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



Number 7 *of* 1994

ROAD TRAFFIC ACT 1994

REVISED

Updated to 2 September 2026

This Revised Act is an administrative consolidation of the *Road Traffic Act 1994*. 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 *Development (Strategic Gas Reserve) Act 2026* (36/2026), enacted 23 July 2026, and all statutory instruments up to and including the *Road Traffic Act 1994 (Detention of Powered Personal Transporters) (Amendment) Regulations 2026* (S.I. No. 454 of 2026) made 2 September 2026, were considered in the preparation of this Revised Act.

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

Number 7 *of* 1994

ROAD TRAFFIC ACT 1994

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Number 7 *of* 1994

ROAD TRAFFIC ACT 1994

REVISED

Updated to 2 September 2026

AN ACT TO AMEND AND EXTEND THE ROAD TRAFFIC ACTS, 1961 TO 1987. [20*th April*, 1994]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART I

PRELIMINARY AND GENERAL

Short title, commencement, construction and collective citation.

1.—(1) This Act may be cited as the Road Traffic Act, 1994.

(2) This Act shall come into operation on such day or days as, by order or orders made by the Minister under this section, may be fixed therefor either generally or with reference to any particular purpose or provision and different days may be so fixed for different purposes and different provisions, including the application of *section 4* to different Acts specified therein and to different provisions of those Acts.

(3) The Principal Act, the Act of 1968, the Act of 1984 and the Act of 1987 (in so far as it amends those Acts), shall be construed as one with this Act and may be cited together therewith as the Road Traffic Acts, 1961 to 1994.

Interpretation.

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

"the Act of 1968" means the Road Traffic Act, 1968;

"the Act of 1978" means the Road Traffic (Amendment) Act, 1978;

"the Act of 1984" means the Road Traffic (Amendment) Act, 1984;

"the Act of 1987" means the Dublin Transport Authority (Dissolution) Act, 1987;

"the Act of 1993" means the Roads Act, 1993;

"licensing authority" means the council of a county or the corporation of a county borough;

"prescribed" means prescribed by regulations made by the Minister under this Act;

"the Principal Act" means the Road Traffic Act, 1961;

F1[**[**"reserved function" is to be read in accordance with section 131 of the Local Government Act 2001;**]**

(2) In this Act—

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

(*b*) a reference to a subsection, paragraph or subparagraph is to the subsection, paragraph or subparagraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended, and

(*c*) a reference to any enactment shall be construed as a reference to that enactment as amended, adapted or extended by or under any subsequent enactment including this Act.

Regulations.

3.—(1) The Minister may make regulations for the purpose of giving full effect to this Act and such regulations may contain such incidental, supplementary, consequential and transitional provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

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

Repeals.

4.—(1) Sections 89, 90, 101 (8), 101A (inserted by the Act of 1987) and 115 (7) of the Principal Act, section 60 of the Act of 1968 and the Act of 1978 are hereby repealed.

(2) Regulations, bye-laws and temporary rules made under a provision or enactment referred to in *subsection (1)* and in force immediately before the commencement of this section shall continue in force and be deemed to be regulations or, as the case may be, bye-laws made under the corresponding provision of this Act, and they shall be capable of being amended or revoked accordingly, and documents issued under or in accordance with any regulations, bye-laws or temporary rules as aforesaid and in force immediately before such commencement shall continue in force for the purposes of this Act.

PART II

THE BUREAU

Definitions for Part V of Act of 1968.

5.—F2**[**...**]**

Functions and duties of Bureau.

6.—F3**[**...**]**

Functions of Director.

7.—F4**[**...**]**

Protection of Director, etc., against legal proceedings.

8.—F5**[**...**]**

PART III

DRIVING OFFENCES

Interpretation of *Part III*.

9.—(1) 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) of the Act of 1968;

"designated" means designated by a member of the Garda Síochána;

"doctor" means a person registered in the General Register of Medical Practitioners established under section 26 of the Medical Practitioners Act, 1978;

"intoxicant" includes alcohol and drugs and any combination of drugs or of drugs and alcohol.

F6**[**"nurse" means a person registered in the register of nurses established under section 27 of the Nurses Act 1985.**]**

(2) A reference in this Part (other than *sections 10* and *11*) to section 49 or 50 of the Principal Act is to the section inserted by this Part.

Prohibition on driving vehicle while under influence of intoxicant.

10.—F8**[**...**]**

Prohibition on being in charge of vehicle while under influence of intoxicant.

11.—F9**[**...**]**

Obligation to provide preliminary breath specimen.

F10**[12.**—(1) F11**[**...**]**

(2) F11**[**...**]**

(3) F11**[**...**]**

(4) F11**[**...**]**

(5) In a prosecution for an offence under this Part or under section 49 or 50 of the Principal Act it shall be presumed, until the contrary is shown, that an apparatus provided by a member of the Garda Síochána for the purpose of enabling a person to provide a specimen of breath under this section is an apparatus for indicating the presence of alcohol in the breath.

(6) F11**[**...**]**

(7) F11**[**...**]**

(8) F11**[**...**]**

(9) F11**[**...**]**

(10) F11**[**...**]]**

Obligation to provide specimen following arrest.

13.—(1) F13**[**...**]**

(2) F13**[**...**]**

(3) F13**[**...**]**

(4) In a prosecution for an offence under this Part or under section 49 or 50 of the Principal Act it shall be presumed, until the contrary is shown, that an apparatus

provided by a member of the Garda Síochána for the purpose of enabling a person to provide 2 specimens of breath pursuant to this section is an apparatus for determining the concentration of alcohol in the breath.

(5) F13**[**...**]**

Obligation to accompany member to Garda Síochána station, not under arrest, to provide blood or urine specimen.

14.—F14**[**...**]**

Obligation to provide blood or urine specimen while in hospital.

15.— F15**[**...**]**

Detention of intoxicated drivers where a danger to selves or others.

16.—F16**[**...**]**

Procedure following provision of breath specimen under *section 13*.

17.—F17**[**...**]**

Procedure regarding taking of specimens of blood and provision of specimens of urine.

18.—F18**[**(1) Where under this Part a designated doctor or designated nurse has taken a specimen of blood from a person or has been provided by the person with a specimen of his or her urine, the doctor or nurse shall divide the specimen into 2 parts, place each part in a container which he or she shall immediately seal and complete the form prescribed for the purposes of this section.**]**

(2) Where a specimen of blood or urine of a person has been divided into 2 parts pursuant to *subsection (1)*, a member of the Garda Síochána shall offer to the person one of the sealed containers together with a statement in writing indicating that he may retain either of the containers.

(3) As soon as practicable after *subsection (2)* has been complied with, a member of the Garda Síochána shall cause to be forwarded to the Bureau the completed form referred to in *subsection (1)*, together with the relevant sealed container or, where the person has declined to retain one of the sealed containers, both relevant sealed containers.

(4) In a prosecution for an offence under this Part or under section 49 or 50 of the Principal Act, it shall be presumed until the contrary is shown that *subsections (1)* to *(3)* have been complied with.

Procedure at Bureau regarding specimens.

19.—(1) As soon as practicable after it has received a specimen forwarded to it under *section 18*, the Bureau shall analyse the specimen and determine the concentration of alcohol or (as may be appropriate) the presence of a drug or drugs in the specimen.

(2) Where the Bureau receives 2 specimens of blood so forwarded together in relation to the same person or 2 specimens of urine so forwarded together in relation to the same person, it shall be sufficient compliance with *subsection (1)* for the Bureau to make an analysis of and determination in relation to one of the 2 specimens of blood or (as may be appropriate) one of the 2 specimens of urine.

(3) As soon as practicable after compliance with *subsection (1)*, the Bureau shall forward to the Garda Síochána station from which the specimen analysed was forwarded a completed certificate in the form prescribed for the purpose of this section and shall forward a copy of the completed certificate to the person who is

named on the relevant form under *section 18* as the person from whom the specimen was taken or who provided it.

(4) In a prosecution for an offence under this Part or under section 49 or 50 of the Principal Act, it shall be presumed until the contrary is shown that *subsections (1)* to *(3)* have been complied with.

