

Road Traffic (Amendment No. 2) Bill

Table of Contents

Bill No: 50/1998

Read the first time: 23rd November 1998

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 35

4 Repeal and re-enactment of section 38

5 Amendment of section 42

6 New section 42A

7 Amendment of section 47C

8 New section 47F

9 Amendment of section 49

10 Amendment of section 62

11 Amendment of section 64

12 New section 65B

13 Amendment of section 67A

14 Amendment of section 71C

Explanatory Statement

Expenditure of Public Money

Road Traffic (Amendment No. 2) Bill

Bill No. 50/1998

Read the first time on 23rd November 1998.

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 1998 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 of the Road Traffic Act (referred to in this Act as the principal Act) is amended —

(a) by inserting, immediately after the definition of “driving licence” in subsection (1), the following definition:

““foreign driving licence” means a driving licence or permit (not being a provisional driving licence or permit) issued by a competent authority in another country between which and Singapore there is in force a treaty for the recognition of driving licences or permits issued in the countries which are parties to the treaty;” and

(b) by inserting, immediately after the word “Act,” in the first line of

subsection (2), the words “except sections 38(1) and 47F(4),”.

Amendment of section 35

3. Section 35 of the principal Act is amended —

- (a) by deleting subsection (1A); and
- (b) by deleting subsection (8) and substituting the following subsection:

“(8) The Deputy Commissioner of Police may refuse to renew any driving licence, or may renew it for a period of one year only notwithstanding that the applicant has elected to renew it for 3 years, if he is satisfied —

- (a) that the holder of the driving licence has not complied with any process of court issued against him in respect of any offence committed by him under this Act or the rules or any written law specified in Part II of the Schedule; or
- (b) that the holder of the driving licence has, pursuant to a warrant of court, been arrested in connection with an offence under this Act or the rules or any written law specified in Part II of the Schedule and the offence has not been tried and determined by the court.”.

Repeal and re-enactment of section 38

4. Section 38 of the principal Act is repealed and the following section substituted therefor:

“Recognition of foreign driving licences and driving permits held by members of visiting forces

38.—(1) Subject to the provisions of this Act, it shall be lawful for a person resident outside Singapore who is temporarily in Singapore and who holds a valid foreign driving licence to drive in Singapore during a period of 12 months from the date of his last entry into Singapore a motor vehicle of the class or description which the foreign driving licence authorises him to drive, notwithstanding that he does not hold a driving licence granted under this Part.

(2) It shall be lawful for —

- (a) a member of a visiting force; or
- (b) a member of a civilian component of such visiting force,

who holds a driving permit issued to him by a competent authority of the country of the visiting force to drive in Singapore a motor vehicle belonging to the country of the visiting force which is of the class or description specified in the driving permit, notwithstanding that he does not hold a driving licence granted under this Part.

(3) In subsection (2), “visiting force” and “civilian component” shall have the same meanings as in the Visiting Forces Act (Cap. 344).”.

Amendment of section 42

5. Section 42 of the principal Act is amended by inserting, immediately after subsection (1), the following subsection:

“(1A) Where a person (referred to hereinafter as the offender), is convicted of an offence under section 160, 304, 304A, 323, 324, 325, 326, 341, 342, 350, 352, 426 or 427 of the Penal Code (Cap. 224) and —

- (a) at the time of the commission of the offence the offender was the driver or was in charge of a motor vehicle on a road or other public place;
- (b) the person against whom the offence was committed was the driver of another vehicle on the road or public place, a passenger in that other vehicle or a pedestrian on the road or public place;
- (c) the court convicting the offender of the offence is satisfied that the commission of the offence arose from or was connected with a dispute between the offender and that other person over the use of the road or public place; and
- (d) having regard to the circumstances under which the offence was committed and the behaviour of the offender, the court is of the opinion that it is undesirable for the offender to continue to be allowed to drive a motor vehicle,

the court may, in addition to imposing on the offender the punishment provided for such offence, make an order disqualifying him from holding or obtaining a driving licence for life or for such period as the court may think fit.”.

New section 42A

6. The principal Act is amended by inserting, immediately after section 42, the following section:

“Disqualification for failing to attend court

42A.—(1) The Public Prosecutor may apply to the court for an order disqualifying a person from holding or obtaining a driving licence if —

- (a) that person is accused of an offence under this Act or the rules or any written law specified in Part II of the Schedule and had failed to appear before a court to answer the charge against him notwithstanding that he had been served with the appropriate process of court requiring him to so appear before that court;
- (b) the court before which he was to have appeared had, pursuant to his default in appearance, issued a warrant for his arrest;
- (c) he has been arrested pursuant to the warrant and subsequently released on bail;
- (d) he has been duly informed by —
 - (i) the Deputy Commissioner of Police;
 - (ii) the officer who arrested him; or
 - (iii) if he is accused of an offence under any written law specified in Part II of the Schedule, an officer responsible for administering such written law,

that should he fail to appear in court on the date next appointed for his appearance in connection with the offence of which he is accused, the Public Prosecutor shall make an application under this section for him to be disqualified from holding or obtaining a driving licence; and

- (e) he has failed, without lawful excuse, to appear in court on the date next appointed for his appearance in connection with the offence of which he is accused.

(2) Upon an application made by the Public Prosecutor under subsection (1), the court, if satisfied of the matters referred to in paragraphs (a) to (e) of that subsection and, having regard to the circumstances of the case and the behaviour of the accused person, is of the opinion that it is undesirable for him to continue to be allowed to drive a motor vehicle, may make an order disqualifying the accused person from holding or obtaining a driving licence until the offence of which he is accused has been tried and determined by a court or for such other period as the court thinks fit.

(3) Where the court makes an order under subsection (2) disqualifying a person