KMB. These figures might 21 be true, but we understand that some cases were not 22 reported to the bus company, and that's why we say that 23 these statistics are not very accurate. Some staff did 24 not report to the company, but they told the trade 25 unions.</p>
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<p>1 until April 2018; is that correct? 2 MR LAI SIU CHUNG: Yes. 3 CHAIRMAN: Can you help us as to the bus companies where 4 these nine victims worked? 5 MR LAM TIN FU: We have to check our information, but most 6 of them were working for KMB. 7 For most of the cases known, they were from KMB. 8 But for the specifics, we have to check the records. 9 And some bus captains did not tell us the company 10 they worked for. Because in our form, we only required 11 them to tell us the trade union he is from; we don't 12 require them to tell us which bus company he is working 13 for. 14 CHAIRMAN: Thank you. Thank you, Ms Wong. 15 MS MAGGIE WONG: Yes. The chairman earlier referred to 16 a list compiled by the KMB showing assaults on bus 17 captains from January 2015 to 22 July 2018. Can I show 18 you the list. It is at KMB1 bundle, at page 212. 19 MR CHEUNG TSZ KEI: I'm sorry, Ms Wong. 20 Chairman, can I have a copy? Can I have a Chinese 21 copy of this? 22 CHAIRMAN: Yes, that can be provided now. 23 MS MAGGIE WONG: Yes. 24 CHAIRMAN: It may be that it was only provided in English. 25 MR LAI SIU CHUNG: Because we cannot see anything in front</p>	<p>1 CHAIRMAN: No doubt you can provide us with the complaints 2 that you have received, that were not provided to the 3 bus company. 4 MR LAI SIU CHUNG: Chairman, for example, just last week we 5 had a station master who was newly employed. He was 6 punched once by a Pakistani, and he fell to the floor. 7 He reported the case to me and I reported it to the 8 company. And then a report was compiled. 9 Now, because this is such a big company, if I have 10 to tell each and every time, then you will find it 11 troublesome, Chairman. 12 CHAIRMAN: We are trying to act on evidence, and unless we 13 are provided with evidence, mere assertions, sweeping 14 assertions don't assist us. 15 If you can give us complaints that you have received 16 that were not reported to the bus company, please do. 17 MR LAI SIU CHUNG: Okay, thank you. 18 MS MAGGIE WONG: If you look at the list we can see, on my 19 count, there were about 41 incidents. But we can see 20 that very few cases result in any prosecution or 21 meaningful result. And only two cases -- we can see at 22 items 162 and 164 -- result in the defendant pleading 23 guilty and fined for a sum. Out of 41, most of them are 24 settled, or with verbal warning, or not pursued by the 25 police.</p>

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<p>1 If I may take this list and cross-reference to some 2 of the cases that were mentioned in your nine assault 3 incidents, I can find five of them.</p> <p>4 The first case in your submission is case 2. At 5 page 289-16. It relates to an incident of a Mr Ho on 6 3 January 2016 the at Tai Wai Mei Lam Estate. And we 7 can see that would be case number 62 in the list 8 compiled by KMB at page 214, case number 62.</p> <p>9 MR LAI SIU CHUNG: Yes.</p> <p>10 MS MAGGIE WONG: Thank you.</p> <p>11 Before I move on, there is in fact another incident 12 which is not recorded in this table, but there was 13 a notice of an incident on 16 May 2016 about an assault. 14 And that's at page 289-114, and the English is at 15 289-23-2.</p> <p>16 We can see there was another incident on 16 May 2016 17 that was not reported, or cannot be found in the table, 18 but which was issued or a notification issued by your 19 organisation or union, and if I may go back to the list, 20 this is just quoted as one of the examples that would 21 not be in KMB list, nor in your list that we can find.</p> <p>22 MR LAI SIU CHUNG: It is the same one as the one with the 23 victim's surname Ho.</p> <p>24 MS MAGGIE WONG: Oh. Same as. Thank you.</p> <p>25 And the second case is case 5 on your list, at</p>	<p>1 MR CHEUNG TSZ KEI: Yes. Yes. The injured bus captain 2 sought assistance from me. At that time he asked 3 questions. He asked why the security officers at Tsing 4 Ma toll plaza let the culprit go, because the culprit 5 forced the door open, alight the bus, walked to take 6 another transportation to leave. The control officers 7 at the toll plaza did not do anything.</p> <p>8 MS MAGGIE WONG: Now we can see these incidents, these 41 9 incidents in the list were reported to the police, and 10 on the most right column we can see some of the remarks 11 stating that the police either requested them to settle, 12 or not pursued by the police, and that was a point made 13 in your submission at page 289-17, English at 289-23-3, 14 at the bottom.</p> <p>15 MR LAI SIU CHUNG: I would like to say something, Chairman. 16 There are many incidents. It is impossible that 17 they were all settled voluntarily. You can see that 18 there were only a handful of cases where the law was 19 enforced. There are so many cases, it is ridiculous 20 that so many of them are settled. We have received 21 a lot of complaints that the police did not enforce the 22 law. Bus captains will not provoke passengers. There 23 so many cases. Out of the 40 cases only a handful of 24 cases resulted in prosecution. That obviously is 25 a problem. You can see that from the table. There are</p>
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<p>1 page 289-17, and that's case 5 on your list, in relation 2 to a Mr Yiu, who was attacked on 8 August 2016. And we 3 can see this incident was also found in the KMB list at 4 page 214 as case number 82.</p> <p>5 We can see BC, bus captain, Mr Yiu, the date on 6 8 August, Long Win Bus, the location at the airport 7 terminus, and the injury he suffered.</p> <p>8 And the third incident in your submission is case 8 9 at page 289-17, concerning a Mr Lee injured on 10 9 January 2017, at Mong Kok station, where he was 11 injured on the eye and the forehead. This case can also 12 be found in KMB's list at page 215 as case number 113.</p> <p>13 Do you confirm that?</p> <p>14 MR LAI SIU CHUNG: Yes.</p> <p>15 MS MAGGIE WONG: And another example that was found on the 16 list but not in your list, but in the KMB list, is the 17 number 122 incident on 4 June 2017 in Tsuen Wan bus 18 terminus, in which the case was settled. And that's in 19 the KMB list at page 215.</p> <p>20 Another case on your submission is case number 9 at 21 page 289-17, in relation to a Mr Yeung, injured on 22 29 April 2018 at the Tsing Ma toll. And this incident 23 was reported, or compiled in the KMB list as case number 24 170, at page 217.</p> <p>25 Can you confirm that? 170.</p>	<p>1 a number of injuries sustained in a lot of these cases, 2 and a lot of them resulted in the case being settled, 3 only a handful of cases resulted in prosecution. Bus 4 captains have been assaulted, and they are asked to 5 settle. That is to show that there is a failure on law 6 enforcement.</p> <p>7 MS MAGGIE WONG: Thank you, Mr Lai.</p> <p>8 You raised that this matter has been raised a number 9 of times. And one of the examples we can see is in one 10 of the minutes of meeting you had with the Transport 11 Department. That's dated 22 March 2017. We can see it 12 in Chinese at page 289-61, paragraph 2 at the bottom; in 13 English, at page 289-182.</p> <p>14 In paragraph 2 you mentioned the attacks on bus 15 drivers, and the verbal abuse and how it affected the 16 driving, the work of the bus captains, and requested the 17 Transport Department to execute the laws in accordance 18 with the regulation.</p> <p>19 This is just one of the examples.</p> <p>20 If I may refer back to your submission. You made 21 clear the point that the information of other attacks 22 and injuries not reflected to the staff of your union is 23 not collected in your submission. And you made that 24 clear at page 289-18 in Chinese, second paragraph; in 25 English, page 289-23-3.</p>

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<p>1 In paragraph 2 you mentioned about -- in the 2 previous occasion some of the members would come out to 3 assist the bus captains, but because of the incidents 4 that there may be certain implication about public 5 fighting, or fighting in public place. So a lot of 6 people are worried about their own condition, and not 7 willing to offer assistance to bus captains. 8 And you mentioned an incident on 10 July 2015 about 9 the typhoon incident leading to a number of violent 10 behaviour of passengers. Can you explain a little bit 11 as to how you would assist the bus captains and why you 12 feel inhibited in assisting the bus captains in those 13 circumstances? 14 MR LAI SIU CHUNG: I remember this case very clearly. At 15 about 8.30, because of the typhoon, bus service ceased. 16 And at that time perhaps passengers were quite anxious, 17 as a result, they assaulted the bus captain. At the 18 end, the passenger was arrested. 19 MR LAM TIN FU: Well, this is the view of the union. If 20 other union members stepped in to help the bus captain, 21 to stop the perpetrator from assaulting the bus captain, 22 the police would book all parties involved. 23 That means all these people would be charged with 24 fighting in a public place. 25 As a result, when union members see that someone is</p>	<p>1 10 July 2018, Chinese is at page 289-18, English at 2 page 289-23-3 to 289-23-4, in paragraph 1 you 3 highlighted the problems that you mentioned earlier, and 4 that you have collected from the Internet, other 5 information concerning bus drivers being harassed by 6 passengers, and being unreasonably treated. And you 7 also exhibited the relevant articles or website 8 information on bus captains being abused by passengers. 9 The articles can be found in Chinese at page 289-24 10 to 289-30, and there is photographic evidence. And in 11 English, at page 289-141 to 289-146. 12 And you identified the problem at paragraph 2 of 13 your submission. And you went on to complain at 14 paragraph 3 that you have not heard of law enforcement 15 officers bringing charges against a relevant person 16 under the Public Bus Services Regulations, chapter 230A. 17 We can see that in English, 289-23-4, and in Chinese at 18 289-19. 19 MR LAI SIU CHUNG: Can you please respond. Cap 230A is for 20 protecting bus captains, but in most cases it is used to 21 protect passengers and our companies have not asked that 22 protection be given to us. Now, we should enhance the 23 penalty. Because I have not seen any charging of 24 perpetrators under cap 230A. 25 MS MAGGIE WONG: For convenience, if I may take you to the</p>
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<p>1 assaulted, they would not go to help, and that becomes 2 the trend now. 3 MR CHEUNG TSZ KEI: And I would like to supplement. Verbal 4 abuse, taking videos of bus captains, these all affect 5 the emotions of the bus captain, which in turn affects 6 driving safety, and this will have an implication on 7 public safety. As a result, we do think that these 8 kinds of assaults should be stopped. 9 CHAIRMAN: Could you just help the committee with the detail 10 of this particular assault? Where did the assault take 11 place? Was it in the bus? Or was it in the bus depot? 12 MR LAI SIU CHUNG: It is at the bus stop, before the bus 13 pulled off. Perhaps because passengers were quite 14 anxious that typhoon No. 8 would be hoisted. We 15 received an announcement that at 8.30 bus service would 16 cease. My understanding was that passengers saw a bus 17 captain, but the bus captain was about to knock off 18 work. Passengers assaulted the bus captain. Some 19 people helped the bus captain. However, all the people, 20 even those who stepped in to help, were charged. 21 CHAIRMAN: Was the assault on the bus, or outside the bus? 22 MR LAI SIU CHUNG: At a bus terminal, outside a rest kiosk 23 of the bus regulator. Do you understand, Chairman? 24 CHAIRMAN: I do, now. Thank you. 25 MS MAGGIE WONG: In your further submission dated</p>	<p>1 regulation to see the penalty. And that's in THB-2, 2 page 131. 3 Do you have that? I'm sorry that there is only an 4 English version. But we can see in regulation 13, power 5 to remove passengers from a bus, where that person whom 6 he has reasonable cause to believe has contravened these 7 regulations. 8 And also 13A, at page 13. Regulation 13A states 9 that: 10 "... no passenger or intending passenger shall: 11 (a) wilfully ... impede or distract the driver of 12 the bus or any authorised person; 13 (b) wilfully obstruct the driver's view of the road 14 or traffic; 15 (c) wilfully do or cause to be done with respect to 16 any part of the bus ... anything which ..." 17 And then subparagraph (ii): 18 "causes injury, discomfort, annoyance or 19 inconvenience to any other person ..." 20 and at (i): 21 "obstructs or interferes with the workings of the 22 bus or causes damage." 23 And if we may go to regulation 25(3): 24 "Any person who without reasonable excuse 25 contravenes any of the provisions of regulation ...</p>

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<p>1 13A(1)" [that's the provision we have just looked at] 2 "commits an offence and is liable to a fine of \$3,000 3 and to imprisonment for six months." 4 So that's the section you are referring to that was 5 not prosecuted throughout the years. Is that the case? 6 MR CHEUNG TSZ KEI: Correct. 7 MS MAGGIE WONG: And if I may invite you to look at 8 paragraph 3 of your submission, further submission. In 9 English it is at page 289-23-5; Chinese is at page 10 289-19. Do you see that? 11 Reference was made to civil claims that bus 12 companies have initiated on the bus captains' behalf, 13 but they have not published the results of the claim. 14 So you requested to obtain information on bus captains 15 in which civil claims were lodged. Is that the 16 position? That you would like to recommend the 17 Committee to seek information from the franchised bus 18 companies in relation to this civil claims? 19 MR LAI SIU CHUNG: A few months ago a female bus captain was 20 assaulted. There was assistance by the bus company, 21 there was a compensation of \$5,000 in cash, and also 22 bail, and he was bound over. 23 Yes, there was assistance, and there was requests 24 for compensation. 25 MR LAM TIN FU: But as far as we know, bus companies would</p>	<p>1 covering the driver seat, have become standard features 2 on all new buses since 2015. Up to February 2018, 3 surveillance cameras were installed in 2,319 KMB buses 4 and 146 LWB buses. The remaining buses will be equipped 5 with surveillance cameras phase by phase. Surveillance 6 cameras capture the behaviour (with audio recording) of 7 difficult passengers. It will protect the interest of 8 [bus captain] in subsequent investigation by the police 9 or legal proceedings." 10 That's the first measure. 11 The second is: 12 "We will install a protective shield near the driver 13 seat [or cockpit] starting from June 2018." 14 Third: 15 "... more on-board announcements to advise 16 passengers not to do ... acts that will affect the [bus 17 captains] and other passengers." 18 And the fourth: 19 "... offer legal support to [bus captains] after 20 they have been assaulted." 21 Now I would like to ask about these surveillance 22 cameras. We have seen some examples in one of the site 23 visits that these surveillance cameras were installed 24 above the position or above where the driver was seated. 25 And it would capture the driver's behaviour as well, and</p>
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<p>1 only provide personal assistance, because these cases 2 would affect all employees of bus companies and there 3 was no announcement to all staff, the outcome of the 4 assistance. 5 Some KMB colleagues told us that in their monthly 6 newsletter the case was mentioned, but we haven't seen 7 that. It was in the newsletter for KMB staff. 8 MS MAGGIE WONG: Would you be able to provide us with the 9 monthly newsletter? 10 MR LAI SIU CHUNG: We have to find it out from our staff 11 website. Perhaps you can ask KMB on our behalf. In 12 their monthly newsletters for staff, and all the cases 13 are reported, it is not that we cannot find it, but we 14 may not be able to do it very quickly. Perhaps it would 15 be faster if you ask the management of KMB. 16 MS MAGGIE WONG: We have seen the complaints. Can we look 17 at how KMB responded to some of these complaints in 18 their submission. 19 If I may take you to KMB-1, page 61 to 62. 20 It referred to 61 to 62. It referred at page 62 at 21 the top that: 22 "[Following] the increasing number of assaults ... 23 we have taken the following measures ..." 24 And they have identified four. First, surveillance 25 cameras, included forward-looking cameras, and a camera</p>	<p>1 it appears some of the drivers previously raised some 2 concerns, as a result of these surveillance cameras. 3 What is your comment on this matter? 4 MR CHEUNG TSZ KEI: Yes. Recently, KMB has made these 5 improvements when it comes to assaults against bus 6 captains. The company has helped bus companies -- I 7 mean captains, to provide legal assistance. 8 MR LAI SIU CHUNG: If I may supplement. Our frontline 9 captains and trade unions have reflected the view that 10 sometimes surveillance cameras can help bus captains, 11 but for minor issues, they will only say that the cases 12 would be handed over to the police. Sometimes 13 surveillance cameras cannot help bus captains. Now, we 14 want to have our own cameras but KMB -- bus companies 15 claim that there would be privacy issues, and when there 16 are minor hiccups, we asked for the footage but we may 17 not be able to have the footage covering the whole 18 incident. 19 So the surveillance camera may capture minor 20 incidents, but the footage would only be passed to law 21 enforcement departments, but not to frontline captains 22 for support. So we are saying that when we need 23 support, the surveillance cameras may not be able to 24 support us. And according to the company, they hope to 25 complete the installation by the second quarter of next</p>

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<p>1 year. Two thirds of our buses are not yet installed 2 with these cameras. There are over 3,700 or 3,800 buses 3 in KMB's fleet and two thirds of them do not have the 4 surveillance cameras yet. 5 MR CHEUNG TSZ KEI: Let me supplement, Chairman. 6 CHAIRMAN: Before you go on. The figure that we are given 7 here is: 2,319 buses as of February 2018 had 8 surveillance cameras. So if there are 3,700 buses, two 9 thirds do not, as you say, have surveillance cameras, 10 that's not right. 11 MR LAI SIU CHUNG: Chairman, because the company has got 12 buses that will only be used for two more years, and 13 they will not be installed, they will be phased out very 14 soon, and the company has indicated that surveillance 15 cameras will not be installed for them, and the number 16 is quite considerable. Because these vehicles are old, 17 and the company has decided not to install cameras, and 18 some frontline bus captains installed our own cameras, 19 but the bus company use administrative measures to not 20 allow us to do that. We want to protect ourselves. 21 CHAIRMAN: Can you provide the Committee with information as 22 to that latter matter? The prevention of bus captains 23 using, I take it, their own cameras? 24 MR LAI SIU CHUNG: Yes, we can provide this. For BCs to 25 install their own cameras they have received written</p>	<p>1 privacy. If you ask for documents or letters, or 2 warning letters, I can give them to you afterwards. 3 CHAIRMAN: That's what we are asking for. 4 MR LAI SIU CHUNG: Yes, I will submit them to you 5 afterwards. 6 CHAIRMAN: Thank you. 7 Moving to another issue, do you support the 8 installation of these surveillance cameras, that capture 9 on audio and video what happens in and around where the 10 bus captain's seat is? 11 MR CHEUNG TSZ KEI: If it improves the working condition of 12 bus captains without affecting their performance, trade 13 unions will support that. 14 CHAIRMAN: Can you answer that "yes" or "no"? Do you 15 support it? 16 MR LAM TIN FU: Chairman, the installation of a device that 17 does audio or video recording may be conducive to 18 evidence collection. However, some bus captains are of 19 the view that if there is a surveillance camera they are 20 being monitored all the time and it will create mental 21 pressure. I have heard cases that for some bus captains 22 with the camera sitting right above their heads, it 23 distracts them and it will not be good for road safety. 24 So there are concerns. 25 The installation of surveillance camera may be done</p>
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<p>1 warnings, and there are announcements to tell BCs that 2 they cannot install their own cameras. We are helpless, 3 because there are many traffic accidents. When the 4 police arrive at the scene they will ask you whether 5 there is any camera. So we accepted these warnings, 6 reluctantly, but we have always hoped that the 7 management would accept the proposal from trade unions, 8 because these cameras can protect BCs. For vehicles 9 with the prefix H and J, they do not have any cameras, 10 because they are over 13 years old and the company will 11 not install cameras for vehicles with the prefix H and 12 J, they are old models, we are told that they will not 13 waste resources to install cameras in these vehicles. 14 CHAIRMAN: Will you provide documents that allow the 15 Committee to understand how this has been dealt with by 16 the company? You call it "administrative measures". 17 Can you give us those documents? 18 MR LAI SIU CHUNG: I will try. We have had meetings with 19 the company. They said that we are not allowed to 20 install cameras because of previous issues. 21 Well, release of footage will have to be done with 22 the consent of all the parties captured. We have had 23 meetings with the company. They said that it involved 24 privacy issues. Release of footage without the consent 25 of all parties captured in the footage is a violation of</p>	<p>1 with good intentions but you have to take into account 2 the actual conditions of bus captains. If all buses are 3 fitted with such installations, some bus captains may 4 find it difficult to adjust. 5 So I just say that it may be considered, but not all 6 bus captains can adjust to having a surveillance camera 7 monitoring them all the time. 8 Bus captains drive or work for about eight hours. 9 If they are under mental pressure it will not be good. 10 There may be times where bus captains just holding 11 steering wheel with one hand because they want to take 12 a sip of water, and it will be captured on camera, so 13 you will have to be very cautious before considering the 14 installation of a video or audio recording devices. 15 CHAIRMAN: So do we understand it that the union takes the 16 position that there is no consensus about this? You 17 don't have a view? 18 MR LAM TIN FU: We think that it should be considered with 19 caution. 20 Yes, it may help, but trade unions think that you 21 will have to ask our members. 22 MR LAI SIU CHUNG: I would like to say that seven or eight 23 years ago, at the start of installation of surveillance 24 cameras, we have lodged complaints with the Privacy 25 Commissioner, because we have received a lot of</p>

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<p>1 complaints at our complaints divisions saying that it 2 posed tremendous mental pressure on bus captains. 3 So, to a certain extent, some of our members oppose 4 any devices that would make audio recording. 5 About six or seven years ago we went to the Privacy 6 Commissioner to lodge a complaint and to protest. That 7 was done by the General Union. 8 CHAIRMAN: What is the position now in 2018? Is this 9 supported or not supported? 10 MR CHEUNG TSZ KEI: Perhaps I will answer. 11 The installation of a camera, I have at one point 12 discussed it with the senior management of the KMB. 13 Yes, with a camera, bus captains are protected in 14 relation to what happens on the road. However, some 15 administrative officers focus rather on some minor 16 points, say for example a bus captain holding the 17 steering wheel with one hand while trying to take a sip 18 of water. That bus captain would be asked to go to see 19 the management. 20 With things like that, it would affect the 21 psychological state of bus captains. We have talked to 22 the management of the company, we asked the company to 23 give undertakings that there will not be unreasonable 24 disciplinary proceedings, say, for example, minor 25 incidents like holding the steering wheel with one hand</p>	<p>1 something about holding the steering wheel with one 2 hand. 3 Well, that's only done when it is perfectly safe. 4 Say, for example in a very safe situation. 5 MS MAGGIE WONG: So it is just a random checking, or is it 6 to react to complaints and as a result they look at 7 surveillance footage? 8 MR CHEUNG TSZ KEI: What we ask for is that the footage 9 would only be viewed where there are incidents or 10 traffic accidents. However, a number of years ago, some 11 officers took the initiative to view the footage and 12 found some bus captains eating biscuits or drinking 13 water, and the bus captains were being chastised by 14 officers. We do think that is unreasonable. 15 It happens quite often. As a result, bus captains 16 feel that they are offended. 17 CHAIRMAN: Ms Wong, allow for the translation. Perhaps bear 18 that in mind in future. 19 I think Ms Wong's question really is this. 20 When, as you call them, administrators get involved 21 in looking at the surveillance camera in these 22 circumstances, is that because a complaint has been made 23 by a passenger? The bus driver was eating biscuits or 24 drinking water? Is it a response a complaint? 25 MR CHEUNG TSZ KEI: Chairman, not necessarily. There is one</p>
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<p>1 while trying to take a sip of water. 2 Of course, on the one hand we would very much like 3 to have a camera to protect us, but if the management 4 uses it to penalise bus captains for minor incidents 5 then we would not like it. 6 CHAIRMAN: So are we to understand that your position is 7 this: so long as the camera is used for the benefit of 8 the bus captain you are in favour of it, but if it is 9 used against him you are not? Is that it? 10 MR CHEUNG TSZ KEI: Right. Right. It is about unreasonable 11 Draconian measures taken against us, or just 12 unreasonable requirements. 13 CHAIRMAN: Thank you. 14 Ms Wong. 15 MS MAGGIE WONG: Yes. Mr Cheung, you mentioned about the 16 management would sometimes look at this camera or 17 surveillance footage to check on the behaviour of the 18 bus captains. 19 In what circumstances would they do that? 20 CHAIRMAN: I think Mr Cheung provided us with the answer 21 several times. The graphic example of the one-handed 22 steering wheel and the sipping of the water. It is that 23 kind of interference with minor things, as you would 24 categorise them, that you are concerned about? 25 MR LAI SIU CHUNG: Sorry, Chairman. I would like to say</p>	<p>1 case, the bus captain has finished his duties driving 2 the bus back to the depot. There were no passengers on 3 board, and that bus captain was being penalised by an 4 administrative officer. 5 CHAIRMAN: So you infer from that that, on this occasion at 6 least, use was made of the surveillance camera without 7 there being a complaint -- spying on the bus captain, is 8 that it? 9 MR CHEUNG TSZ KEI: That's correct. 10 CHAIRMAN: Thank you. 11 MS MAGGIE WONG: How often was this being conducted by the 12 management? How often, do you know? 13 MR CHEUNG TSZ KEI: In recent times, such incidents has 14 dropped in number, that's a result of trade unions 15 complaining to the company a number of times, saying 16 that such unreasonable measure would dampen morale even 17 further. As a result, the number of such incidents has 18 dropped. 19 CHAIRMAN: So has this problem resolved itself, did the bus 20 company listen to you? 21 MR CHEUNG TSZ KEI: Chairman, well, there can be two 22 interpretations. First of all, there is a shortage of 23 manpower. Two, you can say that they have listened to 24 us, but we don't know what will happen in the future. 25 CHAIRMAN: What was the last occasion when this kind of</p>

