

LEGISLATIVE COUNCIL BRIEF

Road Tunnels (Government) Ordinance
(Chapter 368)

ROAD TUNNELS (GOVERNMENT) (AMENDMENT) BILL 2023

INTRODUCTION

A At the meeting of the Executive Council on 21 March 2023, the Council ADVISED and the Chief Executive ORDERED that the Road Tunnels (Government) (Amendment) Bill 2023 (“the Bill”) at **Annex A** should be introduced into the Legislative Council. The Bill seeks to amend the Road Tunnels (Government) Ordinance (Cap. 368) (“RT(G)O”) to –

- (a) repeal the Western Harbour Crossing Ordinance (Cap. 436) (“WHC Ordinance”) and its subsidiary legislation, as well as to make consequential amendments arising from the repeal, and subsume the operations of the Western Harbour Crossing (“WHC”) under RT(G)O;
- (b) effect the proposed fixed toll plans (“633 fixed toll proposal” thereafter) for the three road harbour crossings (“RHCs”) (i.e. WHC, Cross-Harbour Tunnel (“CHT”) and Eastern Harbour Crossing (“EHC”)) upon the takeover of WHC on 2 August 2023;
- (c) provide empowering provisions for charging different toll levels at different time slots, or different parts of a time slot, in a day at government tunnels (“time-varying tolls” thereafter); and
- (d) provide the detailed time-varying toll plan to be implemented at the three RHCs from a time to be separately appointed by the Secretary for Transport and Logistics (“the Secretary”).

JUSTIFICATIONS

B 2. Tunnel tolling is an important and effective tool in regulating traffic. The Government's takeover of WHC provides an opportunity for rationalising the cross-harbour traffic. The existing tolls for all classes of vehicles for using RHCs are set out at **Annex B**. The current tolls for private cars using CHT and EHC have been adopted for 24 years and 18 years respectively, while the cross-harbour private car traffic during peak hours has increased significantly by 20% over the past decade. On the other hand, since WHC is a BOT tunnel, the franchisee is allowed to increase the tolls of WHC within the permitted range set out in the WHC Ordinance without requiring approval from the Government. At present, the tolls for private cars for using CHT, EHC and WHC are \$20, \$25 and \$75¹ respectively. In 2021, despite the significant drop in the traffic flow in relation to cross-boundary and tourist activities amid the COVID-19 epidemic, the traffic demand for the RHCs was excessive and far above the total capacity of the RHCs, especially during peak hours. In 2021 during weekday morning peak hours, the traffic demands for using CHT, EHC and WHC were 150%, 146% and 98% of the respective tunnel capacities, or 126% for the three tunnels collectively.

Takeover of WHC

C 3. The WHC Ordinance will be repealed upon the Government's takeover of the WHC after the BOT franchise expires on 1 August 2023², and the operation of the WHC will be subsumed under the legal framework of RT(G)O and its subsidiary legislation. There will be no major change to other aspects of tunnel operation, such as traffic management and enforcement action within the tunnel area. Background about the franchise is at **Annex C**.

633 Fixed Toll Proposal upon WHC Takeover

4. Upon the takeover of WHC on 2 August 2023, all three RHCs will

¹ This is the actual fixed toll for private cars using the WHC as determined by the franchisee since its last adjustment in June 2019, which is lower than the statutory toll (currently \$255 for private cars). The WHC Ordinance provides for a specified toll adjustment mechanism for the WHC. The franchisee can effect statutory toll increases under the law if the companies' actual net revenues fall short of the minimum estimated net revenues specified in the law. The WHC Ordinance provides that the franchisee shall not charge in respect of a motor vehicle a toll greater than the statutory toll. On this basis, the franchisee can, by its own discretion, levy a toll at a level below the statutory toll.

² The franchise will expire at 23:59 on 1 August 2023.

be government tunnels. We see this as a juncture to review holistically the tolls for private cars and taxis for using RHCs³ in a bid to rationalise the cross-harbour traffic flow. Specifically, for **private cars**, we **propose** reducing the actual fixed tolls of WHC, and to moderately increase the tolls of CHT and EHC at the same time, such that the current overall cross-harbour traffic volume could be maintained as far as possible. The respective toll levels for private cars of WHC, CHT and EHC will be revised as follows –

	WHC	CHT	EHC
Current tolls	\$75	\$20	\$25
Proposed tolls (<i>from the date of WHC takeover</i>)	\$60	\$30	\$30

5. As a result of the adjustment, the toll difference between WHC and CHT/EHC for private cars will be narrowed. It is expected that this will induce some motorists to choose the WHC according to their destinations, which will help reduce detours by motorists and relieve the pressure on CHT and EHC.

6. For **taxis**, the Government **proposes** charging an all-day fixed toll of \$25 for using any of the RHCs. Same as the current additional fare arrangement, a taxi passenger (if the hiring does not begin from a cross-harbour taxi stand) will need to pay both the outbound and return tolls (i.e. \$50 in total for a hired trip). This arrangement will help address the current situation whereby most empty taxis drivers prefer to use the CHT and EHC for return trips to enjoy a lower toll, which should then serve to relieve the burden on these two already congested tunnels. **Annex D** compares the current and proposed amount to be paid by taxi passengers.

7. Implementing the 633 fixed toll proposal as an interim arrangement before putting in place the time-varying toll plans will help motorists adapt to the adjusted toll levels, paving the way for the implementation of time-varying tolls at the three RHCs.

Time-varying Tolls

8. In presenting the 633 fixed toll proposal to LegCo in end 2022, there have been general views expressed to urge for adoption of time-varying tolls to further alleviate cross-harbour congestion. As we briefed the LegCo Panel on Transport in June 2022, the setting of time-varying tolls

³ Private cars and taxis made up about 60% and 10% respectively of the daily cross-harbour traffic during peak hours in 2021.

should be underpinned by the following principles –

- (a) charging different toll levels at different time slots in a day to suppress and divert excessive traffic demand especially during peak hours, thereby encouraging commuters to switch to public transport, or to use the tunnels and road sections concerned outside peak hours;
- (b) minimising the impact on non-cross-harbour traffic and encouraging reduction of detour; and
- (c) efficiency first, which gives priority to high-efficiency vehicles (i.e. mass people carriers such as buses and light buses) and those supporting economic activities (such as goods vehicles).

Empowering provisions to charge time-varying tolls

9. To empower the Government to adopt time-varying tolls, we **propose** introducing enabling provisions under the RT(G)O in order to empower the Chief Executive in Council (“CE in C”) to charge time-varying tolls at any government tunnels by way of making subsidiary legislation. The CE in C may also make subsidiary legislation to make specific toll plans for different vehicle classes using different government tunnels.

The toll plan

10. For the present exercise, we **propose** only applying time-varying tolls on private cars and motorcycles⁴. These vehicles have low passenger-carrying efficiency, but they account for about 64% of the cross-harbour traffic during peak hours in 2021. Also, from 2011 to 2021, their traffic flow also increased by 20% or above, while on the other hand, that of other vehicle types remained stable. There is a need to further regulate the cross-harbour private cars and motorcycles to alleviate the cross-harbour congestion, especially during peak hours. The time-varying toll plans are summarised at **Annex E**. The charging time slots in a day from Monday to Saturday (not being a general holiday) are summarised below –

- (a) peak time slots: it refers to the morning peak and evening peak⁵.

⁴ For avoidance of doubt, “motorcycles” in this paper also include motor tricycles.

⁵ Cross-harbour traffic is generally busiest between 7:30 am – 10:30 am and 4:30 pm – 7:30 pm on weekdays and Saturdays, and we have suggested at LegCo before that the morning and evening peaks may each have to last for these three hours’ periods.

It is the time of the day when the traffic is busiest. The actual durations of peak time slots in WHC and CHT/EHC will be different. Higher “peak toll” for WHC (of \$60, as compared to \$40 for CHT/EHC for a private car) is required to cater for the traffic demand from the huge population and major transport facilities⁶;

- (b) normal time slot: it is between the end of the morning peak and start of the evening peak of the same day. To avoid inducing excessive additional traffic and maintain the cross-harbour traffic below the tunnel capacity, “normal toll” of \$30 for private cars for using all three RHCs will be charged for this charging time slot; and
- (c) off-peak time slots: it is the rest of the hours of a day. To benefit motorists using the RHCs during the off-peak hours and preserve the revenue generating function of tolled tunnels, “off-peak toll” of \$20 for private cars for using all three RHCs will be charged.⁷

11. For general holidays (which include Sundays), in view of the generally lighter traffic, private cars using all the three RHCs will be charged at \$25 for 9 hours between 10:15am and 7:15pm where traffic is comparatively heavier; and at \$20 for the rest of the day.

12. Motorcycles will also be subject to time-varying toll arrangement. Taking into account the ratio of the existing RHCs tolls for motorcycles to that for private cars, as well as the road space taken up by a motorcycle compared to that of a private car, we **propose** the corresponding toll for

But taking into account further assessment of traffic management needs, we now **propose** the morning and evening peaks to last only about 2.5 and 2 hours (at CHT/EHC and WHC respectively) within the aforementioned two “three hours’ periods”. Apart from taking into account traffic management considerations, we are also mindful that the arrangement needs to be easily understood by members of the public. It is relevant to note that both morning and evening peaks will be preceded and followed by a transitional time slot for road safety considerations (details elaborated in paragraph 15). In this connection, we have designed a transitional time slot to kick in across the three RHCs at the same time to make it easier for the public to remember. Since the peak time slot tolls are different between CHT/EHC and WHC, the needed transitional time slots at WHC are longer and the duration of the peak time slots at WHC is shorter.

⁶ Examples of the facilities are the Airport, Hong Kong-Zhuhai-Macao Bridge and Shenzhen Bay Bridge in New Territories Northwest and Lantau.

⁷ The exact duration of the normal and off-peak time slots will inter-relate with the relevant transitional time slots, which we will explain in paragraph 15.

motorcycles for all time slots be set at a level of 40% of the toll for private cars⁸.

13. The rest of the vehicle classes comprise taxis and other commercial vehicles⁹. When the time-varying toll plan above takes effect at RHCs, the all-day fixed toll for taxis for all three RHCs explained in paragraph 6 will continue to apply. Apart from achieving the effect of traffic diversion, a fixed toll on taxis could also avoid disputes among taxi drivers and passengers over the exact toll charged hence the amount payable by passengers. For other commercial vehicles, in accordance with the efficiency-first principle, we **propose** charging an all-day fixed toll of \$50 for all three RHCs.

