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

Number 16 *of* 2012

ROAD SAFETY AUTHORITY (COMMERCIAL VEHICLE ROADWORTHINESS) ACT 2012

REVISED

Updated to 1 January 2025

This Revised Act is an administrative consolidation of the *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012*. 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 *Family Courts Act 2024* (48/2024), enacted 13 November 2024, and all statutory instruments up to and including the *Physiotherapists Registration Board Application for Registration Bye-Law 2025* (S.I. No. 2 of 2025), made 7 January 2025, 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 16 *of* 2012

ROAD SAFETY AUTHORITY (COMMERCIAL VEHICLE ROADWORTHINESS) ACT 2012

REVISED

Updated to 1 January 2025

ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY AND GENERAL

Section

1. Short title, commencement, collective citation and construction.

2. Definitions.

3. Regulations.

PART 2

COMMERCIAL VEHICLE ROADWORTHINESS

Chapter 1

Mandatory roadworthiness testing and certificate of roadworthiness

4. Mandatory roadworthiness testing of certain vehicles.

5. Certificate of roadworthiness.

6. Offence of using CVR vehicle without certificate of roadworthiness.

7. Power to require production of certificate of roadworthiness.

8. Production of certificate of roadworthiness when licensing mechanically propelled vehicle under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952.

Chapter 2

CVR test operators and CVR testers

9. CVR test operators.

10. Transitional provision — authorised testers under Regulations of 2004.

11. Requirements for issue, amendment and renewal of authorisation as CVR test operator.

12. Fit and proper person.

13. Offer of authorisation or amended authorisation as CVR test operator.

14. Amendment of authorisation.

15. Renewal of authorisation as CVR test operator.

16. Applications for authorisation and amendment or renewal of authorisation as CVR test operator.

17. CVR testers.

18. Suspension of authorisation.

19. Revocation of authorisation.

19A. Provision of false information in application.

20. Notice of revocation.

21. Deciding officers.

22. Appeals from decision of deciding officer.

23. Offence of purporting to be CVR test operator or CVR tester while not so authorised.

24. Authorised officers.

25. Powers of authorised officers — CVR testing.

26. Entry warrant.

27. Form of direction.

28. CVR information system and CVR records.

29. Register of CVR test operators.

Chapter 3

Commercial vehicle roadworthiness maintenance

30. Maintenance of CVR vehicles.

31. Powers of authorised officers — CVR maintenance.

Chapter 4

Roadside roadworthiness inspections

32. Roadside roadworthiness inspections.

33. Appointment of CVR inspectors.

34. Powers of CVR inspector.

35. Powers of CVR inspectors and authorised officers.

Chapter 5

Detention of vehicles, etc. by authorised officers and CVR inspectors

36. Detention of vehicles, etc., by authorised officers and CVR inspectors.

Chapter 6

Road Safety Authority

37. Conferral of functions on Authority.

38. Guidelines.

39. Risk rating system.

40. Directions, notices and notifications.

Chapter 7

Proceedings

41. Certain penalties and prosecutions.

42. Offence by body corporate.

Chapter 8

Miscellaneous amendments

43. Amendment of Second Schedule to Act of 1961 — consequential disqualification.

44. Amendment of Road Traffic Act 2002 — penalty points.

45. Amendment of section 41 of Road Traffic Act 1994 — detention of vehicles.

46. Amendment of Act of 1961 — driving of dangerously defective vehicle.

47. Amendment of Act of 1961 — right to demand name and address, etc.

48. Amendment of Act of 2010.

PART 3

Driver Licensing

49. Amendment of section 4 of Road Safety Authority Act 2006.

50. Amendment of Part III of Act of 1961 — licensing authority.

51. Repeal of section 37 of Act of 1961.

52. Amendment of Road Traffic Act 2002.

53. Amendment of section 5 of Act of 2006. *(Repealed)*

54. Amendment of Act of 2010.

55. Amendment of section 18 of Finance (No. 2) Act 1992.

56. Amendment of Finance Act 1993.

ACTS REFERRED TO

Companies Acts	
Consumer Credit Act 1995	1995, No. 24
Criminal Justice Act 1994	1994, No. 15
Criminal Justice (Money Laundering and Terrorist Financing) Act 2010	2010, No. 6
Criminal Justice (Theft and Fraud Offences) Act 2001	2001, No. 50
Criminal Law (Human Trafficking) Act 2008	2008, No. 8

Finance Act 1993	1993, No. 13
Finance Act 1994	1994, No. 13
Finance Act 2002	2002, No. 5
Finance (Excise Duties) (Vehicles) Act 1952	1952, No. 24
Finance (No. 2) Act 1992	1992, No. 28
Firearms Acts 1925 to 2009	
Illegal Immigrants (Trafficking) Act 2000	2000, No. 29
Local Government (Financial Provisions) Act 1997	1997, No. 29
Motor Vehicles (Duties and Licences) Act 2003	2003, No. 5
Non-Fatal Offences Against the Person Act 1997	1997, No. 26
Road Safety Authority Act 2006	2006, No. 14
Road Traffic Act 1961	1961, No. 24
Road Traffic Act 1968	1968, No. 25
Road Traffic Act 1994	1994, No.7
Road Traffic Act 2002	2002, No. 12
Road Traffic Act 2006	2006, No. 23
Road Traffic Act 2010	2010, No. 25
Road Traffic Acts 1961 to 2011	
Road Traffic (No. 2) Act 2011	2011, No. 28
Road Transport Act 2011	2011, No. 31
Roads Act 1993	1993, No. 14
Roads Act 2007	2007, No. 34
Safety, Health and Welfare at Work Acts 2005 and 2010	
Sex Offenders Act 2001	2001, No. 18
Taxes Consolidation Act 1997	1997, No. 39

Number 16 *of* 2012

ROAD SAFETY AUTHORITY (COMMERCIAL VEHICLE ROADWORTHINESS) ACT 2012

REVISED

Updated to 1 January 2025

AN ACT TO PROVIDE FOR A SYSTEM TO ENSURE THE ROADWORTHINESS OF COMMERCIAL VEHICLES, TO PROVIDE FOR THE CONFERRAL OF FUNCTIONS ON THE ROAD SAFETY AUTHORITY IN RELATION TO SUCH SYSTEM, TO GIVE FURTHER EFFECT TO DIRECTIVE 2006/22/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL OF 15 MARCH 2006 IN RELATION TO THE INTRODUCTION OF A RISK RATING SYSTEM, TO AMEND THE ROAD TRAFFIC ACTS 1961 TO 2011 AND, IN RELATION TO DRIVER LICENSING, CERTAIN OTHER ENACTMENTS AND TO PROVIDE FOR RELATED MATTERS.

[30*th May*, 2012]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

Annotations

Modifications (not altering text):

C1 Functions transferred to Road Safety Authority (27.03.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Conferral of Functions) Order 2013* (S.I. No. 104 of 2013), art. 3, in effect as per art. 2.

3. The functions of the Minister for Transport, Tourism and Sport under sections 5(1), 9(1) and (2), 11 (other than subsection (2)), 12 to 15, 16(2), 17 to 22, 24 and 33 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) are conferred on the Road Safety Authority.

Editorial Notes:

E1 Deemed certificate of roadworthiness for purposes of Act prescribed (25.09.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013* (S.I. No. 347 of 2013), reg. 25(4), in effect as per reg. 2.

PART 1

Preliminary and General

Short title, commencement, collective citation and construction.

1.— (1) This Act may be cited as the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012.

(2) This Act comes 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.

(3) This Act and the Road Safety Authority Act 2006 may be cited together as the Road Safety Authority Acts 2006 and 2012 and shall be read together as one.

Annotations

Editorial Notes:

E2 Power pursuant to subs. (2) exercised (15.11.2021) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Section 43) (Commencement) Order 2021* (S.I. No. 575 of 2021).

2. The 15th day of November 2021 is fixed as the day on which section 43 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) comes into operation.

E3 Power pursuant to subs. (2) exercised (1.01.2020) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Section 45(a)) (Commencement) Order 2019* (S.I. No. 682 of 2019).

2 The day fixed as the day on which section 45(a) of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) comes into operation is 1 January 2020.

E4 Power pursuant to subs. (2) exercised (12.02.2018) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Section 36) (Commencement) Order 2018* (S.I. No. 36 of 2018).

2. The day fixed as the day on which section 36 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) comes into operation is 12 February 2018.

E5 Power pursuant to section exercised (11.11.2014) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Commencement) (Penalty Points - Certificate of Road Worthiness) Order 2014* (S.I. No. 508 of 2014).

2. The day fixed as the day on which section 44(*a*) and (*b*) of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) and the matter at reference number 2A (inserted by the said section 44(*b*)) in Part 1 of the First Schedule to the Road Traffic Act 2002 (No. 12 of 2002) come into operation is 17th November 2014.

E6 Power pursuant to section exercised (10.09.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Sections 30, 31 and 39) (Commencement) Order 2013* (S.I. No. 349 of 2013).

2. The day fixed as the day on which sections 30, 31 and 39 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) come into operation is 10th September 2013.

E7 Power pursuant to section exercised (27.03.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Certain Provisions) (Commencement) Order 2013* (S.I. No. 105 of 2013).

2. The 27th day of March 2013 is fixed as the day on which the following provisions of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012), namely, sections 4 to 27, 29, 32 to 35, 37 and 38, 40 to 42, 44(*c*) and 46 to 48 come into operation on the day after the making of this Order.

E8 Power pursuant to section exercised (12.01.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Part 3) (Commencement) Order 2013* (S.I. No. 5 of 2013).

2. The day fixed as the day on which Part 3 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) comes into operation is 12 January 2013.

E9 Power pursuant to section exercised (25.07.2012) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Part 1 and Section 28) Commencement) Order 2012* (S.I. No. 314 of 2012).

2. The day fixed as the day on which Part 1 and section 28 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) come into operation on 25th July 2012.

Definitions.

