



REPUBLIC OF SINGAPORE

GOVERNMENT GAZETTE

BILLS SUPPLEMENT

Published by Authority

NO. 44]

MONDAY, NOVEMBER 11

[2024

First published in the *Government Gazette*, Electronic Edition, on 11 November 2024 at 5.30 pm.

Notification No. B 44 — The Road Traffic (Miscellaneous Amendments) Bill is published for general information. It was introduced in Parliament on 11 November 2024.

Road Traffic (Miscellaneous Amendments) Bill

Bill No. 44/2024.

Read the first time on 11 November 2024.

A BILL

intituled

An Act to amend the Road Traffic Act 1961 and the Motor Vehicles (Third-Party Risks and Compensation) Act 1960, and to repeal the School Crossing Patrols Act 1955.

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

Short title and commencement

1. This Act is the Road Traffic (Miscellaneous Amendments) Act 2024 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

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PART 1

AMENDMENT OF ROAD TRAFFIC ACT 1961

Amendment of section 25

2. In the Road Traffic Act 1961 (called in this Act the principal Act), in section 25(2) —

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(a) in paragraph (l), delete “and” at the end; and

(b) replace paragraph (m) with —

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“(m) empower the Registrar and any officer authorised by him or her to prohibit the entry by driving into, or exit by driving from, Singapore of any vehicle —

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(i) if any prescribed charge, fee or tax payable in respect of the vehicle under this Act or any subsidiary legislation made under this Act, or any other written law, is in arrears; or

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(ii) that the Registrar or officer so authorised reasonably believes has been used in the commission of any prescribed offence under this Act or any subsidiary legislation made under this Act, or any other written law; and

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(n) provide for any matter that is required or permitted to be prescribed under this section.”.

New section 42B

3. In the principal Act, after section 42A, insert —

“Imprisonment during disqualification period

42B.—(1) If a person, while disqualified from holding or obtaining a driving licence because of a conviction or an order of a court under this Act or the Motor Vehicles (Third-Party Risks and Compensation) Act 1960, is sentenced to imprisonment on or after the date of commencement of section 3 of the Road Traffic (Miscellaneous Amendments) Act 2024 (whether for an offence under this Act or any subsidiary legislation made under this Act, or any other written law), the whole of the person’s period of imprisonment is not to be counted towards the completion of the person’s disqualification period.

(2) In this section —

“disqualification period” means the period that a person is disqualified from holding or obtaining a driving licence because of a conviction or an order of a court under this Act or the Motor Vehicles (Third-Party Risks and Compensation) Act 1960, starting on the later of the following dates:

(a) the date of the person’s conviction or order of disqualification under this Act or the Motor Vehicles (Third-Party Risks and Compensation) Act 1960;

(b) the date of the person’s release from prison, if the person is sentenced to imprisonment in relation to that conviction;

“period of imprisonment”, in relation to a person sentenced to imprisonment, means the period starting on the date of commencement of the person’s term of imprisonment and ending on the date of the person’s release from prison.”.

Amendment of section 47C

4. In the principal Act, in section 47C, replace subsection (3) with —

“(3) The suspension of a person’s driving licence under subsection (1) or (1A), unless it is sooner rescinded by the Deputy Commissioner of Police under subsection (10), remains in force —

(a) if the person is acquitted of the offence on account of which the person’s driving licence is so suspended (called in this subsection the relevant offence), whether or not by a trial court or an appellate court — until the date of the person’s acquittal; or

(b) if the person is convicted of and sentenced for the relevant offence by a trial court — until the later of the following dates:

(i) the date on which all rights of appeal against the conviction or sentence (including any order of a court disqualifying the person from holding or obtaining a driving licence under this Act or the Motor Vehicles (Third-Party Risks and Compensation) Act 1960 in relation to the relevant offence) have expired or are exhausted;

(ii) the date of commencement of a disqualification order mentioned in sub-paragraph (i).”.

Replacement of sections 64 and 65

5. In the principal Act, replace sections 64 and 65 with —

“Reckless or dangerous driving

64.—(1) A person must not, having regard to all the circumstances of the case, including the nature, condition and use of the road, and the volume of traffic which is, or might reasonably be expected to be, on the road at that time, drive a motor vehicle on a road —

(a) recklessly; or

(b) at a speed or in a manner which is dangerous to the public.

(2) A person (*X*) commits an offence if —

(a) *X* contravenes subsection (1); and

(b) death is caused to another person by the driving of the motor vehicle by *X*. 5

(3) A person (*Y*) commits an offence if —

(a) *Y* contravenes subsection (1); and

(b) grievous hurt is caused to another person by the driving of the motor vehicle by *Y*. 10

(4) A person (*Z*) commits an offence if —

(a) *Z* contravenes subsection (1); and

(b) hurt is caused to another person by the driving of the motor vehicle by *Z*.