Provisions regarding certain evidence in prosecutions under sections 49 and 50 of Principal Act.

20.—(1) On the hearing of a charge for an offence under section 49 or 50 of the Principal Act, it shall not be necessary to show that the defendant had not consumed intoxicating liquor after the time when the offence is alleged to have been committed but before the taking or provision of a specimen under *section 13*, *14* or *15*.

(2) Where, on the hearing of a charge for an offence under section 49 or 50 of the Principal Act, evidence is given by or on behalf of the defendant that, after the time when the offence is alleged to have been committed but before the taking or provision of a specimen under *section 13*, *14* or *15*, he had consumed intoxicating liquor, the court shall disregard the evidence unless satisfied by or on behalf of the defendant—

(*a*) that, but for that consumption, the concentration of alcohol in the defendant's blood (as specified in a certificate under *section 19*) would not have exceeded the concentration of alcohol for the time being standing specified in subsection (2) of the said section 49 or 50, as may be appropriate, whether generally or in respect of the class of person of which the defendant is a member,

(*b*) that, but for that consumption, the concentration of alcohol in the defendant's urine (as specified in a certificate under *section 19*) would not have exceeded the concentration of alcohol for the time being standing specified in subsection (3) of the said section 49 or 50, as may be appropriate, whether generally or in respect of the class of person of which the defendant is a member, or

(*c*) that, but for that consumption, the concentration of alcohol in the defendant's breath (as specified in a statement under *section 17*) would not have exceeded the concentration of alcohol for the time being standing specified in subsection (4) of the said section 49 or 50, as may be appropriate, whether generally or in respect of the class of person of which the defendant is a member.

(3) (*a*) A person shall not take or attempt to take any action (including consumption of alcohol but excluding a refusal or failure to provide a specimen of his breath or urine or to permit the taking of a specimen of his blood) with the intention of frustrating a prosecution under section 49 or 50 of the Principal Act.

(*b*) A person who contravenes this subsection shall be guilty of an offence and shall be liable on summary conviction to F21**[**a fine not exceeding €5,000**]** or to imprisonment for a term not exceeding 6 months or to both.

(4) Where, on the hearing of a charge for an offence under section 49 or 50 of the Principal Act, the court is satisfied that any action taken by the defendant (including consumption of alcohol but excluding a refusal or failure to provide a specimen of his breath or urine or to permit the taking of a specimen of his blood) was so taken with the intention of frustrating a prosecution under either of those sections, the court may find him guilty of an offence under *subsection (3)*.

Provisions regarding certain evidence in proceedings under *Road Traffic Acts, 1961 to 1994*.

21.—(1) A duly completed statement purporting to have been supplied under *section 17* shall, until the contrary is shown, be sufficient evidence in any proceedings under the *Road Traffic Acts, 1961 to 1994*, of the facts stated therein, without proof of any signature on it or that the signatory was the proper person to sign it, and shall, until the contrary is shown, be sufficient evidence of compliance by the member of the Garda Síochána concerned with the requirements imposed on him by or under this Part prior to and in connection with the supply by him pursuant to *section 17 (2)* of such statement.

(2) A duly completed form under *section 18* shall, until the contrary is shown, be sufficient evidence in any proceedings under the *Road Traffic Acts, 1961 to 1994*, of the facts stated therein, without proof of any signature on it or that the signatory was the proper person to sign it, and shall, until the contrary is shown, be sufficient evidence of compliance by the F23**[**designated doctor or designated nurse**]** concerned with the requirements imposed on him by or under this Part.

(3) A certificate expressed to have been issued under *section 19* shall, until the contrary is shown, be sufficient evidence in any proceedings under the *Road Traffic Acts, 1961 to 1994*, of the facts stated therein, without proof of any signature on it or that the signatory was the proper person to sign it, and shall, until the contrary is shown, be sufficient evidence of compliance by the Bureau with the requirements imposed on it by or under this Part or Part V of the Act of 1968.

(4) In a prosecution for an offence under section 49 or 50 of the Principal Act or *section 13, 14* or *15* it shall be presumed until the contrary is shown that each of the following persons is a F23**[**designated doctor or designated nurse, as the case may be**]**—

(*a*) a person who by virtue of powers conferred on him by this Part took from another person a specimen of that other person's blood or was provided by another person with a specimen of that other person's urine,

(*b*) a person for whom, following a requirement under section *13 (1)*, *14 (4)* or *15 (1)* to permit the taking by him of a specimen of blood, there was a refusal or failure to give such permission or to comply with a requirement of his in relation to the taking of such a specimen,

(*c*) a person for whom, following a requirement under section *13 (1)*, *14 (4)* or *15 (1)* to provide for him a specimen of urine, there was a refusal or failure to provide such a specimen or to comply with a requirement of his in relation to the provision of such a specimen.

F23**[**(5) Where under *section 13, 14* or *15* a designated doctor, or under *section 13* or *14* a designated nurse, states in writing that he or she is unwilling, on medical grounds, to take from a person a specimen of his or her blood or be provided by him or her with a specimen of his or her urine, the statement signed by the doctor or nurse, shall, in any proceedings under the *Road Traffic Acts 1961 to 2006* be sufficient evidence, until the contrary is shown, of the facts stated in it, without proof of any signature on it or that the signatory was the proper person to sign it.**]**

Costs of prosecutions under sections 49 and 50 of Principal Act and *Part III*.

22.—(1) Where a person is convicted of an offence under section 49 or 50 of the Principal Act or *section 13, 14* or *15*, 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 a contribution towards the costs and expenses incurred by the Bureau in the performance of its functions not exceeding such amount as may, for the time being, stand prescribed.

(2) Payments under *subsection (1)* shall be disposed of in such manner as may be prescribed.

Defence to refusal to permit taking of specimen of blood or to provide 2 specimens of breath.

23.—(1) In a prosecution of a person for an offence under *section 13* for refusing or failing to comply with a requirement to provide 2 specimens of his breath, it shall be a defence for the defendant to satisfy the court that there was a special and substantial reason for his refusal or failure and that, as soon as practicable after the refusal or failure concerned, he complied (or offered, but was not called upon, to comply) with a requirement under the section concerned in relation to the taking of a specimen of blood or the provision of a specimen of urine.

(2) In a prosecution of a person for an offence under *section 13*, *14* or *15* for refusing or failing to comply with a requirement to permit a F26**[**designated doctor or designated nurse**]** to take a specimen of blood or for refusing or failing to comply with a requirement of a F26**[**designated doctor or designated nurse**]** in relation to the taking of a specimen of blood, it shall be a defence for the defendant to satisfy the court that there was a special and substantial reason for his refusal or failure and that, as soon as practicable after the refusal or failure concerned, he complied

(or offered, but was not called upon, to comply) with a requirement under the section concerned in relation to the provision of a specimen of urine.

(3) Notwithstanding *subsections (1)* and *(2)*, evidence may be given at the hearing of a charge of an offence under section 49 or 50 of the Principal Act that the defendant refused or failed to comply with a requirement to provide 2 specimens of his breath, or that the defendant refused or failed to comply with a requirement to permit the taking of a specimen of his blood or to comply with a requirement of a F26**[**designated doctor or designated nurse**]** in relation to the taking of a specimen of blood, as the case may be.

Bar to certain defence to charges under sections 49 and 50 of Principal Act.

24.—It shall not be a defence for a person charged with an offence under section 49 (1) or 50 (1) of the Principal Act to show that, in relation to the facts alleged to constitute the offence, an analysis or determination under the *Road Traffic Acts, 1961 to 1994*, has not been carried out or that he has not been requested under F28**[***section 12* of this Act or section 4 of the Road Traffic Act 2006**]** to provide a specimen of his breath.

PART IV

Driving Licences

Requirement to carry driving licence while driving vehicle.

25.—F30**[**...**]**

Consequential disqualification orders.

26.—F31**[**...**]**

Amendment of provisions relating to removal of consequential disqualification orders.