14. The time-varying toll plan will take effect on a day to be separately appointed by the Secretary, and we target to implement it within 2023, and the 633 fixed toll plan in respect of private cars will then be repealed.

The transition charging arrangement

15. Under the proposed time-varying toll plans, there will be toll differentials for private cars and motorcycles between the peak time slots, normal time slot and the off-peak time slots. Hence, we **propose** putting in place a transition charging arrangement to bridge those time slots in an orderly manner. For private cars, tolls across the three RHCs will gradually increase / decrease at an interval of a maximum of \$2 per 2 minutes¹⁰ between any of those time slots; while for motorcycles, similar arrangement by applying the ratio of 40% (i.e. \$0.8 per 2 minutes) will be put in place. This will discourage motorists to rush or slow down in order to avoid paying higher tolls. Under the Bill, the transition charging arrangement will be devised under the Road Tunnels (Government) Regulations (Cap. 368A) (“RT(G)R”), and any change to it should be made by the CE in C by way of subsidiary legislation subject to negative vetting by LegCo. A graphic illustration on the transition charging arrangement is at **Annex F**.

⁸ The existing tolls for motorcycles using the RHCs generally range from 33% to 52% of the tolls for private cars, and 40% is about the average.

⁹ “Commercial vehicles” in this paper cover vehicle classes other than private cars, motorcycles (and motor tricycles) and taxis. They include light goods vehicles, medium goods vehicles, heavy goods vehicles, public and private light buses, public and private single-decked buses, as well as public and private double-decked buses.

¹⁰ The transitional time slots will start at the same time across the three RHCs.

A mechanism to adjust time-varying tolls

16. Under a time-varying toll structure, the toll levels will be determined for different hours of the day with the traffic situation taken into account. However, the timing of peak hours and off-peak hours may change over time, in particular because motorists may adjust their commuting pattern in response to the time-varying tolls at RHCs. Therefore, the effectiveness of the time-varying tolls to regulate tunnel traffic will hinge on timely, responsive and flexible adjustments of the starting or end time as well as the toll level of the morning and evening peaks where cross-harbour traffic demands are the highest. We **propose** providing administrative flexibility for the Commissioner for Transport (“C for T”) to make minor yet effective adjustments of the time, toll level and overall duration of the peak time slots. To allow the public to clearly understand the restrictions within which C for T may exercise the administrative power to make such adjustments, we **propose** setting out in a new Schedule to RT(G)O the conditions under which C for T may exercise the power, as well as the aggregate adjustments that he could make. Any amendments to the Schedule itself should be made by CE in C by way of subsidiary legislation subject to negative vetting by LegCo. A summary of the adjustment mechanism is set out at **Annex G**.

Implementation Plan

17. The 633 fixed toll proposal will be in effect at the three RHCs upon the Government’s takeover of WHC on 2 August 2023. Our target is to implement time-varying toll from a time separately appointed by the Secretary within 2023. It is also our plan to implement HKeToll at all government-tolled tunnels within 2023.

OTHER OPTIONS

18. The proposals cannot be implemented without legislative amendments. There are no other options.

THE BILL

19. The main provisions of the Bill are as follows –

- (a) **Clause 3** of the Bill adds four definitions to section 2(1) of the RT(G)O (namely *adjust*, *peak time slot*, *peak time slot (a.m.)* and

peak time slot (p.m.));

- (b) **Clause 4** of the Bill amends the definition of *prescribed facilities* in section 14A of the RT(G)O;
- (c) **Clause 5** of the Bill amends section 20 of the RT(G)O to empower the CE in C to make regulations to—
 - (i) provide for the payment and recovery of tolls payable for the use of a tunnel at above cost recovery level;
 - (ii) provide that different tolls are payable for the use of a tunnel for either or both of the following—
 - (A) different classes of vehicles;
 - (B) different time slots (or different parts of a time slot) in any day; and;
 - (iii) specify, in relation to the use of a tunnel, any two time slots in any day as a peak time slot (a.m.) and a peak time slot (p.m.);
- (d) **Clause 6** of the Bill adds a new section 20AA to the RT(G)O to provide that where a time slot is specified as a peak time slot for a tunnel, the C for T, on meeting the conditions set out in a new Schedule 1B to the RT(G)O, may adjust by notice published in the Gazette—
 - (i) the tolls payable for the use of the tunnel for different classes of vehicles during the peak time slot;
 - (ii) the starting and end time of the peak time slot; and
 - (iii) the duration of the peak time slot.
- (e) **Clause 7** of the Bill provides for the repeal of WHC Ordinance and its subsidiary legislation and the relevant savings and transitional arrangements as set out in the new Schedule 4 to the RT(G)O;
- (f) **Clause 8** of the Bill amends Schedule 1 to the RT(G)O by adding to it the WHC so as to make the RT(G)O applicable to WHC as well;
- (g) **Clause 9** of the Bill adds a new Schedule 1B to the RT(G)O to set out the conditions to be met by the C for T for making adjustments under the new section 20AA(1) of the RT(G)O;
- (h) **Clause 10** of the Bill adds a new Schedule 4 to the RT(G)O to

provide for the relevant savings and transitional arrangements on the Government's takeover of the WHC;

- (i) **Clauses 11 to 21** of the Bill amend the RT(G)R to—
- (i) extend their application to the WHC;
 - (ii) provide for new tolls in respect of the three RHCs;
 - (iii) provide for time-varying tolls to be charged for the three RHCs;
 - (iv) provide that where different tolls are specified for different time slots, or different parts of a time slot, in a day for the use of a boothless mode tunnel by a vehicle of a particular class, the amount of the toll payable for the use of the tunnel is determined according to the time of the vehicle using the tunnel as shown in the record of the boothless tolling system of the tunnel;
 - (v) provide that where an adjustment is made by the C for T in respect of a peak time slot of a tunnel under the new section 20AA(1) of the RT(G)O, the new Schedule 2A added by clause 21 to the RT(G)R has effect in relation to the off-peak time slot (a.m.), the normal time slot, the off-peak time slot (p.m.) and the transitional time slots of the tunnel; and
 - (vi) provide for the adjustments of the starting and end time, duration and tolls for various time slots of a tunnel mentioned in subparagraph (v) above as a result of the adjustments made by the C for T in respect of a peak time slot; and
- (j) **Clauses 22 to 32** of the Bill contain related amendments to several enactments.

LEGISLATIVE TIMETABLE

20. The legislative timetable will be as follows -

Publication in the Gazette	24 March 2023
First Reading and commencement of Second Reading debate	29 March 2023
Resumption of Second Reading debate, committee stage and Third	To be notified

IMPLICATIONS OF THE PROPOSALS

H 21. The Bill is in conformity with the Basic Law, including provisions concerning human rights. The financial and civil service, economic, and sustainability implications of the Bill are set out at **Annex H**. The proposal has no environmental, family, or gender implications. The Bill will not affect the current binding effect of RT(G)O and its subsidiary legislation.

PUBLIC CONSULTATION

22. The LegCo Panel on Transport and the Transport Advisory Committee (“TAC”) were consulted on 17 June 2022 and 6 July 2022 respectively on the takeover arrangement of the WHC and the principles of time-varying tolls. LegCo Panel on Transport and the TAC were consulted again in December 2022 on the 633 fixed toll proposal. Most Members embraced the concept of time-varying tolls, and welcomed the proposal of setting a uniform toll of taxis. Some urged the Government to holistically review the tolls of commercial vehicles for using RHCs. At the LegCo Panel on Transport meeting on 6 December 2022, some urged the Government to implement time-varying tolls as soon as possible. We have refined our legislative proposal taking into account Members’ views and the pace of resumption of post-pandemic normalcy. Some Members urged the Government to provide more park-and-ride facilities and improve public transport (e.g. premium bus services) such that motorists have other options to make cross-harbour trips apart from driving.

PUBLICITY

23. A press conference will be conducted on 22 March 2023 to introduce the new arrangements and a press release will be issued on the same day. A spokesperson will be available for answering media and public enquiries.

ENQUIRIES

24. Any enquiries on this brief can be addressed to Ms Vivien LI, Principal Assistant Secretary for Transport and Logistics 2, at 3509 8192.

Transport and Logistics Bureau
22 March 2023

Road Tunnels (Government) (Amendment) Bill 2023

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A BILL

To

Amend the Road Tunnels (Government) Ordinance and its subsidiary legislation to extend their application to the Western Harbour Crossing; to empower the Chief Executive in Council to set different tolls for different time slots, or different parts of a time slot, in any day; to provide for new tolls in respect of the three harbour crossings on the takeover of the Western Harbour Crossing, and to provide for time-varying tolls to be charged for the three harbour crossings; to authorize the Commissioner for Transport to make adjustments of tolls, time and duration in relation to peak time slots; to provide for transitional matters; and to make related amendments.

Enacted by the Legislative Council.

Part 1

Preliminary

1. Short title and commencement

- (1) This Ordinance may be cited as the Road Tunnels (Government) (Amendment) Ordinance 2023.
- (2) Subject to subsection (3), this Ordinance comes into operation on 2 August 2023.
- (3) Sections 11(1), 17, 20(4), (7) and (9) and 21 come into operation from a time to be appointed by the Secretary for Transport and Logistics by notice published in the Gazette.

2. Enactments amended

The enactments specified in Parts 2, 3 and 4 are amended as set out in those Parts.

Part 2**Amendments to Road Tunnels (Government)
Ordinance (Cap. 368)****3. Section 2 amended (interpretation)**

Section 2(1)—

Add in alphabetical order

“adjust (調整), in relation to a toll, means to increase or decrease the amount of the toll;

peak time slot (繁忙時段) means a peak time slot (a.m.) or a peak time slot (p.m.);

peak time slot (a.m.) (上午繁忙時段)—

- (a) means a time slot specified as such by regulations made under section 20(4)(ca); and
- (b) includes the time slot mentioned in paragraph (a) the starting and end time or the duration of which is adjusted by the Authority under section 20AA;

peak time slot (p.m.) (下午繁忙時段)—

- (a) means a time slot specified as such by regulations made under section 20(4)(ca); and
- (b) includes the time slot mentioned in paragraph (a) the starting and end time or the duration of which is adjusted by the Authority under section 20AA;”.

