

LEGISLATIVE COUNCIL.

No. S. 59.

Draft Regulations proposed to be made by the Governor in Council under Section 3 (9) of the Vehicles and Traffic Regulation Ordinance, 1912, Ordinance No. 40 of 1912, as amended by the Vehicles and Traffic Regulation Ordinance, 1921, Ordinance No. 4 of 1921.

1. It shall be lawful for the Governor in Council to grant by licence to any person whose tender is accepted the exclusive right of maintaining services of public motor vehicles within such portions of the Colony as may be defined in such licence subject to the regulations hereafter mentioned.

2. No licence for the exclusive right of maintaining any service of public motor vehicles shall be granted unless it has been put up to public tender.)

3. Subject to these regulations the term for which any such licence shall be granted shall be such period as may be stated in the notice inviting tenders.

4. The notice inviting tenders shall state whether the tenders shall be sealed or open.

5. Every tender shall state the monthly fee offered by the tenderer.

6. No tender shall offer any promise or other consideration for the licence other than the monthly fee.

7. A deposit of \$1,000 shall be made to the Colonial Treasurer before sending in any tender and the receipt therefor shall be attached to such tender.

8. The Governor in Council shall not be bound to accept the highest or any tender.

9. The deposit shall be returned to every unsuccessful tenderer after notice of the non-acceptance of the tender shall have been posted to him.

10. In the case of a successful tender the deposit shall not be returned until the tenderer shall have furnished such security to the value of \$1,000 as may be required by the Colonial Secretary for the compliance by the licensee with all his obligations under these regulations.

11. Such security shall be furnished within 14 days after the posting to the successful tenderer at the address stated in his tender of a notice of acceptance of his tender.

12. No security given under these regulations shall be released by any variation of the terms of the contract between the Governor in Council and the licensee, or by any extension of time granted for any purpose by the Governor in Council to the licensee.

Obligations of Licensee.

13. The licensee shall provide and commence to run for the use of the public by the date specified in the accepted tender an efficient service of motor vehicles of such number, dimensions, capacity, weight, speed, power and design and otherwise in all respects as shall be specified in such tender or as may otherwise be agreed upon, provided that such service shall not commence until certified by the Director of Public Works as fit for operation.

14. If during the term of the licence it shall be necessary in the opinion of the Governor in Council to increase the number of motor vehicles or to substitute other motor vehicles for any which may have become unsuitable the licensee shall within such time as may seem fit to the Governor in Council provide additional or substituted motor vehicles of such number, dimensions, capacity, weight, speed, power and design as the Governor in Council may approve.

15. The licensee shall maintain all motor vehicles used in the said service and all buildings works materials and things used in connection therewith in an efficient state of repair to the satisfaction of the Director of Public Works.

16. The licensee shall provide for each motor vehicle when in service on any route a qualified driver and conductor with suitable uniform and numbers to the satisfaction of the Director of Public Works.

17. The licensee shall in each motor vehicle publish in English and Chinese to the approval in all respects of the Director of Public Works a list of the sections, authorised stopping places, and times of departure on the route on which such motor vehicle plies together with a list of fares and charges authorised to be taken and the number of passengers authorised to be carried in such vehicle.

18. If the Governor in Council adds to, increases, diminishes or varies the routes, sections, stopping places or fares of the said service, the monthly fee payable by the licensee shall be increased or diminished by such amount as may be agreed upon between the Governor in Council and the licensee or in the event of failure to agree then by such amount as may be fixed by arbitration as hereinafter provided.

19. The licensee shall forfeit to the Crown a sum of \$25 for each day on which he shall in the opinion of the Governor in Council fail substantially to supply a satisfactory service on any route in force for the time being provided that such failure is not in the opinion of the Governor in Council due to unavoidable accident or to weather.

20. The licensee shall not transfer his licence without the permission of the Governor in Council.

21. The licensee shall at all times permit the Director of Public Works or any person authorised by him to inspect all motor vehicles and all buildings, works, materials and apparatus used by the licensee in connection with the said service.

22. The licensee shall keep the following records in respect of the said service, namely:—

1. Number of motor vehicles running.
2. Number of daily journeys and mileage run by each vehicle.
3. Number of passengers carried by each vehicle for each journey.
4. Details of receipts in respect of each section and route.
5. Details of expenditure under the headings—capital, wages, running expenses and standing charges.

and shall permit the Governor or any person authorised by him to inspect all records and accounts used by the licensee in connection with the said service and shall afford all such facilities for such inspection as may from time to time be required.

