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Notification No. B 29 — The Land Transport (Enforcement Measures) Bill is published for general information. It was introduced in Parliament on 6 August 2018.

Land Transport (Enforcement Measures) Bill

Bill No. 29/2018.

Read the first time on 6 August 2018.

A BILL

intituled

An Act to amend certain Acts to strengthen enforcement capacity and measures across certain Acts relating to land transport management and regulation.

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

Short title and commencement

1.—(1) This Act is the Land Transport (Enforcement Measures) Act 2018 and, except for sections 47 and 67, comes into operation on a date that the Minister appoints by notification in the *Gazette*.

5 (2) Section 47 is deemed to have come into operation on 8 July 2018.

(3) Section 67 is deemed to have come into operation on 1 May 2018.

PART 1

10 AMENDMENTS TO ACTIVE MOBILITY ACT 2017

Amendment of section 2

2. Section 2(1) of the Active Mobility Act 2017 (Act 3 of 2017) is amended —

15 (a) by deleting the words “under the Road Traffic Act (Cap. 276)” in the definition of “non-compliant bicycle”;

(b) by inserting, immediately after the definition of “non-compliant bicycle”, the following definition:

““non-compliant mobility vehicle” means —

20 (a) a mobility scooter the construction, weight or accessories of which do not comply with the requirements as to construction, weight and accessories prescribed under this Act either for all mobility scooters generally or for the particular type of that mobility scooter; or

25 (b) a motorised wheelchair the construction, weight or accessories of which do not comply with the requirements as to construction, weight and accessories prescribed under this Act either for all

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motorised wheelchairs generally or for the particular type of that motorised wheelchair;”;

(c) by deleting the words “under the Road Traffic Act” in the definition of “non-compliant power-assisted bicycle”; 5

(d) by inserting, immediately after the definition of “notice”, the following definitions:

““outsourced enforcement officer”, in relation to any provision of this Act or the regulations, means an individual who — 10

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act;

(b) is authorised by or under that Act to exercise any powers under any provision of this Act or regulations made under this Act, as the case may be; and 15

(c) is acting within that authorisation;

“owner”, in relation to a bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter, means — 20

(a) for a registrable personal mobility device — the person who is recorded in the registrable PMD register as the registered responsible person for that device at the relevant time; 25

(b) for a PAB — the person who is registered as the owner of the PAB under the Road Traffic Act (Cap. 276) at the relevant time; 30

(c) for a registrable personal mobility device the registration of which under Part 3A is cancelled, or a PAB the registration of which under the Road Traffic Act is cancelled — the following person, as applicable:

(i) the person who is last recorded in the registrable PMD register as the registered responsible person for that device;

(ii) the person who is last recorded as the owner for that PAB under the Road Traffic Act; and

(d) for any other vehicle — the person who is —

(i) a sole or joint owner of the vehicle;

(ii) a person who solely, or jointly or in common with any other person, is entitled to the immediate possession of the vehicle; or

(iii) for a vehicle which is the subject of a hiring agreement or hire-purchase agreement, the person in possession or entitled to possession of the vehicle under that agreement;”;

(e) by inserting, immediately after the definition of “public path warden”, the following definitions:

““registered responsible person”, in relation to a registrable personal mobility device, means any person recorded in the registrable PMD register as the responsible person for the registrable personal mobility device;

“registrable personal mobility device” means a personal mobility device of the description prescribed by the Minister by order in the *Gazette*;

“registrable PMD register” means the register of registrable personal mobility devices required by section 28E to be established and maintained by the Authority;

“registration”, in relation to a personal mobility device, means registration of the personal mobility device in the registrable PMD register, and “registered” has a corresponding meaning;

“registration code” means a series of numbers or alphanumeric characters;”;

(f) by inserting, immediately after the definition of “Town Council”, the following definitions:

““unregistered”, in relation to a registrable personal mobility device, means a registrable personal mobility device —

(a) that is not registered under Part 3A; or

(b) whose registration is cancelled under that Part;

“use-incompatible signage”, in relation to any public path, means a sign signifying or prohibiting a use of the public path which is inconsistent with the permitted use of that path under Division 1 or 2 of Part 3;” and

(g) by inserting, immediately after the definition of “volunteer public path warden”, the following definition:

““wayfinding signage” includes a directional sign for the purpose of directing vehicular or pedestrian traffic to, or advising the public

of, the location of any event, amenity, facility or place;”.

Amendment of section 18

3. Section 18 of the Active Mobility Act 2017 is amended —

5 (a) by inserting, immediately after the word “ride” in subsection (1)(a) and (b), the words “or drive”;

 (b) by deleting the words “or a personal mobility device” in subsection (1)(a) and (b) and substituting in each case the words “, a personal mobility device, a mobility scooter or a motorised wheelchair”;

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 (c) by inserting, immediately after the words “on that public path” in subsection (1)(a), the words “or on all shared paths generally”;

 (d) by deleting the word “or” at the end of subsection (1)(a);

15 (e) by inserting, immediately after the words “on that public path” in subsection (1)(b), the words “or on all footpaths generally”;

 (f) by deleting the comma at the end of paragraph (b) of subsection (1) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

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 “(c) drive on a public path that is a pedestrian-only path a mobility scooter or a motorised wheelchair which, by reason of its construction, weight or equipment, is prescribed as banned for use on that public path or on all pedestrian-only paths generally;”;

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

30 “(1A) Subject to this Act, an individual must not ride on a public path that is a shared path, a PAB that is not registered under the Road Traffic Act, knowing that, or reckless as to whether, it is so not registered.”;

- (h) by inserting, immediately after the words “specific footpath or shared path” in subsection (2), the words “or generally on all footpaths or shared paths (as the case may be),”;
- (i) by inserting, immediately after subsection (2), the following subsection:
 - “(2A) To avoid doubt, a mobility scooter or a motorised wheelchair may be prescribed as banned for use on a specific pedestrian-only path, footpath or shared path, or generally on all pedestrian-only paths, footpaths or shared paths (as the case may be), even if it is not non-compliant.”;
- (j) by inserting, immediately after the words “subsection (1)” in subsection (3), the words “or (1A)”;
- (k) by deleting the word “specific” in the section heading.

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Amendment of section 19

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4. Section 19 of the Active Mobility Act 2017 is amended —

- (a) by inserting, immediately after the word “ride” in subsection (1), the words “or drive”;
- (b) by deleting the word “or” at the end of subsection (1)(b);
- (c) by deleting the comma at the end of paragraph (c) of subsection (1) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:
 - “(d) a non-compliant mobility vehicle.”;
- (d) by inserting, immediately after subsection (1), the following subsection:

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“(1A) Subject to this Act, an individual must not, without reasonable excuse, drive on a public path that is a pedestrian-only path, a non-compliant mobility vehicle knowing that, or reckless as to whether, the mobility scooter or motorised wheelchair (as the case may be) is non-compliant.”;

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- (e) by inserting, immediately after the words “subsection (1)” in subsection (2), the words “or (1A)”; and
- (f) by inserting, immediately after subsection (2), the following subsections:

5 “(3) Despite subsections (1) and (1A), where any requirement is prescribed in regulations as to construction, weight or accessories for any bicycle, PAB, personal mobility device, mobility scooter or motorised wheelchair, an individual may, if a grace period is prescribed, ride or drive on a public path during the grace period a bicycle, PAB, personal mobility device, mobility scooter or motorised wheelchair (as the case may be), the riding or driving of which is otherwise unlawful under this section by virtue only of that requirement, if the individual proves, on a balance of probabilities, that the bicycle, PAB, personal mobility device, mobility scooter or motorised wheelchair (as the case may be) was sold before the date mentioned in subsection (4)(a).

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(4) A grace period, for any requirement prescribed in regulations as to the construction, weight or accessories for any bicycle, PAB, personal mobility device, mobility scooter or motorised wheelchair, means a period —

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- (a) starting on the date the requirement in those regulations comes into force; and
- (b) prescribed in those regulations for the purpose of subsection (3).”.

30 **Amendment of section 20**

5. Section 20 of the Active Mobility Act 2017 is amended —

- (a) by inserting, immediately after the words “may ride” in subsection (1), the words “or drive”;
- (b) by deleting the word “or” at the end of subsection (1)(b);

(c) by deleting the comma at the end of paragraph (c) of subsection (1) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

“(d) a non-compliant mobility vehicle of a prescribed model or description,”;

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

“(1A) Despite section 19 but not affecting section 18, an individual may drive on a public path that is a pedestrian-only path, a non-compliant mobility vehicle of a prescribed model or description subject to such conditions as are prescribed in relation to that vehicle.”;

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(e) by deleting the words “any vehicle mentioned in subsection (1)” in subsection (2) and substituting the words “or driving any vehicle mentioned in subsection (1) or (1A)”; and

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(f) by inserting, immediately after the words “a public path that is a” in subsection (2), the words “pedestrian-only path,”.

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New section 20A

6. The Active Mobility Act 2017 is amended by inserting, immediately after section 20, the following section:

“Riding without displaying registration marks, etc.

20A.—(1) A rider of a registrable personal mobility device must, when riding the device on a public path, ensure that the following are installed and displayed on the device in accordance with the regulations:

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(a) any registration mark issued by the Authority under section 28C for that device;

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(b) a label or other mark required under section 28G(1)(b) in relation to that device.

(2) A rider of a PAB must, when riding the PAB on a public path, ensure that any identification mark required under the Road Traffic Act for the use of the PAB on a road is installed and displayed on the PAB in accordance with the requirements under that Act.

(3) A rider of a registrable personal mobility device or PAB who, without reasonable excuse, contravenes subsection (1) or (2) (as the case may be) commits an offence.

(4) A person who is guilty of an offence under subsection (3) shall be liable on conviction as follows:

(a) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both;

(b) if the person is a repeat offender, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.”.

Amendment of section 22

7. Section 22(1) of the Active Mobility Act 2017 is amended by deleting the words “that is a footpath or shared path”.

Amendment of section 26

8. Section 26 of the Active Mobility Act 2017 is amended —

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

“(1) The Authority may, for a purpose in subsection (1A), give an order to any proprietor or occupier of any land, requiring the proprietor or occupier to do all or any of the following, at the proprietor’s or occupier’s cost:

(a) to install, erect or relocate, or cause to be installed, erected or relocated, on the land, any permanent wayfinding signage in relation to all or any public paths —

(i) which lead to or away from the land;

- (ii) which front, adjoin or abut on the land; or
- (iii) on, under or over the land;
- (b) to remove or cause to be removed from the land any use-incompatible signage in relation to all or any public paths — 5
 - (i) which lead to or away from the land;
 - (ii) which front, adjoin or abut on the land; or
 - (iii) on, under or over the land. 10
- (1A) An order under subsection (1) may be given only for either or both of the following purposes:
 - (a) enhancing connectivity and supporting development that promotes walking and cycling and patronage of public transport; 15
 - (b) supporting the right of members of the public to use a public path in accordance with this Act.”;
- (b) by deleting the words “permanent directional or wayfinding signage to be erected, installed or relocated” in subsection (2)(a) and substituting the words “signage to be installed, removed, erected or relocated, as the case may be”;
- (c) by deleting the words “permanent directional or wayfinding signage are to be erected, installed or relocated” in subsection (2)(b) and substituting the words “signage are to be installed, removed, erected or relocated”;
- (d) by deleting the words “installing, erecting or relocating” in subsection (2)(c) and (d) and substituting in each case the words “installing, removing, erecting or relocating (as the case may be)”;
- (e) by deleting the words “Wayfinding signs” in the section heading and substituting the word “Signs”. 30

Amendment of section 27

9. Section 27 of the Active Mobility Act 2017 is amended —

(a) by deleting the words “directional or” in subsections (1), (4) and (5)(a); and

5 (b) by inserting, immediately after the words “or away from,” in subsections (1) and (4), the words “fronting, adjoining or abutting on,”.

Amendment of section 28

10. Section 28 of the Active Mobility Act 2017 is amended —

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

“(1) Subject to subsection (2), a person must not cause or permit any vehicle, article or thing to remain on any public path that is not on State land so as to —

15 (a) obstruct the use of the public path by pedestrians or individuals on vehicles lawfully authorised under this Act to use such a public path; or

20 (b) create any inconvenience to the exercise of any right by any person under section 12 or 13.”; and

(b) by inserting, immediately after the words “the obstruction” in subsection (2), the words “or inconvenience”.

New Part 3A

25 11. The Active Mobility Act 2017 is amended by inserting, immediately after section 28, the following Part:

“PART 3A

REGISTRATION OF REGISTRABLE
PERSONAL MOBILITY DEVICES**Purpose of this Part**

28A. The purpose of this Part is to provide for the registration of personal mobility devices — 5

- (a) to enable the use of personal mobility devices on public paths to be regulated for reasons of safety and law enforcement; and
- (b) to provide a method of establishing the identity of each personal mobility device which is used on a public path and of the person who is responsible for it. 10

Mandatory registration of registrable personal mobility devices

28B.—(1) Except as otherwise provided by or under this Act, an individual must not ride an unregistered registrable personal mobility device on any footpath or shared path, knowing that, or reckless as to whether, the registrable personal mobility device is unregistered. 15

(2) Except as otherwise provided by or under this Act, a person must not cause or permit an individual to ride an unregistered registrable personal mobility device on any footpath or shared path, knowing that, or reckless as to whether, the registrable personal mobility device is unregistered. 20

(3) A person who contravenes subsection (1) or (2) shall be guilty of an offence and shall be liable on conviction as follows: 25

- (a) to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both;
- (b) if the person is a repeat offender, to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both. 30

(4) This section applies to the riding of a registrable personal mobility device only on or after a date specified by the Minister

by order in the *Gazette* in relation to the type of that registrable personal mobility device.

Registration marks

5 **28C.**—(1) Registration of registrable personal mobility devices, and transfer of such registration, may be applied for, and granted or refused by the Authority, only in accordance with the regulations.

(2) On registering a registrable personal mobility device, the Authority must —

- 10 (a) assign a unique registration code to the registrable personal mobility device so registered; and
- (b) issue to the registered responsible person for the registrable personal mobility device a registration mark indicating the unique registration code.

Cancellation of registration

15 **28D.** The Authority may cancel the registration of a registrable personal mobility device if —

- (a) the Authority is satisfied that the personal mobility device —
- 20 (i) has ceased to be used on any footpath or shared path in Singapore;
- (ii) has become wholly unfit for further use;
- (iii) has been forfeited pursuant to this Act or any written law;
- 25 (iv) is unclaimed for the purposes of section 53 and is disposed of in accordance with that section; or
- (v) is a non-compliant personal mobility device;
- (b) the Authority becomes aware of a circumstance that
- 30 would have required or permitted the Authority to refuse to register the personal mobility device, had it been aware of the circumstance immediately before registering the device; or

- (c) the registered responsible person for the registrable personal mobility device applies for the registration of the device to be cancelled.

Registrable PMD register

28E.—(1) Subject to this section, the Authority must establish and maintain a register of registrable personal mobility devices (called the registrable PMD register) in accordance with the regulations. 5

(2) The registrable PMD register may be established and maintained in such form as the Authority thinks appropriate for the purposes of this Part. 10

(3) The registrable PMD register must contain —

(a) the prescribed information about each registrable personal mobility device registered under this Part, and its registered responsible person; and 15

(b) such other prescribed information relating to the registrable personal mobility device.

(4) Except as permitted under subsection (5) or when lawfully required to do so by any court, the Authority must not supply to, or allow the inspection by, any person any information contained in the registrable PMD register. 20

(5) The Authority may, upon application made to it in writing by a person and on payment of the prescribed fee (if any), do any one or more of the following things as are required in the application: 25

(a) inform the applicant (or the applicant's authorised agent) whether a registrable personal mobility device is registered and whether the registration of the device is cancelled;

(b) provide an applicant who belongs to a prescribed class of persons (or the applicant's authorised agent) all or any of the following: 30

- (i) information about the identity of the registered responsible person for a registrable personal mobility device;
 - (ii) an extract of any entry in the registrable PMD register relating to a registrable personal mobility device;
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- (c) certify to an applicant who belongs to a prescribed class of persons (or the applicant's authorised agent), as at the date of the certificate, in respect of the registrable personal mobility device to which the application relates all or any of the following:
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- (i) the registration code of the personal mobility device and other particulars in the registrable PMD register relating to that device;
 - (ii) the registered responsible person for the personal mobility device;
 - (iii) whether the registration of the device is cancelled.
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- (6) The Authority may correct any mistake, error or omission in the registrable PMD register subject to the requirements in the regulations.
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Registrable PMD register as evidence

28F.—(1) A certificate signed or purporting to be signed by an authorised officer and stating that —

- (a) a personal mobility device described or specified in the certificate was or was not registered at a specified time; or
 - (b) any other particulars or information was recorded in the registrable PMD register at a specified time,
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- is admissible in any legal proceedings and is prima facie evidence of the facts stated in the certificate.
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(2) However, the registrable PMD register does not provide evidence of title to any registrable personal mobility device.

