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

Number 25 *of* 1968

ROAD TRAFFIC ACT 1968

REVISED

Updated to 1 March 2025

This Revised Act is an administrative consolidation of the *Road Traffic Act 1968*. 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 the *Ministers and Secretaries and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act 2025* (1/2025), enacted 21 February 2025, and all statutory instruments up to and including the *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2025* (S.I. No. 47 of 2025), made 1 March 1925, were considered in the preparation of this Revised Act.

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Number 25 *of* 1968

ROAD TRAFFIC ACT 1968

REVISED

Updated to 1 March 2025

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Roads Act, 1920	1920, c. 72.
Finance (Excise Duties) (Vehicles) Act, 1952	1952, No. 24.
Road Traffic Act, 1933	1933, No. 11.
Roads Act, 1920	1920, c. 72.
Civil Service Commissioners Act, 1956	1956, No. 45.
Civil Service Regulation Act, 1956	1956, No. 46.
Licensing Act, 1836	1836, c. 38.
Licensing Act, 1872	1872, c. 94.
Licensing (Ireland) Act, 1874	1874, c. 69.
Summary Jurisdiction Act, 1908	1908, c. 24.
Insurance Act, 1936	1936, No. 45.
Petty Sessions (Ireland) Act, 1851	1851, c. 93..

Number 25 *of* 1968

ROAD TRAFFIC ACT 1968

REVISED

Updated to 1 March 2025

AN ACT TO AMEND AND EXTEND THE ROAD TRAFFIC ACT, 1961, TO PROVIDE FOR THE REGULATION AND CONTROL OF ROAD TRAFFIC AND THE USE OF MECHANICALLY PROPELLED VEHICLES AND VEHICLES DRAWN BY SUCH VEHICLES, TO PROVIDE IN PARTICULAR FOR THE ASCERTAINMENT BY TESTS OF THE CONCENTRATION OF ALCOHOL IN THE BLOOD OF PERSONS IN CHARGE OF MECHANICALLY PROPELLED VEHICLES AND FOR OFFENCES BY SUCH PERSONS, TO MAKE PROVISIONS DESIGNED TO ENSURE THE ROADWORTHINESS OF VEHICLES AND THEIR EQUIPMENT, TO AUTHORISE CERTAIN CHARGES AND TO PROVIDE FOR OTHER MATTERS CONNECTED WITH THE MATTERS AFORESAID. [16*th July*, 1968]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

Annotations

Modifications (not altering text):

C1 Prospective affecting provision: application of collectively cited *Road Traffic Acts 1961 to 2010* affected by *Road Traffic Act 2010* (25/2010), s. 82(1), not commenced as of date of revision.

Cost of prosecutions — road traffic offences.

82.—(1) Where a person is convicted of an offence under the Road Traffic Acts 1961 to 2010 committed after the commencement of this section, the court shall, unless it is satisfied that there are special and substantial reasons for not so doing, order the person to pay to the court the costs and expenses, measured by the court, incurred in relation to the investigation, detection and prosecution of the offence, including costs and expenses incurred in the taking of samples and the carrying out of tests, examinations and analyses.

...

C2 Application of collectively cited *Road Traffic Acts 1961 to 2010* restricted (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 87(1), S.I. No. 543 of 2011, as substituted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 23, S.I. No. 147 of 2014.

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, 11, 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 (provided by a pre-hospital emergency care service provider recognised by the Pre-Hospital Emergency Care Council established by the Pre-Hospital Emergency Care Council (Establishment) Order 2000 (S.I. No. 109 of 2000)) 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.**]**

C3 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
		...

C4 References to term "Commissioner" in collectively cited *Road Traffic Acts 1961 to 2010* 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.

...

C5 References to term "provisional licence" in collectively cited *Road Traffic Acts 1961 to 2006* construed (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.

...

C6 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.

C7 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,

...**]**

C8 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.

C9 Meaning of "road" and "public place" for purposes of collectively cited *Road Traffic Acts 1961 to 1995* 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.

C10 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.

...

C11 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 date of revision.

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 date of revision.

E3 Multiple convictions for certain offences under collectively cited *Road Traffic Acts 1961 to 2014* not required to be disclosed by *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* (47/2012), ss. 14(4A), 14A, as amended and inserted (29.04.2016) by *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016), ss. 20(b), 21, S.I. No. 215 of 2016.

E4 Multiple convictions for certain offences under collectively cited *Road Traffic Acts 1961 to 2015* not excluded from being regarded as spent (29.04.2016) by *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016), s. 5, S.I. No. 215 of 2016.

E5 Records of Medical Bureau of Road Safety performing certain functions under collectively cited *Road Traffic Acts 1961 to 2014* exempted from application of *Freedom of Information Act 2014* (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 6 and sch. 1 part 1(u), commenced as per s. 1(2).

E6 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 date of revision other than s. 48, commenced (25.07.2012) by S.I. No. 293 of 2012.

E7 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.

E8 Procedure prescribed for production of driving licence (28.10.2011) under collectively cited *Road Traffic Acts 1961 to 2010* by *Road Traffic Act 2010* (25/2010), s. 61, S.I. No. 543 of 2011.

E9 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).

E10 Functions under collectively cited *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.

E11 Road Safety Authority charged with keeping collectively cited *Road Traffic Acts 1961 to 2004* 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.

E12 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.

E13 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.

E14 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 date of revision.

E15 Previous affecting provision: certain records held under 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; repealed (14.10.2014) by *Freedom of Information Act 2014* (30/2014), s. 5 and sch. 4, commenced as per s. 1(2).

E16 Previous affecting provision: Road Safety Authority may be required by Minister to provide advice in relation to functions under collectively cited *Road Traffic Acts 1961 to 2004* (31.05.2006) by *Road Safety Authority Act 2006* (14/2006), s. 6(1)(a), commenced on enactment; repealed (28.10.2010) by *Road Traffic Act 2010* (25/2010), s. 65(3)(c), S.I. No. 543 of 2011.

E17 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).

E18 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.

E19 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.

E20 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.

E21 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.

E22 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.

E23 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 prior to commencement of *Dublin Metropolitan Streets Commission Act 1986* (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.

E24 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.

E25 Previous affecting provision: evidentiary provisions for proceedings under collectively cited *Road Traffic Acts 1961 to 1978* prescribed (20.07.1978) 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.

E26 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.

PART I

Preliminary and General

Short title.

1.—This Act may be cited as the Road Traffic Act, 1968.

Interpretation.

2.—(1) In this Act, "the Principal Act" means the Road Traffic Act, 1961.

(2) In this Act, a reference to a Part or section is to a Part or section of this Act, unless it is indicated that reference to some other enactment is intended.

(3) In this Act, a reference to a subsection or paragraph is to the subsection or paragraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended.

Collective citation and construction.

3.—This Act and the Principal Act may be cited together as the Road Traffic Acts, 1961 and 1968, and shall be construed together as one Act.

Commencement.

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

Annotations

Editorial Notes:

E27 Power pursuant to section exercised (13.01.1971) by *Road Traffic Act 1968 (Commencement) Order 1971* (S.I. No. 6 of 1971).

2. The following provisions of the Road Traffic Act, 1968, shall come into operation on the 13th day of January, 1971 :—

(*a*) section 63, and

(*b*) section 6 for the purpose of effecting the amendment of section 77 of the Road Traffic Act 1961 (No. 24 of 1961).

E28 Power pursuant to section exercised (26.10.1970) by *Road Traffic Act 1968 (Commencement) Order 1970* (S.I. No. 244 of 1970).

2. Sections 54 and 55 of the Road Traffic Act, 1968 shall come into operation on the 26th day of October 1970.

E29 Power pursuant to section exercised (3.11.1969) by *Road Traffic Act 1968 (Commencement) (No. 2) Order 1969* (S.I. No. 195 of 1969).

2. Sections 27 to 36 and 43 to 46 of the Road Traffic Act, 1968 shall come into operation on the 3rd November, 1969.

E30 Power pursuant to section exercised (24.07.1969) by *Road Traffic Act 1968 (Commencement) Order 1969* (S.I. No. 139 of 1969).

2. Section 22 of the Road Traffic Act, 1968, shall come into operation on the 24th day of July, 1969.

E31 Power pursuant to section exercised (1.09.1968) by *Road Traffic Act 1968 (Commencement) Order 1968* (S.I. No. 169 of 1968).

2. The following provisions of the Road Traffic Act, 1968, shall come into operation on the 1st day of September, 1968:—

(*a*) sections 1 to 5, section 7, Part II, sections 18 to 20, section 23, Part IV, sections 37 to 42, sections 47 to 52, section 53, sections 56 and 57, sections 59, 60 and 62, and Part IX.

(*b*) section 6 for the purpose of effecting the amendment of the following provisions of the Road Traffic Act, 1961, (No. 24 of 1961):—

section 3, sections 11 and 12, sections 15 to 20, sections 26, 36, 40, 42, 54, 58, sections 64 and 65, sections 76, 84, 87, sections 89 to 92, sections 95 and 96, section 101, sections 103 and 104, sections 106 and 109, sections 113 to 115, section 123 and the Second Schedule.

Repeals.

5.—Sections 119 (which provides for the reimbursement of hospitals in certain cases when a person is injured as a result of negligent use of a mechanically propelled vehicle) and 88 (which provides for the making by the Commissioner of bye-laws for the general regulation and control of traffic and pedestrians in public places) of the Principal Act are hereby repealed.

Minor and consequential amendments of Principal Act.

6.—Each provision of the Principal Act mentioned in *column (1)* of the *Schedule* to this Act is hereby amended in the manner stated in *column (2)* of that Schedule opposite the mention of that provision in *column (1)*.

Annotations

Amendments:

F1 Substituted by *Road Traffic and Road Acts 2023* (16/2023), s. 6, not commenced as of date of revision.

Modifications (not altering text):

C12 Prospective affecting provision: subs. (2) amended by *Road Traffic and Road Acts 2023* (16/2023), s. 6(a), not commenced as of date of revision.

6.—Each provision of the Principal Act mentioned in *column (1)* of F1**[***Schedule 1***]** to this Act is hereby amended in the manner stated in *column (2)* of that Schedule opposite the mention of that provision in *column (1)*.

Non-application of Public Offices Fees Act, 1879.

7.—The Public Offices Fees Act, 1879, shall not apply in respect of any fees payable under the Principal Act or this Act.

PART II

General Provisions Relating to Vehicles

Control of supply of vehicles.

8.—(1) A person shall not supply, or offer to supply, a vehicle to which this subsection applies, for delivery in such a condition that the vehicle does not comply with the requirements of regulations under sections 11 and 12 of the Principal Act applying in relation to the vehicle when used in a public place or on a public road and specified for the purpose of this subsection by regulations under this section.

(2) A person shall not alter a vehicle to which this subsection applies so as to render its condition such that the vehicle does not comply with the requirements of regulations under sections 11 and 12 of the Principal Act applying in relation to the vehicle when used in a public place or on a public road and specified for the purpose of this subsection by regulations under this section.

(3) Subject to regulations under this section, the Minister may issue a certificate or certificates (in this section referred to as type approval certificates) certifying that a vehicle of any type (in this section referred to as a type vehicle) complies with the prescribed requirements.

(4) A person shall not supply, or offer to supply, a vehicle to which this subsection applies, unless there is in force in respect of the vehicle and provided therewith either—

(*a*) a test certificate issued under section 18 of the Principal Act, or

(*b*) a certificate (in this section referred to as a certificate of conformity) issued under regulations under this section by the manufacturer or importer of the vehicle, or by a prescribed person, certifying that the vehicle conforms as respects the prescribed requirements with a type vehicle in respect of which a type approval certificate under *subsection (3)* is in force.

(5) A person who contravenes *subsection (1)*, *(2)* or *(4)* shall be guilty of an offence.

(6) Nothing in *subsections (1)* to *(5)* shall affect the validity of a contract or any rights arising thereunder.

(7) In any contract for the supply of a vehicle to which this subsection applies, it shall be a warranty that the vehicle which is the subject of the contract either—

(*a*) complies with such requirements of the regulations under sections 11 and 12 of the Principal Act as may be prescribed for the purpose of this subsection, or

(*b*) conforms as respects the prescribed requirements with a type vehicle in respect of which a type approval certificate is in force.

