



THE STATUTES OF THE REPUBLIC OF SINGAPORE

ROAD VEHICLES (SPECIAL POWERS) ACT

(CHAPTER 277)

(Original Enactment: Ordinance 8 of 1960)

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Road Vehicles (Special Powers) Act

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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.

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

Short title

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

Interpretation

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.

Power to stop and search road vehicles

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.

(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 —

- (a) 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;
- (b) to convey persons to the scene where a scheduled offence has been committed; or
- (c) for the escape or to facilitate the escape of any person 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 —

- (a) 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;
- (b) to convey persons to the scene where a scheduled offence has been committed; or
- (c) for the escape or to facilitate the escape of any person 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.

Duty to furnish particulars of person in control of road vehicle

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 —

- (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 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

SCHEDULED OFFENCES

1. Offences punishable under any of the following provisions:
 - (a) section 3(1) and (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) and 5(a) and (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 27(2) and (3) of the Miscellaneous Offences (Public Order and Nuisance) 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.

[18/73; 10/86]

LEGISLATIVE HISTORY
ROAD VEHICLES (SPECIAL POWERS) ACT
(CHAPTER 277)

This Legislative History is provided for the convenience of users of the Road Vehicles (Special Powers) Act. It is not part of this Act.

1. Ordinance 8 of 1960 — Road Vehicles (Special Powers) Ordinance 1960

Date of First Reading	:	29 December 1959 (Bill No. 52/1960 published on 2 January 1960)
Date of Second and Third Readings	:	13 January 1960
Date of commencement	:	15 February 1960

2. Ordinance 59 of 1960 — Road Vehicles (Special Powers) (Amendment) Ordinance 1960

Date of First Reading	:	20 October 1960 (Bill No. 98/1960 published on 28 October 1960)
Date of Second and Third Readings	:	16 November 1960
Date of commencement	:	25 November 1960

3. LN 245/1965 — Modification of Laws (Road Vehicles) (Special Powers) (Singapore) Order 1965

Date of commencement	:	17 June 1965
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4. 1970 Revised Edition — Road Vehicles (Special Powers) Act (Cap. 120)

Date of operation	:	15 April 1971
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5. Act 18 of 1973 — Road Vehicles (Special Powers) (Amendment) Act 1973

Date of First Reading	:	26 February 1973 (Bill No. 10/1973 published on 28 February 1973)
Date of Second and Third Readings	:	20 March 1973
Date of commencement	:	6 April 1973

6. Act 10 of 1986 — Road Vehicles (Special Powers) (Amendment) Act 1986

Date of First Reading	:	31 October 1985 (Bill No. 17/1985 published on 8 November 1985)
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Date of Second and Third Readings : 10 January 1986

Date of commencement : 25 February 1986

7. 1985 Revised Edition — Road Vehicles (Special Powers) Act (Cap. 277)

Date of operation : 30 March 1987

8. 2007 Revised Edition — Road Vehicles (Special Powers) Act

Date of operation : 31 March 2007