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*Number 24 of 1961*

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**ROAD TRAFFIC ACT 1961**

**REVISED**

**Updated to 16 April 2013**

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This Revised Act is an administrative consolidation of the *Road Traffic Act 1961*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975 (3/1975)* to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Health (Alteration of Criteria for Eligibility) Act 2013 (10/2013)*, enacted 28 March 2013, and all statutory instruments up to and including *Social Welfare and Pensions Act 2010 (Section 38) (Appointment Day) Order 2013 (S.I. No. 130 of 2013)*, made 16 April 2013, were considered in the preparation of this Revised Act.

Disclaimer: While every care has been taken in the preparation of this Revised Act, the Law Reform Commission can assume no responsibility for and give no guarantees, undertakings or warranties concerning the accuracy, completeness or up to date nature of the information provided and does not accept any liability whatsoever arising from any errors or omissions. Please notify any errors, omissions and comments by email to [revisedacts@lawreform.ie](mailto:revisedacts@lawreform.ie).





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Number 24 of 1961

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**ROAD TRAFFIC ACT 1961**

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**Introduction**

This Revised Act presents the text of the Act as it has been amended since enactment, and preserves the format in which it was passed.

**Related legislation**

**Road Traffic Acts 1961 to 2011:** This Act is one of a group of Acts included in this collective citation, to be read together as one (*Road Traffic (No.2) Act 2011*, s. 11(3), citation only). The Acts in the group are:

- *Road Traffic Act 1961* (24/1961)
- *Road Traffic Act 1968* (25/1968)
- *Road Traffic (Amendment) Act 1973* (15/1973) (repealed)
- *Road Traffic (Amendment) Act 1978* (19/1978) (repealed)
- *Road Traffic (Amendment) Act 1984* (16/1984)
- *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), insofar as it amends the *Road Traffic Acts 1961 to 1984*
- *Road Traffic Act 1994* (7/1994)
- *Road Traffic Act 1995* (7/1995) (repealed)
- *Road Traffic Act 2002* (12/2002)
- *Road Traffic Act 2003* (37/2003) (repealed)
- *Road Traffic Act 2004* (44/2004), other than Part 6
- *Railway Safety Act 2005* (31/2005), Part 17
- *Road Traffic Act 2006* (23/2006)
- *Road Traffic and Transport Act 2006* (28/2006)
- *Roads Act 2007* (34/2007), s. 12
- *Road Traffic Act 2010* (25/2010)
- *Road Traffic Act 2011* (7/2011)
- *Road Traffic (No. 2) Act 2011* (28/2011)

**Local Authorities (Traffic Wardens) Act 1975 and 1987:** This Act deals with similar subject matter to a group of Acts included in this collective citation (*Dublin Transport Authority (Dissolution) Act 1987*, s. 15(4)). The Acts in the group are:

- *Local Authorities (Traffic Wardens) Act 1975* (14/1975)
- *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), in so far as it amends the *Local Authorities (Traffic Wardens) Act 1975*

**Annotations**

This Revised Act is annotated and includes textual and non-textual amendments, statutory instruments made pursuant to the Act and previous affecting provisions.

An explanation of how to read annotations is available at

[www.lawreform.ie/annotations](http://www.lawreform.ie/annotations).

### **Material not updated in this revision**

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 2000, may be found in the Legislation Directory at [www.irishstatutebook.ie](http://www.irishstatutebook.ie).

### **Acts which affect or previously affected this revision**

- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*
- *Road Traffic (No. 2) Act 2011 (28/2011)*
- *Road Traffic Act 2011 (7/2011)*
- *Road Traffic Act 2010 (25/2010)*
- *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010 (24/2010)*
- *Communications Regulation (Premium Rate Services and Electronic Communications Infrastructure) Act 2010 (2/2010)*
- *Public Transport Regulation Act 2009 (37/2009)*
- *Roads Act 2007 (34/2007)*
- *Water Services Act 2007 (30/2007)*
- *Criminal Justice Act 2007 (29/2007)*
- *Medical Practitioners Act 2007 (25/2007)*
- *Road Traffic and Transport Act 2006 (28/2006)*
- *Criminal Justice Act 2006 (26/2006)*
- *Road Traffic Act 2006 (23/2006)*
- *Road Safety Authority Act 2006 (14/2006)*
- *Railway Safety Act 2005 (31/2005)*
- *Safety, Health and Welfare at Work Act 2005 (10/2005)*
- *Road Traffic Act 2004 (44/2004)*
- *Public Service Management (Recruitment and Appointments) Act 2004 (33/2004)*
- *Civil Registration Act 2004 (3/2004)*
- *Road Traffic Act 2003 (37/2003)*
- *Taxi Regulation Act 2003 (25/2003)*
- *Communications Regulation Act 2002 (20/2002)*
- *Road Traffic Act 2002 (12/2002)*
- *Transport (Railway Infrastructure) Act 2001 (55/2001)*
- *Criminal Justice (Theft and Fraud Offences) Act 2001 (50/2001)*
- *Local Government Act 2001 (37/2001)*
- *Motor Vehicle (Duties and Licenses) Act 2001 (22/2001)*
- *Planning and Development Act 2000 (30/2000)*
- *Illegal Immigrants (Trafficking) Act 2000 (29/2000)*
- *Road Transport Act 1999 (15/1999)*
- *Air Navigation and Transport (Amendment) Act 1998 (24/1998)*
- *Bail Act 1997 (16/1997)*
- *Freedom of Information Act 1997 (13/1997)*
- *Criminal Justice (Miscellaneous Provisions) Act 1997 (4/1997)*
- *Waste Management Act 1996 (10/1996)*
- *Road Traffic Act 1995 (7/1995)*
- *Road Traffic Act 1994 (7/1994)*
- *Roads Act 1993 (14/1993)*

- *Finance Act 1993* (13/1993)
- *Dublin Transport Authority (Dissolution) Act 1987* (34/1987)
- *Dublin Metropolitan Streets Commission Act 1986* (30/1986)
- *Dublin Transport Authority Act 1986* (15/1986)
- *Canals Act 1986* (3/1986)
- *Road Traffic (Amendment) Act 1984* (16/1984)
- *Road Traffic (Amendment) Act 1978* (19/1978)
- *Criminal Law Act 1976* (32/1976)
- *Finance Act 1976* (16/1976)
- *Local Authorities (Traffic Wardens) Act 1975* (14/1975)
- *Road Traffic (Amendment) Act 1973* (15/1973)
- *Dangerous Substances Act 1972* (10/1972)
- *Road Traffic Act 1968* (25/1968)
- *Firearms Act 1964* (1/1964)
- *Civil Liability Act 1961* (41/1961)

All Acts up to and including *Health (Alteration of Criteria for Eligibility) Act 2013* (10/2013), enacted 28 March 2013, were considered in the preparation of this revision.

#### **Statutory instruments which affect or previously affected this revision**

- *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) (Amendment) Regulations 2013* (S.I. No. 86 of 2013)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2013* (S.I. No. 43 of 2013)
- *Road Traffic (National Car Test) (Amendment) Regulations 2013* (S.I. No. 10 of 2013)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2013* (S.I. No. 6 of 2013)
- *Road Traffic (Licensing of Drivers) (Fees) Regulations 2012* (S.I. No. 559 of 2012)
- *Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2012* (S.I. No. 537 of 2012)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 2012* (S.I. No. 399 of 2012)
- *Road Traffic (Signs) (Amendment) Regulations 2012* (S.I. No. 331 of 2012)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2012* (S.I. No. 330 of 2012)
- *Road Traffic Act 2002 (Commencement of Certain Provisions) (Penalty Points) Order 2012* (S.I. No. 296 of 2012)
- *Road Traffic Acts 1961 to 2011 (Fixed Charge Offences) Regulations 2012* (S.I. No. 294 of 2012)
- *Road Traffic (Special Permits for Particular Vehicles) (Amendment) Regulations 2012* (S.I. No. 105 of 2012)
- *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2012* (S.I. No. 104 of 2012)
- *Road Traffic (National Car Test) (Amendment) Regulations 2012* (S.I. No. 103 of 2012)
- *Road Traffic (Courses of Instruction) (Learner Permit Holders) (Amendment) Regulations 2012* (S.I. No. 4 of 2012)
- *Road Traffic (Licensing of Learner Drivers) (Certificate of Competency) (Amendment) Regulations 2012* (S.I. No. 3 of 2012)
- *Road Traffic (National Car Test) (Amendment) (No.2) Regulations 2011* (S.I. No. 711 of 2011)
- *European Union (Motor Insurance) (Limitation of Insurance in relation to Injury to Property) Regulations 2011* (S.I. No. 702 of 2011)
- *Road Traffic (Lighting of Vehicles) (Blue and Amber Lamps) (Amendment) Regulations 2011* (S.I. No. 695 of 2011)
- *Road Traffic (Requirement to have Audible Warning Devices on Vehicles) Regulations 2011* (S.I. No. 694 of 2011)
- *Road Traffic (Courses of Instruction) (Motorcycles) Regulations 2011* (S.I. No. 681 of 2011)
- *Road Traffic (Signs) (Amendment) Regulations 2011* (S.I. No. 672 of 2011)
- *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011* (S.I. No. 654 of 2011)

- *Road Traffic (National Car Test) (Amendment) Regulations 2011* (S.I. No. 623 of 2011)
- *Road Traffic Act 2010 (Fixed Penalty Notice - Drink Driving) Regulations 2011* (S.I. No. 595 of 2011)
- *Road Traffic Act 2010 (Section 13) (Prescribed Form and Manner of Statements) Regulations 2011* (S.I. No. 541 of 2011)
- *Road Traffic Act 2010 (Sections 15 and 17) (Prescribed Forms) Regulations 2011* (S.I. No. 540 of 2011)
- *Road Traffic (Licensing of Drivers) (Amendment) (No.2) Regulations 2011* (S.I. No. 483 of 2011)
- *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011)
- *European Communities (Road Infrastructure Safety Management) Regulations 2011* (S.I. No. 472 of 2011)
- *Road Traffic (Driving Mirrors - Additional Requirements for Heavy Goods Vehicles) Regulations 2011* (S.I. No. 457 of 2011)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Road Traffic (Restraint Systems in Organised Transport of Children) Regulations 2011* (S.I. No. 367 of 2011)
- *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011* (S.I. No. 315 of 2011)
- *Road Traffic (Spray-Suppression) Regulations 2011* (S.I. No. 272 of 2011)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2011* (S.I. No. 235 of 2011)
- *Road Traffic (Courses of Instruction) (Learner Permit Holders) Regulations 2011* (S.I. No. 173 of 2011)
- *Transport (Alteration of Name of Department and Title of Minister) Order 2011* (S.I. No. 141 of 2011)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2011* (S.I. No. 35 of 2011)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2010* (S.I. No. 544 of 2010)
- *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) (Amendment) Regulations 2010* (S.I. No. 509 of 2010)
- *Road Traffic (Specialised Vehicle Permits) (Amendment) Regulations 2010* (S.I. No. 461 of 2010)
- *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2010* (S.I. No. 452 of 2010)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2010* (S.I. No. 403 of 2010)
- *Road Traffic (Recognition of Foreign Driving Licences - New Zealand and Taiwan) Order 2010* (S.I. No. 402 of 2010)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Revocation) Regulations 2010* (S.I. No. 259 of 2010)
- *Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010* (S.I. No. 249 of 2010)
- *Small Public Service Vehicles (Dublin) (Lost Property) Bye-laws 2010* (S.I. No. 175 of 2010)
- *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2009* (S.I. No. 576 of 2009)
- *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009)
- *Road Traffic (Display of Test Disc) Regulations 2009* (S.I. No. 548 of 2009)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 2009* (S.I. No. 487 of 2009)
- *Road Traffic (Immobilisation of Vehicles) (Amendment) Regulations 2009* (S.I. No. 406 of 2009)
- *Road Traffic (Driving Instructor Licensing) (No. 2) Regulations 2009* (S.I. No. 203 of 2009)
- *Road Traffic (Specialised Vehicle Permits) Regulations 2009* (S.I. No. 147 of 2009)
- *Road Traffic (Driving Instructor Licensing) Regulations 2009* (S.I. No. 146 of 2009)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2009* (S.I. No. 130 of 2009)
- *Road Traffic Acts 1961 To 2007 (Fixed Charge offences) (Prescribed Notice and Document) Regulations 2009* (S.I. No. 113 of 2009)

- *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2008* (S.I. No. 590 of 2008)
- *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2008* (S.I. No. 589 of 2008)
- *Road Traffic (National Car Test) (Amendment) Regulations 2008* (S.I. No. 588 of 2008)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2008* (S.I. No. 471 of 2008)
- *Official Languages Act 2003 (Section 9) Regulations 2008* (S.I. No. 391 of 2008)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2008* (S.I. No. 366 of 2008)
- *Road Traffic (Driving Mirrors Additional Requirements for Heavy Goods Vehicles) Regulations 2008* (S.I. No. 312 of 2008)
- *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008)
- *Road Traffic (Retreaded Tyres) Regulations 2008* (S.I. No. 118 of 2008)
- *European Communities (Road Transport) (Working Conditions and Road Safety) Regulations 2008* (S.I. No. 62 of 2008)
- *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2007* (S.I. No. 829 of 2007)
- *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) Regulations 2007* (S.I. No. 725 of 2007)
- *Road Traffic (Licensing of Learner Drivers) (No. 2) Regulations 2007* (S.I. No. 724 of 2007)
- *Road Traffic (Licensing of Learner Drivers) Regulations 2007* (S.I. No. 719 of 2007)
- *Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007* (S.I. No. 710 of 2007)
- *Road Traffic (Components and Separate Technical Units) (Two and Three Wheel Motor Vehicle) Regulations 2007* (S.I. No. 629 of 2007)
- *Road Traffic (Recognition of Foreign Driving Licences) Order 2007* (S.I. No. 527 of 2007)
- *Road Traffic (Components and Separate Technical Units) Regulations 2007* (S.I. No. 375 of 2007)
- *Road Traffic (Special Permits for Particular Vehicles) Regulations 2007* (S.I. No. 283 of 2007)
- *Road Traffic Act 1994 (Control of Traffic - Exemption Permits) Regulations 2006* (S.I. No. 639 of 2006)
- *Road Traffic (Signs) Regulations 2006* (S.I. No. 637 of 2006)
- *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006)
- *Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) (No. 2) Regulations 2006* (S.I. No. 493 of 2006)
- *Road Safety Authority Act 2006 (Conferral of Functions) Order 2006* (S.I. No. 477 of 2006)
- *Road Traffic Acts 1961 to 2006 (Fixed Charge Offence) (Holding Mobile Phone While Driving) Regulations 2006* (S.I. No. 444 of 2006)
- *Road Traffic Act 2006 (Mobile Phones- Prescribed Numbers) Regulations 2006* (S.I. No. 385 of 2006)
- *Road Traffic (Lighting of Vehicles) (Blue and Amber Lamps) Regulations 2006* (S.I. No. 342 of 2006)
- *Road Traffic (Requirement to Have Audible Warning Devices on Vehicles) Regulations 2006* (S.I. No. 340 of 2006)
- *European Communities (Compulsory use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* (S.I. No. 240 of 2006)
- *Local Authorities (Traffic Wardens) Act 1975 (Fixed Charge Offences) Regulations 2006* (S.I. No. 136 of 2006)
- *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006)
- *European Communities (Road Transport) Regulations 2006* (S.I. No. 88 of 2006)
- *Road Traffic (Construction, Equipment and use of Vehicles) (Amendment) Regulations 1993 (Revocation) Regulations 2005* (S.I. No. 833 of 2005)
- *Road Traffic (Traffic Signs - Periodic Special Speed Limits) Regulations 2005* (S.I. No. 756 of 2005)
- *Taxi Regulation Act 2003 (Fees And Licensing) Regulations 2005* (S.I. No. 651 of 2005)
- *Road Traffic (National Car Test) (Amendment) Regulations 2005* (S.I. No. 62 of 2005)

- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2005* (S.I. No. 12 of 2005)
- *Road Traffic (Speed Limit - Traffic Signs) Regulations 2005* (S.I. No. 10 of 2005)
- *Road Traffic (Ordinary Speed Limits - Certain Vehicles) Regulations 2005* (S.I. No. 9 of 2005)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) (No. 2) Regulations 2004* (S.I. No. 858 of 2004)
- *European Communities (Vehicle Testing) Regulations 2004* (S.I. No. 771 of 2004)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2004* (S.I. No. 705 of 2004)
- *Road Traffic (Signs) (Amendment) Regulations 2004* (S.I. No. 403 of 2004)
- *Road Traffic (Removal of Exemption From Wearing Seat Belts by Taxi Drivers) Regulations 2004* (S.I. No. 402 of 2004)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2004* (S.I. No. 157 of 2004)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2004* (S.I. No. 99 of 2004)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 2003* (S.I. No. 486 of 2003)
- *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003)
- *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 546 of 2002)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 2003* (S.I. No. 322 of 2003)
- *Road Traffic (Signs) (Amendment) Regulations 2003* (S.I. No. 97 of 2003)
- *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003)
- *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2002* (S.I. No. 500 of 2002)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 2002* (S.I. No. 492 of 2002)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2002* (S.I. No. 411 of 2002)
- *Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002* (S.I. No. 305 of 2002)
- *National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002* (S.I. No. 298 of 2002)
- *Dungarvan Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 295 of 2002)
- *Mullingar Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 294 of 2002)
- *Dundalk Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 293 of 2002)
- *Castlebar Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 292 of 2002)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 2002* (S.I. No. 93 of 2002)
- *Road Traffic (National Car Test) (Amendment) Regulations 2002* (S.I. No. 55 of 2002)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2002* (S.I. No. 51 of 2002)
- *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001)
- *Road Traffic (Licensing of Trailers and Semi-Trailers)(Amendment) (No.2) Regulations 2001* (S.I. No. 541 of 2001)
- *Road Vehicles (Registration and Licensing) (Amendment) (No.2) Regulations 2001* (S.I. No. 537 of 2001)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2001* (S.I. No. 534 of 2001)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2001* (S.I. No. 516 of 2001)
- *Ballina Appointed Stands (Street Service Vehicles) Bye-Laws 2001* (S.I. No. 509 of 2001)
- *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 2001* (S.I. No. 463 of 2001)
- *Road Traffic (National Car Test) (No 2) Regulations 2001* (S.I. No. 298 of 2001)



- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2001* (S.I. No. 169 of 2001)
- *Road Traffic (Licensing of Trailers and Semi-Trailers)(Amendment) Regulations 2001* (S.I. No. 75 of 2001)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 2001* (S.I. No. 74 of 2001)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2001* (S.I. No. 38 of 2001)
- *Road Traffic (National Car Test) Regulations 2001* (S.I. No. 32 of 2001)
- *Road Traffic (National Car Test) Regulations 2000* (S.I. No. 368 of 2000)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 2000* (S.I. No. 367 of 2000)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2000* (S.I. No. 255 of 2000)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2000* (S.I. No. 224 of 2000)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2000* (S.I. No. 3 of 2000)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1999* (S.I. No. 445 of 1999)
- *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1999* (S.I. No. 366 of 1999)
- *Letterkenny Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 364 of 1999)
- *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999)
- *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1999* (S.I. No. 316 of 1999)
- *Athlone Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 241 of 1999)
- *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 240 of 1999)
- *Navan Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 239 of 1999)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1999* (S.I. No. 51 of 1999)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1999* (S.I. No. 12 of 1999)
- *Road Traffic (Car Testing) Regulations 1998* (S.I. No. 481 of 1998)
- *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1998* (S.I. No. 358 of 1998)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1998* (S.I. No. 295 of 1998)
- *Road Traffic (Signs) (Amendment) Regulations 1998* (S.I. No. 273 of 1998)
- *Road Traffic (Immobilisation of Vehicles) Regulations 1998* (S.I. No. 247 of 1998)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1998* (S.I. No. 208 of 1998)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1998* (S.I. No. 207 of 1998)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1998* (S.I. No. 48 of 1998)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1998* (S.I. No. 47 of 1998)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1997* (S.I. No. 511 of 1997)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1997* (S.I. No. 405 of 1997)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1997* (S.I. No. 404 of 1997)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1997* (S.I. No. 396 of 1997)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1997* (S.I. No. 193 of 1997)
- *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997)

- *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1996* (S.I. No. 328 of 1996)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1996* (S.I. No. 319 of 1996)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1996* (S.I. No. 173 of 1996)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 4) Regulations 1996* (S.I. No. 139 of 1996)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 3) Regulations 1996* (S.I. No. 138 of 1996)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1996* (S.I. No. 137 of 1996)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1996* (S.I. No. 27 of 1996)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1996* (S.I. No. 26 of 1996)
- *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1995* (S.I. No. 353 of 1995)
- *County of Kerry Traffic and Parking (Amendment) Bye-Laws 1995* (S.I. No. 268 of 1995)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1995* (S.I. No. 217 of 1995)
- *Road Traffic (Parking Fees) (Amendment) Regulations 1995* (S.I. No. 186 of 1995)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1995* (S.I. No. 125 of 1995)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995)
- *Road Transport (International Carriage of Goods by Road) Order 1995* (S.I. No. 23 of 1995)
- *County of Louth Traffic and Parking Temporary Rules 1995* (S.I. No. 22 of 1995)
- *Dublin Area Traffic and Parking (Temporary) Rules 1994* (S.I. No. 12 of 1995)
- *Dublin (Parking of Buses) Traffic and Parking Temporary Rules 1994* (S.I. No. 11 of 1995)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1994* (S.I. No. 277 of 1994)
- *Road Traffic (Built-Up Area Speed Limit) Regulations 1994* (S.I. No. 224 of 1994)
- *Road Traffic (Special Speed Limits) Regulations 1994* (S.I. No. 223 of 1994)
- *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1994* (S.I. No. 184 of 1994)
- *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1994* (S.I. No. 89 of 1994)
- *County of Offaly Traffic and Parking Bye-Laws 1993* (S.I. No. 87 of 1994)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1994* (S.I. No. 80 of 1994)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1994* (S.I. No. 56 of 1994)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1994* (S.I. No. 48 of 1994)
- *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1994* (S.I. No. 42 of 1994)
- *Borough of Limerick and County of Limerick) (Amendment) Regulations 1994* (S.I. No. 41 of 1994)
- *Waterford (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 27 of 1994)
- *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) (Amendment) Regulations 1994* (S.I. No. 26 of 1994)
- *Road Traffic (Speed Limits) (County of Sligo) Regulations 1994* (S.I. No. 15 of 1994)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1994* (S.I. No. 3 of 1994)
- *Road Traffic General Bye Laws 1964 (Amendment) Regulations 1993* (S.I. No. 393 of 1993)
- *Dublin Area Traffic and Parking Temporary Rules 1993* (S.I. No. 334 of 1993)

- *Dublin (Parking of Buses) Traffic and Parking Temporary Rules 1993* (S.I. No. 329 of 1993)
- *County of Kerry Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 327 of 1993)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1993* (S.I. No. 322 of 1993)
- *Road Traffic (Speed Limits) (County of Kerry) Regulations 1993* (S.I. No. 319 of 1993)
- *Road Traffic (Control of Supply of Vehicles) (Amendment) Regulations 1993* (S.I. No. 301 of 1993)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1993* (S.I. No. 299 of 1993)
- *Road Vehicles (Registration and Licensing) (Amendment) (No. 4) Regulations 1993* (S.I. No. 263 of 1993)
- *Road Vehicles (Registration and Licensing) (Amendment) (No. 3) Regulations 1993* (S.I. No. 198 of 1993)
- *Local Government Act 1991 (Removal of Controls) Regulations 1993* (S.I. No. 172 of 1993)
- *Dublin Area Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 131 of 1993)
- *Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1993* (S.I. No. 126 of 1993)
- *Road Traffic (Signs) (Bus Lane) (Amendment) Regulations 1993* (S.I. No. 113 of 1993)
- *Road Traffic (Speed Limits) (County of Roscommon) (Amendment) Regulations 1993* (S.I. No. 96 of 1993)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1993* (S.I. No. 63 of 1993)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1993* (S.I. No. 29 of 1993)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1993* (S.I. No. 23 of 1993)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1993* (S.I. No. 5 of 1993)
- *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992* (S.I. No. 385 of 1992)
- *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1992* (S.I. No. 358 of 1992)
- *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992)
- *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 346 of 1992)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1992* (S.I. No. 325 of 1992)
- *Road Traffic (Co-Ordination of Roadworks) Regulations 1992* (S.I. No. 323 of 1992)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1992* (S.I. No. 308 of 1992)
- *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) (Amendment) Regulations 1992* (S.I. No. 280 of 1992)
- *Dublin (Parking of Buses) Traffic and Parking Temporary Rules 1992* (S.I. No. 279 of 1992)
- *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1992* (S.I. No. 262 of 1992)
- *Taximeter (Fees on Verification and Stamping by Special Inspectors) (No. 2) Regulations 1992* (S.I. No. 261 of 1992)
- *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1992* (S.I. No. 248 of 1992)
- *Dublin Meter Parking Places Rules 1992* (S.I. No. 235 of 1992)
- *County of Wexford Traffic and Parking (Amendment) Bye-Laws 1992* (S.I. No. 200 of 1992)
- *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1992* (S.I. No. 197 of 1992)
- *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1992* (S.I. No. 196 of 1992)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1992* (S.I. No. 195 of 1992)

- *Road Traffic (General and Ordinary Speed Limits) Regulations 1992* (S.I. No. 194 of 1992)
- *Road Traffic (Signs) (Amendment) Regulations 1992* (S.I. No. 183 of 1992)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1992* (S.I. No. 172 of 1992)
- *Limerick (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1992* (S.I. No. 147 of 1992)
- *Road Traffic (Speed Limits) (County of Laois) Regulations 1992* (S.I. No. 115 of 1992)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1992* (S.I. No. 109 of 1992)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) (Amendment) Regulations 1992* (S.I. No. 98 of 1992)
- *Road Traffic (Speed Limits) (County of Kildare) Regulations 1992* (S.I. No. 49 of 1992)
- *Cork (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1992* (S.I. No. 44 of 1992)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1992* (S.I. No. 32 of 1992)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 3) Regulations 1991* (S.I. No. 359 of 1991)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1991* (S.I. No. 358 of 1991)
- *European Communities (Vehicle Testing) Regulations 1991* (S.I. No. 356 of 1991)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1991* (S.I. No. 320 of 1991)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1991* (S.I. No. 302 of 1991)
- *Road Traffic (Speed Limits) (County of Clare) Regulations 1991* (S.I. No. 274 of 1991)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1991* (S.I. No. 273 of 1991)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1991* (S.I. No. 272 of 1991)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) (No. 2) Regulations 1991* (S.I. No. 271 of 1991)
- *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1991* (S.I. No. 270 of 1991)
- *Road Traffic (Signs) (Amendment) Regulations 1991* (S.I. No. 205 of 1991)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1991* (S.I. No. 204 of 1991)
- *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1991* (S.I. No. 185 of 1991)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1991* (S.I. No. 182 of 1991)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1991* (S.I. No. 140 of 1991)
- *European Communities (Road Passenger Transport) Regulations 1991* (S.I. No. 59 of 1991)
- *Road Traffic (Speed Meter Detectors) Regulations 1991* (S.I. No. 50 of 1991)
- *Road Traffic (Control of Supply of Vehicles) (Amendment) Regulations 1993* (S.I. No. 35 of 1991)
- *County of Westmeath Traffic and Parking Bye-Laws 1990* (S.I. No. 322 of 1990)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1990* (S.I. No. 319 of 1990)
- *Limerick (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1990* (S.I. No. 317 of 1990)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1990* (S.I. No. 286 of 1990)
- *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1990* (S.I. No. 172 of 1990)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) (No. 2) Regulations 1990* (S.I. No. 151 of 1990)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1990* (S.I. No. 58 of 1990)

- *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1990* (S.I. No. 24 of 1990)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1990* (S.I. No. 23 of 1990)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1989* (S.I. No. 353 of 1989)
- *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1989* (S.I. No. 330 of 1989)
- *Town of Mullingar Pay and Display Disc Parking Temporary Rules 1989* (S.I. No. 317 of 1989)
- *European Communities (Licensing of Drivers) Regulations 1989* (S.I. No. 287 of 1989)
- *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1989* (S.I. No. 267 of 1989)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1989* (S.I. No. 266 of 1989)
- *Road Traffic (Speed Limits) (County of Kildare) Regulations 1989* (S.I. No. 230 of 1989)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989)
- *Dublin Meter Parking Places Rules 1989* (S.I. No. 198 of 1989)
- *Sligo Appointed Stands (Street Service Vehicles) Bye-Laws 1989* (S.I. No. 172 of 1989)
- *Road Traffic (Speed Limits) (County of Offaly) Regulations 1989* (S.I. No. 170 of 1989)
- *Road Traffic (Speed Limits) (County of Kerry) Regulations 1989* (S.I. No. 169 of 1989)
- *Road Traffic (Speed Limits) (County of Kilkenny) (Amendment) Regulations 1989* (S.I. No. 134 of 1989)
- *Dublin Appointed Stands (Street Service Vehicles) (Amendment) Bye-Laws 1989* (S.I. No. 41 of 1989)
- *Town of Mullingar Pay and Display Disc Parking Temporary Rules 1988* (S.I. No. 307 of 1988)
- *Road Traffic (Signs) (Amendment) Regulations 1988* (S.I. No. 292 of 1988)
- *Road Traffic (Bollards and Ramps) (Amendment) Regulations 1988* (S.I. No. 291 of 1988)
- *Carlow Appointed Stands (Street Service Vehicles) Bye-Laws 1988* (S.I. No. 283 of 1988)
- *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1988* (S.I. No. 271 of 1988)
- *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1988* (S.I. No. 251 of 1988)
- *Cork (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1988* (S.I. No. 225 of 1988)
- *Road Traffic (Co-Ordination of Roadworks) Regulations 1988* (S.I. No. 220 of 1988)
- *Naas Appointed Stands (Street Service Vehicles) Bye-Laws 1987* (S.I. No. 201 of 1988)
- *Kilkenny Appointed Stands (Street Service Vehicles) Bye-Laws 1987* (S.I. No. 200 of 1988)
- *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1988* (S.I. No. 119 of 1988)
- *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1988* (S.I. No. 77 of 1988)
- *Road Traffic (Bollards and Ramps) Regulations 1988* (S.I. No. 32 of 1988)
- *Waterford (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1987* (S.I. No. 16 of 1988)
- *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1987* (S.I. No. 322 of 1987)
- *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1987* (S.I. No. 321 of 1987)
- *Dublin Area Traffic and Parking Bye-Laws 1987* (S.I. No. 292 of 1987)
- *Road Traffic (Speed Limits) (County Borough of Galway and County of Galway) Regulations 1987* (S.I. No. 273 of 1987)
- *Road Traffic (Speed Limits) (County of Louth) Regulations 1987* (S.I. No. 272 of 1987)

- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1987* (S.I. No. 236 of 1987)
- *Dublin Meter Parking Places Rules 1987* (S.I. No. 232 of 1987)
- *Road Traffic (Amendment) Act, 1978 (Part III) Regulations 1987* (S.I. No. 218 of 1987)
- *Longford Appointed Stands (Street Service Vehicles) Bye-Laws 1987* (S.I. No. 185 of 1987)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1987* (S.I. No. 184 of 1987)
- *Road Traffic (Speed Limits) (County of Sligo) Regulations 1987* (S.I. No. 162 of 1987)
- *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1987* (S.I. No. 141 of 1987)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1987* (S.I. No. 139 of 1987)
- *Road Traffic (Speed Limits) (County of Clare) Regulations 1987* (S.I. No. 127 of 1987)
- *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1986* (S.I. No. 457 of 1986)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1986* (S.I. No. 443 of 1986)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1986* (S.I. No. 442 of 1986)
- *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1986* (S.I. No. 436 of 1986)
- *European Communities (Road Transport) Regulations 1986* (S.I. No. 392 of 1986)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1986* (S.I. No. 340 of 1986)
- *Galway Appointed Stands (Street Service Vehicles) Bye-Laws 1985* (S.I. No. 303 of 1986)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1986* (S.I. No. 300 of 1986)
- *Donegal Appointed Stands (Street Service Vehicles) Bye-Laws 1985* (S.I. No. 243 of 1986)
- *Road Traffic (Insurance Disc) (Amendment) Regulations 1986* (S.I. No. 227 of 1986)
- *Road Traffic (Speed Limits) (County of Tipperary) (North Riding) Regulations 1986* (S.I. No. 206 of 1986)
- *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986)
- *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986)
- *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986)
- *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986)
- *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986)
- *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986)
- *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986)
- *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986)
- *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986)
- *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986)
- *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986)
- *County of Louth Traffic and Parking Bye-Laws 1986* (S.I. No. 191 of 1986)
- *County of Longford Traffic and Parking Bye-Laws 1986* (S.I. No. 190 of 1986)
- *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986)
- *County of Leitrim Traffic and Parking Bye-Laws 1986* (S.I. No. 188 of 1986)
- *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986)
- *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986)
- *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986)
- *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986)
- *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986)
- *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986)
- *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986)

- *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986)
- *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986)
- *County of Cavan Traffic and Parking Bye-Laws 1986* (S.I. No. 178 of 1986)
- *County of Carlow Traffic and Parking Bye-Laws 1986* (S.I. No. 177 of 1986)
- *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1986* (S.I. No. 104 of 1986)
- *Road Traffic (Speed Limits) (County of Donegal) Regulations 1986* (S.I. No. 103 of 1986)
- *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1986* (S.I. No. 72 of 1986)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) (Amendment) Regulations 1986* (S.I. No. 38 of 1986)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1986* (S.I. No. 23 of 1986)
- *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1986* (S.I. No. 8 of 1986)
- *Road Traffic (Speed Limits) (County of Carlow) Regulations 1985* (S.I. No. 398 of 1985)
- *Dublin Meter Parking Places (No. 2) Rules 1985* (S.I. No. 366 of 1985)
- *Road Traffic (Speed Limits) (County of Meath) Regulations 1985* (S.I. No. 318 of 1985)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1985* (S.I. No. 255 of 1985)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1985* (S.I. No. 254 of 1985)
- *Waterford (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 241 of 1985)
- *Limerick (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 240 of 1985)
- *County of Wicklow Traffic and Parking Temporary Rules 1985* (S.I. No. 218 of 1985)
- *County of Wexford Traffic and Parking Temporary Rules 1985* (S.I. No. 217 of 1985)
- *County of Westmeath Traffic and Parking Temporary Rules 1985* (S.I. No. 216 of 1985)
- *Waterford (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 215 of 1985)
- *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Temporary Rules 1985* (S.I. No. 214 of 1985)
- *County of Sligo Traffic and Parking Temporary Rules 1985* (S.I. No. 213 of 1985)
- *County of Roscommon Traffic and Parking Temporary Rules 1985* (S.I. No. 212 of 1985)
- *County of Offaly Traffic and Parking Temporary Rules 1985* (S.I. No. 211 of 1985)
- *County of Monaghan Traffic and Parking Temporary Rules 1985* (S.I. No. 210 of 1985)
- *County of Meath Traffic and Parking Temporary Rules 1985* (S.I. No. 209 of 1985)
- *County of Mayo Traffic and Parking Temporary Rules 1985* (S.I. No. 208 of 1985)
- *County of Louth Traffic and Parking Temporary Rules 1985* (S.I. No. 207 of 1985)
- *County of Longford Traffic and Parking Temporary Rules 1985* (S.I. No. 206 of 1985)
- *Limerick (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 205 of 1985)
- *County of Leitrim Traffic and Parking Temporary Rules 1985* (S.I. No. 204 of 1985)
- *County of Laois Traffic and Parking Temporary Rules 1985* (S.I. No. 203 of 1985)
- *County of Kilkenny Traffic and Parking Temporary Rules 1985* (S.I. No. 202 of 1985)
- *County of Kildare Traffic and Parking Temporary Rules 1985* (S.I. No. 201 of 1985)
- *County of Kerry Traffic and Parking Temporary Rules 1985* (S.I. No. 200 of 1985)
- *County of Galway Traffic and Parking Temporary Rules 1985* (S.I. No. 199 of 1985)
- *Dublin Area Traffic and Parking Temporary Rules 1985* (S.I. No. 198 of 1985)
- *County of Donegal Traffic and Parking Temporary Rules 1985* (S.I. No. 197 of 1985)
- *Cork (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 196 of 1985)
- *County of Clare Traffic and Parking Temporary Rules 1985* (S.I. No. 195 of 1985)
- *County of Cavan Traffic and Parking Temporary Rules 1985* (S.I. No. 194 of 1985)
- *County of Carlow Traffic and Parking Temporary Rules 1985* (S.I. No. 193 of 1985)
- *Road Traffic (Signs) (Amendment) Regulations 1985* (S.I. No. 182 of 1985)

- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1985* (S.I. No. 158 of 1985)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1985* (S.I. No. 157 of 1985)
- *Road Traffic (Speed Limits) (County of Cavan) Regulations 1985* (S.I. No. 63 of 1985)
- *Dublin Meter Parking Places Rules 1985* (S.I. No. 27 of 1985)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1985* (S.I. No. 20 of 1985)
- *Cork (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 4 of 1985)
- *Road Traffic (Insurance Disc) Regulations 1984* (S.I. No. 355 of 1984)
- *Dublin Traffic and Parking (No. 2) Temporary Rules 1984* (S.I. No. 329 of 1984)
- *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1984* (S.I. No. 233 of 1984)
- *Road Traffic (Speed Limits) (County of Longford) Regulations 1984* (S.I. No. 229 of 1984)
- *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Temporary Rules 1984* (S.I. No. 154 of 1984)
- *County of Louth Traffic and Parking Temporary Rules 1984* (S.I. No. 153 of 1984)
- *Limerick (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 152 of 1984)
- *County of Laois Traffic and Parking Temporary Rules 1984* (S.I. No. 151 of 1984)
- *County of Galway Traffic and Parking Temporary Rules 1984* (S.I. No. 150 of 1984)
- *County of Clare Traffic and Parking Temporary Rules 1984* (S.I. No. 149 of 1984)
- *County of Carlow Traffic and Parking Temporary Rules 1984* (S.I. No. 148 of 1984)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1984* (S.I. No. 104 of 1984)
- *Dublin Traffic and Parking Temporary Rules 1984* (S.I. No. 38 of 1984)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1984* (S.I. No. 18 of 1984)
- *Cork (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 3 of 1984)
- *Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1983* (S.I. No. 365 of 1983)
- *Road Traffic (Amendment) Act, 1978 (Part III) Regulations 1983* (S.I. No. 363 of 1983)
- *Road Traffic (Speed Limits) (County of Kerry) Regulations 1983* (S.I. No. 334 of 1983)
- *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1983* (S.I. No. 298 of 1983)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1983* (S.I. No. 278 of 1983)
- *Road Traffic (Speed Limits) (County of Kildare) Regulations 1983* (S.I. No. 277 of 1983)
- *Road Traffic (Signs) (Amendment) Regulations 1983* (S.I. No. 276 of 1983)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1983* (S.I. No. 275 of 1983)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1983* (S.I. No. 273 of 1983)
- *Dublin Meter Parking Places Rules 1983* (S.I. No. 265 of 1983)
- *Knock Parking Temporary Rules 1983* (S.I. No. 226 of 1983)
- *Cork Parking Temporary Rules 1983* (S.I. No. 225 of 1983)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1983* (S.I. No. 217 of 1983)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) (Amendment) Regulations 1983* (S.I. No. 161 of 1983)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1983* (S.I. No. 127 of 1983)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1983* (S.I. No. 119 of 1983)
- *Dublin Traffic and Parking Temporary Rules 1983* (S.I. No. 105 of 1983)
- *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983* (S.I. No. 91 of 1983)



- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1983* (S.I. No. 90 of 1983)
- *Road Traffic (Speed Limits) (County of Offaly) Regulations 1983* (S.I. No. 81 of 1983)
- *Road Traffic (Speed Limits) (County of Kerry) (Amendment) Regulations 1983* (S.I. No. 77 of 1983)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1983* (S.I. No. 49 of 1983)
- *Road Traffic (Speed Limits) (County of Clare) Regulations 1983* (S.I. No. 46 of 1983)
- *Road Traffic (Speed Limits) (County of Wexford) Regulations 1983* (S.I. No. 45 of 1983)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1982* (S.I. No. 330 of 1982)
- *Road Vehicles (Registration and Licensing) Regulations 1982* (S.I. No. 311 of 1982)
- *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1982* (S.I. No. 288 of 1982)
- *Dublin Traffic and Parking (No. 2) Temporary Rules 1982* (S.I. No. 287 of 1982)
- *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1982* (S.I. No. 234 of 1982)
- *Knock Parking Temporary Rules 1982* (S.I. No. 223 of 1982)
- *Dublin Traffic and Parking Temporary Rules 1982* (S.I. No. 109 of 1982)
- *Road Traffic (Speed Limits) (County of Carlow) (Amendment) Regulations 1982* (S.I. No. 72 of 1982)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 1982* (S.I. No. 35 of 1982)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1982* (S.I. No. 27 of 1982)
- *Dublin Traffic and Parking (No. 2) Temporary Rules 1981* (S.I. No. 401 of 1981)
- *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1981* (S.I. No. 365 of 1981)
- *Road Traffic (Signs) (Bus Lane) (Amendment) Regulations 1981* (S.I. No. 333 of 1981)
- *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1981* (S.I. No. 332 of 1981)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1981* (S.I. No. 276 of 1981)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1981* (S.I. No. 270 of 1981)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1981* (S.I. No. 211 of 1981)
- *Knock Parking Temporary Rules 1981* (S.I. No. 210 of 1981)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1981* (S.I. No. 198 of 1981)
- *European Communities (Vehicle Testing) Regulations 1981* (S.I. No. 193 of 1981)
- *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1981* (S.I. No. 176 of 1981)
- *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1981* (S.I. No. 170 of 1981)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1981* (S.I. No. 169 of 1981)
- *Dublin Traffic and Parking Temporary Rules 1981* (S.I. No. 148 of 1981)
- *Limerick Appointed Stands (Street Service Vehicles) Bye-Laws 1980* (S.I. No. 102 of 1981)
- *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1979* (S.I. No. 72 of 1981)
- *Killarney Appointed Stands (Street Service Vehicles) Bye-Laws 1980* (S.I. No. 71 of 1981)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1981* (S.I. No. 66 of 1981)
- *Dublin Traffic and Parking (No. 2) Bye-Laws 1980* (S.I. No. 49 of 1981)
- *Road Traffic (Signs) (Bus Lane) Regulations 1980* (S.I. No. 358 of 1980)
- *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1980* (S.I. No. 355 of 1980)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1980* (S.I. No. 334 of 1980)

- *Road Traffic (Speed Limits) (County of Cavan) (Amendment) Regulations 1980* (S.I. No. 279 of 1980)
- *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1980* (S.I. No. 278 of 1980)
- *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1980* (S.I. No. 225 of 1980)
- *Road Traffic (Speed Limits) (County of Mayo) Regulations 1980* (S.I. No. 216 of 1980)
- *Galway Appointed Stands (Street Service Vehicles) Bye-laws 1980* (S.I. No. 199 of 1980)
- *Knock Parking Temporary Rules 1980* (S.I. No. 172 of 1980)
- *Dublin Traffic and Parking Bye-Laws 1980* (S.I. No. 82 of 1980)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1980* (S.I. No. 54 of 1980)
- *Road Traffic (Signs) (Bus Lanes) Regulations 1979* (S.I. No. 413 of 1979)
- *Road Traffic (Speed Limits) (County of Louth) Regulations 1979* (S.I. No. 378 of 1979)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1979* (S.I. No. 342 of 1979)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1979* (S.I. No. 337 of 1979)
- *Road Traffic (Signs) (Amendment) (No. 2) Regulations 1979* (S.I. No. 329 of 1979)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1979* (S.I. No. 328 of 1979)
- *Dangerous Substances (Conveyance of Petroleum by Road) Regulations 1979* (S.I. No. 314 of 1979)
- *Road Traffic (Speed Limits) (County of Sligo) Regulations 1979* (S.I. No. 284 of 1979)
- *Road Traffic (Speed Limits) (County of Cavan) Regulations 1979* (S.I. No. 283 of 1979)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1979* (S.I. No. 242 of 1979)
- *Cork Parking Bye-Laws 1979* (S.I. No. 195 of 1979)
- *Road Traffic (Speed Limits) (County of Galway) Regulations 1979* (S.I. No. 189 of 1979)
- *Road Traffic (General Speed Limit) Regulations 1979* (S.I. No. 176 of 1979)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1979* (S.I. No. 167 of 1979)
- *Knock Parking Temporary Rules 1979* (S.I. No. 165 of 1979)
- *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1979* (S.I. No. 53 of 1979)
- *Road Traffic (Signs) (Amendment) Regulations 1979* (S.I. No. 51 of 1979)
- *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1979* (S.I. No. 50 of 1979)
- *Dublin Meter Parking Places Rules 1979* (S.I. No. 26 of 1979)
- *European Communities (Road Transport) Regulations 1979* (S.I. No. 16 of 1979)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1978* (S.I. No. 360 of 1978)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1978* (S.I. No. 328 of 1978)
- *Road Traffic (Public Service Vehicles) (Licensing) Regulations 1978* (S.I. No. 292 of 1978)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1978* (S.I. No. 291 of 1978)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1978* (S.I. No. 259 of 1978)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1978* (S.I. No. 247 of 1978)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1978* (S.I. No. 226 of 1978)
- *Road Traffic (Amendment) Act, 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978)
- *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1978* (S.I. No. 158 of 1978)

- *Road Traffic (Speed Limits) (County of Longford) Regulations 1978* (S.I. No. 122 of 1978)
- *Road Traffic (Speed Limits) (County of Carlow) Regulations 1978* (S.I. No. 121 of 1978)
- *Road Traffic (Speed Limits) (County of Offaly) Regulations 1978* (S.I. No. 41 of 1978)
- *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1978* (S.I. No. 31 of 1978)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1978* (S.I. No. 15 of 1978)
- *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1977* (S.I. No. 399 of 1977)
- *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1977* (S.I. No. 394 of 1977)
- *European Communities (Road Passenger Transport) Regulations 1977* (S.I. No. 388 of 1977)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1977* (S.I. No. 370 of 1977)
- *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1977* (S.I. No. 359 of 1977)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977)
- *Road Traffic (Speed Limits) (County of Clare) Regulations 1977* (S.I. No. 292 of 1977)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1977* (S.I. No. 284 of 1977)
- *Tullamore Traffic and Parking Bye-Laws 1977* (S.I. No. 272 of 1977)
- *Clones Traffic and Parking Bye-Laws 1977* (S.I. No. 271 of 1977)
- *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1977* (S.I. No. 270 of 1977)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1977* (S.I. No. 268 of 1977)
- *Road Traffic (Speed Limits) (County of Donegal) Regulations 1977* (S.I. No. 267 of 1977)
- *Road Traffic (Speed Limits) (County of Wexford) Regulations 1977* (S.I. No. 238 of 1977)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1977* (S.I. No. 177 of 1977)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1977* (S.I. No. 157 of 1977)
- *Road Traffic (Speed Limits) (County of Kerry) Regulations 1977* (S.I. No. 145 of 1977)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1977* (S.I. No. 111 of 1977)
- *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1977* (S.I. No. 110 of 1977)
- *Road Traffic (Speed Limits) (County of Kildare) Regulations 1977* (S.I. No. 105 of 1977)
- *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1977* (S.I. No. 95 of 1977)
- *Road Traffic (Signs) (Amendment) Regulations 1977* (S.I. No. 66 of 1977)
- *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1976* (S.I. No. 312 of 1976)
- *Road Traffic (Speed Limits) (County of Meath) Regulations 1976* (S.I. No. 300 of 1976)
- *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1976* (S.I. No. 285 of 1976)
- *Ballyshannon Traffic and Parking Bye-Laws 1976* (S.I. No. 257 of 1976)
- *Castlerea Traffic and Parking Bye-Laws 1976* (S.I. No. 256 of 1976)
- *Mountrath Traffic and Parking Bye-Laws 1976* (S.I. No. 249 of 1976)
- *Clonmel Traffic and Parking Bye-Laws 1976* (S.I. No. 248 of 1976)
- *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1976* (S.I. No. 240 of 1976)
- *Cork Traffic and Parking (Pedestrianisation) Temporary Rules 1976* (S.I. No. 194 of 1976)
- *Wicklow Traffic and Parking Bye-Laws 1976* (S.I. No. 193 of 1976)

- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976)
- *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1976* (S.I. No. 172 of 1976)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1976* (S.I. No. 160 of 1976)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1976* (S.I. No. 151 of 1976)
- *Athlone Traffic and Parking Bye-Laws 1975* (S.I. No. 134 of 1976)
- *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976)
- *Athy Traffic and Parking Bye-Laws 1975* (S.I. No. 37 of 1976)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1976* (S.I. No. 24 of 1976)
- *Droichead Nua Traffic and Parking Bye-Laws 1975* (S.I. No. 293 of 1975)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1975* (S.I. No. 281 of 1975)
- *Road Traffic (Signs) (Amendment) Regulations 1975* (S.I. No. 280 of 1975)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1975* (S.I. No. 277 of 1975)
- *Portumna Traffic and Parking Bye-Laws 1975* (S.I. No. 208 of 1975)
- *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975)
- *European Communities (Road Traffic) (Compulsory Insurance) Regulations 1975* (S.I. No. 178 of 1975)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1975* (S.I. No. 158 of 1975)
- *Killarney Traffic and Parking Bye-Laws 1975* (S.I. No. 132 of 1975)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1975* (S.I. No. 113 of 1975)
- *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1975* (S.I. No. 103 of 1975)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1975* (S.I. No. 101 of 1975)
- *Manorhamilton Traffic and Parking Bye-Laws 1975* (S.I. No. 90 of 1975)
- *Clifden Traffic and Parking Bye-Laws 1974* (S.I. No. 89 of 1975)
- *Ballinrobe Traffic and Parking Bye-Laws 1975* (S.I. No. 82 of 1975)
- *Trim Traffic and Parking Bye-Laws 1974* (S.I. No. 57 of 1975)
- *Fermoy Traffic and Parking Bye-Laws 1974* (S.I. No. 56 of 1975)
- *Road Traffic (General Speed Limit) Regulations 1975* (S.I. No. 55 of 1975)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1975* (S.I. No. 35 of 1975)
- *Cork Parking Temporary Rules 1974 (Revocation) Rules 1975* (S.I. No. 34 of 1975)
- *Dublin Parking Temporary Rules 1975* (S.I. No. 28 of 1975)
- *Dublin Traffic and Parking (Pedestrianisation) Temporary Rules 1975* (S.I. No. 16 of 1975)
- *Dingle Traffic and Parking Bye-Laws 1974* (S.I. No. 9 of 1975)
- *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1974* (S.I. No. 352 of 1974)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1974* (S.I. No. 342 of 1974)
- *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1974* (S.I. No. 336 of 1974)
- *Cavan Traffic and Parking Bye-Laws 1973* (S.I. No. 326 of 1974)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1974* (S.I. No. 310 of 1974)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1974* (S.I. No. 297 of 1974)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1974* (S.I. No. 296 of 1974)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1974* (S.I. No. 295 of 1974)
- *Tuam Traffic and Parking Bye-Laws 1974* (S.I. No. 291 of 1974)
- *Waterford Suburbs Traffic Temporary Rules 1974* (S.I. No. 268 of 1974)
- *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1974* (S.I. No. 263 of 1974)
- *Limerick Parking Temporary Rules 1974* (S.I. No. 257 of 1974)
- *Cork Parking Bye-Laws 1974* (S.I. No. 249 of 1974)

- *Road Traffic (Signs) (Amendment) Regulations 1974* (S.I. No. 247 of 1974)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1974* (S.I. No. 246 of 1974)
- *Road Traffic (Speed Limits) (County of Meath) (Amendment) Regulations 1974* (S.I. No. 230 of 1974)
- *Cork Parking Temporary Rules 1974* (S.I. No. 188 of 1974)
- *Lahinch Traffic and Parking Bye-Laws 1974* (S.I. No. 177 of 1974)
- *Birr Traffic and Parking Bye-Laws 1973* (S.I. No. 172 of 1974)
- *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1973* (S.I. No. 171 of 1974)
- *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1974* (S.I. No. 170 of 1974)
- *Wexford Traffic and Parking Bye-Laws 1973* (S.I. No. 165 of 1974)
- *Crosshaven Traffic and Parking Bye-Laws 1974* (S.I. No. 154 of 1974)
- *Kilkenny Traffic and Parking Bye-Laws 1974* (S.I. No. 153 of 1974)
- *Bray Traffic and Parking Bye-Laws 1973* (S.I. No. 152 of 1974)
- *Road Traffic (Speed Limits) (County of Kilkenny) (Amendment) Regulations 1974* (S.I. No. 148 of 1974)
- *Killarney Traffic and Parking Temporary Rules 1974* (S.I. No. 143 of 1974)
- *Tramore Traffic and Parking Bye-Laws 1974* (S.I. No. 142 of 1974)
- *Road Traffic (General Speed Limit) Regulations 1974* (S.I. No. 134 of 1974)
- *Galway Traffic and Parking Bye-Laws 1974* (S.I. No. 124 of 1974)
- *Road Traffic (Speed Limits) (County of Tipperary North Riding) (Amendment) Regulations 1974* (S.I. No. 115 of 1974)
- *Tubbercurry Traffic and Parking Bye-Laws 1974* (S.I. No. 99 of 1974)
- *Dublin Traffic Bye-Laws 1974* (S.I. No. 63 of 1974)
- *Dublin Parking Temporary Rules 1974* (S.I. No. 35 of 1974)
- *Road Traffic (Signs) (Temporary Authorisation) Order 1974* (S.I. No. 9 of 1974)
- *Dublin Traffic and Parking (Pedestrianisation) (No. 2) Temporary Rules 1973* (S.I. No. 1 of 1974)
- *Monaghan Traffic and Parking Bye-Laws 1973* (S.I. No. 352 of 1973)
- *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1973* (S.I. No. 351 of 1973)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1973* (S.I. No. 350 of 1973)
- *Road Traffic (General Speed Limit) Regulations 1973* (S.I. No. 348 of 1973)
- *Kilmallock Traffic and Parking Bye-Laws 1973* (S.I. No. 324 of 1973)
- *Collooney Traffic and Parking Bye-Laws 1973* (S.I. No. 323 of 1973)
- *Road Traffic (Speed Limits) (County of Mayo) (Amendment) Regulations 1973* (S.I. No. 300 of 1973)
- *Waterford Suburbs Traffic Temporary Rules 1973* (S.I. No. 266 of 1973)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) (Amendment) Regulations 1973* (S.I. No. 263 of 1973)
- *Limerick Parking Temporary Rules 1973* (S.I. No. 247 of 1973)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1973* (S.I. No. 225 of 1973)
- *Road Traffic Act 1968 (Part V) (Amendment) (No. 2) Regulations 1973* (S.I. No. 221 of 1973)
- *Cork Parking Temporary Rules 1973* (S.I. No. 166 of 1973)
- *Listowel Traffic and Parking Bye-Laws 1973* (S.I. No. 146 of 1973)
- *Cashel Traffic and Parking Bye-Laws 1973* (S.I. No. 145 of 1973)
- *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1973* (S.I. No. 142 of 1973)
- *Road Traffic Act, 1968 (Part V) (Amendment) Regulations 1973* (S.I. No. 138 of 1973)
- *Killarney Traffic and Parking Temporary Rules 1973* (S.I. No. 137 of 1973)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1973* (S.I. No. 120 of 1973)
- *Kilkenny Traffic and Parking Temporary Rules 1973* (S.I. No. 118 of 1973)
- *Newmarket-On-Fergus Parking Bye-Laws 1973* (S.I. No. 113 of 1973)
- *Leixlip Traffic and Parking Bye-Laws 1972* (S.I. No. 110 of 1973)
- *Galway Traffic and Parking Temporary Rules 1973* (S.I. No. 101 of 1973)
- *Dublin Traffic and Parking (Pedestrianisation) Temporary Rules 1973* (S.I. No. 92 of 1973)
- *Dublin Traffic Temporary Rules 1973* (S.I. No. 62 of 1973)
- *Dublin Parking Temporary Rules 1973* (S.I. No. 50 of 1973)

- *Ballyhaunis Parking Bye-Laws 1972* (S.I. No. 38 of 1973)
- *Clarecastle Parking Bye-Laws 1972* (S.I. No. 7 of 1973)
- *Carrick-On-Suir Traffic and Parking Bye-Laws 1972* (S.I. No. 6 of 1973)
- *Newmarket-On-Fergus Parking Bye-Laws 1972* (S.I. No. 5 of 1973)
- *Dublin Parking (Pedestrianisation) Temporary Rules 1972* (S.I. No. 3 of 1973)
- *Letterkenny Traffic and Parking Bye-Laws 1972* (S.I. No. 337 of 1972)
- *Dungarvan Traffic and Parking Bye-Laws 1972* (S.I. No. 336 of 1972)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1972* (S.I. No. 273 of 1972)
- *Road Traffic (Speed Limits) (County of Galway) (Amendment) Regulations 1972* (S.I. No. 225 of 1972)
- *Limerick Parking Temporary Rules 1972* (S.I. No. 208 of 1972)
- *Sligo Traffic and Parking Bye-Laws 1972* (S.I. No. 154 of 1972)
- *Waterford Traffic and Parking Bye-Laws 1972* (S.I. No. 144 of 1972)
- *Killarney Traffic and Parking Temporary Rules 1972* (S.I. No. 140 of 1972)
- *Kilkenny Traffic and Parking Temporary Rules 1972* (S.I. No. 127 of 1972)
- *Naas Traffic and Parking Bye-Laws 1972* (S.I. No. 126 of 1972)
- *Cork Traffic and Parking (Clearway) Bye-Laws 1972* (S.I. No. 118 of 1972)
- *Galway Traffic and Parking Temporary Rules 1972* (S.I. No. 110 of 1972)
- *Limerick Traffic Bye-Laws 1972* (S.I. No. 102 of 1972)
- *Dublin Traffic Temporary Rules 1972* (S.I. No. 73 of 1972)
- *Dublin Parking Temporary Rules 1972* (S.I. No. 58 of 1972)
- *Cork Traffic Bye-Laws 1971* (S.I. No. 32 of 1972)
- *Road Traffic (Speed Limits) (County of Laoighis) (Amendment) Regulations 1972* (S.I. No. 28 of 1972)
- *Road Traffic (Speed Limits) (County of Offaly) (Amendment) Regulations 1972* (S.I. No. 27 of 1972)
- *Road Traffic (Signs) (Temporary Authorisation) Order 1972* (S.I. No. 5 of 1972)
- *Athlone Traffic and Parking Bye-Laws 1971* (S.I. No. 2 of 1972)
- *Dublin Parking (Pedestrianisation) Temporary Rules 1971* (S.I. No. 1 of 1972)
- *Dundalk Parking Bye-Laws 1971* (S.I. No. 340 of 1971)
- *Ballybunion Parking Bye-Laws 1971* (S.I. No. 318 of 1971)
- *Callan Traffic and Parking Bye-Laws 1971* (S.I. No. 281 of 1971)
- *Road Traffic (Speed Limits) (County of Clare) (Amendment) Regulations 1971* (S.I. No. 279 of 1971)
- *Road Traffic (Speed Limits) (County of Donegal) (Amendment) Regulations 1971* (S.I. No. 263 of 1971)
- *Rathkeale Parking Bye-Laws 1971* (S.I. No. 260 of 1971)
- *Road Traffic (Signs) (Amendment) (No. 3) Regulations 1971* (S.I. No. 256 of 1971)
- *Dublin Parking (No. 2) Temporary Rules 1971* (S.I. No. 251 of 1971)
- *Road Traffic (Speed Limits) (County of Kerry) (Amendment) Regulations 1971* (S.I. No. 242 of 1971)
- *Limerick Parking Temporary Rules 1971* (S.I. No. 240 of 1971)
- *Loughrea Traffic and Parking Bye-Laws 1971* (S.I. No. 224 of 1971)
- *Midleton Traffic and Parking Bye-Laws 1971* (S.I. No. 215 of 1971)
- *Youghal Traffic and Parking Bye-Laws 1971* (S.I. No. 214 of 1971)
- *Arklow Traffic and Parking Bye-Laws 1971* (S.I. No. 213 of 1971)
- *Cork Parking Temporary Rules 1971* (S.I. No. 190 of 1971)
- *Sligo Traffic and Parking Temporary Rules 1971* (S.I. No. 189 of 1971)
- *Road Traffic (Signs) (Amendment) (No. 2) Regulations 1971* (S.I. No. 188 of 1971)
- *Letterkenny Traffic and Parking Bye-Laws 1970* (S.I. No. 179 of 1971)
- *Mullingar Traffic and Parking Bye-Laws 1970* (S.I. No. 178 of 1971)
- *Kilkenny Traffic and Parking Temporary Rules 1971* (S.I. No. 168 of 1971)
- *Ballina Traffic and Parking Bye-Laws 1971* (S.I. No. 165 of 1971)
- *Limerick Traffic and Parking (Clearway) Bye-Laws 1971* (S.I. No. 160 of 1971)
- *Killarney Traffic and Parking Temporary Rules 1971* (S.I. No. 153 of 1971)
- *Road Traffic (Speed Limits) (County of Westmeath) (Amendment) Regulations 1971* (S.I. No. 150 of 1971)
- *Galway Traffic and Parking Temporary Rules 1971* (S.I. No. 141 of 1971)
- *Road Traffic (Speed Limits) (County of Roscommon) (Amendment) Regulations 1971* (S.I. No. 136 of 1971)
- *Road Traffic (Signs) (Amendment) Regulations 1971* (S.I. No. 127 of 1971)
- *Ceanannus Mór Parking Bye-Laws 1971* (S.I. No. 113 of 1971)
- *Macroom Parking Bye-Laws 1970* (S.I. No. 112 of 1971)
- *Castlerea Parking Bye-Laws 1970* (S.I. No. 102 of 1971)
- *New Ross Traffic and Parking Bye-Laws 1970* (S.I. No. 101 of 1971)

- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1971* (S.I. No. 96 of 1971)
- *Dublin and Dún Laoghaire Traffic Temporary Rules 1971* (S.I. No. 95 of 1971)
- *Cork Traffic and Parking Temporary Rules 1971* (S.I. No. 94 of 1971)
- *Dublin Traffic and Parking Temporary Rules 1970 (Revocation) Rules 1971* (S.I. No. 91 of 1971)
- *Road Traffic (Speed Limits) (County of Louth) (Amendment) Regulations 1971* (S.I. No. 83 of 1971)
- *Dublin Parking Temporary Rules 1971* (S.I. No. 60 of 1971)
- *Dublin Traffic and Parking Bye-Laws 1971* (S.I. No. 59 of 1971)
- *Road Traffic (Speed Limits) (County of Longford) (Amendment) Regulations 1971* (S.I. No. 56 of 1971)
- *Limerick Traffic Temporary Rules 1971* (S.I. No. 42 of 1971)
- *Cork Traffic Temporary Rules 1971* (S.I. No. 25 of 1971)
- *Drogheda Traffic and Parking Bye-Laws 1970* (S.I. No. 18 of 1971)
- *Road Traffic (Speed Limits) (County of Leitrim) (Amendment) Regulations 1971* (S.I. No. 15 of 1971)
- *Road Traffic (Speed Limits) (County of Cavan) (Amendment) Regulations 1971* (S.I. No. 14 of 1971)
- *Road Traffic Act, 1961 (Section 103) (Offences) (Amendment) Regulations 1971* (S.I. No. 12 of 1971)
- *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1971* (S.I. No. 5 of 1971)
- *Donegal Appointed Stands (Street Service Vehicles) Bye-Laws 1970* (S.I. No. 3 of 1971)
- *An Uaimh Parking Bye-Laws 1970* (S.I. No. 305 of 1970)
- *Dundalk Traffic Temporary Rules 1970* (S.I. No. 304 of 1970)
- *Roscommon Parking Bye-Laws 1970* (S.I. No. 303 of 1970)
- *Dublin Traffic and Parking Temporary Rules 1970* (S.I. No. 290 of 1970)
- *Skibbereen Traffic and Parking Bye-Laws 1970* (S.I. No. 276 of 1970)
- *Road Traffic (Speed Limits) (County of Meath) Regulations 1970* (S.I. No. 275 of 1970)
- *Greystones Traffic and Parking Bye-Laws 1970* (S.I. No. 260 of 1970)
- *Road Traffic (Speed Limits) (County of Meath) Regulations 1970* (S.I. No. 259 of 1970)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1970* (S.I. No. 252 of 1970)
- *Castleblayney Traffic and Parking Bye-Laws 1970* (S.I. No. 250 of 1970)
- *Newcastle West Traffic and Parking Bye-Laws 1970* (S.I. No. 249 of 1970)
- *Road Traffic (Construction Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1970* (S.I. No. 211 of 1970)
- *Bundoran Parking Bye-Laws 1970* (S.I. No. 210 of 1970)
- *Carrick-On-Shannon Parking Bye-Laws 1970* (S.I. No. 209 of 1970)
- *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1970* (S.I. No. 200 of 1970)
- *Donegal Parking Bye-Laws 1970* (S.I. No. 197 of 1970)
- *Limerick Parking Temporary Rules 1970* (S.I. No. 193 of 1970)
- *Portarlinton Parking Bye-Laws 1970* (S.I. No. 187 of 1970)
- *Salterstown, County Louth Traffic Temporary Rules 1970* (S.I. No. 183 of 1970)
- *Castlebar Traffic and Parking Bye-Laws 1970* (S.I. No. 182 of 1970)
- *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1970* (S.I. No. 174 of 1970)
- *Kilkee Traffic and Parking Bye-Laws 1970* (S.I. No. 173 of 1970)
- *Waterford Suburbs Traffic Temporary Rules 1970* (S.I. No. 172 of 1970)
- *Road Traffic (Signs) (Amendment) Regulations 1970* (S.I. No. 164 of 1970)
- *Youghal Traffic and Parking Temporary Rules 1970* (S.I. No. 158 of 1970)
- *Cork Parking Temporary Rules 1970* (S.I. No. 147 of 1970)
- *Sligo Traffic and Parking Temporary Rules 1970* (S.I. No. 146 of 1970)
- *Road Traffic (Speed Limits) (County of Carlow) Regulations 1970* (S.I. No. 142 of 1970)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1970* (S.I. No. 138 of 1970)
- *Loughrea Parking Temporary Rules 1970* (S.I. No. 129 of 1970)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1970* (S.I. No. 128 of 1970)

- *Road Traffic (Speed Limits) (County of Galway) (Amendment) Regulations 1970* (S.I. No. 126 of 1970)
- *Arklow Parking Temporary Rules 1970* (S.I. No. 122 of 1970)
- *Carrickmacross Parking Bye-Laws 1970* (S.I. No. 118 of 1970)
- *Kilkenny Parking Temporary Rules 1970* (S.I. No. 106 of 1970)
- *Mullingar Parking Temporary Rules 1970* (S.I. No. 105 of 1970)
- *Cork Traffic (No. 2) Temporary Rules 1970* (S.I. No. 104 of 1970)
- *Graiguenamanagh Parking Bye-Laws 1970* (S.I. No. 102 of 1970)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1970* (S.I. No. 100 of 1970)
- *Tralee Traffic and Parking Bye-Laws 1970* (S.I. No. 95 of 1970)
- *Thomastown Parking Bye-Laws 1970* (S.I. No. 61 of 1970)
- *Mallow Traffic and Parking Bye-Laws 1970* (S.I. No. 60 of 1970)
- *Dublin and Dún Laoghaire Traffic Temporary Rules 1970* (S.I. No. 52 of 1970)
- *Limerick Traffic and Parking Temporary Rules 1970* (S.I. No. 51 of 1970)
- *Cork Traffic and Parking Temporary Rules 1970* (S.I. No. 46 of 1970)
- *Ballybay Parking Bye-Laws 1970* (S.I. No. 39 of 1970)
- *Boyle Parking Bye-Laws 1969* (S.I. No. 30 of 1970)
- *Ceanannus Mor Parking Temporary Rules 1970* (S.I. No. 23 of 1970)
- *Cork Traffic Temporary Rules 1970* (S.I. No. 11 of 1970)
- *Limerick Traffic (No. 2) Temporary Rules 1969* (S.I. No. 7 of 1970)
- *Road Traffic Act, 1961 (Section 103) (Offences) (Amendment) Regulations 1970* (S.I. No. 4 of 1970)
- *Dublin Parking Temporary Rules 1969 (Revocation) Rules 1970* (S.I. No. 2 of 1970)
- *Dublin Meter Parking Places Rules 1969* (S.I. No. 261 of 1969)
- *Road Traffic (Signs) (Temporary Authorisation) Order 1969* (S.I. No. 258 of 1969)
- *Dundalk Traffic Temporary Rules 1969* (S.I. No. 253 of 1969)
- *Ennis Traffic and Parking Bye-Laws 1969* (S.I. No. 246 of 1969)
- *Dublin Traffic and Parking Temporary Rules 1969* (S.I. No. 239 of 1969)
- *New Ross Traffic and Parking (No. 2) Temporary Rules 1969* (S.I. No. 218 of 1969)
- *Road Traffic (Signs) (Amendment) Regulations 1969* (S.I. No. 217 of 1969)
- *Tipperary Parking Bye-Laws 1969* (S.I. No. 209 of 1969)
- *Thurles Traffic and Parking Bye-Laws 1969* (S.I. No. 206 of 1969)
- *Carlow Traffic and Parking Bye-Laws 1969* (S.I. No. 200 of 1969)
- *Road Traffic Act, 1968 (Part V) Regulations 1969* (S.I. No. 196 of 1969)
- *Drogheda Traffic Temporary Rules 1969* (S.I. No. 193 of 1969)
- *Nenagh Parking Bye-Laws 1969* (S.I. No. 186 of 1969)
- *Belturbet Parking Bye-Laws 1969* (S.I. No. 181 of 1969)
- *Skibbereen Parking Temporary Rules 1969* (S.I. No. 179 of 1969)
- *Ballinasloe Parking Bye-Laws 1969* (S.I. No. 176 of 1969)
- *Tuam Traffic and Parking Bye-Laws 1969* (S.I. No. 175 of 1969)
- *Enniscorthy Traffic and Parking Bye-Laws 1969* (S.I. No. 174 of 1969)
- *Longford Traffic and Parking Bye-Laws 1969* (S.I. No. 173 of 1969)
- *Dublin Parking Bye-Laws 1969* (S.I. No. 170 of 1969)
- *Road Traffic (Parking Fees) Regulations 1969* (S.I. No. 169 of 1969)
- *Greystones Traffic and Parking Temporary Rules 1969* (S.I. No. 158 of 1969)
- *Newcastle West Traffic and Parking Temporary Rules 1969* (S.I. No. 157 of 1969)
- *Limerick Parking Temporary Rules 1969* (S.I. No. 149 of 1969)
- *Bundoran Parking Temporary Rules 1969* (S.I. No. 148 of 1969)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1969* (S.I. No. 140 of 1969)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1969* (S.I. No. 138 of 1969)
- *Drogheda Parking Temporary Rules 1969* (S.I. No. 132 of 1969)
- *Carrick-On-Shannon Parking Temporary Rules 1969* (S.I. No. 131 of 1969)
- *Kilkee Traffic and Parking Temporary Rules 1969* (S.I. No. 116 of 1969)
- *Cork Parking Temporary Rules 1969* (S.I. No. 115 of 1969)
- *Castlebar Traffic and Parking Temporary Rules 1969* (S.I. No. 114 of 1969)
- *Sligo Traffic and Parking Temporary Rules 1969* (S.I. No. 107 of 1969)
- *Arklow Parking Temporary Rules 1969* (S.I. No. 100 of 1969)
- *Loughrea Parking Temporary Rules 1969* (S.I. No. 99 of 1969)
- *Road Traffic (Construction Equipment and Use of Vehicles) (Amendment) Regulations 1969* (S.I. No. 94 of 1969)
- *Mullingar Parking Temporary Rules 1969* (S.I. No. 79 of 1969)
- *Killarney Parking Temporary Rules 1969* (S.I. No. 78 of 1969)
- *Dublin Parking Temporary Rules 1969* (S.I. No. 71 of 1969)



- *Limerick Traffic Temporary Rules 1969* (S.I. No. 54 of 1969)
- *Road Traffic (Speed Limits) (County of Sligo) (Amendment) Regulations 1969* (S.I. No. 52 of 1969)
- *Road Traffic (General Speed Limit) Regulations 1969* (S.I. No. 45 of 1969)
- *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1969* (S.I. No. 38 of 1969)
- *New Ross Traffic and Parking Temporary Rules 1969* (S.I. No. 37 of 1969)
- *Road Traffic (Speed Limits) (County of Mayo) Regulations 1969* (S.I. No. 36 of 1969)
- *Limerick Traffic and Parking Temporary Rules 1969* (S.I. No. 30 of 1969)
- *Drogheda Traffic (One-Way Streets) Temporary Rules 1969* (S.I. No. 29 of 1969)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) (Amendment) Regulations 1969* (S.I. No. 28 of 1969)
- *Road Traffic (Speed Limits) (County of Kildare) Regulations 1969* (S.I. No. 27 of 1969)
- *Ballybay Parking Temporary Rules 1969* (S.I. No. 24 of 1969)
- *Cork Traffic (One-Way Streets) Temporary Rules 1969* (S.I. No. 6 of 1969)
- *Ceanannus Mor Parking Temporary Rules 1969* (S.I. No. 4 of 1969)
- *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1968* (S.I. No. 282 of 1968)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1968* (S.I. No. 273 of 1968)
- *Dundalk Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 269 of 1968)
- *Dublin Parking (Amendment) Temporary Rules 1968* (S.I. No. 268 of 1968)
- *Dublin Traffic and Parking Temporary Rules 1968* (S.I. No. 242 of 1968)
- *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1968* (S.I. No. 214 of 1968)
- *Road Traffic (Speed Limits) (County of Clare) Regulations 1968* (S.I. No. 212 of 1968)
- *Carlow Traffic and Parking Temporary Rules 1968* (S.I. No. 211 of 1968)
- *Skibbereen Parking Temporary Rules 1968* (S.I. No. 200 of 1968)
- *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1968* (S.I. No. 199 of 1968)
- *Road Traffic (Speed Limits) (County of Cavan) Regulations 1968* (S.I. No. 196 of 1968)
- *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1968* (S.I. No. 173 of 1968)
- *Limerick Parking Temporary Rules 1968* (S.I. No. 162 of 1968)
- *Road Traffic (Speed Limits) (County of Wexford) Regulations 1968* (S.I. No. 153 of 1968)
- *Drogheda Parking Temporary Rules 1968* (S.I. No. 152 of 1968)
- *Carrick-On-Shannon Parking Temporary Rules 1968* (S.I. No. 150 of 1968)
- *Cork Parking Temporary Rules 1968* (S.I. No. 141 of 1968)
- *Road Traffic (Speed Limits) (County of Offaly) Regulations 1968* (S.I. No. 132 of 1968)
- *Loughrea Parking Temporary Rules 1968* (S.I. No. 122 of 1968)
- *Arklow Parking Temporary Rules 1968* (S.I. No. 118 of 1968)
- *Road Traffic (Speed Limits) (County of Galway) Regulations 1968* (S.I. No. 110 of 1968)
- *Kilkenny Parking Temporary Rules 1968* (S.I. No. 108 of 1968)
- *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1968* (S.I. No. 107 of 1968)
- *Dublin Parking Temporary Rules 1968* (S.I. No. 86 of 1968)
- *Mullingar Parking Temporary Rules 1968* (S.I. No. 83 of 1968)
- *Limerick Traffic Temporary Rules 1968* (S.I. No. 77 of 1968)
- *Road Traffic (Speed Limits) (County of Donegal) Regulations 1968* (S.I. No. 73 of 1968)
- *Street Service Vehicles (Dublin) (Lost Property (Amendment) Bye-Laws 1968* (S.I. No. 63 of 1968)
- *Dublin and Dun Laoghaire Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 58 of 1968)
- *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1968* (S.I. No. 42 of 1968)
- *Limerick Traffic and Parking Temporary Rules 1968* (S.I. No. 38 of 1968)
- *Road Traffic (Speed Limits) (County of Longford) Regulations 1968* (S.I. No. 27 of 1968)

- *Cork Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 21 of 1968)
- *Road Traffic (Speed Limits) (County of Louth) Regulations 1968* (S.I. No. 16 of 1968)
- *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1968* (S.I. No. 9 of 1968)
- *Ceanannus Mór Parking Temporary Rules 1967* (S.I. No. 7 of 1968)
- *Ballybay Parking Temporary Rules 1967* (S.I. No. 6 of 1968)
- *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1967* (S.I. No. 307 of 1967)
- *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1967* (S.I. No. 306 of 1967)
- *Road Traffic (Signs) (Temporary Authorisations) Order 1967* (S.I. No. 301 of 1967)
- *Dundalk Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 289 of 1967)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1967* (S.I. No. 274 of 1967)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1967* (S.I. No. 273 of 1967)
- *Dublin Traffic and Parking Temporary Rules 1967* (S.I. No. 259 of 1967)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1967* (S.I. No. 225 of 1967)
- *Road Traffic (Speed Limits) (Amendment) (No. 2) Regulations 1967* (S.I. No. 224 of 1967)
- *Road Traffic (Speed Limits) (County of Meath) Regulations 1967* (S.I. No. 222 of 1967)
- *Dublin Traffic and Parking (Amendment) Temporary Rules 1967* (S.I. No. 221 of 1967)
- *Carlow Traffic and Parking Temporary Rules 1967* (S.I. No. 214 of 1967)
- *Road Traffic (Speed Limits) (County of Kerry) Regulations 1967* (S.I. No. 208 of 1967)
- *Skibbereen Parking Temporary Rules 1967* (S.I. No. 207 of 1967)
- *Limerick Parking Temporary Rules 1967* (S.I. No. 185 of 1967)
- *Road Traffic (Speed Limits) (County of Sligo) Regulations 1967* (S.I. No. 172 of 1967)
- *Drogheda Parking Temporary Rules 1967* (S.I. No. 171 of 1967)
- *Carrick-On-Shannon Parking Temporary Rules 1967* (S.I. No. 168 of 1967)
- *Cork Parking Temporary Rules 1967* (S.I. No. 164 of 1967)
- *Dublin and Dun Laoghaire Traffic (One-Way Streets) (Amendment) Temporary Rules 1967* (S.I. No. 149 of 1967)
- *Arklow Parking Temporary Rules 1967* (S.I. No. 148 of 1967)
- *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1966* (S.I. No. 132 of 1967)
- *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1967* (S.I. No. 113 of 1967)
- *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1967* (S.I. No. 93 of 1967)
- *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1967* (S.I. No. 74 of 1967)
- *Road Traffic (Speed Limits) (Amendment) Regulations 1967* (S.I. No. 65 of 1967)
- *Dublin and Dun Laoghaire Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 53 of 1967)
- *Tullamore Parking Bye-Laws 1966* (S.I. No. 38 of 1967)
- *Traffic (Speed Limits) (County of Monaghan) Regulations 1967* (S.I. No. 32 of 1967)
- *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1967* (S.I. No. 30 of 1967)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1967* (S.I. No. 24 of 1967)
- *Loughrea Traffic and Parking Bye-Laws 1966* (S.I. No. 16 of 1967)
- *Cork Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 15 of 1967)
- *Dublin Traffic and Parking Temporary Rules 1966* (S.I. No. 257 of 1966)
- *Road Traffic (Signs) (Amendment) Regulations 1966* (S.I. No. 233 of 1966)
- *Dublin and Dún Laoghaire Traffic (One-Way Streets) (Amendment) (No. 2) Temporary Rules 1966* (S.I. No. 192 of 1966)
- *Limerick Parking Temporary Rules 1966* (S.I. No. 181 of 1966)
- *Portlaoighise Parking Bye-Laws 1966* (S.I. No. 179 of 1966)
- *Road Traffic (Speed Limits) (County of Carlow) Regulations 1966* (S.I. No. 127 of 1966)

- *Dublin and Dún Laoghaire Traffic (One-Way Streets) (Amendment) Temporary Rules 1966* (S.I. No. 104 of 1966)
- *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1966* (S.I. No. 99 of 1966)
- *Waterford Traffic and Parking Bye-Laws 1965* (S.I. No. 87 of 1966)
- *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1966* (S.I. No. 80 of 1966)
- *Carrick-On-Suir Parking Bye-Laws 1966* (S.I. No. 79 of 1966)
- *Bray Traffic and Parking Bye-Laws 1965* (S.I. No. 59 of 1966)
- *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1966* (S.I. No. 51 of 1966)
- *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1966* (S.I. No. 47 of 1966)
- *Clonmel Traffic and Parking Bye-Laws 1965* (S.I. No. 31 of 1966)
- *Cork Traffic (One-Way Streets) Temporary Rules 1966* (S.I. No. 15 of 1966)
- *Athy Parking Bye-Laws 1965* (S.I. No. 9 of 1966)
- *Cavan Traffic and Parking Bye-Laws 1965* (S.I. No. 8 of 1966)
- *Youghal Parking Bye-Laws 1965* (S.I. No. 256 of 1965)
- *Cork Traffic (One-Way Streets) Temporary Rules 1965* (S.I. No. 245 of 1965)
- *Dundalk Parking Bye-Laws 1965* (S.I. No. 212 of 1965)
- *Dungarvan Parking Bye-Laws 1965* (S.I. No. 210 of 1965)
- *Tralee Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 203 of 1965)
- *Nenagh Parking Bye-Laws 1965* (S.I. No. 182 of 1965)
- *Cork Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 179 of 1965)
- *Dundalk Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 171 of 1965)
- *Clones Parking Bye-Laws 1965* (S.I. No. 170 of 1965)
- *Killarney Parking Bye-Laws 1965* (S.I. No. 165 of 1965)
- *Ennis Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 162 of 1965)
- *Road Traffic (Speed Limits) (Amendment) (No. 3) Regulations 1965* (S.I. No. 142 of 1965)
- *Tullamore Parking Bye-Laws 1965* (S.I. No. 127 of 1965)
- *Road Traffic (Speed Limits) (Amendment) (No. 2) Regulations 1965* (S.I. No. 116 of 1965)
- *Galway Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 109 of 1965)
- *Road Traffic (Speed Limits) (Amendment) Regulations 1965* (S.I. No. 86 of 1965)
- *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1965* (S.I. No. 79 of 1965)
- *Bray Traffic and Parking Bye-Laws 1965* (S.I. No. 59 of 1965)
- *Dublin and Dun Laoghaire Traffic (One-Way Streets) Temporary Rule 1965* (S.I. No. 44 of 1965)
- *An Uaimh Parking Bye-Laws 1964* (S.I. No. 31 of 1965)
- *Cavan Traffic and Parking Bye-Laws 1964* (S.I. No. 28 of 1965)
- *Ballina Parking Bye-Laws 1964* (S.I. No. 27 of 1965)
- *Athlone Parking Bye-Laws 1965* (S.I. No. 17 of 1965)
- *Mullingar Parking Bye-Laws 1964* (S.I. No. 8 of 1965)
- *Road Traffic General Bye-Laws 1964* (S.I. No. 294 of 1964)
- *Drogheda Traffic and Parking Bye-Laws 1964* (S.I. No. 267 of 1964)
- *Dublin and Dun Laoghaire Traffic (One-Way Streets) (Amendment) Temporary Rules 1964* (S.I. No. 259 of 1964)
- *Monaghan Parking Bye-Laws 1964* (S.I. No. 252 of 1964)
- *Galway Traffic and Parking Bye-Laws 1964* (S.I. No. 235 of 1964)
- *Wexford Traffic and Parking Bye-Laws 1964* (S.I. No. 210 of 1964)
- *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1964* (S.I. No. 191 of 1964)
- *Road Traffic (Petroleum) Regulations 1964* (S.I. No. 174 of 1964)
- *Wexford Traffic and Parking Bye-Laws 1973* (S.I. No. 165 of 1964)
- *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1964* (S.I. No. 106 of 1964)
- *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1964* (S.I. No. 59 of 1964)

- *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1964* (S.I. No. 58 of 1964)
- *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 56 of 1964)
- *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1964* (S.I. No. 55 of 1964)
- *Dublin Parking Temporary Rules 1964* (S.I. No. 30 of 1964)
- *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964)
- *Road Traffic Act 1961 (Commencement) Order 1964* (S.I. No. 28 of 1964)
- *Castlebar Parking Bye-Laws 1964* (S.I. No. 11 of 1964)
- *Road Traffic (Weighbridges) Regulations 1963* (S.I. No. 192 of 1963)
- *Road Traffic (Public Service Vehicles) Regulations 1963* (S.I. No. 191 of 1963)
- *Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963* (S.I. No. 190 of 1963)
- *Road Traffic Act 1961 (Commencement) (No. 2) Order 1963* (S.I. No. 189 of 1963)
- *Road Traffic Act 1961 (Commencement) (No. 2) Order 1963* (S.I. No. 188 of 1963)
- *Mallow Parking Bye-Laws 1963* (S.I. No. 159 of 1963)
- *Cork Parking Bye-Laws 1963* (S.I. No. 158 of 1963)
- *Tralee Parking Bye-Laws 1963* (S.I. No. 79 of 1963)
- *Limerick Parking Bye-Laws 1963* (S.I. No. 62 of 1963)
- *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1963* (S.I. No. 50 of 1963)
- *Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1963* (S.I. No. 32 of 1963)
- *Road Traffic (Speed Limits) Regulations 1963* (S.I. No. 18 of 1963)
- *Road Traffic Act 1961 (Commencement) Order 1963* (S.I. No. 17 of 1963)
- *Dublin Parking Bye-Laws 1962* (S.I. No. 11 of 1963)
- *Road Traffic (Signs) (Temporary Authorisations) Order 1962* (S.I. No. 172 of 1962)
- *Road Traffic (Signs) Regulations 1962* (S.I. No. 171 of 1962)
- *Road Traffic (Passenger Accommodation of Mechanically Propelled Vehicles) Regulations 1962* (S.I. No. 143 of 1962)
- *Omnibus (Stopping Places and Stands) General Bye-Laws 1962* (S.I. No. 122 of 1962)
- *Limerick Traffic Bye-Laws 1962* (S.I. No. 110 of 1962)
- *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1962* (S.I. No. 91 of 1962)
- *Road Traffic (Bye-Laws and Temporary Rules) (Amendment) Regulations 1962* (S.I. No. 60 of 1962)
- *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962)
- *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1962* (S.I. No. 12 of 1962)
- *Road Traffic Act, 1961 (Commencement) Order 1962* (S.I. No. 11 of 1962)
- *Mechanically Propelled Vehicles (International Circulation) Order 1961* (S.I. No. 269 of 1961)
- *Road Traffic (Bye-Laws and Temporary Rules) Regulations 1961* (S.I. No. 219 of 1961)
- *Road Traffic Act 1961 (Commencement) Order 1961* (S.I. No. 173 of 1961)

All statutory instruments up to and including *Social Welfare and Pensions Act 2010 (Section 38) (Appointment Day) Order 2013* (S.I. No. 130 of 2013), made 16 April 2013, were considered in the preparation of this revision.



