

FAQs for Class Licensing Regime

1. What is defined as a public place?

Generally, if the place is built on state land and members of the public can access for free and without any restrictions, it will be considered as a 'public place'. The full definition of 'public place' can be found under [Section 2 of the Shared Mobility Enterprises \(Control & Licensing\) Act \(SMEA\)](#) which states:

“Public place” means any land or premises in Singapore —

(a) which is, or is on —

(i) any State land;

(ii) any land under the control or management of a public authority; or

(iii) any land which is under lease from a public authority to another person other than another public authority or to the Government, and is prescribed by the Minister, by order in the Gazette, as a public place for the purposes of this Act; and

(b) to which members of the public have access as of right or by virtue of express or implied permission and without payment of a fee, and includes a public path within the meaning given by the Active Mobility Act 2017.

2. My business' docked motorised PMDs and/or PABs are just for employees' usage in public places during working hours and they are not allowed to bring them home. Is that considered as offering device for hire and would my business be class licensed?

The definition of 'hire' under the Shared Mobility Enterprises (Control & Licensing) Act includes the leasing of a device (with or without payment) to an employee for the performance of employment duties or an outworker under an outwork arrangement.

Thus, as long as your business is providing a service, where your employee or outworker can lease the docked motorised PMDs and/or PABs (with or without payment) to ride in a public place, and end the hiring of the device docked at any place, you will be class licensed.

3. If my business is offering docked e-scooters and/or PABs for hire in public places but we are not the registered owner of the devices, would my business be class licensed?

Yes, any business entity that provides a service, where an individual can hire a docked motorised PMD (with or without handlebar) or PAB to ride in a public place, and end

the hiring of said device docked at any place will be class licensed. This is regardless of whether the business is the registered owner of the device.

4. If my business has only one docked motorised PMD or PAB for hire to be used in public places, would my business be class licensed?

Yes, as long as your business provides at least one docked motorised PMD or PAB for hire to be used in public places and end the hiring of the said device docked at any place.

5. What are the penalties if a class licensee breaches any conditions or applicable requirements?

LTA may impose financial penalties, or disapply the class licence with respect to the class licensee, if the licensee contravenes any of the conditions of its Class Licence or applicable requirements under the Active Mobility Act (AMA) or the SMEA. LTA will take into consideration the facts of each case before deciding if regulatory action is warranted.

6. What should I do to ensure compliance with the speed tracking device licence condition for docked motorised PMDs with handlebar and/or PABs (i.e. Section 6 of the Licence Conditions)?

To ensure compliance, class licensees will need to:

Option 1: If you intend to install a speedometer (or any other like devices) on your motorised devices offered for hire

Ensure that the speedometer is working and that the hirer knows how to operate it **at the point of device hire.**

Option 2: If you intend to allow hirers to track device speed through an application installed on the hirer's mobile phone/tablet, or provide a mobile phone/tablet

You will have to:

- a) Ensure that your motorised device (i.e. motorised PMD or PAB) has a working bracket to affix the mobile phone/tablet such that the hirers is able to track the device speed in a hands-free manner;
- b) Ensure the hirer's mobile phone/tablet (or the device provided by you) has an appropriate speed tracking application installed or function on the mobile phone/tablet; and

- c) Obtain a signed undertaking from hirers before start of hire that they would use the installed application or function to track device speed when riding at all times and retain records of the signed undertaking. You may wish to obtain your hirers' undertaking using the specimen form downloadable from go.gov.sg/smlicensing.

Option 3: If you intend to allow hirers to track device speed through his/her wearable device (e.g. smartwatch), or provide a wearable device

You will have to ensure that the wearable device has the appropriate speed tracking application and carry out the following at the point of device hire:

- a) Obtain a signed undertaking from hirers before start of hire that they would use the installed application or function to track device speed when riding at all times and retain records of the signed undertaking. You may wish to obtain your hirers' undertaking using the specimen form downloadable from go.gov.sg/smlicensing.

In order to demonstrate compliance with the above, you may wish to consider:

- a) Taking photos of the motorised device for hire with the installed speedometer or mounted mobile phone/tablet displaying the speed tracking application; and/or
- b) Developing a Standard of Procedure (SOP) document, which sets out in details the steps that your staff must follow to verify with the hirers that they would use the installed speedometer or application/function within the mobile phone/tablet/wearable device to track device speed when riding at all times and in a hands-free manner, and compiling any evidence of your business complying with the said SOP during the point of hire.

7. Do my business have to ensure compliance with the speed tracking device condition for docked motorised PMDs with handlebar and/or PABs (i.e. Section 6 of the Licence Conditions) for motorised PMDs with handlebar and/or PABs that my business have already hired out prior to the commencement date of the class licensing regime (i.e. 17 May 2021)?

No. You will not be required to comply with the condition if the hire occurred before 17 May 2021.

8. How do I ensure that hirers of my business' docked motorised devices are adequately covered by third party liability insurance when they ride on public paths?

Please refer to the Annex section of the industry circular for Mandatory Third-Party Liability Insurance Requirements for Businesses which can be downloaded from go.gov.sg/am-insurance.

Class Licensees are required to provide evidence of compliance to the insurance requirements to LTA when requested, which includes submitting (i) evidence of group insurance or individual insurance policy purchased under your company's name (e.g. an insurance cover note stating the sum insured, excess amount, and exclusion clauses), or (ii) detailed description of the steps undertaken to check that riders are appropriately insured before hiring out the devices.