2.— In this Act—

"Act of 1961" means Road Traffic Act 1961;

"Act of 2006" means Road Traffic Act 2006;

"Act of 2010" means Road Traffic Act 2010;

"Authority" means Road Safety Authority;

"authorisation" means an authorisation as a CVR test operator under *section 9* or *10* or as a CVR tester under *section 17*;

"authorised officer" means a person appointed under *section 24* as an authorised officer;

F1**[**"certificate of roadworthiness" means –

(*a*) a certificate issued under *section 5*, or

(*b*) an EU roadworthiness certificate;**]**

"CVR" means commercial vehicle roadworthiness;

"CVR inspector" means—

(*a*) a member of the Garda Síochána, or

(*b*) an inspector appointed under *section 33*;

"CVR test operator" means a person authorised under *section 9* or *10*;

"CVR tester" means a person authorised under *section 17*;

"CVR testing centre" means a premises specified in a CVR test operator authorisation at which CVR tests may be carried out;

"CVR tests" means tests prescribed by the Minister under *section 4*;

"CVR vehicle" means a vehicle to which regulations made under *section 4* apply;

"deciding officer" means a person designated under *section 21*;

"direction" means a direction served under *section 25*, *31* or *35*;

F2**[**"EU roadworthiness certificate" in relation to a vehicle means a certificate of roadworthiness within the meaning of the Roadworthiness Directive issued by a Member State competent authority or a Member State testing centre, as the case may be, which has not expired or otherwise been cancelled or revoked and, insofar as the frequency intervals for vehicle testing are concerned, is still valid by reference to the frequency intervals prescribed by regulations under *section 4* for the mandatory roadworthiness testing of vehicles to which those regulations under *section 4* apply;**]**

"guidelines" means guidelines issued by the Authority under *section 38*;

"hire-purchase agreement" means a hire-purchase agreement within the meaning of section 2 of the Consumer Credit Act 1995;

F2**[**"Member State competent authority" means an authority or public body in a Member State (other than the State) with responsibility for managing the system of roadworthiness testing in that Member State including, where appropriate, the carrying out of roadworthiness tests for the purposes of the Roadworthiness Directive;

"Member State testing centre" means a public or private body or establishment in a Member State (other than the State) authorised to carry out roadworthiness tests in that Member State for the purposes of the Roadworthiness Directive;**]**

"Minister" means Minister for Transport, Tourism and Sport;

"owner", in relation to a CVR vehicle, means—

(*a*) in the case of a CVR vehicle which is the subject of a hire-purchase agreement or leasing agreement, the person in possession of the vehicle under the agreement, and

(*b*) in the case of any other CVR vehicle, the person by whom the vehicle is normally kept;

"pass statement", in relation to a CVR vehicle, means a statement to the effect that a CVR test operator has carried out, or has caused to be carried out, and is satisfied that a vehicle is roadworthy in respect of, the CVR tests prescribed in relation to it;

"prescribe" means prescribe by regulations made under this Act;

"public place" means a public place within the meaning of section 3 of the Act of 1961;

"Regulations of 2004" means European Communities (Vehicle Testing) Regulations 2004 (S.I. No. 771 of 2004) as amended by—

(*a*) the European Communities (Vehicle Testing) (Amendment) Regulations 2007 (S.I. No. 709 of 2007),

(*b*) the European Communities (Vehicle Testing) (Amendment) Regulations 2008 (S.I. No. 311 of 2008),

(*c*) the European Communities (Vehicle Testing) (Amendment) Regulations 2011 (S.I. No. 710 of 2011), and

(*d*) the European Communities (Vehicle Testing) (Amendment) Regulations 2012 (S.I. No. 58 of 2012);

F2**[**"Roadworthiness Directive" means Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC[1];**]**

"risk rating" means a rating determined in accordance with *section 39*;

"vehicle" means—

(*a*) a mechanically propelled vehicle (within the meaning of section 3 of the Act of 1961),

(*b*) a trailer or semi-trailer, or

(*c*) a combination of one or more of both *(a)* and *(b)*.

Annotations

Amendments:

F1 Substituted (22.11.2021) by *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021), reg. 2(a)(ii).

F2 Inserted (22.11.2021) by *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021), reg. 2(a)(i).

Regulations.

3.— 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

[1] OJ No. L. 127, 29.4.2014, p. 51

regulations is passed by either such House within the next 21 days on which that House sits after the regulations are laid before it, the regulations shall be annulled accordingly, but without prejudice to the validity of anything previously done under those regulations.

PART 2

Commercial Vehicle Roadworthiness

Chapter 1

Mandatory roadworthiness testing and certificate of roadworthiness

Mandatory roadworthiness testing of certain vehicles.

4.— (1) The Minister may make regulations providing for mandatory roadworthiness testing of vehicles.

(2) Without prejudice to the generality of *subsection (1)*, regulations under that subsection may provide for—

(*a*) the categories of vehicles to be tested,

(*b*) the timing and frequency of tests,

(*c*) the items to be tested,

(*d*) the tests to be carried out, the standard required and the testing method,

(*e*) the facilities and equipment to be used for the purposes of testing and any conditions under which tests are to be carried out,

(*f*) the persons, and the qualifications and training of persons, who may validly carry out tests,

(*g*) the persons or bodies that may provide training and certify qualifications under *paragraph (f)*,

(*h*) the form and manner of application to have a vehicle tested,

(*i*) the fee payable for any test and by whom such fee is payable,

(*j*) the issue and the form of a test report,

(*k*) the issue, form, validity and duration of a pass statement,

(*l*) the recall and retesting of a vehicle in respect of which a pass statement has been issued,

(*m*) the revocation of a pass statement and related matters (including the reimbursement of test fees),

(*n*) the information to be furnished to the Minister and the Authority by CVR test operators and CVR testers in relation to testing.

(3) Regulations under *subsection (2)(i)* may provide for a fixed amount of any fee payable to be paid to the Authority for the purposes of carrying out its functions under this Part.

(4) A person who carries out, or purports to carry out, a CVR test or who issues, or purports to issue, a pass statement in contravention of any regulations made under this section commits an offence.

(5) In a prosecution for an offence under *subsection (4)* it is a defence to show that the person charged took all reasonable steps and exercised all due diligence to avoid committing the offence.

Annotations

Editorial Notes:

E10 Power pursuant to section exercised (1.01.2025) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2024* (S.I. No. 674 of 2024, in effect as per reg. 1(2).

E11 Power pursuant to section exercised (16.05.2023) by *Road Safety Authority (Commercial Vehicle Roadworthiness) (Vehicle Testing) (Amendment) Regulations 2023* (S.I No. 241 of 2023).

E12 Power pursuant to section exercised (22.11.2021) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2021* (S.I No. 616 of 2021).

E13 Power pursuant to section exercised (31.08.2021) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2021* (S.I No. 443 of 2021).

E14 Power pursuant to section exercised (20.04.2020) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2020* (S.I. No. 133 of 2020).

E15 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2018* (S.I. No. 117 of 2018), in effect as per reg. 1(2).

E16 Power pursuant to section exercised (20.05.2018) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017* (S.I. No. 414 of 2017), in effect as per reg. 1(2).

E17 Power pursuant to section exercised (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

E18 Power pursuant to section exercised (25.09.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013* (S.I. No. 347 of 2013), in effect as per reg. 2.

E19 Power pursuant to section exercised (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), in effect as per reg. 2.

E20 Power pursuant to section exercised (27.03.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) Regulations 2013* (S.I. No. 106 of 2013), in effect as per reg. 1(2).

E21 Previous affecting provision: power pursuant to section exercised (1.11.2023) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (No. 2) Regulations 2023* (S.I. No. 513 of 2023), in effect as per reg. 1(2); revoked (1.01.2025) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2024* (S.I. No. 674 of 2024), reg. 2, in effect as per reg. 1(2).

E22 Previous affecting provision: power pursuant to section exercised (21.09.2017 and 20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017* (S.I. No. 413 of 2017), in effect as per reg. 1(2), (3); revoked (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

Certificate of roadworthiness.

5.— (1) Where a CVR test operator issues a pass statement in relation to tests carried out on a CVR vehicle in accordance with *section 4* the Minister shall issue, or cause to be issued, a F3**[**certificate referred to in *paragraph (a)* of the definition of "certificate of roadworthiness" in *section 2***]** in respect of that vehicle.

(2) For the purposes of *subsection (1)* the Minister may make regulations providing for—

(*a*) the issue, form, display, validity and duration of a F4**[**certificate referred to in *paragraph (a)* of the definition of "certificate of roadworthiness" in *section 2***]**,

(*b*) the issue of, and fee for, a F4**[**certificate referred to in *paragraph (a)* of the definition of "certificate of roadworthiness" in *section 2***]** and a replacement certificate of roadworthiness,

(*c*) the revocation of a F4**[**certificate referred to in *paragraph (a)* of the definition of "certificate of roadworthiness" in *section 2***]** (and related matters including the reimbursement of fees),

(*d*) the giving up of a F4**[**certificate referred to in *paragraph (a)* of the definition of "certificate of roadworthiness" in *section 2***]** that has been revoked, and

(*e*) the recall and retesting of a vehicle in respect of which a F4**[**certificate referred to in *paragraph (a)* of the definition of "certificate of roadworthiness" in *section 2***]** has been issued.

(3) A person who contravenes a provision of regulations made under *subsection (2)* that is stated in the regulations to be a penal provision commits an offence and is liable on summary conviction to a class A fine.

(4) The existence of a certificate of roadworthiness that is in force in respect of a vehicle does not affect any prosecution for an offence under the Road Traffic Acts 1961 to 2011.

Annotations

Amendments:

F3 Substituted (22.11.2021) by *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021), reg. 2(b)(i).

F4 Substituted (22.11.2021) by *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021), reg. 2(b)(ii).

Editorial Notes:

E23 Power pursuant to section exercised (22.11.2021) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2021* (S.I No. 616 of 2021).

E24 Power pursuant to section exercised (20.04.2020) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2020* (S.I. No. 133 of 2020).

E25 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2018* (S.I. No. 117 of 2018), in effect as per reg. 1(2).

E26 Power pursuant to section exercised (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

E27 Power pursuant to section exercised (25.09.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013* (S.I. No. 347 of 2013), in effect as per reg. 2.

E28 Power pursuant to section exercised (27.03.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) Regulations 2013* (S.I. No. 106 of 2013), in effect as per reg. 1(2).

E29 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

E30 Previous affecting provision: power pursuant to section exercised (21.09.2017 and 20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017* (S.I. No. 413 of 2017), in effect as per reg. 1(2), (3); revoked (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

Offence of using CVR vehicle without certificate of roadworthiness.

6.— F5**[**(1) A person shall not use a CVR vehicle in a public place unless at the time there is in force in respect of the vehicle a certificate of roadworthiness or the vehicle is the subject of an exemption under section 135 of the Finance Act 1992 (No. 9 of 1992) in force for the time being.**]**

(2) A person who contravenes *subsection (1)* commits an offence and is liable on summary conviction to a class A fine or imprisonment for a term not exceeding 3 months, or to both.

(3) Where a person who contravenes *subsection (1)* is not the owner of the vehicle, the owner of the vehicle also commits an offence and is liable on summary conviction to a class A fine or imprisonment for a term not exceeding 3 months, or to both.

(4) Where the owner of a vehicle is charged with an offence under *subsection (3)* it is a defence to the charge if the owner shows that at the time of the alleged offence the vehicle was used without his or her consent.