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

(9) Regulations under this section may, in particular and without prejudice to the generality of *subsection (8)*, make provision for all or any of the following matters:

(*a*) the classes of vehicles to which *subsection (1)*, *(2)*, *(4)* or *(7)* applies;

(*b*) exempting from *subsection (1)*, *(2)*, *(4)* or *(7)* the supply or alteration of vehicles for specified purposes or in specified circumstances;

(*c*) specifying the requirements of regulations under sections 11 and 12 of the Principal Act to be complied with under *subsection (1)* or *(2)*;

(*d*) the issue and cancellation of certificates of conformity, including, in particular, the form of such certificates, the persons by whom and the conditions subject to which such certificates may be issued or cancelled;

(*e*) the making of applications for type approval certificates, including, the payment of fees in respect of such applications, the disposal of such fees and the production of vehicles or evidence as to the design and construction of vehicles for examination;

(*f*) the issue and cancellation of type approval certificates, including, in particular, the form of such certificates, the delegation of the powers of the Minister under *subsection (3)* to specified persons, and the conditions subject to which such certificates may be issued or cancelled;

(*g*) the requirements to be complied with by type vehicles;

(*h*) the arrangements to be made by persons issuing certificates of conformity to ensure that vehicles comply as respects the prescribed requirements with type vehicles;

(*i*) providing, as respects a vehicle in course of construction or adaptation, for the issue at appropriate stages of construction or adaptation of certificates of conformity in respect of appropriate parts of the vehicle;

(*j*) the period of validity of certificates issued under regulations under this section;

(*k*) the keeping of records by specified persons;

(*l*) powers of inspection of records and premises;

(*m*) the modification and adaptation of this section in relation to imported vehicles (or parts thereof) in pursuance of any international agreement to which the State is a party.

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

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

(12) In this section "supply" includes supply by way of sale, hire, loan or otherwise.

Annotations

Editorial Notes:

E32 Power pursuant to section exercised (1.02.2018) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2018* (S.I. No. 23 of 2018), in effect as per reg. 2. Confirmed (31.07.2023) by *Road Traffic and Roads Act 2023* (16/2023), s. 59(5), S.I. No. 392 of 2023, art. 2(i).

E33 Power pursuant to section deemed to be exercised (16.01.2003) by *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003), as provided (31.07.2023) by *Road Traffic and Roads Act 2023* (16/2023), s. 59(1), S.I. No. 392 of 2023, art. 2(i).

E34 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).

E35 Power pursuant to section exercised (1.03.1991) by *Road Traffic (Control of Supply of Vehicles) Regulations 1991* (S.I. No. 35 of 1991).

Control of importation, etc., of vehicle parts.

9.—(1) The Minister may make regulations in relation to the importation, supply and fitting of vehicle parts.

(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:

(*a*) prohibiting importation either absolutely or save under a licence (which may contain conditions) issued by the Minister or by specified persons;

(*b*) prohibiting, either absolutely or save under a licence (which may contain conditions) issued by the Minister, persons from supplying, or offering to supply, specified goods or specified classes of goods;

(*c*) prohibiting persons from fitting, or offering to fit, vehicle parts to a vehicle—

(i) where the importation or supply of such parts is prohibited under this section,

(ii) where the use of a vehicle with such parts in a public place would contravene regulations under section 11 of the Principal Act,

(iii) save in a prescribed manner;

(*d*) requiring persons supplying specified vehicle parts to supply therewith instructions relating to the fitting and use of such parts.

(3) Different regulations may be made under this section in respect of different classes of vehicle parts and for different circumstances.

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

(5) In this section—

"vehicle part" means any article made or adapted for use as part of a vehicle or for use as part of the equipment of a vehicle and includes any article made or adapted for use as part of the equipment of a driver or passenger on or in a vehicle 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;

"supply" includes supply by way of sale, hire, loan or otherwise.

Annotations

Editorial Notes:

E36 Power pursuant to section exercised (1.04.1991) by *Road Traffic (Speed Meter Detectors) Regulations 1991* (S.I. No. 50 of 1991).

Control and operation of trailers.

10.—(1) The Minister may make regulations in relation to the control and operation of vehicles drawn by mechanically propelled vehicles.

(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:

(*a*) the licensing of drawn vehicles;

(*b*) the payment of specified fees in respect of applications for licences or plates under the regulations and the disposition of such fees;

(*c*) the conditions subject to which drawn vehicles may be operated in public places;

(*d*) the keeping of specified records, the issue of specified certificates and the specifying of the persons by whom such certificates are to be issued;

(*e*) the production of the records and certificates to members of the Garda Síochána and specified officers of the Minister.

(3) Different regulations may be made under this section for different circumstances and in respect of different classes of vehicles.

(4) A certificate purporting to be issued pursuant to regulations under this section and stating 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 so stated.

(5) 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.

(6) A person who contravenes a regulation under this section which is stated to be a penal regulation shall be guilty of an offence and, in such cases involving a vehicle as may be prescribed and where that person is not the owner of the vehicle, the owner shall also be guilty of an offence.

Annotations

Modifications (not altering text):

C13 Application of Act extended by *Finance Act 1993* (13/1993), s. 60(2), as amended (23.05.1994) by *Finance Act 1994* (13/1994), s. 86, commenced on enactment.

Records.

60.—...

[(2) (*a*) The Minister and all the licensing authorities may jointly establish and maintain records in relation to ... licences under section 10 of the Road Traffic Act, 1968...

(*b*) Records established under this section may contain information derived from registers established under section 6 of the Act of 1920 and shall contain such other information in relation to the licences aforesaid, the holders of the licences, the duties of excise payable thereon and the vehicles licensed under the Act of 1952 as the Minister may determine.

(*c*) Records referred to in paragraph (*a*) shall be established and maintained in such form as the Minister may determine including a form that is not legible if it is capable of being converted into a legible form.

(2A) A licensing authority shall furnish to the Minister or another licensing authority such information, in such form and at such times as he directs for the purpose of the establishment and maintenance of records under this section.**]**

Editorial Notes:

E37 Power pursuant to section exercised (1.03.2025) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2025* (S.I. No. 47 of 2025), in effect as per reg. 2.

E38 Power pursuant to section exercised (19.09.2023) by *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 2023* (S.I. No. 450 of 2023)

E39 Power pursuant to section exercised (1.02.2018) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2018* (S.I. No. 23 of 2018), in effect as per reg. 2. Confirmed (31.07.2023) by *Road Traffic and Roads Act 2023* (16/2023), s. 59(5), S.I. No. 392 of 2023, art. 2(i).

E40 Power pursuant to section exercised (14.07.2017) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2017* (S.I. No. 320 of 2017), in effect as per reg. 2.

E41 Power pursuant to section exercised (1.01.2016) by *Road Traffic (Plating and Speed Rating of Agricultural Vehicles) Regulations 2014* (S.I. No. 247 of 2014), in effect as per reg. 1(2).

E42 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).

E43 Power pursuant to section deemed to be exercised (16.01.2003) by *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003), as provided (31.07.2023) by *Road Traffic and Roads Act 2023* (16/2023), s. 59(1), S.I. No. 392 of 2023, art. 2(i).

E44 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).

E45 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).

E46 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).

E47 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).

E48 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).

E49 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).

E50 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).

Determination of maximum weights.

11.—(1) A person shall not use in a public place a vehicle to which this section applies unless there is in force in respect of the vehicle and exhibited thereon a plate under this section indicating descriptions of maximum weights which are not to be exceeded in the case of the vehicle or any combination of vehicles of which it is a part.

(2) A person shall not use in a public place a vehicle to which this section applies unless there is in force in respect of the vehicle a certificate under this section indicating descriptions of maximum weights which are not to be exceeded in the case of the vehicle or any combination of vehicles of which it is a part.

(3) Where a person contravenes *subsection (1)* or *(2)* he shall be guilty of an offence and, where that person is not the owner of the vehicle, the owner shall also be guilty of an offence.

(4) Where a person charged with an offence under *subsection (3)* 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 the use was unauthorised.

(5) The owner of a vehicle to which this section applies may apply to the issuing authority for a plate and a certificate under this section in respect of the vehicle.

(6) Where an application is made under *subsection (5)* the issuing authority shall determine the descriptions of maximum weights which are not to be exceeded in the case of the vehicle or of any combination of vehicles of which it is a part and shall issue a plate and a certificate in the prescribed forms in respect of the vehicle.

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

(8) Regulations under this section may, in particular and without prejudice to the generality of *subsection (7)*, provide for all or any of the following matters:

(*a*) the classes of vehicles to which this section applies;

(*b*) exempting from *subsections (1)* and *(2)* 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 manner in which maximum weights shall be determined, the manner in which any particulars relevant to such determination shall be ascertained or calculated, and the carrying out of tests for the purpose of such determinations;

(*e*) the making of applications for plates and certificates under this section and the specifying of conditions subject to which such applications may be made;

(*f*) the fees to be paid by applicants for plates and certificates under this section and the disposition of such fees;

(*g*) the keeping of records by specified persons;

(*h*) the forms and periods of validity of plates and certificates under this section;

(*i*) the delegation by issuing authorities to specified persons of the functions of such authorities under *subsection (6)*;

(*j*) providing, in the event of a specified alteration to a vehicle in respect of which a plate and certificate under this section have been issued, for the surrender of the plate and certificate to a specified person;

(*k*) the issue by issuing authorities of duplicate plates and certificates under this section in place of plates and certificates lost, destroyed, or mutilated, the fees to be paid in respect of such issue and the disposition of such fees;

(*l*) providing in specified cases that the determination of descriptions of maximum weights and other particulars on plates and certificates under this section shall be subject to the general or particular approval of the Minister;

(*m*) providing for the production to specified officers of the Minister, to members of the Garda Síochána, or to other specified persons of certificates under this section and of records kept under this section.

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

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

(11) A person who destroys, damages or defaces a plate or a certificate issued under this section shall be guilty of an offence.

(12) 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.

Annotations

Modifications (not altering text):

C14 Application of section affected (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 4(1), commenced on enactment, as amended (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(c), S.I. No. 491 of 2002 and as further amended (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(c) and table part 3 ref. no. 1 , S.I. No. 86 of 2007. A fine of €2,000 translates into a Class C fine, not exceeding €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6 and table reg. no. 1, S.I. No. 662 of 2011.

Increase of certain penalties under Act of 1968, etc.

4.—(1) A person who is guilty of an offence under section 11 or 12 of the Act of 1968 shall be liable on summary conviction to a fine not exceeding **[**€2000**]** or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

...

Editorial Notes:

E51 Power pursuant to section exercised (1.03.2025) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2025* (S.I. No. 47 of 2025), in effect as per reg. 2.

E52 Power pursuant to section exercised (1.02.2018) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2018* (S.I. No. 23 of 2018), in effect as per reg. 2. Confirmed (31.07.2023) by *Road Traffic and Roads Act 2023* (16/2023), s. 59(5), S.I. No. 392 of 2023, art. 2(i).

E53 Power pursuant to section exercised (14.07.2017) by *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2017* (S.I. No. 320 of 2017), in effect as per reg. 2.

E54 Power pursuant to section exercised (1.01.2016) by *Road Traffic (Plating and Speed Rating of Agricultural Vehicles) Regulations 2014* (S.I. No. 247 of 2014), in effect as per reg. 1(2).

E55 Power pursuant to section deemed to be exercised (16.01.2003) by *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003), as provided (31.07.2023) by *Road Traffic and Roads Act 2023* (16/2023), s. 59(1), S.I. No. 392 of 2023, art. 2(i).

Inspection and examination of vehicles.

12.—(1) (*a*) Whenever an authorised officer of the Minister observes a mechanically propelled vehicle or a combination of vehicles in a public place he may inspect and examine the vehicle or combination and, for the purpose of carrying out the inspection and examination, may, subject to regulations under this section, do all such things and make all such requirements in relation to the vehicle or combination as are reasonably necessary.

(*b*) A person who contravenes a requirement of an authorised officer of the Minister under this subsection or who obstructs such an authorised officer in the performance of his functions under this subsection shall be guilty of an offence.

(2) (*a*) Whenever the Minister has reasonable grounds for believing that a mechanically propelled vehicle or a combination of vehicles has been used in a public place, he may require the owner of the vehicle or combination to submit it for examination by a person authorised by the Minister at a time and place and in a condition of loading specified by the Minister.

(*b*) A person who contravenes a requirement under paragraph (*a*) or who obstructs an authorised person in the performance of his functions under this subsection shall be guilty of an offence.

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

(4) Regulations under this section may, in particular and without prejudice to the generality of *subsection (3)*, provide for all or any of the following matters:

(*a*) the circumstances in which inspections and examinations may be carried out;

(*b*) the nature of inspections and examinations;

(*c*) the manner in which, the conditions under which and the apparatus with which inspections and examinations may be carried out;

(*d*) the requirements which may be made of persons in charge of vehicles or combinations of vehicles for the purpose of carrying out inspections and examinations;

(*e*) the authorising of officers of the Minister to be authorised officers for the purposes of this section;

(*f*) the authorising of persons (whether officers of the Minister or not) to be authorised persons for the purposes of this section;

(*g*) the delegation by the Minister to specified persons of his powers under *subsection (2) (a)*;

(*h*) the keeping of records and the furnishing of reports by authorised persons.

(5) Regulations under this section may make different provisions for different classes of vehicles and different circumstances.

(6) A person who contravenes a regulation under this section which is stated to be a penal regulation shall be guilty of an offence and, in such cases involving a vehicle as may be prescribed and where that person is not the owner thereof, the owner shall also be guilty of an offence.

(7) In this section "examination" includes test.

