

THE STATUTES OF THE REPUBLIC OF SINGAPORE

ROAD VEHICLES (SPECIAL POWERS) ACT

(CHAPTER 277)

**1970 Ed. Cap. 120
Ordinance
8 of 1960**

Amended by
59 of 1960
18 of 1973
10 of 1986
LN 245/65

REVISED EDITION 1985

Road Vehicles (Special Powers) Act

ARRANGEMENT OF SECTIONS

Section

1. Short title.
 2. Interpretation.
 3. Power to stop and search road vehicles.
 4. Court to order forfeiture of road vehicle.
 5. Duty to furnish particulars of person in control of road vehicle.
 6. Penalty.
- The Schedule — Scheduled Offences.
-

An Act to give power to restrict the use of, stop and search road vehicles and to provide for the seizure and forfeiture of road vehicles and articles found therein in certain circumstances and matters incidental thereto.

[Sections 2, 3 and 6: 15th February 1960;
Sections 4 and 5: 25th November 1960]

1. This Act may be cited as the Road Vehicles (Special Powers) Act. Short title.

2. In this Act —

“road” means any public road or any other road, to which the public has access, and includes bridges over which a road passes;

“road vehicle” means any vehicle designed or adapted for use on roads;

“scheduled offence” means any offence specified in the Schedule.

Interpre-
tation.

3.—(1) The person driving, or in control of, any road vehicle in motion shall stop the vehicle on being required to do so by any police officer in uniform. Power to
stop and
search road
vehicles.

(2) If —

- (a) as respects any road vehicle being on any road; or
- (b) upon the overtaking of a road vehicle on any occasion on which the person driving, or in control of, the road vehicle has in accordance with subsection (1) been required to stop but has failed to do so,

any police officer has reasonable grounds for suspecting that there is to be found in the vehicle any article in respect of which a scheduled offence has been or is being committed, he may search the vehicle and any person found in such vehicle.

Court to order forfeiture of road vehicle.

4.—(1) Where it is proved to the satisfaction of a court that a road vehicle has been used in the commission of a scheduled offence or that any scheduled offence has been committed in respect of the road vehicle or in respect of any article found in the road vehicle or on any person found therein, or that a road vehicle has been used to convey persons to the scene where a scheduled offence has been committed, or that a road vehicle has been used for the escape or to facilitate the escape of any persons from the scene of a scheduled offence and that the road vehicle has been seized by the police, the court shall, on the written application of the Attorney-General, make an order for the forfeiture of the road vehicle, notwithstanding that no person may have been convicted of any scheduled offence.

(2) Any police officer may seize any road vehicle liable to forfeiture under the provisions of this Act.

(3) An order for the forfeiture or for the release of a road vehicle liable to forfeiture under this section may be made by the court before which the prosecution with regard to the scheduled offence has been held.

(4) If there be no prosecution with regard to any scheduled offence, the road vehicle seized under subsection (2) shall be forfeited at the expiry of one month from the date of seizure unless a claim thereto is made before that date. Any person asserting that he is the owner of that road vehicle may personally or by his agent authorised in writing give written notice to the Commissioner of Police that he claims the road vehicle.

(5) Upon receipt of a notice under subsection (4) the Commissioner of Police may direct that the road vehicle be released or may refer the matter by information to a Magistrate.

(6) The Magistrate on receipt of an information under subsection (5) or on the written application of the Attorney-General shall hold an inquiry and proceed to the examination of the matter and on proof that the road vehicle was used in the commission of a scheduled offence or that any scheduled offence has been committed in respect of the road vehicle or any article found in the road vehicle or on any person found therein or that the road vehicle was used to convey persons to the scene where a scheduled offence has been committed or that the road vehicle was used for the escape or to facilitate the escape of any persons from the scene of a scheduled offence shall order the road vehicle to be forfeited or may in the absence of such proof order its release.

(7) No person shall in any proceedings in any court in respect of the seizure of any road vehicle seized in exercise or the purported exercise of any power conferred under this Act be entitled to the costs of the proceedings or to any damages or other relief other than an order for the return of the road vehicle, unless such seizure was made without reasonable or probable cause.

5.—(1) When it is alleged or suspected that a road vehicle has been used in the commission of a scheduled offence or that any scheduled offence has been committed in respect of any road vehicle or any article found in any road vehicle or on any person found therein, or that a road vehicle has been used to convey persons to the scene where a scheduled offence has been committed, or that a road vehicle has been used for the escape or to facilitate the escape of any person from the scene of a scheduled offence —

Duty to furnish particulars of person in control of road vehicle.

- (a) the owner of the road vehicle shall give such information as may be required by any police officer as to the identity and the address, driving licence number and identity card number of the person who was in control of or driving the road vehicle on any specified occasion; and

(b) any other person who was or should have been in control of that road vehicle shall if required as aforesaid give any information which it is in his power to give and which may lead to the identification of the driver.

(2) No person shall be held to be guilty of a contravention of subsection (1) if he satisfies the court —

(a) that he did not know and could not with reasonable diligence have ascertained the information required; or

(b) that owing to circumstances over which he had no control it was impossible for him to give before the date on which he was charged with such contravention the information required of him.

(3) Notwithstanding anything in any other written law any information given under this section by any person charged with any offence under this Act or with any scheduled offence may be used in evidence at the hearing of the charge.

Penalty.

6. Any person who contravenes or fails to comply with the provisions of this Act shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 6 months or to both.

THE SCHEDULE

Section 2.
18/73
10/86.

SCHEDULED OFFENCES

1. Offences punishable under any of the following provisions:
 - (a) sections 3 (1) and 3 (2) of the Arms Offences Act; Cap. 14.
 - (b) sections 3 (1) (a) to (e), 5 (3) (a) and 6 of the Betting Act; Cap. 21.
 - (c) sections 4 (1) (a) to (d), 5 (a) and 5 (d) of the Common Gaming Houses Act; Cap. 49.
 - (d) sections 3, 4, 5 and 6 of the Corrosive and Explosive Substances and Offensive Weapons Act; Cap. 65.
 - (e) section 32 (h) of the Minor Offences Act; Cap. 184.
 - (f) sections 7 and 8 (a) of the Misuse of Drugs Act; Cap. 185.
 - (g) section 59 of the Internal Security Act; Cap. 143.
 - (h) section 14 (3) of the Societies Act; Cap. 311.
 - (i) sections 143, 144, 145, 147, 148, 302, 307, 324, 325, 326, 363, 364, 365, 368, 506 and Chapter XVII of the Penal Code; Cap. 224.
 - (j) section 120B of the Penal Code where the criminal conspiracy is to commit any of the offences set out in the foregoing sub-paragraphs.
2. Attempts to commit and abetment of any of the offences set out in paragraph 1.