(5) A certificate purporting to be signed by an officer of the Authority and to certify that on a specified day or days, or during the whole of a specified period, no certificate of roadworthiness was in force in respect of a specified CVR vehicle shall, without proof of the signature of the person purporting to sign the certificate or that he or she was an officer of the Authority, be evidence, until the contrary is shown, of the matters purporting to be certified in or by the certificate.

(6) Where in a prosecution for an offence under *subsection (2)* or *(3)* it is shown that, a demand having been made of a person under *section 7*, the person—

(*a*) refused or failed to produce a certificate of roadworthiness, or

(*b*) having produced a certificate of roadworthiness to a member of the Garda Síochána, refused or failed to permit him or her to read and examine it,

it shall be presumed, until the contrary is shown, that the vehicle was being used in contravention of *subsection (1)*.

Annotations

Amendments:

F5 Substituted (22.11.2021) by *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021), reg. 2(c).

Editorial Notes:

E31 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Power to require production of certificate of roadworthiness.

7.— (1) Where a member of the Garda Síochána has reasonable grounds for believing that F6**[**a CVR vehicle, other than a CVR vehicle which is the subject of an exemption under section 135 of the Finance Act 1992 (No. 9 of 1992) in force for the time being,**]** has been used in a public place on a particular occasion (including a case in which the member has himself or herself observed the use) and that the actual user of the vehicle on that occasion was a particular person, the member may, at any time not later than one month after the occasion, demand of the person the production of a certificate of roadworthiness in respect of the vehicle in force on the occasion and, if the person refuses or fails to produce the certificate then and there, he or she, unless within 10 days after the day on which production was demanded he or she produces the certificate in person to a member of the Garda Síochána at a Garda station named by the person at the time at which the production was demanded, commits an offence.

(2) Where a member of the Garda Síochána has reasonable grounds for believing that F6**[**a CVR vehicle, other than a CVR vehicle which is the subject of an exemption under section 135 of the Finance Act 1992 (No. 9 of 1992) in force for the time being,**]** has been used in a public place on a particular occasion (including a case in which the member has himself or herself observed the use), the member may, at any time not later than one month after the occasion, demand of the owner of the vehicle the production of a certificate of roadworthiness in respect of the vehicle in force on the occasion and, if the owner refuses or fails to produce the certificate then and there, he or she, unless within 10 days after the day on which production was demanded he or she produces the certificate in person to a member of the Garda Síochána at a Garda station named by the owner at the time at which the production was demanded, commits an offence.

(3) Where a person produces a certificate of roadworthiness to a member of the Garda Síochána but refuses or fails to permit the member to read and examine it, that person commits an offence and the member may demand his or her name and address and date of birth.

(4) Where a person whose name and address and date of birth are demanded under *subsection (3)* refuses or fails to give his or her name or address or date of birth or gives a name or address or date of birth which is false, he or she commits an offence.

(5) A person guilty of an offence under this section is liable on summary conviction to a class A fine.

(6) A member of the Garda Síochána may arrest without warrant a person who—

(*a*) under this section produces a certificate of roadworthiness but refuses or fails to permit the member to read or examine it, or

(*b*) when his or her name and address and date of birth are demanded under this section, refuses or fails to give his or her name or address or date of birth or gives a name or address or date of birth which the member has reasonable grounds for believing to be false or misleading.

Annotations

Amendments:

F6 Substituted (22.11.2021) by *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021), reg. 2(d)(i), (ii), commenced on enactment.

Editorial Notes:

E32 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Production of certificate of roadworthiness when licensing mechanically propelled vehicle under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952.

8.— The Minister may make regulations requiring persons applying for a licence under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952 in respect of a mechanically propelled vehicle—

(*a*) to make such declaration and produce such evidence as is necessary to show whether the vehicle is or is not a CVR vehicle, and

(*b*) where it is a CVR vehicle, to produce a certificate of roadworthiness or provide evidence of such which will be in force in respect of the vehicle when the licence comes into operation.

Annotations

Editorial Notes:

E33 Power pursuant to section exercised (20.04.2020) by *Commercial Vehicle Roadworthiness (Vehicle Licensing) (Revocation) Regulations 2020* (S.I. No. 134 of 2020).

E34 Previous affecting provision: power pursuant to section exercised (4.09.2014) by *Commercial Vehicle Roadworthiness (Vehicle Licensing) Regulations 2014* (S.I. No. 397 of 2014); revoked (20.04.2020) by *Commercial Vehicle Roadworthiness (Vehicle Licensing) (Revocation) Regulations 2020* (S.I. No. 134 of 2020), reg. 2.

Chapter 2

CVR test operators and CVR testers

CVR test operators.

9.— (1) The Minister may, on application to him or her, authorise persons ("CVR test operators") to operate specified CVR testing centres, carry out, or cause to be carried out, CVR tests and issue pass statements in respect of CVR vehicles.

(2) An authorisation under *subsection (1)* shall be in a form prescribed by the Minister and may include conditions relating to all or any of the following:

(*a*) the categories of vehicles that may be tested;

(*b*) the tests that may be carried out;

(*c*) requirements relating to the specified CVR testing centre;

(*d*) requirements relating to testers;

(*e*) requirements relating to the towing and storage of vehicles to be tested;

(*f*) requirements relating to the use of the specified CVR testing centre by authorised officers and CVR inspectors for inspection and enforcement purposes;

(*g*) requirements relating to the installation and use of the information system established under *section 28* and in particular the simultaneous transfer of test data and information generated by test equipment by means of that system;

(*h*) the display of the CVR test operator's authorisation at the specified CVR testing centre;

(*i*) the notice to be given to the Authority prior to commencement of vehicle testing;

(*j*) the information to be furnished to the Authority in relation to testing;

(*k*) any transfer of the authorisation, including a prohibition on transferring the authorisation;

(*l*) the reimbursement of the administrative costs of—

(i) repeated inspections under *section 25*,

(ii) reconnecting the information system established under *section 28* following the termination, or expiry, of a suspension of the authorisation.

(3) It is a condition of any authorisation issued under this section that the CVR test operator comply with this Part (including any regulations under this Part and any guidelines).

(4) A CVR test operator who fails to display his or her authorisation in accordance with regulations made under this section commits an offence and is liable on summary conviction to a class B fine.

Annotations

Editorial Notes:

E35 Power pursuant to section exercised (20.09.2022, 19.03.2027) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2022* (S.I. No. 475 of 2022), in effect on signature and as per reg. 1(2).

E36 Power pursuant to section exercised (31.08.2021) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2021* (S.I No. 443 of 2021).

E37 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2018* (S.I. No. 117 of 2018), in effect as per reg. 1(2).

E38 Power pursuant to section exercised (20.05.2018) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017* (S.I. No. 414 of 2017), in effect as per reg. 1(2).

E39 Power pursuant to section exercised (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

E40 Power pursuant to section exercised (25.09.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013* (S.I. No. 347 of 2013), in effect as per reg. 2.

E41 Form for application under section prescribed (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 4(1) and sch. 1 part 1, in effect as per reg. 2.

E42 Form of authorisation prescribed (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 5 and sch. 1 part 2, in effect as per reg. 2.

E43 Requirements relating to subs. (2)(f) prescribed (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 10(3)(a), in effect as per reg. 2.

E44 Information to be furnished pursuant to subs. (2)(j) specified (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 10(6), in effect as per reg. 2.

E45 Waiver of fee for certain applications specified (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 17(3)(b), in effect as per reg. 2.

E46 A class B fine means a fine not greater than €4,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 5(1), S.I. No. 662 of 2010.

E47 Previous affecting provision: power pursuant to section exercised (21.09.2017 and 20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017* (S.I. No. 413 of 2017), in effect as per reg. 1(2), (3); revoked (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

Transitional provision — authorised testers under Regulations of 2004.

10.— (1) Subject to *subsection (2)*, an authorised tester under Regulation 6 of the Regulations of 2004 is, where such authorisation is in force immediately before the commencement of this section and subject to any conditions of that authorisation, authorised as a CVR test operator.

(2) An authorisation as a CVR test operator under *subsection (1)* expires at the end of 2 years after the commencement of this section, and the person authorised may apply, subject to *subsection (3)*, for a renewal of the authorisation under *section 15*.

(3) Notwithstanding *section 15*, an application under that section for a renewal of an authorisation under *subsection (1)* shall be brought within a period of 18 months from the commencement of this section.

(4) Where before the commencement of this section a person has made an application under Regulation 6 of the Regulations of 2004 to an issuing authority, within the meaning of those Regulations, to be appointed as an authorised tester and that application has not been finally determined, any such application shall be deemed to be an application to be authorised as a CVR test operator under *section 9*.

Annotations

Editorial Notes:

E48 Conditional waiver of fee in respect of an application for a first renewal by a person authorised under subs. (1) specified (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 6(2), in effect as per reg. 2.

Requirements for issue, amendment and renewal of authorisation as CVR test operator.

11.— (1) The Minister shall not authorise a person as a CVR test operator under *section 9*, amend an authorisation under *section 14* or renew an authorisation under *section 15* unless—

(*a*) the person makes an application in the prescribed form accompanied by the prescribed documents and supporting information,

(*b*) the person has paid the prescribed fee,

(*c*) the person, at the time of making the application, holds a current tax clearance certificate issued under section 1095 (inserted by section 127(*b*) of the Finance Act 2002) of the Taxes Consolidation Act 1997,

(*d*) the Minister is satisfied that the person has, or has access to, the premises, facilities, equipment and testers necessary to enable tests to be carried out in accordance with this Part (including any regulations made under this Part and any guidelines),

(*e*) the Minister is satisfied that the person has, or has the capacity to obtain, the necessary financial resources to provide CVR testing under the authorisation applied for, and

(*f*) the Minister is satisfied that, having regard to *section 12*, the person, or in the case of an application by a company each director and the secretary of that company, is a fit and proper person to hold such authorisation.

(2) The Minister may prescribe the relevant standards of premises, facilities and equipment necessary for the purposes of *subsection (1)(d)*.

(3) In deciding whether or not to issue an authorisation under *section 9*, amend it under *section 14* or renew it under *section 15* the Minister shall have regard to the need for—

(*a*) competent delivery of CVR testing,

(*b*) a well-functioning, well-maintained, accessible, competitive, integrated and safe network of CVR testing centres,

(*c*) a consistent approach to carrying out tests and determining the results of such tests,

(*d*) CVR test operators to have appropriate and adequate premises, testing facilities and equipment for the purposes of carrying out testing,

(*e*) the co-operation and the co-ordination of CVR test operators within the CVR system, and

(*f*) CVR test operators to be able to exchange and share information, and communicate with the Authority quickly and efficiently.