Annotations

Modifications (not altering text):

C15 Application of section affected (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 4(1), commenced on enactment, as amended (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23(1)(c), S.I. No. 491 of 2002 and as further amended (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18(1)(b) and table part 3 ref. no. 1, S.I. No. 86 of 2007. A fine of €2,000 translates into a Class C fine, not exceeding €2,500, as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6 and table reg. no. 1, S.I. No. 662 of 2011.

Increase of certain penalties under Act of 1968, etc.

4.—(1) A person who is guilty of an offence under section 11 or 12 of the Act of 1968 shall be liable on summary conviction to a fine not exceeding **[**€2000**]** or, at the discretion of the court, to imprisonment for any term not exceeding three months or to both such fine and such imprisonment.

...

Inspection and examination of vehicles in large fleets.

13.—F2**[**(1) This section applies to every person who owns or operates not less than the prescribed number of mechanically propelled vehicles (being vehicles exceeding 2,000 kilograms in weight unladen and used in public places) and is designated for the purposes of this section in regulations made thereunder.**]**

(2) The Minister may make regulations—

(*a*) requiring a person to whom this section applies to arrange, in accordance with a scheme approved by the Minister, for the inspection and examination from

time to time of the vehicles (or a specified class thereof) owned or operated by that person,

(*b*) providing for the keeping of records of such inspections and examinations and of the action taken to remedy any defects discovered in the course of such inspections and examinations, and

(*c*) providing for the production of such records to officers of the Minister.

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

Annotations

Amendments:

F2 Substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 4(2), commenced on enactment.

Approval marks.

14.—(1) F3**[**...**]**

(2) F3**[**...**]**

(3) F3**[**...**]**

(4) (*a*) The Minister may by regulations specify the conditions (including payment of fees) subject to which approval of a type may be given on behalf of the State or subject to which the use of approval marks indicating conformity of a vehicle part with a type approved by the State may be authorised, and may provide for the disposition of fees.

(*b*) Different regulations may be made under this subsection in respect of different classes of cases.

(5) In this section—

"vehicle part" means any article made or adapted for use as part of either a mechanically propelled vehicle or a vehicle drawn thereby, or for use as part of the equipment of either of such vehicles, and includes any article made or adapted for use as part of the equipment of a driver or passenger on or in either of such vehicles;

"the competent authority" means—

(*a*) as respects any approval mark indicating conformity with a type approved by the State, the Minister, and

(*b*) as respects any approval mark indicating conformity with a type approved by any other country, the authority having power under the law of that country to authorise the use of that mark;

"conformity of a vehicle part with a type approved" includes conformity of a vehicle, fitted with the part in question, with a type vehicle approved as respects only the requirement or requirements which the part enables the vehicle to fulfil.

Annotations

Amendments:

F3 Repealed (1.05.2007) by *Consumer Protection Act 2007* (19/2007), s. 4 and sch. 2, S.I. No. 178 of 2007.

Obligatory penalty for excess weight.

15.—F4**[**(1) Where—

(*a*) a vehicle exceeding 17,000 kilograms in weight laden (within the meaning of the relevant regulations), or a combination of vehicles of which such a vehicle forms a part, is used on a public road,

(*b*) the owner is convicted of an offence under section 12 of the Principal Act in respect of such use, and

(*c*) the excess weight during such use was not less than 1,000 kilograms,

the court which so convicted shall, in addition to any penalty which may be imposed under section 12 of the Principal Act (as amended by the *Road Traffic (Amendment) Act, 1984)*, impose on the owner so convicted a penalty fixed in accordance with the Table to this section.**]**

(2) A penalty imposed under this section shall be paid to the road authority responsible for the maintenance of the road on which the offence was committed.

(3) Where a sum becomes recoverable under section 17 of the Principal Act and a penalty has been imposed under this section in respect of the same facts, the sum shall be reduced by the amount of the penalty.

(4) Where damages become recoverable under section 93 (8) of the Principal Act and a penalty has been imposed under this section in respect of the same facts, the damages shall be reduced by the amount of the penalty.

(5) In this section—

"excess weight" means—

(*a*) in the case of a single vehicle, the excess of the weight laden (within the meaning of the relevant regulations) of the vehicle over the maximum weight laden of the vehicle specified by the relevant regulations applying in relation to the vehicle,

(*b*) in the case of a combination of vehicles, the excess of the weight laden (within the meaning of the relevant regulations) of the combination over the maximum weight laden of the combination specified by the relevant regulations applying in relation to the combination, together with the excess weight (if any) of each of the individual vehicles forming the combination as calculated in the manner specified in paragraph (*a*);

"relevant regulations" means the regulations for the time being in force under section 12 of the Principal Act.

F5**[**TABLE

Where the excess weight is not less than 1,000 kilograms but is less than 2,000 kilograms	€500
Where the excess weight is not less than 2,000 kilograms but is less than 3,000 kilograms	€1,000
Where the excess weight is not less than 3,000 kilograms but is less than 4,000 kilograms	€1,500
Where the excess weight is not less than 4,000 kilograms but is less than 5,000 kilograms	€3,000
Where the excess weight is 5,000 kilograms or more	€5,000**]**

Annotations

Amendments:

F4 Substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 4(3), commenced on enactment.

F5 Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 84, S.I. No. 255 of 2011.

Editorial Notes:

E56 Previous affecting provision: table substituted (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23, S.I. No. 491 of 2002; substituted as per F-note above.

E57 Previous affecting provision: table substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 4(4), commenced on enactment; substituted as per E-note above.

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)*.

Extended power of making regulations relating to application for licence under Finance (Excise Duties) (Vehicles) Act, 1952.

17.—(1) 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 to produce in prescribed cases such certificate under this Part as may be prescribed and any other prescribed document for the purposes of this Part,

(*b*) power to make regulations providing for the insertion in prescribed cases by the licensing authority of prescribed particulars on certificates and documents mentioned in paragraph (*a*).

(2) In this section "licensing authority" means the council of a county or the corporation of a county borough.

PART III

Driving Licences

Regulations in relation to control of driving instruction.

18.—(1) The Minister may make regulations in relation to the control of the giving for reward of instruction in or in respect of the driving of a mechanically propelled vehicle.

F6**[**(1A) (*a*) In this subsection—

"approval" means a document authorising the holder to issue instruction certificates;

"approved body" means a body that holds an approval;

"driving instruction" means instruction given for reward in or in respect of the driving of a vehicle;

"instruction certificate" means a certificate referred to in *paragraph (b)(ii)*.

(*b*) Regulations under this section may provide for—

(i) the exemption from the regulations or specified provisions of the regulations of holders of instruction certificates as respects vehicles to which the certificates relate,

(ii) the issue of instruction certificates by an approved body to persons as respects whom the body is satisfied that they are competent, and appropriately qualified, to give driving instruction of a recognised standard specified in the regulations in respect of vehicles or vehicles of a specified class and the inclusion in the certificates of statements to the effect that the body is so satisfied,

(iii) the revocation by an approved body of an instruction certificate issued by it,

(iv) the grant by the Minister of approvals to persons as respects whom the Minister is satisfied that they are competent, and appropriately qualified, to assess the competence and qualifications of persons who apply to them for the issue of instruction certificates,

(v) the attachment of conditions by the Minister to approvals and the revocation or amendment of such conditions,

(vi) notification of the person concerned of a proposal to revoke an approval or instruction certificate, or to revoke or amend conditions of approvals, and of the reasons therefor,

(vii) the making of representations to the Minister or the approved body concerned by the persons affected in relation to proposals referred to in *subparagraph (vi)* and the consideration of any such representations by the Minister or by the body, as the case may be, before deciding whether to proceed with the proposals,

(viii) appeals to the District Court against a revocation or amendment aforesaid and against refusals to issue an approval or an instruction certificate,

(ix) applications for approvals and the conditions to be complied with by applicants (including conditions relating to competence, standards and qualifications and the payment of fees to the Minister),

(x) the systems to be established by approved bodies for ascertaining and assessing from time to time the competence and standards of holders of instruction certificates, and

(xi) the entry on premises of approved bodies and applicants for approvals at all reasonable times by duly authorised officers of the Minister and the examination and copying by such officers of records and other documents,

whether in electronic or other form, kept there and the provision to such officers by such bodies and applicants and their staff of such information as they may reasonably request for the purposes of the functions of the Minister under this subsection. **]**

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

F7**[**(*a*) the licensing of driving instructors (including the refusal to grant a licence and the revocation and suspension of a licence);

(*aa*) the issuing of plates and badges to licensed driving instructors (including the refusal to issue a plate or badge and the withdrawal of a plate or badge);

(*aaa*) appeals by an applicant refused a licence or badge or plate, a holder of a licence whose licence has been revoked or suspended and the holder of a plate or badge which has been withdrawn;**]**

(*b*) the qualifications of licensed driving instructors;

(*c*) the payment of specified fees in respect of licences and applications for licences and the disposition of such fees;

(*d*) the conduct and duties of licensed driving instructors;

F8**[**(*da*) the fitness of applicants for driving instructor licences;**]**

(*e*) the keeping and inspection of specified records, the issue of specified certificates and the specifying of the persons by whom such records are to be kept and such certificates are to be issued;

(*f*) the inspection of courses of instruction given by licensed driving instructors and of vehicles used by them when giving such courses;

(*g*) the prohibition or the restriction of the giving for reward by a person other than a licensed driving instructor, of instruction in or in respect of the driving of a mechanically propelled vehicle, and the prohibition of a person from employing a driving instructor who is not a licensed driving instructor for the purpose of giving instruction for reward in or in respect of the driving of a mechanically propelled vehicle;

(*h*) the prohibition of a person other than a licensed driving instructor from holding himself out as a licensed driving instructor, and the prohibition of a person employing a driving instructor other than a licensed driving instructor from holding that driving instructor out as a licensed driving instructor;

(*i*) the type of vehicle in which the giving for reward of instruction in or in respect of the driving of a mechanically propelled vehicle may be carried on, the fittings required to be in or on such a vehicle and the prescribing of any other conditions subject to which such a vehicle may be used for such instruction.

F8**[**(*j*) the facilities and conditions attached to them, equipment and resources which driving instructors must have and comply with;

(*k*) the display of any plate or badge by a licensed driving instructor while giving driving instructions for reward;

(*l*) the production to a member of the Garda Síochána or an officer of the Road Safety Authority for inspection of any licences or badges issued under Regulations under this section;

(*m*) the examination or inspection of records under regulations under this section by a member of the Garda Síochána or an officer of the Road Safety Authority;

(*n*) the detention and examination of a vehicle for the purposes of regulations under this section by such a member or officer;

(*o*) matters for the purposes of *subsection (8)*.**]**

(3) Different regulations may be made under this section in respect of different classes of vehicles and for different circumstances.

(4) A certificate purporting to be issued pursuant to regulations under this section and stating that a specified person was on a specified day the holder of a licence under the regulations 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 so stated.

(5) 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.

(6) Whenever a person (in this subsection referred to as the instructor) is accompanying the holder of a provisional licence (within the meaning of section 35 of the Principal Act) while such holder is driving a mechanically propelled vehicle in a public place, the instructor shall be deemed, in any prosecution for an offence under this section, to be giving for reward instruction in or in respect of the driving of that vehicle until the contrary is shown by the instructor.

F9**[**(7) A person who contravenes or fails to comply with a regulation under this section which is stated to be a penal regulation commits an offence and is liable on summary conviction—

(*a*) in the case of a contravention of a regulation—

(i) prohibiting or restricting the giving for reward of instruction by a person other than a licensed driving instructor, or prohibiting the employment of such a person for the purpose of giving instruction for reward, or

(ii) prohibiting a person other than a licensed driving instructor from holding himself or herself out as a licensed driving instructor, or prohibiting a person employing a driving instructor other than a licensed driving instructor from holding that driving instructor out as a licensed driving instructor,

to a class A fine or to imprisonment for a term not exceeding 3 months or to both, and

(*b*) in the case of any other failure or contravention, to a class C fine.**]**

Annotations

Amendments:

F6 Inserted (3.04.2006) by *Road Traffic Act 2002* (12/2002), s. 19, S.I. No. 134 of 2006.

F7 Substituted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 85(a), S.I No. 555 of 2011.

F8 Inserted (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 85(b), (c), S.I. No. 255 of 2011.

F9 Substituted (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 5, S.I. No. 542 of 2011. A class A fine means a fine not exceeding €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

A class C fine means a fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6(1), S.I. No. 662 of 2010.

F10 Inserted by *Road Traffic and Road Acts 2023* (16/2023), s. 6(b)(i), not commenced as of date of revision.

F11 Inserted by *Road Traffic and Road Acts 2023* (16/2023), s. 6(b)(ii)(I), (II)(C), (V), (VI), (VIII), (X), not commenced as of date of revision.

F12 Substituted by *Road Traffic and Road Acts 2023* (16/2023), s. 6(b)(II)(A), (B), (III)(A), (B), (IV), (VII), (IX), (XI), not commenced as of date of revision.

