



PARLIMEN MALAYSIA



RANG UNDANG-UNDANG
Lalulintas Jalan (Pindaan) 1983
DR.15/1983

Naskhah sahih—Bahasa Malaysia

RANG UNDANG-UNDANG

bernama

Suatu Akta untuk meminda Ordinan Lalulintas Jalan 1958.

MAKA INILAH DIPERBUAT UNDANG-UNDANG oleh Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong dengan nasihat dan persetujuan Dewan Negara dan Dewan Rakyat yang bersidang dalam Parlimen, dan dengan kuasa daripadanya, seperti berikut:

1. Akta ini bolehlah dinamakan Akta Lalulintas Jalan (Pindaan) 1983.

Tajuk ringkas.

2. Ordinan Lalulintas Jalan 1958 adalah dipinda dengan memasukkan selepas sahaja seksyen 32 seksyen baru 32A, 32B dan 32C yang berikut:

Seksyen baru 32A, 32B dan 32C.
49/58.

"Power of Director General to suspend a driving licence.

32A. (1) Notwithstanding anything contained in this Ordinance, the Director General may suspend every driving licence of a person for a period not exceeding six months if such person's record, as kept by the Director General, as a driver of a motor vehicle, or his conduct or habits as such driver, establishes that it would not be in the interests of public safety for him to hold a valid driving licence or that such person is not competent to drive a motor vehicle.

(2) For the purpose of establishing that it would not be in the interests of public safety for a person to hold a valid driving licence or that such person is not competent to drive a motor vehicle, the Minister may make rules establishing a system of awarding points

against a person for the commission of an offence under this Ordinance or any rules made thereunder:

Provided that such rules may make provision, where points have been awarded against any person, for a scheme for such points to be reduced on the ground of the good conduct and habits over a specified period of that person as a driver of a motor vehicle.

(3) The rules made under subsection (2) of this section shall specify the maximum number of points to be awarded against a person before it may be established that it would not be in the interests of public safety for him to hold a valid driving licence or that such person is not competent to drive a motor vehicle.

(4) The power conferred upon the Director General by this section to suspend the driving licence of a person may be exercised at such time after the maximum number of points, referred to in subsection (3) of this section, has been awarded against such person as the Director General thinks fit.

(5) Where the points awarded against a person under the rules made under subsection (2) of this section reach fifty per cent of the maximum number at which the Director General may suspend the driving licence of such person under this section, the Director General shall give notice thereof in writing to such person.

(6) Where the person is disqualified by an order of a court from holding or obtaining a driving licence for such period of time as may be specified in such order, every point awarded against him under the rules made under subsection (2) of this section shall thereupon be cancelled.

(7) Where a holder of a valid driving licence commits on a single occasion more than one offence under this Ordinance or any rules made thereunder, points shall be awarded against him only for the offence committed by him and in respect of which the largest number of points may be awarded against a person.

(8) For the purposes of this section a person shall be deemed to have committed an offence under this Ordinance or any rules made thereunder if he pays the prescribed penalty for that offence under section 147 of this Ordinance.

Licensee
may show
cause why
driving
licence
should
not be
suspended.

32B. (1) The Director General shall, before suspending a driving licence of a person under the provisions of section 32A of this Ordinance, give the person concerned notice in writing of his intention to do so, specifying a date, not less than fourteen days after the date of the notice, upon which such suspension shall be made and calling upon the person to show cause to the Director General why such driving licence should not be suspended.

(2) Upon the person failing to show cause within the period referred to in subsection (1) of this section and if the Director General decides to suspend the driving licence of such person pursuant to section 32A of this Ordinance, the Director General shall forthwith inform the person by notice in writing of such suspension.

(3) A person may, within fourteen days of the receipt of the notice referred to in subsection (2) of this section, or within such extended period of time as the Minister may allow, appeal in writing against such suspension to the Minister whose decision thereon shall be final.