(4) Where the Minister decides not to authorise a person as a CVR test operator, the Minister shall inform the applicant in writing setting out the reasons for the decision.

(5) An authorisation granted under this section shall not be granted for a period of more than 10 years.

Annotations

Editorial Notes:

E49 Power pursuant to subs. (2) exercised (20.09.2022, 19.03.2027) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2022* (S.I. No. 475 of 2022), in effect on signature and as per reg. 1(2).

E50 Power pursuant to subs. (2) exercised (31.08.2021) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2021* (S.I No. 443 of 2021).

E51 Power pursuant to subs. (2) exercised (20.05.2018) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017* (S.I. No. 414 of 2017), in effect as per reg. 1(2).

E52 Power pursuant to subs. (2) exercised (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), in effect as per reg. 2.

Fit and proper person.

12.— (1) An applicant for, or the holder of, an authorisation, or in the case of an authorisation applied for or held by a company, each director and the secretary of that company, shall notify the Minister in writing if he or she is, or has been, convicted of—

(*a*) murder,

(*b*) manslaughter,

(*c*) a drug trafficking offence (within the meaning of section 3 of the Criminal Justice Act 1994),

(*d*) an offence under the Non-Fatal Offences Against the Person Act 1997,

(*e*) an offence under section 2 of the Illegal Immigrants (Trafficking) Act 2000,

F7**[**(*ea*) an offence under section 6, 7 or 8 of the Criminal Justice (Smuggling of Persons) Act 2021,**]**

(*f*) a sexual offence (within the meaning of section 3 of the Sex Offenders Act 2001),

(*g*) an offence under the Criminal Justice (Theft and Fraud Offences) Act 2001,

(*h*) an offence under the Criminal Law (Human Trafficking) Act 2008,

(*i*) an offence relating to money laundering under Part 2 of the Criminal Justice (Money Laundering and Terrorist Financing) Act 2010,

(*j*) an offence under the Firearms Acts 1925 to 2009,

(*k*) an offence under this Part,

(*l*) an offence relating to the fitting of a tachograph manipulation device or the improper use of a tachograph calibration certificate under the European Communities (Road Transport) (Working Conditions and Road Safety) Regulations 2008 (S.I. No. 62 of 2008),

(*m*) an offence consisting of attempting or conspiring to commit, or aiding, abetting, counselling, soliciting, procuring or inciting the commission of any offence mentioned in *paragraphs (a)* to *(l)*, or

(*n*) an offence under the law of another jurisdiction which corresponds to an offence mentioned in *paragraphs (a)* to *(m)*, 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 any of those paragraphs.

(2) A notification under *subsection (1)* shall be made—

(*a*) in the case of an applicant for an authorisation, at the time of making the application, or

(*b*) in the case of the holder of an authorisation, within—

(i) 3 months F8**[**from the commencement of this section**]**, 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 latest.

(3) 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,

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

(*e*) whether or not the offence was committed in the course of, or in connection with, a business concerned with the testing, inspection, maintenance or repair of vehicles.

(4) The Minister, having considered any information notified under this subsection, shall determine whether or not a person is a fit and proper person to be granted or to hold an authorisation.

(5) Where a person fails to notify the Minister in accordance with this section or notifies information to the Minister knowing it to be false or misleading, the Minister may determine that the person is not a fit and proper person to hold an authorisation and where the person is—

(*a*) an applicant for an authorisation, refuse the application, or

(*b*) the holder of an authorisation, suspend or revoke the authorisation in accordance with *section 18* or *19*.

(6) A person who fails to notify the Minister in accordance with this section or who notifies information to the Minister knowing it to be false or misleading commits an offence.

Annotations

Amendments:

F7 Inserted (31.12.2021) by *Criminal Justice (Smuggling of Persons) Act 2021* (42/2021), s. 24, S.I. No. 772 of 2021.

F8 Substituted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 24(a), S.I. No. 147 of 2014.

Offer of authorisation or amended authorisation as CVR test operator.

13.— (1) The Minister may decide prior to authorising a CVR test operator under *section 9*, amending an authorisation under *section 14* or renewing an authorisation under *section 15* to make an offer to the applicant setting out—

(*a*) the terms and conditions of the proposed CVR test operator authorisation,

(*b*) the documents and supporting information that are required to be submitted by the applicant,

(*c*) the prescribed fee, and

(*d*) the period within which the applicant is required to respond in writing to the making of the offer indicating acceptance of that offer.

(2) Where an applicant does not comply with *subsection (1)* in full within the period referred to in that subsection the offer shall cease to have effect and, where the Minister decides not to grant the authorisation, the Minister shall notify the applicant in accordance with *section 11(4)*.

Amendment of authorisation.

14.— (1) After an authorisation as a CVR test operator has been issued to a person he or she may apply to the Minister to have the authorisation amended.

(2) An application to have an authorisation amended under this section shall be made in such form and manner and be accompanied by such documents and supporting information and such fee as the Minister prescribes under *section 16*.

(3) The Minister shall decide whether or not to amend an authorisation under this section in accordance with *section 11*.

(4) Where the Minister decides to amend an authorisation the Minister may impose all or any of the conditions referred to in *section 9*.

(5) Where the Minister decides not to amend an authorisation the Minister shall inform the holder of the authorisation in writing setting out the reasons for the decision.

(6) An authorisation may not be amended so as to extend its term.

Annotations

Editorial Notes:

E53 Application form prescribed (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 4(1) and sch. 1 part 1, in effect as per reg. 2.

Renewal of authorisation as CVR test operator.

15.— (1) Subject to *section 10*, a CVR test operator may, at any time up to 12 months prior to its expiry or revocation, apply to the Minister for the renewal of his or her authorisation and the Minister may either renew or refuse to renew the authorisation.

(2) An application for the renewal of an authorisation under this section shall be made in such form and manner and be accompanied by such documents and supporting information and such fee as the Minister prescribes under *section 16*.

(3) The Minister shall decide whether or not to renew an authorisation under this section in accordance with *section 11* and having regard to whether or not the CVR test operator has performed his or her functions in accordance with the conditions of the authorisation.

(4) Where the Minister decides to renew an authorisation the Minister may impose all or any of the conditions referred to in *section 9*.

(5) Where the Minister decides not to renew an authorisation the Minister shall inform the holder in writing setting out the reasons for the decision.

(6) An authorisation renewed under this section shall not be renewed for a period of more than 10 years.

(7) A renewal of an authorisation under this section shall commence immediately upon the expiration of the authorisation of which it is a renewal and, unless it is suspended under *section 18* or revoked under *section 19* shall continue in force until the expiry date specified by the Minister.

Annotations

Editorial Notes:

E54 Application form prescribed (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 4(1) and sch. 1 part 1, in effect as per reg. 2.

Applications for authorisation and amendment or renewal of authorisation as CVR test operator.

16.— (1) For the purposes of *sections 9*, *14* and *15* the Minister may prescribe—

(*a*) the manner and form of application,

(*b*) the documents and supporting information necessary to accompany an application, and

(*c*) the fee to accompany an application.

(2) Where an application under *sections 9*, *14* or *15* is not made in full compliance with regulations under this section the Minister shall notify the applicant of a final date for the receipt of the complete application and the Minister will not be obliged to consider the application further if the regulations have not been complied with on or before that date.

Annotations

Editorial Notes:

E55 Power pursuant to subs. (1) exercised (20.09.2022, 19.03.2027) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2022* (S.I. No. 475 of 2022), in effect on signature and as per reg. 1(2).

E56 Power pursuant to subs. (1) exercised (31.08.2021) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2021* (S.I No. 443 of 2021).

E57 Power pursuant to subs. (1) exercised (20.05.2018) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017* (S.I. No. 414 of 2017), in effect as per reg. 1(2).

E58 Power pursuant to subs. (1) exercised (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), in effect as per reg. 2.

CVR testers.

17.— (1) The Minister may, on an application to him or her F9**[**and subject to such conditions as he or she considers appropriate**]**, authorise a person to be a CVR tester where the person—

(*a*) complies with any regulations referred to in *section 4(2)(f)*, and

(*b*) is, having regard to *section 12*, a fit and proper person to be so authorised.

(2) A person who is on the register of persons maintained by an issuing authority in accordance with Regulation 9(1)(*b*) of the Regulations of 2004 immediately before the commencement of this section is authorised as a CVR tester.

(3) An authorisation as a CVR tester under *subsection (2)* expires at the end of 18 months after the commencement of this section.

(4) The Minister may establish and maintain a register of persons authorised as CVR testers under this section.

(5) The register established under *subsection (4)* may include details of a suspension under *section 18* and a revocation under *section 19*.

(6) For the purposes of this section, the Minister may prescribe—

(*a*) the form of an authorisation as a CVR tester,

(*b*) the manner and form of application,

(*c*) the documents and supporting information necessary to accompany an application, and

(*d*) the fee to accompany an application.

Annotations

Amendments:

F9 Inserted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 24(b), S.I. No. 147 of 2014.

Editorial Notes:

E59 Power pursuant to subs. (6) exercised (20.09.2022, 19.03.2027) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2022* (S.I. No. 475 of 2022), in effect on signature and as per reg. 1(2).

E60 Power pursuant to section exercised (20.05.2018) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017* (S.I. No. 414 of 2017), in effect as per reg. 1(2).

E61 Power pursuant to section exercised (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), in effect as per reg. 2.

Suspension of authorisation.

18.— (1) The Minister may suspend an authorisation as a CVR test operator or CVR tester where the Minister determines that the person so authorised—

(*a*) is in breach of one or more of the conditions of the authorisation or has not carried out tests under the authorisation during the period of 6 months immediately preceding the suspension,

(*b*) is in breach of this Part (including any regulations made under this Part) or the guidelines,

(*c*) is, or has been, convicted of an offence under the Safety, Health and Welfare at Work Acts 2005 and 2010,

(*d*) is in breach of a direction, or

(*e*) is no longer, having regard to *section 12*, a fit and proper person to hold the authorisation.

(2) Where the Minister suspends an authorisation the Minister shall notify the authorisation holder of—

(*a*) the fact of the suspension,

(*b*) the date the suspension takes effect,

(*c*) the non-compliance giving rise to the suspension and the time period during which the authorisation holder is to rectify the non-compliance.

(3) The Minister may terminate a suspension under this section and every such suspension shall continue until so terminated.

Annotations

Editorial Notes:

E62 Information to be furnished for the purposes of subs. (1)(c) specified (27.03.2013) by *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013), reg. 4(3)(a), in effect as per reg. 2.

Revocation of authorisation.

