

Telecommunications, Media & Technology Update

New Regulations to address Automated Vehicle Technology¹

Overview

In order to accommodate and keep up with the development of new technology such as automated vehicle technology, the Road Traffic (Amendment) Act 2017 has been passed by the Singapore Government on 7 February 2017 and assented to by the President on 13 March 2017. Indeed, the modifications to the law are to ensure that there are regulations in place to deal with the growing field of “automated vehicle technology”, which is defined as any particular technology which “relates to the design, construction or use of autonomous motor vehicles or otherwise relates to advances in the design or construction of autonomous motor vehicles”.

The revised Road Traffic Act (the “**Act**”) now includes the terms “autonomous motor vehicle” and “autonomous system” in its definitions to govern the use of the same. The Act defines an autonomous vehicle as a “motor vehicle equipped wholly or substantially with an autonomous system (also commonly known as a driverless vehicle), and includes a trailer drawn by such a motor vehicle”. On the other hand, an autonomous system is defined as one that “enables the operation of the motor vehicle without the active physical control of, or monitoring by, a human operator”.

Indeed, the Government has amended the Act to better regulate trials of autonomous motor vehicles in Singapore, and to pave the way for the development of automated vehicle technology.

New regulations relating to trials of autonomous vehicles

Due to the novelty of autonomous motor vehicles and the fact that the technology has yet to reach a mature stage, trials have to be conducted to ensure the safety of autonomous vehicle users, other road users and pedestrians. In the premises, under the Act, persons conducting such trials may be required to obtain insurance covering the entire duration of the trial before commencing any trials, or to deposit a security with the Land Transport Authority. Such persons are also required to publish a notice about the approved trial or approved special use before its commencement, in a manner that will secure adequate publicity. Some other regulations would also include the following:-

- (a) The prescription of the weather and any climatic or other circumstances when an approved trial or approved special use may or may not be carried out by the Transport Minister;

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- (b) The installation of certain features. In this regard, automated motor vehicles may have to be equipped to capture and store sensor data and video footage from the vehicle, and have a failure alert system that allows a specified person or participant in the approved trial or approved special use to take immediate manual control of the vehicle when a failure of the autonomous system or other emergency is detected; and
- (c) The retention of records and information about the approved trial, such as automated vehicle technology involved in the trial.

The contravention of any of these new laws may amount to an offence punishable with a fine of up to S\$10,000. These abovementioned regulations are currently intended to be in force for only five years, although the Transport Ministry may consider extending them or enacting new laws before the end of this period, if the need arises. It is envisaged that with rapid development in this area, there could be a need to review the situation and ensure that the law is keeping up with the times.

In order to provide the opportunity for automated vehicle technology to be developed well in Singapore, it is therefore made an offence if one were to interfere with autonomous motor vehicles trials. Where a person, without reasonable excuse, hinders or obstructs such a trial, or interferes with any equipment or device in or on an autonomous motor vehicle, or relating to any automated vehicle technology, used in the trial, that person shall be guilty of an offence and liable on conviction to a fine of up to S\$5,000. This is unless the person can show that he did not know, and could not reasonably have known, that the activity that caused the hindrance, obstruction or interference would cause the hindrance, obstruction or interference.

As automated vehicle technology develops further in the future, we can expect to see if there could be further restrictions imposed in a bid to balance safety and innovation.

Should you have any queries as to how this update may affect your organisation or require further information, please do not hesitate to email us.



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This article is intended to provide an overview on the new regulations relating to autonomous vehicles in Singapore, and it is not intended to be comprehensive nor should it be construed as legal advice.