

**ILLEGAL VEHICLES MODIFICATION: THE NEEDS TO REFORM THE  
DELEGATIONS OF ENFORCEMENT POWER**

By

Amier Fitri B.Abdul Rahim	2008408638
Khamarul Hazim B.Azmi	2008408706
Muhammad Syafiq B.Suhaimi	2008408762
Nur Hafifah Bt.Mohd Halim	2008408816
Siti Hazwani Bt.Adnan	2008408858

Submitted in Partial Fulfillment of the Requirements  
for the degree of Bachelor of Legal Studies (Hons.)

**Universiti Teknologi MARA**

**Faculty of Law**

October 2010

The students/authors confirm that the work submitted is their own and that appropriate credit has been given where reference has been made to the work of others.

## **Abstract**

People usually modified their vehicles with the purpose to make their vehicles to have an outstanding feature. As a result, the vehicle modifications grew to the extent that, it becomes extreme modification. There are certain modifications which are allowed by the authority. However, most of the modification done nowadays is not approve by the authority because they find it is unsuitable and dangerous. This unapproved modification can be regarded as illegal modifications by the authority.

The Road Transport Department has identified high number of cases regarding the illegal modified cars and motorcycles in Peninsular Malaysia, which have been compounded. The purpose of this research is to study the enforcement conducted by the authority relevant to this matter.

This project paper is based on an analysis of the legal statutes on illegal vehicle modifications which have been used as an authority. Our research is concerning a legal study on the need to reform the jurisdiction to enforce the Guidelines of Illegal Vehicles Modifications in Malaysia.

Road Transport Act 1987, together with Motor Vehicles (Construction and Use) Regulations 1959 will be analysed as a mechanism in solving illegal vehicle modifications in this country. Our project paper provides the recommendation to reform the jurisdiction to enforce the guidelines of illegal vehicles modifications in Malaysia.

## **TABLE OF CONTENTS**

Acknowledgement	ii
Abstract	iii
Contents	iv
List of Statutes	vii

### **CHAPTER ONE: INTRODUCTION**

1.0	Background of Research Proposal	1
1.1	Problem Statement	3
1.2	Objective	6
1.3	Literature Review	7
1.4	Research Methodology	11
1.5	Scope and Limitation	12
1.6	Significance of Study	13

### **CHAPTER TWO: ILLEGAL VEHICLE MODIFICATION AND THE PROBLEM OF ENFORCEMENT IN MALAYSIA**

2.0	Introduction	14
2.1	Responsible Agency	15
	2.1.1 Road Transport Department (JPJ)	15
	2.1.2 Royal Malaysia Police Force (PDRM)	17
	2.1.3 Kuala Lumpur City Hall	19
2.2	Current Practise of Way of Enforcement	20
	2.2.1 Delegations of powers to several bodies	21
2.3	Reformation for the Enforcement Powers Delegation System	24
2.4	Conclusion	26

### **CHAPTER THREE: FINDINGS**

3.0	Introduction	28
3.1	Enforcement bodies view about problems of illegal modifications	29
3.1.1	Road Transport Department (JPJ)	29
3.1.2	Malaysia Royal Police Force (PDRM)	30
3.1.3	Puspakom	30
3.2	The cause of the creation of problems of illegal modification	31
3.3	The caused that generates the development of the problem	32
3.3.1	Insufficient enforcement is the main caused for the problems 'development	35
3.4	There is a need to reform the enforcement power delegations	37
3.5	Conclusion	38

### **CHAPTER FOUR: SUGGESTIONS AND RECOMMENDATIONS**

4.0	Introduction	40
4.1	Enforcement of the law	42
4.2	Punishment	43
4.3	Education	44
4.4	Insurance	45
4.5	Rewards	46
4.6	Conclusion	46

### **CHAPTER FIVE: CONCLUSIONS**

5.0	Introduction	48
-----	--------------	----

# CHAPTER 1

## INTRODUCTION

### 1.0 Background

Private vehicles, cars and motorcycles which previously in old days regarded as luxurious item, nowadays has become a form of necessity. One cannot live without it. People will find it hard for them to move around if they do not have one. It is affordable by everyone now. Not like the old times, where only certain people could afford to get one of this. Nowadays, even the youngsters could get their hand on the cars or motorcycle. As it is more affordable now, it reflects in the increased of the number of vehicles on the road. It is believed that from years to years, the number of registered vehicles in Malaysia is increasing. In 2009, it was recorded that there are 19.01 million of registered vehicles in Malaysia, compared to years of 1987, where there are only 4.15 million of registered vehicles<sup>1</sup>. This number is believed will be increasing.

As everybody has cars nowadays, one must want to have their vehicles be different from others. They start to make a little modification to make theirs look different. Then from there, the modifications grew and for sometimes, it becomes extreme modification. There are certain modifications which are allowed by the authority. However, most of the modification done nowadays is not approve by the authority because they find it unsuitable and dangerous. This unapproved modification can be regarded as illegal modifications by the authority.

According to Section 12 of the Road Transport Act,<sup>2</sup> any modifications made to the vehicles before or after its registration must get the approval from the

---

<sup>1</sup> Y.B Dato' Sri Ong Tee Keat, "*Death on the road: Getting serious*", The Sun, 5 Februari 2008.  
<sup>2</sup> Road Transport Act 1987.