

ROAD TRAFFIC ACT
(CHAPTER 276, SECTIONS 61 AND 140)

ROAD TRAFFIC (DRIVING INSTRUCTORS AND DRIVING
SCHOOLS) RULES

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[4th January 1980]

Citation

1. These Rules may be cited as the Road Traffic (Driving Instructors and Driving Schools) Rules.

Definitions

2. In these Rules, unless the context otherwise requires —

“driving school licence” means a licence to carry on the business of a driving school;

“instruction” means instruction in the driving of a motor vehicle;

“instructor’s licence” means a licence to be a driving instructor;

“licence” means an instructor’s licence or a driving school licence granted under Part III of the Act;

“licensee” means the holder of a licence;

“vehicle” means a motor vehicle used for providing instruction and registered as such under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules [R 5].

Consideration of an application for a driving instructor’s licence

3.—(1) In considering an application for an instructor’s licence, the Deputy Commissioner of Police may make such enquiries as he thinks fit and require the applicant to furnish —

(a) evidence of his age;

(b) a certificate from a medical practitioner certifying that he is physically and mentally fit to be a driving instructor;

(c) evidence of his driving experience and of his having passed such course for driving instructors as the Deputy Commissioner of Police may require; and

(d) two recent passport-sized photographs of himself.

(2) No person shall be granted an instructor's licence for a class of vehicles unless he —

(a) has held for a period of at least 3 years a driving licence for a vehicle of the same class; and

[S 695/2016 wef 01/01/2017]

(b) has passed such course for driving instructors as the Deputy Commissioner of Police may require.

[S 695/2016 wef 01/01/2017]

(3) No instructor's licence shall be granted to a person who is 75 years of age or above.

[S 695/2016 wef 01/01/2017]

Photograph of applicant for driving instructor's licence

4. Before an instructor's licence is granted, the licensee shall be photographed in such manner and at such time and place as the Deputy Commissioner of Police may direct.

Consideration of an application for a driving school licence

5. In considering an application for a driving school licence, the Deputy Commissioner of Police may make such enquiries as he thinks fit and shall require the applicant to furnish —

(a) two recent passport-sized photographs of himself;

(b) the certificate of registration of the driving school under the Business Registration Act [Cap. 32];

(c) if the applicant is a company, its certificate of incorporation or registration under the Companies Act [Cap. 50];

(d) the name of every driving instructor employed or engaged by the applicant;

(e) such particulars of the licence of the driving instructor and of every vehicle used by the applicant as the Deputy Commissioner of Police thinks fit;

- (f) the name, address and identity card number of every person enrolled to receive instruction from the driving school; and
- (g) the number and date of issue of the provisional driving licence of such person.

Licensee to be fit and proper person

6. No licence shall be granted to an applicant unless the Deputy Commissioner of Police is satisfied that the applicant is a fit and proper person.

Form of licence

7. A licence shall be in such form as the Deputy Commissioner of Police may determine.

Duration of instructor's licence

8. An instructor's licence shall be valid —

- (a) for a period of 6 months or one year; or
- (b) for such shorter period of not less than one month as the Deputy Commissioner of Police thinks fit,

and shall have effect on the first day of the month in which the licence is first granted.

Duration of driving school licence

9. A driving school licence shall be valid for a period of one year and shall have effect on the first day of the month in which the licence is granted.

Renewal of licence

10.—(1) A licence renewed under section 59 of the Act shall take effect from the day following the expiry of the previous licence or the first day of the month in which it is renewed, whichever is the later.

[S 76/99 wef 01/03/1999]

(2) An instructor's licence which has ceased to be valid for a continuous period of more than one year may not be renewed unless the Deputy Commissioner of Police decides otherwise.

[S 76/99 wef 01/03/1999]

Refund of licence fee

11.—(1) No licence fee or part thereof shall be refunded if the licence is suspended or revoked or if the licensee ceases to be a driving instructor or carry on the business of a driving school.

(2) Where a licence is granted while one is in force, the Deputy Commissioner of Police may at his discretion refund the fee for the licence issued at a later date.

Fee for an instructor's licence

12. The fee for an instructor's licence or the renewal thereof shall be \$60 per year or \$5 per month.

Fee for a driving school licence

13. The fee for a driving school licence or the renewal thereof shall be \$150 per year or part thereof.

[S 362/96 wef 01/10/1996]

Register to be kept by Deputy Commissioner of Police

14.—(1) The Deputy Commissioner of Police shall keep separate registers of all licences issued to driving instructors and persons who carry on the business of a driving school.

(2) The register shall contain such particulars of those driving instructors or those persons and their driving schools as the Deputy Commissioner of Police may determine.