(5) A person who contravenes subsection (1) shall be guilty of an offence and shall on conviction — 15

(a) be liable to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both;

(b) if the person is a repeat offender — be liable to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both; 20

(c) if the person is a serious offender in relation to the driving — be liable to a fine of not less than \$2,000 and not more than \$10,000 or to imprisonment for a term not exceeding 12 months or to both, in addition to any punishment under paragraph (a) or (b); or 25

(d) if the person is a serious repeat offender in relation to the driving — be punished with a fine of not less than \$5,000 and not more than \$20,000 and with imprisonment for a term not exceeding 2 years, in 30

addition to any punishment under paragraph (a) or (b).

(6) A person who is guilty of an offence under subsection (2) shall be punished on conviction —

- 5 (a) with imprisonment for a term not exceeding 8 years;
- (b) if the person is a repeat offender — with imprisonment for a term of not less than 2 years and not more than 15 years;
- 10 (c) if the person is a serious offender in relation to the driving — with imprisonment for a term of not less than one year and not more than 2 years, in addition to any punishment under paragraph (a) or (b); or
- (d) if the person is a serious repeat offender in relation to the driving — with imprisonment for a term of not less than 2 years and not more than 4 years, in addition to any punishment under paragraph (a) or (b).
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(7) A person who is guilty of an offence under subsection (3) shall be punished on conviction —

- 20 (a) with imprisonment for a term not exceeding 5 years;
- (b) if the person is a repeat offender — with imprisonment for a term of not less than one year and not more than 10 years;
- 25 (c) if the person is a serious offender in relation to the driving — with a fine of not less than \$2,000 and not more than \$10,000 and with imprisonment for a term of not less than 6 months and not more than one year, in addition to any punishment under paragraph (a) or (b); or
- 30 (d) if the person is a serious repeat offender in relation to the driving — with a fine of not less than \$5,000 and not more than \$20,000 and with imprisonment for a term of not less than one year and not more than

2 years, in addition to any punishment under paragraph (a) or (b).

(8) A person who is guilty of an offence under subsection (4) shall on conviction —

- (a) be liable to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 2 years or to both; 5
- (b) if the person is a repeat offender — be liable to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 4 years or to both; 10
- (c) if the person is a serious offender in relation to the driving — be liable to a fine of not less than \$2,000 and not more than \$10,000 or to imprisonment for a term not exceeding 12 months or to both, in addition to any punishment under paragraph (a) or (b); or 15
- (d) if the person is a serious repeat offender in relation to the driving — be punished with a fine of not less than \$5,000 and not more than \$20,000 and with imprisonment for a term not exceeding 2 years, in addition to any punishment under paragraph (a) or (b). 20

(9) A court convicting a person of an offence under subsection (2), (3), (4) or (5) in the following cases is to, unless the court for special reasons thinks fit to not order or to order otherwise, order that the person be disqualified from holding or obtaining a driving licence for a disqualification period of not less than the specified period corresponding to that case: 25

- (a) for a serious offender in subsection (5)(c) — 2 years;
- (b) for a serious repeat offender in subsection (5)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence — 5 years; 30 35

- (c) for a repeat offender in subsection (6)(b) — 10 years;
- (d) for a serious offender in subsection (6)(c) — 12 years;
- 5 (e) for a serious repeat offender in subsection (6)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence — 15 years;
- (f) for a repeat offender in subsection (7)(b) — 8 years;
- 10 (g) for a serious offender in subsection (7)(c) — 10 years;
- (h) for a serious repeat offender in subsection (7)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence —
- 15 13 years;
- (i) for a serious offender in subsection (8)(c) — 2 years;
- (j) for a serious repeat offender in subsection (8)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence —
- 20 5 years.

25 (10) A court convicting a person of an offence under subsection (2), (3), (4) or (5) in the following cases is to order that the person be disqualified from holding or obtaining a driving licence for life starting on the date of the person's conviction, unless the court for special reasons thinks fit to order a shorter period:

- 30 (a) a serious repeat offender in subsection (5)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence;

- (b) a serious repeat offender in subsection (6)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence; 5
- (c) a serious repeat offender in subsection (7)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence; 10
- (d) a serious repeat offender in subsection (8)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence. 15

(11) A person is a repeat offender in relation to an offence under subsection (2), (3), (4) or (5) (called the current offence), respectively, if —

- (a) the person in the respective subsection has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on at least one other earlier occasion of any of the following offences: 20
- (i) an offence under subsection (2), (3), (4) or (5); 25
- (ii) an offence under section 65 or 116;
- (iii) an offence under this section, or section 65 or 66, as in force immediately before 1 November 2019;
- (iv) an offence under this section, or section 65, as in force on or after 1 November 2019 but before the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024; 30