4. Section 14A amended (evidence of facilities-related matter by record and test certificate)

- (1) Section 14A(7), definition of *prescribed facilities*, paragraph (a)(i)—

Repeal

“; and”

Substitute a semicolon.

- (2) Section 14A(7), definition of *prescribed facilities*, paragraph (a)(ii)—

Repeal the semicolon**Substitute**

“; and”.

- (3) Section 14A(7), definition of *prescribed facilities*, after paragraph (a)(ii)—

Add

“(iii) includes a boothless tolling system as defined by regulation 12(8) of the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A);”.

5. Section 20 amended (regulations)

- (1) Section 20(1)(m)(i), after “tunnel”—

Add

“, which may be set at above cost recovery level”.

- (2) Section 20(4)—

Repeal paragraph (c)**Substitute**

- “(c) may provide that different tolls are payable for the use of a tunnel for either or both of the following—
- (i) different classes of vehicles;
 - (ii) different time slots, or different parts of a time slot, in any day;

- (ca) may, in relation to the use of a tunnel, specify any 2 time slots in any day as a peak time slot (a.m.) and a peak time slot (p.m.); and”.

6. Section 20AA added

After section 20—

Add**“20AA. Power of Authority to adjust tolls, time and duration for peak time slots**

- (1) Where a time slot is specified as a peak time slot for a tunnel, the Authority may adjust any one or more of the following by notice published in the Gazette, if the conditions set out in Schedule 1B in respect of the tunnel are met—
 - (a) the tolls payable for the use of the tunnel for different classes of vehicles during the peak time slot;
 - (b) the starting and end time of the peak time slot;
 - (c) the duration of the peak time slot.
- (2) The notice referred to in subsection (1) must state the date on which the adjustment is to take effect and such date must not be earlier than 14 days after the day on which the notice is published in the Gazette.
- (3) The Chief Executive in Council may, by notice published in the Gazette, amend Schedule 1B.
- (4) If a notice is published in the Gazette under subsection (1), the Authority must publish the notice on the website of the Transport Department or in any other way that the Authority, or the officer authorized by the Authority, considers appropriate.

(5) A notice under subsection (1) is not subsidiary legislation.”.

7. Sections 27 and 28 added

After section 26—

Add

“27. Western Harbour Crossing Ordinance and its subsidiary legislation repealed

The following enactments are repealed—

- (a) the Western Harbour Crossing Ordinance (Cap. 436);
- (b) the Western Harbour Crossing (Designation of Agreements) Notice (Cap. 436 sub. leg. A);
- (c) the Western Harbour Crossing (Application of Buildings Ordinance) Notice 1994 (Cap. 436 sub. leg. B);
- (d) the Western Harbour Crossing Regulation (Cap. 436 sub. leg. C);
- (e) the Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D).

28. Savings and transitional arrangements for Road Tunnels (Government) (Amendment) Ordinance 2023

Schedule 4 provides for the savings and transitional arrangements that relate to the Road Tunnels (Government) (Amendment) Ordinance 2023 (of 2023).”.

8. Schedule 1 amended (tunnels to which this Ordinance applies)

Schedule 1—

Add in alphabetical order

“Western Harbour Crossing (西區海底隧道)”.

9. Schedule 1B added

After Schedule 1A—

Add

“Schedule 1B

[s. 20AA]

**Conditions to be Met for Authority to Make
Adjustments under Section 20AA**

Part 1

General

1. In this Schedule—

prevailing base amount (現行基準款額), in relation to a toll for a peak time slot, means the prevailing amount of the toll that is provided for for a class of vehicle in the specified Schedule for the peak time slot;

prevailing base duration (現行基準時限), in relation to a peak time slot, means the prevailing duration of the peak time slot that is provided for in the specified Schedule;

prevailing base starting time (現行基準開始時間), in relation to a peak time slot, means the prevailing starting time of the peak time slot that is provided for in the specified Schedule;

specified Schedule (指明附表) means Schedule 2 to the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A).

Part 2

Time for Adjustment

2. Adjustment under section 20AA, whether in respect of the toll, the starting and end time, or the duration relating to one, or more than one, peak time slot or any combination of them, may be made in relation to a tunnel only once within each successive period of 6 months after the day on which any of the following is provided for in the specified Schedule and takes effect in respect of the tunnel—
 - (a) the first specification of any peak time slots for a class of vehicles;
 - (b) the addition of peak time slots for a day for a class of vehicles;
 - (c) any adjustment to the toll, the starting and end time, or the duration relating to a peak time slot.
3. For the purposes of section 2 of this Schedule, it does not matter—
 - (a) whether the adjustment to the toll is made in respect of one, or more than one, class of vehicles; and
 - (b) whether the adjustment to the starting and end time, or the duration, is made only in respect of one, but not both, of the peak time slots in a day for a class of vehicles.

Part 3

Adjustment of Tolls for Peak Time Slots under Section 20AA(1)(a)

4. Each adjustment of the toll for private cars must not be more than \$3.
5. The adjusted amount of the toll for private cars must be higher than the toll for any time slot that is not a peak time slot for private cars prevailing at the time of adjustment.
6. The aggregate adjustments of the toll for private cars must not be more than \$15 above, or below, the prevailing base amount of the toll for private cars.
7. If the toll for private cars is adjusted, the toll for motor cycles and motor tricycles must accordingly be adjusted so that the adjusted amount of the toll for motor cycles and motor tricycles is equal to 40% of the adjusted amount of the toll for private cars.
8. Adjustment under section 20AA(1)(a) may only be made if the Authority has taken into account, and has only taken into account, the considerations set out in Part 5 of this Schedule.

Part 4

Adjustment of Time and Duration of Peak Time Slots under Section 20AA(1)(b)

9. Any adjustment must not result in—

- (a) the starting time of a peak time slot being more than one hour earlier, or later, than the prevailing base starting time of the peak time slot; and
 - (b) the total duration of a peak time slot (a.m.) and a peak time slot (p.m.) being extended or shortened for more than 15 minutes.
10. The aggregate adjustments made to the duration of a peak time slot (a.m.) and a peak time slot (p.m.) must not result in the total duration of those two time slots being extended or shortened in such a way that the difference between the total duration and the total of the prevailing base duration of those two time slots is more than 30 minutes.
11. Adjustment under section 20AA(1)(b) may only be made if the Authority has taken into account, and has only taken into account, the considerations set out in Part 5 of this Schedule.

Part 5

Considerations for Adjustment

12. The considerations are—
- (a) whether the traffic demand (as exemplified by traffic flow and traffic queues) for the tunnel concerned has been constantly exceeding the capacity of the tunnel and resulting in congestion; and
 - (b) whether the traffic queues tailing back from the tunnel concerned constantly and adversely affects traffic in any critical location in Hong Kong in an extensive manner.

13. For the purposes of section 12(b) of this Schedule—
- critical location* (關鍵地點), means a junction or an intercepting point along the approaching road to a tunnel where blockage to the junction or point will lead to congestion involving non-tunnel and cross-district traffic.”.

10. Schedule 4 added

After Schedule 3—

Add

“Schedule 4

[s. 28]

Savings and Transitional Arrangements for Road Tunnels (Government) (Amendment) Ordinance 2023 (of 2023)

1. Interpretation

In this Schedule—

specified Regulations (《指明規例》) means the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A);

WHC Bylaw (《西區海底隧道附例》) means the Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) as in force immediately before its repeal.

2. Section 18E of Magistrates Ordinance continues to apply

Section 18E of the Magistrates Ordinance (Cap. 227) continues to apply on and after 2 August 2023 in relation to an offence under the WHC Bylaw that was committed before that date as if the Bylaw had not been repealed.

3. Road Traffic (Driving-offence Points) Ordinance continues to apply

The Road Traffic (Driving-offence Points) Ordinance (Cap. 375) continues to apply on and after 2 August 2023 in relation to an offence under the WHC Bylaw that was committed before that date as if the Bylaw had not been repealed.

4. Transitional arrangements for certain traffic signs

- (1) For the purposes of this section, a traffic sign is a pre-existing traffic sign if it was—
 - (a) erected in the tunnel area of the Western Harbour Crossing before 2 August 2023; and
 - (b) in force immediately before that date.
- (2) A pre-existing traffic sign of the type shown in Figure No. 5 in the Schedule to the WHC Bylaw is, on and after 2 August 2023, to be regarded for all purposes as a traffic sign of the type shown in Figure No. 17 in Schedule 1 to the specified Regulations.
- (3) A pre-existing traffic sign of the type shown in Figure No. 8 in the Schedule to the WHC Bylaw is, on and after 2 August 2023, to be regarded for all purposes as a traffic sign of the type shown in Figure No. 8 in Schedule 1 to the specified Regulations.
- (4) A pre-existing traffic sign of the type shown in Figure No. 14 in the Schedule to the WHC Bylaw is, on and after 2 August 2023, to be regarded for all purposes as a

traffic sign of the type shown in Figure No. 405 in Schedule 1 to the Road Traffic (Traffic Control) Regulations (Cap. 374 sub. leg. G).

5. Schedule 4 not in derogation of section 23 of Interpretation and General Clauses Ordinance

The provisions in this Schedule are in addition to, and not in derogation of, section 23 of the Interpretation and General Clauses Ordinance (Cap. 1).”

Part 3**Amendments to Road Tunnels (Government)
Regulations (Cap. 368 sub. leg. A)****11. Regulation 2 amended (interpretation)**

(1) Regulation 2(1)—

Add in alphabetical order

“normal time slot (一般時段), in relation to a tunnel, means a time slot that is specified as a normal time slot in Schedule 2 that relates to the use of the tunnel;

off-peak time slot (a.m.) (上午非繁忙時段), in relation to a tunnel, means a time slot that—

- (a) starts from the beginning of a day; and
- (b) is specified as an off-peak time slot (a.m.) in Schedule 2 that relates to the use of the tunnel;

off-peak time slot (p.m.) (下午非繁忙時段), in relation to a tunnel, means a time slot that—

- (a) ends immediately before the beginning of the next day; and
- (b) is specified as an off-peak time slot (p.m.) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (過渡時段) means—

- (a) a transitional time slot (off-peak to peak);
- (b) a transitional time slot (peak to normal);
- (c) a transitional time slot (normal to peak); or
- (d) a transitional time slot (peak to off-peak);

transitional time slot (normal to peak) (過渡時段(一般至繁忙)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (normal to peak) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (off-peak to peak) (過渡時段(非繁忙至繁忙)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (off-peak to peak) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (peak to normal) (過渡時段(繁忙至一般)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (peak to normal) in Schedule 2 that relates to the use of the tunnel;

transitional time slot (peak to off-peak) (過渡時段(繁忙至非繁忙)), in relation to a tunnel, means a time slot that is specified as a transitional time slot (peak to off-peak) in Schedule 2 that relates to the use of the tunnel;”.

