

Our Ref. : TD PV41/150/16  
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18 July 2024

To: Supervisors and Principals of All Schools

Dear Supervisor / Principal,

**Matters Relating to Arrangement of Student Service Vehicles**

The purpose of this letter is to remind all schools for matters in respect of the arrangement of student service vehicles.

Student service is a service for the carriage to or from a school or other educational establishment of students thereof, persons accompanying or in charge of such students or who teach at the school or other educational establishment. According to the existing regulatory framework, the requirements for provision of student service including –

1. Non-franchised public bus operators shall have valid Passenger Service Licences (PSLs) and their vehicles shall have valid Passenger Service Licence Certificates (PSLCs) with endorsements for student service (A03). School private light bus (SPLB) operators shall have valid PSLs.
2. For SPLB (commonly known as “nanny van” with seating capacity of 19 or less) providing student service, **prior approval from Transport Department (TD) should be obtained for each served school.**
3. If a student service vehicle is found to have provided unauthorised services, TD may conduct an inquiry against the licensee concerned under the Road Traffic Ordinance (Cap. 374). Once the inquiry has established that the licensee has violated the PSL conditions, the Commissioner for Transport may suspend, cancel or vary the PSL concerned.

Non-franchised buses (NFBs) and SPLBs play an important role in providing the transport services for students. In the past years, TD received an upsurge of applications for student services from NFB/SPLB operators during the summer months. We expect no exception for this year. In this connection, we would like to appeal for all schools to early engage operators for providing student service for your schools before the start of the next academic year where necessary. Your particular attention is drawn to the implementation of the tightened measures on vetting of applications for providing NFB services.

In response to the concerns among the public transport trades on the supply and demand of NFBs and the operation of unauthorised NFB services by certain individual operators, the Government invited the Transport Advisory Committee to review the regulatory framework and licensing system of NFBs which

was completed in July 2004. After consulting the relevant trades and organisations as well as the Legislative Council Panel on Transport, the Government has implemented a series of improvement measures in April 2005.

The package of measures submitted to the Legislative Council includes, amongst others, new measures on vetting of applications for providing NFB services and coordination of change in NFB fleet. Any applicant for new PSL, additional service endorsement and/or additional bus for providing NFB services including student service are required to provide justifications and relevant supporting documents (such as service contract with a validity of six months or above) to substantiate the genuine long term need for the proposed student service. Besides, any applicant who intends to purchase additional vehicles which will entail a net increase in the existing NFB fleet to meet service demand would be required to source vehicles from the existing NFB fleet in the market for a period of six months in the first instance to ensure better utilisation of the existing fleet. Please note that the requirement for sourcing vehicles from the existing NFB fleet does not necessarily mean that there will be a drop in the quality of the service delivered. Upon sourcing vehicles from the existing NFB fleet, the NFB operators may opt to replace them with new ones subject to their own operational need.

To tie in with the above measures, all schools are advised to take the following actions as appropriate:

- To arrange for early selection of operators of student service vehicles so as to identify suitable prospective operators with adequate number of student service vehicles to provide service for the students of your school. If the prospective operators are not existing non-franchised public bus operators, they may need more time to source vehicle(s) from the existing NFB fleet and hence they are required to kick start the application procedures earlier; otherwise it is possible that they may not be able to obtain the PSL before the commencement of the next academic year. New SPLB operators also need to start application procedures earlier. In this connection, you are advised to prepare a contingency transport plan to cater for the situation likely taken place.
- To consider appointing existing operators of student service vehicles with sufficient vehicles to provide student service for your school in the coming academic year as far as possible. If the existing non-franchised public bus operators do not have sufficient vehicles to meet the demand of students of your school, it is very likely that the operators have to sub-contract the services to other existing operators or to purchase existing vehicles from the market (which will not entail net increase to the whole NFB fleet). If so, you are advised to reach an agreement with the concerned operators in this regard as soon as possible. Otherwise, it is possible that the selected operators may not have adequate number of vehicles to provide the service in the coming academic year.
- To provide the prospective operators with all necessary and required supporting documents (such as service contract signed between the school and the operators or support letter confirming the engagement of the operators for provision of student service) so as to facilitate the processing of their applications. In the cases where SPLB operators are applying for extension of their PSLs or change of approved school(s) being served, the operators' self-declaration of the student service with parents' confirmation of the students to be served is also accepted as supporting document.

To facilitate you to have a better understanding of the above subject matter, please read “Briefing Notes on Student Service Vehicles” at Annex A.

