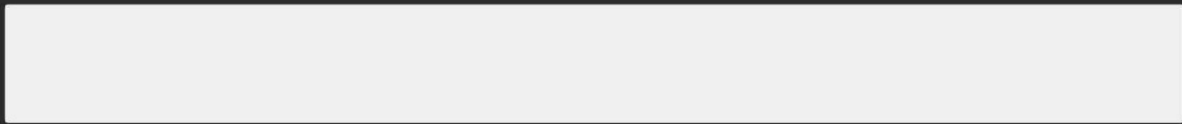


**Response by the
Singapore Academy of Law to the
Ministry of Transport's
Public Consultation on
Singapore's Legislative Framework for
Autonomous Vehicles**



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- Lim Shyang Horng
- Isabelle Teo

¹ In alphabetical order of surname. The Singapore Academy of Law similarly extends its gratitude to the remaining participants who prefer to remain anonymous. The views expressed by the participants are not necessarily the views of their respective organisation.

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30 June 2026

Contents

Background	5
Summary of response	6
Victims’ interests are paramount.....	7
Holding “AV operator” liable.....	7
Maintaining a unified motor insurance and compensation regime	8
Other observations	10
Criminalising provision of defective software undesirable	10
Urging caution over licensing of AV technology provider.....	10
CII regulatory model being a reference point	11
Further discussion needed on data residency	11
Conclusion.....	12

Background

1. On 4 May 2026, the Ministry of Transport of Singapore (**MOT**) launched public consultation on Singapore's legislative framework for autonomous vehicles (**AV**).
2. To support this public consultation, the Singapore Academy of Law (**SAL**) convened a closed-door roundtable session on 19 May 2026 (**Roundtable**) to discuss selected issues listed in the [Consultation Paper on the Regulatory and Legal Framework for Autonomous Vehicles \(AV\) in Singapore](#) (**Consultation Paper**).
3. A total of 16 individuals² participated in the Roundtable (**Participants**). The Participants are all legally-trained individuals who can be categorised into two broad practice areas:
 - private practitioners and academics in the area of personal injury and insurance law (**PII Participants**); and
 - private practitioners and in-house counsel in the area of data protection and cybersecurity law (**D&C Participants**).
4. Given the difference in practice area specialisation, Participants naturally approached discussions at the Roundtable from different angles and focus points.
5. This submission sets out the key views and observations³ raised by the Participants in relation to the questions listed in the Consultation Paper. It is not a transcript of the Roundtable and should not be taken as such. Given the breadth and the diverse nature of the issues covered by the Consultation Paper and the time limit of the Roundtable, not all questions in the Consultation Paper were discussed at the Roundtable. Accordingly, this submission by no means purports to respond comprehensively to all the questions in the Consultation Paper.
6. Further, with SAL being a membership organisation for the legal profession in Singapore and Participants being legal professionals, discussions at the Roundtable focused on legal issues raised in the Consultation Paper. This submission likewise has the same focus. As this submission synthesises the key views and observations of the Participants, it does not represent the position of SAL.

² Excluding facilitators, notetakers and officers from the Land Transport Authority.

³ Those views and observations represent the general consensuses of the Participants but may not always be unanimous.

Summary of response

7. There was general support among Participants to the suggested approach of holding one single party responsible in the event of an AV road safety violation or accident to facilitate timely compensation for innocent victims. The preferred single party for that purpose is the “fleet operator” defined in the Consultation Paper.
8. The current motor insurance regime and the existing common law system in Singapore are considered generally adequate and fit for purpose.
9. Views on other disparate issues are noted separately below under different headings.

Victims' interests are paramount

10. The principle undergirding interventions by PII Participants was that victims' interests were paramount and that any proposed legal framework for AVs should avoid introducing complications for victims.
11. As such, the general agreement among PII Participants was that victims should not be required to bear the burden of identifying which party among numerous different players in the AV ecosystem was at fault in the event of an AV road safety violation or accident. Instead, compensation should be streamlined to enable a victim to claim directly against one single *insured*⁴ entity, subsequent to which the various ecosystem players involved (e.g., manufacturer, software provider, dealer, fleet operator, or a supplier of any other type) can resolve issues of liability and contribution among themselves. This was considered especially important since not every ecosystem player may have local presence and since the technology in use is inherently complex.
12. Under this approach, what has led to an AV road safety violation or accident (e.g., software failure, defective operating system, hacking, etc.) would be irrelevant from a victim's perspective.⁵ All that victim would need to establish is that the AV caused his or her injury. As such, the prevailing (though not unanimous) sentiment from the PII Participants was that it would not be necessary to introduce any statutory presumption to help victims to "overcome evidential difficulties".
13. Out of the same undergirding principle, the suggestion of introducing safe harbour provisions for civil liabilities – which are intended to protect AV ecosystem players – is also undesirable because doing so weakens protection of victims' interests, although limited safe harbour provisions for criminal liabilities may be appropriate in specific circumstances so as not to, among others, discourage industry innovation.