(v) an offence under section 279, 304A, 336, 337 or 338 of the Penal Code 1871 where the act constituting the offence involves the use of a motor vehicle; or

5 (b) the person in the respective subsection meets both of the following criteria:

10 (i) the person has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) of an offence under section 63(4) on at least 2 other earlier occasions within the period of 5 years immediately before the date on which the person is convicted of the current offence;

15 (ii) in respect of at least 2 of those convictions, the court is satisfied that in committing the offence under section 63(4), the person had driven a motor vehicle on a road at a speed which exceeded by more than 40 kilometres per hour the speed limit imposed by or in exercise of powers conferred by this Act.

20 (12) Where a person is convicted of abetting the commission of an offence under this section and it is proved that the person was present in the motor vehicle at the time of the commission of the offence, the offence of which the person is convicted is, for the purpose of the provisions of Part 2 relating to disqualification from holding or obtaining driving licences, deemed to be an offence in connection with the driving of a motor vehicle.

30 (13) Any police officer may arrest without warrant any person who has committed or is committing an offence under this section.

35 (14) Despite the Criminal Procedure Code 2010, a District Court or a Magistrate's Court has jurisdiction to try any offence under this section and has power to impose the full punishment specified in this section.

(15) Where subsections (6) and (7) prescribe a minimum term of imprisonment on conviction for an offence under subsection (2) or (3), respectively, the court is to impose a sentence of imprisonment that is equal to or greater than the prescribed minimum term of imprisonment unless the court for special reasons thinks fit to order a shorter term of imprisonment.

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(16) In this section and section 65 —

“disqualification period”, for an offender convicted of an offence under this section or section 65 (as the case may be), means the period that the offender is disqualified from holding or obtaining a driving licence because of that conviction, starting on the later of the following dates:

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(a) the date of the offender’s conviction;

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(b) the date of the offender’s release from prison, if the offender is sentenced to imprisonment for that offence;

“grievous”, in relation to hurt, has the meaning given by section 320 (except paragraph (aa)) of the Penal Code 1871;

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“hurt” has the meaning given by section 319 of the Penal Code 1871;

“serious offender” —

(a) in relation to an offence under subsection (2), (3), (4) or (5) (each called a section 64 offence), means an offender who is convicted of an offence under section 67 or 70(4), in addition to that section 64 offence, in relation to the offender’s driving; and

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(b) in relation to an offence under section 65(2), (3), (4) or (5) (each called a section 65 offence), means an offender who is convicted of an offence under section 67 or 70(4), in addition to

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that section 65 offence, in relation to the offender's driving;

“serious repeat offender” —

5 (a) in relation to an offence under subsection (2), (3), (4) or (5) (each called a section 64 offence), means an offender who —

10 (i) is convicted of an offence under section 67 or 70(4), in addition to that section 64 offence, in relation to the offender's driving; and

(ii) has been convicted on at least one other earlier occasion of a specified offence; and

15 (b) in relation to an offence under section 65(2), (3), (4) or (5) (each called a section 65 offence), means an offender who —

20 (i) is convicted of an offence under section 67 or 70(4), in addition to that section 65 offence, in relation to the offender's driving; and

(ii) has been convicted on at least one other earlier occasion of a specified offence;

“specified offence” means —

25 (a) an offence under section 67, 68 or 70(4); or

(b) an offence under section 67 as in force immediately before 1 November 2019.

Driving without due care and attention or reasonable consideration

65.—(1) A person must not drive a motor vehicle on a road —

30 (a) without due care and attention; or

(b) without reasonable consideration for other persons using the road.

- (2) A person (*X*) commits an offence if —
- (a) *X* contravenes subsection (1); and
 - (b) death is caused to another person by the driving of the motor vehicle by *X*.
- (3) A person (*Y*) commits an offence if — 5
- (a) *Y* contravenes subsection (1); and
 - (b) grievous hurt is caused to another person by the driving of the motor vehicle by *Y*.
- (4) A person (*Z*) commits an offence if — 10
- (a) *Z* contravenes subsection (1); and
 - (b) hurt is caused to another person by the driving of the motor vehicle by *Z*.
- (5) A person who contravenes subsection (1) shall be guilty of an offence and shall on conviction —
- (a) be liable to a fine not exceeding \$1,500 or to imprisonment for a term not exceeding 6 months or to both; 15
 - (b) if the person is a repeat offender — be liable to a fine not exceeding \$3,000 or to imprisonment for a term not exceeding 12 months or to both; 20
 - (c) if the person is a serious offender in relation to the driving — be liable to a fine of not less than \$2,000 and not more than \$10,000 or to imprisonment for a term not exceeding 12 months or to both, in addition to any punishment under paragraph (a) or (b); or 25
 - (d) if the person is a serious repeat offender in relation to the driving — be punished with a fine of not less than \$5,000 and not more than \$20,000 and with imprisonment for a term not exceeding 2 years, in addition to any punishment under paragraph (a) or (b). 30

