



REPUBLIC OF SINGAPORE
GOVERNMENT GAZETTE
ACTS SUPPLEMENT
Published by Authority

NO. 29]

FRIDAY, JUNE 26

[2020

First published in the *Government Gazette*, Electronic Edition, on 25 June 2020 at 5 pm.

The following Act was passed by Parliament on 26 May 2020 and assented to by the President on 10 June 2020:—

REPUBLIC OF SINGAPORE

No. 26 of 2020.

I assent.

HALIMAH YACOB,
President.
10 June 2020.

(LS)

An Act to amend the Active Mobility Act 2017 (Act 3 of 2017) to deal with public paths and seized personal mobility devices and other vehicles and to make a similar related amendment to the Road Traffic Act (Chapter 276 of the 2004 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 is the Active Mobility (Amendment No. 2) Act 2020 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 2

2. Section 2(1) of the Active Mobility Act 2017 (called in this Act the principal Act) is amended —

- (a) by inserting, immediately after the words “a length” in the definitions of “footpath”, “pedestrian-only path” and “shared path”, the words “or area”;
- (b) by inserting, immediately after the definition of “path”, the following definition:

““path-connected open space” means a courtyard, plaza, square, quadrangle, atrium, peristyle or other substantially level and unenclosed open space that —

- (a) is surfaced and is not a green verge or other area provided for the growing of grass, trees or other vegetation;
- (b) is fronting, adjoining or abutting, or connected by stairs (mechanised or otherwise) to, a path (whether or not a public path); and
- (c) is used or capable of being used as a means of access to and from a path by pedestrians from any direction,

but does not include an area with barbecue or open-fire cooking facilities, an outdoor children’s playground, a spray pool, a fitness park, a court for basketball, badminton, sepak takraw or other similar sport, a parking area for bicycles or other vehicles or a similar amenity or facility that is ordinarily a stop or journey’s end;”;

-
-
- (c) by inserting, immediately after the words “a path” in the definition of “public path”, the words “or path-connected open space”.

Amendment of section 5

3. Section 5 of the principal Act is amended by inserting, immediately after the words “a path” in paragraph (a) of the definition of “dedicated land”, the words “or path-connected open space”.

Amendment of section 6

4. Section 6 of the principal Act is amended —

- (a) by inserting, immediately after the words “declare that” in subsection (1), the words “a path, or a path-connected open space, located on”; and
- (b) by inserting, immediately after the words “is closed” in subsection (5)(b), the words “, partly closed or used temporarily for a purpose other than as a path”.

Amendment of section 51

5. Section 51 of the principal Act is amended —

- (a) by deleting the words “, or an order for the release of a vehicle liable to forfeiture, under this section” in subsection (2) and substituting the words “of a vehicle seized or surrendered under section 50”;
- (b) by deleting the words “or non-compliant PAB” in subsection (2)(a) and substituting the words “, non-compliant PAB or non-compliant mobility vehicle”;
- (c) by deleting the word “and” at the end of subsection (2)(b);

(d) by inserting, immediately after paragraph (b) of subsection (2), the following paragraph:

“(ba) at the end of 30 days after the date of the seizure or surrender, no claim to the vehicle is earlier made in the prescribed manner to the Authority by a person who is not the person from whom the vehicle was seized or required to surrender the vehicle (or the latter person’s agent); and”;

(e) by deleting subsection (3) and substituting the following subsection:

“(3) Despite subsection (2), the Authority may at once order the forfeiture of a vehicle seized or surrendered under section 50 —

(a) that is a non-compliant personal mobility device, non-compliant bicycle, non-compliant PAB or non-compliant mobility vehicle; and

(b) that the Authority considers is of such a nature or in such condition that it would be dangerous for the Authority to retain custody, or its detention in a holding yard materially increases the likelihood of an outbreak of fire at the holding yard.”; and

(f) by deleting the words “subsection (3)(b)” in subsection (4) and substituting the words “subsection (2)(ba)”.

Amendment of section 53

6. Section 53 of the principal Act is amended —

(a) by inserting, immediately after subsection (1), the following subsection:

“(1A) However, the Authority may direct that a vehicle that is forfeited by the Authority under section 51(3) and is the subject of a notice under subsection (1) be returned to a person if —

-
-
- (a) before the end of the period of the notice in subsection (1), the Authority receives from that person a written objection to the intended sale, destruction or disposal of the vehicle and showing good cause why possession of the vehicle should be returned to the person; and
- (b) there is no reasonable cause for the Authority to believe that an offence under this Act has been committed and the vehicle was the subject matter, or was used in the commission, of the offence.”;
- (b) by inserting, immediately after subsection (3), the following subsection:
- “(3A) Despite subsection (3), where it appears to the Authority that any vehicle, article or thing which is moved to a holding yard under section 45 or 46 —
- (a) is —
- (i) a non-compliant personal mobility device, non-compliant bicycle, non-compliant PAB or non-compliant mobility vehicle; and
- (ii) of such a nature or in such condition that it would be dangerous for the Authority to retain custody, or its detention in a holding yard materially increases the likelihood of an outbreak of fire at the holding yard;
- (b) is a perishable article or thing that may rapidly depreciate in value; or