In addition, to allow greater flexibility for non-franchised public bus operators in deploying vehicles for provision of student service, TD put forward in July 2012 a new measure that upon request by the operators, student service endorsement would be granted to all eligible non-franchised public buses for serving as spare vehicles so as to meet the operational need and public demand. All non-franchised public bus operators were notified in writing of the application procedures.

Please also note that according to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A), to further enhance the safety of passengers, every student service vehicle registered on or after 1 May 2009 must be equipped with “safer seats”. For details, please read “Requirements for Passenger Seats in Student Service Vehicles” at Annex B. In addition, after consulting the trades, TD adopted administrative measures to require seat belts to be provided on all passenger seats on student service vehicles with first registration on or after 1 July 2022. Seat belts on passenger seats should observe the seat belt requirements of Part I of Schedule 2 of the Road Traffic (Safety Equipment) Regulations (Cap. 374F). Operators of student service vehicles may select and install suitable and approved seat belts (i.e. body restraining seat belt or lap belt) according to their operation need.

To facilitate schools to invite tenders for school bus service, we have invited all operators of SPLBs and non-franchised public buses eligible for providing student service to give consent for release of their contact information to all schools/registered education institutions for reference. The lists of operators who have given consent for us to release their contact information for the above-mentioned purpose are at Annex C “Contact List of Non-franchised Public Bus (Student Service) Operators” and Annex D “Contact List of School Private Light Bus Service Operators”. Please be reminded that the lists only contain information provided by the concerned operators and are by no means exhaustive. **All the information provided is for reference only.** Persons intending to use the information are responsible for making their own assessments of the information provided and shall verify the information themselves (e.g. direct contact with the operators), and also confirm with the operators that their vehicles hold a valid PSL to provide student service for the next academic year.

If you have any enquiry regarding the above, please contact the Public Vehicles Unit at 2804 2574 (for non-franchised public bus matters) or 2804 2263 (for school private light bus matters).

Yours faithfully,



(Miss Angel MAK)  
*for* Commissioner for Transport

Encl.

c.c. All non-franchised public bus and school private light bus operators (excluding Annexes C & D)

**Briefing Notes on Student Service Vehicles**

**Requirements for Provision of Student Service**

1. Non-franchised public bus operators shall have valid Passenger Service Licences (PSLs) and their vehicles shall have valid Passenger Service Licence Certificates (PSLCs) with endorsements for student service (A03). School private light bus operators shall have valid PSLs. Student service is a service for the carriage of to or from a school or other educational establishment of students thereof, persons accompanying or in charge of such students or who teach at the school or other educational establishment.
2. For school private light bus (commonly known as “nanny van” with seating capacity of 19 or less) providing student service, prior approval from Transport Department (TD) should be obtained for each served school.
3. Non-franchised buses and school private light buses providing student service for primary school or kindergarten students are required to provide escort on board while in operation. The definition and role of an escort are as follows:
  - should be an adult who has attained the age of 21 years and has good physique;
  - should ensure that each student be allocated a seat on a school bus according to the capacity permitted by law;
  - should ensure that students board and alight from a school bus properly only after the bus has come to a complete standstill;
  - should ensure yourself as well as all students have worn seat belts, if fitted, before moving off the vehicles, and assist students to wear seat belts. The seat belt must be worn properly. It should securely fasten the wearer to the seat. Two or more persons should not share a seat belt at the same time. Drivers may consider refusing to move off the vehicle if a passenger refuses to wear a seat belt installed on the vehicle.
  - should escort students during the journey and ensure that the doors of the school bus are properly closed;
  - should ensure that no student is missing and students reach schools safely and are collected by their parents / guardians on their homeward journey; and
  - should enforce discipline of students travelling on school transport vehicles and help students to keep calm to avoid unnecessary panic in case of emergency.
4. To further enhance the safety of passengers, according to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A), every student service vehicle registered on or after 1 May 2009 must be equipped with “safer seats”. In addition, after consulting the trades, TD adopted administrative measures to require seat belts to be provided on all passenger seats on student service vehicles with first registration on or after 1 July 2022. Seat belts on passenger seats should observe the seat belt requirements of Part I of Schedule 2 of the Road Traffic (Safety Equipment) Regulations (Cap. 374F). Operators of student service vehicles can select and install suitable and approved seat belts (i.e. body restraining seat belt or lap belt) according to their operation need.

### Pool of Student Service Vehicles

5. At present, there are around 5 500 vehicles in the market with relevant licences eligible to provide student service. There is no need for the operators of these vehicles to apply to TD for provision of student services.