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*Number 24 of 1961*

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**ROAD TRAFFIC ACT 1961**

**REVISED**

**Updated to 16 April 2013**

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ARRANGEMENT OF SECTIONS

**PART I**

**PRELIMINARY AND GENERAL**

Section

1. Short title.
2. Commencement.
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4. Application to persons and vehicles in the service of the State.
5. General provisions with respect to regulations.
6. Approval of bye-laws made by the Commissioner.
7. Proof of certain bye-laws and rules.
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9. Disposal of fees and fines.
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13. Special permits for particular vehicles.
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15. Weighbridges.
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17. Expenses of extraordinary traffic.
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20. Powers of occasional examination, inspection and test.

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- 22A. Disqualification for applying for Irish driving licence or learner permit if disqualified for holding such.
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29. Removal of disqualification under consequential or ancillary disqualification order.
30. Operation of disqualification order.
31. Disqualifications related to age.
32. Disqualification on grounds of health.
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39. Prohibition on applying for driving licence when disqualified.
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51. Driving animal-drawn vehicle or pedal cycle while under influence of intoxicating liquor or drug.
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64. Fraud in obtaining policy or guarantee.
65. Excepted persons
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70. Obligation to deliver up certificate.
71. Obligation of insured or principal debtor to give notice of accident.
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- 90. Parking of vehicles on public roads.
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- 94. Closing of particular roads to vehicles.
- 95. Traffic signs.
- 96. Patrol of places where school-children cross public roads.
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- 99. Prohibition of unauthorised holding or getting on to vehicles.
- 100. Cyclists holding on to other vehicles.
- 101. Provision of car parks by local authorities.
- 101A. Control of vehicles by bollards and ramps.
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- 102. General penalty.



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104. Notice of offence.
105. Evidence of speed.
106. Duties on occurrence of accident.
107. Duty to give information on demand by member of Garda Síochána.
108. Right to demand name and address of pedal cyclist.
109. Obligation to stop.
110. Disposition of vehicle on arrest of person in charge.
111. Identification of member of Garda Síochána.
112. Taking vehicle without authority.
113. Unauthorised interference with mechanism of vehicle.
114. Limitations on periods of continuous driving.
115. Penalty for false declaration, etc.
116. Liability of Minister for Finance for negligent use of mechanically propelled vehicle.
117. Extension of personal liability for negligent use of mechanically propelled vehicle.
118. Liability in respect of person using mechanically propelled vehicle with consent of owner.
119. Reimbursement of hospitals.
120. Promotion of road safety
121. Calculation of passenger accommodation of mechanically propelled vehicles.
122. Keeping and use of petroleum.
123. Extended power of making regulations in relation to application for licence under Finance (Excise Duties) (Vehicles) Act, 1952.
124. Restriction on section 23 of Criminal Justice Act, 1951.
125. Saving for indictment for nuisance.
126. Saving for general power of Commissioner.
127. Modification of Motor Car (International Circulation) Act, 1909.

## FIRST SCHEDULE

Enactments Repealed

## SECOND SCHEDULE

Offences under this Act involving Consequential Disqualification Orders

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 ACTS REFERRED TO

|                                                              |                     |
|--------------------------------------------------------------|---------------------|
| Road Vehicles (Registration and Licensing) Regulations, 1958 | S.I. No. 13 of 1958 |
| Road Traffic Act, 1933                                       | 1933, No. 11        |
| Documentary Evidence Act, 1925                               | 1925, No. 24        |

[No. 24.]

*Road Traffic Act 1961*

[1961.]

|                                                 |              |
|-------------------------------------------------|--------------|
| Roads Act, 1920                                 | 1920, c. 72  |
| Road Transport Act, 1932                        | 1932, No. 2  |
| Road Transport Act, 1933                        | 1933, No. 8  |
| Probation of Offenders Act, 1907                | 1907, c. 17  |
| Licensing Act, 1872                             | 1872, c. 94  |
| Person Act, 1861                                | 1861, c. 100 |
| Insurance Act, 1936                             | 1936, No. 45 |
| Assurance Companies Act, 1909                   | 1909, c. 49  |
| Weights and Measures Act, 1889                  | 1889, c. 21  |
| Weights and Measures Act, 1928                  | 1928, No. 3  |
| Weights and Measures Act, 1904                  | 1904, c. 28  |
| Interpretation Act, 1937                        | 1937, No. 38 |
| Statutory Instruments Act, 1947                 | 1947, No. 44 |
| Public Health (Ireland) Act, 1878               | 1878, c. 52  |
| Local Government Act, 1946                      | 1946, No. 24 |
| Public Health (Ireland) Act, 1896               | 1896, c. 54  |
| Local Government Act, 1925                      | 1925, No. 5  |
| Petty Sessions (Ireland) Act, 1851              | 1851, c. 93  |
| Fatal Injuries Act, 1956                        | 1956, No. 3  |
| Health Act, 1947                                | 1947, No. 28 |
| Finance (Excise Duties) (Vehicles) Act, 1952    | 1952, No. 24 |
| Criminal Justice Act, 1951                      | 1951, No. 2  |
| Motor Car (International Circulation) Act, 1909 | 1909, c. 37  |
| Motor Car Act, 1903                             | 1903, c. 36  |



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Number 24 of 1961

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**ROAD TRAFFIC ACT 1961**

**REVISED**

**Updated to 16 April 2013**

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AN ACT TO MAKE PROVISION IN RELATION TO MECHANICALLY PROPELLED AND OTHER VEHICLES, THE REGULATION AND CONTROL OF ROAD TRAFFIC AND THE USE OF MECHANICALLY PROPELLED VEHICLES FOR THE CARRIAGE OF PASSENGERS, TO MAKE PROVISION FOR COMPULSORY INSURANCE AGAINST LIABILITIES ARISING FROM THE USE OF MECHANICALLY PROPELLED VEHICLES, TO REPEAL THE ROAD TRAFFIC ACT, 1933, AND CERTAIN OTHER ENACTMENTS, TO AUTHORISE CERTAIN CHARGES AND TO MAKE PROVISION FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [29th July, 1961.]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

**Annotations**

**Modifications (not altering text):**

- C1** Act included in collective citation (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 11(3), S.I. No. 542 of 2011.

**Short title, commencement, and collective citation.**

**11.— ...**

(3) The collective citation the “Road Traffic Acts 1961 to 2011” includes this Act.

Acts included or previously included in the collective citation and construction:

- *Road Traffic (No. 2) Act 2011* (28/2011) (28.10.2011) by s. 11(3), S.I. No. 542 of 2011.
- *Road Traffic Act 2011* (7/2011) (1.06.2011) by s. 5(3), S.I. No. 253 of 2011.
- *Road Traffic Act 2010* (25/2010) (9.08.2010) by s. 1(3), S.I. No. 394 of 2010.
- *Roads Act 2007* (34/2007), s. 12 (11.07.2007) by s. 12(6), commenced on enactment (citation only).
- *Road Traffic and Transport Act 2006* (28/2006), s. 1, (4.10.2006) by s. 1(2), commenced on enactment (citation only).
- *Road Traffic Act 2006* (23/2006), other than s. 21, (21.07.2006) by s. 23(3), S.I. No. 384 of 2006.
- *Railway Safety Act 2005* (31/2005), pt. 17 (ss. 137-138) (18.12.2005) by s. 137, commenced on enactment.
- *Road Traffic Act 2004* (44/2004), other than pt. 6 (s. 36), (20.01.2005) by s. 1(3), S.I. No. 8 of 2005.
- *Road Traffic Act 2003* (37/2003) (1.12.2003) by s. 5(2), S.I. No. 647 of 2003 (citation only) (repealed).

- *Road Traffic Act 2002* (12/2002) (31.10.2002) by s. 26(3), S.I. No. 491 of 2002.
- *Road Traffic Act 1995* (7/1995) (25.05.1995) by s. 4(2), commenced on enactment (repealed).
- *Road Traffic Act 1994* (7/1994) (22.07.1994) by s. 1(3), S.I. No. 222 of 1994.
- *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 7-10, (1.01.1988) by s. 15(2), commenced as per s. 15(5)
- *Road Traffic (Amendment) Act 1984* (16/1984) (18.07.1984) by s. 7(2), commenced on enactment.
- *Road Traffic (Amendment) Act 1978* (19/1978) (20.07.1978) by s. 3, S.I. No. 192 of 1978 (repealed).
- *Road Traffic (Amendment) Act 1973* (15/1973) (26.07.1973) by s. 8(2), commenced on enactment (citation only) (repealed).
- *Road Traffic Act 1968* (25/1968) (1.09.1968) by s. 3, S.I. No. 169 of 1968.
- *Road Traffic Act 1961* (24/1961) (1.09.1968) by *Road Traffic Act 1968*, s. 3, S.I. No. 169 of 1968.

- C2** Application of collectively cited *Road Traffic Acts 1961 to 2010* restricted (21.09.2011) by *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011), regs. 1(3), 42(22), sch. 2.

**42.—** ...

(22) Notwithstanding any provision of any statute listed in the Second Schedule that provides for the consent for a plan or project to which this Regulation applies to be obtained by default on the failure of the public authority to provide a response within a specified timescale or otherwise, that provision shall not have effect in respect of any plan or project to which this Regulation applies.

...

#### SECOND SCHEDULE

| Number | Year | Short Title/Citation           |
|--------|------|--------------------------------|
| ...    | ...  | ...                            |
| ...    | ...  | Road Traffic Acts 1961 to 2010 |
| ...    | ...  | ...                            |

- C3** Term “Commissioner” construed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 83(1), S.I. No. 255 of 2011.

#### Functions of Commissioner of Garda Síochána.

**83.—** (1) Any reference to the Commissioner in the *Road Traffic Acts 1961 to 2010* or the *Roads Acts 1993 to 2007* is to be read as a reference to the Commissioner or another member of the Garda Síochána not below the rank of Chief Superintendent authorised by the Commissioner to act or carry out a function or requirement on his or her behalf.

...

- C4** Collectively cited *Road Traffic Acts 1961 to 2010* exempted from application of *Freedom of Information Act 1997* by *Freedom of Information Act 1997* (13/1997), s. 46(1)(bb) as inserted (9.08.2010) by *Road Traffic Act 2010* (25/2010), s. 26(5), S.I. No. 394 of 2010.

#### Restriction of Act.

**46.—**(1) This Act does not apply to— ...

[(bb) a record held or created by the Medical Bureau of Road Safety under the *Road Traffic Acts 1961 to 2010* (other than a record concerning the general administration of the Medical Bureau of Road Safety), ]

...

- C5** Application of collectively cited *Road Traffic Acts 1961 to 2010* restricted (28.10.11) by *Road Traffic Act 2010* (25/2010), s. 87(1), S.I. No. 543 of 2011.

**Exemptions for emergency vehicles.**

**87.—** (1) Requirements under the *Road Traffic Acts 1961 to 2010* relating to vehicles and requirements, restrictions and prohibitions relating to the driving and use of vehicles, other than those provided under sections 49, 50, 51A, 52 and 53 of the Principal Act, sections 12, 13 and 15 of the Act of 1994 and *sections 4, 5, 12 and 14* of this Act, do not apply to—

(a) the driving or use by a member of the Garda Síochána, an ambulance service or a fire brigade of a fire authority (within the meaning of the Fire Services Act 1981 ) of a vehicle in the performance of the duties of that member, or

(b) a person driving or using a vehicle under the direction of a member of the Garda Síochána, where such use does not endanger the safety of road users.

- C6** Application of collectively cited *Road Traffic Acts 1961 to 2006* restricted (4.05.2009) by *Road Traffic (Specialised Vehicle Permits) Regulations 2009* (S.I. No. 147 of 2009), reg. 6(1)(b)(ii), in operation as per reg. 2.

*Grant of specialised vehicle permits*

6. (1) The Permits Officer may grant a specialised vehicle permit if— ...

(b) he or she is satisfied that— ...

(ii) the vehicle and that operation will not otherwise contravene the Road Traffic Acts 1961 to 2006, Regulations made under those Acts, or any other law.

...

- C7** Meaning of term “provisional licence” extended (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(3), S.I. No. 718 of 2007.

**Learner permit.**

**11.—** ...

(3) A reference to a provisional licence in the *Road Traffic Acts 1961 to 2006* or an instrument made thereunder is to be read as a reference to a learner permit.

...

- C8** Application of collectively cited *Road Traffic Acts 1961 to 2006* extended (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 2, S.I. No. 384 of 2006.

**Regulations to give effect to acts of European Communities.**

**2.—** The power to make regulations under the Road Traffic Acts 1961 to 2006 includes the power to make provision in such regulations to give effect to—

(a) a provision of the treaties of the European Communities, or

(b) an act adopted by an institution of those Communities.

- C9** Application of Act extended (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 56(1), commenced on enactment.

**Prohibition on person disqualified for holding driving licence from driving light rail vehicle on public road.**

**56.—**(1) A person who is disqualified under the Act of 1961 for holding a driving licence (within the meaning of section 22 of the Act of 1961) shall not drive a light rail vehicle on a public road.

...

- C10** Meaning of terms “road” and “public place” declared (11.09.1998) by *Air Navigation and Transport (Amendment) Act 1998* (24/1998), s. 59(a), S.I. No. 327 of 1998.

**Road for purposes of Road Traffic Acts, 1961 to 1995.**

59.—For the avoidance of doubt it is hereby declared that—

- (a) the word “road” includes, for the purposes of the provisions of the Road Traffic Acts, 1961 to 1995, or any regulations made thereunder, a road in a State airport, and
- (b) a State airport is, for the purposes of any enactment, a public place.

**C11** Application of collectively cited *Road Traffic Acts 1961 to 2002* modified by *Local Authorities (Traffic Wardens) Act 1975* (14/1975), s. 3(1), as substituted (3.04.2006) by *Road Traffic Act 2002* (12/2002), s. 12(1), S.I. No. 134 of 2006.

**Provisions applying to certain offences relating to vehicles.**

[3.—(1) (a) This section applies to such of the offences specified in paragraph (b) as may be declared by the Minister by regulations made after consultation with the Minister for Justice, Equality and Law Reform to be fixed charge offences and an offence standing so declared is referred to in this section as a fixed charge offence.

(b) The offences referred to in paragraph (a) of this section are:

- (i) an offence under the *Road Traffic Acts, 1961 to 2002*, relating to the prohibition or restriction of the stopping or parking of mechanically propelled vehicles,

...]

**C12** Application of collectively cited *Road Traffic Acts 1961 to 2004* restricted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 27, S.I. No. 26 of 2005.

**Exemptions for emergency vehicles.**

27.—Requirements under the Road Traffic Acts 1961 to 2004 relating to vehicles and requirements, restrictions and prohibitions relating to the driving and use of vehicles, other than those provided under sections 49 and 50 (inserted by sections 10 and 11, respectively, of the Act of 1994), 51A and 52 (inserted by sections 49 and 50, respectively, of the Act of 1968) and 53 of the Principal Act and sections 12, 13, 14 and 15 of the Act of 1994, do not apply to a driver of a fire brigade vehicle, an ambulance or the use by a member of the Garda Síochána of a vehicle in the performance of the duties of that member or a person driving or using a vehicle under the direction of a member of the Garda Síochána, where such use does not endanger the safety of road users.

**C13** Functions in relation to collectively cited *Road Traffic Acts 1961 to 2002* transferred from Department of and Minister for Environment and Local Government to Department of and Minister for Public Enterprise and terms construed (18.06.2002) by *National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002* (S.I. No. 298 of 2002). Note: name of Department of and Minister for Public Enterprise changed to Department of and Minister for Transport (19.06.2002) by *Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002* (S.I. No. 305 of 2002); name further changed to Department of and Minister for Transport, Tourism and Sport (2.04.2011) by *Transport (Alteration of Name of Department and Title of Minister) Order 2011* (S.I. No. 141 of 2011).

3. (1) The administration and business in connection with the exercise, performance or execution of any functions transferred by Article 4 of this Order are transferred to the Department of Public Enterprise.

(2) References to the Department of the Environment and Local Government contained in any Act or instrument made thereunder and relating to any administration and business transferred by paragraph (1) of this Article shall, on and after the commencement of this Order, be construed as references to the Department of Public Enterprise.

4. (1) The functions vested in the Minister for the Environment and Local Government—

(a) by or under—

- (i) the Road Traffic Acts 1961 to 2002,

...

are transferred to the Minister for Public Enterprise.

(2) References to the Minister for the Environment and Local Government contained in any Act or instrument made thereunder and relating to any functions transferred by this Article shall, on and after the commencement of this Order, be construed as references to the Minister for Public Enterprise.

**C14** Meaning of “road” and “public place” extended (11.09.1998) by *Air Navigation and Transport (Amendment) Act 1998* (24/1998), s. 59, S.I. No. 327 of 1998.

**Road for purposes of Road Traffic Acts, 1961 to 1995.**

**59.**—For the avoidance of doubt it is hereby declared that—

- (a) the word “road” includes, for the purposes of the provisions of the Road Traffic Acts, 1961 to 1995, or any regulations made thereunder, a road in a State airport, and
- (b) a State airport is, for the purposes of any enactment, a public place.

**C15** Application of collectively cited *Road Traffic Acts 1961 to 1987* modified (1.01.1994) by *Roads Act 1993* (14/1993), ss. 17(4), 23(1), S.I. No. 406 of 1993.

**Functions generally of the Authority.**

**17.**— ...

(4) The Minister may make regulations providing that any function relating to national roads conferred on him or on a road authority under any enactment (including this Act), or on the Commissioner under the Road Traffic Acts, 1961 to 1987, shall, where the Minister is satisfied that the function could be more effectively performed by the Authority, in lieu of being performed by him or by that authority or by the Commissioner, be performed by the Authority with effect from a date specified in the regulations.

...

**The Authority and traffic management.**

**23.**—(1) The Authority may at any time make recommendations in writing to the Commissioner in relation to the performance of his functions under the Road Traffic Acts, 1961 to 1987 and the Commissioner shall have regard to such recommendations in the performance of his functions.

...

**C16** Application of Act modified (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 10(1) and (3).

**Visitor’s Driving or Provisional Licence.**

**10.** (1) In respect of the grant of a visitor’s driving licence or a visitor’s provisional licence and the holding of such licences, the Road Traffic Act, 1961 and the Regulations of 1989 shall be modified as follows:—

- (a) An application for a visitor’s driving licence or a visitor’s provisional licence may be made to the Automobile Association.
- (b) The words “Visitor’s Driving Licence” shall, in the case of a visitor’s driving licence, be inserted in the authorised form referred to in article 16 of the said Regulations.
- (c) The words “Visitor’s Provisional Licence” shall, in the case of a visitor’s provisional licence, be inserted in the authorised form referred to in article 23 of the said Regulations.
- (d) Sub-article (2) of article 14 of the said regulations shall not apply to a visitor’s driving licence.
- (e) The references in sub-article (4) of article 15 of the said Regulations to a driving licence shall (in respect of an application for a visitor’s driving licence) be construed as if it included a reference to a driving permit.
- (f) Paragraph (a) of sub-article (1) of article 29 of the said Regulations shall (in respect of an application for a visitor’s driving licence) be construed as if the reference to a driving licence in respect of a category where a reference to a driving permit issued in respect

of that category or in respect of a category of vehicles which includes vehicles of that category or the majority of vehicles of that category.

...

(3) (a) For the purpose of the grant of a visitor's driving licence, in any of the enactments specified in (sub-paragraph (b)) of this paragraph the term "licensing authority" shall include the Automobile Association.

(b) The enactments referred to in sub-paragraph (a) of this paragraph are —the Roads Act, 1920, the Finance (Excise Duties) (Vehicles) Act, 1952 (No. 24 of 1952), the Road Traffic Act, 1961 and the orders and regulations made under the said Acts.

...

**C17** Meaning of "class of mechanically propelled vehicles" in collectively cited *Road Traffic Acts 1961 to 1984* extended (7.11.1989) by *European Communities (Licensing of Drivers) Regulations 1989* (S.I. No. 287 of 1989), reg. 2.

2. A reference in the Road Traffic Acts, 1961 to 1984, to a class of mechanically propelled vehicles shall be construed as a reference to a class or category of such vehicles and cognate words and expressions shall be construed accordingly.

**Editorial Notes:**

- E1** Prospective affecting provision: procedure prescribed for costs relating to offences under collectively cited *Road Traffic Acts 1961 to 2010* by *Road Traffic Act 2010* (25/2010), s. 82, not commenced as of 16.04.2013.
- E2** Prospective affecting provision: prescribed offences under collectively cited *Road Traffic Acts 1961 to 2010* subjected to payment deposit notice procedure by *Road Traffic Act 2010* (25/2010), s. 50, not commenced as of 16.04.2013.
- E3** Procedure prescribed for fixed charge offences under collectively cited *Road Traffic Acts 1961 to 2010* by *Road Traffic Act 2010* (25/2010), ss. 34-49, not commenced as of 16.04.2013 other than s. 48, commenced (25.07.2012) by S.I. No. 293 of 2012.
- E4** Alcohol testing procedure and evidentiary requirements prescribed (28.10.11) for offences and proceedings under collectively cited *Road Traffic Acts 1961 to 2010* by *Road Traffic Act 2010* (25/2010), ss. 9, 10, 20 and 25(4), S.I. No. 543 of 2011.
- E5** Procedure prescribed for production of driving licence (28.10.11) under collectively cited *Road Traffic Acts 1961 to 2010* by *Road Traffic Act 2010* (25/2010), s. 61, S.I. No. 543 of 2011.
- E6** Road Safety Authority designated as authority responsible for certain vehicle testing arrangements required under the collectively cited *Road Traffic Acts 1961 to 2006* (13.09.2006) by *Road Safety Authority Act 2006 (Conferral of Functions) Order 2006* (S.I. No. 477 of 2006), art. 3(a)(i).
- E7** Functions under *Road Traffic Acts 1961 to 2004* assigned to Road Safety Authority (31.05.2006) by *Road Safety Authority Act 2006* (14/2006), s. 4(1), commenced on enactment.
- E8** Road Safety Authority may be required by Minister to provide advice in relation to functions under *Road Traffic Acts 1961 to 2004* (31.05.2006) by *Road Safety Authority Act 2006* (14/2006), s. 6(1)(a), commenced on enactment.
- E9** Requirement to produce driving licence to court prescribed in relation to collectively cited *Road Traffic Acts 1961 to 2010* by *Road Traffic Act 2002* (12/2002), s. 22(1) as substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 21, S.I. No. 26 of 2005 and subsequently substituted (28.10.11) by *Road Traffic Act 2010* (25/2010), s. 63, S.I. No. 543 of 2011.
- E10** Duty to give information to member of Garda Síochána for offences under collectively cited *Road Traffic Acts 1961 to 1995* imposed (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 59(1), commenced on enactment.



- E11** Previous affecting provision: application of collectively cited *Road Traffic Acts 1961 to 2005* not restricted (5.05.2006 to 1.05.2009) by *European Communities (Compulsory use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* (S.I. No. 240 of 2006), reg. 7(6).
- E12** Previous affecting provision: functions of local authority for purposes of collectively cited *Road Traffic Acts 1961 to 1995* specified (1.01.2002) by *Local Government Act 2001* (37/2001), s. 63(1)(b), (2) and sch. 12, pt. 1, S.I. No. 588 of 2001. Sch. 12 substituted (31.12.2007) by *Water Services Act 2007* (30/2007), s. 115, S.I. No. 846 of 2007 which caused the *Road Traffic Acts* to move from sch. 12, pt. 1 to pt. 2.
- E13** Procedure prescribed (2.12.1994) for evidence in certain proceedings under collectively cited *Road Traffic Acts 1961 to 2006* by *Road Traffic Act 1994* (7/1994), s. 21, S.I. No. 350 of 1994, as amended (4.10.2006) by *Road Traffic and Transport Act 2006* (28/2006), s. 1(1)(f), commenced on enactment; s. 21 repealed by *Road Traffic Act 2010* (25/2010), s. 33(c), not commenced as of 16.04.2013.
- E14** Previous affecting provision: alcohol testing procedure prescribed (21.07.2006) for proceedings under collectively cited *Road Traffic Acts 1961 to 2006* by *Road Traffic Act 2006* (23/2006), s. 4(9), S.I. No. 384 of 2006; repealed (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(f), S.I. No. 544 of 2011.
- E15** Road Safety Authority charged with keeping *Road Traffic Acts* under review and submitting proposals (1.09.2005) by *Safety, Health and Welfare At Work Act 2005* (10/2005), ss. 2(1), 57(1)(a), (c) and sch. 1, S.I. No. 328 of 2005.
- E16** Previous affecting provision: application of collectively cited *Road Traffic Acts 1961 to 2004* restricted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 27, S.I. No. 26 of 2005; repealed (28.10.11) by *Road Traffic Act 2010* (25/2010), s. 87(2), S.I. No. 543 of 2011.
- E17** Previous affecting provision: term “commissioner” defined (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 28, S.I. No. 26 of 2005; repealed (31.05.2011) by *Road Traffic Act 2010* (25/2010), s. 83(2), S.I. No. 255 of 2011.
- E18** Previous affecting provision: breath specimen procedure for offences under collectively cited *Road Traffic Acts 1961 to 2003* prescribed by *Road Traffic Act 1994* (7/1994), s. 12(1)(c), as substituted (1.12.2003) by *Road Traffic Act 2003* (37/2003), s. 2, S.I. No. 647 of 2003; s. 12 repealed (29.10.11) by *Road Traffic Act 2010* (25/2010), s. 33(c), S.I. No. 544 of 2011.
- E19** Previous amending provision: certain functions under collectively cited *Road Traffic Acts 1961 to 1984* transferred to Dublin Metropolitan Streets Commission (1.06.1987) by *Dublin Metropolitan Streets Commission Act 1986* (30/1986), s. 7(1), S.I. No. 67 of 1987. Transfer of functions terminated (9.04.1987) prior to commencement of *Dublin Metropolitan Streets Commission Act 1986* by *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987), art. 2.
- E20** Previous amending provision: discretion to transfer certain functions under collectively cited *Road Traffic Acts 1961 to 1984* to Dublin Transport Authority created by *Local Authorities (Traffic Wardens) Act 1975* (14/1975), ss. 2(2), 3(1) as substituted by *Dublin Transport Authority Act 1986* (15/1986), s. 15(3), not commenced. *Dublin Transport Authority Act 1986* repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5) and amendments to 1975 Act superseded by later substitutions.
- E21** Previous affecting provision: evidentiary provisions prescribed (20.07.1978) for proceedings under collectively cited *Road Traffic Acts 1961 to 1978* by *Road Traffic (Amendment) Act 1978* (19/1978), s. 23(1), S.I. No. 192 of 1978; *Road Traffic (Amendment) Act 1978* repealed (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 4(1), S.I. No. 350 of 1994.
- E22** Previous amending provision: power to make arrangements to carry out certain functions under collectively cited *Road Traffic Acts 1961 to 1973* and to designate certain offences to which s. 3 applies provided (12.07.1975) by *Local Authorities (Traffic Wardens) Act 1975* (14/1975), ss. 2(2) and 3(1), commenced on enactment; ss. 2(2) and 3(1) substituted as per E-note above.

**E23** Previous affecting provision: construction of term “licensing authority” modified by *Mechanically Propelled Vehicles (International Circulation) Order 1961* (S.I. No. 269 of 1961), art. 15(3) as substituted (18.03.1964) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1964* (S.I. No. 59 of 1964), art. 4; *Mechanically Propelled Vehicles (International Circulation) Order 1961* revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.

## PART I.

### PRELIMINARY AND GENERAL.

Short title. **1.**—This Act may be cited as the Road Traffic Act, 1961.

Commencement. **2.**—This Act shall come into operation on such day or days as may be fixed therefor by any order or orders of the Minister, either generally or with reference to any particular purpose or provision and different days may be so fixed for different purposes and different provisions of this Act.

#### Annotations

##### Editorial Notes:

**E24** Power pursuant to section exercised (18.03.1964) by *Road Traffic Act, 1961 (Commencement) Order 1964* (S.I. No. 28 of 1964).

2. Section 10 of the Road Traffic Act, 1961 shall come into operation on the 18th day of March, 1964, for the purpose of effecting the repeal of sections 21 to 28, 31 to 45 and 81 to 83 of the Road Traffic Act, 1933 (No. 11 of 1933).

3. Sections 21 to 25, 27, 28, 30 to 42 and subsections (1), (3) and (4) of section 43 of the Road Traffic Act, 1961 shall come into operation on the 18th day of March, 1964.

**E25** Power pursuant to section exercised (27.10.1963) by *Road Traffic Act 1961 (Commencement) (No. 2) Order 1963* (S.I. No. 188 of 1963).

2. Section 10 of the Road Traffic Act, 1961 shall come into operation on the 27th day of October, 1963 for the purpose of effecting the repeal of sections 4, 15 to 20, 84 to 97, 99 to 117, 120 to 126, 128 to 136, 139 to 146, 161 to 164 and 166 of the Road Traffic Act, 1933 (No. 11 of 1933).

3. Sections 11, 12, 13, 15, 16, 82 and 83 of the Road Traffic Act, 1961 shall come into operation on the 27th day of October, 1963.

**E26** Power pursuant to section exercised (1.04.1963) by *Road Traffic Act 1961 (Commencement) Order 1963* (S.I. No. 17 of 1963).

2. Section 10 of the Road Traffic Act, 1961 shall come into operation on the 1st day of April, 1963 for the purpose of effecting the repeal of sections 46, 47, 48, 49, 53, 54 and 55 of the Road Traffic Act, 1933 (No. 11 of 1933).

3. Part IV of the Road Traffic Act, 1961 shall come into operation on the 1st day of April, 1963.

**E27** Power pursuant to section exercised (1.05.1962) by *Road Traffic Act 1961 (Commencement) Order 1962* (S.I. No. 11 of 1962).

2. Section 10 of the Road Traffic Act, 1961 shall come into operation on the 1st day of May, 1962 for the purpose of effecting the repeal of Part V and sections 172 and 174 of the Road Traffic Act, 1933 (No. 11 of 1933).

3. Section 14, Part VI, and section 118 of the Road Traffic Act, 1961 shall come into operation on the 1st day of May, 1962.

**E28** Power pursuant to section exercised (1.10.1961) by *Road Traffic Act 1961 (Commencement) Order 1961* (S.I. No. 173 of 1961).

2. Section 10 of the Road Traffic Act, 1961 shall come into operation on the 1st day of October, 1961 for the purpose of effecting the repeal of the enactments specified in Part II of the Schedule to this Order.

3. The provisions of the Road Traffic Act, 1961 specified in Part I of the Schedule to this Order shall come into operation on the 1st day of October, 1961.

#### PART I

Provisions of the Road Traffic Act, 1961 to come into operation on 1st October, 1961.

Sections 1 to 9, sections 17 to 20, sections 26 and 29, subsections (2), (5) and (6) of section 43, Part V, sections 84 to 92, sections 94 to 117, sections 120 to 127 and the Second Schedule.

#### PART II

Enactments to be repealed on 1st October, 1961

| Session and chapter or number and year | Short title                      | Extent of repeal                                                                                                          |
|----------------------------------------|----------------------------------|---------------------------------------------------------------------------------------------------------------------------|
| 1 & 2 Geo. C., c.45                    | Public Roads (Ireland) Act, 1911 | The whole Act.                                                                                                            |
| No. 11 of 1933                         | Road Traffic Act, 1933           | Sections 7 to 10, 29 and 30, 50 to 52, 98, 118, 119, 127, 137, 138, 147 to 157, 159, 165, 167, 169 to 171, 173, 175, 179. |
| No. 7 of 1940                          | Fire Brigades Act, 1940          | Section 10                                                                                                                |
| No. 24 of 1946                         | Local Government Act, 1946       | Section 69                                                                                                                |
| No. 9 of 1955                          | Local Government Act, 1955       | Sections 36 and 37                                                                                                        |
| No. 3 of 1956                          | Fatal Injuries Act, 1956         | Section 7                                                                                                                 |

Interpretation.

**3.—(1)** In this Act, save where the context otherwise requires—

“ancillary disqualification order” has the meaning specified in subsection (1) of section 27;

“appointed stand” has the meaning specified in subsection (1) of section 84;

“appointed weighbridge” has the meaning specified in subsection (1) of section 15;

“approved guarantee” has the meaning specified in section 63;

“approved policy of insurance” has the meaning specified in section 62;

“built-up area speed limit” has the meaning specified in subsection (4) of section 45;

“certificate of competency” has the meaning specified in subsection (4) of section 33;

“certificate of fitness” has the meaning specified in subsection (4) of section 34;

“certificate of exemption” has the meaning specified in section 68;

“certificate of guarantee” has the meaning specified in subsection (2) of section 66;

“certificate of insurance” has the meaning specified in subsection (1) of section 66;

“combination of vehicles” means a mechanically propelled vehicle and a vehicle or vehicles drawn thereby;

“the Commissioner” means the Commissioner of the Garda Síochána;

“consequential disqualification order” has the meaning specified in subsection (1) of section 26;

“contravenes” includes refuses or fails to comply with, and “contravention” shall be construed accordingly;

“driving” includes managing and controlling and, in relation to a bicycle or tricycle, riding, and “driver” and other cognate words shall be construed accordingly;

F1[‘driving licence’ means—

(a) an Irish driving licence, or

(b) a foreign driving licence;]

“footway” means that portion of any road which is provided primarily for the use of pedestrians;

F2[‘foreign driving licence’ means a licence or permit to drive a mechanically propelled vehicle—

(a) in respect of a category of vehicle referred to in the European Communities (Recognition of Driving Licences of Other Member States) Regulations 2008 (S.I. No. 464 of 2008) issued by the competent authority of another Member State or a member state of the European Economic Area, but does not include a licence or permit so issued to a person to enable the person to learn to drive or provisionally to drive a vehicle, or

(b) recognised by an order made under section 23A(1);]

F3[‘general speed limit’ means a speed limit under section 44A of this Act;]

“hire-drive agreement” means, in relation to a mechanically propelled vehicle, an agreement under which the vehicle is hired from its registered owner, other than—

(a) a hire-purchase F4[or letting] agreement,

(b) an agreement merely for the carriage of persons or goods, or

(c) an agreement under which the registered owner of the vehicle drives, or provides a driver for, the vehicle;

“the insured” has the meaning assigned to it in paragraph (a) of subsection (1) of section 62;

F5[‘Irish driving licence’ means a driving licence (within the meaning of section 22(1)) granted by a licensing authority under section 23;]

“large public service vehicle” means a public service vehicle having seating passenger accommodation for more than eight persons exclusive of the driver;

“mechanically propelled vehicle” means, subject to subsection (2) of this section, a vehicle intended or adapted for propulsion by mechanical means, including—

(a) a bicycle or tricycle with an attachment for propelling it by mechanical power, whether or not the attachment is being used,

(b) a vehicle the means of propulsion of which is electrical or partly electrical and partly mechanical,

but not including a tramcar or other vehicle running on permanent rails;

F6[‘Minister’ means Minister for Transport;]

“mobile weighbridge” has the meaning specified in subsection (7) of section 15;

F4[‘motorway’ has the meaning assigned to it by the Roads Act, 1993;]

F4[‘motorway speed limit’ has the meaning assigned to it by section 44B (inserted by the Road Traffic Act, 1994) of this Act;]

“omnibus” means a large public service vehicle which is for the time being used on a definite route for the carriage of passengers who are carried at separate fares and are picked up and set down along such route whether on request or at fixed stopping places;

“ordinary speed limit” has the meaning specified in subsection (3) of section 44;

F7[‘owner’, when used in relation to a mechanically propelled vehicle, trailer or semi-trailer which is the subject of a hire-purchase agreement or letting agreement, means the person in possession of the vehicle under the agreement;]

“park”, in relation to a vehicle, means keep or leave stationary, and cognate words shall be construed accordingly;

“parking place” has the meaning specified in paragraph (a) of subsection (2) of section 90;

“pedal bicycle” means a bicycle which is intended or adapted for propulsion solely by the physical exertions of a person or persons seated thereon;

“pedal cycle” means a vehicle which is a pedal bicycle or pedal tricycle;

“pedal cyclist” means a person driving a pedal cycle;

“pedal tricycle” means a tricycle which is intended or adapted for propulsion solely by the physical exertions of a person or persons seated thereon;

F8[‘pedestrian controlled vehicle’] means a mechanically propelled vehicle—

(a) which is neither intended nor adapted for use for carrying the driver or a passenger, or

(b) which is intended or adapted so that there are alternative methods of driving it, namely, by a person carried on it or by a pedestrian,

except during a period during which it is driven while carrying the driver or a passenger

“period of cover” has the meaning assigned to it in paragraph (b) of subsection (1) of section 62 or paragraph (b) of subsection (1) of section 63 (as may be appropriate);

“prescribed” means prescribed by regulations made by the Minister under this Act;

“principal debtor” has the meaning assigned to it in paragraph (a) of subsection (1) of section 63;

F7[‘public place’ means—

(a) any public road, and

(b) any street, road or other place to which the public have access with vehicles whether as of right or by permission and whether subject to or free of charge;]

“public road” means a road the responsibility for the maintenance of which lies on a road authority;

“public service vehicle” means a mechanically propelled vehicle used for the carriage of persons for reward;

F9[‘registered owner’ has the meaning assigned to it by the Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 (S.I. No. 385 of 1992) (as amended by the Road Vehicles (Registration and Licensing) (Amendment) Regulations 2004 (S.I. No. 213 of 2004)), but, if those regulations should be revoked, it shall have the meaning assigned to it by such regulations corresponding to those regulations as may for the time being be in force;]

“the repealed Act” means the Road Traffic Act, 1933 (repealed by this Act);

“road” includes any bridge, pipe, arch, gully, footway, pavement, fence, railing or wall forming part thereof;

F6[‘road authority’ means—

(a) a county council, referred to in Part 1 of Schedule 5,

(b) a city council, referred to in Part 2 of Schedule 5,

(c) a borough council, referred to in Chapter 1 of Part 1 of Schedule 6, or

(d) a town council, referred to in Chapter 2 of Part 1 of Schedule 6,

to the Local Government Act 2001;]

“road traffic weighbridge” has the meaning specified in subsection (4) of section 15;

“roadway” means that portion of a road which is provided primarily for the use of vehicles;

“small public service vehicle” means a public service vehicle which is not a large public service vehicle;

“special disqualification order” has the meaning specified in subsection (5) of section 28;

F7[‘special speed limit’ has the meaning assigned to it by section 46 (inserted by the Road Traffic Act, 1994) of this Act;]

“street service vehicle” means a small public service vehicle the driver of which offers F10[in a public place] himself and the vehicle for hire and for that purpose stands or drives the vehicle F10[in a public place];

“test certificate” has the meaning specified in paragraph (b) of subsection (8) of section 18;

“use”, in relation to a vehicle, includes park, and cognate words shall be construed accordingly;

F11[F12[‘vehicle’ means a mechanically propelled vehicle, a trailer or semi-trailer, an animal-drawn vehicle or a pedal cycle;]]

“vehicle guarantor” has the meaning specified in section 59;

“vehicle insurer” has the meaning specified in section 58.

F13[(2) Where a vehicle, which, apart from this subsection, would be a mechanically propelled vehicle, stands so substantially disabled (either through collision, breakdown or the removal of the engine or other such vital part) as to be no longer capable of being propelled mechanically, it shall be regarded—

(a) for the purposes of the *Road Traffic Acts 1961 to 2010*, if it is disabled through collision, as continuing to be a mechanically propelled vehicle, and

**(b) for all other purposes of this Act as not being a mechanically propelled vehicle.]**

(3) Save in relation to animal-drawn vehicles, any reference in this Act to a drawn vehicle is to a vehicle attached to another (including attached by way of partial superimposition) for the purpose of being drawn thereby, or actually drawn thereby.

(4) Any reference in this Act to the Rules of the Road is to the publication issued (whether before or after the commencement of this section) under that title by the Minister, being the edition thereof which, at the relevant time, is the latest edition.

(5) Any reference in this Act to use of a vehicle with the consent of a person includes a reference to use with his implied consent and to use on his order.

#### Annotations

##### Amendments:

- F1** Substituted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 56(a), S.I. No. 255 of 2011.
- F2** Inserted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 56(b), S.I. No. 255 of 2011.
- F3** Inserted (1.09.1968) by *Road Traffic Act 1968 (25/1968)*, s. 6 and sch., S.I. No. 169 of 1968.
- F4** Inserted (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 49(1)(a)(i) and (ii), S.I. No. 222 of 1994.
- F5** Inserted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 56(c), S.I. No. 255 of 2011.
- F6** Substituted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 71(a) and (b), S.I. No. 255 of 2011.
- F7** Substituted (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 49(1)(a)(iii), (iv) and (v), S.I. No. 222 of 1994.
- F8** Substituted (1.09.1968) by *Road Traffic Act 1968 (25/1968)*, s. 6 and sch., S.I. No. 169 of 1968.
- F9** Substituted (20.01.2005) by *Road Traffic Act 2004 (44/2004)*, s. 32, S.I. No. 8 of 2005.
- F10** Substituted (1.09.1968) by *Road Traffic Act 1968 (25/1968)*, s. 6 and sch., S.I. No. 169 of 1968.
- F11** Inserted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 71(c), S.I. No. 255 of 2011.
- F12** Substituted (25.07.2012) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 46(a), S.I. No. 314 of 2012.
- F13** Substituted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 72, S.I. No. 255 of 2011.

##### Editorial Notes:

- E29** A number of statutory instruments made pursuant to s. 123 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 123 notes that the statutory instrument is also made pursuant to s. 3.

Application to persons and vehicles in the service of the State.

**4.—(1)** Save as is otherwise provided by this section, this Act applies to persons in the public service of the State and to vehicles owned by the State.

(2) Part VI of this Act shall not apply to—

(a) a vehicle owned by the State or a person using such vehicle in the course of his employment,

(b) a vehicle under seizure by a person in the service of the State in the course of his duty or a person using such vehicle in the course of his employment,  
or

- (c) a member of the Garda Síochána or an officer of any Minister using a vehicle for the purpose of a test, removal or disposition of the vehicle pursuant to this Act or any regulation thereunder.

General provisions with respect to regulations.

5.—(1) The Minister may make regulations prescribing any matter or thing which is referred to in this Act as prescribed or to be prescribed.

(2) Every regulation made under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next subsequent twenty-one days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

### Annotations

#### Editorial Notes:

- E30** A number of statutory instruments made pursuant to other sections (ss. 6, 11, 15, 18, 33, 42, 44, 44A, 45, 46, 65, 82, 90, 95, 97, 101B, 103, 121, 122) of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of the section notes that the statutory instrument is also made pursuant to s. 5.
- E31** Power pursuant to section exercised (17.11.2011) by *Road Traffic Act 2010 (Fixed Penalty Notice - Drink Driving) Regulations 2011* (S.I. No. 595 of 2011).
- E32** Power pursuant to section exercised (29.10.2012) by *Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 2012* (S.I. No. 399 of 2012).
- E33** Power pursuant to section exercised (28.10.2011) by *Road Traffic Act 2010 (Section 13) (Prescribed Form and Manner of Statements) Regulations 2011* (S.I. No. 541 of 2011).
- E34** Power pursuant to section exercised (28.10.2011) by *Road Traffic Act 2010 (Sections 15 and 17) (Prescribed Forms) Regulations 2011* (S.I. No. 540 of 2011).
- E35** Power pursuant to subs. (1) exercised (19.01.2013) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2011* (S.I. No. 483 of 2011).
- E36** Power pursuant to subs. (1) exercised (15.12.2006) by *Road Traffic Act 1994 (Control of Traffic - Exemption Permits) Regulations 2006* (S.I. No. 639 of 2006).
- E37** Power pursuant to subs. (1) exercised (18.07.2006) by *Road Traffic Act 2006 (Mobile Phones- Prescribed Numbers) Regulations 2006* (S.I. No. 385 of 2006).
- E38** Power pursuant to section exercised (19.12.2005) by *Road Traffic (Construction, Equipment and use of Vehicles) (Amendment) Regulations 1993 (Revocation) Regulations 2005* (S.I. No. 833 of 2005).
- E39** Power pursuant to section exercised (1.01.2002) by *Road Traffic (Licensing of Trailers and Semi-Trailers)(Amendment) (No.2) Regulations 2001* (S.I. No. 541 of 2001).
- E40** Power pursuant to section exercised (1.04.2001) by *Road Traffic (Licensing of Trailers and Semi-Trailers)(Amendment) Regulations 2001* (S.I. No. 75 of 2001).
- E41** Power pursuant to section exercised (1.08.1998) by *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1998* (S.I. No. 207 of 1998).
- E42** Power pursuant to section exercised (1.11.1993) by *Road Traffic (Control of Supply of Vehicles) (Amendment) Regulations 1993* (S.I. No. 301 of 1993).
- E43** Power pursuant to section exercised (1.03.1991) by *Road Traffic (Control of Supply of Vehicles) Regulations 1991* (S.I. No. 35 of 1991).



- E44** Power pursuant to section exercised (5.12.1990) by *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1990* (S.I. No. 286 of 1990).
- E45** Power pursuant to section exercised (27.08.1987) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1987* (S.I. No. 218 of 1987).
- E46** Power pursuant to section exercised (1.01.1984) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1983* (S.I. No. 363 of 1983).
- E47** Power pursuant to section exercised (1.06.1983) by *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1983* (S.I. No. 127 of 1983).
- E48** Power pursuant to section exercised (1.06.1982) by *Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 1982* (S.I. No. 35 of 1982).
- E49** Power pursuant to section exercised (11.07.1978) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978).
- E50** Power pursuant to section exercised (29.08.1974) by *Road Traffic (Speed Limits)(County of Wicklow) (Amendment) Regulations 1974* (S.I. No. 263 of 1974)
- E51** Power pursuant to section exercised (1.12.1967) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1967* (S.I. No. 274 of 1967).
- E52** Power pursuant to section and s. 46 exercised (1.11.1967) by *Road Traffic (Speed Limits) (Amendment) (No. 2) Regulations 1967* (S.I. No. 224 of 1967).
- E53** Previous affecting provision: power pursuant to section exercised (1.01.1996) by *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1996* (S.I. No. 173 of 1996); revoked (1.08.1998) by *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1998* (S.I. No. 207 of 1998), reg. 3.
- E54** Previous affecting provision: power pursuant to section exercised (17.12.1993) by *Road Traffic General Bye Laws 1964 (Amendment) Regulations 1993* (S.I. No. 393 of 1993); revoked (1.10.1997) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.
- E55** Previous affecting provision: power pursuant to section exercised (10.03.1993) by *Road Traffic General Bye-Laws (Amendment) Regulations 1993* (S.I. No. 63 of 1993); revoked (1.10.1997) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.
- E56** Previous affecting provision: power pursuant to section exercised (29.07.1991) by *Road Traffic General Bye-Laws (Amendment) Regulations 1991* (S.I. No. 204 of 1991); revoked (29.09.1998) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.
- E57** Previous affecting provision: power pursuant to section exercised (30.09.1983) by *Road Traffic General Bye-Laws (Amendment) Regulations 1983* (S.I. No. 275 of 1983); revoked (1.10.1997) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.
- E58** Previous affecting provision: power pursuant to section exercised (14.10.1976) by *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1976* (S.I. No. 240 of 1976); revoked (11.07.1978) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978), reg. 4 and sch. 3.
- E59** Previous affecting provision: power pursuant to section exercised (28.11.1975) by *Road Traffic General Bye-Laws (Amendment) Regulations 1975* (S.I. No. 281 of 1975); revoked (1.10.1998) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.
- E60** Previous affecting provision: power pursuant to section exercised (9.12.1974) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1974* (S.I. No. 342 of 1974); revoked (28.11.1977) by *Road Traffic (Speed Limits)(County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977), reg. 7.
- E61** Previous affecting provision: power pursuant to section exercised (22.11.1974) by *Road Traffic Act 1968 (Part V)(Amendment) Regulations 1974* (S.I. No. 336 of 1974); revoked (11.07.1978) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978), reg. 4 and sch. 3.

- E62** Previous affecting provision: power pursuant to section exercised (9.09.1974) by *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1974* (S.I. No. 263 of 1974); revoked (20.02.1978) by *Road Traffic (Speed Limits)(County of Wicklow) Regulations 1978* (S.I. No. 31 of 1978), reg. 7.
- E63** Previous affecting provision: power pursuant to section exercised (6.08.1974) by *Road Traffic Act 1961 (Section 103)(Offences) (Amendment) Regulations 1974* (S.I. No. 246 of 1974); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.
- E64** Previous affecting provision: power pursuant to section exercised (22.07.1974) by *Road Traffic (Speed Limits) (County of Meath) (Amendment) Regulations 1974* (S.I. No. 230 of 1974); revoked (1.01.1977) by *Road Traffic (Speed Limits)(County of Meath) Regulations 1976* (S.I. No. 300 of 1976), reg. 7.
- E65** Previous affecting provision: power pursuant to section exercised (27.07.1973) by *Road Traffic Act 1968 (Part V) (Amendment) (No. 2) Regulations 1973* (S.I. No. 221 of 1973); revoked (11.07.1978) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978), reg. 4 and sch. 3.
- E66** Previous affecting provision: power pursuant to section exercised (29.05.1973) by *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1973* (S.I. No. 138 of 1973); revoked (11.07.1978) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978), reg. 4 and sch. 3.
- E67** Previous affecting provision: power pursuant to section exercised (14.10.1969) by *Road Traffic Act 1968 (Part V) Regulations 1969* (S.I. No. 196 of 1969); revoked (11.07.1978) by *Road Traffic (Amendment) Act 1978 (Part III) Regulations 1978* (S.I. No. 193 of 1978), reg. 4 and sch. 3.
- E68** Previous affecting provision: power pursuant to section exercised (1.02.1968) by *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1968* (S.I. No. 9 of 1968); revoked (15.07.1980) by *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1980* (S.I. No. 278 of 1980), reg. 7.

Approval of bye-laws made by the Commissioner.

**6.—(1)** A bye-law made by the Commissioner under this Act which is required by this Act to be made with the consent of the Minister shall be submitted in the prescribed manner to the Minister for his approval.

(2) Where a bye-law is submitted to the Minister under this section, the Minister shall either, as he thinks proper, refuse to approve of the bye-law, approve thereof without modification or make such modifications therein as he thinks proper and approve of the bye-law as modified.

(3) A bye-law approved of by the Minister under this section (whether with or without modification) shall be published in the prescribed manner.

(4) No such bye-law as is mentioned in the foregoing subsections of this section shall be of any force or effect unless or until it has been submitted to and approved of by the Minister and published in accordance with this section.

(5) Where the Commissioner proposes to make under this Act a bye-law which is required by this Act to be made after consultation with the local authority concerned, the following provisions shall have effect:

(a) the Commissioner shall give, to the corporation of every county or other borough, council of a county, council of an urban district and commissioners of a town to which or to any part of which the bye-law is intended to apply, notice of his intention to make the bye-law, and the Commissioner shall consider all representations made to him by any such corporation, council or commissioners in respect of the proposed bye-law;

(b) the Commissioner shall, if and when he submits the bye-law to the Minister under this section, give to every such corporation, council and commissioners notice of the submission, and the Minister shall consider all representations

made to him by such corporation, council or commissioners in respect of the bye-law;

(c) the Minister shall not approve of the bye-law before the expiration of one month after notice of the submission of the bye-law to him was given under this section to every such corporation, council and commissioners;

(d) for the purposes of this subsection, a bye-law shall not be deemed to be intended to apply to any part of a county unless it is intended to apply to some part of the county which is not in any borough, urban district or town.

(6) The making of representations pursuant to subsection (5) of this section shall—

(a) where they are made by the council of a county, the corporation of a borough other than a county borough, the council of an urban district or the commissioners of a town, be a reserved function for the purposes of the County Management Acts, 1940 to 1955, and

(b) where they are made by the corporation of a county borough, be a reserved function for the purposes of the Acts relating to the management of the county borough.

(7) Every bye-law made under section 86 or section 88 of this Act and approved of under this section shall be laid before each House of the Oireachtas as soon as may be after it is approved of and, if a resolution annulling the bye-law is passed by either such House within the next subsequent twenty-one days on which that House has sat after the bye-law is laid before it, the bye-law shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

#### Annotations

#### Editorial Notes:

**E69** Power pursuant to subs. (3) and s. 5 exercised (7.04.1962) by *Road Traffic (Bye-Laws and Temporary Rules) (Amendment) Regulations 1962* (S.I. No. 60 of 1962).

**E70** Power pursuant to subs. (1), (3) and ss. 5, 84(3), 89(4) and 90(7) exercised (28.09.1961) by *Road Traffic (Bye-Laws and Temporary Rules) Regulations 1961* (S.I. No. 219 of 1961).

Proof of certain bye-laws and rules.

**7.**—(1) Section 4 of the Documentary Evidence Act, 1925, shall apply to every bye-law F14[and rule made under the *Road Traffic Acts, 1961 to 1994.*]

(2) Subsection (1) of section 6 of the Documentary Evidence Act, 1925, is hereby amended by adding to the official documents mentioned in that subsection bye-laws F14[and rules made under the *Road Traffic Acts, 1961 to 1994.*], and the said section 6 shall have effect accordingly.

#### Annotations

#### Amendments:

**F14** Substituted (22.07.1994) *Road Traffic Act 1994* (7/1994), s. 49(b), S.I. No. 222 of 1994.

Finance.

**8.**—(1) All expenses incurred by any Minister or by the Commissioner in execution of the Roads Act, 1920, of the Finance (Excise Duties) (Vehicles) Acts, 1952 and 1960, or of this Act shall, to such extent as may be sanctioned by the Minister for Finance, F15[be paid out of moneys provided by the Oireachtas.]

(2) F16[...]

(3) F16[...]

(4) F16[...]

(5) F16[...]

(6) So far as may be necessary for the purposes of the transition from the repealed Act to this Act, the references to this Act in subsections (1), (2) and (4) of this section shall be construed as including references to the repealed Act.

#### Annotations

#### Amendments:

- F15** Substituted (18.07.1980) by *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980), reg. 2 and sch.
- F16** Deleted (18.07.1980) by *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980), reg. 2 and sch.

Disposal of fees and fines.

**9.—F17**[(1) Save as is otherwise expressly provided by this Act, all fees and other sums received under this Act or regulations thereunder by the Commissioner or any other member of the Garda Síochána or by an authorised person (within the meaning of section 103 of this Act) shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance directs.]

(2) Save as is otherwise expressly provided by this Act, all fines in respect of offences under this Act shall be paid into the Exchequer in accordance with such directions as may from time to time be given by the Minister for Finance.

(3) All moneys paid into or disposed of for the benefit of the Exchequer under this section shall, for the purposes of section 2 of the Roads Act, 1920, be deemed to have been paid into the Exchequer under that Act.

#### Annotations

#### Amendments:

- F17** Substituted (19.04.1995) by *Road Traffic Act 1994 (7/1994)*, s. 47, S.I. No. 86 of 1995.

#### Modifications (not altering text):

- C18** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

## Schedule 1

## Enactments

...

## Part 2

## 1922 to 2011 Enactments

| Number and Year | Short Title           | Provision                                         |
|-----------------|-----------------------|---------------------------------------------------|
| (1)             | (2)                   | (3)                                               |
| ...             | ...                   | ...                                               |
| No. 24 of 1961  | Road Traffic Act 1961 | Sections 9, 87(1)(e), 101(11) and (12) and 120(2) |
| ...             | ...                   | ...                                               |

Repeals.

**10.—(1)** The enactments mentioned in the First Schedule to this Act are hereby repealed to the extent specified in the third column of that Schedule.

(2) Orders, regulations, bye-laws and rules made under any enactment repealed by this Act and in force at the commencement of this section shall continue in force and be regarded as having been made under the corresponding provision of this Act, and they shall be capable of being amended or revoked accordingly, and documents issued under any such order, regulation, bye-law or rule and in force at such commencement shall continue in force for the purposes of this Act.

## PART II.

## GENERAL PROVISIONS RELATING TO VEHICLES.

Regulations in relation to use of vehicles in public places.

**11.—(1)** The Minister may make regulations in relation to the use of vehicles in public places.

(2) Regulations under this section may, in particular and without prejudice to the generality of subsection (1) of this section, make provision in relation to all or any of the following matters :

- (a) the construction of vehicles;
- (b) vehicle equipment;
- (c) the use and misuse of vehicles and vehicle equipment;
- (d) the conditions subject to which vehicles and vehicle equipment may be used;
- (e) the duties of drivers of vehicles and passengers therein;
- (f) the equipment of such drivers and passengers;
- (g) the use of loudspeakers (including any equipment or devices used in connection therewith) in or on vehicles;
- (h) particulars to be affixed to or painted on vehicles.

(3) Different regulations may be made under this section—

(a) in respect of different classes of vehicles,

(b) for different circumstances and for different areas.

(4) A person shall not use in a public place a vehicle which does not comply with a regulation under this section applying in relation to the vehicle.

(5) (a) A person who contravenes subsection (4) of this section or a regulation under this section shall be guilty of an offence and, where the contravention is of the said subsection (4) and such person is not the owner of the vehicle, such owner shall also, in such cases as may be prescribed, be guilty of an offence.

(b) Where a person who contravenes subsection (4) of this section is not the owner of the vehicle and the owner is charged with an offence under this section, it shall be a good defence to the charge for such owner to show that the use of the vehicle on the occasion in question was unauthorised.

(6) In this section “vehicle equipment” includes all equipment, fittings and instruments fitted to a vehicle or carried on it, and, without prejudice to the generality of the foregoing, lights, reflectors and towing gear F18[and any device which is capable of being used to indicate the existence of, or to frustrate the operation of, electronic or other apparatus being used to give indications from which the speed at which a person was driving can be inferred.]

#### Annotations

#### Amendments:

**F18** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

#### Modifications (not altering text):

**C19** Application of section restricted (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 61, commenced on enactment.

#### Restriction on application of regulations made under section 11 of Act of 1961.

**61.**—Regulations made under section 11 of the Act of 1961 shall not apply to a light rail vehicle.

**C20** Application of subs. (5)(b) not restricted (15.03.1971) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1971* (S.I. No. 96 of 1971), reg. 5.

5. Where a vehicle which does not comply with the relevant provisions of articles 3 and 4 of these Regulations is used in a public place by a person who is not the owner of the vehicle such owner shall also, subject to paragraph (b) of sub-section 5 of section 11 of the Road Traffic Act, 1961, be guilty of an offence.

**C21** Application of regulations under section extended (27.10.1963) by *Road Traffic (Public Service Vehicles) Regulations 1963* (S.I. No. 191 of 1963), reg. 20(3)(a) and (b), as substituted (27.08.1970) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1970* (S.I. No. 200 of 1970), reg. 4.

#### Grant of public service vehicle licence.

[20. (1)...

(3) Where an application for the grant of a public service vehicle licence is duly made, the Commissioner shall, subject to sub-article (4) of this article, grant the licence where he is satisfied that—

(a) where the application is for a licence for the use of a vehicle as a large public service vehicle, the vehicle complies with the regulations in operation under section 11 of the Act applicable to such vehicles,

(b) where the application is for a licence for the use of a vehicle as a public hire vehicle, the character and previous conduct of the applicant are such that the applicant is a fit and proper person to hold such a licence and that the vehicle complies with the regulations in operation under section 11 of the Act applicable to licensed public hire vehicles,

...]

**Editorial Notes:**

- E71** Power pursuant to section exercised (1.10.2012) by *Road Traffic (Driving Mirrors - Additional Requirements for Heavy Goods Vehicles) Regulations 2011* (S.I. No. 457 of 2011).
- E72** Certain offences under *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1978* ( S.I. No. 360 of 1978 ) as amended and *Road Traffic (Lighting of Vehicles) Regulations 1963* ( S.I. No. 189 of 1963) made under section declared to be fixed charge offences and amounts set for fixed charges in respect of contravention (3.08.2012) by *Road Traffic Acts 1961 to 2011 (Fixed Charge Offences) Regulations 2012* (S.I. No. 294 of 2012), reg. (5)(b), (c)(i) and schs. 2 and 3 part 1.
- E73** Power pursuant to section and s. 13 exercised (2.04.2012) by *Road Traffic (Special Permits for Particular Vehicles) (Amendment) Regulations 2012* (S.I. No. 105 of 2012).
- E74** Power pursuant to section exercised (21.12.2011) by *Road Traffic (Lighting of Vehicles) (Blue and Amber Lamps) (Amendment) Regulations 2011* (S.I. No. 695 of 2011).
- E75** Power pursuant to section exercised (21.12.2011) by *Road Traffic (Requirement to have Audible Warning Devices on Vehicles) Regulations 2011* (S.I. No. 694 of 2011).
- E76** Power pursuant to section exercised (31.10.2011) by *Road Traffic (Restraint Systems in Organised Transport of Children) Regulations 2011* (S.I. No. 367 of 2011).
- E77** Power pursuant to section exercised (8.06.2011) by *Road Traffic (Spray-Suppression) Regulations 2011* (S.I. No. 272 of 2011).
- E78** Power pursuant to section exercised (1.06.2011) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2011* (S.I. No. 235 of 2011).
- E79** Power pursuant to section exercised (21.12.2011) by *Road Traffic (Lighting of Vehicles) (Blue and Amber Lamps) (Amendment) Regulations 2011* (S.I. No. 695 of 2011).
- E80** Power pursuant to section exercised (21.12.2011) by *Road Traffic (Requirement to have Audible Warning Devices on Vehicles) Regulations 2011* (S.I. No. 694 of 2011).
- E81** Power pursuant to section (1.10.2012) exercised by *Road Traffic (Driving Mirrors - Additional Requirements for Heavy Goods Vehicles) Regulations 2011* (S.I. No. 457 of 2011).
- E82** Power pursuant to section (31.10.2011) exercised by *Road Traffic (Restraint Systems in Organised Transport of Children) Regulations 2011* (S.I. No. 367 of 2011).
- E83** Power pursuant to section exercised (8.06.2011) by *Road Traffic (Spray-Suppression) Regulations 2011* (S.I. No. 272 of 2011).
- E84** Power pursuant to section exercised (1.06.2011) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2011* (S.I. No. 235 of 2011).
- E85** Power pursuant to this section and s. 13 exercised (24.09.2010) by *Road Traffic (Specialised Vehicle Permits) (Amendment) Regulations 2010* (S.I. No. 461 of 2010).
- E86** Power pursuant to this section and s. 5 exercised (8.06.2010) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Revocation) Regulations 2010* (S.I. No. 259 of 2010).
- E87** Power pursuant to section exercised (21.12.2009) by *Road Traffic (Display of Test Disc) Regulations 2009* (S.I. No. 548 of 2009).
- E88** Power pursuant to section exercised (14.12.2009) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 2009* (S.I. No. 487 of 2009).

- E89** Power pursuant to this section and s. 13 exercised (4.05.2009) by *Road Traffic (Specialised Vehicle Permits) Regulations 2009* (S.I. No. 147 of 2009).
- E90** Power pursuant to section exercised (1.11.2008) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2008* (S.I. No. 366 of 2008).
- E91** Power pursuant to section exercised (1.01.2009) by *Road Traffic (Driving Mirrors Additional Requirements for Heavy Goods Vehicles) Regulations 2008* (S.I. No. 312 of 2008); revoked (1.10.2012) by *Road Traffic (Driving Mirrors - Additional Requirements for Heavy Goods Vehicles) Regulations 2011* (S.I. No. 457 of 2011).
- E92** Power pursuant to section exercised (29.04.2008) by *Road Traffic (Retreaded Tyres) Regulations 2008* (S.I. No. 118 of 2008).
- E93** Power pursuant to section exercised (5.09.2007) by *Road Traffic (Components and Separate Technical Units) (Two and Three Wheel Motor Vehicle) Regulations 2007* (S.I. No. 629 of 2007).
- E94** Power pursuant to section exercised (1.07.2007) by *Road Traffic (Components and Separate Technical Units) Regulations 2007* (S.I. No. 375 of 2007).
- E95** Power pursuant to section exercised (31.05.2006) by *Road Traffic (Requirement to Have Audible Warning Devices on Vehicles) Regulations 2006* (S.I. No. 340 of 2006).
- E96** Power pursuant to section exercised (31.05.2006) by *Road Traffic (Lighting of Vehicles) (Blue and Amber Lamps) Regulations 2006* (S.I. No. 342 of 2006).
- E97** Certain offences under section declared fixed charge offences (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), regs. 4 and 5, in operation as per reg. 2.
- E98** Power pursuant to section exercised (20.01.2005) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2005* (S.I. No. 12 of 2005).
- E99** Power pursuant to this section and s. 5 exercised (17.12.2004) by *Road Traffic (Construction and Use of Vehicles) (Amendment) (No. 2) Regulations 2004* (S.I. No. 858 of 2004).
- E100** Power pursuant to section exercised (1.07.2004) by *Road Traffic (Removal of Exemption From Wearing Seat Belts by Taxi Drivers) Regulations 2004* (S.I. No. 402 of 2004).
- E101** Power pursuant to this section and s. 5 exercised (18.03.2004) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2004* (S.I. No. 99 of 2004).
- E102** Power pursuant to this section, ss. 12 and 13 exercised (16.01.2003) by *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003).
- E103** Power pursuant to this section, ss. 5 and 12 exercised (20.02.2002) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2002* (S.I. No. 51 of 2002).
- E104** Power pursuant to this section, ss. 5 and 12 exercised (13.07.2000) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2000* (S.I. No. 224 of 2000).
- E105** Power pursuant to this section, ss. 5, 18 and 123 exercised (4.01.2000) by *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999).
- E106** Power pursuant to this section, ss. 5 and 12 exercised (30.09.1997) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1997* (S.I. No. 404 of 1997).
- E107** Power pursuant to this section and s. 5 exercised (23.05.1996) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1996* (S.I. No. 137 of 1996).
- E108** Power pursuant to this section and s. 5 exercised (23.05.1996) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 3) Regulations 1996* (S.I. No. 138 of 1996).
- E109** Power pursuant to this section, ss. 5 and 12 exercised (23.05.1996) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 4) Regulations 1996* (S.I. No. 139 of 1996).



- E110** Power pursuant to this section and s. 5 exercised (5.02.1996) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1996* (S.I. No. 26 of 1996).
- E111** Power pursuant to this section and s. 5 exercised (5.02.1996) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1996* (S.I. No. 27 of 1996).
- E112** Power pursuant to this section and s. 5 exercised (1.02.1994) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1994* (S.I. No. 3 of 1994).
- E113** Power pursuant to this section and s. 5 exercised (1.12.1993) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1993* (S.I. No. 322 of 1993).
- E114** Power pursuant to this section, ss. 5 and 12 exercised (1.12.1992) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1992* (S.I. No. 325 of 1992).
- E115** Power pursuant to this section and s. 5 exercised (1.04.1992) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1991* (S.I. No. 358 of 1991).
- E116** Power pursuant to this section and s. 5 exercised (20.12.1991) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 3) Regulations 1991* (S.I. No. 359 of 1991).
- E117** Power pursuant to this section and s. 5 exercised (1.11.1991) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1991* (S.I. No. 273 of 1991).
- E118** Power pursuant to this section and s. 5 exercised (8.07.1991) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1991* (S.I. No. 182 of 1991).
- E119** Power pursuant to this section and s. 5 exercised (1.04.1991) by *Road Traffic (Speed Meter Detectors) Regulations 1991* (S.I. No. 50 of 1991).
- E120** Power pursuant to this section and s. 5 exercised (1.01.1991) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1990* (S.I. No. 319 of 1990).
- E121** Power pursuant to this section and s. 5 exercised (17.10.1989) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1989* (S.I. No. 267 of 1989).
- E122** Power pursuant to this section and s. 5 exercised (17.10.1989) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1989* (S.I. No. 266 of 1989).
- E123** Power pursuant to this section and s. 5 exercised (1.07.1986) by *Road Traffic (Insurance Disc) (Amendment) Regulations 1986* (S.I. No. 227 of 1986).
- E124** Power pursuant to this section and s. 5 exercised (1.01.1986) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1985* (S.I. No. 157 of 1985).
- E125** Power pursuant to this section, ss. 5 and 13 exercised (6.06.1985) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1985* (S.I. No. 158 of 1985).
- E126** Power pursuant to this section and s. 5 exercised (1.07.1984) by *Road Traffic (Insurance Disc) Regulations 1984* (S.I. No. 355 of 1984).
- E127** Power pursuant to this section, ss. 5 and 12 exercised (30.09.1983) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1983* (S.I. No. 278 of 1983).
- E128** Power pursuant to this section and s. 5 exercised (31.07.1981) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1981* (S.I. No. 270 of 1981).
- E129** Power pursuant to this section and s. 5 exercised (28.09.1979) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1979* (S.I. No. 328 of 1979).
- E130** Power pursuant to this section and s. 5 exercised (1.02.1979) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1978* (S.I. No. 360 of 1978).
- E131** Power pursuant to this section and s. 5 exercised (27.09.1974) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1974* (S.I. No. 297 of 1974).

- E132** Power pursuant to this section and s. 5 exercised (15.03.1971) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1971* (S.I. No. 96 of 1971).
- E132** Power pursuant to this section and s. 5 exercised (18.09.1970) by *Road Traffic (Construction Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1970* (S.I. No. 211 of 1970).
- E134** Power pursuant to this section and s. 5 exercised (1.09.1970) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1970* (S.I. No. 128 of 1970).
- E135** Power pursuant to this section and s. 5 exercised (1.09.1970) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1969* (S.I. No. 138 of 1969).
- E136** Power pursuant to this section and s. 5 exercised (23.05.1969) by *Road Traffic (Construction Equipment and Use of Vehicles) (Amendment) Regulations 1969* (S.I. No. 94 of 1969).
- E137** Power pursuant to this section and s. 5 exercised (1.12.1967) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1967* (S.I. No. 273 of 1967).
- E138** Power pursuant to this section and s. 5 exercised (13.02.1967) by *Road Traffic (Lighting of Vehicles) (Amendment) Regulations 1967* (S.I. No. 32 of 1967).
- E139** Power pursuant to this section and s. 5 exercised (20.04.1965) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1965* (S.I. No. 79 of 1965).
- E140** Power pursuant to this section and s. 5 exercised (27.10.1963) by *Road Traffic (Lighting of Vehicles) Regulations 1963* (S.I. No. 189 of 1963).
- E141** Power pursuant to this section, ss. 5, 12 and 13 exercised (27.10.1963) by *Road Traffic (Construction, Equipment and Use of Vehicles) Regulations 1963* (S.I. No. 190 of 1963).
- E142** Previous affecting provision: power pursuant to this section, ss. 5, 18 and 123 exercised (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003); revoked (4.01.2009) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009), reg. 15(a).
- E143** Previous affecting provision: power pursuant to this section and s. 5 exercised (19.03.2002) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 2002* (S.I. No. 93 of 2002); revoked (21.12.2011) by *Road Traffic (Requirement to have Audible Warning Devices on Vehicles) Regulations 2011* (S.I. No. 694 of 2011).
- E144** Previous affecting provision: certain offences under section declared fixed charge offences (25.08.2003) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 2003* (S.I. No. 322 of 2003), reg. 3; revoked and superseded (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 8(c) as per E-note above.
- E145** Previous affecting provision: power pursuant to this section, ss. 5, 18 and 123 exercised (1.03.2002) by *Road Traffic (National Car Test) (Amendment) Regulations 2002* (S.I. No. 55 of 2002); revoked (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003), reg. 17(b).
- E146** Previous affecting provision: power pursuant to this section, ss. 5, 18 and 123 exercised (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001); revoked (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003), reg. 17(a).
- E147** Previous affecting provision: power pursuant to this section, ss. 5, 18 and 123 exercised (1.07.2001) by *Road Traffic (National Car Test) (No 2) Regulations 2001* (S.I. No. 298 of 2001); revoked (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001), reg. 20.
- E148** Previous affecting provision: power pursuant to this section, ss. 5, 18 and 123 exercised (12.02.2001) by *Road Traffic (National Car Test) Regulations 2001* (S.I. No. 32 of 2001); revoked (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001), reg. 20.
- E149** Previous affecting provision: power pursuant to this section, ss. 5, 18 and 123 exercised (21.11.2000) by *Road Traffic (National Car Test) Regulations 2000* (S.I. No. 368 of 2000); revoked (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001), reg. 20.

- E150** Previous amending provision: power pursuant to this section, ss. 5, 18 and 123 exercised (4.01.2000) by *Road Traffic (Car Testing) Regulations 1998* (S.I. No. 481 of 1998), revoked before coming into operation (4.01.2000) by *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999), reg. 1(2).
- E151** Previous affecting provision: power pursuant to this section and s. 5 exercised (25.02.1998) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1998* (S.I. No. 48 of 1998); revoked (8.06.2010) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Revocation) Regulations 2010* (S.I. No. 259 of 2010), reg. 2(c).
- E152** Previous affecting provision: application of subs. (5)(b) not restricted (20.10.1993) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1993* (S.I. No. 299 of 1993), reg. 6; revoked (19.12.2005) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1993 (Revocation) Regulations 2005* (S.I. No. 833 of 2005), reg. 2.
- E153** Previous affecting provision: power pursuant to this section and s. 5 exercised (20.10.1993) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1993* (S.I. No. 299 of 1993); revoked (19.12.2005) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1993 (Revocation) Regulations 2005* (S.I. No. 833 of 2005), reg. 2.
- E154** Previous affecting provision: power pursuant to this section, ss. 5 and 12 exercised (1.01.1987) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1986* (S.I. No. 442 of 1986); revoked (16.01.2003) by *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003), reg. 61(1)(b).
- E155** Previous affecting provision: power pursuant to this section, ss. 5 and 12 exercised (5.05.1983) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1983* (S.I. No. 119 of 1983); revoked (30.09.1983) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1983* (S.I. No. 278 of 1983), reg. 6.
- E156** Previous affecting provision: power pursuant to this section and s. 5 exercised (25.10.1978) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1978* (S.I. No. 291 of 1978); revoked (8.06.2010) by *Road Traffic (Construction, Equipment and Use of Vehicles) (Revocation) Regulations 2010* (S.I. No. 259 of 2010), reg. 2(b).

Maximum weights.

- 12.—**(1) The Minister may make regulations for all or any of the following purposes:
- (a) specifying the maximum weight unladen of mechanically propelled vehicles, of vehicles drawn thereby and of combinations of vehicles;
  - (b) specifying the maximum weight laden of mechanically propelled vehicles, of vehicles drawn thereby and of combinations of vehicles;
  - (c) specifying the maximum weight to be transmitted to the ground or any specified area of the ground by any part of a mechanically propelled vehicle or of a vehicle drawn thereby;
  - (d) specifying the manner in which and the conditions under which any particular weights (other than weights unladen) prescribed by the regulations are to be ascertained.
- (2) Different regulations may be made under this section—
- (a) in respect of different classes of vehicles or of combinations of vehicles,
  - (b) for different circumstances.
- (3) A person shall not use on a public road—
- (a) a vehicle or combination of vehicles of which the weight unladen exceeds the maximum weight specified by a regulation under this section applying in relation to the vehicle or combination,

(b) a laden vehicle or combination of vehicles of which the weight as then laden exceeds the maximum weight laden specified by a regulation under this section applying in relation to the vehicle or combination F19[or indicated on a plate or certificate issued under section 11 of the Road Traffic Act, 1968, and in force in respect of the vehicle or combination], or

(c) a vehicle any part of which transmits to the ground a greater weight than the maximum weight specified in respect of such transmission by a regulation under this section applying in relation to the vehicle F19[or indicated on a plate or certificate issued under section 11 of the Road Traffic Act, 1968, and in force in respect of the vehicle].

F20[(4) (a) Where a person contravenes subsection (3) of this section he and, if he is not the owner of the vehicle or combination of vehicles, such owner shall each be guilty of an offence.

(b) A person who is guilty of an offence under this section shall be liable on summary conviction to F21[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.]

F22[(4A) Where a person contravenes subsection (3)(b) of this section and the load or loads were consigned to such person by one consignor alone, that consignor shall be guilty of an offence.

(4B) In a prosecution under subsection (4A) of this section it shall be a good defence for the consignor to prove—

(a) that it was not practicable for the consignor to estimate the laden weight of the vehicle or combination of vehicles, or

(b) that an estimate of the laden weight of the vehicle or combination of vehicles carried out by the consignor prior to the dispatch of the goods indicated that the weight of the vehicle or combination of vehicles did not exceed the maximum weight laden specified by a regulation under this section applying in relation to the vehicle or combination of vehicles.

(4C) In this section 'consignor' means a person who engages the services of another person for the carriage by road of merchandise in a vehicle or combination of vehicles.]

(5) Where a person charged with an offence under this section is the owner of the vehicle or combination of vehicles, it shall be a good defence to the charge for him to show that the vehicle or combination was being used on the occasion in question by another person and that such use was unauthorised.

#### Annotations

#### Amendments:

- F19** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F20** Substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(2), commenced on enactment.
- F21** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 1, S.I. No. 86 of 2007.
- F22** Inserted (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 17(1), S.I. No. 264 of 1999.

**Editorial Notes:**

- E157** A number of statutory instruments made pursuant to s. 11 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 11 notes that the statutory instrument is also made pursuant to s. 12. These statutory instruments are not separately listed under this section.
- E158** Power pursuant to section exercised (1.04.2013) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2013* (S.I. No. 43 of 2013).
- E159** Certain offences under *Road Traffic (Construction and Use of Vehicles) Regulations 2003* ( S.I. No. 5 of 2003), made under this section, declared to be fixed charge offences and amounts set for fixed charges in respect of contravention (3.08.2012) by *Road Traffic Acts 1961 to 2011 (Fixed Charge Offences) Regulations 2012* (S.I. No. 294 of 2012), reg. (5)(a) and sch. 1.
- E160** Power pursuant to section exercised (15.12.2011) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011* (S.I. No. 654 of 2011).
- E161** Additional penalty potentially prescribed for offence under section (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 15(1), S.I. No. 169 of 1968.
- E162** Previous affecting provision: power pursuant to section exercised (27.06.2011) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011* (S.I. No. 315 of 2011); revoked (15.12.2011) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011* (S.I. No. 654 of 2011).
- E163** Previous affecting provision: power pursuant to section exercised (17.09.2010) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2010* (S.I. No. 452 of 2010); revoked (27.06.2011) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2011* (S.I. No. 315 of 2011), reg. 3.
- E164** Previous affecting provision: power pursuant to section exercised (23.12.2009) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2009* (S.I. No. 576 of 2009); revoked (17.09.2010) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2010* (S.I. No. 452 of 2010), reg. 3.
- E165** Previous affecting provision: power pursuant to section exercised (23.12.2008) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2008* (S.I. No. 589 of 2008); revoked (23.12.2009) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 576 of 2009), reg. 3.
- E166** Previous affecting provision: power pursuant to section exercised (18.12.2007) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2007* (S.I. No. 829 of 2007); revoked (23.12.2008) by *Road Traffic (Weight Laden of 5 Axle Articulated Vehicles) Regulations 2008* (S.I. No. 589 of 2008), reg. 3.
- E167** Previous affecting provision: fine in subs. (4) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, pt. 1, ref. no. 1, S.I. No. 491 of 2002. Fine increased as per above F-note.

Special permits for particular vehicles.

**13.—(1)** The Minister may make regulations for all or any of the following purposes:

- (a) the issue of special permits authorising particular vehicles or combinations of vehicles which contravene one or more regulations under section 11 or 12 of this Act to be used notwithstanding such contravention;
- (b) specifying the limitations, restrictions and conditions which are to be, or may be, inserted in the special permits, including conditions as to compensation, or as to securing by deposit the payment of compensation, for damage to public roads which may arise from the use of the vehicles or combinations of vehicles to which the special permits relate;
- (c) specifying the persons by whom the special permits may be issued;

(d) specifying the manner in which applications for the special permits are to be made.

(2) Notwithstanding anything contained in this Part of this Act, the use of a vehicle or combination of vehicles under and in accordance in all respects with a special permit issued in respect of the vehicle or combination under regulations under this section shall not constitute an offence under section 11 or 12 (as the case may be) of this Act.