- (c) is an article or a thing of such a nature or in such condition that it would be dangerous for the Authority to retain custody of the article or thing,

the Authority may, after giving one month's notice in the *Gazette* of its intention to do so, cause the vehicle, article or thing to be —

- (d) sold (by public auction or otherwise) at once; or

- (e) destroyed or otherwise disposed of at once in such manner as the Authority thinks fit.”;

- (c) by deleting the words “or (3)” in subsections (4) and (5) and substituting in each case the words “, (3) or (3A)”;

- (d) by inserting, immediately after subsection (6), the following subsection:

“(7) If —

- (a) before the end of one year starting on the date a vehicle, an article or a thing was moved to a holding yard under section 45 or 46; but

- (b) after the vehicle, article or thing has been sold, destroyed or disposed of under subsection (3A),

a person who appears, to the satisfaction of the Authority, to be the owner of the vehicle, article or thing claims that vehicle, article or thing, the Authority may pay the person, out of the funds of the Authority, the balance after deducting all reasonable costs and expenses incurred by the Authority in moving, storing and selling, destroying or disposing of the vehicle, article or thing (as the case may be) from the value of the vehicle, article or thing when it was moved to a holding yard.”.

Related amendments to Road Traffic Act

7. Section 95B of the Road Traffic Act (Cap. 276) is amended —

- (a) by deleting the words “, or an order for the release of a vehicle liable to forfeiture, under this section” in subsection (1) and substituting the words “of a vehicle seized or taken to a place of safety under section 95 or 95A”;
- (b) by deleting the words “or a non-compliant personal mobility device” in subsection (1)(a) and substituting the words “, a non-compliant personal mobility device or a non-compliant mobility vehicle”;
- (c) by deleting the words “or the non-compliant personal mobility device” in subsection (1)(b) and substituting the words “, non-compliant personal mobility device or non-compliant mobility vehicle (as the case may be)”;
- (d) by deleting the word “and” at the end of subsection (1)(b);
- (e) by inserting, immediately after paragraph (b) of subsection (1), the following paragraph:
 - “(ba) at the end of 30 days after the date of the seizure or taking to a place of safety, no claim to the vehicle is earlier made in the prescribed manner to the Authority by a person who is not the person from whom the vehicle was seized or required to take the vehicle to a place of safety (or the latter person’s agent); and”;
- (f) by deleting subsection (2) and substituting the following subsection:
 - “(2) Despite subsection (1), the Authority may at once order the forfeiture of a vehicle seized or taken to a place of safety under section 95 or 95A —
 - (a) that is a non-compliant power-assisted bicycle, non-compliant personal mobility

device or non-compliant mobility vehicle;
and

- (b) that the Authority considers is of such a nature or in such condition that it would be dangerous for the Authority to retain custody, or its detention in a place of safety materially increases the likelihood of an outbreak of fire at the place of safety.”;
- (g) by deleting the words “subsection (2)(b)” in subsection (3) and substituting the words “subsection (1)(ba)”;
- (h) by deleting the words “or non-compliant personal mobility device” wherever they appear in subsections (3) and (7) and substituting in each case the words “, non-compliant personal mobility device or non-compliant mobility vehicle”;
- (i) by deleting the words “or the non-compliant personal mobility device” wherever they appear in subsections (4)(a) and (b) and (5) and substituting in each case the words “, the non-compliant personal mobility device or the non-compliant mobility vehicle”;
- (j) by inserting, immediately after subsection (7), the following subsection:
- “(7A) However, the Authority may direct that a non-compliant power-assisted bicycle, non-compliant personal mobility device or non-compliant mobility vehicle forfeited by the Authority under subsection (2) and is the subject of a notice under subsection (7) be returned to a person if —
- (a) before the end of the period of the notice in subsection (7), the Authority receives from that person a written objection to the intended sale, destruction or disposal of the vehicle and showing good cause why

possession of the vehicle should be returned to the person; and

(b) there is no reasonable cause for the Authority to believe that an offence under this Act has been committed and the vehicle was the subject matter, or was used in the commission, of the offence.”; and

(k) by inserting, immediately before the definition of “non-compliant personal mobility device” in subsection (9), the following definition:

““non-compliant mobility vehicle” has the meaning given by the Active Mobility Act 2017;”.

Saving and transitional provisions

8.—(1) Section 5 applies to a non-compliant personal mobility device, non-compliant bicycle, non-compliant PAB or non-compliant mobility vehicle seized or surrendered under section 50 of the principal Act before the date of commencement of section 5, except that a claim to the vehicle mentioned in section 51(2) of the principal Act as amended by this Act may be made not later than 30 days after the date of commencement of section 5(d).

(2) Section 6(b) applies to a vehicle, an article or a thing moved to a holding yard under section 45 or 46 of the principal Act before the date of commencement of section 6(b).

(3) Section 7(a) to (i) applies to a non-compliant personal mobility device, non-compliant PAB or non-compliant mobility vehicle seized under section 95 or 95A of the Road Traffic Act before the date of commencement of section 7(e), except that a claim to a vehicle mentioned in section 95B(1) of the Road Traffic Act as amended by this Act may be made not later than 30 days after the date of commencement of section 7(e).

(4) Any word or expression in this section that is defined in section 2(1) of the principal Act has the meaning given to it by that section.

(5) For a period of 2 years after the date of commencement of this section, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on the enactment of this section as the Minister may consider necessary or expedient.