F13 Inserted by *Road Traffic and Road Acts 2023* (16/2023), s. 6(b)(iii), not commenced as of date of revision.

Modifications (not altering text):

C16 Prospective affecting provision: subs. (1B) inserted by *Road Traffic and Road Acts 2023* (16/2023), s. 6(b)(i), not commenced as of date of revision.

F10**[**(1B) The Road Safety Authority shall be responsible for the licensing of persons and the registration of licensed driving instructors in accordance with regulations made under this section.**]**

C17 Prospective affecting provision: subs. (2)(a), (aa), (aaa) amended, subs. (2)(b) substituted, subs. (2)(cc), (ee), (ef) inserted), subs. (2)(k) amended, subs. (2)(kk) inserted, subs. (2)(l) amended, subs. (2)(la) inserted, subs. (2)(o) amended and subss. (8), (9) inserted by *Road Traffic and Road Acts 2023*(16/2023), s. 6(b)(i)-(iii), not commenced as of date of revision.

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

F7**[**(*a*) the licensing of driving instructors (including the refusal to grant a licence and the revocation and suspension F11**[**, and subsequent surrender or return,**]** of a licence);

(*aa*) the issuing of F12**[**plates, cards and badges**]** to licensed driving instructors (including the refusal to issue a F12**[**plate, card or badge**]** and the withdrawal F11**[**, and subsequent surrender or return,**]** of a F12**[**plate, card or badge**]**);

(*aaa*) appeals by an applicant refused a F12**[**licence or badge, card or plate**]**, a holder of a licence whose licence has been revoked or suspended and the holder of a F12**[**plate, card or badge**]** which has been withdrawn;**]**

F12**[**(*b*) the qualifications of, tests to be passed by and courses of training to be undertaken by, persons in order to become and remain licensed driving instructors;**]**

(*c*) the payment of specified fees in respect of licences and applications for licences and the disposition of such fees;

F11**[**(*cc*) the maintenance of a register of licensed driving instructors, the form of such register, the particulars to be entered on such register and the persons by whom, and the manner in which, the information contained in the register shall be made available;**]**

(*d*) the conduct and duties of licensed driving instructors;

F8**[**(*da*) the fitness of applicants for driving instructor licences;**]**

(*e*) the keeping and inspection of specified records, the issue of specified certificates and the specifying of the persons by whom such records are to be kept and such certificates are to be issued;

F11**[**(*ee*) the notification by a licensed driving instructor to the Road Safety Authority where a person has completed a course, or part of a course, of training with the instructor,

(*ef)* the transfer of information between licensed driving instructors and the Road Safety Authority;**]**

(*f*) the inspection of courses of instruction given by licensed driving instructors and of vehicles used by them when giving such courses;

(*g*) the prohibition or the restriction of the giving for reward by a person other than a licensed driving instructor, of instruction in or in respect of the driving of a mechanically propelled vehicle, and the prohibition of a person from employing a driving instructor who is not

a licensed driving instructor for the purpose of giving instruction for reward in or in respect of the driving of a mechanically propelled vehicle;

(*h*) the prohibition of a person other than a licensed driving instructor from holding himself out as a licensed driving instructor, and the prohibition of a person employing a driving instructor other than a licensed driving instructor from holding that driving instructor out as a licensed driving instructor;

(*i*) the type of vehicle in which the giving for reward of instruction in or in respect of the driving of a mechanically propelled vehicle may be carried on, the fittings required to be in or on such a vehicle and the prescribing of any other conditions subject to which such a vehicle may be used for such instruction.

F8**[**(*j*) the facilities and conditions attached to them, equipment and resources which driving instructors must have and comply with;

(*k*) the display of any F12**[**plate, card or badge**]** by a licensed driving instructor while giving driving instructions for reward;

F11**[**(*kk*) the carrying out of tests in respect of licensed driving instructors consisting of observation by an examiner of an instruction lesson given by the instructor to a learner driver or the examiner;**]**

(*l*) the production to a member of the Garda Síochána or an officer of the Road Safety Authority for inspection of any F12**[**licences, cards or badges**]** issued under Regulations under this section;

F11**[**(*la*) the return of expired licences, cards and badges issued under regulations under this section;**]**

(*m*) the examination or inspection of records under regulations under this section by a member of the Garda Síochána or an officer of the Road Safety Authority;

(*n*) the detention and examination of a vehicle for the purposes of regulations under this section by such a member or officer;

(*o*) matters for the purposes of F12**[***subsections (8)* and *(9)***]**.**]**

F13**[**(8) Where an applicant for a licence under regulations under this section is convicted of an offence under *subsection (7)* he or she shall be prohibited from holding such a licence for the period prescribed in regulations under this section in respect of the offence.

(9) Where the holder of a licence is convicted of an offence under *subsection (7)*, the licence shall stand revoked or, as the case may be, suspended in accordance with regulations under this section for the period prescribed in such regulations in respect of the offence.**]**

C18 Meaning of "provisional licence" in collectively cited *Road Traffic Acts 1961 to 2006* extended (21.07.2006) by *Road Traffic Act 2006* (23/2006), s. 11(3), S.I. No. 384 of 2006.

Learner permit.

...

(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.

...

Editorial Notes:

E58 Power pursuant to section exercised (13.07.2021) by *Road Traffic (Courses of Instruction) (Motorcycles) (Extension of Period of Validity of Certificate) Regulations 2021* (S.I. No. 357 of 2021).

E59 Power pursuant to section exercised (7.05.2021) by *Road Traffic (Driving Instructor Licensing) (Extension of Period of Validity of Licence) Regulations 2021* (S.I. No. 215 of 2021).

E60 Power pursuant to section exercised (9.04.2020) by *Road Traffic (Courses of Instruction) (Motorcycles) (Extension of Period of Validity of Certificate) Regulations 2020* (S.I. No. 123 of 2020).

E61 Power pursuant to section exercised (5.11.2018) by *Road Traffic (Courses of Instruction) (Motorcycles) (Amendment) Regulations 2018* (S.I. No. 433 of 2018).

E62 Power pursuant to section exercised (5.11.2018) by *Road Traffic (Courses of Instruction) (Cars) (Amendment) Regulations 2018* (S.I. No. 406 of 2018).

E63 Application for licence or renewal of licence under section remains subject to general requirement for disclosure of convictions, as provided (29.04.2016) by *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016), s. 11(1)(b), S.I. No. 215 of 2016.

E64 Power pursuant to section exercised (20.12.2011) by *Road Traffic (Courses of Instruction) (Motorcycles) Regulations 2011* (S.I. No. 681 of 2011).

E65 Power pursuant to section exercised (4.04.2011) by *Road Traffic (Courses of Instruction) (Cars) Regulations 2011* (S.I. No. 172 of 2011).

E66 Power pursuant to section exercised (3.06.2009) by *Road Traffic (Driving Instructor Licensing) (No. 2) Regulations 2009* (S.I. No. 203 of 2009).

E67 Previous affecting provision: penalty in subs. (7) increased (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18, S.I. No. 86 of 2007; superseded as per F-note above.

E68 Previous affecting provision: subs. (7) substituted by *Road Traffic Act 2010* (25/2010), s. 85(d), not commenced; substituted as per F-note above.

E69 Previous affecting provision: penalty in subs. (1) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23, S.I. No. 491 of 2002.

E70 Previous affecting provision: subs. (7) substituted (18.07.1984) by *Road Traffic (Amendment) Act 1984* (16/1984), s. 4(5), commenced on enactment; substituted as per E-note above.

F14**[**Disqualification of driving instructors. **18A.**— ...**]**

Annotations

Amendments:

F14 Inserted by *Road Traffic and Road Acts 2023*(16/2023), s. 6(c), not commenced as of date of revision.

Modifications (not altering text):

C19 Prospective affecting provision: section inserted by *Road Traffic and Road Acts 2023*(16/2023), s. 6(c), not commenced as of date of revision.

F14**[18A.**—(1) An applicant for, or the holder of, a licence shall notify the Authority in writing if he or she has been, or is, convicted of an offence specified in *Schedule 2*.

(2) A person convicted of an offence specified in *Part 1* of *Schedule 2* is disqualified for holding a licence for life from the date of such conviction.

(3) Subject to *subsection (4)*, a person convicted of an offence specified in *Part 2* of *Schedule 2* shall be disqualified for holding a licence for a period of 3 years from the date of such conviction.

(4) Where, on foot of a conviction for an offence referred to in *subsection (3)*, the person is sentenced to a term of imprisonment, the period of disqualification referred to in that subsection shall be extended by such term of imprisonment.

(5) Where, on foot of a conviction for an offence specified in *Part 3* of *Schedule 2*, a person is disqualified for holding a driving licence for a specified period, the person shall be disqualified for holding an instructor's licence for the specified period and for a further period of 3 years.

(6) A notification under *subsection (1)* shall be made

(*a*) where the person was convicted of the offence before making the application, at the time of making the application, and

(*b*) where the person convicted is the holder of a licence, within

(i) 3 months of the commencement of this subsection, or

(ii) 28 days of the expiry of the time allowed for appealing such conviction or of the determination or withdrawal of the appeal of such conviction,

whichever is the later.

(7) A notification under *subsection (1)* shall include details of

(*a*) the nature of the offence,

(*b*) whether the conviction is one of a number of convictions for the same or different offences,

(*c*) any penalty or sentence suffered on foot of the conviction, and

(*d*) any disqualification or forfeiture imposed on foot of the conviction.

(8) Where a person is disqualified for holding a licence under this section

(*a*) the Authority shall not grant a licence to the person, and

(*b*) any licence held by the person shall stand revoked.

(9) A person who fails to notify the Authority in accordance with this section or who provides information to the Authority under this section, knowing it to be false or misleading, commits an offence.

(10) In this section—

"Authority" means the Road Safety Authority;

"licence" means a licence authorising a person to give for reward instruction in or in respect of driving a mechanically propelled vehicle.

(11) A reference in this section to an offence specified in *Schedule 2* includes a reference to an offence under the law of another jurisdiction which corresponds to that offence where the conduct constituting the offence under the law of that other jurisdiction would, if committed in the State, constitute an offence referred to in *Schedule 2*.**]**

Amendment of section 29 of Principal Act.

19.—F15**[**...**]**

Annotations

Amendments:

F15 Repealed (1.06.2011) by *Road Traffic Act 2010* (25/2010), s. 67(2), S.I. No. 255 of 2011.

Operation of disqualification order.

20.—The Principal Act is hereby amended by the substitution of the following section for section 30:

"Operation of disqualification order.

30. (1) A person in respect of whom a consequential, ancillary or special disqualification order is made shall stand disqualified in accordance with the order for holding a driving licence, and a driving licence held by him at the date of the order shall stand suspended correspondingly.

(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."

Amendment of section 33 of Principal Act.

21.—Section 33 of the Principal Act (which relates to certificates of competency) is hereby amended by the insertion after subsection (3) of the following subsection:

"(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."

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.

(2) Where the certificate of competency accompanying, pursuant to section 22 (3) (*c*) of the Principal Act, an application under that section for a driving licence contains a statement that the certificate is limited to a specified type of vehicle belonging to a specified class, any driving licence issued in pursuance of that application shall, notwithstanding anything in that Act, contain a statement that, in relation to that class, the licence is limited to a vehicle of the type specified in the certificate and the licence shall, for the purposes of section 38 of the Principal Act, have effect accordingly.

Penalty for undergoing or attempting to undergo test under section 33 of Principal Act in name of other person.

23.—(1) A person who undergoes or attempts to undergo a test arranged under section 33 of the Principal Act in the name of some other person shall be guilty of an offence.

F16**[**(2) A person who is guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding £350 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) Where a certificate of competency is issued on completion of a test in relation to which an offence under this section has been committed, such certificate and any driving licence granted in pursuance of an application accompanied by such certificate shall be void and of no effect.

Annotations

Amendments:

F16 Substituted (18.07.1984) by *Road Transport (Amendment) Act 1984* (16/1984), s. 4(6), commenced on enactment.

Modifications (not altering text):

C20 Maximum penalty in subs. (2) increased to €2,000 (5.03.2007) by *Road Traffic Act 2006* (23/2006), s. 18, S.I. No. 86 of 2007. This translates into a Class C fine not exceeding €2,500 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 6 and table ref. no. 1, S.I. No. 662 of 2010.

Increase of certain penalties.

18.— (1) A person convicted of an offence for which a penalty is provided by— ...

(*b*) a provision of the Road Traffic Act 1968 mentioned in column (2) of Part 2 of the Table at any reference number mentioned in column (1) of that Part,

...

is, in lieu of the monetary penalty so provided, liable to the monetary penalty, specified in column (3) of the Table at that reference number.

TABLE

Part 2

Road Traffic Act 1968

Reference Number (1)	Provision (2)	Monetary Penalty (3)
...		
2	Section 23(2)	A fine not exceeding €2,000

Editorial Notes:

E71 Previous affecting provision: penalty in subs. (2) increased (31.10.2002) by *Road Traffic Act 2002* (12/2002), s. 23, S.I. No. 491 of 2002; superseded as per C-note above.