Record to be kept by driving instructor

15.—(1) The holder of an instructor's licence shall maintain a record book in which he shall enter the following particulars in ink:

- (a) his name and the number of the licence;

- (b) the name and the number of the provisional driving licence of every person receiving instruction from him;
 - (c) the time of commencement and termination of every period of instruction given to such person; and
 - (d) the index mark and registration number of the vehicle used by such person during the instruction.
- (2) The licensee shall —
- (a) keep the record up to date and have it in his possession when he is acting as a driving instructor; and
 - (b) on a request being made by the Deputy Commissioner of Police or police officer, produce the record book for inspection forthwith or at such time and place as may be directed.

Record to be kept by the holder of a driving school licence

16.—(1) The holder of a driving school licence shall maintain a record book in which he shall enter the following particulars in ink:

- (a) the index mark and registration number of every vehicle used in the conduct of the business of the driving school;
- (b) the name of every driving instructor employed or engaged by him and such particulars of the driving instructor's licence as the Deputy Commissioner of Police may require;
- (c) the date on which every driving instructor joins and leaves the driving school;
- (d) the name, address and identity card number of every person receiving instruction from the driving school;
- (e) the number and date of issue of the provisional driving licence of such person;
- (f) the time at which and the date on which any instruction is provided to any person by the driving school, the index mark and registration number of the vehicle used for such purpose and the name of that person and the driving instructor present; and

- (g) the rate of fees charged by the driving school.
- (2) The licensee shall —
 - (a) keep the record up to date; and
 - (b) on a request being made by the Deputy Commissioner of Police or a police officer produce the record book for inspection forthwith or at such time and place as may be directed.

Deputy Commissioner of Police may require attendance of licensee

17.—(1) The Deputy Commissioner of Police may require a licensee to appear before him to answer any complaint against the licensee for a failure to comply with or a contravention of any provision of these Rules.

- (2) The licensee shall —
 - (a) appear at such place and time and on such date as may be directed by the Deputy Commissioner of Police; and
 - (b) furnish such information, document or particulars as the Deputy Commissioner of Police may require for the purposes of these Rules.

Circumstances where instructor's licence ceases to be valid

- 18.—(1) An instructor's licence ceases to be valid when —
- (a) the licensee is disqualified under the Act for at least one year from holding or obtaining a driving licence for any class of vehicles;
 - (b) the driving licence held by the licensee is suspended under the Act for at least one year, or is revoked under the Act; or
 - (c) the licensee attains 70, 71, 72, 73 or 74 years of age (each called an applicable age), unless —
 - (i) within 2 months before attaining an applicable age, the licensee undergoes a medical examination mentioned in section 35(10A)(a) of the Act at the licensee's own expense; and

- (ii) the licensee submits to the Deputy Commissioner of Police, within such time as the Deputy Commissioner of Police may require but in any event no later than the date before the licensee attains the applicable age, a certification by the registered medical practitioner who conducted the medical examination, that the licensee is physically fit to drive a vehicle of the class for which the instructor's licence was granted.

(2) An instructor's licence for a class of vehicles ceases to be valid when, under section 35(10A) of the Act, the licensee's driving licence for that class of vehicle ceases to be in force.

(3) Where an instructor's licence ceases to be valid under paragraph (1), the licensee must return the licence to the Deputy Commissioner of Police.

(4) Nothing in this rule affects the power of the Deputy Commissioner of Police under section 53(1)(a)(ii) or (b) of the Act to revoke or suspend an instructor's licence in any case where —

- (a) the licensee is disqualified under the Act for less than one year from holding or obtaining a driving licence for any class of vehicles; or
- (b) the driving licence held by the licensee is suspended under the Act for less than one year.

[S 695/2016 wef 01/01/2017]

Suspension or revocation of licence

19. The Deputy Commissioner of Police may suspend or revoke a licence if he is of the opinion that the licensee —

- (a) has made any misrepresentation or has failed to disclose any fact in his application for the licence;
- (b) has failed to provide instruction to any person in a satisfactory manner; or
- (c) has charged any unreasonable fees for instruction.

Display of instructor's licence

20.—(1) The holder of an instructor's licence shall, when he is acting as a driving instructor, wear the licence over the left chest in such manner that the particulars endorsed thereon are clearly exposed to view and shall produce it to the Deputy Commissioner of Police or a police officer for inspection on demand.

(2) Paragraph (1) shall not apply to a licence which has been lost, destroyed, defaced or obliterated where the licensee has applied for a duplicate under rule 29.

Possession of instructor's licence

21. The holder of an instructor's licence shall not lend it to or permit it to be used by or be in the possession of any other person.

Driving instructor's responsibility for vehicle

22. A person shall, when acting as driving instructor, take all reasonable precautions to ensure that the vehicle under his charge is —

- (a) driven safely so as not to endanger the safety of any other road user;
- (b) not causing undue obstruction to the flow of traffic or any other road user;
- (c) not kept stationary on a road longer than is necessary for any lawful purpose; and
- (d) stopped whenever directed to do so by the Deputy Commissioner of Police or a police officer.