27.—Section 29 of the Principal Act is hereby amended by the insertion of the following subsection after subsection (1):

"(1A) Notwithstanding the provisions of subsection (1) (*a*)—

(*a*) a person in respect of whom a consequential disqualification order has been made on conviction for an offence to which subsection (4) or (5) of section 26 (as inserted by *section 26* of the *Road Traffic Act, 1994*) of this Act applies, and in respect of which the period of disqualification specified in the order is required by the said subsection (4) or (5), as the case may be, to be not less than 2 years, may at any time and (save as hereinafter mentioned) from time to time after the expiration of 9 months from the beginning of the period of disqualification and before the expiration of that period, apply to the court which made the order, for the removal of the disqualification, and that court, if it considers that circumstances exist which justify such a course, may by order remove the disqualification as from a specified date not earlier than 1 year after the beginning of the period of disqualification but, if it does so, shall order the person to comply with any requirement contained in the disqualification order that the person produce to the appropriate licensing authority the certificate or certificates therein specified;

(*b*) a person in respect of whom a consequential disqualification order has been made on conviction for an offence to which subsection (4) of section 26 (as so inserted) of this Act applies, and in respect of which the period of disqualification specified in the order is required by the said subsection (4) to be not less than 4 years, may at any time and (save as hereinafter mentioned) from time to time after the expiration of 21 months from the beginning of the period of disqualification and before the expiration of that period, apply to the court which made the order, for the removal of the disqualification, and that court, if it considers that circumstances exist which justify such a course, may by order remove the disqualification as from a specified date not earlier than 2 years after the beginning of the period of disqualification but, if

it does so, shall order the person to comply with any requirement contained in the disqualification order that the person produce to the appropriate licensing authority the certificate or certificates therein specified,

and the references in the other provisions of this section to subsection (1) of this section shall be construed as including references to this subsection.".

Provision of particulars of disqualifications to certain persons.

28.—The following is substituted for section 42 (4) (*d*) of the Principal Act:

"(*d*) the notification to licensing authorities and such other (if any) persons as may be prescribed of the making, confirming, annulling, varying or removal of a consequential, ancillary or special disqualification order or the making, confirming or annulling of endorsements ordered under section 36 of this Act.".

Application of provisions of Principal Act to provisional licences.

29.—(1) F32**[**...**]**

(2) Section 35 of the Principal Act is hereby amended by the substitution in paragraph (*c*) of subsection (3) for "defendant" of "person driving the vehicle".

PART V

Speed Limits

Amendment of section 44A of Principal Act.

30.—Section 44A (as inserted by the Act of 1968) of the Principal Act is hereby amended in subsection (1) by the insertion after "all public roads" of "(other than motorways)" in both places where those words occur.

Motorway speed limit.

31.—Part IV of the Principal Act is hereby amended by the insertion after section 44A (inserted by the Act of 1968) of the following section:

"Motorway speed limit.

44B.—(1) Subject to sections 44, 44A (inserted by the Road Traffic Act, 1968) 45 and 46 (inserted by the *Road Traffic Act, 1994*) of this Act, there shall be a speed limit (which shall be known as 'the motorway speed limit') of 70 miles per hour in respect of all motorways for all mechanically propelled vehicles.

(2) The Minister may by regulations vary the speed limit standing specified in subsection (1) of this section and that subsection shall have effect in accordance with any such regulations for the time being in force.".

Amendment of section 45 of Principal Act.

32.—Section 45 of the Principal Act is hereby amended—

(*a*) in subsection (1) by the insertion in paragraph (*a*) after "public roads" of "(other than motorways)", and

(*b*) in subsection (2) by the substitution for paragraphs (*a*) and (*b*) of the following:

"(*a*) a public road which is in a county or other borough, an urban district or a town, other than a road which is declared by the council of a county or the corporation of a county borough in bye-laws under section 46 of this Act not to be a public road in a built-up area for those purposes;

(*b*) a public road which is not in a county or other borough, an urban district or a town and which is declared by the council of a county in bye-laws under section 46 of this Act to be a public road in a built-up area for those purposes.".

Special speed limits.

33.—The Principal Act is hereby amended by the substitution for section 46 of the following section.

"Special speed limits.

46.—(1) (*a*) The council of a county or the corporation of a county borough may make bye-laws specifying in respect of any specified public road or of all public roads within its administrative county the speed (which shall be known as 'a special speed limit') which shall be the speed limit on such road or roads for mechanically propelled vehicles.

(*b*) The corporation of a county borough may, in bye-laws under this section, provide that the built-up area speed limit shall not apply to any specified public road in its administrative county by declaring the said public road not to be a public road in a built-up area for the purposes of section 45 of this Act.

(*c*) The council of a county may, in bye-laws under this section—

(i) provide that the built-up area speed limit shall not apply to any specified public road which is in a borough, an urban district or a town within its administrative county by declaring the said public road not to be a public road in a built-up area for the purposes of section 45 of this Act, and

(ii) provide that the built-up area speed limit shall apply to any specified public road which is not in a borough, an urban district or a town within its administrative county by declaring the said public road to be a public road in a built-up area for the purposes of section 45 of this Act.

(*d*) The council of a county or the corporation of a county borough may, in bye-laws under this section, provide that the motorway speed limit shall not apply to any specified motorway or part thereof within its administrative county by declaring the said motorway or part not to be a motorway for the purposes of this Act.

(2) Before making bye-laws under this section—

(*a*) the council of a county shall give notice to the corporation of any borough, the council of any urban district and the commissioners of any town in the administrative county concerned of the provisions in the proposed bye-laws relating to public roads in their respective administrative areas and shall consider any representations made in writing to the council of the county by such corporation, council or commissioners within the period (not being less than one month after the date of service of the notice) specified in the notice, and

(*b*) the council of a county or the corporation of a county borough shall give notice to the Commissioner and shall consider any representations made in writing to the council or corporation by the Commissioner within the period (not being less than one month after the date of service of the notice) specified in the notice.

(3) The council of a county or the corporation of a county borough shall not make bye-laws under this section relating to national roads or motorways without the prior consent of the National Roads Authority.

(4) (*a*) The Minister may make regulations for the purpose of giving full effect to this section.

(*b*) Regulations under this subsection may, in particular and without prejudice to the generality of paragraph (*a*) of this subsection, make provision in relation to all or any of the following matters:

(i) the speed limits which may be specified in bye-laws under this section;

(ii) the class or classes of mechanically propelled vehicle which may be exempted from speed limits specified in bye-laws under this section.

(5) The making of bye-laws under this section and the making of representations under subsection (2) (*a*) shall be reserved functions.

(6) Any regulation made under section 46 of this Act and in force immediately before the commencement of this section shall, after such commencement, continue in force and be deemed to be a bye-law under this section and shall as respects any public road be capable of being amended or revoked by the council of the county or corporation of the county borough in the administrative county of which the road is situated.

(7) In this section 'administrative county' has the meaning assigned to it by the Local Government (Ireland) Act, 1898.".

Amendment of section 47 of Principal Act.

34.—Section 47 of the Principal Act is hereby amended by the substitution for subsection (3) of the following:

"(3) In this section 'speed limit' means a limit which is—

(*a*) an ordinary speed limit,

(*b*) a general speed limit,

(*c*) the built-up area speed limit,

(*d*) a special speed limit, or

(*e*) the motorway speed limit.".

PART VI

Regulation of Traffic

Regulations for general control of traffic and pedestrians.

35.—(1) The Minister may make regulations for the general regulation and control of traffic (including the parking of vehicles) and pedestrians in public places.