(6) A person who is guilty of an offence under subsection (2) shall on conviction —

5 (a) be liable to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both;

(b) if the person is a repeat offender — be liable to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 6 years or to both;

10 (c) if the person is a serious offender in relation to the driving — be punished with imprisonment for a term not exceeding 2 years, in addition to any punishment under paragraph (a) or (b); or

15 (d) if the person is a serious repeat offender in relation to the driving — be punished with imprisonment for a term not exceeding 4 years, in addition to any punishment under paragraph (a) or (b).

(7) A person who is guilty of an offence under subsection (3) shall on conviction —

20 (a) be liable to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both;

(b) if the person is a repeat offender — be liable to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 4 years or to both;

25 (c) if the person is a serious offender in relation to the driving — be punished with a fine of not less than \$2,000 and not more than \$10,000 and with imprisonment for a term not exceeding 12 months, in addition to any punishment under paragraph (a) or
30 (b); or

(d) if the person is a serious repeat offender in relation to the driving — be punished with a fine of not less than \$5,000 and not more than \$20,000 and with imprisonment for a term not exceeding 2 years, in

addition to any punishment under paragraph (a) or (b).

(8) A person who is guilty of an offence under subsection (4) shall on conviction —

- (a) be liable to a fine not exceeding \$2,500 or to imprisonment for a term not exceeding 12 months or to both; 5
- (b) if the person is a repeat offender — be liable to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 2 years or to both; 10
- (c) if the person is a serious offender in relation to the driving — be liable to a fine of not less than \$2,000 and not more than \$10,000 or to imprisonment for a term not exceeding 12 months or to both, in addition to any punishment under paragraph (a) or (b); or 15
- (d) if the person is a serious repeat offender in relation to the driving — be punished with a fine of not less than \$5,000 and not more than \$20,000 and with imprisonment for a term not exceeding 2 years, in addition to any punishment under paragraph (a) or (b). 20

(9) A court convicting a person of an offence under subsection (2), (3), (4) or (5) in the following cases is to, unless the court for special reasons thinks fit to not order or to order otherwise, order that the person be disqualified from holding or obtaining a driving licence for a disqualification period of not less than the specified period corresponding to that case: 25

- (a) for a serious offender in subsection (5)(c) — 2 years; 30
- (b) for a serious repeat offender in subsection (5)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence — 5 years; 35

- (c) for a repeat offender in subsection (6)(b) — 8 years;
- (d) for a serious offender in subsection (6)(c) — 10 years;
- 5 (e) for a serious repeat offender in subsection (6)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence — 13 years;
- (f) for a repeat offender in subsection (7)(b) — 5 years;
- 10 (g) for a serious offender in subsection (7)(c) — 7 years;
- (h) for a serious repeat offender in subsection (7)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence —
- 15 10 years;
- (i) for a serious offender in subsection (8)(c) — 2 years;
- (j) for a serious repeat offender in subsection (8)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on only one earlier occasion of any specified offence —
- 20 5 years.

25 (10) A court convicting a person of an offence under subsection (2), (3), (4) or (5) in the following cases is to order that the person be disqualified from holding or obtaining a driving licence for life starting on the date of the person's conviction, unless the court for special reasons thinks fit to order a shorter period:

- 30 (a) a serious repeat offender in subsection (5)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence;

- (b) a serious repeat offender in subsection (6)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence; 5
- (c) a serious repeat offender in subsection (7)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence; 10
- (d) a serious repeat offender in subsection (8)(d) who has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on 2 or more earlier occasions of any specified offence. 15

(11) A person is a repeat offender in relation to an offence under subsection (2), (3), (4) or (5) (called the current offence), respectively, if —

- (a) the person in the respective subsection has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) on at least one other earlier occasion of any of the following offences: 20
- (i) an offence under subsection (2), (3), (4) or (5); 25
- (ii) an offence under section 64 or 116;
- (iii) an offence under this section, or section 64 or 66, as in force immediately before 1 November 2019;
- (iv) an offence under this section, or section 64, as in force on or after 1 November 2019 but before the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024; 30

(v) an offence under section 279, 304A, 336, 337 or 338 of the Penal Code 1871 where the act constituting the offence involves the use of a motor vehicle; or

5 (b) the person in the respective subsection meets both of the following criteria:

10 (i) the person has been convicted (whether before, on or after the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024) of an offence under section 63(4) on at least 2 other earlier occasions within the period of 5 years immediately before the date on which the person is convicted of the current offence;

15 (ii) in respect of at least 2 of those convictions, the court is satisfied that in committing the offence under section 63(4), the person had driven a motor vehicle on a road at a speed which exceeded by more than 40 kilometres per hour the speed limit imposed by or in exercise of powers conferred by this Act.