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<p>1 spying took place without a complaint from a passenger? 2 How long ago? 3 MR LAI SIU CHUNG: I believe that there will be complaints 4 every day. Where there are cameras, the footage would 5 be viewed, and there is also a black box on board. Say, 6 for example, there is -- well, you can view the footage 7 to see if doors have indeed been opened to let 8 passengers on and off, or the bus captain has stopped at 9 the bus stop. There is a black box on board. I believe 10 that there are complaints every single day. 11 CHAIRMAN: But the question was, can you point to an example 12 where spying took place without complaints? The most 13 recent one, or has it solved itself? 14 MR CHEUNG TSZ KEI: I believe it was half a year ago since 15 I last heard about something like this. 16 CHAIRMAN: Thank you. 17 Yes, Ms Wong. 18 MS MAGGIE WONG: Yes. The second measure mentioned in 19 page 62 is the installation of a protective shield. Can 20 you tell us how many protective shields have been 21 installed since June 2018? That's in KMB-1 submission, 22 page 62, the second measure, about installing 23 a protective shield near the driver seat, starting 24 from June 2018. How many were installed? 25 MR LAI SIU CHUNG: I believe one-third of the fleet has been</p>	<p>1 shield could not be removed. Bus captains are under 2 great pressure. This morning I checked with a BC and 3 was told that if the magnet is not tightly attached it 4 would be noisy and your fingers can get caught, and some 5 passengers might knock on the protective shield 6 inadvertently. It is not easy to open the door. 7 And the protective shield may affect the sight line 8 of bus captains. They cannot see clearly the getting on 9 and off of passengers. At night the shield is 10 reflective. 11 So if vehicles on the other lane have lights, then 12 it may be reflected. We have reflected that to the 13 management and the answer was it could not be removed. 14 By April next year all vehicles will be installed with 15 a protect he have shield. 16 I don't know whether Chairman has seen the 17 protective shield himself. 18 CHAIRMAN: Yes, I have. I have also seen them deployed over 19 the years in New York taxis and elsewhere in the world. 20 There seems to be no simple solution. 21 MS MAGGIE WONG: And since when did you make these 22 complaints, or since when the bus captains make these 23 complaints? 24 MR LAI SIU CHUNG: In the past few months, many bus captains 25 have reflected that to trade unions, the last time I met</p>
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<p>1 covered, because there are many demerits. It may look 2 to be some protection, but the opening of the shield is 3 very big, it is not easy for you to switch it on and 4 off, and it is very reflective and then there is 5 a magnet at the very tip, and while the bus is moving 6 there may be noise. And that would affect the bus 7 captain. We have asked the management to improve that, 8 and some bus captains would like that removed, because 9 at night it is very reflective. But we are told that 10 this is a political issue and it could not be removed. 11 Just last week we took this up with the management. 12 The protective shield is very problematic. The 13 switching on and off of the shield, and it's reflective, 14 it affects driving safety, and if it is not tightly 15 fastened, then it would affect our driving. 16 CHAIRMAN: So the short answer, is about one-third of the 17 KMB fleet have had these not very good shields deployed? 18 MR LAI SIU CHUNG: The protective shield has got a lot of 19 problems. From bus captains it is not that they don't 20 support having a protective shield, but they have 21 reflected the demerits of the protective shield to the 22 trade unions, we have also reflected them to the 23 management. But so far there seems to be no 24 improvement. 25 We are told it was political issue, the protective</p>	<p>1 with Mr Leung of the management I relayed the complaints 2 to them. They are saying that the protective shield was 3 too reflective, and the switching on and off device, and 4 also the shield has distracted bus captains. We have 5 talked about the material, and then the switching on and 6 off device is too tight, and some bus captains may not 7 be strong enough to move it, but they told us that there 8 is a trick you just push the door and it can be opened. 9 But we see more problems. 10 CHAIRMAN: Ms Wong, I think we have to try a make progress 11 in other areas, because we have spent a lot of time on 12 this area. 13 MS MAGGIE WONG: Yes. 14 If I may move on to the second topic on traffic 15 signal. 16 You mentioned in your submission at page 289-23-5, 17 paragraph 12, Chinese at 289-19, you refer to a proposal 18 about inviting the Transport Department to have flashing 19 signal by numbers be added when a traffic signal changed 20 from yellow to green, so that the driver knows what to 21 anticipate, and to avoid the danger caused by sudden 22 breaking. 23 And you made that submission a number of times, and 24 if I just make the reference to you, but there is no 25 need to go to those documents.</p>

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<p>1 The first document is a letter submitted to the 2 Transport Department in 1996, at page 289-31, 3 paragraph 4.</p> <p>4 The Transport Department did reply on 5 6 February 1996, and that's at page 289-38. The 6 Transport Department responded at second paragraph that 7 adding a flashing amber may confuse the motorist even 8 more.</p> <p>9 And then you made this submission or this proposal 10 again on 15 March 2005. We can see that in Chinese at 11 page 289-47; in English at 289-166.</p> <p>12 If you look at page 289-50 to 51, in Chinese; and 13 English at page 289-170.</p> <p>14 So having heard the Transport Department's 15 suggestion or proposal, or feedback, what is your view 16 on having, or whether you still insist on having traffic 17 signal counting by numbers?</p> <p>18 CHAIRMAN: It is not a question of insisting, it is 19 a question of requesting, is it not?</p> <p>20 MS MAGGIE WONG: Requesting. Yes.</p> <p>21 Do you still request, or are you satisfied with the 22 reply by the Transport Department, or do you still wish 23 to request the Transport Department to have this system 24 of flashing signals added by numbers?</p> <p>25 MR CHEUNG TSZ KEI: Yes, Chairman. With regard to Transport</p>	<p>1 amber phase. This will enhance the quality of service 2 and safety, it will benefit the public. But the 3 Transport Department has time and time again ignored our 4 aspirations.</p> <p>5 CHAIRMAN: You are describing the flashing green man at 6 a pedestrian crosses so the pedestrian knows that the 7 green is going to become red soon; is that what you 8 mean?</p> <p>9 MR CHEUNG TSZ KEI: Correct, Chairman. We want an extra 10 three to four seconds, so that before turning to the red 11 phase, we can -- amber phase, we can have some 12 preparation to allow sufficient time for bus captains to 13 stop their buses smoothly.</p> <p>14 CHAIRMAN: And are there other places in the world that 15 deploy this system that you can point to?</p> <p>16 MR CHEUNG TSZ KEI: I saw it in Singapore. They have 17 a flashing of a green arrows. And more common in the 18 mainland. They have countdown figures.</p> <p>19 CHAIRMAN: That's the numerical countdown for the change of 20 the phase?</p> <p>21 MR CHEUNG TSZ KEI: Yes.</p> <p>22 CHAIRMAN: Thank you.</p> <p>23 MS MAGGIE WONG: And we have received submissions from the 24 Transport Department about the statistics of all 25 accidents involving franchised buses, that are</p>
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<p>1 Department's reply I am not satisfied. Because the 2 department fails to understand the time required for 3 a bus to be stopped. From the green to the red phrase, 4 currently takes about three seconds, but if a bus is 5 running at 50 kilometres per hour, to stop the bus 6 stably, steadily within three seconds is very difficult. 7 Therefore, some buses may rush through a green light, 8 and this gives people the impression that bus captains 9 like to do that.</p> <p>10 In fact, at an awkward situation, if a bus captain 11 has to stop a bus smoothly, then he may have to stop at 12 a road junction. If he wants to pass the junction, that 13 will be rushing through the green light, and if he has 14 to stop and it would be very abrupt, that may cause 15 injuries to passengers. These are difficulties 16 associated with bus driving, but many motorists may not 17 understand that. For a private vehicle it may be 18 stopped within three seconds; for heavy duty vehicles it 19 can be stopped abruptly and the goods inside might be 20 disturbed. But we are talking about passengers on 21 buses. So we want a countdown signal. Or at least 22 there should be three to four flashes before the green 23 phase turns to the amber phase to give us preparation. 24 It is just like for passenger signal, there would be 25 flashes when the green phase is going to turn to the</p>	<p>1 non-collision type. If I may take you to the Transport 2 Department's submission at TD-9, filed in April 2018. 3 At TD-1, page 111. Paragraph 6.</p> <p>4 And we can see the statistics provided in 5 paragraph 6. And at paragraph 5 and 6. Paragraph 5 6 states that:</p> <p>7 "About 59 to 65 per cent of all the accidents 8 involving FB during 2012 [to] 2017 are non-collision 9 type accidents. These included accidents which 10 typically involved passengers losing balance inside the 11 bus compartment due to various reasons ..."</p> <p>12 And if we see the forward planning programme of 13 Kowloon Motor Bus for 2018 to 2022, in the same TD 14 bundle at page 183, paragraph 8.2.7 stated that:</p> <p>15 "The majority of the accidents, (51.5 per cent) were 16 due to passengers losing balance while on the bus. More 17 than half of these cases were caused by the bus braking 18 in traffic."</p> <p>19 Now, I would like to ask you this. It appears from 20 these statistics, that more than 50 per cent of the 21 injuries to people on or near bus are caused by losing 22 balance.</p> <p>23 So if you work back from losing balance, the most 24 perhaps obvious reason given here is due to sharp 25 braking. Would your union be agreeable to installing</p>

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<p>1 a deceleration device, first, a deceleration device, 2 which would retard the car at a certain rate when it 3 reaches, for example, 50km per hour or 70km per hour. 4 Would your union be agreeable to that kind of device? 5 MR LAI SIU CHUNG: I don't think you are very familiar with 6 mechanics. Well, I don't think you are very familiar 7 with the parts -- yes, there are device with 8 deceleration, well, yes, there is a kind of decelerator, 9 there has always been this device, but if the vehicle is 10 travelling at 70kmp, and the vehicle will stop abruptly, 11 that is impossible. But it can stop steadily, and that 12 device has always been installed on buses. 13 MR CHEUNG TSZ KEI: Chairman, let me supplement. 14 More often than not passengers suffer injury on 15 board a bus. It is because, like I said, at a traffic 16 junction, signal traffic junction, bus captains might 17 have to come to a sudden stop, and sometimes there are 18 circumstances on the road forcing the bus captain to 19 stop abruptly. On top of that, there are many 20 passengers who are too busy looking at their phones 21 without holding on to handrails, and some of them might 22 even be thrown off the seat, because they don't sit 23 properly. 24 MR LAM PO KEUNG: May I supplement. 25 For Lantau buses, there is this retarder function,</p>	<p>1 (A short break) 2 (11.55 am) 3 CHAIRMAN: Ms Wong. 4 MS MAGGIE WONG: Yes. 5 Gentlemen, I'm going to refer to the next topic, 6 resting facilities. 7 In your submissions, this issue has been raised. 8 Based on the documents provided to us, to the Committee, 9 this issue appears to have been raised as early as 2010. 10 But if I may refer to you the submission relating to the 11 public transport strategy study, dated 9 February 2015, 12 submitted by your union, that's page 289-76 to 13 page 289-80. 14 CHAIRMAN: Of which bundle? 15 MS MAGGIE WONG: In the TU bundle. 16 The English is at page 289-200. It highlights two 17 problems, since we are on this page. It highlights two 18 problems, first is the illegal parking at bus terminus 19 at paragraph 3. That's page 289-79 in Chinese, and 20 English at 289-203. 21 And then the second problem you raised in this 22 paragraph is paragraph 7, insufficient resting 23 facilities. Chinese is at 289-79; English at 289-203. 24 Do you see that? 25 And if I may also take you to a letter of request</p>
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<p>1 it is supplementary to deceleration. When we travel on 2 hilly roads we use this device to help us go downhill. 3 There are two segments of braking. The first one is 4 deceleration. When we feel that the brake disc is 5 secured and the bus can come to a halt steadily, well, 6 this function has already been installed on buses. 7 MR LAI SIU CHUNG: Let me supplement, that for Lantau buses 8 they may be single-deck bus, so the device may be 9 different. We have a retarder, they have different 10 device, so it is near the steering wheel, if they turn 11 on that device, then there will be some air being 12 released with that function, the speed of the bus will 13 be reduced. 14 CHAIRMAN: Mr Lam, is there anything more you wish to say? 15 MR LAM PO KEUNG: I think that's it, thank you. 16 CHAIRMAN: Very well. Ms Wong, if that's not inconvenient 17 we will take a morning break now. 18 How are we with making progress this morning? 19 MS MAGGIE WONG: We are slightly behind. But I'll pick up 20 the speed after the break. 21 CHAIRMAN: Very well. 22 Gentlemen, we are going to take a break, give you an 23 opportunity to have a rest, as well as the Committee. 24 Take a break for 20 minutes. Thank you. 25 (11.35 am)</p>	<p>1 from the Committee dated 23 July 2018 at pages 289-331 2 to 335. It is only in Chinese. It sets out the request 3 for information on insufficient facilities. 4 And if you look at page 289-333, paragraphs 28 to 5 29, as to the Transport Department's response on the 6 toilet and resting facilities. 7 And in your reply, I believe you made a general 8 remark that throughout these years the resting 9 facilities are not sufficient, and you provided a number 10 of documents since 2010. 11 The first is the notification dated 21 June 2010, 12 Chinese at page 289-90. The second to the third 13 paragraphs. 14 The English is at pages 289-221 to 289-222. 15 That's the second to third paragraphs, about the 16 union collecting 139 bus stations, and about 17 56.5 per cent of the bus stops did not have toilet 18 facilities. And on average, if the bus captain has to 19 go to the washroom it would take about four minutes. 20 And bus captain in fact have to take five minutes. And 21 some even to have take up to 10 minutes or above before 22 they could attend the washroom. 23 CHAIRMAN: These are observations made in 2010? 24 MS MAGGIE WONG: Yes, these are observations made in 2010 25 And my question is this. Since you have raised this</p>

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<p>1 submission, by providing this documentation to the</p> <p>2 committee, is this problem still a serious problem, that</p> <p>3 your union considers it has to attend to? Or has the</p> <p>4 condition improved?</p> <p>5 MR CHEUNG TSZ KEI: Chairman, there has been some</p> <p>6 improvement, but it is not completely resolved. For</p> <p>7 a lot of termini, there are still no toilets or rest</p> <p>8 kiosks available, especially for those in public housing</p> <p>9 estates. We ask for a rest kiosk and staff toilet.</p> <p>10 That is very difficult. We have been talking to the</p> <p>11 Transport Department, saying that for existing termini</p> <p>12 they have to be retrofitted, and for new ones, it must</p> <p>13 come with toilets and rest kiosk.</p> <p>14 With these facilities, then they are considered to</p> <p>15 be a complete set of facilities at a terminus. Without</p> <p>16 such facilities, we would not be able to provide the</p> <p>17 services we are supposed to.</p> <p>18 There has been some improvement in that previously</p> <p>19 at Lok Wah there was an industrial action, because the</p> <p>20 Housing Authority removed a rest kiosk from us. We need</p> <p>21 sufficient rest for us to provide good services. As</p> <p>22 a result of that incident, we staged an industrial</p> <p>23 action. There has been some improvement since.</p> <p>24 However, a lot of district councillors opposed the</p> <p>25 installation of a septic tank or rest kiosk. They made</p>	<p>1 As a result, we still don't have toilets or rest</p> <p>2 kiosks for our staff.</p> <p>3 MR CHEUNG TSZ KEI: Chairman, let's hear from Long Win Bus.</p> <p>4 MR CHAN KWONG NUNG: For E34B, from Yuen Long, in 2013,</p> <p>5 there was the bus route rationalisation. Originally,</p> <p>6 the route plied between Tin Shui Wai and Yuen Long.</p> <p>7 After rationalisation it start from Yuen Long to go to</p> <p>8 the airport.</p> <p>9 After the rationalisation, we found that there were</p> <p>10 no rest facilities provided. We were told by the</p> <p>11 company that there were opposition from the community.</p> <p>12 Over a number of years, our staff members were subject</p> <p>13 to appalling conditions, say, for example, they couldn't</p> <p>14 find space to eat. In 2016, a female staff member ate</p> <p>15 some steamed rice rolls on board a bus. Some people</p> <p>16 took a picture of her, posted the pictures on Facebook,</p> <p>17 and there was bullying.</p> <p>18 The female staff member was subject to tremendous</p> <p>19 pressure. She was crying her eyes out when relating the</p> <p>20 incident to us.</p> <p>21 Our staff members don't have anywhere to go when</p> <p>22 they have their meals, and they had to walk a long</p> <p>23 distance to go to the toilets.</p> <p>24 In the evenings or at night, they would have to walk</p> <p>25 past a very dark path, so there are security concerns</p>
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<p>1 things difficult for us. So this problem is not</p> <p>2 completely resolved.</p> <p>3 CHAIRMAN: The Lok Wah kiosk, is that a KMB kiosk?</p> <p>4 MR CHEUNG TSZ KEI: That's right, KMB.</p> <p>5 MR LAI SIU CHUNG: Chairman, at that time, I was responsible</p> <p>6 for dealing with the Lok Wah incident. We have received</p> <p>7 complaints from members that the Housing Authority</p> <p>8 require the rest kiosk to be removed completely, and</p> <p>9 they said that it will not be reprovisioned.</p> <p>10 So we staged an industrial action by closing down</p> <p>11 the terminus for half an hour. We have spoken to</p> <p>12 district councillors and the Housing Authority. We have</p> <p>13 been subject to opposition from community members.</p> <p>14 We are not provided with sufficient facilities. As</p> <p>15 a result, staff members will have to sit down, rest, eat</p> <p>16 wherever they can find a space.</p> <p>17 We know that some problems can be resolved, however</p> <p>18 I know that from Citybus and New World First Bus this</p> <p>19 problem is rather serious.</p> <p>20 Well, when it comes to Chi Fu Fa Yuen, I will defer</p> <p>21 to the representative from Citybus.</p> <p>22 MR LAU SIN TAT: For Citybus and New World First Bus at Chi</p> <p>23 Fu Fa Yuen we have been raising this issue for over</p> <p>24 a decade. We ask for rest kiosk or toilet facilities.</p> <p>25 However, owners of Chi Fu Fa Yuen opposed that.</p>	<p>1 for female staff. And in August 2018, a rest kiosk was</p> <p>2 eventually provided. It was after a very long time that</p> <p>3 it was provided.</p> <p>4 We have been asking for provision of rest facilities</p> <p>5 when there is a new bus stop or new terminus so that</p> <p>6 services can be provided with good quality.</p> <p>7 CHAIRMAN: When were the rest kiosk provided? When?</p> <p>8 MR CHAN KWONG NUNG: For E43B Yuen Long to airport, it</p> <p>9 was August 2017. In 2013 this route started. So for</p> <p>10 about four years, bus captains did not have toilets or</p> <p>11 rest facilities to use.</p> <p>12 CHAIRMAN: Thank you.</p> <p>13 MS MAGGIE WONG: In your submission relating to New Lantao</p> <p>14 Bus, dated 3 January 2018, that's at page 289-140 in</p> <p>15 Chinese, and English at page 289-317, paragraph 3 refers</p> <p>16 to the facility in the Sun Yuen Long Centre, Tin Shui</p> <p>17 Wai Estate. Has the condition still improved or is it</p> <p>18 still the same. In paragraph 3(i).</p> <p>19 MR LAM PO KEUNG: I think several weeks ago a rest kiosk was</p> <p>20 provided, but I have not visited that place, so I cannot</p> <p>21 confirm.</p> <p>22 MS MAGGIE WONG: Can you provide the information to us</p> <p>23 later?</p> <p>24 MR LAM PO KEUNG: Yes. I can.</p> <p>25 CHAIRMAN: Mr Lam, you are the representative of New Lantao</p>