(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*) specifying rules for the use of roads by traffic and pedestrians;

(*b*) requiring traffic to proceed in a specified direction only or to proceed along a specified side of the roadway or, in the case of dual or multiple carriageways, along a specified carriageway;

(*c*) assigning different parts of the road to different traffic (including pedal cycles F33**[**or powered personal transporters**]**) and pedestrians;

(*d*) prohibiting or restricting traffic or specified traffic from using a specified road or specified parts of the road (including footways or parts of the road reserved for pedal cycles F33**[**or powered personal transporters**]**);

F34**[**(*dd*) prohibiting or restricting pedestrians from using a specified road or specified parts of a road upon which there is a light railway (within the meaning of the Transport (Railway Infrastructure) Act, 2001).**]**

(*e*) specifying rights of priority of passage for traffic;

(*f*) specifying the courses to be taken by traffic at road junctions;

(*g*) regulating and controlling the stopping, reversing, turning and overtaking of vehicles;

(*h*) prohibiting or regulating and controlling the driving of mechanically propelled vehicles F33**[**, powered personal transporters,**]** and pedal cycles in relation to animals or animal-drawn traffic;

(*i*) prohibiting or regulating and controlling the driving or leading of animals;

(*j*) regulating and controlling the conduct of pedestrians on roads and specifying the respective rights of priority of traffic and pedestrians on roads;

(*k*) specifying rules for the parking of vehicles in public places;

(*l*) specifying, or authorising specified road authorities by resolution to specify, the places in which vehicles may be parked either indefinitely or for any period not exceeding a specified period;

(*m*) specifying the places in which the parking of vehicles may be prohibited or restricted;

(*n*) prohibiting or restricting the loading or unloading of goods on, through or across any part of a road;

(*o*) requiring specified signals to be given by persons in charge of traffic to indicate their intentions;

(*p*) the control of traffic and pedestrians by members of the Garda Síochána;

(*q*) the control and regulation of traffic and pedestrians by means of traffic signs in relation to which regulations (including regulations as to the significance to be attached to those signs) are for the time being in force under section 95 (2) of the Principal Act;

(*r*) specifying rules for the speed of traffic in specified circumstances;

F35**[**(*rr*) the control and regulation of the use of stopping places, and stands, specified in notices under section 85 of the Principal Act including the restriction and prohibition of the parking and stopping of vehicles at such stopping places and stands;**]**

(*s*) exempting specified classes of vehicles from specified provisions of regulations under this section and effecting identification of exempted vehicles.

F36**[**(*t*) the issue of a permit by a local authority, or any other person authorised by the Minister in the regulations, subject to any terms or conditions attached to the permit as prescribed in or permitted by the regulations, for the purposes of—

(i) exempting the permit holder from restrictions or prohibitions on parking applied under this section,

(ii) permitting the parking of a vehicle by the permit holder at specified locations, or

(iii) exempting the permit holder from the application of prohibitions and restrictions applied under this section to specified traffic from entering or using specified roads,

upon payment of a prescribed fee, if any, and the disposal of such fees and different fees may be prescribed in respect of different classes of F37**[**of permits;**]]**

F33**[**(*u*) prohibiting, or restricting the use of, powered personal transporters in traffic.**]**

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

(*a*) in respect of different classes of traffic, and

(*b*) for different circumstances, different areas and different classes of roads.

(4) The making of a resolution pursuant to regulations under *subsection (2) (l)* shall be a reserved function.

(5) (*a*) A person who contravenes a regulation under this section shall be guilty of an offence.

(*b*) Where, in relation to the parking of a mechanically propelled vehicle, there is a contravention of a regulation under this section, each of the following persons shall be guilty of an offence—

(i) the registered owner of the vehicle,

(ii) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and

(iii) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.

(6) (*a*) Where a person charged with an offence under *subsection (5)* of this section is the registered owner of the vehicle concerned, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that—

(i) such use was unauthorised, or

(ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(*b*) Where a person charged with an offence under *subsection (5)* of this section is a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

F38**[**(7) F39**[**...**]]**

F40**[**(7) Where regulations under this section provide for permits to be issued as provided for under *subsection (2)(t)*, the regulations may specify the manner of displaying on the vehicle concerned, or any trailer or container attached to it, the permit or an abstract of it or an indication of its issue.**]**

F38**[**(8) F39**[**...**]]**

F41**[**(8) A person who, in purported compliance with regulations providing for the matters in *paragraph (m)*, *(s)* or *(t)* of *subsection (2)*, supplies information that is false or misleading in a material respect knowing it to be so false or misleading or being reckless as to whether it is so false or misleading, commits an offence.

(9) A person who commits an offence under *subsection (8)* shall be liable on summary conviction to a class C fine or imprisonment for a term not exceeding six months, or both such fine and imprisonment.

(10) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851, summary proceedings for an offence under *subsection (8)* may be instituted within 2 years from the date on which the offence was committed.**]**

F42**[**Regulations for control of certain vehicles

35A.—(1) The Minister may make regulations prohibiting or restricting the use of specified vehicles or classes of vehicles.

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

(*a*) in respect of different classes of vehicles, and

(*b*) for different circumstances and different places.

(3) A person who contravenes a regulation under this section shall be guilty of an offence.

(4) A member of the Garda Síochána may arrest without warrant a person who in the member's opinion is committing or has committed an offence under this section.**]**

Parking of vehicles in parking places on public roads.

36.—(1) A road authority may make bye-laws for the control and regulation of the parking of vehicles in places specified in the bye-laws (in this section referred to as parking places) on public roads within their functional area and shall in the bye-laws provide for the payment of fees in respect of such parking.

(2) Bye-laws 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 specification of parking places;

(*b*) the payment of fees, including the manner and proof of payment (whether by means of a parking meter, the purchase and exhibition of a document, or otherwise) in respect of the parking of vehicles;

(*c*) the specification of the amount of any fees payable pursuant to bye-laws under *paragraph (b)*;

(*d*) the specification of the maximum periods for which vehicles may be parked in specified parking places;

(*e*) the prohibition of the parking of vehicles in a parking place for a period for which a fee is chargeable without the appropriate fee having been paid in the manner specified;

(*f*) the prohibition of the parking of vehicles in a parking place for a longer period than that in respect of which a fee was paid;

(*g*) the specification of the classes of vehicles which may use a parking place in respect of which a fee is payable;

(*h*) the exemption of specified classes of vehicles from the payment of fees in respect of parking, the conditions under which specified classes of vehicles may be so exempted and the identification of exempted vehicles;

(*i*) that indications given by parking meters shall be treated as evidence until the contrary is shown of such facts and for such purposes as may be specified in the bye-laws.

(3) Before making bye-laws under this section (other than bye-laws relating to the fees to be paid in respect of the parking of vehicles), a road authority shall—

(*a*) consult with the Commissioner;

(*b*) publish a notice in one or more newspapers circulating in the area to which the bye-laws relate—

(i) indicating that it is proposed to make bye-laws under this section,

(ii) indicating the times at which, the period (being not less than one month) during which and the place (being a place within their functional area) where a copy of the draft bye-laws may be inspected,

(iii) stating that representations may be made in writing to the road authority in relation to the draft bye-laws before a specified date (which shall be not less than 2 weeks after the end of the period for inspection), and

(iv) stating that a copy of the draft bye-laws may be purchased on payment of a fee not exceeding the reasonable cost of making such copies; and

(*c*) before deciding whether to make the bye-laws and determining their content, consider any observations made to them by the Commissioner or any representations made to them pursuant to *paragraph (b)(iii)*.

(4) Different bye-laws may be made under this section—

(*a*) in respect of different areas within the functional area of a road authority,

(*b*) in respect of different classes of vehicles,

(*c*) for different circumstances, and

(*d*) in respect of different periods of time.

(5) The making of bye-laws under this section and the consideration of observations or representations under *subsection (3)(c)* shall be reserved functions.

(6) As soon as may be after the making of bye-laws under this section notice of their making and of the place where copies thereof may be purchased or inspected shall be published in *Iris Oifigiúil* and in one or more newspapers circulating in the area to which the bye-laws relate.

(7) The Minister may issue general guidelines to road authorities relating to the content of bye-laws under this section and may amend or cancel any guidelines under this subsection and, where any such guidelines are in force for the time being, bye-laws under this section shall be made by road authorities in accordance with the guidelines.

(8) (*a*) A person who contravenes a bye-law under this section shall be guilty of an offence.

(*b*) Where, in relation to a mechanically propelled vehicle, there is a contravention of a bye-law under this section, each of the following persons shall be guilty of an offence—

(i) the registered owner of the vehicle,

(ii) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and

(iii) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.

