

Proposed Revisions in Penalties under the Active Mobility (Amendment) Bill 2020

Table 1: Increases in Penalties for User Offences (Active Mobility Act)

S/N	Active Mobility Act Provision	Brief Description of Provision	Current Maximum Penalties	Changes to Maximum Penalties
1	S15(4) – No riding of bicycles, etc., on pedestrian-only paths	The riding of any prohibited device on a pedestrian-only path, including bicycles, personal mobility devices (PMDs), power-assisted bicycles (PABs) and motor vehicles.	<u>First Offence</u> \$1,000 and/or 3 months’ imprisonment	<u>First Offence</u> \$2,000 and/or 3 months’ imprisonment
2	S16(4) – No riding of PABs on footpaths	The riding of any prohibited device on a footpath, including motorised PMDs, PABs and motor vehicles.	<u>Subsequent Offence</u> \$2,000 and/or 6 months’ imprisonment	<u>Subsequent Offence</u> \$5,000 and/or 6 months’ imprisonment
3	S17(3) – No motor cars, etc., on shared paths	The riding of any prohibited device on a shared path, including motor vehicles.	<u>Subsequent Offence</u> \$2,000 and/or 6 months’ imprisonment	<u>Subsequent Offence</u> \$5,000 and/or 6 months’ imprisonment
4	S18(3) – Vehicle banned for public path	The riding of any banned vehicle on a public path, knowing that, or reckless as to whether, it is so banned.	<u>First Offence</u> \$2,000 and/or 3 months’ imprisonment <u>Subsequent Offence</u> \$5,000 and/or 6 months’ imprisonment	<u>First Offence</u> \$5,000 and/or 6 months’ imprisonment <u>Subsequent Offence</u> \$10,000 and/or 12 months’ imprisonment
5	S19(2) – Non-compliant personal mobility devices, etc.	The riding of any device that does not comply with specified device criteria on public paths.	<u>First Offence</u>	<u>First Offence</u>

			\$5,000 and/or 3 months' imprisonment <u>Subsequent Offence</u> \$10,000 and/or 6 months' imprisonment	\$10,000 and/or 6 months' imprisonment <u>Subsequent Offence</u> \$20,000 and/or 12 months' imprisonment
6	S20(2) – Excepted use of non-compliant personal mobility devices, etc.	Failure to comply with the conditions under which the non-compliant device was allowed to be ridden on public paths. <i>[Note: This penalty is more than doubled to align it to the penalty for s19 (use of non-compliant device), since the person would in effect be riding a non-compliant device on public paths.]</i>	<u>First Offence</u> \$2,000 and/or 3 months' imprisonment <u>Subsequent Offence</u> \$5,000 and/or 6 months' imprisonment	<u>First Offence</u> \$10,000 and/or 6 months' imprisonment <u>Subsequent Offence</u> \$20,000 and/or 12 months' imprisonment
7	S21(3) – Speeding on public paths	Riding a device above the prescribed speed limit for a footpath or shared path.	<u>First Offence</u> \$1,000 and/or 3 months' imprisonment <u>Subsequent Offence</u> \$2,000 and/or 6 months' imprisonment	<u>First Offence</u> \$2,000 and/or 6 months' imprisonment <u>Subsequent Offence</u> \$5,000 and/or 12 months' imprisonment
8	S22(2) – Dangerous riding of bicycles, etc., on public paths	Riding a device recklessly, or in a manner which is dangerous to the public, on a public path.	\$5,000 and/or 6 months' imprisonment	\$10,000 and/or 12 months' imprisonment

Table 2: Increases in Penalties for Retailer Offences under the Active Mobility Act

S/N	Active Mobility Act Provision	Brief Description of Provision	Current Maximum Penalties	Changes to Maximum Penalties
1	S30(4) – Ban on display of non-compliant personal mobility devices, etc.	Displaying a non-compliant device at any premises or place	<p><u>First Offence</u> \$1,000 and/or 3 months’ imprisonment</p> <p><u>Subsequent Offence</u> \$2,000 and/or 6 months’ imprisonment</p>	<p><u>First Offence</u> \$10,000 and/or 12 months’ imprisonment</p> <p><u>Subsequent Offence</u> \$20,000 and/or 24 months’ imprisonment</p> <p><u>For Body Corporates:</u> Where a body corporate is convicted of this offence, the maximum penalty shall be no more than \$20,000 for a first-time offender and \$40,000 for subsequent offenders.</p>
2	S31(2) – Warning notices	Failure to display a prescribed number of warning notices within the premises or place	<p><u>First Offence</u> \$1,000 and/or 3 months’ imprisonment</p> <p><u>Subsequent Offence</u> \$2,000 and/or 6 months’ imprisonment</p>	<p><u>First Offence</u> \$5,000 and/or 6 months’ imprisonment</p> <p><u>Subsequent Offence</u> \$10,000 and/or 12 months’ imprisonment</p> <p><u>For Body Corporates:</u> Where a body corporate is convicted of this offence, the maximum penalty shall be no</p>