#### Annotations

#### Editorial Notes:

**E168** A number of statutory instruments made pursuant to s. 11 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 11 note that the statutory instrument is also made pursuant to s. 13. These statutory instruments are not separately listed under this section.

**E169** Power pursuant to section exercised (13.06.2007) by *Road Traffic (Special Permits for Particular Vehicles) Regulations 2007* (S.I. No. 283 of 2007).

Weight unladen. **14.**—(1) For the purposes of this Act, the weight unladen of a vehicle or combination of vehicles shall be taken to be the weight of the vehicle or combination inclusive of all additions, but exclusive of the weight of water, fuel or accumulators (other than boilers) used for the purpose of propulsion and of loose tools or loose equipment.

(2) For the purposes of subsection (1) of this section—

(a) each of the following shall, with respect to a vehicle or combination of vehicles, be an addition:

- (i) a body,
- (ii) a part,
- (iii) a fitting,
- (iv) a receptacle,

(b) in a case in which there is one addition only, the reference to all additions shall be construed as a reference to that addition,

(c) in a case in which, there being two additions (and not more), on no occasion are both of them used, the reference to all additions shall be construed as a reference to the heavier only of the additions or, where they are of equal weight, to one of them only,

(d) in a case in which, there being three or more additions, on no occasion are all of them used, the reference to all additions shall be construed as a reference to the heaviest combination of the additions which is used on any occasion.

(3) In a case coming within paragraph (d) of subsection (2) of this section, where one only of the additions is used on a particular occasion, “combination of the additions” in that paragraph shall, in relation to that occasion, be taken as referring to that addition.

(4) (a) Anything placed on a vehicle or combination of vehicles for the purpose of the conveyance of goods or burden of any other description shall, subject to the next paragraph, be a receptacle for the purposes of the foregoing subsections of this section.

(b) Anything so placed is excepted from the foregoing paragraph if in relation to no journey are goods or burden of any other description both loaded into and unloaded from it without its being removed from the vehicle or combination.

(5) In a prosecution under this Act, the onus of proving that anything comes within the exception specified in subsection (4) of this section shall lie on the defendant.

Weighbridges.

**15.—(1)** (a) A road authority may declare any weighbridge (whether maintained by them or not, whether within or outside their functional area and whether a road traffic weighbridge or not) to be an appointed weighbridge for the purposes of this Act, and every weighbridge so declared shall be known and is in this Act referred to as an appointed weighbridge.

(b) Any such declaration may be revoked by a subsequent declaration made by the same road authority.

(c) Where a road authority make a declaration under this subsection, they shall give the prescribed notice to the public of the making of the declaration.

(2) A road authority may (and, if required by the Minister, shall) provide on or adjacent to any public road in their charge a weighbridge of such dimensions, power, design and construction as may be approved of by the Minister.

(3) Every road authority owning a weighbridge erected under an enactment repealed by the repealed Act, under the repealed Act or under this section shall maintain the weighbridge in good condition and proper order and shall make the weighbridge available for the weighing of vehicles and their loads at all reasonable times.

(4) A weighbridge maintained under subsection (3) of this section shall be known and is in this Act referred to as a road traffic weighbridge.

(5) The road authority by whom a road traffic weighbridge is maintained may charge for weighings on the weighbridge (except weighings requisitioned under this Act by a member of the Garda Síochána or an officer of a road authority F23[or an officer of the Minister]) such fees as they may fix from time to time.

(6) A road authority may contribute, on such conditions as they think fit, to the cost of the provision, maintenance or operation of an appointed weighbridge other than a road traffic weighbridge provided by themselves.

(7) (a) A road authority may acquire and operate a weighbridge which is transportable and may make it available for use by members of the Garda Síochána F23[or an officer of the Minister].

(b) References in this Act to a mobile weighbridge are to a weighbridge under this subsection.

**Annotations**

**Amendments:**

**F23** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**Editorial Notes:**

**E170** Power pursuant to this section and s. 5 exercised (12.10.1963) by *Road Traffic (Weighbridges) Regulations 1963* (S.I. No. 192 of 1963).

Requirements  
with respect to  
weighing.

16.—(1) Where an authorised officer observes a vehicle or combination of vehicles on any occasion on a public road and he suspects that the weight laden of the vehicle or combination or the weight transmitted to the ground by any part of the vehicle or combination is such that the use of the vehicle or combination constitutes an offence under this Act—

- (a) in case the officer has with him a mobile weighbridge, the officer may require the person in charge of the vehicle or combination—
  - (i) to permit the officer to ascertain by means of the mobile weighbridge the weight transmitted to the ground by any part of the vehicle or combination with the load or loads (if any) thereon; and
  - (ii) to do all such things as may be indicated by the officer and are reasonably necessary to facilitate him in effecting such ascertainment;
- (b) in any other case, the officer may require the person in charge of the vehicle or combination to do all or any of the following things:
  - (i) forthwith to bring the vehicle or combination with the load or loads (if any) thereon to any appointed weighbridge named by the officer and not more than F24[25 kilometres] distant by the shortest available route from the place at which the requisition is made;
  - (ii) to carry the officer to the weighbridge in the vehicle or combination;
  - (iii) to cause the vehicle (or any part thereof) or combination (or any part thereof) with the load or loads (if any) thereon to be weighed on the weighbridge in the presence of the officer.

(2) Where—

- (a) an authorised officer observes a vehicle or combination of vehicles on any occasion on a public road,
- (b) the officer suspects that the weight unladen of the vehicle or combination is such that use of the vehicle or combination constitutes an offence under this Act, and
- (c) the vehicle or combination either has no load or has a load or loads which can be unloaded without undue inconvenience, the officer may require the person in charge of the vehicle or combination to do all or any of the following things :
  - (i) forthwith to bring the vehicle or combination, inclusive of all additions with it on the said occasion, to any appointed weighbridge named by the officer and not more than F24[25 kilometres] distant by the shortest available route from the place at which the requisition is made;
  - (ii) to carry the officer to the weighbridge in the vehicle or combination;
  - (iii) to unload the vehicle or combination if it has a load or loads;
  - (iv) to cause the vehicle or combination, inclusive of all additions with it on the said occasion, to be weighed on the weighbridge in the presence of the officer.

(3) For the purposes of subsection (2) of this section—

- (a) each of the following shall, with respect to a vehicle or combination of vehicles, be an addition:
  - (i) a body,
  - (ii) apart,



(iii) a fitting,

(iv) a receptacle,

(b) in a case in which there is one addition only, any reference to all additions shall be construed as a reference to that addition.

(4) Anything placed on a vehicle or combination of vehicles for the purpose of the conveyance of goods or burden of any other description shall be a receptacle for the purposes of subsections (2) and (3) of this section.

F25[(5) A person who contravenes a requirement under this section shall be guilty of an offence and shall be liable on summary conviction to F26[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.]

(6) Where a weighing is, consequent upon a requirement under this section, carried out on an appointed weighbridge not maintained by a road authority, the fee for the weighing shall be recouped to the person paying it by—

(a) in case the weighbridge was declared to be an appointed weighbridge by one road authority only—that authority, and

(b) in any other case—by such one of the road authorities by whom the weighbridge was declared to be an appointed weighbridge as may be agreed upon between those authorities or, in default of agreement, as may be determined by the Minister.

(7) (a) In this section “authorised officer” means—

(i) a member of the Garda Síochána, or

(ii) an officer F27[or a servant] of the road authority charged with the maintenance of the public road on which the vehicle or combination of vehicles is observed, authorised by that authority as an authorised officer for the purposes of this section.

F27[or

(iii) an officer of the Minister authorised by the Minister as an authorised officer for the purposes of this section.]

(b) Where a person appointed to be an authorised officer for the purposes of this section makes a requirement under this section, he shall, if requested by the person to whom the requirement is addressed, produce his authorisation as such officer for examination by that person.

#### Annotations

#### Amendments:

**F24** Substituted (30.08.1999) by *Road Transport Act 1999* (15/1999), s. 17(2), S.I. No. 264 of 1999.

**F25** Substituted (18.07.1984) by *Road Traffic Act 1984* (16/1984), s. 3(3), commenced on enactment.

**F26** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 2, S.I. No. 86 of 2007.

**F27** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

#### Modifications (not altering text):

**C22** Application of section extended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 16, S.I. No. 169 of 1968.

**Extension of powers of authorised officer under section 16 of Principal Act.**

**16.**—(1) The powers conferred on an authorised officer by section 16 (1) and 16 (2) of the Principal Act are hereby extended—

- (a) to include power to inspect any part of a vehicle or combination of vehicles for the purpose of forming an opinion as to whether or not the appropriate regulations under sections 11 and 12 of that Act have been or are being complied with, and
- (b) to include power to require the person in charge of a vehicle or combination of vehicles not to proceed further in the vehicle or combination if and so long as—
  - (i) the vehicle or combination having been weighed in accordance with the said section 16, there is, in the opinion of the officer, a contravention of section 12 (3) of the Principal Act in relation to that vehicle or combination, or
  - (ii) the authorised officer is of opinion that the vehicle or combination does not comply with a regulation under section 11 or 12 of the Principal Act and would, if permitted to proceed further, be likely to cause damage to a public road.

(2) A member of the Garda Síochána may arrest without warrant a person who has refused or failed to comply with a requirement mentioned in subsection (1) (b) (ii).

Expenses of extraordinary traffic.

**17.**—(1) Where it appears to the road authority charged with the maintenance of a public road that, having regard to the average expense of repairing that road, extraordinary expenses have been or will be incurred in repairing the road by reason of the damage caused by excessive weight passing along the road or other extraordinary traffic thereon, the amount of the extraordinary expenses shall be paid to the road authority by the person by whom or in consequence of whose order such weight or traffic has been conducted and, in default of that amount being so paid, it shall be recoverable as a simple contract debt in any court of competent jurisdiction.

(2) Subsection (1) of this section shall have effect subject to the following provisos:

- (a) any person required by the subsection to pay extraordinary expenses may enter into an agreement with a road authority for the payment to them of a composition in respect of the relevant weight or traffic and, on paying the composition, shall not be liable under the subsection;
- (b) the subsection shall be construed as not applying to damage caused as a result of—
  - (i) Córas Iompair Éireann carrying on a passenger road service,
  - (ii) a person carrying on a passenger road service under a licence granted under the Road Transport Act, 1932, or
  - (iii) a person carrying on a business authorised by a merchandise licence granted under the Road Transport Act, 1933;
- (c) proceedings under the subsection shall be commenced within twelve months after the time at which the damage was done, or, where the damage is in consequence of any particular building contract or work extending over a long period, shall be commenced not later than six months after the completion of the contract or work;
- (d) in any such proceedings the amount for which judgment may be given shall be the amount of the expenses shown to the satisfaction of the court to have been or to be likely to be incurred by the road authority by reason of the damage from the extraordinary traffic.

**F28**[(3) The jurisdiction relating to the recovery under this section of the amount of any extraordinary expenses incurred by a road authority in repairing a road shall, concurrently with the High Court, be exercised at the election of the plaintiff by—

- (a) the judge of the Circuit Court for the time being assigned to the circuit or, as may be appropriate, the justice of the District Court for the time being assigned to the district, where the damage was done, or
- (b) the judge of the Circuit Court for the time being assigned to the circuit or, as may be appropriate, the justice of the District Court for the time being assigned to the district, where the defendant or one of the defendants resides or carries on business.]

**Annotations****Amendments:**

**F28** Inserted (1.09.1968) by *Road Traffic Act 1968 (25/1968)*, s. 6 and sch., S.I. No. 169 of 1968.

Tests of mechanically propelled vehicles.

**18.**—(1) A person shall not use in a public place a F29[...] vehicle to which this section applies unless at that time there is in force in respect of the vehicle a test certificate.

(2) Where a person contravenes subsection (1) of this section, he and, if he is not the owner of the vehicle, such owner shall each be guilty of an offence and shall be liable on summary conviction to F30[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

(3) Where, in a prosecution for an offence under this section, it is shown that, a demand having been made under section 19 of this Act,—

- (a) the person on whom the demand was made refused or failed to produce a test certificate then and there, or
- (b) such person, having duly produced a test certificate consequent upon the demand, refused or failed to permit the member of the Garda Síochána to whom such certificate was produced to read and examine it,

it shall be presumed, until the contrary is shown by the defendant, that the vehicle was being used in contravention of this section.

(4) Where a person charged with an offence under this section is the owner of the vehicle, it shall be a good defence to the charge for the person to show that the vehicle was being used without his consent and either that he had taken all reasonable precautions to prevent its being used or that it was being used by his servant acting in contravention of his orders.

(5) Where a person charged with an offence under this section was the servant of the owner of the vehicle, it shall be a good defence to the charge for the person to show that he was using the vehicle in obedience to the express orders of the owner.

(6) In this section “the issuing authority” means the person who, in the case in question and in accordance with the regulations under this section, is the issuing authority.

(7) The owner of a F29[...] vehicle to which this section applies may apply to the issuing authority for a test certificate in respect of the vehicle.

(8) Where an application is duly made under subsection (7) of this section and the prescribed fee is paid—

- (a) the issuing authority shall test or cause to be tested the vehicle in accordance with the regulations under this section,

(b) in case the issuing authority is satisfied as a result of the test that the vehicle complies with the prescribed requirements, it shall issue a certificate (in this Act referred to as a test certificate) certifying such compliance,

(c) in case the issuing authority is not so satisfied—

(i) the issuing authority shall refuse to issue a test certificate and shall issue to the applicant a statement of the reasons for the refusal,

(ii) if the applicant is aggrieved by the refusal or the grounds thereof, he may appeal to the Justice of the District Court having jurisdiction in the place where the vehicle is ordinarily kept and the Justice may either refuse the appeal or direct a new test of the vehicle.

(9) The Minister may make regulations for the purpose of giving effect to this section.

(10) Regulations under this section may, in particular and without prejudice to the generality of subsection (9) of this section, make provision for all or any of the following matters:

(a) the classes of F29[...] vehicles to which this section applies;

(b) exempting from subsection (1) of this section the use of vehicles for specified purposes or in specified circumstances;

(c) the specifying of the persons to be issuing authorities for the purposes of this section;

(d) the specifying of the persons by whom issuing authorities may cause tests to be carried out for the purposes of this section;

(e) the specifying of the persons by whom new tests directed pursuant to subparagraph (ii) of paragraph (c) of subsection (8) of this section are to be carried out;

(f) the making of applications for test certificates and the specifying of conditions subject to which such applications may be made;

(g) the fees to be paid by applicants for test certificates and the disposition of such fees;

(h) the requirements in respect of which tests are to be carried out;

(i) the nature of tests;

(j) the manner in which, the conditions under which and the apparatus with which tests are to be carried out;

(k) the maintenance of apparatus used for carrying out tests;

(l) powers of inspection of premises and apparatus used for testing F29[...] vehicles;

(m) the keeping of records by specified persons;

(n) the form and period of validity of test certificates;

(o) the delegation by issuing authorities to specified persons of the functions of such authorities under paragraphs (b) and (c) of subsection (8) of this section.

(11) Regulations under this section may make different provisions for different classes of cases coming within the same matter.

(12) A person who contravenes a regulation under this section which is stated to be a penal regulation shall be guilty of an offence.

(13) The existence of a test certificate shall not affect any prosecution for an offence under any other section of this Act.

#### Annotations

#### Amendments:

- F29** Deleted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F30** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 3, S.I. No. 86 of 2007.

#### Modifications (not altering text):

- C23** Application of section extended (4.01.2010) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009), reg. 3, in operation as per reg. 1(2).

#### Application

3. (1) Section 18 and these Regulations apply to a vehicle, other than a small public service vehicle or a vehicle mentioned in paragraph (4)—

(a) from the fourth anniversary of first registration of the vehicle, or

(b) where the vehicle was first registered—

(i) before 1 January 1992, from the anniversary of first registration of the vehicle which occurred in the year 2000,

(ii) between 1 January 1992 and 31 December 1996, from the anniversary of first registration of the vehicle which occurred in the year 2001, or

(iii) between 1 January 1997 and 31 December 1998, from the anniversary of first registration of the vehicle which occurred in the year 2002

(2) The test due dates for a vehicle mentioned in paragraph (1) are:

(a) from the commencement of these Regulations until 31 May 2011, the anniversary dates mentioned in paragraph (1) and each subsequent biennial of those dates, and

(b) from 1 June 2011, the anniversary dates mentioned in paragraph (1) and—

(i) from the tenth anniversary of first registration of the vehicle, each subsequent anniversary of those dates, and

(ii) in any other case, each subsequent biennial of those dates.

(3) Section 18 and these Regulations apply to—

(a) a small public service vehicle, other than a new small public service vehicle, from the date of the application for a SPSV licence in respect of the vehicle,

(b) a new small public service vehicle, on the anniversary of the issue of its SPSV licence.

(4) The test due date for a vehicle mentioned in paragraph (3) is the date or anniversary date, as the case may be, mentioned in that paragraph and each subsequent anniversary of those dates.

(5) This Regulation does not apply to a vehicle—

(a) first registered prior to 1 January 1980,

(b) which is used solely on an off-shore island,

(c) on the day on which a test certificate in respect of the vehicle had been refused, or

(d) which is owned or operated by the Garda Síochána or the Defence Forces.

- C24** Application of section extended (4.01.2000) by *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999), regs. 3 and 4, in operation as per reg. 1(2).

3. (1) Subject to sub-article (2) and to article 4, section 18 of the Principal Act and these Regulations shall apply to vehicles having at least four wheels, which are designed and constructed

primarily for the carriage of passengers and which have a maximum of 8 seats excluding the driver's seat and a maximum design gross vehicle weight of 3,500 kilograms.

(2) Sub-article (1) shall not apply to a vehicle—

- (a) which is an historic vehicle,
- (b) which is solely used on an off-shore island,
- (c) which is being driven to a test centre, for the purposes of having a test, or a re-test, carried out, for which an appointment had been made prior to the time of such driving,
- (d) on the day on which a test certificate in respect of the said vehicle had been refused,
- (e) which is a small public service vehicle in accordance with the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995 (S.I. No. 136 of 1995)

4. (1) Subject to sub-paragraph (2) of article 3, section 18 of the Principal Act and these Regulations shall apply to a vehicle that was first registered—

- (i) before 1 January, 1992, from the anniversary of first registration which occurs in the year 2000;
- (ii) between 1 January, 1992 and 31 December 1996, inclusive of both dates, from the anniversary of first registration which occurs in the year 2001;
- (iii) on or after 1 January, 1997, from the anniversary of first registration which occurs in the year 2002, or, from the fourth anniversary of first registration, whichever is the later day;
- (iv) in the case of a vehicle for which a certificate of roadworthiness in accordance with the European Communities (Vehicle Testing) Regulations 1991 to 1999 was issued on or before 3 January 2000, from the date on which such certificate ceases to be current.

**Editorial Notes:**

- E171** A number of statutory instruments made pursuant to ss. 11 and 123 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of those sections notes that the statutory instrument is also made pursuant to s. 18. These statutory instruments are not separately listed under this section.
- E172** Power pursuant to section exercised (4.02.2013) by *Road Traffic (National Car Test) (Amendment) Regulations 2013* (S.I. No. 10 of 2013).
- E173** Power pursuant to section exercised (2.04.2012) by *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2012* (S.I. No. 104 of 2012).
- E174** Power pursuant to section exercised (2.04.2012) by *Road Traffic (National Car Test) (Amendment) Regulations 2012* (S.I. No. 103 of 2012).
- E175** Power pursuant to section exercised (3.01.2012) by *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2011* (S.I. No. 711 of 2011).
- E176** Power pursuant to section exercised (3.01.2012) by *Road Traffic (National Car Test) (Amendment) Regulations 2011* (S.I. No. 623 of 2011).
- E177** Power pursuant to section exercised (4.01.2010) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009).
- E178** Power pursuant to this section and s. 5 exercised (1.11.2002) by *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2002* (S.I. No. 500 of 2002).
- E179** Previous affecting provision: power pursuant to section exercised (30.04.2009 and 25.11.2009) by *Road Traffic (Driving Instructor Licensing) Regulations 2009* (S.I. No. 146 of 2009); revoked (3.06.2009) by *Road Traffic (Driving Instructor Licensing) (No. 2) Regulations 2009* (S.I. No. 203 of 2009), reg. 51.

- E180** Previous affecting provision: power pursuant to section exercised (23.12.2008) by *Road Traffic (National Car Test) (Amendment) Regulations 2008* (S.I. No. 588 of 2008); revoked (4.01.2010) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009), reg. 15(b).
- E181** Previous affecting provision: power pursuant to section exercised (1.02.2009) by *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2008* (S.I. No. 590 of 2008); revoked (4.01.2010) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009), reg. 15(c).
- E182** Previous affecting provision: power pursuant to section exercised (1.03.2005) by *Road Traffic (National Car Test) (Amendment) Regulations 2005* (S.I. No. 62 of 2005); revoked (1.02.2009) by *Road Traffic (National Car Test) (Amendment) (No. 2) Regulations 2008* (S.I. No. 590 of 2008), reg. 3.
- E183** Previous affecting provision: application of section extended (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003), reg. 3, in operation as per reg. 1(2); revoked and superseded (4.01.2009) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009), reg. 15(a).
- E184** Previous affecting provision: fine in subs. (2) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, ref. no. 2, S.I. No. 491 of 2002. Fine increased as per above F-note.
- E185** Previous amending provision: application of section extended (4.1.2000 and other dates) by *Road Traffic (Car Testing) Regulations 1998* (S.I. No. 481 of 1998), reg. 3, in operation as per reg. 1(2); revoked before coming into operation and superseded (4.01.2000) by *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999), reg. 1(2).
- E186** Previous affecting provision: fine in subs. (2) increased (18.07.1984) by *Road Traffic Act 1984* (16/1984), s. 3(1) and table, ref. no. 10, commenced on enactment. Fine increased as per above E-note.

Production of test certificate on demand.

- 19.—(1) (a)** Where a member of the Garda Síochána has reasonable grounds for believing that a F31[...] vehicle to which section 18 of this Act applies has been used in a public place on a particular occasion (including a case in which the member has himself observed the use) and that the actual user of the vehicle on that occasion was a particular person, the member may, at any time not later than one month after the occasion, demand of the person the production of a test certificate in respect of the vehicle in force on the occasion and, if the person refuses or fails to produce any such certificate then and there, he shall, unless within ten days after the day on which the production was demanded he produces such certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the person at the time at which the production was demanded, be guilty of an offence.
- (b) In a prosecution for an offence under this subsection, it shall be presumed, until the contrary is shown by the defendant, that he did not, within ten days after the day on which the production was demanded produce the certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the defendant at the time at which the production was demanded.
- (c) It shall be a good defence in a prosecution for an offence under this subsection if the defendant shows that on the occasion in question—
- (i) he did not use the vehicle, or
- (ii) he was the servant of the owner of the vehicle and was using the vehicle in obedience to the express orders of the owner.
- (2) (a)** Where a member of the Garda Síochána has reasonable grounds for believing that a F31[...] vehicle to which section 18 of this Act applies has been used in a public place on a particular occasion (including a case in

which the member has himself observed the use), the member may, at any time not later than one month after the occasion, demand of the owner of the vehicle the production of a test certificate in respect of the vehicle in force on the occasion and, if the owner refuses or fails to produce any such certificate then and there, he shall, unless within ten days after the day on which the production was demanded he produces such certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the owner at the time at which such production was demanded, be guilty of an offence.

- (b) In a prosecution for an offence under this subsection, it shall be presumed, until the contrary is shown by the defendant, that he did not, within ten days after the day on which production was demanded, produce the certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the defendant at the time at which the production was demanded.
- (c) It shall be a good defence in a prosecution for an offence under this subsection if the defendant shows—
- (i) that the vehicle was not used on the occasion in question, or
- (ii) that a person other than himself used the vehicle on the occasion in question, that it was so used without his consent and either that he had taken all reasonable precautions to prevent its being so used or that the person so using it was his servant acting in contravention of his orders.

(3) Where a person produces pursuant to this section a certificate to a member of the Garda Síochána but refuses or fails to permit the member to read and examine it, he shall be guilty of an offence and the member may demand of him his name and address.

(4) Where a person whose name and address is demanded under subsection (3) of this section refuses or fails to give his name and address or gives a name or address which is false or misleading, he shall be guilty of an offence.

(5) A member of the Garda Síochána may arrest without warrant—

- (a) a person who pursuant to this section produces a certificate but refuses or fails to permit the member to read and examine it, or
- (b) a person who, when his name and address is demanded of him by the member under this section, refuses or fails to give his name and address or gives a name or address which the member has reasonable grounds for believing to be false or misleading.

#### Annotations

#### Amendments:

**F31** Deleted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

Powers of occasional examination, inspection and test.

**20.**—(1) Where a member of the Garda Síochána observes a mechanically propelled vehicle or combination of vehicles in a public place and he suspects that there is a defect affecting the vehicle or combination which is such that it is, when in use, a danger to the public or, in the case of a public service vehicle, there is a defect affecting it which is such that either it is a danger to the public or it is rendered unfit for the carriage of passengers, he may inspect and examine the vehicle or combination and, for the purpose of carrying out the inspection and examination, may do all such things and make all such requirements in relation to it as are reasonably necessary.



(2) For the purposes of subsection (1) of this section and without prejudice to the generality of the powers conferred thereby, a member of the Garda Síochána may—

- (a) require the person in charge of a mechanically propelled vehicle or combination of vehicles to bring it to a convenient place indicated by the member suitable for the carrying out of an inspection and examination under this section and not more than five miles distant by the shortest available route from the place at which the requisition is made, and to carry the member in the vehicle or combination,
- (b) drive a mechanically propelled vehicle or combination of vehicles for a reasonable time and distance,
- (c) require the person in charge of a mechanically propelled vehicle or combination of vehicles to drive it or cause it to be driven for a reasonable time and distance in such direction and manner and at such speed as the member directs, and to carry the member in it while it is being so driven,
- (d) carry out or cause to be carried out such tests as the member considers reasonable.

(3) Where a member of the Garda Síochána has, F32[consequent upon an inspection and examination under section 12 of the Road Traffic Act, 1968, of a mechanically propelled vehicle, or] consequent upon having inspected and examined under this section a mechanically propelled vehicle, reasonable grounds for believing that there is a defect affecting it which is such that it is, when in use, a danger to the public, he may—

- (a) instruct the person in charge that it is not to be driven in a public place until the defect has been remedied,
- (b) require the person in charge or the owner to submit it for a further examination and test at a specified time and place.

(4) Where a member of the Garda Síochána has, consequent upon having inspected and examined under this section a public service vehicle, reasonable grounds for believing that there is a defect (other than a defect referred to in subsection (3) of this section) affecting it which is such that it is rendered unfit for the carriage of passengers, he may—

- (a) instruct the person in charge that it is not to be used for the carriage of passengers for reward until the defect is remedied,
- (b) require the person in charge or the owner to submit it for a further examination and test at a specified time and place.

(5) Where a member of the Garda Síochána has, F33[consequent upon an inspection and examination under section 12 of the Road Traffic Act, 1968, of a vehicle drawn by a mechanically propelled vehicle, or] consequent upon having inspected and examined under this section a vehicle drawn by a mechanically propelled vehicle, reasonable grounds for believing that there is a defect affecting it which is such that it is, when in use, a danger to the public, he may—

- (a) instruct the person in charge that the vehicle is not to be drawn in a public place by a mechanically propelled vehicle until the defect is remedied,
- (b) require the person in charge or the owner to submit the vehicle for a further examination and test at a specified time and place.

(6) A member of the Garda Síochána may test any pedal cycle and, for the purpose of carrying out the test, may do all such things and make all such requirements in relation to the cycle as are reasonably necessary.

(7) For the purposes of subsection (6) of this section and without prejudice to the generality of the powers conferred thereby, a member of the Garda Síochána may—

- (a) drive any pedal cycle for a reasonable time and distance,
- (b) require any person in charge of a pedal cycle to drive it or cause it to be driven for a reasonable time and distance in such a direction as the member directs.

(8) Where a member of the Garda Síochána has, consequent upon having tested under this section a pedal cycle, reasonable grounds for believing that it has a dangerous defect, he may—

- (a) instruct the person in charge of the cycle that it is not to be driven in a public place until the defect is remedied,
- (b) require such person to submit the cycle for a further test at a specified time and place.

(9) A person who, in a case in which a requirement under subsection (1), (2), (6) or (7) of this section has been made on him, contravenes the requirement shall be guilty of an offence.

(10) (a) A person who, in a case in which an instruction under subsection (3) of this section that a vehicle is not to be driven in a public place until a defect is remedied has been given to him or in which he is aware that such an instruction has been given, so drives it or causes or permits it to be so driven before the defect is remedied shall be guilty of an offence and shall be liable on summary conviction to F34[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

(b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the instruction was given, there was not a defect affecting the vehicle which was such that the vehicle was, when in use, a danger to the public.

(11) (a) A person who, in a case in which a requirement under subsection (3) of this section has been made on him, contravenes the requirement shall be guilty of an offence.

(b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the requirement was made, there was not a defect affecting the vehicle which was such that the vehicle was, when in use, a danger to the public.

(12) (a) A person who, in a case in which an instruction under subsection (4) of this section that a vehicle is not to be used for the carriage of passengers until a defect is remedied has been given to him or in which he is aware that such an instruction has been given, so uses it or causes or permits it to be so used before the defect is remedied shall be guilty of an offence.

(b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the instruction was given, there was not a defect affecting the vehicle which was such that the vehicle was rendered unfit for the carriage of passengers.

(13) (a) A person who, in a case in which a requirement under subsection (4) of this section has been made on him, contravenes the requirement shall be guilty of an offence.

(b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the requirement was made, there was not a defect affecting the vehicle which was such that the vehicle was rendered unfit for the carriage of passengers.

- (14) (a) A person who, in a case in which an instruction under subsection (5) of this section that a vehicle drawn by a mechanically propelled vehicle is not to be so drawn in a public place until a defect is remedied has been given to him or in which he is aware that such an instruction has been given, so draws it or causes or permits it to be so drawn before the defect is remedied shall be guilty of an offence.
- (b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the instruction was given, there was not a defect affecting the vehicle which was such that the vehicle was, when in use, a danger to the public.
- (15) (a) A person who, in a case in which a requirement under subsection (5) of this section has been made on him, contravenes the requirement shall be guilty of an offence.
- (b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the requirement was made, there was not a defect affecting the vehicle which was such that the vehicle was, when in use, a danger to the public.
- (16) (a) A person who, in a case in which an instruction under subsection (8) of this section that a cycle is not to be driven in a public place until a defect is remedied has been given or in which he is aware that such an instruction has been given, so drives it or causes or permits it to be so driven before the defect is remedied shall be guilty of an offence.
- (b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the instruction was given, the cycle had not a dangerous defect.
- (17) (a) A person who, in a case in which a requirement under subsection (8) of this section has been made on him, contravenes the requirement shall be guilty of an offence.
- (b) Where a person is charged with an offence under this subsection, it shall be a good defence for him to show that, at the time the requirement was made, the cycle had not a dangerous defect.
- (18) Where a requirement is made under subsection (3), (4), (5) or (8) of this section—
- (a) the person required shall have the right to be present at the examination and, if he exercises this right—
- (i) he shall be afforded an opportunity of observing the examination,
- (ii) he shall have the further right to bring with him to the examination another person selected by him and, if he exercises this right, the person accompanying him shall also be afforded an opportunity of observing the examination,
- (b) if he does not exercise his right to be present at the examination, he shall have the right to be represented at it by another person selected by him and, if he exercises this right, the person representing him shall be afforded an opportunity of observing the examination.

In this subsection "examination" includes "test".

**Annotations****Amendments:**

- F32** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F33** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F34** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 4, S.I. No. 86 of 2007.

**PART III.****DRIVING LICENCES.****Annotations****Modifications (not altering text):**

- C25** Power of Minister to access information for grant of licences under Pt. III (ss. 21-44) extended (5.12.2005) by *Civil Registration Act 2004* (3/2004), s. 66(1)(f), S.I. No. 764 of 2005, as amended (1.01.2011) by *Civil Partnership and Certain Rights and Obligations of Cohabitants Act 2010* (24/2010), s. 21, S.I. No. 648 of 2010.

**Power of Ard-Chláraitheoir to give information to others.**

**66.**—(1) Notwithstanding anything contained in the Data Protection Acts 1988 to 2003 or any other enactment, an tArd-Chláraitheoir may, after consultation with the Minister and the Minister for Social and Family Affairs, give such information as may be prescribed in relation to births, [marriages, civil partnerships, decrees of divorce, decrees of nullity of marriage, decrees of dissolution or decrees of nullity of civil partnership], registered under this Act or under any of the repealed enactments to—

...

- (f) the Minister for Transport for the purpose of the grant of driving licences and provisional licences under Part III of the Road Traffic Act 1961,

...

- C26** Powers of authority to grant licence under Pt. III (ss. 21-44) extended (17.06.1993) by *Finance Act 1993* (13/1993), s. 59(1), commenced on enactment.

**Extension of powers of licensing authorities in relation to grant of certain licences.**

**59.**—(1) A licensing authority may grant a driving licence or a provisional licence under Part III of the Act of 1961 to a person who does not ordinarily reside in the functional area of the authority if the person has previously held either of those licences or a driving licence under Part III of the Act of 1933.

...

- C27** Application of Pt. III (ss. 21-44) modified (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 9(2), commenced as per art. 2.

**Driving Licence or Permit.**

9. ...

(2) Part III of the Road Traffic Act, 1961 modified as follows, shall apply in respect of the driving permit of a visitor in like manner as it applies in respect of a driving licence—

- (a) Sections 22, 23, 24, 25, subsection (2) of section 28, subsections (2) and (3) of section 31, sections 36 and 39 and subsection (5) of section 40 shall not apply to a driving permit.

- (b) Notwithstanding the provisions of section 30 with respect to the suspension of a driving licence, whenever a visitor who holds a driving permit is disqualified under section 26, 27 or 28 for holding any driving licence in respect of a category or categories of mechanically propelled vehicles comprising any vehicle which the driving permit licenses him to drive, the driving permit shall stand suspended.
- (c) An order under section 26 or 27 disqualifying a person for holding a driving licence during a specified period and thereafter until the person produces a certificate of competency shall not be made, and the appropriate authority for the purpose of those sections shall be the Automobile Association.
- (d) An application for an order under subsection (1) of section 28 may be made to any Justice of the District Court, and the appropriate authority for the purpose of that section shall be the Automobile Association.
- (e) The following words shall be omitted from subsection (4) of section 34— “but, where the issuing authority so thinks proper, it may defer a decision under this subsection pending production by the applicant of a certificate of competency”.
- (f) In paragraph (a) of subsection (5) of section 34 there shall be substituted “any Justice of the District Court” for “a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides”.
- (g) For the purpose of section 37, an endorsement authorised to be made on a driving permit under this article shall be deemed to be an endorsement made on a driving licence under Part III.

...

**Editorial Notes:**

- E187** Pt. III (ss. 21-44) applied to period during which a provisional licence has effect (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 17(5).
- E188** Categories of vehicles for purposes of Pt. III (ss. 21-44) prescribed (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 6.
- E189** Licencing authorities required to keep records for licences granted under Pt. III (ss. 21-44) (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 55.
- E190** Person conducting test under Pt. III (ss. 21-44) exempted from application of regulations (5.05.2006) by *European Communities (Compulsory use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* (S.I. No. 240 of 2006), reg. 11(1)(d).
- E191** Interruption prescribed under certain circumstances (31.10.2002) for duration of penalty points or disqualification period under Part III (ss. 21-44) by *Road Traffic Act 2002* (12/2002), s. 6, S.I. No. 491 of 2002; substituted by *Road Traffic Act 2010* (25/2010), s. 53(4), not commenced as of 16.04.2013. **Note:** s. 6 of the Act of 2002 has only been commenced in so far as it applies to an offence under s. 47 of this Act (exceeding speed limit).
- E192** Previous affecting provision: application of Pt. III (ss. 21-44) not restricted (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 19; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E193** Previous affecting provision: application of Pt. III (ss. 21-44) modified by *Mechanically Propelled Vehicles (International Circulation) Order 1961* (S.I. No. 269 of 1961), art. 14(2) as substituted (18.03.1964) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1964* (S.I. No. 59 of 1964), art. 4. *Mechanically Propelled Vehicles (International Circulation) Order 1961*; revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.

**Annotations****Amendments:**

**F35** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(1), S.I. No. 255 of 2011.

**F36** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(a), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C28** Prospective amending provision: section substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(a), not commenced as of 16.04.2013.

F36[21.— In this Part, “licensing authority” means the Road Safety Authority and references to a licensing authority shall be read as references to the licensing authority.]

**F37**[Application for Irish driving licence.

**22.—** (1) Subject to this Part, a person may apply to a licensing authority for a licence (‘Irish driving licence’) to drive a mechanically propelled vehicle of a specified category.

(2) An application for an Irish driving licence—

(a) shall be made—

(i) to the licensing authority in whose functional area the applicant ordinarily resides, and

(ii) in accordance with the regulations made under section 42(2)(c),

(b) shall be accompanied by—

(i) any certificate of competency or fitness required under regulations under this Act, and

(ii) the fee payable on the taking out of such a licence,

and

(c) shall contain—

(i) a recent photograph of the applicant, and

(ii) the applicant’s personal public service number allocated and issued to him or her under section 262(2) of the Social Welfare Consolidation Act 2005.

(3) Details of an applicant’s personal public service number referred to in subsection (2)(c) may be entered in licence records.

(4) (a) A person to whom this subsection applies may inspect and examine licence records and may take, or be supplied by the Minister or the licensing authority concerned, as may be appropriate, with—

(i) such information from the records, and

(ii) such copies of licence records or of such extracts from such records,

as the person may reasonably require.

(b) This subsection applies to—

(i) persons or categories of person with the approval of the Minister in fulfilling obligations under European Union and other international

enactments and agreements for the exchange of driver and vehicle information, and

(ii) such other categories of person and the purpose for such access as may be prescribed.

(5) In this section 'licence records' means records maintained under section 60 (as amended by section 86 of the Finance Act 1994) of the Finance Act 1993.]

#### Annotations

##### Amendments:

**F37** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(1), S.I. No. 255 of 2011.

**F38** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(b), not commenced as of 16.04.2013.

##### Modifications (not altering text):

**C29** Prospective affecting provision: subss. 2(a)(i) and (4)(a) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(b), not commenced as of 16.04.2013.

(i) to the licensing authority F38[...]

...

(4) (a) A person to whom this subsection applies may inspect and examine licence records and may take, or be supplied by the Minister or the licensing authority F38[...], as may be appropriate, with—

**C30** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

##### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

(b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and

(c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

##### Editorial Notes:

**E194** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 22. These statutory instruments are not separately listed under this section.

**E195** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), reg. 19; revoked (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a) and superseded as per above C-note.

**E196** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.

**E197** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 18; revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), reg. 57 and sch. 8 and superseded by *Road Traffic (Licensing of Drivers) Regulations 1999* as per above E-note.

**E198** Previous affecting provision: application of subss. (2), (4) and (5) extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

**F39**[Disqualification for applying for Irish driving licence or learner permit if disqualified for holding such.

**22A.—** (1) Where a person is disqualified by this Act for holding any driving licence or learner permit—

(a) whatsoever during a period, he or she shall be disqualified for applying for any Irish driving licence or learner permit whatsoever, or

(b) in respect of vehicles of a category during a period, he or she shall be disqualified for applying for an Irish driving licence or a learner permit in respect of vehicles of that category,

for that period or any period the whole or part of which is within that period.

(2) Where a person is disqualified for applying for any Irish driving licence or learner permit—

(a) whatsoever for a period, he or she shall not apply for any such licence or permit whatsoever for that period,

(b) in respect of a category of vehicle for a period, he or she shall not apply for such a licence or permit in respect of that category, for that period,

and, if he or she does so and obtains such a licence or permit on the application, it is void and of no effect.]

#### Annotations

#### Amendments:

**F39** Inserted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(1), S.I. No. 255 of 2011.

**F40**[Prohibition on applying for another Irish driving licence or learner permit in respect of a licence or permit already held in respect of vehicle.

**22B.—** Where a person has been granted an Irish driving licence or a learner permit in respect of vehicles of a category for a period, he or she is disqualified for applying for an Irish driving licence or a learner permit in respect of vehicles of that category for that period or any part of it.]



**Annotations****Amendments:**

**F40** Inserted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(1), S.I. No. 255 of 2011.

**F41**[Grant of Irish driving licence.

**23.**— (1) Where an application is duly made for an Irish driving licence, the licensing authority shall grant the licence unless it appears to them—

(a) that the applicant is disqualified for applying for the licence, or

(b) that, having regard to the particulars contained in the application, the applicant has not a satisfactory knowledge of the Rules of the Road.

(2) Subject to this Part and any regulations under it, an Irish driving licence shall be granted for a period of 12 months or such longer period as may be prescribed beginning on—

(a) in case the licence is granted during a period during which an Irish driving licence previously granted to the applicant remains unexpired — the day following the expiration of the driving licence previously granted, and

(b) in any other case — the day on which the licence is granted.]

**Annotations****Amendments:**

**F41** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(1), S.I. No. 255 of 2011.

**Editorial Notes:**

**E199** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 23. These statutory instruments are not separately listed under this section.

**E200** Power pursuant to subs. (2) exercised (19.01.2013) by *Road Traffic (Licensing of Drivers) (Amendment) (No.2) Regulations 2011* (S.I. No. 483 of 2011).

**F42**[Recognition of foreign driving licences.

**23A.**— (1) The Minister may by order declare that a licence or permit permitting a person to drive a mechanically propelled vehicle, not being a licence or permit issued to a person to enable that person to learn or provisionally to drive such a vehicle, issued by the competent authority of a state other than the State, shall be recognised for the purpose of exchange of that licence or permit for a driving licence, in respect of any one or more of the categories in respect of which the licence or permit is held, and subject to such restrictions, if any, as may be specified in the order.

(2) Every order made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House has sat after the order is laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done under it.]

**Annotations****Amendments:**

**F42** Inserted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 8, S.I. No. 384 of 2006.

**Editorial Notes:**

**E201** The side-note is taken from the amending provision in the absence of one included in the amendment.

**E202** Power pursuant to section exercised (12.08.2010) by *Road Traffic (Recognition of Foreign Driving Licences - New Zealand and Taiwan) Order 2010* (S.I. No. 402 of 2010).

**E203** Power pursuant to section exercised (18.07.2007) by *Road Traffic (Recognition of foreign Driving Licences) Order 2007* (S.I. No. 527 of 2007).

Signing of driving licence by grantee thereof. **24.—F43[...]**

**Annotations****Amendments:**

**F43** Repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(2), S.I. No. 255 of 2011.

Period during which driving licence has effect. **25.—F44[...]**

**Annotations****Amendments:**

**F44** Repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(2), S.I. No. 255 of 2011.

Consequential disqualification orders.

**F45[26.—** (1) Subject to subsection (5)(b), where a person is convicted of an offence specified in the Second Schedule, the court shall make an order ('consequential disqualification order') declaring him or her to be disqualified for holding a driving licence.

(2) Subject to subsection (3), a consequential disqualification order operates to disqualify the person to whom the order relates for holding any driving licence whatsoever during a specified period or during a specified period and thereafter until he or she has produced to the appropriate licensing authority, as may be specified in the order, a certificate of competency or a certificate of fitness or both.

(3) A consequential disqualification order resulting from a conviction for an offence under—

(a) section 52 or 53 tried on indictment where the contravention involved the driving of a mechanically propelled vehicle, or

(b) section 106, where—

- (i) the offence involved a contravention of paragraph (a) or (b) of subsection (1) of that section,
- (ii) injury was caused to a person,
- (iii) a mechanically propelled vehicle was involved in the occurrence of the injury, and
- (iv) the convicted person was the driver of the vehicle concerned,

operates to disqualify the person to whom the order relates for holding any driving licence whatsoever during a specified period and, unless the court is satisfied that a special reason (which it shall specify when making its order) had been proved by the convicted person to exist in his or her particular case such that it should not so operate, thereafter until the person has produced to the appropriate licensing authority, as may be specified in the order, a certificate of competency or both a certificate of competency and a certificate of fitness.

(4) (a) The period of disqualification specified in a consequential disqualification order shall, where the person to whom the order relates is convicted of an offence under—

- (i) section 4 of the Road Traffic Act 2010 consisting of a contravention of subsection (1) of that section,
- (ii) section 5(1) of the Road Traffic Act 2010,
- (iii) section 52 or 53, tried on indictment,
- (iv) section 106, where the offence involved the matters specified in subparagraphs (i) to (iv) of subsection (3)(b) of this section,
- (v) section 12 or 14 of the Road Traffic Act 2010, or
- (vi) section 138(3) of the Railway Safety Act 2005, tried on indictment,

be not less than 4 years in the case of a first offence under the section concerned and not less than 6 years in the case of a second or any subsequent offence under the same section.

(b) The period of disqualification specified in a consequential disqualification order shall, where the person to whom the order relates is convicted of an offence under section 4 of the Road Traffic Act 2010 consisting of a contravention of subsection (2), (3) or (4) of that section or an offence under subsection (2), (3) or (4) of section 5 of the Road Traffic Act 2010, be—

- (i) in the case of a first offence under the section concerned, not less than the appropriate period specified in column (3) of the Table to this subsection, and
- (ii) in the case of—
  - (I) a second or subsequent offence under that section, or
  - (II) where the person has been previously convicted under that section, a first or subsequent conviction under the other section,
 not less than the appropriate period specified in column (4) of that Table.

(c) In paragraph (b) ‘appropriate period’ means the period that is appropriate having regard to—

- (i) the concentration of alcohol in the blood, urine or breath, as the case may be, of the person concerned in relation to which that person was convicted of the offence concerned, and

(ii) the concentrations of alcohol in blood, urine or breath, as may be appropriate, specified in column (2) of the Table to this subsection.

TABLE

| Reference Number | Concentration of alcohol                                                                                                                                                                                                                                                                                                                      | First offence under the section concerned | Second or any subsequent offence under the same section |
|------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------|
| (1)              | (2)                                                                                                                                                                                                                                                                                                                                           | (3)                                       | (4)                                                     |
| 1.               | (a) Not exceeding 80 milligrammes of alcohol per 100 millilitres of blood;<br><br>(b) Not exceeding 107 milligrammes of alcohol per 100 millilitres of urine;<br><br>(c) Not exceeding 35 microgrammes of alcohol per 100 millilitres of breath.                                                                                              | 6 months                                  | 1 year                                                  |
| 2.               | (a) Exceeding 80 milligrammes but not exceeding 100 milligrammes of alcohol per 100 millilitres of blood;<br><br>(b) Exceeding 107 milligrammes but not exceeding 135 milligrammes of alcohol per 100 millilitres of urine;<br><br>(c) Exceeding 35 microgrammes but not exceeding 44 microgrammes of alcohol per 100 millilitres of breath.  | 1 year                                    | 2 years                                                 |
| 3.               | (a) Exceeding 100 milligrammes but not exceeding 150 milligrammes of alcohol per 100 millilitres of blood;<br><br>(b) Exceeding 135 milligrammes but not exceeding 200 milligrammes of alcohol per 100 millilitres of urine;<br><br>(c) Exceeding 44 microgrammes but not exceeding 66 microgrammes of alcohol per 100 millilitres of breath. | 2 years                                   | 4 years                                                 |

| Reference Number | Concentration of alcohol                                                                                                                                                                                                              | First offence under the section concerned | Second or any subsequent offence under the same section |
|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|---------------------------------------------------------|
| (1)              | (2)                                                                                                                                                                                                                                   | (3)                                       | (4)                                                     |
| 4.               | (a) Exceeding 150 milligrammes of alcohol per 100 millilitres of blood;<br><br>(b) Exceeding 200 milligrammes of alcohol per 100 millilitres of urine;<br><br>(c) Exceeding 66 microgrammes of alcohol per 100 millilitres of breath. | 3 years                                   | 6 years                                                 |

(5) (a) Subject to paragraph (b), the period of disqualification specified in a consequential disqualification order shall, where the person to whom the order relates is convicted of an offence under section 52 or 53 tried summarily or under section 56, be not less than 2 years in the case of a first offence under the section concerned and not less than 4 years in the case of a second or any subsequent offence under the same section committed within the period of 3 years from the date of the commission of the previous offence or, in the case of more than one such offence, the last such offence.

(b) Where a person is convicted of an offence under section 52 tried summarily or under section 56, the court may, in the case of a first offence under the section concerned, where it is satisfied that a special reason (which it shall specify when making its order) has been proved by the convicted person to exist in his or her particular case to justify such a course—

(i) decline to make a consequential disqualification order, or

(ii) specify a period of disqualification in the consequential disqualification order of less than 1 year.

(6) The period of disqualification specified in a consequential disqualification order shall, in a case not coming within subsection (4) or (5), be not less than 1 year.

(7) Where a person is convicted of an offence under section 49 or 50 of this Act or section 13 or 15 of the Road Traffic Act 1994 ('the former section') whether before or after the commencement of section 4, 5, 12 or 14 of the Road Traffic Act 2010 and is subsequently convicted of one or more offences under any other of those sections ('the latter section') the conviction under the latter section shall, for the purposes of this section, be regarded as a second or, as the case may be, a subsequent conviction for an offence under the latter section.

(8) Where a person is convicted of an offence ('the latter conviction') under section 49 or 50 of this Act or section 13 or 15 of the Road Traffic Act 1994 whether before or after the commencement of section 4, 5, 12 or 14 of the Road Traffic Act 2010, and

(a) the conviction is, or is by virtue of subsection (7) to be regarded as, a second or subsequent conviction for an offence under the same section, and

(b) a period of 4 years or more during which such person was not disqualified for holding a driving licence has elapsed since the previous conviction of the person by reference to which the later conviction is, or is by virtue of subsection (7) to be regarded as, a second or subsequent conviction,

the court may, for the purposes of this section, deal with the later conviction as a first conviction.

(9) Subject to subsections (10) and (11), in every case in which an appeal may be brought in respect of a conviction for an offence on conviction of which a consequential disqualification order may be made, jurisdiction to make, confirm, annul or vary a consequential disqualification order is conferred on the appellate court unless it otherwise has that jurisdiction or the conferring of that jurisdiction is unnecessary because the appeal is by way of rehearing.

(10) A consequential disqualification order shall not be annulled on appeal unless—

(a) the conviction by reference to which it was imposed is reversed, or

(b) the provisions of subsection (5)(b) apply.

(11) Where a consequential disqualification order is, on an appeal, made or varied, the requirements of subsections (2) to (7) shall be complied with and the provisions of subsection (8), where relevant, shall also apply.]

#### Annotations

#### Amendments:

**F45** Substituted (28.11.2011) by *Road Traffic Act 2010* (25/2010), s. 65(1), S.I. No. 543 of 2011.

**F46** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(c)(i), not commenced as of 16.04.2013.

**F47** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(c)(ii), not commenced as of 16.04.2013.

**F48** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(c)(iii), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C31** Prospective affecting provisions: subss. (2) and (3) amended, subs. (4)(b)(ii)(II) substituted and table amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(c), not commenced as of 16.04.2013.

(2) Subject to subsection (3), a consequential disqualification order operates to disqualify the person to whom the order relates for holding any driving licence whatsoever during a specified period or during a specified period and thereafter until he or she has produced to the F46[...] licensing authority, as may be specified in the order, a certificate of competency or a certificate of fitness or both.

(3) ...

operates to disqualify the person to whom the order relates for holding any driving licence whatsoever during a specified period and, unless the court is satisfied that a special reason (which it shall specify when making its order) had been proved by the convicted person to exist in his or her particular case such that it should not so operate, thereafter until the person has produced to the F46[...] licensing authority, as may be specified in the order, a certificate of competency or both a certificate of competency and a certificate of fitness.

(4) ...

F47[(II) a first offence under that section, where the person has been previously convicted of an offence under the other section,]

...

| Reference Number | Concentration of alcohol | First offence under the section concerned | F48[Second or any subsequent offence under the same section or first offence where previously convicted under the other section] |
|------------------|--------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| (1)              | (2)                      | (3)                                       | (4)                                                                                                                              |
| ...              | ...                      | ...                                       | ...                                                                                                                              |

**C32** Application of section extended by *Road Traffic Act 2010* (25/2010), s. 65(4) as inserted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 10, S.I. No. 542 of 2011.

**Consequential disqualification orders.**

65.— ...

(4) For the purposes of section 26 of, and the Second Schedule to, the Principal Act (inserted by this section)—

(a) the reference to section 4 of the Road Traffic Act 2010 in—

- (i) paragraph 4 of the Second Schedule to, and
- (ii) section 26(4)(a)(i) and 26(4)(b) of,

the Principal Act shall be deemed to include a reference to section 49 of the Principal Act,

(b) the reference to section 5 of the Road Traffic Act 2010 in—

- (i) paragraph 5 of the Second Schedule to, and
- (ii) section 26(4)(b) of,

the Principal Act shall be deemed to include a reference to section 50 of the Principal Act,

(c) the reference to section 5(1) of the Road Traffic Act 2010 in section 26(4)(a)(ii) of the Principal Act shall be deemed to include a reference to section 50(1) of the Principal Act,

(d) the reference to section 12 of the Road Traffic Act 2010 in—

- (i) paragraph 6 of the Second Schedule to, and
- (ii) section 26(4)(a)(v) of,

the Principal Act shall be deemed to include a reference to section 13 of the Road Traffic Act 1994, and

(e) the reference to section 14 of the Road Traffic Act 2010 in—

- (i) paragraph 6 of the Second Schedule to, and
- (ii) section 26(4)(a)(v) of,

the Principal Act shall be deemed to include a reference to section 15 of the Road Traffic Act 1994.

**C33** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

**Application of certain provisions of Act to provisional licences.**

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

- E204** Procedure prescribed for orders made under section (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 44 and Pt. 9 (regs. 42 to 52).
- E205** Previous affecting provision: section amended (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 6(1)(a) to (e), S.I. No. 86 of 2007.
- E206** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E207** Previous affecting provision: subss. (3) and (4) substituted (25.05.1995) by *Road Traffic Act 1995* (7/1995), s. 2, commenced on enactment.
- E208** Previous affecting provision: section substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 26, S.I. No. 350 of 1994.
- E209** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E210** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E211** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E212** Previous affecting provision: section amended (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(4), commenced on enactment; amended as per above E-note.
- E213** Previous affecting provision: section amended (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 25, S.I. No. 192 of 1978; amended as per above F-notes.
- E214** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Ancillary disqualification orders.

- 27.—(1) (a)** Where a person is convicted of an offence under this Act or otherwise in relation to a mechanically propelled vehicle or the driving of any such vehicle (other than an offence in relation to which section 26 of this Act applies) or of a crime or offence in the commission of which a mechanically propelled vehicle was used, the court may, without prejudice to the infliction of any other punishment authorised by law, make an order (in



this Act referred to as an ancillary disqualification order) declaring the person convicted to be disqualified for holding a driving licence.

(b) A disqualification under this subsection—

(i) shall disqualify the convicted person either for holding any driving licence whatsoever or for holding a driving licence in respect of a class or classes of mechanically propelled vehicles, and

(ii) shall so disqualify him during a specified period or during a specified period and thereafter until he has produced to the appropriate licensing authority a certificate of competency or a certificate of fitness or both.

(2) Subject to subsection (3) of this section, in every case in which an appeal may be brought in respect of a conviction of an offence on conviction of which an ancillary disqualification order may be made, jurisdiction to make, confirm, annul or vary an ancillary disqualification order is hereby conferred on the appellate court unless it otherwise has that jurisdiction or the conferring of that jurisdiction is unnecessary because the appeal is by way of rehearing.

(3) Where an ancillary disqualification order is, on an appeal, made or varied, the requirements of paragraph (b) of subsection (1) of this section shall be complied with.

(4) An ancillary disqualification order shall be subject to appeal notwithstanding that an appeal is not taken against the relevant conviction.

#### Annotations

#### Amendments:

**F49** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(d), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C34** Prospective affecting provision: subs. (1)(b)(ii) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(d), not commenced as of 16.04.2013.

**27.—** (1) ...

(ii) shall so disqualify him during a specified period or during a specified period and thereafter until he has produced to the F49[...] licensing authority a certificate of competency or a certificate of fitness or both.

...

**C35** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I No. 537 of 2006), reg. 16.

#### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

(b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by

virtue of any provision of the Act, he or she is required to produce a certificate of competency, and

- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

- E215** Procedure prescribed for orders made under section (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 45 and Pt. 9 (regs. 42 to 52).
- E216** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E217** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E218** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E219** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E220** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Special disqualification orders.

**28.—(1)** Where an officer of the Garda Síochána F50[or appropriate licensing authority] has reasonable grounds for believing that a person who is the holder of a driving licence is by reason of disease or physical or mental disability unfit to drive any mechanically propelled vehicle whatsoever or any class or classes of mechanically propelled vehicles covered by such licence, such officer F50[or licensing authority] may apply to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides for an order under this subsection, and if the Justice is satisfied that such person is by reason of disease or physical or mental disability unfit to drive any mechanically propelled vehicle whatsoever or any such class or classes of mechanically propelled vehicles as are within the terms of the application, he may make the appropriate order declaring such person to be disqualified for holding a driving licence until he produces to the appropriate licensing authority a certificate of fitness.

(2) Where an officer of the Garda Síochána has reasonable grounds for believing that a person who is the holder of a driving licence is incompetent to drive any mechanically propelled vehicle whatsoever or any class or classes of mechanically propelled vehicles covered by such licence, such officer may apply to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides for an order under this subsection in respect of such person, and if the Justice is satisfied that such person is incompetent to drive any mechanically propelled vehicle whatsoever or any such class or classes of mechanically propelled vehicles as are within the terms of the application, he may make the appropriate order declaring

such person to be disqualified for holding a driving licence until he produces to the appropriate licensing authority a certificate of competency.

(3) An order shall not be made under this section in respect of a person unless not less than ten days' previous notice in writing of the application for the order has been given to him.

(4) A person who is aggrieved by a special disqualification order made in respect of him may appeal to the Circuit Court.

(5) Orders made under this section are referred to in this Act as special disqualification orders.

#### Annotations

##### Amendments:

**F50** Inserted (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 49(1)(c), S.I. No. 222 of 1994.

**F51** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 50(e), not commenced as of 16.04.2013.

##### Modifications (not altering text):

**C36** Prospective affecting provision: subss. (1) and (2) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 50(e), not commenced as of 16.04.2013.

**28.**—(1) Where an officer of the Garda Síochána F50[or F51[licensing authority]] has reasonable grounds for believing that a person who is the holder of a driving licence is by reason of disease or physical or mental disability unfit to drive any mechanically propelled vehicle whatsoever or any class or classes of mechanically propelled vehicles covered by such licence, such officer F50[or licensing authority] may apply to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides for an order under this subsection, and if the Justice is satisfied that such person is by reason of disease or physical or mental disability unfit to drive any mechanically propelled vehicle whatsoever or any such class or classes of mechanically propelled vehicles as are within the terms of the application, he may make the appropriate order declaring such person to be disqualified for holding a driving licence until he produces to the F51[licensing authority] a certificate of fitness.

(2) Where an officer of the Garda Síochána has reasonable grounds for believing that a person who is the holder of a driving licence is incompetent to drive any mechanically propelled vehicle whatsoever or any class or classes of mechanically propelled vehicles covered by such licence, such officer may apply to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides for an order under this subsection in respect of such person, and if the Justice is satisfied that such person is incompetent to drive any mechanically propelled vehicle whatsoever or any such class or classes of mechanically propelled vehicles as are within the terms of the application, he may make the appropriate order declaring such person to be disqualified for holding a driving licence until he produces to the F51[licensing authority] a certificate of competency.

...

**C37** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006)*, reg. 16.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

- E221** Procedure prescribed for orders made under section (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 46 and Pt. 9 (regs. 42 to 52).
- E222** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E223** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E224** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E225** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E226** Previous affecting provision: application of subss. (1) and (3)-(5) extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Removal of disqualification under consequential or ancillary disqualification order.

**F52[29.— (1)** This section applies to a person in respect of whom a disqualification order has been made, whether before or after the commencement of *section 7* of the *Road Traffic Act 2006*, disqualifying the person for holding a licence during a period of more than 2 years, and which is the first such order made in respect of that person within a period of 10 years.

(2) A person to whom this section applies may, at any time following the completion of one-half of the period specified in the disqualification order, apply to the court which made the order, for the removal of the disqualification.

(3) In considering an application made under this section a court, without prejudice to its power to have regard to all of the matters that appear to the court to be relevant, may, in particular, have regard to the character of the applicant, his or her conduct after the conviction and the nature of the offence.

**F53[(4)** Where a court considers it to be appropriate the court may—

(a) confirm the period specified in the order of disqualification, or

(b) order the removal of the disqualification from a specified date that is such that the disqualification will have effect for a least two-thirds of the period

specified in the order of disqualification, or a period of 2 years, whichever is the greater.]

(5) A person intending to make an application under this section shall give 14 days notice in writing to the Superintendent of the Garda Síochána for the district in which the person ordinarily resides.

(6) The court hearing an application under this section may order the applicant to pay the whole or any part of the costs.

(7) In this section 'disqualification order' means a consequential or an ancillary disqualification order.]

#### Annotations

##### Amendments:

**F52** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 7, S.I. No. 86 of 2007.

**F53** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 67(1), S.I. No. 255 of 2011.

##### Modifications (not altering text):

**C38** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

##### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

- (a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,
- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

##### Editorial Notes:

**E227** Procedure on removal of disqualification under subs. (1) provided (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 48.

**E228** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.

**E229** Previous affecting provision: application of section transitionally modified (25.05.1995) by *Road Traffic Act 1995* (7/1995), s. 3, commenced on enactment. S. 3 only applied to offences committed on or after the 2.12.1994 and before the passing of the *Road Traffic Act 1995*.

- E230** Previous affecting provision: subs. (1A) inserted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 27, S.I. No. 350 of 1994. Section substituted as per above F-note.
- E231** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E232** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E233** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E234** Previous affecting provision: subs. (1) substituted and subs. (8) inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 19, S.I. No. 169 of 1968. Section substituted as per above F-note.
- E235** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Operation of  
disqualification  
order.

**F54[30.—F55[(1) A person in respect of whom a consequential, ancillary or special disqualification order is made stands disqualified in accordance with the order for holding a driving licence, and—**

- (a) an Irish driving licence or learner permit held by him or her at the date of the order stands suspended, correspondingly,
- (b) where he or she holds a foreign driving licence to which the European Communities (Recognition of Driving Licences of Other Member States) Regulations 2008 (S.I. No. 464 of 2008) apply, those Regulations do not apply to that licence, or
- (c) a foreign driving licence (other than a licence referred to in paragraph (b)) held by him or her at the date of the order has no effect in the State.]

(2) Where a disqualification is removed under section 29 of this Act, subsection (1) of this section shall cease to have effect as and from the date from which the disqualification is so removed.

(3) (a) Save as provided by paragraphs (b) to (e) of this subsection—

- (i) a special disqualification order shall come into operation immediately it is made and a consequential or ancillary disqualification order shall come into operation on the fifteenth day after it is made,
  - (ii) the operation of a special, ancillary or consequential disqualification order shall not be suspended or postponed.
- (b) Where an appeal is being brought against a special disqualification order, the court making the order may direct the suspension of the operation of the order pending the appeal.

(c) Where a consequential or ancillary disqualification order (or, where the order is related to a conviction, that conviction) is the subject of an appeal, notice of which is lodged within fourteen days of the making of the order, and the convicted person has duly entered into a recognisance to prosecute the appeal, the operation of the order shall stand suspended pending the appeal.

(d) When making, confirming or varying a consequential or ancillary disqualification order the court may, at its discretion but subject to paragraph (e) of this subsection, postpone the operation of the order for a period not exceeding six months.

(e) A Court shall not postpone under paragraph (d) of this subsection the operation of a consequential or ancillary disqualification order unless it is satisfied that a special reason (which it shall specify when postponing the operation of the order) relating to his personal circumstances (including the nature of his employment) has been proved by the convicted person to exist in his particular case.

(4) Where—

(a) a notice of appeal has been lodged in a case in which a consequential, ancillary or special disqualification order has been made,

(b) the operation of the order stands suspended pending the appeal, and

(c) the appellant has given notification in writing that he wishes to withdraw the appeal,

the suspension of the operation of the order shall be regarded as having terminated immediately before the day on which the notification was given and the period of disqualification shall begin on that day.

(5) Where—

(a) a consequential or ancillary disqualification order (or, where the order is related to a conviction, that conviction) is the subject of an appeal,

(b) the operation of the order stands suspended pending the appeal, and

(c) the appeal is not prosecuted or the order is confirmed or varied by the appellate court,

the period of disqualification shall begin on the day on which the appropriate order of the appellate court is made, save in a case where the operation of the consequential or ancillary disqualification order is postponed under paragraph (d) of subsection (3) of this section.

(6) Where—

(a) a consequential, ancillary or special disqualification order operates until the person concerned produces to the appropriate licensing authority a certificate of competency or fitness, and

(b) such person produces to that authority such certificate,

the authority shall, where appropriate, note the production of such certificate on the relevant driving licence.]

#### Annotations

#### Amendments:

**F54** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 20, S.I. No. 169 of 1968.

**F55** Substituted (28.11.11) by *Road Traffic Act 2010* (25/2010), s. 64(1), S.I. No. 543 of 2011.

**F56** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(f), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C39** Prospective affecting provision: subs. (6)(a) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(e), not commenced as of 16.04.2013.

(6) Where—

(a) a consequential, ancillary or special disqualification order operates until the person concerned produces to the F56[...] licensing authority a certificate of competency or fitness, and

...

**C40** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

**Application of certain provisions of Act to provisional licences.**

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

(b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and

(c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

**E236** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.

**E237** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.

**E238** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.

**E239** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.

**E240** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.



Disqualifications related to age.

**31.—**(1) A person who has not attained the age of sixteen years shall be disqualified for holding any driving licence whatsoever during the period expiring on his attaining that age.

(2) The Minister may make regulations specifying an age, being the age of seventeen years or more, as the age below which a person shall be disqualified for holding a driving licence for a specified class of mechanically propelled vehicles.

(3) A person who has not attained an age specified in regulations under subsection (2) of this section shall be disqualified for holding a driving licence, for mechanically propelled vehicles of the class in relation to which the regulations specify that age, during the period expiring on his attaining that age.

#### Annotations

#### Modifications (not altering text):

**C41** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

#### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

- (a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,
- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

#### Editorial Notes:

**E241** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 31. These statutory instruments are not separately listed under this section.

**E242** Power pursuant to section exercised (19.01.2013) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2011* (S.I. No. 483 of 2011).

**E243** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.

**E244** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.

**E245** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.

**E246** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.

**E247** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Disqualification on grounds of health.

**32.—(1)** This section applies to a person suffering from any disease or physical or mental disability declared by the Minister by regulations to be a disease or disability such that a sufferer therefrom shall be disqualified for holding any driving licence whatsoever.

(2) A person to whom this section applies shall be disqualified for holding any driving licence whatsoever during the period during which he is suffering from the relevant disease or disability.

#### Annotations

#### Modifications (not altering text):

**C42** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

#### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

- (a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,
- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

#### Editorial Notes:

**E248** Diseases and disabilities for purpose of subs. (1) listed (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 33 and sch. 2.

**E249** Procedure prescribed for orders made under section (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), Pt. 9 (regs. 42 to 52).

- E250** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E251** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E252** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E253** Previous affecting provision: power pursuant to section exercised (3.11.1986) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1986* (S.I. No. 340 of 1986); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E254** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.

Certificates of competency.

**33.—(1)** In this section “the issuing authority” means the person who, in the case in question and in accordance with regulations made by the Minister, is the issuing authority for the purposes of this section.

(2) A person, other than a person to whom section 32 of this Act applies, may apply to the issuing authority for a certificate of competency in the following cases:

- (a) where he is disqualified for holding a driving licence until he produces a certificate of competency,
- (b) where under the regulations under this Act an application by him for a driving licence is required to be accompanied by a certificate of competency.

(3) Where an application is duly made under this section and the appropriate fee is paid, the issuing authority shall test or cause to be tested—

- (a) the competency of the applicant to drive the class or classes of mechanically propelled vehicle to which the application relates, and
- (b) the knowledge of the applicant of the Rules of the Road, the test, so far as it is a test of competency to drive, being carried out in such vehicles (to be provided by the applicant) as the person carrying out the test considers necessary.

**F57[(3B)** An issuing authority shall not carry out nor cause to be carried out a test for a certificate of competency unless the mechanically propelled vehicle in which the test is to be carried out displays on its front windscreen—

- (a) a licence taken out under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952, or
- (b) where the vehicle is a vehicle to which section 18 applies, a test certificate,

for the time being in force, in respect of the vehicle.

**(3C)** If a licence or test certificate referred to in subsection (3B) is not displayed in accordance with that subsection, the application for a certificate of competency is refused and any fee paid in respect of the application is forfeited.]

(4) On completion of a test under subsection (3) of this section, the issuing authority shall either—

(a) refuse the application, or

(b) F58[where a person has not been issued with a theory test certificate (within the meaning of European Communities (Driving Theoretical Tests) Regulations 2003 (S.I. No. 52 of 2003)) in respect of the category of vehicle in respect of which the person applied for a certificate of competency] subject to being satisfied that the applicant has a satisfactory knowledge of the Rules of the Road, issue a certificate (in this Act referred to as a certificate of competency) certifying—

(i) in case the application is for a certificate of competency to drive any mechanically propelled vehicle whatsoever and the issuing authority is satisfied that the applicant is competent to drive any mechanically propelled vehicle whatsoever—that the applicant is competent to drive any mechanically propelled vehicle whatsoever, or

(ii) in any other case—that the applicant is competent to drive any specified class or classes of mechanically propelled vehicle, being a class or classes in respect of which a certificate of competency was applied for and which the issuing authority is satisfied that the applicant is competent to drive,

but, where the issuing authority so thinks proper, it may defer a decision under this subsection pending production by the applicant of a certificate of fitness.

(5) (a) A person aggrieved by the deferring of a decision under subsection (4) of this section may appeal to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides, and the Justice may either refuse the appeal or direct that the application shall be dealt with without requiring a certificate of fitness.

(b) A decision under this subsection of a Justice of the District Court shall be final and not appealable.

(6) (a) A person aggrieved by a decision under subsection (4) of this section may appeal to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides, and the Justice may either refuse the appeal or, if satisfied that the test was not properly conducted, direct that the applicant shall be given a further test.

(b) A decision under this subsection of a Justice of the District Court shall be final and not appealable.

(7) Notwithstanding anything contained in this Act, it shall be lawful for a person who does not hold a driving licence, or is disqualified for holding a driving licence, to drive a mechanically propelled vehicle during a test under this section, and the driving shall not be a contravention of any provision of this Act merely by reason of his not being the holder of a driving licence.

#### Annotations

#### Amendments:

**F57** Inserted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 92, S.I. No. 255 of 2011.

**F58** Inserted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 9, S.I. No. 384 of 2006.

**F59** Inserted by *Road Traffic Act 1968* (25/1968), s. 21, not commenced as of 16.04.2013.

**F60** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(g), not commenced as of 16.04.2013.

**Modifications (not altering text):**

- C43** Prospective affecting provision: subs. (3A) inserted by *Road Traffic Act 1968* (25/1968), s. 21, not commenced as of 16.04.2013.

F59[(3A) (a) Notwithstanding anything contained in subsection (3) of this section, a test under that subsection shall not be carried out save where the issuing authority has satisfied itself in the prescribed manner that the eyesight of the applicant or, in the case of an applicant with a defect of eyesight for the time being corrected, the eyesight of the applicant as so corrected, complies with the prescribed standard.

(b) A person aggrieved by a refusal, in pursuance of paragraph (a) of this subsection, to carry out a test may appeal to a Justice of the District Court having jurisdiction in the place in which the person ordinarily resides, and the Justice may either refuse the appeal or, if satisfied that the eyesight or corrected eyesight of the applicant complies with the prescribed standard, direct the issuing authority to test or cause to be tested the applicant under subsection (3) of this section.

(c) A decision under this subsection of a Justice of the District Court shall be final and not appealable.]

- C44** Prospective affecting provision: subs. (3B)(a) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(g), not commenced as of 16.04.2013.

(3B) ...

(a) a licence taken out under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952, F60[and]

...

- C45** Issuing authority specified and powers of issuing authority modified (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), regs. 3(1), 23.

**Definitions.**

3. (1) In these Regulations — ...

“Minister” means Minister for Transport;

...

**Issuing authority and delegation of functions.**

23. (1) The issuing authority for the purposes of section 33 of the Act is the Minister and in this Part “issuing authority” means the Minister.

(2) The functions of the issuing authority under section 33(4) of the Act are delegated to driver testers.

- C46** Procedure under subs. (4) provided (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 29.

**Deferred decision on application for certificate of competency.**

29. (1) In a case where a decision on an application has been deferred under section 33(4) of the Act the applicant may submit to the issuing authority a valid certificate of fitness in respect of the category to which the application for a certificate of competency relates.

(2) On receipt of such certificate of fitness, the issuing authority shall, subject to section 33(4), either refuse the application for a certificate of competency or issue a certificate of competency.

- C47** Application of section restricted (7.11.1989) by *European Communities (Licensing of Drivers) Regulations 1989* (S.I. No. 287 of 1989), arts. 3 and 4.

3. Notwithstanding section 33 (7) of the Road Traffic Act, 1961 (No. 24 of 1961), Regulations under section 42 of that Act may provide that the issuing authority for the purposes of section 33 of that Act shall not test or cause to be tested an applicant for a certificate of competency unless the applicant holds such driving licence or provisional licence as may be specified in the Regulations.

4. Regulations of the type referred to in Article 3 of these Regulations shall have effect in accordance with their terms and subsections (3) and (7) of section 33 and section 42 of the Road Traffic Act, 1961 are hereby amended accordingly.

**C48** Limited certificates of competency under subs. (4)(b)(ii) provided (24.07.1969) by *Road Traffic Act 1968* (25/1968), s. 22(1), S.I. No. 139 of 1969.

**Limited certificates of competency for special cases.**

**22.—(1)** Where an applicant for a certificate of competency under section 33 of the Principal Act so requests and the issuing authority within the meaning of that section so determines, a certificate of competency issued under subsection (4) (b) (ii) of that section to that applicant shall, notwithstanding anything in that Act, contain a statement that, in relation to a class of vehicles in respect of which the certificate is issued, it is limited to a specified type of vehicle belonging to that class.

...

**Editorial Notes:**

**E255** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 33. These statutory instruments are not separately listed under this section.

**E256** Test for purposes of subs. (4) prescribed (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 26(1).

**E257** Procedure in relation to appeals under subss. (5) and (6) prescribed (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 30.

**E258** Endorsements and disqualifications under section provided (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), pt. 9 (regs. 42-52).

**E259** Previous affecting provision: power pursuant to this section and s. 5 exercised (31.10.1980) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1980* (S.I. No. 334 of 1980); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

**E260** Previous affecting provision: issuing authority specified and powers of issuing authority modified and procedure under section provided (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), regs. 25, 28, 31 and 32; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Certificates of fitness.

**34.—(1)** In this section—

“the issuing authority” means the person who, in the case in question and in accordance with regulations made by the Minister, is the issuing authority for the purposes of this section;

“relevant aspects of his physical and mental condition” means, in relation to a person proposing to apply for a certificate of fitness, such aspects of his physical and mental condition as are declared by the Minister by regulations to be for the purposes of this section relevant aspects of a person’s physical and mental condition in the case of an application for that certificate of fitness.

(2) A person, other than a person to whom section 32 of this Act applies, may apply to the issuing authority for a certificate of fitness in the following cases:

(a) where he is disqualified for holding a driving licence until he produces a certificate of fitness,

(b) where under the regulations under this Act an application by him for a F61[**Irish driving licence**] is required to be accompanied by a certificate of fitness.

(3) A person who proposes to apply for a certificate of fitness shall, within the prescribed period prior to his application, cause himself to be examined by a registered medical practitioner and shall obtain from the practitioner a signed report in writing as to the relevant aspects of his physical and mental condition.

(4) Where—

(a) an application is duly made under this section to the issuing authority, and

(b) the appropriate fee is paid and the application is accompanied by the appropriate report referred to in subsection (3) of this section,

the issuing authority shall, after consideration of the application and report, either—

(i) refuse the application, or

(ii) issue a certificate (in this Act referred to as a certificate of fitness) certifying—

(I) in case the application is for a certificate of fitness to drive any mechanically propelled vehicle whatsoever and the issuing authority is satisfied that the applicant is fit to drive any mechanically propelled vehicle whatsoever—that the applicant is fit to drive any mechanically propelled vehicle whatsoever, or

(II) in any other case—that the applicant is fit to drive any specified class or classes of mechanically propelled vehicle, being a class or classes in respect of which a certificate of fitness to drive was applied for and which the issuing authority is satisfied that the applicant is fit to drive,

but, where the issuing authority so thinks proper, it may defer a decision under this subsection pending production by the applicant of a certificate of competency.

(5) (a) A person aggrieved by a decision under subsection (4) of this section or the deferring of such decision may appeal to a Justice of the District Court having jurisdiction in the place in which such person ordinarily resides, and the Justice may either refuse the appeal or give such direction to the issuing authority as he considers just, and the issuing authority shall comply with any such direction.

(b) A decision under this subsection of a Justice of the District Court shall be final and not appealable.

#### Annotations

#### Amendments:

**F61** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 57(3), S.I. No. 255 of 2011.

#### Modifications (not altering text):

**C49** Term “registered medical practitioner” construed (13.02.2008 and 3.07.2008) by *Medical Practitioners Act 2007* (25/2007), ss. 2 and 108(1), S.I. Nos. 24 and 231 of 2008.

#### Interpretation.

2.— In this Act, except where the context otherwise requires— ...

“registered medical practitioner” means a medical practitioner whose name is entered in the register;

...

**Construction of references to registered medical practitioner and Medical Council, etc.**

**108.**— (1) Every reference to a registered medical practitioner contained in any enactment or any statutory instrument shall be construed as a reference to a registered medical practitioner within the meaning of section 2 .

...

**C50** Issuing authority specified and powers of issuing authority modified (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), regs. 3(1) and 34.

**Definitions.**

3. (1) In these Regulations — ...

“Minister” means Minister for Transport;

...

**Issuing authority and delegation of functions under section 34 of Act.**

34. (1) The issuing authority for the purposes of section 34 of the Act is the Minister.

(2) The functions of the Minister as the issuing authority under section 34(4) of the Act are delegated to such officer or officers of the Minister as he or she specifies. Any such officer so specified shall, for the purpose of the performance of such functions, be known as an issuing officer.

**C51** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

**Application of certain provisions of Act to provisional licences.**

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

(b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and

(c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

**E261** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 34. These statutory instruments are not separately listed under this section.

**E262** Power pursuant to section exercised (19.01.2013) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2011* (S.I. No. 483 of 2011).

**E263** Form for medical report under section and period for purposes of subs. (3) prescribed (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 37(1) and sch. and (2).



- E264** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E265** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E266** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E267** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E268** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E269** Previous affecting provision: issuing authority specified and powers of issuing authority modified (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), regs. 34 and 35; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Provisional  
licence.

**F62[35.—(1)** A person who wants to learn to drive a mechanically propelled vehicle of any category in order to pass a test for a certificate of competency may, except in such cases as may be prescribed, apply for a permit ('learner permit') licensing him or her provisionally to drive a mechanically propelled vehicle of that category in a public place.

(2) An application for a learner permit shall be—

- (a) made to the licensing authority in whose functional area the applicant ordinarily resides,
- (b) in accordance with the regulations under section 42, and
- (c) accompanied by the appropriate fee.

(3) Where an application under subsection (2) is duly made, a learner permit shall be granted to the applicant by the licensing authority.

(4) A learner permit has effect in accordance with its terms and conditions.

(5) In a prosecution for an offence under—

- (a) section 38(2), it is a defence for the defendant to show that, at the time he or she drove the vehicle, he or she held a learner permit then having effect and permitting him or her to drive the vehicle,
- (b) section 38(4), it is a defence for the defendant to show that the person employed to drive the vehicle held, at the time he or she drove the vehicle, a learner permit then having effect and permitting him or her to drive the vehicle,
- (c) section 40, it is a defence for the defendant to show that, in lieu of producing a driving licence in accordance with that section, he or she produced a learner permit having effect at the material time and permitting him or her

to drive the vehicle and that he or she permitted the member of the Garda Síochána to whom it was produced to read it.

(6) Sections 22(2), (4) and (5), 26, 27, 28(1), (3), (4) and (5), 29, 30, 31, 32, 34, 36, 37, 39, 40 and 41 apply to learner permits as they apply to driving licences, except that where—

- (a) a person has been disqualified under section 26 or 27 for holding a driving licence during a specified period and thereafter until he or she has produced to the appropriate licensing authority a certificate of competency, the person may, at the end of the specified period, apply for and be granted a learner permit in accordance with section 35,
- (b) a person has been disqualified under section 28(2) for holding a driving licence, he or she may apply for and be granted a learner permit in accordance with section 35, and
- (c) a holder of a learner permit in respect of a vehicle of any category for a period has been granted a certificate of competency in respect of such category he or she shall not, by virtue of the application of section 22(5), be disqualified for applying for a driving licence in respect of vehicles of that category for any period which or part of which is within that period.]

#### Annotations

##### Amendments:

**F62** Substituted (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(1), S.I. No. 718 of 2007.

**F63** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(h), not commenced as of 16.04.2013.

##### Modifications (not altering text):

**E52** Prospective affecting provision: subss. (2)(a) and (6)(a) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(h), not commenced as of 16.04.2013.

(2) ...

(a) made to the licensing authority F63[...],

...

(6) ...

(a) a person has been disqualified under section 26 or 27 for holding a driving licence during a specified period and thereafter until he or she has produced to the F63[...] licensing authority a certificate of competency, the person may, at the end of the specified period, apply for and be granted a learner permit in accordance with section 35,

...

##### Editorial Notes:

**E270** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 35. These statutory instruments are not separately listed under this section.

**E271** Previous affecting provision: subs. (3) amended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(2), S.I. No. 350 of 1994; amended section substituted as per F-note above.

Order for endorsement in case of conviction, disqualification order or removal of disqualification.

36.—(1) F64[...]

(2) F64[...]

(3) (a) Where a person is convicted of an offence and a consequential or ancillary disqualification order is made by the court on his conviction, the court shall by order direct particulars of the conviction and the disqualification order to be endorsed on the driving licence held by such person or, if he is not the holder of a driving licence but subsequently a driving licence is granted to him, on that driving licence.

(b) Where a consequential or ancillary disqualification order is suspended F65[...] pending an appeal, the relevant order under this subsection shall also stand suspended F65[...], but, upon the appellant having given notification in writing that he wishes to withdraw the appeal, the suspension F65[...] of the order under this subsection shall be regarded as having terminated immediately before the day on which the notification was given.

(c) In every case in which an appeal may be brought in respect of a conviction of an offence on conviction of which a consequential or ancillary disqualification order was made and in the case of an appeal under subsection (4) of section 27 of this Act, jurisdiction to make, confirm or annul an order made under paragraph (a) of this subsection is hereby conferred on the appellate court unless it otherwise has that jurisdiction or the conferring of that jurisdiction is unnecessary because the appeal is by way of rehearing, and the appellate court shall—

(i) where it makes a disqualification order and in consequence makes an order under paragraph (a) of this subsection, annul the order previously made under that paragraph,

(ii) where it confirms the disqualification order, confirm the order made under paragraph (a) of this subsection,

(iii) where it annuls the disqualification order, annul the order made under paragraph (a) of this subsection,

(iv) where it varies the disqualification order, annul the order previously made under paragraph (a) of this subsection and by a new order direct particulars of the conviction and of the disqualification order (as varied) to be endorsed on the driving licence held by the person concerned or, if he is not the holder of a driving licence but subsequently a driving licence is granted to him, on that driving licence.