Driving school to employ licensed driving instructors

23. The holder of a driving school licence shall not employ or engage any person to give instruction unless that person holds an instructor's licence.

Fees for instruction

24. A licensee shall charge such fees for instruction as are considered to be fair and reasonable by the Deputy Commissioner of Police.

Only certain vehicles may be used

25. No licensee shall use a motor vehicle for providing instruction unless it is registered for that purpose under the Road Traffic (Motor Vehicles, Registration and Licensing) Rules [R 5].

Production of vehicle for inspection

26.—(1) The Deputy Commissioner of Police or an authorised officer may at any time require the owner of a vehicle to produce it for inspection at such time and place as he may appoint.

(2) The Deputy Commissioner of Police or a police officer may examine a vehicle whilst it is on a road or at a public place or a driving school.

(3) Any person who fails to comply with any requirement of the Deputy Commissioner of Police or obstructs the Deputy Commissioner of Police or any police officer in the exercise of his power under this rule shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Insurance

27. A vehicle used for providing instruction or a driving test shall have insurance taken out in respect thereof to cover any liability arising from —

- (a) any driving instructor using the vehicle for providing instruction;
- (b) any person driving the vehicle; or
- (c) any other person in the vehicle during the driving test.

Application for extract of register

28.—(1) An application for a copy of an entry in a register referred to in rule 15 to the Deputy Commissioner of Police shall contain reasons for such application.

(2) The Deputy Commissioner of Police may at his discretion approve or reject the application.

(3) The fee for a certified copy of every such entry shall be \$5.

(4) Any person who knowingly or wilfully makes a false statement to obtain a copy of such entry under this rule shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

Duplicate licence

29.—(1) If any licence has been lost, destroyed, defaced or obliterated so that any entry therein is illegible, the licensee shall forthwith notify the Deputy Commissioner of Police who, if satisfied that it has been lost, destroyed, defaced or obliterated, shall upon payment of a fee of \$5 issue a duplicate to the licensee, endorsing thereon the particulars contained in the original licence.

(2) If a licence has been defaced or obliterated, no duplicate shall be issued under this rule unless the original licence is surrendered to the Deputy Commissioner of Police or an authorised officer.

(3) If a licence has been lost or destroyed, no duplicate shall be issued under this rule unless a statutory declaration or a police report of the loss or destruction is produced to the Deputy Commissioner of Police.

(4) Where a licence which has been reported under paragraph (1) to be lost or destroyed is found during the validity thereof, the licensee or any other person who comes into possession of the licence shall return it to the Deputy Commissioner of Police as soon as possible.

Licence not to be altered

30. No person shall make any mark or entry on, or erase, cancel or alter any mark or entry on, any licence.

Change of particulars to be notified

31.—(1) A licensee shall, subject to paragraph (2), inform the Deputy Commissioner of Police in writing of any change in his business or residential address or any other particulars stated in the application for the licence.

(2) Where a licensee who has changed his residential address makes a report thereof under section 8 of the National Registration Act [Cap. 201], he shall be deemed to have informed the Deputy Commissioner of Police of the change in his residential address in compliance with paragraph (1).

[S 81/95 wef 01/03/1995]

Offence

32. Any person who contravenes or fails to comply with any of the provisions of rule 15, 16, 20, 21, 22 or 25 shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000.

LEGISLATIVE HISTORY
ROAD TRAFFIC (DRIVING INSTRUCTORS AND DRIVING
SCHOOLS) RULES
(CHAPTER 276, R 16)

This Legislative History is provided for the convenience of users of the Road Traffic (Driving Instructors and Driving Schools) Rules. It is not part of these Rules.

1. G. N. No. S 4/1980 — Road Traffic (Driving Instructor and Driving School) Rules 1980

Date of commencement : 4 January 1980

2. G. N. No. S 19/1980 — Road Traffic (Driving Instructor and Driving School) Rules 1980 Corrigenda

Date of commencement : 15 January 1980

3. G. N. No. S 123/1982 — Road Traffic (Driving Instructor and Driving School) (Amendment) Rules 1982

Date of commencement : 27 April 1982

4. 1990 Revised Edition — Road Traffic (Driving Instructors and Driving Schools) Rules

Date of operation : 25 March 1992

5. G. N. No. S 81/1995 — Road Traffic (Driving Instructors and Driving Schools) (Amendment) Rules 1995

Date of commencement : 1 March 1995

6. G. N. No. S 362/1996 — Road Traffic (Driving Instructors and Driving Schools) (Amendment) Rules 1996

Date of commencement : 1 October 1996

7. G. N. No. S 76/1999 — Road Traffic (Driving Instructors and Driving Schools) (Amendment) Rules 1999

Date of commencement : 1 March 1999

8. G.N. No. S 695/2016 — Road Traffic (Driving Instructors and Driving Schools) (Amendment) Rules 2016

Date of commencement : 1 January 2017