19.— The Minister may revoke an authorisation where—

(*a*) the person so authorised requests that his or her authorisation be revoked,

(*b*) following a notification under *section 18* the non-compliance has continued after the time allowed to rectify the situation F10**[**or, notwithstanding that the non-compliance has been rectified, the notification is a third or subsequent notification in respect of the same authorisation**]**, or

(*c*) the Minister determines that the person so authorised is no longer, having regard to *section 12*, a fit and proper person to hold an authorisation.

Annotations

Amendments:

F10 Inserted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 24(c), S.I. No. 147 of 2014.

F11**[**Provision of false information in application

19A. (1) Where the Minister determines that, in an application for—

(*a*) an authorisation under *section 9*,

(*b*) an amendment to an authorisation under *section 14*,

(*c*) a renewal of an authorisation under *section 15*, or

(*d*) an authorisation under *section 17*,

a person provided information which was false or misleading, and which at the time of the application the person ought to have known was false or misleading, the Minister may revoke the authorisation to which the application relates.

(2) A person who in an application referred to in *subsection (1)* provides information which at the time of the application he or she knows, or ought reasonably to know, is false or misleading commits an offence and is liable on summary conviction to a class A fine.**]**

Annotations

Amendments:

F11 Inserted (20.30.2014) by *Road Traffic Act 2014* (3/2014), s. 24(d), S.I. No. 147 of 2014. A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Notice of revocation.

20.— (1) Where the Minister proposes to revoke an authorisation the Minister shall give 7 days' notice to the authorisation holder and shall invite the authorisation holder to make written submissions within that period.

(2) If the Minister receives no submissions the authorisation shall stand revoked at the expiry of the 7 day notice period referred to in *subsection (1)*.

(3) Where submissions are received under *subsection (1)*, if having considered them the Minister decides to revoke the authorisation, the Minister shall so advise the authorisation holder and the revocation shall take effect 7 days following the date of that communication.

Deciding officers.

21.— The Minister shall designate persons in writing to be deciding officers for the purpose of deciding on the issue, offer, amendment, renewal, suspension and revocation of an authorisation.

Appeals from decision of deciding officer.

22.— (1) Subject to *subsection (2)*, a CVR test operator or CVR tester whose authorisation has been suspended under *section 18* or revoked under *section 19* may appeal to the Minister in writing against the decision or part of it taken by a deciding officer within 21 days of the date of the notice of that decision.

(2) An appeal under *subsection (1)* shall set out the grounds for the appeal and, in the absence of such grounds, the appeal will not be considered.

(3) The Minister shall appoint an officer of a rank that is the same or higher than the deciding officer who made the decision that gave rise to the appeal, to be an appeals officer to consider and decide on the appeal.

(4) The functions of the appeals officer appointed under *subsection (3)* shall be to consider and make a decision on an appeal made under *subsection (1)*.

(5) Every appeals officer shall, subject to this Part, be independent in the performance of his or her functions.

(6) The decision of an appeals officer and the reasons for making that decision shall be notified to the appellant.

(7) A document purporting to be a decision made under this section by an appeals officer and to be signed by him or her shall be evidence of the making of the decision without proof of the signature of such officer or of his or her official capacity.

(8) The decision of an appeals officer on any appeal referred to him or her under *subsection (3)* is, subject to *subsections (9)*, *(11)* and *(12)*, final and conclusive.

(9) Where an appellant has been notified under *subsection (6)* of the decision of an appeals officer and is dissatisfied with that decision, the appellant may, within 14 days after the date of the notification, appeal against the decision to the judge of the Circuit Court in whose Circuit the appellant resides or principally carries on business.

(10) Where an appellant appeals under *subsection (9)* the appellant shall at the same time notify the Minister in writing of that appeal.

(11) The decision of the appeals officer under *subsection (3)* stands suspended until the appeal to the Circuit Court has been determined or withdrawn.

(12) On the hearing of an appeal under *subsection (9)* in relation to the decision of the appeals officer under *subsection (4)*, the Court may either confirm the decision or allow the appeal.

Offence of purporting to be CVR test operator or CVR tester while not so authorised.

23.— (1) A person who purports to be a CVR test operator or CVR tester while knowing that he or she is not so authorised (or while knowing that such authorisation is suspended) commits an offence.

(2) A certificate purporting to be signed by an officer of the Authority and to specify that on a specified day or days, or during the whole of a specified period, a specified person was or was not the holder of an authorisation shall without proof of the signature of the person purporting to sign the certificate or that he or she was an officer of the Authority be evidence, until the contrary is shown, of the matters purporting to be certified in and by the certificate.

Authorised officers.

24.— (1) The Minister may appoint persons to be authorised officers for the purposes of this Part.

(2) An authorised officer—

(*a*) shall be furnished with a warrant of his or her appointment, and

(*b*) when exercising a power conferred on him or her shall, if requested by any person affected, produce the warrant of his or her appointment to that person for inspection.

Powers of authorised officers — CVR testing.

25.— (1) Subject to *section 26*, for the purposes of this Part an authorised officer may at any reasonable time enter any CVR testing centre and any other premises which he or she believes on reasonable grounds is used or has been used for CVR tests and may—

(*a*) inspect the CVR testing centre and premises,

(*b*) inspect any testing facilities and equipment in the CVR testing centre or on the premises,

(*c*) enter and inspect any CVR vehicle,

(*d*) observe and supervise CVR tests in order to ascertain whether or not CVR tests are being carried out in accordance with this Part (including any regulations made under this Part and any directions or guidelines),

(*e*) inspect any books, documents or records relating to the maintenance and CVR testing of vehicles or the general testing of vehicles and to the rectification of defects identified in vehicles during the course of a test,

(*f*) require any person in charge of the CVR testing centre or premises to produce to him or her any books, documents or records relating to the testing of vehicles which are in the person's power or control (and in the case of such information in a non-legible form to reproduce it in a legible form) and to give to him or her such information as he or she may reasonably require in relation to any entries in such books, documents or records,

(*g*) inspect and take extracts from or make copies of any books, documents or records referred to in *paragraph (f)* (including in the case of information in a non-legible form a copy of or extract from such information in a legible form),

(*h*) remove and retain such books, documents or records for such period as may be reasonable for further examination,

(*i*) require any person in charge of the CVR testing centre or premises to give him or her any data or information with regard to the testing of vehicles which he or she may reasonably require, and

(*j*) require any person in charge of the CVR testing centre or premises to maintain such books, documents or records as he or she directs for such period of time as may be reasonable.

(2) In this section "CVR testing centre" includes premises proposed to be used as a CVR testing centre by a person who has made an application to be authorised as a CVR test operator.

(3) Where an authorised officer in exercise of his or her powers under this section is prevented from entering a CVR testing centre or other premises he or she may make an application under *section 26* for a warrant to authorise such entry.

(4) A person who—

(*a*) without reasonable excuse fails or refuses to comply with any request or requirement made by an authorised officer under *subsection (1)*,

(*b*) obstructs, impedes, interferes with or assaults an authorised officer exercising a power under *subsection (1)*,

(*c*) gives to an authorised officer information which he or she knows to be false or misleading in a material respect, or

(*d*) alters, suppresses, or destroys any statements, certificates, books, documents, data or records, which the person concerned has been required to produce, or reasonably expected to be required to produce,

commits an offence.

(5) Where an authorised officer having exercised a power under this section forms the opinion that a CVR test operator is not carrying out CVR tests in accordance with a requirement of his or her authorisation or this Part (including any regulations made under this Part or any directions or guidelines), he or she F12**[**, or another authorised officer acting on his or her behalf**]** may serve on the CVR test operator one or more directions—

(*a*) specifying the requirement that is not being complied with,

(*b*) requiring the CVR test operator F12**[**or CVR tester**]** to comply with the requirement by a specified date, and

(*c*) specifying the measures which are necessary to achieve compliance with the requirement.

(6) A person who—

(*a*) fails or refuses to comply with, or

(*b*) directs or induces another person to contravene,

a direction of an authorised officer under *subsection (5)* commits an offence.

(7) A person guilty of an offence under this section is liable on summary conviction to a class A fine.

Annotations

Amendments:

F12 Inserted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 24(e), S.I. No. 147 of 2014.

Editorial Notes:

E63 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Entry warrant.

26.— (1) An authorised officer shall not, other than with the consent of the occupier, enter a private dwelling, unless he or she has obtained a warrant from the District Court under *subsection (2)* authorising such entry.

(2) If a judge of the District Court is satisfied, on the sworn information of an authorised officer that there are reasonable grounds for suspecting that information required by an authorised officer for the purpose of this Part is held at any premises or any place, the judge may issue a warrant authorising an authorised officer, accompanied, if appropriate, by other authorised officers or by a member or members of the Garda Síochána at any time or times within one month from the date of issue of the warrant, on production of the warrant if so requested, to enter those premises or that place, if need be by reasonable force, and exercise all or any of the powers conferred on an authorised officer under this Part.

Form of direction.

27.— (1) A direction under this Part shall—

(*a*) be in writing,

(*b*) specify the date from which it is to operate and the time within which the requirements specified in the direction shall be complied with, and

(*c*) subject to *subsection (2)*, be addressed to the person concerned.

(2) Where the name of the person concerned cannot be ascertained by reasonable inquiry any direction may be addressed to "the occupier" or "the person in charge" as the case may require.

CVR information system and CVR records.

28.— (1) For the purposes of this Part, and such other purposes as the Minister may prescribe, the Authority may establish and maintain a computerised information system linking CVR test operators, the Authority and the Department of Transport, Tourism and Sport.

(2) The information system referred to in *subsection (1)* shall facilitate the direct and simultaneous transfer of data generated by test equipment at CVR testing centres

to persons having access to the system and the sharing and exchange of information relating to CVR testing.

(3) The Authority may allow access to, and use of, the system to—

(*a*) the Garda Síochána,

(*b*) the National Roads Authority,

(*c*) persons or categories of person with the approval of the Minister in fulfilling obligations under European Union and other international enactments and agreements for the exchange of driver and vehicle information,

(*d*) such training service providers as the Minister prescribes under *section 4(2)(g)*, and

(*e*) such other person or categories of person and the purpose for such access as may be prescribed by the Minister.

(4) The Minister may make regulations in relation to the use of information transferred, shared and exchanged under this section.

(5) The Authority may fix and charge an annual fee, not exceeding such amount as may, for the time being, stand prescribed by the Minister, payable by an authorised CVR test operator to the Authority to cover the cost of the establishment and maintenance of the information system established under *subsection (1)*.

(6) Any records, documentation and data kept by a CVR test operator in connection with the carrying out of CVR tests are the property of the Authority and the Authority may inspect and recover from the CVR test operator any of such records, documentation or data as the Authority considers appropriate.

(7) A person who removes, destroys, or otherwise interferes with records, documentation or data referred to in *subsection (6)* commits an offence.