(4) (a) Where a special disqualification order is made in relation to any person, the court shall by order direct particulars of the special disqualification order to be endorsed on the driving licence held by such person or, if he is not the holder of a driving licence but subsequently a driving licence is granted to him, on that driving licence.

(b) Where a special disqualification order is suspended F65[...] pending an appeal, the relevant order under this subsection shall also stand suspended F65[...], but, upon the appellant having given notification in writing that he wishes to withdraw the appeal, the suspension F65[...] of the order under this subsection shall be regarded as having terminated immediately before the day on which the notification was given.

(c) Where an appeal is taken in a case in which an order has been made under this subsection, the Circuit Court shall (as may be appropriate)—

(i) annul such order, or

(ii) annul such order and make an order under this subsection.

(5) Where a disqualification is removed under section 29 of this Act, the court shall by order direct particulars of the removal to be endorsed on the driving licence held by the person concerned or, if he is not the holder of a driving licence but subsequently a driving licence is granted to him, on that driving licence.

F66[(6) In the cases referred to in subsections (3) and (4) of this section, the Minister shall cause the particulars referred to in those subsections to be endorsed on the appropriate entries.

(7) Where a disqualification referred to in section 29 of this Act is removed under that section or the period of a disqualification referred to in subsection (3) or (4) of this section expires (being in each case a disqualification to which an order relates that stands endorsement on an entry), the Minister shall cause the endorsement and any endorsement relating to the relevant conviction (if any) to be removed from the entry concerned.

F67[(8) The Courts Service shall inform the Minister of an order made—

- (a) under subsection (3) or (4) of this section,
- (b) suspending or postponing an order under either of those subsections, or
- (c) under section 29 of this Act removing a consequential or ancillary disqualification.]

(9) In this section, 'entry' has the meaning assigned to it by the *Road Traffic Act, 2002*.]

#### Annotations

#### Amendments:

- F64** Repealed (31.10.2002, 1.06.2003, 25.08.2003, 4.06.2004, 3.04.2006, 1.09.2006, 1.05.2009) by *Road Traffic Act 2002* (12/2002), s. 25(2), partially commenced by S.I. No. 491 of 2002, art. 2(1)(b), S.I. No. 214 of 2003, art. 3(c), S.I. No. 321 of 2003, art. 3(c), S.I. No. 248 of 2004, art. 3(b), S.I. No. 134 of 2006, art. 3(d), S.I. No. 443 of 2006, art. 2(c), S.I. No. 149 of 2009, art. 2(b)(ii) and S.I. No. 296 of 2012, art. 2(b)(ii). S. 25(2) states: (2) Subsections (1) and (2) of section 36 ... are repealed as respects offences committed after the commencement of this section.
- F65** Deleted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F66** Inserted (1.06.2003, 25.08.2003, 4.06.2004, 3.04.2006, 1.09.2006, 1.05.2009) by *Road Traffic Act 2002* (12/2002), s. 8(b), partially commenced by S.I. No. 214 of 2003, S.I. No. 321 of 2003, S.I. No. 248 of 2004, S.I. No. 134 of 2006, S.I. No. 443 of 2006, S.I. No. 149 of 2009.
- F67** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 24, S.I. No. 26 of 2005.

#### Modifications (not altering text):

- C53** Pending complete commencement of the repeal, subss. (1) and (2) remain partially in force as of 3.08.2012.

(1) Where a person is convicted of an offence under this Act or otherwise in relation to a mechanically propelled vehicle or the driving of any such vehicle or of a crime or offence in the commission of which a mechanically propelled vehicle was used, the court, if it does not make a consequential or ancillary disqualification order, may ([and, in the case of an offence which would be an offence such as is specified in paragraph 1, 2, 3, 9, 10 or 12 (b) of the Second Schedule to this Act if it were a second or any subsequent offence committed within any period of 3 years and, in the case of an offence which would be an offence such as is specified in paragraph 7 of the said Second Schedule if it were a third or any subsequent offence committed within any period of 3 years and, in the case of an offence which is specified in paragraph 8 or 11 of the Second Schedule to this Act, being an offence in respect of which the court has declined, pursuant to section 26 (5) (b) of this Act, to make a disqualification order, shall]) by order direct particulars of the conviction

to be endorsed on the driving licence held by such person or, if he is not the holder of a driving licence but subsequently a driving licence is granted to him, on that driving licence.

(2) In every case in which an appeal may be brought in respect of a conviction of an offence on conviction of which an order may be made or is required to be made under subsection (1) of this section, jurisdiction to make, confirm or annul such order is hereby conferred on the appellate court unless it otherwise has that jurisdiction or the conferring of that jurisdiction is unnecessary because the appeal is by way of rehearing and, where the order under subsection (1) of this section was required to be made by that subsection, the appellate court—

- (a) if it sets aside the conviction, shall annul that order,
- (b) if it refuses the appeal and does not vary the sentence, shall confirm that order,
- (c) if it refuses the appeal and varies the sentence, shall annul that order and by a new order direct particulars of the conviction to be endorsed on the driving licence held by the person concerned or, if he is not the holder of a driving licence but subsequently a driving licence is granted to him, on that driving licence.

**C54** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

**Application of certain provisions of Act to provisional licences.**

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

- (a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,
- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**C55** Application and construction of section modified (31.05.2006) by *Road Safety Authority Act 2006* (14/2006), s. 4(2), commenced on enactment.

**Functions of Authority.**

4.— ...

(2) The Minister may by order confer on the Authority such functions of the Minister under section 2, 3, 4, 5, 7 or 9 of the Road Traffic Act 2002 or section 36(6), (7) or (8) of the Road Traffic Act 1961 as specified in the order and, accordingly, a reference to the Minister in a provision so specified or connected with it includes a reference to the Authority.

...

**C56** Construction of section modified (1.06.2003, 25.08.2003, 4.06.2004, 3.04.2006, 1.09.2006, 1.05.2009) by *Road Traffic Act 2002* (12/2002), s. 8(a), partially commenced by S.I. No. 214 of 2003, S.I. No. 321 of 2003, S.I. No. 248 of 2004, S.I. No. 134 of 2006, S.I. No. 443 of 2006, S.I. No. 149 of 2009.

**Endorsement of certain convictions and disqualifications on entries.**

8.—For the purpose of enabling the convictions and the disqualification orders referred to in subsections (3) and (4) of section 36 of the Principal Act to be endorsed on the entries of those

concerned in lieu of being endorsed on the licences held by them, the following amendments of the said section 36 are made as respects such convictions occurring, and such orders made, after the commencement of this section—

- (a) the references in those subsections to an order directing particulars of a conviction or of a disqualification order to be endorsed on the licence held by a person or, if the person is not the holder of a licence but subsequently a licence is granted to him or her, on that licence are construed as references to an order directing that those particulars be endorsed on the entry then existing or subsequently made in relation to the person, and

...

**Editorial Notes:**

- E272** Procedure for purposes of subss. (1) and (2) prescribed (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 47.
- E273** Conditions for cancellation of endorsement under subs. (4) provided (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 46(5)(b).
- E274** Ministerial functions under subss. (6)-(8) conferred on Road Safety Authority (13.09.2006) by *Road Safety Authority Act 2006 (Conferral of Functions) Order 2006* (S.I. No. 477 of 2006), art. 2.
- E275** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E276** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E277** Previous affecting provision: subs. (1) amended (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(d), S.I. No. 222 of 1994. Section amended as per above F-notes.
- E278** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E279** Previous affecting provision: application of section not restricted (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 48, S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E280** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E281** Previous affecting provision: section amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Section amended as per above F-notes.
- E282** Previous affecting provision: application of section modified (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), regs. 18 and 45-48; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Transfer of endorsement to new licence.

- 37.—(1) (a)** Where a driving licence (in this section referred to as the new licence) is granted under this Part of this Act to a person who is at the time of the grant or was previously thereto the holder of a licence (in this section referred to as the previous licence) which was endorsed under this Part of this Act or Part III of the repealed Act, the licensing authority granting the new licence shall (unless such person has become entitled under this section to receive a driving licence free from endorsement) endorse on

the new licence a copy of the endorsement or every endorsement on the previous licence, and the new licence so endorsed shall for all purposes be a driving licence endorsed under this Part of this Act.

(b) Nothing in paragraph (a) of this subsection shall apply in relation to an endorsement made pursuant to an order annulled on appeal,

(2) Where—

(a) a person who is or has been the holder of a licence endorsed under this Part of this Act or Part III of the repealed Act applies under and in accordance with this Act for a driving licence, and

(b) such person satisfies the licensing authority that—

(i) during a continuous period of not less than three years, or a series of discontinuous periods amounting in the aggregate to not less than F68[three years], he has lawfully held a driving licence or a licence under Part III of the repealed Act, and

(ii) that, from the commencement of such continuous period or the first of such discontinuous periods (as the case may be) until the date of the application, he has not had—

(I) a driving licence held by him endorsed under this Part of this Act (disregarding an endorsement under this section of a new licence), or

(II) a licence under Part III of the repealed Act held by him endorsed under that Part (disregarding an endorsement under section 37 of the repealed Act of a new licence),

the driving licence (if any) granted on the application shall be granted without any endorsement under this Part of this Act and shall not be for any purpose a licence so endorsed.

#### Annotations

#### Amendments:

**F68** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(e), S.I. No. 222 of 1994.

**F69** Repealed by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 51, not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C57** Prospective affecting provision: section repealed by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 51, not commenced as of 16.04.2013.

**37.**—F69[...]

**C58** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

#### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

(a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

- E283** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E284** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E285** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E286** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E287** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Prohibition on driving without driving licence.

**38.—**(1) A person shall not drive a mechanically propelled vehicle in a public place unless he holds a driving licence for the time being having effect and licensing him to drive the vehicle.

F70[(2) (a) A person who contravenes subsection (1) is guilty of an offence and, subject to subsection (5), is liable on summary conviction—

(i) where at the time of the commission of the offence he or she had been the holder of a driving licence (other than a learner permit) which had expired beyond its period of validity for a period of not more than 12 months before the commission of the offence, to a fine not exceeding €1,000, and

(ii) in any other case, to a fine not exceeding €2,000.]

(b) In a prosecution for an offence under this subsection, it shall be presumed, until the contrary is shown by the defendant, that he did not, at the time he drove the vehicle, hold a driving licence then having effect and licensing him to drive the vehicle.

(3) The owner of a mechanically propelled vehicle shall not employ a person to drive the vehicle in a public place unless the person holds a driving licence for the time being having effect and licensing him to drive the vehicle.



(4) (a) A person who contravenes subsection (3) of this section shall be guilty of an offence.

(b) In a prosecution for an offence under this subsection, it shall be presumed, until the contrary is shown by the defendant, that the person employed to drive the vehicle did not, at the time he drove the vehicle, hold a driving licence then having effect and licensing him to drive the vehicle.

F70[(5) A person—

(a) who is summarily convicted of the offence of contravening subsection (1) and was at the time he or she committed the offence—

(i) disqualified for holding a driving licence, or

(ii) a person required to produce a certificate of competency or a certificate of fitness before obtaining a driving licence,

in lieu of the penalty mentioned in subsection (2)(a), or

(b) who is summarily convicted of the offence of contravening subsection (3) in a case in which the person employed to drive the vehicle was at the time he or she drove the vehicle—

(i) disqualified for holding a driving licence, or

(ii) a person required to produce a certificate of competency or a certificate of fitness before obtaining a driving licence,

in lieu of the penalty mentioned in section 102,

is liable to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 6 months or both.]

(6) Subsections (1) to (5) of this section shall not apply in relation to a member of the Garda Síochána driving a mechanically propelled vehicle in the course of his duty.

(7) Pedestrian-controlled vehicles which are specified for the purposes of this subsection by the Minister by regulations and which comply with the conditions stated in the regulations are hereby excepted from subsections (1) to (5) of this section and sections 40 and 41 of this Act.

#### Annotations

#### Amendments:

**F70** Substituted (21.07.2006) by *Road Traffic Act 2006 (23/2006)*, s. 12, S.I. No. 384 of 2006.

#### Modifications (not altering text):

**C59** Application of section restricted (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 8.

#### Excepted vehicles.

8. The pedestrian controlled vehicles which are excepted from section 38(1) to (5) and from sections 40 and 41 of the Act are pedestrian-controlled vehicles which are neither constructed nor adapted for use for carrying the driver or a passenger and which do not exceed 407 kg in weight unladen.

**C60** Application of section modified (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 9(1).

#### Driving Licence or Permit.

9. (1) A visitor who is for the time being the holder of a driving permit may drive in a public place a vehicle which he is licensed by the driving permit to drive, other than a vehicle of a category in respect of which he is disqualified for holding a driving licence, and section 38 of the Road Traffic Act, 1961, shall be modified accordingly.

...

**Editorial Notes:**

**E288** A number of statutory instruments made pursuant to s. 42 of this Act were also made pursuant to this section. Where this occurred the relevant E-note in the annotations of s. 42 notes that the statutory instrument is also made pursuant to s. 38. These statutory instruments are not separately listed under this section.

**E289** Licence limited to specified vehicle type for purpose of section provided (24.07.1969) by *Road Traffic Act 1968* (25/1968), s. 22(2), S.I. No. 139 of 1969.

**E290** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.

**E291** Previous affecting provision: application of subss. (1)-(5) restricted (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 7; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

**E292** Previous affecting provision: application of section modified by *Mechanically Propelled Vehicles (International Circulation) Order 1961* (S.I. No. 269 of 1961), art. 14(1) as substituted (18.03.1964) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1964* (S.I. No. 59 of 1964), art. 4. *Mechanically Propelled Vehicles (International Circulation) Order 1961* revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.

Prohibition on applying for driving licence when disqualified.

**F71** [39.— (1) A person shall not apply for an Irish driving licence or a learner permit if he or she is disqualified for applying therefor.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 6 months or to both.]

**Annotations**

**Amendments:**

**F71** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 58, S.I. No. 255 of 2011.

**Modifications (not altering text):**

**C61** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

**Application of certain provisions of Act to provisional licences.**

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

- (a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,

- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

- E293** Previous affecting provision: fine in subs. (2) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1 ref. no. 5, S.I. No. 86 of 2007. Section substituted as per F-note above.
- E294** Previous affecting provision: fine in subs. (2) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, pt. 1, ref. no. 6, S.I. No. 491 of 2002. Fine increased as per E-note above.
- E295** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E296** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E297** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E298** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E299** Previous affecting provision: fine in subs. (2) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(1) and table, ref. no. 3, commenced on enactment. Fine increased as per E-note above.
- E300** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Production of driving licence on demand by member of Garda Síochána.

**F72[40.— (1) A member of the Garda Síochána may demand of a person—**

**(a) driving in a public place a mechanically propelled vehicle, or**

**(b) accompanying under regulations under this Act the holder of a learner permit while such holder is driving in a public place a mechanically propelled vehicle,**

the production to him or her for his or her inspection of a driving licence then having effect and licensing the person to drive the vehicle. If the person refuses or fails so to produce the licence there and then, he or she commits an offence.

(2) A member of the Garda Síochána may demand of a person who is driving in a public place a mechanically propelled vehicle and is not the holder of a driving licence the production to him or her for his or her inspection of a learner permit then having effect and licensing the person to drive the vehicle. If the person refuses or fails so to produce the learner permit and is a person falling within section 35(1), he or she commits an offence.

(3) Where a person who is driving in a public place a mechanically propelled vehicle and of whom the production of a driving licence is demanded under paragraph (a) of subsection (1) or is required under subsection (4)(a) produces, in accordance with the demand or requirement, a learner permit then having effect and licensing the person to drive the vehicle concerned, the person has not committed an offence under subsection (1) or (4)(a), as the case may be.

F73[(a) Where a person of whom the production of a driving licence or learner permit is demanded under this section refuses or fails to produce the licence or permit there and then, a member of the Garda Síochána may require the person to produce within 10 days after the date of the requirement the licence or permit in person to a member of the Garda Síochána at a Garda Síochána station to be named by the person at the time of the requirement. If the person refuses or fails so to produce the licence or permit, he or she commits an offence.]

(b) In any proceedings a certificate, purporting to be signed by the member in charge of the Garda Síochána station at which the defendant concerned was required, under paragraph (a), to produce the driving licence or learner permit, stating that the defendant did not, within 10 days after the day on which the production was required, produce a driving licence or learner permit in accordance with paragraph (a) shall, without proof of the signature of the person purporting to sign the certificate or that he or she was the member in charge of the Garda Síochána station, be evidence, until the contrary is shown, of the facts stated in the certificate.

(c) Where any person is required to produce a driving licence or learner permit at a Garda Síochána station and the person produces the licence or permit within 10 days after the day on which the production was required, the member in charge of the Garda Síochána station shall issue a certificate stating that the licence or permit was so produced and such certificate shall be evidence of the facts stated in the certificate.

(5) Where a person of whom the production of a driving licence or learner permit is demanded or required under this section produces the licence or permit in accordance with the demand or requirement, but refuses or fails to permit the member of the Garda Síochána to whom it is produced to read the licence or permit, he or she commits an offence.

F74[(6) Where a person of whom the production of a driving licence or learner permit is demanded or required under this section refuses or fails so to produce the licence or permit or produces the licence or permit but refuses or fails to permit the member of the Garda Síochána to whom it is produced to read the licence or permit, the member may demand of the person his or her name and address and date of birth and, if the person refuses or fails to give to the member his or her name and address and date of birth or gives to the member a name or address or date of birth which is false or misleading, he or she commits an offence.]

(7) A member of the Garda Síochána may arrest without warrant—

(a) a person who under this section produces a driving licence or learner permit to the member but refuses or fails to permit the member to read it, or

F75[(b) a person who, when his or her name and address and date of birth are lawfully demanded of him or her by a member of the Garda Síochána under this section, refuses or fails to give to the member his or her name and

address and date of birth or gives to the member a name or address or date of birth which the member has reasonable grounds for believing to be false or misleading.]

(8) A person who, when the production of a driving licence or learner permit is demanded or required of him or her under this section, does not produce the licence or permit because he or she is not the holder of a driving licence or learner permit is deemed to fail to produce his or her driving licence or learner permit, as the case may be, under this section.

F76[(9) Section 1(1) of the Probation of Offenders Act 1907 does not apply to an offence under this section.]]

#### Annotations

#### Amendments:

- F72** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 59(1), S.I. No. 255 of 2011.
- F73** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 2(a), S.I. No. 542 of 2011.
- F74** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 2(b), S.I. No. 542 of 2011.
- F75** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 2(c), S.I. No. 542 of 2011.
- F76** Inserted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 2(d), S. I. No. 542 of 2011.

#### Modifications (not altering text):

- C62** Application of section restricted (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 8.

#### Excepted vehicles.

8. The pedestrian controlled vehicles which are excepted from section 38(1) to (5) and from sections 40 and 41 of the Act are pedestrian-controlled vehicles which are neither constructed nor adapted for use for carrying the driver or a passenger and which do not exceed 407 kg in weight unladen.

#### Editorial Notes:

- E301** Procedure prescribed (28.10.11) by *Road Traffic Act 2010* (25/2010), ss. 8(1), (3), (4) and 60(1). S. 8(1), (3) and (4), S.I. No. 543 of 2011.
- E302** Previous affecting provision: subss. (1), (1A) amended (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 13, S.I. No. 718 of 2007; subss. (1), (1A) substituted as per F-note above and s. 13 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 59(2)(c), S.I. No. 255 of 2011.
- E303** Previous affecting provision: subss. (1A), (1B) inserted (1.01.2003) by *Road Traffic Act 2002* (12/2002), s. 18, S.I. No. 598 of 2002; superseded as per F-note above and s. 18 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 59(2)(b), S.I. No. 255 of 2011.
- E304** Previous affecting provision: section substituted (1.01.2003) by *Road Traffic Act 1994* (7/1994), s. 25, S.I. No. 597 of 2002; superseded as per F-note above and s. 25 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 59(2)(a), S.I. No. 255 of 2011.
- E305** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E306** Previous affecting provision: subs. (5) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**E307** Previous affecting provision: application of section restricted (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 7; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Writing of signature on demand by member of Garda Síochána.

**41.—(1)** A member of the Garda Síochána may, on any day with respect to which the condition specified in subsection (2) of this section is fulfilled, request a person driving in a public place a mechanically propelled vehicle or accompanying the holder of a provisional licence while such holder is driving in a public place a mechanically propelled vehicle, or a person producing his driving licence at a Garda Síochána station in pursuance of the immediately preceding section, to sign his name in a book and with a pen or pencil to be provided by the member and at the place in the book indicated by the member, and if such person, on being so requested and on being provided with the book and pen or pencil, refuses or fails to sign his name in the book or with the pen or pencil or at the place in the book indicated by the member, he shall be guilty of an offence.

(2) The condition referred to in subsection (1) of this section is that all or some of the driving licences that could have stood granted on the day in question could have been expressed as not having effect until they are signed by the grantees.

#### Annotations

#### Modifications (not altering text):

**C63** Application of section restricted (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 8.

#### Excepted vehicles.

8. The pedestrian controlled vehicles which are excepted from section 38(1) to (5) and from sections 40 and 41 of the Act are pedestrian-controlled vehicles which are neither constructed nor adapted for use for carrying the driver or a passenger and which do not exceed 407 kg in weight unladen.

**C64** Application of section extended (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 16.

#### Application of certain provisions of Act to provisional licences.

16. Section 22(2), (4) and (5), sections 26 and 27, section 28(1), (3), (4) and (5) and sections 29, 30, 31, 32, 34, 36, 37, 39 and 41 of the Act apply in relation to provisional licences as if a reference to a driving licence in any of those provisions were a reference to a provisional licence, except that —

- (a) a consequential or ancillary disqualification order does not operate so as to disqualify a person for holding a provisional licence for a period after a specified period until he or she has produced to the appropriate licensing authority a certificate of competency,
- (b) the application of section 22(5) of the Act to provisional licences does not operate so as to disqualify a person who holds a driving licence in respect of vehicles of a category or categories, for applying for a provisional licence in respect of that category or any of those categories for the purpose of learning to drive in order to pass a test where, by virtue of any provision of the Act, he or she is required to produce a certificate of competency, and
- (c) where the holder of a provisional licence in respect of vehicles of a category for any period has been granted a certificate of competency in respect of that category, he or she shall not by virtue of the application of section 22(5) of the Act to provisional licences, be disqualified for applying for a driving licence in respect of that category for any period within the period for which the provisional licence has been granted.

**Editorial Notes:**

- E308** Previous affecting provision: application of section extended (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19; revoked and superseded (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a), and reg. 16 as per above C-note.
- E309** Previous affecting provision: application of section extended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 29(1), S.I. No. 350 of 1994; repealed (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 11(4), S.I. No. 718 of 2007.
- E310** Previous affecting provision: application of section extended (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 18; revoked and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8, and art. 19 as per above E-note.
- E311** Previous affecting provision: application of section extended (1.10.1984) by *European Communities (Licensing of Drivers) Regulations 1984* (S.I. No. 234 of 1984), reg. 5; revoked (15.11.1999) by *European Communities (Licensing of Drivers) Regulations 1999* (S.I. No. 351 of 1999), reg. 3 and superseded (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 19 as per above E-note.
- E312** Previous affecting provision: application of section restricted (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 7; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E313** Previous affecting provision: application of section extended (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964), reg. 18; revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

Regulations under Part III.

- F77[42.—** (1) In this section ‘licence’ means a driving licence or learner permit.
- (2) The Minister may make regulations to provide for all or any of the following:
- (a) the categorization for the purposes of this Part of mechanically propelled vehicles;
  - (b) the form of driving licences and learner permits;
  - (c) the form and manner of application for a licence, the particulars to be embodied in the application and the documents to be given with the application;
  - (d) the surrender of licences;
  - (e) the securing that licences for a category are not issued to persons already holding licences for such category;
  - (f) the issue by licensing authorities of duplicate licences in place of licences lost, destroyed, or mutilated, the fees to be paid in respect of such issue and the disposal of such fees;
  - (g) the communication of particulars of licences granted by licensing authorities to other licensing authorities;
  - (h) the making available for the use of members of the Garda Síochána and other persons of information in the possession of licensing authorities with respect to persons disqualified for holding licences and persons whose licences have been endorsed under this Part;
  - (i) the fees to be paid in respect of the grant of licences and the disposal of such fees;

- (j) the period during which a learner permit is to remain in force;
  - (k) the conditions to attach to a learner permit and failure to comply with which makes the permit void;
  - (l) the issue of licences by officers of any Minister of the Government or the Road Safety Authority as agent of a licensing authority;
  - (m) conditions in relation to courses of instruction which an applicant for, or the holder of, a learner permit must comply with;
  - (n) the courses of instruction which persons must undergo prior to being granted a licence in respect of any category or categories of vehicles;
  - (o) the content of courses of instruction which persons must undergo prior to being granted a licence in respect of any category or categories of vehicles;
  - (p) the fees to be paid to a licensing authority in respect of the supply by the authority of information relating to a licence F78[and the disposal of such fees].
- (3) The Minister may make regulations, in relation to sections 33 and 34, to provide for all or any of the following matters:
- (a) the classes of persons who are required to produce a certificate of competency or fitness or a medical report when applying for a driving licence;
  - (b) voluntary submission to tests as to competency and knowledge of the Rules of the Road;
  - (c) the making of applications for certificates;
  - (d) the minimum period which has to elapse before a person who has failed to secure a certificate is eligible to apply again for a certificate;
  - (e) the fees to be paid on applications for certificates and their disposition;
  - (f) the persons by whom the issuing authority under section 33 may cause tests to be carried out;
  - (g) the persons by whom further tests directed under section 33(6) are to be carried out;
  - (h) the nature of and manner of holding tests;
  - (i) the form of reports by registered medical practitioners under section 34;
  - (j) the form and manner of issue of certificates and the period of their validity;
  - (k) the keeping of records by specified persons;
  - (l) the delegation by issuing authorities to specified persons of the functions of such authorities under section 33(4);
  - (m) the delegation by issuing authorities to specified persons of the functions of such authorities under section 34(4);
  - (n) the minimum period which has to elapse, following the granting of a learner permit and in circumstances as may be prescribed, during which the holder of the licence may not apply for a certificate of competency.
- (4) Regulations under this section in relation to disqualifications and endorsements under this Act may F79[...] provide for all or any of the following matters:
- (a) the production of licences in court;



- (b) the effecting of endorsements ordered under section 36;
- (c) the transmission of licences by the court to licensing authorities to be retained by them until they have expired or the disqualification ends (whichever is the shorter period);
- (d) the notification to licensing authorities of the making, confirming, annulling, varying or removal of a consequential, ancillary or special disqualification order or the making, confirming or annulling of endorsements ordered under section 36.

(5) Regulations under this section may make different provisions for different classes of cases coming within the same matter.

(6) A person who contravenes a regulation under this section which is stated to be a penal regulation is guilty of an offence.]

#### Annotations

##### Amendments:

- F77** Substituted (30.10.2007) by *Road Traffic Act 2006* (23/2006), s. 10, S.I. No. 718 of 2007.
- F78** Inserted (11.07.2007) by *Roads Act 2007* (34/2007), s. 12(2)(a), commenced on enactment.
- F79** Deleted (11.07.2007) by *Roads Act 2007* (34/2007), s. 12(2)(b), commenced on enactment.
- F80** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(i)(I), not commenced as of 16.04.2013.
- F81** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(i)(II), not commenced as of 16.04.2013.
- F82** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(i)(III), not commenced as of 16.04.2013.
- F83** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(i)(IV), not commenced as of 16.04.2013.
- F84** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(ii), (iii), not commenced as of 16.04.2013.
- F85** Deleted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(ii), not commenced as of 16.04.2013.
- F86** Inserted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i)(iv), not commenced as of 16.04.2013.

##### Modifications (not altering text):

- C65** Prospective affecting provision: subs. (2)(f) amended, subs. (2)(g) deleted, subs. (2)(h), (l) amended, subs. (4)(c), (d) amended and subs. (5A) inserted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 50(i), not commenced as of 16.04.2013.

(2) ...

(f) the issue by F80[the licensing authority] of duplicate licences in place of licences lost, destroyed, or mutilated, the fees to be paid in respect of such issue and the disposal of such fees;

(g)F81[...]

(h) the making available for the use of members of the Garda Síochána and other persons of information in the possession of F82[the licensing authority] with respect to persons disqualified for holding licences and persons whose licences have been endorsed under this Part;

...

(l) the issue of licences by officers of any Minister of the Government or the F83[...] licensing authority;

...

(4) ...

(c) the transmission of licences by the court to F84[the licensing authority] to be retained F85[...] until they have expired or the disqualification ends (whichever is the shorter period);

(d) the notification to F84[the licensing authority] of the making, confirming, annulling, varying or removal of a consequential, ancillary or special disqualification order or the making, confirming or annulling of endorsements ordered under section 36.

...

F86[(5A) Regulations under this section which provide for the payment of fees may provide for the method by which fees are to be paid and for a combination of fees separately payable to be paid together as one fee.]

**C66** Application of section restricted (7.11.1989) by *European Communities (Licensing of Drivers) Regulations 1989* (S.I. No. 287 of 1989), regs. 3 and 4.

3. Notwithstanding section 33 (7) of the Road Traffic Act, 1961 (No. 24 of 1961), Regulations under section 42 of that Act may provide that the issuing authority for the purposes of section 33 of that Act shall not test or cause to be tested an applicant for a certificate of competency unless the applicant holds such driving licence or provisional licence as may be specified in the Regulations.

4. Regulations of the type referred to in Article 3 of these Regulations shall have effect in accordance with their terms and subsections (3) and (7) of section 33 and section 42 of the Road Traffic Act, 1961 are hereby amended accordingly.

**Editorial Notes:**

**E314** Power pursuant to subs. (3)(n) exercised (12.03.2013) by *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) (Amendment) Regulations 2013* (S.I. No. 86 of 2013).

**E315** Power pursuant to section and ss. 5(1), 23(2) and 31(2) exercised (19.01.2013 other than reg. 3(b)) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2013* (S.I. No. 6 of 2013).

**E316** Power pursuant to section and s. 5(1) exercised (19.01.2012) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2012* (S.I. No. 330 of 2012).

**E317** Power pursuant to section exercised (1.01.2013) by *Road Traffic (Licensing of Drivers) (Fees) Regulations 2012* (S.I. No. 559 of 2012),

**E318** Power pursuant to section and ss. 5(1), 23(2), 31(2) and 34 exercised (19.01.2013) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2011* (S.I. No. 483 of 2011).

**E319** Power pursuant to subs. (2)(m)-(o) exercised (10.1.2012) by *Road Traffic (Courses of Instruction) (Learner Permit Holders)(Amendment) Regulations 2012* (S.I. No. 4 of 2012).

**E320** Power pursuant to subs. (3)(n) exercised (10.1.2012) by *Road Traffic (Licensing of Learner Drivers) (Certificate of Competency) (Amendment) Regulations 2012* (S.I. No. 3 of 2012).

**E321** Power pursuant to subs. (2) exercised (20.12.2011) by *Road Traffic (Courses of Instruction) (Motorcycles) Regulations 2011* (S.I. No. 681 of 2011).

**E322** Power pursuant to subs. (2)(m)-(o) exercised (4.04.2011) by *Road Traffic (Courses of Instruction) (Learner Permit Holders) Regulations 2011* (S.I. No. 173 of 2011).

**E323** Power pursuant to section exercised (1.02.2011) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2011* (S.I. No. 35 of 2011).

- E324** Power pursuant to section exercised (11.11.2010) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2010* (S.I. No. 544 of 2010).
- E325** Power pursuant to subs. (3)(n) exercised (27.10.2010) by *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) (Amendment) Regulations 2010* (S.I. No. 509 of 2010).
- E326** Power pursuant to section exercised (12.08.2010) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2010* (S.I. No. 403 of 2010).
- E327** Power pursuant to section exercised (7.04.2009) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2009* (S.I. No. 130 of 2009).
- E328** Power pursuant to section exercised (19.11.2008) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2008* (S.I. No. 471 of 2008).
- E329** Power pursuant to section exercised (30.10.2007 and 1.12.2007) by *Road Traffic (Licensing of Learner Drivers) Regulations 2007* (S.I. No. 719 of 2007).
- E330** Power pursuant to section exercised (30.10.2007) by *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) Regulations 2007* (S.I. No. 725 of 2007), as amended (27.10.2010) by *Road Traffic (Licensing of Learner Drivers) (Certificates of Competency) (Amendment) Regulations 2010* (S.I. No. 509 of 2010).
- E331** Power pursuant to this section and ss. 5(1), 23(2), 31(2), 34, 38(1) exercised (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006).
- E332** Power pursuant to this section and ss. 5 and 80 exercised (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992).
- E333** Power pursuant to this section and ss. 5 and 33 exercised (4.02.1985) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1985* (S.I. No. 20 of 1985).
- E334** Power pursuant to this section and ss. 5 and 33 exercised (1.10.1984) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1984* (S.I. No. 233 of 1984).
- E335** Power pursuant to this section and ss. 5, 33 and 35 exercised (27.09.1974) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1974* (S.I. No. 295 of 1974).
- E336** Previous affecting provision: subs. (2) amended (3.07.2001) by *Motor Vehicle (Duties and Licenses) Act 2001* (22/2001), s. 5, commenced on enactment. Section substituted as per above F-note.
- E337** Previous affecting provision: subs. (4) amended (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 28, S.I. No. 350 of 1994. Section substituted as per above F-note.
- E338** Previous affecting provision: subs. (2) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Section amended as per above F-notes.
- E339** Previous affecting provision: power pursuant to section exercised (30.10.2007 for period to 30.06.2008) by *Road Traffic (Licensing of Learner Drivers) (No. 2) Regulations 2007* (S.I. No. 724 of 2007).
- E340** Previous affecting provision: power pursuant to this section and ss. 5, 31, 34 and 35 exercised (15.11.2004 and 14.02.2005) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2004* (S.I. No. 705 of 2004); revoked (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(f).
- E341** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.01.2002) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2001* (S.I. No. 516 of 2001); revoked (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(d).
- E342** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35, 38(7) exercised (25.04.2001) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 2001* (S.I. No. 169 of 2001); revoked (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(c).

- E343** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35 and 38(7) exercised (23.11.1999) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1999* (S.I. No. 366 of 1999); revoked (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(b).
- E344** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35 and 38(7) exercised (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999); revoked (21.10.2006) by *Road Traffic (Licensing of Drivers) Regulations 2006* (S.I. No. 537 of 2006), reg. 5(a).
- E345** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35 and 38(7) exercised (18.12.1997) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1997* (S.I. No. 511 of 1997); revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E346** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35, 38(7) exercised (5.11.1996) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1996* (S.I. No. 328 of 1996), revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E347** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.09.1995) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1995* (S.I. No. 217 of 1995); revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E348** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.05.1994 and 1.0.1994) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1994* (S.I. No. 56 of 1994); revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E349** Previous affecting provision: power pursuant to this section and s. 5 exercised (18.01.1993) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1993* (S.I. No. 5 of 1993); revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E350** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.01.1992) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1991* (S.I. No. 320 of 1991), revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E351** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35 and 38(7) exercised (1.01.1990) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1989* (S.I. No. 353 of 1989); revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E352** Previous affecting provision: power pursuant to this section and ss. 5, 23(2), 31, 33, 34, 35 and 38(7) exercised (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989); revoked (15.11.1999) by *Road Traffic (Licensing of Drivers) Regulations 1999* (S.I. No. 352 of 1999), art. 57 and sch. 8.
- E353** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (2.11.1987) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1987* (S.I. No. 236 of 1987); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E354** Previous affecting provision: power pursuant to this section and ss. 5, 32 and 34 exercised (3.11.1986) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1986* (S.I. No. 340 of 1986); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E355** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (3.02.1986) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1986* (S.I. No. 23 of 1986); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

- E356** Previous affecting provision: power pursuant to this section and ss. 5 and 35 exercised (12.08.1985) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1985* (S.I. No. 254 of 1985); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E357** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (30.01.1984) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1984* (S.I. No. 18 of 1984), revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E358** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (1.03.1983 and 1.04.1983) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1983* (S.I. No. 49 of 1983); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E359** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (1.03.1982) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1982* (S.I. No. 27 of 1982); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E360** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (6.08.1981) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1981* (S.I. No. 276 of 1981), revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 60 and sch. 7.
- E361** Previous affecting provision: power pursuant to this section and ss. 5, 22(3), 31, 33, 34 and 35 exercised (1.07.1981) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1981* (S.I. No. 198 of 1981); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 61 and sch. 7.
- E362** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.08.1980) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1980* (S.I. No. 225 of 1980); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E363** Previous affecting provision: power pursuant to this section and ss. 5, 22, 33 and 35 exercised (16.10.1979) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1979* (S.I. No. 342 of 1979); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E364** Previous affecting provision: power pursuant to this section and ss. 5, 22, 33 and 35 exercised (11.10.1979) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1979* (S.I. No. 337 of 1979); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E365** Previous affecting provision: power pursuant to this section and ss. 5 and 33 exercised (1.12.1975) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1975* (S.I. No. 277 of 1975); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E366** Previous affecting provision: power pursuant to this section and ss. 5, 33 and 35 exercised (27.09.1974) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1974* (S.I. No. 295 of 1974); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), art. 60 and sch. 7.
- E367** Previous affecting provision: power pursuant to this section and ss. 5, 22(3), 33, 34 and 35(2) exercised (1.06.1973) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1973* (S.I. No. 120 of 1973); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E368** Previous affecting provision: power pursuant to this section and ss. 5, 33 and 35 exercised (24.07.1969) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1969* (S.I. No. 140 of 1969); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.

- E369** Previous affecting provision: power pursuant to this section and s. 5 exercised (5.05.1967) by *Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 1967* (S.I. No. 113 of 1967); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E370** Previous affecting provision: power pursuant to this section and s. 5 exercised (24.01.1967) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1967* (S.I. No. 24 of 1967); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E371** Previous affecting provision: power pursuant to this section and s. 5 exercised (16.05.1966) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1966* (S.I. No. 99 of 1966); revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.
- E372** Previous affecting provision: power pursuant to this section and ss. 5, 33, 34 and 35 exercised (28.02.1966) by *Road Traffic (Licensing of Drivers) (Amendment) Regulations 1966* (S.I. No. 47 of 1966); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E373** Previous affecting provision: power pursuant to this section and ss. 5, 22(3), 23(2), 31, 33, 34, 35 and 38(7) exercised (18.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 29 of 1964); revoked (13.11.1989) by *Road Traffic (Licensing of Drivers) Regulations 1989* (S.I. No. 285 of 1989), reg. 60 and sch. 7.
- E374** Previous affecting provision: power pursuant to this section and s. 5 exercised (18.03.1964) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1964* (S.I. No. 59 of 1964); revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.

Transitional provisions (Part III).

**43.—(1)** A licence under Part III of the repealed Act in force at the commencement of this subsection shall be deemed to be a driving licence.

(2) An order under section 30 of the repealed Act in force at the commencement of this subsection shall be deemed to be a consequential disqualification order.

(3) An order under section 31 of the repealed Act in force at the commencement of this subsection shall be deemed to be an ancillary disqualification order.

(4) An order under section 32 of the repealed Act in force at the commencement of this subsection shall be deemed to be a special disqualification order.

(5) If and so long as, section 26 of this Act having come into operation, the repeal by this Act of Part III (other than sections 29 and 30) of the repealed Act has not come into operation, a consequential disqualification order shall be deemed for the purposes of the repealed Act to be a consequential disqualification order under that Act notwithstanding the repeal of section 30 thereof.

(6) If and so long as, section 29 of this Act having come into operation, the repeal by this Act of section 31 of the repealed Act has not come into operation, the said section 29 shall apply to an order under the said section 31.

## PART IV.

### SPEED LIMITS.

**Annotations****Modifications (not altering text):**

**C67** Power of Minister to make regulations under Pt. IV (ss. 44-47) modified (1.01.1994) by *Roads Act 1993* (14/1993), s. 23(2)(c), S.I. No. 406 of 1993.

**The Authority and traffic management.**

**23.**—...

(2) The Minister shall consult with the Authority before— ...

(c) making regulations in relation to national roads under Part IV of the Act of 1961.

...

**Editorial Notes:**

**E375** Speed limits under Pt. IV (ss. 44-47) applied (23.12.2001) to light rail vehicles and related offence created by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 54(1) and (5), commenced on enactment.

Ordinary speed limits.

**44.**—F87[...]

**Annotations****Amendments:**

**F87** Repealed (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 14, S.I. No. 8 of 2005.

**Editorial Notes:**

**E376** Previous affecting provision: power pursuant to this section and ss. 5 and 44A exercised (30.07.1992) by *Road Traffic (General and Ordinary Speed Limits) Regulations 1992* (S.I. No. 194 of 1992); revoked (20.01.2005) by *Road Traffic (Ordinary Speed Limits - Certain Vehicles) Regulations 2005* (S.I. No. 9 of 2005), reg. 6.

**E377** Previous affecting provision: power pursuant to this section and ss. 5, 45 and 46 exercised (1.04.1963) by *Road Traffic (Speed Limits) Regulations 1963* (S.I. No. 18 of 1963); revoked (30.07.1992) by *Road Traffic (General and Ordinary Speed Limits) Regulations, 1992* (S.I. No. 194 of 1992), reg. 3.

F88[General speed limit

**44A.** F89[...]

**Annotations****Amendments:**

**F88** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 24, S.I. No. 169 of 1968.

**F89** Repealed (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 14, S.I. No. 8 of 2005.

**Editorial Notes:**

**E378** Previous affecting provision: subs. (1) amended (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 30, S.I. No. 222 of 1994. Section repealed as per F-note above.

- E379** Previous affecting provision: power pursuant to this section and ss. 5 and 44 exercised (30.07.1992) by *Road Traffic (General and Ordinary Speed Limits) Regulations 1992* (S.I. No. 194 of 1992); revoked (20.01.2005) by *Road Traffic (Ordinary Speed Limits - Certain Vehicles) Regulations 2005* (S.I. No. 9 of 2005), reg. 6.
- E380** Previous affecting provision: power pursuant to this section and s. 5 exercised (21.05.1979) by *Road Traffic (General Speed Limit) Regulations 1979* (S.I. No. 176 of 1979); revoked (30.07.1992) by *Road Traffic (General and Ordinary Speed Limits) Regulations 1992* (S.I. No. 194 of 1992), reg. 3.
- E381** Previous affecting provision: power pursuant to this section and s. 5 exercised (17.03.1975) by *Road Traffic (General Speed Limit) Regulations 1975* (S.I. No. 55 of 1975); revoked (21.05.1979) by *Road Traffic (General Speed Limit) Regulations 1979* (S.I. No. 176 of 1979), reg. 3.
- E382** Previous affecting provision: power pursuant to this section and s. 5 exercised (6.12.1974) by *Road Traffic (General Speed Limit) (No. 2) Regulations 1974* (S.I. No. 352 of 1974); revoked (17.03.1975) by *Road Traffic (General Speed Limit) Regulations 1975* (S.I. No. 55 of 1975), reg. 3.
- E383** Previous affecting provision: power pursuant to this section and s. 5 exercised (14.05.1974) by *Road Traffic (General Speed Limit) Regulations 1974* (S.I. No. 134 of 1974); revoked (6.12.1974) by *Road Traffic (General Speed Limit) (No. 2) Regulations 1974* (S.I. No. 352 of 1974), reg. 3.
- E384** Previous affecting provision: power pursuant to this section and s. 5 exercised (24.12.1973) by *Road Traffic (General Speed Limit) Regulations 1973* (S.I. No. 348 of 1973); revoked (14.05.1974) by *Road Traffic (General Speed Limit) Regulations 1974* (S.I. No. 134 of 1974), reg. 3.
- E385** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.04.1969) by *Road Traffic (General Speed Limit) Regulations 1969* (S.I. No. 45 of 1969); revoked (24.12.1973) by *Road Traffic (General Speed Limit) Regulations 1973* (S.I. No. 348 of 1973), reg. 3.

F90[Motorway speed limit.

**44B.—F91[...]**

**Annotations**

**Amendments:**

- F90** Inserted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 31, S.I. No. 222 of 1994.
- F91** Repealed (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 14, S.I. No. 8 of 2005.

Built-up area speed limits.

**45.—F92[...]**

**Annotations**

**Amendments:**

- F92** Repealed (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 14, S.I. No. 8 of 2005.

**Editorial Notes:**

- E386** *Road Traffic Act 2004* (44/1994), s. 12(2) provides that bye-laws made under s. 46 and in force immediately before the commencement (1.05.1997) of the repeal of s. 46 continue in force and are deemed to be made under the s. 9 of that Act.



- E387** The majority of the statutory instruments made pursuant to s. 45 were also made pursuant to s. 46. Where this occurred the relevant E-note in the annotations of s. 46 notes that the statutory instrument was also made pursuant to s. 45, and the statutory instrument is **not** noted under this section, to reduce clutter. Where a statutory instrument made pursuant to s. 45 was not also made pursuant to s. 46 then there is an E-note in the annotations of this section.
- E388** Power pursuant to this section and s. 5 exercised (22.07.1994) by *Road Traffic (Built-Up Area Speed Limit) Regulations 1994* (S.I. No. 224 of 1994).
- E389** Power pursuant to this section and s. 5 exercised (19.06.1989) by *Road Traffic (Speed Limits) (County of Kilkenny) (Amendment) Regulations 1989* (S.I. No. 134 of 1989).
- E390** Previous affecting provision: section amended (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 32, S.I. No. 222 of 1994; section repealed as per above F-note.
- E391** Previous affecting provision: power pursuant to this section and s. 5 exercised (18.10.1983) by *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1983* (S.I. No. 298 of 1983); revoked (2.10.1989) by *Road Traffic (Speed Limits) (County of Kildare) Regulations 1989* (S.I. No. 230 of 1989), reg. 7.
- E392** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.02.1971) by *Road Traffic (Speed Limits) (County of Cavan) (Amendment) Regulations 1971* (S.I. No. 14 of 1971); revoked (27.08.1979) by *Road Traffic (Speed Limits) (County of Cavan) Regulations 1979* (S.I. No. 283 of 1979), reg. 7.
- E393** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.02.1971) by *Road Traffic (Speed Limits) (County of Leitrim) (Amendment) Regulations 1971* (S.I. No. 15 of 1971); revoked (15.09.1980) by *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1980* (S.I. No. 278 of 1980), reg. 7.

Special speed limits.

**46.— F93[...]**

**Annotations**

**Amendments:**

- F93** Repealed (20.01.2005) by *Road Traffic Act 2004 (44/2004)*, s. 14, S.I. No. 8 of 2005.

**Editorial Notes:**

- E394** The *Road Traffic Act 2004 (44/1994)*, s. 12(2) provides that bye-laws made under s. 46 in force immediately before the commencement (1.05.1997) of the repeal of this section continue in force and are deemed to be made under s. 9 of that Act.

S. 46 (as substituted (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 33) previously provided that any regulation made under s. 46 and in force immediately before the commencement of the substitution by *Road Traffic Act 1994* continued in force and was deemed to be a bye-law under s. 46.

The following are the bye-laws made under s. 46 and in force immediately before the commencement of the repeal:

- (22.07.1994) *Road Traffic (Special Speed Limits) Regulations 1994* (S.I. No. 223 of 1994) (also made pursuant to s. 5).
- (18.07.1994) *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1994* (S.I. No. 184 of 1994) (also made pursuant to ss. 5 and 45).
- (16.05.1994) *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1994* (S.I. No. 89 of 1994) (also made pursuant to ss. 5 and 45).

- (9.05.1994) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1994* (S.I. No. 80 of 1994) (also made pursuant to ss. 5 and 45).
- (25.03.1994) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) (Amendment) Regulations 1994* (S.I. No. 41 of 1994) (also made pursuant to ss. 5 and 45).
- (25.03.1994) *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1994* (S.I. No. 42 of 1994) (also made pursuant to ss. 5 and 45).
- (25.03.1994) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1994* (S.I. No. 48 of 1994) (also made pursuant to ss. 5 and 45).
- (9.03.1994) *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) (Amendment) Regulations 1994* (S.I. No. 26 of 1994) (also made pursuant to ss. 5 and 45).
- (1.03.1994) *Road Traffic (Speed Limits) (County of Sligo) Regulations 1994* (S.I. No. 15 of 1994) (also made pursuant to ss. 5 and 45).
- (25.11.1993) *Road Traffic (Speed Limits) (County of Kerry) Regulations 1993* (S.I. No. 319 of 1993) (also made pursuant to ss. 5 and 45).
- (1.11.1993) *Road Traffic (Control of Supply of Vehicles) (Amendment) Regulations 1993* (S.I. No. 301 of 1993) (also made pursuant to ss. 5 and 45).
- (28.04.1993) *Road Traffic (Speed Limits) (County of Roscommon) (Amendment) Regulations 1993* (S.I. No. 96 of 1993) (also made pursuant to ss. 5 and 45).
- (5.10.1992) *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) (Amendment) Regulations 1992* (S.I. No. 280 of 1992) (also made pursuant to ss. 5 and 45).
- (1.10.1992) *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1992* (S.I. No. 262 of 1992) (also made pursuant to ss. 5 and 45).
- (30.07.1992) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1992* (S.I. No. 195 of 1992) (also made pursuant to ss. 5 and 45).
- (30.07.1992) *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1992* (S.I. No. 196 of 1992) (also made pursuant to ss. 5 and 45).
- (30.07.1992) *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1992* (S.I. No. 197 of 1992) (also made pursuant to ss. 5 and 45).
- (2.06.1992) *Road Traffic (Speed Limits) (County of Laois) Regulations 1992* (S.I. No. 115 of 1992) (also made pursuant to ss. 5 and 45).
- (25.05.1992) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1992* (S.I. No. 109 of 1992) (also made pursuant to ss. 5 and 45).
- (16.03.1992) *Road Traffic (Speed Limits) (County of Kildare) Regulations 1992* (S.I. No. 49 of 1992) (also made pursuant to ss. 5 and 45).
- (5.11.1991) *Road Traffic (Speed Limits) (County of Clare) Regulations 1991* (S.I. No. 274 of 1991) (also made pursuant to ss. 5 and 45).
- (24.10.1991) *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1991* (S.I. No. 270 of 1991) (also made pursuant to ss. 5 and 45).
- (24.10.1991) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) (No. 2) Regulations 1991* (S.I. No. 271 of 1991) (also made pursuant to ss. 5 and 45).
- (7.06.1991) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1991* (S.I. No. 140 of 1991) (also made pursuant to ss. 5 and 45).
- (17.07.1990) *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1990* (S.I. No. 172 of 1990) (also made pursuant to ss. 5 and 45).

- (26.06.1990) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) (No. 2) Regulations 1990* (S.I. No. 151 of 1990) (also made pursuant to ss. 5 and 45).
- (11.03.1990) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1990* (S.I. No. 58 of 1990) (also made pursuant to ss. 5 and 45).
- (28.12.1989) *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1989* (S.I. No. 330 of 1989) (also made pursuant to ss. 5 and 45).
- (10.10.1988) *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1988* (S.I. No. 251 of 1988) (also made pursuant to ss. 5 and 45).
- (28.08.1989) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989) (also made pursuant to ss. 5 and 45).
- (10.07.1989) *Road Traffic (Speed Limits) (County of Offaly) Regulations 1989* (S.I. No. 170 of 1989) (also made pursuant to ss. 5 and 45).
- (2.11.1987) *Road Traffic (Speed Limits) (County of Louth) Regulations 1987* (S.I. No. 272 of 1987) (also made pursuant to ss. 5 and 45).
- (2.11.1987) *Road Traffic (Speed Limits) (County Borough of Galway and County of Galway) Regulations 1987* (S.I. No. 273 of 1987) (also made pursuant to ss. 5 and 45).
- (8.06.1987) *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1987* (S.I. No. 141 of 1987) (also made pursuant to ss. 5 and 45).
- (23.06.1986) *Road Traffic (Speed Limits) (County of Tipperary) (North Riding) Regulations 1986* (S.I. No. 206 of 1986) (also made pursuant to ss. 5 and 45).
- (19.05.1986) *Road Traffic (Speed Limits) (County of Donegal) Regulations 1986* (S.I. No. 103 of 1986) (also made pursuant to ss. 5 and 45).
- (27.01.1986) *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1986* (S.I. No. 8 of 1986) (also made pursuant to ss. 5 and 45).
- (16.12.1985) *Road Traffic (Speed Limits) (County of Carlow) Regulations 1985* (S.I. No. 398 of 1985) (also made pursuant to ss. 5 and 45).
- (7.10.1985) *Road Traffic (Speed Limits) (County of Meath) Regulations 1985* (S.I. No. 318 of 1985) (also made pursuant to ss. 5 and 45).
- (18.03.1985) *Road Traffic (Speed Limits) (County of Cavan) Regulations 1985* (S.I. No. 63 of 1985) (also made pursuant to ss. 5 and 45).
- (17.09.1984) *Road Traffic (Speed Limits) (County of Longford) Regulations 1984* (S.I. No. 229 of 1984) (also made pursuant to ss. 5 and 45).
- (7.03.1983) *Road Traffic (Speed Limits) (County of Wexford) Regulations 1983* (S.I. No. 45 of 1983) (also made pursuant to ss. 5 and 45).
- (2.08.1982) *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1982* (S.I. No. 234 of 1982) (also made pursuant to ss. 5 and 45).
- (28.09.1981) *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1981* (S.I. No. 332 of 1981) (also made pursuant to ss. 5 and 45).
- (21.07.1980) *Road Traffic (Speed Limits) (County of Mayo) Regulations 1980* (S.I. No. 216 of 1980) (also made pursuant to ss. 5 and 45).
- (10.12.1979) *Road Traffic (Speed Limits) (County of Louth) Regulations 1979* (S.I. No. 378 of 1979) (also made pursuant to ss. 5 and 45).
- (20.02.1978) *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1978* (S.I. No. 31 of 1978) (also made pursuant to ss. 5 and 45).

- (22.09.1973) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) (Amendment) Regulations 1973* (S.I. No. 263 of 1973) (also made pursuant to ss. 5 and 45)
- (1.05.1971) *Road Traffic (Speed Limits) (County of Westmeath) (Amendment) Regulations 1971* (S.I. No. 150 of 1971) (also made pursuant to ss. 5 and 45).
- (1.06.1970) *Road Traffic (Speed Limits) (County of Galway) (Amendment) Regulations 1970* (S.I. No. 126 of 1970) (also made pursuant to ss. 5 and 45).
- (1.11.1967) *Road Traffic (Speed Limits) (Amendment) (No. 2) Regulations 1967* (S.I. No. 224 of 1967) (also made pursuant to s. 5).
- (14.04.1967) *Road Traffic (Speed Limits) (Amendment) Regulations 1967* (S.I. No. 65 of 1967) (also made pursuant to ss. 5 and 45).
- (1.07.1965) *Road Traffic (Speed Limits) (Amendment) (No. 3) Regulations 1965* (S.I. No. 142 of 1965) (also made pursuant to ss. 5 and 45).
- (1.06.1965) *Road Traffic (Speed Limits) (Amendment) Regulations 1965* (S.I. No. 86 of 1965) (also made pursuant to ss. 5 and 45).
- (1.06.1965) *Road Traffic (Speed Limits) (Amendment) (No. 2) Regulations 1965* (S.I. No. 116 of 1965) (also made pursuant to s. 5).

The following are the statutory instruments made under section 46 and revoked prior to the commencement of the repeal:

- (23.04.1992) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) (Amendment) Regulations 1992* (S.I. No. 98 of 1992) (also made pursuant to ss. 5 and 45); revoked (9.05.1994) by *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1994* (S.I. No. 80 of 1994), reg. 7.
- (2.10.1989) *Road Traffic (Speed Limits) (County of Kildare) Regulations 1989* (S.I. No. 230 of 1989) (also made pursuant to ss. 5 and 45); revoked (16.03.1992) by *Road Traffic (Speed Limits) (County of Kildare) Regulations 1992* (S.I. No. 49 of 1992), reg. 7.
- (10.07.1989) *Road Traffic (Speed Limits) (County of Kerry) Regulations 1989* (S.I. No. 169 of 1989) (also made pursuant to ss. 5 and 45); revoked (25.11.1993) by *Road Traffic (Speed Limits) (County of Kerry) Regulations 1993* (S.I. No. 319 of 1993), reg. 7.
- (1.11.1988) *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1988* (S.I. No. 271 of 1988) (also made pursuant to ss. 5 and 45); revoked (16.05.1994) by *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1994* (S.I. No. 89 of 1994), reg. 7.
- (20.06.1988) *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1988* (S.I. No. 119 of 1988) (also made pursuant to ss. 5 and 45); revoked (1.10.1992) by *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1992* (S.I. No. 262 of 1992), reg. 7.
- (6.07.1987) *Road Traffic (Speed Limits) (County of Sligo) Regulations 1987* (S.I. No. 162 of 1987) (also made pursuant to ss. 5 and 45); revoked (1.03.1994) by *Road Traffic (Speed Limits) (County of Sligo) Regulations 1994* (S.I. No. 15 of 1994), reg. 7.
- (18.05.1987) *Road Traffic (Speed Limits) (County of Clare) Regulations 1987* (S.I. No. 126 of 1987) (also made pursuant to ss. 5 and 45); revoked (5.11.1991) by *Road Traffic (Speed Limits) (County of Clare) Regulations 1991* (S.I. No. 274 of 1991), reg. 7.
- (19.01.1987) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1986* (S.I. No. 457 of 1986) (also made pursuant to ss. 5 and 45); revoked (9.05.1994) by *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1994* (S.I. No. 80 of 1994), reg. 7.
- (15.04.1986) *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1986* (S.I. No. 72 of 1986) (also made pursuant to ss. 5 and 45); revoked (2.06.1992) by *Road Traffic (Speed Limits) (County of Laois) Regulations 1992* (S.I. No. 115 of 1992), reg. 7.

- (24.02.1986) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) (Amendment) Regulations 1986* (S.I. No. 38 of 1986) (also made pursuant to ss. 5 and 45); revoked (25.05.1992) by *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1992* (S.I. No. 109 of 1992), reg. 7.
- (7.05.1984) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1984* (S.I. No. 104 of 1984) (also made pursuant to ss. 5 and 45); revoked (25.05.1992) by *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1992* (S.I. No. 109 of 1992), reg. 7.
- (21.11.1983) *Road Traffic (Speed Limits) (County of Kerry) Regulations 1983* (S.I. No. 334 of 1983) (also made pursuant to ss. 5 and 45); revoked (10.07.1989) by *Road Traffic (Speed Limits) (County of Kerry) Regulations 1989* (S.I. No. 169 of 1989), reg. 7.
- (5.10.1983) *Road Traffic (Speed Limits) (County of Kildare) Regulations 1983* (S.I. No. 277 of 1983) (also made pursuant to ss. 5 and 45); revoked (2.10.1989) by *Road Traffic (Speed Limits) (County of Kildare) Regulations 1989* (S.I. No. 230 of 1989), reg. 7.
- (27.07.1983) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1983* (S.I. No. 217 of 1983) (also made pursuant to ss. 5 and 45); revoked (28.08.1989) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989), reg. 7.
- (27.06.1983) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) (Amendment) Regulations 1983* (S.I. No. 161 of 1983) (also made pursuant to ss. 5 and 45); revoked (19.01.1987) by *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1986* (S.I. No. 457 of 1986), reg. 7.
- (4.04.1983) *Road Traffic (Speed Limits) (County of Offaly) Regulations 1983* (S.I. No. 81 of 1983) (also made pursuant to ss. 5 and 45); revoked (10.07.1989) by *Road Traffic (Speed Limits) (County of Offaly) Regulations 1989* (S.I. No. 170 of 1989), reg. 7.
- (28.03.1983) *Road Traffic (Speed Limits) (County of Kerry) (Amendment) Regulations 1983* (S.I. No. 77 of 1983) (also made pursuant to ss. 5 and 45); revoked (21.11.1983) by *Road Traffic (Speed Limits) (County of Kerry) Regulations 1983* (S.I. No. 334 of 1983), reg. 7.
- (7.03.1983) *Road Traffic (Speed Limits) (County of Clare) Regulations 1983* (S.I. No. 46 of 1983) (also made pursuant to ss. 5 and 45); revoked (18.05.1987) by *Road Traffic (Speed Limits) (County of Clare) Regulations 1987* (S.I. No. 126 of 1987), reg. 7.
- (22.11.1982) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1982* (S.I. No. 330 of 1982) (also made pursuant to ss. 5 and 45); revoked (28.08.1989) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989), reg. 7.
- (5.04.1982) *Road Traffic (Speed Limits) (County of Carlow) (Amendment) Regulations 1982* (S.I. No. 72 of 1982) (also made pursuant to ss. 5 and 45); revoked (16.12.1985) by *Road Traffic (Speed Limits) (County of Carlow) Regulations 1985* (S.I. No. 398 of 1985), reg. 7.
- (2.11.1981) *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1981* (S.I. No. 365 of 1981) (also made pursuant to ss. 5 and 45); revoked (18.07.1994) by *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1994* (S.I. No. 184 of 1994), reg. 7.
- (15.06.1981) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1981* (S.I. No. 211 of 1981) (also made pursuant to ss. 5 and 45); revoked (19.01.1987) by *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1986* (S.I. No. 457 of 1986), reg. 7.
- (25.05.1981) *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1981* (S.I. No. 176 of 1981) (also made pursuant to ss. 5 and 45); revoked (23.06.1986) by *Road Traffic (Speed Limits) (County of Tipperary) (North Riding) Regulations 1986* (S.I. No. 206 of 1986), reg. 7.

- (25.05.1981) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin (Amendment) Regulations 1981* (S.I. No. 169 of 1981) (also made pursuant to ss. 5 and 45); revoked (28.08.1989) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989), reg. 7.
- (25.05.1981) *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1981* (S.I. No. 170 of 1981) (also made pursuant to ss. 5 and 45); revoked (20.06.1988) by *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1988* (S.I. No. 119 of 1988), reg. 7.
- (8.12.1980) *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1980* (S.I. No. 355 of 1980) (also made pursuant to ss. 5 and 45); revoked (10.10.1988) by *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1988* (S.I. No. 251 of 1988), reg. 7.
- (15.09.1980) *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1980* (S.I. No. 278 of 1980) (also made pursuant to ss. 5 and 45); revoked (28.12.1989) by *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1989* (S.I. No. 330 of 1989), reg. 7.
- (15.09.1980) *Road Traffic (Speed Limits) (County of Cavan) (Amendment) Regulations 1980* (S.I. No. 279 of 1980) (also made pursuant to ss. 5 and 45); revoked (18.03.1985) by *Road Traffic (Speed Limits) (County of Cavan) Regulations 1985* (S.I. No. 63 of 1985), reg. 7.
- (27.08.1979) *Road Traffic (Speed Limits) (County of Cavan) Regulations 1979* (S.I. No. 283 of 1979) (also made pursuant to ss. 5 and 45); revoked (18.03.1985) by *Road Traffic (Speed Limits) (County of Cavan) Regulations 1985* (S.I. No. 63 of 1985), reg. 7.
- (27.08.1979) *Road Traffic (Speed Limits) (County of Sligo) Regulations 1979* (S.I. No. 284 of 1979) (also made pursuant to ss. 5 and 45); revoked (6.07.1987) by *Road Traffic (Speed Limits) (County of Sligo) Regulations 1987* (S.I. No. 162 of 1987), reg. 7.
- (11.06.1979) *Road Traffic (Speed Limits) (County of Galway) Regulations 1979* (S.I. No. 189 of 1979) (also made pursuant to ss. 5 and 45); revoked (2.11.1987) by *Road Traffic (Speed Limits) (County Borough of Galway and County of Galway) Regulations 1987* (S.I. No. 273 of 1987), reg. 7.
- (19.02.1979) *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1979* (S.I. No. 50 of 1979) (also made pursuant to ss. 5 and 45); revoked (27.01.1986) by *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1986* (S.I. No. 8 of 1986), reg. 7.
- (1.12.1978) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1978* (S.I. No. 328 of 1978) (also made pursuant to ss. 5 and 45); revoked (28.08.1989) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989), reg. 7.
- (15.05.1978) *Road Traffic (Speed Limits) (County of Longford) Regulations 1978* (S.I. No. 122 of 1978) (also made pursuant to ss. 5 and 45); revoked (17.09.1984) by *Road Traffic (Speed Limits) (County of Longford) Regulations 1984* (S.I. No. 229 of 1984), reg. 7.
- (28.04.1978) *Road Traffic (Speed Limits) (County of Carlow) Regulations 1978* (S.I. No. 121 of 1978) (also made pursuant to ss. 5 and 45); revoked (16.12.1985) by *Road Traffic (Speed Limits) (County of Carlow) Regulations 1985* (S.I. No. 398 of 1985), reg. 7.
- (27.02.1978) *Road Traffic (Speed Limits) (County of Offaly) Regulations 1978* (S.I. No. 41 of 1978) (also made pursuant to ss. 5 and 45); revoked (4.04.1983) by *Road Traffic (Speed Limits) (County of Offaly) Regulations 1983* (S.I. No. 81 of 1983), reg. 7.
- (9.01.1978) *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1977* (S.I. No. 394 of 1977) (also made pursuant to ss. 5 and 45); revoked (15.04.1986) by *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1986* (S.I. No. 72 of 1986), reg. 7.
- (30.12.1977) *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1977* (S.I. No. 399 of 1977) (also made pursuant to ss. 5 and 45); revoked (28.09.1981) by *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1981* (S.I. No. 332 of 1981), reg. 7.

- (19.12.1977) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1977* (S.I. No. 370 of 1977) (also made pursuant to ss. 5 and 45); revoked (15.06.1981) by *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1989* (S.I. No. 211 of 1981), reg. 7.
- (28.11.1977) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977) (also made pursuant to ss. 5 and 45); revoked (28.08.1989) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1989* (S.I. No. 206 of 1989), reg. 7.
- (26.09.1977) *Road Traffic (Speed Limits) (County of Clare) Regulations 1977* (S.I. No. 292 of 1977) (also made pursuant to ss. 5 and 45); revoked (7.03.1983) by *Road Traffic (Speed Limits) (County of Clare) Regulations 1983* (S.I. No. 46 of 1983), reg. 7.
- (29.08.1977) *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1977* (S.I. No. 270 of 1977) (also made pursuant to ss. 5 and 45); revoked (2.11.1981) by *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1981* (S.I. No. 365 of 1981), reg. 7.
- (22.08.1977) *Road Traffic (Speed Limits) (County of Donegal) Regulations 1977* (S.I. No. 267 of 1977) (also made pursuant to ss. 5 and 45); revoked (19.05.1986) by *Road Traffic (Speed Limits) (County of Donegal) Regulations 1986* (S.I. No. 103 of 1986), reg. 7.
- (8.08.1977) *Road Traffic (Speed Limits) (County of Wexford) Regulations 1977* (S.I. No. 238 of 1977) (also made pursuant to ss. 5 and 45); revoked (7.03.1983) by *Road Traffic (Speed Limits) (County of Wexford) Regulations 1983* (S.I. No. 45 of 1983), reg. 7.
- (13.06.1977) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1977* (S.I. No. 157 of 1977) (also made pursuant to ss. 5 and 45); revoked (7.05.1984) by *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1984* (S.I. No. 104 of 1984), reg. 7.
- (30.05.1977) *Road Traffic (Speed Limits) (County of Kerry) Regulations 1977* (S.I. No. 145 of 1977) (also made pursuant to ss. 5 and 45); revoked (21.11.1983) by *Road Traffic (Speed Limits) (County of Kerry) Regulations 1983* (S.I. No. 334 of 1983), reg. 7.
- (18.04.1977) *Road Traffic (Speed Limits) (County of Kildare) Regulations 1977* (S.I. No. 105 of 1977) (also made pursuant to ss. 5 and 45); revoked (5.10.1983) by *Road Traffic (Speed Limits) (County of Kildare) Regulations 1983* (S.I. No. 277 of 1983), reg. 7.
- (18.04.1977) *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1977* (S.I. No. 110 of 1977) (also made pursuant to ss. 5 and 45); revoked (25.05.1981) by *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1981* (S.I. No. 170 of 1981), reg. 7.
- (10.01.1977) *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1976* (S.I. No. 312 of 1976) (also made pursuant to ss. 5 and 45); revoked (25.05.1981) by *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1981* (S.I. No. 176 of 1981), reg. 7.
- (1.01.1977) *Road Traffic (Speed Limits) (County of Meath) Regulations 1976* (S.I. No. 300 of 1976) (also made pursuant to ss. 5 and 45); revoked (7.10.1985) by *Road Traffic (Speed Limits) (County of Meath) Regulations 1985* (S.I. No. 318 of 1985), reg. 7.
- (13.12.1976) *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1976* (S.I. No. 285 of 1976) (also made pursuant to ss. 5 and 45); revoked (8.12.1980) by *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1980* (S.I. No. 355 of 1980), reg. 7.
- (30.08.1976) *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1976* (S.I. No. 172 of 1976) (also made pursuant to ss. 5 and 45); revoked (2.08.1982) by *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1982* (S.I. No. 234 of 1982), reg. 7.

- (26.07.1976) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1976* (S.I. No. 151 of 1976) (also made pursuant to ss. 5 and 45); revoked (28.11.1977) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977), reg. 7.
- (9.12.1974) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1974* (S.I. No. 342 of 1974) (also made pursuant to ss. 5 and 45); revoked (28.11.1977) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977), reg. 7.
- (22.07.1974) *Road Traffic (Speed Limits) (County of Meath) (Amendment) Regulations 1974* (S.I. No. 230 of 1974) (also made pursuant to s. 5); revoked (1.01.1977) by *Road Traffic (Speed Limits) (County Borough of Meath) Regulations 1976* (S.I. No. 300 of 1976), reg. 7.
- (9.07.1974) *Road Traffic (Speed Limits) (County of Wicklow) (Amendment) Regulations 1974* (S.I. No. 263 of 1974) (also made pursuant to ss. 5 and 45); revoked (20.02.1978) by *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1978* (S.I. No. 31 of 1978), reg. 7.
- (3.06.1974) *Road Traffic (Speed Limits) (County of Kilkenny) (Amendment) Regulations 1974* (S.I. No. 148 of 1974) (also made pursuant to ss. 5 and 45); revoked (30.12.1977) by *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1977* (S.I. No. 399 of 1977), reg. 7.
- (20.05.1974) *Road Traffic (Speed Limits) (County of Tipperary North Riding) (Amendment) Regulations 1974* (S.I. No. 115 of 1974) (also made pursuant to ss. 5 and 45); revoked (10.01.1977) by *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1976* (S.I. No. 312 of 1976), reg. 7.
- (24.12.1973) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1973* (S.I. No. 350 of 1973) (also made pursuant to s. 5); revoked (28.11.1977) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977), reg. 7.
- (24.12.1973) *Road Traffic (Speed Limits) (County of Kildare) (Amendment) Regulations 1973* (S.I. No. 351 of 1973) (also made pursuant to s. 5); revoked (18.04.1977) by *Road Traffic (Speed Limits) (County of Kildare) Regulations 1977* (S.I. No. 105 of 1977), reg. 7.
- (26.11.1973) *Road Traffic (Speed Limits) (County of Mayo) (Amendment) Regulations 1973* (S.I. No. 300 of 1973) (also made pursuant to ss. 5 and 45); revoked (21.07.1980) by *Road Traffic (Speed Limits) (County of Mayo) Regulations 1980* (S.I. No. 216 of 1980), reg. 7.
- (20.11.1972) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1972* (S.I. No. 273 of 1972) (also made pursuant to ss. 5 and 45); revoked (13.06.1977) by *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1977* (S.I. No. 157 of 1977), reg. 7.
- (14.09.1972) *Road Traffic (Speed Limits) (County of Galway) (Amendment) Regulations 1972* (S.I. No. 225 of 1972) (also made pursuant to ss. 5 and 45); revoked (11.06.1979) by *Road Traffic (Speed Limits) (County of Galway) Regulations 1979* (S.I. No. 189 of 1979), reg. 7.
- (1.02.1972) *Road Traffic (Speed Limits) (County of Offaly) (Amendment) Regulations 1972* (S.I. No. 27 of 1972) (also made pursuant to ss. 5 and 45); revoked (27.02.1978) by *Road Traffic (Speed Limits) (County of Offaly) Regulations 1978* (S.I. No. 41 of 1978), reg. 7.
- (1.02.1972) *Road Traffic (Speed Limits) (County of Laoighis) (Amendment) Regulations 1972* (S.I. No. 28 of 1972) (also made pursuant to ss. 5 and 45); revoked (9.01.1978) by *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1977* (S.I. No. 394 of 1977), reg. 7.
- (1.10.1971) *Road Traffic (Speed Limits) (County of Clare) (Amendment) Regulations 1971* (S.I. No. 279 of 1971) (also made pursuant to ss. 5 and 45); revoked (26.09.1977) by *Road Traffic (Speed Limits) (County of Clare) Regulations 1977* (S.I. No. 292 of 1977), reg. 7.
- (15.09.1971) *Road Traffic (Speed Limits) (County of Donegal) (Amendment) Regulations 1971* (S.I. No. 263 of 1971) (also made pursuant to ss. 5 and 45); revoked (22.08.1977) by *Road Traffic (Speed Limits) (County of Donegal) Regulations 1977* (S.I. No. 267 of 1977), reg. 7.



- (1.09.1971) *Road Traffic (Speed Limits) (County of Kerry) (Amendment) Regulations 1971* (S.I. No. 242 of 1971) (also made pursuant to ss. 5 and 45); revoked (30.05.1977) by *Road Traffic (Speed Limits) (County of Kerry) Regulations 1977* (S.I. No. 145 of 1977), reg. 7.
- (13.04.1971) *Road Traffic (Speed Limits) (County of Roscommon) (Amendment) Regulations 1971* (S.I. No. 136 of 1971) (also made pursuant to ss. 5 and 45); revoked (13.12.1976) by *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1976* (S.I. No. 285 of 1976), reg. 7.
- (15.03.1971) *Road Traffic (Speed Limits) (County of Louth) (Amendment) Regulations 1971* (S.I. No. 83 of 1971) (also made pursuant to ss. 5 and 45); revoked (10.12.1979) by *Road Traffic (Speed Limits) (County of Louth) Regulations 1979* (S.I. No. 378 of 1979), reg. 7.
- (1.03.1971) *Road Traffic (Speed Limits) (County of Longford) (Amendment) Regulations 1971* (S.I. No. 56 of 1971) (also made pursuant to ss. 5 and 45); revoked (15.05.1978) by *Road Traffic (Speed Limits) (County of Longford) Regulations 1978* (S.I. No. 122 of 1978), reg. 7.
- (1.12.1970) *Road Traffic (Speed Limits) (County of Meath) Regulations 1970* (S.I. No. 259 of 1970) (also made pursuant to ss. 5 and 45); revoked (1.01.1977) by *Road Traffic (Speed Limits) (County of Meath) Regulations 1976* (S.I. No. 300 of 1976), reg. 7.
- (1.12.1970) *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1970* (S.I. No. 275 of 1970) (also made pursuant to ss. 5 and 45); revoked (19.02.1979) by *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1979* (S.I. No. 50 of 1979), reg. 7.
- (15.08.1970) *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1970* (S.I. No. 174 of 1970) (also made pursuant to ss. 5 and 45); revoked (18.04.1977) by *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1977* (S.I. No. 110 of 1977), reg. 7.
- (1.07.1970) *Road Traffic (Speed Limits) (County of Carlow) Regulations 1970* (S.I. No. 142 of 1970) (also made pursuant to ss. 5 and 45); revoked (28.04.1978) by *Road Traffic (Speed Limits) (County of Carlow) Regulations 1978* (S.I. No. 121 of 1978), reg. 7.
- (18.05.1970) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1970* (S.I. No. 100 of 1970) (also made pursuant to ss. 5 and 45); revoked (28.11.1977) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1977* (S.I. No. 358 of 1977), reg. 7.
- (15.04.1969) *Road Traffic (Speed Limits) (County of Sligo) (Amendment) Regulations 1969* (S.I. No. 52 of 1969) (also made pursuant to ss. 5 and 45); revoked (27.08.1979) by *Road Traffic (Speed Limits) (County of Sligo) Regulations 1979* (S.I. No. 284 of 1979), reg. 7.
- (1.04.1969) *Road Traffic (Speed Limits) (County of Mayo) Regulations 1969* (S.I. No. 36 of 1969) (also made pursuant to ss. 5 and 45); revoked (21.07.1980) by *Road Traffic (Speed Limits) (County of Mayo) Regulations 1980* (S.I. No. 216 of 1980), reg. 7.
- (1.03.1969) *Road Traffic (Speed Limits) (County of Kildare) Regulations 1969* (S.I. No. 27 of 1969) (also made pursuant to ss. 5 and 45); revoked (18.04.1977) by *Road Traffic (Speed Limits) (County of Kildare) Regulations 1977* (S.I. No. 105 of 1977), reg. 7.
- (1.03.1969) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) (Amendment) Regulations 1969* (S.I. No. 28 of 1969) (also made pursuant to ss. 5 and 45); revoked (20.11.1972) by *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1972* (S.I. No. 273 of 1972), reg. 7.
- (1.01.1969) *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1968* (S.I. No. 282 of 1968) (also made pursuant to ss. 5 and 45); revoked (4.11.1974) by *Road Traffic (Speed Limits) (County Borough of Cork and County of Cork) Regulations 1974* (S.I. No. 310 of 1974), reg. 7.
- (1.11.1968) *Road Traffic (Speed Limits) (County of Clare) Regulations 1968* (S.I. No. 199 of 1968) (also made pursuant to ss. 5 and 45); revoked (20.02.1978) by *Road Traffic (Speed Limits) (County of Clare) Regulations 1978* (S.I. No. 31 of 1978), reg. 7.

- (1.11.1968) *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1968* (S.I. No. 212 of 1968) (also made pursuant to ss. 5 and 45); revoked (26.09.1977) by *Road Traffic (Speed Limits) (County of Wicklow) Regulations 1977* (S.I. No. 31 of 1978), reg. 7.
- (1.11.1968) *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1968* (S.I. No. 214 of 1968) (also made pursuant to ss. 5 and 45); revoked (30.08.1976) by *Road Traffic (Speed Limits) (County of Tipperary South Riding) Regulations 1976* (S.I. No. 172 of 1976), reg. 7.
- (1.10.1968) *Road Traffic (Speed Limits) (County of Cavan) Regulations 1968* (S.I. No. 196 of 1968) (also made pursuant to ss. 5 and 45); revoked (27.08.1979) by *Road Traffic (Speed Limits) (County of Cavan) Regulations 1979* (S.I. No. 283 of 1979), reg. 7.
- (1.09.1968) *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1968* (S.I. No. 173 of 1968) (also made pursuant to ss. 5 and 45); revoked (10.01.1977) by *Road Traffic (Speed Limits) (County of Tipperary North Riding) Regulations 1976* (S.I. No. 312 of 1976), reg. 7.
- (1.08.1968) *Road Traffic (Speed Limits) (County of Wexford) Regulations 1968* (S.I. No. 153 of 1968) (also made pursuant to ss. 5 and 45); revoked (8.08.1977) by *Road Traffic (Speed Limits) (County of Wexford) Regulations 1977* (S.I. No. 238 of 1977), reg. 7.
- (1.07.1968) *Road Traffic (Speed Limits) (County of Galway) Regulations 1968* (S.I. No. 110 of 1968) (also made pursuant to ss. 5 and 45); revoked (11.06.1979) by *Road Traffic (Speed Limits) (County of Galway) Regulations 1979* (S.I. No. 189 of 1979), reg. 7.
- (1.07.1968) *Road Traffic (Speed Limits) (County of Offaly) Regulations 1968* (S.I. No. 132 of 1968) (also made pursuant to ss. 5 and 45); revoked (27.02.1978) by *Road Traffic (Speed Limits) (County of Offaly) Regulations 1978* (S.I. No. 41 of 1978), reg. 7.
- (1.06.1968) *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1968* (S.I. No. 107 of 1968) (also made pursuant to ss. 5 and 45); revoked (30.12.1977) by *Road Traffic (Speed Limits) (County of Kilkenny) Regulations 1977* (S.I. No. 399 of 1977), reg. 7.
- (1.05.1968) *Road Traffic (Speed Limits) (County of Donegal) Regulations 1968* (S.I. No. 73 of 1968) (also made pursuant to ss. 5 and 45); revoked (22.08.1977) by *Road Traffic (Speed Limits) (County of Donegal) Regulations 1977* (S.I. No. 267 of 1977), reg. 7.
- (1.04.1968) *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1968* (S.I. No. 42 of 1968) (also made pursuant to ss. 5 and 45); revoked (9.01.1978) by *Road Traffic (Speed Limits) (County of Laoighis) Regulations 1977* (S.I. No. 394 of 1977), reg. 7.
- (1.03.1968) *Road Traffic (Speed Limits) (County of Longford) Regulations 1968* (S.I. No. 27 of 1968) (also made pursuant to ss. 5 and 45); revoked (15.05.1978) by *Road Traffic (Speed Limits) (County of Longford) Regulations 1978* (S.I. No. 122 of 1978), reg. 7.
- (1.02.1968) *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1968* (S.I. No. 9 of 1968) (also made pursuant to ss. 5 and 45); revoked (15.09.1980) by *Road Traffic (Speed Limits) (County of Leitrim) Regulations 1980* (S.I. No. 278 of 1980), reg. 7.
- (1.02.1968) *Road Traffic (Speed Limits) (County of Louth) Regulations 1968* (S.I. No. 16 of 1968) (also made pursuant to ss. 5 and 45); revoked (10.12.1979) by *Road Traffic (Speed Limits) (County of Louth) Regulations 1979* (S.I. No. 378 of 1979), reg. 7.
- (1.02.1968) *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1967* (S.I. No. 306 of 1967) (also made pursuant to ss. 5 and 45); revoked (13.12.1976) by *Road Traffic (Speed Limits) (County of Roscommon) Regulations 1976* (S.I. No. 285 of 1976), reg. 7.
- (1.02.1968) *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1967* (S.I. No. 307 of 1967) (also made pursuant to ss. 5 and 45); revoked (29.08.1977) by *Road Traffic (Speed Limits) (County of Westmeath) Regulations 1977* (S.I. No. 270 of 1977), reg. 7.
- (1.12.1967) *Road Traffic (Speed Limits) (County of Meath) Regulations 1967* (S.I. No. 222 of 1967) (also made pursuant to ss. 5 and 45); revoked (1.12.1970) by *Road Traffic (Speed Limits) (County of Meath) Regulations 1970* (S.I. No. 259 of 1970), reg. 7.