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<p>1 Bus company, are you not? Has this been provided?</p> <p>2 MR LAM PO KEUNG: In what respect are you referring to?</p> <p>3 MS MAGGIE WONG: The resting facilities.</p> <p>4 MR LAM PO KEUNG: For the rest kiosk of Tin Tsz Estate,</p> <p>5 I will have to go to confirm, because this is Yuen Long</p> <p>6 area, not the catchment of Lantau. So I did not have</p> <p>7 a chance to go to have a visit to look.</p> <p>8 CHAIRMAN: Thank you.</p> <p>9 MS MAGGIE WONG: In your submission you also quoted another</p> <p>10 example at page 226-25, TU bundle 1A, internal page 24.</p> <p>11 The Chinese is at page 171.</p> <p>12 The location is at Quarry Bay, Yau Man Street, and</p> <p>13 in that paragraph you stated that there were nearly</p> <p>14 10 years' effort, but a small resting place is still not</p> <p>15 provided.</p> <p>16 So has the condition improved?</p> <p>17 MR LAM TIN FU: Sorry, it is not a submission from our trade</p> <p>18 union.</p> <p>19 MS MAGGIE WONG: That's the staff rights of KMB Association</p> <p>20 document.</p> <p>21 MR LAM TIN FU: No, not from branches.</p> <p>22 MS MAGGIE WONG: Then I won't ask you about this.</p> <p>23 So apart from the Lok Wah Estate in Kwun Tong, and</p> <p>24 the example that you provided, can you give us some</p> <p>25 other locations that you consider are places where bus</p>	<p>1 Originally, this route was already in operation, in</p> <p>2 2016 it became a full day route. Colleagues had to eat</p> <p>3 at the bus terminus, and to rest, at special space,</p> <p>4 location, we had to rest, but there was no rest kiosk.</p> <p>5 After repeated efforts, to have one, the result was</p> <p>6 the local community and the Transport Department had not</p> <p>7 approved it. So it has been close to two years we have</p> <p>8 been asking for a kiosk, but still, to no avail.</p> <p>9 We have not any notification as to when that can be</p> <p>10 done.</p> <p>11 MS MAGGIE WONG: And about this E33P, was this request made</p> <p>12 in writing, about the rest kiosk?</p> <p>13 MR CHAN KWONG NUNG: Yes.</p> <p>14 MS MAGGIE WONG: When was that?</p> <p>15 MR CHAN KWONG NUNG: The trade union at our meeting with the</p> <p>16 company raised that in 2015. The company has been</p> <p>17 telling us that it is making applications with the</p> <p>18 relevant authorities, and then in 2016 the district</p> <p>19 council approved that the route should be a whole-day</p> <p>20 route to serve the residents of Tuen Mun, and we were</p> <p>21 saying that without a rest kiosk how can we improve the</p> <p>22 quality of service? Our views were relayed to the</p> <p>23 district council and the Transport Department. Even</p> <p>24 today, we have not heard anything from the parties.</p> <p>25 MS MAGGIE WONG: Could you provide us with the documentation</p>
<p>Page 50</p> <p>1 captains are unable to find a suitable resting place?</p> <p>2 MR LAI SIU CHUNG: For example, for KMB, they have been</p> <p>3 putting in some facilities. However, because of space</p> <p>4 constraint or management issues at some locations, some</p> <p>5 of the facilities have to be improved. Say, for</p> <p>6 example, there is a single rest kiosk and there are some</p> <p>7 double kiosks. For double kiosks, the space available</p> <p>8 may be bigger, but still not enough. I know that the</p> <p>9 KMB is striving to improve the facilities. I think</p> <p>10 that, well, for about 70 per cent of the termini, there</p> <p>11 are toilets with septic tank and rest facilities.</p> <p>12 However, there are still 30 per cent of termini that are</p> <p>13 awaiting for provision of these facilities, subject to</p> <p>14 negotiations of various parties.</p> <p>15 We have been given undertakings that these</p> <p>16 facilities would be provided, but there are oppositions</p> <p>17 from the community. Say, for example, for Chuk Yuen</p> <p>18 Estate, we have been fighting for over 10 years for</p> <p>19 a rest kiosk to be provided.</p> <p>20 MR CHAN KWONG NUNG: I'm from Long Win Bus, let me</p> <p>21 supplement.</p> <p>22 For E33P in 2016, the route runs around the clock,</p> <p>23 there are about 60 trips. The terminus is at Siu Hong</p> <p>24 station south. There are no rest facilities nor</p> <p>25 toilets.</p>	<p>Page 52</p> <p>1 as to the written request?</p> <p>2 MR CHAN KWONG NUNG: I can do so later. Today I have not</p> <p>3 got the document with me.</p> <p>4 CHAIRMAN: Thank you, please provide it when you can</p> <p>5 obtain it.</p> <p>6 MS MAGGIE WONG: Is it the case that up until now, the</p> <p>7 location is still not provided with any toilet or rest</p> <p>8 facilities?</p> <p>9 CHAIRMAN: I think that is the evidence.</p> <p>10 MS MAGGIE WONG: Yes.</p> <p>11 Can you give us some photographic evidence about the</p> <p>12 location, if possible?</p> <p>13 MR CHAN KWONG NUNG: I can do so later.</p> <p>14 MS MAGGIE WONG: Thank you.</p> <p>15 May I go to the next topic, illegal parking.</p> <p>16 CHAIRMAN: Before you do that, Mr Lai, can you help the</p> <p>17 Committee in this respect.</p> <p>18 KMB operates split shifts, do they not?</p> <p>19 MR LAI SIU CHUNG: Chairman, yes. Split shifting. We have</p> <p>20 three shifts. Morning, and also evening, and special</p> <p>21 and L shift, and there is also an overnight shift.</p> <p>22 Morning, evening, special, L, and overnight, there are</p> <p>23 different shifts.</p> <p>24 CHAIRMAN: Split shifts have been operated by KMB for many</p> <p>25 years, have they not?</p>

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<p>1 MR LAI SIU CHUNG: It has always been the case. Since 1933</p> <p>2 KMB has this arrangement. Right from the beginning.</p> <p>3 Back then there might not be overnight shift or special</p> <p>4 vehicles, but then in the past few decades it has always</p> <p>5 been the case.</p> <p>6 CHAIRMAN: The revised guidelines that were promulgated as</p> <p>7 to working hours, meal breaks, rests, and so on, on</p> <p>8 23 February 2018, made changes to the existing system,</p> <p>9 did it not?</p> <p>10 MR LAI SIU CHUNG: The system in place has always been the</p> <p>11 same.</p> <p>12 Regarding the new arrangements starting from</p> <p>13 February of 2018, I don't quite get you. Are you</p> <p>14 talking about a change in the system? In the past two</p> <p>15 or three or four decades, it is just the same: morning,</p> <p>16 evening shift, special shift, and overnight shift.</p> <p>17 There have been no changes.</p> <p>18 For L vehicles, yes, it was introduced in the last</p> <p>19 five years.</p> <p>20 So it was introduced in the middle, so that there is</p> <p>21 no need for the bus captain to drive the vehicle back to</p> <p>22 the depot or to collect it from the depot.</p> <p>23 MR LAM TIN FU: I think the Transport Department announced</p> <p>24 new guidelines, and I don't think there is any change in</p> <p>25 the shifting arrangement of KMB since.</p>	<p>1 MR LAI SIU CHUNG: This is a policy unique to KMB, may even</p> <p>2 be to Long Win Bus. But not for Citybus and New World</p> <p>3 Bus.</p> <p>4 This has been in place for a number of times to</p> <p>5 allow bus captains to take meals and for the morning</p> <p>6 peak, so there will be a break together with meal, there</p> <p>7 will be a rest of three hours, and then the bus captain</p> <p>8 will continue with the second part of the shift.</p> <p>9 This is arrangement for special shift duty and has</p> <p>10 always been in place, the case in the past few years.</p> <p>11 CHAIRMAN: Ms Wong, may we see guideline 4, I think it is,</p> <p>12 at the bottom of the page?</p> <p>13 MS MAGGIE WONG: Yes.</p> <p>14 CHAIRMAN: Is there not a definition of what a special shift</p> <p>15 is? That it only can provide for morning and afternoon</p> <p>16 peaks? That's it. Guideline (1)(b).</p> <p>17 Do you see guideline (1)(b), Mr Lai?</p> <p>18 MR LAI SIU CHUNG: Yes.</p> <p>19 CHAIRMAN: The provision that permits for a 14-hour working</p> <p>20 day during which you can drive 10 hours is restricted to</p> <p>21 demand created by morning and evening peaks; the morning</p> <p>22 rush hour and the afternoon/evening rush hour. Is that</p> <p>23 a new provision? A new restriction? Or not?</p> <p>24 MR LAI SIU CHUNG: Chairman, in the revised edition in</p> <p>25 October 2010, guideline (b) said that it should be no</p>
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<p>1 CHAIRMAN: Ms Wong, could you put up the new guidelines?</p> <p>2 What I have in mind is the provision to be implemented</p> <p>3 over a period of time that if a 14-hour duty day was</p> <p>4 permitted, three hours of continuous break is required.</p> <p>5 MS MAGGIE WONG: Yes. That's at CTB-2 bundle, page 2.</p> <p>6 MR LAI SIU CHUNG: Now I get it, Chairman.</p> <p>7 The guidelines were published in February 2018.</p> <p>8 Transport Department allowed time for bus companies to</p> <p>9 implement the guidelines, in the second quarter of 2019.</p> <p>10 Now I got you, Chairman.</p> <p>11 Let me add. For the special duties and L shift,</p> <p>12 they are for captains to take their meals.</p> <p>13 CHAIRMAN: The provision that I would like your help on is</p> <p>14 the requirement that is to be implemented of providing</p> <p>15 a rest break of no less than three consecutive hours for</p> <p>16 a special shift.</p> <p>17 MR LAI SIU CHUNG: For no less than three consecutive hours</p> <p>18 in a special shift duty has always been in place. This</p> <p>19 is most basic, and the company has followed strictly</p> <p>20 this guideline from the Transport Department. For</p> <p>21 a special shift duty there should be a rest break of no</p> <p>22 less than three consecutive hours. This has always been</p> <p>23 practised.</p> <p>24 CHAIRMAN: Is that a KMB policy? Or is it a Transport</p> <p>25 Department requirement?</p>	<p>1 more than 14 hours.</p> <p>2 And in 2018, there was a revision, may exceed</p> <p>3 12 hours, but maximum duty hours should not exceed</p> <p>4 14 hours, and there should be a rest break of no less</p> <p>5 than three consecutive hours, that was a revision.</p> <p>6 But we have a fleet of over 3,000-odd vehicles, so</p> <p>7 there aren't too many vehicles that require more than</p> <p>8 12 hours of operation -- maybe 10 per cent of them. But</p> <p>9 this duty of 14 hours, for two to three decades this has</p> <p>10 been the case, and bus captains have got used to it.</p> <p>11 The rest time in between may not necessarily be three.</p> <p>12 It can be four, or five hours.</p> <p>13 So is that what you want to ask, about this 14-hour</p> <p>14 shift?</p> <p>15 CHAIRMAN: No. What I want to ask you is about the places</p> <p>16 at which these bus drivers working 14 hours' duties come</p> <p>17 off their buses in order to start their not less than</p> <p>18 three consecutive hours' break. And I would like you to</p> <p>19 tell us about the facilities that are provided for</p> <p>20 resting at those places.</p> <p>21 MR LAI SIU CHUNG: That depends on whether there are</p> <p>22 sufficient facilities at the bus terminus or bus stop.</p> <p>23 Bus captains may choose routes that are close to homes</p> <p>24 so they can rest at home, but some may not be the case.</p> <p>25 For instance, when it comes to the Kowloon Bay bus</p>

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<p>1 terminus, the bus driver may live in Tuen Mun so he has 2 to find a rest kiosk or a rest on the bus or go back to 3 the depot. He will have to choose the location. 4 Whether the facilities are sufficient, well, maybe 5 around 70 per cent of them. But most bus captains would 6 choose routes near their homes and they might have been 7 driving that route for many years, they have got used to 8 it, they might choose not to be deployed away from these 9 routes, whether there are sufficient rest facilities, 10 not always the case, the rest kiosk may be very noisy, 11 they may go to 7/11, McDonald's to take a rest. We have 12 received such cases from time to time. 13 Whether there are sufficient rest facilities I will 14 say half/half. It depends on whether the bus captain 15 can make arrangements for him to take a rest. 16 But because he has chosen to travel on this route, 17 that will depend on whether he can find the right 18 location to ensure he has sufficient time to rest. 19 CHAIRMAN: Can you suggest a place that the Committee could 20 go to this week to look at facilities that are 21 inadequate for bus drivers who are taking their not less 22 than three hours consecutive break? 23 MR LAI SIU CHUNG: For example, Chairman, in the past there 24 was no rest kiosks in a bus depot, but there may be 25 a sleeping area, and there may be a rest kiosk at bus</p>	<p>1 Just try and concentrate on the question. Where should 2 we go to look at inadequate facilities for bus drivers 3 driving 14 hours of duty, taking a not less than 4 three-hour break? 5 MR LAI SIU CHUNG: It is a depot, well, it is in Mei Foo, 6 some bus captains would take their rests there, 7 sometimes they would have to sleep inside the bus or 8 just find any location suitable for them. I would 9 supplement you with further details later. 10 CHAIRMAN: Yes, just give us three or four places that we 11 can go and examine. And what we are looking for, if it 12 exists, is to find that there are 10 bus captains having 13 this three-hour break, and there are only three seats. 14 Do you understand what we are looking for? 15 MR CHAN KWONG NUNG: Let me supplement. 16 For Long Win Bus, A43, from Luen Wo Hui, Fan Ling, 17 there are rest facilities provided there. However, in 18 that facility only three bus captains will have space to 19 rest there. During a split shift, constantly, there are 20 at least six bus captains during their break time to use 21 the rest facilities. As a result, there is 22 insufficiency. 23 Chairman -- 24 CHAIRMAN: Repeat the place if you would? 25 MR CHAN KWONG NUNG: Long Win Bus, A43, the bus terminus at</p>
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<p>1 stops or bus terminus, or they may rest at home which is 2 close by. There should be 1,500 such duties. 3 Now, you are talking about special shift duties, so 4 this is the rough figure I can tell you. For special 5 shift duties there are two sections, and for L vehicles 6 there are also a morning and evening L vehicles. L 7 vehicles serve the same purpose, that is to stand in for 8 bus captains who have gone for meal breaks. 9 MR CHAN KWONG NUNG: I would like to supplement, for E33P 10 from Siu Hong station south there are no rest facilities 11 at that terminus. 12 For this route, there is one bus captain who needs 13 to take their rest there. If you would like to visit 14 this terminus, we can make arrangements to go together. 15 CHAIRMAN: Just a moment, Mr Lai, wait for the translation. 16 So you suggest that we might go there to examine the 17 fact that there are no rest facilities? 18 MR CHAN KWONG NUNG: That's right. 19 CHAIRMAN: Is this a place where drivers taking the not less 20 than three consecutive hours break in a special shift 21 come off their buses? 22 MR CHAN KWONG NUNG: That's right. 23 CHAIRMAN: Thank you. 24 Now, Mr Lai, back to you. 25 Can you give us an example? Where should we go?</p>	<p>1 Luen Wo Hui, Fan Ling. 2 MR LAM TIN FU: Chairman, we are reminded that there are 3 representatives of bus companies here. So I would like 4 that, Chairman, you can see the actual situation at the 5 location we have suggested. 6 MR LAI SIU CHUNG: May I suggest you some other locations? 7 One is the Tsing Yi terminus, one at Tsing Yi 8 station, one at Kwun Tong pier, where there are no 9 facilities provided to us, rest facilities. These are 10 four locations. 11 Our trade union has been talking to the company, 12 asking for more facilities. 13 CHAIRMAN: Thank you. 14 Ms Wong. 15 MS MAGGIE WONG: About this split shift, you mentioned 16 earlier about KMB always have this special shift 17 arrangement. Can you tell since when you have this 18 special shift? 19 The reason why I'm asking is, I would like to show 20 you a table in the miscellaneous bundle at pages 897 to 21 898. Comparison table. 22 If you look at this table, the guidelines have been 23 revised four times: 2004, 2007, 2010 and the last time 24 is 2018, February. 25 And this special shift arrangement, if you look over</p>

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<p>1 the page, at page 898, was only introduced 2 in February 2018. If you see the last column, "Special 3 Shift Duty", and the footnote stated that it was 4 arranged specifically to cater for service demand in 5 morning and evening peaks. And this new special shift 6 duty was only introduced in February 2018.</p> <p>7 But your earlier answer seems to suggest that this 8 split shift has been introduced a while back ago. Is 9 that correct?</p> <p>10 CHAIRMAN: By that you mean the guideline in relation to it? 11 MS MAGGIE WONG: The guideline in relation to it. 12 MR LAI SIU CHUNG: I would like to correct what you have 13 said.</p> <p>14 It is not the case that there are special shift 15 duties in February, February, 2018. That has been there 16 for a long time. The measures introduced in 17 February 2018 are to be implemented in the second 18 quarter of 2019. It takes time to make preparations and 19 to make arrangements for the three hours of rest. But 20 such arrangement has been in place for a very long time.</p> <p>21 MR CHEUNG TSZ KEI: Chairman, may I supplement. 22 14-hour duty. Under the guidelines of the Transport 23 Department, well, it is always there. Since the traffic 24 accident, some people say that the 14-hour duty creates 25 fatigue, causing the accident. However, there is no</p>	<p>1 question first of all.</p> <p>2 Following the accident on 22 September of 2017, the 3 Transport Department initiated a review of the working 4 guidelines, or the guidelines for working times, did it 5 not?</p> <p>6 MR CHEUNG TSZ KEI: That's right.</p> <p>7 CHAIRMAN: Some trade unions suggested that the working 8 limit for duty hours be limited to 12 hours; correct?</p> <p>9 MR CHEUNG TSZ KEI: Duty hours, yes, that is the case.</p> <p>10 CHAIRMAN: What was your union's representation to the 11 Transport Department on that issue?</p> <p>12 MR CHEUNG TSZ KEI: We keep an open mind. We want 13 improvement on the duty hours of our members, because it 14 will affect their performance. Safety is very important 15 to us.</p> <p>16 MR LAM TIN FU: Chairman, when we met Frank Chan, the 17 Secretary for Transport And Housing, we made it very 18 clear that 14 hours is the maximum duty hours. It 19 doesn't mean that all bus captains should have 14-hour 20 duties.</p> <p>21 The second point is that for the 14-hour duty to be 22 reduced to 12 hours, it will have a huge impact on 23 income. If there is a reduction by two hours per day, 24 it will translate to a reduction of salary by \$5,000 25 a month. If 14 hours is to be reduced to 12 hours that</p>
<p style="text-align: right;">Page 62</p> <p>1 distinction between 14-hour duty and special duty. 2 Because for KMB, this has been taken up by special duty, 3 and there is one-hour meal break and three-hour rest, so 4 there are altogether four hours.</p> <p>5 However, the 14-hour duty is not put in one single 6 shift.</p> <p>7 So in relation to the latest revision done in 2018, 8 the 14-hour shift has been redefined as a special shift 9 instead of one single shift.</p> <p>10 The special shift has been in place for a very long 11 time, mainly used for the morning peak and the evening 12 peak. It usually takes place between 6 am and 6 pm.</p> <p>13 For the special shift to cover the two peak periods, 14 then it would be 14 hours, because at 6 o'clock when the 15 bus captain starts the service, the bus captain will 16 have to drive the bus back to the depot. So altogether, 17 it will take about 14 hours to finish all the duties.</p> <p>18 According to bus captains who are engaged in this 19 shift, they said that although it is as long as 20 14 hours, it doesn't cause any fatigue, because it is 21 easier than other shifts. That's what bus captains of 22 special shift said.</p> <p>23 There are two of us here who are engaged in special 24 shift. One is from Long Win Bus. May we hear from him? 25 CHAIRMAN: We can in a moment, but please answer this</p>	<p style="text-align: right;">Page 64</p> <p>1 means bus companies will have to give those reduced 2 hours to some other staff members with shorter duty 3 hours. Say there are 2,000 staff members with KMB, that 4 means they will need another 2,000 staff members, and 5 they will have to employ another 400 people, which 6 cannot be done within a short time.</p> <p>7 If they can't employ additional staff, that means 8 the reduced hours will go to staff members with shorter 9 duty hours.</p> <p>10 We think that rest time, rest facilities are more 11 important. This will provide a better working 12 environment for bus captains.</p> <p>13 So we should not just look at a 14-hour shift. This 14 should not be demonised. We need flexibility. Bus 15 captains will have to apply to work special shift. They 16 are not just being assigned these duties.</p> <p>17 You have to take all factors into account. If you 18 single out the figure and look at it in vacuum, I think 19 this will be a departure of the operation of bus 20 companies.</p> <p>21 CHAIRMAN: The meeting that you spoke about with the 22 Secretary for Transport And Housing, was that on 23 17 October of last year? 24 MR LAM TIN FU: Yes. It is mentioned by the Transport 25 Department as well.</p>

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<p>1 CHAIRMAN: Yes, you provided us with what you describe as 2 a notice issued by the union, in which your position is 3 stated. Perhaps we could have that on the screen. 4 In English it is at 289-274. Perhaps you could have 5 the Chinese brought up on the screen. 6 MR LAM TIN FU: It is wrong, it should be in the latest 7 submission, towards the very end. 8 MS MAGGIE WONG: 289- 337. Is that the submission dated 9 26 July 2018? 10 And if you go to page 289-336, the second-last 11 paragraph. In English it's at 289-337-2. 12 CHAIRMAN: What I have asked to be put on the screen is the 13 notice that is dated 17 October of 2017 issued by the 14 union in respect of this meeting. 15 Just the notice. That's all I have asked for. 16 MR LAM TIN FU: 289-129 and 289-119. 17 CHAIRMAN: The document, so that we are looking at the same 18 thing, begins: 19 "On October 17, 2017, the union led five bus 20 branches to meet with Chan Fan ..." 21 Is that the document? 22 MR LAM TIN FU: Yes. 23 CHAIRMAN: The first bullet point is in these terms, is it 24 not: 25 "It is not advisable to lower the upper limit of the</p>	<p>1 cut from 14 to 12, that may mean around \$5,000 drop in 2 monthly salary. 3 CHAIRMAN: Was this position that you took in 2017 as to 4 changes in the guidelines for maximum duty hours the 5 same position that you had taken in 2015 when the 6 Transport Department asked trade unions about a possible 7 change of the guidelines? 8 MR LAM TIN FU: Yes. 9 CHAIRMAN: Were you aware that there was the same, if you 10 like, division between the trade unions in 2015 on this 11 issue -- some advocating 12 hours maximum duty, and the 12 position that you took, 14 hours continuing? 13 MR LAM TIN FU: We were aware of that only in 2017/18. 14 Previously we rarely heard of such views. 15 CHAIRMAN: Just help me at least generally. When you met 16 with the Transport Department or the Secretary for 17 Transport And Housing, were there occasions when all of 18 the various unions met in one session? Or were you 19 always in different groups when you met with the 20 Transport Department or the Secretary? 21 MR LAM TIN FU: We met them in batches. We never met with 22 them together. 23 CHAIRMAN: Do you know of any reason why that was the case? 24 MR LAM TIN FU: Because we have irregular meetings, we have 25 been having irregular meetings with the Transport</p>
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<p>1 working hours in the work guidelines within a short 2 period without considering the specific situations. 3 Instead, the problem should be addressed by adopting 4 transitional or interim measures ..." 5 MR LAM TIN FU: Well, you may say so. 6 Because Frank Chan, the Secretary -- right. 7 CHAIRMAN: What I'm trying to find out is this. Was this 8 the union's position? Is this what you advanced? 9 MR LAM TIN FU: Yes. 10 CHAIRMAN: So whereas there might have been unions saying 11 12 hours of duty should be the new limit, you were not 12 supporting that position. You are supporting 13 a continuation of 14 hours of duty. 14 MR LAM TIN FU: You may say so. 15 CHAIRMAN: But as you say said, that was to be accompanied 16 by better rest facilities and other measures. Was that 17 your position? 18 MR LAM TIN FU: Yes, and rest time in between. 19 CHAIRMAN: And the other matter that you articulated is at 20 the bottom of the English translation, bullet point in 21 these terms: 22 "If planning to reduce working hours, they should 23 avoid significantly lowering the income level of 24 frontline employees ..." 25 MR LAM TIN FU: Yes. As I said, if the duty hours are to be</p>	<p>1 Department all along. This is our approach. And to 2 reflect problems faced by captains of franchised buses, 3 our general union is the one with trade unions from all 4 five bus companies. And for some trade unions, they 5 have been hostile and confrontational with our general 6 union, so there is no room for cooperation with them. 7 And thirdly or fourthly, when discussing problems 8 faced by employees of franchised buses, we have 9 different views and positions. So we meet with 10 officials separately, and whenever we meet with 11 officials of Transport Department, we always consult our 12 office bearers, and we also consult members on what to 13 talk about. 14 And we have employees working in five different bus 15 companies, so we believe we can grasp the situation of 16 employees better. 17 Our general union has never criticised other trade 18 unions in public, and we don't want this to continue to 19 happen with the Transport Department. 20 CHAIRMAN: Thank you. 21 Ms Wong. 22 MS MAGGIE WONG: Can I take you to an Apple Daily document, 23 which shows the date as to when this matter was 24 canvassed. That is at page 260 of TU-1B. Chinese at 25 260-257; English at page 260-258-2.</p>

