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SHARED MOBILITY ENTERPRISES
(CONTROL AND LICENSING) ACT 2020
(SECTION 48)

SHARED MOBILITY ENTERPRISES
(CONTROL AND LICENSING)
REGULATIONS 2020

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[22 July 2020]

PART 1

PRELIMINARY

Citation

1. These Regulations are the Shared Mobility Enterprises (Control and Licensing) Regulations 2020.

Definitions

2. In these Regulations —

“licence expiry date”, for a renewed licence, means the date of expiry of the licence if not for its renewal;

“licensee” includes a person who is, by paragraph 1 of the Schedule to the Act, treated as if granted a licence authorising the person to provide a shared mobility service under the Act;

“maximum fleet size”, for a licence, means the maximum number of vehicles fixed under a relevant provision, or last fixed after an application under section 15 of the Act (whichever is the later), as a condition of the licence to do the following, during the validity period of the licence or any part of that period:

- (a) offer or expose for hiring;
- (b) allow the hiring of which to end undocked;
- (c) do a combination of paragraph (a) or (b);

“non-motorised personal mobility device” means a personal mobility device that is designed to be propelled by human power only;

“relevant provision” means —

- (a) section 13(2)(b) of the Act; or
- (b) section 8G(2)(b) of the repealed Part 3 of the Parking Places Act (Cap. 214, 2014 Revised Edition);

“Type 1 bicycle licence” has the meaning given by regulation 5(a);

“Type 2 bicycle licence” has the meaning given by regulation 5(b);

“Type 1 mobility vehicle licence” has the meaning given by regulation 5(c);

“Type 2 mobility vehicle licence” has the meaning given by regulation 5(d);

“Type 1 non-motorised PMD licence” has the meaning given by regulation 5(e);

“Type 2 non-motorised PMD licence” has the meaning given by regulation 5(f);

“working day” means any day other than a Saturday, Sunday or public holiday.

PART 2

VEHICLES

Shared mobility service vehicles

3. For the purposes of the definition of “shared mobility service” in section 3(1) of the Act, the provision of a service described in

paragraph (a) or (b) of that definition using any type of vehicle as follows is a shared mobility service:

- (a) a bicycle;
- (b) a power-assisted bicycle;
- (c) a mobility scooter;
- (d) a motorised wheelchair;
- (e) a personal mobility device.

4. [*Deleted by S 320/2021*]

PART 3

LICENCES AND LICENCE APPLICATIONS

Classes of licences

5. Licences are subdivided into the following classes:

- (a) a Type 1 bicycle licence, which authorises the licensee granted this licence to provide in Singapore a shared mobility service using more than 1,000 bicycles;
- (b) a Type 2 bicycle licence, which authorises the licensee granted this licence to provide in Singapore a shared mobility service using 1,000 or fewer bicycles at any time;
- (c) a Type 1 mobility vehicle licence, which authorises the licensee granted this licence to provide in Singapore a shared mobility service using —
 - (i) more than 1,000 mobility scooters or motorised wheelchairs; or
 - (ii) a combination of these types of vehicles, the total number of which is more than 1,000;
- (d) a Type 2 mobility vehicle licence, which authorises the licensee granted this licence to provide in Singapore a shared mobility service using —
 - (i) 1,000 or fewer mobility scooters or motorised wheelchairs; or

- (ii) a combination of these types of vehicles, the total number of which is 1,000 or fewer;
- (e) a Type 1 non-motorised PMD licence, which authorises the licensee granted this licence to provide in Singapore a shared mobility service using more than 1,000 non-motorised personal mobility devices;
- (f) a Type 2 non-motorised PMD licence, which authorises the licensee granted this licence to provide in Singapore a shared mobility service using 1,000 or fewer non-motorised personal mobility devices at any time.

