Changes to Legislation: as of 13 October 2026, this Act is up to date with all changes known to be in force.



Number 23 *of* 1935

ROAD TRANSPORT ACT 1935

REVISED

Updated to 28 May 2019

This Revised Act is an administrative consolidation of the *Road Transport Act 1935*. 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 *Greyhound Racing Act 2019* (15/2019), enacted 28 May 2019, and all statutory instruments up to and including *European Communities (Sheep Identification) (Amendment) Regulations 2019* (S.I. No. 243 of 2019), made 28 May 2019, 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.

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ARRANGEMENT OF SECTIONS

Section

1. Definitions.
2. Carriage for reward.
3. Variation of standard lorry weights.
4. Amendment of section 36 of the Principal Act.
5. Amendment of section 63 of the Principal Act.
6. Restriction on importation of certain mechanically propelled vehicles used for carriage of passengers.
7. Restriction on importation of certain lorries and tractors used for the carriage of merchandise.
8. Expenses.
9. Short title.

ACTS REFERRED TO

Road Transport Act, 1933	No. 8 of 1933
Road Transport Act, 1934	No. 17 of 1934

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AN ACT TO AMEND THE ROAD TRANSPORT ACT, 1933, AND THE ROAD TRANSPORT ACT, 1934, AND TO CONTROL THE IMPORTATION OF CERTAIN MECHANICALLY PROPELLED VEHICLES WHICH ARE BEING USED FOR THE CARRIAGE OF PASSENGERS OR MERCHANDISE. [20*th June*, 1935.]

BE IT ENACTED BY THE OIREACHTAS OF SAORSTÁT EIREANN AS FOLLOWS:—

Definitions.

1.—(1) In this Act the expression "the Principal Act" means the Road Transport Act, 1933 (No. 8 of 1933).

(2) Every word and expression used in this Act to which a particular meaning is given by the Principal Act, as amended by the Road Transport Act, 1934 (No. 17 of 1934), for the purposes of the Principal Act has in this Act the meaning so given to it.

Carriage for reward.

2.—F1**[**...**]**

Variation of standard lorry weights.

3.—F2**[**...**]**

Amendment of section 36 of the Principal Act.

4.—Sub-section (1) of section 36 of the Principal Act is hereby amended by the insertion therein of the words "in a mechanically propelled vehicle" after the words "reward of merchandise," and the said section shall be construed and have effect accordingly.

Amendment of section 63 of the Principal Act.

5.—(1) Section 63 of the Principal Act is hereby amended in the following respects and shall be construed and have effect accordingly, that is to say:—

(*a*) by the substitution in clause (i) of paragraph (*a*) of the said section of the 'words and was continuously employed (whether such employment commenced before or after the grant of such licence) whole-time, for a period of five years ending on the day preceding the critical date in the operation of the said vehicles, either by such licensee or by such licensee and his predecessor or predecessors in title to such business' for the words 'and was so employed continuously for a period of five years ending on the day preceding the critical date' now contained in the said clause;

(*b*) by the substitution in paragraph (*b*) of the said section of the words '(whether such employment commenced before or after the grant of such licence) whole-time, in the operation of the said vehicles, either by such licensee or by such licensee and his predecessor or predecessors in title to such business' for the words 'whole-time by such licensee in the operation of the vehicles

used for the purposes of the business authorised by such licence to be carried on' now contained in the said paragraph;

(*c*) by the substitution in paragraph (*c*) of the said section of the words 'either by such licensee or by such licensee and his predecessor or predecessors in title to such business' for the words 'by such licensee' now contained in the said paragraph.

(2) This section shall have and be deemed to have had effect as from the passing of the Principal Act.

Restriction on importation of certain mechanically propelled vehicles used for carriage of passengers.

6.—(1) It shall not be lawful for any person (other than an authorised (passenger carrying) company) to import into Saorstát Eireann on or after the 1st day of July, 1935, any mechanically propelled vehicle which at the time of importation complies with the following conditions (in this section referred to as the statutory conditions), that is to say:—

(a) is constructed or adapted for the carriage of passengers by road and has sitting accommodation for more than six persons excluding the driver, and

(b) is owned by a person who, if an individual, resides outside Saorstát Éireann, or, if a partnership, has its principal place of business outside Saorstát Eireann or, if a company, has its registered office outside Saorstát Éireann, and

(c) is being used for the carriage of passengers, otherwise than under and in accordance with a licence issued under this section.