General obligations of registered responsible persons

28G.—(1) A registered responsible person for a registrable personal mobility device must —

- (a) ensure that any registration mark issued by the Authority under section 28C is installed or displayed on the device in accordance with the regulations; 5
- (b) make and affix (at the registered responsible person’s expense) on the registrable personal mobility device a label or other mark of a description prescribed (called for the purposes of this Act an identification mark), and ensure that that identification mark is displayed on the device, in accordance with the regulations; and 10
- (c) comply with any other directions given by the Authority to ensure compliance with any conditions imposed about the registration of the device. 15

(2) A registered responsible person for a registrable personal mobility device who, without reasonable excuse, contravenes subsection (1) commits an offence.

(3) A person who is guilty of an offence under subsection (2) shall be liable on conviction as follows: 20

- (a) to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both;
- (b) if the person is a repeat offender, to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.”. 25

Amendment of section 29

12. Section 29 of the Active Mobility Act 2017 is amended —

- (a) by inserting, immediately before the definition of “buy” or “buying”, the following definition:

““advertisement” means an advertisement that is — 30

- (a) any writing;

(b) any still or moving picture, sign, symbol or other visual image;

(c) any audible message; or

5 (d) any combination of 2 or more of those things in paragraphs (a), (b) and (c);”;
and

(b) by deleting the definition of “non-compliant PMD advertisement” and substituting the following definitions:

10 ““non-compliant mobility vehicle advertisement” means an advertisement that gives publicity to, or otherwise promotes or is intended to promote the purchase or use of a non-compliant mobility vehicle or a range of non-compliant mobility vehicles;

15 “non-compliant PMD advertisement” means an advertisement that gives publicity to, or otherwise promotes or is intended to promote the purchase or use of a non-compliant personal mobility device or a range of non-compliant personal mobility devices.”.

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Amendment of section 30

13. Section 30 of the Active Mobility Act 2017 is amended —

25 (a) by inserting, immediately after the words “any personal mobility device” wherever they appear in subsections (1) and (2), the words “, mobility scooter or motorised wheelchair”;

(b) by inserting, immediately after the words “non-compliant personal mobility device” in subsections (1) and (2), the words “or non-compliant mobility vehicle”;

30 (c) by inserting, immediately after the words “non-compliant personal mobility devices” in subsection (3), the words “or non-compliant mobility vehicles”; and

- (d) by inserting, immediately after the words “personal mobility devices” in the section heading, the word “, etc.”.

Amendment of section 31

14. Section 31 of the Active Mobility Act 2017 is amended —

- (a) by inserting, immediately after the words “any personal mobility device” in subsection (1), the words “, mobility scooter or motorised wheelchair”; 5

- (b) by inserting, immediately after the words “prescribed number of warning notices for” in subsection (1), the words “personal mobility devices, mobility scooters or motorised wheelchairs to be sold, or offered or exposed for sale at”; and 10

- (c) by deleting subsection (3) and substituting the following subsection:

“(3) In this section — 15

- (a) a warning notice relating to a personal mobility device is a notice stating to the effect that —

- (i) the riding of personal mobility devices on any road is unlawful; 20

- (ii) the riding of non-compliant personal mobility devices, non-compliant power-assisted bicycles and non-compliant bicycles on any public path is ordinarily unlawful; and 25

- (iii) the riding of personal mobility devices, PABs or bicycles may be banned on certain footpaths or shared paths even if not non-compliant; and 30

- (b) a warning notice relating to a mobility scooter or motorised wheelchair is a notice stating to the effect that —

- (i) the driving of mobility scooters or motorised wheelchairs on any road is unlawful;
- (ii) the driving of non-compliant mobility vehicles on any public path is ordinarily unlawful; and
- (iii) the driving of mobility scooters or motorised wheelchairs may be banned on certain public paths even if not non-compliant.”.

Amendment of section 32

15. Section 32 of the Active Mobility Act 2017 is amended —

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

“(1) Subject to this Act, a person who is, in the course of business, selling, or offering or exposing for sale, by retail, any personal mobility device, mobility scooter or motorised wheelchair on any premises or place, must not —

- (a) publish a non-compliant PMD advertisement or a non-compliant mobility vehicle advertisement at the premises or place; or

- (b) authorise or cause a non-compliant PMD advertisement or a non-compliant mobility vehicle advertisement to be so published.”;

- (b) by inserting, immediately after the words “non-compliant PMD advertisement” in subsection (3), the words “or a non-compliant mobility vehicle advertisement”; and

- (c) by inserting, immediately after the words “personal mobility device” in the section heading, the words “or mobility vehicle”.

Amendment of section 33

16. Section 33 of the Active Mobility Act 2017 is amended —

(a) by inserting, immediately after the words “any personal mobility device” in subsection (1)(a), the words “, mobility scooter or motorised wheelchair”;

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(b) by deleting paragraph (b) of subsection (1) and substituting the following paragraph:

“(b) at the time the personal mobility device or the mobility scooter or motorised wheelchair (as the case may be) is sold or offered for sale, the person knows that, or is reckless as to whether or not, the buyer intends whichever as follows that is applicable:

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(i) to ride the personal mobility device on a public road;

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(ii) to drive the mobility scooter or motorised wheelchair on a public road.”; and

(c) by inserting, immediately after the words “personal mobility devices” in the section heading, the word “, etc.”.

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Amendment of section 34

17. Section 34 of the Active Mobility Act 2017 is amended —

(a) by inserting the word “and” at the end of subsection (1)(b);

(b) by deleting the word “; and” at the end of subsection (1)(c) and substituting a full-stop;

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(c) by deleting paragraph (d) of subsection (1);

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

“(1A) Subject to this Act, a person shall be guilty of an offence if —

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(a) the person sells, at any premises or place and in the course of business, any mobility scooter or motorised wheelchair;

5 (b) at the time the mobility scooter or motorised wheelchair is sold or offered for sale, the mobility scooter or motorised wheelchair (as the case may be) is a non-compliant mobility vehicle; and

10 (c) at the time the mobility scooter or motorised wheelchair is sold or offered for sale, the person knows that, or is reckless as to whether or not, the buyer intends to drive the mobility scooter or motorised wheelchair (as the case may be) on a public path.”;

15 (e) by inserting, immediately after the words “non-compliant personal mobility device,” in subsection (3)(a), (b) and (c), the words “non-compliant mobility vehicle,”;

20 (f) by inserting, immediately after the words “that personal mobility device,” in subsection (3)(b), the words “mobility scooter, motorised wheelchair,”;

(g) by deleting paragraph (a) of subsection (4) and substituting the following paragraph:

25 “(a) the accused had received from the person to whom the non-compliant personal mobility device, non-compliant mobility vehicle, non-compliant PAB or non-compliant bicycle was sold, evidence purporting to show that the person does not intend to ride the personal mobility device, PAB or bicycle or drive the mobility scooter or motorised wheelchair (as the case may be) on any public path; and”;

30 (h) by deleting the words “or a non-compliant personal mobility device” in subsection (8)(a) and substituting the

words “, a non-compliant personal mobility device or a non-compliant mobility vehicle”.

Amendment of section 35

18. Section 35 of the Active Mobility Act 2017 is amended —

(a) by deleting paragraphs (a), (b) and (c) of subsection (1) and substituting the following paragraphs: 5

“(a) the person, at any premises or place and in the course of business, alters (whether in the course of repair or otherwise) a personal mobility device, PAB, bicycle, mobility scooter or motorised wheelchair belonging to another person (called in this section the owner) so as to render it a non-compliant personal mobility device, non-compliant PAB, non-compliant bicycle or non-compliant mobility vehicle; and 10 15

(b) at the time the personal mobility device, PAB, bicycle, mobility scooter or motorised wheelchair (as the case may be) is altered, the person knows that, or is reckless as to whether or not, the owner of the personal mobility device, PAB, bicycle, mobility scooter or motorised wheelchair intends to ride the altered personal mobility device, PAB or bicycle or to drive the altered mobility scooter or motorised wheelchair (as the case may be) on a public path.”; 20 25

(b) by deleting the words “or bicycle” wherever they appear in subsection (4)(a) and (b) and substituting in each case the words “, bicycle, mobility scooter or motorised wheelchair”; and 30

(c) by deleting the words “or non-compliant bicycle” in subsection (4)(c) and substituting the words “, non-compliant bicycle or non-compliant mobility vehicle”. 35

Amendment of section 36

19. Section 36 of the Active Mobility Act 2017 is amended —

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

5 “(1) It is presumed, until the contrary is proved, that
a person alters (whether in the course of repair or
otherwise) any personal mobility device, PAB,
bicycle, mobility scooter or motorised wheelchair so
10 as to render it a non-compliant personal mobility
device, non-compliant PAB, non-compliant bicycle or
a non-compliant mobility vehicle (as the case may be)
if it is proved —

15 (a) that the accused had possession of the
personal mobility device, PAB, bicycle,
mobility scooter or motorised wheelchair;

20 (b) that the personal mobility device, PAB,
bicycle, mobility scooter or motorised
wheelchair (as the case may be) was not a
non-compliant personal mobility device,
non-compliant PAB, non-compliant
bicycle or non-compliant mobility vehicle,
when the accused acquired possession of it;
and

25 (c) that at the time or soon after the personal
mobility device, PAB, bicycle, mobility
scooter or motorised wheelchair (as the
case may be) ceased to be in the accused’s
possession, the personal mobility device,
PAB, bicycle, mobility scooter or motorised
30 wheelchair is non-compliant.”;

(b) by inserting, immediately after the words “personal
mobility devices, power-assisted bicycles or bicycles”
wherever they appear in subsections (2) and (3), the
words “, or mobility scooters or motorised wheelchairs”;
35 and

- (c) by inserting, immediately after the words “such devices or bicycles” in subsection (3), the words “, or such mobility scooters or motorised wheelchairs (as the case may be)”.

Amendment of section 41

20. Section 41 of the Active Mobility Act 2017 is amended — 5

- (a) by inserting, immediately after the words “Part 3” wherever they appear in subsections (2)(a), (b) and (c) and (7), the words “or 3A”;

- (b) by inserting, immediately after subsection (3), the following subsection: 10

“(3A) Subject to section 11A of the Land Transport Authority of Singapore Act, the powers that an outsourced enforcement officer may exercise under this Act are all or any of the following:

- (a) to ask an individual suspected of committing an offence under Part 3 or 3A to state the individual’s name and residential address; 15

- (b) to advise the individual to stop engaging in conduct that is an offence under Part 3 or 3A; 20

- (c) to photograph or film, or otherwise record the place where, or in respect of which, an offence under Part 3 or 3A was committed or is reasonably suspected to have been committed, and any individual or vehicle in that place; 25

- (d) to exercise powers expressly conferred on an outsourced enforcement officer under this Act.”; and 30

- (c) by inserting, immediately after the words “volunteer public path wardens” in the section heading, the word “, etc.”.

Amendment of section 44

5 **21.** Section 44 of the Active Mobility Act 2017 is amended by deleting the words “Part 4” wherever they appear in subsections (1)(a) and (b), (2)(e)(iii), (5)(a) and (6) and in the section heading and substituting in each case the words “Part 3A or 4”.

Amendment of section 45

22. Section 45 of the Active Mobility Act 2017 is amended —

- 10 (a) by inserting, immediately after the words “an authorised officer” in subsections (1)(b), (2), (3) and (4), the words “, an outsourced enforcement officer”;
- (b) by inserting, immediately after the words “an obstruction” in subsection (1)(b), the words “or inconvenience”;
- 15 (c) by inserting, immediately after the words “the authorised officer” in subsections (1), (2) and (3), the words “, outsourced enforcement officer”; and
- (d) by deleting the words “or obstruction or a danger or obstruction” in subsection (1) and substituting the words “, obstruction or inconvenience or a danger, obstruction or inconvenience”.

20 **Amendment of section 46**

23. Section 46 of the Active Mobility Act 2017 is amended —

- 25 (a) by deleting the words “a footpath or shared path” in subsection (1) and substituting the words “, or is causing inconvenience to the exercise of any right by any person under section 12 or 13 on, a public path”;
- (b) by inserting, immediately after the words “an authorised officer” in subsections (1), (3), (4) and (6), the words “, an outsourced enforcement officer”;
- 30 (c) by inserting, immediately after the words “an obstruction” in subsection (1), the words “or inconvenience”;

- (d) by inserting, immediately after the words “An authorised officer” in subsection (2), the words “, an outsourced enforcement officer”; and
- (e) by inserting, immediately after the words “the authorised officer” in subsection (6), the words “, outsourced enforcement officer”. 5

Amendment of section 47

24. Section 47 of the Active Mobility Act 2017 is amended —

- (a) by inserting, immediately after the words “An authorised officer” in subsection (1), the words “, an outsourced enforcement officer”; 10
- (b) by inserting, immediately after the words “the authorised officer” in subsection (1)(b), the words “, outsourced enforcement officer”; and
- (c) by inserting, immediately after the words “an authorised officer” in subsections (2) and (3), the words “, an outsourced enforcement officer”. 15

Amendment of section 48

25. Section 48 of the Active Mobility Act 2017 is amended —

- (a) by deleting the words “or a public path warden” in subsections (1) and (2) and substituting in each case the words “or outsourced enforcement officer, or a police officer or public path warden”; 20
- (b) by inserting, immediately after the words “the authorised officer” in subsections (1) and (2), the words “, outsourced enforcement officer, police officer”; 25
- (c) by inserting, immediately after the words “fails to give” in subsection (4), the words “in accordance with subsection (2)”; and
- (d) by inserting, immediately after subsection (5), the following subsection: 30

“**(6)** In any proceedings for an offence under subsection (4), an accused which is a company, a partnership or an unincorporated body is not to be treated as having proved that the accused did not know and could not with reasonable diligence have ascertained the information required unless the accused also proves, on a balance of probabilities, that —

(a) it had kept a proper and accurate record containing prescribed particulars of each occasion on which it permits any individual to ride or drive a vehicle —

(i) whether or not the individual is a director, member, partner, officer, employee or agent of the accused or otherwise; and

(ii) whether or not the individual is permitted to ride or drive the vehicle in the course of the individual’s employment with the accused or otherwise; but

(b) the record shows no individual having been permitted by the accused to ride or drive the vehicle at or about the time of the alleged offence.”.

Amendment of section 50

26. Section 50 of the Active Mobility Act 2017 is amended —

(a) by inserting, immediately after the words “an authorised officer” in subsections (1), (2) and (3), the words “, an outsourced enforcement officer”;

(b) by inserting, immediately after the words “Part 3” in subsection (1), “, 3A”; and

- (c) by inserting, immediately after the words “the authorised officer” in subsections (1) and (3), the words “, outsourced enforcement officer”.

Amendment of section 53

27. Section 53(2) of the Active Mobility Act 2017 is amended by deleting the words “that person has not been located after reasonable inquiry or” in paragraph (b).

5

Amendment of section 56

28. Section 56 of the Active Mobility Act 2017 is amended —

- (a) by deleting the word “or” at the end of subsection (1)(b);
- (b) by deleting the comma at the end of paragraph (c) of subsection (1) and substituting the word “; or”, and by inserting immediately thereafter the following paragraph:

10

“(d) an outsourced enforcement officer in uniform,”; and

15

- (c) by deleting the words “or volunteer public path warden” in subsection (2) and substituting the words “, volunteer public path warden or outsourced enforcement officer”.

Amendment of section 57

29. Section 57(1) of the Active Mobility Act 2017 is amended —

20

- (a) by inserting, immediately after the words “an authorised officer” in paragraph (a), the words “or outsourced enforcement officer”; and

- (b) by deleting paragraph (d) and substituting the following paragraph:

25

“(d) the document is furnished, or the statement is made or the information is given, for or in connection with —

- (i) an application in connection with the registration of a registrable personal mobility device under Part 3A; or

30

- (ii) a question or request by the Authority, an authorised officer or outsourced enforcement officer, a police officer, public path warden or volunteer public path warden under this Act.”.

Amendment of section 59

30. Section 59 of the Active Mobility Act 2017 is amended by inserting, immediately after the words “Part 3”, the words “or 3A”.

New section 59A

31. The Active Mobility Act 2017 is amended by inserting, immediately after section 59, the following section:

“Presumption of vehicle owner riding or driving

59A.—(1) An owner of a bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter who is an individual is presumed, until the contrary is proved, to be riding or driving the bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter (as the case may be) at the time of the commission (on or after the date of commencement of section 31 of the Land Transport (Enforcement Measures) Act 2018) of an offence under Part 3 or 3A that —

(a) involves the riding or driving of the bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter; and

(b) is prescribed,

if the owner fails to give the information required of the owner under section 48 about that offence and the owner knew or ought reasonably to have known the information required.

(2) To avoid doubt, a reference in subsection (1) to an offence under Part 3 or 3A includes a reference to an offence under any regulations made for the purposes of Part 3 or 3A, as the case may be.”.

Amendment of section 62

- 32.** Section 62(1) of the Active Mobility Act 2017 is amended —
- (a) by inserting, immediately after the words “an authorised officer”, the words “or outsourced enforcement officer”; and
 - (b) by deleting the words “any court or under” in paragraph (b) and substituting the words “any court or where required or allowed by”.