(4) An order of suspension under section 32A of this Ordinance shall not take effect until the expiration of a period of fourteen days after the Director General has informed the person concerned of the order.

(5) If within that period the person concerned appeals to the Minister, the order shall not take effect unless the order is confirmed by the Minister or the appeal is for any reason dismissed by the Minister.

Surrender
and
return of
driving
licence.

32c. (1) The Director General shall, upon suspending a driving licence under section 32A of this Ordinance, require such licence to be surrendered to and retained by him.

(2) Any person whose driving licence has been suspended under section 32A of this Ordinance shall forthwith surrender the driving licence to the Director General.

(3) At the end of a period of suspension, a driving licence surrendered to the Director General under subsection (2) of this section shall be returned to the holder thereof and the points awarded against him shall be cancelled.

(4) Any person whose driving licence has been suspended under section 32A of this Ordinance shall not, during the period of suspension, drive a motor vehicle on a road under any other driving licence issued by any authority or otherwise.

(5) Any person who drives a motor vehicle on a road when his driving licence is suspended under section 32A of this Ordinance shall be guilty of an offence and shall on conviction be liable to a term of imprisonment not exceeding one year or to a fine not exceeding two thousand ringgit.”.

HURAIAN

Rang Undang-Undang ini bertujuan meminda Ordinan Lalulintas Jalan 1958 bagi maksud melaksanakan sistem mata terhadap kesalahan-kesalahan yang dilakukan oleh pemandu-pemandu kereta motor untuk menanam perasaan kesedaran keselamatan jalan raya yang lebih di kalangan mereka, memandangkan meningkatnya bilangan kemalangan jalan raya pada tahun-tahun kebelakangan ini.

2. *Fasal 2* mengajukan seksyen baru 32A, 32B dan 32C yang memberi kuasa kepada Ketua Pengarah untuk menggantung lesen memandu mana-mana orang selama tempoh tidak lebih daripada enam bulan jika dibuktikan bahawa bukannya untuk kepentingan keselamatan awam bagi orang itu memegang suatu lesen memandu yang sah atau bahawa orang itu tidak layak untuk memandu sesuatu kereta motor. Butir-butir pelaksanaan sistem mata akan diterangkan di bawah kaedah-kaedah yang akan dibuat oleh Menteri. Peruntukan-peruntukan baru ini juga memperuntukkan bahawa—

- (a) jika seseorang dihilangkan kelayakannya daripada memegang atau memperolehi lesen memandu menurut perintah mahkamah, maka mata yang diaward terhadapnya di bawah kaedah-kaedah itu hendaklah dibatalkan;
- (b) Ketua Pengarah hendaklah memberi orang yang hendak digantung lesen memandunya notis mengenai tujuannya untuk berbuat demikian dan memintanya supaya menunjukkan sebab-sebab;
- (c) jika orang itu tidak dapat menunjukkan sebab-sebab, Ketua Pengarah hendaklah dengan serta-merta memberi tahu orang itu dengan notis secara bertulis mengenai penggantungan itu;
- (d) orang berkenaan itu boleh merayu kepada Menteri dalam masa yang ditetapkan terhadap penggantungan itu;
- (e) jika sesuatu lesen memandu telah digantung, ia hendaklah diserahkan kepada Ketua Pengarah dan disimpan olehnya;
- (f) pada penghujung tempoh penggantungan, sesuatu lesen memandu yang diserahkan kepada Ketua Pengarah itu hendaklah dipulangkan kepada pemegang dan mata terhadapnya hendaklah dibatalkan; dan
- (g) mana-mana orang yang memandu sesuatu kereta motor atas jalan raya dalam masa tempoh penggantungan adalah melakukan suatu kesalahan.

IMPLIKASI KEWANGAN

Rang Undang-Undang ini tidak akan melibatkan Kerajaan dalam apa-apa perbelanjaan wang tambahan. [PN. (U²) 1227.]