<u>Vehicle Types</u>	<u>No. of buses as at 30.6.2024</u>
- Non-franchised public bus with student service (A03) endorsement (seating capacity of 20 or more)	3 371
- School private light bus (seating capacity of 19 or less)	1 965
- Private bus with student service (B01) endorsement (seating capacity of 20 or more)	131

6. There are non-franchised public buses in the market which do not have endorsement for student service. Operators of these buses need to apply to TD for the relevant endorsement if they intend to provide student service.

### Existing Policy for Regulating the Service of Non-franchised Public Buses

7. In view of the over-supply of non-franchised public buses in the market, any new supply, whether it is existing operators applying for additional vehicles or new operators applying for new PSLs and associated vehicles, would be processed in a very cautious and stringent manner to ensure that there are full justifications for the additional requirement. Besides, these applicants are required to source vehicles from the existing NFB fleet in the market for a period of 6 months in the first instance. As a result, the processing time for applications involving additional vehicles to the existing NFB fleet would be longer, and those failing to provide justifications would be rejected.
8. In the light of the above, schools are encouraged to appoint existing NFB operators having *sufficient vehicles* to provide student service as far as possible. To allow greater flexibility for non-franchised public bus operators in deploying vehicles for provision of student service, TD put forward in July 2012 a new measure that upon request by the operators, student service endorsement would be granted to all eligible non-franchised public bus for serving as spare vehicles so as to meet the operational need and public demand. All PSL holders were notified in writing of the application procedures.

### Early Submission of Applications Related to Student Service Vehicles During Summer Months

9. In the past years, hundreds of applications relating to student service vehicles were received from May to August. In view of the above measures, any application for new PSL and associated vehicles, and application for additional vehicles from existing operators will require much more time to process. There is a need for early submission of applications by operators, otherwise processing of these applications may not be completed before the commencement of new academic year.
10. Application forms for PSL can be downloaded from the following link at the website of TD:  
[http://www.td.gov.hk/en/public\\_forms/td\\_forms/public\\_vehicles/index.html](http://www.td.gov.hk/en/public_forms/td_forms/public_vehicles/index.html)

## Guidelines for Ensuring Safety of Pupils on Student Service Vehicles

11. For details of “Guidelines for Ensuring Safety of Students on Student Service Vehicles”, you may refer to the following link at the website of Education Bureau:

(English)

<http://www.edb.gov.hk/en/student-parents/safety/sch-bus-services/index.html>

(Traditional Chinese)

<http://www.edb.gov.hk/tc/student-parents/safety/sch-bus-services/index.html>

(Simplified Chinese)

<https://www.edb.gov.hk/sc/student-parents/safety/sch-bus-services/index.html>

12. As stipulated in the PSL conditions, student service vehicles for kindergarten or primary students shall be subject to the provision of escort while the service is in operation. In recent years, various kinds of extra-curricular activities have been organised by schools keeping the students at school after normal school time. As a result, students would be on their way home at irregular time slots and student service vehicles need to pick up students various times which causes difficulties in deploying escort for every trip. In this light, schools and parent-teacher associations should work in collaboration with operators to agree on several fixed time slots for picking up students. This would not only facilitate operators to comply with the PSL conditions on provision of escort, but also ensure student safety while riding on student service vehicles.
13. It is stipulated in existing legislation and licensing conditions applicable to non-franchised buses and private light buses providing student service that, student service vehicles shall be marked plainly on the bodywork of the vehicle with the number of passengers for whom seats are provided. Details are summarised as follows:
- Every *bus* shall be marked plainly and correctly in English and Chinese writing of uniform size, not less than 10 millimetres in height *inside the compartment and outside the bus at the rear or on the near side*, with the number of passengers for whom seats are provided [Regulation 48 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A)]; and
  - Every *school private light bus* shall be plainly and correctly marked in English and Chinese writing of uniform size not less than 100 millimetres in height, *on the outside of the vehicle on both the near and off sides*, with the number of passengers for whom seats are provided [Regulation 49 of the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A)].