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(12) Any police officer may arrest without warrant any person who has committed or is committing an offence under this section.

25 (13) Despite the Criminal Procedure Code 2010, a District Court or a Magistrate’s Court has jurisdiction to try any offence under this section and has power to impose the full punishment specified in this section.”.

Amendment of section 65AA

30 **6.** In the principal Act, in section 65AA —

(a) in subsection (1), replace paragraphs (a) and (b) with —

“(a) section 64(2) as a serious offender in section 64(6)(c) or as a serious repeat offender in section 64(6)(d);

- (aa) section 64(3) as a serious offender in section 64(7)(c) or as a serious repeat offender in section 64(7)(d);
 - (b) section 65(2) as a serious offender in section 65(6)(c) or as a serious repeat offender in section 65(6)(d); or
 - (ba) section 65(3) as a serious offender in section 65(7)(c) or as a serious repeat offender in section 65(7)(d),”; and
- (b) in subsection (2), replace “an offence under section 64(1) as an offender or a repeat offender in section 64(2)(a) or (b)” with “an offence under section 64(2) as an offender or a repeat offender in section 64(6)(a) or (b)”.

Amendment of section 67

7. In the principal Act, in section 67(2) and (2A), replace “sections 64(2D) and (2E) and 65(6) and (7)” with “sections 64(9) and (10) and 65(9) and (10)”.

Amendment of section 67A

8. In the principal Act, in section 67A —
- (a) in subsection (1)(b)(i)(A), after “64(1)”, insert “(as in force immediately before the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024)”;
 - (b) in subsection (1)(b)(i)(B), after “65(1)”, insert “(as in force immediately before the date of commencement of section 5 of the Road Traffic (Miscellaneous Amendments) Act 2024)”;
 - (c) in subsection (1)(b)(i)(B), delete “or” at the end;
 - (d) in subsection (1)(b)(i), after sub-paragraph (B), insert —
 - “(BA) on or after the date of commencement of section 5 of the Road Traffic

(Miscellaneous Amendments)
Act 2024, the offence under
section 64(2), (3) or (4) or
65(2), (3) or (4); or”;

- 5 (e) in subsection (2), after “exceeded by”, insert “more than”;
- (f) in subsection (3), in the definition of “specified offence”,
in paragraph (a), after “64(1)”, insert “(as in force
immediately before the date of commencement of
section 5 of the Road Traffic (Miscellaneous
10 Amendments) Act 2024)”;
- (g) in subsection (3), in the definition of “specified offence”,
in paragraph (b), after “65(1)”, insert “(as in force
immediately before the date of commencement of
section 5 of the Road Traffic (Miscellaneous
15 Amendments) Act 2024)”;
- (h) in subsection (3), in the definition of “specified offence”,
in paragraph (b), delete “or” at the end; and
- (i) in subsection (3), in the definition of “specified offence”,
after paragraph (b), insert —
- 20 “(ba) section 64(2), (3) or (4) or 65(2), (3) or (4)
that is committed on or after the date of
commencement of section 5 of the Road
Traffic (Miscellaneous Amendments)
Act 2024; or”.

25 **Amendment of section 69**

9. In the principal Act, in section 69 —

(a) after subsection (3), insert —

30 “(3A) Despite subsection (1), an immigration
officer may, if the immigration officer considers it
necessary to do so for the prevention or detection of
an offence under section 67 or 68, require any person
within or in the vicinity of an authorised checkpoint to
provide a specimen of his or her breath for a
preliminary breath test.”;

(b) in subsection (5), after “A police officer”, insert “or an immigration officer”;

(c) in subsection (5)(a), (b) and (c), after “the police officer”, insert “or immigration officer”; and

(d) after subsection (6), insert —

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“(7) In this section —

“authorised checkpoint” means any authorised landing place, authorised point of entry, authorised departing place or authorised point of departure declared under section 5 of the Immigration Act 1959;

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“immigration officer” means any person appointed under section 3 of the Immigration Act 1959.”.

Amendment of section 95

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10. In the principal Act, in section 95 —

(a) in subsection (8), after “section 131A”, insert “and, if applicable, instruct the owner to take delivery of the vehicle or trailer within the period specified in the notice (called in this section the collection period)”;

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(b) replace subsection (9) with —

“(8A) The collection period specified in the notice mentioned in subsection (8) must be at least 48 hours after the date of service of the notice.