Holding "AV operator" liable

14. As to who that single insured entity should be, PII Participants largely favoured the approach of holding the "AV operator" responsible. That is, the party licensed by the regulator to put the AV on Singapore roads. As the Consultation Paper does not contemplate individual ownership of AVs, the "AV operator" will be the "fleet operator" as defined in the Consultation Paper.⁶
15. In this connection, a view was expressed by one D&C Participant that the distinction between the "entity in-charge of AV technology" and the "fleet operator" proposed in Table 1 of the Consultation Paper⁷ may not be necessary. This is because the "fleet operator" is able to choose which AV technology to use and to exercise control over AV

⁴ See heading "[maintaining a unified insurance and compensation regime](#)".

⁵ Save for the issue of contributory negligence.

⁶ Not all D&C Participants supported holding the fleet operator responsible first by default.

⁷ *Consultation Paper on the Regulatory and Legal Framework for Autonomous Vehicles (AV) in Singapore* (Ministry of Transport, May 2026) (**Consultation Paper**), Chapter A Table 1.

technology maintenance, ordinarily by entering into contractual arrangements with AV technology providers. The AV technology could be sourced from one single provider or multiple providers. In an AV deployment scenario where individual ownership of AVs is not contemplated, it is also possible for the “fleet operator” to be the “entity in-charge of AV technology”.⁸

16. Further, the Consultation Paper appears to assume that the “entity in-charge of AV technology” is a technology integrator. This acknowledges the fact that an AV is usually supported by numerous software components which may come from many different providers. The concept of an “entity in-charge of AV technology” that integrates the component technologies into the final AV which is put on Singapore roads is more relevant in an AV deployment scenario where individuals purchase, own and operate their own AVs. As the Consultation Paper contemplates a fleet-based AV deployment model, it may not be necessary to distinguish between a “fleet operator” and an “entity in-charge of AV technology” for reasons stated in the preceding paragraph.

Maintaining a unified motor insurance and compensation regime

17. There was broad consensus among PII Participants that the existing principles governing motor insurance in Singapore should continue to apply. Introducing a separate regime for AVs alongside the existing regime for manned vehicles will create unnecessary complications and uncertainty for victims. In other words, Option B given in the Consultation Paper⁹ emerged as the preference.

No-fault regime undesirable

18. The introduction of a no-fault compensation regime for AV road safety accidents was considered highly problematic by PII Participants out of concerns over increase in fraudulent claims, amplification of moral hazard, and unsustainable insurance costs. The current fault-based regime should remain.

The central role of the insurer

19. Assuming the status quo of motor insurance in Singapore is maintained in terms of insurance for AVs, the role of insurers would continue to be central. PII Participants stressed that insurers must not be allowed to avoid liability merely on the ground that an AV road safety accident arose from an AV software defect, an AV system hacking incident, etc. The Motor Insurers’ Bureau of Singapore¹⁰ should continue to serve as a safety net where insurance coverage fails or where subsequent recovery by insurers turns out challenging, despite processes that may also be cumbersome at times.
20. Self-insurance was considered problematic by PII Participants. The concern was that AV players may set up undercapitalised local subsidiaries which are incapable of satisfying

⁸ See also sub-heading “[CII regulatory model being a reference point](#)” below.

⁹ Consultation Paper, Chapter B Chart 2.

¹⁰ The Motor Insurers’ Bureau of Singapore is an independent body set up in 1975 and funded by all motor insurers in Singapore. For more details, please visit <https://www.mibos.com.sg/>.

claims or which could simply cease operation and deregister in Singapore, leaving victims without effective recourse. The strong preference was for insurers who provide AV insurance to be licensed and regulated in Singapore in the same way as how insurers are regulated presently in Singapore, with sufficient reserves and reinsurance arrangements in place so that compensation for victims is prioritised and that practical enforceability takes precedence over commercial convenience. In the same vein, there was a strong view that having adequate insurance coverage should be a condition precedent before any AV is permitted on Singapore roads.

21. In addition, PII Participants were of the view that an AV's cybersecurity risks should not be transferred onto innocent road users. D&C Participants noted that insuring such risks may be difficult – although not impossible – in the present cyber threat landscape facing organisations.

Other observations

22. This section sets out other observations raised by Participants with regard to specific issues in the Consultation Paper. No consensus or strong preference was reached among Participants on these observations.