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<p>1 If you look at the highlighted part at the bottom, 2 bold and underlined, it made reference to the Transport 3 Department's current guidelines. But right before that 4 bold paragraph it states that: 5 "Since 2013, the [Federation of Bus Industry Trade 6 Union] has been requesting the Transport Department to 7 revise the 'guidelines' for reducing the working hours 8 and improving the meal break. However, the Transport 9 Department replied that all bus companies had indicated 10 that revision of the 'guidelines' would affect the 11 existing roster system, and they would also need to 12 employ extra more bus captains, leading to an increase 13 in the long-term operating expenses. A consensus could 14 not be reached." 15 And at the bottom, the Transport Department 16 indicated that: 17 "... it was the Motor Transport Workers General 18 Union ... a sub-union of HKFTU ... claimed the 19 'possibility of reducing the bus captains income' as the 20 ground for refusing the reduction of working hours." 21 And: 22 "The Department has quoted and used the reasoning 23 from MTWGU as an excuse, but has been avoiding the issue 24 of the low basic salary of bus captains who have to 25 incessantly work overtime for earning extra income. The</p>	<p>1 department. 2 CHAIRMAN: Thank you. 3 MS MAGGIE WONG: Thank you. For completeness, there is 4 another article by Oriental Daily -- 5 CHAIRMAN: I think we have had the position articulated by 6 the representatives. We don't need to go to newspapers. 7 MS MAGGIE WONG: Yes, and if I may go to your submission to 8 the Committee dated 26 July 2018, at page 289-337-2 in 9 English; and 289-336 in Chinese, of the TU bundle. 10 CHAIRMAN: What topic are we going to now? 11 MS MAGGIE WONG: I'm just confirming one point is that in 12 your submission, you stated that the Transport 13 Department had not consulted union in launching the 14 revised guidelines between the meetings on 6 and 15 17 October and before the announcement of the revised 16 guideline on 23 February 2018. So it was -- 17 CHAIRMAN: I think the point can be put like this, very 18 simply. They talked to you, on 6, and 17 October 2017, 19 but they didn't talk to you again until the result was 20 announced on 23 February 2018, when the new guidelines 21 were announced. That's your position, is it not? 22 MR LAM TIN FU: The paper is very clear. On 6 and 23 17 October we met with them. We expressed our views on 24 the revised guidelines, and then they were announced on 25 23 February 2018. There was no communication with us in</p>
<p>Page 70</p> <p>1 Department considers that the bus captains' salary is 2 a matter for discussion between the bus company and 3 staff, and to be adjusted by the market." 4 So it appears that the report quoted your union as 5 the one that lead to the non-reduction of the guidelines 6 to 12 hours. 7 CHAIRMAN: I'm not sure that is an accurate way of putting 8 it, because the article says that all the franchised bus 9 operators were against it as well. 10 MS MAGGIE WONG: Yes. 11 CHAIRMAN: But at all events, this simply confirms what you 12 have told us, that this was your position, was it not? 13 MS MAGGIE WONG: Can you confirm that's the position 14 recorded in the Apple Daily, that's your union's 15 position, that it is accurately reported? 16 MR LAM TIN FU: First, Apple Daily, I think is biased in 17 reporting. Secondly, our general union submitted 18 proposals to the TD in a package. You cannot single out 19 one or two points so. What is reported here is not 20 fair. 21 And thirdly, in devising the guidelines the TD has 22 consulted us and met with us and the final position is 23 to balance different parties. It will not simply listen 24 to the views of the general union. So it is inaccurate 25 to say that our proposal has been fully accepted by the</p>	<p>Page 72</p> <p>1 between. And that's set out in the paper. 2 MS MAGGIE WONG: Mr Chairman, I see the time. 3 CHAIRMAN: Gentlemen, I know you were asked to attend this 4 morning, but obviously we have overrun. Are you able to 5 come back this afternoon to help us for a little while 6 before we move on to other trade unions? 7 MR LAI SIU CHUNG: Chairman, there is an event that I have 8 promised to attend. I would have to find someone else 9 to replace me in that event. That's my position. 10 I don't know about the others. 11 MR LAM TIN FU: Yes, I can. Thank you. 12 MR CHEUNG TSZ KEI: Yes. 13 CHAIRMAN: You are able to attend as well. 14 Are you happy to deal with it in that way, Mr Lai? 15 perhaps not happy, are you prepared to do it that way? 16 MR LAI SIU CHUNG: Chairman, well, we have a lot of duties 17 as members of trade union. There is an event. It is a 18 junk trip with over 50 people attending. I occupy 19 a leadership position in the union. I can stay a bit 20 longer, and I will try to answer your questions as far 21 as possible. 22 CHAIRMAN: We don't want to hold you up from a junk trip. 23 But what we are going to do then, would you prefer 24 it if we continue for a little while now, Mr Lai? 25 MR LAI SIU CHUNG: Yes. If there is an actual point that</p>

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<p>1 you can get at without beating about the bush, that 2 would be good. I will be able to get straight to the 3 point for another 10 or 15 minutes. 4 CHAIRMAN: As long as beating around the bush stops on both 5 sides then perhaps we will proceed quicker. Yes? 6 Ms Wong, let's proceed. 7 MS MAGGIE WONG: Yes. Can I refer you to a document 8 submitted by the Transport Department on 20 July 2018. 9 CHAIRMAN: What is the document? 10 MS MAGGIE WONG: It is a document in reply to the 11 Committee's further question dated -- 12 CHAIRMAN: What does it deal with? 13 MS MAGGIE WONG: It deals with the practice note of the 14 training of bus captains. 15 CHAIRMAN: Thank you. 16 MS MAGGIE WONG: If I may take you to page TD-1 page 427. 17 That's the first page. 18 And the part concerning training of bus captain is 19 at page 435. In the second box it states that: 20 "The Transport Department has recently issued 21 a practice note to FB operators in respect of the 22 training ..." 23 And it mentions a practice note. 24 So my question is, has your -- 25 CHAIRMAN: Since it is in English, perhaps you ought to read</p>	<p>1 MR LAI SIU CHUNG: Sorry, I see that it says a 2018 October. 2 But it is now July. Is there a typo? It says that the 3 implementation time is October. 4 So that means it has not been issued yet? 5 CHAIRMAN: No, I think the practice note has been issued, 6 past tense; the implementation of the practice note lies 7 ahead, future tense. October. 8 And the question is: have you been consulted about 9 a revision of training, what is to be training? The 10 modules? How it is to be monitored? How it is to be 11 regulated? Has anyone come and asked you for your 12 views? 13 MR LAU SIN TAT: For Citybus, yes, there has been 14 consultation. 15 CHAIRMAN: Perhaps you could give us details of that? 16 MR LAU SIN TAT: They told us about the method of training, 17 that is bus captains, after training will have to drive 18 the route once by himself. Without training, without 19 anything similar, the captain should not drive this 20 route. 21 MR LAI SIU CHUNG: From KMB I would like to add. 22 Previously, there was a practice where supervisor will 23 accompany the bus captain. However, there has been some 24 change. If it is Cross-Harbour, there will be three 25 people watching the instructor. For other routes, six</p>
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<p>1 it out so there can be a translation at least. 2 MS MAGGIE WONG: Yes: 3 "The TD has recently issued a practice note to FB 4 operators in respect of the training for bus captains to 5 align the training arrangements of different FB 6 operators and to lay down a common framework of the 7 training system for their bus captains for phased 8 implementation from October 2018. Although no similar 9 document was issued on monitoring of bus captains' 10 driving behaviour ..." 11 CHAIRMAN: I think that's another matter, is it not? 12 MS MAGGIE WONG: Yes, that's another matter. 13 And my question is this. 14 Was this practice note ever issued to your union for 15 comment? 16 CHAIRMAN: Never mind for comment. Have you been given 17 a copy of the practice note? 18 MR LAI SIU CHUNG: You mean the training guideline? I don't 19 think we have received anything. At least in relation 20 to KMB, I have not received anything new guidelines. 21 MR CHEUNG TSZ KEI: Not for the five branches. 22 CHAIRMAN: Were you consulted as to changes in the way in 23 which training would be delivered to bus captains, how 24 it was going to be monitored, and the other matters that 25 relate to that? Were you consulted?</p>	<p>1 people will be on board the bus watching. 2 CHAIRMAN: Mr Lau, can I ask you to clarify this. You say 3 that you were consulted. And you said "they told us". 4 Who is "they"? "They told us about the changes". 5 MR LAU SIN TAT: Management of the company. 6 CHAIRMAN: That's from Citybus? 7 MR LAU SIN TAT: Citybus, yes. 8 CHAIRMAN: But were you consulted by the Transport 9 Department? 10 MR LAU SIN TAT: No. 11 CHAIRMAN: Yes, Mr Cheung. 12 MR CHEUNG TSZ KEI: No. So we don't know whether these 13 measures are from the Transport Department. However, 14 after the traffic accident, a few of the bus companies 15 have introduced some revisions. But we don't know 16 whether these revisions actually came from the Transport 17 Department, because we were not clearly told. 18 CHAIRMAN: When you say "the traffic accident", are you 19 referring to the 10 February 2018 Tai Po Road accident? 20 MR CHEUNG TSZ KEI: That's right. 21 CHAIRMAN: Yes, Ms Wong. 22 MS MAGGIE WONG: If I may move on to another topic, relating 23 to the speed display unit. 24 We have heard evidence in this Committee that 25 franchised bus operators are concerned that speed</p>

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<p>1 display units would create conflicts and arguments 2 between bus captain and passengers, and impose 3 additional pressure on bus captain, in turn affecting 4 safety bus driving. 5 We would like to know whether that view was shared 6 by your union? 7 MR LAU SIN TAT: Yes, we share this view. 8 MR LAM TIN FU: We have not discussed about this point. We 9 think, however, that bus captains of franchised bus 10 operators will take into account the limitations and 11 restrictions of each route to drive their -- it is 12 a possibility that there will be disputes and conflicts. 13 MR LAI SIU CHUNG: I would like to add that when it comes to 14 speed displayed on a minibus, that will just be 15 conflicts between about a dozen passengers, but if it is 16 installed on a bus, there will be over 100 passengers. 17 The bus would not be able to be driven properly as 18 a result. And I do think that experienced bus captains 19 will know how to handle the situation. 20 MR CHEUNG TSZ KEI: Let me supplement, that on board of 21 buses there are some alerts, alerting device, if it 22 reaches 70kph it would sound, and for some buses the 23 speed is limited to 70kph. So whether it is a straight 24 road or just a flat stretch of road we would not drive 25 above 70kph.</p>	<p>1 We have heard evidence that there has been some 2 illegal parking at the bus termini, or bus terminus, 3 which affect the driving of the bus back to the bus 4 terminus, and as a result it caused problems, or safety 5 issues arising from illegal parking. 6 In relation to your union, do you find illegal 7 parking an issue that has to be raised with the police 8 and the Transport Department? 9 MR CHEUNG TSZ KEI: Yes, we did. For many times we have 10 reflected to the Transport Department that at the bus 11 terminus some outside cars are stopping, obstructing the 12 boarding and alighting of passengers on buses. 13 And safety is a concern. 14 Up to now, the Transport Department has not come up 15 with any solution to address the problem, and our union 16 has made a number of suggestions to the Transport 17 Department. 18 Number 1, within the bus terminus there should be 19 double yellow markings on the road; number 2, within the 20 bus terminus, there should be installation of CCTVs, to 21 capture images of illegal parking; 3, at bus terminus 22 all the yellow boxes, should be marked, so that buses 23 can go in and out freely. This is all for the public 24 interest. 25 And we have made reference to Singapore, which has</p>
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<p>1 As to whether installation of a speed display, 2 whether it will cause incidents, conflicts, when there 3 is a slight exceedance, we can't tell what will happen. 4 CHAIRMAN: Alerts at 70 kilometres an hour, are not much use 5 in a 50-kilometre-an-hour speed limit, are they? 6 MR CHEUNG TSZ KEI: Well, for our buses there is a GPS 7 monitoring whether you are speeding at different 8 sections. So most bus captains would not speed, 9 otherwise they would be reprimanded at the office. 10 Is it worthwhile to devote the resources on this 11 device? We have doubts. Would it be better spent on 12 other areas? We think so. 13 CHAIRMAN: Thank you for your views. 14 I think we are going to have to take the break now. 15 If you are able to join us, do, Mr Lai, if not, 16 thank you for your attendance. 17 Gentlemen, may I ask you to come back at 2.30 and we 18 will resume our hearing then. Thank you. 19 (1.13 pm) 20 (The luncheon adjournment) 21 (2.31 pm) 22 CHAIRMAN: Good afternoon. 23 Yes, Ms Wong. 24 MS MAGGIE WONG: Good afternoon. The next topic is about 25 illegal parking.</p>	<p>1 adopted similar practices. But in Hong Kong the 2 Transport Department has said that the UK does not have 3 any such practice, so they will not consider it here in 4 Hong Kong. 5 Thank you, Chairman. 6 CHAIRMAN: This suggestion in relation to Singapore, is this 7 related to bus stops that are in the highway, where -- 8 MR CHEUNG TSZ KEI: Chairman, yes. Bus stops at highways. 9 And there is usually a yellow line, and as long as the 10 buses give the lights, the vehicles behind will stop 11 immediately so that the buses can go out of the bus 12 stops immediately, but in Hong Kong there is no such 13 arrangement. Even if the bus gives the light, the 14 vehicles behind will only accelerate to get past the 15 buses. So it is made buses difficult to get out of the 16 bus stops, and very often accidents occur as a result 17 causing even further congestion on the roads. 18 There are places where the problem is serious, at 19 Queen Elizabeth Hospital, Princess Margaret Hospital, 20 Mayfair Garden, Yen Chow Street, Un Chau Street, Austin 21 Road, Reclamation Street, Star Ferry, Tin Shing Road 22 South, Chatham Road South, Mody Road, and Mok Cheong 23 Street. 24 These are places where there is serious illegal 25 parking. And also Hennessy Road, King's Road.</p>

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<p>1 CHAIRMAN: Are you describing illegal parking in bus stops 2 or and/or in the approaches to bus stops? 3 MR CHEUNG TSZ KEI: Within the bus stop area. Very often 4 vehicles are occupying the bus stops and these are also 5 stopping behind and in front of the bus stop area, and 6 there is only space left for just one bus to park or go 7 into that. So with that kind of limited space it is 8 difficult for the bus captains to go into the bus stop 9 itself. So there can only be double parking. And 10 passengers' safety is at stake. 11 CHAIRMAN: How do you suggest this be enforced, that is to 12 say to prevent people from feeling free to park in bus 13 stops and in the immediate approach to a bus stop? 14 MR CHEUNG TSZ KEI: Chairman, in accordance with overseas 15 practices, say, for example, in the US, if you just park 16 near bus stops the penalty is particularly heavy, the 17 fine is particularly heavy. But in Hong Kong the fine 18 is particularly light and the law enforcement has been 19 particularly lax, and there are no double yellow 20 markings on the road near the bus stops, and the drivers 21 feel that they can be allowed to park at the approaches 22 of the bus stops. I think installation of CCTVs will 23 serve as a deterrent. This can be of reference to us. 24 Thank you, Chairman. 25 MS MAGGIE WONG: Have you made some footage in relation to</p>	<p>1 in, and they have to get -- the bus coming in the 2 opposite direction is actually going in the reverse 3 direction, beyond the refuge island, the safe island 4 there, so it is actually driving in the opposite lane. 5 This problem is serious. 6 Now, if the artificial island is going to be 7 completed in the future, then more congestion will be 8 caused in the vicinity of this area. 9 MS MAGGIE WONG: Is this the same location as we have seen 10 earlier, in the earlier footage, or is this a different 11 location? 12 MR LAM PO KEUNG: The same location. I can also show you 13 a few photos as well. 14 CHAIRMAN: Please do. 15 MR LAM PO KEUNG: That's from the Google map, the photo 16 taken from the Google map. 17 MS MAGGIE WONG: And this photo shown on the left side is 18 the bus stop, is that a bus stop? 19 MR LAM PO KEUNG: Correct. 20 MS MAGGIE WONG: Yes. 21 CHAIRMAN: If we go back to the previous photograph? That 22 one. Is the grey vehicle on the left-hand side parked 23 in a bus stop or immediately outside a bus stop? We can 24 see it is in a bus stop. 25 MR CHEUNG TSZ KEI: Correct. The lorry opposite it, it is</p>
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<p>1 some of the illegal parking problem? 2 MR CHEUNG TSZ KEI: Yes. Our footage has been submitted to 3 the Secretariat. Let's take a look then. 4 MS MAGGIE WONG: Now, we are playing footage at the moment. 5 Can you tell us, first of all, can we pause a little 6 bit -- can you tell us first of all where is this, or 7 where the location is this? 8 MR CHEUNG TSZ KEI: It is northern Lantau near Yung Tung 9 Estate. 10 MS MAGGIE WONG: So we can now see there are buses in the 11 opposite lane? 12 MR CHEUNG TSZ KEI: There are double yellow markings, no 13 police officer to manage the situation at all. 14 CHAIRMAN: When was this video taken? 15 MR LAM PO KEUNG: That was taken afternoon yesterday. To 16 the left is 37M and 37H, and to the right is another bus 17 stop and taxi stand. And the buffer area is very 18 limited. And as a result, the vehicles cannot get into 19 the Ying Tung Estate car park, and there is another 20 footage showing clearly how the buses cannot stop 21 there -- 22 Now, this bus stops here. It cannot get into the 23 round about. To the right of the bus is a car park. 24 And you can see the private cars at the right, they are 25 preparing to go into the car parks but they cannot get</p>	<p>1 also within the bus stop area. 2 MS MAGGIE WONG: And these photographs were taken yesterday 3 as well? 4 MR LAM PO KEUNG: This is from Google. 5 MS MAGGIE WONG: This came from Google. 6 Those two footages, did you take them yourself or 7 who took them? 8 MR LAM PO KEUNG: Yes, myself. I took it yesterday. 9 MS MAGGIE WONG: Inside the bus? 10 MR LAM PO KEUNG: Well, one was taken while I was in 11 a private car, the other was taken while I was on the 12 ground. 13 CHAIRMAN: I think we can see that from the movement of the 14 camera. 15 MR CHEUNG TSZ KEI: Chairman, what I want to say is that in 16 Hong Kong, well, this situation is rampant, it is seen 17 everywhere in Hong Kong, and it is because the law 18 enforcers have not been strictly enforcing the law. 19 MR LAM PO KEUNG: Can I supplement. Because for this 20 particular location, at Ying Tung Estate, outside of it 21 there would be reclamation, and before that is done, the 22 roads have been opened up and built, and the Ying Tung 23 Estate car park has insufficient car parking spaces. As 24 a result, the private cars are lining up outside the car 25 park and causing congestion, and you can see also behind</p>

Page 85	<p>1 this photo there is a lorry unloading the goods.</p> <p>2 Because they can't get into the car park, they are</p> <p>3 unloading the goods outside the car park on the roads.</p> <p>4 MR CHEUNG TSZ KEI: Chairman, may I add here. For any</p> <p>5 obstruction of the bus stop for whatever reason is</p> <p>6 unreasonable and illegal.</p> <p>7 CHAIRMAN: Do you have any views about the use of</p> <p>8 forward-looking cameras that are deployed on such bus</p> <p>9 stops in order to capture illegal parking of this kind?</p> <p>10 MR CHEUNG TSZ KEI: Feasible. But the question is when that</p> <p>11 is being done, will the employer's side hand over the</p> <p>12 information to the police?</p> <p>13 Number 2, and for the law breakers, if they don't</p> <p>14 think the information will be given over to the police,</p> <p>15 they will continue breaking the law.</p> <p>16 But then, if there is the, say, a CCTV capturing the</p> <p>17 footage installed on the bus, then that would serve as</p> <p>18 a deterrent.</p> <p>19 Thank you, Chairman.</p> <p>20 CHAIRMAN: Can I ask a supplementary question. If in order</p> <p>21 to mark the time of such an event, it was necessary for</p> <p>22 a bus captain to press a button, activate something that</p> <p>23 marks this event, do you have any view about bus</p> <p>24 captains doing that?</p> <p>25 MR CHEUNG TSZ KEI: It is feasible.</p>	Page 87
Page 86	<p>1 CHAIRMAN: It is feasible, clearly, but do you have any</p> <p>2 objection to it, or would you support it?</p> <p>3 MR CHEUNG TSZ KEI: Yes, I support it.</p> <p>4 CHAIRMAN: Thank you.</p> <p>5 MS MAGGIE WONG: Related to this issue is priority bus lane.</p> <p>6 Your submission raised the point that the drivers are</p> <p>7 getting frustrated and irritated as a result of people</p> <p>8 making their job more difficult, and one of them is</p> <p>9 illegal parking.</p> <p>10 And others, like passenger abuse, all add up to</p> <p>11 safety issues.</p> <p>12 There are certain suggestions, in Singapore, to have</p> <p>13 priority bus lane; would you support that idea?</p> <p>14 MR CHEUNG TSZ KEI: Chairman, I support -- I agree with</p> <p>15 that. But over the past 10 years or so, regarding the</p> <p>16 government's attitude towards bus lanes, the government</p> <p>17 is trying to cut the bus lanes. Instead of having more</p> <p>18 bus lanes, we are given some very difficult paths to</p> <p>19 manoeuvre, for example Texaco Road flyover, at 6 in the</p> <p>20 morning, that is between midnight to 6 in the morning,</p> <p>21 franchised buses are not allowed to use that flyover.</p> <p>22 On the other hand, heavy vehicles are allowed to use the</p> <p>23 flyover, and also non-franchised buses, whereas for</p> <p>24 franchised buses they are disallowed from using the</p> <p>25 flyover, such that passengers would need to walk under</p>	Page 88
	<p>1 the flyover to cross the road.</p> <p>2 It shows that the Transport Department is playing</p> <p>3 favouritism, and I reckon it could be because of noise</p> <p>4 complaints, and too many heavy vehicles are using the</p> <p>5 flyover, so they take the right away from franchised</p> <p>6 buses so that we need to use the road under the flyover.</p> <p>7 Thank you.</p> <p>8 CHAIRMAN: Is this flyover a bus priority lane?</p> <p>9 MR CHEUNG TSZ KEI: Chairman, this flyover isn't a bus lane:</p> <p>10 it used to be the case that any vehicle could use the</p> <p>11 flyover, instead of having buses go through the road</p> <p>12 under the flyover with traffic lights, but the Transport</p> <p>13 Department is adopting this attitude now. Instead of</p> <p>14 sticking to the old way, they are asking buses to use</p> <p>15 the inconvenient road under the flyover instead. Heavy</p> <p>16 vehicles and non-franchised buses are allowed to use the</p> <p>17 flyover, so they are putting the cart before the horse.</p> <p>18 I don't understand their intention.</p> <p>19 CHAIRMAN: But concentrating on bus priority lanes, the</p> <p>20 existing ones, what is your perception of the Transport</p> <p>21 Department or the government attitude to their</p> <p>22 development?</p> <p>23 MR CHEUNG TSZ KEI: Chairman, I absolutely support the idea.</p> <p>24 I agree that there should be bus lanes for buses for</p> <p>25 public interest so that more people would opt for public</p>	
	<p>1 transport instead of driving their own cars, because we</p> <p>2 have too many private cars causing traffic congestion.</p> <p>3 If we have smooth lanes for buses, there won't be</p> <p>4 traffic congestion and then more passengers would opt</p> <p>5 for public transport. So I hope that the Transport</p> <p>6 Department would face the issue squarely, and that is</p> <p>7 about public interest instead of stifling the room for</p> <p>8 operation of franchised bus companies.</p> <p>9 Thank you.</p> <p>10 CHAIRMAN: The question is specific. What is your view of</p> <p>11 how government approaches bus lanes at the moment? Do</p> <p>12 they stifle them? Is that what you are saying?</p> <p>13 MR CHEUNG TSZ KEI: I don't see new bus lanes being added</p> <p>14 for buses, and I'm not just talking about bus lanes --</p> <p>15 and perhaps let me digress a bit. At the moment, for</p> <p>16 bus termini at housing estates they are poorly designed</p> <p>17 so that it is difficult for buses to park, and it is</p> <p>18 really difficult for buses to survive.</p> <p>19 CHAIRMAN: Yes, Ms Wong.</p> <p>20 MS MAGGIE WONG: The last topic is salary.</p> <p>21 We have heard evidence from Citybus operators that</p> <p>22 they have merged bonus into salary or reclassified it</p> <p>23 into basic salaries with effect from 1 March 2018, and</p> <p>24 I would like to explore with you on this system.</p> <p>25 The downside from that recommendation appears to be</p>	