(9) (*a*) Where a person charged with an offence under *subsection (8)* of this section is the registered owner of the vehicle concerned, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that—

(i) such use was unauthorised, or

(ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(*b*) Where a person charged with an offence under *subsection (8)* of this section is a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(10) In this section "parking meter" means an apparatus for collecting fees at a parking place and for indicating payment of such fees and the periods that have elapsed since they were paid.

(11) (*a*) Subject to *paragraph (b)*, any fees under this section shall be disposed of in such manner as the road authority concerned may by resolution determine.

(*b*) The Minister may issue general guidelines to road authorities relating to the disposal of fees under this section and may amend or cancel any such guidelines and, where any such guidelines are in force for the time being, fees under this section shall be disposed of by road authorities in accordance with the guidelines.

(*c*) The making of a resolution pursuant to *paragraph (a)* shall be a reserved function.

(12) In any prosecution for an offence under this section, a parking meter at a parking place shall be presumed, until the contrary is shown by the defendant, to

have been duly placed there under this section and to have been accurate and in good working order.

(13) The performance by a road authority of their functions under this section or under any bye-law thereunder shall not render the authority subject to any liability in respect of loss of or damage to any vehicle in a parking place or the contents of such vehicle.

F43[Bye-laws for restriction on parking — specified events.

36A.— (1) A road authority may, in respect of a specified event or events (such as a sporting or entertainment event) at a specified venue or venues, in the interests of safety of road users and preventing traffic congestion, make bye-laws in accordance with this section for the purpose of prohibiting or restricting the parking of mechanically propelled vehicles on all public roads in specified areas or on a specified public road in its functional area.

(2) Bye-laws made under this section shall specify—

(*a*) the event and venue to which the bye-laws apply,

(*b*) the nature and description of the event,

(*c*) the public road or area to which the prohibition or restriction applies,

(*d*) whether a prohibition or restriction on parking applies,

(*e*) the period of the prohibition or restriction on parking, and

(*f*) the mechanically propelled vehicles, or classes of such vehicles, to which an exemption from the prohibition or restriction is to apply.

(3) Where it is proposed to exempt mechanically propelled vehicles from the application of bye-laws made under this section in accordance with *subsection (2)(f)*, the bye-laws shall specify—

(*a*) the persons who may acquire the exemption,

(*b*) the conditions, if any, to be applied in respect of the exemption,

(*c*) the means of identification of mechanically propelled vehicles that are to be subject to the exemption,

(*d*) the manner of keeping or display of the means of identification on the vehicle, and

(*e*) the fee, if any, payable to the road authority concerned in respect of the exemption.

(4) Where bye-laws made under this section provide for an exemption to the prohibition or restriction to be imposed, the road authority shall provide, on application, the means of identification referred to in *subsection (3)(c)* to a person who may acquire the exemption.

(5) Different bye-laws may be made under this section—

(*a*) in respect of different areas within the functional area of a road authority,

(*b*) in respect of different classes of vehicles,

(*c*) for different circumstances, and

(*d*) in respect of different periods of time.

(6) Where a road authority makes bye-laws under this section it shall provide a regulatory traffic sign specified in regulations made under section 95(2) of the Principal Act to indicate the application of the bye-laws.

(7) The traffic sign referred to in *subsection (6)* shall—

(*a*) be provided on the road or on all roads at the entrance to an area to which the bye-laws apply, and

(*b*) in advance of the operation of the bye-laws, be accompanied by an information plate indicating details regarding the date or day and period of the operation of the bye-laws.

(8) Before making bye-laws under this section, a road authority shall—

(*a*) consult with the Commissioner of the Garda Síochána,

(*b*) publish a notice in one or more newspapers circulating in the area to which the bye-laws relate and, where the road authority considers the event to which the bye-laws relate is of national importance, in one or more newspapers published in and are circulating in the State—

(i) indicating that it is proposed to make bye-laws under this section,

(ii) indicating the times at which, the period (being not less than one month) during which and the place (being a place within their functional area) where a copy of the draft bye-laws may be inspected,

(iii) stating that representations may be made in writing to the road authority in relation to the draft bye-laws before a specified date (which shall be not less than 2 weeks after the end of the period for inspection), and

(iv) stating that a copy of the draft bye-laws may be purchased on payment of a fee, if any, not exceeding the reasonable cost of making such copies,

and

(*c*) before deciding whether to make the bye-laws and determining their content, consider any observations made to them by the Commissioner or any representations made to them under *paragraph (b)(iii)*.

(9) The making of bye-laws under this section and the consideration of observations or representations under *subsection (8)(c)* is a reserved function.

(10) As soon as may be after the making of bye-laws by a road authority under this section, notice of their making and of the place where copies of them may be purchased, obtained or inspected shall be published by the road authority in—

(*a*) the *Iris Oifigiúil*,

(*b*) one or more newspapers circulating in the area to which the bye-laws relate, and

(*c*) where the road authority considers the event to which the bye-laws relate is of national importance, one or more newspapers published in and circulating in the State.

(11) Where a mechanically propelled vehicle, not exempted under bye-laws made under this section, is parked on a public road at a time immediately in advance of the coming into operation of bye-laws made under this section applying to the road, the vehicle must be removed from that road before the commencement of the operation of the bye-laws as indicated by the traffic sign referred to in *subsection (7)*.

(12) (*a*) A person who contravenes a bye-law made under this section or who does not comply with *subsection (11)* is guilty of an offence.

(*b*) Where, in relation to a mechanically propelled vehicle, there is a contravention of a bye-law under this section or a failure to comply with *subsection (11)*, each of the following persons is guilty of an offence—

(i) the registered owner of the vehicle,

(ii) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and

(iii) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.

(13) Where a person charged with an offence under *subsection (12)* is—

(*a*) the registered owner of the vehicle concerned, it is a defence for him or her to show that the vehicle was being used on the occasion in question by another person and that—

(i) such use was unauthorised, or

(ii) the vehicle was on that occasion the subject of a hire-drive agreement,

or

(*b*) a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it is a defence for him or her to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(14) Any fees paid under this section shall be disposed of in such manner as the road authority concerned may by resolution determine.**]**

F44**[**Inspection of permits.

36B.— (1) A member of the Garda Síochána or (other than for the purposes of *paragraph (b)*) a traffic warden may request the driver or person in charge of a vehicle—

(*a*) parking the vehicle in a place where restrictions or prohibitions on parking apply, or

(*b*) entering, driving on or otherwise using or leaving a road where restrictions or prohibitions apply to a vehicle,

under regulations or bye-laws under this Part, to allow the inspection by the member or warden of a permit exempting the vehicle and, if applicable, the driver or person, from the restriction or prohibition.

(2) Where a member or warden inspecting a permit under *subsection (1)* is of the opinion that—

(*a*) the permit is no longer in force,

(*b*) the permit does not apply to the circumstances or vehicle in which it is being used,

(*c*) the person using the permit is not entitled to use it, or

(*d*) the permit is altered or forged,

he or she may detain it.

(3) Where a permit is detained under *subsection (2)* and it is subsequently shown to be valid it may be returned to the holder or suspended or revoked as the local authority or person issuing it sees fit according to the circumstances of the matter.

(4) The driver or person in charge of a mechanically propelled vehicle who—

(*a*) fails to keep or display a permit or other means of identification as specified in the permit or regulations made under *section 35* or bye-laws made under *section 36* or *36A*, when the vehicle to which the permit relates is being driven, parked or otherwise being used by the person under it in respect of the exemption or permission concerned,

(*b*) uses a permit other than in accordance with its terms or conditions, or

(*c*) fails or refuses to allow or obstructs the inspection of a permit under this section,

is guilty of an offence.

(5) When the driver or person in charge of a mechanically propelled vehicle who contravenes *subsection (4)(a)* or *(b)* is not the registered owner of the vehicle but authorised to drive or use the vehicle by the owner and the vehicle is not the subject of a hire-drive agreement, then the registered owner is also guilty of an offence.