Annotations

Editorial Notes:

E64 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2018* (S.I. No. 117 of 2018), in effect as per reg. 1(2).

E65 Power pursuant to section exercised (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

E66 Power pursuant to section exercised (25.09.2013) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013* (S.I. No. 347 of 2013), in effect as per reg. 2.

E67 Power pursuant to subs. (1) exercised (10.09.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) (Vehicle Maintenance and Repair) Regulations 2013* (S.I. No. 348 of 2013), in effect as per reg. 2.

E68 Previous affecting provision: power pursuant to section exercised (21.09.2017 and 20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017* (S.I. No. 413 of 2017), in effect as per reg. 1(2), (3); revoked (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

Register of CVR test operators.

29.— (1) The Authority shall establish and maintain a register of CVR test operators authorised under *sections 9* and *10*.

(2) The register referred to in *subsection (1)* shall be made available on the internet and at the principal office of the Authority where it shall be made available for

inspection by any person free of charge during ordinary office hours at such suitable times as the Authority decides.

(3) The register referred to in *subsection (1)* shall contain details of—

(*a*) authorised CVR test operators,

(*b*) authorised CVR testing centres,

(*c*) the categories of vehicle that may be tested under each authorisation issued under *section 9*, and

(*d*) whether an authorisation referred to in *paragraph (c)* has been suspended or revoked.

Chapter 3

Commercial vehicle roadworthiness maintenance

Maintenance of CVR vehicles.

30.— (1) The owner of a CVR vehicle shall ensure that it is periodically inspected, that any defects discovered are rectified and that the vehicle is maintained in a roadworthy condition.

(2) The owner of a CVR vehicle shall keep a record of any checks, tests, inspections, repairs or other action to rectify defects carried out in complying with *subsection (1)*.

(3) The Minister may make regulations providing for the proper maintenance of CVR vehicles.

(4) Without prejudice to the generality of *subsection (3)*, regulations under that subsection may provide for—

(*a*) minimum standards in relation to CVR vehicle roadworthiness,

(*b*) the carrying out of inspections in relation to different classes of CVR vehicles by suitably qualified persons,

(*c*) the carrying out of repairs and other action to rectify defects,

(*d*) the keeping of records and other information or data concerning inspections, repairs or other action taken to rectify defects discovered by inspections, and

(*e*) the completion of an annual declaration by an owner of a CVR vehicle or other competent person regarding the inspection, repair and maintenance of vehicles.

(5) The owner of a CVR vehicle who fails to comply with *subsection (1)* or with a provision of regulations made under *subsection (3)* that is stated in the regulations to be a penal provision commits an offence and is liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 6 months, or to both.

Annotations

Editorial Notes:

E69 Power pursuant to subs. (3) exercised (10.09.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) (Vehicle Maintenance and Repair) Regulations 2013* (S.I. No. 348 of 2013), in effect as per reg. 2.

E70 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Powers of authorised officers — CVR maintenance.

31.— (1) Subject to *section 26*, for the purposes of this Part an authorised officer may, at any reasonable time, enter any premises in which he or she believes on reasonable grounds one or more CVR vehicles, or any records or documentation relating to CVR vehicles, are kept and may—

(*a*) search the premises in order to locate the CVR vehicle or vehicles,

(*b*) inspect the vehicle or vehicles and any facilities or equipment used for the repair or maintenance of vehicles,

(*c*) require the owner, or the person in charge, of the premises or the vehicle, to produce to him or her any books, documents or records relating to the testing, inspection, repair and maintenance of the vehicle or vehicles which are in the person's power or control (and in the case of such information in a non-legible form to reproduce it in a legible form) and to give to him or her such information as he or she may reasonably require in relation to any entries in such books, documents or records,

(*d*) inspect and take extracts from or make copies of any books, documents or records referred to in *paragraph (c)* (including in the case of information in a non-legible form a copy of or extract from such information in a legible form),

(*e*) remove and retain such books, documents or records for such period as may be reasonable for further examination, and

(*f*) require any person in charge of the premises to give him or her any information or data which he or she may reasonably require with regard to the CVR testing, inspection, repair or maintenance of the vehicle or vehicles.

(2) A person who—

(*a*) without reasonable excuse fails or refuses to comply with any request or requirement made by an authorised officer under *subsection (1)*,

(*b*) obstructs, impedes, interferes with or assaults an authorised officer exercising a power under *subsection (1)*,

(*c*) gives to an authorised officer information which he or she knows to be false or misleading in a material respect, or

(*d*) alters, suppresses, or destroys any statements, certificates, books, documents or records which the person concerned has been required to produce, or reasonably expected to be required to produce,

commits an offence.

(3) Where an authorised officer having exercised a power under this section, forms the opinion that a CVR vehicle is not being maintained in a roadworthy condition or is not being maintained in accordance with any regulations made under *section 30* he or she may serve on the owner and the driver of the vehicle all or any of the following directions:

(*a*) that the vehicle not be driven in a public place until it has been tested in accordance with the regulations;

(*b*) that the vehicle be CVR tested—

(i) by a specified date, or

(ii) at such times or regular intervals as the authorised officer, acting reasonably, may direct;

(*c*) that the owner—

(i) carry out planned routine maintenance,

(ii) carry out routine vehicle safety checks (including daily and weekly walk-around checks on vehicles), or

(iii) put in place systems for recording and reporting maintenance activity, rectification of vehicle defects and training of staff.

(4) Any testing directed under this section shall be carried out at the expense of the owner of the vehicle.

(5) A person who fails to comply with a direction of an authorised officer under *subsection (3)* and, if he or she is not the owner of the vehicle the owner, commits an offence.

(6) A person guilty of an offence under this section is liable on summary conviction to a class A fine.

(7) Where a person who fails to comply with a direction of an authorised officer under *subsection (3)(a)* is not the owner of the vehicle and the owner is charged with an offence under *subsection (5)* it is a defence to the charge if the owner shows that at the time of the alleged offence the vehicle was used without his or her consent.

Annotations

Editorial Notes:

E71 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Chapter 4

Roadside roadworthiness inspections

Roadside roadworthiness inspections.

32.— (1) The Minister may make regulations providing for roadside roadworthiness inspections of CVR vehicles.

(2) Without prejudice to the generality of *subsection (1)*, regulations under that subsection may provide for—

(*a*) the categories of vehicles that may be inspected,

(*b*) the items to be inspected,

(*c*) the inspection method,

(*d*) the transportation of the vehicle to a CVR testing centre where necessary for the purposes of inspection, and

(*e*) the issue and the form of an inspection report.

Annotations

Editorial Notes:

E72 Power pursuant to section exercised (3.04.2023) by *Commercial Vehicle Roadworthiness (Roadside Enforcement) (Amendment) Regulations 2023* (S.I. No. 132 of 2023), in effect as per reg. 1(2).

E73 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Roadside Enforcement) Regulations 2018* (S.I. No. 161 of 2018), in effect as per reg. 1(2).

Appointment of CVR inspectors.

33.— (1) The Minister may appoint persons to be CVR inspectors for the purposes of *section 32*.

(2) A CVR inspector (other than a CVR inspector who is a member of the Garda Síochána)—

(*a*) shall be furnished with a warrant of his or her appointment, and

(*b*) when exercising a power conferred on him or her shall, if requested by any person affected, produce the warrant of his or her appointment to that person for inspection.

Powers of CVR inspector.

34.— (1) A CVR inspector may—

(*a*) where the CVR inspector is, or is accompanied by, a member of the Garda Síochána F13**[**or a member of Customs and Excise**]**, require the driver of a CVR vehicle to stop the vehicle and keep it stationary for such period as is reasonably necessary for an inspection under *section 32* to take place,

(*b*) require the driver of the CVR vehicle to produce a certificate of roadworthiness which is in force in relation to the vehicle,

(*c*) require the driver of the CVR vehicle to provide him or her with such information as is reasonably necessary for an inspection under *section 32* to take place,

(*d*) carry out, or cause to be carried out, on the CVR vehicle such tests as the CVR inspector considers reasonable,

(*e*) drive the CVR vehicle for a reasonable time and distance, and

(*f*) do all such things and make all such requirements in relation to the CVR vehicle as are reasonably necessary for the purpose of carrying out an inspection under *section 32*.

(2) A person who obstructs or who fails or refuses to permit an inspection of a CVR vehicle under *section 32*, or who fails or refuses to comply with a requirement under *subsection (1)*, commits an offence and is liable on summary conviction to a class A fine.

(3) No action shall lie in respect of anything done in good faith and without negligence by a CVR inspector under this section for the purposes of carrying out an inspection under *section 32*.

(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.

Annotations

Amendments:

F13 Inserted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 24(f), S.I. No. 147 of 2014.

Editorial Notes:

E74 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Powers of CVR inspectors and authorised officers.

35.— (1) Where a CVR inspector having exercised a power under *section 34*, or an authorised officer having exercised a power under *section 25* or *31*, forms the opinion that there is a defect affecting a vehicle, or where he or she is prevented from inspecting a vehicle, the inspector or authorised officer may serve on the owner, the driver or the person in charge of the vehicle all or any of the following directions:

(*a*) that the defect be rectified,

(*b*) that the vehicle not be driven in a public place until the defect has been rectified,

(*c*) that the vehicle be submitted for CVR testing by a specified date.

(2) A person who—

(*a*) fails or refuses to comply with, or

(*b*) directs or induces another person to contravene,

a direction of a CVR inspector or an authorised officer under *subsection (1)* commits an offence and is liable on summary conviction to a class A fine.

(3) 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.

Annotations

Editorial Notes:

E75 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Chapter 5

Detention of vehicles, etc. by authorised officers and CVR inspectors

Detention of vehicles, etc., by authorised officers and CVR inspectors.

36.— (1) The Minister may make regulations authorising and providing for the detention, immobilisation, storage and subsequent release or disposal of a CVR vehicle where—

(*a*) in the opinion of an authorised officer or a CVR inspector the vehicle is not roadworthy,

(*b*) an authorised officer or a CVR inspector is prevented from inspecting the vehicle, or

(*c*) the vehicle is being used in breach of a direction, or of a requirement of a CVR inspector under *section 34*.

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

(*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 vehicles detained, immobilised, 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 before the expiration of a period of 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, an authorised officer or a member of the Garda Síochána in the performance of his or her duties under this section commits an offence and is liable on summary conviction to a class A fine.

(5) 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.

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

Annotations

Editorial Notes:

E76 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Roadside Enforcement) Regulations 2018* (S.I. No. 161 of 2018), in effect as per reg. 1(2).

E77 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Chapter 6

Road Safety Authority

Conferral of functions on Authority.