PART IV

Speed Limits

General speed limit.

24.—Part IV of the Principal Act is hereby amended by the insertion after section 44 of the following section:

"General speed limit

44A (1) The Minister may make regulations prescribing, in respect of all public roads, or all public roads with such exceptions as may be specified in the regulations, a speed limit (which shall be known as a general speed limit) for all mechanically propelled vehicles.

(2) Regulations under this section prescribing a general speed limit may except any class of vehicles from the limit and may restrict the limit to a particular period or to particular periods."

Amendment of section 46 of Principal Act.

25.—Section 46 of the Principal Act is hereby amended by the deletion of subsection (2) and by the deletion of "of the day and night" in subsection (3) (*b*).

Amendment of section 47 of Principal Act.

26.—Section 47 of the Principal Act is hereby amended—

(*a*) by the insertion after subsection (2) of the following subsection:

"(2A) In a prosecution for an offence under this section for driving a mechanically propelled vehicle, at a speed exceeding the built-up area speed limit or a special speed limit applying in relation to the vehicle, on a road in respect of which the built-up area speed limit or a special speed limit is indicated by one or more than one traffic sign within the meaning of section 95 of this Act, it shall be presumed, until the contrary is shown by the defendant, that the limit so indicated applied in respect of that road at the time when the offence is alleged to have been committed.", and

(*b*) by the insertion after subsection (3) (*a*) of—

"(*aa*) a general speed limit,".

PART V

Driving Offences

Definitions for Part V.

F17**[27.**—In this Part—

"analysis" includes any operation used in determining the concentration of alcohol in a specimen of breath, blood or urine, and any operation used in determining the presence (if any) of a drug or drugs in a specimen of blood or urine, and cognate words shall be construed accordingly;

"Bureau" has the meaning assigned to it by *section 37 (1)*;

"Director" has the meaning assigned to it by *section 39 (1)*;

"establishment order" has the meaning assigned to it by *section 37 (1)*.**]**

Annotations

Amendments:

F17 Substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 5, S.I. No. 350 of 1994.

Editorial Notes:

E72 Previous affecting provision: section substituted (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 6, S.I. No. 192 of 1978; substituted as per F-note above.

E73 Previous affecting provision: section amended (26.07.1973) by *Road Traffic (Amendment) Act 1973* (15/1973), s. 2, commenced on enactment; substituted as per E-note and F-note above.

Obligation to provide preliminary specimen of breath.

28.—F18**[...]**

Annotations

Amendments:

F18 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E74 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.

E75 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.

E76 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.

Amendment of section 49 of Principal Act.

29.—F19**[**...**]**

Annotations

Amendments:

F19 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Obligation to provide, or permit taking of, specimen at Garda station (section 49).

30.—F20**[**...**]**

Annotations

Amendments:

F20 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E77 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.

E78 Previous affecting provision: section amended (26.07.1973) by *Road Traffic (Amendment) Act 1973* (15/1973), s. 3, commenced on enactment; section repealed as per F-note above.

E79 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.

E80 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.

E81 Previous affecting provision: application of subs. (3) extended by *Road Traffic Act 1961* (24/1961), s. 26(3)(b), as amended (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 25, S.I. No. 192 of 1978; section repealed as per F-note above.

Bar to certain defences to charges under section 49 of Principal Act.

31.—F21**[**...**]**

Annotations

Amendments:

F21 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Amendment of section 50 of Principal Act.

32.—F22**[**...**]**

Annotations

Amendments:

F22 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Obligation to provide, or permit taking of, specimen at Garda station (section 50).

33.—F23**[**...**]**

Annotations

Amendments:

F23 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E82 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.

E83 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.

E84 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.

Bar to certain defences to charges under section 50 of Principal Act.

34.—F24**[**...**]**

Annotations

Amendments:

F24 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Provisions relating to certain evidence in prosecutions under section 49 or 50 of Principal Act.

35.—F25**[**...**]**

Annotations

Amendments:

F25 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Defence to refusal to permit taking of specimen.

36.—F26**[**...**]**

Annotations

Amendments:

F26 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E85 Previous affecting provision: section amended (26.07.1973) by *Road Traffic (Amendment) Act 1973* (15/1973), s. 5, commenced on enactment; 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.

E86 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.

Establishment of Bureau for purposes of this Part.

37.—(1) The Minister may by order (in this Part referred to as the establishment order) establish as on and from a specified date a body (in this Part referred to as the Bureau) to perform the functions assigned to it by or under this Act.

(2) The Bureau shall be called and known by such title as may be specified in the establishment order and shall be a body corporate with perpetual succession and power to sue and be sued in its corporate name and, with the consent of the Minister, to acquire, hold and dispose of land.

(3) The Bureau shall consist of not less than three but not more than five members.

(4) The members of the Bureau shall be appointed by the Minister.

(5) No remuneration or moneys in respect of expenses may be paid to a member of the Bureau save with the consent of the Minister for Finance.

Annotations

Editorial Notes:

E87 Power pursuant to section exercised (1.01.1984) by *The Medical Bureau of Road Safety (Establishment) Order 1968 (Amendment) Order 1983* (S.I. No. 364 of 1983).

E88 Power pursuant to section exercised (27.11.1968) by *The Medical Bureau of Road Safety (Establishment) Order 1968* (S.I. No. 241 of 1968).

Functions and duties of the Bureau.

38.— F27**[**(1) The Bureau shall perform the functions assigned to it by or under this Act or the Road Traffic Act, 1994.

(2) In particular, and without prejudice to the generality of *subsection (1)*, the Bureau shall, subject to the establishment order and to any regulations under Part III of the Road Traffic Act, 1994, arrange for—

(*a*) the receipt and analysis of specimens of blood and urine forwarded to the Bureau under Part III of the Road Traffic Act, 1994, and the issue of reports on such analyses,

(*b*) the determination, in respect of such specimens, of the concentration of alcohol in the blood or urine and of the presence (if any) of a drug or drugs in the blood or urine,

(*c*) the issue of certificates required under Part III of the Road Traffic Act, 1994, to be issued by the Bureau,

(*d*) the provision of equipment for the taking of such specimens,

(*e*) the approval of—

(i) apparatus for indicating the presence of alcohol, and

(ii) apparatus for determining the concentration of alcohol,

in the breath.**]**

(3) Where, in a case to which *section 35 (1)(b)* applies, the registered owner of the mechanically propelled vehicle concerned does not give or send in accordance with *section 35 (6)* the information specified in *paragraph (b)* of that subsection, then—

(*a*) in a prosecution of that owner for the alleged offence, which is not a penalty point offence, to which the notice under *section 35 (1)(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 alleged offence, or

(*b*) in a prosecution of that owner or another person for the alleged offence, which is a penalty point offence, to which the notice under *section 35 (1)(b)* relates, it shall be presumed, until the contrary is shown, that—

(i) where the registered owner is an individual, he or she was driving or otherwise using the vehicle, or

(ii) where the registered owner is a body corporate or unincorporated body of persons or has hired out under a hire-drive agreement or leased the vehicle—

(I) the person permitted under an approved policy of insurance or under an agreement, as the case may be, to drive the vehicle was driving or otherwise using the vehicle, or

(II) in the event of being unable to ascertain the identity of that person, the registered owner is deemed to have been driving or otherwise using the vehicle, at the time of the commission of the alleged offence.

(4) The Bureau may, with the consent of the Minister—

F27**[**(*a*) arrange for the supply and testing of—

(i) apparatus for indicating the presence of alcohol, and

(ii) apparatus for determining the concentration of alcohol,

in the breath,**]**

(*b*) render such assistance, whether financial or otherwise, as it thinks proper to persons carrying out or intending to carry out research of a kind which the Bureau is by this Act authorised to carry out.

Annotations

Amendments:

F27 Substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 6, S.I. No. 350 of 1994.

F28 Repealed by *Road Traffic Act 2010* (25/2010), s. 33(b), not commenced as of date of revision.

Modifications (not altering text):

C21 Prospective affecting provision: section repealed by *Road Traffic Act 2010* (25/2010), s. 33(b), not commenced as of date of revision.

38.—F28**[**...**]**

Editorial Notes:

E89 Previous affecting provision: subs. (1) and (2) substituted (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978) s. 7(a), S.I. No. 192 of 1978; repealed as per F-note above.

E90 Previous affecting provision: subs. (4)(a) substituted (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978) s. 7(b), S.I. No. 192 of 1978; repealed as per F-note above.

Director of the Bureau.

39.—(1) The establishment order shall provide for the appointment by the Minister of a Director of the Bureau, in this Part referred to as the Director.

F29**[**(2) The Director shall, subject to this Part and the establishment order, manage the day-to-day business of the Bureau and exercise general supervision in relation to the performance by it of the functions assigned to it by or under this Act or Part 2 of the Road Traffic Act 2010.**]**

(3) The Director shall be paid, out of funds at the disposal of the Bureau—

(*a*) such remuneration as may from time to time be fixed by the Minister with the consent of the Minister for Finance, and

(*b*) such amounts in respect of expenses as the Minister, with the consent of the Minister for Finance, from time to time approves.

(4) The Director may be a member of the Bureau.

(5) The Director may, with the consent of the Bureau and as provided by the establishment order, from time to time appoint one or more than one person to act as his deputy and may from time to time delegate to any such person any of the duties or functions of the Director.

(6) Where a delegation to a person is made under this section—

(*a*) the person shall perform the delegated functions under the general direction and control of the Director,

(*b*) the person shall perform the delegated function in accordance with such (if any) limitations as may be specified in the delegation as to the area or period in which or the extent to which he is to perform that function, and

(*c*) a provision made by or under this Act which vests functions in the Director or regulates the manner in which any function is to be performed shall, if and in so far as it is applicable to the delegated function, have effect for the purposes of the performance of that function by the person, with the substitution of the person for the Director.

(7) Notwithstanding *subsection (6)*, where a delegation to a person is made under this section—

(*a*) the Director may, in any particular case of the performance of the function, inform the person that he has decided to perform the function himself, and the function shall thereupon be performable in such case by the Director and not by the person, and

(*b*) if the person is satisfied that, in any particular case of the performance of the function, performance would, on account of the importance of the decision involved or on account of any other reasonable consideration, be more appropriately effected by the Director, the person may refer such case to the Director, and the function shall thereupon be performable in such case by the Director and not by the person.

(8) The name of the Director and of any person appointed under *subsection (5)* shall be published in the manner specified in the establishment order.

Annotations

Amendments:

F29 Substituted (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 28, S.I. No. 543 of 2011.

Modifications (not altering text):

C22 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 (1)	Short Title (2)	Provision (3)
...	...	...
No. 25 of 1968	Road Traffic Act 1968	Sections 37(5), 39(3) and 41
...	...	...

Editorial Notes:

E91 Power pursuant to section exercised (1.01.1984) by *The Medical Bureau of Road Safety (Establishment) Order 1968 (Amendment) Order 1983* (S.I. No. 364 of 1983).

E92 Power pursuant to section exercised (27.11.1968) by *The Medical Bureau of Road Safety (Establishment) Order 1968* (S.I. No. 241 of 1968).

E93 Previous affecting provision: subs. (2) substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 7, S.I. No. 350 of 1994; substituted as per F-note above.

E94 Previous affecting provision: subs. (2) substituted (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 8, S.I. No. 192 of 1978; substituted as per E-note and F-note above.

Provisions of the establishment order.

40.—(1) The establishment order shall contain such provisions as the Minister considers appropriate for the purpose of enabling the Bureau to perform its functions effectively and to give effect to the provisions of this Part in so far as they relate to the Bureau.

(2) In particular, and without prejudice to the generality of *subsection (1)*, the establishment order may contain provisions relating to all or any of the following matters:

(*a*) the terms and conditions of appointment and tenure of office of members of the Bureau and of the Director;

(*b*) the appointment of officers and the employment of servants by the Bureau and the remuneration and conditions of service of such officers and servants;

(*c*) meetings of the Bureau and procedure at such meetings;

(*d*) the regulation of the finances of the Bureau and the keeping and auditing of its accounts;

(*e*) the furnishing by the Bureau to the Minister from time to time of information regarding the performance of its functions;

(*f*) empowering the Bureau to provide itself with a seal and providing for the use and authentication of the seal;

(*g*) empowering the Bureau to make arrangements with another person or body for the use by the Bureau of premises and equipment belonging to that person or body and for the use of the services of officers and servants of that person or body.

(3) No provision relating to the matters mentioned in *subsection (2) (b)* may be contained in the establishment order save with the consent of the Minister for Finance.

(4) The Minister may from time to time by order amend the establishment order and amend or revoke an order under this subsection.

Annotations

Editorial Notes:

E95 Power pursuant to section exercised (1.01.1984) by *The Medical Bureau of Road Safety (Establishment) Order 1968 (Amendment) Order 1983* (S.I. No. 364 of 1983).

