



# **DÁIL ÉIREANN**

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## **AN BILLE UM THRÁCHT AR BHÓITHRE 2009 ROAD TRAFFIC BILL 2009**

### **LEASUITHE TUARASCÁLA REPORT AMENDMENTS**

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# DÁIL ÉIREANN

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## AN BILLE UM THRÁCHT AR BHÓITHRE 2009 —AN TUARASCÁIL

### ROAD TRAFFIC BILL 2009 —REPORT

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#### *Leasuithe Amendments*

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1. In page 7, line 15, after “provisions” to insert the following:

“provided that this Act shall be brought fully into operation not later than the day that is 12 months from the date of its passing”.

—Thomas P. Broughan.

2. In page 7, between lines 26 and 27, to insert the following:

““prescribed” means prescribed by regulations made by the Minister;”.

—An tAire Iompair.

3. In page 8, lines 23 and 24, to delete all words from and including “includes” in line 23 down to and including “alcohol” in line 24 and substitute the following:

“means any substance or combination of substances which affects the central nervous system, leading to changes in perception or behaviour. This includes alcohol and other drugs and any combination of drugs, whether including alcohol or not”.

—Thomas P. Broughan.

4. In page 8, between lines 26 and 27, to insert the following:

“ “pedal cycle” means all human-propelled, pedal-driven vehicles including pedestrian rickshaws and electric assisted bicycles which can only be activated when the rider is pedalling and which is speed limited to 25km/h;”.

—Thomas P. Broughan.

5. In page 9, line 14, to delete “in a public place”.

—Thomas P. Broughan.

6. In page 9, line 18, to delete “in a public place”.

—Thomas P. Broughan.

7. In page 9, line 26, to delete “in a public place”.

—Thomas P. Broughan.

8. In page 9, line 34, to delete “in a public place”.

—Thomas P. Broughan.

9. In page 9, line 44, to delete “6 months” and substitute “12 months”.

—Thomas P. Broughan.

10. In page 10, line 44, to delete “6 months” and substitute “12 months”.

—Thomas P. Broughan.

11. In page 11, to delete lines 22 to 33 and substitute the following:

[No. 65a of 2009]

[23 June, 2010]

“and is liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 6 months or both.”.

—Shane McEntee.

**12.** In page 11, line 33, to delete “€2,000” and substitute “€5,000”.

—Thomas P. Broughan.

**13.** In page 13, to delete lines 11 to 18 and substitute the following:

“(a) is of opinion that a person in charge of a vehicle in a public place—

(i) has consumed intoxicating liquor, the member shall require, or

(ii) (I) is or has, with the vehicle, been involved in a collision, or

(II) is committing or has committed an offence under the *Road Traffic Acts 1961 to 2010*,

the member may require.”.

—An tAire Iompair.

**14.** In page 13, line 11, to delete “is of opinion” and substitute “suspects”.

—Thomas P. Broughan.

**15.** In page 13, lines 11 and 12, to delete “in a public place”.

—Thomas P. Broughan.

**16.** In page 13, line 18, to delete “may” and substitute “shall”.

—Thomas P. Broughan.

**17.** In page 13, line 20, to delete “attends at the scene of” and substitute the following:

“is of opinion that a person has been in charge of a vehicle that has been involved in”.

—Thomas P. Broughan.

**18.** In page 13, lines 21 to 25, to delete all words from and including “in” in line 21 down to and including “assistance” in line 25.

—Shane McEntee.

**19.** In page 13, line 40, to delete “may” and substitute “shall”.

—Thomas P. Broughan.

**20.** In page 15, line 34, after “opinion” to insert “or suspicion”.

—Thomas P. Broughan.

**21.** In page 15, line 37, after “opinion” to insert “or suspicion”.

—Thomas P. Broughan.

**22.** In page 15, after line 48, to insert the following:

“(4) Where the outcome of testing under this section indicates that the person is incapable of having proper control of a vehicle, that outcome shall be evidence in a prosecution under *section 4(1)*.”.

—Thomas P. Broughan.

**23.** In page 16, between lines 9 and 10, to insert the following:

“(7) As soon as practicable after the passing of this Act the Minister shall make regulations applying *section 9* to random testing of saliva to ascertain whether persons in charge of mechanically propelled vehicles are under the influence of illegal drugs.”.

