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The following Act was passed by Parliament on 16th November 2012 and assented to by the President on 6th December 2012:—

REPUBLIC OF SINGAPORE

No. 37 of 2012.

I assent.

TONY TAN KENG YAM,
President.
6th December 2012.

(LS)

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 may be cited as the Road Traffic (Amendment) Act 2012 and shall come into operation on such date as the Minister charged with the responsibility for transport 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 word “and” at the end of paragraph (b) of the definition of “road”;
- (b) by inserting, at the end of paragraph (c) of the definition of “road”, the word “and”; and
- (c) by inserting, immediately after paragraph (c) of the definition of “road”, the following paragraph:

“(d) any road, to which the public does not have access, which the Minister charged with the responsibility for transport prescribes, by notification in the *Gazette*, to be a road to which this Act applies;”.

Amendment of section 5

3. Section 5 of the principal Act is amended —

- (a) by deleting the words “of altering a vehicle or trailer in contravention of this section” in subsection (7);
- (b) by inserting, immediately after subsection (7), the following subsections:

“(7A) Where in any proceedings relating to an offence under subsection (6), it is proved to the satisfaction of the court that a vehicle or trailer is used or caused or permitted to be used in contravention of this section, the court may, upon the application of the Public Prosecutor, make an order for the vehicle or trailer to be detained for a period not exceeding 3 months (referred to in this

section as the detention period) by the Registrar or an authorised officer.

(7B) Any vehicle or trailer detained pursuant to subsection (7A) shall be kept at such place of safety as may be determined by the Registrar or an authorised officer.

(7C) The Registrar or an authorised officer shall not be liable for —

- (a) any damage to or loss of a vehicle or trailer during the period when the vehicle or trailer is in the possession of the Registrar or the authorised officer which is not wilfully or negligently caused by the Registrar or the authorised officer in the exercise of his powers under this section; or
- (b) any depreciation in the value of the vehicle or trailer because of the detention of the vehicle or trailer.

(7D) At the end of the detention period of any vehicle or trailer, the Registrar or an authorised officer shall, as soon as is reasonably practicable, notify the person in whose name the vehicle or trailer is registered that the vehicle or trailer is released from detention and of the procedure by which the person may secure the release of the vehicle or trailer.

(7E) If the vehicle or trailer is not claimed by the person notified under subsection (7D), or another person authorised in writing by that person, within 3 calendar days after the date of its release as stated in the notice in subsection (7D), the person notified under that subsection shall be liable for all charges reasonably incurred by the Registrar or an authorised officer in storing the vehicle or trailer in the place of safety thereafter.

(7F) Any person who, without lawful authority, removes or causes to be removed any vehicle or trailer from the place of safety at which it is detained during its detention period shall be guilty of an offence.

(7G) If any vehicle or trailer detained pursuant to subsection (7A) is not claimed by or on behalf of the person notified under subsection (7D), the Registrar or an authorised officer may, after giving one month's notice in the *Gazette* of his intention to do so, sell the vehicle or trailer by public auction or otherwise dispose of the vehicle or trailer in such manner as he thinks fit.

(7H) The proceeds, if any, from the sale or disposal of any such vehicle or trailer under subsection (7G) shall be applied —

- (a) firstly, in payment of any licence fee which may be due in respect of the vehicle or trailer;
- (b) secondly, in payment of expenses occasioned by the sale or disposal and any charges reasonably incurred in storing, detaining or otherwise carrying out the provisions of this section; and
- (c) thirdly, any damage caused to any property of the Government by the unlawful use of the vehicle or trailer,

and the surplus, if any, shall be paid to the person in whose name the vehicle or trailer was registered at the time of its sale or disposal or, if not claimed by such person within 12 months after the date of the sale or disposal, shall be forfeited to the Government.

(7I) The Registrar or an authorised officer may reject any transfer of ownership or cancellation of registration of a vehicle or trailer if the Registrar or the authorised officer has reason to believe that any person is guilty of an offence under subsection (6).”; and

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

“(9) In this section, “authorised officer” means any employee of the Authority who is duly authorised by the Registrar in writing to act under this section.”.

Amendment of section 6

4. Section 6 of the principal Act is amended by inserting, immediately after subsection (2), the following subsections:

“(3) The Authority may by such rules confer on the Registrar or an authorised officer a discretion to waive, in any particular case, the operation of any rules made under this section subject to such conditions as the Registrar or the authorised officer may impose.

(4) In this section, “authorised officer” means any employee of the Authority, or any other person, who is duly authorised by the Registrar in writing to carry out any particular function or to exercise any particular power under any rules made under this section.”.

New section 11AA

5. The principal Act is amended by inserting, immediately after section 11, the following section:

“Carbon emissions tax

11AA.—(1) In addition to the taxes under section 11, a tax (referred to in this Act as the carbon emissions tax) shall be charged in respect of the first registration, on or after 1st July 2013, of any vehicle which has a carbon emission level exceeding the maximum limit of the neutral carbon emission band and which is of a prescribed description or within a prescribed class (referred to in this section to be a taxable vehicle).

(2) The carbon emissions tax under subsection (1) —

- (a) shall be paid upon the first registration of a taxable vehicle by the person keeping the taxable vehicle; and
- (b) shall be the amount prescribed for that taxable vehicle.