- (1.11.1967) *Road Traffic (Speed Limits) (County of Kerry) Regulations 1967* (S.I. No. 208 of 1967) (also made pursuant to ss. 5 and 45); revoked (30.05.1977) by *Road Traffic (Speed Limits) (County of Kerry) Regulations 1977* (S.I. No. 145 of 1977), reg. 7.
  - (1.11.1967) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) (Amendment) Regulations 1967* (S.I. No. 225 of 1967) (also made pursuant to s. 5); revoked (18.05.1970) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1970* (S.I. No. 100 of 1970), reg. 7.
  - (1.08.1967) *Road Traffic (Speed Limits) (County of Sligo) Regulations 1967* (S.I. No. 172 of 1967) (also made pursuant to ss. 5 and 45); revoked (27.08.1979) by *Road Traffic (Speed Limits) (County of Sligo) Regulations 1979* (S.I. No. 284 of 1979), reg. 7.
  - (8.05.1967) *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1967* (S.I. No. 93 of 1967) (also made pursuant to ss. 5 and 45); revoked (18.05.1970) by *Road Traffic (Speed Limits) (County Borough of Dublin and County of Dublin) Regulations 1970* (S.I. No. 100 of 1970), reg. 7.
  - (1.05.1967) *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1967* (S.I. No. 74 of 1967) (also made pursuant to ss. 5 and 45); revoked (1.12.1970) by *Road Traffic (Speed Limits) (County Borough of Waterford and County of Waterford) Regulations 1970* (S.I. No. 275 of 1970), reg. 7.
  - (1.03.1967) *Traffic (Speed Limits) (County of Monaghan) Regulations 1967* (S.I. No. 30 of 1967) (also made pursuant to ss. 5 and 45); revoked (15.08.1970) by *Road Traffic (Speed Limits) (County of Monaghan) Regulations 1970* (S.I. No. 174 of 1970), reg. 7.
  - (1.07.1966) *Road Traffic (Speed Limits) (County of Carlow) Regulations 1966* (S.I. No. 127 of 1966) (also made pursuant to ss. 5 and 45); revoked (1.07.1970) by *Road Traffic (Speed Limits) (County of Carlow) Regulations 1970* (S.I. No. 142 of 1970), reg. 7.
  - (1.05.1966) *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1966* (S.I. No. 80 of 1966) (also made pursuant to ss. 5 and 45); revoked (20.11.1972) by *Road Traffic (Speed Limits) (County Borough of Limerick and County of Limerick) Regulations 1972* (S.I. No. 273 of 1972), reg. 7.
  - (1.04.1963) *Road Traffic (Speed Limits) Regulations 1963* (S.I. No. 18 of 1963) (also made pursuant to ss. 5, 44 and 45); revoked (30.07.1992) by *Road Traffic (General and Ordinary Speed Limits) Regulations, 1992* (S.I. No. 194 of 1992), reg. 3.
- E395** Previous affecting provision: section substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 33, S.I. No. 222 of 1994; section amended as per above F-note.
- E396** Previous affecting provision: section amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 25, S.I. No. 169 of 1968; section substituted as per above E-note.

Offence of exceeding speed limit.

**F94**[47.—(1) A person shall not drive a mechanically propelled vehicle at a speed exceeding the speed limit—

(a) that applies in respect of that vehicle, or

(b) that applies to the road on which the vehicle is being driven where that speed limit is lower than that applying to that vehicle.

(2) A person who contravenes subsection (1) is guilty of an offence.

**F95**[(2A) In a prosecution for an offence under this section, it is presumed, until the contrary is shown by the defendant, that the speed limit indicated on a traffic sign is the speed limit that has been applied under this Act to the road when the offence is alleged to have been committed.]

(3) In this section “speed limit” means a limit which is—

(a) an ordinary speed limit,

- (b) the built-up area speed limit,
- (c) the regional and local roads speed limit,
- (d) the national roads speed limit,
- (e) the motorway speed limit,
- (f) a special speed limit, or
- (g) a road works speed limit.]

**Annotations****Amendments:**

- F94** Substituted (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 11, S.I. No. 8 of 2005.
- F95** Inserted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 76, S.I. No. 255 of 2011.

**Editorial Notes:**

- E397** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.
- E398** Exceeding the speed limit under section declared to be a fixed charge offence (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 4 and sch. 1 pt. 1.
- E399** Offence under section declared to be a fixed charge offence (31.10.2002) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 2002* (S.I. No. 492 of 2002), reg. 3.
- E400** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005. S. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10), S.I. No. 255 of 2011.
- E401** Power conferred upon road authority to provide and maintain equipment for detection of offences under section (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 42, S.I. No. 222 of 1994.
- E402** Previous affecting provision: subs. (3) substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 34, S.I. No. 222 of 1994. Section amended as per above F-notes.
- E403** Previous affecting provision: subs. (2A) inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 26, S.I. No. 169 of 1968. Section substituted as per above F-note.

**PART V.****DRIVING OFFENCES.**

Driving mechanically propelled vehicle when unfit.

**48.—(1)** A person shall not drive or attempt to drive a mechanically propelled vehicle in a public place when he is to his knowledge suffering from any disease or physical or mental disability which would be likely to cause the driving of the vehicle by him in a public place to be a source of danger to the public.

**F96[(2)** A person who contravenes subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction, **F97**[in the case of a first offence, to a fine not exceeding €1,000] or, at the discretion of the court, to imprisonment for any term not exceeding one month or to both such fine and such imprisonment and, **F97**[in the case of a second or any subsequent offence, to a fine not exceeding

€2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.]

#### Annotations

#### Amendments:

- F96** Substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(5), commenced on enactment.
- F97** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18 and table, pt. 1, ref. no. 6, S.I. No. 86 of 2007.

#### Editorial Notes:

- E404** Previous affecting provision: fines in subs. (2) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, pt. 1, ref. no. 7, S.I. No. 491 of 2002, increased as per F-note above.
- E405** Previous affecting provision: application of section extended (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 55(a), commenced on enactment. S. 55 repealed (1.05.2006) by *Railway Safety Act 2005* (31/2005), s. 5 and sch. 1, S.I. No. 215 of 2006.

Driving mechanically propelled vehicle while under influence of intoxicating liquor or drug.

#### 49.—F98[...]

#### Annotations

#### Amendments:

- F98** Repealed (28.10.2011 and 29.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(a), subject to transitional provisions in s. 30, S.I. No. 544 of 2011.

#### Editorial Notes:

- E406** Previous affecting provision: application of section modified where offence committed but concentration of alcohol does not exceed certain level by *Road Traffic Act 2006* (23/2006), s. 5, not commenced; repealed subject to transitional provision in subs. (3) (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 32(2), S.I. No. 543 of 2011.
- E407** Previous affecting provision: fine in subs. (6)(a) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 7, S.I. No. 86 of 2007; section repealed as per above F-note.
- E408** Previous affecting provision: presumption as to working order of apparatus prescribed in prosecution of offence under section (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 4(8), S.I. No. 384 of 2006; section repealed as per F-note above.
- E409** Previous affecting provision: procedure for authorising and establishing checkpoints for purposes of section prescribed (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 4(2), S.I. No. 384 of 2006; section repealed as per F-note above.
- E410** Previous affecting provision: application of section not restricted (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 27, S.I. No. 8 of 2005; repealed (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 87(2), S.I. No. 543 of 2011.

- E411** Previous affecting provision: procedure prescribed where holder of a licence to drive a small public service vehicle is convicted (8.07.2003) by *Taxi Regulation Act 2003* (25/2003), s. 36(5)(b)(ii), commenced on enactment; section repealed as per F-note above.
- E412** Previous affecting provision: application of section extended (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 55(a), commenced on enactment. S. 55 repealed (1.05.2006) by *Railway Safety Act 2005* (31/2005), s. 5 and sch. 1, S.I. No. 215 of 2006.
- E413** Previous affecting provision: section substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 10, S.I. No. 350 of 1994.
- E414** Previous affecting provision: obligation to provide breath specimen following arrest and consequential procedure provided (2.12.1994) by *Road Traffic Act 1994* (7/1994), ss. 13, 17 and 20, S.I. No. 350 of 1994; section repealed as per F-note above.
- E415** Previous affecting provision: procedure as to evidence in prosecutions under section prescribed (2.12.1994) by *Road Traffic Act 1994* (7/1994), ss. 12(4), 13(4) and 18-24, S.I. No. 350 of 1994; section repealed as per F-note above.
- E416** Previous affecting provision: procedure prescribed for power of entry for purposes of arresting person under subs. (8) (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 39(2), S.I. No. 350 of 1994; section repealed as per F-note above.
- E417** Previous affecting provision: section substituted (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 10 subject to transitional provisions in s. 14(4), S.I. No. 192 of 1978; section substituted as per above E-note.
- E418** Previous affecting provision: procedure as to evidence in prosecutions under section prescribed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), ss. 16, 20 and 23(3), S.I. No. 192 of 1978; repealed (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 4(1), S.I. No. 350 of 1994.
- E419** Previous affecting provision: requirements regarding certain evidence in prosecutions under section provided (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), ss. 18 and 19(2), S.I. No. 192 of 1978.
- E420** Previous affecting provision: obligation to provide specimen in relation to offence under section provided (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 13, S.I. No. 192 of 1978.
- E421** Previous affecting provision: evidentiary requirements in relation to prosecutions under section provided (3.11.1969) by *Road Traffic Act 1968* (25/1968), s. 35, S.I. No. 195 of 1969.

Being in charge of mechanically propelled vehicle while under influence of intoxicating liquor or drug.

**50.—F99[...]**

**Annotations**

**Amendments:**

- F99** Repealed (28.10.2011 and 29.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(a), S.I. No. 544 of 2011.

**Editorial Notes:**

- E422** Previous affecting provision: fine in subs. (6)(a) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 8, S.I. No. 86 of 2007; section repealed as per above F-note.

- E423** Previous affecting provision: presumption as to working order of apparatus in prosecution of offence under section prescribed (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 4(8), S.I. No. 384 of 2006. Section repealed as per above F-note.
- E424** Previous affecting provision: application of section modified where offence committed but concentration of alcohol does not exceed certain level by *Road Traffic Act 2006* (23/2006), s. 5, not commenced; repealed subject to transitional provision in subs. (3) (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 32(2), S.I. No. 543 of 2011.
- E425** Previous affecting provision: application of section not restricted (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 27, S.I. No. 8 of 2005; repealed (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 87(2), S.I. No. 543 of 2011.
- E426** Previous affecting provision: procedure prescribed where holder of a licence to drive a small public service vehicle is convicted (8.07.2003) by *Taxi Regulation Act 2003* (25/2003), s. 36(5)(c), commenced on enactment; section repealed as per F-note above.
- E427** Previous affecting provision: application of section extended (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 55(b), commenced on enactment; s. 55 repealed (1.05.2006) by *Railway Safety Act 2005* (31/2005), s. 5 and sch., S.I. No. 215 of 2006.
- E428** Previous affecting provision: section substituted (2.12.1994) by *Road Traffic Act 1994*, s. 11, S.I. No. 350 of 1994; repealed as per F-note above.
- E429** Previous affecting provision: obligation to provide breath specimen following arrest and consequential procedure provided (2.12.1994) by *Road Traffic Act 1994* (7/1994), ss. 13, 17 and 20, S.I. No. 350 of 1994; section repealed as per F-note above
- E430** Previous affecting provision: procedure as to evidence in prosecutions under section prescribed (2.12.1994) by *Road Traffic Act 1994* (7/1994), ss. 12(4), 13(4) and 18-24, S.I. No. 350 of 1994; section repealed as per F-note above.
- E431** Previous affecting provision: procedure prescribed for power of entry for purposes of arresting person under subs. (10) (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 39(2), S.I. No. 350 of 1994; section repealed as per F-note above.
- E432** Previous affecting provision: fines in subs. (4)(a) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(1) and table, ref. nos. 9 and 19, commenced on enactment; increased as per E-note above.
- E433** Previous affecting provision: section substituted (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 11 with transitional provisions in s. 14(4), S.I. No. 192 of 1978; superseded as per E-note above.
- E434** Previous affecting provision: procedure as to evidence in prosecutions under section prescribed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), ss. 20, 23(3), S.I. No. 192 of 1978; Act repealed (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 4(1), S.I. No. 350 of 1994.
- E435** Previous affecting provision: requirements regarding certain evidence in prosecutions under section provided (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), ss. 18 and 19(2), S.I. No. 192 of 1978.
- E436** Previous affecting provision: section amended (3.11.1969) by *Road Traffic Act 1968* (25/1968), s. 32, S.I. No. 195 of 1969; section substituted as per E-note above.
- E437** Previous affecting provision: evidentiary requirements in relation to prosecutions under section provided (3.11.1969) by *Road Traffic Act 1968* (25/1968), s. 35, S.I. No. 195 of 1969.

Driving animal-drawn vehicle or pedal cycle while under influence of intoxicating liquor or drug.

**51.—F100[...]**

**Annotations****Amendments:**

**F100** Repealed (28.10.2011 and 29.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(a), S.I. No. 544 of 2011.

**Editorial Notes:**

**E438** Previous affecting provision: fines in subs. (2) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. nos. 9 and 10; section repealed as per above F-note.

**E439** Previous affecting provision: subs. (2) substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(6), commenced on enactment; section repealed as per above F-note.

**E440** Previous affecting provision: subs. (2) substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 48, S.I. No. 169 of 1968; subs. (2) substituted as per above E-note.

**F101**[Driving without reasonable consideration.

**51A.—** (1) A person shall not drive a vehicle in a public place without reasonable consideration for other persons using the place.

(2) A person who contravenes subsection (1) commits an offence.]

**Annotations****Amendments:**

**F101** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(1), S.I. No. 542 of 2011.

**Editorial Notes:**

**E441** Offence under section declared fixed charge offence (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 4 and sch. 1, pt. 1.

**E442** Previous affecting provision: section substituted by *Road Traffic Act 2010* (25/2010), s. 69, not commenced.

**E443** Previous affecting provision: section inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 49, S.I. No. 169 of 1968; substituted as per above F-note.

**F102**[Careless driving.

**52.—** (1) A person shall not drive a vehicle in a public place without due care and attention.

(2) A person who contravenes subsection (1) commits an offence and—

(a) in case the contravention causes death or serious bodily harm to another person, he or she is liable on conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine not exceeding €10,000 or to both, and

(b) in any other case, he or she is liable on summary conviction to a class A fine.

(3) Where a member of the Garda Síochána is of opinion that a person has committed an offence under this section and that the contravention has caused death or serious bodily harm to another person, he or she may arrest the first-mentioned person without warrant.]



**Annotations****Amendments:**

**F102** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(1), S.I. No. 542 of 2011.

**Editorial Notes:**

**E444** Previous affecting provision: section substituted by *Road Traffic Act 2010* (25/2010), s. 69, not commenced.

**E445** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E446** Obligation to provide breath specimen following arrest and consequential procedure applied (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 12(1), S.I. No. 543 of 2011.

**E447** Procedure prescribed for detention of intoxicated drivers arrested under section (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 16, S.I. No. 543 of 2011.

**E448** Previous affecting provision: fine in subs. (2) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table pt. 1, ref. no. 11, S.I. No. 86 of 2007; section substituted as per above F-note.

**E449** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005; s. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10)(a), S.I. No. 255 of 2011.

**E450** Previous affecting provision: section substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 50, S.I. No. 169 of 1968; superseded as per above F-note.

**F103**[Dangerous driving.

**53.—** (1) A person shall not drive a vehicle in a public place in a manner (including speed) which having regard to all the circumstances of the case (including the condition of the vehicle, the nature, condition and use of the place and the amount of traffic which then actually is or might reasonably be expected then to be in it) is or is likely to be dangerous to the public.

(2) A person who contravenes subsection (1) commits an offence and—

(a) in case the contravention causes death or serious bodily harm to another person, he or she is liable on conviction on indictment to imprisonment for a term not exceeding 10 years or to a fine not exceeding €20,000 or to both, and

(b) in any other case, he or she is liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 6 months or to both.

(3) In a prosecution for an offence under this section or section 52, it is not a defence to show that the speed at which the accused person was driving was not in excess of a speed limit applying in relation to the vehicle or the road, whichever is the lower, under Part 2 of the Road Traffic Act 2004.

(4) Where, when a person is tried on indictment or summarily for an offence under this section, the jury, or, in the case of a summary trial, the District Court, is of the opinion that he or she had not committed an offence under this section but had committed an offence under section 52, the jury or court may find him or her guilty of an offence under section 52, and he or she may be sentenced accordingly.

(5) Where a member of the Garda Síochána is of opinion that a person has committed an offence under this section, he or she may arrest the person without warrant.]

**Annotations****Amendments:**

**F103** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(1), S.I. No. 542 of 2011.

**Editorial Notes:**

**E451** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E452** Obligation to provide specimen following arrest under subs. (5) and consequential procedure applied (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 12(1), S.I. No. 543 of 2011.

**E453** Procedure prescribed for detention of intoxicated drivers arrested under subs. (5) (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 16, S.I. No. 543 of 2011.

**E454** Procedure prescribed where holder of a licence to drive a small public service vehicle is convicted under section (8.07.2003) by *Taxi Regulation Act 2003* (25/2003), s. 36(5), commenced on enactment.

**E455** Offences under section listed as serious offences (4.09.1998) by *Bail Act 1997* (16/1997), s. 1 and sch. item 19(a) (dangerous driving causing death or serious bodily harm), and items 29 and 30 (acting as accomplice, attempt and conspiracy), S.I. No. 315 of 1998.

**E456** Previous affecting provision: fines in subs. (2) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(10(a) and table pt. 1, ref. nos. 12 and 13, S.I. No. 86 of 2007; section substituted as per above F-note.

**E457** Previous affecting provision: subs. (3) substituted (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 13, S.I. No. 8 of 2005; section substituted as per above F-note.

**E458** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005. S. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10)(a), S.I. No. 255 of 2011.

**E459** Previous affecting provision: obligation to provide specimen following arrest and consequential procedure applied (2.12.1994) by *Road Traffic Act 1994* (7/1994), ss. 13, 17 and 20, S.I. No. 350 of 1994; repealed (29.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(c), S.I. No. 544 of 2011 in relation to ss. 13 (other than subs. (4)) and 17, but repeal not commenced in relation to s. 20 as of 16.04.2013.

**E460** Previous affecting provision: subss. (2)(a) and (3) amended (22.07.1994) by *Road Traffic Act 1994*, (7/1994), s. 49(1)(f), S.I. No. 222 of 1994; subs. (3) substituted as per above E-note and section substituted as per above F-note.

**E461** Previous affecting provision: subss. (1), (3) and (6) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 51, S.I. No. 169 of 1968; subs. (3) substituted as per above E-note and section substituted as per above F-note.

**F104**[Driving of dangerously defective vehicle.

**54.—** (1) A person who drives a mechanically propelled vehicle in a public place while there is a defect affecting the vehicle which he or she knows of or could have discovered by the exercise of ordinary care and which is such that the vehicle is, when in motion, a danger to the public, commits an offence.

(2) Where a mechanically propelled vehicle is driven in a public place while there is a defect affecting the vehicle which the owner knows of or could have discovered by the exercise of ordinary care and which is such that the vehicle is, when in motion, a danger to the public, such owner commits an offence.

(3) Where a person is charged with an offence under subsection (2), it is a defence to the charge for him or her to show that the vehicle was being driven on the occasion in question by another person and that such driving was unauthorised.

(4) A person who commits an offence under this section is liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 3 months or to both.

(5) Where a member of the Garda Síochána is of opinion that a person has committed an offence under this section, he or she may arrest the person without warrant.]

#### Annotations

#### Amendments:

**F104** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(1), S.I. No. 542 of 2011.

**F105** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 46(b)(i), not commenced as of 16.04.2013.

**F106** Inserted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 46(b)(ii), not commenced as of 16.04.2012.

#### Modifications (not altering text):

**C68** Prospective affecting provision: section amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 46(b), not commenced as of 16.04.2013.

**54.**— (1) A person who drives a mechanically propelled F105[vehicle or a combination of vehicles] in a public place while there is a defect affecting the F105[vehicle or a combination of vehicles] which he or she knows of or could have discovered by the exercise of ordinary care and which is such that the F105[vehicle or a combination of vehicles] is, when in motion, a danger to the public, commits an offence.

(2) Where a mechanically propelled F105[vehicle or a combination of vehicles] is driven in a public place while there is a defect affecting the F105[vehicle or a combination of vehicles] which the owner knows of or could have discovered by the exercise of ordinary care and which is such that the F105[vehicle or a combination of vehicles] is, when in motion, a danger to the public, such owner commits an offence.

(3) Where a person is charged with an offence under subsection (2), it is a defence to the charge for him or her to show that the F105[vehicle or a combination of vehicles] was being driven on the occasion in question by another person and that such driving was unauthorised.

(4) A person who commits an offence under this section is liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 3 months or to both.

(5) Where a member of the Garda Síochána is of opinion that a person has committed an offence under this section, he or she may arrest the person without warrant.

F106[(6) Where a person is charged with an offence under this section involving a combination of vehicles it shall be presumed, until the contrary is shown, that the owner of the mechanically propelled vehicle was also the owner of any vehicle or vehicles drawn thereby at the time of the alleged offence.]

#### Editorial Notes:

**E462** Previous affecting provision: section repealed by *Road Traffic Act 2010* (25/2010), s. 69, not commenced.

**E463** Previous affecting provision: fine in subs. (4) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18 and table, pt. 1, ref. no. 14, S.I. No. 86 of 2007; section substituted as per above F-note.

**E464** Previous affecting provision: subs. (1) deleted and subs. (4) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968; subs. (1) reinserted and subs. (4) substituted as per above F-note.

F107 [Parking vehicle in dangerous position.

55.— (1) A person shall not park a vehicle in a public place if, when so parked, the vehicle would be likely to cause danger to other persons using that place.

(2) A person who contravenes subsection (1) commits an offence and is liable on summary conviction—

(a) in the case of—

(i) a first offence, where any part of the period of the contravention was a period within lighting-up hours (as declared by regulations under section 11) during which the vehicle did not fulfil the requirements imposed by law with respect to lighting and reflectors, or

(ii) a second or any subsequent offence, to a class B fine or to imprisonment for a term not exceeding one month or to both,

and

(b) in any other case, to a class C fine.

(3) Where a member of the Garda Síochána is of opinion that a person is committing or has committed an offence under this section, he or she may arrest the person without warrant.]

#### Annotations

#### Amendments:

**F107** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(1), S.I. No. 542 of 2011.

#### Editorial Notes:

**E465** Previous affecting provision: section substituted by *Road Traffic Act 2010* (25/2010), s. 69, not commenced.

**E466** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E467** Previous affecting provision: fines in subs. (2)(a) and (b) increased (2.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table pt. 1, ref. nos. 15 and 16, S.I. No. 86 of 2007; section substituted as per F-note above.

**E468** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002, as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005. S. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10), S.I. No. 255 of 2011.

**E469** Previous affecting provision: subs. (1) substituted and subs. (4) inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 52, S.I. No. 169 of 1968; section substituted as per F-note above.

## PART VI.

### COMPULSORY INSURANCE OF MECHANICALLY PROPELLED VEHICLES.

Obligation to be insured or guaranteed.

56.—(1) A person (in this subsection referred to as the user) shall not use in a public place a mechanically propelled vehicle unless either a vehicle insurer, a vehicle guarantor or an exempted person would be liable for injury caused by the negligent use of the vehicle by him at that time or there is in force at that time either—

- (a) it may, in so far as it relates to injury to property, be limited to the sum of €1,120,000 per claim, whatever the number of victims,
- (b) an approved guarantee whereby there is guaranteed the payment by the user, or some other person who would be liable for injury caused by the negligent use of the vehicle at that time by the user, of all sums without limit (save as is hereinafter otherwise provided) which the user or his personal representative or such other person or his personal representative shall become liable to pay to any person (exclusive of the excepted persons) by way of damages or costs on account of injury to person or property caused by the negligent use of the vehicle at that time by the user.

F108[(2) The insurance required by this section may be subject to the following limitation and the following exception or either of them—

- F109[(a) it may, in so far as it relates to injury to property, be limited to the sum of €1,120,000 per claim, whatever the number of victims,]
- (b) there may be excepted from the liability covered thereby any liability (in excess of the common law or the statutory liability applicable to the case) undertaken by the insured or the principal debtor by special contract.]

F110[(2A) An approved policy of insurance referred to in paragraph (a) of subsection (1) of this section shall extend to damages or costs on account of injury to persons or property incurred by the negligent use of a mechanically propelled vehicle by the user in any of the designated territories to the extent required by the law relating to compulsory insurance against civil liability in respect of the use of mechanically propelled vehicles of the territory where the damages or costs may be incurred, or to the extent required by this Part of this Act, whichever is the greater.]

(3) Where a person contravenes subsection (1) of this section, he and, if he is not the owner of the vehicle, such owner shall each be guilty of an offence and shall be liable on summary conviction to F111[ a fine not exceeding €5,000 ] or, at the discretion of the court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

(4) Where, in a prosecution for an offence under this section, it is shown that, a demand having been made under section 69 of this Act,—

- (a) the person on whom the demand was made refused or failed to produce a certificate of insurance, certificate of guarantee or certificate of exemption then and there, or
- (b) such person, having duly produced such certificate consequent upon the demand, refused or failed to permit the member of the Garda Síochána to whom such certificate was produced to read and examine it,

it shall be presumed, until the contrary is shown by the defendant, that the vehicle was being used in contravention of this section.

(5) Where a person charged with an offence under this section is the owner of the vehicle, it shall be a good defence to the charge for the person to show that the vehicle was being used without his consent and either that he had taken all reasonable precautions to prevent its being used or that it was being used by his servant acting in contravention of his orders.

(6) Where a person charged with an offence under this section was the servant of the owner of the vehicle, it shall be a good defence to the charge for the person to show that he was using the vehicle in obedience to the express orders of the owner.

(7) F112[...]

F113[(8) In this Part a reference to the territory in which a vehicle is normally based is a reference to—

- (a) the territory of the state of which the vehicle bears a registration plate, irrespective of whether the plate is permanent or temporary,
- (b) in a case where no registration plate is required for a type of vehicle, but the vehicle bears an insurance plate or a distinguishing sign analogous to the registration plate, the territory of the state in which the plate or sign is issued, or
- (c) in a case where a registration or insurance plate or distinguishing sign is not required for a vehicle, the territory of the state in which the person who has custody of the vehicle is resident.

(9) In this Part —

‘designated territories’ means the territories of the Member States (other than the State) and Croatia, Iceland, Norway and Switzerland;

‘mechanically propelled vehicle’ includes a semi-trailer or trailer when used in a public place.]

(10) F112[...]

#### Annotations

#### Amendments:

- F108** Substituted (1.01.1996) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1995* (S.I. No. 353 of 1995), reg. 3(1), in effect as per reg. 3(3).
- F109** Substituted (21.12.2011) by *European Union (Motor Insurance) (Limitation of Insurance in relation to Injury to Property) Regulations 2011* (S.I. No. 702 of 2011), reg. 2.
- F110** Substituted (31.12.1995) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 4(1).
- F111** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 17, S.I. No. 86 of 2007.
- F112** Deleted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 2(c).
- F113** Substituted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 2(c).
- F114** Substituted by *Road Traffic Act 2004* (44/2004), s. 34, not commenced as of 16.04.2013.

#### Modifications (not altering text):

- C69** Prospective affecting provision: section substituted by *Road Traffic Act 2004* (44/2004), s. 34, not commenced as of 16.04.2013.

**F114**[56.—(1) A person (in this subsection referred to as the user) shall not use in a public place a mechanically propelled vehicle unless—

- (a) either a vehicle insurer or an exempted person would be liable for injury caused by the negligent use of the vehicle, by him or her at that time, or
- (b) there is in force at that time an approved policy of insurance whereby the user or some other person who would be liable for injury caused by the negligent use of the vehicle at that time by the user, is insured against all sums, subject to subsection (2) of this section, without limit, which the user or his or her personal representative or such other person or his or her personal representative becomes liable to pay to any person (exclusive of the excepted persons) by way of damages or costs on account of injury to person or property caused by the negligent use of the vehicle at that time by the user.

(2) The insurance required by this section may be subject to the following limitations and the following exception or any of them—

(a) it may in so far as it relates to—

(i) injury to a person, be limited to such sum as the Minister specifies in regulations,

(ii) injury to property, be limited to the sum of €200,000,

in respect of injury caused by any one act of negligence or any one series of acts of negligence collectively constituting one event,

(b) there may be excepted from the liability covered thereby any liability (in excess of the common law or the statutory liability applicable to the case) undertaken by the insured or the principal debtor by special contract.

(3) An approved policy of insurance referred to in subsection (1)(b) of this section extends to damages or costs on account of injury to persons or property incurred by the negligent use of a mechanically propelled vehicle by the user in any of the designated territories to the extent required by the law relating to compulsory insurance against civil liability in respect of the use of mechanically propelled vehicles of the territory where the damages or costs may be incurred, or to the extent required by this Part, whichever is the greater.

(4) Where a person contravenes subsection (1) of this section, he or she and, if he or she is not the owner of the vehicle, such owner are each guilty of an offence and are liable on summary conviction to a fine not exceeding €3,000 or, to imprisonment for a term not exceeding 6 months, or to both.

(5) Where, in a prosecution for an offence under this section, it is shown that, a demand having been made under section 69 of this Act—

(a) the person on whom the demand was made refused or failed to produce a certificate of insurance or certificate of exemption then and there, or

(b) such person, having duly produced such certificate consequent upon the demand, refused or failed to permit the member of the Garda Síochána to whom such certificate was produced to read and examine it,

it shall be presumed, until the contrary is shown by the defendant, that the vehicle was being used in contravention of this section.

(6) Where a person charged with an offence under this section is the owner of the vehicle, it is a defence to the charge for the person to show that the vehicle was being used without his or her consent and either that he or she had taken all reasonable precautions to prevent its being used or that it was being used by his or her employee acting in contravention of his or her instructions.

(7) Where a person charged with an offence under this section was an employee of the owner of the vehicle, it is a defence to the charge for the person to show that he or she was using the vehicle in compliance with the express instructions of the owner.

(8) In this Part ‘designated territories’ means the European territories of the Member States of the European Communities (other than the State) and Croatia, Iceland, Norway and Switzerland.

(9) In this Part a reference to the territory in which a vehicle is normally based is a reference to—

(a) the territory of the state of which the vehicle bears a registration plate,

(b) in a case where registration is not required for a type of mechanically propelled vehicle, but the vehicle bears an insurance plate or a distinguishing sign analogous to the registration plate, the territory of the state in which the plate or sign is issued, or

(c) in a case where a registration plate, an insurance plate or a distinguishing sign is not required for a mechanically propelled vehicle, the territory of the state in which the person who has custody of the vehicle is permanently resident.

(10) In this Part—

‘mechanically propelled vehicle’ includes a semi-trailer or trailer (whether coupled or uncoupled to a mechanically propelled vehicle) used in a public place;

'semi-trailer' means the drawn component of an articulated vehicle or a vehicle constructed or adapted for use as such drawn component;

'trailer' means a vehicle attached to a mechanically propelled vehicle (or to another vehicle attached to a mechanically propelled vehicle) or a vehicle constructed or adapted for the purpose of being drawn by a mechanically propelled vehicle.

(11) Nothing in this Part shall be read as extending compulsory motor insurance cover to any person in or on a semi-trailer or trailer when used in a public place.]

**Editorial Notes:**

- E470** Previous affecting provision: subs. (2) substituted by *Road Traffic Act 2002* (12/2002), s. 17, not commenced as of 16.04.2013.
- E471** Subs. (1)(a) purported to be amended (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 2(a); words to be deleted by amendment are not present in subs. (1)(a) but are present in subs. (1)(b).
- E472** Previous affecting provision: subs. (2)(a) substituted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 2(b); substituted as per F-note above.
- E473** Procedure prescribed for purposes of subs. (1) by *Road Traffic Act 1994* (7/1994), s. 41(1)(b) as substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 19(a), S.I. No. 384 of 2006.
- E474** Previous affecting provision: fine in subs. (3) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, pt. 1, ref. no. 18, S.I. No. 491 of 2002; increased again as per F-note above.
- E475** Previous affecting provision: subs. (7) substituted (12.10.2001) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 2001* (S.I. No. 463 of 2001), reg. 3; subs. (7) deleted as per E-note above.
- E476** Previous affecting provision: subs. (7) substituted (1.01.1996) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1995* (S.I. No. 353 of 1995), reg. 3(2), in effect as per reg. 3(3); subs. (7) deleted as per F-note above.
- E477** Previous affecting provision: subs. (9) substituted (1.01.1993) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 5(1); subs. (9) substituted as per F-note above.
- E478** Previous affecting provision: subs. (10) inserted (1.01.1993) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 5(2); subs. (10) deleted as per F-note above.
- E479** Previous affecting provision: subs. (2) substituted (31.12.1987) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1987* (S.I. No. 322 of 1987), reg. 4(1); substituted as per E-note above.
- E480** Previous amending provision: fine in subs. (3) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(1) and table, ref. no. 5, commenced on enactment; increased again as per E-note above.
- E481** Previous affecting provision: subs. (2A) inserted (5.08.1975) by *European Communities (Road Traffic) (Compulsory Insurance) Regulations 1975* (S.I. No. 178 of 1975), reg. 3(a); substituted as per F-note above.
- E482** Previous affecting provision: subss. (7)-(9) inserted (5.08.1975) by *European Communities (Road Traffic) (Compulsory Insurance) Regulations 1975* (S.I. No. 178 of 1975), reg. 3(b); subs. (7) deleted and subss. (8), (9) substituted as per F-notes above.



Fine in lieu of damages and imprisonment in addition to damages.

57.—(1) Where—

- (a) the court, on a conviction for an offence under the immediately preceding section, is satisfied that injury was caused to person or property by the negligent use on the occasion on which the offence was committed of the vehicle in relation to which the offence was committed and
- (b) the court is of opinion that some person then present or represented would be entitled to recover in a civil action against the convicted person damages in respect of the injury,

the court may, if it thinks fit and the person present or represented consents, inflict on the convicted person, in addition to any other punishment, a fine not exceeding the damages which in the opinion of the court the person present or represented would be entitled to recover against the convicted person.

(2) Where a fine is imposed under subsection (1) of this section on a convicted person—

- (a) the court imposing the fine may sentence the convicted person to any term of imprisonment, not exceeding six months, in default of payment of the fine within such time, not being less than fourteen days, as the court appoints,
- (b) the amount of the fine shall be paid to the person on account of whose right to recover damages the fine was imposed and, if there is more than one such person, in such proportions as the court directs,
- (c) the payment of the fine by the convicted person shall be a good defence to any civil action brought by any person to whom the fine or any part thereof was so paid in respect of the injury on account of which the fine was inflicted,
- (d) without prejudice to any right of appeal by any other person, the person or any of the persons to whom the fine is made payable shall have a right of appeal (limited to one or more of the following matters, that is to say, the amount of the fine and the person to whom and the proportions in which it is payable) to the Judge of the Circuit Court within whose circuit is situate the district or any part of the district of the Justice by whom the fine was inflicted, and the decision of the Judge on the appeal shall be final.

(3) Where damages are recovered in a civil action against a person who was convicted of an offence under the immediately preceding section in respect of injury to person or property caused by the negligent use on the occasion on which the offence was committed of the mechanically propelled vehicle in relation to which the offence was committed, the court before whom the damages are recovered may if the damages are not paid within fourteen days or such longer period as the court may determine order that the person against whom the damages were recovered be forthwith taken into custody and be imprisoned for whichever of the following periods is the shorter, that is to say, until the expiration of six months from the taking into custody or until he pays the amount of the damages to the person by whom they were recovered and lodges in court, by way of security for the payment of the costs recovered by that person in the action, such sum (if any) as the court fixes.

(4) This section applies only to injury against liability with respect to which an approved policy of insurance or an approved guarantee is required by this Act to be effected.

Vehicle insurer.

F115[58.— (1) In this Act, “vehicle insurer” means, subject to subsection (1) of section 78 of this Act,—

- (a) an undertaking within the meaning of Article 2 (1) of the EC (Non-Life Insurance) Regulations 1976 (S.I. No. 115 of 1976) as amended by Article 4 of the European Communities (Non-Life Insurance) (Amendment) (No. 2) Regulations

1991 (S.I. No. 142 of 1991) which carries on a class 10 mechanically propelled vehicle insurance business in the State, or

(b) a syndicate, within the meaning of section 3 of the Act of 1936, carrying on that business in the State.

(2) For the purpose of this section and section 78—

“class 10 mechanically propelled vehicle insurance business” means a mechanically propelled vehicle insurance business within the meaning of Section 3 of the Act of 1936 in relation to a risk classified under class 10 of Schedule 1 of the European Communities (Non-Life Insurance) Regulations 1976 (S.I. No. 115 of 1976) but excluding carrier’s liability;

“the Act of 1936” means the Insurance Act 1936 (No. 45 of 1936).]

#### Annotations

##### Amendments:

**F115** Substituted (20.11.1992) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 6.

##### Modifications (not altering text):

**C70** Application of section restricted (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 8(3), in operation as per art. 2.

##### Insurance Certificate or Card.

##### 8. ...

(3) Section 58 of the Road Traffic Act, 1961 shall not apply to the Irish Bureau and paragraphs (3) and (8) of article 7 of the Road Traffic (Compulsory Insurance) Regulations, 1962 shall not apply to an international insurance card.

##### Editorial Notes:

**E483** Previous affecting provision: paras. (a) and (b) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Section substituted as per F-note above.

Vehicle guarantor.

**59.**—In this Act “vehicle guarantor” means, subject to subsection (2) of section 78 of this Act, a person who—

(a) is not a vehicle insurer, and

(b) carries on the business of issuing approved guarantees, and

(c) has made and maintains the deposit with the Accountant of the Courts of Justice authorised by this Part of this Act to be made by persons who intend to carry on the business of issuing approved guarantees,

F116[Exempted person.

**60.**—(1) In this Part of this Act “exempted person” means, subject to subsection (3) of section 78 of this Act—

(a) a board or other body established by or under an Act of the Oireachtas or an Act of the Oireachtas of Saorstát Éireann,

(b) a company (hereinafter referred to as a State-sponsored company) within the meaning of subsection (1) of Section 2 of the Companies Act, 1963, in which the majority of the shares are held by or on behalf of a Minister of State, or

(c) a company within the meaning of subsection (1) of section 2 of the Companies Act, 1963, in which the majority of the ordinary shares are held by a State-sponsored company or a board or other body mentioned in paragraph (a) of this subsection,

in respect of which the Minister has issued a certificate that such board, other body or company is for the time being an exempted person for the purposes of this Act.

(2) The Minister shall not issue a certificate under this section unless he is of the opinion (having, in a case where a deposit under section 61 of this Act has been made and maintained, taken such deposit into account) that the board, other body or company is, and will be, capable of meeting any liability arising out of the negligent use of a mechanically propelled vehicle in respect of which, if such board, other body or company were not an exempted person or a vehicle insurer, an approved policy of insurance would be required to be in force at the material time.]

#### Annotations

#### Amendments:

**F116** Substituted (26.10.1970) by *Road Traffic Act 1968* (25/1968), s. 54, S.I. No. 244 of 1970.

#### Editorial Notes:

**E484** Previous affecting provision: power pursuant to section and s. 5 exercised (29.07.1991) by *Road Traffic General Bye-Laws (Amendment) Regulations 1991* (S.I. No. 204 of 1991); revoked (1.10.1998) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.

**E485** Previous affecting provision: power pursuant to section and s. 5 exercised (28.11.1975) by *Road Traffic General Bye-Laws (Amendment) Regulations 1975* (S.I. No. 281 of 1975); revoked (1.10.1998) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1, pt. 1.

**F117**[Deposits by exempted persons.

**61.** (1) The Minister may from time to time require the deposit with the Accountant of the Courts of Justice by a person desiring to become an exempted person of such sum as the Minister shall specify in such requirement.

(2) The Accountant of the Courts of Justice shall invest a sum deposited under this section in such of the securities authorised by law for the investment of funds in the High Court as the depositor directs, and the income accruing on the securities shall be paid to the depositor.

(3) The Accountant of the Courts of Justice shall not accept a deposit under this section save on a warrant of the Minister.

(4) The Minister may make rules with respect to applications for warrants for the purposes of this section, the payment of deposits and the investment thereof or dealing therewith, the deposit of stocks, shares or other securities in lieu of money, the payment of the income from time to time accruing on securities in which deposits are for the time being invested and the withdrawal and transfer of deposits.]

#### Annotations

#### Amendments:

**F117** Substituted (26.10.1970) by *Road Traffic Act 1968* (25/1968), s. 55, S.I. No. 244 of 1970.

Approved policy of insurance.

**62.—(1)** A policy of insurance shall be an approved policy of insurance for the purposes of this Act if, but only if, it complies with the following conditions:

(a) it is issued by a vehicle insurer to a person (in this Act referred to as the insured) named therein;

(b) the insurer by whom it is issued binds himself by it to insure the insured against all sums without limit which the insured or his personal representative shall become liable to pay to any person F118[...] whether by way of damages or costs on account of injury to person or property caused by the negligent use, during the period (in this Act referred to as the period of cover) specified in that behalf in the policy, of a mechanically propelled vehicle to which the policy relates, by the insured or by any of such other persons (if any) as are mentioned or otherwise indicated in that behalf in the policy;

(c) the liability of the insurer under the policy is not subject to any condition, restriction, or limitation prescribed as not to be inserted in an approved policy of insurance; F118[...]

F119[(cc) The liability of the insurer extends, in addition to the negligent use of the mechanically propelled vehicle in the State, to the negligent use of the vehicle in the designated territories according to the law relating to compulsory insurance against civil liability in respect of the use of mechanically propelled vehicles in force in those territories or to the extent required by this Part, whichever is the greater; ]

(d) the period of cover is not capable of being terminated before its expiration by effluxion of time by the insurer save either with the consent of the insured or after seven days' notice in writing to the F120[insured; and]

F121[(e) the liability of the insurer extends to any loss or injury suffered by the victim, due to the negligent use of a mechanically propelled vehicle, during a direct journey between two Member States, if there is no national insurers' bureau responsible for the territory which is being crossed in accordance with the law relating to compulsory insurance against civil liability in respect of the use of mechanically propelled vehicles in that territory. ]

F122[(1A) For the purpose of this Part a policy of insurance issued in accordance with the laws on compulsory insurance in force in any of the designated territories, other than the State, in respect of a mechanically propelled vehicle normally based in that territory is an approved policy of insurance. ]

(2) A policy of insurance which complies with the conditions specified in subsection (1) of this section shall not be prevented from being an approved policy of insurance merely by reason of its containing provisions additional to and not inconsistent with the provisions required by those conditions.

F123[(3) A policy of insurance shall not be prevented from being an approved policy of insurance merely by reason of the insurance being subject to a limitation or an exception referred to in subsection (2) of section 56 of this Act.]

F124[(4) In this section 'national insurers' bureau' means a professional organisation which is constituted in accordance with Recommendation No. 5 adopted on 25 January 1949 by the Road Transport Sub-committee of the Inland Transport Committee of the United Nations Economic Commission for Europe and which groups together insurance undertakings which, in a state, are authorised to conduct the business of motor vehicle insurance against civil liability. ]

**Annotations****Amendments:**

- F118** Deleted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 3(a)(i) and (ii).
- F119** Substituted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 3(a)(iii).
- F120** Substituted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 3(a)(iv).
- F121** Inserted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 3(a)(v).
- F122** Substituted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 3(b).
- F123** Substituted (11.12.1987) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1987* (S.I. No. 322 of 1987), reg. 5.
- F124** Inserted (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 3(c).

**Editorial Notes:**

- E486** Power pursuant to subs. (1)(c) and s. 5 exercised (31.12.1988) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1987* (S.I. No. 321 of 1987).
- E487** Power pursuant to subs. (1)(c) and s. 5 exercised (23.11.1977) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1977* (S.I. No. 359 of 1977).
- E488** Power pursuant to subs. (1)(c) and s. 5 exercised (18.03.1964) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1964* (S.I. No. 58 of 1964).
- E489** Power pursuant to subs. (1)(c) and ss. 5, 63(1)(c), 65(1)(a), 66, 68(1), 75 and 79 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).
- E490** Previous affecting provision: subss. (1)(cc) substituted (31.12.1995) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 4(2). Subs. (1)(cc) substituted as per F-note above.
- E491** Previous affecting provision: subss. (1)(cc), (1A) inserted (5.08.1975) by *European Communities (Road Traffic) (Compulsory Insurance) Regulations 1975* (S.I. No. 178 of 1975), regs. 4 and 5. Subs. (1)(cc) substituted as per E-note above and subs. (1A) substituted as per F-note above.

Approved guarantee.

**63.—(1)** A guarantee shall be an approved guarantee for the purposes of this Act if, but only if, it complies with the following conditions;

- (a) it is issued by a vehicle insurer or a vehicle guarantor to a person (in this Act referred to as the principal debtor) named therein;
- (b) the insurer or guarantor by whom it is issued binds himself by it to guarantee the payment by the principal debtor or his personal representative of all sums without limit which the principal debtor or his personal representative shall become liable to pay to any person (exclusive of the excepted persons) whether by way of damages or costs on account of injury to person or property caused by the negligent use during the period (in this Act referred to as the period of cover) specified in that behalf in the guarantee, of a mechanically propelled vehicle to which the guarantee relates, by the principal debtor or by any of such other persons (if any) as are mentioned or otherwise indicated in that behalf in the guarantee;

(c) the liability under the guarantee of the insurer or guarantor by whom it is issued is not subject to any condition, restriction, or limitation prescribed as not to be inserted in an approved guarantee; and

(d) the period of cover is not capable of being terminated before its expiration by effluxion of time by the insurer or guarantor save either with the consent of the principal debtor or after seven days' notice in writing to the principal debtor.

(2) A guarantee which complies with the conditions specified in subsection (1) of this section shall not be prevented from being an approved guarantee merely by reason of its containing provisions additional to and not inconsistent with the provisions required by those conditions.

(3) A guarantee shall not be prevented from being an approved guarantee merely by reason of the guarantee being subject to the following limitation and the following exception or either of them:

(a) the limitation thereof, in so far as it relates to injury to property, to the sum of one thousand pounds in respect of injury occasioned by any one act of negligence or any one series of acts of negligence collectively constituting one event,

(b) the exception therefrom of any liability (in excess of the common law or the statutory liability applicable to the case) undertaken by the principal debtor by special contract.

(4) An approved guarantee issued by a vehicle insurer shall, for the purposes of sections 25, 26 and 27 of the Insurance Act, 1936, be regarded as if it were a policy issued by the insurer in the course of carrying on mechanically propelled vehicle insurance business within the meaning of section 3 of that Act.

#### Annotations

#### Editorial Notes:

**E492** Power pursuant to subs. (1)(c) and ss. 5 and 62(1)(c) exercised (18.03.1964) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1964* (S.I. No. 58 of 1964).

**E493** Power pursuant to subs. (1)(c) and ss. 5, 62(1)(c), 65(1)(a), 66, 68(1), 75 and 79 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).

Fraud in obtaining policy or guarantee.

**64.—**(1) A person shall not, for the purpose or in the course of obtaining the issue of an approved policy of insurance or an approved guarantee to himself or to another person, or for the purpose of securing his or another person's participation in the cover afforded by an approved policy of insurance or an approved guarantee, commit any fraud or make any representation or statement (whether in writing or verbally or by conduct) which is to his knowledge false or misleading in any material respect.

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction to F125[a fine not exceeding €5,000] or, at the discretion of the court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

(3) In a prosecution for an offence under F126[...] this section, a document—

(a) which purports to be—

(i) a proposal forming the basis of the relevant contract of insurance or guarantee,

(ii) a document (other than a proposal) forming that basis, or

(iii) an application for participation in the cover afforded by the relevant contract of insurance or guarantee, and

(b) which purports to be signed by the defendant,

may be tendered in evidence without proof and shall be presumed, until the contrary is shown by the defendant, to be such proposal or document as aforesaid and to have been signed by the defendant.

**F127**[(4) (a) For the purposes of a prosecution for an offence under this section, a member of the Garda Síochána may, by a notice in writing served by post on a vehicle insurer, require the person within 10 days of the date of service of the notice to furnish to the member any document referred to in subsection (3) of this section which is in that person's possession or within his procurement and is specified in the notice.

(b) A person who refuses or fails to comply with a requirement of a member of the Garda Síochána under paragraph (a) of this subsection shall be guilty of an offence.]

#### Annotations

##### Amendments:

**F125** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 18, S.I. No. 86 of 2007.

**F126** Deleted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**F127** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(g), S.I. No. 222 of 1994.

##### Editorial Notes:

**E494** Summary proceedings for an offence under section provided (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 48, S.I. No. 222 of 1994.

**E495** Previous affecting provision: fine in subs. (2) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, ref. no. 19, S.I. No. 491 of 2002. Fine increased as per F-note above.

**E496** Previous affecting provision: fine in subs. (2) increased (18.07.1984) by *Road Traffic (Amendment) Act 1978* (16/1984), s. 3(1) and table, ref. no. 6, commenced on enactment. Fine increased as per E-note above.

Excepted persons.

**65.—**(1) In this Part of this Act “excepted persons” means the following persons:

**F128**[(a)any person claiming in respect of injury to himself sustained while he was in or on a mechanically propelled vehicle (or a vehicle drawn thereby) to which the relevant document relates, other than a mechanically propelled vehicle, or a drawn vehicle, or vehicles forming a combination of vehicles, of a class specified for the purposes of this paragraph by regulations made by the Minister, provided that such regulations shall not extend compulsory insurance in respect of civil liability to passengers to—

(i)any part of a mechanically propelled vehicle, other than a large public service vehicle, unless that part is designed and constructed with seating accommodation for passengers, or

(ii)a passenger seated in a caravan attached to a mechanically propelled vehicle while such a combination of vehicles is moving in a public place.]

- (b) any person claiming in respect of injury to person to another person where—
- (i) in case the injury caused the other person's death—the other person would, assuming that the injury had not caused his death, be an excepted person under paragraph (a) of this subsection if he were himself claiming in respect of the injury, and
  - (ii) in any other case—the other person would be such an excepted person if he were so claiming,
- (c) any person claiming in respect of injury to property sustained while the property was in or on a mechanically propelled vehicle F129[(or a vehicle drawn thereby)] to which the relevant document relates,
- (d) any person claiming in respect of injury to property sustained while the property was owned by or was in the possession, custody or control of the insured or the principal debtor in the relevant document,
- (e) F130[...]
- (f) F130[...]
- (g) F130[...]

(2) In this section—

- (a) "relevant document" means the approved policy of insurance or the approved guarantee in relation to which the expression "excepted persons" is used, and
- (b) references to injury sustained while in or on a vehicle include injury sustained while entering, getting on to, being put into or on, alighting from, or being taken out of or off, the vehicle, and injury caused by being thrown out of or off the vehicle.

F131[ (c) "seating accommodation for a passenger" means—

- (i) in the case of a vehicle other than a cycle, a fixed or folding seat permanently and securely installed in or on the vehicle, and
- (ii) in the case of a cycle, a seat for one passenger behind the driver or a seat in a sidecar, in each case permanently and securely installed,

and "seating accommodation for passengers" shall be similarly construed.]

#### Annotations

##### Amendments:

- F128** Substituted (20.11.1992) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 7(1), commenced as per reg. 3(1).
- F129** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F130** Deleted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F131** Inserted (20.11.1992) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 7(2), commenced as per reg. 3(1).

##### Editorial Notes:

- E497** Power pursuant to subs. (1)(a) and s. 5 exercised (19.11.1992, 20.11.1992 and other dates) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 346 of 1992).



- E498** Classes of vehicles for the purposes of subs. (1)(a) specified (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962), reg. 6.
- E499** Power pursuant to subs. (1)(a) and ss. 5, 62(1)(c), 63(1)(c), 66, 68(1), 75 and 79 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).
- E500** Previous affecting provision: subs. (1)(a) substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Subs. (1)(a) substituted as per F-note above.

Certificate of insurance and certificate of guarantee.

**66.—(1)** Where a vehicle insurer issues an approved policy of insurance, he shall give to the person to whom it is issued the prescribed number of certificates (each of which is referred to in this Act as a certificate of insurance) in the prescribed form certifying that it has been issued and stating the prescribed particulars thereof.

(2) Where a vehicle insurer or a vehicle guarantor issues an approved guarantee, he shall give to the person to whom it is issued the prescribed number of certificates (each of which is referred to in this Act as a certificate of guarantee) in the prescribed form certifying that it has been issued and stating the prescribed particulars thereof.

(3) For the purposes of this section, a renewal of an approved policy of insurance or an approved guarantee shall be deemed to be an issue thereof.

#### Annotations

#### Modifications (not altering text):

- C71** Application of section restricted (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 8(2)(c), commenced as per art. 2.

#### Insurance Certificate or Card.

**8.** (1) ...

(2) For the purposes of Part VI of the Road Traffic Act, 1961, section 12 of the Roads Act, 1920 and any regulation made under any of the said enactments, the following provisions shall apply regarding an international motor insurance card in respect of the use of the vehicle referred to in the said card:— ...

(c) notwithstanding anything contained in section 66 of the Road Traffic Act, 1961, or the regulations made thereunder, it shall not be necessary to furnish any particulars on an international motor insurance card other than those required to be furnished on the said card.

...

#### Editorial Notes:

- E501** Power pursuant to this section and ss. 5, 62(1)(c), 63(1)(c), 65(1)(a), 68(1), 75 and 79 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).

Effect of certificate of insurance or guarantee.

**67.—(1)** Where a vehicle insurer has issued a certificate of insurance certifying that an approved policy of insurance has been issued by him to a specified person—

(a) if and so long as no such policy as is described in the certificate has been issued, the insurer shall, as between himself and any other person except the specified person, be deemed to have issued to the specified person an approved policy of insurance conforming in all respects with the description and particulars stated in the certificate, and

(b) if the insurer has issued to the specified person a policy such as is described in the certificate, but the actual terms of the policy are less favourable to

persons claiming under or by virtue of the policy against the insurer, either directly or through the specified person, than the particulars of the policy as stated in the certificate, the policy shall, as between the insurer and any other person except the specified person, be deemed to be in terms conforming in all respects with those particulars.

(2) Where a vehicle insurer or a vehicle guarantor has issued a certificate of guarantee certifying that an approved guarantee has been issued by him to a specified person—

(a) if and so long as no such guarantee as is described in the certificate has been issued, the insurer or guarantor shall, as between himself and any other person except the specified person, be deemed to have issued to the specified person an approved guarantee conforming in all respects with the description and particulars stated in the certificate, and

(b) if the insurer or guarantor has issued to the specified person a guarantee such as is described in the certificate, but the actual terms of the guarantee are less favourable to persons claiming under or by virtue of the guarantee against the insurer or guarantor, either directly or through the specified person, than the particulars of the guarantee as stated in the certificate, the guarantee shall, as between the insurer or guarantor and any other person except the specified person, be deemed to be in terms conforming in all respects with those particulars.

(3) Nothing in this section shall render a certificate of insurance or a certificate of guarantee liable to any stamp duty to which it would not have been liable if this section had not been enacted.

Certificate of exemption.

**68.—**(1) A vehicle insurer, a vehicle guarantor or an exempted person may at any time issue one or more certificates (each of which is in this Act referred to as a certificate of exemption) in the prescribed form in respect of any mechanically propelled vehicle owned by him certifying that the vehicle is owned by him and stating the prescribed particulars in respect of his liability for injury caused by the negligent use of the vehicle.

(2) A certificate of exemption issued by a vehicle insurer shall, for the purposes of sections 25, 26 and 27 of the Insurance Act, 1936, be regarded as if it were a policy issued by the insurer in the course of carrying on mechanically propelled vehicle insurance business within the meaning of section 3 of that Act.

#### Annotations

#### Editorial Notes:

**E502** Power pursuant to subs. (1) and ss. 5, 62(1)(c), 63(1)(c), 65(1)(a), 66, 75, 79 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).

Production of certificate on demand.

**69.—**(1) (a) Where a member of the Garda Síochána has reasonable grounds for believing that a mechanically propelled vehicle has been used in a public place on a particular occasion (including a case in which the member has himself observed the use) and that the actual user of the vehicle on that occasion was a particular person, the member may, at any time not later than one month after the occasion, demand of the person the production of either a certificate of insurance or a certificate of guarantee or a certificate of exemption in respect of the use of the vehicle by the person on the occasion and, if the person refuses or fails to produce any such certificate then and there, he shall, unless within ten days after the day on which the production was demanded he produces such certificate in person to a member

of the Garda Síochána at a Garda Síochána station named by the person at the time at which the production was demanded, be guilty of an offence.

(b) In a prosecution for an offence under this subsection, it shall be presumed, until the contrary is shown by the defendant, that he did not, within ten days after the day on which the production was demanded produce the certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the defendant at the time at which the production was demanded.

(c) It shall be a good defence in a prosecution for an offence under this subsection if the defendant shows that on the occasion in question—

(i) he did not use the vehicle, or

(ii) he was the servant of the owner of the vehicle and was using the vehicle in obedience to the express orders of the owner.

(2) (a) Where a member of the Garda Síochána has reasonable grounds for believing that a mechanically propelled vehicle has been used in a public place on a particular occasion (including a case in which the member has himself observed the use), the member may, at any time not later than F132[3 months] after the occasion, demand of the owner of the vehicle the production of either a certificate of insurance or a certificate of guarantee or a certificate of exemption in respect of the use on the occasion of the vehicle by the person then actually using it and, if the owner refuses or fails to produce any such certificate then and there, he shall, unless within ten days after the day on which the production was demanded he produces such certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the owner at the time at which such production was demanded, be guilty of an offence.

(b) In a prosecution for an offence under this subsection, it shall be presumed, until the contrary is shown by the defendant, that he did not, within ten days after the day on which production was demanded, produce the certificate in person to a member of the Garda Síochána at a Garda Síochána station named by the defendant at the time at which the production was demanded.

(c) It shall be a good defence in a prosecution for an offence under this subsection if the defendant shows—

(i) that the vehicle was not used on the occasion in question, or

(ii) that a person other than himself used the vehicle on the occasion in question, that it was so used without his consent and either that he had taken all reasonable precautions to prevent its being so used or that the person so using it was his servant acting in contravention of his orders.

F133[(3) Where a person produces under this section a certificate to a member of the Garda Síochána but refuses or fails to permit the member to read and examine it, he or she commits an offence and the member may demand of him or her his or her name and address and date of birth.

(4) Where a person whose name and address or date of birth is demanded under subsection (3) refuses or fails to give his or her name and address or date of birth or gives a name or address or date of birth which is false or misleading, he or she commits an offence.

(5) A member of the Garda Síochána may arrest without warrant—

(a) a person who under this section provides a certificate but refuses or fails to permit the member to read and examine it, or

(b) a person who, when his or her name and address or date of birth is demanded of him or her by the member under this section, refuses or fails to give his

or her name and address or date of birth or gives a name or address or date of birth which the member has reasonable grounds for believing to be false or misleading.]

F134[(6) F135[...]]

#### Annotations

##### Amendments:

**F132** Substituted (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 49(1)(h), S.I. No. 222 of 1994.

**F133** Substituted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 73, S.I. No. 255 of 2011.

**F134** Inserted (12.10.2001) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 2001* (S.I. No. 463 of 2001), reg. 4, commenced as per reg. 5.

**F135** Repealed (21.07.2006) by *Road Traffic Act 2006 (23/2006)*, s. 22(a), S.I. No. 384 of 2006.

**F136** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 47(a), not commenced as of 16.04.2013.

##### Modifications (not altering text):

**C72** Prospective affecting provision: subss. (4) and (5) amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 47(a), not commenced as of 16.04.2013.

(4) Where a person whose F136[name and address and date of birth] is demanded under subsection (3) refuses or fails to give his or her F136[name and address and date of birth] or gives a F136[name and address and date of birth] which is false or misleading, he or she commits an offence.

(5) A member of the Garda Síochána may arrest without warrant—

(a) a person who under this section provides a certificate but refuses or fails to permit the member to read and examine it, or

(b) a person who, when his or her F136[name and address and date of birth] is demanded of him or her by the member under this section, refuses or fails to give his or her F136[name and address and date of birth] or gives a F136[name and address and date of birth] which the member has reasonable grounds for believing to be false or misleading.

F137[Insurance of certain vehicles entering the State.

**69A.— (1)** In this section—

“vehicle” means any mechanically propelled vehicle intended for travel on land and any trailer whether or not coupled;

“authorised official” means an officer of the Customs and Excise or a member of the Garda Síochána.

(2) An authorised official may demand of a person having charge of a vehicle, being a vehicle which is not normally based in the State or in any of the designated territories, when entering the State with the vehicle or having so entered, to produce evidence that the use of the vehicle in the State and in the designated territories is covered by insurance in accordance with the requirements of the laws of the State and of the designated territories relating to compulsory insurance against civil liability in respect of the use of vehicles and if on such demand having been made such evidence is not produced the vehicle shall not be used in the State.

(3) Where the use of the vehicle in the State is prohibited under subsection (2) of this section an authorised official may remove and retain the vehicle or he may direct the driver to remove the vehicle to such place and subject to such conditions as may be specified in the direction, and, notwithstanding the provisions of subsection (2)

of this section, it shall be lawful to move the vehicle to the extent necessary to comply with such direction.

(4) A vehicle which has been removed by or at the direction of an authorised official under subsection (3) of this section may be retained until evidence is produced that the use of the vehicle is covered by insurance in accordance with the provisions of subsection (2) of this section or until the vehicle is being removed from the State to a country which is not a designated territory.

(5) A person who uses a vehicle or causes or permits a vehicle to be used in contravention of subsection (2) of this section, or who refuses, neglects or otherwise fails to comply with a direction under subsection (3) of this section, shall be guilty of an offence and shall be liable on summary conviction to F138[a fine not exceeding €5,000].]

#### Annotations

#### Amendments:

**F137** Inserted (5.08.1975) by *European Communities (Road Traffic) (Compulsory Insurance) Regulations 1975* (S.I. No. 178 of 1975), reg. 6.

**F138** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table pt. 1, ref. no. 19, S.I. No. 86 of 2007.

Obligation to deliver up certificate.

**70.**—(1) Where the period of cover under an approved policy of insurance is terminated or suspended by any means before its expiration by effluxion of time, the insured shall, within seven days after the termination or suspension, deliver to the vehicle insurer by whom the policy was issued the latest certificate of insurance in respect of the policy.

(2) Where the period of cover under an approved guarantee is terminated or suspended by any means before its expiration by effluxion of time, the principal debtor shall, within seven days after the termination or suspension, deliver to the vehicle insurer or the vehicle guarantor by whom the guarantee was issued the latest certificate of guarantee in respect of the guarantee.

(3) A person who contravenes subsection (1) or subsection (2) of this section shall be guilty of an offence.

Obligation of insured or principal debtor to give notice of accident.

**71.**—(1) Subject to subsection (2) of this section, where an event occurs in relation to a mechanically propelled vehicle in consequence of which the vehicle insurer who issued an approved policy of insurance or the vehicle insurer or the vehicle guarantor who issued an approved guarantee, then in force in respect of the vehicle, may become liable to pay money to any person, the insured or the principal debtor (as the case may be) shall, as soon as practicable after the occurrence of the event, or where the event did not occur in his presence, within forty-eight hours after the occurrence of the event first came to his knowledge, give to the insurer by whom the policy was issued or to the insurer or guarantor by whom the guarantee was issued notice in writing of the occurrence of the event together with such particulars of the event as are in his knowledge or procurement and are reasonably required by the insurer or guarantor.

(2) An approved policy of insurance or an approved guarantee may contain a provision relieving the insured or the principal debtor (as the case may be) from the obligation of giving the notice mentioned in subsection (1) of this section and, in any such case, that notice need not be given.

(3) A person who contravenes subsection (1) of this section shall be guilty of an offence.

(4) A notice or particulars required by this section may be given by posting the notice or particulars in a properly closed and prepaid envelope addressed to the insurer or guarantor, and the notice or particulars shall be deemed to be given in the time specified in this section for the giving thereof if so posted within that time.

Obligation of user of vehicle to give notice of accident.

**72.**—(1) Where an event occurs in relation to a mechanically propelled vehicle in consequence of which the vehicle insurer who issued an approved policy of insurance, or the vehicle insurer or the vehicle guarantor who issued an approved guarantee, then in force in respect of the vehicle, may become liable to pay money to any person, the person who is actually using the vehicle when the event occurs shall—

(a) unless he is himself the insured under the policy or the principal debtor under the guarantee or the event occurs in the presence of such insured or principal debtor, give to such insured or principal debtor, as soon as practicable after the occurrence of the event, notice of the occurrence together with full particulars thereof,

(b) give, on demand, to the insurer or guarantor such particulars relating to the event as are in his knowledge or procurement and are reasonably required by the insurer or guarantor.

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

(3) A notice or particulars required by paragraph (a) of subsection (1) of this section may be given by posting the notice or particulars in a properly closed and prepaid envelope addressed to the insured or the principal debtor.

F139[Notice of accident involving vehicle temporarily in the State.

**72A**— Where an event occurs in relation to a mechanically propelled vehicle normally based in the designated territories in consequence of which a liability to pay money to any person may occur the person who is actually using the vehicle when the event occurs shall send to the F140[Motor Insurers' Bureau of Ireland] notice of the occurrence of the event with full particulars thereof and particulars as to the territory in which the vehicle is normally based, the identification mark of the vehicle, the insurance of the vehicle (including the period covered thereby, the number of the policy and the name and address of the insurer and of the insured) and the name and address of the person using the vehicle.]

#### Annotations

#### Amendments:

**F139** Inserted (5.08.1975) by *European Communities (Road Traffic) (Compulsory Insurance) Regulations 1975* (S.I. No. 178 of 1975), reg. 7.

**F140** Substituted (1.01.1993) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 8, commenced as per reg. 3(2) .

Obligation to give information as to insurance.

**73.**—(1) Where a claim is made against a person in respect of any such liability as is appropriate in accordance with this Act to be covered by an approved policy of insurance or an approved guarantee, such person, on demand in writing (served by registered post) by or on behalf of the person making the claim, shall—

(a) if the liability was so covered, state that fact, state the name and address of the insurer or guarantor concerned and state the prescribed particulars referred to in subsection (1) or subsection (2) (as may be appropriate) of section 66 of this Act,

(b) if the liability would have been so covered but for an approved policy of insurance or an approved guarantee having been avoided, cancelled or otherwise terminated, state that fact and state the name and address of the insurer or guarantor concerned,

(c) if the liability was not so covered on account of the person against whom the claim is made having been a vehicle insurer, a vehicle guarantor or an exempted person, state that fact and state the prescribed particulars referred to in section 68 of this Act, and

(d) if none of the foregoing paragraphs apply, state that fact.

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

(3) A statement demanded under this section may be given by posting the statement in a properly closed and prepaid envelope addressed to the person demanding it.

Amendment of Assurance Companies Act, 1909.

**74.**—(1) Section 1 of the Assurance Companies Act, 1909, as adapted by or under subsequent enactments, shall have effect as if after paragraph (e) thereof the following paragraph were added:

“(f) mechanically propelled vehicle insurance business, that is to say, the business of effecting contracts of insurance against loss of or damage to or arising out of or in connection with the use of mechanically propelled vehicles, including third party risks.”

(2) Where an assurance company or syndicate within the meaning of section 3 of the Insurance Act, 1936, carries on mechanically propelled vehicle insurance business within the meaning of that section, the Assurance Companies Act, 1909, as adapted by or under subsequent enactments, shall apply with respect to that business, subject to the following modifications:

(a) sections 5 and 6 of the said Act shall not apply to the company or syndicate;

(b) the company or syndicate shall annually prepare a statement of its mechanically propelled vehicle insurance business in such form as shall from time to time be directed by the Minister for Industry and Commerce and the statement shall be printed, signed and deposited with that Minister in accordance with section 7 of the said Act and that section shall apply accordingly;

(c) paragraphs (d), (e), (f) and (g) of section 32 of the said Act shall apply to the company or syndicate as if those paragraphs were here set out with the substitution of the expression “mechanically propelled vehicle insurance business” for the expression “accident insurance business” wherever that expression occurs in those paragraphs.

Regulations in relation to certificates, keeping of records and giving of information.

**75.**—(1) The Minister may make regulations for all or any of the following purposes:

(a) the issue of certificates of insurance, certificates of guarantee and certificates of exemption;

(b) the issue of copies of, or new certificates in lieu of, any such certificates which are lost or destroyed and the maximum charges that may be made on such issues;

(c) the cancellation and surrender of such certificates;

(d) requiring vehicle insurers to keep records of all approved policies of insurance and approved guarantees issued by them;

(e) requiring vehicle guarantors to keep records of all approved guarantees issued by them;

- (f) requiring exempted persons to keep records of all certificates of exemption issued by them;
- (g) specifying the matters to be recorded in the records;
- (h) enabling the records to be inspected by members of the Garda Síochána and officers of the Minister;
- (i) requiring vehicle insurers to furnish to members of the Garda Síochána and officers of the Minister information in relation to approved policies of insurance and approved guarantees issued by such insurers;
- (j) requiring vehicle guarantors to furnish to members of the Garda Síochána and officers of the Minister information in relation to approved guarantees issued by such guarantors.

(2) A person who contravenes a regulation under this section which is declared to be a penal regulation shall be guilty of an offence.

#### Annotations

#### Editorial Notes:

**E503** Power pursuant to this section and ss. 5, 62(1)(c), 63(1)(c), 65(1)(a), 66, 68(1) and 79 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).

Miscellaneous provisions in relation to insured or guaranteed moneys.

**76.**—(1) Where a person (in this section referred to as the claimant) claims to be entitled to recover from the owner of a mechanically propelled vehicle or from a person (other than the owner) using a mechanically propelled vehicle (in this section referred to as the user), or has in any court of justice (in proceedings of which the vehicle insurer or vehicle guarantor hereinafter mentioned had prior notification) recovered judgment against the owner or user for, a sum (whether liquidated or unliquidated) against the liability for which the owner or user is insured by an approved policy of insurance or the payment of which by the owner or user is guaranteed by an approved guarantee, the claimant may serve by registered post, on the vehicle insurer by whom the policy was issued, or on the vehicle insurer or the vehicle guarantor by whom the guarantee was issued, a notice in writing of the claim or judgment for the sum, and upon the service of the notice such of the following provisions as are applicable shall, subject to subsection (2) of this section, have effect:

- (a) the insurer shall not after service of the notice pay to the owner or user in respect of the sum any greater amount than the amount (if any) which the owner or user has actually paid to the claimant in respect of the sum;
- (b) where the claimant has so recovered judgment for the sum, or after service of the notice so recovers judgment for the sum or any part thereof, the insurer or guarantor shall pay to the claimant so much of the moneys (whether damages or costs) for which judgment was or is so recovered as the insurer or guarantor has insured or guaranteed and is not otherwise paid to the claimant, and the payment shall, as against the insured or principal debtor, be a valid payment under the policy or guarantee;
- (c) where the claimant has so recovered judgment for the sum, or after service of the notice so recovers judgment for the sum or any part thereof, and has not recovered from the owner or user or such insurer or guarantor the whole amount of the judgment, the claimant may apply to the court in which he recovered the judgment for leave to execute the judgment against the insurer or guarantor, and thereupon the court may, if it thinks proper, grant the application either in respect of the whole amount of the judgment or in respect of any specified part of that amount;



(d) where the claimant has not so recovered judgment for the sum, the claimant may apply to any court of competent jurisdiction in which he might institute proceedings for the recovery of the sum from the owner or user for leave to institute and prosecute those proceedings against the insurer or guarantor (as the case may be) in lieu of the owner or user, and the court, if satisfied that the owner or user is not in the State, or cannot be found or cannot be served with the process of the court, or that it is for any other reason just and equitable that the application should be granted, may grant the application, and thereupon the claimant shall be entitled to institute and prosecute those proceedings against the insurer or guarantor, and to recover therein from the insurer or guarantor any sum which he would be entitled to recover from the owner or user and the payment of which the insurer or guarantor has insured or guaranteed;

(e) the insurer or guarantor shall not, as a ground for refusing payment of moneys to the claimant or as a defence to proceedings by the claimant, rely on or plead any invalidity of the policy or guarantee arising from any fraud or any misrepresentation or false statement (whether fraudulent or innocent) to which the claimant was not a party or privy and which, if constituting F141[an offence] under this Part of this Act, was not the subject of a prosecution and conviction under the relevant section of this Act.

(2) Where, in respect of any one act of negligence or any one series of acts of negligence collectively constituting one event, there are two or more claimants and the total of the sums claimed for damages for injury to property or for which judgment has been recovered for damages for such injury exceeds the sum which the insurer or guarantor has insured or guaranteed, the liability, as regards each claimant, of the insurer or guarantor in relation to such damages shall be reduced to the appropriate proportionate part of the sum insured or guaranteed.

(3) Subsections (1) and (2) of this section apply only to claims against the liability for which an approved policy of insurance or an approved guarantee is required by this Act to be effected.

(4) F142[...]

(5) A reference in this section to the owner or user of a mechanically propelled vehicle shall, where the context so admits, be construed as including a reference to his personal representative.

#### Annotations

#### Amendments:

**F141** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**F142** Repealed (17.08.1961) by *Civil Liability Act 1961* (41/1961), s. 5 and sch., pt. V, commenced on enactment.

#### Modifications (not altering text):

**C73** Application of section modified (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962), reg. 5 and sch. 1, para. (2), as amended (18.03.1964) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1964* (S.I. No. 58 of 1964), reg. 2, (23.11.1977) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1977* (S.I. No. 359 of 1977), reg. 2, (31.12.1988) by *Road Traffic (Compulsory Insurance) (Amendment) Regulations 1987* (S.I. No. 321 of 1987), reg. 4 and later amended (4.07.2008) by *European Communities (Motor Insurance) Regulations 2008* (S.I. No. 248 of 2008), reg. 4.

5.—(1) In this article “prohibited condition” means every condition, restriction or limitation on the liability of the insurer or guarantor under an approved policy of insurance or an approved guarantee which comes within any of the classes specified in the First Schedule to these Regulations

or any other condition, restriction or limitation which has substantially the same effect as a condition, restriction or limitation which is so specified.

(2) There shall not be inserted in an approved policy of insurance or an approved guarantee any condition, restriction or limitation on the liability of the insurer or guarantor which affects the right of any person, except the person to whom the policy or guarantee was issued [...], to recover by virtue of the policy or guarantee an amount under section 76 of the act or which could have the effect of reducing the amount which such a person could so recover, if such condition, restriction or limitation is a prohibited condition.

#### FIRST SCHEDULE

##### PROHIBITED CONDITIONS

(1)...

(2) Any limitation or restriction on the persons or classes of persons or the physical or mental condition of persons whose driving of a vehicle is covered by the approved policy of insurance or approved guarantee, except conditions which limit the persons so covered in any one or more of the following ways:—

...

(e) by requiring persons so covered to have the consent of a named person to such driving,

(f) by limiting the cover to cases where the person driving a vehicle either holds a driving licence to drive the vehicle or holds a provisional licence to drive the vehicle or having held either such licence or a driving licence issued under Part III of the Road Traffic Act, 1933 to drive such a vehicle has not been disqualified for holding it under section 26, 27 or 28 of the Act or under a disqualification order which is deemed to be a consequential disqualification order, an ancillary disqualification order or a special disqualification order by virtue of section 43 of the Act,

(g) by limiting the cover to cases where the person driving a vehicle holds a licence to drive a licensed public hire vehicle under article 34 or article 62 of the Road Traffic (Public Service Vehicles) Regulations, 1963 ( S.I. No. 191 of 1963 ) or having held such a licence or a licence to drive a public service vehicle under the Road Traffic Act, 1933 has not ceased to do so by reason of such licence being revoked under those Regulations or suspended or revoked under that Act.

...

The conditions referred to at (e), (f) and (g) of paragraph (2) shall provide that the limitations or restrictions shall not apply as respects a claim by a person to recover moneys from the insurer under section 76 of the Act.

Application and repayment of deposit.

**77.—**(1) In this section “deposit” means a deposit under section 61 of this Act.

(2) Where a person has recovered judgment in any court against the depositor of a deposit for a sum to which this section applies, the High Court may, on the application of that person and if satisfied that the depositor has no goods which can be taken in execution to satisfy the judgment, order the amount of the judgment, together with the costs of the order, the application therefor and the proceedings thereunder, to be paid by the Accountant of the Courts of Justice out of the deposit.

(3) Where the amount of a judgment is paid under this section out of a deposit, the depositor may deposit with the Accountant of the Courts of Justice a sum equal to the sum paid out, and until he does so, he, shall be deemed not to comply with the provisions of this Part of this Act relating to the making of deposits.

(4) Where the depositor of a deposit, if an individual, becomes bankrupt or insolvent or dies or, if a corporate body, is wound up or, if a partnership or other unincorporated association, is dissolved, the deposit shall be applied, firstly, in payment of liabilities for sums to which this section applies and, secondly, as general assets.

(5) Where the High Court is satisfied, on the application of the depositor of a deposit or a person claiming through or under him and after notice to F143[the Minister] and

after such publication of advertisements as the High Court directs, that the deposit should be paid out to the applicant, the High Court may order it to be so paid out either unconditionally or subject to conditions.

(6) Each of the following sums shall, for the purposes of the foregoing subsections of this section, be a sum to which this section applies:

- (a) a sum against the liability for which the depositor of a deposit, being a vehicle guarantor, is guarantor under an approved guarantee,
- (b) a sum against the liability for which the depositor of a deposit, being a vehicle guarantor or an exempted person, would, if he were not such depositor, have been required by this Act to have effected an approved policy of insurance or an approved guarantee.

**Annotations**

**Amendments:**

**F143** Substituted (13.01.1971) by *Road Traffic Act 1968 (25/1968)*, s. 6 and sch., S.I. No. 6 of 1971.

Provisions relating to Motor Insurers' Bureau of Ireland.

**F144**[**78.**—(1) A person shall not carry on a class 10 mechanically propelled vehicle insurance business in the State unless he is a member of the Bureau.

(2) A person shall not be an exempted person unless there is in force an undertaking by him in terms approved of by the Minister that he will deal with third-party claims in respect of mechanically propelled vehicles owned by him on terms similar to those standing agreed from time to time between the Minister and the Bureau in respect of the Bureau.

(3) The provisions of this section shall have effect notwithstanding any other provision of this or any other Act.

(4) In this section,

“the Bureau” means the Motor Insurers' Bureau of Ireland.]

**Annotations**

**Amendments:**

**F144** Substituted (20.11.1992) by *European Communities (Road Traffic) (Compulsory Insurance) (Amendment) Regulations 1992* (S.I. No. 347 of 1992), reg. 9, commenced as per reg. 3(1).

**F145**[Vehicle insurers to provide details of motor insurance policies.

**78A.**— (1) A vehicle insurer shall make available, within 5 working days, to the Minister for Transport, the Garda Síochána and the Motor Insurer's Bureau of Ireland, details of new motor insurance policies issued and existing motor insurance policies cancelled by it in so far as they relate to third party cover.

(2) In this subsection ‘motor insurance policies’ means approved policies of insurance (within the meaning of section 62) issued by a vehicle insurer.]

**Annotations**

**Amendments:**

**F145** Inserted (1.06.2011) by *Road Traffic Act 2010 (25/2010)*, s. 77, S.I. No. 255 of 2011.

**Editorial Notes:**

**E504** The side-note is taken from the amending section in the absence of one included in the amendment.

Exception of pedestrian-controlled vehicles.

**79.**—Pedestrian-controlled vehicles which are specified for the purposes of this section by the Minister by regulations and which comply with the conditions stated in the regulations are hereby excepted from this Part of this Act.

**Annotations****Editorial Notes:**

**E505** Pedestrian-controlled vehicles specified (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962), reg. 4.

**E506** Power pursuant to this section and ss. 5, 62(1)(c), 63(1)(c), 65(1)(a), 66, 68(1) and 75 exercised (1.05.1962) by *Road Traffic (Compulsory Insurance) Regulations 1962* (S.I. No. 14 of 1962).

Special provisions for non-residents.

**80.**—The Minister may make regulations for the purpose of facilitating compliance with this Part of this Act by persons who ordinarily reside outside the State, and the regulations may modify in respect of those persons all or any of the provisions of this Part of this Act, but not so as substantially to exempt any person from the obligations imposed by this Part of this Act.

**Annotations****Editorial Notes:**

**E507** Power pursuant to this section and ss. 5 and 42 exercised (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992).

**E508** Previous affecting provision: power pursuant to section exercised (1.05.1962) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1962* (S.I. No. 12 of 1962); revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.

Transitional provisions (Part VI).

**81.**—(1) A deposit under section 61 of the repealed Act existing at the commencement of this subsection shall be deemed to be a deposit under section 61 of this Act.

(2) A certificate under subsection (1) of section 68 of the repealed Act in force at the commencement of this subsection shall be deemed to be a certificate under subsection (1) of section 66 of this Act.

(3) A certificate under subsection (2) of section 68 of the repealed Act in force at the commencement of this subsection shall be deemed to be a certificate under subsection (2) of section 66 of this Act.

(4) A certificate under section 70 of the repealed Act in force at the commencement of this subsection shall be deemed to be a certificate under section 68 of this Act.

## PART VII.

## CONTROL AND OPERATION OF PUBLIC SERVICE VEHICLES.

Regulations in relation to control and operation of public service vehicles.

**82.—**F146[(1) The Minister may make regulations in relation to the control and operation of large public service vehicles.]

(2) Regulations under this section may, in particular and without prejudice to the generality of subsection (1) of this section, make provision in relation to all or any of the following matters:

- (a) the licensing of public service vehicles;
- (b) the licensing of drivers and conductors of public service vehicles;
- (c) the payment of specified fees in respect of licences, badges or plates granted F147[or applied for] under the regulations and the disposition of such fees;
- (d) the conduct and duties of drivers and conductors of public service vehicles and of their employers;
- (e) the conduct and duties of passengers and intending passengers in public service vehicles;
- (f) the conditions (including the use of taximeters) subject to which vehicles may be operated as public service vehicles;
- (g) the keeping of specified records and the issue of specified certificates and the specifying of the persons by whom such certificates are to be issued;
- (h) the authorising of the fixing of maximum fares for street service vehicles;
- (i) matters related to the transition from the repealed Act to the regulations under this section.

(3) Different regulations may be made under this section—

- (a) in respect of different classes of vehicles,
- (b) for different circumstances and for different areas.

(4) A certificate purporting to be issued pursuant to regulations under this section that on a specified day a specified fare was the maximum fare fixed for street service vehicles in a specified area shall, without proof of the signature of the person purporting to sign it or that he was the proper person to issue it, be evidence in any legal proceedings until the contrary is shown of the matters certified therein.

(5) A certificate purporting to be issued pursuant to regulations under this section that a specified person was on a specified day the holder of a licence under the regulations or that on a specified day a licence under the regulations was in force in respect of a specified vehicle shall, without proof of the signature of the person purporting to sign it or that he was the proper person to issue it, be evidence in any legal proceedings until the contrary is shown of the matters certified therein.

(6) A person who contravenes a regulation under this section which is declared to be a penal regulation and, in such cases involving a vehicle as may be prescribed and where such person is not the owner of the vehicle, such owner shall each be guilty of an offence.

(7) In a prosecution for an offence under this section in which a licence under regulations under this section is material, it shall be presumed, until the contrary is shown by the defendant, that at the material time, such a licence, then having effect, was not held.

(8) Where a mechanically propelled vehicle is used for the carriage of eight or more persons who are not in the employment of the owner of the vehicle, they shall, until the contrary is shown, be deemed to be carried in the vehicle for reward.

F148[F149](9) (a) If a person refuses or omits to pay to the owner, driver or conductor of a public service vehicle a sum payable by the person to such owner, driver or conductor, as the case may be, in respect of the hire of, or the fare for the person's carriage in, the vehicle, the person shall, if so requested by such owner, driver or conductor, as the case may be, give him his name and address.

(b) Where a person refuses or fails to comply with a request under paragraph (a) of this subsection or, following such a request, gives a name or address that the owner, driver or conductor concerned has reasonable grounds for believing to be false or misleading, the owner, driver or conductor, as the case may be, aforesaid may detain the person until the arrival of a member of the Garda Síochána.