—Thomas P. Broughan.

**24.** In page 16, lines 22 and 23, to delete “at the option of the person,”.

—Thomas P. Broughan.

**25.** In page 17, line 37, to delete “the said specimen” and substitute “that specimen”.

—An tAire Iompair.

**26.** In page 17, line 37, to delete “the said apparatus” and substitute “that apparatus”.

—An tAire Iompair.

**27.** In page 23, lines 53 and 54, to delete all words from and including “a” in line 53 down to and including “by” in line 54 and substitute the following:

“a sum approximating to the costs and expenses incurred by the prosecution and by”.

—Thomas P. Broughan.

**28.** In page 26, line 39, after “breath” to insert the following:

“, provided that such apparatus does not operate to allow a standard deduction from the recorded reading of the concentration of alcohol in the breath”.

—Thomas P. Broughan.

**29.** In page 27, between lines 37 and 38, to insert the following:

“Review of  
intoxilyser  
machines.

29.—The Minister shall introduce regulations to direct the Bureau to review the operation of the intoxilyser machines Evidential Breath Testing infrastructure in particular to eliminate the 17.5 per cent inbuilt deduction in the machines.”.

—Thomas P. Broughan.

**30.** In page 27, between lines 37 and 38, to insert the following:

“Review of funding.

29.—The Minister shall review and present to Dáil Éireann a full audit of the level of funding allocated to the Bureau given the increased burden of testing of drivers under the influence of intoxicants.”.

—Thomas P. Broughan.

**31.** In page 28, to delete lines 24 to 38.

—Thomas P. Broughan.

**32.** In page 32, line 3, to delete “€2,000” and substitute “€5,000”.

—Thomas P. Broughan.

**33.** In page 32, line 11, to delete “, Equality”.

—An tAire Iompair, Thomas P. Broughan.

**34.** In page 32, lines 26 and 27, to delete “, Equality”.

—An tAire Iompair.

**35.** In page 35, line 10, to delete “, Equality”.

—An tAire Iompair.

36. In page 36, line 32, to delete “address” and substitute “address (inside or outside the State)”.

—An tAire Iompair.

37. In page 40, between lines 43 and 44, to insert the following:

“Fines proportional to means.

38.—As soon as practicable after the passing of this Act, the Minister shall present proposals to the Oireachtas for the application of fines under the Principal Act based on the means of the offender rather than of fixed maxima that apply to all cases.”.

—Thomas P. Broughan.

38. In page 43, line 6, after “made” to insert “by the Minister”.

—An tAire Iompair.

39. In page 43, lines 26 and 27, to delete “, Equality”.

—An tAire Iompair.

40. In page 43, between lines 33 and 34, to insert the following:

“(3) A member of the Garda Síochána may arrest without warrant a person who in the member’s opinion has committed an offence under *subsection (2)*.”.

—Thomas P. Broughan.

41. In page 43, line 34, to delete “, Equality”.

—An tAire Iompair.

42. In page 44, line 2, to delete “, Equality”.

—An tAire Iompair.

43. In page 46, between lines 27 and 28, to insert the following:

#### “PART 4\*

##### PAYMENT DEPOSIT

Payment deposit from non-resident drivers in respect of certain alleged offences.

50.—(1) This section applies to such offences under—

(a) the *Road Traffic Acts 1961 to 2010*,

(b) the Road Transport Act 1933 (including any Act construed as one with it),

(c) any regulation made under the European Communities Act 1972 providing for the carriage of merchandise by road or the carriage of passengers by road or the harmonisation of certain legislation relating to road transport, or

(d) any enactment or any instrument made under any enactment relating to the carriage of goods or passengers by road or to any vehicle or class of vehicles engaged in such carriage,

as may be prescribed.

(2) Where—

(a) a member of the Garda Síochána or a transport officer has reasonable grounds for believing that an offence to which this section applies is being or has been committed by a person, and

- (b) the person does not give to the member or officer an address in the State at which the member or officer is satisfied that it is likely that it would be possible to find the person whenever necessary to do so in connection with any proceedings in respect of the alleged offence,

then the member or officer may, subject to *subsection (3)*, serve personally on the person a notice (in this section referred to as a “payment deposit notice”) in accordance with this section.

