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Notification No. B 27—The Road Traffic (Amendment) Bill is hereby published for general information. It was introduced in Parliament on the 11th day of July 2001.

Road Traffic (Amendment) Bill

Bill No. 27/2001.

Read the first time on 11th July 2001.

A BILL

intituled

An Act to amend the Road Traffic Act (Chapter 276 of the 1997 Revised Edition) and to make a consequential amendment to the Public Transport Council Act (Chapter 259B of the 2000 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Road Traffic (Amendment) Act
5 2001 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 11

2. Section 11 (4A) of the Road Traffic Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the word “may” in the 1st line, the words “, subject to such conditions as he thinks fit to impose,”.

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Amendment of section 11A

3. Section 11A of the principal Act is amended —

- (a) by deleting the words “motor car” wherever they appear in the following subsections and substituting in each case the words “motor vehicle”:

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Subsections (1) (2nd, 3rd and 5th lines), (3) (1st, 3rd, 7th and 12th lines) and (4) (2nd, 5th and 7th lines);

- (b) by deleting the word “cars” in the 2nd and 3rd lines of subsection (2) (b) and substituting in each case the word “vehicles”; and

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- (c) by deleting the word “car” in the 4th line of subsection (3) and substituting the word “vehicle”.

Amendment of section 21

4. Section 21 of the principal Act is amended by deleting the words “the period of 14 days following”.

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Amendment of section 28

5. Section 28 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsections:

“(1) Any person being a manufacturer or repairer of or a dealer in vehicles may apply to the Registrar in the prescribed manner to be allowed, in lieu of taking out a licence under this Part for each vehicle kept or used by him, to take out a general licence in respect of all vehicles kept or used by him.

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(1A) Subject to subsection (4), the Registrar, upon receiving an application under subsection (1), may —

- (a) if satisfied as to the bona fides of the applicant; and

- (b) on payment by the applicant of the prescribed levy,
 issue a general licence to the applicant either unconditionally or subject to such conditions as the Registrar thinks fit to impose.”;
- 5 (b) by deleting the words “motor vehicle” in the 2nd line of subsection (2) and substituting the word “vehicle”;
- (c) by deleting the words “as may be prescribed” in the 2nd line of subsection (4) and substituting the words “as the Registrar may require”;
- 10 (d) by deleting the words “motor vehicle” in paragraph (a) and in the 1st line of paragraph (b) of subsection (4) and substituting in each case the word “vehicle”;
- (e) by inserting, immediately after subsection (6), the following subsections:
- 15 “(6A) The Registrar may suspend or revoke a general licence if he is satisfied —
- (a) that the issue of the licence has been procured by fraud or misrepresentation; or
- 20 (b) that the person to whom the general licence was issued has contravened or failed to comply with any of the provisions of this Act or the rules or with any condition of the general licence.
- (6B) Upon the suspension or revocation of a licence under subsection (6A), the holder of the general licence shall surrender the general licence to the Registrar.”;
- 25 (f) by deleting subsection (7) and substituting the following subsection:
- “ (7) If any person is aggrieved by the refusal of the Registrar to issue a general licence or by the suspension or revocation of a general licence, he may appeal to the Minister.”; and
- 30 (g) by deleting subsections (9), (10) and (11) and substituting the following subsection:
- 35 “(9) Any order made by the Minister under subsection (8) shall be final.”.

New section 28A

6. The principal Act is amended by inserting, immediately after section 28, the following section:

“Special purpose licences

28A.—(1) Any person intending to keep or use any vehicle 5
for purposes of research and development or for any other
special purpose may apply to the Registrar for a licence (referred
to hereinafter as a special purpose licence) allowing him so to
keep or use such vehicle on a road.

(2) Sections 10 and 11 shall not apply in respect of a vehicle 10
that is licensed under this section.

(3) Upon receiving an application under subsection (1) and
upon payment by the applicant of the prescribed levy, the
Registrar may issue a special purpose licence to the applicant
either unconditionally or subject to such conditions as the 15
Registrar thinks fit to impose.