(6) In this section—

"permit" means a permit issued under regulations made under *section 35* or the means of identification of an exempted or permitted vehicle specified in bye-laws made under *section 36* or *36A*;

"traffic warden" means a traffic warden within the meaning of the Local Authorities (Traffic Wardens) Act 1975 or section 103 (19) (inserted by section 11 of the Road Traffic Act 2002) of the Principal Act.**]**

Amendment of section 95 of Principal Act.

37.—Section 95, as amended by the Act of 1968, of the Principal Act is hereby amended—

(*a*) in subsection (1)—

(i) by the substitution in the definition of "road regulation" of "roads" for "a road"; and

(ii) by the substitution of the following for the definition of "traffic sign"—

"'traffic sign' means any sign, device, notice or road marking, or any instrument for giving signals by mechanical means, which does one or more of the following in relation to a public road or public roads:

(*a*) gives information (such a sign being referred to in this section as 'an information sign'),

(*b*) warns persons of danger or advises persons of the precautions to be taken against such danger, or both (such a sign being referred to in this section as 'a warning sign'),

(*c*) indicates the existence of a road regulation or implements such a regulation, or both, or indicates the existence of a provision in an enactment relating to road traffic (such a sign being referred to in this section as 'a regulatory sign');",

(*b*) by the substitution for subsections (3) to (5) of the following subsections:

"(3) (a) A road authority may provide for public roads in their charge such information signs and warning signs as they consider desirable.

(b) Subject to subsection (4) of this section, a road authority may, after consultation with the Commissioner, provide for public roads in their charge such regulatory signs as they consider desirable.

(4) (a) Before providing a regulatory sign (such a sign being referred to in this section as 'a special category sign') of the same kind as a regulatory sign specified in regulations under subsection (2) of this section, a road authority shall—

(i) publish a notice in one or more newspapers circulating in the functional area of the authority—

(I) indicating that it is proposed to provide the sign,

(II) stating that representations in relation to the proposal may be made in writing to the road authority before a specified date (which

shall be not less than one month after the publication of the notice); and

(ii) consider any representations made pursuant to subparagraph (i) (II) of this paragraph.

(b) A decision by a road authority to provide a special category sign shall be a reserved function.

(5) (a) A road authority shall provide for public roads in their charge such regulatory signs (other than special category signs) as may be requested by the Commissioner, in the positions indicated by him and shall, as respects any traffic signs so provided, carry out any periodical transfers from place to place and any alterations and removals which he may request.

(b) A road authority shall, at the request of the Commissioner, remove any regulatory sign which the Commissioner considers has been provided in a manner or at a location that might adversely affect the safety of road users.",

(c) in subsections (10) and (11), by the substitution of "road authority having charge of the road" for "Commissioner", and

(d) in subsection (19), by the deletion of "or consent of".

Traffic calming measures.

38.—(1) A road authority may, in the interest of the safety and convenience of road users, provide such traffic calming measures as they consider desirable in respect of public roads in their charge.

(2) A road authority may remove any traffic calming measures provided by them under this section.

(3) Before providing or removing traffic calming measures under this section of such class or classes as may be prescribed, a road authority shall—

(*a*) consult with the Commissioner;

(*b*) publish a notice in one or more newspapers circulating in the functional area of the authority—

(i) indicating that it is proposed to provide or remove the measures, and

(ii) stating that representations in relation to the proposal may be made in writing to the road authority before a specified date (which shall be not less than one month after the publication of the notice);

(*c*) consider any observations made by the Commissioner or any representations made pursuant to *paragraph* (*b*) (*ii*).

(4) The making of a decision to provide or remove traffic calming measures of a class prescribed under *subsection (3)* and the consideration of observations or representations under *paragraph* (*c*) of that subsection shall be reserved functions.

(5) Traffic calming measures shall not be provided or removed in respect of a national road without the prior consent of the National Roads Authority.

(6) The Minister may issue general guidelines to road authorities relating to traffic calming measures under this section and may amend or cancel any such guidelines and, where any such guidelines are, for the time being, in force, road authorities shall have regard to such guidelines when performing functions under this section.

(7) A traffic calming measure provided under this section shall be deemed to be a structure forming part of the public road concerned and necessary for the safety of road users.

(8) (*a*) A person who, without lawful authority, removes or damages or attempts to remove or damage a traffic calming measure provided under this section shall be guilty of an offence.

(*b*) An offence under this subsection may be prosecuted by the road authority in whose functional area the acts constituting the offence were done.

F45**[**(9) In this section—

"bus" means a mechanically propelled vehicle designed for travel by road having seating accommodation for more than 9 persons (including the driver);

"provide" includes erect or place, maintain and (in the case of an instrument for giving signals by mechanical means) operate;

"public bus service" means the use of a bus or buses travelling wholly or mainly on public roads for the carriage of passengers in such a manner that—

(*a*) the service is provided on a regular and scheduled basis,

(*b*) each journey is open to use by members of the public,

(*c*) carriage is provided for passengers between specified terminal points or along a specified route or otherwise in accordance with a published timetable, and

(*d*) a charge or charges are paid in respect of each passenger;

"traffic calming measures" means measures which—

(*a*) enhance the provision of public bus services, including measures which restrict or control access to all or part of a public road by mechanically propelled vehicles F46**[**or powered personal transporters**]** (whether generally or of a particular class) for the purpose of enhancing public bus services, or

(*b*) restrict or control the speed or movement of, or which prevent, restrict or control access to a public road or roads by, mechanically propelled vehicles F46**[**or powered personal transporters**]** (whether generally or of a particular class) and measures which facilitate the safe use of public roads by different classes of traffic (including pedestrians F46**[**, people driving powered personal transporters,**]** and cyclists),

and includes for the purposes of the above the provision of traffic signs, road markings, bollards, posts, poles, chicanes, rumble areas, raised, lowered or modified road surfaces, ramps, speed cushions, speed tables or other similar works or devices, islands or central reservations, roundabouts, modified junctions, works to reduce or modify the width of the roadway and landscaping, planting or other similar works.**]**

PART VII

MISCELLANEOUS

Powers of entry.

39.—(1) A member of the Garda Síochána may for the purpose of arresting a person under section 106 (3A) (inserted by this Act) of the Principal Act, enter without warrant (if need be by use of reasonable force) any place (including a dwelling) where the person is or where the member, with reasonable cause, suspects him to be and, in case the place is a dwelling, the member shall not so enter unless he or another such member has observed the person enter the dwelling concerned.

(2) A member of the Garda Síochána may for the purpose of F47**[**making a requirement of the person under *section 12(2)* of this Act or section 4(4) of the Road Traffic Act 2006, or**]** arresting a person under section 49 (8) or 50 (10) of the Principal Act, enter without warrant (if need be by use of reasonable force) any place (including the curtilage of a dwelling but not including a dwelling) where the person is or where the member, with reasonable cause, suspects him to be.

(3) A member of the Garda Síochána may, for the purpose of making a requirement of a person under subsection (1) of section 15 , enter without warrant any hospital

where the person is or where the member, with reasonable cause, suspects him to be.

(4) A designated doctor may, for the purpose of taking from a person a specimen of his blood or being provided by a person with a specimen of his urine under subsection (1) of section 15, enter any hospital where the person is or where the doctor is informed by a member of the Garda Síochána that the person is.

Amendment of Road Vehicles (Registration and Licensing) Order, 1958.

40.—Article 6 of the Road Vehicles (Registration and Licensing) Order, 1958, is hereby amended in subarticle (4) by the substitution for "transferred to the Central Motor Tax Account" of "paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance may direct".

Detention of vehicles.