5

Amendment of section 64

- 33.** Section 64 of the Active Mobility Act 2017 is amended —
- (a) by inserting, immediately after the words “(including a limited liability partnership)” in subsection (4), the words “or an unincorporated association”;
 - (b) by deleting the words “body corporate’s secretary or other like officer” in subsection (4)(a) and substituting the words “secretary or other like officer of the body corporate or unincorporated association”;
 - (c) by inserting, immediately after the words “body corporate’s” in subsection (4)(b) and (c), the words “or unincorporated association’s”;
 - (d) by inserting, immediately after subsection (4), the following subsection:

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“(4A) In addition, a document (other than a summons) permitted or required by this Act to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

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- (a) by sending it by email to the email address of the individual, partnership, body corporate or unincorporated association, as the case may be;

30

- (b) by sending it by fax to whichever of the following is applicable:

(i) the fax number last known to the Authority as the fax number for the service of documents on the individual;

5 (ii) the fax number used at the partnership's business address;

10 (iii) the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore;

15 (c) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents; or

20 (d) by any other method authorised by the regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way.”;

25 (e) by inserting, immediately after subsection (5), the following subsections:

“(5A) Service of a document under subsection (4A)(a) or (b) takes effect —

30 (a) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person; or

(b) if the document is sent by fax and a notification of successful transmission is received, on the day of transmission.

(5B) However, service of any document under this Act on a person by email or by an electronic notice at the person’s chosen means of notification, may be effected only with the person’s prior consent (express or implied) to service in that way.”; and

5

(f) by inserting, immediately after the definition of “business address” in subsection (7), the following definitions:

““chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document’s contents;

10

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

15

20

“email address” means the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under this Act;”.

25

Amendment of section 67

34. Section 67(2) of the Active Mobility Act 2017 is amended —

- (a) by inserting, immediately after the words “and accessories of” in paragraph (a), the words “bicycles, PABs,”;
- (b) by inserting, immediately after the words “on public paths” in paragraph (a), the words “or for registration under Part 3A”;

30

- (c) by inserting, immediately after the words “carried by” in paragraph (a)(i), the words “bicycles, PABs,”;
- (d) by inserting, immediately after the words “be fitted to” in paragraph (a)(ii), the words “bicycles, PABs,”; and
- 5 (e) by deleting the full-stop at the end of paragraph (i) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

10 “(j) the requirements and procedure for the registration of a registrable personal mobility device and the maintenance of the registrable PMD register, including —

15 (i) the qualifications for a person to be registered as a responsible person for a registrable personal mobility device, which may include a minimum age; and

20 (ii) the circumstances and procedure for transferring the registration of a registrable personal mobility device to another registered responsible person;

(k) the procedure for applying to cancel the registration of a registrable personal mobility device;

25 (l) the size, shape and character of the registration marks and identification marks required to be fixed on any registrable personal mobility device, and the manner in which those marks must be secured, sealed or displayed on a registrable personal mobility device;

30

35 (m) prohibitions or restrictions against forging, tampering or unauthorised alteration of any registration mark or identification mark required by this Act to be fixed or

displayed on a registrable personal mobility device.”.

New section 67A

35. The Active Mobility Act 2017 is amended by inserting, immediately after section 67, the following section:

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“Incorporation by reference

67A.—(1) Any regulation made in respect of the construction, equipment or accessories of bicycles, PABs, personal mobility devices, motorised wheelchairs and mobility scooters for use on public paths may apply, adopt or incorporate by reference —

10

- (a) either wholly or partially;
- (b) with or without modification; or
- (c) either specifically or by reference,

any matter contained in any code, standard, rule, requirement, specification or other document, as in force or published at a particular time or as in force or published from time to time, which relates to any matter that the regulation deals with.

15

(2) Any material applied, adopted or incorporated in any regulation by reference under subsection (1) is to be treated for all purposes as forming part of the regulation.

20

(3) Unless otherwise provided in a regulation, every amendment to any material applied, adopted or incorporated by reference under subsection (1) that is made by the person or organisation originating the material is, subject to subsections (4) and (5), to be treated as being a part of that regulation.

25

(4) Where any material referred to in subsection (1) is applied, adopted or incorporated by reference in any regulation, the Authority must give notice in the *Gazette* stating —

- (a) that the material is applied, adopted or incorporated in the regulation, and the date on which the relevant provision in the regulation was made;

30

- (b) that the material is available for inspection during working hours, free of charge;
- (c) the place where the material can be inspected;
- (d) that copies of the material can be purchased, and the place where the material can be purchased; and
- (e) if copies of the material are available in other ways, the details of where or how the material can be accessed or obtained.

(5) In addition, the Authority must cause a copy of every material applied, adopted or incorporated in that regulation by reference under subsection (1), to be made available for inspection by members of the public without charge at any of its offices during normal office hours.

(6) In this section, “modification” includes omissions, additions and substitutions.”.

Miscellaneous amendments

36. The Active Mobility Act 2017 is amended —

- (a) by deleting paragraph (i) of section 68; and
- (b) by deleting subsection (5) of section 69.

PART 2

AMENDMENTS TO BUS SERVICES INDUSTRY ACT 2015

Amendment of section 45

37. Section 45 of the Bus Services Industry Act 2015 (Act 30 of 2015) is amended —

- (a) by inserting, immediately after subsection (4), the following subsection:
 - “(4A) In addition, a document permitted or required by this Act to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

- (a) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents; or 5
- (b) by any other method authorised by the regulations made under section 49 for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way.”; 10 15
- (b) by inserting, immediately after subsection (5), the following subsection:
- “(5A) However, service of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent (express or implied) to service in that way.”; and 20
- (c) by inserting, immediately after the definition of “business address” in subsection (8), the following definitions:
- ““chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document's contents; 25 30
- “chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as 35

the means by which the addressee may be notified that such a document has been served on the addressee;”.

PART 3

AMENDMENTS TO LAND TRANSPORT AUTHORITY OF SINGAPORE ACT

Amendment of section 2

38. Section 2 of the Land Transport Authority of Singapore Act (Cap. 158A, 1996 Ed.) is amended —

(a) by inserting, immediately before the definition of “Authority”, the following definition:

““accoutrement” includes —

(a) a uniform; and

(b) surveillance equipment capable of being worn on the body for the purpose of recording a view of, or recording a conversation between, the wearer and another individual;”;

(b) by inserting, immediately after the definition of “member”, the following definition:

““outsourced enforcement officer” means an individual who is appointed under section 11 as an outsourced enforcement officer;”.

New sections 11, 11A and 11B

39. The Land Transport Authority of Singapore Act is amended by inserting, immediately after section 10, the following sections:

“Outsourced enforcement officers

11.—(1) The Authority may in writing appoint an individual who —

(a) is at least 18 years of age;

- (b) is not an employee of the Authority;
- (c) is not a public officer; and
- (d) has suitable qualifications or experience,

to be an outsourced enforcement officer to assist the Authority in the administration of any land transport legislation in any particular area in Singapore. 5

(2) The Authority may, for any reason that appears to the Authority to be sufficient, at any time revoke an individual's appointment as an outsourced enforcement officer.

(3) The Authority must issue to each outsourced enforcement officer an identification card, which must be carried at all times by the outsourced enforcement officer when exercising powers under any land transport legislation. 10

(4) An outsourced enforcement officer whose appointment as such ceases must return any identification card issued to him under subsection (3) to the Authority. 15

(5) An outsourced enforcement officer must be issued with such accoutrement or equipment, or such description of accoutrement or equipment, as the Chief Executive may determine necessary for the effectual discharge of the duties of an outsourced enforcement officer. 20

(6) An outsourced enforcement officer is not an employee of the Authority.

(7) An individual who is appointed as an outsourced enforcement officer under subsection (1) does not, by virtue only of the appointment, become an agent of the Authority. 25

(8) In this section and section 11A, "land transport legislation" means any written law administered by the Authority which is specified in the Fifth Schedule.

Powers of outsourced enforcement officers 30

11A.—(1) The Chief Executive must issue to each outsourced enforcement officer a written authorisation specifying such of the powers expressly specified in any land transport legislation as

exercisable by an outsourced enforcement officer, as what the outsourced enforcement officer may exercise, and no other powers.

5 (2) The authorisation of the Chief Executive under subsection (1) issued to an outsourced enforcement officer may also do all or any of the following:

- (a) limit the powers mentioned in subsection (1) that the outsourced enforcement officer may exercise;
- 10 (b) limit when, and where in Singapore, the outsourced enforcement officer may exercise those powers or any of them;
- (c) limit the circumstances in which the outsourced enforcement officer may exercise those powers or any of them.

15 (3) To avoid doubt, the Chief Executive cannot authorise under this section an outsourced enforcement officer to arrest any individual.

(4) The powers that an outsourced enforcement officer may be authorised under this section to exercise may be exercised only —

- (a) when in uniform, and upon production of the identification card issued under section 11(3);
- (b) to the extent authorised by the Chief Executive under subsection (1); and
- 25 (c) as directed (generally or specially) by an officer or employee of the Authority.

30 (5) An outsourced enforcement officer who is authorised under subsection (1) to exercise any power expressly specified in any land transport legislation as exercisable by an outsourced enforcement officer is deemed to be a public servant for the purposes of the Penal Code (Cap. 224) when exercising that power.

(6) Without limiting subsection (5), where any law or written law protects an officer or employee of the Authority from

liability for the officer's or employee's acts or omissions, that law or written law is taken to operate as if those acts or omissions included an outsourced enforcement officer's acts or omissions when acting in the course of his duty as an outsourced enforcement officer in accordance — 5

(a) with the authorisation of the Chief Executive under subsection (1); and

(b) with subsection (4).

(7) To avoid doubt, an outsourced enforcement officer does not cease to be acting on the direction of an officer or employee of the Authority by reason only that the officer or employee of the Authority is not present at all times. 10

Impersonation as outsourced enforcement officers

11B.—(1) An individual who represents himself, by word or conduct to be an outsourced enforcement officer when he is not an outsourced enforcement officer shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 6 months or to both. 15

(2) An outsourced enforcement officer who uses —

(a) any accoutrement or equipment issued under section 11; or 20

(b) any identification card issued under section 11(3),

otherwise than in the course of, or for the purpose of, exercising the functions of an outsourced enforcement officer, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 6 months or to both. 25

(3) However, it is a defence in any proceedings for an offence under subsection (1) or (2) where the accused proves, on a balance of probabilities, that the accused used or possessed the accoutrement, equipment or identification card issued under section 11 for the purposes of a public entertainment provided in compliance with the Public Entertainments Act (Cap. 257).”.

New sections 43 and 43A

40. The Land Transport Authority of Singapore Act is amended by inserting, immediately after section 42, the following sections:

“Electronic service system

43.—(1) The Authority may establish a system providing for the electronic service —

(a) by a person (or an electronic service agent on behalf of such a person) on the Authority or an officer of the Authority administering any relevant land transport legislation; or

(b) by the Authority, or an officer of the Authority administering any relevant land transport legislation, on a person or an electronic service agent on behalf of such a person,

of an application, a notice or other document which is permitted or required by or under any relevant land transport legislation to be served or given.

(2) Rules may be made under section 44 regarding the administration and use of the system provided under this section, including —

(a) the assignment of authentication codes and accounts to users of the service;

(b) the circumstances under which authentication codes and accounts of users may be cancelled or suspended;

(c) the registration of electronic service agents of account holders, including the qualifications to be registered as

electronic service agents, and the cancellation and suspension of such registration;

- (d) the manner in which an electronic service agent may be authorised by a person to give or serve on behalf of that person through the electronic service an application, a notice or other document; 5
- (e) the inspection by the Authority (or any person authorised in writing by the Authority) of records and accounts kept by electronic service agents relating to the use of the system; 10
- (f) the procedure for the proper use of the system, including the procedure in circumstances where there is a breakdown of the system or an interruption in any electronic service using the system;
- (g) the procedure for correcting any return, estimate, statement, document or information that is electronically served using the system; and 15
- (h) the fees for —
 - (i) the use of the system;
 - (ii) the assignment of an authentication code or account to use the system, and the cancellation or suspension of such a code or an account on request; 20
 - (iii) the registration of electronic service agents; and
 - (iv) the corrections mentioned in paragraph (g). 25

(3) Where an application, a notice or other document which is permitted or required by or under any relevant land transport legislation is served electronically using the system provided under subsection (1), the following have effect, despite any Act to the contrary: 30

- (a) the application, notice or document is deemed for the purposes of that legislation to be served on or given to the recipient at the time when the electronic record of the application, notice or document (as the case may

be) enters the recipient's account with the electronic service;

(b) where the electronic service is done by an electronic service agent on behalf of any person (called in this section the principal) —

(i) the application, notice or document is deemed to be served or given with the authority of that person; and

(ii) the principal is to be treated to be cognizant of all matters in the application, notice or document,

unless that principal has, before the electronic service is done, informed the Chief Executive in the prescribed manner that the principal has revoked the authority of the electronic service agent for the serving of the application, notice or document in question;

(c) where the electronic service of an application, a notice or document which is permitted or required by or under any relevant land transport legislation, is done using the authentication code assigned to a person before that person applies to cancel the authentication code —

(i) the application, notice or document is, for the purposes of that legislation, presumed to have been served or given by that person unless the person adduces evidence to the contrary; and

(ii) if that person alleges that he did not serve or give the application, notice or document, the burden lies on the person to adduce evidence of that fact.

(4) Despite any other Act, an electronic record of an application, a notice or document which is permitted or required by or under any relevant land transport legislation that was electronically served using the system provided under subsection (1), or any copy or print-out of that electronic record,

is, in any proceedings under that legislation, admissible as evidence of the facts stated or contained therein if that electronic record, copy or print-out —

(a) is certified by the Chief Executive (or an officer of the Authority whom the Chief Executive designates) to contain all or any information filed, submitted or served through the electronic service in accordance with this section; and 5

(b) is duly authenticated in the manner specified in subsection (7) or is otherwise authenticated in the manner provided in the Evidence Act (Cap. 97) for the authentication of computer output. 10

(5) Where the electronic record of any document, or a copy or print-out of that electronic record, is admissible under subsection (4), it must be presumed, until the contrary is proved, that the electronic record, copy or print-out accurately reproduces the contents of that document. 15

(6) To avoid doubt, the following do not apply to an electronic record of a document served electronically using the system provided under subsection (1), or any copy or print-out of that electronic record: 20

(a) section 18(4) of the Parking Places Act (Cap. 214);

(b) section 139A of the Road Traffic Act (Cap. 276).

(7) For the purposes of this section, a certificate —

(a) giving the particulars of — 25

(i) any person whose authentication code was used to electronically serve the document using the system; or

(ii) any person or device involved in the production or transmission of the electronic record of the document, or the copy or print-out; 30

(b) identifying the nature of the electronic record or a copy or print-out; and

(c) purporting to be signed by the Chief Executive or an officer of the Authority whom the Chief Executive designates at the relevant time,

is sufficient evidence that the electronic record, copy or print-out has been duly authenticated, unless the court, in its discretion, calls for further evidence on this issue.

(8) In this section and the rules made for the purposes of this section —

“authentication code”, in relation to any person, means an identification or identifying code, a password or any other authentication method or procedure which is assigned to that person for the purposes of identifying and authenticating the access to, and use of, the system provided under subsection (1) by that person, and includes one assigned for such purposes in order to file, submit or retrieve a particular document only;

“electronic record” has the same meaning as in the Electronic Transactions Act (Cap. 88);

“relevant land transport legislation”, for any application, notice or document permitted or required by or under such legislation, means —

(a) this section and any rules made under section 44 for the purposes of this section; or

(b) any written law specified in the Fifth Schedule which provides for a method for the service of applications, notices or documents of that kind if the recipient consents (expressly or impliedly) to service of an application, a notice or document of that kind in that way.

Service of documents

43A.—(1) A document that is permitted or required by this Act to be served on a person may be served as described in this section.

(2) A document may be served on an individual —

- (a) by giving it to the individual personally;
- (b) by sending it by prepaid registered post to the address specified by the individual for the service of documents or, if no address is so specified, the individual's residential address or business address; 5
- (c) by leaving it at the individual's residential address with an adult person apparently residing there, or at the individual's business address with an adult person apparently employed there; 10
- (d) by affixing a copy of the document in a conspicuous place at the individual's residential address or business address;
- (e) by sending it by fax to the fax number given by the individual as the fax number for the service of documents under this Act; 15
- (f) by sending it by email to the individual's email address;
- (g) by giving an electronic notice to the individual by the individual's chosen means of notification, stating that the document is available and how the individual may use the individual's chosen means of access to access the document's contents; or 20
- (h) by any other method authorised by rules made under section 44 for the service of documents of that kind if the individual consents (expressly or impliedly) to service of a document of that kind in that way. 25

(3) A document may be served on a partnership (other than a limited liability partnership) —

- (a) by giving it to any partner or other like officer of the partnership; 30
- (b) by leaving it at, or by sending it by prepaid registered post to, the partnership's business address;

- (c) by sending it by fax to the fax number used at the partnership's business address;
- (d) by sending it by email to the partnership's email address;
- 5 (e) by giving an electronic notice to the partnership by the partnership's chosen means of notification, stating that the document is available and how the partnership may use the partnership's chosen means of access to access the document's contents; or
- 10 (f) by any other method authorised by rules made under section 44 for the service of documents of that kind if the partnership consents (expressly or impliedly) to service of a document of that kind in that way.