37.— (1) The Minister may by order confer on the Authority such functions of the Minister under this Part (other than a power to make regulations) as the Minister specifies in the order and, accordingly, a reference to the Minister in a provision so specified or connected with it includes a reference to the Authority.

(2) Every function of the Minister conferred on the Authority continues to be vested in the Minister, but is so vested concurrently with the Authority and the Minister so as to be capable of being exercised or performed by either of them.

(3) Every order made by the Minister under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next 21 days on which that House has sat after the order is laid before it, the order shall be annulled accordingly.

Annotations

Editorial Notes:

E78 Power pursuant to section exercised (27.03.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Conferral of Functions) Order 2013* (S.I. No. 104 of 2013), in effect as per reg. 2.

Guidelines.

38.— (1) The Authority may issue guidelines in relation to the operation of, and compliance with, this Part and any regulations made under it.

(2) The Authority may, before issuing guidelines under this section—

(*a*) publish a draft of the guidelines in such manner as the Authority determines,

(*b*) invite members of the public and any body or organisation to make representations to the Authority in relation to the draft so published in such manner and within such period as the Authority specifies, and

(*c*) consider any such representations made in the manner and within the period so specified.

(3) Guidelines issued under this section shall be published on the internet by the Authority and shall be made available for inspection by any person free of charge during ordinary office hours at the principal office of the Authority.

Annotations

Editorial Notes:

E79 Power pursuant to section exercised (20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2018* (S.I. No. 117 of 2018), in effect as per reg. 1(2).

E80 Power pursuant to section exercised (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

E81 Previous affecting provision: power pursuant to section exercised (21.09.2017 and 20.05.2018) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017* (S.I. No. 413 of 2017), in effect as per reg. 1(2), (3); revoked (23.11.2017) by *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017).

Risk rating system.

39.— (1) In this section "risk rating system" means a system whereby a vehicle, premises or person is given a numerical rating based on the relative number and severity of any infringements of requirements relating to matters which the Authority may have regard to under *subsections (4)* and *(5)* and whereby vehicles, premises or persons, or categories of vehicles, premises or persons, with a higher rating are checked more closely and more often than vehicles, premises or persons with a lower rating.

(2) The Authority may introduce one or more risk rating systems for the purposes of the effective and targeted enforcement of this Part, Directive 2006/22/EC of the European Parliament and of the Council of 15 March 2006 [1], the European Communities (Road Transport Activities Checks) Regulations 2007 (S.I. No. 545 of 2007) and such other enactment as the Minister may specify in regulations.

(3) For the purposes of *subsection (1)* the Authority may determine a risk rating in relation to—

(*a*) a CVR vehicle,

(*b*) the owner of a CVR vehicle,

(*c*) the registered owner (within the meaning of section 56 (inserted by section 2 of the Roads Act 2007) of the Roads Act 1993) of a CVR vehicle,

(*d*) the driver of a CVR vehicle,

(*e*) a CVR test operator,

(*f*) a CVR testing centre, and

[1] OJ No. L 102, 11.4.2006, p. 35

(*g*) a CVR tester.

(4) In determining a risk rating in relation to *paragraphs (a)*, *(b)*, *(c)* and *(d)* of *subsection (3)* the Authority may have regard to—

(*a*) results of CVR tests,

(*b*) results of roadside inspections under *section 32*,

(*c*) results of inspections of CVR vehicles and premises under *sections 31* and *35* ,

(*d*) any directions to owners, drivers and persons in charge of CVR vehicles and compliance with those directions,

(*e*) any convictions for offences under this Part, the Road Traffic Acts 1961 to 2011 and the Road Transport Act 2011,

(*f*) any penalty points endorsed under section 2 of the Road Traffic Act 2002,

(*g*) the accuracy of any annual declaration by an owner of a CVR vehicle or other competent person regarding vehicle inspection, repair and maintenance,

(*h*) whether or not vehicles have been detained by an authorised officer or a CVR inspector, and

(*i*) such other matters as the Minister may prescribe.

(5) In determining a risk rating in relation to *paragraphs (e)*, *(f)* and *(g)* of *subsection (3)* the Authority may have regard to—

(*a*) results of CVR tests,

(*b*) results of inspections of CVR testing centres, observations of CVR tests and inspections of CVR vehicles under *section 25*,

(*c*) any directions to CVR test operators or CVR testers and compliance with those directions,

(*d*) any convictions for offences under this Part,

(*e*) the accuracy of any records held by a CVR test operator or transmitted using the information system established under *section 28* in relation to CVR vehicles,

(*f*) whether or not authorisations held by CVR test operators or CVR testers have been suspended or revoked, and

(*g*) such other matters as the Minister may prescribe.

(6) Where the Authority determines a risk rating in relation to a person, a CVR vehicle or a CVR testing centre under this section the Authority shall notify such rating to the person, the owner of the CVR vehicle or the operator of the CVR testing centre as the case may be.

(7) The Minister may make regulations providing for—

(*a*) the making available to a person referred to in *subsection (3)*, on payment of a prescribed fee, of information as to how a risk rating was determined,

(*b*) the making of submissions by such a person to the Authority in relation to the risk rating, and

(*c*) the revision or maintenance of a risk rating following consideration of submissions.

(8) The Authority may establish and maintain one or more registers containing risk ratings referred to in this section and the data considered in allocating each rating.

(9) The Authority, authorised officers and CVR inspectors may have regard to a register established under *subsection (8)* in identifying the CVR test operators, CVR testing centres, premises, CVR vehicles and CVR testers to be inspected and observed under this Part.

Annotations

Editorial Notes:

E82 Power pursuant to subss. (4)(i) and (7) exercised (10.09.2013) by *Road Safety Authority (Commercial Vehicle Roadworthiness) (Vehicle Maintenance and Repair) Regulations 2013* (S.I. No. 348 of 2013), in effect as per reg. 2.

Directions, notices and notifications.

40.— (1) Where a direction, notice or notification is to be given to or served on a person by the Authority or by an authorised officer or CVR inspector under this Part, it shall be addressed to the person and shall be given to or served on the person in one of the following ways—

(*a*) by delivering it to the person,

(*b*) by leaving it at the address at which the person carries on business,

(*c*) by sending it by post in a pre-paid registered letter addressed to the person at the address at which the person carries on business,

(*d*) if an address for the service of a direction, notice or notification has been furnished by the person, by leaving it at, or sending it by pre-paid registered post addressed to the person to, that address, or

(*e*) by sending it by means of electronic mail or a facsimile machine, to a device or facility for the reception of electronic mail or facsimiles located at the address at which the person carries on business or, if an address for the service of a direction, notice or notification has been furnished by the person, that address, but only if—

(i) the recipient's facility for the reception of electronic mail generates a message confirming a receipt of the electronic mail, or

(ii) the sender's facsimile machine generates a message confirming successful transmission of the total number of pages of the direction or notice,

and the direction, notice or notification is also given in one of the other ways mentioned in any of the preceding paragraphs.

(2) For the purposes of *subsection (1)*, a company registered under the Companies Acts is deemed to be ordinarily resident at its registered office, and every other body corporate and every unincorporated body is deemed to be ordinarily resident at its principal office or place of business.

(3) A copy of a direction, notice or notification, which has endorsed on it a certificate purporting to be signed by an officer of the Authority stating that the copy is a true copy of the direction, notice or notification may, without proof of signature of that person, be produced in every court and in all legal proceedings and is evidence, unless the contrary is shown, of the direction, notice or notification.

Chapter 7

Proceedings

Certain penalties and prosecutions.

41.— (1) A person guilty of an offence under *section 4(4)*, *12 (6)*, *23(1)* or *28(7)* is liable—

(*a*) on summary conviction, to a class A fine or to imprisonment for a term not exceeding 6 months, or to both, and

(*b*) on conviction on indictment, to a fine not exceeding €100,000 or imprisonment for a term not exceeding 12 months, or to both.

(2) Proceedings for an offence under this Part may be brought and prosecuted summarily by the Authority.

(3) Where a person is convicted of an offence under this Part, the Court shall, unless it is satisfied that there are special and substantial reasons for not doing so, order the person to pay the costs and expenses, measured by the Court, incurred by the relevant prosecuting authority in relation to the investigation, detection and prosecution of the offence.

(4) Costs and expenses referred to in *subsection (3)* may include costs and expenses incurred in relation to any one or both of the following:

(*a*) legal representation at Court, and

(*b*) the remuneration and other expenses of F14**[**authorised officers, CVR inspectors, consultants and advisors**]**.

Annotations

Amendments:

F14 Substituted (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 24(g), S.I. No. 147 of 2014.

Editorial Notes:

E83 A class A fine means a fine not greater than €5,000 as provided (4.01.2011) by *Fines Act 2010* (8/2010), ss. 3, 4(1), S.I. No. 662 of 2010.

Offence by body corporate.

42.— Where an offence under this Part is committed by a body corporate and is proved to have been committed with the consent of, or to be attributable to any neglect on the part of, any person, being a director, manager, secretary or other officer of the body corporate or a person who was purporting to act in such capacity, that person, as well as the body corporate, commits an offence and is liable to be prosecuted against and punished as if he or she had committed the first mentioned offence.

Chapter 8

Miscellaneous amendments

Amendment of Second Schedule to Act of 1961 — consequential disqualification.

43.— The Second Schedule (inserted by section 65(2) of the Act of 2010) to the Act of 1961 is amended by substituting for paragraph 15 the following:

"15. An offence by a person under—

(*a*) Regulation 19(1) of the European Communities (Vehicle Testing) Regulations 2004 (S.I. No. 771 of 2004), or

(*b*) *section 6(2)* of the *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012*,

being an offence committed in a period of 3 years in which a previous offence was committed by the person under (*a*) or (*b*) for which he or she was convicted.".

Amendment of Road Traffic Act 2002 — penalty points.

44.— The Road Traffic Act 2002 is amended—

(*a*) in section 2(1), by inserting "2A," after "number 2,",

(*b*) in Part 1 of the First Schedule by inserting after reference number 2 the following:

"

2A	Offence under *section 6(2)* of the *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (other than in circumstances referred to in paragraph 15 of the Second Schedule to the Road Traffic Act 1961).	Using vehicle without certificate of roadworthiness		5

",

and

(*c*) in Part 1 of the First Schedule, at reference number 10, in column (3) by inserting "or combination of vehicles" after "vehicle".

Amendment of section 41 of Road Traffic Act 1994 — detention of vehicles.

45.— Section 41(1) of the Road Traffic Act 1994 is amended—

(*a*) in paragraph (*e*) (inserted by section 19(*c*) of the Act of 2006) by inserting "or *section 6 (1)* of the *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012*" after "(S.I. No. 771 of 2004)", and

(*b*) in paragraph (*f*) (inserted by section 19(*c*) of the Act of 2006) by inserting "or Directive 2009/40/EC of the European Parliament and of the Council of 6 May 2009 [2]" after "20 December 1996".