				more than \$10,000 for a first-time offender and \$20,000 for subsequent offenders.
3	S32(2) – Advertisements of non-compliant personal mobility device or mobility vehicle	Advertising any non-compliant device on any premises or place	<p><u>First Offence</u> \$1,000 and/or 3 months' imprisonment</p> <p><u>Subsequent Offence</u> \$2,000 and/or 6 months' imprisonment</p>	<p><u>First Offence</u> \$10,000 and/or 12 months' imprisonment</p> <p><u>Subsequent Offence</u> \$20,000 and/or 24 months' imprisonment</p>
4	S33(2) – Selling personal mobility devices, etc., for use on roads	Selling of devices that are not allowed on roads, knowing or reckless as to whether or not the buyer intends to use the device on a public road	<p><u>First Offence</u> \$2,000 and/or 3 months' imprisonment</p> <p><u>Subsequent Offence</u> \$5,000 and/or 6 months' imprisonment</p>	<p><u>For Body Corporates:</u> Where a body corporate is convicted of this offence, the maximum penalty shall be no more than \$20,000 for a first-time offender and \$40,000 for subsequent offenders.</p>
5	S34(7) – Selling non-compliant vehicles for use on public paths	Selling of non-compliant devices, knowing or reckless as to whether or not the buyer intends to use the non-compliant device on a public path	<p><u>First Offence</u> \$5,000 and/or 3 months' imprisonment</p> <p><u>Subsequent Offence</u></p>	<p><u>First Offence</u> \$20,000 and/or 24 months' imprisonment</p> <p><u>Subsequent Offence</u></p>
6	S35(2) – Altering personal mobility device, etc., to be non-compliant	Altering any device so as to render it non-compliant, knowing or reckless as to whether or not the owner of the device intends to ride the altered device on a public path	<p>\$10,000 and/or 6 months' imprisonment</p>	<p>\$40,000 and/or 48 months' imprisonment</p> <p><u>For Body Corporates:</u> Where a body corporate is convicted of this offence, the maximum penalty shall be no</p>

				more than \$40,000 for a first-time offender and \$80,000 for subsequent offenders.
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Table 3: Increases in Penalties for Retailer Offences under the Road Traffic Act

S/N	Road Traffic Act Provision	Brief Description of Provision	Current Maximum Penalties	Changes to Maximum Penalties
1	S5 – Prohibition of vehicles not complying with rules as to construction, etc	Altering a PAB to render its condition non-compliant or selling, supplying a non-compliant PAB for use on road <i>[Note: This is to adjust the penalties for offences involving PABs on roads to match similar offences involving PABs on public paths.]</i>	<u>First Offence</u> \$5,000 and/or 3 months' imprisonment <u>Subsequent Offence</u> \$10,000 and/or 6 months' imprisonment	<u>First Offence</u> \$20,000 and/or 24 months' imprisonment <u>Subsequent Offence</u> \$40,000 and/or 48 months' imprisonment <u>For Body Corporates:</u> Where a body corporate is convicted of this offence, the maximum penalty shall be no more than \$40,000 for a first-time offender and \$80,000 for subsequent offenders.
2	S34(2) – Rules for the purposes of Part I of the RTA	To increase the maximum penalties that LTA can prescribe when it makes rules about the warning notices that PAB retailers need to display, or the display or	<u>First Offence</u> \$1,000 and/or 3 months' imprisonment <u>Subsequent Offence</u>	<u>First and Subsequent Offence</u> \$20,000 and/or 24 months' imprisonment <u>For Body Corporates:</u>

		<p>advertising of non-compliant PABs by retailers.</p> <p><i>[Note: This is to adjust the penalties for offences involving PABs on <u>roads</u> to match similar offences involving PABs on <u>public paths</u>. As s34 is a rule-making power, the Act-level penalty is adjusted to the highest level, and the exact penalties for specific offences will be specified in subsidiary legislation.]</i></p>	<p>\$2,000 and/or 6 months' imprisonment</p>	<p>Where a body corporate is convicted of this offence, the maximum penalty shall be no more than \$40,000.</p>
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