(3) Where a payment deposit notice is served on a person, the person shall—

- (a) be informed by the member of the Garda Síochána or the transport officer serving the notice that it is likely that proceedings will be brought against the person in respect of the alleged offence, or
- (b) if the offence is a fixed charge offence, be served with a fixed charge notice by the member or officer or informed by the member or officer that it is intended to serve the person with a fixed charge notice.

(4) A person on whom a payment deposit notice has been served under *subsection (2)* who—

- (a) resides outside the State, shall give to the member or officer serving the notice the address outside the State at which he or she resides or which is his or her most usual place of abode, or
- (b) in a case where the alleged offence involves the use of a mechanically propelled vehicle by the person in the course of his or her employment, has no habitual residence or place of abode outside the State, shall give to the member or officer serving the notice the address of his or her employer.

(5) A payment deposit notice shall be in the prescribed form.

(6) A payment deposit notice shall—

- (a) require the person to pay an amount (in this section referred to as a “payment deposit”) in accordance with the requirements of regulations under *subsection (7)*, and
- (b) contain details of those requirements.

(7) The Minister may by regulations provide in relation to a payment deposit for all or any of the following:

- (a) the amount to be paid and different amounts may be prescribed in relation to different offences, calculated in respect of an offence as a proportion of the maximum fine that may be imposed in relation to the offence or, if the offence is a fixed charge offence, the amount of the fixed charge or a specified proportion of it;
- (b) the timing, method or manner of payment or appropriate arrangements for making payment or matters relating thereto;
- (c) whether the payment is to be accompanied by the notice and, if so, the details to be completed on the notice;
- (d) options for payment (including the possibility of cash payment where in the circumstances and at the material time another means of payment is not possible) so as not to unduly delay a person, who is willing to pay the payment deposit, on his or her journey;

- (e) the issue of a receipt in respect of payment;
- (f) applications for refunds of payment deposits, including time limits for such applications;
- (g) the refund of payment deposits, in whole or in part;
- (h) directions which may be given by a member of the Garda Síochána or a transport officer in connection with matters relating to payment, the arrangements for making payments or the vehicle concerned or any load on it;
- (i) any other requirements relating to payment of the payment deposit, as the Minister considers appropriate.

(8) A person who fails or refuses to—

- (a) pay a payment deposit in accordance with the requirements of regulations under *subsection (7)*, or
- (b) give an address for the purposes of *subsection (4)*,

is liable to have—

- (i) a notice (in this section referred to as a “prohibition notice”) served personally on him or her by a member of the Garda Síochána or a transport officer, as may be appropriate, or a nominated person at the request of the member or officer, prohibiting the movement of the vehicle concerned other than in accordance with the directions of any such member or officer, and
- (ii) in accordance with regulations under *subsection (10)*—
  - (I) affixed to the vehicle an immobilisation device and a notice (referred to in this section as an “immobilisation notice”) stating that the vehicle has been immobilised and shall not be moved, and
  - (II) the vehicle detained or impounded,

until payment or a satisfactory arrangement for payment is made in accordance with the directions of a member of the Garda Síochána or a transport officer or the address is given, as the case may be.

- (9) (a) A prohibition notice and an immobilisation notice shall be in the prescribed form.
- (b) The Minister may prescribe such persons or class of persons who may be nominated persons for the purposes of *subsection (8)*.

(10) For the purposes of this section, the Minister may by regulations provide for all or any of the following:

- (a) matters relating to the immobilisation, detention and impounding of a vehicle, including the release of the vehicle upon payment of the payment deposit concerned and any release and storage fee and, where the payment deposit remains unpaid, the disposal of the vehicle and any load on it and any fees relating thereto;
- (b) satisfactory arrangements for payment, after any deduction for fees referred to in *paragraph (a)*, where appropriate, of the amount obtained from disposal of the vehicle or its load, to the appropriate person;



- (c) the recovery of the difference from the appropriate person, if the amount obtained after such disposal is less than the amount due for fees referred to in *paragraph (a)*.

(11) A member of the Garda Síochána or a transport officer may, for the purposes of this section and any regulations made under it, give directions to the driver or person in charge of a vehicle served with a payment deposit notice or a prohibition notice (including directions requiring or permitting the movement of the vehicle to such place as the member or officer may direct).

