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## No. S 312

### ROAD TRAFFIC ACT (CHAPTER 276)

#### ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) RULES 2017

In exercise of the powers conferred by section 111 of the Road Traffic Act, the Land Transport Authority of Singapore makes the following Rules:

#### **Citation and commencement**

1. These Rules are the Road Traffic (Public Service Vehicles) (Amendment) Rules 2017 and come into operation on 20 June 2017.

#### **Amendment of rule 2**

2. Rule 2 of the Road Traffic (Public Service Vehicles) Rules (R 14) (called in these Rules the principal Rules) is amended —

(a) by inserting, immediately after the definition of “authorised officer” in paragraph (1), the following definition:

““chauffeured private hire car” means a private hire car hired, or made available for hire, for use primarily in the circumstances in paragraph (b) of the definition of “private hire car” but which may also be used in the circumstances in paragraph (a) of that definition;”;

(b) by deleting the definition of “self-drive car” in paragraph (1) and substituting the following definitions:

““owner”, for a public service vehicle, means the registered owner of the vehicle;

“private hire car” means a motor car that does not ply for hire on any road, and —

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- (a) is hired or made available for hire, under a contract (express or implied) for use as a whole by the hirer or any other individual authorised by the hirer in the contract to drive the car personally; or
  - (b) is hired or made available for hire, under a contract (express or implied) for use as a whole with a driver for the purpose of conveying the hirer, and one or more passengers (if any), in that car;

“private hire car booking service operator” means a person who, in the course of business, engages in the following conduct (including conduct outside of Singapore, or partly inside and partly outside of Singapore):

- (a) accepts, or makes provision for the invitation or acceptance of, bookings from people for a ride-sourcing service; and
- (b) communicates the bookings to private hire car drivers to carry out that ride-sourcing service using licensed chauffeured private hire cars;

“ride-sourcing service” means a service where —

- (a) a passenger books transport for a journey within, or partly within, Singapore through a private hire car booking service operator;
- (b) the private hire car booking service operator communicates the passenger’s booking to a private hire car driver; and

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(c) that driver carries out the transport booked using a licensed chauffeured private hire car;

“self-drive private hire car” means a private hire car hired, or made available for hire, in the circumstances in paragraph (a) of the definition of “private hire car.”;

(c) by deleting sub-paragraph (f) of paragraph (2) and substituting the following sub-paragraphs:

“(f) a chauffeured private hire car licence, that is to say, a licence to use, or make available for hire under a contract (express or implied) for use of, the vehicle as a chauffeured private hire car;

(fa) a self-drive private hire car licence, that is to say, a licence to use, or make available for hire to use, the vehicle as a self-drive private hire car.”; and

(d) by deleting paragraph (3) and substituting the following paragraph:

“(3) In these Rules —

(a) a reference to fares approved by the Council in relation to any taxi or taximeter in a taxi is a reference to the fares last lodged with the Council in accordance with the Public Transport Council (Taxi Fare Pricing Policy) Order 2016 (G.N. No. S 30/2016) for a taxi service using that taxi; and

(b) a reference to a private hire car licence is a reference to both a chauffeured private hire car licence and a self-drive private hire car licence.”.

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**Amendment of rule 3**

3. Rule 3(3) of the principal Rules is amended by deleting the words “a private hire car,” in sub-paragraph (f).

**New rule 8**

4. The principal Rules are amended by inserting, immediately after rule 7, the following rule:

**“Certified private hire car licensee**

8.—(1) A licensee holding a private hire car licence may be certified by the Registrar to be a certified private hire car licensee if the Registrar is satisfied that the licensee —

- (a) is the owner of 2 or more licensed chauffeured private hire cars;
- (b) is the employer of at least 2 drivers on a full-time basis to provide ride-sourcing services that are booked through the licensee and using those chauffeured private hire cars;
- (c) has, in the period of 12 months before applying to be a certified private hire car licensee, directly received bookings for ride-sourcing services provided by drivers it employs (including through the licensee’s own mobile application) which are at least 75% of the total number of bookings for ride-sourcing services provided by its drivers during that period;
- (d) has an appropriate in-house training and assessment programme for its employees who are providing those ride-sourcing services in the course of their employment with the licensee; and
- (e) ensures that the employees mentioned in sub-paragraph (d) attend the medical fitness tests necessary to obtain the certificates and reports required under the Road Traffic (Public Service Vehicles) (Vocational Licences and Conduct of Drivers, Conductors, Trishaw Riders and

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Passengers) Rules (R 8) to obtain or renew their vocational licences.

(2) An application to be a certified private hire car licensee must be accompanied by a non-refundable application fee of \$2,500.

(3) A certification under paragraph (1) for a licensee is valid for a period not exceeding 5 years starting on the date specified by the Registrar in a written notice to the licensee when granting the certification.

(4) However, a certification under paragraph (1) for a licensee ceases to be valid on the happening of the earliest of the following events:

- (a) the certification is cancelled under paragraph (8);
- (b) the licence of the licensee is revoked or suspended under section 108 of the Act or under rule 7.

(5) The Registrar may, on application, renew a licensee's certification under paragraph (1) for any further period (not exceeding 5 years) as specified in a written notice to the licensee if the Registrar is satisfied that the licensee meets all the requirements for certification mentioned in paragraph (1) as if the application to renew were an application to be certified.

(6) To determine whether to certify a licensee under paragraph (1) as a certified private hire car licensee, to ensure that a licensee remains in compliance with the requirements of certification mentioned in that paragraph, or to renew the certification under paragraph (5), the Registrar may require the licensee to provide such information, reports and records as the Registrar may require to ascertain —

- (a) the licensee's compliance with the provisions of the Act and these Rules where applicable to a licensee holding a private hire car licence;
- (b) the licensee's compliance with conditions of the private hire car licence granted to that licensee; and

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- (c) the adequacy of the licensee's in-house training and assessment programme for its employees who are providing ride-sourcing services booked through the licensee.

