

LCQ11: Hong Kong drivers applying for driving licences on the Mainland

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Following is a question by the Hon Andrew Leung Kwan-yuen and a written reply by the Secretary for Transport and Housing, Ms Eva Cheng, at the Legislative Council meeting today (June 29):

Question:

It has been reported that mainland authorities have recently implemented a new requirement that Hong Kong drivers must produce "Registration Certificates of Temporary Residence for Visitors" issued by security departments when applying for China Driving Licences (CDLs) on the Mainland, but some Hong Kong drivers are unable to apply for CDLs as they do not reside on the Mainland and cannot produce the relevant proof. It has also been reported that in order to make a living, some cross-border drivers are forced to seek the help of intermediaries to apply for CDLs using false Mainland address proof, and as such, these drivers will not only be liable to prosecution for using false instruments, their compensations from insurance will also be affected in the event of accidents. In this connection, will the Government inform this Council:

- (a) whether it has compiled statistics on the current number of Hong Kong drivers who are also holders of CDLs and, among them, the number of persons who are engaged in the transport industry for a living; if it has, of the results; if not, the reasons for that;
- (b) of the number of Hong Kong drivers who have sought assistance from the Hong Kong Government as a result of the aforesaid new requirement; and
- (c) how the authorities assist those Hong Kong drivers who do not reside on the Mainland in applying for CDLs through legal means?

Reply:

President,

When applying for Mainland driving licences (MDLs), Hong Kong applicants are required to provide the necessary information as stipulated in the relevant

Mainland laws and regulations. According to the relevant licensing and law-enforcement agencies on the Mainland, it has been an established practice for years that applicants for MDLs from outside the Mainland (including those from Hong Kong) have to provide residence/temporary residence certification that is approved and issued by the Mainland public security authorities.

My reply to various parts of the question is as follows:

(a) Holders of Hong Kong driving licences are not required to declare to the Transport Department whether they are in possession of any driving licence issued by other countries or regions or the relevant information. For those who possess a driving licence issued by other countries or regions and wish to apply for a Hong Kong driving licence through direct issue as provided by the law, they are required to prove that they are in possession of another driving licence that is valid, only at the time of application. They are not required to report to the Transport Department whether the relevant driving licence is renewed subsequently. As such, the Administration does not have the exact number of Hong Kong drivers holding both Hong Kong and Mainland driving licences. However, based on the information available from applications for Closed Road Permits for cross-boundary vehicles, it is estimated that about 50 000 Hong Kong driving licence holders are also in possession of MDLs. Among them, about 15 000 possess driving licences for cross-boundary commercial vehicles. Since the Transport Department does not have information on the occupations of driving licence holders, it does not know how many of the above drivers are engaged in the transport trade.

(b) The Administration has no record of request for help from Hong Kong drivers concerning the enforcement of licensing regulations on the Mainland.

(c) It is the requirement of the relevant Mainland laws and regulations that persons from outside the Mainland have to provide residence/temporary residence certification that is approved and issued by the Mainland public security authorities when applying for MDLs. The Administration has learnt that the cross-boundary transport trade has maintained regular liaison with the relevant Mainland authorities to understand the relevant Mainland laws and regulations. Regarding an earlier report on the requirement to provide proof of residence on the Mainland, the Transport Department has contacted the relevant Mainland authorities and been informed that the requirement had been implemented for years. We shall continue to offer appropriate assistance to the trade with regard to understanding the laws and

regulations of the Mainland.

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