(4) The Registrar may suspend or cancel a special purpose
licence if the vehicle in respect of which the special purpose
licence has been issued is kept or used in contravention of —

- (a) any of the provisions of this Act or the rules; or 20
- (b) any of the conditions subject to which the special
purpose licence was issued.

(5) The Registrar shall not issue a special purpose licence in
respect of any vehicle until the applicant for the special purpose
licence has produced to the Registrar such evidence as the 25
Registrar may require that either —

- (a) for the period of the special purpose licence there will
be in force such policy of insurance or security as is
required by law in relation to the use of the vehicle by
the applicant or by any other person on his order or 30
with his permission; or
- (b) the vehicle is a vehicle to which section 3 of the Motor
Vehicles (Third-Party Risks and Compensation) Act
(Cap. 189) does not apply at any time when it is being
driven by the owner thereof or by an employee of his in 35
the course of his employment or when it is otherwise
subject to the control of the owner.

(6) A special purpose licence issued to any person under this section shall not be transferable to any other person and the holder of any such special purpose licence who transfers or attempts to transfer his licence to any other person shall be guilty of an offence.”.

Amendment of section 29

7. Section 29 (1) of the principal Act is amended by deleting the words “motor vehicles” in the 5th line and substituting the word “vehicles”.

10 New section 29A

8. The principal Act is amended by inserting, immediately after section 29, the following section:

“Court may order offender to pay arrears of taxes

15 **29A.** Where a person is convicted of an offence under section 15 or 29, the court before which such person is convicted may, in addition to the punishment prescribed for the offence, order him to pay the amount of any taxes as may be certified by an officer appointed by the Authority to be due and payable under section 11 (1) (b) by such person at the date of his
20 conviction, and such amount may be recovered according to the law for the time being in force for the recovery of fines.”.

Amendment of section 34

9. Section 34 (e) of the principal Act is amended —

- 25 (a) by deleting the words “motor vehicles” in the 2nd line and substituting the word “vehicles”; and
- (b) by deleting the words “motor vehicle” in the 5th and in the 6th lines and substituting in each case the word “vehicle”.

Amendment of section 65A

10. Section 65A (1) of the principal Act is amended by deleting
30 paragraph (b) and substituting the following paragraph:

“(b) any public service vehicle which is classified as a type of bus under the Second Schedule,”.

Repeal of section 72

11. Section 72 of the principal Act is repealed.

Amendment of section 95

12. Section 95 of the principal Act is amended by deleting subsections (1) and (2) and substituting the following subsections: 5

“(1) Where a police officer, the Registrar or an authorised officer has reason to believe that a vehicle is a vehicle in connection with which an offence under this Act or the rules has been or is being committed or a vehicle that has been or is being used in contravention of the conditions of any licence issued in 10 respect thereof under this Act, the police officer, Registrar or authorised officer, on production of his authority, may —

- (a) seize the vehicle and take it to a place of safety; or
- (b) require the owner, driver or person in charge of the vehicle to take the vehicle and any trailer attached 15 thereto to a specified place of safety.

(1A) The power conferred on a police officer, the Registrar or an authorised officer under subsection (1) (a) may be exercised whether or not the owner, driver or person in charge of the vehicle is present at the time of its seizure. 20

(1B) Any vehicle which is taken to a place of safety under subsection (1) shall be detained thereat until it is released by order of a Magistrate or the Deputy Commissioner of Police or the Registrar.

(1C) In this section, “authorised officer” means any employee 25 of the Authority who is authorised in writing by the Registrar to act under this section.

(2) Any person who refuses or neglects to comply with any requirement under subsection (1) (b) shall be guilty of an offence.”. 30

Repeal and re-enactment of section 100

13. Section 100 of the principal Act is repealed and the following section substituted therefor:

“Classification and descriptions of public service vehicles

5 **100.**—(1) The classification and descriptions of public service vehicles for the purpose of this Act and the rules shall be as set out in the Second Schedule.

(2) The Authority may by order published in the *Gazette*, add to, amend or vary the Second Schedule.

10 (3) The Authority may, by rules made under section 111, subdivide any class of public service vehicles as set out in the Second Schedule, and any reference in this Act or the rules to a class of public service vehicles shall include a reference to any subdivision of such class.