E96 Power pursuant to section exercised (27.11.1968) by *The Medical Bureau of Road Safety (Establishment) Order 1968* (S.I. No. 241 of 1968).

Expenses of the Bureau.

41.—(1) Subject to any general directions which may, from time to time, be given by the Minister for Finance, there shall be paid F30**[**out of moneys provided by the Oireachtas**]** in every year to the Bureau an amount equal to the expenses which, in the opinion of the Minister, are reasonably and properly incurred in the performance of its functions, less any fees or other payments made to the Bureau under this Act or the establishment order.

(2) Subsection (4) of section 3 of the Roads Act, 1920, shall be construed and have effect as if the expenses required by this section to be met out of the Road Fund were included in the expenses mentioned in paragraph (*e*) of that subsection.

Annotations

Amendments:

F30 Substituted (18.07.1980) by *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980), reg. 2 and sch.

Protection of Director, etc., against legal proceedings.

42.— No action or other legal proceeding shall lie (except in the case of wilful neglect or default) against the Director or any member, officer or servant of the Bureau by reason of, or arising out of, the carrying out of any analysis or determination under this Act F31**[**, the Road Traffic (Amendment) Act, 1978, or the Road Traffic Act, 1994**]**.

Annotations

Amendments:

F31 Substituted (2.12.1994) by *Road Traffic Act 1994* (7/1994), s. 8, S.I. No. 350 of 1994.

F32 Repealed by *Road Traffic Act 2010* (25/2010), s. 33(b), not commenced as of date of revision.

Modifications (not altering text):

C23 Prospective affecting provision: section repealed by *Road Traffic Act 2010* (25/2010), s. 33(b), not commenced as of date of revision.

42.—F32**[**...**]**

Procedure following taking or provision of specimen.

43.—F33**[**...**]**

Annotations

Amendments:

F33 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E97 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.

E98 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.

E99 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.

E100 Previous affectin 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.

E101 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.

E102 Previous affecting provision: section amended (26.07.1973) by *Road Traffic (Amendment) Act 1973* (15/1973), s. 6, commenced on enactment; repealed as per F-note above.

Evidential effects of certificate under section 43.

44.—F34**[**...**]**

Annotations

Amendments:

F34 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E103 Previous affecting provision: section amended (26.07.1973) by *Road Traffic (Amendment) Act 1973* (15/1973), s. 7, commenced on enactment; repealed as per F-note above.

Right to further analysis.

45.—F35**[**...**]**

Annotations

Amendments:

F35 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E104 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..

E105 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.

Opportunity to have taken or to give additional specimen, or to be supplied with portion of specimen.

46.—F36**[**...**]**

Annotations

Amendments:

F36 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E106 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.

E107 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.

Regulations for sections 27 to 46.

47.—F37**[**...**]**

Annotations

Amendments:

F37 Repealed (20.07.1978) by *Road Traffic (Amendment) Act 1978* (19/1978), s. 5, S.I. No. 192 of 1978.

Editorial Notes:

E108 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.

E109

E110 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.

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.

E111 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.

E112 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.

Driving animal-drawn vehicle or pedal cycle while under influence of intoxicating liquor or drug.

48.—F38**[**...**]**

Annotations

Amendments:

F38 Repealed (28.10.2011) by *Road Traffic Act 2010* (25/2010), s. 33(b), S.I. No. 544 of 2011.

Driving without reasonable consideration.

49.—F39**[**...**]**

Annotations

Amendments:

F39 Repealed (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(2), S.I. No. 542 of 2011.

Editorial Notes:

E113 Previous affecting provision: repealed by *Road Traffic Act 2010* (25/2010), s. 70(b), not commenced.

Careless driving.

50.—F40**[**...**]**

Annotations

Amendments:

F40 Repealed (28.10.2011) by *Road Traffic (No. 2) Act 2011* (28/2011), s. 4(2), S.I. No. 542 of 2011.

Editorial Notes:

E114 Previous affecting provision: repealed by *Road Traffic Act 2010* (25/2010), s. 70(b), not commenced.

Amendment of section 53 of Principal Act.

51.—F41**[**...**]**

Annotations

Amendments:

F41 Repealed (28.10.2011) by *Road Traffic (No.2) Act 2011* (28/2011), s. 4(2), S.I. No. 542 of 2011.

Editorial Notes:

E115 Previous affecting provision: repealed by *Road Traffic Act 2010* (25/2010), s. 70(b), not commenced.

Amendment of section 55 of Principal Act.

52.—F42**[**...**]**

Annotations

Amendments:

F42 Repealed (28.10.2011) by *Road Traffic (No.2) Act 2011* (28/2011), s. 4(2), S.I. No. 542 of 2011.

Editorial Notes:

E116 Previous affecting provision: repealed by *Road Traffic Act 2010* (25/2010), s. 70(b), not commenced.

PART VI

Compulsory Insurance

Cesser of provisions of Principal Act relating to approved guarantee.

53.—The provisions of Part VI of the Principal Act relating to an approved guarantee shall cease to have effect.

Exempted person.

54.—The following section is hereby substituted for section 60 of the Principal Act:

'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."

Deposits by exempted persons.

55.—(1) The following section is hereby substituted for section 61 of the Principal Act:

"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."

(2) A deposit made before the commencement of this section by a person who is an exempted person shall be deemed to have been made under section 61 (inserted by this section) of the Principal Act.

PART VII

Public Service Vehicles

Penalty for damaging public service vehicle.

56.—(1) A person who wilfully or maliciously commits any damage or injury to a public service vehicle shall be guilty of an offence and on summary conviction thereof may, in addition to any penalty which may be imposed under section 102 of the Principal Act, be ordered by the court by which he is so convicted to pay to the owner of the vehicle such sum as the court shall fix as compensation for the damage or injury and for the loss of the time of the owner and of the driver and conductor of the vehicle or of any of them (as the case may require) in attending the court.

(2) Whenever a member of the Garda Síochána has reasonable grounds for believing that a person is committing or has committed an offence under this section the

member may demand of such person his name and address and may, if such person 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, arrest such person without warrant.

Annotations

Editorial Notes:

E117 Previous affecting provision: subs. (1) substituted by *Dublin Transport Authority Act 1986* (15/1986), s. 31(10), not commenced; 1986 Act repealed (1.01.1988) by *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), s. 13, commenced as per s. 15(5).

Amendment of section 82 of Principal Act.

57.—Section 82 of the Principal Act is hereby amended—

(*a*) by the insertion after "granted" in subsection (2) (*c*) of "or applied for", and

(*b*) by the insertion after subsection (8) of the following subsection:

"(9) Whenever a member of the Garda Síochána has reasonable grounds for believing that a person pointed out to him by the owner, driver or conductor of a public service vehicle has refused or omitted to pay to the owner, driver or conductor any sum payable by that person to that owner, driver or conductor for the hire of the vehicle or the fare for that person's carriage in that vehicle, the member may, if that person 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, arrest that person without warrant."

Transfer to Minister of functions of Commissioner of Garda Síochána under section 86 of Principal Act.

58.—Section 86 of the Principal Act is hereby amended—

(*a*) by the substitution for "The Commissioner may, with the consent of the Minister, make bye-laws" in subsection (2) of "The Minister may make regulations",

(*b*) by the substitution of "regulations" for "bye-laws" in subsection (3),

(*c*) by the substitution of "regulation" for "bye-law" in subsections (4) and (6), and

(*d*) by the substitution of the following subsection for subsection (5):

"(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."

PART VIII

Regulation of Traffic

Penalty on person found in a public place while under influence of intoxicating liquor or drug.

59.—(1) A person who is found in a public place in such a condition, because he is under the influence of intoxicating liquor or a drug, as to be a source of danger to traffic or himself shall be guilty of an offence.

(2) A person charged with an offence under this section shall not, in respect of the facts alleged to constitute such offence, be charged under section 12 of the Licensing Act, 1836, section 12 of the Licensing Act, 1872, section 25 of the Licensing (Ireland) Act, 1874, or section 9 of the Summary Jurisdiction Act, 1908.

(3) Where a member of the Garda Síochána is of opinion that a person is committing an offence under this section he may arrest the person without warrant.

Regulations for the general control of traffic and pedestrians.

60.—F43**[...]**

Annotations

Amendments:

F43 Repealed (1.05.1997) by *Road Traffic Act 1994* (7/1994), s. 4(1), S.I. No. 180 of 1997.

Editorial Notes:

E118 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.

E119 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.

E120 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 (1.10.1997) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1 pt. 1.

E121 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.

E122 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 (1.10.1997) by *Road Traffic (Traffic and Parking) Regulations 1997* (S.I. No. 182 of 1997), reg. 3 and sch. 1 pt. 1.

Amendment of section 93 of Principal Act.

61.—Section 93 of the Principal Act is hereby amended—

(*a*) by the substitution of the following paragraph for subsection (1) (*a*):

"(*a*) A road authority, railway or canal 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.",

(*b*) by the insertion of the following paragraph after subsection (1) (*b*):

"(*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.", and

(*c*) by the insertion after "vehicle" in subsection (6), and in subsection (8) wherever that word occurs, of "or combination of vehicles".

Transfer of traffic functions to local authorities.

62.—(1) The Minister may by order—

(*a*) transfer to a specified road authority a specified function in relation to a specified area (whether within or without their functional area) of the Commissioner under section 84, 85, 86, 89, 90, 93, 94, 95, or 96 of the Principal Act,

(*b*) transfer to a specified road authority the functions of the appropriate local authority under section 90 (3) of the Principal Act and transfer to another road authority a function of a road authority under section 93, 94 or 95 of the Principal Act.

(2) The Minister may by order revoke or amend an order under this section.

(3) An order under this section may contain such consequential or ancillary provisions as are reasonably necessary for the implementation of the transfer effected by the order and may contain such modifications of the Principal Act as are reasonably necessary for that purpose.

Removal of vehicles abandoned or unlawfully parked.

63.—The following section is hereby substituted for section 97 of the Principal Act:

"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 this Act 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."

PART IX

Miscellaneous

Amendment of section 103 of Principal Act.

64.—F44**[...]**

Annotations

Amendments:

F44 Repealed (10.01.2013) by *Road Traffic Act 2002* (12/2002), s. 25(2), S.I. No. 12 of 2013, as respects offences committed after commencement.

Taking vehicle without authority.

65.—Section 112 of the Principal Act is hereby amended—

(*a*) by the substitution for subsection (1) of the following subsection:

"(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.", and

(*b*) by the insertion after "is committing" in subsection (6) of "or has committed".

Investigation and inquiry by person authorised by Minister into accident involving vehicle.

66.—(1) Whenever a vehicle has been involved in an accident in a public place, an authorised person may—

(*a*) investigate the circumstances in which the accident occurred,

(*b*) enter (on production of his authority if so demanded by the owner or person in charge of the premises hereinafter mentioned) at any reasonable time any premises where there is a vehicle which was involved in the accident,

(*c*) carry out such inspection and examination (including a test) as appear to him to be reasonably necessary for the purposes of the investigation,

(*d*) do such things and make such requirements as appear to him to be reasonably necessary for the purposes of the investigation and, in particular,

(i) require, by summons, the attendance of all such persons as he thinks fit to call before him and examine for the purposes of his report and require answers or returns to any inquiries which he thinks fit to make,

(ii) require any person to produce such books, papers, other documents and any articles (being in that person's custody or under his control) which he may consider relevant and retain such books, papers, documents and articles for such time as he may reasonably require them, and

(*e*) report to the Minister concerning the causes of, and all the circumstances surrounding, the accident and make recommendations in connection therewith.

(2) Whenever the Minister considers it necessary, he may direct that a public inquiry be held into the cause of an accident in which a vehicle was involved.

(3) For the purposes of holding an inquiry under this section, the Minister or the person authorised by him to hold the inquiry may—

(*a*) require any person to attend as a witness to give evidence or to produce any documents relating to the subject matter of the inquiry;

(*b*) administer or cause to be administered an oath and take evidence under oath.

(4) (*a*) The Minister may by order make provision for—

(i) the payment by the Minister of the expenses reasonably incurred by a person giving evidence or producing documents at an inquiry under this section,

(ii) the payment by the Minister of costs reasonably incurred by a person in connection with an inquiry under this section,

(iii) the recovery from any person of costs incurred by the Minister in connection with an inquiry under this section.

(*b*) The Minister may by order amend or revoke an order under this section.

(5) Any person who contravenes a requirement made by an authorised person under *subsection (1)* of this section or who obstructs an authorised person in the performance of his duties under this section shall be guilty of an offence.

(6) If any person (hereinafter referred to as the witness)—

(*a*) on being duly summoned as a witness before an inquiry under this section makes default in attending, or

(*b*) being in attendance as a witness refuses to take an oath legally required to be taken by the person holding an inquiry under this section or to produce any document in his power or control legally required by the person holding an inquiry under this section to be produced by him, or to answer any question to which the person holding an inquiry under this section may legally require an answer, or

(*c*) does any other thing which would, if the person holding an inquiry under this section were a court of law having power to commit for contempt of court, be contempt of such court,

the person holding an inquiry under this section may certify the offence of the witness to the High Court and the High Court may, after such inquiry as it thinks proper to make, punish or take steps for the punishment of the witness in like manner as if he had been guilty of contempt of the High Court.