(12) A person who fails to comply with a direction under this section commits an offence and is liable on summary conviction to a fine not exceeding €2,000.

(13) A person who, without the permission of a member of the Garda Síochána or a transport officer—

- (a) drives or attempts to drive a vehicle—
  - (i) in respect of which a prohibition notice has been served, or
  - (ii) to which an immobilisation notice has been affixed or which has been immobilised, detained or impounded,  
under *subsection (8)*, or
- (b) where the vehicle has been immobilised, detained or impounded under *subsection (8)*, interferes with or removes any immobilisation device attached to the vehicle, or removes or attempts to remove the vehicle,

commits an offence and is liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 3 months or to both.

(14) 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.

(15) Where a person who has paid a payment deposit and has also been served with a fixed charge notice relating to the same alleged offence agrees to make payment of the fixed charge specified in the fixed charge notice, any amount paid by the person in respect of the payment deposit shall be deemed to be payment or part payment, as the case may be, made in respect of the fixed charge. The remainder (if any) shall be returned to the person.

(16) Where, in proceedings for an offence to which this section applies, a person is convicted any payment deposit he or she has paid shall be applied towards payment of any fine imposed. The remainder (if any) shall be returned to the person in accordance with regulations.

(17) Where, in proceedings for an offence to which this section applies, the person is not convicted any payment deposit he or she has paid shall be returned to the person in accordance with regulations.

(18) Where proceedings are not brought or, if brought, are withdrawn or otherwise discontinued in respect of an offence to which this section applies, any payment deposit paid by the person concerned shall be returned to the person in accordance with regulations.

(19) A transport officer when exercising any power conferred on him or her under this section shall produce his or her warrant of appointment as such under section 15(1) (inserted by section 117 of the Dublin Transport Authority Act 2008) of the Road Transport Act 1986.

(20) In this section—

“fixed charge”, “fixed charge notice” and “fixed charge offence” have the meanings given to them, respectively, in *section 47*;

“prescribed” means prescribed by regulations;

“regulations” means regulations made by the Minister;

“transport officer” means a person appointed under section 15(1) (inserted by section 117 of the Dublin Transport Authority Act 2008) of the Road Transport Act 1986 to be a transport officer.”.

—An tAire Iompair.

[\*Note: *The proposed new Part comprehends the inclusion of amendment No.s 44 and 45.*]

**44.** In page 46, between lines 27 and 28, to insert the following:

“Prosecution *in absentia*.”

51.—(1) Where, at any stage of proceedings to which this section applies, a person fails, without reasonable excuse, to appear before the court before which the proceedings are for the time being taking place, the court may do any thing or make any order that it would be entitled to do or make had the person so appeared.

(2) Where, by virtue of a person’s failure to appear in proceedings to which this section applies, the person does not enter a plea (whether before the District Court or the trial judge), the trial of the person may proceed as though he or she had entered a plea of not guilty.

(3) This section applies to proceedings for an offence to which *section 50\** applies brought against a person upon whom—

(a) a payment deposit notice under that section has been served, and

(b) a document in respect of those proceedings has been served—

(i) in accordance with subsection (1) of section 81 of the Act of 2008,

(ii) otherwise than by post, pursuant to a request referred to in subsection (2) of that section, or

(iii) in accordance with an arrangement to which subsection (4) of that section applies.

(4) In this section—

“Act of 2008” means the Criminal Justice (Mutual Assistance) Act 2008;

“document” means a document—

(a) to which subsection (1) of section 80 of the Act of 2008 applies, and

(b) that requires a person to appear as a defendant in proceedings for an offence.”.

—An tAire Iompair.

[\*Note: *This is a reference to the section proposed to be inserted by amendment No. 43.*]

**45.** In page 46, between lines 27 and 28, to insert the following:

“Regulations (Part 4\*).

52.—(1) The Minister may make regulations to do anything that appears necessary or expedient for bringing this Part into operation.

(2) Where a provision of this Part requires or authorises the Minister to make regulations, such regulations—

(a) may make different provision for different circumstances or cases, classes or types, and

(b) may contain such incidental, supplementary and consequential provisions as appear to the Minister to be necessary or expedient for the purposes of the regulations.