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<p>1 that there is currently no system of rewards. Can your 2 union confirm that this is the case, as of to date, 3 after the reclassification to basic salaries 4 in March 2018?</p> <p>5 CHAIRMAN: By a no system of reward, you mean for safe 6 driving?</p> <p>7 MS MAGGIE WONG: For safe driving.</p> <p>8 MR CHEUNG TSZ KEI: Chairman, regarding the pay, since 1999 9 the management has been cutting our pay and our 10 benefits, and in 2004 there was a substantial cut. 11 Between 1999 and 2004, a three-tier system was 12 introduced, and recently, we requested the management to 13 restructure the system of salaries and benefits because 14 otherwise it would deal a great blow on the staff moral. 15 For new recruits, just earlier, they earn merely 16 12,000 or less than 12,000. Later on, we requested the 17 company to include the safety award, the service award, 18 to the basic salary, such that the total pay would be 19 \$15,360, but the pay is still far lower than the average 20 median wage in the transportation sector. 21 But regarding the workload of bus captains and their 22 responsibilities, everything falls on their shoulders. 23 We have a bus full of passengers and their lives are in 24 the hands of the bus captains, and such low pay would 25 directly affect recruitment and work attitude of bus</p>	<p>1 MR CHEUNG TSZ KEI: Chairman, we made this request. We have 2 been making this request for 10 years, but our request 3 was never acceded to, because of the circumstances. At 4 the time in Hong Kong we experienced SARS, and the 5 financial tsunami. The management, therefore, had not 6 been willing to make any improvement until the recent 7 two or three years. The management finally agreed to 8 make progressive improvements, but they came in dribs 9 and drabs. 10 Many employees, therefore, remain unhappy, and some 11 industrial actions also took place. We understand that. 12 So we urge the management once again that they 13 should substantially improve pay and benefits, and it 14 should be on a par with the level in 1998 for daily paid 15 workers. 16 This year in the upcoming meeting for pay hikes, the 17 management already verbally promised us that there would 18 be a substantial increase in terms of benefits. 19 However, for salary, it is still below the median wage. 20 New recruits earn \$15,360. At the moment the management 21 only agreed to increase the pay by \$1,000. That means 22 \$16,360 -- still far below the earnings of drivers of 23 heavy vehicles. 24 And yet we are not just driving heavy vehicles. We 25 are driving buses with passengers. Our pay should not</p>
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<p>1 captains. 2 Very often drivers would come in and hone their 3 skills, get a driving licence for heavy vehicles and 4 then they will move on to driving other heavy vehicles 5 in the sector. And this undermines service quality as 6 a whole, because we have new recruits all the time. 7 And the pay is too low, so that they don't even care 8 about the job. And this is the attitude they have at 9 work. Very easily traffic accidents happen. 10 Coming back to the daily wages before 1998, the 11 majority of bus captains care about the job a lot, 12 because they knew that they wouldn't get another job 13 with this pay outside, and they had increments, and with 14 more years of service they would tend to stay in the 15 position instead of moving to another company. They had 16 a sense of belonging. 17 But since 1999, because of the change in the salary 18 system, their pays were substantially lowered, so the 19 quality of the bus captains deteriorated, which in turn 20 affected public interest. 21 Thank you. 22 CHAIRMAN: You say that the union requested a restructuring 23 of the salary structure. When did you request that in 24 relation to the fact that it was changed beginning on 25 1 March 2018?</p>	<p>1 be lower than other drivers, whereas the reality is our 2 pay is extremely low and it is very unreasonable. 3 That is why we are still striving for it. We doing 4 our best to strive for more rights for the sector. 5 MR CHAN KWONG NUNG: Let me also supplement. Long Win. 6 In January 2018, Long Win union conducted a survey 7 regarding the number of recruits leaving and joining in 8 2017. 100 recruits joined in 2017 whereas for employees 9 leaving in 2017, there were 120. 10 So according to our survey, among the 120, 11 60 per cent of employees left because of low pay. 12 CHAIRMAN: Mr Cheung, can I just ask you this. 13 In respect of the merger of the safety bonus and the 14 other allowance into the basic salary beginning on 15 1 March 2018, was there any event that you attribute to 16 that change by the bus operators? 17 MR CHEUNG TSZ KEI: Chairman, I can tell you, categorically, 18 that it has nothing to do with any event that happened, 19 or any major accident triggering this pay rise. 20 Well, last year in May we had a round of 21 negotiations on pay rise. It was in May 2017, and it 22 was then confirmed that there would be a pay hike this 23 year, meaning there would be an adjustment, and that the 24 safety award would be added to the basic salary. The 25 management, however, did not want to discuss it at that</p>

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<p>1 meeting regarding pay hike.</p> <p>2 They would only confirm with us about this new</p> <p>3 arrangement after the pay hike meeting had ended. And</p> <p>4 in fact, after that meeting, we did pursue it with the</p> <p>5 management, and the management said they would do it as</p> <p>6 soon as possible.</p> <p>7 As I understand, in December the board of directors</p> <p>8 already approved an increase of the basic salary and</p> <p>9 addition of the safety award, and we have been striving</p> <p>10 for that for a long time.</p> <p>11 That's also part of our plan, and that is we should</p> <p>12 increase the salary or the remuneration package. For</p> <p>13 the safety bonus and the service bonus, that has to be</p> <p>14 included in the basic salary, totalling \$15,366, and</p> <p>15 that is the first step. And the second step, we would</p> <p>16 strive for double pay calculated based on the basic</p> <p>17 salary.</p> <p>18 So this is what we want to achieve.</p> <p>19 Well, they have already acceded to our request for</p> <p>20 double pay, and that is calculated on the basis of this</p> <p>21 amount, 15,366. If we don't add in the safety and</p> <p>22 service bonus, we can only get 11,000. So in other</p> <p>23 words, we have an additional \$3,000 for the double pay.</p> <p>24 So that's our second step.</p> <p>25 That has nothing to do with any event or any traffic</p>	<p>1 understand that correctly?</p> <p>2 MR LAM PO KEUNG: Yes, correct, there was. Our basic salary</p> <p>3 was \$6,400. And every day there was a daily allowance.</p> <p>4 \$230. So if you drive for nine hours a day every month</p> <p>5 and you also work on the Saturdays and Sundays, so we</p> <p>6 will end up with \$16,200.</p> <p>7 So compared to KMB, New World First Bus and Long Win</p> <p>8 we are lower, so our pay at the New Lantao Bus is on the</p> <p>9 low side compared to the others.</p> <p>10 CHAIRMAN: Mr Cheung, can I ask you this, which I think is</p> <p>11 what Ms Wong was asking you: what is your view of the</p> <p>12 fact that this restructuring has resulted in there being</p> <p>13 no incentive payment for bus drivers to drive safely?</p> <p>14 MR CHEUNG TSZ KEI: Chairman, I don't agree.</p> <p>15 A reasonable salary will serve as an incentive to</p> <p>16 the colleagues, they can have a stronger sense of</p> <p>17 belonging, and they will not just use their job as</p> <p>18 a springboard to find another better job. If they do</p> <p>19 have that kind of mindset then their working attitude</p> <p>20 would be very different.</p> <p>21 CHAIRMAN: Thank you.</p> <p>22 Yes, Ms Wong.</p> <p>23 MS MAGGIE WONG: If one were to recommend a system of</p> <p>24 monitoring drivers' behaviour, similar to perhaps</p> <p>25 Singapore's system, which has a system of red, amber and</p>
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<p>1 accident.</p> <p>2 Thank you, Chairman.</p> <p>3 CHAIRMAN: So to summarise, this was agreed in May 2017, and</p> <p>4 as you understand it, the board of directors, as you put</p> <p>5 it, approved this change in December 2017?</p> <p>6 MR CHEUNG TSZ KEI: Correct, Chairman.</p> <p>7 In December 2017 the approval was granted.</p> <p>8 However, the company didn't tell us then, it didn't</p> <p>9 give us a Christmas present. It was still putting this</p> <p>10 on hold yet, and inappropriately they just floated the</p> <p>11 idea after the accident, so there was a misunderstanding</p> <p>12 in the community that it is just because of this major</p> <p>13 traffic accident that this adjustment was made.</p> <p>14 CHAIRMAN: Which board of directors approved this change?</p> <p>15 MR CHEUNG TSZ KEI: To my understanding, Chairman, it is the</p> <p>16 KMB board of directors, Mr Leung Nai Pang who actually</p> <p>17 approved it himself.</p> <p>18 CHAIRMAN: No other company?</p> <p>19 MR CHEUNG TSZ KEI: Chairman, I don't know.</p> <p>20 CHAIRMAN: Mr Lam, New Lantao Bus company didn't effect this</p> <p>21 change, did it, of merging safety bonuses into basic</p> <p>22 salary?</p> <p>23 MR LAM PO KEUNG: No.</p> <p>24 CHAIRMAN: Instead, as we understand from their evidence,</p> <p>25 there was a bonus payment, a singular payment; do we</p>	<p>1 green, based on the driver's driving pattern, and --</p> <p>2 CHAIRMAN: I think that's one bus company in Singapore.</p> <p>3 MS MAGGIE WONG: That's one bus company. May we pull up the</p> <p>4 article of Tower Transit. The article is the Straits</p> <p>5 Times, 29 June 2017.</p> <p>6 CHAIRMAN: Do we have a reference for this?</p> <p>7 MS MAGGIE WONG: We don't have a reference. Because it is</p> <p>8 not in our bundle.</p> <p>9 We can see on page 2 of the article, the fourth</p> <p>10 paragraph, it made reference to the driver:</p> <p>11 "... who previously worked at SBS Transit, improved</p> <p>12 his score to 72. By December he managed to hit 20</p> <p>13 points, qualifying him for a bonus of \$130 for that</p> <p>14 month."</p> <p>15 And there would be a monitoring system like</p> <p>16 a GreenRoad telematics system. And there will be</p> <p>17 a reward based on the driving behaviour.</p> <p>18 And if one were to recommend such a system, would</p> <p>19 your union consider that would make sense, or would you</p> <p>20 support it, or worth pursuing it?</p> <p>21 MR LAI SIU CHUNG: Chairman, I would like to add. I am</p> <p>22 a representative of the KMB branch. I would like to</p> <p>23 tell the chairman, for our company, the company has</p> <p>24 never attached importance to the pay and welfare</p> <p>25 benefits, and only until after the IRC has been</p>

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<p>1 established that the company considered giving us more.</p> <p>2 I've worked in this company for 18 years. I do not</p> <p>3 feel happy working here.</p> <p>4 There is no employee-friendly policies. They have</p> <p>5 not put in the proper remuneration package to boost our</p> <p>6 sense of belonging. I've worked in this company for</p> <p>7 18 years, I have been signing contract after contract.</p> <p>8 How come that the trade unions have been striving</p> <p>9 for the safety and the service bonus to be incorporated</p> <p>10 into the basic salary? I have insisted on this. I've</p> <p>11 told the management many times, for the safety and</p> <p>12 service bonus.</p> <p>13 For new drivers, if they don't have enough</p> <p>14 experience, their bonus may be deducted. The entire</p> <p>15 safety bonus of 1,200 can be deducted altogether, so</p> <p>16 there have been many problems with this safety bonus,</p> <p>17 but then the company has been telling us that the safety</p> <p>18 and service bonus are in huge amounts. So, before the</p> <p>19 accident happened, they would like to accede to the</p> <p>20 trade union's request, and that safety and service bonus</p> <p>21 be merged with the basic salary.</p> <p>22 But, it doesn't mean that after the merging of the</p> <p>23 amounts our safety will still be upheld. Because we are</p> <p>24 a professional bus captain. We have to be accountable</p> <p>25 for what we do, and the safety bonus and service bonus</p>	<p>1 achieve certain requirements then you will get an</p> <p>2 increment, an extra point. And that is beyond the</p> <p>3 annual salary increase. The KMB has verbally promised</p> <p>4 that there will be a 20-point system, it's calculated</p> <p>5 based on the performance, safety performance,</p> <p>6 attendance, discipline. If the bus captain does not</p> <p>7 achieve the standards then he will not get an extra</p> <p>8 point.</p> <p>9 So that's a kind of bonus system.</p> <p>10 Of course, if there are other reward systems we</p> <p>11 welcome them.</p> <p>12 MR LAM PO KEUNG: Can I add?</p> <p>13 An appropriate monitor of drivers' performance would</p> <p>14 not be by way of a penalty, we think. I think if a bus</p> <p>15 captain falls short of standard we should train him up</p> <p>16 more so he can drive safely, and that is more important.</p> <p>17 If you have a bonus, and the bus captain will try to</p> <p>18 strive for it, and say, if he is involved in an</p> <p>19 accident, he would get frustrated. For NLB, there is</p> <p>20 a safety bonus. Well, if the safety bonus is deducted,</p> <p>21 we are talking about several thousand dollars. And that</p> <p>22 affects the livelihood of the family of the bus captain.</p> <p>23 Thank you, Chairman.</p> <p>24 MS MAGGIE WONG: Chairman, I have completed my questioning.</p> <p>25 CHAIRMAN: Thank you.</p>
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<p>1 have been in place for many years, but then the</p> <p>2 arrangement has not been fair.</p> <p>3 And especially to the new drivers, say, in the first</p> <p>4 half year to one year, they don't have enough</p> <p>5 experience. Their bonus in safety and service will be</p> <p>6 cut by the company and their income will not be stable.</p> <p>7 So the trade union has considered this as a problem</p> <p>8 for many years, and we hope that the bonus will not be</p> <p>9 deducted. Maybe this month you are lucky, you are not</p> <p>10 involved in a traffic accident, but then in some other</p> <p>11 months you will be involved in a couple of traffic</p> <p>12 accidents and your safety bonus will be deducted.</p> <p>13 MS MAGGIE WONG: Mr Lai, we are not talking about deduction.</p> <p>14 It is addition. What I'm suggesting here is not about</p> <p>15 deduction. It is on top of your basic salary. If you</p> <p>16 drive well you would receive an extra bonus. That's the</p> <p>17 system. It's not about deduction.</p> <p>18 MR LAI SIU CHUNG: Well, KMB doesn't have such a system.</p> <p>19 MS MAGGIE WONG: Not about whether you have the system. If</p> <p>20 one were to recommend such a system, would you support</p> <p>21 that?</p> <p>22 MR LAI SIU CHUNG: Chairman, we support any type of reward</p> <p>23 system or incentive system. Right now we are talking to</p> <p>24 the KMB on another kind of bonus system: there would be</p> <p>25 a 20-point increment system. So in other words, if you</p>	<p>1 MS MAGGIE WONG: Thank you.</p> <p>2 QUESTIONS FROM THE COMMITTEE</p> <p>3 MEMBER AU YEUNG: Thank you, Chairman. I just have a quick</p> <p>4 question regarding the protective shield that we</p> <p>5 discussed this morning.</p> <p>6 I hear from you gentlemen that you are not very much</p> <p>7 supporting this idea.</p> <p>8 I just want to clarify. The reason why you are not</p> <p>9 supporting is because the material is not good enough</p> <p>10 because of creating reflection or squeaking sound, or</p> <p>11 you are against the concept of having a protective</p> <p>12 shield?</p> <p>13 Thank you.</p> <p>14 MR LAI SIU CHUNG: I am not saying that it is not good, but</p> <p>15 that if you have a protective shield, according to bus</p> <p>16 captains, when it is installed, well, bus captains say</p> <p>17 that they do have an independent driving compartment, so</p> <p>18 to speak, but there is something wrong with the</p> <p>19 transparent plate of the protective shield, and the</p> <p>20 management hasn't addressed the issue. And it is</p> <p>21 distracting for bus captains.</p> <p>22 And there are other also issues stemming from it</p> <p>23 which get more serious. We would like them to improve</p> <p>24 the plastic plate as soon as possible. As I mentioned</p> <p>25 this morning, there is glaring, and then at the tip,</p>

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<p>1 there is a magnet which gives off some squeaking sound, 2 and according to the union, although there is 3 a protective shield in a convex shape, if one is to 4 attack the bus captain then one can still do so. 5 We have reflected the problems to the management 6 many times. They just said that they cannot be taken 7 down. But many drivers would like to have it taken down 8 because you have safety problems, and it also produces 9 glare. And because of the curve there would be 10 a distortion of vision, and not to mention that the 11 shield gives off some noise. 12 And these are the problems they have not resolved. 13 MEMBER AUYEUNG: But would you support it if management can 14 come up with a protective shield that would not create 15 any driving hazards? 16 MR LAI SIU CHUNG: Yes, I would. Previously we submitted 17 some drawings to them. For example, in Korea they have 18 an independent door with two tiny windows that could be 19 opened and closed. We gave them drawings for reference. 20 But I think that for this kind of protective shield 21 that they have come up with, there are problems. 22 Perhaps they didn't think that there would be so many 23 problems, but then they have to address the issues. 24 MEMBER AUYEUNG: Thank you. 25 CHAIRMAN: Mr Lam, at New Lantao Bus do you operate special</p>	<p>1 half. 2 CHAIRMAN: Do you do these special shifts yourself? 3 MR LAM PO KEUNG: Previously I did. But I would go home. 4 CHAIRMAN: Thank you. You anticipated my other question. 5 Ms Wong, the material that the Transport Department 6 provided us in the form of a briefing paper to the LegCo 7 transport panel. Could you give me the reference for 8 that and could that be put up on the screen? 9 MS MAGGIE WONG: Yes. That would be page TD-1, page 403. 10 CHAIRMAN: Where is the LegCo briefing paper? 11 MS MAGGIE WONG: The briefing paper should be at page 403, 12 TD-1, page 403. 13 CHAIRMAN: In English -- the briefing paper is in English, 14 is it not? 15 MS MAGGIE WONG: Yes, it is in English. 16 CHAIRMAN: Thank you. 17 Mr Cheung, this is a paper that was discussed on 18 25 July in the LegCo council by the Panel on Transport, 19 and it deals with three matters, really: one is 20 training, another is seat belts and another is 21 technological safety advances. 22 And it is the product of a working group which was 23 constituted by the Transport Department and comprised 24 the franchised bus operators and three bus 25 manufacturers, and they were convened in the middle</p>
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<p>1 shifts, 14-hour shifts? 2 MR LAM PO KEUNG: Yes. 3 CHAIRMAN: And are you afforded, or are drivers afforded 4 a minimum rest period during such a duty of three hours 5 or more? 6 MR LAM PO KEUNG: Yes. 7 CHAIRMAN: And on the occasions when a driver comes to that 8 time of the day where he has that break, what are the 9 facilities like that are provided at the place where the 10 driver takes his break? 11 MR LAM PO KEUNG: Nothing so far. They would at most take 12 a break on the bus. They could rest inside the bus. 13 CHAIRMAN: No facilities? 14 MR LAM PO KEUNG: Not for the time being. 15 CHAIRMAN: And where are these places, bus terminus depot, 16 where are they? How many are there where people take 17 these breaks? 18 MR LAM PO KEUNG: Usually in the street, shopping malls, 19 they would take a rest. If it is close to their home 20 they would go home. 21 CHAIRMAN: What proportion, if you are able to answer this, 22 of bus captains are in a position to go home when such 23 a break occurs? 24 MR LAM PO KEUNG: I don't know. A half, I guess. Half of 25 those who are on this kind of special shift, around</p>	<p>1 of March, and this is the product of their work. 2 Were your views sought on any of these three 3 matters? 4 MR CHEUNG TSZ KEI: No. No, Chairman. 5 CHAIRMAN: Have you had a chance to read the document to see 6 what it is that they propose to do? 7 MR CHEUNG TSZ KEI: Chairman, I haven't read this paper 8 before. This is the first time I'm reading it. 9 CHAIRMAN: Mr Cheung, given your answer, it seems to me that 10 perhaps it would only be fair before I ask you any more 11 questions if I suggested that you ought to read the 12 document, and then you can give us your considered 13 responses to some of the questions that I have. 14 What I would suggest is this: we have other trade 15 union representatives who have been waiting patiently to 16 give their evidence. May I suggest that we interpose 17 them, and then at a later stage when you indicate to us 18 that you are in a position to answer the questions, we 19 will bring you back. Is that a proposal that meets with 20 your agreement? 21 MR CHEUNG TSZ KEI: No problem. 22 CHAIRMAN: Very well, in which case, may I ask you to vacate 23 your seats. We will take a short break whilst there is 24 a swap over of personnel, and then we will deal with the 25 federation.</p>

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<p>1 We will take a short break. 2 (3.25 pm) 3 (A short break) 4 (3.35 pm) 5 REPRESENTATIVES OF THE FEDERATION OF BUS INDUSTRY TRADE 6 UNIONS: MR HO YUI CHEONG, MR CHUNG CHUNG FAI, MR LAM KAM 7 PIU, MR LAU KAI HIM, MR HUI HON KIT, MR KWOK WAI KWONG 8 (Evidence given in Cantonese; transcription of the 9 simultaneous interpretation) 10 CHAIRMAN: Mr Chung and gentlemen, we thank the Federation 11 of Bus Industry Trade Unions for accepting our 12 invitation to give evidence to the Committee, and I'll 13 ask Ms Wong to ask questions of you. 14 Let me just explain this, that if at any stage you, 15 Mr Chung, wish one of your fellow representatives to 16 answer a question, please defer to him and we will hear 17 from him. So it is a matter for you who it is that puts 18 forward your view. 19 Thank you. 20 EXAMINATION BY MS WONG 21 MS MAGGIE WONG: Thank you, Mr Chung, and gentlemen, for 22 coming. And we have your written submissions. 23 The Committee's primary concern, as set out in the 24 terms of reference, is to make recommendations which go 25 to the issue of safety of franchised buses.</p>	<p>1 the letter from the Committee. The supplemental 2 submission is at TU bundle 1B pages 260-28 to 260-67. 3 And you can see it on the screen. And the English 4 is at TUIB bundle at pages 260-68 to 103. 5 And Mr Chung, I will just go through the issues 6 raised in your submission by topic. 7 The first topic is illegal parking. 8 And we can find that issue was raised in your 9 submission at pages 260-234 to 236. 10 This is annex 2, and it set out e-mail exchanges 11 that you had about illegal parking problem, which you 12 have provided to the Committee. And you have addressed 13 a problem in particular in relation to Nam Cheong Street 14 and a number of other streets, in your recent 15 submission. 16 MR LAM TIN FU: Sorry, Ms Wong, are you asking Mr Chung to 17 make a reply or Mr Lam to make a reply? 18 MS MAGGIE WONG: I apologise. I'm sorry, maybe Mr Chung, 19 you would assign the person that is most suitable to 20 answer the questions raised in this area: illegal 21 parking. 22 MR LAM KAM PIU: Ms Wong, I am the acting president. 23 Mr Chung is my department. And on behalf of the 24 federation, I'll ask Mr Lau to take the question. 25 MS MAGGIE WONG: Thank you.</p>
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<p>1 So my questions will be focused on safety aspects 2 rather than the wider aspect of employment issues. 3 My first question is to go through the background 4 with you about your union. 5 Mr Chung, I understand that Federation of Bus 6 Industry Trade Unions represents three trade union 7 members; is that correct? 8 MR LAM KAM PIU: Correct. 9 MS MAGGIE WONG: That would be Kowloon Motor Bus, New World 10 First Bus and Citybus. 11 MR LAM KAM PIU: Correct. 12 MS MAGGIE WONG: And your union currently has 1,660 members. 13 MR LAM KAM PIU: Correct. 14 MS MAGGIE WONG: Are these members all bus drivers? 15 MR LAM KAM PIU: No. Some of them are the regulators and 16 supervisors, mechanics in the depot. They are working 17 as frontline staff. 18 CHAIRMAN: How many are bus captains? 19 MR LAM KAM PIU: Over 90 per cent. 20 MS MAGGIE WONG: Mr Chung, your union has submitted two 21 submissions. The first one is dated 24 April 2018. And 22 that can be found in TU bundle 1A, pages 147 to 226, in 23 Chinese. In English, it is at pages 226-1 to 24 page 226-80. 25 And you have made a second submission in response to</p>	<p>1 Mr Lau, you provided the Committee with an annex 2, 2 which sets out the correspondence that you had with the 3 Transport Department complaining about the illegal 4 parking problem, and we can see at page 235 that you 5 have annexed photographs, your union has annexed 6 photographs showing the extent of the illegal parking. 7 And at the bottom we can see the e-mail showing the 8 Transport Department received the photo stating that the 9 colleagues of regional office will follow up. 10 So my question is: has there been follow-up or has 11 there been improvement on this Nam Cheong Street in 12 terms of illegal parking. 13 MR LAU KAI HIM: Starting from May 2015 we started 14 discussing with the TD on the illegal parking at Nam 15 Cheong Street, and a couple of months ago we received 16 the final reply from the TD, saying that the situation 17 has improved, and one more marking for bus stop has been 18 added to prevent illegal parking on the bus stop area. 19 But it took us a very long time to communicate with 20 the police. 21 And also because of the illegal parking issue a bus 22 captain was attacked at this particular location, and 23 after that, we wrote immediately to the Permanent 24 Secretary for Housing Mr Lai, and the letter was 25 included or appended to our supplementary submission,</p>