(2) Regulation 2(2)—

Repeal

“or 3A”

Substitute

“, 3A or 3B”.

12. Regulation 3 amended (prescribed signs and road markings)

(1) Regulation 3(1)(a)—

Repeal

“24”

Substitute

“24, 25A, 26A”.

(2) Regulation 3(6)(a)—

Repeal

“26,”

Substitute

“25A, 26, 26A.”.

13. Regulation 8 amended (left-driving tunnel (other than Central-Wan Chai Bypass Tunnel): certain vehicles confined to left most lane)

(1) Regulation 8, heading, after “Tunnel”—

Add

“and Western Harbour Crossing”.

(2) Regulation 8(1), after “Tunnel”—

Add

“and the Western Harbour Crossing”.

14. Regulation 8AAB added

After regulation 8AA—

Add**“8AAB. Western Harbour Crossing: control of use of traffic lanes for certain vehicles**

- (1) This regulation applies to the Western Harbour Crossing.
- (2) Except when directed or signalled to do otherwise by an authorized officer, a person must not drive any of the following vehicles on a road inside a tunnel tube other than in the left most lane—
 - (a) a bus;
 - (b) a vehicle requiring permission under regulation 11A(2) or a permit under regulation 14;

(c) a vehicle towing another vehicle.

(3) Except when directed or signalled to do otherwise by an authorized officer, a person must not drive a goods vehicle of a permitted gross vehicle weight exceeding 5.5 tonnes on a road inside a tunnel tube other than in—

(a) the left most lane; or

(b) the lane next to the left most lane.”.

15. Regulation 11A amended (vehicles conveying dangerous goods in specified tunnels)(1) Regulation 11A(4), definition of *specified tunnel*, paragraph (a)—**Repeal**

“or”.

(2) Regulation 11A(4), definition of *specified tunnel*, paragraph (b)—**Repeal the full stop****Substitute**

“; or”.

(3) Regulation 11A(4), definition of *specified tunnel*, after paragraph (b)—**Add**

“(c) the Western Harbour Crossing.”.

16. Regulation 12 amended (liability for, and amount of, toll)

(1) Regulation 12—

Repeal paragraph (1)**Substitute**

“(1) Subject to subsection (1A), the toll payable for each occasion of use of a tunnel by a vehicle is the appropriate toll specified in Part 1, 2, 3, 3A or 3B of Schedule 2.”.

(2) After regulation 12(1)—

Add

“(1A) Where different tolls are specified for different time slots, or different parts of a time slot, in a day for the use of a boothless mode tunnel by a vehicle of a particular class, the amount of the toll payable for the use of the tunnel is determined according to the time of the vehicle using the tunnel as shown in the record of the boothless tolling system of the tunnel.”.

(3) After regulation 12(7)—

Add

“(8) In this regulation—

boothless tolling system (無亭收費系統), in relation to the determination of the time of a vehicle using a boothless mode tunnel (*use time*), means a system—

- (a) that is composed of two or more of the facilities falling within paragraph (a)(i) or (ii) of the definition of *prescribed facilities* in section 14A(7) of the Ordinance; and
- (b) that produces a record of the use time after correlating all data relating to the vehicle as gathered by those facilities.”.

17. Regulation 12AAA added

After regulation 12—

Add

“12AAA. Schedule 2A has effect as a result of adjustments to peak time slots by Authority

Where an adjustment is made by the Authority to any of the matters referred to in section 20AA(1)(a) or (b) of the Ordinance in respect of a peak time slot of a tunnel, Schedule 2A has effect in relation to the following—

- (a) the end time and the duration of the off-peak time slot (a.m.) of the tunnel;
- (b) the starting and end time of the normal time slot of the tunnel;
- (c) the starting time and the duration of the off-peak time slot (p.m.) of the tunnel;
- (d) the starting and end time, the number of intervals, the duration, and the toll for each interval, of the transitional time slots of the tunnel.”.

18. Regulation 14 amended (vehicles requiring permits)

Regulation 14(1A)—

Repeal

“or Eastern Harbour Crossing”

Substitute

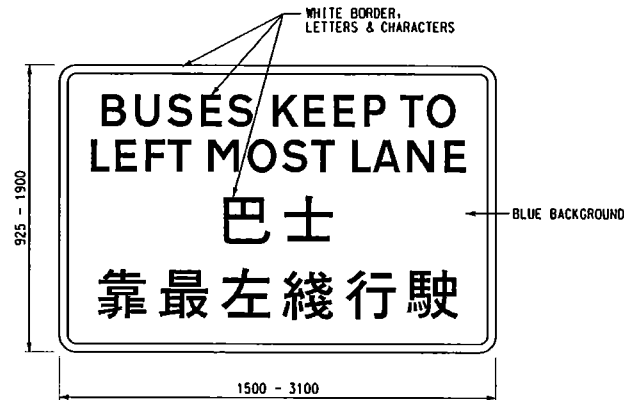
“, Eastern Harbour Crossing or Western Harbour Crossing”.

19. Schedule 1 amended (traffic signs and road markings)

(1) Schedule 1, after Figure No. 25—

Add

“Figure No. 25A



Keep to Left Most Lane in Left-driving Tunnel

This sign indicates that buses must keep to the left most lane of a road inside a tube of a left-driving tunnel.

The word and characters “BUSES” and “巴士” may be replaced by the descriptions of any other motor vehicles to indicate that such vehicles must keep to the left most lane of a road inside a tube of a left-driving tunnel.”.

- (2) Schedule 1, after Figure No. 26—

Add

“Figure No. 26A



Keep to Left Most Lane or Middle Lane in Left-driving Tunnel

This sign indicates that medium goods vehicles and heavy goods vehicles must keep to the left most lane, or the middle lane, of a road inside a tube of a left-driving tunnel.”.

20. Schedule 2 amended (tolls and fees)

- (1) Schedule 2, Part 1, heading—

Repeal

“and Tate’s Cairn Tunnel”

Substitute

“, Tate’s Cairn Tunnel and Western Harbour Crossing”.

- (2) Schedule 2, Part 2, item 2—

Repeal

“\$10”

Substitute

“\$25”.

- (3) Schedule 2, Part 2, item 3—

Repeal

“\$20”

Substitute

“\$30”.

- (4) Schedule 2—

Repeal Part 2

Substitute

“Part 2

Tolls (for Cross-Harbour Tunnel)

Division 1—Motor Cycles, Motor Tricycles and Private Cars (Monday to Saturday (Excluding Public Holiday))

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
Off-peak (a.m.)	00:00	07:30	\$8	\$20
Transitional (off-peak to peak)	07:30	07:48	\$8.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute	\$22 for the first 2-minute interval with increase of \$2 for each successive 2-minute

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
			interval	interval
	Intervals			
	07:30	07:32	\$8.8	\$22
	07:32	07:34	\$9.6	\$24
	07:34	07:36	\$10.4	\$26
	07:36	07:38	\$11.2	\$28
	07:38	07:40	\$12	\$30
	07:40	07:42	\$12.8	\$32
	07:42	07:44	\$13.6	\$34
	07:44	07:46	\$14.4	\$36
	07:46	07:48	\$15.2	\$38
Peak (a.m.)	07:48	10:15	\$16	\$40
Transitional (peak to normal)	10:15	10:23	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	10:15	10:17	\$15.2	\$38
	10:17	10:19	\$14.4	\$36
	10:19	10:21	\$13.6	\$34
	10:21	10:23	\$12.8	\$32
Normal	10:23	16:30	\$12	\$30
Transitional (normal to	16:30	16:38	\$12.8 for the first 2-minute	\$32 for the first 2-minute

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
peak)			interval with increase of \$0.8 for each successive 2-minute interval	interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	16:30	16:32	\$12.8	\$32
	16:32	16:34	\$13.6	\$34
	16:34	16:36	\$14.4	\$36
	16:36	16:38	\$15.2	\$38
Peak (p.m.)	16:38	19:00	\$16	\$40
Transitional (peak to off-peak)	19:00	19:18	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
	Intervals			
	19:00	19:02	\$15.2	\$38
	19:02	19:04	\$14.4	\$36
	19:04	19:06	\$13.6	\$34
	19:06	19:08	\$12.8	\$32
	19:08	19:10	\$12	\$30
	19:10	19:12	\$11.2	\$28
	19:12	19:14	\$10.4	\$26
	19:14	19:16	\$9.6	\$24

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	19:16	19:18	\$8.8	\$22
Off-peak (p.m.)	19:18	00:00 (next day)	\$8	\$20

Division 2—Motor Cycles, Motor Tricycles and Private Cars (Sunday and Public Holiday)

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
00:00	10:11	\$8	\$20
10:11	10:13	\$8.4	\$21
10:13	10:15	\$9.2	\$23
10:15	19:15	\$10	\$25
19:15	19:17	\$9.2	\$23
19:17	19:19	\$8.4	\$21
19:19	00:00 (next day)	\$8	\$20

Division 3—Taxis

Time slot	Toll for taxis
Whole day	\$25

Division 4—Vehicles other than Motor Cycles, Motor Tricycles, Private Cars and Taxis

Time slot	Toll for vehicles other than motor cycles, motor tricycles, private cars and taxis
Whole day	\$50

(5) Schedule 2, Part 3—

Repeal item 2

Substitute

“2. Taxis \$25”.

(6) Schedule 2, Part 3—

Repeal item 3

Substitute

“3. Private cars \$30”.