(3) The Minister may make regulations prescribing any matter or thing which is referred to in this Part as prescribed or to be prescribed.

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

—An tAire Iompair.

[\*Note: This is a reference to the Part proposed to be inserted by amendment No. 43.]

46. In page 46, between lines 27 and 28, to insert the following:

“Offence in relation to EU Tachograph Regulations.

50.—(1) It shall be an offence to exceed the EU Tachograph Regulations.

(2) A person who contravenes *subsection (1)* shall be liable on summary conviction to a fine of €1,000.”

—Shane McEntee.

47. In page 48, between lines 28 and 29, to insert the following:

“(a) in Part I, by the addition of an entry assigning 4 penalty points to all haulage related offences including any breach of tachograph and drivers’ hours regulations, and the EU Working Time Directive;”

—Thomas P. Broughan.

48. In page 48, between lines 28 and 29, to insert the following:

“(a) in Part I, by the addition of an entry assigning 1 penalty point to the offence of parking in a disability parking bay;”

—Thomas P. Broughan.

49. In page 48, between lines 41 and 42, to insert the following:

“(b) in Part 1, by inserting the following:

17	Offence under <i>section 50*</i> of the <i>Road Traffic Act 2010</i> , where the contravention involved driving in excess of EU Tachograph Regulations	Excessive driving	3	5
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””

—Shane McEntee.

[\*Note: This is a reference to the section proposed to be inserted by amendment No. 46.]

50. In page 55, line 14, after “permit” to insert “or produces the licence or permit”.

—An tAire Iompair.

51. In page 56, to delete lines 38 to 42.

—An tAire Iompair.

52. In page 57, line 6, to delete “40(1)” and substitute “40”.

—An tAire Iompair.

53. In page 57, line 7, to delete “section 33 of the Road Traffic Act 2004” and substitute “*section 58 of the Road Traffic Act 2010*”.

—An tAire Iompair.

54. In page 57, line 10, after “licence” to insert “or learner permit”.

—An tAire Iompair.

55. In page 58, line 34, to delete “(1A)” and substitute “(2)”.

—An tAire Iompair.

56. In page 59, line 22, after “licence” to insert “or permit”.

—An tAire Iompair.

57. In page 59, line 23, after “licence” to insert “or permit”.

—An tAire Iompair.

58. In page 59, between lines 23 and 24, to insert the following:

“(2) It is an offence to present a foreign driving licence to a member of An Garda Síochána for a motoring offence if the motorist also holds an Irish driving licence.”.

—Thomas P. Broughan.

59. In page 59, between lines 23 and 24, to insert the following:

“Mutual  
recognition.

61.—The Minister shall by regulations apply the Principal Act and the Act of 2002 with whatever modifications are appropriate so as to fully enable the mutual recognition of penalty points between the State and other members of the European Union and such other jurisdictions as may be prescribed.”.

—Thomas P. Broughan.

60. In page 60, line 19, after “he” to insert “or she”.

—An tAire Iompair.

61. In page 69, line 4, after “is” to insert “or is likely to be”.

—An tAire Iompair.

62. In page 69, line 4, after “is” to insert “or can be reasonably expected to be”.

—Thomas P. Broughan.

63. In page 69, between lines 39 and 40, to insert the following:

“Dangerous  
overtaking.

54.—(1) Where a vehicle overtakes another road user in such a manner as to create danger or alarm for such other road user, the person in charge of the first-mentioned vehicle commits an offence.

(2) (a) Where a mechanically propelled vehicle, moving at a speed of 30km/h or above, overtakes a pedal cycle or pedestrian at a distance of less than 1 metre, the driver shall be presumed, until the opposite has been proven, to have committed an offence under subsection (1).

(b) Where a mechanically propelled vehicle, moving at a speed of 50km/h or above, overtakes a pedal cycle or pedestrian at a distance of less than 1.5 metres, the driver shall be presumed, until the opposite has been proven, to have committed an offence under subsection (1).

(3) A person who contravenes this section is liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding 12 months or both.”.

—Thomas P. Broughan.

**64.** In page 69, line 41, after “vehicle” to insert the following:

“or any human-propelled, pedal-driven vehicles including pedestrian rickshaws and electric assisted bicycles”.

