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The following Act was passed by Parliament on 8 July 2019 and assented to by the President on 24 July 2019:—

REPUBLIC OF SINGAPORE

No. 19 of 2019.

I assent.

HALIMAH YACOB,
President.
24 July 2019.



An Act to amend the Road Traffic Act (Chapter 276 of the 2004 Revised Edition).

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 (Amendment) Act 2019 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

Amendment of section 35

2. Section 35 of the Road Traffic Act (called in this Act the principal Act) is amended by deleting subsection (3) and substituting the following subsections:

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

- (a) to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 3 years or to both;
- (b) where the person is a repeat offender, to a fine not exceeding \$20,000 or to imprisonment for a term not exceeding 6 years or to both.

(3A) For the purposes of subsection (3) and section 35AA, a person is a repeat offender in relation to an offence under subsection (3) if the person who is convicted, or found guilty, of an offence under that subsection (called the current offence) for contravening subsection (1) or (2) —

- (a) has been convicted or found guilty on at least one other earlier occasion of an offence under subsection (3) for contravening the same provision as the current offence; or
- (b) has (whether before, on or after the date of commencement of section 2 of the Road Traffic (Amendment) Act 2019) been convicted or found guilty on at least one other earlier occasion of an offence under subsection (3) as in force immediately before that date for contravening the same provision as the current offence.”.

New section 35AA

3. The principal Act is amended by inserting, immediately after section 35, the following section:

“Court to order forfeiture of vehicle for person driving motor vehicle without driving licence

35AA.—(1) Where a person convicted of an offence under section 35(3) (committed on or after the date of commencement of section 3 of the Road Traffic (Amendment) Act 2019) is a repeat offender and it is proved to the satisfaction of a court that a motor vehicle has been used in the commission of the offence, the court is to, on the application of the Public Prosecutor, make an order for the forfeiture of the motor vehicle, unless —

(a) the court is satisfied that —

- (i) the person convicted is not the owner of the motor vehicle; and
 - (ii) the driver of the motor vehicle in relation to which the offence is committed had driven the motor vehicle without the consent of the owner;
- or

(b) the court has other good reasons for ordering otherwise.

(2) Any motor vehicle in respect of which there has been or there is reasonable cause to suspect that there has been committed (on or after the date of commencement of section 3 of the Road Traffic (Amendment) Act 2019) an offence under section 35(3), may be seized by any police officer or the Registrar or any officer authorised in writing by the Registrar.

(3) If there is no prosecution with regard to an offence under section 35(3), any motor vehicle seized pursuant to subsection (2) in relation to the offence must be released at the end of one month starting from the date of seizure if it is not earlier released.”.

Amendment of section 35A**4. Section 35A of the principal Act is amended —**

(a) by inserting, immediately after subsection (7), the following subsection:

“(7A) If —

- (a) a person is a holder of a driving licence authorising the person to drive a motor vehicle of a particular class or description; and
- (b) the person’s driving licence is revoked under this section when the person is a new driver in respect of that licence,

then every other driving licence authorising the person to drive a motor vehicle of any other class or description is deemed to be revoked as well unless the person is then not a new driver in respect of that other driving licence.”; and

(b) by inserting, immediately after subsection (8), the following subsection:

“(9) For the purposes of subsection (7A), a person is a new driver in relation to any driving licence during the initial period —

- (a) starting on the date of the grant of the driving licence to the person under section 35(6), or under section 36(2) in the circumstances described in section 36(2)(a)(ii); and
- (b) ending on the eve of the first anniversary of the grant of the driving licence as mentioned in paragraph (a).”.

Repeal and re-enactment of section 35B

5. Section 35B of the principal Act is repealed and the following section substituted therefor:

“Licensee may make representations against revocation of driving licence

35B.—(1) To revoke a person’s driving licence under section 35A, the Deputy Commissioner of Police must first give a notice to the person concerned —

- (a) stating that the Deputy Commissioner of Police proposes to revoke the person’s driving licence on such date (called in this section the proposed revocation date) being at least 4 weeks after the date of giving the notice;
- (b) setting out the reasons for revoking the person’s driving licence; and
- (c) specifying the period (being at least 4 weeks after the date of giving the notice) within which representations or objections with respect to the proposed revocation may be made.

(2) Then, the Deputy Commissioner of Police may, after considering any representations or objections which are duly made within the period mentioned in subsection (1)(c) and not withdrawn by the person concerned, revoke the person’s driving licence on the proposed revocation date.

(3) The Deputy Commissioner of Police must immediately inform the person concerned of his decision under subsection (2).

(4) However, the Deputy Commissioner of Police may, on his own initiative, rescind the revocation of a person’s driving licence and reinstate the person’s driving licence, after re-considering any representations or objections made by that person within the period mentioned in subsection (1)(c).

(5) In relation to reinstating a person’s driving licence under subsection (4) —