23. The licensee shall comply with all regulations in force for the time being under the Vehicles and Traffic Regulation Ordinance, 1912, as amended by the Vehicles and Traffic Regulation Ordinance, 1921.

24. The licensee shall permit any passenger to take with him on any motor vehicle as personal luggage such small baskets bags or parcels as he may be able to carry in his hand free of charge so long as seat space is not occupied, and the comfort of other passengers is not affected.

25. The licensee shall pay to the Colonial Treasurer in advance on the first day of each month from the commencement of the term the monthly fee stated in the tender, or agreed upon by the licensee and the Governor in Council, or fixed by arbitration, as the case may be.

26. The licensee shall not carry or attempt to carry passengers in excess of the authorised complement of any motor vehicle.

27. Police officers and postmen on duty and in uniform shall be carried free of charge.

Description of Vehicles.

28. The service shall be carried out by means of not less than 15 motor vehicles of the following dimensions, capacity, weight, speed, power and design, viz. :—

(a) *Dimensions.*—Not to exceed 20 feet in length, 7 feet 2 inches in width and 10 feet in height.

(b) *Capacity.*—19 adult persons including the driver and conductor.

(c) *Weight.*—2¼ tons when unloaded.

(d) *Speed.*—Capacity 15 miles per hour fully loaded on level ground.

(e) *Power.*—Sufficient to take the motor vehicle when fully loaded up an incline of 1 in 15 for a length of ¼ of a mile.

(f) *Design.*—Open side motor vehicle with rows of seats across the body, solid roof, weather screens on sides, all seats to be plain, not upholstered, and to be capable of being easily cleaned and kept in a sanitary condition. The front two rows of seats to be for first class, remainder for second class passengers. Tyres all pneumatic, or front wheels pneumatic and rear wheels double solid, the minimum width for pneumatic tyres to be 5 inches and for double solid 3½ inches each or 7 inches altogether. Sign-boards in front and at sides showing route and destination.

Routes and Sections.

29. The following shall be the routes and sections :—

Route 1.—From Kowloon Ferry to Shamshuipo.

Section A.—Kowloon Ferry to Public Square Street.

„ B.—Public Square Street to Taipo Road.

„ C.—Taipo Road to Kweilin Street.

Route 2.—From Hunghom to Kowloon Ferry.

Section A.—Taku Street to Gascoigne Road.

„ B.—Gascoigne Road to Kowloon Ferry.

Route 3.—Hunghom to Shamshuipo.

Section A.—Taku Street to Public Square Street.

„ B.—Public Square Street to Taipo Road.

„ C.—Taipo Road to Kweilin Street.

Route 4.—Hunghom to Kowloon City.

Section A.—Wuhu Street to Road to Mataukok.

„ B.—Road to Mataukok to Kowloon City.

as shown in the plan signed by the Director of Public Works and dated 4th March, 1921, which may be seen at the Office of the Director of Public Works.

Authorised Stopping Places.

30. The authorised stopping places shall be as follows :—

On Route 1 :—

Opposite Kowloon Ferry at Tsimshatsui.

Junction of Nathan Road and Mody Road.

„ „ „ Kimberley Road.*

„ „ „ Austin Road.*

„ „ „ Jordan Road.

„ „ „ Public Square Street.

„ Coronation Road and Waterloo Road.*

„ „ „ Shantung Street.

* Motor vehicles will stop on request only at authorised stopping places marked with an asterisk.

Junction of Argyle Street and Shanghai Street.
" Peace Avenue and Liberty Avenue.*
" Argyle Street and Approach Road to Yaumati Railway
Station.
" Laichikok Road and Taipo Road.
" " Boundary Street.*
" " Kweilin Street.

On Route 2:—

Junction of Wuhu Street and Taku Street.
" Chatham Road and Cooke Street.
" " Gascoigne Road.
" " Austin Road.*
" " Granville Road.*
" " Mody Road.
" Salisbury Road and opposite Holt's Wharf.*
Opposite Kowloon Ferry at Tsimshatsui.