15 (4) Notwithstanding the classification and descriptions of public service vehicles in the Second Schedule, the Authority may permit any class of public service vehicles to be used for any prescribed purpose.”.

New section 123A

20 **14.** The principal Act is amended by inserting, immediately after section 123, the following section:

“Removal of stationary vehicles from expressways

25 **123A.**—(1) Without prejudice to section 123, an employee of the Authority or an agent authorised by the Authority may remove any stationary vehicle from an expressway.

(2) An employee or authorised agent of the Authority who has removed any vehicle from an expressway under subsection (1) shall take the vehicle to a parking place that is near to that part of the expressway from which the vehicle was removed.

30 (3) A vehicle which has been removed from an expressway and taken to a parking place under this section shall remain at such parking place at the risk of the owner of the vehicle, and such owner shall be responsible for any parking charges incurred in respect of that vehicle while it remains at that parking place.

(4) An employee or authorised agent of the Authority who has removed a vehicle from an expressway and taken it to a parking place under this section shall with all reasonable despatch give to the owner of the vehicle (if his name and address are known) notice in writing of the removal and the location of the parking place to which the vehicle has been taken, and shall in such notice inform such owner of the procedure by which he may claim the vehicle. 5

(5) Any person who without the authority of an employee of the Authority removes any vehicle from a parking place to which it has been taken under subsection (2) or otherwise tampers with such vehicle shall be guilty of an offence. 10

(6) Where a vehicle has been removed from an expressway and taken to a parking place under this section, neither the Authority nor any of its employees or authorised agents who effected the removal shall be liable for any damage to or loss of the vehicle or the contents thereof not caused wilfully or negligently by the Authority or by any of its employees or authorised agents in the exercise of their powers under this section or by any person acting under the direction of any employee or authorised agent of the Authority. 15 20

(7) The costs and expenses (as determined by the Authority) of removing any vehicle and of taking the vehicle to a parking place under this section shall be borne by the owner of the vehicle and if such costs and expenses are not paid upon demand therefor, they may be recovered from the owner of the vehicle as a debt due to the Authority. 25

(8) If a vehicle is not claimed by its owner within one month of the date on which it was taken to a parking place under subsection (2), the Authority, after giving one month's notice in the *Gazette* of its intention to do so, may sell the vehicle by public auction or otherwise dispose of the vehicle. 30

(9) The proceeds, if any, from the sale or disposal of any vehicle under subsection (8) shall be applied in payment of any charges incurred in carrying out the provisions of this section and thereafter shall be applied in payment of any damage that may have been caused to any property of the Government by any unlawful use of the vehicle and the surplus, if any, shall be paid to the owner of the vehicle or, if not claimed by the owner of the 35

vehicle within 12 months after the date of the sale or disposal, shall be forfeited to the Government.

(10) The Authority may waive, in whole or in part, the costs and expenses of the removal of a vehicle as referred to in subsection (7).

(11) Except as provided in subsection (1), any person who, without the prior authorisation of the Authority, tows any stationary vehicle from a tunnel forming part of an expressway shall be guilty of an offence.

(12) In this section —

“expressway” means any road which is prescribed by the Minister by order published in the *Gazette* to be an expressway for the purposes of this section;

“parking charges” means the charges which are prescribed under section 9 of the Parking Places Act (Cap. 214) as being payable by the owner of a vehicle for the use of any parking place.”.

Amendment of section 131

15. Section 131 of the principal Act is amended —

(a) by deleting subsection (1) and substituting the following subsections:

“(1) A person who without lawful excuse —

(a) refuses or neglects to do anything he is by this Act required to do;

(b) fails to comply with the requirements of any notice served on him under this Act; or

(c) acts in contravention of or fails to comply with any provision of this Act or of the rules,

shall be guilty of an offence.

(1A) Any person who, by virtue of this section or any other provision of this Act or the rules, is guilty of an offence shall be liable on conviction, where no special penalty is provided in the case of a first offence, to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months and, in the case of a second or

subsequent offence, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months.”;

(b) by deleting subsections (3) and (4); and

(c) by deleting the section heading and substituting the following section heading:

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“Offences and penalties”.