Information required for licence application

6.—(1) For the purposes of section 10(2)(e) of the Act, an application for or to renew a licence must be accompanied by the following information:

- (a) the name of the applicant and whether the applicant is a sole proprietor, corporation, partnership or limited liability partnership or an unincorporated association;
- (b) in the case where the applicant is a corporation —
 - (i) its place of incorporation and the particulars of that incorporation;
 - (ii) its substantial shareholders and their shareholdings;
 - (iii) its officers;
 - (iv) its principal business;
 - (v) all the corporations in which the applicant has a substantial shareholding, and the holding company of the applicant, if applicable; and
 - (vi) whether it has issued shares which are listed on a securities exchange established in or outside Singapore;
- (c) in the case where the applicant is not a corporation —
 - (i) its place of formation and the particulars of that formation;

- (ii) its officers; and
 - (iii) its principal business;
- (d) for every individual who is the applicant's officer —
- (i) the name and residential address of the individual;
 - (ii) the individual's qualifications and experience in matters connected with providing a shared mobility service that is the subject of the application; and
 - (iii) the individual's suitability (having regard to section 11(3) of the Act) to be involved in the management of providing a shared mobility service that is the subject of the application;
- (e) the person's or individual's relevant knowledge, competency and experience in matters connected with providing such a shared mobility service;
- (f) the name, address and contact details of one or more persons in Singapore who is authorised by the applicant to accept on the applicant's behalf (when a licensee) service of notices and other documents under the Act;
- (g) the name, address and contact details of one or more persons in Singapore who is nominated by the applicant as representative of the applicant (when a licensee);
- (h) whether the applicant and any person authorised or nominated in sub-paragraph (f) or (g) is granted a licence or had been granted a licence or is or was an officer of another licensee;
- (i) a description of how the shared mobility service that is the subject of the application is to be provided;
- (j) documents and other evidence of the information mentioned in sub-paragraphs (a), (b), (c), (d), (e), (h) and (i).
- (2) However, the LTA may in any particular case and if satisfied that it is just and equitable waive any requirement in paragraph (1).

Time to make licence renewal application

7. For the purposes of section 10(3) of the Act, an application to renew a licence must be made no later than 3 months before the licence expiry date for that licence.

Information required for application to modify licence condition

8.—(1) For the purposes of section 15(2)(c) of the Act, an application by a licensee to modify any condition in the licensee's licence fixing the maximum fleet size must be accompanied by the following information:

- (a) the information required in regulation 6(1)(a), (b) and (c) if different from what had been provided at the application for or last application to renew the licence;
- (b) the reason for applying for a modification of the maximum fleet size condition in the licence and a description of how the shared mobility service is to be provided if that maximum fleet size condition is modified as applied for;
- (c) documents and other evidence of the information mentioned in sub-paragraphs (a) and (b).

(2) However, the LTA may in any particular case and if satisfied that it is just and equitable waive any requirement in paragraph (1).

PART 4

FEES

Application fee for licence

9.—(1) Subject to paragraph (2), for the purposes of section 10(2)(b) of the Act, an application fee of \$1,500 must accompany every application for or to renew —

- (a) a Type 1 bicycle licence;
- (b) a Type 2 bicycle licence;
- (c) a Type 1 mobility vehicle licence;

- (d) a Type 2 mobility vehicle licence;
- (e) a Type 1 non-motorised PMD licence; or
- (f) a Type 2 non-motorised PMD licence.

(2) Where an application to renew a licence mentioned in paragraph (1) is made later than the time delimited by regulation 7, a late application fee of \$750 must accompany that application, in addition to the fee in paragraph (1).

Licence fee

10.—(1) For the purposes of section 11(1)(a)(i) of the Act, the licence fee payable for the grant of every licence is an amount calculated using the following formula:

$$(Q \times A) \times Y,$$

where —

- (a) A means the maximum fleet size for the licence;
- (b) Q means —
 - (i) \$15 for a Type 1 bicycle licence, Type 1 mobility vehicle licence or Type 1 non-motorised PMD licence; or
 - (ii) \$6 for a Type 2 bicycle licence, Type 2 mobility vehicle licence or Type 2 non-motorised PMD licence; and
- (c) Y means —
 - (i) the number of years for which the licence is specified in the licence to be valid; and
 - (ii) if any part of the period in sub-paragraph (i) is less than a year, the number of whole months of that period expressed as a fraction of a year.