On Route 3:—

Junction of Wuhu Street and Taku Street.
" Chatham Road and Cooke Street.
" " Gascoigne Road.
" Gascoigne Road and Jordan Road.
" Nathan Road and Public Square Street.
" Coronation Road and Waterloo Road.*
" " Shantung Street.
" Argyle Street and Shanghai Street.
" Peace Avenue and Liberty Avenue.*
" Argyle Street and Approach Road to Yaumati Railway
Station.
" Laichikok Road and Taipo Road.
" " Boundary Street.*
" " Kweilin Street.

On Route 4:—

Junction of Taku Street and Wuhu Street.
Kowloon City Road opposite Kowloon Inland Lot No. 635.*
" " " " 1150.
Junction of Kowloon City Road and Road to Mataukok.
" " " " Mongkoktsui.
Opposite Police Station, Kowloon City.

31. A suitable sign must be provided and fixed by the licensee in positions to be approved by the Director of Public Works at all authorised stopping places.

Service.

32. The Time Tables shall be as follows:—

On Route 1.—Kowloon Ferry to Shamshuipo.

There shall be a ten-minutes service with a minimum of four motor vehicles.

First motor vehicle to start from Kowloon Ferry at 7.00 a.m.

Last " " " " 11.30 p.m.

Each motor vehicle must run a minimum of 25 round journeys per day.

Every alternate motor vehicle to run *viâ* Homintin.

* Motor vehicles will stop on request only at authorised stopping places marked with an asterisk.

On Route 2.—Hunghom to Kowloon Ferry.

There shall be a ten-minutes service with a minimum of three motor vehicles.

First motor vehicle to start from Hunghom at 7.00 a.m.

Last " " " 11.30 p.m.

Each motor vehicle must run a minimum of 33 round journeys per day.

On Route 3.—Hunghom to Shamshuipo.

There shall be a ten-minutes service with a minimum of four motor vehicles.

First motor vehicle to start from Hunghom at 6.35 a.m.

Last " " " 12.05 a.m.

Each motor vehicle must run a minimum of 26 round journeys per day.

Every alternate motor vehicle to run *via* Homintin.

On Route 4.—Hunghom to Kowloon City.

There shall be a 30-minutes service with a minimum of one motor vehicle.

First motor vehicle to start from Hunghom at 6.15 a.m.

Last " " " 12.15 a.m.

Each motor vehicle must run a minimum of 37 round journeys per day.

33. If it is found necessary to provide an accelerated service on any of the above-mentioned routes during the busy periods of the day, the above-mentioned service on each of the routes shall be subject to amendment at the direction and approval of the Director of Public Works, but each motor vehicle must run at least the minimum number of round journeys per day as above specified.

Fares and Charges.

34. The licensee may demand and take for every passenger fares not exceeding the following rates :—

Route 1.—Kowloon Ferry to Sham Shui Po.

For whole route	{	1st Class	- - -	15 cents.
		2nd "	- - -	6 "
For each section or portion of a section	{	1st "	- - -	5 "
		2nd "	- - -	2 "

Route 2.—Hunghom to Kowloon Ferry.

For whole route	{	1st Class	- - -	10 cents.
		2nd "	- - -	4 "
For each section or portion of a section	{	1st "	- - -	5 "
		2nd "	- - -	2 "

Route 3.—Hunghom to Sham Shui Po.

For whole route	{	1st Class	- - -	15 cents.
		2nd "	- - -	6 "
For each section or portion of a section	{	1st "	- - -	5 "
		2nd "	- - -	2 "

Route 4.—Hunghom to Kowloon City.

For whole route	{	1st Class	- - -	10 cents.
		2nd "	- - -	4 "
For each section or portion of a section	{	1st "	- - -	5 "
		2nd "	- - -	2 "

Nothing in this regulation shall be deemed to limit the right of the licensee to issue season tickets or punch tickets covering a number of journeys.

Regulations as to Passengers, &c.

35. The purchase of a ticket shall not entitle any passenger to accommodation by a particular motor vehicle or to travel in a superior class to that for which the ticket is issued, even if the class for which the ticket is issued contains its authorised complement.

36. All tickets issued in exchange for payment (with the exception of season tickets) must be handed over to be punched or inspected by the licensee's collector on demand. Season tickets must be produced for inspection on demand.

37. No passenger shall speak to any driver of any of the licensee's motor vehicles while such driver is in charge of such vehicle.

38. No person shall wilfully obstruct any person acting under the authority of the licensee in the lawful discharge of his duties or the lawful exercise of any of the powers conferred by these regulations.

39. No person shall knowingly and wilfully, on arriving at the point to which he has paid his fare by any of the licensee's motor vehicles, refuse or neglect to quit such vehicle.