Criminalising provision of defective software undesirable

23. Table 2 (Proposed criminal offenses related to AVs) of the Consultation Paper lists “provision of defective AV (incl. software)” as one offense of criminal nature and attributes criminal liability to the “entity in-charge of AV technology”. One D&C Participant expressed the view that criminalising the provision of defective software would be undesirable. The fact that software needs regular patching may lend weight to the argument that the unpatched software is defective. If this is the case, then almost all software will be defective at some point in time and technology providers will be exposed to criminal sanctions (as contemplated by the Consultation Paper). The better view is that *inordinate delays* in the patching or resolution of *a serious defect* in software could give rise to criminal sanctions, which may be justifiable in cases where the “fleet operator” has knowledge of the serious defect and the availability of fixes and where there is personal injury or death.
24. Holding the “entity in-charge of AV technology” criminally liable in this case may also be problematic. In the event of a software update or patching, the “fleet operator” needs to trigger the update or patching.
25. In reality, while it is possible to pin an AV road safety violation or accident on a “technology issue” in general, it is usually very hard to tell that the exact cause is a “defective software”. This reinforces the view stated earlier in this submission that the apportionment of liability between the “fleet operator” and the “entity in-charge of AV technology” in an AV road safety violation or accident should be undertaken subsequently and should not delay compensation for victims of such violation or accident.

Urging caution over licensing of AV technology provider

26. The Consultation Paper proposes the imposition of a licensing regime on the “entity in-charge of AV technology”.¹¹ This is separate from the “homologation” or type-approval of AVs.
27. The licensing of the “entity in-charge of AV technology” makes sense in a deployment scenario where individuals purchase, own and operate their own AVs. This presupposes that a single entity based in Singapore integrates technologies which are needed for the AV that is put on Singapore roads. However, since the Consultation Paper contemplates AV deployment through managed fleets, it may not be necessary to draw the distinction between the “fleet operator” and the “entity in-charge of AV technology” for reasons

¹¹ Consultation Paper, Chapter A at para 10(a).

explained above. Accordingly, it may not be necessary for the “entity in-charge of AV technology” to be separately licensed.

28. Another concern with the proposed licensing regime was that doing so may give the general public a false sense of security that this licensed “entity in-charge of AV technology” is “approved” and therefore all of its AVs are safe. Should the AV of that entity be involved in a road safety violation or accident, public confidence and regulator credibility would both be shaken.

CII regulatory model being a reference point

29. In terms of the general AV regulatory approach, one suggestion raised by D&C Participants was to refer to how critical information infrastructure is currently regulated in Singapore.¹² More broadly, one may also look at how providers of essential services such as telecommunications services are regulated in Singapore. In other words, “regulation”, whether in the form of licensing or otherwise, is usually exercised over the “operator” and not the technology provider.¹³

Further discussion needed on data residency

30. The Consultation Paper proposes “implementing calibrated data residency requirements” as one possible measure to “safeguard personal privacy and national security”.¹⁴
31. While D&C Participants acknowledged the importance of achieving the stated objective, it was pointed out that Singapore generally does not impose any data residency requirement, with very limited exceptions for very specific scenarios in financial services.¹⁵ Further, Singapore has made commitments through its free trade agreements¹⁶ and Digital Economy Agreements¹⁷ not to impose requirements for local storage and processing of data unless justifiable on legitimate public policy objectives. It would thus be prudent for the proposed data residency requirements to be examined further and in consultation with other ministries and agencies.

¹² Critical information infrastructure is designated under the Cybersecurity Act 2018.

¹³ See also the sub-heading “[holding “AV operator liable”](#)” above.

¹⁴ Consultation Paper, Chapter C at para 2(c).

¹⁵ For example, the Collaborative Sharing of ML/TF Information & Cases regime.

¹⁶ See for example, Article 12.14 of Regional Comprehensive Economic Partnership and Article 14.13 of Comprehensive and Progressive Agreement for Trans-Pacific Partnership.

¹⁷ These are common articles in Digital Economy Agreements and the Digital Economy Partnership Agreement.

Conclusion

32. SAL hopes that this submission of key observations and views raised by Participants at the Roundtable, although incomplete, will nevertheless assist the MOT and other relevant ministries and agencies as the Government moves ahead with the timeline of tabling a piece of AV legislation before the Parliament in 2027 to “ensure the safe functioning of AVs on Singapore roads”.
33. Questions regarding this submission may be directed to enquiries@sal.org.sg with the email subject *Submission to Public Consultation on the Regulatory and Legal Framework for Autonomous Vehicles in Singapore* (attention to Catherine Shen).

