

Road Traffic (Electronic Road Pricing System) Rules 1998

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No. S 176

**ROAD TRAFFIC ACT
(CHAPTER 276)**

ROAD TRAFFIC (ELECTRONIC ROAD PRICING SYSTEM) RULES 1998

In exercise of the powers conferred by sections 34D and 140(1) of the Road Traffic Act, the Minister for Communications hereby makes the following Rules:

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Road Traffic (Electronic Road Pricing System) Rules 1998 and shall come into operation on 1st April 1998.

Definitions

2. In these Rules, unless the context otherwise requires —

“ERP” is the abbreviation for Electronic Road Pricing;

“ERP card” means a stored-value card which, when used by a person with an in-vehicle unit in a motor vehicle, results in the appropriate amount of road user charge being automatically debited against the stored value of the card when the vehicle is ridden, driven or moved into a specified entry point on a specified road during the restricted hours;

“ERP facility” means any electronic or computerised facility installed or caused to be installed by the Authority at any specified entry point on a road pursuant to section 34C of the Act;

“in-vehicle unit” means a transponder or any other device as approved by the Registrar which is installed in a motor vehicle to facilitate the levying and payment of road user charges by electronic means;

“restricted hours” means the periods, as specified in Part II of the First Schedule, during which a road user charge will be levied for riding, driving or moving a motor vehicle into a specified entry point on a specified road;

“specified entry point”, in relation to a specified road, means the entry point as specified in Part I of the First Schedule;

“specified road” means any of the roads as specified in Part I of the First Schedule;

“stored value”, in relation to an ERP card, means the amount of money standing to the credit of the person to whom the card has been issued and against which payments of road user charges are automatically debited when the card is used with the in-vehicle unit installed in a motor vehicle.

PART II

IN-VEHICLE UNITS

Motor vehicles to be installed with in-vehicle units

3.—(1) No person shall, during the restricted hours, ride, drive or move a motor vehicle into a specified entry point on a specified road unless the vehicle is installed with the appropriate type of in-vehicle unit in accordance with the Second Schedule.

(2) The Registrar shall keep a record of the serial numbers of all in-vehicle units which have been installed in motor vehicles pursuant to these Rules.

Installation, repair, replacement, etc., of in-vehicle units to be carried out by authorised persons

4.—(1) No person shall —

- (a) install an in-vehicle unit in a motor vehicle;
- (b) remove an in-vehicle unit which has been installed in a motor vehicle;
- (c) replace an in-vehicle unit which has been installed in a motor vehicle with another in-vehicle unit (whether of the same type or of another type); or
- (d) carry out any maintenance or repair works to, or otherwise tamper with, adjust, alter or modify, an in-vehicle unit which has been installed in a

motor vehicle,
unless he is authorised to do so by the Registrar.

(2) Paragraph (1)(a), (b) and (c) shall not apply to an in-vehicle unit of types 1A and 2A as specified in the Second Schedule.

(3) The Registrar may, in his discretion and upon an application being made by the registered owner of a motor vehicle (referred to hereinafter as the old vehicle), allow the in-vehicle unit which has been installed in the old vehicle to be removed from that vehicle and installed in another vehicle (referred to hereinafter as the new vehicle) if the Registrar is satisfied that —

- (a) the old vehicle has been de-registered or the applicant undertakes to de-register the old vehicle within a time specified by the Registrar;
- (b) the old vehicle and the new vehicle belong to the same class of vehicle;
and
- (c) the new vehicle is or will be registered in the name of the applicant.

PART III

LEVYING OF ROAD USER CHARGE

Road user charge to be paid during restricted hours

5. No person shall ride, drive or move a motor vehicle into a specified entry point on a specified road during the restricted hours except on payment of the appropriate amount of road user charge as specified in Part II of the First Schedule.

Payment of road user charge

6.—(1) The road user charge shall be paid by using an ERP card with the in-vehicle unit installed in a motor vehicle.

(2) The appropriate amount of road user charge shall be debited against the stored value of the ERP card.

Driver to ensure adequate balance in stored value of ERP card

7. The driver of a motor vehicle shall ensure that the ERP card has a stored value of an amount that is sufficient to pay for any road user charge which may be incurred by him.

PART IV
OFFENCES AND OTHER MISCELLANEOUS
PROVISION

Unlawful entry into specified entry point

8.—(1) Any person who during the restricted hours rides, drives or moves a motor vehicle into a specified entry point on a specified road when —

- (a) there is no in-vehicle unit installed in the vehicle;
- (b) the in-vehicle unit therein has not been properly installed in accordance with the Second Schedule;
- (c) the in-vehicle unit installed therein is defective;
- (d) the in-vehicle unit installed therein has been unlawfully taken from another motor vehicle;
- (e) the in-vehicle unit therein has been installed, repaired, tampered with, adjusted, altered or modified in contravention of rule 4;
- (f) no ERP card has been inserted in the in-vehicle unit;
- (g) the ERP card has not been properly inserted in the in-vehicle unit;
- (h) the ERP card being used by him with the in-vehicle unit has a stored value of an amount that is insufficient to pay for any road user charge incurred by him; or
- (i) the ERP card being used by him with the in-vehicle unit is a forgery or is defective,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$1,000 or to imprisonment for a term not exceeding 3 months or to both.

(2) It shall be a defence in any prosecution for a contravention or non-compliance with —

- (a) paragraph (1)(b), (c), (d), (e), (g), (h) or (i) for the person charged to prove to the satisfaction of the court that he did not know nor could reasonably have discovered the contravention or non-compliance referred to in the charge; or
- (b) paragraph (1)(c), (e) or (i) involving the use of a defective in-vehicle unit or a defective ERP card, as the case may be, for the person charged to prove to the satisfaction of the court that the defect in the in-vehicle unit or