(7) A report made under this section shall not be used as evidence in any legal proceedings arising out of the accident in question.

(8) The Minister may make regulations for giving effect to this section.

(9) In this section "authorised person" means a person duly authorised in writing by the Minister for the purposes of this section.

Section 6.

SCHEDULE

Minor and consequential amendments of Principal Act

Annotations

Amendments:

F45 Substituted by *Road Traffic and Road Acts 2023*(16/2023), s. 6(d), not commenced as of date of revision.

Modifications (not altering text):

C24 Prospective affecting provision: schedule title substituted by *Road Traffic and Road Acts 2023*(16/2023), s. 6(d), not commenced as of date of revision.

F45[SCHEDULE 1

Minor and consequential amendments of Principal Act]

Provision amended (1)	Nature of Amendment (2)
Section 3.	The insertion in subsection (1) after the definition of "footway" of "'general speed limit' means a speed limit under section 44A of this Act;". The substitution in subsection (1) for "'pedestrian-controlled mechanically propelled vehicle'" of "'pedestrian controlled vehicle'". The substitution in the definition of "street service vehicle" of "in a public place" for "on a public road" in each place where that phrase occurs.
Section 11.	The insertion after "towing gear" in subsection (6) of "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".
Section 12.	The insertion after "combination" where that secondly occurs in subsection (3) (*b*) of "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". The insertion after "the vehicle" in subsection (3) (*c*) of "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".
Section 15.	The insertion after "road authority" where that secondly occurs in subsection (5) and after "Garda Síochána" in subsection (7) of "or an officer of the Minister".
Section 16.	The insertion after "an officer" in subsection (7) (*a*) (ii) of "or a servant". The insertion after subsection (7) (*a*) (ii) of:— "or

	(iii) an officer of the Minister authorised by the Minister as an authorised officer for the purposes of this section".
Section 17.	The insertion after subsection (2) of the following subsection: "(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."
Section 18.	The deletion in subsections (1), (7), (10) (*a*) and (10) (*l*) of "mechanically propelled".
Section 19.	The deletion in subsections (1) (*a*) and (2) (*a*) of "mechanically propelled".
Section 20.	The insertion before "consequent" in subsection (3) of "consequent upon an inspection and examination under section 12 of the Road Traffic Act, 1968, of a mechanically propelled vehicle, or". The insertion before "consequent" in subsection (5) of "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".
Section 26.	The insertion after subsection (3) (*a*) (ii) of: "or (iii) an offence under section 30 (3) of the Road Traffic Act, 1968,". The substitution for subsection (3) (*b*) of: "(*b*) (i) Where a person, who has previously been convicted of an offence under section 49 of this Act, is convicted of an offence under section 30 (3) of the Road Traffic Act, 1968, the first-mentioned conviction shall, for the purposes of the foregoing paragraph, be regarded as a conviction under section 30 (3) of the Road Traffic Act, 1968. (ii) Where a person, who has previously been convicted of an offence under section 30 (3) of the Road Traffic Act, 1968, is convicted of an offence under section 49 of this Act, the first-mentioned conviction shall, for the purposes of the foregoing paragraph, be regarded as a conviction under section 49 of this Act." The insertion after "section 49 of this Act" in subsection (5) (*a*) (i) of "or section 30 (3) of the Road Traffic Act, 1968". The substitution for subsection (5) (*b*) of: "(*b*) (i) Where a person, who has previously been convicted of an offence under section 49 of this Act, is convicted of an offence under section 30 (3) of the Road Traffic Act, 1968, the first-mentioned conviction shall, for the purposes of the foregoing paragraph, be regarded as a conviction under section 30 (3) of the Road Traffic Act, 1968. (ii) Where a person, who has previously been convicted of an offence under section 30 (3) of the Road Traffic Act, 1968, is convicted of an offence

	under section 49 of this Act, the first-mentioned conviction shall, for the purposes of the foregoing paragraph, be regarded as a conviction under section 49 of this Act."
Section 36.	The insertion after "5," in subsection (1) of "5A, 5B,". The deletion from subsections (3) (*b*) and (4) (*b*) of "or postponed" and "or postponement" in each place where they occur.
Section 40.	The insertion after "so much of the licence as" in subsection (5) of "specifies the class or classes of vehicles in respect of which the licence was granted and the statement (if any) required to be contained in the licence by section 22 of the Road Traffic Act, 1968, and".
Section 42.	The insertion after subsection (2) (*j*) of the following: "(*k*) the fees to be paid to a licensing authority in respect of the supply by the authority of information relating to a driving licence or provisional licence or a licence issued under Part III of the repealed Act, and the disposition of such fees."
Section 54.	The deletion of subsection (1). The deletion from subsection (4) of "subsection (1) or".
Section 58.	The insertion after "that section" in paragraph (*a*) and after "that business" in paragraph (*b*) of the following: "under and in accordance with a licence granted by the Minister for Industry and Commerce under Part II of the Insurance Act, 1936".
Section 64.	The deletion of "subsection (1) of" in subsection (3). The insertion after subsection (3) of the following subsection: "(4) Notwithstanding subsection (4) of section 10 of the Petty Sessions (Ireland) Act, 1851, proceedings for an offence under this section may be instituted within twelve months from the date of the offence."
Section 65.	The substitution for subsection (1) (*a*) of the following: "(*a*) any person claiming in respect of injury to person 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,". The insertion after "mechanically propelled vehicle" in subsection (1) (*c*) of "(or a vehicle drawn thereby)". The deletion of subsections (1) (*e*) to (1) (*g*).
Section 76.	The substitution for "a misdemeanour" in subsection (1) (*e*) of "an offence".

Section 77.	The substitution in subsection (5) of "the Minister" for "the Minister for Industry and Commerce".
Section 84.	The deletion of "in public roads" in subsections (1) (*a*) and (1) (*c*).
Section 87.	The substitution for "a fee of one shilling" in subsection (8) and for "a fee of sixpence for every folio or part of a folio of seventy-two words contained in the copy" in subsection (9) of "the prescribed fee".
Section 89.	The insertion before "restricting" in subsection (2) (*h*) and (2) (*i*) of "prohibiting or". The insertion of the following after subsection (2) (*l*): "(*m*) the control and regulation of traffic and pedestrians on public roads (whether specified in bye-laws or not) 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 subsection (2) of section 95 of this Act (and, in particular, requiring persons in charge of traffic and pedestrians to comply with any prohibition, restriction or requirement indicated by those signs)."
Section 90.	The substitution for subsection (2) (*i*) of the following: "(*i*) prohibiting any person other than a licensed parking attendant from acting, or holding himself out as ready to act, as a parking attendant on a public road;" The insertion of the following after subsection (2) (*i*): "(*j*) the control and regulation of parking on public roads (whether specified in bye-laws or not) 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 subsection (2) of section 95 of this Act (and, in particular, requiring persons in charge of vehicles to comply with any prohibition, restriction or requirement indicated by those signs)." The deletion of "at parking places" in subsection (6) (*a*).
	The substitution of the following subsection for subsection (9): "(9) Whenever there is a contravention of a bye-law or rule under this section and a mechanically propelled vehicle is involved, 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 agreeement, and (*c*) if the person parking it is not the registered owner or the hirer under a hire-drive agreement, the person parking the vehicle." The deletion from the definition of "licensed parking attendant" in subsection (15) (*a*) of "at a parking place".

Section 91.	The insertion after "manual direction" in subsection (2) of "or by the use of portable signs of such size, form and colour and having such significance as may be prescribed". The insertion after "this section" in subsection (3) of "or who contravenes a prohibition, restriction or requirement indicated by a sign referred to in subsection (2) of this section".
Section 92.	The substitution for "Sections 219 to 223" in subsection (2) of "Sections 219 and 221 to 223".
Section 95.	The insertion after "86," in the definition of "road regulation" of "91,". The insertion after "both" in paragraph (*c*) of the definition of "traffic sign" of "or indicates the existence of a provision in an enactment relating to road traffic".
Section 96.	The substitution of "school wardens" for "traffic wardens" in subsection (1). The substitution of "school warden" for "traffic warden" in subsections (2), (4) and (6).
Section 101.	The deletion of subsections (4) and (5). The insertion after "cloak rooms" in subsection (6) (*b*) of ", petrol stations, shops". The insertion after subsection (7) (*c*) of the following: "(*d*) specifying the conditions subject to which vehicles may use the car park." The insertion after subsection (7) of the following: "(7A) A person who contravenes a bye-law under subsection (7) of this section shall be guilty of an offence." The substitution for "Sections 219 to 223" in subsection (8) of "Section 219 and sections 221 to 223". The insertion after "any part thereof" in subsection (10) of "or any facilities provided for the car park under subsection (6) of this section". The insertion after subsection (11) of the following: "(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."
Section 103.	The insertion after subsection (6) of the following: "(6A) Different amounts may be prescribed for the purposes of paragraph (*b*) of subsection (2) and paragraph (*b*) of subsection (3) of this section in respect of different offences, different classes of vehicles and in respect of offences alleged to have been committed in particular public places or in different areas."
Section 104.	The substitution for "section 47, 52 or 53" of "section 47, 51A, 52 or 53".

	The insertion of the following subparagraph after paragraph (*i*) (I) of the proviso: "(IA) notwithstanding the failure, the accused was at all material times aware of the occurrence in respect of which the prosecution for such an offence is brought, or".
Section 106.	The substitution for subsection (1) (*d*) of the following: "(*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."
Section 109.	The insertion after "Garda Síochána" in subsection (1) of "and shall keep it stationary for such period as is reasonably necessary in order to enable such member to discharge his duties".
Section 113.	The insertion after "is committing" in subsection (3) of "or has committed".
Section 114.	The insertion after subsection (4) (*b*) (*v*) of the following: "(vi) the exclusion from the regulations of specified classes of vehicles."
Section 115.	The insertion after "licence" in each place where it occurs in subsections (1) and (3) of ", plate". The insertion after "thereunder" in subsection (4) of "or a special permit under regulations under section 13 of this Act".
Section 123.	The substitution for "an exempted person" in paragraph (*a*) (ii) of "a vehicle insurer or an exempted person within the meaning of Part VI of this Act".

Second Schedule.	The insertion after paragraph 4 of the following:	
	"Refusal or failure to provide, or to permit taking of, specimen at Garda station (section 49).	4A. An offence under section 30 (3) of the Road Traffic Act, 1968."
	The substitution for paragraph 5 of the following paragraphs:	

"Being in charge of mechanically propelled vehicle while under influence of intoxicating liquor or drug.	5. An offence under section 50, being a second or any subsequent offence within any period of 3 years: provided that, where a person who has previously been convicted of an offence under section 49 of this Act or section 30 (3) or 33 (3) of the Road Traffic Act, 1968, is convicted of an offence under section 50 of this Act, the first-mentioned conviction shall, for the purposes of this paragraph, be regarded as a conviction under section 50 of this Act.
Refusal or failure to provide, or to permit taking of, specimen at Garda station (section 50).	5A. An offence under section 33 (3) of the Road Traffic Act, 1968, being a second or any subsequent offence within any period of 3 years: provided that, where a person who has previously been convicted of an offence under section 49 or 50 of this Act or section 30 (3) of the Road Traffic Act, 1968, is convicted of an offence under section 33 (3) of the Road Traffic Act, 1968, the first-mentioned conviction shall, for the purposes of this paragraph, be regarded as a conviction under section 33 (3) of the Road Traffic Act, 1968."
The insertion after paragraph 5 of the following:	
"Careless driving.	5B. An offence under section 52, where the contravention involved the driving of a mechanically propelled vehicle, being a third or any subsequent such offence within any period of three years."

F46[SCHEDULE 2

SPECIFIED OFFENCES

Section 18A]

Annotations

Amendments:

F46 Inserted by *Road Traffic and Road Acts 2023*(16/2023), s. 6(e), not commenced as of date of revision.

Modifications (not altering text):

C25 Prospective affecting provision: schedule inserted by *Road Traffic and Road Acts 2023* (16/2023), s. 6(e), not commenced as of date of revision.