15 (4) A document may be served on a body corporate (including a limited liability partnership) or an unincorporated association —

- (a) by giving it to the secretary or other like officer of the body corporate or unincorporated association, or the limited liability partnership's manager;
- 20 (b) by leaving it at, or by sending it by prepaid registered post to, the body corporate's or unincorporated association's registered office or principal office in Singapore;
- 25 (c) by sending it by fax to the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore;
- (d) by sending it by email to the body corporate's or unincorporated association's email address;
- 30 (e) by giving an electronic notice to the body corporate or unincorporated association by the body corporate's or unincorporated association's chosen means of notification, stating that the document is available and how the body corporate or unincorporated

association (as the case may be) may use its chosen means of access to access the document's contents; or

- (f) by any other method authorised by rules made under section 44 for the service of documents of that kind if the body corporate or unincorporated association (as the case may be) consents (expressly or impliedly) to service of a document of that kind in that way.

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(5) Service of a document on a person under this section takes effect —

- (a) if the document is sent by fax and a notification of successful transmission is received, on the day of the transmission;
- (b) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person; and
- (c) if the document is sent by prepaid registered post, on the second day after the day the document was posted (even if it is returned undelivered).

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(6) However, service of any document under this Act on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent (express or implied) to service in that way.

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(7) This section does not apply to documents to be served in proceedings in court for an offence or other matter under this Act.

(8) In this section —

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“business address” means —

- (a) in the case of an individual, the individual's usual or last known place of business in Singapore; and
- (b) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

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“chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document’s contents;

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

“email address” means the last email address given by the addressee concerned as the email address for the service of documents under this Act;

“residential address” means an individual’s usual or last known place of residence in Singapore.”.

PART 4

AMENDMENTS TO PARKING PLACES ACT

Amendment of section 2

41. Section 2 of the Parking Places Act (Cap. 214, 2014 Ed.) is amended by inserting, immediately after the definition of “officer”, the following definition:

““outsourced enforcement officer”, in relation to any provision of this Act or any subsidiary legislation made under this Act, means an individual who —

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act;

(b) is authorised by or under that Act to exercise any powers under any provision of this Act or subsidiary legislation made under this Act, as the case may be; and

(c) is acting within that authorisation;”.

Amendment of section 8T

42. Section 8T of the Parking Places Act is amended —

- (a) by deleting the word “or” at the end of subsections (2)(e), (3)(c) and (4)(c); 5
- (b) by deleting the full-stop at the end of paragraph (f) of subsection (2) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
 - “(g) by giving an electronic notice to the individual by the individual’s chosen means of notification, stating that the document is available and how the individual may use the individual’s chosen means of access to access the document’s contents; or 10
 - (h) by any other method authorised by the regulations for the service of documents of that kind if the individual consents (expressly or impliedly) to service of a document of that kind in that way.”; 15
- (c) by deleting the full-stop at the end of paragraph (d) of subsection (3) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
 - “(e) by giving an electronic notice to the partnership by the partnership’s chosen means of notification, stating that the document is available and how the partnership may use its chosen means of access to access the document’s contents; or 20
 - (f) by any other method authorised by the regulations for the service of documents of that kind if the partnership consents (expressly or impliedly) to service of a document of that kind in that way.”; 25

(d) by deleting the full-stop at the end of paragraph (d) of subsection (4) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:

5 “(e) by giving an electronic notice to the body corporate or unincorporated association by the body corporate’s or unincorporated association’s chosen means of notification, stating that the document is available and how the body corporate or unincorporated association (as the case may be) may use its chosen means of access to access the document’s contents; or

10 (f) by any other method authorised by the regulations for the service of documents of that kind if the body corporate or unincorporated association (as the case may be) consents (expressly or impliedly) to service of a document of that kind in that way.”;

15 (e) by deleting subsection (6) and substituting the following subsection:

20 “(6) However, service of any document under this Part or the regulations on a person by email or by an electronic notice at the person’s chosen means of notification may be effected only with the person’s prior consent (express or implied) to service in that way.”; and

25 (f) by inserting, immediately after the definition of “business address” in subsection (8), the following definitions:

30 ““chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Part or the regulations, means an electronic means the addressee agrees with the person giving or serving the document as the means by which

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the addressee may access that document's contents;

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Part or the regulations, means an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;”.

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Amendment of section 15

43. Section 15 of the Parking Places Act is amended —

(a) by inserting, immediately after the words “an enforcement officer” wherever they appear in subsection (1A), the words “or outsourced enforcement officer”;

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(b) by deleting the words “or enforcement officer” wherever they appear in subsections (2) and (3)(b) and substituting in each case the words “, enforcement officer or outsourced enforcement officer”;

(c) by inserting, immediately after the words “to the owner of the vehicle” in subsection (2), the words “(if known)”;

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(d) by inserting, immediately after subsection (5), the following subsections:

“(5A) Subject to this section, every vehicle that is removed to a place of safety or any other place under subsection (1A)(a) or (b) is liable to forfeiture under this section.

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(5B) An order for the forfeiture under this section may be made by the Authority if it is satisfied —

(a) for a vehicle which is removed to a place of safety or any other place under subsection (1A)(a), that at the end of 30 days after the date of the removal, no claim to the vehicle is made in the

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prescribed manner to the Authority before the end of that period and there is no prosecution with regard to any offence involving that vehicle; and

5 (b) for a vehicle which is removed to a place of safety or any other place under subsection (1A)(b), that the vehicle was the subject matter, or was used in the commission, of an offence under
10 section 8C or any regulations made under section 8S, and —

(i) a person is convicted of the offence;

15 (ii) a person who is reasonably suspected of having committed the offence has that offence compounded under section 12; or

20 (iii) at the end of 30 days after the date of the removal, no claim to the vehicle is made in the prescribed manner to the Authority before the end of that period and there is no prosecution with regard to that offence.

25 (5C) Upon receipt of a claim mentioned in subsection (5B)(a) or (b)(iii), the Authority may direct that the vehicle be released or may refer the matter by information to a Magistrate.

30 (5D) The Magistrate must, on receipt of any information under subsection (5C), or on the written application of the Public Prosecutor, hold an inquiry and proceed to determine the matter and must, on proof that the vehicle was used in the commission of an offence under section 8C or any regulations made under section 8S, order the vehicle to be forfeited, or may in the absence of such proof order its release.

(5E) In any proceedings under subsection (5D), the burden of proof lies on the person asserting that the person is the owner of the vehicle concerned, and on the person from whom the vehicle was seized, as the case may be.

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(5F) In any proceedings in any court in respect of the forfeiture of any vehicle removed in exercise or the purported exercise of any power conferred under subsection (1A)(a) or (b), no person is entitled to the costs of such proceedings or to any damages or other relief except an order for the return of the vehicle, unless the removal was made without reasonable or probable cause.”;

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(e) by inserting, immediately after the words “with this section is not” in subsection (6), the words “earlier forfeited under this section and is not”; and

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(f) by deleting the words “and, in relation to a vehicle moved under subsection (1A)” in the definition of “authorised officer” in subsection (9).

Amendment of section 18

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44. Section 18 of the Parking Places Act is amended —

(a) by inserting, immediately after the words “place of residence” in subsection (1)(a), the words “or business”;

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

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“(1A) In addition, any notice, order or document (other than a summons) required or authorised by this Act or any rules made thereunder to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

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(a) by sending it by email to the email address of the individual, partnership, body corporate or unincorporated association, as the case may be;

(b) by sending it by fax to whichever of the following is applicable:

(i) the fax number last known as the fax number for the service of notices, orders or documents on the individual;

(ii) the fax number used at the partnership's business address;

(iii) the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore;

(c) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the notice, order or document is available and how the addressee may use the addressee's chosen means of access to access the contents of that notice, order or document; or

(d) by any other method authorised by the rules made under section 22 for the service of notices, orders or documents of that kind if the recipient consents (expressly or impliedly) to service of a notice, order or document of that kind in that way.”;

(c) by inserting, immediately after subsection (2), the following subsections:

“(2A) However, service of any notice, order or document under this Act or any rules made under section 22 on a person by email or by an electronic notice at the person's chosen means of notification

may be effected only with the person’s prior consent (express or implied) to service in that way.

(2B) Service of any notice, order or document under subsection (1A)(a) or (b) takes effect —

(a) if the notice, order or document is sent by email, at the time that the email becomes capable of being retrieved by the person; or 5

(b) if the notice, order or document is sent by fax and a notification of successful transmission is received, on the day of transmission.”; and 10

(d) by inserting, immediately after subsection (4), the following subsection:

“(5) In this section —

“business address” or “place of business” means — 15

(a) in the case of an individual, the individual’s usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership’s principal or last known place of business in Singapore; 20

“chosen means of access”, for an addressee on whom is or is to be served any notice, order or document required or authorised by this Act or rules made under section 22, means an electronic means the addressee agrees with the person giving or serving the notice, order or document as the means by which the addressee may access the contents of that notice, order or document; 25 30

“chosen means of notification”, for an addressee on whom is or is to be served any notice, order or document required or authorised by this Act or rules made under section 22, means an electronic means that the addressee nominates to the person giving or serving the notice, order or document as the means by which the addressee may be notified that such a notice, order or document has been served on the addressee;

“email address” means the last email address given by the addressee concerned to the person giving or serving a notice, order or document as the email address for the service of notices, orders or documents under this Act or rules made under section 22.”.

Amendment of section 19

45. Section 19 of the Parking Places Act is amended by inserting, immediately after the words “any enforcement officer”, the words “, outsourced enforcement officer”.

Amendment of section 20

46. Section 20 of the Parking Places Act is amended by deleting the words “and any enforcement officers” and substituting the words “, an enforcement officer, an outsourced enforcement officer, any person acting under the direction of the Superintendent of Car Parks, a Deputy Superintendent or Assistant Superintendent of Car Parks, or an authorised officer within the meaning given by section 15”.

Amendment of section 21

47. Section 21 of the Parking Places Act is amended by inserting, immediately after the words “or any rules”, the words “or regulations”.

Validation

48. Every proposal and plan for the provision of parking places and parking spaces that is purportedly lodged with or approved by the Authority under the Parking Places (Provision of Parking Places and Parking Spaces) Rules (Cap. 214, R 5) before 8 May 2018 and is not revoked before that date —

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(a) is, and is taken always to have been, by force of this section, validly lodged with or approved by the Authority; and

(b) is to continue as if, and is deemed to be, a proposal or plan for the provision of parking lots approved by the Authority under the Parking Places Act,

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and no legal proceedings may be instituted on or after 6 August 2018 in any court on account of or in respect of any such lodgment or approval.

PART 5

15

AMENDMENTS TO RAPID TRANSIT SYSTEMS ACT

Amendment of section 2

49. Section 2 of the Rapid Transit Systems Act (Cap. 263A, 2004 Ed.) is amended —

(a) by inserting, immediately after the definition of “maintenance”, the following definition:

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““outsourced enforcement officer”, in relation to any provision of this Act or regulations made under this Act, means an individual who —

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act;

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(b) is authorised by or under that Act to exercise any powers under any provision of this Act or regulations made under this Act, as the case may be; and

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(c) is acting within that authorisation;”;
and

(b) by inserting, immediately after the words “but not any railway commuter facility” in the definition of “railway premises”, the words “unless expressly included”.

New section 23B

50. The Rapid Transit Systems Act is amended by inserting, immediately after section 23A, the following section:

“Obstructing railway premises, etc.

23B.—(1) Subject to subsection (2), a person must not cause or allow any small vehicle, article or thing to remain on —

(a) any part of the railway premises; or

(b) any part of a bicycle parking facility or vehicle set down facility adjoining the railway premises,

so as to create any obstruction or inconvenience to the passage of the public to, from or within the railway premises.

(2) Subsection (1) does not apply if the obstruction or inconvenience is authorised or permitted by or under this Act or any other Act, or arises out of a lawful and reasonable use of the railway premises, bicycle parking facility or vehicle set down facility, as the case may be.

(3) Where an approved person finds on any part of any railway premises or a bicycle parking facility or vehicle set down facility adjoining the railway premises, any small vehicle, article or thing which has been abandoned, or deposited or left to remain there in contravention of subsection (1), the approved person may move the small vehicle, article or thing, or cause it to be so removed, so that it is no longer an obstruction or inconvenience to other persons on the railway premises.

(4) Subject to subsection (5), an approved person must not exercise a power under subsection (3) unless the approved person has taken reasonable steps to inform the owner of the small vehicle, article or thing (if known), of the approved

person's intention to exercise that power, and allowed or directed the owner to move the small vehicle, article or thing.

(5) An approved person may immediately exercise a power under subsection (3) and move a small vehicle, article or thing, or cause it to be so removed, where the small vehicle, article or thing which has been abandoned, or deposited or left to remain in contravention of subsection (1), is causing obstruction or inconvenience to other persons on the railway premises.

(6) For the purpose of exercising a power under subsection (3), an approved person may, with such assistance as the approved person considers necessary —

(a) move the small vehicle, article or thing by any reasonable means (including by towing it) to a holding yard and detain it there at the risk of its owner; and

(b) use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to the small vehicle, article or thing, as the case may be.

(7) A person must remove any small vehicle, article or thing where directed to do so by an approved person under subsection (4).

(8) When a small vehicle, article or thing is moved to a holding yard under this section by an approved person, the approved person must as soon as practicable give to the owner of the small vehicle, article or thing (if known) notice of —

(a) the move;

(b) the manner by which and the time within which such owner may procure the release of the small vehicle, article or thing, which includes paying to the Authority all expenses incurred by the Authority, the licensee concerned or an approved person in moving and detaining the small vehicle, article or thing; and

(c) the consequences that may follow under subsection (10) if the small vehicle, article or thing is not claimed within the time specified in the notice.

5 (9) Without limiting section 37, a notice required under subsection (8) to be given to the owner of a small vehicle, article or thing may be given —

(a) by affixing it to the small vehicle, article or thing in respect of which it applies; or

10 (b) by posting it conspicuously at or near the part of the railway premises or a bicycle parking facility or vehicle set down facility adjoining the railway premises from which the small vehicle, article or thing was removed, if the name and address of the owner of the small vehicle, article or thing are
15 unknown or cannot be ascertained despite reasonable diligence.

(10) If the small vehicle, article or thing is not claimed by its owner within the reasonable time specified in the notice mentioned in subsection (8), the Authority may dispose of the
20 small vehicle, article or thing in such manner as the Authority thinks fit (including selling it).

(11) A person —

(a) who contravenes subsection (1) or (7); or

25 (b) who, without the authority of an approved person, removes or tampers with any notice required under subsection (8) that has been —

(i) affixed to any small vehicle, article or thing under subsection (9)(a); or

30 (ii) posted at any part of, or at or near the part of, the railway premises or a bicycle parking facility or vehicle set down facility adjoining the railway premises under subsection (9)(b),

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000.

(12) In this section —

“approved person”, in relation to any railway premises, means any of the following individuals who is authorised by the Authority in writing to exercise any power under this section at or in relation to those railway premises: 5

- (a) an officer or employee of the Authority;
- (b) an employee of a licensee;
- (c) an outsourced enforcement officer;

“small vehicle” means a bicycle, power-assisted bicycle, personal mobility device, mobility scooter or wheelchair.”. 10

Repeal and re-enactment of section 37

51. Section 37 of the Rapid Transit Systems Act is repealed and the following section substituted therefor: 15

“Service of documents

37.—(1) A document that is permitted or required by or under this Act, or any regulations made under this Act, to be served on a person may be served as described in this section.

(2) A document may be served on an individual — 20

- (a) by giving it to the individual personally;
- (b) by sending it by prepaid registered post to the address specified by the individual for the service of documents or, if no address is so specified, the individual’s residential address or business address; 25
- (c) by leaving it at the individual’s residential address with an adult person apparently residing there, or at the individual’s business address with an adult person apparently employed there;

(d) by affixing a copy of the document in a conspicuous place at the individual’s residential address or business address; 30

- (e) by sending it by fax to the fax number given by the individual as the fax number for the service of documents under this Act;
- (f) by sending it by email to the individual's email address;
- (g) by giving an electronic notice to the individual by the individual's chosen means of notification, stating that the document is available and how the individual may use the individual's chosen means of access to access the document's contents; or
- (h) by any other method authorised by regulations made under section 45 for the service of documents of that kind if the individual consents (expressly or impliedly) to service of a document of that kind in that way.