41.—(1) The Minister may, after consultation with the Minister for Justice, make regulations authorising and providing for the detention, removal, storage and subsequent release or disposal of F49**[**, in the case of *paragraphs (a)* to *(f)*, a mechanically propelled vehicle in use in a public place and, in the case of *paragraph (g)*, a powered personal transporter in use in a public place**]** where—

F50**[**(*a*) the person driving the vehicle—

(i) refuses or fails to produce there and then a driving licence or learner permit then having effect and licensing him or her to drive the vehicle, when production of such a licence is demanded of him or her by a member of the Garda Síochána under section 40 of the Principal Act or section 61 of the Road Traffic Act 2010 and the member is of opinion that the person is by reason of his or her age ineligible to hold a driving licence or learner permit licensing him or her to drive the vehicle,

(ii) has had a driving licence or learner permit seized from him or her under section 60 of the Road Traffic Act 2010, F51**[**...**]**

(iii) is, in the opinion of a member of the Garda Síochána, disqualified for holding a driving licence or learner F52**[**permit,**]]**

F53**[**(iv) is, in the opinion of a member of the Garda Síochána, the holder of a learner permit and is, in the opinion of that member, not driving in accordance with clause (iv) of Regulation 17(6)(b) of the Road Traffic (Licensing of Drivers) Regulations 2006 F52**[**(S.I. No. 537 of 2006, or**]]**

F54**[**(v) is, in the opinion of a member of the Garda Síochána, not the holder of a driving licence or learner permit.**]**

F55**[**(*b*) the vehicle is, or a member of the Garda Síochána reasonably believes it to be in the State and the member is of the opinion that the vehicle is, being so used in contravention of section 56(1) of the Principal Act,**]**

(*c*) a member of the Garda Síochána is of opinion that any excise duty payable under section 1 of the Finance (Excise Duties) (Vehicles) Act, 1952, in respect of the vehicle, being a vehicle which is or which the member reasonably believes to be registered in the State, has not been paid in respect of a continuous period of F55**[**2 months**]** or more immediately prior to such F55**[**use,**]**

F56**[**(*d*) the vehicle is, or a member of the Garda Síochána is of the opinion that the vehicle is, being so used in contravention of section 18(1) of the Principal Act,

F57**[**(*e*) the vehicle is, or a member of the Garda Síochána is of the opinion that the vehicle is, being so used in contravention of section 6(1) of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012, or

(*f*) in the case of a vehicle registered in another Member State, the vehicle is, or a member of the Garda Síochána is of the opinion that it is, being so used without a proof of passing a roadworthiness test in accordance with

Directive 2014/45/EU of 3 April 2014[2] which is for the time being in force in respect of F49**[**the vehicle, or**]]]**

F58**[**(*g*) the powered personal transporter is, or a member of the Garda Síochána is of the opinion that the powered personal transporter is, being so used in contravention of—

(i) any regulations made under section 11 of the Principal Act, or

(ii) subsection (1) or (2) of section 54 of the Principal Act.**]**

(2) Regulations under this section may, in particular and without prejudice to the generality of *subsection (1)*—

(*a*) authorise and provide for the recovery by such persons or classes of persons as may be specified in the regulations from the owners of vehicles detained, removed, stored, released or disposed of, of charges in accordance with a prescribed scale, in respect of such detention, removal, storage, release or disposal and for the disposal of moneys received in respect of such charges,

(*b*) provide for the waiver or deferral of such charges in such circumstances as may be specified in the regulations,

(*c*) provide for the release, by or on behalf of persons referred to in *paragraph (a)*, of vehicles detained, removed or stored to such persons and upon such conditions as may be specified in the regulations,

(*d*) 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 vehicles detained, removed or stored and provide for the disposal of moneys received in respect of such sale or other disposal.

(3) Notwithstanding any other provisions of this section, a vehicle shall not be disposed of thereunder before the expiration of a period of F59**[**3 weeks**]** from the date of its detention or 2 weeks after notice of the intended disposal has been given in the prescribed manner, whichever is the longer.

(4) A person who obstructs or impedes, or assists another person to obstruct or impede, a member of the Garda Síochána in the performance of his duties under this section shall be guilty of an offence.

(5) No action shall lie in respect of anything done in good faith and without negligence in the course of the detention, removal, storage, release or disposal of a vehicle under this section.

Power of road authority to provide and maintain certain equipment, etc. on public roads.

42.—F61**[**...**]**

Amendment of section 103 of Principal Act.

43.—Section 103 of the Principal Act is hereby amended—

(*a*) by the substitution of the following paragraph for paragraph (*b*) of subsection (2):

"(*b*) that such person may, during the period of 21 days beginning on the date of the notice, make to a member of the Garda Síochána or an authorised person at a specified Garda Síochána station or at another specified place a payment of a prescribed amount accompanied by the notice,";

(*b*) by the substitution of the following paragraph for paragraph (*b*) of subsection (3):

[2] OJ No. L127, 29.04.2014, p. 51

"(*b*) that a person liable to be prosecuted for the offence may, during the period of 21 days beginning on the date of the notice, make to a member of the Garda Síochána or an authorised person at a specified Garda Síochána station or at another specified place a payment of a prescribed amount accompanied by the notice,";

(*c*) by the substitution of the following paragraphs for paragraphs (*a*) and (*b*) of subsection (4):

"(*a*) a person to whom the notice applies may, during the period specified in the notice, make to a member of the Garda Síochána or an authorised person at the Garda Síochána station or other place specified in the notice the payment specified in the notice accompanied by the notice,

(*b*) the member or the authorised person may receive the payment, issue a receipt therefor and retain it for disposal in accordance with this Act and no payment so received shall in any circumstances be recoverable by the person who made it,"; and

(*d*) by the substitution of the following subsection for subsection (8) (inserted by section 64 of the Act of 1968):

"(8) In this section 'authorised person' means a person appointed by the Minister for Justice to be an authorised person for the purposes of this section.".

Amendment of section 105 of Principal Act.

44.—Section 105 of the Principal Act is hereby amended in paragraph (*b*) by the insertion after "a watch or electronic or other apparatus" of "(including photographic apparatus)".

Amendment of section 106 of Principal Act.

45.—Section 106 of the Principal Act is hereby amended by the insertion after subsection (3) of the following new subsection:

"(3A) A member of the Garda Síochána may arrest without warrant a person who in the member's opinion is committing or has committed an offence under subsection (3) of this section where the contravention involves or, as may be appropriate, involved non-compliance with paragraph (*a*) or (*b*) of subsection (1) of this section, injury was caused to person, a mechanically propelled vehicle was involved in the occurrence of the injury and the first-mentioned person is, or as may be appropriate, was in the member's opinion the driver of the vehicle concerned.".

Amendment of section 107 of Principal Act.

46.—Section 107 of the Principal Act is hereby amended by the insertion after subsection (4) of the following new subsection:

"(4A) (*a*) A requirement under subsection (4) of this section may be made of a person either personally or in a notice in writing served upon him by registered post.

(*b*) Notwithstanding the said subsection (4), where a requirement under that subsection is made of a person in a notice served upon him by registered post the person shall not be guilty of an offence unless he fails to comply with the requirement within the time (being not less than 14 days from the date on which the notice was posted) specified in the notice.".

Amendment of section 9 of Principal Act.

47.—Section 9 of the Principal Act is hereby amended by the substitution of the following subsection for subsection (1):

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

Summary proceedings.

48.—(1) Notwithstanding section 10 (4) of the Petty Sessions (Ireland) Act, 1851, and subject to *subsection (2)*, summary proceedings for an offence under section 64 or 115 of the Principal Act may be instituted—

(*a*) at any time within 6 months from the date on which the offence was committed, or

(*b*) at any time within 3 months from the date on which evidence sufficient, in the opinion of the person by whom the proceedings are instituted, to justify proceedings comes to such person's knowledge,

whichever is the later.

(2) Summary proceedings mentioned in *subsection (1)* of this section shall not be instituted later than 3 years from the date on which the offence was committed.

(3) For the purposes of this section, a certificate signed by the person instituting the proceedings or on his behalf by a person authorised by him to sign such a certificate on his behalf stating the date on which evidence described in *subsection (1)(b)* of this section came to the knowledge of the first mentioned person shall, until the contrary is shown, be sufficient evidence in any proceedings under section 64 or 115 of the Principal Act of the facts stated therein, without proof of any signature on it or that the signatory was the proper person to sign it, and shall, until the contrary is shown, be sufficient evidence of compliance by the first mentioned person with the requirements imposed on him by or under this section.

Minor and consequential amendments.