(9) If the owner mentioned in subsection (8) has claimed the vehicle or trailer within the collection period but fails to take delivery of the vehicle or trailer before the expiry of the collection period, the owner must, before the release of that vehicle or trailer, pay to the Deputy Commissioner of Police or the Registrar (as the case may be) the prescribed storage charge for the expenses incurred by the Deputy Commissioner of Police or the Registrar in

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storing the vehicle or trailer during the period starting on the day immediately after the expiry of the collection period and ending on the day the vehicle or trailer is released.

5 (9A) Despite subsection (9), if the owner mentioned in subsection (8) fails to take delivery of the vehicle or trailer within the collection period, the Deputy Commissioner of Police or the Registrar may, after one month from the expiry of the collection period,
10 sell by public auction or otherwise dispose of the vehicle or trailer.

(9B) If the owner of a vehicle or trailer detained under this section is unknown or cannot be found, and at the end of 30 days after the date of its detention, no claim to the vehicle or trailer has been made to the Deputy Commissioner of Police or the Registrar, the Deputy Commissioner of Police or the Registrar may, after giving one month's notice in the *Gazette* of his or her intention to do so, sell by public auction or otherwise dispose of the vehicle or trailer.”; and
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(c) after subsection (10), insert —

“(11) To avoid doubt, a reference in subsections (8) and (9B) to any vehicle or trailer detained under this section includes any vehicle or trailer that is detained before the date of commencement of section 10 of the Road Traffic (Miscellaneous Amendments) Act 2024.”.
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Amendment of section 116

30 **11.** In the principal Act, in section 116(9), replace “for a period of not less than 12 months from the date of the conviction from holding or obtaining a driving licence” with “from holding or obtaining a driving licence for a period of not less than 12 months starting on the date of the person’s conviction or, if the person is sentenced to imprisonment, on the date of the person’s release from prison”.

Amendment of section 131A

12. In the principal Act, in section 131A —

(a) in subsection (1A), after “In addition,”, insert “and subject to subsection (2B),”;

(b) after subsection (1A), insert —

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“(1B) In addition, and subject to subsection (2C), a summons issued for an offence under this Act or the rules may be served on an individual, a partnership, a body corporate or an unincorporated association by sending it by email to the email address of the individual, partnership, body corporate or unincorporated association (as the case may be) as specified in accordance with subsection (2C).”;

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(c) in subsection (2A), after “subsection (1A)(a) or (b)”, insert “, or a summons under subsection (1B),”;

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(d) in subsection (2A)(a), after “document”, insert “, or the summons,”;

(e) after subsection (2B), insert —

“(2C) A summons may be served by email as mentioned in subsection (1B) only if —

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(a) any of the following persons (as the case may be) gives prior written consent for the summons to be served in that manner:

(i) the person on whom the summons is to be served;

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(ii) the director, manager or secretary or other similar officer of a body corporate on whom the summons is to be served;

(iii) any of the partners or the secretary or other similar officer of a partnership (other than a limited liability

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partnership) on whom the summons is to be served;

(iv) the president, secretary or any member of the committee of an unincorporated association (or any person holding a position analogous to that of the president, secretary or member of the committee) on whom the summons is to be served; and

(b) that person specifies in that written consent the email address to which the summons is to be sent.”; and

(f) in subsection (4), replace “Subsection (1) does not” with “Subsections (1) and (1B) do not”.

Amendment of section 135

13. In the principal Act, in section 135(1B)(b), delete “by name”.

PART 2

AMENDMENT OF MOTOR VEHICLES (THIRD-PARTY RISKS AND COMPENSATION) ACT 1960

Amendment of section 3

14. In the Motor Vehicles (Third-Party Risks and Compensation) Act 1960, in section 3(3), replace “from the date of the conviction” with “starting on the date of the person’s conviction or, if the person is sentenced to imprisonment, on the date of the person’s release from prison”.

PART 3

REPEAL OF SCHOOL CROSSING PATROLS ACT 1955

Repeal

15. Repeal the School Crossing Patrols Act 1955.

PART 4

SAVING AND TRANSITIONAL PROVISIONS

Saving and transitional provisions

16.—(1) Section 65AA of the principal Act as in force immediately before the date of commencement of section 6 of this Act continues to apply in relation to any conviction (whether before, on or after that date) for any offence mentioned in section 65AA(1) or (2) of the principal Act as in force immediately before that date.

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

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EXPLANATORY STATEMENT

This Bill seeks to amend the Road Traffic Act 1961 and the Motor Vehicles (Third-Party Risks and Compensation) Act 1960, and to repeal the School Crossing Patrols Act 1955.