—Thomas P. Broughan.

**65.** In page 70, between lines 13 and 14, to insert the following:

“(2) A person shall not engage in the sale or distribution or placing of any material or any commercial or promotional activity on or adjacent to a public road in such a manner as to have the potential to distract motorists or endanger road and public safety.”.

—Thomas P. Broughan.

**66.** In page 71, line 22, after “cycle” to insert the following:

“including all human-propelled, pedal-driven vehicles, pedestrian rickshaws and electric assisted bicycles”.

—Thomas P. Broughan.

**67.** In page 73, between lines 14 and 15, to insert the following:

“73.—Section 78 of the Principal Act is amended by inserting the following subsection after subsection (3):

“(3A) Without prejudice to any other aspect of the terms agreed from time to time between the Minister and the Bureau in respect of the Bureau, those terms shall include an undertaking that the Bureau shall treat for all purposes third-party claims in respect of mechanically propelled vehicles as if the defence of automatism did not form part of the law relating to civil liability.”.

—Thomas P. Broughan.

**68.** In page 75, between lines 18 and 19, to insert the following:

“Amendment of section 9 of Act of 2004.

77.—Section 9 of the Act of 2004 is amended in subsection (2) by the insertion of the following paragraph after paragraph (a):

“(aa) 40 kilometres per hour.”.

—Thomas P. Broughan.

**69.** In page 76, line 41, to delete “, Equality”.

—An tAire Iompair.

70. In page 76, line 41, after “Reform” to insert the following:

“, the Minister for Transport or a local authority,”.

—Thomas P. Broughan.

71. In page 76, line 48, after “Superintendent” to insert the following:

“or a local authority official not below the rank of Director of Services”.

—Thomas P. Broughan.

72. In page 77, between lines 7 and 8, to insert the following:

“(b) The Minister shall as soon as practicable after the passing of this Act bring forward a scheme to facilitate the roll-out of the national speed camera programme in terms of physical infrastructure and road signage.”.

—Thomas P. Broughan.

73. In page 77, lines 12 and 13, to delete “, Equality”.

—An tAire Iompair.

74. In page 77, to delete lines 14 to 23.

—An tAire Iompair.

75. In page 78, line 8, to delete “measured by the court” and substitute the following:

“and for that purpose a certificate signed on behalf of the prosecution as to the amount of the costs and expenses involved shall be *prima facie* evidence of the amount of those costs and expenses”.

—Thomas P. Broughan.

76. In page 80, to delete lines 20 and 21 and substitute the following:

“Special speed limits.

82.—Section 9(2) of the Act of 2004 is amended by substituting for paragraph (a) the following:

“(a) (i) 30 kilometres per hour, and

(ii) 40 kilometres per hour,

in respect of a road or roads in accordance with guidelines issued by the Minister under this section.”.

—An tAire Iompair.

77. In page 80, between lines 21 and 22, to insert the following:

“(2) Section 9 of the Act of 2004 is amended by inserting the following after subsection (2)—

“(2A) All special speed limits shall apply to all public roads and public places within the area defined by the local authority to which the special speed limit applies, including roads in residential housing estates that have not yet been taken-in-charge.”.

—Thomas P. Broughan.

78. In page 80, between lines 21 and 22, to insert the following:

“(2) Section 9 of the Act of 2004 is amended by inserting the following after subsection (13)—

“(13A) The Minister shall make regulations requiring the City or County Manager of each City or County Council to produce and publish once in each calendar year a report on the speed limits of all roads in the Local Authority Area.”.”.

—Thomas P. Broughan.

**79.** In page 80, between lines 21 and 22, to insert the following:

“(2) Section 9 of the Act of 2004 is amended by inserting after subsection (13) the following—

“(13A) The Minister shall make regulations requiring an audit by Local Authorities and national upgrade programme for road speed signage signs including signage for charging points for electric vehicles, parking places for club cars and partial footpath parking areas.”.”.

—Thomas P. Broughan.

**80.** In page 80, line 26, to delete “section 56” and substitute “*section 65*”.

—An tAire Iompair.

**81.** In page 81, after line 24, to insert the following:

“89.—The Minister shall as soon as practicable introduce regulations to fully implement the Graduated Driving License Scheme.”.