New section 131A

16. The principal Act is amended by inserting, immediately after section 131, the following section:

“Service of summonses and other documents

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131A.—(1) Every summons issued for an offence under this Act or the rules, and every notice, order or other document required or authorised to be given or served under this Act or the rules may be served on any person —

(a) by delivering it to the person or to some adult member or employee of his family at his usual or last known place of residence; 15

(b) by leaving it at the usual or last known place of residence or place of business of the person in a cover addressed to him; 20

(c) by sending it by registered post in a prepaid letter addressed to the person at his usual or last known place of residence or business or any address furnished by him; or

(d) in the case of a notice to be served on a person whose usual or last known place of residence or business cannot, with reasonable diligence, be ascertained, by publication of such notice in the *Gazette*. 25

(2) Where any summons, notice, order or document is served on any person by registered post, it shall be deemed to have been served within such time as it would take to arrive in the ordinary course of transmission and in proving service of the same it shall be sufficient to prove that the envelope containing the summons, notice, order or document was properly addressed, stamped and posted by registered post. 30 35

(3) All notices, orders and other documents which the Registrar is empowered to give by this Act or the rules may be given by any officer duly authorised by the Registrar.”.

Amendment of section 133

5 **17.** Section 133 (3) of the principal Act is amended by deleting the words “section 131 (3)” and substituting the words “section 131A”.

Miscellaneous amendments

10 **18.** The principal Act is amended by deleting the words “the Schedule” wherever they appear in the following provisions and substituting in each case the words “the First Schedule”:

Sections 19 (3) (c), (3A) and (7), 35 (8) (a) and (b) and (9) and 42A (1) (a) and (d) (iii).

Amendment of Schedule and new Second Schedule

19. The principal Act is amended —

- 15 (a) by deleting the word “THE” in the heading to the Schedule and substituting the word “FIRST”; and
- (b) by inserting, immediately after the First Schedule, the following Schedule:

“SECOND SCHEDULE

Section 100

CLASSIFICATION AND DESCRIPTIONS OF PUBLIC SERVICE VEHICLES

1. The classification and descriptions of public service vehicles for the purpose of this Act and the rules shall be as follows:

25 <i>First column</i>	<i>Second column</i>
<i>Class of Public Service Vehicles</i>	<i>Description</i>
(a) Excursion buses	Buses which are used on unscheduled services and in which passengers are charged separate and distinct fares.
30 (b) Omnibuses	Buses which are used on scheduled services and in which passengers are charged separate and distinct fares.

SECOND SCHEDULE — *continued*

<i>First column</i>	<i>Second column</i>
<i>Class of Public Service Vehicles</i>	<i>Description</i>
(c) Private buses	Buses owned by any person and used exclusively for the conveyance of the employees of the owner of such buses or for the conveyance of persons in connection with his business, any charges made for the conveyance of such persons being such that no profit results therefrom. 5 10
(d) Private hire buses	Buses which do not ply for hire on any road but are hired under a contract, express or implied, for the use of each such vehicle as a whole.
(e) Private hire cars	Motor cars which do not ply for hire on any road but are hired under a contract, express or implied, for the use of each such vehicle as a whole. 15
(f) School buses	Buses used for carrying children to and from schools and hired under a contract, express or implied, at a fixed or agreed rate or sum. 20
(g) Taxis	Motor cars having a seating capacity for not more than 8 persons (including the driver), which ply for hire on any road and are hired under a contract, express or implied, for the use of each such vehicle as a whole or for the use of 2 or more persons who pay separate fares. 25
(h) Trishaws	Three-wheeled pedal cycles constructed or adapted for the carriage of passengers. 30

2. For the purposes of this Schedule, “bus” means a public service vehicle of a design approved by the Registrar and having a seating capacity for not less than 9 persons (excluding the driver).”.