(2) The Minister may, if he so thinks fit, issue to any person who applies therefor a licence expressed to authorise such person to import into Saorstát Eireann mechanically propelled vehicles which at the time of importation comply with the statutory conditions.

(3) Every licence issued under this section shall operate to authorise the person specified therein to import into Saorstát Eireann mechanically propelled vehicles which at the time of importation comply with the statutory conditions, but subject to the due compliance by such person with the law for the time being in force in relation to the importation of mechanically propelled vehicles and in particular to the payment of the duties of customs (if any) chargeable on such importation.

(4) The Minister may at any time revoke a licence issued under this section.

(5) F3**[**...**]**

Restriction on importation of certain lorries and tractors used for the carriage of merchandise.

7.—(1) It shall not be lawful for any person (other than an authorised (merchandise carrying) company) to import into Saorstát Eireann on or after the 1st day of July, 1935, any lorry or tractor which at the time of importation complies with the following conditions (in this section referred to as the statutory conditions), that is to say:—

(*a*) is owned by a person who, if an individual, resides outside Saorstát Éireann, or, if a partnership, has its principal place of business outside Saorstát Eireann or, if a company, has its registered office outside Saorstát Eireann.

(*b*) F4**[**...**]**

(2) The Minister may, if he so thinks fit, issue to any person who applies therefor a licence expressed to authorise such person to import into Saorstát Eireann lorries and tractors which at the time of importation comply with the statutory conditions.

(3) Every licence issued under this section shall operate to authorise the person specified therein to import into Saorstát Eireann lorries and tractors which at the time of importation comply with the statutory conditions, but subject to the due compliance by such person with the law for the time being in force in relation to the

importation of lorries and tractors and in particular to the payment of the duties of customs (if any) chargeable on such importation.

(4) The Minister may at any time revoke a licence issued under this section.

(5) F5**[**...**]**

Expenses.

8.—All expenses incurred by the Minister under this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

Short title.

9.—This Act may be cited as the Road Transport Act, 1935.

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About this Revised Act

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

Although not included in a collective citation, this Act is one of a group of Acts which deal with the same subject matter:

- *Road Transport Act 1933* (8/1933)
- *Road Transport Act 1934* (17/1934)
- *Road Transport Act 1935* (23/1935)
- *Transport Act 1944* (21/1944), Part VII
- *Transport (Miscellaneous Provisions) Act 1955* (21/1955)
- *Transport (No. 2) Act 1959* (40/1959)
- *Transport Act 1958* (19/1958)
- *Road Transport Act 1971* (8/1971)
- *Road Transport Act 1978* (8/1978)
- *Road Transport Act 1986* (16/1986)
- *Road Transport Act 1999* (15/1999)
- *Road Traffic and Transport Act 2006* (28/2006)
- *Road Transport Act 2011* (31/2011)

Acts previously included in the group but now repealed are:

- *Road Transport Act 1932* (2/1932)
- *Road Transport Act 1956* (13/1956)

The definitions in the *Road Transport Act 1933* are applied by the *Road Transport Acts 1934 and 1935* (s. 1(2) of each Act). The following Acts are to be construed together as one with the *Road Transport Act 1933*:

- *Transport Act 1944* (21/1944), Part VII (s. 111(2))
- *Road Transport Act 1971* (8/1971) (s. 12(2))
- *Road Transport Act 1978* (8/1978) (s. 11(2))
- *Road Transport Act 1986* (16/1986) (s. 22(2))
- *Road Transport Act 1999* (15/1999) (other than ss. 17, 18 and 21) (s. 25(2))
- *Road Traffic and Transport Act 2006* (28/2006) (s. 2 only) (s. 2(10))
- *Road Traffic Act 2011* (31/2011) (s. 23(2))

Annotations

This Revised Act is not annotated and only shows textual amendments. An annotated version of this revision is also available which shows textual and non-textual amendments and their sources. It also shows editorial notes including statutory instruments made pursuant to the Act and previous affecting provisions.

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. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.