—Thomas P. Broughan.

**82.** In page 81, after line 24, to insert the following:

“89.—The Minister shall as soon as practicable introduce regulations for a Graduated Driving License Scheme for motorcyclists including compulsory basic training.”.

—Thomas P. Broughan.

**83.** In page 81, after line 24, to insert the following:

“89.—The Minister shall as soon as practicable bring forward a scheme to facilitate the implementation of the national electric car strategy including electric charge points, signage, parking facilities and a national information campaign.”.

—Thomas P. Broughan.

**84.** In page 81, after line 24, to insert the following:

“89.—The Minister shall as soon as practicable bring forward regulations to facilitate the setting and enforcement of speed limits and parking regulations on private property including guidelines to allow owners of private roads to set speed limits and arrange for the enforcement of these limits.”.

—Thomas P. Broughan.

**85.** In page 81, after line 24, to insert the following:

“89.—The Minister shall direct each City and County Manager to review the operation of residential parking permit schemes in their Local Authority area.”.

—Thomas P. Broughan.

**86.** In page 81, after line 24, to insert the following:

“89.—All public transport vehicles engaged in the carriage of passengers on any Quality Bus Corridor networks shall have priority at all traffic junctions.”.

—Thomas P. Broughan.

**87.** In page 81, after line 24, to insert the following:

“89.—Within one month from the passing of this Act the Attorney General shall refer the issue of residents only parking as opposed to residents permit parking to the Law Reform Commission for examination.”.

—Thomas P. Broughan.

**88.** In page 81, after line 24, to insert the following:

“89.—The Minister shall immediately review the use of the CT68 form or any similar form in the collation of data after a road collision to include the recording of any vehicle defects or the testing of a driver for alcohol or any illegal substances.”.

—Thomas P. Broughan.

**89.** In page 81, after line 24, to insert the following:

“89.—The Minister shall as soon as practicable introduce a pilot programme to trial the use of Alcolocks as part of anti-drink driving educational programme including drink-drive rehabilitation schemes.”.

—Thomas P. Broughan.

**90.** In page 81, after line 24, to insert the following:

“89.—(1) Any person who knowingly or recklessly makes any adjustment to or stops or disengages the odometer on a vehicle, and thereby misrepresenting the true mileage of the vehicle in question, shall be guilty of an offence.

(2) A person guilty of an offence under *subsection (1)* of this section shall be liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment, or, on conviction on indictment, to a fine not exceeding €10,000 or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment for each and every occurrence.

(3) It shall not be an offence within the meaning of *subsection (1)* when an odometer is adjusted to reflect the true mileage of the vehicle.”.

—Thomas P. Broughan.

**91.** In page 81, after line 24, to insert the following:

“89.—(1) It shall be an offence to offer for sale any vehicle in which the odometer has been tampered.

(2) *Subsection (1)* of this section shall apply whether or not the sale actually takes place.

(3) No offence is committed within the meaning of *subsection (1)* of this section where all reasonable steps have been taken by the person selling the vehicle to insure that the odometer of the vehicle in question was not tampered.



(4) The onus of taking all reasonable steps, as stated in *subsection (3)*, would be satisfied upon the receiving of a statement from the previous vehicle owner (“vehicle mileage certificate”) certifying that the mileage is correct.

(5) A person guilty of an offence under *subsection (1)* of this section shall be liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment, or, on conviction on indictment, to a fine not exceeding €10,000 or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment for each and every occurrence.”.

—Thomas P. Broughan.

**92.** In page 81, after line 24, to insert the following:

“89.—The sale of every vehicle in the state shall be accompanied by a signed vehicle mileage certificate from the vendor.”.

—Thomas P. Broughan.

**93.** In page 81, after line 24, to insert the following:

“89.—(1) It shall be an offence to sign a vehicle mileage certificate knowing that the mileage entered on the certificate for the vehicle is false.

(2) A person guilty of an offence under *subsection (1)* of this section shall be liable on summary conviction to a fine not exceeding €5,000 or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment, or, on conviction on indictment, to a fine not exceeding €10,000 or to imprisonment for a term not exceeding two years, or to both such fine and such imprisonment for each and every occurrence.”.

—Thomas P. Broughan.