(7) Schedule 2—

Repeal Part 3

Substitute

“Part 3

Tolls (for Eastern Harbour Crossing)

Division 1—Motor Cycles, Motor Tricycles and Private Cars (Monday to Saturday (Excluding Public Holiday))

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars				
Off-peak (a.m.)	00:00	07:30	\$8	\$20				
Transitional (off-peak to peak)	07:30	07:48	\$8.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$22 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval				
		Intervals						
		07:30			07:32	\$8.8	\$22	
		07:32			07:34	\$9.6	\$24	
		07:34			07:36	\$10.4	\$26	
		07:36			07:38	\$11.2	\$28	
		07:38			07:40	\$12	\$30	
		07:40			07:42	\$12.8	\$32	
		07:42			07:44	\$13.6	\$34	
		07:44			07:46	\$14.4	\$36	
		07:46			07:48	\$15.2	\$38	
		Peak (a.m.)			07:48	10:15	\$16	\$40
		Transitional (peak to normal)			10:15	10:23	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each	\$38 for the first 2-minute interval with decrease of \$2 for each

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
			successive 2-minute interval	successive 2-minute interval
	Intervals			
	10:15	10:17	\$15.2	\$38
	10:17	10:19	\$14.4	\$36
	10:19	10:21	\$13.6	\$34
	10:21	10:23	\$12.8	\$32
Normal	10:23	16:30	\$12	\$30
Transitional (normal to peak)	16:30	16:38	\$12.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$32 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
	Intervals			
	16:30	16:32	\$12.8	\$32
	16:32	16:34	\$13.6	\$34
	16:34	16:36	\$14.4	\$36
	16:36	16:38	\$15.2	\$38
Peak (p.m.)	16:38	19:00	\$16	\$40
Transitional (peak to off-peak)	19:00	19:18	\$15.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute	\$38 for the first 2-minute interval with decrease of \$2 for each successive 2-minute

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
			interval	interval
	Intervals			
	19:00	19:02	\$15.2	\$38
	19:02	19:04	\$14.4	\$36
	19:04	19:06	\$13.6	\$34
	19:06	19:08	\$12.8	\$32
	19:08	19:10	\$12	\$30
	19:10	19:12	\$11.2	\$28
	19:12	19:14	\$10.4	\$26
	19:14	19:16	\$9.6	\$24
	19:16	19:18	\$8.8	\$22
Off-peak (p.m.)	19:18	00:00 (next day)	\$8	\$20

Division 2—Motor Cycles, Motor Tricycles and Private Cars (Sunday and Public Holiday)

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
00:00	10:11	\$8	\$20
10:11	10:13	\$8.4	\$21
10:13	10:15	\$9.2	\$23

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
10:15	19:15	\$10	\$25
19:15	19:17	\$9.2	\$23
19:17	19:19	\$8.4	\$21
19:19	00:00 (next day)	\$8	\$20

Division 3—Taxis

Time slot	Toll for taxis
Whole day	\$25

Division 4—Vehicles other than Motor Cycles, Motor Tricycles, Private Cars and Taxis

Time slot	Toll for vehicles other than motor cycles, motor tricycles, private cars and taxis
Whole day	\$50

(8) Schedule 2, after Part 3A—

Add

“Part 3B

Tolls (for Western Harbour Crossing)

Column 1	Column 2	Column 3
Item	Vehicle	Tolls
1.	Motor cycles, motor tricycles	\$25
2.	Taxis	\$25
3.	Private cars	\$60
4.	Public and private light buses	\$85
5.	Light goods vehicles and special purpose vehicles of a permitted gross vehicle weight not exceeding 5.5 tonnes	\$85
6.	Medium goods vehicles and special purpose vehicles of a permitted gross vehicle weight exceeding 5.5 tonnes but not exceeding 24 tonnes	\$110
7.	Heavy goods vehicles and special purpose vehicles of a permitted gross vehicle weight exceeding 24 tonnes but not exceeding 38 tonnes	\$140
8.	Public and private single-decked buses	\$140
9.	Public and private double-decked buses	\$200
10.	For vehicles with more than 2 axles—	
	(a) if the tunnel is a booth mode tunnel	\$30 for each additional axle in

Column 1	Column 2	Column 3
Item	Vehicle	Tolls
		excess of 2
(b)	if the tunnel is a boothless mode tunnel	No additional toll".

(9) Schedule 2—
Repeal Part 3B
Substitute

“Part 3B

Tolls (for Western Harbour Crossing)

Division 1—Motor Cycles, Motor Tricycles and Private Cars (Monday to Saturday (Excluding Public Holiday))

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
Off-peak (a.m.)	00:00	07:30	\$8	\$20
Transitional (off-peak to peak)	07:30	08:08	\$8.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute	\$22 for the first 2-minute interval with increase of \$2 for each successive 2-minute

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
			interval	interval
Intervals				
	07:30	07:32	\$8.8	\$22
	07:32	07:34	\$9.6	\$24
	07:34	07:36	\$10.4	\$26
	07:36	07:38	\$11.2	\$28
	07:38	07:40	\$12	\$30
	07:40	07:42	\$12.8	\$32
	07:42	07:44	\$13.6	\$34
	07:44	07:46	\$14.4	\$36
	07:46	07:48	\$15.2	\$38
	07:48	07:50	\$16	\$40
	07:50	07:52	\$16.8	\$42
	07:52	07:54	\$17.6	\$44
	07:54	07:56	\$18.4	\$46
	07:56	07:58	\$19.2	\$48
	07:58	08:00	\$20	\$50
	08:00	08:02	\$20.8	\$52
	08:02	08:04	\$21.6	\$54
	08:04	08:06	\$22.4	\$56
	08:06	08:08	\$23.2	\$58
Peak (a.m.)	08:08	10:15	\$24	\$60
Transitional (peak to normal)	10:15	10:43	\$23.2 for the first 2-minute interval with decrease of \$0.8 for each	\$58 for the first 2-minute interval with decrease of \$2 for each

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
			successive 2-minute interval	successive 2-minute interval
Intervals				
	10:15	10:17	\$23.2	\$58
	10:17	10:19	\$22.4	\$56
	10:19	10:21	\$21.6	\$54
	10:21	10:23	\$20.8	\$52
	10:23	10:25	\$20	\$50
	10:25	10:27	\$19.2	\$48
	10:27	10:29	\$18.4	\$46
	10:29	10:31	\$17.6	\$44
	10:31	10:33	\$16.8	\$42
	10:33	10:35	\$16	\$40
	10:35	10:37	\$15.2	\$38
	10:37	10:39	\$14.4	\$36
	10:39	10:41	\$13.6	\$34
	10:41	10:43	\$12.8	\$32
Normal	10:43	16:30	\$12	\$30
Transitional (normal to peak)	16:30	16:58	\$12.8 for the first 2-minute interval with increase of \$0.8 for each successive 2-minute interval	\$32 for the first 2-minute interval with increase of \$2 for each successive 2-minute interval
Intervals				

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	16:30	16:32	\$12.8	\$32
	16:32	16:34	\$13.6	\$34
	16:34	16:36	\$14.4	\$36
	16:36	16:38	\$15.2	\$38
	16:38	16:40	\$16	\$40
	16:40	16:42	\$16.8	\$42
	16:42	16:44	\$17.6	\$44
	16:44	16:46	\$18.4	\$46
	16:46	16:48	\$19.2	\$48
	16:48	16:50	\$20	\$50
	16:50	16:52	\$20.8	\$52
	16:52	16:54	\$21.6	\$54
	16:54	16:56	\$22.4	\$56
	16:56	16:58	\$23.2	\$58
Peak (p.m.)	16:58	19:00	\$24	\$60
Transitional (peak to off-peak)	19:00	19:38	\$23.2 for the first 2-minute interval with decrease of \$0.8 for each successive 2-minute interval	\$58 for the first 2-minute interval with decrease of \$2 for each successive 2-minute interval
Intervals				
	19:00	19:02	\$23.2	\$58
	19:02	19:04	\$22.4	\$56
	19:04	19:06	\$21.6	\$54

Time slot	Starting time	End time (immediately before)	Toll for motor cycles and motor tricycles	Toll for private cars
	19:06	19:08	\$20.8	\$52
	19:08	19:10	\$20	\$50
	19:10	19:12	\$19.2	\$48
	19:12	19:14	\$18.4	\$46
	19:14	19:16	\$17.6	\$44
	19:16	19:18	\$16.8	\$42
	19:18	19:20	\$16	\$40
	19:20	19:22	\$15.2	\$38
	19:22	19:24	\$14.4	\$36
	19:24	19:26	\$13.6	\$34
	19:26	19:28	\$12.8	\$32
	19:28	19:30	\$12	\$30
	19:30	19:32	\$11.2	\$28
	19:32	19:34	\$10.4	\$26
	19:34	19:36	\$9.6	\$24
	19:36	19:38	\$8.8	\$22
Off-peak (p.m.)	19:38	00:00 (next day)	\$8	\$20

Division 2—Motor Cycles, Motor Tricycles and Private Cars (Sunday and Public Holiday)

Time slot		Toll for motor cycles and motor tricycles	Toll for private cars
Starting time	End time (immediately before)		
00:00	10:11	\$8	\$20
10:11	10:13	\$8.4	\$21
10:13	10:15	\$9.2	\$23
10:15	19:15	\$10	\$25
19:15	19:17	\$9.2	\$23
19:17	19:19	\$8.4	\$21
19:19	00:00 (next day)	\$8	\$20

Division 3—Taxis

Time slot	Toll for taxis
Whole day	\$25

Division 4—Vehicles other than Motor Cycles, Motor Tricycles, Private Cars and Taxis

Time slot	Toll for vehicles other than motor cycles, motor tricycles, private cars and taxis
Whole day	\$50

”.

- (10) Schedule 2, Part 4, section 2, Table—
Add in alphabetical order
“Western Harbour Crossing \$140 \$175 \$215”.
 (西區海底隧道)
- (11) Schedule 2, Part 5—
Add in alphabetical order
“Western Harbour Crossing (西區海底隧道) \$82”.

21. Schedule 2A added
After Schedule 2—
Add

“Schedule 2A

[reg. 12AAA]

**Adjustments of Starting and End Time, Duration
and Tolls etc. for Various Time Slots as a Result
of Adjustments to Peak Time Slots by Authority**

Part 1

Intervals for Transitional Time Slots

**1. Determination of number of intervals—where toll
difference is multiple of \$2**

For a tunnel, where the toll difference for private cars
between—

- (a) an off-peak time slot (a.m.) and a peak time slot
(a.m.);

- (b) a peak time slot (a.m.) and a normal time slot;
(c) a normal time slot and a peak time slot (p.m.); or
(d) a peak time slot (p.m.) and an off-peak time slot
(p.m.),

is a multiple of \$2, the number of intervals (*NI*) for the
transitional time slot concerned between the respective time
slots mentioned in paragraph (a), (b), (c) or (d), for motor
cycles, motor tricycles and private cars, is determined by
dividing the toll difference between the respective time slots
by \$2, and then by subtracting 1 from the quotient.

