
First published in the *Government Gazette*, Electronic Edition, on 23 June 2020 at 5 pm.

No. S 483

**ROAD TRAFFIC ACT
(CHAPTER 276)**

**ROAD TRAFFIC
(CAR POOLING — EXEMPTION)
ORDER 2020**

ARRANGEMENT OF PARAGRAPHS

Paragraph

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In exercise of the powers conferred by section 142 of the Road Traffic Act, the Minister for Transport makes the following Order:

Citation and commencement

1. This Order is the Road Traffic (Car Pooling — Exemption) Order 2020 and is deemed to have come into operation on 19 June 2020.

Definitions

2. In this Order, unless the context otherwise requires —

“approved on-demand ride booking service” means an on-demand ride booking service (within the meaning given by section 4 of the Point-to-Point Passenger Transport Industry Act 2019 (Act 20 of 2019)) approved by the Minister for the purposes of this Order, that —

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- (a) directly matches —
- (i) the drivers of private motor cars who make available the booking of their cars to provide carriage for a journey or part of a journey that the driver would be undertaking in any event; with
 - (ii) prospective passengers seeking to book carriage for a journey or part of a journey mentioned in sub-paragraph (i); and
- (b) communicates the booking, or facilitates the prospective passenger to communicate his or her booking, to the driver of such a private motor car to provide that carriage;

“car pooling arrangement” means the carriage by motor vehicle of one or more passengers on a journey to which each of the following applies:

- (a) the carriage is incidental to the main purpose of the journey and the driver would have undertaken the journey in any event;
- (b) the carriage provided is not the result of the driver or another person standing or plying for hire on a road, a parking place, or a public stand provided for public service vehicles under Part V of the Act;
- (c) the consideration for the journey is limited to —
 - (i) the payment by a passenger of a share of the costs incurred in making the journey, with neither the driver nor any other person making a profit from the carriage of the passenger or all other passengers if more than one is carried under the arrangement; or
 - (ii) an undertaking by a passenger to carry the driver, or a family member of the driver, on a similar journey on the same basis, or some other similar benefit;

“private motor car” means a motor car (within the meaning given by section 4(1)(e) of the Act) registered in the name of an individual and that —

(a) is used —

(i) by the individual, a member of the individual’s family or another person with that individual’s authority; and

(ii) for social or domestic purposes or for the individual’s business; but

(b) is not used for the carriage of goods which are not samples or for instructional purposes for reward.

Driver of private motor car in car pooling arrangement

3.—(1) An individual who drives a private motor car for the carriage of passengers on not more than 2 journeys each day —

(a) under a car pooling arrangement that involves an approved on-demand ride booking service provider directly matching the individual with the passenger with respect to the carriage for a journey or part of a journey that the driver would be undertaking in any event;

(b) in which the individual (directly or through the approved on-demand ride booking service provider) does the following before the start of the carriage:

(i) informs the passenger of the individual’s destination;

(ii) agrees with the passenger on the date of, pick-up and drop-off points of, and the payment (whether in cash or in kind) for, the carriage; and

(c) without displaying in or on the private motor car any fares for hiring the private motor car,

is exempt from the Part V requirements specified in sub-paragraph (2).

(2) The Part V requirements are the requirements in the following provisions insofar as they apply to the use of a private motor car for the carriage of passengers under a car pooling arrangement:

- (a) section 101(1) of the Act to be issued with a public service vehicle licence;
- (b) section 106 of the Act;
- (c) section 110(1)(a) of the Act to hold a vocational licence granted under Part V of the Act;
- (d) Part III of the Road Traffic (Public Service Vehicles) (Vocational Licences and Conduct of Drivers, Conductors, Trishaw Riders and Passengers) Rules (R 8);
- (e) the Road Traffic (Public Service Vehicles) Rules (R 14).

(3) To calculate the number of journeys in a day for the purposes of sub-paragraph (1), a journey —

- (a) starts at the beginning of the carriage in a private motor car of the first passenger for hire or reward in the course of the driver's journey to the driver's destination (as informed to the passenger under sub-paragraph (1)(b)(i)); and
- (b) ends when the private motor car reaches that destination.

Private motor car owner in car pooling arrangement

4. The owner of a private motor car that is used in a car pooling arrangement described in paragraph 3 by a driver who is exempt under that paragraph, is exempt from sections 101(1), 107 and 110(1)(b) of the Act with respect to the private motor car —

- (a) being permitted or caused by the owner to be used in the car pooling arrangement; and
- (b) the driver using the private motor car in the car pooling arrangement in the course of employment with the owner or as permitted by the owner to do so.

Other person causing use of private motor car in car pooling arrangement

5. Section 101 of the Act does not apply to a person who causes a private motor car to be used in a car pooling arrangement described in paragraph 3 where the driver using the private motor car for such a purpose is exempt under paragraph 3 in respect of that use.

Made on 22 June 2020.

LOH NGAI SENG
*Permanent Secretary,
Ministry of Transport,
Singapore.*

[MOT.LT.271.0.014.0.1; AG/LEGIS/SL/276/2020/17 Vol. 1]