

LCQ10: Taxi and public light buses passengers wearing seat belts

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 1):

Question:

It is provided in legislation that passengers in the rear seats of taxis and public light buses (PLBs) registered respectively on or after January 1, 2001 and August 1, 2004 are required to wear seat belts. It has been learnt that since the commencement of such provision in legislation, the casualty rate in the traffic accidents concerned has actually dropped. However, my office has received complaints from members of the public alleging that the rear seats of some taxis are not fitted with any seat belt, and the seat belts of some taxis and PLBs are damaged. In this connection, will the Government inform this Council:

(a) whether the Transport Department checks during the annual examination of taxis and PLBs to ascertain if the seat belts are properly fitted and in good condition; if so, in case it is confirmed that there is problem in the fitting of or damage to the safety belts, whether it will refuse to renew the licence for the taxi or PLB concerned; if not, of the reasons for that;

(b) among the traffic accidents involving taxis in the past ten years, of the number of taxi drivers and passengers injured or even killed because they did not wear seat belts, and whether any problem in the fitting of or damage to safety belts was involved;

(c) since the commencement of the provision in legislation that passengers in the rear seats of taxis and PLBs are required to wear seat belts, of the respective numbers of verbal warnings and summons issued so far by the authorities; and among such cases, of the number of repeated offenders involved; and

(d) given that it is stipulated in the existing legislation that passengers who fail to wear seat belts are liable to a fine of \$5,000 and imprisonment for three months, whether the authorities will consider raising the penalty for repeated offenders?

Reply:

President,

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

(a) At present, all commercial vehicles, including taxis and public light buses (PLBs), are required to undergo an annual vehicle examination conducted by the Transport Department (TD) to ensure their compliance with the relevant vehicle construction and maintenance requirements before licence renewal. The fitting of seat belts is one of the items which must be inspected during the course of examination by TD staff. The TD will inspect the seat belts required by law and check whether they conform with the prescribed specifications, whether they are damaged and can be buckled / unbuckled easily, etc. If the fitting of seat belts on the taxi or PLB examined does not meet the standards, the vehicle fails the examination and its licence will not be renewed by the TD.

(b) The casualties of traffic accidents involving taxi drivers and passengers not wearing seat belts in the past ten years are set out at Annex 1. As no information is available on whether the seat belts of the vehicles involved in the accidents were properly fitted or damaged, it cannot be further distinguished whether the accidents involved vehicles with seat belts that were improperly fitted or damaged.

(c) and (d) Under the Road Traffic (Safety Equipment) Regulations (Cap. 374F), taxis registered on or after January 1, 2001 and PLBs registered on or after August 1, 2004 shall be provided with a seat belt for each of their rear passenger seats. A passenger must buckle up if his seat is fitted with a seat belt. The driver or the passenger in the specified passenger seat who fails to wear a seat belt is liable to a fine of \$5,000 and imprisonment for three months. Also, the driver is liable to a fixed penalty of \$320 and \$230 for failing to wear seat belt himself and for his passenger failing to wear seat belt respectively.

The prosecution figures of the Police in respect of failure to wear seat belts between January 2004 and April 2011 are set out at Annex 2. Normally, the Police will prosecute offending drivers and passengers by way of issuing fixed penalty tickets and summonses respectively. The Police do not have a breakdown of the number of verbal warnings issued against non-compliance with the seat belt requirement and the number of cases involving repeat offenders.

We consider the penalty for passengers failing to wear seat belts under the existing legislation (i.e. a maximum fine of \$5,000 and imprisonment for three months) appropriate. We will review the relevant legislation when necessary.

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