**2. Determination of number of intervals—where toll
difference is not multiple of \$2**

For a tunnel, where the toll difference for private cars
between—

- (a) an off-peak time slot (a.m.) and a peak time slot
(a.m.);
(b) a peak time slot (a.m.) and a normal time slot;
(c) a normal time slot and a peak time slot (p.m.); or
(d) a peak time slot (p.m.) and an off-peak time slot
(p.m.),

is not a multiple of \$2, the number of intervals (*N2*) for the
transitional time slot concerned between the respective time
slots mentioned in paragraph (a), (b), (c) or (d), for motor
cycles, motor tricycles and private cars, is determined by
dividing the toll difference between the respective time slots
by \$2, and then by rounding down the quotient to the nearest
integer.

Part 2**Time Slots other than Peak Time Slots****Division 1—Off-peak Time Slot (A.M.)****1. End time**

The end time of an off-peak time slot (a.m.) of a tunnel is the time immediately before the starting time of the transitional time slot (off-peak to peak) of the tunnel.

2. Duration

The duration of an off-peak time slot (a.m.) of a tunnel is the difference between 00:00 and the starting time of the transitional time slot (off-peak to peak) of the tunnel.

Division 2—Transitional Time Slot (Off-peak to Peak)**1. Starting time**

The starting time of a transitional time slot (off-peak to peak) of a tunnel is the time, when adding the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately before the starting time of the peak time slot (a.m.) of the tunnel.

2. End time

The end time of a transitional time slot (off-peak to peak) of a tunnel is the time immediately before the starting time of the peak time slot (a.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (off-peak to peak) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (off-peak to peak) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

(1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (off-peak to peak) of a tunnel—

(a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for motor cycles and motor tricycles for the off-peak time slot (a.m.) of the tunnel plus \$0.8 with an increase of \$0.8 in the toll for each successive interval; and

(b) for private cars, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for private cars for the off-peak time slot (a.m.) of the tunnel plus \$2 with an increase of \$2 in the toll for each successive interval.

(2) Where N2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (off-peak to peak) of a tunnel—

(a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for motor cycles and motor tricycles for the off-peak time slot (a.m.) of the

tunnel plus \$0.4 with an increase of \$0.8 in the toll for each successive interval; and

- (b) for private cars, the toll for the first interval of the transitional time slot (off-peak to peak) is the toll for private cars for the off-peak time slot (a.m.) of the tunnel plus \$1 with an increase of \$2 in the toll for each successive interval.

Division 3—Transitional Time Slot (Peak to Normal)

1. Starting time

The starting time of a transitional time slot (peak to normal) of a tunnel is the time immediately after the end time of the peak time slot (a.m.) of the tunnel.

2. End time

The end time of a transitional time slot (peak to normal) of a tunnel is the time, when deducting the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately after the end time of the peak time slot (a.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (peak to normal) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (peak to normal) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

- (1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to normal) of a tunnel—
- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to normal) is the toll for motor cycles and motor tricycles for the peak time slot (a.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval; and
- (b) for private cars, the toll for the first interval of the transitional time slot (peak to normal) is the toll for private cars for the peak time slot (a.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval.
- (2) Where N2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to normal) of a tunnel—
- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to normal) is the toll for motor cycles and motor tricycles for the peak time slot (a.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval (except the last interval) and a decrease of \$0.4 in the toll for the last interval; and
- (b) for private cars, the toll for the first interval of the transitional time slot (peak to normal) is the toll for private cars for the peak time slot (a.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval (except the last interval) and a decrease of \$1 in the toll for the last interval.

Division 4—Normal Time Slot**1. Starting time**

The starting time of a normal time slot of a tunnel is the time immediately after the end time of the transitional time slot (peak to normal) of the tunnel.

2. End time

The end time of a normal time slot of a tunnel is the time immediately before the starting time of the transitional time slot (normal to peak) of the tunnel.

Division 5—Transitional Time Slot (Normal to Peak)**1. Starting time**

The starting time of a transitional time slot (normal to peak) of a tunnel is the time, when adding the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately before the starting time of the peak time slot (p.m.) of the tunnel.

2. End time

The end time of a transitional time slot (normal to peak) of a tunnel is the time immediately before the starting time of the peak time slot (p.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (normal to peak) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (normal to peak) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

(1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (normal to peak) of a tunnel—

- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (normal to peak) is the toll for motor cycles and motor tricycles for the normal time slot of the tunnel plus \$0.8 with an increase of \$0.8 in the toll for each successive interval; and
- (b) for private cars, the toll for the first interval of the transitional time slot (normal to peak) is the toll for private cars for the normal time slot of the tunnel plus \$2 with an increase of \$2 in the toll for each successive interval.

(2) Where N2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (normal to peak) of a tunnel—

- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (normal to peak) is the toll for motor cycles and motor tricycles for the normal time slot of the tunnel plus \$0.4 with an increase of \$0.8 in the toll for each successive interval; and
- (b) for private cars, the toll for the first interval of the transitional time slot (normal to peak) is the toll for private cars for the normal time slot of the tunnel

plus \$1 with an increase of \$2 in the toll for each successive interval.

Division 6—Transitional Time Slot (Peak to Off-peak)

1. Starting time

The starting time of a transitional time slot (peak to off-peak) of a tunnel is the time immediately after the end time of the peak time slot (p.m.) of the tunnel.

2. End time

The end time of a transitional time slot (peak to off-peak) of a tunnel is the time, when deducting the duration of the time slot (determined in accordance with section 4 of this Division), that corresponds to the time immediately after the end time of the peak time slot (p.m.) of the tunnel.

3. Number of intervals

The number of intervals for a transitional time slot (peak to off-peak) of a tunnel is N1 or N2 (as the case may be).

4. Duration

The duration of a transitional time slot (peak to off-peak) of a tunnel is the product of 2 minutes multiplying N1 or N2 (as the case may be).

5. Toll for each interval

- (1) Where N1 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to off-peak) of a tunnel—
 - (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to

off-peak) is the toll for motor cycles and motor tricycles for the peak time slot (p.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval; and

- (b) for private cars, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for private cars for the peak time slot (p.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval.

- (2) Where N2 is the number of intervals determined under Part 1 of this Schedule in relation to a transitional time slot (peak to off-peak) of a tunnel—

- (a) for motor cycles and motor tricycles, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for motor cycles and motor tricycles for the peak time slot (p.m.) of the tunnel minus \$0.8 with a decrease of \$0.8 in the toll for each successive interval (except the last interval) and a decrease of \$0.4 in the toll for the last interval; and
- (b) for private cars, the toll for the first interval of the transitional time slot (peak to off-peak) is the toll for private cars for the peak time slot (p.m.) of the tunnel minus \$2 with a decrease of \$2 in the toll for each successive interval (except the last interval) and a decrease of \$1 in the toll for the last interval.

Division 7—Off-peak Time Slot (P.M.)

1. Starting time

The starting time of an off-peak time slot (p.m.) of a tunnel is the time immediately after the end time of the transitional time slot (peak to off-peak) of the tunnel.

2. Duration

The duration of an off-peak time slot (p.m.) of a tunnel is the difference between the starting time of the off-peak time slot (p.m.) of the tunnel and the time immediately before 00:00 of the next day.”

Part 4**Related Amendments****Division 1—Amendment to Prevention of Bribery Ordinance (Cap. 201)****22. Schedule 1 amended (public bodies)**

Schedule 1—

Repeal item 70.

Division 2—Amendment to Magistrates Ordinance (Cap. 227)**23. Third Schedule amended (offences to which defendant may plead guilty by letter)**

Third Schedule—

Repeal paragraph 15.

Division 3—Amendment to Road Traffic Ordinance (Cap. 374)**24. Schedule 11 amended (offences specified for the purposes of section 72A)**

Schedule 11—

Repeal

“37A, 37D, 37G, 37J, 37K, 38, 42,”.

Division 4—Amendments to Road Traffic (Public Service Vehicles) Regulations (Cap. 374 sub. leg. D)

25. Schedule 5 amended (taxi fares)

- (1) Schedule 5, item 4(iii)—

Repeal

“or the Eastern Harbour Crossing”

Substitute

“, the Eastern Harbour Crossing or the Western Harbour Crossing”.

- (2) Schedule 5, item 4(iii)—

Repeal

“or 3A”

Substitute

“, 3A or 3B”.

- (3) Schedule 5, item 4(iiiia)—

Repeal

“or the Western Harbour Crossing”.

- (4) Schedule 5, item 4(iiiia)—

Repeal

“concerned”.

- (5) Schedule 5, item 4(iv)(a)—

Repeal

“\$10.00”

Substitute

“An amount equivalent to the appropriate toll for the use of the tunnel, as specified in Part 2 of Schedule 2 to the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A).”.

- (6) Schedule 5, item 4(iv)(b)—

Repeal

“\$15.00”

Substitute

“An amount equivalent to the appropriate toll for the use of the tunnel concerned, as specified in Part 3 or 3B of Schedule 2 to the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A).”.

Division 5—Amendments to Road Traffic (Driving-offence Points) Ordinance (Cap. 375)

26. Schedule amended (offence)

- (1) The Schedule, before item 37A, column 2—

Repeal

“Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D)”.

- (2) The Schedule—

Repeal items 37A, 37B, 37C, 37D, 37E, 37F, 37G, 37H, 37I, 37J and 37K.

- (3) The Schedule—

Repeal

“Western Harbour Crossing Bylaw (Cap. 436 sub. leg. D) as it was in force immediately before 20 July 2012”.

- (4) The Schedule—

Repeal items 38, 39, 40 and 42.

**Division 6—Amendment to Legislative Council Ordinance
(Cap. 542)**

27. **Schedule 1A amended (composition of the transport functional constituency)**

Schedule 1A—

Repeal item 152.

**Division 7—Amendment to Chief Executive Election
Ordinance (Cap. 569)**

28. **Schedule amended (Election Committee)**

The Schedule, Annex 1—

Repeal item 119.