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<p>1 and at the same time we have been chasing up the TD on 2 the improvement works at this location. But the TD has 3 been acting slowly, and they really, don't want to deal 4 with it, it seems to us.</p> <p>5 MS MAGGIE WONG: Yes, and maybe if we should first look at 6 your submission on illegal parking, your first 7 submission in relation to this issue. It is page 176 in 8 Chinese, and the English is at page 226(30).</p> <p>9 On this page we can see your suggestions, or rather 10 your summary of what you have done for this illegal 11 parking.</p> <p>12 And we can see in the English version that: 13 "... the federation wrote to the Transport 14 Department in May 2017 and required arrangements of more 15 policemen to strengthen the enforcement and other 16 feasible measures to prevent the bus stop from being 17 blocked by vehicles illegally parked there. It is 18 suggested that a 24-hour restricted area to be set up, 19 the 'bus stop' road sign should be extended and iron 20 railings should be added to reduce the number of 21 vehicles illegally parked there and prevent the bus stop 22 from being hindered ... after several rounds of 23 [discussions] or communications, the Transport 24 Department finally agreed to set up iron railings only 25 on the grounds of the need for loading and unloading</p>	<p>1 in the meeting with Hong Kong police." 2 And it is stated there that: 3 " ... the police has in different meetings made 4 verbal commitments to enhance its enforcement efforts, 5 and ... the prosecution figures ... has increased [and] 6 some illegal parking black spots, such as the 7 Reclamation Street in Mong Kok, King's Road, Yee Wo 8 Street and Wang Lung Street Tsuen Wan have not seen much 9 improvement." 10 And you have also annexed a list of black spots to 11 the police in one of your annexures, showing that there 12 were a number of locations that you have asked the 13 police to follow up -- and I believe that's in 14 annex 14 -- in your letters dated 6 and 27 March 2017. 15 That's at page 260-462, in Chinese, and page 260-468-1. 16 If we look at the letter, it was addressed to the 17 Commissioner of Police at page 260-468-2 in English. 18 You have highlighted a number of black spots at 19 page 260-468-5, for Hong Kong Island, New Territories 20 and Kowloon. 21 So my question is: has there been any follow-up 22 after these two letters? 23 MR LAU KAI HIM: After these two letters, in our regular 24 meetings with the police and the Transport Department, 25 on every occasion we reflected the problem of illegal</p>
<p>Page 110</p> <p>1 goods ... however, because the Transport Department paid 2 no immediate attention to this problem, a bus captain 3 was attacked at this bus stop in August 2017, because he 4 was passing the private vehicles illegally parked there 5 and was misunderstood as 'skipping the stop'. This 6 incident was exactly caused by blocking of bus stop by 7 illegal parking vehicles." 8 And you stated that: 9 "If the Transport Department had taken the 10 suggestion of the federation seriously and promptly 11 arranged to set up road signs, this incident could have 12 been avoided." 13 In your recent submission at page -- or second 14 submission at pages 260-89 to 90, that's in English, and 15 the Chinese is at page 260-53. 16 And your further reply stated at paragraph (d) that: 17 "The main reply of the Transport Department is to 18 refer the matter to the transport officer of the 19 relevant district for follow up, and to the police to 20 take appropriate actions. Meanwhile, for certain 21 districts, such as Nam Cheung Street as mentioned by the 22 Federation, no only made oral questions, but also 23 maintained communication ... In addition, concerning 24 illegal parking, the Federation also expressed its 25 concern and demanded enforcement at various black spots</p>	<p>Page 112</p> <p>1 parking with them and regarding what we told the 2 Transport Department, it can be seen in the minutes of 3 the meeting. 4 As for follow-up action on illegal parking, it 5 should not be done as a one-off exercise. It should be 6 sustainable effort. There should not be follow-up 7 action, just right after we mentioned one black spot. 8 We will continue to follow up with the Transport 9 Department on the black spot list and see if there have 10 been new additions or improvements, but since March 2017 11 until now, we have not seen a lot of improvements 12 regarding these black spots. But we have been taking 13 follow-up action. 14 CHAIRMAN: What do you suggest is the way forward to deal 15 with the illegal parking that causes problems for 16 franchised buses? 17 MR LAU KAI HIM: First of all, the police should take 18 enforcement action. Very often the problem we encounter 19 is illegal parking and the bus captain would call the 20 police for handling and very often the police on many 21 occasions would say that they are unable to handle the 22 situation because of lack of manpower, and previously, 23 we did suggest increasing the number of traffic wardens, 24 as we understand in busy districts such as Yau Tsim Mong 25 district the number of traffic wardens tend to be on the</p>

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<p>1 low side, but the police could engage more traffic 2 wardens to take enforcement action against illegal 3 parking, because it is a traffic offence and the most 4 effective enforcement is to prosecute the offending 5 drivers, and there should also be signage at bus stops, 6 because the signage will have binding effect on 7 offending drivers.</p> <p>8 And we also requested that there should be double 9 yellow line. Apart from Nam Cheong Street the problem 10 is also very serious in Fo Tan, et cetera, and there is 11 a need to have yellow lines there. At the moment there 12 is some room for improvement as far as our laws and 13 regulations are concerned to take enforcement action.</p> <p>14 CHAIRMAN: There are double yellow lines all over Central, 15 and it does not stop illegal parking, does it?</p> <p>16 MR LAU KAI HIM: That's true. Because according to the 17 police they do not have sufficient manpower to take 18 enforcement and it is difficult. We are very passive, 19 we rely on the government to deploy officers to take 20 enforcement action. But since 2017, what we have seen 21 is that although the police figures suggest that they 22 have stepped up enforcement, we don't see a significant 23 improvement.</p> <p>24 CHAIRMAN: What about enforcement by the use of CCTV?</p> <p>25 MR LAU KAI HIM: We agree. We agree that police manpower is</p>	<p>1 enforcement purpose, the police has the power to 2 retrieve the clips. But we should bear in mind the 3 legal requirements, because there is privacy concern, 4 and because the bus compartment cameras would capture 5 what happens inside, so there is a privacy concern that 6 we need to deal with carefully.</p> <p>7 But on the whole, we agree it can be used for 8 enforcement.</p> <p>9 CHAIRMAN: I'm not asking you about CCTV inside the bus 10 looking inside. It is forward looking CCTV that 11 captures the problem the bus driver has as he approaches 12 a bus stop and vehicles are parked illegally in it.</p> <p>13 MR LAU KAI HIM: Agree.</p> <p>14 CHAIRMAN: What, if any, view do you have about bus drivers 15 assisting in enforcement by for example noting, perhaps 16 electronically, the time at which they have captured 17 a particular infringement, so that when the bus returns 18 to the bus depot, someone can view that CCTV, because 19 the time has been noted?</p> <p>20 MR CHUNG CHUNG FAI: I am Chung, and I would like to 21 supplement.</p> <p>22 About using bus cameras for law enforcement, after 23 the bus returns to the depot, well, the company itself 24 doesn't know. We need to write up a report, telling 25 about the data and time of the incident, the relevant</p>
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<p>1 limited, and it is difficult to deploy substantial 2 manpower to tackle just one issue. We agree that 3 technology can help, and in recent years we understand 4 that the police has been deploying technology such as 5 CCTV to take enforcement.</p> <p>6 We support it because police manpower is limited, 7 but police officers do give deterrents. I think 8 deterrent is more important than punishment. If you 9 have deterrents it will be more effective in stopping 10 the problem, because drivers may also know that police 11 officers would not patrol a certain area regularly to 12 take prosecution, whereas CCTV and other similar 13 technology could be deployed for enforcement purpose so 14 that it can serve as deterrent and it would be much more 15 effective.</p> <p>16 CHAIRMAN: What about the use of forward looking CCTV 17 cameras on buses in order to capture the fact of illegal 18 parking?</p> <p>19 MR LAU KAI HIM: As we mentioned in the supplementary paper, 20 for cameras installed on buses, there are different 21 kinds. For the latest model there are eight cameras 22 showing bus compartments, as well as outside of the 23 buses, and the video clips would be used for the 24 investigation into accidents.</p> <p>25 Of course if we are to use the video clips for law</p>	<p>1 time period, before somebody would retrieve the card or 2 trip, but it would take two or three days, because of 3 documentation. So it may not be very effective.</p> <p>4 And when a bus approaches a bus stop, it is in 5 motion, and even if you capture a vehicle, you have no 6 idea whether that vehicle is in motion or whether it is 7 stationary. So I do think it is difficult.</p> <p>8 CHAIRMAN: Do you not think that in Asia's World City we 9 could come up with a technological device where the bus 10 captain simply presses a button which then alerts 11 somebody who views the CCTV to go to a particular time, 12 and then, of course, it is up to that person to 13 determine whether or not the camera captures the 14 stationary vehicle?</p> <p>15 MR CHUNG CHUNG FAI: Well, I agree. But -- if it is 16 technically feasible I agree, but I want to add that our 17 federation is very concerned about illegal parking at 18 bus stops. Because we have low floor buses introduced 19 in the past 10 or eight years to serve the 20 wheelchair-bound passengers, and if there is illegal 21 parking at bus stops we can't stop at the bus stop to 22 help passengers in wheelchairs, so there is a safety 23 hazard, and that is why we are rather concerned about 24 illegal parking particularly at bus stops. Because at 25 any moment we can have passengers coming in wheelchairs</p>

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<p>1 and if we can't reach bus stop there will be hazard.</p> <p>2 CHAIRMAN: The question is simply this: that if possible, is</p> <p>3 it the union's view that bus drivers, bus captains could</p> <p>4 be deployed to assist in enforcement to alleviate those</p> <p>5 kinds of problems? Pressing a button to capture the</p> <p>6 time of the infringement?</p> <p>7 MR LAU KAI HIM: If this technology is introduced, of course</p> <p>8 we will be happy to accept. Because bus captains are</p> <p>9 also affected by illegal parking, so if technology</p> <p>10 allows us to take enforcement action we will support it.</p> <p>11 Bus captains, well, under cap 230A, are sufficiently</p> <p>12 empowered, that is Public Bus Services Regulations, but</p> <p>13 it may have to do with the regulations, the bus</p> <p>14 companies' views as well as the Transport Department's</p> <p>15 views.</p> <p>16 So I think this is something that the Transport</p> <p>17 Department and the company can consider.</p> <p>18 As for bus captains, using technology to assist the</p> <p>19 police in enforcement actions, of course we welcome</p> <p>20 that, because by pressing a button we will be able to</p> <p>21 capture the time but it has to do with technology if it</p> <p>22 is feasible, and second, whether the franchised bus</p> <p>23 companies would agree, and whether it is technically</p> <p>24 feasible.</p> <p>25 CHAIRMAN: Ms Wong.</p>	<p>1 working places. Even if there is a resting period of</p> <p>2 three hours, they cannot find suitable resting place,</p> <p>3 finally resulting in fatigued driving in the long run</p> <p>4 working environment, which may definitely affect the</p> <p>5 security [I believe that is safety]."</p> <p>6 And on the next page at page 226-21, the bottom</p> <p>7 paragraph, and that's 167 still, at the bottom, you</p> <p>8 stated that:</p> <p>9 "... Kowloon Bus has set up the 'special shift' at</p> <p>10 present and no pay is provided for the rest time of the</p> <p>11 'special shift'. The bus company uses the so-called</p> <p>12 allowance to substitute remuneration, which is extremely</p> <p>13 unfair for bus captains of the 'special shift' ... the</p> <p>14 Transport Department has not made any stance or given</p> <p>15 any comments in this respect ... the Principal Transport</p> <p>16 Officer mentioned in a meeting that the Transport</p> <p>17 Department did not have the power to supervise the ...</p> <p>18 company to set up the 'special shift'."</p> <p>19 And based on your submissions, I believe your</p> <p>20 submission is against this idea of having long working</p> <p>21 hours. Throughout your submissions, I believe you have</p> <p>22 been advocating reducing the working hours from 14 to</p> <p>23 12. Is that the position?</p> <p>24 MR LAM KAM PIU: Yes, that's our position.</p> <p>25 MS MAGGIE WONG: Can you tell us why you would advocate this</p>
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<p>1 MS MAGGIE WONG: I believe this is a matter that has been</p> <p>2 raised by the letter from the Democratic Alliance, using</p> <p>3 the Singapore's practice.</p> <p>4 The letter was dated 30 April 2018 in miscellaneous</p> <p>5 bundle 2, page 644, and in English at 644-2.</p> <p>6 If we see the first suggestion about this Singapore</p> <p>7 practice of installing cameras next to the driver's seat</p> <p>8 since 2008, and all the bus captain needs to do is press</p> <p>9 the button, and hand the footage to the police, and the</p> <p>10 police will send a ticket to the owner who breached the</p> <p>11 regulation with a fine, or extra fine.</p> <p>12 So this is one of the suggestions made by the</p> <p>13 Democratic Alliance using Singapore's practice. Would</p> <p>14 you support this idea of enforcing the law in that way?</p> <p>15 MR LAM KAM PIU: We support it.</p> <p>16 MS MAGGIE WONG: The second topic I wish to explore with you</p> <p>17 is the special shift, the special shift problem. If</p> <p>18 I may take you first, to your submission at page 167, in</p> <p>19 Chinese, and in English at page 226-21.</p> <p>20 And you highlighted the new guidelines requires the</p> <p>21 special shift, for special shift bus captains, they need</p> <p>22 to have a continuous resting period of three hours, and</p> <p>23 you stated at page 167 in Chinese, and page 226-20, at</p> <p>24 the bottom, that:</p> <p>25 "... not all bus captains are resident near the</p>	<p>1 position?</p> <p>2 MR LAM KAM PIU: Can I ask Mr Lau to answer?</p> <p>3 MR LAU KAI HIM: First, we have taken reference from</p> <p>4 practices of work hours in common law jurisdiction, in</p> <p>5 EU, US, Singapore, and South Korea, there would not be</p> <p>6 any special shifts lasting 14 hours. We have given the</p> <p>7 relevant information for reference, to the IRC, and it</p> <p>8 is annex 9 in the supplementary paper, and annex 10 also</p> <p>9 contains the relevant information.</p> <p>10 Now, 14 hours are very long. And in between the bus</p> <p>11 captains get only 10 hours for rest, and you can</p> <p>12 imagine. Now, the bus captain gets off work, has to go,</p> <p>13 travel back home, and has to take a shower, et cetera,</p> <p>14 so we wonder whether the bus captain can sleep for six</p> <p>15 to seven hours. So it is grossly inadequate.</p> <p>16 Bus captains need to have great concentration, and</p> <p>17 bus captains have to look after the passengers, road</p> <p>18 conditions, et cetera. Compared to driving an ordinary</p> <p>19 car, it is much more demanding.</p> <p>20 So 10 hours in rest time is not enough.</p> <p>21 If you look at common law areas, and also</p> <p>22 neighbouring cities of Hong Kong they don't have</p> <p>23 14 hours. Compared to EU and Singapore, our work hours</p> <p>24 are long.</p> <p>25 I'll see if Mr Chung has anything to add.</p>

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<p>1 MR CHUNG CHUNG FAI: Yes, I would like to say something 2 more. 3 Why are we against 14 hours, this special shift? 4 First, so far, for the guidelines promulgated by the TD, 5 there has never been any special shift, but this time, 6 in order to accommodate the bus companies' request they 7 told us that the ordinary trips will be cut to 12 hours, 8 but then they have added in this special shift lasting 9 14 hours. 10 And they also emphasised that -- the guidelines also 11 say categorically there should be no less than three 12 hours and three consecutive hours in rest breaks should 13 be provided in the special shift. But then the TD will 14 not decide whether this three hours will come with pay 15 or not. 16 Now the guidelines is that there should be no less 17 than three consecutive hours in rest break. So in an 18 extreme break they can give you six consecutive hours as 19 a rest break. So they are paying you just, say, eight 20 hours pay and 6 hours come without any pay, but then you 21 are still spending 14 hours in that special shift. So 22 that's an extreme scenario. 23 In other words, on this guideline, issued by the 24 Transport Department, this is something that the bus 25 companies can do, and they are exploiting the frontline</p>	<p>1 at the hourly rate? 2 MS MAGGIE WONG: Yes. 3 CHAIRMAN: And secondly, what is the position that KMB have 4 taken for the future on this issue? 5 MS MAGGIE WONG: KMB's position at the moment, as 6 I understand it, is given the number of people that 7 raise objection, I believe their submission stated that 8 they will explore that -- I'll find the reference -- 9 that they will explore this special shift. 10 CHAIRMAN: The issue is simply this. Are they going to pay 11 the hourly rate, or are they going to pay this reduced 12 allowance that they have paid in the past? 13 MS MAGGIE WONG: I will find the reference before I answer 14 that question. 15 CHAIRMAN: Thank you. 16 MS MAGGIE WONG: Perhaps Mr Chung, if you could assist, we 17 have heard evidence from another trade union called 18 Federation of Bus Industry -- 19 CHAIRMAN: No, that's the current representatives. 20 MS MAGGIE WONG: I apologise. 21 We have heard evidence from the Motor Transport 22 Workers General Union, who also comprise five branches 23 of trade union and bus captains, that they support the 24 special shift. That's the first point. 25 The second point they said is there are not many</p>
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<p>1 workers here. 2 And as our submission said, there is no proper 3 facility or rest facility for us to take a proper rest. 4 And the bus captains have to sort of roam around during 5 the rest break, so how can they replenish during the 6 rest break? 7 That's number 1. 8 Number 2. We can make some calculation, 14 hours, 9 the bus captains, if they live further away, they will 10 need to spend, say, some time in travelling to and from 11 work, so maybe one hour, two hours, so they maybe spend 12 2.5 hours in travelling to and from work. 13 So they get up in the morning, they have to brush 14 their teeth and so on, that takes half an hour, and then 15 when they get off work to home, and they have to take 16 a shower and have meals, so they have only five hours 17 left. Does it mean that they will fall asleep 18 immediately after they get in bed? Not necessarily. So 19 you can imagine whether the drivers get enough rest 20 time. 21 So we are all against this special shift. 22 CHAIRMAN: Ms Wong, have we not received evidence from 23 Citybus, who do not, but propose to use split shifts in 24 the future, that they propose paying bus captains at the 25 hourly rate, not an allowance, not a reduced amount, but</p>	<p>1 people who are taking special shifts. 2 And third is if there is a reduction in special 3 shifts, you would need to hire a lot more workers, and 4 it would lead to a reduction of about 5,000-odd income 5 for bus drivers. 6 So they have voiced out three reasons opposing -- or 7 rather supporting this 14-hour special shift. 8 What is your reply to those submissions? 9 MR CHUNG CHUNG FAI: My stance is this: we are now exploring 10 safety of buses. That's most important. 11 I said going by common sense you would know that the 12 driver in a special shift would not have sufficient time 13 to rest, and that leads easily to driver fatigue. So 14 that's number 1. 15 So if we are focusing on safety there should not be 16 a 14-hour special shift. That's point 1. 17 Number 2, so if we cancel special shift, the income 18 will go down, that's very much a cycle. Why a reduction 19 in pay, why do we have to work extra -- a few hours to 20 get a higher income, and that's mainly because our pay 21 is too low? So that's why we have to work several extra 22 hours. 23 If the pay is sort of linked to the median wage of 24 the government survey, then bus drivers would not like 25 to work that long.</p>

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<p>1 If I remember correctly, the median is already 2 \$18,000. But for new drivers they are getting \$15,000 3 only. 4 That's because of low salaries, our colleagues have 5 a really heavy burden and they need to work extra hours, 6 and in the same vein, does it mean that they need to 7 work 16 hours to earn more? It is impossible to gauge 8 it by working hours. 9 We can't simply work more hours to earn a bigger 10 pay. Instead we should raise the pay to prevent 11 fatigued driving. 12 And about breaks, allowance would be given, but this 13 is not the problem with the bus companies. It is the 14 Transport Department. The Transport Department has 15 issued this guideline for bus captains, and the 16 Transport Department therefore is responsible for 17 protecting our pay. The department should not pass the 18 buck onto both of us, otherwise the TD should not have 19 issued the guidelines in the first place. 20 So I think the Transport Department is being 21 irresponsible. 22 MS MAGGIE WONG: May I go back to the question that the 23 Chairman raised earlier as to whether the Kowloon Motor 24 Bus are going to pay the hourly rate or are they going 25 to pay this reduced allowance as they have done or paid</p>	<p>1 allowance is extremely unfair for bus captains of 2 special shifts; is that the reason? 3 MR CHUNG CHUNG FAI: Agree. 4 MS MAGGIE WONG: And the next topic is the -- related to 5 this topic on cost, you mentioned in your submission 6 that the bus companies are cutting costs by cutting 7 remuneration and employee welfare benefits. If I may 8 take you to your submission, page 158 in Chinese and 9 pages 226-10 to 226-11 in English. 10 It refers to the bus company cutting costs by 11 cutting the remuneration and employee welfare. Can you 12 explain how, and in what way? 13 MR LAM KAM PIU: Mr Lau can take this question. 14 MR LAU KAI HIM: First of all, regarding remuneration, we 15 have the unfair situation regarding special shift, and 16 bus companies would deploy bus captains to work for long 17 hours to suppress the manpower need, and different 18 companies would have different welfare systems, for 19 example they have employees recruited before a certain 20 time, and after a certain time receiving different 21 benefits. Although the bus companies would like to 22 improve employee welfare as a whole, because of the 23 differential treatment for different employees they have 24 different welfare benefits. 25 New recruits receive fewer benefits that old</p>
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<p>1 in the past for special shifts? And if I may take you 2 to the bundle KMB-1, first is page 111. 3 If we look at the old daily rate, for (H), special 4 shift duty allowance, we can see the rate, before 1 5 March 2018, the old daily rate is \$21.90, and if we see 6 the new daily rate, it is still no change. 7 And if we look at table 2 for the monthly rate, at 8 page 109, we can see at (E), split shift duty allowance, 9 the old monthly rate is employed before or after, is the 10 rate of \$1,951.50, and there is still no change from 11 1 March 2018. 12 May I ask, perhaps you may address this, is the 13 split shift duty allowance per hour still the same for 14 KMB after 1 March 2018? 15 MR CHUNG CHUNG FAI: Let me invite the KMB representative to 16 take your question. 17 MR KWOK WAI KWONG: To answer you, in short, \$21.90, that's 18 the rate per hour, but the normal rate should be \$116 19 per hour. 20 CHAIRMAN: So the hourly rate, if that was what was paid, 21 would be much greater, five times greater? 22 MR KWOK WAI KWONG: Agree. 23 MS MAGGIE WONG: And that is why in your submission at 24 page 226-21 in English, and Chinese at page 166, of the 25 TU bundle, 1A, you stated that this special shift</p>	<p>1 employees. 2 MR LAM KAM PIU: I'll let Mr Lau supplement. 3 MR CHUNG CHUNG FAI: For remuneration and welfare benefits 4 for new recruits they earn 15,000 plus; for old 5 employees they earn 18,000, whereas for benefits, for 6 employees under the old system, we have a year end bonus 7 equivalent to one month of pay; new recruits also have 8 a year end bonus, but they are required to meet certain 9 requirements. 10 Medical benefits, for example, for old employees, 11 they can visit the clinic 20 times for free, whereas for 12 employees under the new system only 10 visits free. 13 So you see, there is differential treatment. The 14 bus companies try to suppress costs by cutting 15 remuneration and benefits because they always talk about 16 the meagre profit they are making. I don't understand 17 how meagre they mean. They earn \$100 million or \$200 18 million of profit. I don't know when they would say it 19 is profitable. 20 MS MAGGIE WONG: Thank you. 21 The next topic is about lost trip. 22 Your submissions, both your first and your 23 supplemental submission made a lot of references about 24 phantom bus, or lost trips, and if I may refer you to 25 the English submission at page 226-22 in TU-1A bundle,</p>