49.—(1) The Principal Act is hereby amended—

(*a*) in section 3 (1)—

(i) by the insertion in paragraph (*a*) of the definition of "hire-drive agreement" after "hire-purchase" of "or letting";

(ii) by the insertion after the definition of "mobile weigh-bridge" of the following definitions:

"'motorway' has the meaning assigned to it by the Roads Act, 1993;

'motorway speed limit' has the meaning assigned to it by section 44B (inserted by the *Road Traffic Act, 1994*) of this Act;";

(iii) by the substitution for the definition of "owner" of the following definition:

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

(iv) by the substitution for the definition of "public place" of the following definition:

"'public place' means—

(*a*) any public road, and

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

and

(v) by the substitution for the definition of "special speed limit" of the following definition:

"'special speed limit' has the meaning assigned to it by section 46 (inserted by the *Road Traffic Act, 1994*) of this Act;";

(*b*) in section 7—

(i) by the substitution in subsection (1) for "under this Act made by the Commissioner and every rule thereunder made by him or a local authority" of "and rule made under the *Road Traffic Acts, 1961 to 1994*", and

(ii) by the substitution in subsection (2) for "under this Act made by the Commissioner and rules thereunder made by him or a local authority" of "and rules made under the *Road Traffic Acts, 1961 to 1994*";

(*c*) in section 28 (1)—

(i) by the insertion after "Garda Síochána" of "or appropriate licensing authority", and

(ii) by the insertion after "such officer" of "or licensing authority";

(*d*) in section 36 (1), by the substitution for the words in brackets of the following:

"and, in the case of an offence which would be an offence such as is specified in paragraph 1, 2, 3, 9, 10 or 12 (*b*) of the Second Schedule to this Act if it were a second or any subsequent offence committed within any period of 3 years and, in the case of an offence which would be an offence such as is specified in paragraph 7 of the said Second Schedule if it were a third or any subsequent offence committed within any period of 3 years and, in the case of an offence which is specified in paragraph 8 or 11 of the Second Schedule to this Act, being an offence in respect of which the court has declined, pursuant to section 26 (5) (*b*) of this Act, to make a disqualification order, shall";

(*e*) in section 37 (2), by the substitution in paragraph (*b*) (i) for "five years" of "three years";

(*f*) in section 53—

(i) by the substitution in subsection (2) (*a*) for "five years" of "10 years" and for "£3,000" (as inserted by the Act of 1984) of "£10,000", and

(ii) by the substitution in subsection (3) for "built-up area or special" of "built-up area, special or motorway";

(*g*) in section 64, by the substitution for subsection (4) (inserted by the Act of 1968) of the following subsection:

"(4) (*a*) For the purposes of a prosecution for an offence under this section, a member of the Garda Síochána may, by a notice in writing served by post on a vehicle insurer, require the person within 10 days of the date of service of the notice to furnish to the member any document referred to in subsection (3) of this section which is in that person's possession or within his procurement and is specified in the notice.

(*b*) A person who refuses or fails to comply with a requirement of a member of the Garda Síochána under paragraph (*a*) of this subsection shall be guilty of an offence.";

(*h*) in section 69 (2), by the substitution for "one month" of "3 months" in paragraph (*a*);

(*i*) in section 101, by the insertion after subsection (7A) (inserted by the Act of 1968) of the following new subsections:

"(7B) Where, in relation to a mechanically propelled vehicle, there is a contravention of a bye-law under subsection (7) of this section, each of the following persons shall be guilty of an offence—

(*a*) the registered owner of the vehicle,

(*b*) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the person to whom the vehicle is hired under the agreement, and

(*c*) if the person who parked the vehicle is not its registered owner or the person to whom it is hired under a hire-drive agreement, the first-mentioned person.

(7C) (*a*) Where a person charged with an offence under subsection (7B) (inserted by the *Road Traffic Act, 1994*) of this section is the registered owner of the vehicle concerned, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that—

(i) such use was unauthorised, or

(ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(*b*) Where a person charged with an offence under subsection (7B) (as so inserted) of this section is a person to whom the vehicle concerned stood hired at the time of the commission of the offence, it shall be a defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.";

(*j*) in section 101B (as inserted by the Act of 1987)—

(i) by the substitution in subsection (2) for "90 of this Act" of "*35* or *36* of the *Road Traffic Act, 1994*", and

(ii) by the substitution in paragraph (*b*) of subsection (8) for "bye-laws or temporary rules under section 90 of this Act" of "regulations or bye-laws under *section 35* or *36* of the *Road Traffic Act, 1994*";

(*k*) in sections 97 (1) (*b*), 102, 103, 107, 110, 111, 115, 125 and 126, by the substitution for "this Act" of "the *Road Traffic Acts, 1961 to 1994*"; and

(*l*) F62**[**...**]**

(2) Reference in section 3 (1) (a) (as inserted by the Act of 1987) of the Local Authorities (Traffic Wardens) Act, 1975 to the Road Traffic Acts, 1961 to 1984 and references in the Act of 1993 to the Road Traffic Acts, 1961 to 1987, shall be construed as references to the *Road Traffic Acts, 1961 to 1994*.

(3) The Act of 1993 is hereby amended—

(*a*) in section 20 (1) by the substitution for paragraph (*l*) of the following paragraph:

"(*l*) provide a specified traffic sign under and in accordance with section 95 of the Act of 1961,", and

(*b*) in section 23, by the deletion of subsection (3).

ACTS REFERRED TO

County Management Acts, 1940 to 1991	
Dublin Transport Authority (Dissolution) Act, 1987	1987, No. 34
Finance (Excise Duties) (Vehicles) Act, 1952	1952, No. 24
Licensing Act, 1872	1872, c. 94
Local Authorities (Traffic Wardens) Act, 1975	1975, No. 14
Local Government (Ireland) Act, 1898	1898, c. 37
Medical Practitioners Act, 1978	1978, No. 4
Petty Sessions (Ireland) Act, 1851	1851, c. 93
Probation of Offenders Act, 1907	1907, c. 17
Roads Act, 1993	1993, No. 14
Road Traffic Act, 1961	1961, No. 24
Road Traffic Act, 1968	1968, No. 25
Road Traffic (Amendment) Act, 1978	1978, No. 19
Road Traffic (Amendment) Act, 1984	1984, No. 16

Number 7 *of* 1994

ROAD TRAFFIC ACT 1994

REVISED

Updated to 2 September 2026

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 1973* (15/1973) *(Repealed)*
- *Road Traffic (Amendment) Act 1978* (16/1978) *(Repealed)*
- *Road Traffic (Amendment) Act 1984* (16/1984)
- *Dublin Transport Authority (Dissolution) Act 1987* (34/1987), insofar as it amends the *Road Traffic Acts 1961 to 1984*
- *Road Traffic Act 1994* (7/1994)
- *Road Traffic Act 1995* (7/1995) *(Repealed)*
- *Road Traffic Act 2002* (12/2002)
- *Road Traffic Act 2003* (37/2003) *(Repealed)*
- *Road Traffic Act 2004* (44/2004), other than Part 6
- *Railway Safety Act 2005* (31/2005), Part 17
- *Road Traffic Act 2006* (23/2006), other than s. 21
- *Road Traffic and Transport Act 2006* (28/2006), s. 1
- *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 (citation only)
- *Road Traffic Act 2014* (3/2014)
- *Road Traffic (No. 2) Act 2014* (39/2014)
- *Vehicle Clamping Act 2015* (13/2015), Part 5 (citation only)
- *Public Transport Act 2016* (3/2016), s. 8
- *Road Traffic Act 2016* (21/2016) (citation only)
- *Road Traffic (Amendment) Act 2018* (18/2018)
- *Civil Law (Miscellaneous Provisions) Act 2022* (19/2022), Part 7 (ss. 46, 47)
- *Road Traffic and Roads Act 2023* (16/2023), other than Part 3 (s. 4), Part 6 (ss. 7-10) and ss. 36-47
- *Road Traffic Act 2024* (10/2024)

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

Material not updated in this revision

Where other legislation is amended by this Act, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available. A list of legislative changes to any Act, and to statutory instruments from 1972, may be found linked from the page of the Act or statutory instrument at
www.irishstatutebook.ie.