Part 1 (clauses 2 to 13) amends the Road Traffic Act 1961 (the RTA) for the following main purposes:

- (a) to rationalise certain offences according to the harm caused by the driver of a motor vehicle;
- (b) to remove or lower mandatory minimum sentences and disqualification periods (relating to the holding or obtaining of a driving licence) for certain offences;
- (c) to amend the definition of “repeat offender” for the purposes of certain offences;
- (d) to standardise the commencement of disqualification periods (relating to the holding or obtaining of a driving licence) for certain offences;
- (e) to enhance certain powers of enforcement.

Part 2 (clause 14) amends the Motor Vehicles (Third-Party Risks and Compensation) Act 1960 (the MVTRCA) to standardise the commencement of disqualification periods (relating to the holding or obtaining of a driving licence) for certain offences.

Part 3 (clause 15) repeals the School Crossing Patrols Act 1955 (the SCPA).

Part 4 (clause 16) provides for saving and transitional provisions.

Clause 1 relates to the short title and commencement.

PART 1

AMENDMENT OF ROAD TRAFFIC ACT 1961

Part 1 (clauses 2 to 13) amends the RTA.

Clause 2 amends section 25 (Visitors' vehicles) to allow the Minister to prescribe by rules the charges, fees or taxes payable in respect of a foreign vehicle under the RTA (and its subsidiary legislation) or any other written law that are in arrears, and the offences under the RTA (and its subsidiary legislation) or any other written law that a foreign vehicle may have been used in the commission thereof, for the purposes of denying any foreign vehicle entry into or exit from Singapore. Currently, the charges, fees or taxes payable, and offences, for such purposes are specified in the RTA.

Clause 3 inserts a new section 42B (Imprisonment during disqualification period). Under the new section 42B, if a person, while disqualified from holding or obtaining a driving licence, is sentenced to imprisonment for any offence (whether under the RTA or not), the whole of the person's period of imprisonment does not count towards the completion of the person's disqualification period. A person's period of imprisonment is defined as the period starting on the date of commencement of the person's term of imprisonment and ending on the date of the person's release from prison.

Clause 4 amends section 47C (Immediate suspension of driving licence in certain circumstances). Section 47C presently provides that the suspension of a person's driving licence by the Deputy Commissioner of Police in certain circumstances under section 47C remains in force until the offence on account of which the person's driving licence is so suspended (called the relevant offence) has been tried and determined by a court. However, there may be situations where a person convicted of a relevant offence may continue to drive a motor vehicle, pending the commencement of the court's order disqualifying the person from holding or obtaining a driving licence (called a disqualification order). For example, if there is an appeal against a person's conviction of the relevant offence or the sentence imposed (including a disqualification order), the person may continue to drive a motor vehicle if the person's disqualification order is stayed until the appeal has been decided.

The amendments to section 47C now provide that the suspension remains in force —

- (a) if the person is acquitted of the offence on account of which the person's driving licence is so suspended — until the date of the person's acquittal; or
- (b) if the person is convicted of and sentenced for that offence by a trial court — until the date on which all rights of appeal against the conviction or sentence have expired or are exhausted, or the date of commencement of the person's disqualification order, whichever is later.

Clause 5 replaces sections 64 (Reckless or dangerous driving) and 65 (Driving without due care or reasonable consideration) for several purposes.

Firstly, clause 5 introduces new definitions of “hurt” and “grievous” (in relation to “hurt”), which apply to the new sections 64 and 65, to make it clear that grievous hurt (except death) is a type of hurt.

Secondly, the new sections 64 and 65 now provide for separate and distinct offences relating to reckless or dangerous driving, and driving without due care and attention or reasonable consideration (called careless driving), respectively, according to the harm caused by the driver of the motor vehicle, where the harm that is caused is an element of the offence itself.

These amendments are made due to the decision in *Chen Song v Public Prosecutor & other appeals* [2024] SGHC 129. The General Division of the High Court held that “hurt”, in the specific context of the RTA, meant any physical injury excluding grievous hurt or death. The High Court also held that the current formulation of section 65 supported this interpretation. These amendments will allow the Prosecution the discretion to prefer the appropriate charge given the circumstances of the offence in any particular case, and to prefer, for example, a charge for the offence of careless driving causing hurt even if grievous hurt was factually caused.

Thirdly, clause 5 removes the mandatory minimum sentences and mandatory disqualification periods for first-time offenders for an offence under the new section 64(2) (reckless or dangerous driving causing death) or (3) (reckless or dangerous driving causing grievous hurt), and the new section 65(2) (careless driving causing death) or (3) (careless driving causing grievous hurt).

Fourthly, clause 5 lowers the mandatory minimum sentences for repeat offenders of an offence under the new section 64(2) or (3).