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<p>1 in Chinese, page 168.</p> <p>2 In the second paragraph, it made reference to:</p> <p>3 "Lost trip is caused by various reasons, such as</p> <p>4 shortage of bus captains, traffic jam, vehicle</p> <p>5 malfunction, and so on."</p> <p>6 And then you mentioned that:</p> <p>7 "... lost trip mainly involves the three problems of</p> <p>8 manpower, bus and road. The former two problems should</p> <p>9 be faced squarely and dealt with by bus companies.</p> <p>10 However, for these problems [you question whether] the</p> <p>11 Transport Department ... perform its role as</p> <p>12 a supervisor?"</p> <p>13 And you refer to:</p> <p>14 "... the 'Phantom Bus' is a short-distance bus</p> <p>15 created based on the grey area of the definition of the</p> <p>16 Transport Department, which travels for several stops to</p> <p>17 fill up the trips not duly made due to various reasons,</p> <p>18 and to lower the rate of the 'lost trip'."</p> <p>19 Can I ask you something about this lost trip, first</p> <p>20 of all. Are there a lot of lost trips in Kowloon Motor</p> <p>21 Bus?</p> <p>22 MR LAU KAI HIM: KMB at the moment, the target of lost trips</p> <p>23 has dropped by 3 per cent. I mean, it is at 3 per cent,</p> <p>24 because of manpower problem. So it is a long standing</p> <p>25 problem, but it doesn't just happen to KMB. For Citybus</p>	<p>1 companies.</p> <p>2 MS MAGGIE WONG: The reason I ask this is, in your</p> <p>3 supplemental submission you mentioned how this lost trip</p> <p>4 would lead to safety issues at page 260-81 in English.</p> <p>5 In Chinese, it is at page 260-43 to 44.</p> <p>6 If I may read this paragraph at page 260-81. You</p> <p>7 stated that:</p> <p>8 "'Lost trips' or scheduled travelling time set by</p> <p>9 franchised bus companies being too short to accommodate</p> <p>10 variations in road conditions always lead to bus</p> <p>11 captains have insufficient rest during duty or driving</p> <p>12 hours. Different from 30 minutes break or 60 minutes</p> <p>13 meal time, bus companies will not issue special</p> <p>14 directions for the 12 minutes rest time. Therefore bus</p> <p>15 captains may not be able to fully understand the 12</p> <p>16 minutes rest time. Since there are lots of variations</p> <p>17 on the roads ... travelling time will increase depending</p> <p>18 on the situation on the road. But the duty of setting</p> <p>19 travelling time rests on the bus companies."</p> <p>20 And then:</p> <p>21 "The union has not prepared statistics in terms of</p> <p>22 the bus captains' shifts where there is insufficient</p> <p>23 travelling time, but the relevant information can be</p> <p>24 found in Annex 8."</p> <p>25 Can I ask you to elaborate as to why this lost trip</p>
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<p>1 and New World First Bus, for various reasons they also</p> <p>2 have the problem of lost trips.</p> <p>3 So this is not a problem facing KMB alone. Many bus</p> <p>4 companies face the same problem.</p> <p>5 MS MAGGIE WONG: You make reference here to phantom bus.</p> <p>6 Can you explain more, what is this phantom bus?</p> <p>7 MR LAU KAI HIM: For each bus route, the FB operator signed</p> <p>8 a schedule of service with the TD, which regulates the</p> <p>9 journey distance, the fleet number, and the frequency.</p> <p>10 Basically bus should go from terminal A to terminal B to</p> <p>11 be regarded as a departure. But sometimes there would</p> <p>12 be special departure only apply in a few stops. So this</p> <p>13 would be used to make up for lost trips for various</p> <p>14 reasons.</p> <p>15 And back then, after Oriental Daily, the newspaper,</p> <p>16 revealed the problem it was termed "phantom buses". In</p> <p>17 fact, it is making use of the grey area in the TD's</p> <p>18 definition.</p> <p>19 Let me supplement. In terms of deployment of buses,</p> <p>20 manpower, bus routes, et cetera, the TD should have full</p> <p>21 knowledge in the schedule of service, and according to</p> <p>22 the Public Bus Services Regulations, the companies are</p> <p>23 required to provide the schedule of service so the</p> <p>24 schedules should be in the hands of the TD, and the TD</p> <p>25 should have full knowledge of the operation of these</p>	<p>1 problem would lead to insufficient rest during duty or</p> <p>2 driving hours?</p> <p>3 CHAIRMAN: If I understand it, what you are saying is</p> <p>4 journey times are set at too short to do the actual</p> <p>5 journey, and that leads to the bus captain arriving at</p> <p>6 the destination with insufficient time to have a proper</p> <p>7 break, is that the point? And lost trips is</p> <p>8 a consequential device used to deal with the fact that</p> <p>9 not enough trips have been made; is that it? So that</p> <p>10 the real issue, for safety, is that journey times are</p> <p>11 too short. Do we understand you correctly?</p> <p>12 MR LAU KAI HIM: That is correct. Let me answer your</p> <p>13 question in several parts.</p> <p>14 First, in the paper, the 12-minute rest time, that</p> <p>15 is in condition (a), and that is for every four hours of</p> <p>16 driving there should be a rest break of 12 minutes. But</p> <p>17 then the bus companies usually do not let the bus</p> <p>18 captains know about this. As said in our appendix 8, we</p> <p>19 suspect that there will be only three minutes. So there</p> <p>20 isn't sufficient time for bus captains to take a rest.</p> <p>21 And because of the busy road situation, bus captains</p> <p>22 usually arrive at the bus terminus late, and the</p> <p>23 passengers are waiting, so they would drive immediately,</p> <p>24 and they don't have sufficient time to rest.</p> <p>25 For the journey time, can I ask Mr Chung to</p>

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<p>1 elaborate more.</p> <p>2 MR CHUNG CHUNG FAI: About the driving time or the journey</p> <p>3 time, we have asked bus companies, New World First Bus</p> <p>4 and Citybus and also TD how do they come up, or set the</p> <p>5 travelling time for buses. They come up with the</p> <p>6 schedule of service not based on scientific data. What</p> <p>7 they do is they have a bus trying out the new routes,</p> <p>8 and see how long will it take for the bus to operate.</p> <p>9 So that's not a scientific approach.</p> <p>10 So we suggest to the TD and Citybus and New World</p> <p>11 First Bus that in coming up with a travelling time we</p> <p>12 must allow sufficient rest time for the bus captains,</p> <p>13 and we should make sure that the bus captains would not</p> <p>14 speed. Very often, because of insufficient travelling</p> <p>15 time the bus captains will tend to speed, and that's</p> <p>16 also very natural, as human behaviour.</p> <p>17 We must come up with a scientific approach in</p> <p>18 determining the journey time. Say, for example, say if</p> <p>19 a bus travels at 40km per hour, then you come up with</p> <p>20 the expected journey time.</p> <p>21 Now, in the urban areas the speed limit is 50km per</p> <p>22 hour, so if you set it as 40km or 30km really you should</p> <p>23 come up with figures like those. That I would call</p> <p>24 a scientific approach, and then also you have to be</p> <p>25 mindful about the number of bus stops, so how many</p>	<p>1 passengers waiting, then very often the bus drivers do</p> <p>2 not have any rest at all even.</p> <p>3 I believe that the bus companies do have sufficient</p> <p>4 information to help them come up with a more reasonable</p> <p>5 schedule. But that involves resources, buses and</p> <p>6 manpower, and in the August 2017 meeting with the TD we</p> <p>7 have asked the TD to monitor the journey time of bus</p> <p>8 companies. But then the TD said that they would only</p> <p>9 just scrutinise and look at the schedule of service, but</p> <p>10 I have also outlined the details in the schedule of</p> <p>11 service just now. I won't go into them.</p> <p>12 But then information such as journey time is not</p> <p>13 included in the schedule of service. And very often the</p> <p>14 TD has not been doing -- its gatekeeping role properly,</p> <p>15 And the schedule is always so tight, and the bus</p> <p>16 companies -- I mean, the bus captains are under a lot of</p> <p>17 pressure so.</p> <p>18 Can I ask Mr Hui to elaborate.</p> <p>19 MR HUI HOU KIT: Citybus. For some routes of Citybus, N8X</p> <p>20 which has run for over a decade is an overnight route</p> <p>21 starting from 12 midnight to 6 am the next morning.</p> <p>22 For this route, it runs from Siu Sai Wan in Chai</p> <p>23 Wan, to the Central ferry pier in Central. So the one</p> <p>24 hour is the journey time.</p> <p>25 Let me give you my background. I used to be an</p>
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<p>1 seconds you are allowing the bus captains to have</p> <p>2 passengers alighting and boarding the bus up.</p> <p>3 Third, you have to be mindful about the rest time</p> <p>4 you would give the bus captains. That's also</p> <p>5 accountable.</p> <p>6 And also in Hong Kong roads the journey time may</p> <p>7 differ depending on the period of the day. Say, in peak</p> <p>8 hours, it would take longer, non-peak hours, the journey</p> <p>9 time would be shorter.</p> <p>10 I believe that the bus companies will be able to get</p> <p>11 information on the situation at peak and non-peak hours</p> <p>12 from the black box, and then factoring into the</p> <p>13 congestion situation, then come up with a journey time</p> <p>14 estimate. I think that's a more specific approach. I</p> <p>15 wonder whether TD will heed our views.</p> <p>16 MR LAM KAM PIU: Mr Lau.</p> <p>17 MR LAU KAI HIM: In the earlier hearing, Mr Jain Alok has</p> <p>18 already said the black box is there to capture the</p> <p>19 journey information and journey time. And bus companies</p> <p>20 can be in full grasp of the relevant data, but then the</p> <p>21 bus companies, because it involves manpower, and the bus</p> <p>22 fleet, the bus companies would like to use less manpower</p> <p>23 and less number of buses to meet with the TD's</p> <p>24 requirements. So as a result, the rest time of the bus</p> <p>25 captains is reduced. And because there are many</p>	<p>1 overnight bus captain. I have been working for over</p> <p>2 10 years, and I have been driving N8X for over 10 years,</p> <p>3 and for the past 10 years the journey time has been set</p> <p>4 at one hour, so a return trip means two hours.</p> <p>5 It is impracticable to finish the journey in one</p> <p>6 hour. It would definitely go over time. Why? Because</p> <p>7 for N8X, there are altogether 110 bus stops. Well, in</p> <p>8 the return trip. So for one way, 50 to 60 stops. So</p> <p>9 within one hour, it is to finish its trip, it goes</p> <p>10 through Chai Wan Road, Shau Kei Wan Road, King's Road,</p> <p>11 Hennessy Road, Admiralty Road, and Des Voeux Road, and</p> <p>12 then the Central Ferry Pier or the Macau Ferry Pier, so</p> <p>13 it is from Eastern District to Central District. It</p> <p>14 goes through all the signallised junctions so it would</p> <p>15 be quite impossible to finish the journey in one hour.</p> <p>16 Well, if you have to finish it in one hour, you have to</p> <p>17 go at great speed. And you even have to speed, in order</p> <p>18 to finish the journey in one hour. I have not worked on</p> <p>19 that route for quite some time, so I can't finish it in</p> <p>20 one hour.</p> <p>21 And for the N8X bus captains now, because they have</p> <p>22 been working on the journey for a long time, and they</p> <p>23 know the operation of the traffic lights, so they try to</p> <p>24 manoeuvre a bit so that the journey can be completed in</p> <p>25 one hour. This is the best example. I'm</p>

<p style="text-align: right;">Page 137</p> <p>1 a representative of the CTB employees union and I've 2 talked to the management, and I've told them one hour is 3 definitely not sufficient for N8X. I have taken part in 4 union activities for over 10 years. 5 This is an extreme example that I'm citing. Thank 6 you. 7 MS MAGGIE WONG: Thank you -- 8 CHAIRMAN: Are you saying that the one-hour journey time was 9 never practical? 10 MR HUI HOU KIT: Correct. 11 CHAIRMAN: Thank you. 12 MS MAGGIE WONG: And if you cannot finish the journey within 13 one hour scheduled time, what would be the consequence? 14 MR HUI HOU KIT: The colleague will have to continue 15 driving, well, for N8X, the headway is half an hour, so 16 if he arrives at the terminus late, then he still has to 17 depart from the bus terminus 30 minutes later. 18 Or if there is a traffic accident, causing a delay 19 of 15 minutes or more, then upon the company's 20 instructions, he can try to -- I mean, depart later. 21 But if it is just a delay for five to six minutes he has 22 to continue with the next journey. 23 And there would not be some sort of interim 24 journeys, in between. 25 MS MAGGIE WONG: This journey, would there be penalty in</p>	<p style="text-align: right;">Page 139</p> <p>1 first four hours of duty. 2 But for the other requirements, the bus captains are 3 in the know. 4 But the busy schedule is also very tight, and the 5 bus captains very often don't know that they have lost 6 this 12 minutes in rest break. 7 But we have been reflecting our view that there 8 should at least be five minutes' break when the bus gets 9 to the terminus, the bus captains can relax a bit and 10 can go to the washroom. But the bus companies are not 11 taking a humane approach in dealing with the issue. 12 MEMBER LO: One other question. 13 So on paper, this 12 minutes does not exist, not to 14 talk about in practice? 15 MR LAU KAI HIM: And they must implement it. Because there 16 would be random check on the part of the TD, that's what 17 the TD told us. 18 The TD has been reminding individual bus companies 19 from time to time, and in appendix 8, submitted to the 20 Committee, there is no 12 minutes. But this is 21 a guideline from the TD, but then in the bus captains 22 handbook, there is no specification to the like. 23 MS MAGGIE WONG: Yes. Related to this topic is the resting 24 facilities. We can see in your submission at 25 page 226-25, in English, that you raised the topic about</p>
<p style="text-align: right;">Page 138</p> <p>1 terms of the income if you cannot meet the schedule 2 time? 3 MR HUI HOU KIT: No. 4 CHAIRMAN: Only the rest time would be reduced? 5 MR LAU KAI HIM: (In English) Yes. 6 MR HUI HOU KIT: Yes. Yes. For N8X, well, sometimes there 7 may even not be any rest break at all. 8 MS MAGGIE WONG: We have heard -- 9 CHAIRMAN: Just a moment, Ms Wong. 10 Prof Lo has a question. 11 MEMBER LO: I am just curious, then how does the company 12 enforce 12 minutes of rest time for the first four 13 hours, if the bus is over run, over time every trip, so 14 in four hours there will be no rest time at all, so how 15 does the company ensure there would be 12 minutes of 16 rest time as stipulated in the guideline? 17 MR LAU KAI HIM: Let me put it this way. There are several 18 conditions in the guideline. Half an hour rest for six 19 driving hours and one meal break, and in the schedule 20 that is categorically written down, but in the 12 21 minutes for the first four hours, that is not specified. 22 Because of the tight schedule or the busy traffic, 23 maybe the 12 minutes would already be cancelled because 24 of the heavy traffic congestion, but the bus captains 25 don't know that there is a 12-minute break within the</p>	<p style="text-align: right;">Page 140</p> <p>1 insufficient area of lounge room or resting facilities. 2 In Chinese it's at page 171. 3 You raised a specific problem, at the bottom of page 4 226-25: 5 "For many years, the Transport Department has not 6 taken over charge of the lounge room issue, but pushed 7 the responsibility to the Lands Department and the Home 8 Affairs Department. In addition, some government 9 departments have not supported the establishment of 10 lounge rooms, such as the Housing Authority, so that 11 this issue cannot be solved successfully." 12 And, of course, based on your example that you have 13 given earlier, about this one-hour journey time, can 14 I raise, before I ask, about this one-hour journey time, 15 is there sufficient facility when you reach point B, 16 leaving aside the journey time, from A to B, in relation 17 to the bus route that you mentioned earlier on? 18 MR HUI HOU KIT: Yes. In Siu Sai Wan, Chai Wan, and for 19 Hong Kong Macau terminal, there are resting facilities, 20 but on the whole, for Citybus, resting facilities are 21 insufficient. Let me give you some examples. 22 The rest lounge may be very small, and there may 23 only be a temporary toilet, and sometimes there isn't 24 any toilet at all. 25 Our union strived for a toilet, and then they began</p>

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<p>1 to have toilets.</p> <p>2 MR LAU KAI HIM: Well, in the supplementary submission we</p> <p>3 have provided a list of resting facilities, where</p> <p>4 facilities are sufficient, where sufficient facilities</p> <p>5 are not, and you can refer to the list.</p> <p>6 MS MAGGIE WONG: I'm going to take you to that document.</p> <p>7 I believe that is in annexure 7 of your submission</p> <p>8 at pages 260-342 to 346, in which you produce</p> <p>9 documentation showing the follow-up progress report for</p> <p>10 individual bus terminus. In English, it is in TU</p> <p>11 bundle, page 260-346-1.</p> <p>12 And you produced a table not only showing the</p> <p>13 progress of application by KMB, Citybus, and NWFB, New</p> <p>14 World First Bus. You also produced a letter dated</p> <p>15 28 June 2017 in which you highlighted the problems in</p> <p>16 relation to Chai Wan East bus terminal and Sham Shui Po</p> <p>17 So Uk Estate bus terminal.</p> <p>18 Can I ask about this.</p> <p>19 I note in particular that some of the applications</p> <p>20 have been dated back for a number of years. Perhaps if</p> <p>21 I can quote an example, it is 30 May 2016 at Lai Kok at</p> <p>22 page 260-346-4. At Lai Kok:</p> <p>23 "TD received KMB's application at 30 May 2016 and</p> <p>24 has conducted site visit with KMB at the said location</p> <p>25 on 23 June 2016. As the pavement near the relevant bus</p>	<p>1 drivers. And we have been striving for one for over</p> <p>2 10 years.</p> <p>3 All along, the Transport Department has been telling</p> <p>4 us that there is opposition from the local community and</p> <p>5 there is also dawdling by the Lands Department. So far,</p> <p>6 we still haven't got any resting facility. Well, the</p> <p>7 company has in fact given us an update -- it has been</p> <p>8 10 years. We proposed the location for the resting</p> <p>9 lounge, and then we went back and forth, and ultimately</p> <p>10 they reverted to the original proposal floated by the</p> <p>11 union regarding location. It took us 10 years. And we</p> <p>12 have made a little progress so far, and it is said that</p> <p>13 the proposal will be discussed by the district council,</p> <p>14 and various government departments will also be</p> <p>15 consulted.</p> <p>16 But we have no idea how much longer we should wait.</p> <p>17 Mr Lau would also like to supplement.</p> <p>18 MR LAU KAI HIM: The question with rest lounge is that the</p> <p>19 bus company will have to apply with the TD, the TD will</p> <p>20 need to approve the application, a lot of government</p> <p>21 departments will be involved, such as the Lands</p> <p>22 Department, the FEHD, Police, and Home Affairs</p> <p>23 Department, they will all have to be consulted.</p> <p>24 So a resting lounge would have to go through years</p> <p>25 of application and vetting procedures.</p>
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<p>1 stop is relatively narrow, hence TD's engineer has</p> <p>2 requested KMB to revise the design of the rest room.</p> <p>3 KMB has not submitted the revised design to TD up till</p> <p>4 now."</p> <p>5 Is that the most up-to-date progress, or rather has</p> <p>6 no progress been made since June 2016?</p> <p>7 MR LAU KAI HIM: As we understand, on setting up of rest</p> <p>8 lounges, the KMB has been very active in the past two</p> <p>9 years. At a lot of terminals they have been installed.</p> <p>10 They may not be of sufficient size, but at least there</p> <p>11 is a space for bus captains to take a rest.</p> <p>12 For the example you mentioned, we are not sure about</p> <p>13 the progress, but there are some other examples such as</p> <p>14 Tsing Yi pier, a rest lounge has been installed, and it</p> <p>15 is now in use. So in terms of this, KMB is fairing</p> <p>16 better than Citybus or New World First Bus. At least</p> <p>17 there is a small rest lounge. The space may not be</p> <p>18 sufficient but there is a lounge for bus captains.</p> <p>19 MS MAGGIE WONG: Yes.</p> <p>20 Can you give us an example, or, if we have to do</p> <p>21 a site visit off some of the locations in which the</p> <p>22 resting facilities are grossly inadequate, which</p> <p>23 location would you suggest?</p> <p>24 MR LAM KAM PIU: I suggest Quarry Bay terminus of New World</p> <p>25 First Bus. There is no resting facility at all for</p>	<p>1 And there may be divergent comments from different</p> <p>2 government departments.</p> <p>3 For the Quarry Bay example, it has taken us more</p> <p>4 than 10 years with little progress because of divergent</p> <p>5 views from different government departments. Some</p> <p>6 government departments might reject the application.</p> <p>7 So this is a clear example that we are in such a bad</p> <p>8 situation.</p> <p>9 MS MAGGIE WONG: Did the company do anything about this,</p> <p>10 like extending the rest time so that the bus drivers can</p> <p>11 go to the washroom, or go to all these resting</p> <p>12 facilities, by making certain adjustments on the time,</p> <p>13 did the bus company do something like that?</p> <p>14 MR LAM KAM PIU: On this issue we reflected that to the bus</p> <p>15 companies because of the long journey time, there is not</p> <p>16 enough time for bus drivers to rest, and the bus</p> <p>17 companies said that they would look into the matter, but</p> <p>18 so far we haven't heard from them whether actually when</p> <p>19 we arrive at the destination there would be sufficient</p> <p>20 time for us to rest.</p> <p>21 Because of the road condition, and traffic, by the</p> <p>22 time the driver reaches the destination he would need to</p> <p>23 drive again. So the first thing a bus captain does is</p> <p>24 to go to toilet, to answer nature's call, even if the</p> <p>25 next departure is a bit late. We have reflected this to</p>