(7) In particular, the Registrar may, for the purposes of paragraph (6), require the licensee concerned to provide the following information, reports and records concerning the licensee's employees who are providing ride-sourcing services booked through the licensee:

- (a) the training materials (including test papers) used in the course of the training mentioned in paragraph (1)(d);
- (b) complete records about each such employee in the following aspects:
  - (i) the dates the employee started and ended employment with the licensee;
  - (ii) the details of each ride-sourcing service that the employee has provided, including whether that service was booked directly with the licensee and the specific chauffeured private hire car used;
  - (iii) the employee's training records, including the results of any test or assessment that the employee is required to attend.

(8) Subject to paragraphs (9) and (10), the Registrar may cancel any certification of a licensee under paragraph (1) if the Registrar is of the opinion that the licensee —

- (a) is no longer the owner of 2 or more licensed chauffeured private hire cars;
- (b) does not employ at least 2 drivers on a full-time basis to provide ride-sourcing services booked through the licensee and using those chauffeured private hire cars;
- (c) ceases to have an appropriate in-house training and assessment programme for its employees who are

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providing ride-sourcing services in the course of their employment with the licensee;

- (d) has, in any period of 12 months after becoming a certified private hire car licensee, directly received bookings for ride-sourcing services provided by drivers it employs (including through the licensee's own mobile application) which are less than 75% of the total number of bookings for ride-sourcing services provided by its drivers during that period; or
- (e) fails to ensure that the employees mentioned in sub-paragraph (c) attend the medical fitness tests necessary to obtain or renew their vocational licences.

(9) Where the Registrar becomes aware of any of the matters listed in paragraph (8), the Registrar must give the licensee concerned a written notice stating —

- (a) the requirement for certification that the licensee does not comply with; and
- (b) that the licensee has a period of not more than 6 months starting from the date of the notice to rectify the non-compliance.

(10) The Registrar may exercise the powers under paragraph (8) if —

- (a) at the end of the period stated in the written notice in paragraph (9), the certified private hire car licensee has not rectified the non-compliance stated in the written notice;
- (b) the licensee concerned is given a written notice stating —
  - (i) the Registrar's intention to cancel the licensee's certification as a certified private hire car licensee;
  - (ii) the ground for the proposed cancellation; and
  - (iii) that the licensee may (within a period of 14 days after the date of service of the written notice)

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make written representations as to why the certification should not be cancelled; and

- (c) the Registrar takes into consideration the written representations (if any) of the licensee.

(11) The Registrar must notify the certified private hire car licensee of the Registrar's decision under paragraph (10) by a written notice stating the date the cancellation takes effect.”.

### **Amendment of rule 38**

5. Rule 38 of the principal Rules is amended by deleting the words “where the vehicle is to be driven by the hirer thereof”.

### **Amendment of rule 39**

6. Rule 39 of the principal Rules is amended —

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

“(1) The holder of a private hire car licence must keep a register in which is entered —

- (a) the registration number of the private hire car in respect of which the licence is issued;
- (b) the particulars of the licence;
- (c) for every individual employed by the holder to drive the private hire car —
  - (i) the individual's personal particulars such as the name, identity card number, contact details and address;
  - (ii) the particulars of the vocational licence held by that individual authorising the individual to act as a driver; and
  - (iii) the date on which the individual entered and left the employment of the holder; and

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(d) the details of the use of the private hire car specified in paragraph (1A).

(1A) The following details relating to the use of a private hire car must be recorded in the register mentioned in paragraph (1):

(a) where the private hire car is used by an employee of the holder of the private hire car licence —

(i) the details specified in sub-paragraphs (i) and (ii) of paragraph (1)(c) in respect of that employee; and

(ii) the date and time during which the private hire car is in the charge of that employee;

(b) where the private hire car is hired out to an individual —

(i) the name, identity card number, contact details and address of every individual who drives the car;

(ii) the particulars of the vocational licence of such driver if the car is a chauffeured private hire car; and

(iii) the date and time during which the private hire car is in the charge of every such driver;

(c) where the car is hired out to a corporation —

(i) the name of the director or manager of that corporation who is domiciled in Singapore and directly involved in the agreement with the holder to hire the private hire car; and

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- (ii) the date and time during which the private hire car is in the charge of the corporation.”; and

(b) by deleting paragraph (3).

### **Amendment of rule 40**

7. Rule 40 of the principal Rules is amended by deleting paragraph (2).

### **Saving and transitional provisions**

8.—(1) Any motor vehicle that, immediately before 20 June 2017, is registered as a Z10 or Z11 vehicle by the Authority is treated under the principal Rules, from that date, as being the subject of a chauffeured private hire car licence granted under Part V of the Act to the registered owner of the motor vehicle.

(2) Any motor vehicle that, immediately before 20 June 2017, is classified as a R10 or R11 vehicle by the Authority is treated under the principal Rules, from 1 July 2017, as being the subject of a self-drive private hire car licence granted under Part V of the Act to the registered owner of the vehicle.

*[G.N. Nos. S 271/2000; S 23/2001; S 425/2003;  
S 675/2004; S 6/2005; S 127/2006; S 471/2006;  
S 140/2007; S 655/2012; S 32/2016; S 642/2016]*

Made on 19 June 2017.

CHAN HENG LOON ALAN  
*Chairman,*  
*Land Transport Authority of*  
*Singapore.*

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Traffic Act).