(2) For the purposes of section 11(1)(a)(ii) of the Act, the renewal fee payable for the renewal of every licence is an amount calculated using the following formula:

$$(R \times A) \times Y,$$

where —

- (a) A means the maximum fleet size for the licence;
- (b) R means —
 - (i) \$15 for a Type 1 bicycle licence, Type 1 mobility vehicle licence or Type 1 non-motorised PMD licence; or
 - (ii) \$6 for a Type 2 bicycle licence, Type 2 mobility vehicle licence or Type 2 non-motorised PMD licence; and
- (c) Y means —
 - (i) the number of years for which the licence is specified in the licence to be valid on renewal; and
 - (ii) if any part of the period in sub-paragraph (i) is less than a year, the number of whole months of that period expressed as a fraction of a year.

Fees connected with modifying maximum fleet size in licence

11.—(1) For the purposes of section 15(2)(b) of the Act, an application fee of \$750 must accompany every application by a licensee to modify any condition in the licensee’s licence relating to the maximum fleet size so as to increase the maximum fleet size.

(2) For the purposes of section 15(5)(a) of the Act, the fee payable for the grant of an application to modify any condition in a licence relating to the maximum fleet size is an amount calculated using the following formula:

$$(S \times N) \times Z,$$

where —

- (a) S means —
 - (i) \$15 for a Type 1 bicycle licence, Type 1 mobility vehicle licence or Type 1 non-motorised PMD licence; or

- (ii) \$6 for a Type 2 bicycle licence, Type 2 mobility vehicle licence or Type 2 non-motorised PMD licence;
- (b) N means the difference between —
- (i) the maximum fleet size in the licence immediately before the application was made; and
 - (ii) the higher number of vehicles fixed, upon the application, as the maximum number of vehicles the licensee may offer or expose for hiring, allow the hiring of which to end undocked or do a combination thereof, during the validity period of the licence; and
- (c) Z means —
- (i) the number of years for which the licence remains valid after the grant of the application; and
 - (ii) if any part of the period in sub-paragraph (i) is less than a year, the number of whole months of that period expressed as a fraction of a year.

Waiver, refund, etc., of fees

12.—(1) The LTA may in any particular case and if satisfied that it is just and equitable —

- (a) refund, in whole or part, any fee paid mentioned in these Regulations; or
 - (b) waive or reduce, in whole or part, any fee mentioned in these Regulations.
- (2) However, no fee paid is refundable if —
- (a) a licence is cancelled or suspended under the Act before its expiry;
 - (b) an application for or to renew a licence is withdrawn; or
 - (c) an application under section 15 of the Act to modify a licence condition is withdrawn.

Interest on late payments

13.—(1) For the purposes of section 42(1) of the Act, interest on any outstanding amount of fee or penalty mentioned in that section accrues at the rate of 4.5 percentage points above the 3-month compounded SORA on the outstanding amount for the period —

- (a) starting the first day that fee or penalty or part of it is in arrears; and
- (b) ending the day that fee or penalty or part of it in arrears is paid in full to the LTA.

(2) In paragraph (1) —

“3-month compounded SORA”, in relation to a period, means —

- (a) if the period or a part of the period falls within the 6-month period beginning on 1 April of a calendar year, then, in relation to the period or the part (as the case may be) — the compounded average of the SORA values for the 3-month period immediately before 1 March of the same calendar year, as determined and published by the Monetary Authority of Singapore on its website at <https://www.mas.gov.sg> or (where the website is unavailable to the public) in one or more other forms that are readily accessible by the public; or
- (b) if the period or a part of the period falls within the 6-month period beginning on 1 October of a calendar year, then, in relation to the period or the part (as the case may be) — the compounded average of the SORA values for the 3-month period immediately before 1 September of the same calendar year, as determined and published by the Monetary Authority of Singapore on its website at <https://www.mas.gov.sg> or (where the website is unavailable to the public) in one or more other forms that are readily accessible by the public;

“Singapore Overnight Rate Average” or “SORA” means the volume-weighted average rate of borrowing transactions in the unsecured overnight interbank Singapore dollar cash market in Singapore between 8 a.m. and 6.15 p.m., as determined and published by the Monetary Authority of Singapore on its website at <https://www.mas.gov.sg> or (where the website is unavailable to the public) in one or more other forms that are readily accessible by the public.