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<p>1 the company. So far we have not heard that there is any 2 action.</p> <p>3 Mr Hui would like to supplement.</p> <p>4 MR HUI HOU KIT: I want to supplement that for facilities at 5 the terminus there are two examples regarding Citybus 6 that I would like to highlight. One is Chi Fu Fa Yuen 7 in Southern district. Ever since Citybus started its 8 operation there has never been any rest lounge, because 9 the Owners' Corporation refuses to allow bus company to 10 install a rest lounge.</p> <p>11 We asked the TD to discuss with the Owners' 12 Corporation. But the OC's position remains.</p> <p>13 The second example is the bus terminus at Asia World 14 Expo, near the airport.</p> <p>15 The airport has been commissioned for so many years. 16 For Asia World Expo it is temporary. Everything is 17 temporary, including the toilet, and the facility has 18 remained temporary for over 10 years.</p> <p>19 I don't understand what kind of coordination this 20 government has regarding facilities at a bus terminus. 21 And there is no coordination to speak of among 22 government departments.</p> <p>23 When a bus company runs a route we need facilities. 24 There is no coordination. A few years ago, we talked to 25 the Transport Department, if there is a site, if there</p>	<p>1 they will drive the buses back to the depot for the 2 first -- after the first half of the shift. And then 3 they will go out to have a meal, and to go to some other 4 places to take a rest. So that's how the operation is 5 like.</p> <p>6 It is very seldom that the buses stay at the bus 7 terminus after the first half of the shift. Maybe a few 8 of the bus drivers will end the first half of their 9 shift at the bus terminus, and then they will go back to 10 the bus terminus to begin the second half of their 11 shift.</p> <p>12 There are a few people doing that. Well, there 13 would be even less break time for these bus captains. 14 They may travel to some of the places to take a rest, 15 and take a meal, and then they have to travel back to 16 the bus terminus to take on the second half of the 17 shift. They lack rest time more than the others.</p> <p>18 CHAIRMAN: So the facilities that I was asking you about, if 19 a bus captain comes to the end of the first half of the 20 shift, and he now has a three-hour break, and he is at 21 a bus terminus, are there places where there are simply 22 insufficient facilities to have a rest at that bus 23 terminus? Has he got to go somewhere else?</p> <p>24 MR KWOK WAI KWONG: That's correct. Say, for example, in 25 Tsuen Wan, the Allway Garden. In Tsuen Wan, you can</p>
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<p>1 is development, and if the TD is going to set up a PTI, 2 public transport interchange, then the TD should inform 3 us in advance how many routes would use the PTI, so that 4 we can give them comments on the facilities to be 5 provided. We mentioned it several years ago, but 6 according to the Transport Department planning matters 7 are not under their purview.</p> <p>8 It is actually under other departments such as the 9 Planning Department, the Lands Department, or the LCSD.</p> <p>10 So we can see the total lack of coordination among 11 government departments to facilitate the setting up of 12 any facility.</p> <p>13 CHAIRMAN: Mr Kwok, I have a question for you, because you 14 are the representative from the branch involving KMB. 15 KMB runs special or split shifts and have done so 16 for many years, do they not?</p> <p>17 MR KWOK WAI KWONG: That's true.</p> <p>18 CHAIRMAN: Ms Wong was asking for examples of termini where 19 the resting facilities are grossly inadequate. Are 20 there such facilities that you can identify now, today, 21 such that this Committee might go and visit the 22 facilities, where drivers on these special shifts begin 23 their three or more hours break but the facilities are 24 inadequate. Can you give us places to visit?</p> <p>25 MR KWOK WAI KWONG: On the part of KMB, for special shift</p>	<p>1 take a look at the facility in that garden.</p> <p>2 CHAIRMAN: Do you recommend that as a place we could look at 3 to see to find inadequate facilities for bus drivers who 4 are finishing the first half of their split shift?</p> <p>5 MR KWOK WAI KWONG: Correct.</p> <p>6 CHAIRMAN: Anywhere else?</p> <p>7 MR KWOK WAI KWONG: No further supplement.</p> <p>8 CHAIRMAN: Gentlemen, you would have been present when we 9 asked the Motor Transport Workers General Union to read 10 a document. I see they are now sitting at the back of 11 the hall. They have been here all day, so I'm going to 12 ask if you would permit us to interrupt the proceedings, 13 where we are asking you questions, so they can finish 14 their business.</p> <p>15 So we will take a short break and they will swap 16 places with you, if that's agreeable to you.</p> <p>17 Thank you.</p> <p>18 (5.04 pm)</p> <p>19 (A short break)</p> <p>20 (5.12 pm)</p> <p>21 REPRESENTATIVES FROM MOTOR TRANSPORT WORKERS GENERAL 22 UNION. MR CHAN KWONG NUNG, MR LAI SIU CHUNG, MR LAM TIN 23 FU, MR CHEUNG TSZ KEI, MR LAU SIN TAT, MR LAM PO KEUNG 24 (Evidence given in Cantonese; transcription of the 25 simultaneous interpretation) (continued)</p>

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<p>1 CHAIRMAN: Ms Wong, can you remind me of the reference to 2 the LegCo briefing paper.</p> <p>3 MS MAGGIE WONG: That's at TD-1 bundle at page 403. 4 The Chinese is at 416.</p> <p>5 CHAIRMAN: Gentlemen, have you had an opportunity to read 6 this LegCo briefing document for the transport panel of 7 LegCo?</p> <p>8 MR CHEUNG TSZ KEI: Chairman, we have just read through the 9 paper. We have some initial views here. 10 For paragraph 4(a), the electronic stability system, 11 we don't suggest that it be installed. It is the 12 electronic stability control system. We have query on 13 the system, and we are worried that when there is 14 a harsh braking there will be the blocking of the 15 steering wheel and as a result the bus will get out of 16 control.</p> <p>17 And for 4(b) --</p> <p>18 CHAIRMAN: Before we move on. Let's just establish some 19 basic material. 20 Were your views ever sought by the working group 21 that dealt with this matter?</p> <p>22 MR CHEUNG TSZ KEI: Chairman, the transport panel of the 23 LegCo has not consulted us, and we have asked many times 24 that our representatives be appointed to the working 25 group. And then the TD has not consulted us on this.</p>	<p>1 bus will change, and accidents would easily occur, and 2 we do have some concerns that it may be prone to 3 accidents. So we don't recommend this.</p> <p>4 CHAIRMAN: Just to interrupt you there. One reason they 5 might understand why the bus has slowed down is because 6 the speed limit has changed, and the bus is obeying the 7 speed limit. Why should that puzzle the driver behind?</p> <p>8 MR CHEUNG TSZ KEI: Well, I think it is a matter of driving 9 habit. Say, if we are travelling at 70, and if we reach 10 a 50 kilometres speed limit zone, we will gradually 11 decelerate by slowly lifting the gas pedal.</p> <p>12 But according to the system, it is going to 13 decelerate quite rapidly so that vehicles coming from 14 behind may not understand, because of the normal driving 15 habit of buses, and that the vehicle that follows may 16 ram into the bus. That's our concern.</p> <p>17 CHAIRMAN: Where do you discern the fact that the 18 deceleration is going to happen rapidly, or quite 19 rapidly? Where do you see that?</p> <p>20 MR CHEUNG TSZ KEI: Let's say if we are to decelerate, we 21 would say, step on the brake and there would be a brake 22 light informing the vehicle that follows. But now, we 23 make use of this system with GPS, and once a bus reaches 24 the location, deceleration would take place 25 automatically. If there is no preceding vehicle, the</p>
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<p>1 We can only speak based on our working experience. 2 Thank you, Chairman.</p> <p>3 CHAIRMAN: Well, please proceed to address the items you 4 wish to address in this briefing paper where the 5 recommendations are made. 6 You query the use of the electronic stability 7 control. What about the other matters?</p> <p>8 MR CHEUNG TSZ KEI: Thank you, Chairman. 9 4(b). On paper, as we see it, it is feasible, 10 because it will limit the speed at 70 kilometres, 11 whether uphill or downhill, and this will help us in our 12 work, because for bus captains driving along Tuen Mun 13 Highway, very often because of the unlevel terrain, they 14 would exceed the speed limit, and sometimes be subject 15 to disciplinary sanction.</p> <p>16 So if there is a speed delimitter, we find this 17 feasible as it would prevent the bus from travelling at 18 speed downhill.</p> <p>19 6(a), bus monitoring and control system. 20 We don't support it, because this is equivalent to 21 the bus being controlled by the central system. For the 22 speed limit on the road, if it suddenly changes to, say, 23 50 kilometres, then the bus will change the speed 24 likewise, and for the vehicles that follow the bus, they 25 won't understand why all of a sudden the speed of the</p>	<p>1 vehicle that follows may not expect the bus to lower the 2 speed rapidly from 70 to 50. And we are concerned that 3 this may bring a safety hazard.</p> <p>4 CHAIRMAN: Very well.</p> <p>5 MR CHEUNG TSZ KEI: 6(b), we don't recommend this. 6 Because the collision alert system and lane keeping 7 device, I mean for drivers who have driven vehicles with 8 these devices, it is really a nuisance, whenever there 9 is an obstacle, the device would beep. Hong Kong is 10 a small place with narrow roads, very often you may have 11 objects on the road, on the side, that may not really 12 affect the vehicle but the vehicle will -- the alert 13 system will still go off causing a great nuisance to bus 14 captains. So we don't recommend this.</p> <p>15 CHAIRMAN: All that was being recommended was that there be 16 a trial.</p> <p>17 MR CHEUNG TSZ KEI: I think the bus captain of Citybus who 18 drove the bus before can answer this.</p> <p>19 MR LAU SIN TAT: I don't remember, two or three years ago, 20 the Citybus put this system to trial. This so-called 21 magic eye system, and during the trial it was all right 22 when the bus was travelling on a highway, but in city 23 traffic the device kept beeping whenever there were 24 people or objects around, and it was a great nuisance.</p> <p>25 CHAIRMAN: We received evidence from Mr Alok Jain, a former</p>

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<p>1 employee of KMB, and also from Julian Kwong, to this 2 effect, that one should be alert to the fact that 3 technology that doesn't work very well at one time 4 period may have improved in a few years time, and 5 perhaps this is all that is being addressed; in other 6 words, there have been refinements to the technology. 7 MR CHEUNG TSZ KEI: Chairman, well, currently, for drivers 8 who used this system before, they found it to be not 9 really appropriate, the system is flawed. So in future, 10 if there is improvement to the system, we will consider 11 afresh making recommendations for installing these 12 devices. 13 We are practitioners, so we can only give you 14 feedback on practical problems we encountered at work. 15 Thank you. 16 CHAIRMAN: We are asking you for feedback. You have not 17 been asked before, have you? 18 MR CHEUNG TSZ KEI: That's true, Chairman. 19 CHAIRMAN: Please carry on with the other devices. 20 MR CHEUNG TSZ KEI: 6(c), driver monitoring device. We 21 believe it is feasible because this directly detects 22 whether the bus captain is dozing off. And I can say 23 quite boldly that dozing off is really the enemy of bus 24 captains. 25 Sometimes a bus captain may close his eyes for just</p>	<p>1 installing seat belts for all. 2 Training for franchised bus captains. We believe 3 that training should be enhanced. We should revert to 4 the 1998 level. It took about a month to train a bus 5 captain back then. There should be more on-the-road 6 training, so that the bus captain would feel confident 7 when he starts to drive on the road, instead of just 8 having behind-the-wheel road training. We don't really 9 recommend this, we don't think it is feasible, we think 10 that there should be an academy for training bus 11 captains. 12 CHAIRMAN: And who should operate this academy? 13 MR CHEUNG TSZ KEI: Thank you, Chairman. 14 An academy, well, it should be operated by a school, 15 a bus company, with the assistance of the Transport 16 Department. 17 Thank you, Chairman. 18 CHAIRMAN: Ms Wong, are there any questions that you wish to 19 put arising from that evidence? 20 MS MAGGIE WONG: No, Mr Chairman. 21 CHAIRMAN: Well, gentlemen, thank you very much for the long 22 day that you have spent here assisting us with your 23 evidence. And we thank you for attending. 24 You are now free to go. We have the other gentlemen 25 from the other union to return now, so we will take</p>
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<p>1 two or three seconds and he may lose his life. So with 2 this device the bus captain can stay alert and it would 3 be good for drivers on the road, for the bus captain 4 himself as well as passengers. It is a safety measure. 5 So we find this feasible. 6 However, some colleagues tried this device as well, 7 and agreed that improvement is needed. Say, if the bus 8 captain wears a pair of reflective sunglasses, then the 9 device will not function properly. The device will 10 believe that the driver is dozing off. 11 CHAIRMAN: Thank you. 12 MR CHEUNG TSZ KEI: Thank you, Chairman. 13 Regarding installation of seat belts on passenger 14 seats, we don't recommend the installation, because 15 first of all, we have standing passengers, not all of 16 them are seated. We are not a coach. For 17 double-deckers, after installing seat belts, during an 18 accident, I believe it would be quite chaotic. Let's 19 say if a fire breaks out, it would be difficult for 20 passengers to escape. It would be very difficult for 21 somebody to take off the seat belt during an emergency. 22 We don't find this very feasible. Unless we are 23 talking about certain front row seats or the middle seat 24 of the back row, more hazardous seats, where seat belts 25 should be installed. Otherwise, we don't recommend</p>	<p>1 another short break, couple of minutes, and invite you 2 to withdraw. Thank you very much. 3 (5.28 pm) 4 (A short break) 5 (5.35 pm) 6 REPRESENTATIVES OF THE FEDERATION OF BUS INDUSTRY TRADE 7 UNIONS: MR HO YUI CHEONG, MR CHUNG CHUNG FAI, MR LAM KAM 8 PIU, MR LAU KAI HIM, MR HUI HON KIT, MR KWOK WAI KWONG 9 (Evidence given in Cantonese; transcription of the 10 simultaneous interpretation) (continued) 11 CHAIRMAN: Gentlemen, thank you for your patience. 12 We have been able to deal with your colleagues in 13 the other union, and we can resume now with some of the 14 material left to be dealt with by your union. 15 But as I understand it, the Secretariat have spoken 16 to you about adjourning these proceedings for you to 17 come back on Wednesday, 1 August, in the afternoon. In 18 those circumstances, I will ask Ms Wong to deal with 19 some of the matters in relation to the LegCo briefing 20 paper, which is what she was dealing with, before we 21 adjourn, and then the remaining questions we would ask 22 her to pose to you Wednesday, if that is agreeable to 23 you? 24 MR LAM KAM PIU: Agree. 25 MS MAGGIE WONG: Thank you, gentlemen.</p>

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<p>1 Before you is a briefing paper by the LegCo prepared 2 for the LegCo discussion, and it was a briefing paper 3 prepared by the Transport Department for the enhancement 4 of safety of franchised buses recently discussed in the 5 LegCo on 25 July 2018. 6 The paper starts in English at page 403 and in 7 Chinese, 416. 8 It provides a number of topics. The first topic is 9 on retrofitting seat belts. The second topic is on the 10 training of bus captains, which is at paragraphs 18 to 11 22. The third topic is on the safety technological 12 device, the new technology device in relation to the 13 franchised buses. 14 Was a copy of this paper ever given to your union to 15 consider and comment on? 16 MR LAM KAM PIU: No. 17 MS MAGGIE WONG: We understand this paper is discussed 18 amongst three franchised bus companies, and the 19 Transport Department, and it was to investigate the 20 training and all the safety equipment that they proposed 21 in this paper. 22 Have you -- 23 CHAIRMAN: Before you go on, I think it more accurate to say 24 this, that this paper appears to be the end result of 25 discussions that took place between the Transport</p>	<p>1 used now. 2 CHAIRMAN: Who is using it? Which company is using it? 3 MR LAM KAM PIU: New World First Bus and Citybus are already 4 using this system. 5 MR KWOK WAI KWONG: The same for KMB. 6 MS MAGGIE WONG: What about 6(b), collision alert and lane 7 keeping devices? 8 MR LAM KAM PIU: This issue, we support installation. 9 During the trial the colleagues resented it, because 10 whenever a minor problem surfaced and there would be the 11 beeping sound, and bus captains are under certain 12 pressure emotionally. This device is good, but we hope 13 that it can be improved. 14 MS MAGGIE WONG: Yes. Is that the test conducted by 15 Mobileye -- 16 CHAIRMAN: I think the test was conducted by Citybus and the 17 device is Mobileye? 18 MS MAGGIE WONG: A device by Mobileye? 19 MR CHUNG CHUNG FAI: Well, the Citybus and the New World 20 First Bus conducted the trial, but in fact it was not 21 that good. 22 To our understanding, the company said it will 23 improve on the device. So we will see how the 24 improvement goes, and whether there will be an 25 improvement in the effect.</p>
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<p>1 Department, the three bus manufacturers, and the 2 franchised bus operators. And this was a group that was 3 convened in the middle of March, and reached these 4 recommendations in this paper in late July. 5 Yes, Ms Wong. 6 MS MAGGIE WONG: Have you had a chance to read and digest 7 this paper during the break? 8 MR LAM KAM PIU: We have read through the paper. And we 9 have an initial understanding of the issues discussed in 10 the paper. 11 MS MAGGIE WONG: Yes. Maybe we deal with the first topic on 12 the safety devices at paragraph 4(a). It relates to the 13 electronic stability control system. 14 Would your union support the use of this device? 15 MR LAM KAM PIU: We support. 16 MS MAGGIE WONG: And what about the second one on retarder 17 for capping the maximum speed of the speed limiters on 18 downhill? 19 MR LAM KAM PIU: We also support. 20 MS MAGGIE WONG: If we go to 6(a), in relation to the bus 21 monitoring and control system, giving or maximising the 22 black box capability to provide real-time fleet 23 supervision, bus speed recording and GPS location 24 recording, et cetera. 25 MR LAM KAM PIU: We also support it. It is already being</p>	<p>1 MS MAGGIE WONG: Because I believe the test was conducted 2 back in 2014, so the technology would have moved on. 3 And what about 6(c), the driver monitoring device to 4 detect drowsiness? 5 MR CHUNG CHUNG FAI: In principle, we agree to this; but the 6 question is if the devices are used to monitor the 7 drivers, whether they are dozing off, and they are 8 showing fatigue, I think you are putting the cart before 9 the horse here. Rather we should give more rest time to 10 the bus captains. That should be the best way. 11 There should not be any driving fatigue -- that 12 matters most. But then the device can be installed. 13 MR LAM KAM PIU: Mr Lau has something to add. 14 MR LAU KAI HIM: We should avoid driving fatigue, giving 15 rise to accidents. We should not have devices 16 monitoring the bus captains to make sure that they do 17 not doze off. Well, the drivers should work in 18 a healthy environment, and they should not work for long 19 hours leading to driving fatigue. 20 We would like to put forward recommendations to 21 prevent accidents. We should not be making proposals 22 only after accidents have happened. I think you are 23 putting the cart before the horse by installing such 24 a device. You are trying to shy away from the problem 25 of driving fatigue. Like air pilots, the airline</p>

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<p>1 operators would be allowing sufficient rest hours for 2 the pilots. Well, air flight is different from bus 3 trip, but I think the consequences of bad driving will 4 be the same.</p> <p>5 So I think you are putting the cart before the horse 6 by having this device to monitor the driver's 7 performance making sure that they are not dozing off.</p> <p>8 CHAIRMAN: But you agree in principle that there should be 9 trials of this device?</p> <p>10 MR LAM KAM PIU: Agree.</p> <p>11 MS MAGGIE WONG: What about retrofitting seat belts for all 12 seats in future on buses?</p> <p>13 MR LAM KAM PIU: We support the retrofitting of seat belts. 14 I think it is the responsibility of the Transport 15 Department. It should not be the responsibility of the 16 bus companies. It should be the full responsibility of 17 the Transport Department, because the Transport 18 Department knows best.</p> <p>19 CHAIRMAN: When you say responsibility, do you mean that 20 they should pay for it?</p> <p>21 MR LAM KAM PIU: Well, it is about the law.</p> <p>22 CHAIRMAN: I see. So it is their responsibility to arrange 23 with government that the legislation be changed and then 24 also arrange that it should be enforced? They should be 25 fitted, people should be required to wear them, and that</p>	<p>1 exposed seats?</p> <p>2 MR LAU KAI HIM: That's right.</p> <p>3 MS MAGGIE WONG: What about training for franchised bus 4 captains in paragraphs 18 to 22?</p> <p>5 MR LAM KAM PIU: Mr Hui can take this question.</p> <p>6 MR HUI HOU KIT: Chairman, regarding training, two days ago 7 I attended a two-day class and my company, Citybus, has 8 included the element of emotional management. 9 For other companies, they all along have this 10 element. But for this part, the company has engaged a 11 non-professional to teach this course, and to my 12 knowledge I don't think this is professional, and 13 I think there is room for improvement.</p> <p>14 MR LAM KAM PIU: Mr Lau would like to supplement.</p> <p>15 MR LAU KAI HIM: In our supplementary submission we quoted 16 the Singapore example. In November 2016, Singapore set 17 up an academy for training bus captains and they have 18 really comprehensive courses, including maintenance, 19 repair service, quality, et cetera. And they also 20 mandate bus captains to undertake this course before 21 they get a licence. 22 So in our neighbouring city we have the training 23 courses for bus captains, and there is a need to have 24 emotional management and other elements. I think we are 25 lagging behind, but it is better than nothing.</p>
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<p>1 law should be enforced; is that what you mean by 2 responsibility?</p> <p>3 MR LAM KAM PIU: That's right. 4 Mr Lau would like to supplement.</p> <p>5 MR LAU KAI HIM: About installing seat belts, of course the 6 purpose is to ensure passenger safety. I think this is 7 beyond any dispute. But we may have installed seat 8 belts and the passengers may not wear them. 9 So you need enact legislation to require passengers 10 to wear a seat belt. This is the most important point. 11 For minibuses we see this example. Years ago seat 12 belts have been installed and the legislation was 13 changed to require passengers to wear seat belts, but 14 then for passengers not wearing seat belts no 15 prosecution was taken out. So we need to require 16 passengers to wear seat belts to minimise the injuries 17 when there is an accident. 18 More importantly, we need to remind passengers to 19 wear seat belts, otherwise it will be close to no 20 protection for passengers. Even if seat belts are 21 installed, very often during bus accidents passengers 22 got thrown out of the bus compartment because passengers 23 sitting on the front row didn't wear a seat belt.</p> <p>24 CHAIRMAN: And that resulted in changes. The metal bar on 25 the upper deck at the front and seat belts in those</p>	<p>1 CHAIRMAN: Mr Hui, you spoke about the course not being 2 conducted by a professional. What kind of professional 3 did you have in mind for an emotional management course?</p> <p>4 MR HUI HOU KIT: To my knowledge, he should be somebody from 5 the social worker profession or a psychologist.</p> <p>6 CHAIRMAN: Thank you. 7 Well, Ms Wong, if that's not inconvenient, that's 8 probably enough for today.</p> <p>9 MS MAGGIE WONG: Yes. Thank you.</p> <p>10 CHAIRMAN: Gentlemen, thank you for attending today, and 11 thank you for agreeing to return on Wednesday. 12 We look forward to receiving your evidence on 13 Wednesday afternoon. But the proceedings are now 14 adjourned. Thank you. 15 (5.52 pm) 16 (The hearing adjourned to 10.00 am 17 on Tuesday, 31 July 2018)</p>

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