(3) A document may be served on a partnership (other than a limited liability partnership) —

- (a) by giving it to any partner or other like officer of the partnership;
- (b) by leaving it at, or by sending it by prepaid registered post to, the partnership's business address;
- (c) by sending it by fax to the fax number used at the partnership's business address;
- (d) by sending it by email to the partnership's email address;
- (e) by giving an electronic notice to the partnership by the partnership's chosen means of notification, stating that the document is available and how the partnership may use the partnership's chosen means of access to access the document's contents; or
- (f) by any other method authorised by regulations made under section 45 for the service of documents of that kind if the partnership consents (expressly or

impliedly) to service of a document of that kind in that way.

(4) A document may be served on a body corporate (including a limited liability partnership) or an unincorporated association —

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(a) by giving it to the secretary or other like officer of the body corporate or unincorporated association, or the limited liability partnership's manager;

(b) by leaving it at, or by sending it by prepaid registered post to, the body corporate's or unincorporated association's registered office or principal office in Singapore;

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(c) by sending it by fax to the fax number used at the body corporate's or unincorporated association's registered office or principal office in Singapore;

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(d) by sending it by email to the body corporate's or unincorporated association's email address;

(e) by giving an electronic notice to the body corporate or unincorporated association by the body corporate's or unincorporated association's chosen means of notification, stating that the document is available and how the body corporate or unincorporated association (as the case may be) may use its chosen means of access to access the document's contents; or

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(f) by any other method authorised by regulations made under section 45 for the service of documents of that kind if the body corporate or unincorporated association (as the case may be) consents (expressly or impliedly) to service of a document of that kind in that way.

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(5) Service of a document on a person under this section takes effect —

(a) if the document is sent by fax and a notification of successful transmission is received, on the day of the transmission;

5 (b) if the document is sent by email, at the time that the email becomes capable of being retrieved by the person; and

(c) if the document is sent by prepaid registered post, on the second day after the day the document was posted (even if it is returned undelivered).

10 (6) However, service of any document under this Act, or any regulations made under this Act, on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent (express or implied) to service in that way.

15 (7) This section does not apply to documents to be served in proceedings in court for an offence or other matter under this Act or any regulations made under this Act.

(8) In this section —

“business address” means —

20 (a) in the case of an individual, the individual's usual or last known place of business in Singapore; and

25 (b) in the case of a partnership (other than a limited liability partnership), the partnership's principal or last known place of business in Singapore;

30 “chosen means of access”, for an addressee on whom is or is to be served a document permitted or required by this Act, or any regulations made under this Act, means an electronic means the addressee agrees with the person giving or serving the document as the means by which the addressee may access that document's contents;

“chosen means of notification”, for an addressee on whom is or is to be served a document permitted or required by this Act, or any regulations made under this Act, means

an electronic means that the addressee nominates to the person giving or serving the document as the means by which the addressee may be notified that such a document has been served on the addressee;

“email address” means the last email address given by the addressee concerned as the email address for the service of documents under this Act, or any regulations made under this Act;

“residential address” means an individual’s usual or last known place of residence in Singapore.”.

Amendment of section 41

52. Section 41 of the Rapid Transit Systems Act is amended —

(a) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) This section does not affect the operation of sections 11 and 11A of the Land Transport Authority of Singapore Act, and the authorisation under those sections of outsourced enforcement officers to exercise all or any of the powers of an employee of the Authority under this Act (but not powers under section 23B).”; and

(b) by inserting, immediately after the words “Authorised employees of licensee” in the section heading, the word “, etc.”.

New section 41A

53. The Rapid Transit Systems Act is amended by inserting, immediately after section 41, the following section:

“Protection from personal liability

41A. No liability shall lie against any member, officer or employee of the Authority or any other person acting under the direction of the Authority for anything done or intended to be

done with reasonable care and in good faith in the execution or purported execution of this Act.”.

Amendment of section 45

54. Section 45 of the Rapid Transit Systems Act is amended —

- 5 (a) by deleting the words “for services rendered by the Authority” in subsection (2)(g) and substituting the words “to be paid in connection with the administration of this Act, and the waiver, reduction or refund of fees charged”; and
- 10 (b) by inserting, immediately after subsection (2), the following subsection:
- 15 “(2A) In subsection (2)(a)(iii), (v), (vi) and (vii), (c) and (d), “railway premises” includes a bicycle parking facility or vehicle set down facility adjoining those railway premises.”.

PART 6

AMENDMENTS TO ROAD TRAFFIC ACT

Amendment of section 2

20 **55.** Section 2(1) of the Road Traffic Act (Cap. 276, 2004 Ed.) is amended —

- (a) by inserting, immediately after the definition of “Minister”, the following definitions:
- 25 ““mobility scooter” and “motorised wheelchair” have the same meanings as in the Active Mobility Act 2017 (Act 3 of 2017);”; and
- (b) by inserting, immediately after the definition of “motor vehicle”, the following definition:
- 30 ““outsourced enforcement officer”, in relation to any provision of this Act or subsidiary legislation made under this Act, means an individual who —

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act;

(b) is authorised by or under that Act to exercise any powers under any provision of this Act or subsidiary legislation made under this Act, as the case may be; and 5

(c) is acting within that authorisation;”.

Amendment of section 5A 10

56. Section 5A of the Road Traffic Act is amended —

(a) by inserting, immediately after the words “ride a personal mobility device” in subsection (1), the words “or drive a mobility scooter or motorised wheelchair”;

(b) by inserting, immediately after the words “a personal mobility device” in subsection (2), the words “, a mobility scooter or a motorised wheelchair”; 15

(c) by deleting sub-paragraph (i) of subsection (2)(b) and substituting the following sub-paragraph:

“(i) there is, in the case of a rider of a personal mobility device, an obstruction on a shared path or footpath (within the meaning of the Active Mobility Act 2017) adjacent to the road (called an adjacent area), or there is an obstruction on any public path (within the meaning of that Act) adjacent to the road (also called an adjacent area) in the case of a driver of a mobility scooter or a motorised wheelchair;” and 20 25 30

(d) by inserting, immediately after the words “personal mobility devices” in the section heading, the word “, etc.”.

Amendment of section 5B

57. Section 5B of the Road Traffic Act is amended —

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

5 “(1) An individual must not ride a personal mobility
device or drive a mobility scooter or motorised
wheelchair on a road at any time while the
individual riding the personal mobility device, or
10 driving the mobility scooter or motorised wheelchair,
is towed by a motor vehicle or is otherwise holding on
to a motor vehicle.”; and

(b) by inserting, immediately after the words “personal
mobility device” in the section heading, the word “, etc.”.

Amendment of section 25

15 **58.** Section 25(2) of the Road Traffic Act is amended —

(a) by deleting the word “or” at the end of paragraph (m)(i);
and

(b) by deleting the full-stop at the end of sub-paragraph (ii) of
paragraph (m) and substituting the word “; or”, and by
20 inserting immediately thereafter the following
sub-paragraph:

 “(iii) which the Registrar or officer so
authorised reasonably believes has
been used in the commission of an
25 offence under this Act or the Parking
Places Act (Cap. 214) or any
subsidiary legislation made under
either Act, or under the
Environmental Protection and
30 Management (Vehicular Emissions)
Regulations (Cap. 94A, Rg 6).”.

Repeal of sections 33A and 33B

59. Sections 33A and 33B of the Road Traffic Act are repealed.

Amendment of section 34

60. Section 34 of the Road Traffic Act is amended by deleting subsection (2).

Amendment of section 81

61. Section 81 of the Road Traffic Act is amended —

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(a) by deleting the words “or an employee of the Authority” in subsections (1), (2), (4) and (6) and substituting in each case the words “, an employee of the Authority or an outsourced enforcement officer”; and

(b) by deleting the words “or the Authority’s employee” in subsections (1) and (2) and substituting in each case the words “, Authority’s employee or outsourced enforcement officer (as the case may be)”. 10

Amendment of section 87

62. Section 87 of the Road Traffic Act is amended by deleting subsection (2). 15

Amendment of section 93

63. Section 93 of the Road Traffic Act is amended —

(a) by inserting, immediately after the words “police officer in uniform” in subsection (1), the words “or an outsourced enforcement officer”; 20

(b) by inserting, immediately after the words “the police officer” in subsections (1)(b) and (2), the words “or outsourced enforcement officer (as the case may be)”; and

(c) by inserting, immediately after the words “a police officer” in subsection (2), the words “or an outsourced enforcement officer (as the case may be)”. 25

Amendment of section 95

64. Section 95 of the Road Traffic Act is amended —

(a) by deleting the words “in carrying out the provisions of” in subsections (7) and (10)(a) and substituting in each case the words “in removing, seizing, detaining, storing and disposing the vehicle under”; and

(b) by deleting subsection (8) and substituting the following subsection:

“(8) Where any vehicle or trailer is detained under this section, the Deputy Commissioner of Police or the Registrar must with all reasonable despatch give notice to the owner (if known) of the seizure in a manner allowed under section 131A.”.

Amendment of section 95A

65. Section 95A(7) of the Road Traffic Act is amended by deleting paragraph (b) and substituting the following paragraph:

“(b) where the vehicle has been seized and detained, in a manner allowed under section 131A.”.

Amendment of section 123

66. Section 123 of the Road Traffic Act is amended —

(a) by inserting, immediately after the words “the owner of the vehicle” in subsections (2) and (6), the words “(if known)”; and

(b) by deleting paragraph (a) of subsection (3) and substituting the following paragraph:

“(a) where the vehicle has been removed and detained, in such manner as the enforcement officer thinks expedient; or”.

Amendment of section 123A

67. Section 123A(12) of the Road Traffic Act is amended by deleting the word “prescribed” in the definition of “parking charges” and substituting the words “fixed or deemed fixed”.

Amendment of section 131A

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68. Section 131A of the Road Traffic Act is amended —

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

“(1A) In addition, a notice, order or document (other than a summons) required or authorised to be given or served under this Act or any subsidiary legislation made thereunder on an individual, a partnership, a body corporate or an unincorporated association may be given or served —

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(a) by sending it by email to the email address of the individual, partnership, body corporate or unincorporated association, as the case may be;

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(b) by sending it by fax to whichever of the following is applicable:

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(i) the fax number last known to the Authority as the fax number for the service of notices, orders or documents on the individual;

(ii) the fax number used at the partnership’s business address;

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(iii) the fax number used at the body corporate’s or unincorporated association’s registered office or principal office in Singapore;

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5 (c) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the notice, order or document is available and how the addressee may use the addressee's chosen means of access to access the contents of that notice, order or document; or

10 (d) by any other method authorised by the rules for the service of notices, orders or documents of that kind if the recipient consents (expressly or impliedly) to service of a notice, order or document of that kind in that way.”;

15 (b) by inserting, immediately after subsection (2), the following subsections:

20 “(2A) Service of a notice, order or document under subsection (1A)(a) or (b) takes effect —

(a) if the notice, order or document is sent by email, at the time that the email becomes capable of being retrieved by the person; or

25 (b) if the notice, order or document is sent by fax and a notification of successful transmission is received, on the day of transmission.

30 (2B) However, service of any notice, order or document under this Act or any subsidiary legislation made thereunder on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent (express or implied) to service in that way.”; and

(c) by inserting, immediately after subsection (4), the following subsection:

“(5) In this section —

“business address” or “place of business” means —

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(a) in the case of an individual, the individual’s usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership’s principal or last known place of business in Singapore;

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“chosen means of access”, for an addressee on whom is or is to be served a notice, order or document required or authorised to be given or served under this Act or any subsidiary legislation made thereunder, means an electronic means the addressee agrees with the person giving or serving the notice, order or document as the means by which the addressee may access the contents of that notice, order or document;

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“chosen means of notification”, for an addressee on whom is or is to be given or served a notice, order or document required or authorised to be given or served under this Act or any subsidiary legislation made thereunder, means an electronic means that the addressee nominates to the person giving or serving the notice, order or document as the means by which the addressee may be notified that such a notice, order or document has been given or served on the addressee;

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“email address” means the last email address given by the addressee concerned to the

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person giving or serving a notice, order or document as the email address for the service of notices, orders or documents under this Act or any subsidiary legislation made thereunder.”.

Amendment of section 136

69. Section 136 of the Road Traffic Act is amended —

(a) by deleting subsection (2) and substituting the following subsections:

“(2) Where a person pays by cheque the whole or any part of any tax or fee for a licence under this Act or any subsidiary legislation made under the Act, and the cheque is not accepted on presentation or is dishonoured —

(a) the licence is void as from the date when it was granted or renewed, as the case may be; and

(b) the Registrar must give the person a dishonour notice in a manner allowed under section 131A.

(2A) A dishonour notice must —

(a) contain a statement to the effect that the cheque was dishonoured or not accepted, as the case may be;

(b) contain a statement to the effect that the relevant licence is void as from the date when it was granted or renewed, as the case may be; and

(c) if the licence was not issued in electronic form, require the person to deliver up the licence to the Registrar within a period of 7 days after the date that the dishonour notice is given.”;

- (b) by deleting the words “subsection (2)” in subsection (3) and substituting the words “subsection (2A)(c)”; and
- (c) by deleting the words “the notice under subsection (2) is posted” in subsection (4) and substituting the words “the dishonour notice is given”.

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Repeal of section 145 and new section 145

70. Section 145 of the Road Traffic Act is repealed and the following section substituted therefor:

“Protection from personal liability

145. No liability shall lie against any member, officer or employee of the Authority or any other person acting under the direction of the Authority for anything done or intended to be done with reasonable care and in good faith in the execution or purported execution of this Act.”.

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PART 7

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AMENDMENTS TO STREET WORKS ACT

Amendment of section 2

71. Section 2 of the Street Works Act (Cap. 320A, 1996 Ed.) is amended —

- (a) by deleting the definition of “competent authority” and substituting the following definition:

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““competent authority” means any person who is appointed under section 5 of the Planning Act (Cap. 232) for the purposes of Part III of that Act;”;

25

- (b) by inserting, immediately after the definition of “occupier”, the following definition:

““outsourced enforcement officer”, in relation to any provision of this Act or regulations made under this Act, means an individual who —

30

(a) is appointed under section 11 of the Land Transport Authority of Singapore Act;

5 (b) is authorised by or under that Act to exercise any powers under any provision of this Act or regulations made under this Act, as the case may be; and

(c) is acting within that authorisation;”.

10 **Amendment of section 4**

72. Section 4(1) of the Street Works Act is amended by inserting, immediately after the words “related facilities thereof”, the words “(but not channels, drains, ditches and reserves abutting a street)”.

Amendment of section 32A

15 73. Section 32A of the Street Works Act is amended —

(a) by deleting subsections (3), (4) and (4A) and substituting the following subsections:

20 “(3) If any article or thing is deposited or left on any public street, five-footway or private footway in contravention of subsection (1), an authorised officer may move that article or thing, or cause it to be so removed, so that it is no longer an obstruction or inconvenience to the passage of the public on the public street, five-footway or private footway.

25 (3A) An authorised officer must not exercise a power under subsection (3) unless the officer has taken reasonable steps to inform the following persons (if known), whoever is relevant, of the officer’s intention to exercise that power, and allowed or
30 directed the person to move the article or thing:

(a) the owner of the article or thing;

(b) the person who caused the article or thing to be deposited or to remain on the public street, five-footway or private footway;

(c) the owner or occupier of any land or building fronting, adjoining or abutting on the public street, five-footway or private footway.

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(4) For the purpose of exercising a power under subsection (3), an authorised officer may, with such assistance as the officer considers necessary —

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(a) move the article or thing by any reasonable means (including by towing it) to store at a place of safety; and

(b) use reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to the article or thing.

15

(4A) A person must remove any article or thing where allowed or directed to do so by an authorised officer under subsection (3A).

20

(4B) A person who, without reasonable excuse, fails to comply with subsection (4A) shall be guilty of an offence.”;

(b) by deleting the words “subsection (4)(b), the Authority may recover any costs reasonably incurred by it in connection with such removal” in subsection (5) and substituting the words “subsection (3), the Authority may recover any costs reasonably incurred by it in connection with such removal and the storage of the article or thing by the Authority,”;

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(c) by deleting the words “subsection (4)(b)” in subsection (6) and substituting the words “subsection (3)”;

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(d) by inserting, immediately after the words “owner of the article or thing” in subsection (6), the words “(if known)”;

- (e) by deleting the words “carrying out the provisions of” in subsection (8) and substituting the words “removing, storing and disposing of the article or thing under”;
- 5 (f) by deleting the words “a notice referred to in subsection (3) may be served” in subsection (9) and substituting the words “information required under subsection (3A) may be given”;
- (g) by deleting the words “or (4)(a)” in subsection (11) and substituting the words “or (4B)”;
- 10 (h) by inserting, immediately after the words “any employee of the Authority” in subsection (12), the words “, any outsourced enforcement officer”; and
- (i) by deleting the words “that is a footpath or shared path” in subsection (13).

15 **Repeal of sections 33 and 34 and re-enactment of section 33**

74. Sections 33 and 34 of the Street Works Act are repealed and the following section substituted therefor:

“Damaging public streets, etc.