If any person driving a vehicle on a road carries in the vehicle passengers in excess of the number specified in the registration document of that vehicle, the driver commits an offence and is liable on first conviction to a fine of \$5,000 and imprisonment of three months, and on a second or subsequent conviction to a fine of \$10,000 and imprisonment for six months. To meet the demand for student transport services as far as possible and to better utilise existing fleet resources, although Regulation 53(1) of the Road Traffic (Traffic Control) Regulations (Cap. 374G) allows that a child under the age of 3 years shall not be counted; and 3 children aged 3 years or above but each not exceeding 1.3 metres in height shall be counted as 2 persons for the purpose of counting the number of persons that may be carried in a vehicle, it is also stipulated in Regulation 53(2) of the same Regulations that drivers shall ensure that each passenger must be seated in a properly constructed seat secured to the bodywork of the vehicle. Moreover, *Guidelines for Ensuring Safety of Students on Student Service Vehicles* published annually by TD reminds operators to **accord priority to student safety on board** and **obtain prior consent from schools and parents/guardians before exercising flexibility** given by law in counting the number of persons that may be carried in a vehicle.

14. For those additional passenger seats provided by operators in the student service vehicles without permission from TD, such as movable seats or temporary seats built with wooden planks or large tool boxes beside the driver cabin or at the rear compartment, they are structurally unsafe and students

may easily fall down from them and sustain injuries. Moreover, the operators concerned shall be guilty of an offence and shall be liable on conviction to a fine of \$10,000 and imprisonment for six months. Furthermore, overloading can bring about grave consequences. It may lead to mechanical failure and loss of control of the vehicles and cause traffic accidents.

Transport Department  
(Revised in July 2024)

**Requirements for Passenger Seats in Student Service Vehicles  
(Generally Known as “Safer Seats”)**

According to the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A), every student service vehicle registered *on or after 1 May 2009* must be equipped with “safer seats”. In addition, after consulting the trades, Transport Department (TD) adopted administrative measures to require seat belts to be provided on all passenger seats on student service vehicles with first registration *on or after 1 July 2022*. Seat belts on passenger seats should observe the seat belt requirements of Part I of Schedule 2 of the Road Traffic (Safety Equipment) Regulations (Cap. 374F). Operators of student service vehicles may select and install suitable and approved seat belts (i.e. body restraining seat belt or lap belt) according to their operation need.

Safer seats are strong and closely spaced, with high and energy-absorbing backs, which can reduce the risk of students being thrown out of their seats and reduce the degree of injury in case of collisions. Overseas research proves that the use of safer seats is effective in protecting students on student service vehicles. Compared with seat belts, safer seats offer protection to passengers without requiring any action, thus they are suitable to be used on student service vehicles.

**Definition of Student Service Vehicles**

- (1) a public bus authorised for providing student service (**A03**) as specified in section 4(3)(d) of the Public Bus Ordinance (Cap. 230);
- (2) a private bus authorised for providing student service (**B01**) as specified in section 27(5)(a) of the Road Traffic Ordinance (Cap. 374); and
- (3) a school private light bus.

**Standards of the Passenger Seats**

- seats, barriers and their anchorage shall conform to the requirements of any specification or standard specified in the legislation;
- seat backs, barriers and controlled surface shall be made of impact energy absorption material that conforms to the requirements of any specification or standards specified in the legislation;
- no folding table or folding accessories shall be installed on any seat backs, barriers and controlled surface;
- seats and restraining barriers shall be made of fire resistant material that conforms to the requirements of any specification or standard specified in the legislation;
- every seat shall be forward-facing; and
- space of the passenger seat and the height of seat back shall meet the requirement specified in the legislation.

**Notes to Applicants for Provision of Student Service**

- Any student service vehicle which is registered on or after 1 May 2009 must be fitted with passenger seats of the standard as stipulated in the Road Traffic (Construction and Maintenance of Vehicles) Regulations (Cap. 374A).
- Any student service vehicle which is firstly registered on or after 1 July 2022 must be fitted with seat belts for all passenger seats as required under the administrative measures.
- Approval will **NOT** be given for issuance of PSL or student service endorsement to those vehicles which are not in compliance with the legislative requirement on passenger seats and/or the administrative measures on seat belts.



**Enquiries**

For requirements of passenger seats details, please contact Bus Technology Division or Vehicle Safety and Standards Division of TD by phone:

**Bus Technology Division**

For examination of buses - Tel. no.: **3961 0307**

**Vehicle Safety and Standards Division**

For examination of school private light buses - Tel. no.: **3961 0306**

For application details, please contact Public Vehicles Unit of TD by phone or fax:

**Public Vehicles Unit**

Non-franchised Public Bus	- Tel. no.:	<b>2804 2574</b>
Private Bus	- Tel. no.:	<b>2804 2450</b>
School Private Light Bus	- Tel. no.:	<b>2804 2263</b>
Fax. no.	-	<b>2865 1227</b>