PART 5

BUSINESS OPERATION REQUIREMENTS

Change in management of licensee

14. For the purposes of section 20(1)(a) and (b) of the Act, the period within which a licensee that is a corporation, partnership, limited liability partnership or an unincorporated association must notify the LTA of —

(a) the resignation or removal of any officer of the corporation, partnership, limited liability partnership or unincorporated association; or

(b) the death of any officer of the corporation, partnership, limited liability partnership or unincorporated association,

is 2 working days after the date of resignation or removal or the date the licensee becomes aware of that death, as the case may be.

Accounts and statements

15.—(1) For the purposes of section 21(1)(a) of the Act, a licensee must, in respect of the whole or part (as the case may be) of every financial year, prepare such accounts and statements relating to its shared mobility services during the financial year according to —

(a) the Singapore Accounting Standards;

(b) the International Financial Reporting Standards or any accounting standards that, in the Authority’s opinion, have wholly or substantially converged with the International Financial Reporting Standards; or

(c) the United States Generally Accepted Accounting Principles.

(2) For the purposes of section 21(1)(c) of the Act, the period within which a licensee must give to the LTA duly audited accounts and statements required by section 21(1)(a) of the Act is a period ending on a date that is 180 days after the end of the financial year to which the accounts and statements relate.

(3) For the purposes of section 21(1)(d) of the Act, the period for which a licensee must keep and retain records that are relevant to the preparation of the accounts and statements of the licensee required by section 21(1)(a) of the Act is 5 years after the end of the financial year to which the accounts or statements relate.

Record-keeping

16.—(1) For the purposes of section 22(1)(a) of the Act, the period that a licensee must keep and retain records relevant to monitoring or evaluating, under the Act, an aspect of the shared mobility service as specified in the licence granted to the licensee, is a period of 2 years after a record is made.

(2) For the purposes of section 22(2)(a) of the Act, the period that a class licensee must keep and retain records relevant to monitoring or evaluating, under the Act, an aspect of the shared mobility service authorised by the class licence applicable to the class licensee, is —

- (a) where the record relates to the total number of vehicles deployed in the provision of that service — a period of 2 years after the record is made; or
- (b) where the record relates to hirers and hiring of vehicles — a period of 2 years after the date on which the hiring of the vehicle to which the record relates ended.

Period of refusal to hire

17.—(1) For the purposes of section 23(4)(a) of the Act, the maximum period for which a licensee is entitled to refuse to hire or further hire to any individual any vehicle used by the licensee to provide a shared mobility service is 12 months, starting the date that the same licensee or another licensee (each called a notifying

licensee) gives notice to the individual that the notifying licensee has reasonable grounds to believe that the individual persistently improperly parks vehicles (whether or not hired from the same licensee) in public places.

(2) Where a licensee is directed, or deemed under paragraph 2 of the Schedule to the Act to be directed, by the LTA under section 25 of the Act, then for the purposes of section 23(4)(b) of the Act, the maximum period for which the licensee is entitled to refuse to hire or further hire to any individual any undocked vehicle used by the licensee to provide a shared mobility service is 12 months, starting the date that —

- (a) the individual is convicted (on or after 22 July 2020) of any relevant offence; or
- (b) the LTA collects from the individual an offer of composition made (on or after 22 July 2020) under any written law with respect to any relevant offence,

whichever date is the earlier.

(3) In paragraph (2), “relevant offence”, for an individual, means an offence involving a vehicle (whenever committed or allegedly committed) under —

- (a) section 21 or 22 of the Active Mobility Act 2017;
- (b) section 5A of the Road Traffic Act 1961; or
- (c) the Parking Places Act 1974 or any rules made under that Act involving parking, or permitting to remain at rest without a rider, a vehicle undocked in a public place outside of an area that is —
 - (i) demarcated (by a marking or traffic sign or other signboard) for parking of vehicles of the same type; and
 - (ii) provided by any licensee, the Government or a statutory body for the parking of vehicles of the same type.