(c) A member of the Garda Síochána may request—

(i) a person who has refused or failed to comply with a request under paragraph (a) of this subsection,

(ii) a person who, following a request under that paragraph, has given to the owner, driver or conductor concerned a name or address that the latter has reasonable grounds for believing to be false or misleading,

or

(iii) a person detained pursuant to paragraph (b) of this subsection,

to give to the member his name and address and, if the person refuses or fails to give his name and address or gives a name or address that the member has reasonable grounds for believing to be false or misleading, the member may arrest the person without warrant and, if the person has refused or failed to give his name and address or has given a name or address that is false or misleading, the person shall be guilty of an offence.]]

#### Annotations

#### Amendments:

**F146** Substituted (26.09.2005) by *Taxi Regulation Act 2003* (25/2003), s. 52(1) subject to transitional provisions in subs. (2) and (3), S.I. No. 610 of 2005.

**F147** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 57(a), S.I. No. 169 of 1968.

**F148** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 57(b), S.I. No. 169 of 1968.

**F149** Substituted (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 7, commenced as per s. 15(5).

#### Modifications (not altering text):

**C74** Construction of regulations made under section modified (25.10.2007) by *Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007* (S.I. No. 710 of 2007), regs. 2(1), 3.

#### Definitions and Interpretation.

2. (1) In these Regulations— ...

“Commission” means the Commission for Taxi Regulation;

...

#### Licensing Authority.

3. A reference to a licensing authority in regulations made under section 82 of the Act of 1961 is to be read as including a reference to the Commission.

- C75** Application of section extended (19.10.2005) by *Taxi Regulation Act 2003 (Fees and Licensing) Regulations 2005* (S.I. No. 651 of 2005), regs. 4 and 5.
4. The Commission may grant licences. Licensing authorities under regulations made under section 82 of the Act of 1961 may continue to grant licences.
5. A reference to a licensing authority in regulations made under section 82 of the Act of 1961 is to be read as including a reference to the Commission.
- ...
- C76** Power to amend and revoke regulation made under section provided (26.09.2005) by *Taxi Regulation Act 2003 (25/2003)*, s. 34(9), S.I. No. 610 of 2005.
- Regulation of small public service vehicles and their drivers.**
- 34.— ...**
- (9) In making a regulation under this section the Commission may, with the consent of the Minister amend or revoke any regulation made under section 82 of the Act of 1961 in so far as it relates to small public service vehicles and their drivers.
- ...
- Editorial Notes:**
- E509** Offence under *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1999* (S.I. 316 of 1999), reg. 12(1) made under this section declared to be a fixed charge offence (1.01.2013) by *Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2012* (S.I. No. 537 of 2012), reg. 3(b) and sch. 2: Failure to carry document in vehicle being driven in, into or out of a taximeter area.
- E510** Appeals procedure established by regulations made under section replaced by *Taxi Regulation Act 2003 (25/2003)*, s. 35(8), not commenced as of 16.04.2013.
- E511** Transitional provisions in relation to registers established under regulations made under section provided (26.09.2005) by *Taxi Regulation Act 2003 (25/2003)*, s. 38(4)(a) and (6), S.I. No. 610 of 2005.
- E512** Revocation or suspension of licence as a consequence of conviction under section provided (26.09.2005) by *Taxi Regulation Act 2003 (25/2003)*, s. 44(3), S.I. No. 610 of 2005.
- E513** Procedure for prosecution and conviction of fixed charge offence under regulations made under section prescribed (26.09.2005) by *Taxi Regulation Act 2003 (25/2003)*, s. 46, S.I. No. 610 of 2005.
- E514** Powers prescribed for ensuring compliance with regulations made under section (26.09.2005) by *Taxi Regulation Act 2003 (25/2003)*, s. 49(5) and (6), S.I. No. 610 of 2005.
- E515** Power pursuant to this section and s. 5 exercised (19.04.2004) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2004* (S.I. No. 157 of 2004).
- E516** Power pursuant to this section and s. 5 exercised (7.08.2002) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2002* (S.I. No. 411 of 2002).
- E517** Power pursuant to this section and s. 5 exercised (29.11.2001 and 1.01.2002) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2001* (S.I. No. 534 of 2001).
- E518** Power pursuant to this section and s. 5 exercised (14.02.2001) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2001* (S.I. No. 38 of 2001).
- E519** Power pursuant to this section and s. 5 exercised (21.11.2000) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 2000* (S.I. No. 367 of 2000).
- E520** Power pursuant to this section and s. 5 exercised (8.08.2000) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2000* (S.I. No. 255 of 2000).
- E521** Power pursuant to this section and s. 5 exercised (1.03.2000) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1999* (S.I. No. 316 of 1999).

- E522** Power pursuant to this section and s. 5 exercised (21.08.1998) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1998* (S.I. No. 295 of 1998).
- E523** Power pursuant to this section and s. 5 exercised (25.02.1998) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1998* (S.I. No. 47 of 1998).
- E524** Power pursuant to this section and s. 5 exercised (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995).
- E525** Power pursuant to this section and s. 5 exercised (28.09.1983) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1983* (S.I. No. 273 of 1983).
- E526** Power pursuant to this section and s. 5 exercised (25.10.1978) by *Road Traffic (Public Service Vehicles) (Licensing) Regulations 1978* (S.I. No. 292 of 1978).
- E527** Power pursuant to this section and s. 5 exercised (20.01.1978) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1978* (S.I. No. 15 of 1978).
- E528** Power pursuant to this section and s. 5 exercised (19.04.1977) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1977* (S.I. No. 111 of 1977).
- E529** Power pursuant to this section and s. 5 exercised (2.02.1976) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1976* (S.I. No. 24 of 1976).
- E530** Power pursuant to this section and s. 5 exercised (29.05.1975) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1975* (S.I. No. 113 of 1975).
- E531** Power pursuant to this section and s. 5 exercised (27.09.1974) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1974* (S.I. No. 296 of 1974).
- E532** Power pursuant to this section and s. 5 exercised (1.08.1973) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1973* (S.I. No. 225 of 1973).
- E533** Power pursuant to this section and s. 5 exercised (27.10.1970) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1970* (S.I. No. 252 of 1970).
- E534** Power pursuant to this section and s. 5 exercised (27.08.1970) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1970* (S.I. No. 200 of 1970).
- E535** Power pursuant to this section and s. 5 exercised (17.12.1968) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1968* (S.I. No. 273 of 1968).
- E536** Power pursuant to this section and s. 5 exercised (1.12.1967) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1967* (S.I. No. 274 of 1967).
- E537** Power pursuant to this section and s. 5 exercised (1.05.1964) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1964* (S.I. No. 106 of 1964).
- E538** Power pursuant to this section and s. 5 exercised (27.10.1963) by *Road Traffic (Public Service Vehicles) Regulations 1963* (S.I. No. 191 of 1963).
- E539** Previous affecting provision: power pursuant to this section and s. 5 exercised (13.01.2000) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 2000* (S.I. No. 3 of 2000); revoked (21.11.2000) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 2000* (S.I. No. 367 of 2000), reg. 3.
- E540** Previous affecting provision: power pursuant to this section and s. 5 exercised (30.12.1999) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1999* (S.I. No. 445 of 1999); revoked (25.09.2006) by *Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) (No. 2) Regulations 2006* (S.I. No. 493 of 2006), reg. 7.
- E541** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.03.1999) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1999* (S.I. No. 51 of 1999); revoked (21.11.2000) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 2000* (S.I. No. 367 of 2000), reg. 3.



- E542** Previous affecting provision: power pursuant to this section and s. 5 exercised (8.05.1997) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1997* (S.I. No. 193 of 1997); revoked (8.06.2010) by *Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010* (S.I. No. 249 of 2010), reg. 29(b).
- E543** Previous affecting provision: power pursuant to this section and s. 5 exercised (4.02.1992) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1993* (S.I. No. 29 of 1993); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(l).
- E544** Previous affecting provision: power pursuant to this section and s. 5 exercised (2.12.1992) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1992* (S.I. No. 358 of 1992); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(k).
- E545** Previous affecting provision: power pursuant to this section and s. 5 exercised (6.11.1992) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1992* (S.I. No. 308 of 1992); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(j).
- E546** Previous affecting provision: power pursuant to this section and s. 5 exercised (13.07.1992) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1992* (S.I. No. 172 of 1992); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(i).
- E547** Previous affecting provision: power pursuant to this section and s. 5 exercised (17.02.1992) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1992* (S.I. No. 32 of 1992); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(h).
- E548** Previous affecting provision: power pursuant to this section and s. 5 exercised (4.12.1991) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1991* (S.I. No. 302 of 1991); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(g).
- E549** Previous affecting provision: power pursuant to this section and s. 5 exercised (24.10.1991) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1991* (S.I. No. 272 of 1991); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(f).
- E550** Previous affecting provision: power pursuant to this section and s. 5 exercised (7.07.1987) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1987* (S.I. No. 184 of 1987); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(e).
- E551** Previous affecting provision: power pursuant to this section and s. 5 exercised (27.05.1987) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1987* (S.I. No. 139 of 1987); revoked (8.06.2010) by *Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010* (S.I. No. 249 of 2010), reg. 29(a).
- E552** Previous affecting provision: power of prosecution of offence under section by Dublin Transport Authority provided (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 53(5), S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E553** Previous affecting provision: application of section restricted by *Dublin Transport Authority Act 1986* (15/1986), s. 31(11), not commenced; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E554** Previous affecting provision: power pursuant to this section and s. 5 exercised (2.09.1986) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1986* (S.I. No. 300 of 1986); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(d).

- E555** Previous affecting provision: power pursuant to this section and s. 5 exercised (2.03.1981) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1981* (S.I. No. 66 of 1981); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(c).
- E556** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.04.1980) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1980* (S.I. No. 54 of 1980); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995* (S.I. No. 136 of 1995), reg. 4(1)(b).
- E557** Previous affecting provision: power pursuant to this section and s. 5 exercised (13.07.1979) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1979* (S.I. No. 242 of 1979); revoked (1.09.1995) by *Road Traffic (Public Service Vehicles) (Licensing) Regulations 1978* (S.I. No. 136 of 1995), reg. 4(1)(a).
- E558** Previous affecting provision: power pursuant to this section and s. 5 exercised (15.09.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1978* (S.I. No. 259 of 1978); revoked (25.10.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1978* (S.I. No. 292 of 1978), reg. 2(6).
- E559** Previous affecting provision: power pursuant to this section and s. 5 exercised (31.08.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1978* (S.I. No. 247 of 1978); revoked (15.09.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1978* (S.I. No. 259 of 1978), reg. 2.
- E560** Previous affecting provision: power pursuant to this section and s. 5 exercised (11.08.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1978* (S.I. No. 226 of 1978); revoked (25.10.1978) by *Road Traffic (Public Service Vehicles) (Licensing) Regulations 1978* (S.I. No. 292 of 1978), reg. 2(5).
- E561** Previous affecting provision: power pursuant to this section and s. 5 exercised (7.09.1977) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations 1977* (S.I. No. 284 of 1977); revoked (31.08.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1978* (S.I. No. 247 of 1978), reg. 2.
- E562** Previous affecting provision: power pursuant to this section and s. 5 exercised (18.08.1977) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1977* (S.I. No. 268 of 1977); revoked (31.08.1978) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1978* (S.I. No. 247 of 1978), reg. 2.
- E563** Previous affecting provision: power pursuant to this section and s. 5 exercised (15.06.1977) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1977* (S.I. No. 177 of 1977); revoked (25.10.1978) by *Road Traffic (Public Service Vehicles) (Licensing) Regulations 1978* (S.I. No. 292 of 1978), reg. 2(8).
- E564** Previous affecting provision: power pursuant to this section and s. 5 exercised (19.07.1976) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1976* (S.I. No. 160 of 1976); revoked (13.07.1979) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1979* (S.I. No. 242 of 1979), reg. 3(2).
- E565** Previous affecting provision: power pursuant to this section and s. 5 exercised (20.05.1975) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1975* (S.I. No. 101 of 1975); revoked (29.05.1975) by *Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1975* (S.I. No. 113 of 1975), reg. 3.
- E566** Previous affecting provision: power pursuant to this section and s. 5 exercised (24.02.1975) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1975* (S.I. No. 35 of 1975); revoked (13.07.1979) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1979* (S.I. No. 242 of 1979), reg. 3(1).
- E567** Previous affecting provision: power pursuant to this section and s. 5 exercised (15.06.1970) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1970* (S.I. No. 138 of 1970); revoked (1.08.1973) by *Road Traffic (Public Service Vehicles) (Amendment) Regulations 1973* (S.I. No. 225 of 1973), reg. 3.

Annual inspection and verification of taximeters. **83.—F150[...]**

#### Annotations

#### Amendments:

**F150** Repealed (12.05.1997) by *Metrology Act 1996* (27/1996), s. 6(1) and first sch. pt. 1, S.I. No. 177 of 1997.

#### Editorial Notes:

**E568** Power pursuant to section exercised (17.09.1992) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) (No. 2) Regulations 1992* (S.I. No. 261 of 1992).

**E569** Previous affecting provision: power pursuant to section exercised (14.09.1992) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1992* (S.I. No. 248 of 1992); revoked (17.09.1992) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) (No. 2) Regulations 1992* (S.I. No. 261 of 1992), reg. 3.

**E570** Previous affecting provision: power pursuant to section exercised (5.01.1987) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1986* (S.I. No. 436 of 1986); revoked (14.09.1992) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1992* (S.I. No. 248 of 1992), reg. 3.

**E571** Previous affecting provision: power pursuant to section exercised (9.06.1978) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1978* (S.I. No. 158 of 1978); revoked (5.01.1987) by *Taximeter (Fees on Verification and Stamping by Special Inspectors) Regulations 1986* (S.I. No. 436 of 1986), reg. 3.

Bye-laws in relation to stands for street service vehicles.

**F151[84.—(1)** A local authority may make bye-laws in respect of any specified area in its functional area (in this section referred to as ‘a taximeter area’) for all or any of the following purposes:

- (a) appointing the places (in this section referred to as ‘appointed stands’) in the taximeter area at which taxis may stand for hire,
- (b) fixing the maximum number of taxis which may stand for hire at the same time at any particular appointed stand,
- (c) specifying appointed stands at which taxis may stand for hire at particular times only and specifying those times,
- (d) determining the manner in which taxis shall make use of and stand for hire at any particular appointed stand,

**F152[(dd)** designating appointed stands for the purpose of shared hire,]

- (e) prohibiting taxis from standing for hire at places in the area that are not appointed stands, and
- (f) otherwise regulating and controlling the use of appointed stands by taxis.

(2) Different bye-laws may be made under this section—

- (a) in respect of different taximeter areas within the functional area of the local authority concerned, and
- (b) in respect of other different circumstances.

(3) A taxi shall not stand for hire other than at an appointed stand in the taximeter area in which it is licensed under regulations under section 82 of this Act to so stand.

(4) A driver of a taxi in respect of which there is a contravention of subsection (3) or a bye-law under this section shall be guilty of an offence.

(5) Any other person who contravenes a bye-law under this section shall be guilty of an offence.

(6) Where a local authority proposes to make bye-laws under this section, it shall—

(a) consult with the Commissioner, and

(b) publish a notice in *Iris Oifigiúil* and in one or more newspapers circulating in the taximeter area to which the proposed bye-laws will relate stating—

(i) that the authority proposes to make bye-laws under this section in relation to the area,

(ii) the times at which, the period (being of 4 weeks duration) during which and the place in the functional area of the authority where a copy of the draft bye-laws may be inspected and purchased,

(iii) that representations may be made to the authority by any person affected before a specified date (which shall be not less than 2 weeks after the end of the period referred to in subparagraph (ii) of this paragraph),

and

(c) make the draft bye-laws available for inspection and purchase at the times, during the period of 4 weeks, and at the place specified in each case in the notice aforesaid.

(7) Where a notice is published pursuant to subsection (6) of this section, a person may make representations in relation to the proposed bye-laws to the local authority concerned before the date specified in the notice, and the authority shall, before deciding to make the bye-laws and determining their contents, have regard to any such representations.

(8) Where a local authority ('the authority') proposes to make bye-laws under this section in relation to a public road (within the meaning of the Roads Act, 1993) responsibility for the maintenance of which lies on a road authority (not being the local authority), the authority shall consult with that other authority before making the bye-laws.

(9) As soon as may be after the making of bye-laws under this section—

(a) copies of the bye-laws shall be made available for inspection and purchase by the public at a place in the functional area of the local authority concerned, and

(b) notice of their making and of the place aforesaid shall be published in one or more newspapers circulating in the area aforesaid.

(10) F153[The Commission for Taxi Regulation] may draw up and publish to local authorities guidelines in relation to bye-laws under this section and their contents and may by notice in writing published to local authorities amend or revoke guidelines, and amendments thereof, under this subsection, and local authorities shall have regard to any such guidelines for the time being in force when drawing up, amending or revoking bye-laws under this subsection.

(11) In this section—

F154[‘local authority’ means a county council, a city council or a town council (within the meaning of the Local Government Act 2001) other than the council of a town mentioned in Part 2 of Schedule 6 to that Act;]

‘taxi’ means a street service vehicle.

(12) The function conferred on a local authority by subsection (1) is a reserved function.

(13) Section 7 of this Act shall apply to bye-laws under subsection (1) of this section as it applies to bye-laws under this Act made by the Commissioner.]

#### Annotations

##### Amendments:

**F151** Substituted (1.02.2003) by *Road Traffic Act 2002* (12/2002), s. 15(1), S.I. No. 598 of 2002.

**F152** Inserted (26.09.2005) by *Taxi Regulation Act 2003* (25/2003), s. 42(10), S.I. No. 610 of 2005.

**F153** Substituted (26.09.2005) by *Taxi Regulation Act 2003* (25/2003), s. 47(3), S.I. No. 610 of 2005.

**F154** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 29, S.I. No. 26 of 2005.

##### Modifications (not altering text):

**C77** Application of subs. (10) extended (26.09.2005) by *Taxi Regulation Act 2003* (25/2003), s. 47(1) and (2), S.I. No. 610 of 2005.

##### Guidelines.

**47.**—(1) The Commission may draw up and issue guidelines to a licensing authority which is not the Commission in relation to the licensing and operation of small public service vehicles and their drivers. A licensing authority shall have due regard to any guidelines issued.

(2) Guidelines drawn up by the Minister under section 84(10) (inserted by section 15 of the Act of 2002) of the Act of 1961 are deemed to be guidelines drawn up and issued by the Commission under this section.

...

**C78** Production of driving licence not required in relation to charge under section by *Road Traffic Act 2002* (12/2002), s. 22(1)(a) as substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 21, S.I. No. 26 of 2005, and later substituted (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 63, S.I. No. 543 of 2011.

##### Inspection of driving licences of persons charged with certain offences.

**[22.**— [(1) A person who it is alleged has committed an offence or has been charged with the commission of an offence under the Road Traffic Acts 1961 to 2010 other than—

(a) section 84 (inserted by section 15 of the Act of 2002), section 85 (inserted by section 16 of the Act of 2002) or section 101 of the Principal Act, or

...]]

##### Editorial Notes:

**E572** Offence under section declared to be a fixed charge offence (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 4 and sch. 3 pt. 1 and by *Local Authorities (Traffic Wardens) Act 1975 (Fixed Charge Offences) Regulations 2006* (S.I. No. 136 of 2006), reg. 4 and sch. 3 pt. 1.

**E573** Power pursuant to section exercised (27.11.2002) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 546 of 2002).

- E574** Power pursuant to section exercised (21.05.2002) by *Castlebar Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 292 of 2002).
- E575** Power pursuant to section exercised (21.05.2002) by *Dundalk Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 293 of 2002).
- E576** Power pursuant to section exercised (21.05.2002) by *Dungarvan Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 295 of 2002).
- E577** Power pursuant to section exercised (16.05.2002) by *Mullingar Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 294 of 2002).
- E578** Power pursuant to section exercised (16.10.2001) by *Ballina Appointed Stands (Street Service Vehicles) Bye-Laws 2001* (S.I. No. 509 of 2001).
- E579** Power pursuant to section exercised (11.11.1999) by *Letterkenny Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 364 of 1999).
- E580** Power pursuant to section exercised (6.07.1999) by *Navan Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 239 of 1999).
- E581** Power pursuant to section exercised (6.07.1999) by *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 240 of 1999).
- E582** Power pursuant to section exercised (6.07.1999) by *Athlone Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 241 of 1999).
- E583** Power pursuant to section exercised (27.06.1989) by *Sligo Appointed Stands (Street Service Vehicles) Bye-Laws 1989* (S.I. No. 172 of 1989).
- E584** Power pursuant to section exercised (3.11.1988) by *Carlow Appointed Stands (Street Service Vehicles) Bye-Laws 1988* (S.I. No. 283 of 1988).
- E585** Power pursuant to section exercised (9.08.1988) by *Kilkenny Appointed Stands (Street Service Vehicles) Bye-Laws 1987* (S.I. No. 200 of 1988).
- E586** Power pursuant to section exercised (9.08.1988) by *Naas Appointed Stands (Street Service Vehicles) Bye-Laws 1987* (S.I. No. 201 of 1988).
- E587** Power pursuant to section exercised (22.04.1988) by *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1988* (S.I. No. 77 of 1988).
- E588** Power pursuant to section exercised (7.07.1987) by *Longford Appointed Stands (Street Service Vehicles) Bye-Laws 1987* (S.I. No. 185 of 1987).
- E589** Power pursuant to section exercised (28.08.1986) by *Galway Appointed Stands (Street Service Vehicles) Bye-Laws 1985* (S.I. No. 303 of 1986).
- E590** Power pursuant to section exercised (1.07.1986) by *Donegal Appointed Stands (Street Service Vehicles) Bye-Laws 1985* (S.I. No. 243 of 1986).
- E591** Power pursuant to section exercised (10.03.1981) by *Limerick Appointed Stands (Street Service Vehicles) Bye-Laws 1980* (S.I. No. 102 of 1981).
- E592** Power pursuant to section exercised (10.03.1981) by *Killarney Appointed Stands (Street Service Vehicles) Bye-Laws 1980* (S.I. No. 71 of 1981).
- E593** Power pursuant to section exercised (23.09.1965) by *Tralee Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 203 of 1965).
- E594** Power pursuant to section exercised (30.07.1965) by *Cork Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 179 of 1965).
- E595** Power pursuant to section exercised (25.06.1965) by *Ennis Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 162 of 1965).

- E596** Power pursuant to subs. (3) and ss. 5, 6(1) and (3), 89(4) and 90(7) exercised (28.09.1961) by *Road Traffic (Bye-Laws and Temporary Rules) Regulations 1961* (S.I. No. 219 of 1961).
- E597** Previous affecting provision: power pursuant to section exercised (22.03.1989) by *Dublin Appointed Stands (Street Service Vehicles) (Amendment) Bye-Laws 1989* (S.I. No. 41 of 1989); revoked (27.11.2002) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 546 of 2002), bye-law 10.
- E598** Previous affecting provision: powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Metropolitan Streets Commission (1.06.1987) by *Dublin Metropolitan Streets Commission Act 1986* (30/1986), s. 8(2), S.I. No. 67 of 1987. Transfer of functions under 1986 Act terminated (9.04.1987) by *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987), art. 2, prior to commencement of the section.
- E599** Previous affecting provision: powers conferred on the Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority for Authority's functional area (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 38(1) subject to transitional provision in subs. (2), S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).
- E600** Previous affecting provision: provision made for ministerial approval of bye-laws made under section and prosecution of summary offence under section (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), ss. 50 and 53(5), S.I. No. 357 of 1986; Act repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E601** Previous affecting provision: power pursuant to section exercised (1.05.1986) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1986* (S.I. No. 104 of 1986); revoked (27.11.2002) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 546 of 2002), bye-law 10.
- E602** Previous affecting provision: power pursuant to section exercised (25.08.1982) by *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1982* (S.I. No. 288 of 1982); revoked (6.07.1999) by *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1999* (S.I. No. 240 of 1999), bye-law 10.
- E603** Previous affecting provision: power pursuant to section exercised (2.03.1981) by *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1979* (S.I. No. 72 of 1981); revoked (25.08.1982) by *Waterford Appointed Stands (Street Service Vehicles) Bye-Laws 1982* (S.I. No. 288 of 1982), bye-law 3.
- E604** Previous affecting provision: power pursuant to section exercised (19.06.1980) by *Galway Appointed Stands (Street Service Vehicles) Bye-laws 1980* (S.I. No. 199 of 1980); revoked (28.08.1986) by *Galway Appointed Stands (Street Service Vehicles) Bye-Laws 1986* (S.I. No. 303 of 1986), bye-law 10.
- E605** Previous affecting provision: power pursuant to section exercised (19.02.1979) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1979* (S.I. No. 53 of 1979); revoked (1.05.1986) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1986* (S.I. No. 104 of 1986), bye-law 10.
- E606** Previous affecting provision: power pursuant to section exercised (11.06.1975) by *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1975* (S.I. No. 103 of 1975); superseded (19.02.1979) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1979* (S.I. No. 53 of 1979) above.
- E607** Previous affecting provision: power pursuant to section exercised (11.06.1974) by *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1974* (S.I. No. 170 of 1974); superseded (11.06.1975) by *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1975* (S.I. No. 103 of 1975) above.

- E608** Previous affecting provision: power pursuant to section exercised (4.06.1974) by *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1973* (S.I. No. 171 of 1974); revoked (22.04.1988) by *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1988* (S.I. No. 77 of 1988), bye-law 10 above.
- E609** Previous affecting provision: power pursuant to section exercised (11.06.1973) by *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1973* (S.I. No. 142 of 1973); superseded (11.06.1974) by *Dublin Appointed Stands (Street Service Vehicles) Temporary Rules 1974* (S.I. No. 170 of 1974) above.
- E610** Previous affecting provision: power pursuant to section exercised (7.01.1971) by *Donegal Appointed Stands (Street Service Vehicles) Bye-Laws 1970* (S.I. No. 3 of 1971); revoked (1.07.1986) by *Donegal Appointed Stands (Street Service Vehicles) Bye-Laws 1985* (S.I. No. 243 of 1986) above.
- E611** Previous affecting provision: subs. (1) amended (1.09.1968) by *Road Traffic Act 1968*, (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Section amended as per above F-notes.
- E612** Previous affecting provision: power pursuant to section exercised (22.05.1967) by *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1966* (S.I. No. 132 of 1967); revoked (4.06.1974) by *Drogheda Appointed Stands (Street Service Vehicles) Bye-Laws 1973* (S.I. No. 171 of 1974), art. 9 above.
- E613** Previous affecting provision: power pursuant to section exercised (27.07.1965) by *Dundalk Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 171 of 1965); superseded (21.05.2005) by *Dundalk Appointed Stands (Street Service Vehicles) Bye-Laws 2002* (S.I. No. 293 of 2002) above.
- E614** Previous affecting provision: power pursuant to section exercised (7.05.1965) by *Galway Appointed Stands (Street Service Vehicles) Bye-Laws 1965* (S.I. No. 109 of 1965); revoked (19.06.1980) by *Galway Appointed Stands (Street Service Vehicles) Bye-Laws 1980* (S.I. No. 199 of 1980), bye-law 9 above.
- E615** Previous affecting provision: power pursuant to section exercised (30.03.1963) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1963* (S.I. No. 50 of 1963); revoked (19.02.1979) by *Dublin Appointed Stands (Street Service Vehicles) Bye-Laws 1979* (S.I. No. 53 of 1979), bye-law 10 above.

Stopping places and stands for omnibuses.

**85.—(1)** The Commissioner may, by notice in writing, direct, in respect of a route upon which omnibuses are operated, that specified points shall be stopping places or that specified places shall be used as stands for the omnibuses.

(2) The Commissioner may, at any time, by notice in writing, revoke or amend a direction given by him under subsection (1) of this section or any amendment made under this subsection of any such direction.

(3) The Commissioner, when directing under this section that any particular point shall be a stopping place, may further direct that the point shall be a stopping place only for taking up passengers or that the point shall be a stopping place only for setting down passengers.

(4) The Commissioner, when directing under this section that any particular point shall be a stopping place, may further direct that the point shall be a designated stopping place for omnibuses bearing a special notice indicating that they will stop only at designated stopping places.

(5) The following provisions shall have effect in relation to a notice under this section:

(a) the notice shall be signed by the Commissioner or by an officer of the Garda Síochána authorised in that behalf by the Commissioner;

(b) the notice shall be addressed to the person who is operating the omnibus service specified in the notice;



- (c) the notice may state the date on and after which it is to be effective;
- (d) the notice, or a copy thereof, shall be served on the said person by registered post;
- (e) the notice shall have effect on and after whichever of the following days is the later, that is to say, the day stated in that behalf in the notice or the day after the day on which service of the notice (or a copy thereof) is effected or is deemed by section 18 of the Interpretation Act, 1937 to have been effected.

(6) A certificate purporting to be signed by an officer of the Garda Síochána and to certify that a notice under this section in specified terms had effect on a specified day or days or during a specified period shall, without proof of the signature of the person purporting to sign the certificate or that he was an officer of the Garda Síochána, be evidence in any legal proceedings until the contrary is shown that a notice under this section in the specified terms has been issued, that the requirements of subsection (5) of this section have been complied with in relation thereto and that it had effect on the specified day or days or during the specified period.

#### Annotations

#### Amendments:

**F155** Substituted by *Road Traffic Act 2002* (12/2002), s. 16(1), subject to transitional provision in subs. (2), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C79** Prospective affecting provision: section substituted by *Road Traffic Act 2002* (12/2002), s. 16(1), subject to transitional provision in subs. (2), not commenced as of 16.04.2013.

**F155[85.—(1)** A road authority may, by notice in writing, direct, in respect of a route upon which buses are operated, that specified points shall be stopping places at which persons may board or descend from buses or that specified places shall be used as stands for buses.

(2) A road authority may by notice in writing amend or revoke a direction given, or amendment made, by it under this section.

(3) A person operating or proposing to operate a bus service may apply to the road authority in whose functional area the service is being or will be operated for a direction under this section and the authority may, if it so thinks fit, after consultation with the person, give a direction specifying such points for stopping places, and places for stands, for buses as it considers appropriate.

(4) A notice under this section may direct that—

(a) one or more of the stopping places specified in the notice shall be used only for boarding buses or, as the case may be, only for descending from buses, or

(b) one or more of the stopping places so specified, or one or more of the stands so specified, shall be used only by buses providing a service or services operated by a specified person or by specified persons.

(5) A notice under this section—

(a) shall be given or sent by post to the person who is operating the bus service to which it relates, and

(b) shall specify the date on which it comes into operation,

and the notice shall come into operation on the date so specified.

(6) A certificate purporting to be signed by an officer of a road authority and stating that a notice under this section in specified terms was in force on a specified day or during a specified period shall, without proof of the signature of the person purporting to sign the certificate or that he or she was such an officer, be evidence in any legal proceedings until the contrary is shown that a

notice under this section in the specified terms was given or sent by post to the person named in it and that it was in force on the specified day or during the specified period.

(7) In this section—

‘bus’ means omnibus;

‘road authority’ has the meaning assigned to it by the Roads Act, 1993.]

**C80** Production of driving licence not required in relation to charge under section by *Road Traffic Act 2002* (12/2002), s. 22(1)(a), as substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 21, S.I. No. 26 of 2005, and later substituted (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 63, S.I. No. 543 of 2011.

**Inspection of driving licences of persons charged with certain offences.**

**[22.—** [(1) A person who it is alleged has committed an offence or has been charged with the commission of an offence under the Road Traffic Acts 1961 to 2010 other than—

(a) section 84 (inserted by section 15 of the Act of 2002), section 85 (inserted by section 16 of the Act of 2002) or section 101 of the Principal Act, or

...]]

**Editorial Notes:**

**E616** Previous affecting provision: powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Metropolitan Streets Commission and construction of section modified (1.06.1987) by *Dublin Metropolitan Streets Commission Act 1986* (30/1986), s. 8(2) and (8), S.I. No. 67 of 1987. Transfer of functions under 1986 Act terminated (9.04.1987) by *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987), art. 2 prior to commencement of the section.

**E617** Previous affecting provision: powers conferred on the Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority for Authority’s functional area (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 37(1) subject to transitional provision in subs. (2), S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).

Bye-laws with respect to stopping places and stands for omnibuses.

**86.—(1)** In this section—

references to stopping places shall be construed as references to stopping places directed by notice under section 85 of this Act;

references to stands shall be construed as references to stands directed by notice under that section;

“provide” includes erect or place, and also maintain, and cognate words shall be construed accordingly.

(2) The Commissioner may, with the consent of the Minister, make bye-laws for all or any of the following purposes:

(a) controlling the stopping of omnibuses on any route on which there are stopping places;

(b) controlling the use by omnibuses of stopping places and stands;

(c) prohibiting, from stopping at or being parked in the vicinity of stopping places and stands, vehicles other than those for which stopping places or stands are directed;

(d) enforcing order at stopping places and stands (including requiring queueing of intending passengers).

(3) Different bye-laws may be made under this section—

- (a) in respect of different classes of vehicles,
- (b) for different circumstances.

(4) Where a person uses an omnibus in contravention of a bye-law under this section, he and, if he is not the owner of the omnibus, such owner shall each be guilty of an offence.

(5) Where a person uses a mechanically propelled vehicle other than an omnibus in contravention of a regulation under this section, each of the following persons shall be guilty of an offence:

- (a) the registered owner of the vehicle,
- (b) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the hirer under the agreement, and
- (c) if the person using the vehicle on the occasion in question is not the registered owner or the hirer under a hire-drive agreement, the person so using the vehicle.

(6) Where a person contravenes a bye-law under this section and the contravention does not constitute an offence under subsection (4) or subsection (5) of this section, he shall be guilty of an offence under this subsection.

(7) Where a person charged with an offence under subsection (4) of this section is the owner of the vehicle, it shall be a good defence to the charge for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(8) (a) Where a person charged with an offence under subsection (5) of this section is the registered owner of the vehicle, it shall be a good defence for him to show that the vehicle was being used on the occasion in question by another person and that—

- (i) such use was unauthorised, or
- (ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(b) Where a person charged with an offence under subsection (5) of this section is the hirer of the vehicle, it shall be a good defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(9) Where there are stopping places or stands in respect of a route upon which omnibuses are operated—

- (a) the person carrying on the service may, with respect to any stopping place or stand, provide thereat a sign to indicate that it is a stopping place or stand and provide markings on the roadway, in the vicinity thereof, indicating the area within which vehicles (other than vehicles for which the stopping place or stand is directed) are not to be stopped or parked;
- (b) the said person, on request by the Commissioner with respect to any stopping place or stand, shall provide such sign and markings as aforesaid at that stopping place or stand;
- (c) a sign or markings provided under or in pursuance of this subsection shall be of a size, form and colour approved of by the Minister;
- (d) a sign or markings provided under or in pursuance of this subsection may be provided on a public road without the consent of the road authority charged with the maintenance of the road;

(e) the said person may provide, or contribute to the provision of, a shelter for intending bus passengers at or near any stopping place or stand, subject, where the shelter is provided on a public road, to the consent of the road authority charged with the maintenance of the road;

(f) a sign provided at a stopping place or stand and indicating such stopping place or markings provided on the roadway in the vicinity of a stopping place or stand and indicating an area in which vehicles are not to be stopped or parked shall, in any prosecution for an offence under this Act, be presumed, until the contrary is shown by the defendant, to have been so provided lawfully and to be of a size, form and colour approved of by the Minister.

(10) Where a person, without lawful authority, removes, defaces or otherwise injures a sign or shelter provided under this section, he shall be guilty of an offence.

#### Annotations

#### Amendments:

**F156** Repealed by *Road Traffic Act 2002* (12/2002), s. 25(2), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C81** Prospective affecting provision: section repealed by *Road Traffic Act 2002* (12/2002), s. 25(2), not commenced as of 16.04.2013.

**86.**—F156[...]

#### Editorial Notes:

**E618** Power pursuant to section and s. 95 exercised (1.10.2012, 1.05.2013 and 1.10.2013) by *Road Traffic (Signs) (Amendment) Regulations 2012* (S.I. No. 331 of 2012).

**E619** Offence under section declared to be a fixed charge offence (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 4 and sch. 3 pt. 1 and by *Local Authorities (Traffic Wardens) Act 1975 (Fixed Charge Offences) Regulations 2006* (S.I. No. 136 of 2006), reg. 4 and sch. 3 pt. 1.

**E620** Power pursuant to section and ss. 5 and 95 exercised (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997).

**E621** Power pursuant to section and s. 88 exercised (20.07.1962) by *Omnibus (Stopping Places and Stands) General Bye-Laws 1962* (S.I. No. 122 of 1962).

**E622** Power pursuant to section exercised (12.07.1962) by *Omnibus (Stopping Places and Stands) General Bye-Laws 1962* (S.I. No. 122 of 1962).

**E623** Previous amending provision: subss. (2)-(4), (6) amended and subs. (5) substituted by *Road Traffic Act 1968*, (25/1968), s. 58, not commenced. Section repealed as per above F-note.

**E624** Previous affecting provision: power pursuant to to this section, ss. 5 and 95 exercised (14.10.1966) by *Road Traffic (Signs) (Amendment) Regulations 1966* (S.I. No. 233 of 1966); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.

**E625** Previous affecting provision: power pursuant to this section, ss. 5, 95 and 96 exercised (15.10.1962) by *Road Traffic (Signs) Regulations 1962* (S.I. No. 171 of 1962); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.

Property left in public service vehicle.

**87.**—(1) The Commissioner may, in respect of any area and in respect of all public service vehicles or any class of public service vehicles, make bye-laws for all or any of the following purposes:

- (a) requiring the owners, drivers and conductors of public service vehicles to deposit in an appointed place within a specified time property left in the vehicles by passengers therein;
- (b) providing for the safe custody of such property and the re-delivery of such property to the owners thereof;
- (c) providing for the disposal of all such property which is not re-delivered to the owners thereof and, in particular, making special provision in regard to property which is a live animal or is of a perishable or offensive character;
- (d) authorising the charging of fees for re-deliveries;
- (e) providing, with the consent of the Minister for Finance, for the disposition of fees, proceeds of sale and other moneys received by the Commissioner in respect of such property, including the payment out of those moneys of rewards to persons depositing property in pursuance of this section.

(2) Bye-laws shall not be made under this section save where the Commissioner is of opinion that, as respects the area and vehicles to which the bye-laws relate, satisfactory provision has not been made for the safe custody, re-delivery and disposal of property left in the vehicles by passengers.

(3) A person who contravenes a bye-law under this section shall be guilty of an offence.

(4) The Commissioner shall cause to be established and kept registers of lost property deposited under this section.

(5) A register kept in pursuance of this section shall be in such form and in respect of such area as the Commissioner directs, and there shall be entered therein all such matters as he directs.

(6) A register kept in pursuance of this section shall be received in evidence without further proof in any legal proceedings on being produced as such register by an officer of the Garda Síochána.

(7) A document purporting to be a copy of an entry in a register kept in pursuance of this section and purporting to be certified by an officer of the Garda Síochána to be a true copy of the entry shall, without proof of the signature of the person purporting so to certify or that he was such officer, be received in evidence in any legal proceedings and shall, until the contrary is shown, be deemed to be a true copy of the entry and to be evidence of the terms of the entry.

(8) A register kept in pursuance of this section shall at all reasonable times be open to inspection by any person on payment of F157[the prescribed fee].

(9) A person shall be entitled to obtain from the Commissioner a copy, certified in writing by an officer of the Garda Síochána to be a true copy, of any entry in any register kept in pursuance of this section on payment therefor of F157[the prescribed fee].

#### Annotations

#### Amendments:

**F157** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

#### Modifications (not altering text):

**C82** Functions transferred and references to "Department of Finance" and "Minister for Finance" construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial*

*Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

#### Schedule 1

#### Enactments

...

#### Part 2

#### 1922 to 2011 Enactments

| Number and Year | Short Title           | Provision                                         |
|-----------------|-----------------------|---------------------------------------------------|
| (1)             | (2)                   | (3)                                               |
| ...             | ...                   | ...                                               |
| No. 24 of 1961  | Road Traffic Act 1961 | Sections 9, 87(1)(e), 101(11) and (12) and 120(2) |
| ...             | ...                   | ...                                               |

#### Editorial Notes:

**E626** Power pursuant to section exercised (23.04.2010) by *Small Public Service Vehicles (Dublin) (Lost Property) Bye-laws 2010* (S.I. No. 175 of 2010).

**E627** Previous affecting provision: power pursuant to section exercised (30.11.1983) by *Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1983* (S.I. No. 365 of 1983); revoked (23.04.2010) with transitional provisions by *Small Public Service Vehicles (Dublin) (Lost Property) Bye-laws 2010* (S.I. No. 175 of 2010), bye-law 5.

**E628** Previous affecting provision: power pursuant to section exercised (9.03.1968) by *Street Service Vehicles (Dublin) (Lost Property (Amendment) Bye-Laws 1968* (S.I. No. 63 of 1968); revoked (30.11.1983) by *Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1983* (S.I. No. 365 of 1983), bye-law 3.

**E629** Previous affecting provision: power pursuant to section exercised (18.02.1963) by *Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1963* (S.I. No. 32 of 1963); revoked (30.11.1983) by *Street Service Vehicles (Dublin) (Lost Property) Bye-Laws 1983* (S.I. No. 365 of 1983), bye-law 3.

## PART VIII.

### REGULATION OF TRAFFIC.

Bye-laws for the general control of traffic and pedestrians. **88.—F158[...]**

**Annotations**

**Amendments:**

**F158** Repealed (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 5 subject to transitional provisions in s. 60(4), S.I. No. 169 of 1968.

**Editorial Notes:**

**E630** Power pursuant to section and s. 86 exercised (20.07.1962) by *Omnibus (Stopping Places and Stands) General Bye-Laws 1962* (S.I. No. 122 of 1962).

**E631** Previous affecting provision: power pursuant to section exercised (21.12.1964) by *Road Traffic General Bye-Laws 1964* (S.I. No. 294 of 1964); revoked (1.10.1997) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3(1) and sch. 1 pt. 1.

Bye-laws for the control of traffic and pedestrians in specified area. **89. — F159[...]**

**Annotations**

**Amendments:**

**F159** Repealed (1.05.1997) by *Road Traffic Act 1994* (7/1994), s. 4, subject to transitional provisions in subs. (2), S.I. No. 180 of 1997.

**Editorial Notes:**

**E632** S. 4(2) of *Road Traffic Act 1994* (7/1994) provides that regulations, bye-laws and temporary rules made under section and in force immediately before the commencement (1.05.1997) of the repeal of this section continue in force and are deemed to be made under the corresponding provision (s. 35) of that Act.

The following are the statutory instruments made under s. 89 and in force immediately before the commencement of the repeal:

- (20.09.1995) *County of Kerry Traffic and Parking (Amendment) Bye-Laws 1995* (S.I. No. 268 of 1995).
- (8.02.1995) *County of Louth Traffic and Parking Temporary Rules 1995* (S.I. No. 22 of 1995).
- (8.02.1995) *Road Transport (International Carriage of Goods by Road) Order 1995* (S.I. No. 23 of 1995).
- (8.04.1994) *County of Offaly Traffic and Parking Bye-Laws 1993* (S.I. No. 87 of 1994).
- (7.02.1994) *Waterford (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 27 of 1994).
- (21.10.1993) *County of Kerry Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 327 of 1993).
- (3.05.1993) *Dublin Area Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 131 of 1993).
- (19.12.1990) *County of Westmeath Traffic and Parking Bye-Laws 1990* (S.I. No. 322 of 1990).

- (20.11.1987) *Dublin Area Traffic and Parking Bye-Laws 1987* (S.I. No. 292 of 1987).
- (8.07.1986) *County of Carlow Traffic and Parking Bye-Laws 1986* (S.I. No. 177 of 1986).
- (8.07.1986) *County of Cavan Traffic and Parking Bye-Laws 1986* (S.I. No. 178 of 1986).
- (8.07.1986) *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986).
- (8.07.1986) *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986).
- (8.07.1986) *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986).
- (8.07.1986) *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986).
- (8.07.1986) *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986).
- (8.07.1986) *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986).
- (8.07.1986) *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986).
- (8.07.1986) *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986).
- (8.07.1986) *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986).
- (8.07.1986) *County of Leitrim Traffic and Parking Bye-Laws 1986* (S.I. No. 188 of 1986).
- (8.07.1986) *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986).
- (8.07.1986) *County of Longford Traffic and Parking Bye-Laws 1986* (S.I. No. 190 of 1986).
- (8.07.1986) *County of Louth Traffic and Parking Bye-Laws 1986* (S.I. No. 191 of 1986).
- (8.07.1986) *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986).
- (8.07.1986) *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986).
- (8.07.1986) *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986).
- (8.07.1986) *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986).
- (8.07.1986) *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986).
- (8.07.1986) *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986).
- (8.07.1986) *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986).
- (8.07.1986) *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986).
- (8.07.1986) *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986).
- (8.07.1986) *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986).
- (24.07.1985) *Limerick (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 240 of 1985).
- (24.07.1985) *Waterford (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 241 of 1985).
- (8.07.1985) *County of Carlow Traffic and Parking Temporary Rules 1985* (S.I. No. 193 of 1985).
- (8.07.1985) *County of Cavan Traffic and Parking Temporary Rules 1985* (S.I. No. 194 of 1985).
- (8.07.1985) *County of Clare Traffic and Parking Temporary Rules 1985* (S.I. No. 195 of 1985).



- (8.07.1985) *Cork (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 196 of 1985).
- (8.07.1985) *County of Donegal Traffic and Parking Temporary Rules 1985* (S.I. No. 197 of 1985).
- (8.07.1985) *Dublin Area Traffic and Parking Temporary Rules 1985* (S.I. No. 198 of 1985).
- (8.07.1985) *County of Galway Traffic and Parking Temporary Rules 1985* (S.I. No. 199 of 1985).
- (8.07.1985) *County of Kerry Traffic and Parking Temporary Rules 1985* (S.I. No. 200 of 1985).
- (8.07.1985) *County of Kildare Traffic and Parking Temporary Rules 1985* (S.I. No. 201 of 1985).
- (8.07.1985) *County of Kilkenny Traffic and Parking Temporary Rules 1985* (S.I. No. 202 of 1985).
- (8.07.1985) *County of Laois Traffic and Parking Temporary Rules 1985* (S.I. No. 203 of 1985).
- (8.07.1985) *County of Leitrim Traffic and Parking Temporary Rules 1985* (S.I. No. 204 of 1985).
- (8.07.1985) *County of Longford Traffic and Parking Temporary Rules 1985* (S.I. No. 206 of 1985).
- (8.07.1985) *County of Louth Traffic and Parking Temporary Rules 1985* (S.I. No. 207 of 1985).
- (8.07.1985) *County of Mayo Traffic and Parking Temporary Rules 1985* (S.I. No. 208 of 1985).
- (8.07.1985) *County of Meath Traffic and Parking Temporary Rules 1985* (S.I. No. 209 of 1985).
- (8.07.1985) *County of Monaghan Traffic and Parking Temporary Rules 1985* (S.I. No. 210 of 1985).
- (8.07.1985) *County of Offaly Traffic and Parking Temporary Rules 1985* (S.I. No. 211 of 1985).
- (8.07.1985) *County of Roscommon Traffic and Parking Temporary Rules 1985* (S.I. No. 212 of 1985).
- (8.07.1985) *County of Sligo Traffic and Parking Temporary Rules 1985* (S.I. No. 213 of 1985).
- (8.07.1985) *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Temporary Rules 1985* (S.I. No. 214 of 1985).
- (8.07.1985) *County of Westmeath Traffic and Parking Temporary Rules 1985* (S.I. No. 216 of 1985).
- (8.07.1985) *County of Wexford Traffic and Parking Temporary Rules 1985* (S.I. No. 217 of 1985).
- (8.07.1985) *County of Wicklow Traffic and Parking Temporary Rules 1985* (S.I. No. 218 of 1985).
- (25.06.1984) *County of Carlow Traffic and Parking Temporary Rules 1984* (S.I. No. 148 of 1984).
- (25.06.1984) *County of Clare Traffic and Parking Temporary Rules 1984* (S.I. No. 149 of 1984).
- (25.06.1984) *County of Galway Traffic and Parking Temporary Rules 1984* (S.I. No. 150 of 1984).
- (25.06.1984) *County of Laois Traffic and Parking Temporary Rules 1984* (S.I. No. 151 of 1984).
- (25.06.1984) *Limerick (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 152 of 1984).
- (25.06.1984) *County of Louth Traffic and Parking Temporary Rules 1984* (S.I. No. 153 of 1984).
- (25.06.1984) *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Temporary Rules 1984* (S.I. No. 154 of 1984).
- (17.02.1984) *Dublin Traffic and Parking Temporary Rules 1984* (S.I. No. 38 of 1984).
- (16.01.1984) *Cork (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 3 of 1984).
- (24.04.1983) *Dublin Traffic and Parking Temporary Rules 1983* (S.I. No. 105 of 1983).
- (1.10.1982) *Dublin Traffic and Parking (No. 2) Temporary Rules 1982* (S.I. No. 287 of 1982).

- (24.04.1982) *Dublin Traffic and Parking Temporary Rules 1982* (S.I. No. 109 of 1982).
- (24.04.1981) *Dublin Traffic and Parking Temporary Rules 1981* (S.I. No. 148 of 1981).
- (1.10.1976) *Cork Traffic and Parking (Pedestrianisation) Temporary Rules 1976* (S.I. No. 194 of 1976).
- (23.01.1975) *Dublin Traffic and Parking (Pedestrianisation) Temporary Rules 1975* (S.I. No. 16 of 1975).
- (1.11.1974) *Cavan Traffic and Parking Bye-Laws 1973* (S.I. No. 326 of 1974).
- (21.09.1974) *Waterford Suburbs Traffic Temporary Rules 1974* (S.I. No. 268 of 1974).
- (2.06.1974) *Killarney Traffic and Parking Temporary Rules 1974* (S.I. No. 143 of 1974).
- (28.02.1974) *Dublin Parking Temporary Rules 1974* (S.I. No. 35 of 1974).
- (10.01.1974) *Dublin Traffic and Parking (Pedestrianisation) (No. 2) Temporary Rules 1973* (S.I. No. 1 of 1974).
- (21.09.1973) *Waterford Suburbs Traffic Temporary Rules* (S.I. No. 266 of 1973).
- (2.06.1973) *Killarney Traffic and Parking Temporary Rules 1973* (S.I. No. 137 of 1973).
- (24.05.1973) *Kilkenny Traffic and Parking Temporary Rules 1973* (S.I. No. 118 of 1973).
- (29.04.1973) *Galway Traffic and Parking Temporary Rules 1973* (S.I. No. 101 of 1973).
- (20.03.1973) *Dublin Traffic Temporary Rules 1973* (S.I. No. 62 of 1973).
- (2.06.1972) *Killarney Traffic and Parking Temporary Rules 1972* (S.I. No. 140 of 1972).
- (24.05.1972) *Kilkenny Traffic and Parking Temporary Rules 1972* (S.I. No. 127 of 1972).
- (29.04.1972) *Galway Traffic and Parking Temporary Rules 1972* (S.I. No. 110 of 1972).
- (20.03.1972) *Dublin Traffic Temporary Rules 1972* (S.I. No. 73 of 1972).
- (27.06.1971) *Sligo Traffic and Parking Temporary Rules 1971* (S.I. No. 189 of 1971).
- (24.05.1971) *Kilkenny Traffic and Parking Temporary Rules 1971* (S.I. No. 168 of 1971).
- (3.05.1971) *Killarney Traffic and Parking Temporary Rules 1971* (S.I. No. 153 of 1971).
- (15.04.1971) *Galway Traffic and Parking Temporary Rules 1971* (S.I. No. 141 of 1971).
- (25.03.1971) *Dublin Traffic and Parking Temporary Rules 1970 (Revocation) Rules 1971* (S.I. No. 91 of 1971).
- (19.03.1971) *Cork Traffic and Parking Temporary Rules 1971* (S.I. No. 94 of 1971).
- (18.03.1971) *Dublin and Dún Laoghaire Traffic Temporary Rules 1971* (S.I. No. 95 of 1971).
- (15.02.1971) *Limerick Traffic Temporary Rules 1971* (S.I. No. 42 of 1971).
- (9.02.1971) *Cork Traffic Temporary Rules 1971* (S.I. No. 25 of 1971).
- (22.12.1970) *Dundalk Traffic Temporary Rules 1970* (S.I. No. 304 of 1970).
- (10.08.1970) *Salterstown County Louth Traffic Temporary Rules 1970* (S.I. No. 183 of 1970).
- (29.07.1970) *Waterford Suburbs Traffic Temporary Rules 1970* (S.I. No. 172 of 1970).
- (6.07.1970) *Youghal Traffic and Parking Temporary Rules 1970* (S.I. No. 158 of 1970).
- (27.06.1970) *Sligo Traffic and Parking Temporary Rules 1970* (S.I. No. 146 of 1970).
- (20.05.1970) *Cork Traffic (No. 2) Temporary Rules 1970* (S.I. No. 104 of 1970).

- (18.03.1970) *Limerick Traffic and Parking Temporary Rules 1970* (S.I. No. 51 of 1970).
- (18.03.1970) *Dublin and Dún Laoghaire Traffic and Parking Temporary Rules 1970* (S.I. No. 52 of 1970).
- (16.03.1970) *Cork Traffic and Parking Temporary Rules 1970* (S.I. No. 46 of 1970).
- (2.02.1970) *Cork Traffic Temporary Rules 1970* (S.I. No. 11 of 1970).
- (20.01.1970) *Limerick Traffic (No. 2) Temporary Rules 1969* (S.I. No. 7 of 1970).
- (22.12.1969) *Dundalk Traffic Temporary Rules 1969* (S.I. No. 253 of 1969).
- (5.12.1969) *Dublin Traffic and Parking Temporary Rules 1969* (S.I. No. 239 of 1969).
- (17.11.1969) *New Ross Traffic and Parking (No. 2) Temporary Rules 1969* (S.I. No. 218 of 1969).
- (24.10.1969) *Thurles Traffic and Parking Bye-Laws 1969* (S.I. No. 206 of 1969).
- (20.10.1969) *Drogheda Traffic Temporary Rules 1969* (S.I. No. 193 of 1969).
- (5.09.1969) *Tuam Traffic and Parking Bye-Laws 1969* (S.I. No. 175 of 1969).
- (12.08.1969) *Greystones Traffic and Parking Temporary Rules 1969* (S.I. No. 158 of 1969).
- (11.08.1969) *Newcastle West Traffic and Parking Temporary Rules 1969* (S.I. No. 157 of 1969).
- (30.06.1969) *Castlebar Traffic and Parking Temporary Rules 1969* (S.I. No. 114 of 1969).
- (26.06.1969) *Kilkee Traffic and Parking Temporary Rules 1969* (S.I. No. 116 of 1969).
- (20.06.1969) *Sligo Traffic and Parking Temporary Rules 1969* (S.I. No. 107 of 1969).
- (18.03.1969) *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1969* (S.I. No. 38 of 1969).
- (1.03.1969) *Limerick Traffic and Parking Temporary Rules 1969* (S.I. No. 30 of 1969).
- (2.02.1969) *Cork Traffic (One-Way Streets) Temporary Rules 1969* (S.I. No. 6 of 1969).
- (28.01.1969) *Ceanannus Mor Parking Temporary Rules 1969* (S.I. No. 4 of 1969).
- (5.12.1968) *Dublin Traffic and Parking Temporary Rules 1968* (S.I. No. 242 of 1968).
- (9.10.1968) *Carlow Traffic and Parking Temporary Rules 1968* (S.I. No. 211 of 1968).
- (10.04.1968) *Limerick Traffic Temporary Rules 1968* (S.I. No. 77 of 1968).
- (18.03.1968) *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 58 of 1968).
- (1.03.1968) *Limerick Traffic and Parking Temporary Rules 1968* (S.I. No. 38 of 1968).
- (2.02.1968) *Cork Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 21 of 1968).
- (22.12.1968) *Dundalk Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 269 of 1968).
- (22.12.1967) *Dundalk Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 289 of 1967).
- (5.12.1967) *Dublin Traffic and Parking Temporary Rules 1967* (S.I. No. 259 of 1967).
- (9.10.1967) *Carlow Traffic and Parking Temporary Rules 1967* (S.I. No. 214 of 1967).
- (18.03.1967) *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 53 of 1967).
- (2.02.1967) *Cork Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 15 of 1967).
- (5.12.1966) *Dublin Traffic and Parking Temporary Rules 1966* (S.I. No. 257 of 1966).

- (18.03.1966) *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1966* (S.I. No. 51 of 1966).
- (2.02.1966) *Cork Traffic (One-Way Streets) Temporary Rules 1966* (S.I. No. 15 of 1966).
- (12.01.1966) *Cavan Traffic and Parking Bye-Laws 1965* (S.I. No. 8 of 1966).
- (30.03.1965) *Bray Traffic and Parking Bye-Laws 1965* (S.I. No. 59 of 1965).
- (18.03.1965) *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1965* (S.I. No. 44 of 1965).
- (18.03.1964) *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1964* (S.I. No. 55 of 1964).
- (28.09.1961) *Road Traffic (Bye-Laws and Temporary Rules) Regulations 1961* (S.I. No. 219 of 1961) (also made pursuant to ss. 5, 6(1), (3), 84(3)).

The following are the statutory instruments made under s. 89 and revoked prior to the commencement of the repeal:

- (8.07.1986) *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986); revoked (19.12.1990) by *County of Westmeath Traffic and Parking Bye-Laws 1990* (S.I. No. 322 of 1990), bye-law 45.
- (8.07.1985) *Limerick (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 205 of 1985); revoked (24.07.1985) by *Limerick (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 240 of 1985), rule 45.
- (8.07.1985) *Waterford (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 215 of 1985); revoked (24.07.1985) by *Waterford (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 241 of 1985), rule 45.
- (16.01.1985) *Cork (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 4 of 1985); revoked (8.07.1985) by *Cork (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 196 of 1985), rule 45.
- (18.12.1984) *Dublin Traffic and Parking (No. 2) Temporary Rules 1984* (S.I. No. 329 of 1984); revoked (8.07.1985) by *Dublin Area Traffic and Parking Temporary Rules 1985* (S.I. No. 198 of 1985), rule 5.
- (6.02.1981) *Dublin Traffic and Parking (No. 2) Bye-Laws 1980* (S.I. No. 49 of 1981); revoked (8.07.1986) by *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986), bye-law 5.
- (20.03.1980) *Dublin Traffic and Parking Bye-Laws 1980* (S.I. No. 82 of 1980); revoked (8.07.1986) by *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986), bye-law 5.
- (15.08.1977) *Clones Traffic and Parking Bye-Laws 1977* (S.I. No. 271 of 1977); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.
- (15.08.1977) *Birr Traffic and Parking Bye-Laws 1973* (S.I. No. 172 of 1974); revoked (8.07.1986) by *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986), bye-law 45.
- (15.08.1977) *Tullamore Traffic and Parking Bye-Laws 1977* (S.I. No. 272 of 1977); revoked (8.07.1986) by *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986), bye-law 45.
- (1.11.1976) *Castlerea Traffic and Parking Bye-Laws 1976* (S.I. No. 256 of 1976); revoked (8.07.1986) by *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986), bye-law 45.
- (1.11.1976) *Ballyshannon Traffic and Parking Bye-Laws 1976* (S.I. No. 257 of 1976); revoked (8.07.1986) by *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986), bye-law 45.

- (19.10.1976) *Clonmel Traffic and Parking Bye-Laws 1976* (S.I. No. 248 of 1976); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (19.10.1976) *Mountrath Traffic and Parking Bye-Laws 1976* (S.I. No. 249 of 1976); revoked (8.07.1986) by *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986), bye-law 45.
- (11.08.1976) *Wicklow Traffic and Parking Bye-Laws 1976* (S.I. No. 193 of 1976); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (22.06.1976) *Athlone Traffic and Parking Bye-Laws 1975* (S.I. No. 134 of 1976); revoked (8.07.1986) by *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986), bye-law 45.
- (5.04.1976) *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976); revoked (8.07.1986) by *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986), bye-law 5.
- (12.02.1976) *Athy Traffic and Parking Bye-Laws 1975* (S.I. No. 37 of 1976); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (3.12.1975) *Droichead Nua Traffic and Parking Bye-Laws 1975* (S.I. No. 293 of 1975); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (3.09.1975) *Portumna Traffic and Parking Bye-Laws 1975* (S.I. No. 208 of 1975); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (7.07.1975) *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975); revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (20.06.1975) *Killarney Traffic and Parking Bye-Laws 1975* (S.I. No. 132 of 1975); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (21.04.1975) *Clifden Traffic and Parking Bye-Laws 1974* (S.I. No. 89 of 1975); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (21.04.1975) *Manorhamilton Traffic and Parking Bye-Laws 1975* (S.I. No. 90 of 1975); revoked (8.07.1986) by *County of Leitrim Traffic and Parking Bye-Laws 1986* (S.I. No. 188 of 1986), bye-law 45.
- (14.04.1975) *Ballinrobe Traffic and Parking Bye-Laws 1975* (S.I. No. 82 of 1975); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (10.03.1975) *Fermoy Traffic and Parking Bye-Laws 1974* (S.I. No. 56 of 1975); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (10.03.1975) *Trim Traffic and Parking Bye-Laws 1974* (S.I. No. 57 of 1975); revoked (8.07.1986) by *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986), bye-law 45.
- (13.01.1975) *Dingle Traffic and Parking Bye-Laws 1974* (S.I. No. 9 of 1975); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (20.09.1974) *Tuam Traffic and Parking Bye-Laws 1974* (S.I. No. 291 of 1974); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (24.05.1974) *Bray Traffic and Parking Bye-Laws 1973* (S.I. No. 152 of 1974); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.

- (24.05.1974) *Kilkenny Traffic and Parking Bye-Laws 1974* (S.I. No. 153 of 1974); revoked (8.07.1986) by *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986), bye-law 45.
- (24.05.1974) *Crosshaven Traffic and Parking Bye-Laws 1974* (S.I. No. 154 of 1974); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (23.05.1974) *Tramore Traffic and Parking Bye-Laws 1974* (S.I. No. 142 of 1974); revoked (8.07.1986) by *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986), bye-law 45.
- (3.05.1974) *Galway Traffic and Parking Bye-Laws 1974* (S.I. No. 124 of 1974); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (1.04.1974) *Tubbercurry Traffic and Parking Bye-Laws 1974* (S.I. No. 99 of 1974); revoked (8.07.1986) by *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986), bye-law 45.
- (12.03.1974) *Dublin Traffic Bye-Laws 1974* (S.I. No. 63 of 1974); revoked (5.04.1976) by *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976), bye-law 4.
- (21.12.1973) *Monaghan Traffic and Parking Bye-Laws 1973* (S.I. No. 352 of 1973); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.
- (22.11.1973) *Kilmallock Traffic and Parking Bye-Laws 1973* (S.I. No. 324 of 1973); subsequently revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (14.11.1973) *Collooney Traffic and Parking Bye-Laws 1973* (S.I. No. 323 of 1973); revoked (8.07.1986) by *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986), bye-law 45.
- (7.06.1973) *Cashel Traffic and Parking Bye-Laws 1973* (S.I. No. 145 of 1973); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (7.06.1973) *Listowel Traffic and Parking Bye-Laws 1973* (S.I. No. 146 of 1973); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (27.04.1973) *Leixlip Traffic and Parking Bye-Laws 1972* (S.I. No. 110 of 1973); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (16.04.1973) *Dublin Traffic and Parking (Pedestrianisation) Temporary Rules 1973* (S.I. No. 92 of 1973); revoked (10.01.1974) by *Dublin Traffic and Parking (Pedestrianisation) (No. 2) Temporary Rules 1973* (S.I. No. 1 of 1974), rule 4.
- (9.01.1973) *Carrick-On-Suir Traffic and Parking Bye-Laws 1972* (S.I. No. 6 of 1973); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (9.01.1973) *Clarecastle Parking Bye-Laws 1972* (S.I. No. 7 of 1973); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (7.06.1974) *Lahinch Traffic and Parking Bye-Laws 1974* (S.I. No. 177 of 1974); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (19.12.1972) *Dungarvan Traffic and Parking Bye-Laws 1972* (S.I. No. 336 of 1972); revoked (8.07.1986) by *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986), bye-law 45.
- (19.12.1972) *Letterkenny Traffic and Parking Bye-Laws 1972* (S.I. No. 337 of 1972); revoked (8.07.1986) by *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986), bye-law 45.

- (19.06.1972) *Sligo Traffic and Parking Bye-Laws 1972* (S.I. No. 154 of 1972); revoked (8.07.1986) by *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986), bye-law 45.
- (2.06.1972) *Waterford Traffic and Parking Bye-Laws 1972* (S.I. No. 144 of 1972); revoked (8.07.1986) by *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986), bye-law 45.
- (19.05.1972) *Naas Traffic and Parking Bye-Laws 1972* (S.I. No. 126 of 1972); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (27.04.1972) *Cork Traffic and Parking (Clearway) Bye-Laws 1972* (S.I. No. 118 of 1972); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (11.04.1972) *Limerick Traffic Bye-Laws 1972* (S.I. No. 102 of 1972); revoked (1.09.1975) by *Limerick Traffic and Parking Bye-Laws 1986* (S.I. No. 204 of 1975), bye-law 4.
- (4.02.1972) *Cork Traffic Bye-Laws 1971* (S.I. No. 32 of 1972); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (6.01.1972) *Athlone Traffic and Parking Bye-Laws 1971* (S.I. No. 2 of 1972); revoked (22.06.1976) by *Athlone Traffic and Parking Bye-Laws 1975* (S.I. No. 134 of 1976), bye-law 4.
- (28.09.1971) *Callan Traffic and Parking Bye-Laws 1971* (S.I. No. 281 of 1971); revoked (8.07.1986) by *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986), bye-law 45.
- (23.07.1971) *Loughrea Traffic and Parking Bye-Laws 1971* (S.I. No. 224 of 1971); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (9.07.1971) *Arklow Traffic and Parking Bye-Laws 1971* (S.I. No. 213 of 1971); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (9.07.1971) *Youghal Traffic and Parking Bye-Laws 1971* (S.I. No. 214 of 1971); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (9.07.1971) *Midleton Traffic and Parking Bye-Laws 1971* (S.I. No. 215 of 1971); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (8.06.1971) *Letterkenny Traffic and Parking Bye-Laws 1970* (S.I. No. 179 of 1971); revoked (19.12.1972) by *Letterkenny Traffic and Parking Bye-Laws 1972* (S.I. No. 337 of 1972), bye-law 4.
- (28.05.1971) *Mullingar Traffic and Parking Bye-Laws 1970* (S.I. No. 178 of 1971); revoked (8.07.1986) by *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986), bye-law 45.
- (12.05.1971) *Ballina Traffic and Parking Bye-Laws 1971* (S.I. No. 165 of 1971); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (29.04.1971) *Limerick Traffic and Parking (Clearway) Bye-Laws 1971* (S.I. No. 160 of 1971); revoked (1.09.1975) by *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975), bye-law 4.
- (22.03.1971) *New Ross Traffic and Parking Bye-Laws 1970* (S.I. No. 101 of 1971); revoked (8.07.1986) by *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986), bye-law 45.
- (15.02.1971) *Dublin Traffic and Parking Bye-Laws 1971* (S.I. No. 59 of 1971); revoked (5.04.1976) by *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976), bye-law 4.
- (22.01.1971) *Drogheda Traffic and Parking Bye-Laws 1970* (S.I. No. 18 of 1971); revoked (8.07.1986) by *County of Louth Traffic and Parking Bye-Laws 1986* (S.I. No. 191 of 1986), bye-law 45.

- (12.12.1970) *Dublin Traffic and Parking Temporary Rules 1970* (S.I. No. 290 of 1970); revoked (25.03.1971) by *Dublin Traffic and Parking Temporary Rules 1970 (Revocation) Rules 1971* (S.I. No. 91 of 1971), rule 3.
- (9.11.1970) *Greystones Traffic and Parking Bye-Laws 1970* (S.I. No. 260 of 1970); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (22.10.1970) *Newcastle West Traffic and Parking Bye-Laws 1970* (S.I. No. 249 of 1970); revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (31.07.1970) *Castlebar Traffic and Parking Bye-Laws 1970* (S.I. No. 182 of 1970); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (27.07.1970) *Kilkee Traffic and Parking Bye-Laws 1970* (S.I. No. 173 of 1970); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (21.05.1970) *Carrickmacross Parking Bye-Laws 1970* (S.I. No. 118 of 1970); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.
- (1.05.1970) *Tralee Traffic and Parking Bye-Laws 1970* (S.I. No. 95 of 1970); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (25.03.1970) *Mallow Traffic and Parking Bye-Laws 1970* (S.I. No. 60 of 1970); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (5.12.1969) *Ennis Traffic and Parking Bye-Laws 1969* (S.I. No. 246 of 1969); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (16.10.1969) *Carlow Traffic and Parking Bye-Laws 1969* (S.I. No. 200 of 1969); revoked (8.07.1986) by *County of Carlow Traffic and Parking Bye-Laws 1986* (S.I. No. 177 of 1986), bye-law 45.
- (5.09.1969) *Longford Traffic and Parking Bye-Laws 1969* (S.I. No. 173 of 1969); revoked (8.07.1986) by *County of Longford Traffic and Parking Bye-Laws 1986* (S.I. No. 190 of 1986), bye-law 45.
- (5.09.1969) *Enniscorthy Traffic and Parking Bye-Laws 1969* (S.I. No. 174 of 1969); revoked (8.07.1986) by *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986), bye-law 45.
- (10.04.1969) *Limerick Traffic Temporary Rules 1969* (S.I. No. 54 of 1969); revoked (20.01.1970) by *Limerick Traffic (No. 2) Temporary Rules 1969* (S.I. No. 7 of 1970), rule 4.
- (10.03.1969) *New Ross Traffic and Parking Temporary Rules 1969* (S.I. No. 37 of 1969); revoked (17.11.1969) by *New Ross Traffic and Parking (No. 2) Temporary Rules 1969* (S.I. No. 218 of 1969), rule 4.
- (24.02.1969) *Drogheda Traffic (One-Way Streets) Temporary Rules 1969* (S.I. No. 29 of 1969); revoked (20.10.1969) by *Drogheda Traffic Temporary Rules 1969* (S.I. No. 193 of 1969), rule 4.
- (2.11.1967) *Dublin Traffic and Parking (Amendment) Temporary Rules 1967* (S.I. No. 221 of 1967); revoked (5.12.1967) by *Dublin Traffic and Parking Temporary Rules 1967* (S.I. No. 259 of 1967), rule 8.
- (12.06.1967) *Dublin and Dún Laoghaire Traffic (One-Way Streets) (Amendment) Temporary Rules 1967* (S.I. No. 149 of 1967); revoked (18.03.1968) by *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1968* (S.I. No. 58 of 1968), rule 8.
- (24.01.1967) *Loughrea Traffic and Parking Bye-Laws 1966* (S.I. No. 16 of 1967); revoked (23.07.1971) by *Loughrea Traffic and Parking Bye-Laws 1971* (S.I. No. 224 of 1971), bye-law 10.
- (16.08.1966) *Dublin and Dún Laoghaire Traffic (One-Way Streets) (Amendment) (No. 2) Temporary Rules 1966* (S.I. No. 192 of 1966); revoked (18.03.1967) by *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 53 of 1967), rule 7.



- (25.05.1966) *Dublin and Dún Laoghaire Traffic (One-Way Streets) (Amendment) Temporary Rules 1966* (S.I. No. 104 of 1966); revoked (18.03.1967) by *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1967* (S.I. No. 53 of 1967), rule 7.
- (22.04.1966) *Waterford Traffic and Parking Bye-Laws 1965* (S.I. No. 87 of 1966); revoked (2.06.1972) by *Waterford Traffic and Parking Bye-Laws 1972* (S.I. No. 144 of 1972), bye-law 3.
- (11.02.1966) *Clonmel Traffic and Parking Bye-Laws 1965* (S.I. No. 31 of 1966); revoked (19.10.1976) by *Clonmel Traffic and Parking Bye-Laws 1976* (S.I. No. 248 of 1976), bye-law 4.
- (6.11.1965) *Cork Traffic (One-Way Streets) Temporary Rules 1965* (S.I. No. 245 of 1965); revoked (2.02.1966) by *Cork Traffic (One-Way Streets) Temporary Rules 1966* (S.I. No. 15 of 1966), rule 8.
- (11.02.1965) *Cavan Traffic and Parking Bye-Laws 1964* (S.I. No. 28 of 1965); revoked (12.01.1966) by *Cavan Traffic and Parking Bye-Laws 1965* (S.I. No. 8 of 1966), bye-law 3.
- (26.11.1964) *Drogheda Traffic and Parking Bye-Laws 1964* (S.I. No. 267 of 1964); revoked (22.01.1971) by *Drogheda Traffic and Parking Bye-Laws 1970* (S.I. No. 18 of 1971), bye-law 3.
- (18.11.1964) *Dublin and Dún Laoghaire Traffic (One-Way Streets) (Amendment) Temporary Rules 1964* (S.I. No. 259 of 1964); revoked (18.03.1965) by *Dublin and Dún Laoghaire Traffic (One-Way Streets) Temporary Rules 1965* (S.I. No. 44 of 1965), rule 8.
- (21.09.1964) *Galway Traffic and Parking Bye-Laws 1964* (S.I. No. 235 of 1964); revoked (3.05.1974) by *Galway Traffic and Parking Bye-Laws 1974* (S.I. No. 124 of 1974), bye-law 3.
- (24.08.1964) *Wexford Traffic and Parking Bye-Laws 1964* (S.I. No. 210 of 1964); revoked (24.05.1974) by *Wexford Traffic and Parking Bye-Laws 1973* (S.I. No. 165 of 1974), bye-law 3.
- (1.06.1962) *Limerick Traffic Bye-Laws 1962* (S.I. No. 110 of 1962); revoked (1.09.1975) by *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975), bye-law 4.

**E633** Previous affecting provision: powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Metropolitan Streets Commission (12.11.1986) by *Dublin Metropolitan Streets Commission Act 1986* (15/1986), s. 8(1). Transfer of functions under 1986 Act terminated (9.04.1987) by *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987), art. 2.

**E634** Previous affecting provision: powers conferred on the Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority for Authority's functional area (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 32 subject to transitional provision in subs. (2), S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).

**E635** Previous affecting provision: requirement that bye-law made under section be submitted to Minister and requirement for consultation imposed (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), ss. 50 and 51; Act repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

Parking of vehicles on public roads.

**90.** — F160[...]

#### Annotations

#### Amendments:

**F160** Repealed (1.05.1997) by *Road Traffic Act 1994* (7/1994), s. 4, subject to transitional provision in subs. (2), S.I. No. 180 of 1997.

**Editorial Notes:**

**E636** The *Road Traffic Act 1994* (7/1994), s. 4(2) provides that regulations, bye-laws and temporary rules made under this section and in force immediately before the commencement (1.05.1997) of the repeal of this section continue in force and are deemed to be made under the corresponding provision (s. 36) of that Act.

The following are the statutory instruments made under s. 90 and in force immediately before the commencement of the repeal:

- (20.09.1995) *County of Kerry Traffic and Parking (Amendment) Bye-Laws 1995* (S.I. No. 268 of 1995).
- (12.07.1995) *Road Traffic (Parking Fees) (Amendment) Regulations 1995* (S.I. No. 186 of 1995) (also made pursuant to s. 5).
- (8.02.1995) *County of Louth Traffic and Parking Temporary Rules 1995* (S.I. No. 22 of 1995).
- (8.02.1995) *Road Transport (International Carriage of Goods by Road) Order 1995* (S.I. No. 23 of 1995).
- (4.01.1995) *Dublin (Parking of Buses) Traffic and Parking Temporary Rules 1994* (S.I. No. 11 of 1995).
- (31.01.1995) *Dublin Area Traffic and Parking (Temporary) Rules 1994* (S.I. No. 12 of 1995).
- (8.04.1994) *County of Offaly Traffic and Parking Bye-Laws 1993* (S.I. No. 87 of 1994).
- (7.02.1994) *Waterford (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 27 of 1994).
- (19.11.1993) *Dublin Area Traffic and Parking Temporary Rules 1993* (S.I. No. 334 of 1993).
- (21.10.1993) *County of Kerry Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 327 of 1993).
- (21.10.1993) *Dublin (Parking of Buses) Traffic and Parking Temporary Rules 1993* (S.I. No. 329 of 1993).
- (3.05.1993) *Dublin Area Traffic and Parking (Amendment) Bye-Laws 1993* (S.I. No. 131 of 1993).
- (18.09.1992) *Dublin (Parking of Buses) Traffic and Parking Temporary Rules 1992* (S.I. No. 279 of 1992).
- (1.09.1992) *Dublin Meter Parking Places Rules 1992* (S.I. No. 235 of 1992).
- (23.06.1992) *County of Wexford Traffic and Parking (Amendment) Bye-Laws 1992* (S.I. No. 200 of 1992).
- (29.05.1992) *Limerick (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1992* (S.I. No. 147 of 1992).
- (14.02.1992) *Cork (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1992* (S.I. No. 44 of 1992).
- (17.12.1990) *Limerick (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1990* (S.I. No. 317 of 1990).
- (8.12.1989) *Town of Mullingar Pay and Display Disc Parking Temporary Rules 1989* (S.I. No. 317 of 1989).
- (1.07.1989) *Dublin Meter Parking Places Rules 1989* (S.I. No. 198 of 1989).
- (29.11.1988) *Town of Mullingar Pay and Display Disc Parking Temporary Rules 1988* (S.I. No. 307 of 1988).

- (6.09.1988) *Cork (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1988* (S.I. No. 225 of 1988).
- (29.01.1988) *Waterford (County Borough and County) Traffic and Parking (Amendment) Bye-Laws 1987* (S.I. No. 16 of 1988).
- (20.11.1987) *Dublin Area Traffic and Parking Bye-Laws 1987* (S.I. No. 292 of 1987).
- (1.10.1987) *Dublin Meter Parking Places Rules 1987* (S.I. No. 232 of 1987).
- (8.07.1986) *County of Carlow Traffic and Parking Bye-Laws 1986* (S.I. No. 177 of 1986).
- (8.07.1986) *County of Cavan Traffic and Parking Bye-Laws 1986* (S.I. No. 178 of 1986).
- (8.07.1986) *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986).
- (8.07.1986) *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986).
- (8.07.1986) *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986).
- (8.07.1986) *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986).
- (8.07.1986) *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986).
- (8.07.1986) *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986).
- (8.07.1986) *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986).
- (8.07.1986) *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986).
- (8.07.1986) *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986).
- (8.07.1986) *County of Leitrim Traffic and Parking Bye-Laws 1986* (S.I. No. 188 of 1986).
- (8.07.1986) *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986).
- (8.07.1986) *County of Longford Traffic and Parking Bye-Laws 1986* (S.I. No. 190 of 1986).
- (8.07.1986) *County of Louth Traffic and Parking Bye-Laws 1986* (S.I. No. 191 of 1986).
- (8.07.1986) *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986).
- (8.07.1986) *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986).
- (8.07.1986) *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986).
- (8.07.1986) *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986).
- (8.07.1986) *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986).
- (8.07.1986) *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986).
- (8.07.1986) *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986).
- (8.07.1986) *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986).
- (8.07.1986) *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986).
- (8.07.1986) *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986).
- (18.11.1985) *Dublin Meter Parking Places (No. 2) Rules 1985* (S.I. No. 366 of 1985).
- (24.07.1985) *Limerick (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 240 of 1985).

- (24.07.1985) *Waterford (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 241 of 1985).
- (8.07.1985) *County of Carlow Traffic and Parking Temporary Rules 1985* (S.I. No. 193 of 1985).
- (8.07.1985) *County of Cavan Traffic and Parking Temporary Rules 1985* (S.I. No. 194 of 1985).
- (8.07.1985) *County of Clare Traffic and Parking Temporary Rules 1985* (S.I. No. 195 of 1985).
- (8.07.1985) *Cork (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 196 of 1985).
- (8.07.1985) *County of Donegal Traffic and Parking Temporary Rules 1985* (S.I. No. 197 of 1985).
- (8.07.1985) *Dublin Area Traffic and Parking Temporary Rules 1985* (S.I. No. 198 of 1985).
- (8.07.1985) *County of Galway Traffic and Parking Temporary Rules 1985* (S.I. No. 199 of 1985).
- (8.07.1985) *County of Kerry Traffic and Parking Temporary Rules 1985* (S.I. No. 200 of 1985).
- (8.07.1985) *County of Kildare Traffic and Parking Temporary Rules 1985* (S.I. No. 201 of 1985).
- (8.07.1985) *County of Kilkenny Traffic and Parking Temporary Rules 1985* (S.I. No. 202 of 1985).
- (8.07.1985) *County of Laois Traffic and Parking Temporary Rules 1985* (S.I. No. 203 of 1985).
- (8.07.1985) *County of Leitrim Traffic and Parking Temporary Rules 1985* (S.I. No. 204 of 1985).
- (8.07.1985) *County of Longford Traffic and Parking Temporary Rules 1985* (S.I. No. 206 of 1985).
- (8.07.1985) *County of Louth Traffic and Parking Temporary Rules 1985* (S.I. No. 207 of 1985).
- (8.07.1985) *County of Mayo Traffic and Parking Temporary Rules 1985* (S.I. No. 208 of 1985).
- (8.07.1985) *County of Meath Traffic and Parking Temporary Rules 1985* (S.I. No. 209 of 1985).
- (8.07.1985) *County of Monaghan Traffic and Parking Temporary Rules 1985* (S.I. No. 210 of 1985).
- (8.07.1985) *County of Offaly Traffic and Parking Temporary Rules 1985* (S.I. No. 211 of 1985).
- (8.07.1985) *County of Roscommon Traffic and Parking Temporary Rules 1985* (S.I. No. 212 of 1985).
- (8.07.1985) *County of Sligo Traffic and Parking Temporary Rules 1985* (S.I. No. 213 of 1985).
- (8.07.1985) *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Temporary Rules 1985* (S.I. No. 214 of 1985).
- (8.07.1985) *County of Westmeath Traffic and Parking Temporary Rules 1985* (S.I. No. 216 of 1985).
- (8.07.1985) *County of Wexford Traffic and Parking Temporary Rules 1985* (S.I. No. 217 of 1985).
- (8.07.1985) *County of Wicklow Traffic and Parking Temporary Rules 1985* (S.I. No. 218 of 1985).
- (4.02.1985) *Dublin Meter Parking Places Rules 1985* (S.I. No. 27 of 1985).
- (25.06.1984) *County of Carlow Traffic and Parking Temporary Rules 1984* (S.I. No. 148 of 1984).
- (25.06.1984) *County of Clare Traffic and Parking Temporary Rules 1984* (S.I. No. 149 of 1984).
- (25.06.1984) *County of Galway Traffic and Parking Temporary Rules 1984* (S.I. No. 150 of 1984).
- (25.06.1984) *County of Laois Traffic and Parking Temporary Rules 1984* (S.I. No. 151 of 1984).
- (25.06.1984) *Limerick (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 152 of 1984).
- (25.06.1984) *County of Louth Traffic and Parking Temporary Rules 1984* (S.I. No. 153 of 1984).