**Division 8—Amendment to Road Traffic (Public Service
Vehicles) (Amendment) Regulation 2005 (L.N. 83 of 2005)**

29. **Section 2 amended (taxi fares)**

Section 2—

Repeal paragraph (b).

**Division 9—Amendments to Resolution Made and Passed by
Legislative Council under Section 72A(10) of Road Traffic
Ordinance and Section 4(3) of Road Traffic (Driving-offence
Points) Ordinance on 29 May 2013 (L.N. 100 of 2013)**

30. **Paragraph (d) amended**

(1) Paragraph (d)—

Repeal

“1(7), (9), (11)”

Substitute

“1(11)”.

- (2) Paragraph (d)—

Repeal

“1(14), (15), (20)”

Substitute

“1(20)”.

31. **Schedule 1 amended (amendments to Road Traffic Ordinance)**

Schedule 1, section 1—

Repeal subsections (7) and (9).

32. **Schedule 2 amended (amendments to Road Traffic (Driving-
offence Points) Ordinance)**

Schedule 2, section 1—

Repeal subsections (14) and (15).

Explanatory Memorandum

The main object of this Bill is to amend the Road Tunnels (Government) Ordinance (Cap. 368) (*principal Ordinance*) and the Road Tunnels (Government) Regulations (Cap. 368 sub. leg. A) (*principal Regulations*) to—

- (a) extend their application to the Western Harbour Crossing and repeal the Western Harbour Crossing Ordinance (Cap. 436) and its subsidiary legislation;
- (b) empower the Chief Executive in Council to set the tolls for the use of tunnels at above cost recovery level, and to set different tolls for different time slots, or different parts of a time slot, in any day;
- (c) provide for new tolls in respect of the Eastern Harbour Crossing, the Cross-Harbour Tunnel and the Western Harbour Crossing (*three harbour crossings*);
- (d) provide for time-varying tolls to be charged for the three harbour crossings;
- (e) authorize the Commissioner for Transport (*Commissioner*) to make adjustments of tolls, time and duration in relation to peak time slots; and
- (f) provide for transitional matters and make related amendments.

Part 1—Preliminary

2. Clause 1 sets out the short title and provides for commencement.
3. Clause 2 introduces the enactments that are amended by the Bill.

Part 2—Amendments to Principal Ordinance

4. Clause 3 adds 4 definitions to section 2(1) of the principal Ordinance.
5. Clause 4 amends the definition of *prescribed facilities* in section 14A of the principal Ordinance.
6. Clause 5 amends section 20 of the principal Ordinance to empower the Chief Executive in Council to make regulations to—
 - (a) provide for the payment and recovery of tolls payable for the use of a tunnel at above cost recovery level;
 - (b) provide that different tolls are payable for the use of a tunnel for either or both of the following—
 - (i) different classes of vehicles;
 - (ii) different time slots (or different parts of a time slot) in any day; and
 - (c) specify, in relation to the use of a tunnel, any 2 time slots in any day as a peak time slot (a.m.) and a peak time slot (p.m.).
7. Clause 6 adds a new section 20AA to the principal Ordinance to provide that where a time slot is specified as a peak time slot for a tunnel, the Commissioner, on meeting the conditions set out in a new Schedule 1B added by clause 9 to the principal Ordinance, may adjust, by notice published in the Gazette—
 - (a) the tolls payable for the use of the tunnel for different classes of vehicles during the peak time slot;
 - (b) the starting and end time of the peak time slot; and
 - (c) the duration of the peak time slot.
8. Clause 7 provides for the repeal of the Western Harbour Crossing Ordinance (Cap. 436) and its subsidiary legislation and the relevant

savings and transitional arrangements as set out in a new Schedule 4 added by clause 10 to the principal Ordinance.

9. Section 3(1) of the principal Ordinance provides that the principal Ordinance applies to the tunnels named in Schedule 1 to the principal Ordinance. Clause 8 amends that Schedule by adding to it the Western Harbour Crossing.

Part 3—Amendments to Principal Regulations

10. The principal Regulations provide for, among other things, the control and regulation of traffic in, and the tolls for, the applicable tunnels. Part 3 (clauses 11 to 21) amends the principal Regulations to—
- (a) extend their application to the Western Harbour Crossing;
 - (b) provide for new tolls in respect of the three harbour crossings;
 - (c) provide for time-varying tolls to be charged for the three harbour crossings;
 - (d) provide that where different tolls are specified for different time slots, or different parts of a time slot, in a day for the use of a boothless mode tunnel by a vehicle of a particular class, the amount of the toll payable for the use of the tunnel is determined according to the time of the vehicle using the tunnel as shown in the record of the boothless tolling system of the tunnel;
 - (e) provide that where an adjustment is made by the Commissioner in respect of a peak time slot of a tunnel under the new section 20AA(1) of the principal Ordinance, the new Schedule 2A added by clause 21 to the principal Regulations has effect in relation to the off-peak time slot (a.m.), the normal time slot, the off-peak

time slot (p.m.) and the transitional time slots of the tunnel; and

- (f) provide for the adjustments of the starting and end time, duration and tolls for various time slots of a tunnel mentioned in subparagraph (e) as a result of the adjustments made by the Commissioner in respect of a peak time slot.

Part 4—Related Amendments

11. Part 4 (clauses 22 to 32) contains related amendments to several enactments.

Existing Toll Levels of RHCs

Vehicle Type	WHC		CHT	EHC
	Statutory Toll	Actual Toll		
Motorcycles	\$150	\$25	\$8	\$13
Private cars	\$255	\$75	\$20	\$25
Taxis	\$255	\$70	\$10	\$25
Taxi (no passenger)	\$255	\$70	\$10	\$15
Public and private light buses	\$310	\$85	\$10	\$38
Light goods vehicles	\$360	\$85	\$15	\$38
Medium goods vehicles	\$560	\$110	\$20	\$50
Heavy goods vehicles	\$770	\$140	\$30	\$75
Public and private single-decker buses	\$310	\$140	\$10	\$50
Public and private double-decker buses	\$460	\$200	\$15	\$75
Additional axle in excess of two for goods vehicles	\$255	\$30	\$10	\$25

Background about the “Build-Operate-Transfer” Franchise of the Western Harbour Crossing

The Western Harbour Crossing (“WHC”) connects West Kowloon and Sai Ying Pun and serves as one of the major traffic links between Hong Kong Island and Kowloon. It is a “Build-Operate-Transfer” (“BOT”) tunnel. Under a BOT tunnel mode, a franchisee is responsible for the construction, operation and maintenance of the tunnel concerned during the franchise period. Upon expiry of the franchise, the tunnel will vest in the Government. The Government awarded a 30-year BOT franchise to the Western Harbour Tunnel Company Ltd. (“the franchisee”) and enacted the WHC Ordinance (Cap. 436) in 1993 to govern the construction, operation and maintenance of the WHC during the franchise period. The Government will take over the WHC after the expiry of the BOT franchise at 23:59 on 1 August 2023, and the WHC will then become a government tunnel. Its operation, management and maintenance, as well as the setting of its toll levels will all vest with the Government.

The takeover arrangement for the WHC will make reference to those for the Eastern Harbour Crossing and the Tate’s Cairn Tunnel on their franchise expiry in August 2016 and July 2018 respectively.

**Summary of Amount Paid by Taxi Passengers Pre- and
Post-633 Fixed Toll Plan**

	WHC	CHT	EHC
Current amount paid by passengers (current toll + return toll)	\$85 (\$70 + \$15)	\$20 (\$10 + \$10)	\$40 (\$25 + \$15)
Proposed amount to be paid by passengers (proposed toll + proposed return toll)	\$50 (\$25 + \$25)		

Note: Assuming that the hiring does not begin from a cross-harbour taxi stand.

Proposed Tolls from Mondays to Saturdays (Excluding General Holidays)

(a) Western Harbour Crossing

Time Slot	Time ^{II}	Motorcycle [A]	Private Car [B]	Taxi ^{III} [C]	Vehicle Other than [A], [B] and [C]
Off-peak (a.m.)	00:00-07:30	\$8	\$20	\$25	\$50
Transitional (off-peak to peak) ^I	07:30-08:08	\$8.8~\$23.2	\$22~\$58		
Peak (a.m.)	08:08-10:15	\$24	\$60		
Transitional (peak to normal) ^I	10:15-10:43	\$12.8~\$23.2	\$32~\$58		
Normal	10:43-16:30	\$12	\$30		
Transitional (normal to peak) ^I	16:30-16:58	\$12.8~\$23.2	\$32~\$58		
Peak (p.m.)	16:58-19:00	\$24	\$60		
Transitional (peak to off-peak) ^I	19:00-19:38	\$8.8~\$23.2	\$22~\$58		
Off-peak (p.m.)	19:38- 00:00 (next day)	\$8	\$20		

- Notes:**
- I Gradual increments / decrements of maximum of \$2 and \$0.8 in each 2-minute interval will be adopted for private car and motorcycle respectively in all transitional time slots.
 - II The end time point of the time slot is not inclusive.
 - III For every hiring which is a destination across the harbour via Western Harbour Crossing, Cross Harbour Tunnel and Eastern Harbour Crossing where the hiring does not begin from a cross-harbour taxi stand, the return toll is \$25.

(b) Cross Harbour Tunnel and Eastern Harbour Crossing

Time Slot	Time ^{II}	Motorcycle [A]	Private Car [B]	Taxi ^{III} [C]	Vehicle Other than [A], [B] and [C]
Off-peak (a.m.)	00:00-07:30	\$8	\$20	\$25	\$50
Transitional (off-peak to peak) ¹	07:30-07:48	\$8.8~\$15.2	\$22~\$38		
Peak (a.m.)	07:48-10:15	\$16	\$40		
Transitional (peak to normal) ¹	10:15-10:23	\$12.8~\$15.2	\$32~\$38		
Normal	10:23-16:30	\$12	\$30		
Transitional (normal to peak) ¹	16:30-16:38	\$12.8~\$15.2	\$32~\$38		
Peak (p.m.)	16:38-19:00	\$16	\$40		
Transitional (peak to off-peak) ¹	19:00-19:18	\$8.8~\$15.2	\$22~\$38		
Off-peak (p.m.)	19:18-00:00 (next day)	\$8	\$20		

- Notes:**
- I Gradual increments / decrements of maximum of \$2 and \$0.8 in each 2-minute interval will be adopted for private car and motorcycle respectively in all transitional time slots.
 - II The end time point of the time slot is not inclusive.
 - III For every hiring which is a destination across the harbour via Western Harbour Crossing, Cross Harbour Tunnel and Eastern Harbour Crossing where the hiring does not begin from a cross-harbour taxi stand, the return toll is \$25.