40. No person shall travel or attempt to travel on any of the licensee's motor vehicles without paying his fare and proper charges, and with intent to avoid such payment.

41. No person shall travel or attempt to travel on any of the licensee's motor vehicles after being requested to leave it by any servant of the licensee.

42. No person shall alight from or attempt to alight from, or enter or attempt to enter, any of the licensee's motor vehicles while in motion or otherwise than by the proper entrances or exits.

43. No intoxicated person or person suffering from infectious or contagious disease shall enter or travel or attempt to enter or travel on any of the licensee's motor vehicles.

44. No person shall bring into any of the licensee's motor vehicles any dangerous or obnoxious goods, or, except in the case of police officers, any loaded firearms.

45. No person shall smoke in any of the licensee's motor vehicles except in such part as may be especially reserved for smoking nor shall any person expectorate, use obscene language or play any musical instrument on such vehicle.

Cancellation of Licence.

46. If in the opinion of the Governor in Council there has been a substantial and continued failure on the part of the licensee to comply with the provisions of any of these regulations, he shall direct the Director of Public Works to serve on the licensee a notice specifying the nature and extent of such failure, and requiring the licensee to reply and show cause in writing, within 14 days from the date of the service of such notice, why his licence should not be cancelled forthwith.

47. If the licensee fails, within 14 days after the service of such notice, to reply and show cause why his licence should not be cancelled, or if the Governor in Council, after considering the licensee's reply, is of the opinion that the licensee has not shown cause why his licence should not be cancelled, the Governor in Council may issue an order cancelling the licence in question, and every such order shall be posted to the licensee at his last known address and published in the *Gazette*.

48. All the rights and obligations of any licensee whose licence has been cancelled as hereinbefore provided shall cease and determine absolutely as from the date of the order of cancellation, and the security required from and furnished by such licensee shall become forfeited to the Colonial Government as from the same date, provided that the Governor in Council may in his discretion allow any such mitigation or reduction as he may deem fit in the matter of the forfeiture of any security.

Arbitration.

49. Every arbitration under these regulations shall be heard and determined by a Board of Arbitrators which shall in each case consist of three members and be constituted in manner following:—

- (i) The Chairman of the Board shall be such Judge as the Judges may mutually arrange.
- (ii) The two other members of the Board shall consist of one member to be nominated by the Governor and the other by the licensee, provided always that the member nominated by the Governor may be any member of the Colonial Civil Service.
- (iii) Notice in writing of the nomination by the Governor of a member of the Board shall be forthwith given to the licensee by posting the same to his last known address and shall be published in the *Gazette* and if he does not nominate a member of the Board within seven days from the date of such publication it shall be lawful for the Chairman to nominate and appoint any person, other than a member of the Colonial Civil Service, on behalf of such licensee.

50.—(1.) The constitution of any Board shall be notified in the *Gazette* and within 14 days from such notification it shall commence its sittings at such time and place as the Chairman may appoint.

(2.) The Governor may appoint some person to act as Clerk to a Board and may determine the remuneration of such person.

(3.) The remuneration of any member of a Board shall be at a rate according to the amount of work, the time occupied, and the magnitude of the interests involved, and shall be determined in each case by the Chairman at the conclusion of the arbitration, provided that nothing herein shall authorise the payment of remuneration to a public servant who is not permitted to receive remuneration as a member of a board.

Arrest.

51. It shall be lawful for any servant of the licensee and for any person called by him to his assistance, to seize any person whom such servant may have reasonable grounds for believing to have committed any offence against these regulations, and to detain such person until he can be handed over to a police officer, and any police officer to whom any person is so handed over shall detain any such person until he can conveniently be brought before a magistrate, provided that it shall be lawful for any police officer in his discretion to release such person upon being furnished by such person with his true name and true address in the Colony.

NOTICES.

COLONIAL SECRETARY'S DEPARTMENT.

No. S. 60.—Statement of Sanitary Measures adopted by Hongkong.

Disease.	Port or Place.	Restrictions in Force.	Authority.
Cholera.	Bangkok.	Medical examination; quarantine at the discretion of the Health Officer.	Notification No. 194 of 26th April, 1919.
Do.	Formosa.	Do.	Notification No. 287 of 20th May, 1920.
Do.	Saigon.	Do.	Notification No. 442 of 26th August, 1920.