- (25.06.1984) *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Temporary Rules 1984* (S.I. No. 154 of 1984).
- (17.02.1984) *Dublin Traffic and Parking Temporary Rules 1984* (S.I. No. 38 of 1984).
- (16.01.1984) *Cork (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 3 of 1984).
- (5.09.1983) *Dublin Meter Parking Places Rules 1983* (S.I. No. 265 of 1983).
- (5.08.1983) *Knock Parking Temporary Rules 1983* (S.I. No. 226 of 1983).
- (24.04.1983) *Dublin Traffic and Parking Temporary Rules 1983* (S.I. No. 105 of 1983).
- (1.10.1982) *Dublin Traffic and Parking (No. 2) Temporary Rules 1982* (S.I. No. 287 of 1982).
- (28.07.1982) *Knock Parking Temporary Rules 1982* (S.I. No. 223 of 1982).
- (24.04.1982) *Dublin Traffic and Parking Temporary Rules 1982* (S.I. No. 109 of 1982).
- (30.11.1981) *Dublin Traffic and Parking (No. 2) Temporary Rules 1981* (S.I. No. 401 of 1981).
- (14.06.1981) *Knock Parking Temporary Rules 1981* (S.I. No. 210 of 1981).
- (24.04.1981) *Dublin Traffic and Parking Temporary Rules 1981* (S.I. No. 148 of 1981).
- (14.6.1980) *Knock Parking Temporary Rules 1980* (S.I. No. 172 of 1980).
- (21.05.1979) *Knock Parking Temporary Rules 1979* (S.I. No. 165 of 1979).
- (1.02.1979) *Dublin Meter Parking Places Rules 1979* (S.I. No. 26 of 1979).
- (1.10.1976) *Cork Traffic and Parking (Pedestrianisation) Temporary Rules 1976* (S.I. No. 194 of 1976).
- (3.03.1975) *Cork Parking Temporary Rules, 1974 (Revocation) Rules 1975* (S.I. No. 34 of 1975).
- (28.02.1975) *Dublin Parking Temporary Rules 1975* (S.I. No. 28 of 1975).
- (31.01.1975) *Dublin Traffic and Parking (Pedestrianisation) Temporary Rules 1975* (S.I. No. 16 of 1975).
- (1.11.1974) *Cavan Traffic and Parking Bye-Laws 1973* (S.I. No. 326 of 1974).
- (29.08.1974) *Limerick Parking Temporary Rules 1974* (S.I. No. 257 of 1974).
- (2.06.1974) *Killarney Traffic and Parking Temporary Rules 1974* (S.I. No. 143 of 1974).
- (28.02.1974) *Dublin Parking Temporary Rules 1974* (S.I. No. 35 of 1974).
- (10.01.1974) *Dublin Traffic and Parking (Pedestrianisation) (No. 2) Temporary Rules 1973* (S.I. No. 1 of 1974).
- (29.08.1973) *Limerick Parking Temporary Rules 1973* (S.I. No. 247 of 1973).
- (29.06.1973) *Cork Parking Temporary Rules 1973* (S.I. No. 166 of 1973).
- (2.06.1973) *Killarney Traffic and Parking Temporary Rules 1973* (S.I. No. 137 of 1973).
- (24.05.1973) *Kilkenny Traffic and Parking Temporary Rules 1973* (S.I. No. 118 of 1973).
- (29.04.1973) *Galway Traffic and Parking Temporary Rules 1973* (S.I. No. 101 of 1973).
- (28.02.1973) *Dublin Parking Temporary Rules 1973* (S.I. No. 50 of 1973).
- (10.01.1973) *Dublin Parking (Pedestrianisation) Temporary Rules 1972* (S.I. No. 3 of 1973).
- (29.08.1972) *Limerick Parking Temporary Rules 1972* (S.I. No. 208 of 1972).
- (2.06.1972) *Killarney Traffic and Parking Temporary Rules 1972* (S.I. No. 140 of 1972).

- (24.05.1972) *Kilkenny Traffic and Parking Temporary Rules 1972* (S.I. No. 127 of 1972).
- (29.04.1972) *Galway Traffic and Parking Temporary Rules 1972* (S.I. No. 110 of 1972).
- (28.02.1972) *Dublin Parking Temporary Rules 1972* (S.I. No. 58 of 1972).
- (10.01.1972) *Dublin Parking (Pedestrianisation) Temporary Rules 1971* (S.I. No. 1 of 1972).
- (29.08.1971) *Limerick Parking Temporary Rules 1971* (S.I. No. 240 of 1971).
- (29.06.1971) *Cork Parking Temporary Rules 1971* (S.I. No. 190 of 1971).
- (27.06.1971) *Sligo Traffic and Parking Temporary Rules 1971* (S.I. No. 189 of 1971).
- (24.05.1971) *Kilkenny Traffic and Parking Temporary Rules 1971* (S.I. No. 168 of 1971).
- (3.05.1971) *Killarney Traffic and Parking Temporary Rules 1971* (S.I. No. 153 of 1971).
- (15.04.1971) *Galway Traffic and Parking Temporary Rules 1971* (S.I. No. 141 of 1971).
- (25.03.1971) *Dublin Traffic and Parking Temporary Rules 1970 (Revocation) Rules 1971* (S.I. No. 91 of 1971).
- (19.03.1971) *Cork Traffic and Parking Temporary Rules 1971* (S.I. No. 94 of 1971).
- (22.02.1971) *Dublin Parking Temporary Rules 1971* (S.I. No. 60 of 1971).
- (29.08.1970) *Limerick Parking Temporary Rules 1970* (S.I. No. 193 of 1970).
- (6.07.1970) *Youghal Traffic and Parking Temporary Rules 1970* (S.I. No. 158 of 1970).
- (29.06.1970) *Cork Parking Temporary Rules 1970* (S.I. No. 147 of 1970).
- (27.06.1970) *Sligo Traffic and Parking Temporary Rules 1970* (S.I. No. 146 of 1970).
- (11.06.1970) *Loughrea Parking Temporary Rules 1970* (S.I. No. 129 of 1970).
- (7.06.1970) *Arklow Parking Temporary Rules 1970* (S.I. No. 122 of 1970).
- (21.05.1970) *Mullingar Parking Temporary Rules 1970* (S.I. No. 105 of 1970).
- (20.05.1970) *Kilkenny Parking Temporary Rules 1970* (S.I. No. 106 of 1970).
- (18.03.1970) *Limerick Traffic and Parking Temporary Rules 1970* (S.I. No. 51 of 1970).
- (16.03.1970) *Cork Traffic and Parking Temporary Rules 1970* (S.I. No. 46 of 1970).
- (10.02.1970) *Ceanannus Mor Parking Temporary Rules 1970* (S.I. No. 23 of 1970).
- (14.01.1970) *Dublin Parking Temporary Rules 1969 (Revocation) Rules 1970* (S.I. No. 2 of 1970).
- (14.01.1970) *Dublin Meter Parking Places Rules 1969* (S.I. No. 261 of 1969).
- (11.06.1969) *Loughrea Parking Temporary Rules 1969* (S.I. No. 99 of 1969).
- (5.12.1969) *Dublin Traffic and Parking Temporary Rules 1969* (S.I. No. 239 of 1969).
- (17.11.1969) *New Ross Traffic and Parking (No. 2) Temporary Rules 1969* (S.I. No. 218 of 1969).
- (4.11.1969) *Tipperary Parking Bye-Laws 1969* (S.I. No. 209 of 1969).
- (24.10.1969) *Thurles Traffic and Parking Bye-Laws 1969* (S.I. No. 206 of 1969).
- (25.09.1969) *Skibbereen Parking Temporary Rules 1969* (S.I. No. 179 of 1969).
- (5.09.1969) *Road Traffic (Parking Fees) Regulations 1969* (S.I. No. 169 of 1969) (also made pursuant to s. 5).
- (5.09.1969) *Tuam Traffic and Parking Bye-Laws 1969* (S.I. No. 175 of 1969).

- (12.08.1969) *Greystones Traffic and Parking Temporary Rules 1969* (S.I. No. 158 of 1969).
- (4.08.1969) *Newcastle West Traffic and Parking Temporary Rules 1969* (S.I. No. 157 of 1969).
- (2.08.1969) *Limerick Parking Temporary Rules 1969* (S.I. No. 149 of 1969).
- (29.07.1969) *Bundoran Parking Temporary Rules 1969* (S.I. No. 148 of 1969).
- (14.07.1969) *Carrick-On-Shannon Parking Temporary Rules 1969* (S.I. No. 131 of 1969).
- (14.07.1969) *Drogheda Parking Temporary Rules 1969* (S.I. No. 132 of 1969).
- (30.06.1969) *Castlebar Traffic and Parking Temporary Rules 1969* (S.I. No. 114 of 1969).
- (29.06.1969) *Cork Parking Temporary Rules 1969* (S.I. No. 115 of 1969).
- (26.06.1969) *Kilkee Traffic and Parking Temporary Rules 1969* (S.I. No. 116 of 1969).
- (20.06.1969) *Sligo Traffic and Parking Temporary Rules 1969* (S.I. No. 107 of 1969).
- (7.06.1969) *Arklow Parking Temporary Rules 1969* (S.I. No. 100 of 1969).
- (23.05.1969) *Road Traffic (Construction Equipment and Use of Vehicles) (Amendment) Regulations 1969* (S.I. No. 94 of 1969).
- (21.05.1969) *Mullingar Parking Temporary Rules 1969* (S.I. No. 79 of 1969).
- (20.05.1969) *Killarney Parking Temporary Rules 1969* (S.I. No. 78 of 1969).
- (1.03.1969) *Limerick Traffic and Parking Temporary Rules 1969* (S.I. No. 30 of 1969).
- (17.02.1969) *Ballybay Parking Temporary Rules 1969* (S.I. No. 24 of 1969).
- (28.01.1969) *Ceanannus Mor Parking Temporary Rules 1969* (S.I. No. 4 of 1969).
- (5.12.1968) *Dublin Traffic and Parking Temporary Rules 1968* (S.I. No. 242 of 1968).
- (9.10.1968) *Carlow Traffic and Parking Temporary Rules 1968* (S.I. No. 211 of 1968).
- (25.09.1968) *Skibbereen Parking Temporary Rules 1968* (S.I. No. 200 of 1968).
- (2.08.1968) *Limerick Parking Temporary Rules 1968* (S.I. No. 162 of 1968).
- (14.07.1968) *Drogheda Parking Temporary Rules 1968* (S.I. No. 152 of 1968).
- (10.07.1968) *Carrick-On-Shannon Parking Temporary Rules 1968* (S.I. No. 150 of 1968).
- (29.06.1968) *Cork Parking Temporary Rules 1968* (S.I. No. 141 of 1968).
- (11.06.1968) *Loughrea Parking Temporary Rules 1968* (S.I. No. 122 of 1968).
- (7.06.1968) *Arklow Parking Temporary Rules 1968* (S.I. No. 118 of 1968).
- (20.05.1968) *Kilkenny Parking Temporary Rules 1968* (S.I. No. 108 of 1968).
- (29.04.1968) *Dublin Parking Temporary Rules 1968* (S.I. No. 86 of 1968).
- (27.04.1968) *Mullingar Parking Temporary Rules 1968* (S.I. No. 83 of 1968).
- (1.03.1968) *Limerick Traffic and Parking Temporary Rules 1968* (S.I. No. 38 of 1968).
- (18.01.1968) *Ceanannus Mór Parking Temporary Rules 1967* (S.I. No. 7 of 1968).
- (17.01.1968) *Ballybay Parking Temporary Rules 1967* (S.I. No. 6 of 1968).
- (5.12.1967) *Dublin Traffic and Parking Temporary Rules 1967* (S.I. No. 259 of 1967).
- (9.10.1967) *Carlow Traffic and Parking Temporary Rules 1967* (S.I. No. 214 of 1967).
- (25.09.1967) *Skibbereen Parking Temporary Rules 1967* (S.I. No. 207 of 1967).

- (2.08.1967) *Limerick Parking Temporary Rules 1967* (S.I. No. 185 of 1967).
- (14.07.1967) *Drogheda Parking Temporary Rules 1967* (S.I. No. 171 of 1967).
- (10.07.1967) *Carrick-On-Shannon Parking Temporary Rules 1967* (S.I. No. 168 of 1967).
- (29.06.1967) *Cork Parking Temporary Rules 1967* (S.I. No. 164 of 1967).
- (7.06.1967) *Arklow Parking Temporary Rules 1967* (S.I. No. 148 of 1967).
- (5.12.1966) *Dublin Traffic and Parking Temporary Rules 1966* (S.I. No. 257 of 1966).
- (2.08.1966) *Limerick Parking Temporary Rules 1966* (S.I. No. 181 of 1966).
- (12.01.1966) *Cavan Traffic and Parking Bye-Laws 1965* (S.I. No. 8 of 1966).
- (18.03.1965) *Bray Traffic and Parking Bye-Laws 1965* (S.I. No. 59 of 1965).
- (28.01.1965) *Athlone Parking Bye-Laws 1965* (S.I. No. 17 of 1965).
- (27.02.1964) *Dublin Parking Temporary Rules 1964* (S.I. No. 30 of 1964).
- (28.09.1961) *Road Traffic (Bye-Laws and Temporary Rules) Regulations 1961* (S.I. No. 219 of 1961) (also made pursuant to ss. 5, 6(1), (3), 84(3)).

The following are the statutory instruments made under section 90 and revoked prior to the commencement of the repeal:

- (8.07.1986) *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986); revoked (19.12.1990) by *County of Westmeath Traffic and Parking Bye-Laws 1990* (S.I. No. 322 of 1990), reg. 45.
- (8.07.1985) *Limerick (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 205 of 1985); revoked (24.07.1985) by *Limerick (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 240 of 1985), reg. 45.
- (8.07.1985) *Waterford (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 215 of 1985); revoked (24.07.1985) by *Waterford (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 241 of 1985), reg. 45.
- (16.01.1985) *Cork (County Borough and County) Traffic and Parking Temporary Rules 1985* (S.I. No. 4 of 1985); revoked (8.07.1985) by *Cork (County Borough and County) Traffic and Parking (No. 2) Temporary Rules 1985* (S.I. No. 196 of 1985), reg. 45.
- (18.12.1984) *Dublin Traffic and Parking (No. 2) Temporary Rules 1984* (S.I. No. 329 of 1984); revoked (8.07.1985) by *Dublin Area Traffic and Parking Temporary Rules 1985* (S.I. No. 198 of 1985), reg. 5.
- (5.08.1983) *Cork Parking Temporary Rules 1983* (S.I. No. 225 of 1983); revoked (16.01.1984) by *Cork (County Borough and County) Traffic and Parking Temporary Rules 1984* (S.I. No. 3 of 1984), reg. 4.
- (6.02.1981) *Dublin Traffic and Parking (No. 2) Bye-Laws 1980* (S.I. No. 49 of 1981); revoked (8.07.1986) by *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986), bye-law 5.
- (20.03.1980) *Dublin Traffic and Parking Bye-Laws 1980* (S.I. No. 82 of 1980); revoked (8.07.1986) by *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986), bye-law 5.
- (29.05.1979) *Cork Parking Bye-Laws 1979* (S.I. No. 195 of 1979); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (15.08.1977) *Clones Traffic and Parking Bye-Laws 1977* (S.I. No. 271 of 1977); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.



- (15.08.1977) *Tullamore Traffic and Parking Bye-Laws 1977* (S.I. No. 272 of 1977); revoked (8.07.1986) by *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986), bye-law 45.
- (1.11.1976) *Castlerea Traffic and Parking Bye-Laws 1976* (S.I. No. 256 of 1976); revoked (8.07.1986) by *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986), bye-law 45.
- (1.11.1976) *Ballyshannon Traffic and Parking Bye-Laws 1976* (S.I. No. 257 of 1976); revoked (8.07.1986) by *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986), bye-law 45.
- (19.10.1976) *Clonmel Traffic and Parking Bye-Laws 1976* (S.I. No. 248 of 1976); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (19.10.1976) *Mountrath Traffic and Parking Bye-Laws 1976* (S.I. No. 249 of 1976); revoked (8.07.1986) by *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986), bye-law 45.
- (11.08.1976) *Wicklow Traffic and Parking Bye-Laws 1976* (S.I. No. 193 of 1976); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (22.06.1976) *Athlone Traffic and Parking Bye-Laws 1975* (S.I. No. 134 of 1976); revoked (8.07.1986) by *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986), bye-law 45.
- (5.04.1976) *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976); revoked (8.07.1986) by *Dublin Area Traffic and Parking Bye-Laws 1986* (S.I. No. 182 of 1986), bye-law 5.
- (12.02.1976) *Athy Traffic and Parking Bye-Laws 1975* (S.I. No. 37 of 1976); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (3.12.1975) *Droichead Nua Traffic and Parking Bye-Laws 1975* (S.I. No. 293 of 1975); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (3.09.1975) *Portumna Traffic and Parking Bye-Laws 1975* (S.I. No. 208 of 1975); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (1.09.1975) *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975); revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (20.06.1975) *Killarney Traffic and Parking Bye-Laws 1975* (S.I. No. 132 of 1975); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (1.05.1975) *Dingle Traffic and Parking Bye-Laws 1974* (S.I. No. 9 of 1975); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (21.04.1975) *Clifden Traffic and Parking Bye-Laws 1974* (S.I. No. 89 of 1975); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (21.04.1975) *Manorhamilton Traffic and Parking Bye-Laws 1975* (S.I. No. 90 of 1975); revoked (8.07.1986) by *County of Leitrim Traffic and Parking Bye-Laws 1986* (S.I. No. 188 of 1986), bye-law 45.
- (14.04.1975) *Ballinrobe Traffic and Parking Bye-Laws 1975* (S.I. No. 82 of 1975); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (10.03.1975) *Fermoy Traffic and Parking Bye-Laws 1974* (S.I. No. 56 of 1975); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.

- (10.03.1975) *Trim Traffic and Parking Bye-Laws 1974* (S.I. No. 57 of 1975); revoked (8.07.1986) by *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986), bye-law 45.
- (20.09.1974) *Tuam Traffic and Parking Bye-Laws 1974* (S.I. No. 291 of 1974); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (29.06.1974) *Cork Parking Temporary Rules 1974* (S.I. No. 188 of 1974); revoked (3.03.1975) by *Cork Parking Temporary Rules 1974 (Revocation) Rules 1975* (S.I. No. 34 of 1975), rule 3.
- (4.06.1974) *Birr Traffic and Parking Bye-Laws 1973* (S.I. No. 172 of 1974); revoked (8.07.1986) by *County of Offaly Traffic and Parking Bye-Laws 1986* (S.I. No. 195 of 1986), bye-law 45.
- (24.05.1974) *Bray Traffic and Parking Bye-Laws 1973* (S.I. No. 152 of 1974); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (24.05.1974) *Kilkenny Traffic and Parking Bye-Laws 1973* (S.I. No. 153 of 1974); revoked (8.07.1986) by *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986), bye-law 45.
- (24.05.1974) *Crosshaven Traffic and Parking Bye-Laws 1973* (S.I. No. 154 of 1974); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (23.05.1974) *Tramore Traffic and Parking Bye-Laws 1974* (S.I. No. 142 of 1974); revoked (8.07.1986) by *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986), bye-law 45.
- (3.05.1974) *Galway Traffic and Parking Bye-Laws 1974* (S.I. No. 124 of 1974); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (1.04.1974) *Tubbercurry Traffic and Parking Bye-Laws 1974* (S.I. No. 99 of 1974); revoked (8.07.1986) by *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986), bye-law 45.
- (21.12.1973) *Monaghan Traffic and Parking Bye-Laws 1973* (S.I. No. 352 of 1973); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.
- (22.11.1973) *Kilmallock Traffic and Parking Bye-Laws 1973* (S.I. No. 324 of 1973); revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (14.11.1973) *Collooney Traffic and Parking Bye-Laws 1973* (S.I. No. 323 of 1973); revoked (8.07.1986) by *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986), bye-law 45.
- (7.06.1973) *Cashel Traffic and Parking Bye-Laws 1973* (S.I. No. 145 of 1973); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (7.06.1973) *Listowel Traffic and Parking Bye-Laws 1973* (S.I. No. 146 of 1973); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (4.05.1973) *Newmarket-On-Fergus Parking Bye-Laws 1973* (S.I. No. 113 of 1973); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (27.04.1973) *Leixlip Traffic and Parking Bye-Laws 1972* (S.I. No. 110 of 1973); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (16.04.1973) *Dublin Traffic and Parking (Pedestrianisation) Temporary Rules 1973* (S.I. No. 92 of 1973); revoked (10.01.1974) by *Dublin Traffic and Parking (Pedestrianisation) (No. 2) Temporary Rules 1973* (S.I. No. 1 of 1974), rule 4.

- (9.02.1973) *Ballyhaunis Parking Bye-Laws 1972* (S.I. No. 38 of 1973); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (9.01.1973) *Newmarket-On-Fergus Parking Bye-Laws 1972* (S.I. No. 5 of 1973); revoked (4.05.1973) by *Newmarket-On-Fergus Parking Bye-Laws 1973* (S.I. No. 113 of 1973), bye-law 3.
- (9.01.1973) *Carrick-On-Suir Traffic and Parking Bye-Laws 1972* (S.I. No. 6 of 1973); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (9.01.1973) *Clarecastle Parking Bye-Laws 1972* (S.I. No. 7 of 1973); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (7.06.1974) *Lahinch Traffic and Parking Bye-Laws 1974* (S.I. No. 177 of 1974); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (19.12.1972) *Dungarvan Traffic and Parking Bye-Laws 1972* (S.I. No. 336 of 1972); revoked (8.07.1986) by *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986), bye-law 45.
- (19.12.1972) *Letterkenny Traffic and Parking Bye-Laws 1972* (S.I. No. 337 of 1972); revoked (8.07.1986) by *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986), bye-law 45.
- (19.06.1972) *Sligo Traffic and Parking Bye-Laws 1972* (S.I. No. 154 of 1972); revoked (8.07.1986) by *County of Sligo Traffic and Parking Bye-Laws 1986* (S.I. No. 197 of 1986), bye-law 45.
- (2.06.1972) *Waterford Traffic and Parking Bye-Laws 1972* (S.I. No. 144 of 1972); revoked (8.07.1986) by *Waterford (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 199 of 1986), bye-law 45.
- (19.05.1972) *Naas Traffic and Parking Bye-Laws 1972* (S.I. No. 126 of 1972); revoked (8.07.1986) by *County of Kildare Traffic and Parking Bye-Laws 1986* (S.I. No. 185 of 1986), bye-law 45.
- (1.05.1972) *Ballybunion Parking Bye-Laws 1971* (S.I. No. 318 of 1971); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (27.04.1972) *Cork Traffic and Parking (Clearway) Bye-Laws 1972* (S.I. No. 118 of 1972); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (16.12.1971) *Dundalk Parking Bye-Laws 1971* (S.I. No. 340 of 1971); revoked (8.07.1986) by *County of Louth Traffic and Parking Bye-Laws 1986* (S.I. No. 191 of 1986), bye-law 45.
- (28.09.1971) *Callan Traffic and Parking Bye-Laws 1971* (S.I. No. 281 of 1971); revoked (8.07.1986) by *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986), bye-law 45.
- (9.09.1971) *Rathkeale Parking Bye-Laws 1971* (S.I. No. 260 of 1971); revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (6.09.1971) *Dublin Parking (No. 2) Temporary Rules 1971* (S.I. No. 251 of 1971); revoked (10.01.1972) by *Dublin Parking (Pedestrianisation) Temporary Rules 1971* (S.I. No. 1 of 1972), rule 3.
- (23.07.1971) *Loughrea Traffic and Parking Bye-Laws 1971* (S.I. No. 224 of 1971); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.
- (9.07.1971) *Arklow Traffic and Parking Bye-Laws 1971* (S.I. No. 213 of 1971); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (9.07.1971) *Youghal Traffic and Parking Bye-Laws 1971* (S.I. No. 214 of 1971); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.

- (9.07.1971) *Midleton Traffic and Parking Bye-Laws 1971* (S.I. No. 215 of 1971); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (8.06.1971) *Letterkenny Traffic and Parking Bye-Laws 1970* (S.I. No. 179 of 1971); revoked (19.12.1972) by *Letterkenny Traffic and Parking Bye-Laws 1972* (S.I. No. 337 of 1972), bye-law 4.
- (28.05.1971) *Mullingar Traffic and Parking Bye-Laws 1970* (S.I. No. 178 of 1971); revoked (8.07.1986) by *County of Westmeath Traffic and Parking Bye-Laws 1986* (S.I. No. 200 of 1986), bye-law 45.
- (12.05.1971) *Ballina Traffic and Parking Bye-Laws 1971* (S.I. No. 165 of 1971); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (1.05.1971) *Bundoran Parking Bye-Laws 1970* (S.I. No. 210 of 1970); revoked (8.07.1986) by *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986), bye-law 45.
- (29.04.1971) *Limerick Traffic and Parking (Clearway) Bye-Laws 1971* (S.I. No. 160 of 1971); revoked (1.09.1975) by *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975), bye-law 4.
- (22.03.1971) *New Ross Traffic and Parking Bye-Laws 1970* (S.I. No. 101 of 1971); revoked (8.07.1986) by *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986), bye-law 45.
- (22.03.1971) *Castlerea Parking Bye-Laws 1970* (S.I. No. 102 of 1971); revoked (1.11.1976) by *Castlerea Traffic and Parking Bye-Laws 1976* (S.I. No. 256 of 1976), bye-law 4.
- (22.03.1971) *Macroom Parking Bye-Laws 1970* (S.I. No. 112 of 1971); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (22.03.1971) *Ceanannus Mór Parking Bye-Laws 1971* (S.I. No. 113 of 1971); revoked (8.07.1986) by *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986), bye-law 45.
- (15.02.1971) *Dublin Traffic and Parking Bye-Laws 1971* (S.I. No. 59 of 1971); revoked (5.04.1976) by *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976), bye-law 4.
- (22.01.1971) *Drogheda Traffic and Parking Bye-Laws 1970* (S.I. No. 18 of 1971); revoked (8.07.1986) by *County of Louth Traffic and Parking Bye-Laws 1986* (S.I. No. 191 of 1986), bye-law 45.
- (15.12.1970) *Roscommon Parking Bye-Laws 1970* (S.I. No. 303 of 1970); revoked (8.07.1986) by *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986), bye-law 45.
- (15.12.1970) *An Uaimh Parking Bye-Laws 1970* (S.I. No. 305 of 1970); revoked (8.07.1986) by *County of Meath Traffic and Parking Bye-Laws 1986* (S.I. No. 193 of 1986), bye-law 45.
- (12.12.1970) *Dublin Traffic and Parking Temporary Rules 1970* (S.I. No. 290 of 1970); revoked (25.03.1971) by *Dublin Traffic and Parking Temporary Rules 1970 (Revocation) Rules 1971* (S.I. No. 91 of 1971), rule 3.
- (20.11.1970) *Skibbereen Traffic and Parking Bye-Laws 1970* (S.I. No. 276 of 1970); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (9.11.1970) *Greystones Traffic and Parking Bye-Laws 1970* (S.I. No. 260 of 1970); revoked (8.07.1986) by *County of Wicklow Traffic and Parking Bye-Laws 1986* (S.I. No. 202 of 1986), bye-law 45.
- (22.10.1970) *Newcastle West Traffic and Parking Bye-Laws 1970* (S.I. No. 249 of 1970); revoked (8.07.1986) by *Limerick (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 189 of 1986), bye-law 45.
- (22.10.1970) *Castleblayney Traffic and Parking Bye-Laws 1970* (S.I. No. 250 of 1970); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.

- (16.09.1970) *Carrick-On-Shannon Parking Bye-Laws 1970* (S.I. No. 209 of 1970); revoked (8.07.1986) by *County of Leitrim Traffic and Parking Bye-Laws 1986* (S.I. No. 188 of 1986), bye-law 45.
- (24.08.1970) *Donegal Parking Bye-Laws 1970* (S.I. No. 197 of 1970); revoked (8.07.1986) by *County of Donegal Traffic and Parking Bye-Laws 1986* (S.I. No. 181 of 1986), bye-law 45.
- (18.08.1970) *Portarlington Parking Bye-Laws 1970* (S.I. No. 187 of 1970); revoked (8.07.1986) by *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986), bye-law 45.
- (31.07.1970) *Castlebar Traffic and Parking Bye-Laws 1970* (S.I. No. 182 of 1970); revoked (8.07.1986) by *County of Mayo Traffic and Parking Bye-Laws 1986* (S.I. No. 192 of 1986), bye-law 45.
- (27.07.1970) *Kilkee Traffic and Parking Bye-Laws 1970* (S.I. No. 173 of 1970); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (21.05.1970) *Carrickmacross Parking Bye-Laws 1970* (S.I. No. 118 of 1970); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.
- (11.05.1970) *Graiguenamanagh Parking Bye-Laws 1970* (S.I. No. 102 of 1970); revoked (8.07.1986) by *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986), bye-law 45.
- (1.05.1970) *Tralee Traffic and Parking Bye-Laws 1970* (S.I. No. 95 of 1970); revoked (8.07.1986) by *County of Kerry Traffic and Parking Bye-Laws 1986* (S.I. No. 184 of 1986), bye-law 45.
- (25.03.1970) *Mallow Traffic and Parking Bye-Laws 1970* (S.I. No. 60 of 1970); revoked (8.07.1986) by *Cork (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 180 of 1986), bye-law 45.
- (25.03.1970) *Thomastown Parking Bye-Laws 1970* (S.I. No. 61 of 1970); revoked (8.07.1986) by *County of Kilkenny Traffic and Parking Bye-Laws 1986* (S.I. No. 186 of 1986), bye-law 45.
- (26.02.1970) *Ballybay Parking Bye-Laws 1970* (S.I. No. 39 of 1970); revoked (8.07.1986) by *County of Monaghan Traffic and Parking Bye-Laws 1986* (S.I. No. 194 of 1986), bye-law 45.
- (18.02.1970) *Boyle Parking Bye-Laws 1969* (S.I. No. 30 of 1970); revoked (8.07.1986) by *County of Roscommon Traffic and Parking Bye-Laws 1986* (S.I. No. 196 of 1986), bye-law 45.
- (5.12.1969) *Ennis Traffic and Parking Bye-Laws 1969* (S.I. No. 246 of 1969); revoked (8.07.1986) by *County of Clare Traffic and Parking Bye-Laws 1986* (S.I. No. 179 of 1986), bye-law 45.
- (16.10.1969) *Carlow Traffic and Parking Bye-Laws 1969* (S.I. No. 200 of 1969); revoked (8.07.1986) by *County of Carlow Traffic and Parking Bye-Laws 1986* (S.I. No. 177 of 1986), bye-law 45.
- (2.10.1969) *Nenagh Parking Bye-Laws 1969* (S.I. No. 186 of 1969); revoked (8.07.1986) by *County of Tipperary North Riding and County of Tipperary South Riding Traffic and Parking Bye-Laws 1986* (S.I. No. 198 of 1986), bye-law 45.
- (22.09.1969) *Belturbet Parking Bye-Laws 1969* (S.I. No. 181 of 1969); revoked (8.07.1986) by *County of Cavan Traffic and Parking Bye-Laws 1986* (S.I. No. 178 of 1986), bye-law 45.
- (5.09.1969) *Dublin Parking Bye-Laws 1969* (S.I. No. 170 of 1969); revoked (5.04.1976) by *Dublin Traffic and Parking Bye-Laws 1976* (S.I. No. 83 of 1976), bye-law 4.
- (5.09.1969) *Longford Traffic and Parking Bye-Laws 1969* (S.I. No. 173 of 1969); revoked (8.07.1986) by *County of Longford Traffic and Parking Bye-Laws 1986* (S.I. No. 190 of 1986), bye-law 45.
- (5.09.1969) *Enniscorthy Traffic and Parking Bye-Laws 1969* (S.I. No. 174 of 1969); revoked (8.07.1986) by *County of Wexford Traffic and Parking Bye-Laws 1986* (S.I. No. 201 of 1986), bye-law 45.
- (5.09.1969) *Ballinasloe Parking Bye-Laws 1969* (S.I. No. 176 of 1969); revoked (8.07.1986) by *Galway (County Borough and County) Traffic and Parking Bye-Laws 1986* (S.I. No. 183 of 1986), bye-law 45.

- (7.05.1969) *Dublin Parking Temporary Rules 1969* (S.I. No. 71 of 1969); revoked (14.01.1970) by *Dublin Parking Temporary Rules 1969 (Revocation) Rules 1970* (S.I. No. 2 of 1970), rule 3.
- (10.03.1969) *New Ross Traffic and Parking Temporary Rules 1969* (S.I. No. 37 of 1969); revoked (17.11.1969) by *New Ross Traffic and Parking (No. 2) Temporary Rules 1969* (S.I. No. 218 of 1969), rule 4.
- (23.12.1968) *Dublin Parking (Amendment) Temporary Rules 1968* (S.I. No. 268 of 1968); revoked (7.05.1969) by *Dublin Parking Temporary Rules 1969* (S.I. No. 71 of 1969), rule 4.
- (2.11.1967) *Dublin Traffic and Parking (Amendment) Temporary Rules 1967* (S.I. No. 221 of 1967); revoked (5.12.1967) by *Dublin Traffic and Parking Temporary Rules 1967* (S.I. No. 259 of 1967), rule 8.
- (17.02.1967) *Tullamore Parking Bye-Laws 1966* (S.I. No. 38 of 1967); revoked (15.08.1970) by *Tullamore Traffic and Parking Bye-Laws 1977* (S.I. No. 272 of 1977), bye-law 4.
- (24.01.1967) *Loughrea Traffic and Parking Bye-Laws 1966* (S.I. No. 16 of 1967); revoked (23.07.1971) by *Loughrea Traffic and Parking Bye-Laws 1971* (S.I. No. 224 of 1971), bye-law 10.
- (20.07.1966) *Portlaoighise Parking Bye-Laws 1966* (S.I. No. 179 of 1966); revoked (8.07.1986) by *County of Laois Traffic and Parking Bye-Laws 1986* (S.I. No. 187 of 1986), bye-law 45.
- (22.04.1966) *Waterford Traffic and Parking Bye-Laws 1965* (S.I. No. 87 of 1966); revoked (2.06.1972) by *Waterford Traffic and Parking Bye-Laws 1972* (S.I. No. 187 of 1986) save bye-laws 5 and 7.
- (13.04.1966) *Carrick-On-Suir Parking Bye-Laws 1966* (S.I. No. 79 of 1966); revoked (9.01.1973) by *Carrick-On-Suir Traffic and Parking Bye-Laws 1972* (S.I. No. 6 of 1973), bye-law 3.
- (11.02.1966) *Clonmel Traffic and Parking Bye-Laws 1965* (S.I. No. 31 of 1966); revoked (19.10.1976) by *Clonmel Traffic and Parking Bye-Laws 1976* (S.I. No. 248 of 1976), bye-law 4.
- (12.01.1966) *Athy Parking Bye-Laws 1965* (S.I. No. 9 of 1966); revoked (12.02.1976) by *Athy Traffic and Parking Bye-Laws 1975* (S.I. No. 37 of 1976), bye-law 4.
- (16.12.1965) *Youghal Parking Bye-Laws 1965* (S.I. No. 256 of 1965); revoked (9.07.1971) by *Youghal Traffic and Parking Bye-Laws 1971* (S.I. No. 214 of 1971), bye-law 3.
- (7.10.1965) *Dundalk Parking Bye-Laws 1965* (S.I. No. 212 of 1965); revoked (16.12.1971) by *Dundalk Traffic and Parking Bye-Laws 1971* (S.I. No. 340 of 1971), bye-law 3.
- (6.10.1965) *Dungarvan Parking Bye-Laws 1965* (S.I. No. 210 of 1965); revoked (19.12.1972) by *Dungarvan Traffic and Parking Bye-Laws 1972* (S.I. No. 336 of 1972), bye-law 3.
- (5.08.1965) *Nenagh Parking Bye-Laws 1965* (S.I. No. 182 of 1965); revoked (2.10.1969) by *Nenagh Parking Bye-Laws 1969* (S.I. No. 186 of 1969), bye-law 3.
- (27.07.1965) *Clones Parking Bye-Laws 1965* (S.I. No. 170 of 1965); revoked (15.08.1977) by *Clones Traffic and Parking Bye-Laws 1977* (S.I. No. 271 of 1977), bye-law 4.
- (22.07.1965) *Killarney Parking Bye-Laws 1965* (S.I. No. 165 of 1965); revoked (20.06.1975) by *Killarney Traffic and Parking Bye-Laws 1975* (S.I. No. 132 of 1975), bye-law 4.
- (9.06.1965) *Tullamore Parking Bye-Laws 1965* (S.I. No. 127 of 1965); revoked (17.02.1967) by *Tullamore Parking Bye-Laws 1966* (S.I. No. 38 of 1967), bye-law 3.
- (12.02.1965) *An Uaimh Parking Bye-Laws 1964* (S.I. No. 31 of 1965); revoked (15.12.1970) by *An Uaimh Parking Bye-Laws 1970* (S.I. No. 305 of 1970), bye-law 3.
- (11.02.1965) *Ballina Parking Bye-Laws 1964* (S.I. No. 27 of 1965); revoked (12.05.1971) by *Ballina Traffic and Parking Bye-Laws 1971* (S.I. No. 165 of 1971), bye-law 3.
- (11.02.1965) *Cavan Traffic and Parking Bye-Laws 1964* (S.I. No. 28 of 1965); revoked (12.01.1966) by *Cavan Traffic and Parking Bye-Laws 1965* (S.I. No. 8 of 1966), bye-law 3.

- (15.01.1965) *Mullingar Parking Bye-Laws 1964* (S.I. No. 8 of 1965); revoked (28.05.1971) by *Mullingar Traffic and Parking Bye-Laws 1970* (S.I. No. 178 of 1971), bye-law 3.
- (26.11.1964) *Drogheda Traffic and Parking Bye-Laws 1964* (S.I. No. 267 of 1964); revoked (22.01.1971) by *Drogheda Traffic and Parking Bye-Laws 1970* (S.I. No. 18 of 1971), bye-law 3.
- (19.10.1964) *Monaghan Parking Bye-Laws 1964* (S.I. No. 252 of 1964); revoked (21.12.1973) by *Monaghan Traffic and Parking Bye-Laws 1973* (S.I. No. 352 of 1973), bye-law 4.
- (21.09.1964) *Galway Traffic and Parking Bye-Laws 1964* (S.I. No. 235 of 1964); revoked (3.05.1974) by *Galway Traffic and Parking Bye-Laws 1974* (S.I. No. 124 of 1974), bye-law 3.
- (24.08.1964) *Wexford Traffic and Parking Bye-Laws 1964* (S.I. No. 210 of 1964); revoked (24.05.1974) by *Wexford Traffic and Parking Bye-Laws 1973* (S.I. No. 165 of 1974), bye-law 3.
- (23.01.1964) *Castlebar Parking Bye-Laws 1963* (S.I. No. 11 of 1964); revoked (31.07.1970) by *Castlebar Traffic and Parking Bye-Laws 1970* (S.I. No. 182 of 1970), bye-law 3.
- (10.08.1963) *Cork Parking Bye-Laws 1963* (S.I. No. 158 of 1963); revoked (6.08.1974) by *Cork Parking Bye-Laws 1974* (S.I. No. 249 of 1974), bye-law 3.
- (10.08.1963) *Mallow Parking Bye-Laws 1963* (S.I. No. 159 of 1963); revoked (25.03.1970) by *Mallow Traffic and Parking Bye-Laws 1970* (S.I. No. 60 of 1970), bye-law 3.
- (9.05.1963) *Tralee Parking Bye-Laws 1963* (S.I. No. 79 of 1963); revoked (1.05.1970) by *Tralee Traffic and Parking Bye-Laws 1970* (S.I. No. 95 of 1970), bye-law 3.
- (17.04.1963) *Limerick Parking Bye-Laws 1963* (S.I. No. 62 of 1963); revoked (1.09.1975) by *Limerick Traffic and Parking Bye-Laws 1975* (S.I. No. 204 of 1975), bye-law 4.
- (26.01.1963) *Dublin Parking Bye-Laws 1962* (S.I. No. 11 of 1963); revoked (5.09.1969) by *Dublin Parking Bye-Laws 1969* (S.I. No. 170 of 1969), bye-law 5.

**E637** Previous affecting provision: requirement of ministerial approval for local authority to perform function under subs. (3)(b) removed (6.09.1993) by *Local Government Act 1991 (Removal of Controls) Regulations 1993* (S.I. No. 172 of 1993), reg. 4 and sch pt. 1. Section repealed as per F-note above.

**E638** Previous affecting provision: powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Metropolitan Streets Commission (12.11.1986) by *Dublin Metropolitan Streets Commission Act 1986* (15/1986), s. 8(1). Transfer of functions under 1986 Act terminated (9.04.1987) by *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987), art. 2.

**E639** Previous affecting provision: powers conferred on the Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority for Authority's functional area (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 33 subject to transitional provision in subs. (2), S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).

**E640** Previous affecting provision: application of section not restricted (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 48, S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

**E641** Previous affecting provision: requirement that bye-law made under section be submitted to Minister imposed (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 50; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

**E642** Previous affecting provision: bye-laws under section not restricted (20.07.1962) by *Omnibus (Stopping Places and Stands) General Bye-Laws 1962* (S.I. No. 122 of 1962), bye-law 10(2)(b).

Control of traffic when there is event attracting large assembly, etc.

**91.—(1)** For the purpose of preserving order in relation to traffic when there is an event attracting a large assembly of persons or when there is traffic congestion or a fire, flood or similar occurrence, a member of the Garda Síochána in uniform may do all or any of the following things: divert, regulate and control traffic and regulate and control the parking of vehicles.

(2) The powers conferred by subsection (1) of this section shall, in particular, include power to do all or any of the following things by oral or manual direction F161[or by the use of portable signs of such size, form and colour and having such significance as may be prescribed]:

- (a) prohibit the passage of traffic;
- (b) indicate the direction in which traffic is to proceed;
- (c) prohibit the parking of vehicles;
- (d) indicate places for the parking of vehicles or as stands for public service vehicles and regulate their use;
- (e) make any other prohibitions or indications which he considers necessary for preventing obstruction or disorder in traffic.

(3) A person who contravenes a direction given by a member of the Garda Síochána under this section F161[or who contravenes a prohibition, restriction or requirement indicated by a sign referred to in subsection (2) of this section] shall be guilty of an offence.

(4) Notwithstanding any other provision of this Act, a person may, for the purposes of this section, act temporarily as a parking attendant subject to his having been authorised so to do by an officer of the Garda Síochána.

#### Annotations

#### Amendments:

**F161** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

#### Editorial Notes:

**E643** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E644** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005. S. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10)(a), S.I. No. 255 of 2011.

**E645** Previous affecting provision: power pursuant to to this section, ss. 5 and 95 exercised (7.11.1969) by *Road Traffic (Signs) (Amendment) Regulations 1969* (S.I. No. 217 of 1969); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.

Prevention of obstruction of traffic by fairs and markets.

**92.—(1)** Where any fair or market is held in any public place within the functional area of the corporation of a county or other borough, the council of a county or an urban district or the commissioners of a town, the corporation, council or commissioners may make such bye-laws as they consider necessary for securing the free passage of vehicular traffic through public roads on the occasion of fairs or markets.

(2) F162[Sections 219 and 221 to 223] of the Public Health (Ireland) Act, 1878, shall apply to bye-laws under this section in like manner as they apply to bye-laws under that Act, subject to the modification that references therein to a sanitary authority



shall be construed as references to the corporation of a county or other borough, the council of a county or an urban district, or the commissioners of a town, as the case may require.

(3) A person who contravenes a bye-law under this section shall be guilty of an offence.

(4) Where a county includes any borough, urban district or town, the functional area of the council of the county shall, for the purposes of this section, be deemed not to include the borough, urban district or town.

#### Annotations

#### Amendments:

**F162** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

#### Editorial Notes:

**E646** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E647** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005. S. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10)(a), S.I. No. 255 of 2011.

Protection of  
bridges from  
excessive  
burdens.

**93.**—(1) (a) A road authority, railway F163[...]company or other person liable to maintain a bridge carrying a public road may, by notices in the prescribed form placed in the prescribed manner on the approaches to the bridge, prohibit any vehicle, which with the load (if any) thereon exceeds the weight specified in the notices, from passing over the bridge either (as may be specified in the notices) at all, at a speed exceeding a specified speed or subject to specified conditions.

(b) A notice placed on the approaches to a bridge which purports to be a notice under this subsection shall, in any legal proceedings, be presumed, until the contrary is shown, to be a notice placed pursuant to this subsection and to be in the prescribed form and placed in the prescribed manner.

(2) Notices shall not be placed under subsection (1) of this section in respect of a bridge unless some restriction on the use of the bridge is reasonably necessary to ensure that the traffic over the bridge will not impose on the bridge a greater burden than it is capable of bearing, and no such notice shall impose a greater restriction on the use thereof than is reasonably necessary for that purpose.

(3) A person, who claims that notices purporting to have been placed under subsection (1) of this section have been so placed in contravention of subsection (2) of this section, may appeal in the prescribed manner to the Minister and, on the hearing of the appeal, the Minister shall give such directions (whether for the maintenance, removal or alteration of the notices) as he thinks proper.

(4) Where the Minister, in consequence of an appeal to him under this section, gives directions for the removal or alteration of the notices to which the appeal relates, the person by whom the notices were placed shall, within three days after the communication of the directions to him, remove or alter the notices in accordance with the directions.

(5) A person who contravenes subsection (4) of this section shall be guilty of an offence.

(6) A person shall not drive a vehicle over a bridge in contravention of a notice placed under subsection (1) of this section in relation to the bridge (notwithstanding that the notice may have been placed in contravention of subsection (2) of this section).

(7) A person who contravenes subsection (6) of this section shall be guilty of an offence.

(8) Where a vehicle is driven over a bridge in such circumstances as to constitute an offence under subsection (6) of this section, the owner of the vehicle shall be liable in damages to the authority, company or other person liable to maintain the bridge for any injury caused to the bridge by the driving of the vehicle over the bridge, and the damages shall be recoverable by such person from the owner of the vehicle by civil action in any court of competent jurisdiction.

(9) Where notices are placed under this section in respect of a bridge, it shall be lawful, with the consent of the Commissioner, for the authority, company or other person liable to maintain the bridge, and it shall be the duty of such authority, company or other person if required by the Commissioner, to erect and maintain a sign, either in advance of or at the bridge, to give indication to traffic of the prohibition provided for by the notices, being a sign conforming with the prescribed provisions as to size, shape, colour and character.

#### Annotations

#### Amendments:

**F163** Repealed (1.07.1986) by *Canals Act 1986* (3/1986), s. 18 and sch. 3, with effect from vesting day as appointed by S.I. No. 207 of 1986.

**F164** Substituted by *Road Traffic Act 1968* (25/1968), s. 61(a), not commenced as of 16.04.2013.

**F165** Inserted by *Road Traffic Act 1968* (25/1968), s. 61(b) and (c), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C83** Prospective affecting provision: section amended by *Road Traffic Act 1968* (25/1968), s. 61(a), not commenced as of 16.04.2013.

**93.**—(1) F164[(a) A road authority, railway F163[...] company or other person liable to maintain a bridge carrying a public road may, by notices in the prescribed form placed in the prescribed manner on the approaches to the bridge, prohibit any vehicle or combination of vehicles which, or any part of which, transmits to the surface of that road a weight exceeding that specified in the notice in relation to such a vehicle or combination of vehicles or any part of such a vehicle or combination, from passing over that bridge either (as may be specified in the notices) at all, at a speed exceeding a specified speed or save on compliance with specified conditions.]

...

F165[(c) The reference in this subsection to a weight transmitted to the surface of a road by a vehicle or combination of vehicles shall be construed as a reference to the weight of such vehicle or combination, together with the weight of its load (if any), when such vehicle or combination is stationary, and the reference in this subsection to a weight transmitted to the surface of a road by any part of a vehicle or combination of vehicles shall be construed accordingly.]

...

(6) A person shall not drive a vehicle F165[or combination of vehicles] over a bridge in contravention of a notice placed under subsection (1) of this section in relation to the bridge (notwithstanding that the notice may have been placed in contravention of subsection (2) of this section).

(7) ...

(8) Where a vehicle F165[or combination of vehicles] is driven over a bridge in such circumstances as to constitute an offence under subsection (6) of this section, the owner of the vehicle F165[or combination of vehicles] shall be liable in damages to the authority, company or other person liable to maintain the bridge for any injury caused to the bridge by the driving of the vehicle F165[or combination of vehicles] over the bridge, and the damages shall be recoverable by such person from the owner of the vehicle F165[or combination of vehicles] by civil action in any court of competent jurisdiction.

**Editorial Notes:**

**E648** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E649** Power conferred upon Minister to transfer to a road authority certain functions of the Commissioner under section (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 62, S.I. No. 169 of 1968.

**E650** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005; s. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10)(a), S.I. No. 255 of 2011.

**E651** Previous affecting provision: powers conferred on the Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority for Authority's functional area (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 39(1)(b), S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).

Closing of particular roads to vehicles.

**94.**—(1) The Minister may, after holding a public inquiry, by order prohibit, subject to such exceptions or conditions as may be specified in the order, the driving of vehicles or any class of vehicles on any specified public road in respect of which it appears to him, in consequence of the inquiry, to be proved that the driving of vehicles or the class of vehicles on the road would endanger the traffic thereon or that the road is for any other reason unsuitable for use by vehicles or such class of vehicles.

(2) Where an order is made under subsection (1) of this section—

(a) it shall be the duty of the road authority charged with the maintenance of the road to which the order relates to erect and maintain, at such places as are specified in the order, notices in a form approved of by the Minister stating the effect of the order, and

(b) it shall be lawful for such road authority, with the consent of the Commissioner, and shall be their duty if required by the Commissioner, to erect and maintain a sign, either in advance of or at the road, to give indication to traffic of the prohibition provided for by the order, being a sign conforming with the prescribed provisions as to size, shape, colour and character.

(3) Where an order has been made under subsection (1) of this section, the Minister may at any time, after giving notice to the road authority charged with the maintenance of the road to which the order relates and considering any representations made to him by such road authority, by order revoke or amend the first-mentioned order and thereupon it shall be the duty of such road authority to remove or alter the notices erected and maintained by them under subsection (2) of this section in relation to the first-mentioned order.

(4) The making of representations pursuant to subsection (3) of this section shall—

(a) where they are made by the council of a county, the corporation of a borough other than a county borough or the council of an urban district, be a reserved function for the purposes of the County Management Acts, 1940 to 1955, and

(b) where they are made by the corporation of a county borough, be a reserved function for the purposes of the Acts relating to the management of the county borough.

(5) A person shall not drive a vehicle on a road in contravention of an order under subsection (1) of this section.

(6) Where a person contravenes subsection (5) of this section, he and, if he is not the owner of the vehicle, such owner shall each be guilty of an offence.

(7) Where a person charged with an offence under this section is the owner of the vehicle, it shall be a good defence to the charge for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

#### Annotations

#### Modifications (not altering text):

**C84** Application of section modified (1.01.1994) by *Roads Act 1993* (14/1993), s. 23(2)(a), S.I. No. 406 of 1993.

#### The Authority and traffic management.

**23.—** ...

(2) The Minister shall consult with the Authority before—

(a) making an order in relation to a national road under section 94 of the Act of 1961,

...

#### Editorial Notes:

**E652** Options for discharging onus of proof in relation to offences under section prescribed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(1), S.I. No. 255 of 2011.

**E653** Previous affecting provision: options for discharging onus of proof in relation to offences under section prescribed (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 21, S.I. No. 491 of 2002 as amended (20.01.2005) by *Road Traffic Act 2004* (44/2004), s. 15, S.I. No. 8 of 2005. S. 21 repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 81(10)(a), S.I. No. 255 of 2011.

Traffic signs.

**95.—**(1) In this section—

“road regulation” means an order, regulation, bye-law or rule under an enactment (other than section 86, F166[91,] 93, 94 or 96 of this Act) relating to traffic on F167[roads];

F167[“traffic sign” means any sign, device, notice or road marking, or any instrument for giving signals by mechanical means, which does one or more of the following in relation to a public road or public roads:

(a) gives information (such a sign being referred to in this section as ‘an information sign’),

(b) warns persons of danger or advises persons of the precautions to be taken against such danger, or both (such a sign being referred to in this section as ‘a warning sign’),

(c) indicates the existence of a road regulation or implements such a regulation, or both, or indicates the existence of a provision in an enactment relating to road traffic (such a sign being referred to in this section as ‘a regulatory sign’);]

“provide” includes erect or place, maintain and (in the case of an instrument for giving signals by mechanical means) operate and cognate words shall be construed accordingly.

(2) (a) The Minister, if he so thinks fit, may make regulations with respect to specified traffic signs, and where a traffic sign of the same kind as a traffic sign specified in any such regulations is provided by a road authority, it shall be in accordance with the regulations unless otherwise authorised by the Minister.

(b) Regulations under this subsection may specify the significance to be attached to a traffic sign specified in the regulations, but this provision shall not be construed as requiring the regulations to provide that the traffic sign is to comprise any word, words or symbol indicating precisely the significance of the traffic sign.

F167[F168[(3) (a) A road authority may provide in respect of public roads in their charge such information signs and warning signs as they consider desirable.

(b) A road authority may, after consultation with the Commissioner, provide in respect of public roads in their charge such regulatory signs as they consider desirable.]

(4) F169[...]

(5) F170[(a) A road authority shall provide in respect of public roads in their charge such regulatory signs as may be requested by the Commissioner, in the positions indicated by him or her and shall, as respects any traffic signs so provided, carry out any periodical transfers from place to place and any alterations and removals which he or she may request.]

(b) A road authority shall, at the request of the Commissioner, remove any regulatory sign which the Commissioner considers has been provided in a manner or at a location that might adversely affect the safety of road users.]

(6) Where the provision by a road authority of a traffic sign on land adjacent to but not forming part of a public road is reasonably necessary, the road authority may, after at least twenty-one days' notice, given by registered post to the occupier (if any) of the land and to every (if any) person interested in the land whose existence, name and address can be ascertained by such road authority by reasonable enquiries, enter and provide the traffic sign on the land.

(7) Where a traffic sign is provided under subsection (6) of this section on any land by a road authority, any person interested in the land may at any time, on giving notice of his intention so to do to the road authority, apply to the Minister to direct the removal of the traffic sign.

(8) Where an application is made under subsection (7) of this section, in relation to a traffic sign provided on any land, the Minister, after consideration of the application, shall either—

(a) refuse the application,

(b) if he is satisfied that the provision of the traffic sign is not reasonably necessary, direct the removal of the traffic sign from the land, or

(c) if he is satisfied that the provision of the traffic sign in its existing position causes unnecessary or unreasonable hardship, direct the removal of the traffic sign to another position on the land.

(9) Where the Minister gives a direction under subsection (8) of this section in relation to a traffic sign, the road authority who provided the traffic sign shall comply with the direction.

(10) A person other than a road authority shall not provide a traffic sign visible from a public road without the consent of the F167[road authority having charge of the road].

(11) The occupier or (in the case of unoccupied land) the owner of land on which a traffic sign is provided in contravention of subsection (10) of this section shall be guilty of an offence and, in any prosecution for an offence under this subsection and notwithstanding any other provision of this Act, the traffic sign shall be presumed, until the contrary is shown by the defendant, to have been provided by a person other than a road authority without the consent of the F167[road authority having charge of the road].

(12) Where a person wilfully obstructs or interferes with the exercise by a road authority of the powers conferred by subsection (6) of this section, or without lawful authority, removes, defaces or otherwise injures a traffic sign provided under this section, he shall be guilty of an offence.

(13) Expenses incurred by a road authority in providing traffic signs for a public road shall be part of the expenses of maintaining the road.

(14) A person shall not provide any such sign, device, notice or light as is not a traffic sign if, on provision thereof, it is visible from a public road and—

- (a) it is capable of being confused with a traffic sign,
- (b) it makes a traffic sign provided in accordance with this section less visible to road users, or
- (c) it obstructs the view of public road users so as to render the road dangerous to them.

(15) The occupier or (in the case of unoccupied land) the owner of land on which a sign, device, notice or light is provided in contravention of subsection (14) of this section shall be guilty of an offence.

(16) Where a traffic sign, not being a traffic sign to which regulations under subsection (2) of this section relate, is provided under this section by a road authority, it shall be in conformity with any general or particular directions that may be given from time to time by the Minister.

(17) A traffic sign standing provided under any subsection of section 69 of the Local Government Act, 1946, at the commencement of this section shall be deemed to be provided under the corresponding subsection of this section.

(18) A traffic sign on or near a public road shall, in any prosecution for an offence under this Act, be presumed, until the contrary is shown by the defendant, to have been so placed lawfully and to be in accordance with any regulation, or in conformity with any direction, under this section relating to it.

(19) A request by F171[...] the Commissioner under this section may be signed by an officer of the Garda Síochána authorised in that behalf by the Commissioner.

(20) Where a person is charged with an offence under subsection (11) or subsection (15) of this section, it shall be a good defence to the charge for him to show—

- (a) that the traffic sign, sign, device, notice or light to which the charge relates was provided neither by him nor with his consent, and
- (b) that as soon as was practicable after its provision came to his notice, he had it removed.

**Annotations****Amendments:**

- F166** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.
- F167** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 37(a)-(c), S.I. No. 222 of 1994.
- F168** Substituted (9.08.2010) by *Road Traffic Act 2010* (25/2010), s. 78(1)(a), S.I. No. 394 of 2010.
- F169** Deleted (9.08.2010) by *Road Traffic Act 2010* (25/2010), s. 78(1)(b), S.I. No. 394 of 2010.
- F170** Substituted (9.08.2010) by *Road Traffic Act 2010* (25/2010), s. 78(1)(c), S.I. No. 394 of 2010.
- F171** Deleted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 37(d), S.I. No. 222 of 1994.

**Modifications (not altering text):**

- C85** Application of subs. 6 extended by (21.09.2011) *European Communities (Road Infrastructure Safety Management) Regulations 2011* (S.I. No. 472 of 2011).
- C86** Application of section modified (1.01.2011) by *Public Transport Regulation Act 2009* (37/2009), ss. 2 and 46(3)-(7), S.I. No. 615 of 2010.

**Definitions.**

2.— In this Act— ...

“Authority” means Dublin Transport Authority, until the day appointed as the appointed day for the purposes of section 30, and from that day National Transport Authority;

...

**Measures to enhance public bus services —traffic calming measures.**

46.—...

(3) Where the Authority considers it more convenient, more expeditious, more effective or more economic that the functions of a road authority to provide traffic signs under section 95 (as amended by section 37 of the Act of 1994) of the Act of 1961 or to provide traffic calming measures under section 38 of the Act of 1994 should be performed by it to enhance public bus services or improve facilities for cyclists, it shall following consultation with the relevant road authority decide to provide traffic signs or traffic calming measures.

(4) Where the Authority decides to perform functions under *subsection (3)* it has the powers of a road authority to provide traffic signs under section 95 (as amended by section 37 of the Act of 1994) of the Act of 1961 or to provide traffic calming measures under section 38 of the Act of 1994.

(5) Before carrying out works arising from a decision under *subsection (3)* the Authority shall consult with and consider the views of the relevant road authority.

(6) The Minister may prescribe a class of case in which a decision by the Authority under *subsection (3)* does not have effect unless and until it is approved by him or her.

(7) A road authority shall not restrict or inhibit the operation of traffic calming measures provided by the Authority under *subsection (3)* without the prior consent of the Authority.

...

- C87** Application of subss. (2), (16) not restricted (1.10.2008) by *Official Languages Act 2003 (Section 9) Regulations 2008* (S.I. No. 391 of 2008), reg. 3(3)(b).

*Application*

3. ...

(3) These Regulations do not apply to ...

(b) traffic signs—

(i) to which Regulations under section 95(2) of the Act of 1961 apply, or

(ii) to which a direction under section 95(16) of that Act applies, and

...

**C88** Application of section not restricted (11.03.2002) by *Planning and Development Act 2000* (30/2000), s. 179(6)(bb), S.I. No. 599 of 2001, as inserted (1.01.2011) by *Public Transport Regulation Act 2009* (37/2009), s. 46(2), S.I. No. 615 of 2010.

**Local authority own development.**

**179.—** ...

(6) This section shall not apply to proposed development which— ...

[(*bb*) consists of works, other than works involving road widening, to enhance public bus services or improve facilities for cyclists provided under section 95 (as amended by section 37 of the Road Traffic Act 1994) of the Road Traffic Act 1961 or under section 38 of the Road Traffic Act 1994,]

...

**C89** Application of subs. (1) extended (23.12.2001) by *Transport (Railway Infrastructure) Act 2001* (55/2001), s. 54(2), commenced on enactment.

**Speed limits.**

**54.—** ...

(2) Subject to *subsections (3) and (4)*, the Minister may make regulations prescribing in respect of any specified public road or parts of a public road the speed which shall be the speed limit on such road or roads for a light rail vehicle, and any such regulations shall be road regulations for the purposes of section 95(1) of the Act of 1961.

...

**C90** Power to make regulations in relation to traffic signs already the subject of regulations under subs. (2) provided (1.05.1997) by *Road Traffic Act 1994* (7/1994), s. 35(2)(q), S.I. No. 180 of 1997.

**Regulations for general control of traffic and pedestrians.**

**35.—** ...

(2) Regulations under this section may, in particular and without prejudice to the generality of subsection (1), provide for all or any of the following matters: ...

(*q*) the control and regulation of traffic and pedestrians by means of traffic signs in relation to which regulations (including regulations as to the significance to be attached to those signs) are for the time being in force under section 95 (2) of the Principal Act;

...

**Editorial Notes:**

**E654** Power pursuant to section and s. 86 exercised (1.10.2012, 1.05.2013 and 1.10.2013) by *Road Traffic (Signs) (Amendment) Regulations 2012* (S.I. No. 331 of 2012).

**E655** Power pursuant to section exercised (15.12.2006) by *Road Traffic (Signs) Regulations 2006* (S.I. No. 637 of 2006).

**E656** Power pursuant to section exercised (30.11.2005) by *Road Traffic (Traffic Signs - Periodic Special Speed Limits) Regulations 2005* (S.I. No. 756 of 2005).

**E657** Power pursuant to section exercised (20.01.2005) by *Road Traffic (Speed Limit - Traffic Signs) Regulations 2005* (S.I. No. 10 of 2005).

**E658** Power pursuant to this section and s. 5 exercised (28.06.2004) by *Road Traffic (Signs) (Amendment) Regulations 2004* (S.I. No. 403 of 2004).



- E659** Power pursuant to this section and s. 5 exercised (13.03.2003) by *Road Traffic (Signs) (Amendment) Regulations 2003* (S.I. No. 97 of 2003).
- E660** Power pursuant to this section and s. 5 exercised (1.11.1998) by *Road Traffic (Signs) (Amendment) Regulations 1998* (S.I. No. 273 of 1998).
- E661** Power pursuant to this section and ss. 5 and 86 exercised (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997).
- E662** Power pursuant to subs. (2)(a) exercised (23.01.1974) by *Road Traffic (Signs) (Temporary Authorisation) Order 1974* (S.I. No. 9 of 1974).
- E663** Power pursuant to subs. (2)(a) exercised (17.01.1972) by *Road Traffic (Signs) (Temporary Authorisation) Order 1972* (S.I. No. 5 of 1972).
- E664** Previous affecting provision: power pursuant to section exercised (20.12.2011) by *Road Traffic (Signs) (Amendment) Regulations 2011* (S.I. No. 672 of 2011); revoked (1.10.2012) by *Road Traffic (Signs) (Amendment) Regulations 2012* (S.I. No. 331 of 2012), reg. 3.
- E665** Previous affecting provision: power pursuant to this section and s. 5 exercised (27.04.1993) by *Road Traffic (Signs) (Bus Lane) (Amendment) Regulations 1993* (S.I. No. 113 of 1993); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E666** Previous affecting provision: power pursuant to this section and s. 5 exercised (6.07.1992) by *Road Traffic (Signs) (Amendment) Regulations 1992* (S.I. No. 183 of 1992); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E667** Previous affecting provision: power pursuant to this section and s. 5 exercised (29.07.1991) by *Road Traffic (Signs) (Amendment) Regulations 1991* (S.I. No. 205 of 1991); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E668** Previous affecting provision: power pursuant to this section and s. 5 exercised (18.11.1988) by *Road Traffic (Signs) (Amendment) Regulations 1988* (S.I. No. 292 of 1988); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E669** Previous affecting provision: certain powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Metropolitan Streets Commission (1.06.1987) by *Dublin Metropolitan Streets Commission Act 1986* (30/1986), s. 8(2), S.I. No. 67 of 1987. Transfer of functions under 1986 Act terminated (9.04.1987) by *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987), art. 2 prior to commencement of the section.
- E670** Previous affecting provision: certain powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 35, S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).
- E671** Previous affecting provision: power pursuant to this section and s. 5 exercised (26.06.1985) by *Road Traffic (Signs) (Amendment) Regulations 1985* (S.I. No. 182 of 1985); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E672** Previous affecting provision: power pursuant to this section and s. 5 exercised (30.09.1983) by *Road Traffic (Signs) (Amendment) Regulations 1983* (S.I. No. 276 of 1983); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E673** Previous affecting provision: power pursuant to this section and s. 5 exercised (18.09.1981) by *Road Traffic (Signs) (Bus Lane) (Amendment) Regulations 1981* (S.I. No. 333 of 1981); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E674** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.02.1981) by *Road Traffic (Signs) (Bus Lane) Regulations 1980* (S.I. No. 358 of 1980); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.

- E675** Previous affecting provision: power pursuant to this section and s. 5 exercised (20.12.1979) by *Road Traffic (Signs) (Bus Lanes) Regulations 1979* (S.I. No. 413 of 1979); revoked (1.02.1981) by *Road Traffic (Signs) (Bus Lane) Regulations 1980* (S.I. No. 358 of 1980), reg. 2.
- E676** Previous affecting provision: power pursuant to this section and s. 5 exercised (28.09.1979) by *Road Traffic (Signs) (Amendment) (No. 2) Regulations 1979* (S.I. No. 329 of 1979); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E677** Previous affecting provision: power pursuant to this section and s. 5 exercised (19.02.1979) by *Road Traffic (Signs) (Amendment) Regulations 1979* (S.I. No. 51 of 1979); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E678** Previous affecting provision: power pursuant to this section and s. 5 exercised (4.03.1977) by *Road Traffic (Signs) (Amendment) Regulations 1977* (S.I. No. 66 of 1977); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E679** Previous affecting provision: power pursuant to this section and s. 5 exercised (28.11.1975) by *Road Traffic (Signs) (Amendment) Regulations 1975* (S.I. No. 280 of 1975); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E680** Previous affecting provision: power pursuant to section and s. 5 exercised (6.08.1974) by *Road Traffic (Signs) (Amendment) Regulations 1974* (S.I. No. 247 of 1974); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E681** Previous affecting provision: power pursuant to this section and s. 5 exercised (8.09.1971) by *Road Traffic (Signs) (Amendment) (No. 3) Regulations 1971* (S.I. No. 256 of 1971); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E682** Previous affecting provision: power pursuant to this section and s. 5 exercised (14.06.1971) by *Road Traffic (Signs) (Amendment) (No. 2) Regulations 1971* (S.I. No. 188 of 1971); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E683** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.04.1971) by *Road Traffic (Signs) (Amendment) Regulations 1971* (S.I. No. 127 of 1971); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E684** Previous affecting provision: power pursuant to this section and s. 5 exercised (16.07.1970) by *Road Traffic (Signs) (Amendment) Regulations 1970* (S.I. No. 164 of 1970); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E685** Previous affecting provision: power pursuant to this section, ss. 5 and 91 exercised (7.11.1969) by *Road Traffic (Signs) (Amendment) Regulations 1969* (S.I. No. 217 of 1969); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E686** Previous affecting provision: power pursuant to subs. (2)(a) exercised (17.12.1969 for period to 31.12.1971) by *Road Traffic (Signs) (Temporary Authorisation) Order 1969* (S.I. No. 258 of 1969).
- E687** Previous affecting provision: power pursuant to subs. (2)(a) exercised (21.12.1967 for period to 31.12.1969) by *Road Traffic (Signs) (Temporary Authorisations) Order 1967* (S.I. No. 301 of 1967).
- E688** Previous affecting provision: words substituted in definition of "traffic sign" in subs. (1) (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Definition substituted as per F-note above.
- E689** Previous affecting provision: power pursuant to to this section, ss. 5 and 86 exercised (14.10.1966) by *Road Traffic (Signs) (Amendment) Regulations 1966* (S.I. No. 233 of 1966); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E690** Previous affecting provision: power pursuant to this section and s. 5 exercised (12.03.1964) by *Road Traffic (Licensing of Drivers) Regulations 1964* (S.I. No. 56 of 1964); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.
- E691** Previous affecting provision: power pursuant to section exercised (15.10.1962 for period to 31.12.1962) by *Road Traffic (Signs) (Temporary Authorisations) Order 1962* (S.I. No. 172 of 1962).

**E692** Previous affecting provision: power pursuant to this section, ss. 5, 86 and 96 exercised (15.10.1962) by *Road Traffic (Signs) Regulations 1962* (S.I. No. 171 of 1962); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.

Patrol of places where school-children cross public roads.

**96.**—(1) The council of a county, the corporation of a county or other borough, the council of an urban district or the commissioners of a town may, with the consent of the Commissioner of the Garda Síochána, make arrangements for the patrolling, by persons (in this section referred to as F172[school wardens]) employed or nominated by them, of places where school-children cross public roads.

(2) A F172[school warden] may exhibit such sign as may be prescribed requiring traffic to stop and remain stopped so as to enable school-children to cross the road in safety, and traffic shall stop and remain stopped accordingly so long as the sign is exhibited.

(3) A person who fails to stop a vehicle or animal or keep it stopped in accordance with subsection (2) of this section shall be guilty of an offence.

(4) The power conferred on a F172[school warden] by subsection (2) of this section shall be exercisable only if the warden is wearing such uniform as may be prescribed.

(5) Where a county includes any borough, urban district or

town, the functional area of the council of the county shall, for the purposes of this section, be deemed not to include the borough, urban district or town.

(6) A person acting as a F172[school warden] shall, in any legal proceedings, be presumed, until the contrary is shown, to have been so acting in accordance with arrangements duly made under this section and with the regulations for the purposes of this section.

(7) In this section—

“traffic” does not include pedestrians;

“uniform” includes any garment, armband or cap.

#### Annotations

#### Amendments:

**F172** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

#### Editorial Notes:

**E693** Certain offences under section declared to be fixed charge offences (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), regs. 4, 5(a)(i) and sch. 1, pt. 1.

**E694** Previous affecting provision: certain powers conferred on Commissioner of the Garda Síochána by section transferred to Dublin Transport Authority (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 35, S.I. No. 357 of 1986. *Dublin Transport Authority Act 1986* repealed and powers transferred back to the Garda Commissioner (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), ss. 13 and 8, commenced as per s. 15(5).

**E695** Previous affecting provision: power pursuant to this section, ss. 5, 86 and 95 exercised (15.10.1962) by *Road Traffic (Signs) Regulations 1962* (S.I. No. 171 of 1962); revoked (1.10.1997) by *Road Traffic (Signs) Regulations 1997* (S.I. No. 181 of 1997), reg. 4 and sch. 10.

**F173**[Removal of vehicles abandoned or unlawfully parked.

**97.**—(1) The Minister may make regulations authorising and providing for the removal, storage and disposal of vehicles which—

(a) have been, or appear to have been, abandoned on a public road, or in a car park provided under section 101 of this Act, or

(b) have been parked in contravention of **F174**[the *Road Traffic Acts, 1961 to 1994*] or of a regulation, bye-law or rule thereunder.

(2) Regulations under this section may, in particular and without prejudice to the generality of subsection (1) of this section—

(a) specify the persons or classes of persons by or on whose authority vehicles may be removed, stored or disposed of,

(b) authorise and provide for the recovery by persons referred to in paragraph (a) of this subsection from the owners of vehicles removed or stored of charges, in accordance with a prescribed scale, in respect of such removal or storage and for the disposition of moneys received in respect of such charges,

(c) authorise and provide for the sale (or the disposal otherwise than by sale) by or on behalf of persons referred to in paragraph (a) of this subsection of vehicles removed or stored and provide for the disposition of moneys received in respect of such sale or other disposal.

(3) Regulations under this section may apply generally or in such circumstances as may be specified in such regulations and different regulations may be made for different circumstances.

(4) Notwithstanding any other provisions of this section, a vehicle removed under this section shall not be disposed of thereunder before the expiration of a period of six weeks from the date of the removal or two weeks after notice has been given in the prescribed manner, whichever is the longer.

(5) A person who obstructs or impedes, or assists another person to obstruct or impede, the removal of a vehicle under this section shall be guilty of an offence.

(6) No action shall lie in respect of anything done in good faith and without negligence in the course of the removal, storage or disposal of a vehicle under this section.

(7) For the purposes of this section ‘vehicle’ shall include—

(a) a part of a vehicle,

(b) an article designed as a vehicle but (not at the time of removal) capable of functioning as a vehicle,

(c) a load on or in a vehicle.]

#### Annotations

#### Amendments:

**F173** Substituted (13.01.1971) by *Road Traffic Act 1968* (25/1968), s. 63, S.I. No. 6 of 1971.

**F174** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k).

**F175** Substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C91** Prospective affecting provision: subs. (1)(b) substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

(b) have been parked in contravention of F175[**this Act**] or of a regulation, bye-law or rule thereunder.

**C92** Application of section restricted (1.07.1996) by *Waste Management Act 1996* (10/1996), s. 71(4), S.I. No. 192 of 1996.

**Abandoned vehicles.**

**71.— ...**

(4) Without prejudice to the provisions of *sections 55 (6) and 56*, and notwithstanding the provisions of any regulations made under section 97 (inserted by section 63 of the Road Traffic Act, 1968) of the Road Traffic Act, 1961, a local authority may enter on any land upon which a vehicle has been abandoned and remove the said vehicle; a local authority shall not, other than with the consent of the occupier, enter into a private dwelling under this subsection unless it has given to the occupier of the dwelling not less than 24 hours notice in writing of its intended entry.

...

**C93** Application of section not restricted (1.05.1983) by *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983* (S.I. No. 91 of 1983), reg. 8.

8. Subject to the provisions of subsection (4) of section 97 of the Act, a road authority or the Commissioner, as the case may be, may dispose of a vehicle which has been removed and stored in accordance with the provisions of these Regulations in any manner they or he think fit where the owner of the vehicle has not claimed it or has not paid the charges due in accordance with the provisions of article 7 of these Regulations.

**Editorial Notes:**

**E696** Power pursuant to this section and s. 5 exercised (29.09.1998) by *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1998* (S.I. No. 358 of 1998).

**E697** Power pursuant to this section and s. 5 exercised (1.05.1983) by *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983* (S.I. No. 91 of 1983).

**E698** Previous affecting provision: power pursuant to this section and s. 5 exercised (15.07.1991) by *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1991* (S.I. No. 185 of 1991); revoked (29.09.1998) by *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1998* (S.I. No. 358 of 1998), reg. 2.

**E699** Previous affecting provision: power pursuant to this section and s. 5 exercised (30.01.1990) by *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1990* (S.I. No. 24 of 1990); revoked (15.07.1991) by *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1991* (S.I. No. 185 of 1991), reg. 3.

**E700** Previous affecting provision: application of section not restricted (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 34(5)(a), S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

**E701** Previous affecting provision: construction of section modified (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 34(10)(a), S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

**E702** Previous affecting provision: provision made for ministerial approval of bye-laws made under section and prosecution of summary offence under section (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), ss. 50 and 53(5), S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

**E703** Previous affecting provision: power pursuant to this section and s. 5 exercised (28.03.1977) by *Road Traffic (Removal, Storage and Disposal of Vehicles) (Amendment) Regulations 1977* (S.I. No. 95 of 1977); revoked (1.05.1983) by *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983* (S.I. No. 91 of 1983), reg. 3.

**E704** Previous affecting provision: power pursuant to this section and s. 5 exercised and this section applied (13.01.1971) by *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1971* (S.I. No. 5 of 1971); revoked (1.05.1983) by *Road Traffic (Removal, Storage and Disposal of Vehicles) Regulations 1983* (S.I. No. 91 of 1983), reg. 3.

Prohibition of obstruction of traffic.

**98.**—(1) A person shall not do any act (whether of commission or omission) which causes or is likely to cause traffic through any public place to be obstructed.

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

(3) Where a person is charged with an offence under this section, it shall be a good defence to the charge for him to show that there was lawful authority for the act complained of or that it was due to unavoidable accident.

Prohibition of unauthorised holding or getting on to vehicles.

**99.**—(1) A person shall not hold on to, or get on or in to, a moving vehicle in a public place.

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

(3) Where a person is charged with an offence under this section, it shall be a good defence to the charge for him to show that there was lawful authority for the act complained of or that otherwise there was reasonable cause therefor.

Cyclists holding on to other vehicles.

**100.**—(1) A person on a bicycle or a tricycle in a public place shall not hold on to any other vehicle (other than a pedal bicycle which no person is driving) which is in motion or hold on to any person or thing on, in or attached to any such vehicle.

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

Provision of car parks by local authorities.

**101.**—(1) In this section—

“local authority” means a sanitary authority within the meaning of the Local Government (Sanitary Services) Acts, 1878 to 1952;

“car park” means a place (not being part of a public road) for the parking of mechanically propelled vehicles.

(2) A local authority may provide such one or more car parks (and access thereto) as they consider desirable in order to relieve or prevent traffic congestion.

(3) A local authority may, with the consent of the Minister, assist any person providing a car park, and the assistance may consist either of a contribution of money or the execution of works or the grant or lease of land.

(4) F176[...]

(5) F176[...]

(6) Subsection (2) of this section shall be construed as conferring on a local authority—

(a) power, subject to the consent of the Minister, to erect a building used wholly or mainly for parking mechanically propelled vehicles,

(b) power, subject to the consent of the Minister, to erect waiting rooms, cloak rooms F177[, petrol stations, shops] and similar facilities for any car park provided by them,

(c) power to adapt land for use as a car park.

(7) A local authority may make bye-laws as to the use of any car park provided by them under this section, and, in particular, in relation to all or any of the following matters:

(a) restricting the classes of vehicles which may be admitted to the car park;

(b) specifying the charges to be made for the use of the car park;

(c) specifying the periods for which vehicles may remain in the car park.

F177[(d) specifying the conditions subject to which vehicles may use the car park.]

F177[(7A) A person who contravenes a bye-law under subsection (7) of this section shall be guilty of an offence.]

F178[(7B) Where, in relation to a mechanically propelled vehicle, there is a contravention of a bye-law under subsection (7) of this section, each of the following persons shall be guilty of an offence—

(a) the registered owner of the vehicle,

(b) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and

(c) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.

(7C) (a) Where a person charged with an offence under subsection (7B) (inserted by the *Road Traffic Act, 1994*) of this section is the registered owner of the vehicle concerned, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that—

(i) such use was unauthorised, or

(ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(b) Where a person charged with an offence under subsection (7B) (as so inserted) of this section is a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.]

(8) F179[...]

(9) Where a local authority become of opinion that the land used for a car park provided by them under this section should be used for a different purpose for which they may lawfully use land, the local authority may terminate the use of the land for a car park.

(10) A local authority who have provided under this section a car park may, with the consent of the Minister, sell or lease the car park or any part thereof F177[or any facilities provided for the car park under subsection (6) of this section] to any person subject to such conditions as they think proper.

(11) The Minister may, with the consent of the Minister for Finance, F180[make grants from moneys provided by the Oireachtas] towards the expenses incurred under this section by a local authority.

F177[(12) The Minister may, with the consent of the Minister for Finance and on such terms and conditions as to repayment as that Minister thinks proper, make loans from the Road Fund towards the expenses incurred under this section by a local authority.

(13) The operation of a car park (including the operation of facilities therefor) on or in property leased by a local authority shall be deemed not to be a business within the meaning of the Landlord and Tenant Acts, 1931 to 1967.]

#### Annotations

#### Amendments:

**F176** Deleted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**F177** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968

**F178** Inserted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(i), S.I. No. 222 of 1994.

**F179** Repealed (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 4(1), S.I. No. 222 of 1994.

**F180** Substituted (18.07.1980) by *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980), reg. 2 and sch.

#### Modifications (not altering text):

**C94** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

#### Schedule 1

#### Enactments

...

#### Part 2

#### 1922 to 2011 Enactments

| Number and Year | Short Title           | Provision                                         |
|-----------------|-----------------------|---------------------------------------------------|
| (1)             | (2)                   | (3)                                               |
| ...             | ...                   | ...                                               |
| No. 24 of 1961  | Road Traffic Act 1961 | Sections 9, 87(1)(e), 101(11) and (12) and 120(2) |
| ...             | ...                   | ...                                               |



- C95** Production of driving licence not required in relation to charge under section by *Road Traffic Act 2002* (12/2002), s. 22(1)(a) as substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 21, S.I. No. 26 of 2005, and later substituted (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 63, S.I. No. 543 of 2011.

**Inspection of driving licences of persons charged with certain offences.**

**[22.—** [(1) A person who it is alleged has committed an offence or has been charged with the commission of an offence under the Road Traffic Acts 1961 to 2010 other than—

- (a) section 84 (inserted by section 15 of the Act of 2002), section 85 (inserted by section 16 of the Act of 2002) or section 101 of the Principal Act, or

...

and is due to appear before a court to answer the accusation or charge, shall on the first date he or she is due to appear before the court or on a subsequent date at the discretion of the presiding judge—

- (i) produce to the court his or her driving licence or learner permit, and deliver it to the registrar, clerk or other principal officer of the court, and
- (ii) provide a legible copy of that licence or learner permit to the court at that time, which the court shall require and retain for the purposes of establishing and recording the driving licence or learner permit details to which it relates,

and the court shall record whether or not the licence or permit and the copy of the licence or permit have been produced.]]

- C96** Requirement of ministerial consent for local authority to perform function under subss. (3), (6) and (10) removed (6.09.1993) by *Local Government Act 1991 (Removal of Controls) Regulations 1993* (S.I. No. 172 of 1993), reg. 4(1) and sch.

**Removal of Controls.**

4. (1) Subject to sub-article (2), a function which is performed by a local authority under a provision specified in column (3) of an enactment specified in column (2), and which pursuant to that provision is subject to a requirement (which confers a function on the Minister) specified in column (4), may be performed by the local authority without compliance with that requirement and the said provision shall be so construed and shall apply and have effect accordingly.

...

**Editorial Notes:**

- E705** Certain offences under section declared to be fixed charge offences (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), regs. 4, 5(a)(i) and sch. 1, pt. 1.
- E706** Previous affecting provision: application of section restricted by *Dublin Transport Authority Act 1986* (15/1986), s. 36(12), not commenced; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E707** Previous affecting provision: provision made for prosecution of summary offence under section (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 53(5), S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E708** Previous affecting provision: subs. (8) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Subs. (8) repealed as per above F-note.

**Annotations****Amendments:**

**F181** Inserted (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 9, commenced as per s. 15(5).

**F182** Repealed (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 4(1), subject to transitional provision in subs. (2), S.I. No. 222 of 1994.

**Editorial Notes:**

**E709** Power pursuant to this section and s. 5 exercised (18.11.1988) by *Road Traffic (Bollards and Ramps) (Amendment) Regulations 1988* (S.I. No. 291 of 1988).

**E710** Power pursuant to this section and s. 5 exercised (2.03.1988) by *Road Traffic (Bollards and Ramps) Regulations 1988* (S.I. No. 32 of 1988).