33.—(1) A person commits an offence if —

- 20 (a) the person intentionally, recklessly or negligently engages in conduct that causes damage to —
- (i) a public street; or
- (ii) any property belonging to the Government by virtue of this Act, or acquired by the Government under this Act, which is in, on or
- 25 under a public street;
- (b) the person does not have the prior written approval of the Authority to engage in such conduct; and
- (c) the damage —
- 30 (i) to the public street prevents or substantially prevents the passage of pedestrians or vehicular traffic on or other use of the public street; or

(ii) to the property belonging to or acquired by the Government prevents or substantially prevents the property from being used or operated in the manner in which it is intended to be used or operated.

5

(2) A person who commits an offence under subsection (1) shall be guilty of an offence and shall be liable on conviction as follows:

(a) for intentionally engaging in conduct which is the offence, to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding 6 months or to both;

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(b) for any other case, to a fine not exceeding \$50,000 or to imprisonment for a term not exceeding 6 months or to both.

15

(3) Whether or not any proceedings for an offence under subsection (1) is instituted or results in a conviction, the Authority may recover from any person who engaged in conduct that caused damage to —

(a) any public street; or

20

(b) any property belonging to the Government by virtue of this Act, or acquired by the Government under this Act, which is in, on or under a public street,

the full amount of the damage caused.

(4) In this section —

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“conduct” means any act or omission, any series of acts or omissions, or both;

“engage in conduct” means engage, whether directly or indirectly, in conduct either alone or together with any other person or persons.”.

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Amendment of section 47

75. Section 47 of the Street Works Act is amended —

- (a) by deleting the words “or business” in subsection (1)(c) and (d) and substituting in each case the words “or place of business”;
- (b) by inserting, immediately after the words “company or body” wherever they appear in subsection (2), the words “or unincorporated association”;
- (c) by inserting, immediately after the words “the secretary” in subsection (2)(a), the words “or other like officer”;
- (d) by inserting, immediately after subsection (2), the following subsection:

“(2A) In addition, any notice, order or document (other than a summons) required or authorised by this Act or any regulations made thereunder to be served on an individual, a partnership, a body corporate or an unincorporated association may be served —

- (a) by sending it by email to the email address of the individual, partnership, body corporate or unincorporated association, as the case may be;
- (b) by sending it by fax to whichever of the following is applicable:
 - (i) the fax number last known to the Authority as the fax number for the service of notices, orders or documents on the individual;
 - (ii) the fax number used at the partnership’s business address;
 - (iii) the fax number used at the body corporate’s or unincorporated association’s registered office or principal office in Singapore;

- (c) by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called in this section an addressee) by the addressee's chosen means of notification, stating that the notice, order or document is available and how the addressee may use the addressee's chosen means of access to access the contents of that notice, order or document; or
- (d) by any other method authorised by any regulations made under this Act for the service of notices, orders or documents of that kind if the recipient consents (expressly or impliedly) to service of a notice, order or document of that kind in that way.”; and
- (e) by inserting, immediately after subsection (3), the following subsections:
- “(4) Service of any notice, order or document under subsection (2A)(a) or (b) takes effect —
- (a) if the notice, order or document is sent by email, at the time that the email becomes capable of being retrieved by the person; or
- (b) if the notice, order or document is sent by fax and a notification of successful transmission is received, on the day of transmission.
- (5) However, service of any notice, order or document under this Act or any regulations made thereunder on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent (express or implied) to service in that way.

(6) In this section —

“business address” or “place of business” means —

(a) in the case of an individual, the individual’s usual or last known place of business in Singapore; or

(b) in the case of a partnership (other than a limited liability partnership), the partnership’s principal or last known place of business in Singapore;

“chosen means of access”, for an addressee on whom is or is to be served any notice, order or document required or authorised by this Act or any regulations made thereunder, means an electronic means the addressee agrees with the person giving or serving the notice, order or document as the means by which the addressee may access the contents of that notice, order or document;

“chosen means of notification”, for an addressee on whom is or is to be served any notice, order or document required or authorised by this Act or any regulations made thereunder, means an electronic means that the addressee nominates to the person giving or serving the notice, order or document as the means by which the addressee may be notified that such a notice, order or document has been served on the addressee;

“email address” means the last email address given by the addressee concerned to the person giving or serving a notice, order or document as the email address for the service of notices, orders or documents under this Act or any regulations made thereunder.”.

Amendment of section 48

76. Section 48 of the Street Works Act is amended —

- (a) by inserting, immediately after the word “give” in subsection (1), the words “or serve”;
- (b) by inserting, immediately after the word “given” wherever it appears in subsections (1) and (2), the words “or served”;
and
- (c) by deleting the marginal note and inserting the following section heading:

“Receipts and notices may be given or served by authorised officer”.

New section 48A

77. The Street Works Act is amended by inserting, immediately after section 48, the following section:

“Protection from personal liability

48A. No liability shall lie against any member, officer or employee of the Authority or any other person acting under the direction of the Authority for anything done or intended to be done with reasonable care and in good faith in the execution or purported execution of this Act.”.

Repeal and re-enactment of section 52

78. Section 52 of the Street Works Act is repealed and the following section substituted therefor:

“Composition of offences

52.—(1) The Authority may compound any offence under this Act or any regulations made thereunder that is prescribed as being an offence which may be compounded by doing one or both of the following:

- (a) by collecting from a person reasonably suspected of having committed the offence a sum not exceeding the lower of the following:

(i) one half of the amount of the maximum fine that is prescribed for the offence;

(ii) \$5,000;

(b) by requiring the person reasonably suspected of having committed the offence to do, or to refrain from doing, such things as are specified in an offer of composition (called conditions of composition) by the Authority, with the concurrence (general or specific) of the Public Prosecutor.

(2) On payment of such sum of money and on full compliance with the conditions of composition, no further proceedings are to be taken against that person in respect of the offence.

(3) All sums collected under this section must be paid into the Consolidated Fund.”.

PART 8

MISCELLANEOUS AMENDMENT, SAVING AND TRANSITIONAL PROVISIONS

Amendment of Cross-Border Railways Act 2018

79. Section 78(1) of the Cross-Border Railways Act 2018 (Act 21 of 2018) is amended by deleting paragraph (d).

Saving and transitional provisions

80.—(1) Any electronic service which is, immediately before the date of commencement of section 59, provided under section 33B of the Road Traffic Act is deemed to be an electronic service system provided by the Land Transport Authority of Singapore under the Land Transport Authority of Singapore Act as amended by section 40.

(2) Section 43(d) does not apply to any vehicle that is removed under section 15 of the Parking Places Act before the date of commencement of section 43(d).

(3) For a period of 2 years after the date of commencement of any provision of this Act, the Minister may, by regulations, prescribe such additional provisions of a saving or transitional nature consequent on

the enactment of that provision as the Minister may consider necessary or expedient.

EXPLANATORY STATEMENT

This Bill seeks to amend several Acts relating to land transport management and regulation so as to improve enforcement capacity and measures.

Part 1 contains amendments to the Active Mobility Act 2017 (Act 3 of 2017).

Part 2 contains an amendment to the Bus Services Industry Act 2015 (Act 30 of 2015).

Part 3 contains amendments to the Land Transport Authority of Singapore Act (Cap. 158A).

Part 4 contains amendments to the Parking Places Act (Cap. 214).

Part 5 contains amendments to the Rapid Transit Systems Act (Cap. 263A).

Part 6 contains amendments to the Road Traffic Act (Cap. 276).

Part 7 contains amendments to the Street Works Act (Cap. 320A).

Part 8 contains a miscellaneous amendment to the Cross-Border Railways Act 2018 (Act 21 of 2018) and saving and transitional arrangements.

Clause 1 relates to the short title and commencement.

Two amendments have retrospective effect as these are related to amendments contained in the enacted Parking Places (Amendment) Act 2018 (Act 24 of 2018).

PART 1

AMENDMENTS TO ACTIVE MOBILITY ACT 2017

Clause 2 amends and introduces definitions into section 2(1) of the Active Mobility Act 2017 (AMA).

The definitions of “non-compliant bicycle” and “non-compliant power-assisted bicycle” are amended to delink them from the Road Traffic Act (RTA). The changes will enable the Land Transport Authority of Singapore (LTA) to make regulations under the AMA prescribing requirements as to construction, weight and accessories for bicycles and power-assisted bicycles used on public paths which are different from the requirements as to construction, weight and accessories prescribed under the RTA for bicycles and power-assisted bicycles used on roads.

New definitions of “registered responsible person”, “registrable personal mobility device”, “registrable PMD register”, “registration”, “registration code” and “unregistered” are inserted to support the amendments in clause 11, which introduce a new Part on mandatory registration of certain personal mobility devices before those devices may be used on the public path system.

A “registrable personal mobility device” is defined as a personal mobility device (PMD) of the description prescribed by the Minister by order in the *Gazette*. Only personal mobility devices of the make or description, etc., prescribed by the Minister must be registered.

The mechanism of an order in the *Gazette* will enable registration of PMDs to be expanded or reduced according to types over time without requiring a Bill to amend the AMA.

By the definition of “unregistered”, a registrable personal mobility device will be regarded as unregistered if its registration is cancelled or it is not registered.

The “registrable PMD register” is defined to mean the register of registrable personal mobility devices which the new section 28E (see clause 11) requires to be established and maintained by the LTA. The register will contain details of the device as well as the registered responsible person for the PMD.

A “registered responsible person” for a registrable personal mobility device is defined to mean any person who is recorded in the registrable PMD register as the registered responsible person in relation to that registrable personal mobility device.

A new definition of “outsourced enforcement officer” is introduced. This is a new class of enforcement personnel who will be appointed under new section 11 of the Land Transport Authority of Singapore Act (LTA Act) (see clause 39), is authorised by or under that Act to exercise any powers under any provision of the AMA or its regulations (as the case may be) and is acting within that authorisation.

Finally, the expression “owner” is defined for the different types of vehicles which may be used on the public path system. In the case of a registrable PMD, the owner is the registered responsible person. In the case of a power-assisted bicycle (PAB), the owner is the person registered under the RTA as the owner of that PAB. If the registration of a registrable PMD or a PAB had been cancelled, the person last registered will be treated as the owner.

In all other instances involving a vehicle, the general rule is to regard one of the following as an owner of the vehicle, as the case may be: a sole or joint owner of the vehicle, or a person who solely, or jointly or in common with any other person, is entitled to the immediate possession of the vehicle. If the vehicle is the subject of a hiring agreement or hire-purchase agreement, the person in possession or entitled to possession of the vehicle under that agreement would be treated as the owner for the purposes of the AMA.

Clause 3 amends section 18 AMA for 3 purposes. Section 18(1) is first amended to enable a ban to be imposed on the riding on all shared paths of a certain type of bicycle, PAB or PMD because of its construction, weight or equipment. Presently, section 18(1)(a) allows a ban only for specific shared paths.

A similar amendment is made to enable a ban to be imposed on the riding on all footpaths of a certain type of bicycle or PMD because of its construction, weight or equipment. Presently, section 18(1)(b) allows a ban only for specific footpaths.

Secondly, section 18 AMA is amended to make it an offence for an individual to ride on a public path that is a shared path, a PAB that is not registered under the RTA, knowing that, or reckless as to whether, it is so not registered.

The third group of amendments to section 18 AMA relate to mobility scooters and motorised wheelchairs. The amendments prohibit driving on a shared path, footpath or pedestrian-only path a mobility scooter or motorised wheelchair which, by reason of its construction, weight or equipment, is prescribed as banned for use on that public path or generally.

Clause 4 amends section 19 AMA to make it an offence to, without reasonable excuse, drive a non-compliant mobility scooter or motorised wheelchair on a footpath or shared path. It is also an offence for an individual who, without reasonable excuse, drives on a public path that is a pedestrian-only path, a non-compliant mobility scooter or motorised wheelchair knowing that, or reckless as to whether, the mobility scooter or motorised wheelchair (as the case may be) is non-compliant.

A grace period may be provided for users of bicycles, PABs, PMDs, mobility scooters and motorised wheelchairs on public paths when these become non-compliant solely by reason of changed requirements prescribed in regulations as to their construction, weight or accessories.

Riding or driving of these bicycles, PABs, PMDs, mobility scooters or motorised wheelchairs which would otherwise be non-compliant due to the changed requirements, can continue to be driven or ridden on public paths for a grace period (if specified) starting on the date the requirements in those regulations come into force, if the individual can prove, on a balance of probabilities, that the bicycle, PAB, PMD, mobility scooter or motorised wheelchair (as the case may be) was sold before that date.

The exception does not cover bicycles, PABs, PMDs, mobility scooters and motorised wheelchairs which are non-compliant even before the changed requirements in the regulations take effect. The exception does not override the other provisions in the AMA on proper use and conduct on the public path system, like no speeding.

Finally, a grace period may, and not always, be specified in the regulations at the same time when the changed requirements as to the construction, weight or accessories are prescribed in regulations.

Clause 5 amends section 20 AMA to extend the exception therein from section 19 on the use of a non-compliant PMD, non-compliant PAB or non-compliant bicycle to include non-compliant mobility scooters and motorised wheelchairs.

Clause 6 introduces a new section 20A to the AMA which makes it an offence to ride a registrable personal mobility device on a public path without ensuring that certain marks are installed and displayed on the PMD in accordance with the regulations. The marks are a registration mark issued by the LTA under the new section 28C for that PMD, and a label or other mark required to be made and affixed by the registered responsible person under the new section 28G(1)(b) in relation to that PMD (called an identification mark).

The new section 20A also makes it an offence to ride a power-assisted bicycle on a public path without ensuring that any identification mark required under the RTA for the use of the PAB on a road is installed and displayed on the PAB in accordance with the requirements under that Act.

The penalty is a fine not exceeding \$1,000 or imprisonment for a term not exceeding 3 months or both. If the accused is a repeat offender, the penalty is higher, namely, a fine not exceeding \$2,000 or imprisonment for a term not exceeding 6 months or both.

Clause 7 amends section 22(1) AMA so that the offence of dangerous riding and driving is not confined to footpaths and shared paths. Section 22 today applies to mobility scooters and motorised wheelchairs which may be used on pedestrian-only paths.

Clause 8 amends section 26 AMA (on wayfinding signs for public paths) so as to confer additional power on the LTA to direct any proprietor or occupier of any land to remove or cause to be removed, at the proprietor's or occupier's cost, any use-incompatible signage on the land which relate to all or any public paths which lead to or away from the land, which front, adjoin or abut on the land or are on, under or over the land.

This is in addition to the LTA's power to direct any proprietor or occupier of any land to install, erect or relocate, or cause to be installed, erected or relocated, on the land, at the proprietor's or occupier's cost, any permanent wayfinding signage.

In addition to enhancing connectivity, the power may be exercised for the purpose of supporting the right of members of the public to use a public path in accordance with the AMA.

Finally, clause 8 extends the directions which may be given by the LTA in relation to all or any public paths fronting, adjoining or abutting on the proprietor's

or occupier's land. This is in addition to the public paths leading to or away from, or on, under or over, the land.

An example of the type of signs which may be the subject of an LTA direction under section 26 AMA as amended is a signboard placed on the boundary wall facing a footpath prohibiting the riding of PMDs or bicycles on the footpath, which is inconsistent with the AMA.

Clause 9 amends section 27 AMA (on maintenance of wayfinding signs for public paths) to extend the duty of a proprietor or an occupier of any land to maintain a wayfinding sign which relates to all or any public paths leading to or away from, or on, under or over, the land, and to public paths fronting, adjoining or abutting on the proprietor's or occupier's land.

Clause 10 amends section 28 AMA to make it an offence to cause or permit any vehicle, article or thing to remain on a public path (but not on State land) so as to obstruct the use of the public path, or to create any inconvenience to the exercise of any right of passage or access conferred by section 12 or 13 AMA.

Clause 11 inserts a new Part 3A (consisting of 7 new sections) providing for the mandatory registration of certain PMDs.

The new section 28A sets out the purpose of the new Part 3A, which is to provide for the registration of personal mobility devices so as to enable the use of personal mobility devices on public paths to be regulated for reasons of safety and law enforcement, and to provide a method of establishing the identity of each personal mobility device which is used on a public path and of the person who is responsible for it.

The new section 28B prohibits a person from riding, or causing or permitting an individual to ride, an unregistered registrable personal mobility device on any footpath or shared path, knowing that, or reckless as to whether, it is so unregistered.

The penalty is a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 3 months or to both and, if the accused is a repeat offender, the penalty is higher, namely, a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

The prohibition applies only to the riding of a registrable personal mobility device on or after a date specified by the Minister by order in the *Gazette*. This will enable a transitional period to be established before the prohibition takes effect.

The new section 28C provides that registration of registrable personal mobility devices and transfer of registration may be applied for, and granted or refused by the LTA, only in accordance with the regulations.

On registering a registrable personal mobility device, the LTA must assign a unique registration code to the registrable personal mobility device so registered,

and issue to the registered responsible person for the registrable personal mobility device a registration mark indicating the unique registration code.