Amendment of Act of 1961 — driving of dangerously defective vehicle.

46.— The Act of 1961 is amended—

(*a*) in section 3(1), by substituting for the definition of "vehicle" (inserted by section 71(*c*) of the Act of 2010) the following:

" 'vehicle' means a mechanically propelled vehicle, a trailer or semi-trailer, an animal-drawn vehicle or a pedal cycle;",

and

(*b*) in section 54 (as amended by section 4(1) of the Road Traffic (No. 2) Act 2011)—

(i) by substituting "vehicle or a combination of vehicles" for "vehicle" in each place that it occurs, and

(ii) by inserting after subsection (5) the following:

"(6) Where a person is charged with an offence under this section involving a combination of vehicles it shall be presumed, until the contrary is shown, that the owner of the mechanically propelled vehicle was also the owner of any vehicle or vehicles drawn thereby at the time of the alleged offence.".

[2] OJ No. L 141, 6.6.2009, p. 12

Amendment of Act of 1961 — right to demand name and address, etc.

47.— The Act of 1961 is amended—

(*a*) in subsections (4) and (5) (inserted by section 73 of the Act of 2010) of section 69, by substituting "name and address and date of birth" for "name and address or date of birth" in each place where it occurs, and

(*b*) in section 108 (inserted by section 80 of the Act of 2010), by substituting "name and address and date of birth" for "name and address or date of birth".

Amendment of Act of 2010.

48.— The Act of 2010 is amended—

(*a*) in section 22(3), by inserting "or designated nurse" after "a designated doctor", and

(*b*) in section 87(1) by substituting "sections 4, 5, 9, 10, 12 and 14 of this Act" for "sections 4, 5, 12 and 14 of this Act".

PART 3

Driver Licensing

Amendment of section 4 of Road Safety Authority Act 2006.

49.— Section 4 of the Road Safety Authority Act 2006 is amended by inserting after subsection (1) the following:

"(1A) The Authority has the functions of a licensing authority within the meaning of section 21 of the Road Traffic Act 1961.".

Amendment of Part III of Act of 1961 — licensing authority.

50.— The Act of 1961 is amended—

(*a*) by substituting for section 21 (inserted by section 57 of the Act of 2010) the following:

"21.— In this Part, "licensing authority" means the Road Safety Authority and references to a licensing authority shall be read as references to the licensing authority.",

(*b*) in section 22 (inserted by section 57 of the Act of 2010)—

(i) in subsection (2)(*a*)(i), by deleting "in whose functional area the applicant ordinarily resides", and

(ii) in subsection (4)(*a*), by deleting "concerned",

(*c*) in section 26 (inserted by section 65 of the Act of 2010)—

(i) in subsections (2) and (3) by deleting "appropriate",

(ii) by substituting for subsection 4(*b*)(ii)(II) the following:

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

(iii) in the Table to subsection (4), by substituting for the heading of column (4) the following:

"Second or any subsequent offence under the same section or first offence where previously convicted under the other section",

(*d*) in section 27(1)(*b*)(ii), by deleting "appropriate",

(*e*) in section 28—

(i) in subsection (1), by substituting "licensing authority" for "appropriate licensing authority" in both places where it occurs, and

(ii) in subsection (2), by substituting "licensing authority" for "appropriate licensing authority",

(*f*) in section 30(6)(*a*) (inserted by section 20 of the Road Traffic Act 1968) by deleting "appropriate",

(*g*) in section 33(3B)(*a*), by substituting "and" for "or",

(*h*) in section 35 (inserted by section 11(1) of the Road Traffic Act 2006)—

(i) in subsection (2)(*a*), by deleting "in whose functional area the applicant ordinarily resides", and

(ii) in subsection (6)(*a*), by deleting "appropriate",

and

(*i*) in section 42 (inserted by section 10 of the Act of 2006)—

(i) in subsection (2)—

(I) in paragraph (*f*), by substituting "the licensing authority" for "licensing authorities", and

(II) by deleting paragraph (*g*),

(III) in paragraph (*h*), by substituting "the licensing authority" for "licensing authorities", and

(IV) in paragraph (*l*), by deleting "Road Safety Authority as agent of a",

(ii) in subsection (4)(*c*), by substituting "the licensing authority" for "licensing authorities" and by deleting "by them",

(iii) in subsection (4)(*d*), by substituting "the licensing authority" for "licensing authorities", and

(iv) by inserting after subsection (5) the following:

"(5A) Regulations under this section which provide for the payment of fees may provide for the method by which fees are to be paid and for a combination of fees separately payable to be paid together as one fee.".

Repeal of section 37 of Act of 1961.

51.— The Act of 1961 is amended by repealing section 37.

Amendment of Road Traffic Act 2002.

52.— The Road Traffic Act 2002 is amended—

(*a*) in section 5(1)(*b*), by deleting "that granted the licence", and

(*b*) in section 9(1) (as amended by section 68 of the Act of 2010), by deleting "that granted, or to which it would fall to grant, a licence to that person".

Amendment of section 5 of Act of 2006.

53.— F15**[**...**]**

Annotations

Amendments:

F15 Repealed (20.03.2014) by *Road Traffic Act 2014* (3/2014), s. 26(c), S.I. No. 147 of 2014.

Amendment of Act of 2010.

54.— The Act of 2010 is amended—

(*a*) in section 29(16)(*a*), by deleting "that granted the licence", and

(*b*) in section 60(2)—

(i) in paragraph (*a*), by deleting "concerned",

(ii) in paragraph (*b*)(i), by deleting "where the holder is resident", and

(iii) in paragraph (*b*)(ii), by substituting "the" for "another".

Amendment of section 18 of Finance (No. 2) Act 1992.

55.— Section 18 (as amended by section 17 of the Local Government (Financial Provisions) Act 1997) of the Finance (No. 2) Act 1992 is amended in the definition of "licensing authority" by deleting "or driving licences or provisional licences under Part III of the Road Traffic Act, 1961".

Amendment of Finance Act 1993.

56.— The Finance Act 1993 is amended—

(*a*) in section 57, in the definition of licensing authority, by substituting "the licensing authority within the meaning of" for "driving licences or provisional licences under",

(*b*) in section 59—

(i) by deleting subsection (1), and

(ii) in subsection (2), by inserting "(other than the licensing authority within the meaning of Part III of the Act of 1961)" after "A licensing authority",

(*c*) in section 60 (as amended by section 7 of the Motor Vehicles (Duties and Licences) Act 2003), by deleting subsection (1), and

(*d*) in section 61 (as amended by section 87 of the Finance Act 1994)—

(i) by deleting subparagraph (i) of subsection (1)(*a*),

(ii) in subsection (1)(*a*)(ii), by substituting "section 60" for "that section",

(iii) by deleting paragraph (*a*) of subsection (2), and

(iv) in subsection (2)(*b*), by substituting "section 60" for "that section".

Number 16 *of* 2012

ROAD SAFETY AUTHORITY (COMMERCIAL VEHICLE ROADWORTHINESS) ACT 2012

REVISED

Updated to 1 January 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 Safety Authority Acts 2006 and 2012: this Act is one of a group of Acts included in this collective citation, to be read together as one (*Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012*, s. 1(3)). The Acts in the group are:

- *Road Safety Authority Act 2006* (14/2006)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012* (16/2012)

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

- *Criminal Justice (Smuggling of Persons) Act 2021* (42/2021)

- *Road Traffic Act 2014* (3/2014)
- *Fines Act 2010* (8/2010)

All Acts up to and including *Family Courts Act 2024* (48/2024), enacted 13 November 2024, were considered in the preparation of this revision.

Statutory instruments which affect or previously affected this revision

- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2024* (S.I. No. 674 of 2024)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (No. 2) Regulations 2023* (S.I. No. 513 of 2023)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) (Vehicle Testing) (Amendment) Regulations 2023* (S.I. No. 241 of 2023)
- *Commercial Vehicle Roadworthiness (Roadside Enforcement) (Amendment) Regulations 2023* (S.I. No. 132 of 2023)
- *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2022* (S.I. No. 475 of 2022)
- *European Union (Commercial Vehicle Roadworthiness) (Roadworthiness Certificate and Roadworthiness Test) Regulations 2021* (S.I. No. 617 of 2021)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2021* (S.I. No. 616 of 2021)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Section 43) (Commencement) Order 2021* (S.I. No. 575 of 2021)
- *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2021* (S.I. No. 443 of 2021)
- *Commercial Vehicle Roadworthiness (Vehicle Licensing) (Revocation) Regulations 2020* (S.I. No. 134 of 2020)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2020* (S.I. No. 133 of 2020)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Section 45(a)) (Commencement) Order 2019* (S.I. No. 682 of 2019)
- *Commercial Vehicle Roadworthiness (Roadside Enforcement) Regulations 2018* (S.I. No. 161 of 2018)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2018* (S.I. No. 117 of 2018)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Section 36) (Commencement) Order 2018* (S.I. No. 36 of 2018)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) (Revocation) Regulations 2017* (S.I. No. 519 of 2017)
- *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers (Amendment) Regulations 2017* (S.I. No. 414 of 2017)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (Amendment) Regulations 2017* (S.I. No. 413 of 2017)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Commencement) (Penalty Points - Certificate of Road Worthiness) Order 2014* (S.I. No. 508 of 2014)
- *Commercial Vehicle Roadworthiness (Vehicle Licensing) Regulations 2014* (S.I. No. 397 of 2014)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Sections 30, 31 and 39) (Commencement) Order 2013* (S.I. No. 349 of 2013)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) (Vehicle Maintenance and Repair) Regulations 2013* (S.I. No. 348 of 2013)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013* (S.I. No. 347 of 2013)
- *Authorisation of Commercial Vehicle Roadworthiness Test Operators and Testers Regulations 2013* (S.I. No. 107 of 2013)
- *Commercial Vehicle Roadworthiness (Vehicle Testing) Regulations 2013* (S.I. No. 106 of 2013)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Certain Provisions) (Commencement) Order 2013* (S.I. No. 105 of 2013)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Conferral of Functions) Order 2013* (S.I. No. 104 of 2013)
- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Part 3) (Commencement) Order 2013* (S.I. No. 5 of 2013)

- *Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (Part 1 and Section 28) Commencement) Order 2012* (S.I. No. 314 of 2012)

All statutory instruments up to and including *Physiotherapists Registration Board Application for Registration Bye-Law 2025* (S.I. No. 2 of 2025), made 7 January 2025, were considered in the preparation of this revision.