



SEANAD ÉIREANN

BILLE NA mBÓITHRE 2007 ROADS BILL 2007

LEASUITHE TUARASCÁLA REPORT AMENDMENTS

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BILLE NA mBÓITHRE 2007 —AN TUARASCÁIL

ROADS BILL 2007 —REPORT

Leasuithe Amendments

1. In page 3, line 8, after “FOR” to insert “ROAD SAFETY AND OTHER”.
—*Senators Paddy Burke, Brian Hayes.*

2. In page 3, line 9, to delete “MATTERS” and substitute “MATTERS,
INCLUDING DRIVER TESTING REGULATION”.
—*Senators Paddy Burke, Brian Hayes.*

3. In page 3, between lines 12 and 13, to insert the following:

“ “barrier-free tolling” means any mechanism or system whereby motorway or other road tolls can be collected without the need for the obstruction, slowing, stopping or other delaying of the vehicle being tolled;”.

—*Senators Paddy Burke, Brian Hayes.*

4. In page 3, between lines 14 and 15, to insert the following:

“Accountability to
Dáil Éireann.

2.—The Minister shall be politically accountable to Dáil Éireann for the activities and actions of—

(a) the National Roads Authority,

(b) the Road Safety Authority, and

(c) the proposed Dublin Transport Authority.”.

—*Senators Paddy Burke, Brian Hayes.*

5. In page 4, after line 43, to insert the following:

“Toll schemes.

3.—Section 57 of the Principal Act is amended—

(a) in subsection (3), by substituting for paragraph (e) the following:

“(e) specify the manner and method of the charging of and collection of tolls,

(f) specify such other information as the road authority making the scheme considers appropriate or the Minister prescribes by regulations.”.

(b) by the insertion of the following after subsection (7):

“(8) In any toll scheme, a road authority shall—

(a) where there is an existing toll scheme in operation, introduce a barrier-free tolling facility, or

(b) where a toll scheme is initiated, operate a barrier-free tolling facility.”.”.

—*Senators Paddy Burke, Brian Hayes.*

6. In page 5, delete lines 1 to 7.

—*Senators Paddy Burke, Brian Hayes.*

7. In page 15, between lines 31 and 32, to insert the following:

“Power to make
bye-laws as to
parking.

11.—(1) A local authority may make a bye-law under Part 19 of the Local Government Act 2001, to regulate parking for mechanically propelled vehicles in a specific area within its functional area.

(2) Such bye-law shall specify—

(a) the specific area covered by the bye-law,

(b) the persons or category of persons who are covered by the bye-law,

(c) the occasions on which the bye-law shall be in force,

(d) the length of time for which the bye-law shall be in force on each occasion, and

(e) such other factors as the Local Authority may deem appropriate.

(3) A local authority shall exercise its functions under this section where it deems it necessary to restrict parking referred to in *subsection (1)* to residents of the specific area only.”.

—*Senators Paddy Burke, Brian Hayes.*

8. In page 15, between lines 34 and 35, to insert the following:

“Garda Reserve
traffic corps.

12.—The Commissioner of An Garda Síochána shall establish, under section 15 (5) of the Garda Síochána Act 2005, a dedicated road traffic corps from the ranks of the reserve members of An Garda Síochána, whose function shall be to manage and control traffic flows on key routes.”.

—*Senators Paddy Burke, Brian Hayes.*

9. In page 15, between lines 34 and 35, to insert the following:

“M50 barrier-free
tolling.

12.—The Minister shall, upon the coming into force of this act, ensure that all barriers and other obstacles shall be removed from motorways where practicable, but particularly from the M50 motorway.”.

—*Senators Paddy Burke, Brian Hayes.*

10. In page 15, between lines 34 and 35, to insert the following:

“Single system for
tolling purposes.

12.—A Road Authority operating a toll scheme shall make provision for a single system for tolling purposes whereby a road user can obtain a mechanism or single electronic device or such other system, as appropriate, so that he or she can avail of barrier-free tolling on any tolled motorway within the State.”.

—*Senators Paddy Burke, Brian Hayes.*

11. In page 23, between lines 2 and 3, to insert the following:

“Mandatory testing for certain other substances.

14.—(1) The Minister may, by order, introduce mandatory testing for any intoxicant that he or she deems appropriate.

(2) In making an order under *subsection (1)*, the Minister shall have regard to Part III of the Road Traffic Act 1994 and any regulations made under it.

(3) Any testing under regulations under this section shall be carried out in the same manner as is prescribed in *section 4*.”.

—*Senators Paddy Burke, Brian Hayes.*

12. In page 23, between lines 2 and 3, to insert the following:

“Driver testing.

14.—(1) The Minister shall, as soon as may be practicable after the commencement of this Act, by order—

(a) put such structures in place as he or she deems necessary to ensure that the standard of driving in Ireland is maintained and improved,

(b) put such pre-conditions in place as he or she deems necessary, for candidates who wish to take the driving test, and such pre-conditions may include, *inter alia*, a requirement that candidates undergo a prescribed number of driving lessons before being allowed to sit the driving test.

(c) review and update the driving test and driver theory test so that—

(i) each examination conforms to international best practice,

(ii) the driver testing process reflects safe driving practices,

(iii) each examination has regard to persons who—

(I) are hearing impaired,

(II) do not speak Irish or English as defined by the Official Languages Act 2003,

(III) have literacy difficulties, or, in the case of the driver theory test, difficulty operating a computer, or

(IV) have a physical disability,

and

(d) a detailed report of the results of test, including all of the following:

(i) whether the candidate passed or failed the test;

(ii) where he or she made errors;

(iii) what areas the candidate could improve;

(iv) in the case of a candidate who has passed, what further actions he or she must take to obtain a licence; and

(v) in the case of a candidate who has failed, how he or she can reapply for the test,

is made available to each candidate.

(2) On a regular basis, the Minister shall cause a drivers' training manual, to be produced and updated, and such manual shall contain—

(a) the Rules of the Road,

(b) advice on safe driving, and

(c) such other information as he or she deems necessary and appropriate.”.

—*Senators Paddy Burke, Brian Hayes.*

13. In page 23, between lines 2 and 3, to insert the following:

“Driver training for provisional licence holders.

14.—The Minister may make regulations to require provisional licence holders in any category, to undergo such driver training as he or she may deem appropriate, before being allowed to take a driving test.”.

—*Senators Paddy Burke, Brian Hayes.*

14. In page 23, between lines 2 and 3, to insert the following:

“Garda Traffic Corps.

14.—The Commissioner of An Garda Síochána shall ensure that the Garda Traffic Corps shall be a dedicated unit concerned with the enforcement of road traffic laws and the implementation of road safety policy.”.

—*Senators Paddy Burke, Brian Hayes.*

15. In page 23, between lines 2 and 3, to insert the following:

“Driving instructors.

14.—(1) The Minister may, by order, put in place such structures as he or she deems necessary to regulate driving instruction and driving schools, and shall maintain a register of those who are qualified to give certifiable driving lessons.

(2) Driving instructors shall be obliged to undergo regular quality control testing and retraining at such intervals as may be prescribed by the Minister.

(3) As part of any order under *subsection (1)*, the Minister may deem it an offence for any driving instructor to give driving instruction or receive payment for same, when he or she is not registered on such a register to give such instruction.”.

—*Senators Paddy Burke, Brian Hayes.*