Consequential amendment to Public Transport Council Act

20. Section 2 of the Public Transport Council Act (Cap. 259B) is amended by deleting the definition of “taxi” and substituting the following definition:

- 5 “ “taxi” means any public service vehicle which is classified as a taxi under the Second Schedule to the Road Traffic Act (Cap. 276).”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Road Traffic Act (Cap. 276) and to make a consequential amendment to the Public Transport Council Act (Cap. 259B).

Clause 1 relates to the short title and commencement.

Clause 2 amends section 11 (4A) to expressly empower the Minister to impose conditions when granting rebates on any tax payable for vehicles under the Act.

Clause 3 amends section 11A to allow for restricted and supplementary licences to be issued in respect of all motor vehicles instead of just motor cars, as is currently the case.

Clause 4 amends section 21 to allow for flexibility in the imposition of late payment fees if road tax is not paid on or before the date of expiry of a vehicle licence.

Clause 5 amends section 28 to empower the Registrar —

- (a) to issue general licences in respect of all vehicles, instead of only motor vehicles; and
- (b) to suspend or revoke a general licence in certain circumstances.

Clause 6 inserts a new section 28A which empowers the Registrar to issue a special purpose licence to any person authorising such person to keep or use any vehicle for purposes of research and development or for any other special purpose. Section 10 (relating to the registration of vehicles) and section 11 (relating to the imposition of road tax on vehicles) shall not apply to a vehicle licensed under this new section.

Clause 7 makes a consequential amendment to section 29 following the amendment to section 28 (clause 5) which empowers the Registrar to issue general licence in respect of all vehicles.

Clause 8 inserts a new section 29A to empower the court convicting any person of an offence under section 15 or 29 to order such person to pay any arrears of taxes due and payable by him under section 11 (1) (b).

Clause 9 makes a consequential amendment to section 34 (e) following the amendment to section 28 (clause 5) which empowers the Registrar to issue general licences in respect of all vehicles.

Clause 10 makes a consequential amendment to section 65A (1) arising from the amendment made by clause 13.

Clause 11 repeals section 72 (relating to the driving of motor vehicles which emit excessive smoke) as it deals with an offence already falling within the purview of the Ministry of the Environment under the Environmental Pollution Control Act (Cap. 94A).

Clause 12 amends section 95 to empower a police officer, the Registrar or an authorised officer to seize any vehicle if the police officer, Registrar or authorised officer has reason to believe that the vehicle is a vehicle in connection with which an offence under the Act or the rules has been or is being committed or a vehicle that has been or is being used in contravention of the conditions of any licence issued in respect thereof under the Act. The power of seizure may be exercised notwithstanding that the owner, driver or person in charge of the vehicle is not present.

Clause 13 (which is to be read with clause 19) repeals and re-enacts section 100 to relocate the classification and descriptions of public service vehicles in a new Second Schedule which will be capable of being amended or varied from time to time by the Authority by order published in the *Gazette*. This will allow for greater flexibility in the event that the classification and descriptions of public service vehicles require to be changed from time to time.

Clause 14 inserts a new section 123A which provides for the removal of stationary vehicles from expressways and which makes it an offence for any person, without the prior authorisation of the Authority, to tow away any stationary vehicle from a tunnel forming part of an expressway.

Clause 15 makes a consequential amendment to section 131 arising from the amendment made by clause 16. The provisions in the existing section 131 (3) and (4), which relate to the service of summonses and other documents, will be transferred to the new section 131A. The clause also deletes section 131 (1) and re-enacts its provisions in 2 new subsections (1) and (1A) to incorporate certain minor drafting improvements to enhance the organisation and clarity of the provision.

Clause 16 inserts a new section 131A which relates to the service of summonses, notices, orders and other documents under the Act and the rules.

Clause 17 makes a consequential amendment to section 133 (3) arising from the amendment made by clause 16.

Clause 18 makes certain consequential amendments to sections 19, 35 and 42A arising from the insertion of the new Second Schedule by clause 19.

Clause 19 inserts a new Second Schedule which sets out the classification and descriptions of public service vehicles for the purpose of the Act and the rules.

Clause 20 makes a consequential amendment to section 2 of the Public Transport Council Act (Cap. 259B) arising from the amendment made by clauses 13 and 19.

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