F46[PART 1

Life Disqualification

COMMON LAW OFFENCES

1. Murder.

2. Rape.

INTERNATIONAL OFFENCES

3. An offence under section 7 or 8 of the International Criminal Court Act 2006.

4. An offence under section 3 of the Geneva Conventions Act 1962.

SEXUAL OFFENCES

5. An offence under section 3 or 6 of the Criminal Law Amendment Act 1885.

6. An offence under section 1 or 2 of the Punishment of Incest Act 1908.

7. An offence under section 2 , 3 or 4 of the Criminal Law (Rape) (Amendment) Act 1990.

8. An offence under section 5 of the Criminal Law (Sexual Offences) Act 1993.

9. An offence under section 2 of the Sexual Offences (Jurisdiction) Act 1996.

10. An offence under section 3 of the Child Trafficking and Pornography Act 1998.

11. An offence under section 2 of the Criminal Law (Sexual Offences) Act 2006.

12. An offence under section 21 or 22 of the Criminal Law (Sexual Offences) Act 2017.

TORTURE

13. An offence under section 2 or 3 of the Criminal Justice (United Nations Convention Against Torture) Act 2000.

SUPPRESSION OF TERRORISM

14. An offence under section 6 , 9 (1), 10 (1) or 11 of the Criminal Justice (Terrorist Offences) Act 2005.

PART 2

Disqualification for Specified Period

COMMON LAW OFFENCE

1. Manslaughter.

OFFENCES AGAINST THE PERSON

2. An offence under section 18 or 19 (1) of the Criminal Justice (Public Order) Act 1994.

3. An offence under the Non-Fatal Offences against the Person Act 1997 (other than section 2 or 16).

SEXUAL OFFENCES

4. An offence under section 3 of the Sexual Offences (Jurisdiction) Act 1996.

5. An offence under section 4 , 4A, 5 or 5A of the Child Trafficking and Pornography Act 1998.

6. An offence under section 246 or 249 of the Children Act 2001.

7. An offence under section 3 or 3A of the Criminal Law (Sexual Offences) Act 2006.

8. An offence under section 3 , 4 , 5 , 6 , 7 or 8 of the Criminal Law (Sexual Offences) Act 2017.

HUMAN TRAFFICKING OFFENCES

9. An offence under section 2 , 4 or 5 of the Criminal Law (Human Trafficking) Act 2008.

THEFT AND FRAUD OFFENCES

10. An offence under section 2 (2)(b), 3 (b) or 4 (b)(i) of the Criminal Damage Act 1991.

11. An offence under section 13 or 14 of the Criminal Justice (Theft and Fraud Offences) Act 2001.

FIREARMS OFFENCES

12. An offence under section 2 or 15 of the Firearms Act 1925.

13. An offence under section 26 or 27 (inserted by sections 57 and 58 , respectively, of the Criminal Justice Act 2006) of the Firearms Act 1964.

14. An offence under section 8 , 9 , 10 or 11 of the Firearms and Offensive Weapons Act 1990.

UNLAWFUL TAKING OF MOTOR VEHICLE

15. An offence under section 112 of the Road Traffic Act 1961.

PUBLIC ORDER OFFENCES

16. An offence under section 14 , 15 , 16 or 17 of the Criminal Justice (Public Order) Act 1994.

17. An offence under section 176 of the Criminal Justice Act 2006.

OFFENCES IN RELATION TO AIRCRAFT AND VEHICLES

18. An offence under section 11 of the Air Navigation and Transport Act 1973.

19. An offence under section 3 of the Air Navigation and Transport Act 1975.

20. An offence under section 10 of the Criminal Law (Jurisdiction) Act 1976.

OFFENCES AGAINST THE STATE

21. An offence under section 7 (1), 8 (1) or 9 (1) or (2) of the Offences Against the State Act 1939.

INTERNATIONAL

22. An offence under section 4 of the Geneva Conventions Act 1962.

23. An offence under section 2 , 3 or 4 of the Criminal Justice (Safety of United Nations Workers) Act 2000.

EXPLOSIVES

24. An offence under section 2 or 3 of the Explosive Substances Act 1883.

MARITIME SECURITY OFFENCES

25. An offence under section 2 or 3 of the Maritime Security Act 2004.

INCITEMENT TO HATRED

26. An offence under section 2 of the Prohibition of Incitement to Hatred Act 1989.

PART 3

Disqualification for a Specified Period(Road Traffic Offences)

1. An offence under section 52 of the Road Traffic Act 1961.

2. An offence under section 53 of the Road Traffic Act 1961.

3. An offence under section 4 of the Road Traffic Act 2010.

4. An offence under section 5 of the Road Traffic Act 2010.

5. An offence under section 12 or section 14 of the Road Traffic Act 2010.

ACCOMPLICES

References in this Schedule to an offence include references to participation as an accomplice of a person who commits the offence.**]**

Number 25 *of* 1968

ROAD TRAFFIC ACT 1968

REVISED

Updated to 1 March 2025

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

Road Traffic Acts 1961 to 2024: this Act is one of a group of Acts included in this collective citation, to be read together as one (*Road Traffic Act 2024*, s. 1(3)). The Acts in the group are:

- *Road Traffic Act 1961* (24/1961)
- *Road Traffic Act 1968* (25/1968)
- *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 2002* (12/2002)
- *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)
- *Taxi Regulation Act 2013* (37/2013), Part 11
- *Road Traffic Act 2014* (3/2014)
- *Road Traffic (No. 2) Act 2014* (39/2014)
- *Vehicle Clamping Act 2015* (13/2015), Part 5
- *Public Transport Act 2016* (3/2016), s. 8
- *Road Traffic Act 2016* (21/2016) (citation only)
- *Road Traffic (Amendment) Act 2018* (18/2018)
- *Road Traffic and Roads Act 2023* (16/2023), other than Parts 3 (s. 4), 6 (ss. 7-10) and ss. 36-47
- *Road Traffic Act 2024* (10/2024)

Acts previously included in the group but now repealed are:

- *Road Traffic and Transport Act 2006* (28/2006), s. 1
- *Road Traffic (Amendment) Act 1978* (19/1978)
- *Road Traffic Act 1995* (7/1995)

• *Road Traffic Act 2003* (37/2003)

Local Authorities (Traffic Wardens) Acts 1975 to 2023: this Act deals with similar subject matter to a group of Acts included in this collective citation (*Road Traffic and Roads Act 2023*, s. 1(5)). 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*
• *Road Traffic and Roads Act 2023* (16/2023), Part 6 (ss. 7-10)

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.

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 1972, may be found linked from the page of the Act or statutory instrument at www.irishstatutebook.ie.

Acts which affect or previously affected this revision

• *Road Traffic and Roads Act 2023* (16/2023)
• *Criminal Justice (Spent Convictions and Certain Disclosures) Act 2016* (4/2016)
• *Freedom of Information Act 2014* (30/2014)
• *National Vetting Bureau (Children and Vulnerable Persons) Act 2012* (47/2012)
• *Road Traffic (No. 2) Act 2011* (28/2011)
• *Road Traffic Act 2011* (7/2011)
• *Road Traffic Act 2010* (25/2010)
• *Fines Act 2010* (8/2010)
• *Consumer Protection Act 2007* (19/2007)
• *Water Services Act 2007* (30/2007)
• *Road Traffic Act 2006* (23/2006)
• *Road Safety Authority Act 2006* (14/2006)
• *Safety, Health and Welfare at Work Act 2005* (10/2005)
• *Road Traffic Act 2004* (44/2004)
• *Road Traffic Act 2002* (12/2002)
• *Transport (Railway Infrastructure) Act 2001* (55/2001)
• *Local Government Act 2001* (37/2001)
• *Air Navigation and Transport (Amendment) Act 1998* (24/1998)
• *Freedom of Information Act 1997* (13/1997)
• *Road Traffic Act 1994* (7/1994)
• *Finance Act 1994* (13/1994)
• *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)
• *Road Traffic (Amendment) Act 1984* (16/1984)
• *Road Traffic (Amendment) Act 1978* (19/1978)

- *Local Authorities (Traffic Wardens) Act 1975* (14/1975)
- *Road Traffic (Amendment) Act 1973* (15/1973)
- *Road Traffic Act 1961* (24/1961)

All Acts up to and including *Ministers and Secretaries and Ministerial, Parliamentary, Judicial and Court Offices (Amendment) Act 2025* (1/2025), enacted 21 February 2025, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2025* (S.I. No. 47 of 2025)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 2023* (S.I. No. 450 of 2023)
- *Road Traffic (Courses of Instruction) (Motorcycles) (Extension of Period of Validity of Certificate) Regulations 2021* (S.I. No. 357 of 2021)
- *Road Traffic (Driving Instructor Licensing) (Extension of Period of Validity of Licence) Regulations 2021* (S.I. No. 215 of 2021)
- *Road Traffic (Courses of Instruction) (Motorcycles) (Extension of Period of Validity of Certificate) Regulations 2020* (S.I. No. 123 of 2020)
- *Road Traffic (Courses of Instruction) (Motorcycles) (Amendment) Regulations 2018* (S.I. No. 433 of 2018)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2018* (S.I. No. 23 of 2018)
- *Road Traffic (Courses of Instruction) (Cars) (Amendment) Regulations 2018* (S.I. No. 406 of 2018)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2018* (S.I. No. 23 of 2018)
- *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2017* (S.I. No. 320 of 2017)
- *Road Traffic (Plating and Speed Rating of Agricultural Vehicles) Regulations 2014* (S.I. No. 247 of 2014)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 2012* (S.I. No. 399 of 2012)
- *Road Traffic (Courses of Instruction) (Motorcycles) Regulations 2011* (S.I. No. 681 of 2011)
- *European Communities (Birds and Natural Habitats) Regulations 2011* (S.I. No. 477 of 2011)
- *Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011* (S.I. No. 418 of 2011)
- *Road Traffic (Courses of Instruction) (Cars) Regulations 2011* (S.I. No. 172 of 2011)
- *Transport (Alteration of Name of Department and Title of Minister) Order 2011* (S.I. No. 141 of 2011)
- *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 Safety Authority Act 2006 (Conferral of Functions) Order 2006* (S.I. No. 477 of 2006)
- *European Communities (Compulsory use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006* (S.I. No. 240 of 2006)
- *Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002* (S.I. No. 305 of 2002)
- *Road Traffic (Construction and Use of Vehicles) Regulations 2003* (S.I. No. 5 of 2003)
- *National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002* (S.I. No. 298 of 2002)
- *Road Traffic (Licensing of Trailers and Semi-Trailers)(Amendment) (No.2) Regulations 2001* (S.I. No. 541 of 2001)
- *Road Traffic (Licensing of Trailers and Semi-Trailers)(Amendment) Regulations 2001* (S.I. No. 75 of 2001)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1998* (S.I. No. 207 of 1998)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1996* (S.I. No. 173 of 1996)

- *Road Traffic General Bye Laws 1964 (Amendment) Regulations 1993* (S.I. No. 393 of 1993)
- *Road Traffic (Control of Supply of Vehicles) (Amendment) Regulations 1993* (S.I. No. 301 of 1993)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1993* (S.I. No. 63 of 1993)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1991* (S.I. No. 204 of 1991)
- *Road Traffic (Speed Meter Detectors) Regulations 1991* (S.I. No. 50 of 1991)
- *Road Traffic (Control of Supply of Vehicles) (Amendment) Regulations 1991* (S.I. No. 35 of 1991)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1990* (S.I. No. 286 of 1990)
- *European Communities (Licensing of Drivers) Regulations 1989* (S.I. No. 287 of 1989)
- *Dublin Metropolitan Street Commission Act 1986 (Termination of Transfer of Functions) Order 1987* (S.I. No. 108 of 1987)
- *The Medical Bureau of Road Safety (Establishment) Order 1968 (Amendment) Order 1983* (S.I. No. 364 of 1983)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1983* (S.I. No. 275 of 1983)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) (Amendment) Regulations 1983* (S.I. No. 127 of 1983)
- *Road Traffic (Licensing of Trailers and Semi-Trailers) Regulations 1982* (S.I. No. 35 of 1982)
- *Road Fund (Winding Up) Regulations 1980* (S.I. No. 230 of 1980)
- *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1976* (S.I. No. 240 of 1976)
- *Road Traffic General Bye-Laws (Amendment) Regulations 1975* (S.I. No. 281 of 1975)
- *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1974* (S.I. No. 336 of 1974)
- *Road Traffic Act 1968 (Part V) (Amendment) (No. 2) Regulations 1973* (S.I. No. 221 of 1973)
- *Road Traffic Act 1968 (Part V) (Amendment) Regulations 1973* (S.I. No. 138 of 1973)
- *Road Traffic Act 1968 (Commencement) Order 1971* (S.I. No. 6 of 1971)
- *Road Traffic Act 1968 (Commencement) Order 1970*S.I. No. 244 of 1970)
- *Road Traffic Act 1968 (Part V) Regulations 1969* (S.I. No. 196 of 1969)
- *Road Traffic Act 1968 (Commencement) (No. 2) Order 1969* (S.I. No. 195 of 1969)
- *Road Traffic Act 1968 (Commencement) Order 1969* (S.I. No. 139 of 1969)
- *The Medical Bureau of Road Safety (Establishment) Order 1968* (S.I. No. 241 of 1968)
- *Road Traffic Act 1968 (Commencement) Order 1968* (S.I. No. 169 of 1968)

All statutory instruments up to and including *Road Traffic (Construction and Use of Vehicles) (Amendment) Regulations 2025* (S.I. No. 47 of 2025), made 1 March 1925, were considered in the preparation of this revision.