Lastly, under the new sections 64 and 65, the definition of “repeat offender” in relation to an offence under section 63 (Rate of speed) differs from that under the current sections 64 and 65. Under the new definition of “repeat offender” in respect of an offence under section 63(4) (called a speeding offence) —

- (a) only convictions for a speeding offence within a period of 5 years immediately before the date on which the person is convicted of the current offence are counted towards being a repeat offender;
- (b) a person must have been convicted on at least 2 earlier occasions of a speeding offence, instead of only at least one earlier occasion under the current law; and
- (c) in respect of at least 2 of those convictions counted towards being a repeat offender, the person has driven more than 40 kilometres per hour above the speed limit imposed by or in the exercise of powers conferred by the RTA.

Clauses 6, 7 and 8 amend sections 65AA (Court to order forfeiture of motor vehicle for reckless or dangerous driving, etc.), 67 (Driving while under influence of drink, etc.) and 67A (Enhanced penalties for offenders with previous convictions under certain sections), respectively, to update the references to the new sections 64 and 65 as a consequence of the replacement of the current sections 64 and 65 by clause 5.

Clause 8 also amends section 67A(2) to make it clear that section 67A only applies to an offender convicted of an offence under section 63(4) if the offender, in committing the offence, has driven more than 40 kilometres per hour above the speed limit imposed by or in the exercise of powers conferred by the RTA.

Clause 9 amends section 69 (Preliminary breath tests) to allow an immigration officer appointed under the Immigration Act 1959 to require a person within or in the vicinity of an authorised checkpoint to provide a breath specimen for a preliminary breath test. The immigration officer may do so if he or she considers it necessary for the prevention or detection of an offence under section 67 or 68. Today, only police officers are empowered to conduct preliminary breath tests under section 69.

Clause 10 amends section 95 (Power to seize vehicles), which relates to the power to seize any vehicle if there is reason to believe that the vehicle is the subject of an offence under the RTA or used in contravention of a licence issued under the RTA. Currently, a seized vehicle or trailer may only be sold or otherwise disposed of if it is not claimed by its owner within one month from its detention.

The amendments to section 95 now require the owner of the seized vehicle or trailer to take delivery of the vehicle or trailer within a specified collection period. If the owner fails to do so, the Deputy Commissioner of Police or the Registrar of Vehicles may sell or otherwise dispose of the seized vehicle or trailer after one month from the expiry of the collection period. The Deputy Commissioner of Police or the Registrar may also sell or otherwise dispose of the vehicle or trailer if the owner is unknown or cannot be found.

Further, section 95 is amended to require the payment of a prescribed storage charge before the release of a seized vehicle or trailer if its owner has claimed the seized vehicle or trailer within the specified collection period but only takes delivery of the vehicle or trailer after the expiry of the collection period. These amendments are to encourage vehicle owners to collect their seized vehicles and trailers in a timely manner.

Clause 11 amends section 116(9) (Restriction of competitions and speed trials) to provide that the minimum 12-month disqualification period of an offender from holding or obtaining a driving licence as ordered by a court under that section starts on the date of the offender's conviction or, if the offender was sentenced to imprisonment, on the date of the offender's release from prison.

Clause 12 amends section 131A (Service of summonses and other documents) to allow summonses (other than summonses in connection with any offence under the RTA punishable with imprisonment) to be served by email. However, a summons may only be served by email if the person on whom the summons is to be served gives prior written consent and specifies in the written consent the person's email address to which the summons is to be sent.

Clause 13 amends section 135 (Composition of offences) to allow the Deputy Commissioner of Police to authorise any police officer (not below the rank of sergeant) to compound any prescribed offence under the RTA. Currently, such a police officer must be authorised by name.

PART 2

AMENDMENT OF MOTOR VEHICLES (THIRD-PARTY RISKS AND COMPENSATION) ACT 1960

Part 2 (clause 14) amends the MVTRCA.

Clause 14 amends section 3(3) (Users of motor vehicles to be insured against third-party risks) to provide that the 12-month disqualification period of an offender from holding or obtaining a driving licence as ordered by a court under that section starts on the date of offender's conviction or, if the offender was sentenced to imprisonment, on the date of the offender's release from prison.

PART 3

REPEAL OF SCHOOL CROSSING PATROLS ACT 1955

Part 3 (clause 15) repeals the SCPA.

Clause 15 repeals the SCPA as it is obsolete and the policy intent to ensure the places where children cross roads on their way to or from school are safe for crossing has been met by other means.

PART 4

SAVING AND TRANSITIONAL PROVISIONS

Part 4 (clause 16) provides for saving and transitional provisions.

Clause 16(1) provides for a saving matter in relation to the amendments to section 65AA of the RTA made by clause 6.

Clause 16(2) empowers the Minister to make regulations prescribing any additional provisions of a saving or transitional nature consequent on the enactment of any provision of the Bill, that the Minister may consider necessary or expedient. The Minister has power to do so only within 2 years after the commencement of the provision.

EXPENDITURE OF PUBLIC MONEY

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