**F183** [Immobilisation, removal etc. of unlawfully parked vehicles.

**101B.—(1)** In this section—

‘authorised person’ means a person, or a member of a class of persons, prescribed for the purposes of this section;

‘immobilisation device’ means any device or appliance designed or adapted for fixing to a vehicle for the purpose of preventing it from being driven or otherwise put in motion;

‘vehicle’ means a mechanically propelled vehicle.

(2) Where an authorised person finds on a public road a vehicle that is parked in contravention of any prohibition or restriction imposed under section **F184**[35, 36 or 36A of the Road Traffic Act 1994], he or a person acting under his direction may—

(a) fix an immobilisation device to the vehicle while it remains in the place where he finds it, or

(b) move it from the place where he finds it (whether or not he has fixed an immobilisation device to it) to another place and fix an immobilisation device to it in that other place.

(3) When fixing an immobilisation device to a vehicle, there shall also be affixed to the vehicle a notice in the prescribed form—

(a) indicating that the device has been fixed to the vehicle and warning that an attempt should not be made to drive it or otherwise put it in motion until the device is removed,

(b) specifying the steps to be taken to secure such removal, and

(c) giving such other information (if any) as may be prescribed.

(4) Subject to subsection (5), an immobilisation device that has been fixed to a vehicle under this section may be removed only by an authorised person or a person acting under his direction.

(5) (a) An immobilisation device fixed to a vehicle under this section shall be removed only—

(i) if the person seeking its removal shows to the satisfaction of any authorised person that he is the owner of the vehicle or is authorised by its owner to seek such removal and pays the prescribed charge,

(ii) for the purpose of the removal of the vehicle under section 97 of this Act,  
or

(iii) for the purpose of moving the vehicle under subsection (2) of this section.

(b) Where the owner of a vehicle that is parked and to which an immobilisation device has been fixed under this section shows to the satisfaction of any authorised person that the vehicle was so parked while being used by a person other than the owner and that such use was not authorised by the owner, the authorised person shall waive the prescribed charge and he or a person acting under his direction shall remove the immobilisation device from the vehicle.

(c) An immobilisation device fixed to a vehicle under this section shall be removed therefrom as soon as is reasonably practicable after the payment of the prescribed charge or after the waiver of such charge, as the case may be.

(6) A notice affixed to a vehicle under this section shall not be removed or interfered with by a person other than the owner of the vehicle or a person authorised by such owner to use the vehicle and a person who contravenes this subsection shall be guilty of an offence.

(7) A person who—

(a) obstructs or impedes an authorised person, or a person acting under his direction, in the performance of his functions under this section, or

(b) without being authorised to do so under this section, removes or attempts to remove from a vehicle an immobilisation device fixed to it under this section,  
shall be guilty of an offence.

(8) (a) An immobilisation device shall not be fixed under this section to an ambulance, a fire brigade vehicle or any vehicle used by a member of the Garda Síochána in the performance of his duties as such member.

(b) This section shall not apply to a vehicle on which there is prominently displayed a valid permit for a disabled driver under F185[regulations or bye-laws under F184[section 35, 36 or 36A of the Road Traffic Act 1994]]

(9) The Minister may, after consultation with the Minister for Justice, make regulations for the purpose of enabling full effect to be given to this section and such regulations may, in particular, but without prejudice to the generality of the foregoing, specify requirements in relation to:

(a) the type of immobilisation device to be used,

(b) the form of a notice under subsection (3) of this section,

(c) the amount of the charge under subsection (5) of this section and the manner in which and the person to whom such charge shall be paid.

(10) Any regulations under section 34 of the Dublin Transport Authority Act, 1986, that are in force immediately before the commencement of the *Dublin Transport Authority (Dissolution) Act, 1987*, shall continue in force after such commencement, and may be amended or revoked, as if they had been made under this section.]

#### Annotations

#### Amendments:

**F183** Inserted (1.01.1988) by *Dublin Transport Authority (Dissolution Act) 1987 (34/1987)*, s. 9, commenced as per s. 15(5).

**F184** Substituted (11.07.2007) by *Roads Act 2007* (34/2007), s. 12(3), commenced on enactment.

**F185** Substituted (12.08.1998) by *Road Traffic Act 1994* (7/1994), s. 49(1)(j)(ii), S.I. No. 284 of 1998.

**Editorial Notes:**

**E711** Power pursuant to this section and s. 5 exercised (1.01.2010) by *Road Traffic (Immobilisation of Vehicles) (Amendment) Regulations 2009* (S.I. No. 406 of 2009).

**E712** Power pursuant to this section and s. 5 exercised (20.07.1998) by *Road Traffic (Immobilisation of Vehicles) Regulations 1998* (S.I. No. 247 of 1998).

**E713** Previous affecting provision: subs. (2) amended (12.08.1998) by *Road Traffic Act 1994* (7/1994), s. 49(1)(j), S.I. No. 284 of 1998; superseded as per F-note above.

**F186**[Control of access to and egress from construction sites by vehicles.

**101C.**—(1) A road authority may, after consultation with the Commissioner, make bye-laws providing for the regulation and control of access to and egress from construction sites generally or a specified class of construction site or a specified construction site by vehicles or a specified class of vehicle.

(2) Bye-laws under this section may, in particular but without prejudice to the generality of subsection (1) of this section—

(a) specify the times and days during which such access and egress as aforesaid is permitted,

(b) specify the number of vehicles permitted to have such access and egress during specified periods, and

(c) require vehicles or a specified class of vehicle to be cleaned before leaving a construction site or a specified class of construction site or a specified construction site.

(3) A person who contravenes a bye-law under this section shall be guilty of an offence.

(4) This section shall not apply to construction sites for the purpose of the widening of or other alteration to, or the carrying out of repairs, maintenance or other works to, above or under, a public road or the construction of a public road.

(5) Sections 219 and 221 to 223 of the Public Health (Ireland) Act, 1878, shall apply to bye-laws under this section as they apply to bye-laws under that Act.

(6) Any bye-laws under section 41 of the Dublin Transport Authority Act, 1986, and in force immediately before the commencement of the *Dublin Transport Authority (Dissolution) Act, 1987*, shall continue in force after such commencement, and may be amended or revoked, as if they had been made under this section.]

**Annotations**

**Amendments:**

**F186** Inserted (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 9, commenced as per s. 15(5).

**F187**[Roadworks. **101D.**—(1) In this section—

‘local authority’ means—

(a) the council of a county,

- (b) the corporation of a county or other borough, or
- (c) the council of an urban district

standing prescribed for the time being for the purposes of this section;

'roadworks' means repairs, maintenance, alterations, improvements or installations or any other works to, above or under, a public road;

'emergency roadworks' means roadworks the carrying out of which is immediately required in order to prevent, or reduce the risk of, loss, injury or damage to persons or property.

(2) (a) Notwithstanding any other enactment, a local authority may give a direction in writing to any person in relation to the carrying out of roadworks in its functional area.

(b) A local authority may, by a direction in writing given to the person to whom a direction was given under this subsection, revoke or amend the latter direction.

(c) A direction given to a person under this subsection may apply to all roadworks undertaken by the person or to specified roadworks undertaken by him.

(3) A direction under subsection (2) of this section may specify:

(a) the periods during which and the times at which roadworks shall or shall not be carried out,

(b) the period within which roadworks shall be completed,

(c) the manner in which roadworks shall or shall not be carried out,

(d) requirements and standards in relation to the temporary or permanent reinstatement of a public road following the carrying out of roadworks.

(e) requirements in relation to the giving of security for satisfactory reinstatement of a public road following the carrying out of roadworks,

(f) requirements in relation to the control of traffic in the vicinity of roadworks.

(4) When giving a direction under this section, a local authority shall have regard to:

(a) the need to co-ordinate, in such manner as to minimise any disruption of traffic by the roadworks concerned, the periods during which and the times at which the roadworks concerned and other roadworks (whether or not they are in the functional area of the local authority) are carried out,

(b) the necessity to minimise the disruption to traffic caused by the roadworks concerned and other roadworks,

(c) the urgency of the need to carry out the roadworks, and

(d) any cost likely to be incurred as a result of the direction.

(5) (a) Subsection (2) of this section does not apply to the carrying out of roadworks (being roadworks the carrying out of which would, but for this subsection, be in contravention of a direction or regulations under this section) at any time when the person carrying them out reasonably believes that the roadworks are emergency roadworks,

(b) Paragraph (a) of this subsection shall not be construed as preventing a local authority from giving a direction under subsection (2) of this section where it is satisfied that the carrying out of the roadworks concerned is not, or is

- no longer, immediately required in order to prevent or reduce the risk of loss, injury or damage to persons or property.
- (6) (a) The Minister may make regulations for the purpose of giving effect to this section and, without prejudice to the generality of the foregoing, such regulations may contain provisions:
- (i) specifying local authorities and the areas in which they may perform their functions under this section,
  - (ii) requiring advance notice of proposed roadworks, other than emergency roadworks, to be given to the local authority concerned,
  - (iii) requiring notice of emergency roadworks to be given to the local authority concerned as soon as may be after their commencement,
  - (iv) requiring specified information to be given to the local authority concerned regarding—
    - (I) proposed roadworks, or
    - (II) emergency roadworks,
  - (v) specifying time limits for the giving of directions by local authorities,
  - (vi) specifying requirements and standards for the temporary or permanent reinstatement of roadworks,
  - (vii) specifying requirements in relation to traffic control in the vicinity of roadworks.
- (b) Different regulations may be made under this subsection:
- (i) in respect of different local authorities,
  - (ii) in respect of different areas of the functional area of a local authority,
  - (iii) in respect of different types of roadworks,
  - (iv) for different circumstances.
- (7) (a) A person who contravenes a direction or regulation under this section shall be guilty of an offence and shall be liable:
- (i) on summary conviction, to a fine not exceeding £1,000 or, at the discretion of the court, to imprisonment for a term not exceeding 12 months or to both the fine and the imprisonment, or
  - (ii) on conviction on indictment, to a fine not exceeding £50,000 or, at the discretion of the court, to imprisonment for a term not exceeding 5 years or to both the fine and the imprisonment.
- (b) Where an offence under this subsection has been committed by a body corporate and is found to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a person, being a director, manager, secretary or other officer of the body corporate, or a person who was purporting to act in any such capacity, that person as well as the body corporate shall be guilty of the offence and be liable to be proceeded against and punished accordingly.
- (c) Section 13 of the Criminal Procedure Act, 1967, shall apply in relation to an offence to which paragraph (a) of this subsection relates as if, in lieu of the penalties provided for in subsection (3) of the said section, there were specified therein the penalties provided for in the said paragraph (a) and the reference in subsection (2) (a) of the said section 13 to the penalties

provided for in the said subsection (3) shall be construed and have effect accordingly.

(8) (a) Local authorities or the Minister shall not be liable for any loss, injury or damage, or any expenditure incurred by another person by reason of the performance or non-performance of their functions under this section.

(b) Subsection (2) of this section does not apply to the carrying out of roadworks by a local authority.

(9) In performing its functions a local authority shall—

(a) have regard to the need to co-ordinate works carried out by it to, above or under, a public road with the carrying out of roadworks by other persons,

(b) have regard to the need to minimise traffic disruption,

(c) comply with regulations under subsection (6) which are stated therein to apply to local authorities.

(10) Any bye-laws or directions under section 40 of the Dublin Transport Authority Act, 1986, that are in force immediately before the commencement of the *Dublin Transport Authority (Dissolution) Act, 1987*, shall continue in force after such commencement, and may be amended or revoked, as if, in the case of bye-laws, they were regulations under this section and, in the case of directions, had been made under this section.]

#### Annotations

#### Amendments:

**F187** Inserted (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 9, commenced as per s. 15(5).

#### Modifications (not altering text):

**C97** Application of section modified (1.01.1994) by *Roads Act 1993* (14/1993), s. 23(2)(b), S.I. No. 406 of 1993.

#### The Authority and traffic management.

**23.—** ...

(2) The Minister shall consult with the Authority before— ...

(b) making regulations under section 101D of the Act of 1961 (as inserted by section 9 of the *Dublin Transport Authority (Dissolution) Act, 1987*),

...

#### Editorial Notes:

**E714** Power pursuant to this section and s. 5 exercised (9.11.1992) by *Road Traffic (Co-Ordination of Roadworks) Regulations 1992* (S.I. No. 323 of 1992).

**E715** Previous affecting provision: power pursuant to this section and s. 5 exercised (6.09.1988) by *Road Traffic (Co-Ordination of Roadworks) Regulations 1988* (S.I. No. 220 of 1988); revoked (9.11.1992) by *Road Traffic (Co-Ordination of Roadworks) Regulations 1992* (S.I. No. 323 of 1992), reg. 10.

## PART IX.

### MISCELLANEOUS.

General penalty. **102.**—Where a person is guilty of an offence under any section or subsection of a section of F188[*the Road Traffic Acts, 1961 to 1994*] and, apart from this section and disregarding any disqualification that may be capable of being imposed, no penalty is provided for the offence, such person shall be liable on summary conviction—

- (a) in the case of a first offence under that section or subsection—to F189[a fine not exceeding €1,000],
- (b) in the case of a second offence under that section or subsection, or of a third or subsequent such offence other than an offence referred to in the next paragraph—to F190[a fine not exceeding €2,000], and
- (c) in the case of a third or subsequent offence under that section or subsection which is the third or subsequent such offence in any period of twelve consecutive months—to F191[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

#### Annotations

##### Amendments:

**F188** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994.

**F189** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table pt. 1, ref. no. 20, S.I. No. 86 of 2007.

**F190** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table pt. 1, ref. no. 21, S.I. No. 86 of 2007.

**F191** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table pt. 1, ref. no. 22, S.I. No. 86 of 2007.

**F192** Substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

##### Modifications (not altering text):

**C98** Prospective affecting provision: section amended by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**102.**—Where a person is guilty of an offence under any section or subsection of a section of F192[*this Act*] and, apart from this section and disregarding any disqualification that may be capable of being imposed, no penalty is provided for the offence, such person shall be liable on summary conviction— ...

##### Editorial Notes:

**E716** Previous affecting provision: fines in paras. (a)-(c) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table pt. 1, ref. nos. 21-23, S.I. No. 491 of 2002. Fines increased as per F-notes above.

**E717** Previous affecting provision: section amended (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994. Section amended as per above F-note.

**E718** Previous affecting provision: fines in paras. (a)-(c) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 2, commenced on enactment. Fines increased as per E-notes above.

**E719** Penalty under section may be supplemented by penalty under *Road Traffic Act 1968* (25/1968), s. 56(1) as substituted (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 33(10), S.I. No. 357 of 1986.



Special provision applying where certain offences are alleged to have been committed.

F193[103.—F194[(1) This section applies to—

- (a) such summary offences under the *Road Traffic Acts 1961 to 2006* and the *Roads Act 1993* as may be declared by the Minister by regulations, made after consultation with the Minister for Justice, Equality and Law Reform, to be fixed charge offences,
- (b) such offences under—
  - (i) the *Road Transport Act 1933* (including any Act construed as one with it) which may not be tried on indictment, or
  - (ii) any regulation made under the *European Communities Act 1972* providing for the carriage of merchandise by road or the carriage of passengers by road or the issuing of transport discs,
 as may be declared by the Minister by regulations to be fixed charge offences,
- (c) an offence under Regulation 4 of the *European Communities (Installation and Use of Speed Limitation Devices in Motor Vehicles) Regulations 2005* (S.I. No. 831 of 2005),
- (d) an offence under Regulation 5, 6, 7, 8 or 9 of the *European Communities (Compulsory Use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* (S.I. No. 240 of 2006), and
- (e) an offence under section 73 of the *Finance Act 1976*,

and an offence standing so declared under paragraph (a) or (b) and each of the offences referred to in paragraphs (c), (d) and (e) are referred to in this section as a fixed charge offence.]

(2) Where a member of the Garda Síochána has reasonable grounds for believing that a fixed charge offence is being or has been committed by a person—

- (a) if the member identifies the person, the member shall serve, or cause to be served, personally or by post, on the person a notice under this section,
- (b) if the member does not identify the person and the offence involves the use of a mechanically propelled vehicle, the member shall serve, or cause to be served, personally or by post, on the registered owner of the vehicle a notice under this section.

(3) In a case referred to in subsection (2) of this section, if the offence concerned is not a penalty point offence (within the meaning of the *Road Traffic Act, 2002*)—

- (a) the references in that subsection to a member of the Garda Síochána shall be construed as including references to a traffic warden, and
- (b) paragraph (b) of that subsection shall be construed as if ‘or shall affix such a notice to the vehicle’ were inserted after ‘notice under this section’.

F195[(3A) In a case referred to in subsection (2), if the offence is an offence referred to in subsection (1)(b), the references in subsection (2) (other than paragraph (b)) to a member of the Garda Síochána are to be read as including references to a transport officer (within the meaning of section 15 of the *Road Transport Act 1986*).]

(4) Where—

- (a) a notice under this section is served on the registered owner of a mechanically propelled vehicle or affixed to such a vehicle, and

F196[F197[(b) the registered owner of the vehicle was not driving or otherwise using the vehicle at the time of the commission of the alleged offence to which the notice relates,]]

the registered owner shall—

- (i) not later than 28 days after the date of the notice give or send to a member of the Garda Síochána or a traffic warden at the Garda Síochána station or other place specified in the notice a document in the prescribed form signed by the registered owner and stating the name and address of the person who was driving or otherwise using the vehicle at the time of such commission, and
- (ii) give or send to a member of the Garda Síochána or a traffic warden within such period as may be specified by the member or warden at the Garda Síochána station or other place aforesaid such other information within his or her knowledge or procurement as the member or warden may reasonably request for the purpose of identifying, and establishing the whereabouts of, the person referred to in subparagraph (i) of this paragraph.

(5) The Commissioner shall, not later than 28 days after a document referred to in subsection (4) of this section containing the name and address of the person who was driving or otherwise using the vehicle concerned at the time of the commission of the alleged offence concerned is given or sent to a member of the Garda Síochána or a traffic warden, cause a notice under this section to be served, personally or by post, on the person.

(6) A notice under this section shall be in the prescribed form and, if it relates to a penalty point offence (within the meaning of the Road Traffic Act, 2002) shall contain a statement to the effect that, if the person on whom it is served makes a payment specified in paragraph (b) or (c) of subsection (7) or, as the case may be, subsection (8) of this section in accordance with those provisions or is convicted of the offence aforesaid, different specified numbers of penalty points (within the meaning aforesaid) will be endorsed on the entry (within the meaning aforesaid) of the person.

F198[(6A) A notice under this section in the prescribed form—

- (a) shall contain details of the manner of payment of a fixed charge, and
- (b) may specify the person to whom and the place where the payment is to be made and whether the payment is to be accompanied by the notice, duly completed.]

(7) If a notice is served pursuant to subsection (2)(a) or (5) of this section, it shall, without prejudice to the generality of subsection (6) of this section, contain a statement to the effect that—

- (a) the person on whom it is served is alleged to have committed an offence specified in the notice,

F199[(b) the person may, during the period of 28 days beginning on the date of the notice, make a payment of a F200[fixed charge of a prescribed amount] as specified in the notice,

- (c) if the person does not make the payment specified in paragraph (b) of this subsection, during the period so specified, the person may, during the period of 28 days beginning on the expiration of that period, make a payment of a fixed charge as specified in the notice of an amount 50 per cent greater than the prescribed amount referred to in paragraph (b) of this subsection, and ]

- (d) a prosecution in respect of the alleged offence will not be instituted during the periods specified in the notice or, if a payment so specified F201[in accordance with the notice], is made during the appropriate period so specified in relation to the payment, at all.

(8) If a notice is served or affixed to a mechanically propelled vehicle pursuant to subsection (2)(b) of this section, it shall, without prejudice to the generality of subsection (6) of this section, contain a statement to the effect that—

(a) an offence specified in the notice is alleged to have been committed,

F202[(b) a person liable to be prosecuted for the offence may, during the period of 28 days beginning on the date of the notice, make a payment of a fixed charge of a prescribed amount,

(c) if the person does not make the payment specified in paragraph (b) of this subsection during the period so specified the person may, during the period of 28 days beginning on the expiration of the period specified in that paragraph, make a payment of a fixed charge of an amount 50 per cent greater than the prescribed amount referred to in paragraph (b) of this section,]

(d) if the registered owner of the vehicle concerned was not driving or otherwise using the vehicle at the time of the commission of the alleged offence concerned, he or she is required by subsection (4) of this section—

(i) not later than 28 days after the date of the notice, to give or send to a member of the Garda Síochána or a traffic warden at a specified Garda Síochána station or at another specified place a document in the prescribed form signed by the registered owner and stating the name and address of the person who was driving or otherwise using the vehicle at the time of such commission, and

(ii) to give or send to a member of the Garda Síochána or a traffic warden within such period as may be specified by him or her at a specified Garda Síochána station or another specified place such other information within his or her knowledge or procurement as the member or warden may reasonably request for the purpose of identifying, and establishing the whereabouts of, the person referred to in subparagraph (i) of this paragraph,

(e) a prosecution in respect of the alleged offence will not be initiated during the periods specified in the notice pursuant to paragraphs (b) and (c) of this subsection or, if a payment specified in the notice F201[in accordance with the notice], is made during the appropriate period so specified in relation to the payment, at all,

(f) if a payment aforesaid accompanied by the notice, duly completed, is made during the appropriate period aforesaid, the registered owner need not comply with subsection (4) of this section,

(g) if the registered owner complies with the said subsection (4), a payment aforesaid need not be made by the registered owner and a prosecution of him or her in respect of the alleged offence will not be initiated, and

F203[(h) subject to paragraph (f) of this subsection, failure to comply with the said subsection (4) is an offence upon summary conviction of which the registered owner is liable to a fine not exceeding €1,000. ]

F198[(8A) The payment of a fixed charge shall not be accepted after the expiration of the period of 56 days beginning on the date of the notice concerned that was served or affixed under subsection (2) or served under subsection (5) of this section, as the case may be.]

(9) Where a notice is served or affixed under subsection (2) of this section or served under subsection (5) of this section—

F204[(a) a person or the person to whom the notice applies may, during the period specified in the notice and in accordance with the notice, make a payment specified in the notice,

(b) the payment—

- (i) may be received in accordance with the notice and the person receiving the payment may issue a receipt for it, and
  - (ii) shall be paid into or disposed of for the benefit of the Exchequer as the Minister for Finance directs,
- and shall not be recoverable by the person who made it,]
- (c) a prosecution in respect of the alleged offence to which the notice relates shall not be instituted during the periods specified in the notice or, if a payment so specified is made during the period so specified F201[in accordance with the notice], in relation to the payment, at all,
  - (d) in case the notice is F205[served or affixed] pursuant to paragraph (b) of the said subsection (2) and a payment aforesaid F201[in accordance with the notice], is so made, the registered owner need not comply with subsection (4) of this section, and
  - (e) if the registered owner complies with the said subsection (4), the payment aforesaid need not be made by the registered owner and a prosecution of the registered owner in respect of the alleged offence aforesaid shall not be initiated.

F206[(10) In a prosecution for a fixed charge offence it shall be presumed until the contrary is shown that—

- (a) the relevant notice under this section has been served or caused to be served, and
- (b) that a payment pursuant to the relevant notice under this section, accompanied by the notice, duly completed (unless the notice provides for payment without the notice accompanying the payment), has not been made.]

(11) Where, in a case to which subsection (2)(b) of this section applies, the registered owner of the mechanically propelled vehicle concerned does not furnish in accordance with subsection (4) of this section the information specified in paragraph (i) of that subsection, then, in a prosecution of that owner for the alleged offence to which the notice under the said subsection (2)(b) relates, it shall be presumed, until the contrary is shown that he or she was driving or otherwise using the vehicle at the time of the commission of the said alleged offence.

(13) A person who contravenes subsection (4) of this section shall, subject to subsection (9)(d) of this section, be guilty of an offence and a person who contravenes subsection (12) of this section F207[is guilty of an offence and is liable on summary conviction to a fine not exceeding €1,000].

(14) It shall be a defence for a person charged with an offence under subsection (13) of this section consisting of a contravention of subsection (4) of this section for the person to show that the information concerned was not within his or her knowledge or procurement and that he or she had taken all reasonable steps to obtain the information.

(15) In a prosecution for an offence under subsection (13) of this section consisting of a contravention of subsection (4) of this section, it shall be presumed, until the contrary is shown, that the accused person received the notice under this section to which the offence relates.

(16) In a prosecution of a person for—

- (a) the alleged offence to which a notice under this section, served on the registered owner of a mechanically propelled vehicle, relates, or
- (b) an offence under subsection (17) of this section,

a document, purporting to be a document under subsection (4) of this section stating the name and address of the person who was driving or otherwise using the vehicle at the time of the commission of the alleged offence referred to in paragraph (a) of this subsection and to be signed by that registered owner, given or sent under paragraph (i) of that subsection by that owner to a member of the Garda Síochána or a traffic warden shall, until the contrary is shown, be deemed to be such a document and to be so signed and, in case the prosecution is for the offence referred to in paragraph (a) of this subsection, shall be admissible as evidence, until the contrary is shown, of the facts stated in it.

(17) A person who, pursuant to subsection (4) of this section, gives or sends to a member of the Garda Síochána or a traffic warden information (whether or not contained in a document) that is, to his or her knowledge, false or misleading shall be guilty of an offence.

(18) Notwithstanding the provisions of section 10(4) of the Petty Sessions (Ireland) Act, 1851, summary proceedings for an offence under subsection (13) of this section consisting of a contravention of subsection (4) of this section may be brought at any time within 2 years from the date on which the offence was committed.

(19) (a) The Minister may authorise in writing such and so many persons as he or she may determine to perform the functions conferred on traffic wardens by this section; and a person so authorised shall, when performing any such function, if so requested, produce to the person who made the request the authorisation of the Minister under this section or a copy of it.

(b) The Minister may revoke an authorisation under this subsection.

(c) The number of persons standing authorised under this subsection and their remuneration and other conditions of service shall be such as may be determined by the Minister with the consent of the Minister for Finance.

(d) Neither the F208[Public Service Management (Recruitment and Appointments) Act 2004] nor the Civil Service Regulation Act, 1956, shall apply to the position of traffic warden.

(e) In this subsection, 'the Minister' means the Minister for Justice, Equality and Law Reform.

(20) Where a traffic warden has reasonable grounds for believing that a person is committing or has committed a fixed charge offence, the traffic warden may request of the person his or her name and address and, if the person does not comply with the request or gives a name or address that is false or misleading, he or she shall be guilty of an offence.

F209[(21) Regulations prescribing the amount of a fixed charge may prescribe different amounts in relation to—

(a) different fixed charge offences,

(b) fixed charge offences involving different classes of vehicles, or

(c) fixed charge offences committed in different areas.]

(22) (a) In this section 'traffic warden' means a person standing authorised under subsection (19) of this section.

(b) In this section, references to a notice under this section, duly completed, are references to such a notice on which the number, the date of the grant, and the period of validity, of the driving licence of the person to whom the notice relates F210[as required in the notice] have been inserted by or on behalf of the person.

F198[(23) (a) The Minister for Justice, Equality and Law Reform may, by an agreement in writing, entered into with a person, upon such terms and conditions as may be specified in the agreement, provide for the performance by that person of—

(i) the function of the Commissioner in respect of the serving of a document under subsection (5) of this section, or

(ii) any of the functions of a member of the Garda Síochána or a traffic warden under this section other than the functions specified in subsection (2) of this section.

(b) An agreement referred to in paragraph (a) of this subsection may apply to the performance of all or any of the functions to which that paragraph refers in respect of all or selected offences in respect of which this section applies.

(c) Section 14(2), (3) and (4) of the Road Traffic Act 2002 applies to any agreement entered into by the Minister for Justice, Equality and Law Reform under paragraph (a) of this subsection.]]

#### Annotations

#### Amendments:

**F193** Substituted (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 11(1), S.I. No. 491 of 2002, subject to transitional provisions in subss. (2) and (3).

**F194** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F195** Inserted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(b), (i), S.I. No. 384 of 2006.

**F196** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 18(b), (d), (e), (h), S.I. No. 26 of 2005.

**F197** Transitionally substituted (25.07.2012) by *Road Traffic Act 2010* (25/2010), s. 48(3), S.I. No. 293 of 2012, until the commencement of s. 35 as provided in s. 35(4), and until commencement of s. 49(a) of the *Road Traffic Act 2010* (25/2010) which repeals s. 103.

**F198** Inserted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 18(c), (f), (i), S.I. No. 26 of 2005.

**F199** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 18(b), (d), (e), (h), S.I. No. 26 of 2005.

**F200** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F201** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F202** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 18(b), (d), (e), (h), S.I. No. 26 of 2005.

**F203** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 18(b), (d), (e), (h), S.I. No. 26 of 2005.

**F204** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F205** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F206** Substituted (24.01.2005) by *Road Traffic Act 2004* (44/2004), s. 18(b), (d), (e), (h), S.I. No. 26 of 2005.

**F207** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F208** Substituted (6.10.2004) by *Public Service Management (Recruitment and Appointments) Act 2004* (33/2004), s. 61(1) and sch. 2, pt. 1, commenced on enactment.

**F209** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(a), (c)-(h), S.I. No. 384 of 2006.

**F210** Inserted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 14(b), (i), S.I. No. 384 of 2006.

**F211** Repealed by *Road Traffic Act 2010* (25/2010), s. 49(a), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C99** Prospective affecting provision: section repealed by *Road Traffic Act 2010* (25/2010), s. 49(a), not commenced as of 16.04.2013.

**103.—F211[...]**

**C100** Prospective affecting provision: application of section modified by *Road Traffic Act 2010* (25/2010), s. 47(3), not commenced as of 16.04.2013.

**Interpretation.**

**47.—...**

(3) A reference to a notice under section 103 (inserted by section 11 of the Act of 2002) of the Principal Act served on a person after the commencement of *section 35* is to be read as a reference to a notice under this Part.

**C101** Application of subs. (5)(b) transitionally modified (25.07.2012) by *Road Traffic Act 2010* (25/2010), s. 48(2) and (4), S.I. No. 293 of 2012. Note: the reference to subs. (5)(b) of s. 103 appears to refer to subs. (4) as there is no para. (b) in subs. (5).

**Transitional measure —onus of proof in respect of named driver and discharge duties of registered owner —section 103(4) of Principal Act.**

**48.—...**

(2) For the purposes of subsection (5)(b) of section 103 of the Principal Act where the registered owner of the vehicle concerned is not an individual, the obligation under that provision shall be discharged by a person acting on behalf of or employed by the owner.

...

(4) This section stands repealed on the commencement of *section 35*.

**C102** Application of section extended (18.08.1976) by *Finance Act 1976* (16/1976), s. 74(1), S.I. No. 185 of 1976.

**Provisions supplementary to section 73.**

**74.—**(1) Subsections (2), (3) and (5) of section 103 of the Road Traffic Act, 1961, shall apply in relation to an offence under section 73 of this Act as if the offence were an offence to which the said section 103 applies.

...

**Editorial Notes:**

**E720** Certain offences under *European Communities (Compulsory Use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* ( S.I. No. 240 of 2006 ) made under subs. (1)(d) declared to be fixed charge offences and amounts set for fixed charges in respect of contravention (3.08.2012) by *Road Traffic Acts 1961 to 2011 (Fixed Charge Offences) Regulations 2012* (S.I. No. 294 of 2012), regs. 4, 5(c)(ii) and sch. 3 part 2. See also *European Communities (Compulsory use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* (S.I. No 240 of 2006).

**E721** Onus transitionally placed on registered owner to show proof of giving or sending name and address for the purposes of subss. (4)(i) and (13) (25.07.2012) by *Road Traffic Act 2010* (25/2010), s. 48(1), S.I. No. 293 of 2012.

**E722** Power pursuant to section and s. 5 exercised (4.05.2009) by *Road Traffic Acts 1961 To 2007 (Fixed Charge offences) (Prescribed Notice and Document) Regulations 2009* (S.I. No. 113 of 2009).

- E723** Power pursuant to section and s. 5 exercised (1.09.2006) by *Road Traffic Acts 1961 to 2006 (Fixed Charge Offence) (Holding Mobile Phone While Driving) Regulations 2006* (S.I. No. 444 of 2006).
- E724** Power pursuant to section and s. 5 exercised (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006).
- E725** Power pursuant to section and s. 5 exercised to prescribe form of notice and penalties for purposes of section (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), in operation as per reg. 2.
- E726** Deemed user of vehicle for purposes of subs. (11) provided and application of subs. (8)(h) extended (24.01.2005) by *Road Traffic Act 2004 (44/2004)*, ss. 19 and 20, S.I. No. 26 of 2005.
- E727** Previous affecting provision: subss. (1) and (9)(a) substituted (24.01.2005) by *Road Traffic Act 2004(44/2004)*, s. 18, S.I. No. 26 of 2005; substituted as per F-note above.
- E728** Procedure regarding penalty point offences prescribed (31.10.2002 and 1.06.2003) by *Road Traffic Act 2002 (12/2002)*, s. 2(1), S.I. No. 491 of 2002 and S.I. No. 214 of 2003, as amended (1.05.2009) by *Road Traffic Act 2006 (23/2006)*, s. 16(1), S.I. No. 148 of 2009.
- E729** Previous affecting provision: subs. (4)(b) substituted (24.01.2005) by *Road Traffic Act 2004 (44/2004)*, s. 18(b), (d), (e), (h), S.I. No. 26 of 2005; substituted as per F-note above.
- E730** Previous affecting provision: power pursuant to this section and s. 5 exercised (25.08.2003) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 2003* (S.I. No. 322 of 2003); revoked (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 8(c).
- E731** Previous affecting provision: power pursuant to this section and s. 5 exercised (31.10.2002) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 2002* (S.I. No. 492 of 2002); revoked (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 8(b).
- E732** Previous affecting provision: power pursuant to this section and s. 5 exercised (29.01.1999) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1999* (S.I. No. 12 of 1999); revoked (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 8(a).
- E733** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.10.1997) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1997* (S.I. No. 396 of 1997); revoked (29.01.1999) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1999* (S.I. No. 12 of 1999), reg. 6.
- E734** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.12.1996) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1996* (S.I. No. 319 of 1996); revoked (1.10.1997) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1997* (S.I. No. 396 of 1997), reg. 7.
- E735** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995); revoked (1.12.1996) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1996* (S.I. No. 319 of 1996), reg. 7.
- E736** Previous affecting provision: subss. (2)(b), (3)(b), (4)(a) and (b), (8) substituted (1.06.1995) by *Road Traffic Act 1994 (7/1994)*, s. 43, S.I. No. 86 of 1995; section substituted as per F-note above.
- E737** Previous affecting provision: words substituted (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 49(1)(k), S.I. No. 222 of 1994. Section substituted as per E-note above.
- E738** Previous affecting provision: power pursuant to this section and s. 5 exercised (30.01.1990) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1990* (S.I. No. 23 of 1990); revoked (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995), reg. 6 and sch. 2.
- E739** Previous affecting provision: subs. (1) substituted (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987 (34/1987)*, s. 10(1)(a), commenced as per s. 15(5); subs. (1) substituted as per above F-note.



- E740** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.01.1987) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1986* (S.I. No. 443 of 1986); revoked (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995), reg. 6 and sch. 2.
- E741** Previous affecting provision: subs. (1) substituted (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 44, S.I. No. 357 of 1986; subs. (1) substituted as per F-note above.
- E742** Previous affecting provision: power pursuant to this section and s. 5 exercised (2.09.1985) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1985* (S.I. No. 255 of 1985); revoked (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995), reg. 6 and sch. 2.
- E743** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.05.1983) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1983* (S.I. No. 90 of 1983); revoked (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995), reg. 6 and sch. 2.
- E744** Previous affecting provision: power pursuant to this section and s. 5 exercised (20.06.1979) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1979* (S.I. No. 167 of 1979); revoked (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995), reg. 6 and sch. 2.
- E745** Previous affecting provision: power pursuant to this section and s. 5 exercised (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976); revoked (1.06.1995) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1995* (S.I. No. 87 of 1995), reg. 6 and sch. 2.
- E746** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.09.1975) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1975* (S.I. No. 158 of 1975); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.
- E747** Previous affecting provision: power pursuant to section and s. 5 exercised (6.08.1974) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1974* (S.I. No. 246 of 1974); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.
- E748** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.02.1971) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1971* (S.I. No. 12 of 1971); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.
- E749** Previous affecting provision: power pursuant to this section and s. 5 exercised (9.01.1970) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1970* (S.I. No. 4 of 1970); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.
- E750** Previous affecting provision: subs. (6A) inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Section substituted and new subs. (6A) later inserted as per E-notes above.
- E751** Previous affecting provision: subs. (2), (3) amended and subs. (8) inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 64(1), S.I. No. 169 of 1968. Amendments substituted as per E-notes above.
- E752** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.08.1964) by *Road Traffic Act 1961 (Section 103) (Offences) (Amendment) Regulations 1964* (S.I. No. 191 of 1964); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.

**E753** Previous affecting provision: power pursuant to subss. (1)-(3) and s. 5 exercised (30.05.1962) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1962* (S.I. No. 91 of 1962); revoked (10.08.1976) by *Road Traffic Act 1961 (Section 103) (Offences) Regulations 1976* (S.I. No. 188 of 1976), reg. 6 and sch. 2.

Notice of offence. **104.—F212[...]**

**Annotations**

**Amendments:**

**F212** Repealed in relation to offences under this section committed after 31.10.2002 (31.10.2002) by *Road Traffic Act 2002 (12/2002)*, s. 25(2), S.I. No. 491 of 2002.

**Editorial Notes:**

**E754** Previous affecting provision: section amended (1.09.1968) by *Road Traffic Act 1968 (25/1968)*, s. 6 and sch., S.I. No. 169 of 1968. Section repealed as per above F-note.

Evidence of speed. **105.—F213[...]**

**Annotations**

**Amendments:**

**F213** Repealed (1.06.2003) by *Road Traffic Act 2002 (12/2002)*, s. 25(2), S.I. No. 214 of 2003.

**Editorial Notes:**

**E755** Previous affecting provision: para. (b) amended (22.07.1994) by *Road Traffic Act 1994 (7/1994)*, s. 44, S.I. No. 222 of 1994. Section repealed as per above F-note.

Duties on occurrence of accident. **106.—(1)** Where injury is caused to person or property in a public place and a vehicle is involved in the occurrence of the injury (whether the use of the vehicle was or was not the cause of the injury), the following provisions shall have effect:

- (a) if the vehicle is not stationary after the occurrence, the driver of the vehicle shall stop the vehicle;
- (b) the driver or other person in charge of the vehicle shall keep the vehicle at or near the place of the occurrence for a period which is reasonable in all the circumstances of the case and having regard to the provisions of this section;
- (c) the driver of the vehicle or, if he is killed or incapacitated, the person then in charge of the vehicle shall give on demand the appropriate information to a member of the Garda Síochána or, if no such member is present, to one person entitled under this section to demand such information;

F214[(d) if—

- (i) injury is caused to property other than that of the driver of the vehicle and for any reason he or, if he is killed or incapacitated, the person then in charge of the vehicle does not at the place of the occurrence give the appropriate information to a person entitled under this section to demand it, or

(ii) injury is caused to a person other than the driver of the vehicle,

the driver of the vehicle or, if he is killed or incapacitated, the person then in charge of the vehicle shall, unless he had already given the appropriate information to a member of the Garda Síochána, report the occurrence as soon as possible to such a member and, if necessary, shall go for that purpose to the nearest convenient Garda station and also give on demand the appropriate information to the member.]

(2) Where—

(a) a member of the Garda Síochána has reasonable grounds for believing that an injury has been caused to person or property in a public place and that a vehicle was involved in the occurrence of the injury (whether the use of the vehicle was or was not the cause of the injury), and

(b) the member is not aware of the place where the vehicle is being kept,

the member may require the owner of the vehicle to state to the member where the vehicle is being kept and the owner shall comply with that requirement.

(3) A person who contravenes subsection (1) or subsection (2) of this section shall be guilty of an offence and shall be liable on summary conviction—

(a) in a case in which injury is caused to person, to F215[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment, and

(b) in any other case, to F216[a fine not exceeding €1,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

F217[(3A) A member of the Garda Síochána may arrest without warrant a person who in the member's opinion is committing or has committed an offence under subsection (3) of this section where the contravention involves or, as may be appropriate, involved non-compliance with paragraph (a) or (b) of subsection (1) of this section, injury was caused to person, a mechanically propelled vehicle was involved in the occurrence of the injury and the first-mentioned person is, or as may be appropriate, was in the member's opinion the driver of the vehicle concerned.]

(4) In this section "appropriate information" means the name and address of the person required by this section to give such information, the name and address of the owner of the vehicle of which such person is the driver or is in charge, the identification mark of such vehicle under the Roads Act, 1920, or any other enactment and particulars of the insurance or guarantee of the vehicle pursuant to this Act.

(5) The persons entitled under this section to demand the appropriate information are—

(a) in the case of injury to a person, that person or, where that person is killed or incapacitated, any one other person for the time being having charge of the person so injured by reason of family relationship, the relationship of master and servant or otherwise,

(b) in the case of injury to property, the owner of the property or, where the owner of the property is killed or injured or is not present, any one person having charge of the property,

(c) where there is no person entitled under whichever of the foregoing paragraphs is applicable, any one person who was present when the injury was inflicted and who is not the employer of or in the employment or company of the person required to give the information.

(6) (a) Where—

- (i) a member of the Garda Síochána has reasonable grounds for believing that an injury has been caused to person or property in a public place and that a vehicle was involved in the occurrence of the injury (whether the use of the vehicle was or was not the cause of the injury), and
- (ii) the member has, either consequent upon a statement made pursuant to subsection (2) of this section or otherwise, reasonable grounds for believing that the vehicle is being kept in any premises,
- the member may, on information on oath, apply to any Justice of the District Court or Peace Commissioner for a warrant under this subsection.
- (b) On an application being made under the foregoing paragraph, the Justice of the District Court or Peace Commissioner to whom the application is made may, if he so thinks proper, by warrant—
- (i) authorise any specified member or members of the Garda Síochána to enter, within one week from the date of the warrant, and if necessary by the use of force, the premises to which the application relates, and
- (ii) authorise any person or persons entering the premises under the warrant to search the premises and to examine, and take possession of for the purposes of examination, any vehicle found during the search,
- and any such warrant shall operate in accordance with its terms.

#### Annotations

#### Amendments:

- F214** Substituted (1.09.1968) *Road Traffic Act 1968* (25/1968), s.6 and sch., S.I. No. 169 of 1968.
- F215** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s 18(1)(a) and table, pt. 1, ref. no. 23, S.I. No. 86 of 2007.
- F216** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s 18(1)(a) and table, pt. 1, ref. no. 24, S.I. No. 86 of 2007.
- F217** Inserted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 45, S.I. No. 350 of 1994.

#### Editorial Notes:

- E756** Obligation to provide breath specimen following arrest under subs. (3A) and consequential procedure applied (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 12(1), S.I. No. 543 of 2011.
- E757** Procedure prescribed for detention of intoxicated drivers arrested under subs. (3A) (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 16, S.I. No. 543 of 2011.
- E758** Powers of entry prescribed under subs. (3A) (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 39(1), S.I. No. 350 of 1994.
- E759** Previous affecting provision: procedure prescribed for arresting a person under subs. (3A) by *Road Traffic Act 1994* (7/1994), s. 13(1), as substituted (4.10.2006) by *Road Traffic and Transport Act 2006* (28/2006), s. 1(b), commenced on enactment. S. 13 repealed (29.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(c), S.I. No. 544 of 2011.
- E760** Previous affecting provision: fines in subs. (3)(a) and (b) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(1) and table, ref. nos. 7 and 16, commenced on enactment. Fines increased as per F-notes above.

Duty to give information on demand by member of Garda Síochána.

**F218[107.—F219[(1)** Where a member of the Garda Síochána alleges to a person using a mechanically propelled vehicle that the member suspects that such person has committed a specified offence under this Act, the member may demand of such person his or her name and address and date of birth and may, if such person refuses or fails to give his or her name and address and date of birth or gives a name or address or date of birth which the member has reasonable grounds for believing to be false or misleading, arrest such person without warrant.]

(2) Where a member of the Garda Síochána has reasonable grounds for believing that an offence under this Act has been committed and that the vehicle in relation to which the offence was committed does not carry its identification mark under the Roads Act 1920, section 131(5) of the Finance Act 1992 or any other enactment, the member may arrest without warrant the person whom he or she has reasonable grounds for believing was using the vehicle when the offence was so believed to have been committed.

**F220[(3)** Where a person, when his or her name and address and date of birth are demanded of him or her under this section, refuses or fails to give his or her name and address and date of birth or gives a name or address or date of birth which is false or misleading, such person commits an offence.]

(4) Where a member of the Garda Síochána has reasonable grounds for believing that there has been an offence under this Act involving the use of a mechanically propelled vehicle—

(a) the owner of the vehicle shall, if required by the member, state whether he or she was or was not actually using the vehicle at the material time and, if he or she fails to do so, commits an offence,

(b) if the owner of the vehicle states that he or she was not actually using it at the material time, he or she shall give such information as he or she may be required by the member to give as to the identity of the person who was actually using it at that time and, if he or she fails to do so, commits an offence unless he or she shows to the satisfaction of the court that he or she did not know and could not with reasonable diligence have ascertained who that person was, or

(c) any person other than the owner of the vehicle shall, if required by the member, give any information which it is in his or her power to give and which may lead to the identification of the person who was actually using the vehicle at the material time and, if he or she fails to do so, commits an offence.

(5) A person who commits an offence under this section is liable on summary conviction to a fine not exceeding €2,000.]

#### Annotations

#### Amendments:

**F218** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 79, S.I. No. 255 of 2011.

**F219** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 3(a), S.I. No. 542 of 2011.

**F220** Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 3(b), S.I. No. 542 of 2011.

#### Editorial Notes:

**E761** Previous amending provision: “this Act” substituted for all instances of “the Road Traffic Acts, 1961 to 1994” by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced; section substituted as per F-note above.

- E762** Previous affecting provision: fine in subs. (5) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, ref. no. 25, S.I. No. 86 of 2007; section substituted as per above F-note.
- E763** Previous affecting provision: “the Road Traffic Acts, 1961 to 1994” substituted (22.07.1994) for all instances of “this Act” by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994. Section amended as per F-notes above.
- E764** Previous affecting provision: subs. (4A) inserted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 46, S.I. No. 222 of 1994; section substituted as per F-note above.
- E765** Previous affecting provision: application of section extended (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 45, S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).
- E766** Previous affecting provision: fine in subs. (5) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(1) and table, ref. no. 17, commenced on enactment; fine increased as per E-note above.

Right to demand name and address of pedal cyclist.

F221[**108.**— A member of the Garda Síochána may demand of a person in charge of a pedal cycle whom the member suspects of having committed any crime or offence or of having been concerned or involved in a collision or other event in a public place causing injury to person or property, the name and address and date of birth of such person, and if such a person refuses or fails to give his or her name and address or date of birth or gives a name or address or date of birth which the member has reasonable grounds for believing to be false or misleading, the member may take the cycle, by reasonable force if necessary, and retain it until such time as he or she is satisfied as to the identity of such person.]

#### Annotations

#### Amendments:

- F221** Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 80, S.I. No. 255 of 2011.
- F222** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 47(b), not commenced as of 16.04.2013.

#### Modifications (not altering text):

- C103** Prospective affecting provision: section amended by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012), s. 47(b), not commenced as of 16.04.2013.

**108.**— A member of the Garda Síochána may demand of a person in charge of a pedal cycle whom the member suspects of having committed any crime or offence or of having been concerned or involved in a collision or other event in a public place causing injury to person or property, the name and address and date of birth of such person, and if such a person refuses or fails to give his or her F222[name and address and date of birth] or gives a F222[name and address and date of birth] which the member has reasonable grounds for believing to be false or misleading, the member may take the cycle, by reasonable force if necessary, and retain it until such time as he or she is satisfied as to the identity of such person.

Obligation to stop.

**109.**—(1) A person driving a vehicle in a public place shall stop the vehicle on being so required by a member of the Garda Síochána F223[and shall keep it stationary for such period as is reasonably necessary in order to enable such member to discharge his duties].

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

**Annotations****Amendments:**

**F223** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**Editorial Notes:**

**E767** Penalty prescribed for certain offences under section (3.04.2006) by *Road Traffic Acts 1961 to 2005 (Fixed Charge Offences) Regulations 2006* (S.I. No. 135 of 2006), reg. 5(a)(i) and sch. 1, pt. 1.

Disposition of vehicle on arrest of person in charge.

**110.**—Where a member of the Garda Síochána arrests under F224[*the Road Traffic Acts, 1961 to 1994*] without warrant a person in charge of a mechanically propelled vehicle, the member may, if the circumstances so require, take or cause to be taken such steps as he may consider proper for the temporary disposition of the vehicle.

**Annotations****Amendments:**

**F224** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994.

**F225** Substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C104** Prospective amending provision: section amended by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**110.**—Where a member of the Garda Síochána arrests under F225[*this Act*] without warrant a person in charge of a mechanically propelled vehicle, the member may, if the circumstances so require, take or cause to be taken such steps as he may consider proper for the temporary disposition of the vehicle.

Identification of member of Garda Síochána.

**111.**—Where, in exercise of any power or the performance of any duty conferred or imposed by or under F226[*the Road Traffic Acts, 1961 to 1994*], any member of the Garda Síochána makes in a public place a request, requirement or demand of, or gives an instruction to, any person, such person shall not be bound to comply with the request, requirement, demand or instruction unless the member either—

(a) is in uniform, or

(b) produces, if requested by such person, an official identification card or such other evidence of his identity as may be prescribed.

**Annotations****Amendments:**

**F226** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994.

**F227** Substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C105** Prospective affecting provision: section amended by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

111.—Where, in exercise of any power or the performance of any duty conferred or imposed by or under F227[*this Act*], any member of the Garda Síochána makes in a public place a request, requirement or demand of, or gives an instruction to, any person, such person shall not be bound to comply with the request, requirement, demand or instruction unless the member either— ...

Taking vehicle without authority.

112.—F228[(1) (a) A person shall not use or take possession of a mechanically propelled vehicle without the consent of the owner thereof or other lawful authority.

(b) Where possession of a vehicle has been taken in contravention of this subsection, a person who knows of the taking shall not allow himself to be carried in or on it without the consent of the owner thereof or other lawful authority.]

F229[(2) A person who contravenes subsection (1) of this section shall be guilty of an offence and shall be liable—

(a) on summary conviction, to F230[a fine not exceeding €5,000] or, at the discretion of the court, to imprisonment for a term not exceeding 12 months, or to both such fine and such imprisonment;

(b) on conviction on indictment, to F231[a fine not exceeding €20,000] or, at the discretion of the court, to imprisonment for a term not exceeding five years or to both such fine and such imprisonment.]

(3) A person shall not use or take possession of a pedal cycle without the consent of the owner thereof or other lawful authority.

(4) A person who contravenes subsection (3) of this section shall be guilty of an offence.

(5) Where a person is charged with an offence under this section, it shall be a good defence to the charge for him to show that, when he did the act alleged to constitute the offence, he believed, and had reasonable grounds for believing, that he had lawful authority for doing that act.

(6) Where a member of the Garda Síochána has reasonable grounds for believing that a person is committing F232[or has committed] an offence under this section, he may arrest the person without warrant.

(7) Where, when a person is tried on indictment or summarily for the larceny of a vehicle, the jury, or, in the case of a summary trial, the District Court, is of opinion that he was not guilty of the larceny of the vehicle but was guilty of an offence under this section in relation to the vehicle, the jury or court may find him guilty of that offence and he may be sentenced accordingly.

#### Annotations

##### Amendments:

**F228** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s.65(a), S.I. No. 169 of 1968.

**F229** Substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(7), commenced on enactment.

**F230** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 26, S.I. No. 86 of 2007.

**F231** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 27, S.I. No. 86 of 2007.



**F232** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s.65(b), S.I. No. 169 of 1968.

**Modifications (not altering text):**

**C106** Application of subs. (1) extended by *Firearms Act 1964* (1/1964), s. 26(1), as substituted (1.11.2006) by *Criminal Justice Act 2006* (26/2006), s. 57, S.I. No. 390 of 2006.

**Possession of firearm while taking vehicle without authority.**

**[26.—** (1) A person who contravenes subsection (1) of section 112 of the Road Traffic Act 1961 and who at the time of the contravention has with him or her a firearm or imitation firearm is guilty of an offence.

...]

**Editorial Notes:**

**E768** Obligation to provide specimen following arrest under subs. (6) and consequential procedure provided (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 12(1), S.I. No. 543 of 2011.

**E769** Procedure prescribed for detention of intoxicated drivers arrested under subs. (6) (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 16, S.I. No. 543 of 2011.

**E770** Related offence prescribed (1.08.2002) by *Criminal Justice (Theft and Fraud Offences) Act 2001* (50/2001), s. 15(1)(d), S.I. No. 252 of 2002.

**E771** Offences under section prescribed as “serious offences” and discretion to refuse bail provided for (4.09.1998) by *Bail Act 1997* (16/1997), ss. 1(1), 2 and sch., arts. 19(b), 29 and 30, S.I. No. 315 of 1998. Additional procedure prescribed for such bail applications by *Bail Act 1997* (16/1997), ss. 1A and 2A as inserted (1.07.2007 and 18.05.2007) by *Criminal Justice Act 2007* (29/2007), ss. 6 and 7, S.I. No. 236 of 2007.

**E772** Power of Garda Síochána to search vehicles and persons in vehicles provided for offences under subs. (2) by *Criminal Law Act 1976* (32/1976), s. 8(2) and (1)(k) as inserted (4.04.1997) by *Criminal Justice (Miscellaneous Provisions) Act 1997* (4/1997), s. 13, commenced as per s. 21 and later substituted (5.09.2000) by *Illegal Immigrants (Trafficking) Act 2000* (29/2000), s. 6, S.I. No. 266 of 2000.

**E773** Previous affecting provision: fines in subs. (2)(a) and (b) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, ref. nos. 27 and 28, S.I. No. 491 of 2002. Fines increased as per above F-notes.

**E774** Previous affecting provision: obligation to provide specimen following arrest under subs. (6) provided (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 13(1), S.I. No. 350 of 1994, as substituted (4.10.2006) by *Road Traffic and Transport Act 2006* (28/2006), s. 1(b), commenced on enactment. S. 13 repealed (29.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(c), S.I. No. 544 of 2011.

Unauthorised interference with mechanism of vehicle.

**113.—**(1) A person shall not, without lawful authority or reasonable cause, interfere or attempt to interfere with the mechanism of a mechanically propelled vehicle while it is stationary F233[...], or get on or into or attempt to get on or into the vehicle while it is so stationary.

F234[(2) A person who contravenes subsection (1) of this section shall be guilty of an offence and shall be liable on summary conviction to F235[a fine not exceeding €2,000] or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.]

(3) Where a member of the Garda Síochána has reasonable grounds for believing that a person is committing F236[or has committed] an offence under this section, he may arrest the person without warrant.

(4) This section shall not apply to a person taking, in relation to a mechanically propelled vehicle which is obstructing his lawful ingress or egress to or from any

place, such steps as are reasonably necessary to move the vehicle by human propulsion for a distance sufficient to terminate the obstruction.

(5) Where a person is charged with an offence under this section, it shall be a good defence to the charge for him to show that, when he did the act alleged to constitute the offence, he believed, and had reasonable grounds for believing, that he had lawful authority for doing that act.

#### Annotations

#### Amendments:

**F233** Deleted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(8)(a), commenced on enactment.

**F234** Substituted (18.07.1984) by *Road Traffic Act 1984* (16/1984), s. 3(8)(b), commenced on enactment.

**F235** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 28, S.I. No. 86 of 2007.

**F236** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. of 169 of 1968.

#### Editorial Notes:

**E775** Previous affecting provision: fine in subs. (2) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, pt. 1, ref. no. 29, S.I. No. 491 of 2002. Fine increased as per F-note above.

Limitations on periods of continuous driving.

**114.**—(1) Each of the following periods or series of periods of driving shall be an excessive period for the purposes of this section:

- (a) any continuous period of driving exceeding five and one-half hours;
- (b) any series of continuous periods of driving amounting in the aggregate to more than eleven hours in any period of twenty-four hours beginning two hours after midnight;
- (c) any period or series of periods of driving so arranged that the driver has not at least ten consecutive hours for rest in every period of twenty-four hours beginning at the commencement of any period of driving.

(2) For the purposes of subsection (1) of this section—

- (a) Where a driver has at least nine consecutive hours for rest in a period of twenty-four hours beginning at the commencement of a period of driving, the period of at least nine consecutive hours shall be reckoned as a period of ten consecutive hours if the driver has at least twelve consecutive hours for rest in the twenty-four hours next after the expiration of the above-mentioned period of twenty-four hours;
- (b) any two consecutive periods of driving shall be regarded as one continuous period unless they are separated by an interval of not less than half-an-hour during which the driver can obtain rest and refreshment;
- (c) any time spent by the driver of a vehicle at work (other than driving) in relation to the vehicle or the load carried thereon, including in the case of a public service vehicle any time spent in any capacity (other than as driver or as a passenger) on the vehicle while on a journey, shall be reckoned as time spent in driving;
- (d) in the case of a vehicle which is being used for or in the course of any operation of agriculture or forestry, time spent driving or working on or in connection

with the vehicle while it is not on a public road shall not be reckoned as time spent in driving.

(3) A person shall not drive, or cause or permit any person employed by him or subject to his orders to drive, for an excessive period a mechanically propelled vehicle which either is a large public service vehicle or is intended or adapted solely for the drawing of another vehicle or is fitted with a body intended or adapted solely for the carriage of goods or two or more such vehicles successively.

(4) (a) The Minister for Industry and Commerce may make regulations for enabling this section to have effect.

(b) Regulations under this subsection may, in particular and without prejudice to the generality of the foregoing paragraph, make provision in relation to all or any of the following matters:

(i) the keeping of records in respect of persons engaged in driving vehicles to which this section applies;

(ii) the form of the records;

(iii) the persons by whom the records are to be kept;

(iv) the production of the records to members of the Garda Síochána and specified officers of the Minister for Industry and Commerce;

(v) the exhibition of specified notices in vehicles in relation to which this section applies.

F237[(vi) the exclusion from the regulations of specified classes of vehicles.]

(5) Where a person contravenes subsection (3) of this section or a regulation under subsection (4) of this section which is stated to be a penal regulation, he shall be guilty of an offence.

(6) Where a person is charged with an offence under this section consisting of driving, or causing or permitting driving, for an excessive period, it shall be a good defence to the charge for him to show that the act alleged to constitute the offence was due to delay in the completion of a journey and that the delay was unavoidable and was caused by circumstances which he could not reasonably have foreseen.

(7) (a) The Minister for Industry and Commerce may by regulations vary or suspend in any manner any excessive period.

(b) Regulations under this subsection shall not be made save—

(i) where the Minister for Industry and Commerce is satisfied that bodies representative of the employers and employees concerned are in favour of the change to be effected by the regulations, and

(ii) after consultation by that Minister with the Minister.

(c) Different regulations may be made under this subsection—

(i) in respect of different classes of vehicles,

(ii) for different circumstances.

F238[(8) This section does not apply to or in respect of

(a) vehicles owned by the State and used for military or police purposes, or

(b) persons in the public service of the State driving vehicles so owned and used,  
or

(c) carriage by road to which Council Regulation (EC) 561/2006 applies.]

**Annotations****Amendments:**

**F237** Inserted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**F238** Substituted (12.03.2008) by *European Communities (Road Transport) (Working Conditions and Road Safety) Regulations 2008* (S.I. No. 62 of 2008), reg. 60(1), commenced as per reg. 1(2).

**Editorial Notes:**

**E776** Previous affecting provision: application of section restricted (20.02.2006) by *European Communities (Road Transport) Regulations 2006* (S.I. No. 88 of 2006), reg. 17; revoked (12.11.2008) by *European Communities (Road Transport) (Working Conditions and Road Safety) Regulations 2008* (S.I. No. 62 of 2008), reg. 58(a).

**E777** Previous affecting provision: application of section restricted (4.12.1986) by *European Communities (Road Transport) Regulations 1986* (S.I. No. 392 of 1986), reg. 13; revoked (20.02.2006) by *European Communities (Road Transport) Regulations 2006* (S.I. No. 88 of 2006), reg. 18.

**E778** Previous affecting provision: application of section restricted (26.01.1979) by *European Communities (Road Transport) Regulations 1979* (S.I. No. 16 of 1979), reg. 10; revoked as per E-note above (reg. 17).

Penalty for false declaration, etc.

**115.—F239[(1) Where a person is required by or under this Act or under regulations made under section 34 of the Taxi Regulation Act 2003 to furnish or give particulars in connection with an application for the grant or issue of a licence, permit, plate or certificate or otherwise in connection with a licence, permit, plate, certificate or vehicle, he or she shall not furnish or give pursuant to the requirement any particulars which to his or her knowledge are false or in any material respect misleading.]**

(2) A person who contravenes subsection (1) of this section shall be guilty of an offence.

(3) Where, in a prosecution for an offence under subsection (2) of this section with respect to particulars in connection with an application for the grant or issue of a F239[**licence, permit, plate or certificate**] such grant or issue and an application therefor are proved, it shall be presumed, until the contrary is shown by the defendant, that the person to whom the F239[**licence, permit, plate or certificate**] was granted or issued made the application.

F239[(4) A person shall not forge or fraudulently alter or use, or fraudulently lend to, or allow to be used by, any other person, any licence, permit, plate, badge or certificate issued under this Act or under regulations made under section 34 of the Taxi Regulation Act 2003.]

(5) A person who contravenes subsection (4) of this section shall be guilty of an offence.

(6) A person who is guilty of an offence under this section shall be liable on summary conviction to F240[a fine not exceeding €3,000] or, at the discretion of the court, to imprisonment for any term not exceeding six months or to both such fine and such imprisonment.

(7) F241[...]

**Annotations****Amendments:**

**F239** Substituted (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 20, S.I. No. 384 of 2006.

**F240** Substituted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(a) and table, pt. 1, ref. no. 29, S.I. No. 86 of 2007.

**F241** Repealed (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 4(1), S.I. No. 222 of 1994.

**Editorial Notes:**

**E779** Previous amending provision: fine in subs. (6) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(a) and table, pt. 1, ref. no. 30, S.I. No. 491 of 2002. Fine increased as per F-note above.

**E780** Previous affecting provision: subss. (1) and (4) amended by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced. Subss. (1) and (4) substituted as per above F-notes.

**E781** Summary proceedings for an offence under section provided (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 48, S.I. No. 222 of 1994.

**E782** Previous affecting provision: subss. (1) and (4) amended (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994. Subss. (1) and (4) substituted as per above F-notes.

**E783** Previous affecting provision: subs. (1) amended (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 10(2), commenced as per s. 15(5). Subs. (1) substituted as per above F-note.

**E784** Previous affecting provision: subs. (1) substituted (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 46, S.I. No. 357 of 1986. Subs. (1) substituted as per above F-note.

**E785** Previous affecting provision: fine in subs. (6) increased (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 3(1) and table, ref. no. 18, commenced on enactment. Fine increased as per E-note above.

**E786** Previous affecting provision: subss. (1), (3) and (4) amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Amendments superseded as per above F-notes.

Liability of Minister for Finance for negligent use of mechanically propelled vehicle. **116.—F242[...]**

**Annotations****Amendments:**

**F242** Repealed (17.08.1961) by *Civil Liability Act 1961* (41/1961), s. 5 and sch., pt. V, commenced on enactment.

Extension of personal liability for negligent use of mechanically propelled vehicle. **117.—F243[...]**

**Annotations****Amendments:**

**F243** Repealed (17.08.1961) by *Civil Liability Act 1961* (41/1961), s. 5 and sch., pt. V, commenced on enactment.

Liability in respect of person using mechanically propelled vehicle with consent of owner.

**118.**—Where a person (in this section referred to as the user) uses a mechanically propelled vehicle with the consent of the owner of the vehicle, the user shall, for the purposes of determining the liability or non-liability of the owner for injury caused by the negligent use of the vehicle by the user, and for the purposes of determining the liability or non-liability of any other person for injury to the vehicle or persons or property therein caused by negligence occurring while the vehicle is being used by the user, be deemed to use the vehicle as the servant of the owner, but only in so far as the user acts in accordance with the terms of such consent.

Reimbursement of hospitals.

**119.**—F244[...]

**Annotations****Amendments:**

**F244** Repealed (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 5, S.I. No. 169 of 1968.

Promotion of road safety.

**120.**—(1) The council of a county, the corporation of a county or other borough, the council of an urban district or the commissioners of a town may incur expenditure for the purpose of promoting safety on roads, and the expenditure may include payments for that purpose to any other authority or person.

(2) The Minister may, with the consent of the Minister for Finance, F245[make grants from moneys provided by the Oireachtas]—

- (a) towards the expenses of an association or body where the advancement of road safety is among the primary objects of the association or body, and
- (b) towards the expenses under subsection (1) of this section of any council, corporation or commissioners.

**Annotations****Amendments:**

**F245** Substituted (18.07.1980) by *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980), reg. 2 and sch.

**Modifications (not altering text):**

**C107** Functions transferred and references to “Department of Finance” and “Minister for Finance” construed (29.07.2011) by *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011), arts. 2, 3, 5 and sch. 1 part 2, in effect as per art. 1(2), subject to transitional provisions in arts. 6-9.

2. (1) The administration and business in connection with the performance of any functions transferred by this Order are transferred to the Department of Public Expenditure and Reform.

(2) References to the Department of Finance contained in any Act or instrument made thereunder and relating to the administration and business transferred by paragraph (1) shall, on and after the commencement of this Order, be construed as references to the Department of Public Expenditure and Reform.

3. The functions conferred on the Minister for Finance by or under the provisions of —

(a) the enactments specified in Schedule 1, and

(b) the statutory instruments specified in Schedule 2,

are transferred to the Minister for Public Expenditure and Reform.

...

5. References to the Minister for Finance contained in any Act or instrument under an Act and relating to any functions transferred by this Order shall, from the commencement of this Order, be construed as references to the Minister for Public Expenditure and Reform.

...

#### Schedule 1

#### Enactments

...

#### Part 2

#### 1922 to 2011 Enactments

| Number and Year | Short Title           | Provision                                         |
|-----------------|-----------------------|---------------------------------------------------|
| (1)             | (2)                   | (3)                                               |
| ...             | ...                   | ...                                               |
| No. 24 of 1961  | Road Traffic Act 1961 | Sections 9, 87(1)(e), 101(11) and (12) and 120(2) |
| ...             | ...                   | ...                                               |

Calculation of passenger accommodation of mechanically propelled vehicles.

**121.**—The Minister may by regulations prescribe the method of calculating for the purposes of this Act the passenger accommodation of mechanically propelled vehicles or of any class of such vehicles, and may in such regulations distinguish between seating passenger accommodation and standing passenger accommodation.

#### Annotations

#### Editorial Notes:

**E787** Power pursuant to this section and s. 5 exercised and method of calculating passenger accommodation of mechanically propelled vehicles prescribed (3.08.1962) by *Road Traffic (Passenger Accommodation of Mechanically Propelled Vehicles) Regulations 1962* (S.I. No. 143 of 1962), reg. 2.

**E788** Previous affecting provision: application of regulations made under this section extended (12.11.1986) by *Dublin Transport Authority Act 1986* (15/1986), s. 47, S.I. No. 357 of 1986; repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

Keeping and use of petroleum.

**122.**—F246[...]

**Annotations****Amendments:**

**F246** Repealed (28.09.1979) by *Dangerous Substances Act 1972* (10/1972), s. 7(1) and sch., S.I. No. 297 of 1979.

**Editorial Notes:**

**E789** Previous affecting provision: power pursuant to this section and s. 5 exercised (1.08.1964) by *Road Traffic (Petroleum) Regulations 1964* (S.I. No. 174 of 1964); revoked (28.09.1979) by *Dangerous Substances (Conveyance of Petroleum by Road) Regulations 1979* (S.I. No. 314 of 1979), reg. 3(2).

Extended power of making regulations in relation to application for licence under Finance (Excise Duties) (Vehicles) Act, 1952.

**123.**—The power to make regulations conferred by section 12 of the Roads Act, 1920, shall include—

- (a) power to make regulations requiring a person applying for a licence under section 1 of the Finance (Excise Duties) (Vehicles) Act, 1952, in respect of a mechanically propelled vehicle—
  - (i) to make such declaration and produce such evidence as is necessary to show whether the vehicle is or is not a mechanically propelled vehicle to which Part VI of this Act applies,
  - (ii) where it is such a vehicle, to produce evidence or specified evidence showing either that he is F247[a vehicle insurer or an exempted person within the meaning of Part VI of this Act] or that, when the licence comes into operation, there will be in force an approved policy of insurance or an approved guarantee covering the use of the vehicle by him or by other persons with his consent,
- (b) power to make regulations requiring a person applying for a licence under the said section 1 in respect of a mechanically propelled vehicle—
  - (i) to make such declaration and produce such evidence as is necessary to show whether the vehicle is or is not a mechanically propelled vehicle to which section 18 of this Act applies,
  - (ii) where it is such a vehicle, to produce a test certificate which will be in force in respect of the vehicle when the licence comes into operation.

**Annotations****Amendments:**

**F247** Substituted (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968.

**F248** Repealed by *Road Traffic Act 2010* (25/2010), s. 75(2), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C108** Prospective affecting provision: para. (b) repealed by *Road Traffic Act 2010* (25/2010), s. 75(2), not commenced as of 16.04.2013.

(b) F248[...]

**Editorial Notes:**

**E790** Power pursuant to section exercised (21.10.2003) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 2003* (S.I. No. 486 of 2003).



- E791** Power pursuant to section exercised (30.11.2001) by *Road Vehicles (Registration and Licensing) (Amendment) (No.2) Regulations 2001* (S.I. No. 537 of 2001).
- E792** Power pursuant to this section, ss. 5, 11 and 18 exercised (4.01.2000) by *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999).
- E793** Power pursuant to section exercised (1.08.1998) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1998* (S.I. No. 208 of 1998).
- E794** Power pursuant to section exercised (1.11.1997) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1997* (S.I. No. 405 of 1997).
- E795** Power pursuant to this section and s. 3 exercised (1.07.1995) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1995* (S.I. No. 125 of 1995).
- E796** Power pursuant to this section and s. 3 exercised (13.09.1994) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1994* (S.I. No. 277 of 1994).
- E797** Power pursuant to this section and s. 3 exercised (14.09.1993) by *Road Vehicles (Registration and Licensing) (Amendment) (No. 4) Regulations 1993* (S.I. No. 263 of 1993).
- E798** Power pursuant to this section and s. 3 exercised (10.05.1993) by *Road Vehicles (Registration and Licensing) (Amendment) (No. 2) Regulations 1993* (S.I. No. 126 of 1993).
- E799** Power pursuant to this section and s. 3 exercised (1.01.1993) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1993* (S.I. No. 23 of 1993).
- E800** Power pursuant to section exercised (1.01.1992) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992* (S.I. No. 385 of 1992).
- E801** Previous affecting provision: power pursuant to this section, ss. 5, 11 and 18 exercised (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003); revoked (4.01.2009) by *Road Traffic (National Car Test) Regulations 2009* (S.I. No. 567 of 2009), reg. 15(a).
- E802** Previous affecting provision: power pursuant to this section, ss. 5, 11 and 18 exercised (1.03.2002) by *Road Traffic (National Car Test) (Amendment) Regulations 2002* (S.I. No. 55 of 2002); revoked (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003), reg. 17(b).
- E803** Previous affecting provision: power pursuant to this section, ss. 5, 11 and 18 exercised (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001); revoked (15.09.2003) by *Road Traffic (National Car Test) Regulations 2003* (S.I. No. 405 of 2003), reg. 17(a).
- E804** Previous affecting provision: power pursuant to this section, ss. 5, 11 and 18 exercised (26.06.2001) by *Road Traffic (National Car Test) (No 2) Regulations 2001* (S.I. No. 298 of 2001); revoked (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001), reg. 20.
- E805** Previous affecting provision: power pursuant to section exercised (1.04.2001) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 2001* (S.I. No. 74 of 2001); revoked (30.11.2001) by *Road Vehicles (Registration and Licensing) (Amendment) (No.2) Regulations 2001* (S.I. No. 537 of 2001), reg. 5.
- E806** Previous affecting provision: power pursuant to this section, ss. 5, 11 and 18 exercised (12.02.2001) by *Road Traffic (National Car Test) Regulations 2001* (S.I. No. 32 of 2001); revoked (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001), reg. 20.
- E807** Previous affecting provision: power pursuant to this section, ss. 5, 11 and 18 exercised (21.11.2000) by *Road Traffic (National Car Test) Regulations 2000* (S.I. No. 368 of 2000); revoked (1.01.2002) by *Road Traffic (National Car Test) (No 3) Regulations 2001* (S.I. No. 550 of 2001), reg. 20.
- E808** Previous amending provision: power pursuant to this section, ss. 5, 11 and 18 exercised (4.01.2000 and other dates) by *Road Traffic (Car Testing) Regulations 1998* (S.I. No. 481 of 1998); revoked before coming into operation (4.01.2000) by *Road Traffic (National Car Test) Regulations 1999* (S.I. No. 395 of 1999), reg. 1(2).

**E809** Previous affecting provision: power pursuant to this section and s. 3 exercised (7.07.1993) by *Road Vehicles (Registration and Licensing) (Amendment) (No. 3) Regulations 1993* (S.I. No. 198 of 1993); revoked (14.09.1993) by *Road Vehicles (Registration and Licensing) (Amendment) (No. 4) Regulations 1993* (S.I. No. 263 of 1993), reg. 3.

**E810** Previous affecting provision: power pursuant to section exercised (13.10.1982) by *Road Vehicles (Registration and Licensing) Regulations 1982* (S.I. No. 311 of 1982); revoked (1.01.1993) by *Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992* (S.I. No. 385 of 1992), reg. 1(4) and sch. 1.

**E811** Previous affecting provision: power pursuant to section exercised (1.05.1962) by *Mechanically Propelled Vehicles (International Circulation) (Amendment) Order 1962* (S.I. No. 12 of 1962); revoked (1.01.1993) by *Mechanically Propelled Vehicles (International Circulation) Order 1992* (S.I. No. 384 of 1992), art. 3 and sch. 1.

Restriction on section 23 of Criminal Justice Act, 1951.

**124.**—A disqualification under this Act for holding a driving licence shall not be capable of being remitted under section 23 of the Criminal Justice Act, 1951.

Saving for indictment for nuisance.

**125.**—Nothing in F249[*the Road Traffic Acts, 1961 to 1994*] shall authorise any person to use in a public place a vehicle so constructed or used as to cause a public or private nuisance, and any person who so uses such vehicle shall, notwithstanding anything in F249[*the Road Traffic Acts, 1961 to 1994*], be liable to an indictment or action, as the case may be, for such use when, but for the passing of the repealed Act and F249[*the Road Traffic Acts, 1961 to 1994*], such indictment or action could be maintained.

#### Annotations

#### Amendments:

**F249** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994.

**F250** Substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C109** Prospective affecting provision: section amended by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**125.**—Nothing in F250[*this Act*] shall authorise any person to use in a public place a vehicle so constructed or used as to cause a public or private nuisance, and any person who so uses such vehicle shall, notwithstanding anything in F250[*this Act*], be liable to an indictment or action, as the case may be, for such use when, but for the passing of the repealed Act and F250[*this Act*], such indictment or action could be maintained.

Saving for general power of Commissioner.

**126.**—Nothing in F251[*the Road Traffic Acts, 1961 to 1994*] shall prejudice or derogate from the general power and duty of the Commissioner and other members of the Garda Síochána to preserve order in public places and to regulate and control traffic therein.

#### Annotations

#### Amendments:

**F251** Substituted (22.07.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(k), S.I. No. 222 of 1994.

**F252** Substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**Modifications (not altering text):**

**C110** Prospective affecting provision: section substituted by *Road Traffic Act 2002* (12/2002), s. 25(1), not commenced as of 16.04.2013.

**126.**—Nothing in the F252[*this Act*] shall prejudice or derogate from the general power and duty of the Commissioner and other members of the Garda Síochána to preserve order in public places and to regulate and control traffic therein.

Modification of  
Motor Car (Inter-  
national Circula-  
tion) Act, 1909.

**127.**—So much of the Motor Car (International Circulation) Act, 1909, as relates to the licensing of drivers shall have effect as though for the references therein to the Motor Car Act, 1903, there were substituted references to Part III of this Act.

## Section 10.

## FIRST SCHEDULE.

## ENACTMENTS REPEALED.

| Session and Chapter or Number and Year. | Short title                       | Extent of Repeal    |
|-----------------------------------------|-----------------------------------|---------------------|
| 1 & 2 Geo. V., c. 45.                   | Public Roads (Ireland) Act, 1911. | The whole Act.      |
| No. 11 of 1933.                         | Road Traffic Act, 1933.           | The whole Act.      |
| No. 7 of 1940.                          | Fire Brigades Act, 1940.          | Section 10.         |
| No. 24 of 1946.                         | Local Government Act, 1946.       | Section 69.         |
| No. 9 of 1955.                          | Local Government Act, 1955.       | Sections 36 and 37. |
| No. 3 of 1956.                          | Fatal Injuries Act, 1956.         | Section 7.          |

## Section 26.

## F253[SECOND SCHEDULE

Offences under the *Road Traffic Acts 1961 to 2010* involving Consequential Disqualification Orders.

*Using mechanically propelled vehicle without test certificate.*

1. An offence by a person under subsection (2) of section 18, being an offence committed in a period of 3 years in which a previous offence was committed by the person under that subsection for which he or she was convicted.

*Driving mechanically propelled vehicle before remedying dangerous defect.*

2. An offence by a person under subsection (10) of section 20, being an offence committed in a period of 3 years in which a previous offence was committed by the person under that subsection for which he or she was convicted.

*Driving mechanically propelled vehicle when unfit.*

3. An offence by a person under section 48, being an offence committed in a period of 3 years in which a previous offence was committed by the person under that section for which he or she was convicted.

*Driving mechanically propelled vehicle while under the influence of intoxicating liquor or drug.*

4. An offence under section 4 of the *Road Traffic Act 2010*.

*Being in charge of mechanically propelled vehicle while under the influence of intoxicating liquor or drug.*

5. An offence under section 5 of the *Road Traffic Act 2010*.

*Refusal or failure to provide specimen or to comply with requirement of designated doctor or nurse.*

6. An offence under *section 12 or 14 of the Road Traffic Act 2010.*

*Careless driving.*

7. An offence by a person under section 52, where the contravention involved the driving of a mechanically propelled vehicle, being an offence committed in a period of 3 years in which 2 or more previous offences were committed by the person under that section for which he or she was convicted.

*Dangerous driving of mechanically propelled vehicle.*

8. An offence under section 53 where the contravention involved the driving of a mechanically propelled vehicle.

*Driving of dangerously defective mechanically propelled vehicle.*

9. An offence by a person under section 54, being an offence committed in a period of 3 years in which a previous offence was committed by the person under that section for which he or she was convicted.

*Parking mechanically propelled vehicle in dangerous position.*

10. An offence by a person under section 55 where the contravention involved the parking of a mechanically propelled vehicle and where any part of the period of the contravention was a period within lighting-up hours (as specified in the section) during which the vehicle did not fulfil the requirements imposed by law with respect to lighting and reflectors, being an offence committed in a period of 3 years in which a previous offence was committed by the person under that section for which he or she was convicted.

*Use of mechanically propelled vehicle not insured.*

11. An offence under section 56.

*Failure to fulfil duties on occurrence of accident.*

12. (a) An offence under section 106 where the contravention involved non-compliance with paragraph (a) or (b) of subsection (1) of that section, injury was caused to a person, a mechanically propelled vehicle was involved in the occurrence of the injury and the convicted person was the driver of the vehicle concerned.

(b) An offence under section 106 (other than an offence to which subparagraph (a) of this paragraph relates) where injury was caused to a person, a mechanically propelled vehicle was involved in the occurrence of the injury and the convicted person was the driver of the vehicle concerned, being an offence committed in a period of 3 years in which a previous such offence was committed by the person for which he or she was convicted.

*Taking mechanically propelled vehicle without authority.*

13. An offence under subsection (2) of section 112.

*Driving mechanically propelled vehicle without driving licence while disqualified, etc.*

14. An offence under section 38(2) in the circumstances referred to in subsection (5)(a) of that section.

*Using vehicle without certificate of roadworthiness.*

15. An offence by a person under Regulation 19(1) of the European Communities (Vehicle Testing) Regulations 2004 (S.I. No. 771 of 2004), being an offence committed

in a period of 3 years in which a previous offence was committed by the person under that Regulation for which he or she was convicted.]

#### Annotations

#### Amendments:

**F253** Substituted (28.10.2011) by *Road Traffic Act 2010 (25/2010)*, s. 65(2), S.I. No. 543 of 2011.

**F254** Substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 43, not commenced as of 16.04.2013.

#### Modifications (not altering text):

**C111** Prospective affecting provision: para. (15) substituted by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (16/2012)*, s. 43, not commenced as of 16.04.2013.

**F254**[15. An offence by a person under—

(a) Regulation 19(1) of the European Communities (Vehicle Testing) Regulations 2004 (S.I. No. 771 of 2004), or

(b) section 6(2) of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012, being an offence committed in a period of 3 years in which a previous offence was committed by the person under (a) or (b) for which he or she was convicted.]

**C112** Application of section extended by *Road Traffic Act 2010 (25/2010)*, s. 65(4) as inserted (28.10.2011) by *Road Traffic (No. 2) Act 2011 (28/2011)*, s. 10, S.I. No. 542 of 2011.

#### Consequential disqualification orders.

**65.**— ...

(4) For the purposes of section 26 of, and the Second Schedule to, the Principal Act (inserted by this section)—

(a) the reference to section 4 of the Road Traffic Act 2010 in—

(i) paragraph 4 of the Second Schedule to, and

(ii) section 26(4)(a)(i) and 26(4)(b) of,

the Principal Act shall be deemed to include a reference to section 49 of the Principal Act,

(b) the reference to section 5 of the Road Traffic Act 2010 in—

(i) paragraph 5 of the Second Schedule to, and

(ii) section 26(4)(b) of,

the Principal Act shall be deemed to include a reference to section 50 of the Principal Act,

(c) the reference to section 5(1) of the Road Traffic Act 2010 in section 26(4)(a)(ii) of the Principal Act shall be deemed to include a reference to section 50(1) of the Principal Act,

(d) the reference to section 12 of the Road Traffic Act 2010 in—

(i) paragraph 6 of the Second Schedule to, and

(ii) section 26(4)(a)(v) of,

the Principal Act shall be deemed to include a reference to section 13 of the Road Traffic Act 1994, and

(e) the reference to section 14 of the Road Traffic Act 2010 in—

(i) paragraph 6 of the Second Schedule to, and

(ii) section 26(4)(a)(v) of,

the Principal Act shall be deemed to include a reference to section 15 of the Road Traffic Act 1994.

**Editorial Notes:**

- E812** Previous affecting provision: paras. (14), (15) inserted (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 6(2), S.I. No. 86 of 2007; subsequently substituted as per above F-note, subject to commencement of the substituting provision.
- E813** Previous affecting provision: schedule substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 49(1)(l), S.I. No. 350 of 1994; subsequently superseded as per above F-note, subject to commencement of the substituting provision.
- E814** Previous affecting provision: schedule amended (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 24, S.I. No. 192 of 1978. Schedule subsequently substituted as per E-note above.
- E815** Previous affecting provision: schedule amended (1.09.1968) by *Road Traffic Act 1968* (25/1968), s. 6 and sch., S.I. No. 169 of 1968. Schedule subsequently substituted as per E-note above.