The new section 28D sets out the circumstances under which a registration of a registrable PMD may be cancelled.

The new section 28E requires the LTA to establish and maintain a register of registrable personal mobility devices (called the registrable PMD register) in accordance with the regulations.

The new section 28F deals with the evidential value of extracts and records from the registrable PMD register. However, the registrable PMD register does not provide evidence of title to any registrable personal mobility device.

The new section 28G sets out the basic duties of a registered responsible person for a registrable PMD. This covers a duty to ensure the proper display on the PMD of registration marks, and to make and affix an identification mark to the PMD.

Clause 12 amends section 29 AMA to introduce new definitions of “advertisement”, “non-compliant mobility vehicle advertisement” and “non-compliant PMD advertisement” to support the amendments in clauses 13 to 19, which extend provisions in Part 4 AMA (on dealing in PMDs) to apply to mobility scooters and motorised wheelchairs (collectively called mobility vehicles).

Clause 13 amends section 30(1) AMA to extend the ban in that section against the display, in the course of business of selling by retail PMDs, of non-compliant personal mobility devices to a ban against the display of non-compliant mobility vehicles knowing that, or reckless as to whether, they are non-compliant.

Section 30(2) AMA is also amended to make it an offence if a person who is, in the course of business, selling, or offering or exposing for sale, by retail, any mobility scooter or motorised wheelchair on any premises, fails to ensure that no customer or member of the public can see any non-compliant mobility vehicle from inside or outside the premises.

Clause 14 amends section 31 AMA to extend it to mobility vehicles. Section 31 AMA requires a person who is, in the course of business, selling, or offering or exposing for sale, by retail, any personal mobility device on any premises or place, to display or cause to be displayed within the premises or place a prescribed number of warning notices for those premises or that place. The amendment imposes a similar requirement on a person who is, in the course of business, selling, or offering or exposing for sale, by retail, any mobility vehicle on any premises or place, to display or cause to be displayed within the premises or place a prescribed number of warning notices for those premises or that place. The number is to be prescribed in regulations and may differ between PMDs and mobility vehicles.

Clause 15 amends section 32 AMA to extend the prohibition in that section against publishing, etc., a non-compliant PMD advertisement to a prohibition against publishing, etc., a non-compliant mobility vehicle advertisement.

Clause 16 amends section 33 AMA to extend the provision to apply to mobility scooters and motorised wheelchairs. It makes it an offence for a person to sell, at any premises or place and in the course of business, any mobility scooter or motorised wheelchair if the person knows that, or is reckless as to whether or not, the buyer intends to ride or drive the device on a public road.

Clause 17 amends section 34 AMA which provides for an offence of selling a non-compliant PMD, a non-compliant PAB or a non-compliant bicycle for use on public paths. Clause 17 extends section 34 AMA to cover the sale of non-compliant mobility vehicles.

Clause 17 also abolishes an element of the present offence relating to bicycles, PMDs and PABs which has been difficult to prove in practice. That element is that the buyer does ride the non-compliant personal mobility device, PAB or bicycle on a public path.

The prosecution will still be required to prove that at the time the non-compliant bicycle, PMD, PAB, mobility scooter or motorised wheelchair is sold or offered for sale, the accused knows that, or is reckless as to whether or not, the buyer intends to drive the mobility scooter or motorised wheelchair or ride the bicycle, PMD or PAB on a public path.

Clause 18 amends section 35 AMA, which contains an offence of altering in the course of business a PMD, PAB or bicycle belonging to another person to make it non-compliant and for use on a public path. Clause 18 extends the section to apply it to altering in the course of business a mobility scooter or motorised wheelchair belonging to another person to make the mobility vehicle non-compliant.

Section 35 AMA will still not apply to individuals who alter their own vehicles for their own use, or in cases where the altered non-compliant vehicles are not used on public paths.

Clause 18 also abolishes an element of the present offence relating to bicycles, PMDs and PABs which has been difficult to prove in practice. That element is that the owner for whom the alteration is done does ride the non-compliant personal mobility device, PAB or bicycle on a public path.

Clause 19 amends the rebuttable presumption in section 36 AMA that a person alters (whether in the course of repair or otherwise) any personal mobility device, PAB or bicycle so as to render it a non-compliant personal mobility device, PAB or bicycle. That presumption is extended to cover mobility scooters and motorised wheelchairs in tandem with the amendments in clause 18.

Clause 19 also extends the rebuttable presumption in section 36 AMA regarding the selling of vehicles in the course of business, so that it covers mobility scooters and motorised wheelchairs in tandem with the amendments in clause 17.

Clause 20 amends section 41 AMA to confer on outsourced enforcement officers powers similar to that of volunteer public path wardens under that section. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by the Chief Executive of LTA under the new section 11A of the LTA Act (see clause 39).

Clause 21 amends section 44 AMA to extend the powers of enforcement of authorised officers to provisions in the new Part 3A on registration of registrable PMDs.

Clause 22 amends section 45 AMA to confer on outsourced enforcement officers power to move vehicles. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by the Chief Executive of LTA under the new section 11A of the LTA Act (see clause 39).

An additional amendment is made to extend section 45 AMA to cover vehicles causing inconvenience to passage on a public path.

Clause 23 amends section 46 AMA to confer on outsourced enforcement officers power to remove obstructing articles, etc., on public paths. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by the Chief Executive of LTA under the new section 11A of the LTA Act (see clause 39).

An additional amendment is made as a consequence of the amendment in clause 10, which extends the offence in section 28 AMA to go beyond obstruction and to cover causing inconvenience to the passage by pedestrians or individuals on vehicles lawfully authorised to use such a public path.

Clause 24 amends section 47 AMA to confer on outsourced enforcement officers the power to examine and weigh vehicles. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by the Chief Executive of LTA under the new section 11A of the LTA Act (see clause 39).

Clause 25 amends section 48 AMA to confer on outsourced enforcement officers the power to demand information now conferred on authorised officers and public path wardens.

Section 48 AMA deals with the offence of refusing to answer an authorised officer or a public path warden who has power to demand information from any person whom the authorised officer or public path warden believes on reasonable grounds to have had possession or control of a vehicle on a particular occasion to give any information which may lead to the identification of an individual who was

the driver or rider of the vehicle on any occasion that the driver or rider is alleged or is suspected to be guilty of an offence under the AMA, or who had possession or control of the vehicle on any occasion that the driver or rider is alleged or is suspected to be guilty of any such offence.

The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by the Chief Executive of LTA under the new section 11A of the LTA Act (see clause 39).

It is presently a defence in any proceedings for an offence under section 48 AMA where the accused proves, on a balance of probabilities, that the accused did not know and could not with reasonable diligence have ascertained the information required.

Insofar as that defence is concerned, clause 25 introduces special rules providing for an accused which is a company, a partnership or an unincorporated body to prove the accused did not know and could not with reasonable diligence have ascertained the information required. These are similar to those in section 81(1C) of the RTA.

Clause 26 amends section 50 AMA to confer on outsourced enforcement officers the power to seize vehicles. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by the Chief Executive of LTA under the new section 11A of the LTA Act (see clause 39).

Clause 27 amends section 53(2)(b) AMA to make more efficient the process of disposing of vehicles, articles or things which have been removed.

Disposal can take place if the vehicle, article or thing removed is unclaimed. Under section 53(2) AMA, such a vehicle, article or thing is treated as unclaimed if, at the end of 30 days after the day on which the vehicle, article or thing was so moved, the vehicle, article or thing appears ownerless or the owner has not been located after reasonable inquiry or that owner does not exercise his or her right to recover the vehicle, article or thing by a claim. Clause 27 also removes the present requirement to make a reasonable inquiry to locate the owner.

Clause 28 amends section 56 AMA, which is an offence of refusing to give access to, or obstructing, hindering or delaying an authorised officer, a public path warden or a volunteer public path warden in the discharge of his or her duties. Clause 28 extends the offence to cover refusing to give access to, or obstructing, hindering or delaying an outsourced enforcement officer in the discharge of his or her duties.

Clause 29 amends section 57 AMA to make it an offence if a person furnishes a document or makes a statement or gives information for or in connection with registering a registrable personal mobility device under the new Part 3A, and the person knows, or ought reasonably to know, that the document, statement or

information is false or misleading, or that the statement or information is misleading.

Clause 30 amends section 59 AMA, which provides that it is not necessary for the prosecution to prove that an accused knew or had reason to believe that the path was a pedestrian-only path, footpath or shared path in proceedings for any offence under Part 3. The amendment extends the application of section 59 to offences under the new Part 3A, such as using registrable PMDs on public paths without registration.

Clause 31 introduces a new section 59A which sets out a rebuttable presumption of liability for an owner of a bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter for certain offences under the AMA or its regulations.

An individual who is the owner of a bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter at the time when certain offences are committed would be presumed, until the contrary is proved, to be the person riding or driving the bicycle, PAB, personal mobility device, motorised wheelchair or mobility scooter (as the case may be) and liable for the offence, if the owner fails to give the information required of the owner under section 48 about that offence and the owner knew or ought reasonably to have known the information required.

Clause 32 amends section 62 AMA to extend the duty to maintain secrecy relating to the affairs of the LTA or information obtained in the course of performing duties under the AMA, to outsourced enforcement officers.

Clause 33 amends section 64 AMA which relates to the service of documents permitted or required under the AMA to be served.

First, the modes of service of summonses and other documents is extended to service on unincorporated associations.

Secondly, new modes of service are introduced for the service of documents other than summonses.

The new modes of service follow the technological advances in communications. Service by fax is provided for.

Service by email is also permissible at the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under the AMA.

Service is also permitted by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents. For example, a recipient of a notice may choose to be

notified by a mobile phone application that notifies the person that a notice to the person is available to be accessed on a website maintained by LTA.

However, service of any document on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent to service in that way. The consent may be given expressly or impliedly. An instance of implied consent may be by not opting out within the allowed time, such as when the sender informs the recipient of the intention to serve all notices using an electronic mode unless the recipient notifies the sender that the recipient does not agree to accepting service that way.

Finally, there is also facility for service by any other method authorised by the regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. This allows LTA to provide for service of certain documents using its electronic service system (see clause 40).

Clause 34 amends section 67(2) AMA to expand the power to make regulations to cover the mandatory registration of registrable personal mobility devices. Regulations may be made on the requirements and procedure for the registration of a registrable personal mobility device, which may include the qualifications for a person to be registered as a responsible person for a registrable personal mobility device (such as a minimum age).

The regulations may also deal with the size, shape and character of the registration marks and identification marks required to be fixed on any registrable personal mobility device, and the manner in which those marks must be secured, sealed or displayed on a registrable personal mobility device.

Section 67(2) AMA is also amended to enable regulations to be made to govern the construction, equipment and accessories of PABs for use on public paths.

Clause 35 introduces a new section 67A, to provide that any regulations made under the AMA in respect of the construction, equipment and accessories of bicycles, PABs, personal mobility devices, motorised wheelchairs and mobility scooters for use on public paths, can incorporate some or all of another document without having to reproduce the text of that document as part of the regulations. This means that the content of the document becomes part of the law.

As it is a fundamental principle of the rule of law that people must be able to understand their rights and obligations at law, in order to ensure readily accessible law, the new section 67A limits the incorporation to circumstances where the documents being incorporated are publicly available for free or at a minimal cost. The LTA, as maker of the regulations, is required to give notice in the *Gazette* stating the material that is incorporated in the regulations and the date on which the relevant provision in the regulation was made, and where the material can be inspected during working hours, free of charge or if copies of the material are

available in other ways, the details of where or how the material can be accessed or obtained.

Clause 36 repeals sections 68(i) and 69(5) AMA, which have been made redundant by amendments in the Parking Places (Amendment) Act 2018 (Act 24 of 2018).

PART 2

AMENDMENTS TO BUS SERVICES INDUSTRY ACT 2015

Clause 37 amends section 45 of the Bus Services Industry Act 2015 (which is a general service of document provision) to introduce new modes of service except for the service of summonses. Summonses are documents used in judicial proceedings, so the rules governing their service should be that set by the Rules Committee.

The new modes of service follow the technological advances in communications. Service is permitted by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents.

For example, a recipient of a notice may choose to be notified by a mobile phone application that notifies the person that a notice to the person is available to be accessed on a website maintained by LTA.

However, service of any document on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent to service in that way. The consent may be given expressly or impliedly. An instance of implied consent may be by not opting out within the allowed time, such as when the sender informs the recipient of the intention to serve all notices using an electronic mode unless the recipient notifies the sender that the recipient does not agree to accepting service that way.

There is also facility for service by any other method authorised by the regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. This allows LTA to provide for service of certain documents using its electronic service system (see clause 40).

PART 3

AMENDMENTS TO LAND TRANSPORT
AUTHORITY OF SINGAPORE ACT

Clause 38 amends section 2 of the Land Transport Authority of Singapore Act (called LTA Act) by introducing definitions of “accoutrement” and “outsourced enforcement officer” to support the amendments in clause 39.

Clause 39 introduces 3 new sections to the LTA Act *viz.* sections 11, 11A and 11B.

The new section 11 provides that the LTA may in writing appoint individuals as outsourced enforcement officers, to assist the LTA in the administration of land transport legislation in any particular area in Singapore.

The individuals must be at least 18 years old and they are neither an LTA employee nor a civil servant. However, they must have suitable qualifications or experience.

An outsourced enforcement officer is not an LTA employee and does not, by virtue only of the appointment as one, become an agent of the LTA.

Each outsourced enforcement officer must be issued with an identification card. That identification card must be carried at all times by the outsourced enforcement officer when exercising powers under any land transport legislation. An outsourced enforcement officer whose appointment as such ceases must return to the LTA any identification card issued.

The new section 11A requires the Chief Executive of LTA to issue to each outsourced enforcement officer, an authorisation, in writing, specifying such of the powers under land transport legislation the outsourced enforcement officer may exercise.

These are powers expressly conferred on outsourced enforcement officers under various land transport legislation. Examples are —

- (a) requiring any individual whom the officer reasonably believes to have committed any offence under a land transport legislation to furnish evidence of that individual’s identity, or the individual’s driving licence or other authorisation under any land transport legislation to drive or ride a vehicle;
- (b) moving a vehicle, article or thing which has been abandoned, or deposited or left to remain there in contravention of any land transport legislation;
- (c) giving notice to an owner of any vehicle, article or thing moved or removed by affixing a notice to the vehicle, article or thing in respect of which it applies; and

- (d) photographing or otherwise recording the scene of any offence under any land transport legislation, and any thing or individual at the scene.

However, the Chief Executive of LTA cannot authorise an outsourced enforcement officer to arrest any individual.

The Chief Executive of LTA may limit the powers that an outsourced enforcement officer may exercise, as well as limit when, and where in Singapore, and the circumstances in which an outsourced enforcement officer may exercise all or any of those powers.

An outsourced enforcement officer may exercise those powers only to the extent authorised by the Chief Executive of LTA and directed by an officer or employee of the LTA, and when in uniform and upon production of the identification card.

An outsourced enforcement officer is deemed to be a public servant for the purposes of the Penal Code (Cap. 224) when exercising any such power, so that the provisions of the Penal Code that apply to public servants also apply to outsourced enforcement officers.

The new section 11B makes it an offence for a person who is not an outsourced enforcement officer to represent himself or herself, by word or conduct, to be such an officer. The punishment on conviction is a fine not exceeding \$2,500 or imprisonment for a term not exceeding 6 months or both.

The new section 11B also makes it an offence if an outsourced enforcement officer uses any accoutrement or equipment issued under the new section 11, or any identification card issued under the new section 11(3), otherwise than in the course of, or for the purpose of, exercising the functions of an outsourced enforcement officer. The punishment on conviction is a fine not exceeding \$2,500 or imprisonment for a term not exceeding 6 months or both.

Clause 40 inserts a new section 43, providing for an electronic service system to be provided by LTA and a new section 43A on the service of documents.

The electronic service system in the new section 43 is a continuation of the system provided under section 33B of the Road Traffic Act (RTA) called the Vehicle Registration and Licensing System (the VRLS); see the saving provision in Part 8 of the Bill.

The new section 43 allows for the VRLS to be expanded into a system for carrying out various transactions under different land transport legislation administered by the LTA, which provides for a method for the service of applications, notices or documents if the recipient consents (expressly or impliedly) to service of an application, a notice or document of that kind in that way. The VRLS is today used for transactions just under Part I of the RTA.

As with the present sections 33A and 33B of the RTA, the new section 43 provides for the registration of electronic service agents by the LTA. It is intended that persons may appoint such agents to carry out various transactions on their behalf using the VRLS.

The new section 43 makes various provisions for the implementation of the VRLS through rules made under section 44. In particular, it provides that the LTA may assign authentication codes and accounts to persons wishing to use the service. Where a document is filed through the service by an electronic service agent duly authorised by another person to act for him or her in that matter, that document will be deemed to have been filed with that other person's authority, and he or she is deemed to be cognizant of the matters in it, unless the Chief Executive of LTA has been informed beforehand of the revocation of the authority.