Proposed Tolls for General Holidays

(c) Road Harbour Crossings

Time ^I	Motorcycle [A]	Private Car [B]	Taxi ^{II} [C]	Vehicle Other than [A], [B] and [C]
00:00-10:11	\$8	\$20	\$25	\$50
10:11-10:15	\$8.4~\$9.2	\$21~\$23		
10:15-19:15	\$10	\$25		
19:15-19:19	\$8.4~\$9.2	\$21~\$23		
19:19- 00:00 (next day)	\$8	\$20		

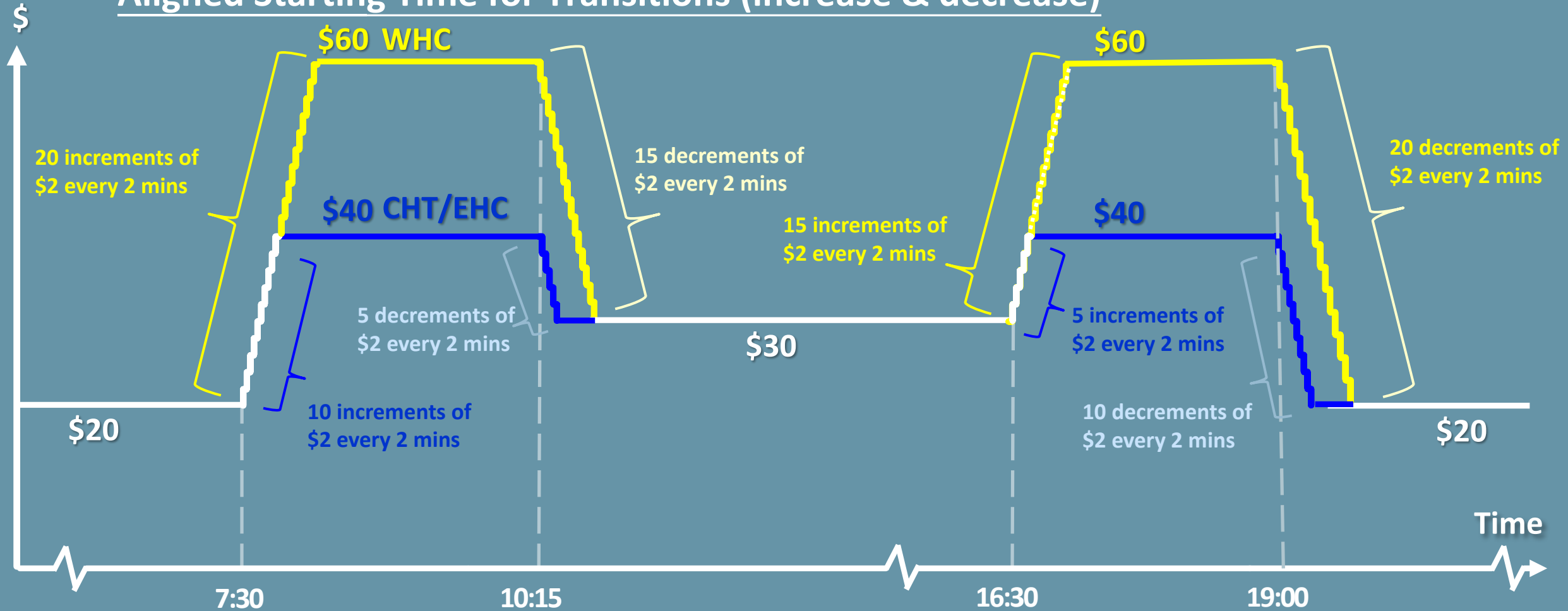
- Notes:**
- I The end time point of the time is not inclusive.
 - II For every hiring which is a destination across the harbour via Western Harbour Crossing, Cross Harbour Tunnel and Eastern Harbour Crossing where the hiring does not begin from a cross-harbour taxi stand, the return toll is \$25.

Toll Plan for Private Cars (Mondays – Saturdays)

Transition toll $\pm \$2$ every 2 minutes &

Aligned Starting Time for Transitions (increase & decrease)

Motorcycles Toll = 40% of Private Cars Toll



WHC (\$60) Peak Time Slots: 8:08 – 10:15 (2hrs 7mins) & 16:58 – 19:00 (2hrs 2mins)

CHT/EHC (\$40) Peak Time Slots: 7:48 – 10:15 (2hrs 27mins) & 16:38 – 19:00 (2hrs 22mins)

Summary of the Adjustment Mechanism

Purpose

The effectiveness of time-varying tolls hinges on the timely, responsive and flexible adjustments of the toll level and time of peak time slots where tunnel traffic is the busiest. We propose to provide administrative flexibility for the Commissioner for Transport (“C for T”) to make minor yet effective adjustments of the time, toll level and overall duration for the **morning and evening peak**.

Conditions

Only the time, toll level and overall duration for the morning and evening peak could be adjusted by the C for T in compliance with the conditions being set out under a new Schedule to Cap. 368 –

1. <i>Frequency of making the adjustment</i>	An adjustment on the toll level, starting and end time, or overall duration of peak time slots, or any combination of them, can be made once every six months .
2. <i>Considerations of making the adjustment</i>	(i) Whether the traffic demand (as shown by traffic flow and traffic queues) for the tunnel concerned has been constantly exceeding the tunnel capacity and resulting in congestion; and (ii) Whether the traffic queues tailing back from the tunnel concerned constantly and adversely affect traffic in any critical location in Hong Kong in an extensive manner.
3. <i>Toll adjustment</i>	(i) Aggregate toll adjustment is set to be ±\$15 of the prevailing amount of the toll; and (ii) Each toll adjustment is set to be within the range of ±\$3 .
4. <i>Adjustment of starting and end time</i>	The starting and/or end time of peak time slots can only be adjusted by 60 minutes maximum .
5. <i>Overall duration</i>	(i) Aggregate adjustment on the overall

Annex G

- adjustment* duration of peak time slots is set to be **±30 minutes**; and
- (ii) Each adjustment being restricted to **±15 minutes**, of the prevailing duration.

The adjusted amount of a toll for motorcycles must be equal to 40% of the adjusted amount of a toll for private cars.

While C for T has no power to make adjustments to the other charging time slots (i.e. normal time slot, and off-peak time slots), the operation of the transition charging arrangement (as explained in paragraph 15 of the Legislative Council Brief) may cause the duration of the other charging time slots to change.

Implications of the Proposal

Civil Service Implication

The takeover of the Western Harbour Crossing (“WHC”) will generate additional workload for day-to-day monitoring work of WHC since it would become a government tunnel. We will endeavour to absorb the additional workload through internal redeployment or duties reshuffling among existing manpower resources, and where necessary, seek extra manpower resources, with justifications in accordance with the established mechanism.

Economic Implication

2. The proposed time-varying tolls on private cars and motorcycles would induce some price-sensitive drivers to switch to other transport modes during peak time slots or adjusting their schedules to use the RHCs during normal / off-peak time slots. This, together with the narrowed toll differences among the three RHCs during peak time slots, should help rationalise cross-harbour traffic and alleviate traffic congestion, thereby bringing about some time savings for road commuters. Meanwhile, the proposed uniform tolls during normal and off-peak time slots for private cars and motorcycles, as well as the proposed all-day fixed tolls for taxis and other commercial vehicles across the three RHCs, would encourage drivers to choose the tunnel that best suit their destination and minimise detours.

Financial Implication

WHC takeover

3. In line with the arrangement of other Government tunnels including Cross Harbour Tunnel (“CHT”) and Eastern Harbour Crossing (“EHC”), the Government will engage a contractor for the traffic management and routine servicing and maintenance of tunnel equipment, and remunerate the contractor a management fee. The estimated contract value is about \$500 million for a 3-year contract. The management fee will be netted off from the toll revenue pursuant to sections 22A and 22B of Road Tunnels (Government) Ordinance (Cap. 368).

4. Funds will be required for the Transport Department (“TD”), Highways Department (“HyD”) and the relevant works departments to carry out civil and structure maintenance / upgrading works of WHC, for which the Management, Operation and Maintenance (“MOM”) contractor will not be responsible, and other additional work arising from and after the takeover of WHC. Based on the condition survey of WHC completed in August 2022, the estimated recurrent cost for maintaining WHC and its ancillary facilities is about \$40.4 million. TD, HyD and the relevant works departments will absorb the relevant recurrent cost.

5. Upon expiry of the WHC franchise, assets of WHTCL shall vest in the Government pursuant to section 60 of Cap. 436 and Clause 60 of Project Agreement. No compensation shall be payable by the Government to Western Harbour Tunnel Company Ltd. (“the franchisee”) except for the reduced value of those machinery, equipment or plant purchased within the five years before the expiry of the franchise as specified in section 62 of Cap. 436. The financial resources required for purchasing such machinery, equipment or plant under section 62 will be absorbed by TD.

633 fixed toll proposal

6. Toll collection is an effective traffic management measure. When considering toll adjustment, the Government focuses on how tolls could be set to enhance traffic management, and does not aim to increase government revenue. The revenue generated from the 633 fixed toll proposal is estimated to be comparable to that generated if the existing toll levels remain unchanged after the WHC takeover.¹

Time-varying tolls for using RHCs

7. The time-varying toll plans will better regulate cross-harbour traffic by suppressing and diverting the excessive traffic during peak time slots, particularly private cars and motorcycles which are on the rise in last decade and account for the majority of the cross-harbour traffic during the peak hours. This will further alleviate the traffic congestion problem at RHCs. The

¹ If the existing toll levels and structure would remain unchanged in 2024-25, the total toll revenue collected from all the three RHCs would be around \$3.7 billion. The annualised total revenue under the 633 fixed toll proposal is about \$3.6 billion.

revenue generated from the proposed time-varying toll plans are estimated to be lower than that from the 633 fixed toll proposal by about 5%².

Sustainability Implication

8. The proposal is conducive to rationalising cross-harbour traffic with economic implication set out in paragraph 2 above.

² By estimation, the total toll revenue in 2024-25 under the proposed time-varying toll plan is around \$3.4 billion.