

# **Road Traffic (Amendment No. 2) Bill**

## **Table of Contents**

**Bill No: 45/2002**

***Read the first time: 25th November 2002***

**Long Title**

**Enacting Formula**

**1 Short title and commencement**

**2 Amendment of section 2**

**3 Amendment of section 11A**

**4 Amendment of section 19**

**5 New section 23A**

**6 Amendment of section 34**

**7 Amendment of section 34A**

**8 Amendment of section 87**

**9 Repeal and re-enactment of section 93**

**10 Amendment of section 94**

**11 New Part VA**

**12 New section 127A**

**13 Amendment of section 129**

## **14 Amendment of section 135**

### **Explanatory Statement**

### **Expenditure of Public Money**

### **Road Traffic (Amendment No. 2) Bill**

#### **Bill No. 45/2002**

*Read the first time on 25th November 2002.*

An Act to amend the Road Traffic Act (Chapter 276 of the 1997 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 may be cited as the Road Traffic (Amendment No. 2) Act 2002 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

#### **Amendment of section 2**

**2.** Section 2(1) of the Road Traffic Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the words “Minister for Communications” in paragraphs (a) and (c) of the definition of “Minister” and substituting in each case the words “Minister for Transport”; and
- (b) by deleting the definition of “trishaw”.

#### **Amendment of section 11A**

**3.** Section 11A of the principal Act is amended —

- (a) by deleting paragraphs (a) and (b) of subsection (3) and substituting the following paragraphs:

- “(a) a fine not exceeding \$5,000; and
- (b) in the case of a second or subsequent conviction, a fine not exceeding \$10,000.”;

(b) by deleting the words “shall on conviction be punished with a fine of not less than twice the amount of the fee payable for a licence for 12 months in respect of that motor vehicle as if it were not subject to the restriction referred to in that subsection” in the 5th to last lines of subsection (4) and substituting the words “shall on conviction be punished with a fine not exceeding \$20,000 or with imprisonment for a term not exceeding 12 months or with both”; and

(c) by inserting, immediately after subsection (4), the following subsection:

“(5) Notwithstanding the provisions of any written law to the contrary, a District Court or Magistrate’s Court shall have the jurisdiction to try any offence under this section and to impose the maximum penalty prescribed therefor.”.

#### **Amendment of section 19**

4. Section 19 of the principal Act is amended by deleting subsection (4).

#### **New section 23A**

5. The principal Act is amended by inserting, immediately after section 23, the following section:

##### **“Duty of manufacturers and dealers to notify Registrar and owners of safety-related defects in vehicles**

**23A.**—(1) Any person being a manufacturer or dealer of vehicles shall, on becoming aware of any safety-related defect in any vehicle manufactured or sold by him, cause a notice of the defect to be given to —

- (a) the Registrar;
- (b) each person who has obtained such a vehicle from the manufacturer or dealer; and
- (c) each current owner of such a vehicle as determined from —
  - (i) any warranty issued by the manufacturer or dealer with respect to the functioning of the vehicle that has, to the knowledge of the manufacturer or dealer, been given, sold or transferred to the current owner; or

(ii) the vehicle registration records as kept by the Registrar.

(2) Where the Registrar is satisfied that the name of the current owner of a vehicle cannot reasonably be determined by a manufacturer or dealer in accordance with subsection (1)(c), the Registrar may —

- (a) order the manufacturer or dealer to give notice of the defect by publication in all daily newspapers in Singapore or by dissemination in such alternative medium for such period as the Registrar may determine; or
- (b) order that the current owner need not be notified.

(3) A notice required to be given under subsection (1) or (2) shall be in such form as the Registrar may require and shall —

- (a) contain a description of the defect, an evaluation of the safety risk arising from it and the directions for rectifying it; and
- (b) state the time and place at which the person to whom the notice is given may present his vehicle in order that the defect may be rectified by the manufacturer or dealer or his agent.

(4) Any manufacturer or dealer of vehicles who causes any notice to be given under subsection (1) or (2) in connection with any safety-related defect in any vehicle manufactured or sold by him shall —

- (a) within a period of one month from the date on which such notice is given; and
- (b) thereafter, within such subsequent period as the Registrar may require,

submit to the Registrar in such form as the Registrar may require a report containing such information relating to the safety-related defect and its rectification as the Registrar may require.

(5) Any person who, being a manufacturer or dealer of vehicles —

- (a) fails to comply with the requirements of subsection (1), (3) or (4) or any order given by the Registrar under subsection (2)(a); or
- (b) fails to rectify or secure the rectification by his agent of any safety-related defect in any vehicle that is presented for rectification pursuant to a notice given by the manufacturer or dealer under this section,

shall be guilty of an offence and shall be liable on conviction —

- (i) to a fine not exceeding \$2,000 for each vehicle in respect of which the offence is committed, subject to a maximum fine of \$50,000; and
- (ii) in the case of a continuing offence, to a further fine not exceeding \$500 for every day or part thereof during which the offence continues after conviction.

(6) Notwithstanding the provisions of any written law to the contrary, a District Court or Magistrate's Court shall have the jurisdiction to try any offence under subsection (5) and to impose the maximum penalty prescribed therefor under that subsection.

(7) Any person who, being the owner of a vehicle in respect of which a notice has been given by a manufacturer or dealer under this section, fails to produce the vehicle for rectification within such period as may be specified in the notice or such other period as the Registrar may allow shall be guilty of an offence.

(8) The Authority, with the approval of the Minister, may make rules for the purposes of carrying this section into effect.

(9) In this section —

“dealer” means a person who is engaged in the business of importing or selling vehicles;

“safety-related defect”, in relation to a vehicle, means a feature of the design or construction of the vehicle that is liable to cause significant risk of personal injury or death to any person using the vehicle or any other road user, and includes any defect relating to a component of the vehicle that is bought by the manufacturer of the vehicle from a supplier and sold by the manufacturer of the vehicle together with the vehicle as original equipment.”.

### **Amendment of section 34**

6. Section 34 of the principal Act is amended by deleting paragraph (*r*) and substituting the following paragraph:

“(r) to regulate the registration, licensing, keeping and use of heavy vehicles.”.

### **Amendment of section 34A**