Where a document is filed using an authentication code issued to a person, such as SingPass or CorpPass, it will be presumed to be filed by that person unless a request for cancellation of the authentication code has been made before the filing. A duly certified and authenticated electronic record of a document filed or served using the service or a duly certified or authenticated copy or print-out thereof is admissible as evidence of the facts contained in it.

Clause 40 also inserts a new section 43A regarding service of documents under the LTA Act.

PART 4

AMENDMENTS TO PARKING PLACES ACT

Clause 41 amends section 2 of the Parking Places Act (PPA) to introduce a definition of "outsourced enforcement officer" to support the amendments in clauses 43, 45 and 46.

Clause 42 amends section 8T PPA to expand the modes of service of documents (other than summonses) to include service by giving an electronic notice to an addressee by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents, and by any other method authorised by the regulations for the service of documents of that kind, if the addressee consents (expressly or impliedly) to service of a document of that kind in that way.

Clause 43 amends section 15 PPA to dispense with the requirement to give notice of removal of a vehicle if the identity of the vehicle owner cannot reasonably be ascertained, such as foreign registered vehicles.

Section 15 PPA is also amended to provide that every vehicle that is removed to a place of safety or any other place under section 15(1A)(a) or (b) is liable to forfeiture. The order for the forfeiture may be made by the LTA if it is satisfied that

the vehicle was the subject matter, or was used in the commission, of an offence under section 8C PPA or any regulations made under section 8S PPA and that a person is convicted of the offence, a person who is reasonably suspected of having committed the offence has that offence compounded or at the end of 30 days after the date of the removal, no claim to the vehicle is made to the LTA before the end of that period and there is no prosecution with regard to the offence.

If a claim is made within the allotted time of 30 days, the LTA may either direct the release of the vehicle or refer the matter to a Magistrate.

Clause 44 amends section 18 PPA (which is a general service of document provision) to introduce new modes of service except for the service of summonses under the PPA.

The new modes of service follow the technological advances in communications. Service by fax is provided for.

Service by email is also permissible at the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under the PPA.

Service is also permitted by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents. For example, a recipient of a notice may choose to be notified by a mobile phone application that notifies the person that a notice to the person is available to be accessed on a website maintained by LTA.

However, service of any document on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent to service in that way. The consent may be given expressly or impliedly. An instance of implied consent may be by not opting out within the allowed time, such as when the sender informs the recipient of the intention to serve all notices using an electronic mode unless the recipient notifies the sender that the recipient does not agree to accepting service that way.

Finally, there is also facility for service by any other method authorised by the rules for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. This allows LTA to provide for service of certain documents using its electronic service system (see clause 40).

Clause 45 amends section 19 PPA, which is an offence of obstructing or hindering the Superintendent of Car Parks or an enforcement officer in the discharge of his or her duties, to cover obstructing or hindering an outsourced enforcement officer in the discharge of his or her duties.

Clause 46 amends section 20 PPA to expand the immunity from liability provision to cover any other person acting under the direction of the Superintendent of Car Parks, a Deputy Superintendent or Assistant Superintendent of Car Parks or an outsourced enforcement officer or authorised officer under section 15 PPA. These are mostly assistants to the principal officers vested with powers under the PPA.

Clause 47 amends section 21 PPA to expand the power of exemption to enable exemption from regulations made under Part 3 PPA relating to regulation of vehicle-sharing operators.

Clause 48 is a validation provision that regularises proposals or plans for the provision of parking places and parking spaces purportedly lodged with or approved by the LTA under the Parking Places (Provision of Parking Places and Parking Spaces) Rules (Cap. 214, R 5) before 8 May 2018 and not revoked before that date.

PART 5

AMENDMENTS TO RAPID TRANSIT SYSTEMS ACT

Clause 49 amends section 2 of the Rapid Transit Systems Act (RTSA) by introducing the definition of an “outsourced enforcement officer”, related to the amendments in clause 39. The definition of “railway premises” is also amended to allow for the inclusion of railway commuter facilities in certain provisions of the RTSA.

Clause 50 introduces a new section 23B, which makes it an offence to cause or allow any small vehicle, article or thing to remain on any part of the railway premises or any part of a bicycle parking facility or vehicle set down facility adjoining the railway premises, so as to create any obstruction or inconvenience to the passage of the public to, from or within the railway premises.

A small vehicle is defined to mean a bicycle, power-assisted bicycle, personal mobility device, mobility scooter or wheelchair.

The term “railway premises” is defined in section 2 RTSA and would include the railway station and its entrances on land owned or occupied by the LTA.

Power is conferred on an LTA officer or employee, an employee of a rapid transit system licensee or an outsourced enforcement officer, each specially authorised by the LTA (called an approved person), to move a small vehicle, article or thing, or cause it to be so removed, which is abandoned, or found on any part of any railway premises or a bicycle parking facility or vehicle set down facility adjoining the railway premises, so that it is no longer an obstruction or inconvenience.

The power of removal of a small vehicle, article or thing includes towing it to a holding yard and detaining it there at the risk of its owner. It also includes the use of reasonable force, including cutting or breaking open any lock, seal, fastener or other device on or connected to the small vehicle, article or thing.

This power is generally to be exercised after the approved person has taken reasonable steps to inform the owner of the small vehicle, article or thing (if known) of the approved person's intention to exercise that power and allowed or requested the owner of the small vehicle, article or thing to move it.

However, an approved person may immediately exercise the power of removal and move a small vehicle, article or thing, or cause it to be so removed, where the small vehicle, article or thing which has been abandoned, or deposited or left to remain in contravention of section 23B(1) RTSA, is causing obstruction or inconvenience to other persons on the railway premises.

Notice has to be given to the owner (if known) of the small vehicle, article or thing about the removal and about the manner by which and the time within which such owner may procure the release of the small vehicle, article or thing, which includes paying to the LTA all expenses incurred by the LTA, the licensee concerned or an approved person in moving and detaining the small vehicle, article or thing. The notice has to also mention the disposal process if the small vehicle, article or thing is not claimed within the time specified in the notice.

Clause 51 repeals and re-enacts section 37 RTSA with an expanded provision for the service of any document (except summonses) that is permitted or required by or under the RTSA, or any regulations made under the RTSA, to be served on a person.

In addition to the traditional modes of service of documents such as personal service, post and fax, new modes of service following the technological advances in communications are provided for.

Service by email is permissible at the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under the RTSA.

Service is also permitted by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents. For example, a recipient of a notice may choose to be notified by a mobile phone application that notifies the person that a notice to the person is available to be accessed on a website maintained by the LTA.

However, service of any document on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent to service in that way. The consent may be given expressly

or impliedly. An instance of implied consent may be by not opting out within the allowed time, such as when the sender informs the recipient of the intention to serve all notices using an electronic mode unless the recipient notifies the sender that the recipient does not agree to accepting service that way.

Finally, there is also facility for service by any other method authorised by the regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. This allows LTA to provide for service of certain documents using its electronic service system (see clause 40).

Clause 52 amends section 41 RTSA to make it clear that the section (which empowers the LTA to authorise any employee of a rapid transit system licensee to exercise all or any of the powers of an LTA employee under the RTSA) does not affect the operation of new sections 11 and 11A of the LTA Act (see clause 39), and the authorisation under those sections of outsourced enforcement officers to exercise all or any of the powers of an LTA employee under the RTSA except powers under section 23B RTSA.

Clause 53 introduces a new section 41A to confer immunity from suit for an LTA member, officer or employee, or for any other person acting under the direction of the LTA, for anything done or intended to be done with reasonable care and in good faith in the execution or purported execution of the RTSA. This is to supplement section 10 of the LTA Act, which confers immunity only for acts or purported acts carried out under the LTA Act.

Clause 54 amends section 45 RTSA (on regulation making) to expand some of the powers to apply to a bicycle parking facility or vehicle set down facility adjoining railway premises.

PART 6

AMENDMENTS TO ROAD TRAFFIC ACT

Clause 55 amends section 2(1) of the Road Traffic Act (RTA) by introducing the definition of “outsourced enforcement officer”, related to the amendments in clauses 39, 61 and 63. The definitions of “mobility scooter” and “motorised wheelchair” are also introduced.

Clause 56 amends section 5A RTA to make it an offence to drive a mobility scooter or a motorised wheelchair on a road.

Clause 57 amends section 5B RTA to make it an offence to drive a mobility scooter or a motorised wheelchair on a road at any time while the individual driving the mobility scooter or a motorised wheelchair is towed by a motor vehicle or is otherwise holding on to a motor vehicle.

Clause 58 amends section 25(2) RTA to enable rules to be made empowering the Registrar of Vehicles or an authorised officer to prohibit the entry by driving into, or exit by driving from, Singapore of any vehicle which the Registrar or authorised officer reasonably believes has been used in the commission of an offence under the RTA or the PPA or any subsidiary legislation made under either Act, or under the Environmental Protection and Management (Vehicular Emissions) Regulations (Cap. 94A, Rg 6).

Clause 59 repeals sections 33A and 33B RTA as a consequence of the amendments in clause 40.

Clause 60 similarly repeals section 34(2) RTA as a consequence of the amendments in clause 40.

Clause 61 amends section 81 RTA to confer on outsourced enforcement officers the power to require vehicle owners to provide information. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by LTA under the new section 11A of the LTA Act (see clause 39).

Clause 62 repeals section 87(2) RTA, which is a provision on the service of documents by personal service or post. The provision is not necessary in view of the amendments in clause 68.

Clause 63 amends section 93 RTA to confer on an outsourced enforcement officer the power to examine vehicles. The extent to which an outsourced enforcement officer may exercise those powers remains subject to the authorisation issued by LTA under the new section 11A of the LTA Act (see clause 39).

Clause 64 deletes and substitutes section 95(8) RTA to allow the service of notices of seizure and detention using any of the modes allowed by the amended section 131A RTA (see clause 68).

Clause 65 amends section 95A(7) RTA to allow the service of notices of seizure and detention using any of the modes allowed by the amended section 131A RTA (see clause 68).

Clause 66 amends section 123 RTA to dispense with the requirement to give notice of removal of a vehicle if the identity of the vehicle owner cannot reasonably be ascertained, such as foreign registered vehicles.

Clause 67 amends section 123A RTA to replace the references in the provision to prescribed parking charges with a reference to fixed parking charges, because of the amendments in the Parking Places (Amendment) Act 2018.

Clause 68 amends section 131A RTA to supplement the traditional modes of service for documents which are not summonses.

The new modes of service follow the technological advances in communications. Service by fax is provided for.

Service by email is also permissible at the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under the RTA.

Service is also permitted by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents. For example, a recipient of a notice may choose to be notified by a mobile phone application that notifies the person that a notice to the person is available to be accessed on a website maintained by LTA.

However, service of any document on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent to service in that way. The consent may be given expressly or impliedly. An instance of implied consent may be by not opting out within the allowed time, such as when the sender informs the recipient of the intention to serve all notices using an electronic mode unless the recipient notifies the sender that the recipient does not agree to accepting service that way.

Finally, there is also facility for service by any other method authorised by the rules for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. This allows LTA to provide for service of certain documents using its electronic service system (see clause 40).

Clause 69 amends section 136 to clarify the consequences if cheque payment of any tax or fee for a licence under the RTA is dishonoured. The amendments require the Registrar of Vehicles to give the person a dishonour notice according to the manner allowed under the amended section 131A (see clause 68), instead of only by registered post which is the position today. As is the position today, upon the dishonour of a cheque, the licence is immediately void.

The dishonour notice must inform the payer that the cheque was dishonoured, that the relevant licence is void as from the date when it was granted or renewed (as the case may be), and if the licence was not issued in electronic form, require the relevant person to deliver up the licence to the Registrar of Vehicles within a period of 7 days after the date that the dishonour notice is given.

Clause 70 repeals section 145 RTA, which is spent and replaces that with a new section 145 to confer immunity from suit for an LTA member, officer or employee, or for any other person acting under the direction of the LTA, for anything done or intended to be done with reasonable care and in good faith in the execution or purported execution of the RTA. This is to supplement section 10 of the LTA Act, which confers immunity only for acts or purported acts carried out under the LTA Act.

PART 7

AMENDMENTS TO STREET WORKS ACT

Clause 71 amends section 2 of the Street Works Act (SWA) by introducing the definition of an “outsourced enforcement officer”, related to the amendments in clauses 39 and 73. The definition of “competent authority” in the SWA is also clarified.

Clause 72 amends section 4 SWA to make it clear that LTA’s statutory duty to maintain public streets does not extend to channels, drains, ditches and reserves abutting a street.

Clause 73 amends section 32A SWA to empower an outsourced enforcement officer to move an article or thing, or cause it to be so removed, which is found on any part of any public street, five-footway or private footway, so that it is no longer an obstruction or inconvenience to the passage of the public on the public street, five-footway or private footway. The power to remove is not confined to obstructions.

This power is generally to be exercised after the authorised officer in the section has taken reasonable steps to inform the owner of the article or thing, the person who caused the article or thing to be deposited or to remain on the public street, five-footway or private footway, or the owner or occupier of any land or building fronting, adjoining or abutting on the public street, five-footway or private footway of the authorised officer’s intention to exercise that power and allowed or directed the owner of the article or thing to move it. The notice may be dispensed with if those persons are unknown.

Clause 74 repeals and re-enacts section 33 SWA and repeals section 34 SWA, to make it an offence if a person, without prior written approval of the LTA, intentionally, recklessly or negligently engages in conduct that causes damage to any public street or to any property belonging to the Government by virtue of the SWA, or acquired by the Government under the SWA, which is in, on or under a public street, and the damage to the public street or property (as the case may be) prevents or substantially prevents the passage of pedestrians or vehicular traffic on or other use of the public street or, in the case of the property, prevents or substantially prevents the property from being used or operated in the manner in which it is intended to be used or operated.

The punishment on conviction is a fine not exceeding \$100,000 or imprisonment for a term not exceeding 6 months or both, for intentionally engaging in conduct which is the offence. For all other cases, the punishment is a fine not exceeding \$50,000 or imprisonment for a term not exceeding 6 months or both.

Whether or not any proceedings for an offence is instituted or results in a conviction, the new section 33 provides that the LTA may recover from any person

who engaged in conduct that caused damage to any public street or the property of the Government (as the case may be) the full amount of the damage caused.

Clause 75 amends section 47 SWA firstly, to extend the modes of service of summonses and other documents to include service on unincorporated associations.

Secondly, new modes of service are introduced for the service of documents other than summonses. The new modes of service follow the technological advances in communications. Service by fax is provided for.

Service by email is also permissible at the last email address given by the addressee concerned to the person giving or serving the document as the email address for the service of documents under the SWA.

Service is also permitted by giving an electronic notice to the individual, partnership, body corporate or unincorporated association (called an addressee) by the addressee's chosen means of notification, stating that the document is available and how the addressee may use the addressee's chosen means of access to access the document's contents. For example, a recipient of a notice may choose to be notified by a mobile phone application that notifies the person that a notice to the person is available to be accessed on a website maintained by LTA.

However, service of any document on a person by email or by an electronic notice at the person's chosen means of notification may be effected only with the person's prior consent to service in that way. The consent may be given expressly or impliedly. An instance of implied consent may be by not opting out within the allowed time, such as when the sender informs the recipient of the intention to serve all notices using an electronic mode unless the recipient notifies the sender that the recipient does not agree to accepting service that way.

Finally, there is also facility for service by any other method authorised by the regulations for the service of documents of that kind if the addressee consents (expressly or impliedly) to service of a document of that kind in that way. This allows LTA to provide for service of certain documents using its electronic service system (see clause 40).

Clause 76 makes a drafting amendment to section 48 SWA so as to align the language used in the section and section 47.

Clause 77 inserts a new section 48A to confer immunity from suit for an LTA member, officer or employee, or for any other person acting under the direction of the LTA, for anything done or intended to be done with reasonable care and in good faith in the execution or purported execution of the SWA. This is to supplement section 10 of the LTA Act, which confers immunity only for acts or purported acts carried out under the LTA Act.

Clause 78 repeals and re-enacts section 52 on compounding of offences. The maximum sum of composition is raised to one half of the amount of the maximum

fine that is prescribed for the offence or \$5,000, whichever is the lower. Compounding may also involve requiring the person reasonably suspected of having committed the offence to do, or to refrain from doing, such things as are specified in an offer of composition (called conditions of composition), with the concurrence (general or specific) of the Public Prosecutor.

PART 8

MISCELLANEOUS AMENDMENT, SAVING AND TRANSITIONAL PROVISIONS

Clause 79 repeals section 78(1)(d) of the Cross-Border Railways Act 2018 because it seeks to amend section 11 of the LTA Act. The latter section has been repealed by the Public Sector (Governance) Act 2018 (Act 5 of 2018) with effect from 1 April 2018.

Clause 80 is a saving and transitional provision.

EXPENDITURE OF PUBLIC MONEY

This Bill will involve the Government in extra financial expenditure, the exact amount of which cannot at present be ascertained.
