



SEANAD ÉIREANN

AN BILLE UM THRÁCHT AR BHÓITHRE AGUS UM BÓITHRE, 2021

ROAD TRAFFIC AND ROADS BILL 2021

LEASUITHE COISTE COMMITTEE AMENDMENTS

SEANAD ÉIREANN

AN BILLE UM THRÁCHT AR BHÓITHRE AGUS UM BÓITHRE, 2021 —AN COISTE

ROAD TRAFFIC AND ROADS BILL 2021 —COMMITTEE STAGE

Leasuithe Amendments

**Government amendments are denoted by an asterisk*

SECTION 4

1. In page 9, line 7, after “number” to insert “or their passport”.

—Senators Lynn Ruane, Alice-Mary Higgins.

SECTION 5

- *2. In page 10, to delete line 32.

- *3. In page 11, between lines 6 and 7, to insert the following:

“and

(iii) by the insertion of the following definition after “vehicle guarantor”:

“ ‘vehicle identification number (VIN)’ means the alphanumeric code assigned to a vehicle by the manufacturer in order to ensure proper identification of every vehicle;”, ”.

- *4. In page 12, line 8, to delete “23B.” and substitute “23C.”.

- *5. In page 12, line 31, to delete “23C.” and substitute “23D.”.

- *6. In page 12, line 40, to delete “23D.” and substitute “23E.”.

- *7. In page 13, to delete lines 18 to 22 and substitute the following:

“(g) in section 33—

(i) by the insertion of the following subsections after subsection (1):

“(1A) Notwithstanding subsection (1), the Road Safety Authority is deemed to be and have been the issuing authority for the purpose of this section with effect from 1 January 2007 and every act done or purported to have been done by the Road Safety Authority in the performance or purported performance of the functions of the issuing authority under this Act on and from that date and prior to the coming into operation of *section 5(g)(i) of the Road Traffic and Roads Act 2023* shall be, and be deemed always to have been, valid and effectual for all purposes.

(1B) The functions of the issuing authority under subsection (4) are deemed

to be and have been delegated to persons appointed, on or after 1 January 2007, by the Road Safety Authority to carry out tests under this section and every act done or purported to have been done by persons so appointed shall be, and be deemed always to have been, valid and effectual for all purposes.

(1C) If subsection (1A) or (1B) would, but for this subsection, conflict with a constitutional right of any person, the operation of that subsection shall be subject to such limitation as is necessary to secure that it does not so conflict but shall otherwise be of full force and effect.”,

and

(ii) by the insertion of the following subsection after subsection (2):

“(2A) An application for a certificate of competency under this section shall contain the personal public service number allocated and issued to the applicant under section 262(2) of the Social Welfare Consolidation Act 2005.”,

*8. In page 14, line 31, to delete “(cc)” and substitute “(ca)”.

*9. In page 14, line 34, to delete “(cd)” and substitute “(cb)”.

*10. In page 16, to delete lines 17 to 39, to delete page 17, and in page 18, to delete lines 1 to 17 and substitute the following:

“(1) by the insertion of the following sections after section 56:

“Obligation to supply vehicle insurer or certain intermediaries with certain information

56A. (1) For the purpose or in the course of obtaining the issue of an approved policy of insurance and to assist a vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf to comply with its obligations under section 78A, a person, other than a fleet owner or motor trader, shall supply to the insurer or intermediary the following information:

- (a) his or her name and address and the name of any other person who is to be named in particular 6 of the certificate of insurance;
- (b) the date of birth of each person to whom paragraph (a) applies;
- (c) the registration number or, in the event that the registration number is not available, the vehicle identification number (VIN) or any other unique identifying number given by the manufacturer, if available;
- (d) in respect of each of the persons to whom paragraph (a) applies—
 - (i) the country of issue of the licence or permit, and
 - (ii) in the case the person concerned holds—
 - (I) an Irish driving licence, the number given at item 4d and

described as '*Uimhir tiomána*' or 'Driver number' on the licence,

- (II) a learner permit, the number given at item 4d and described as '*Uimhir tiomána*' or 'Driver number' on the permit, or
 - (III) a foreign driving licence, the driver number, licence number or unique identifier of any person to whom the licence is issued.
- (2) Any change or error in respect of the information which has been provided pursuant to subsection (1) shall be notified by the person to whom the approved policy of insurance is issued or to be issued to the vehicle insurer or intermediary referred to in that subsection as soon as is practicable.
- (3) A person who contravenes subsection (2) commits an offence and is liable on summary conviction to a class E fine.
- (4) For the purpose of or in the course of obtaining an approved policy of insurance and to assist a vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf to comply with its obligations under section 78A, a fleet owner or motor trader shall supply to the vehicle insurer or intermediary, as the case may be—
- (a) his or her name and address and the names of any other person to be named in particular 6 of the certificate of insurance, and
 - (b) where applicable, the class or classes of driver whose liability is proposed to be covered by the policy.
- (5) Any change or error in respect of the information which has been provided pursuant to subsection (4) shall be notified by the fleet owner or motor trader, as the case may be, to the vehicle insurer or intermediary referred to in that subsection as soon as is practicable.
- (6) A person who contravenes subsection (5) commits an offence and is liable on summary conviction to a class E fine.
- (7) A fleet owner or motor trader, as the case may be, shall, in respect of an approved policy of insurance to which subsection (4) refers, supply to MIBI within 14 days—
- (a) of the issuing of an approved policy of insurance, in respect of a person named in particular 6 of the certificate of insurance—
 - (i) his or her date of birth, and
 - (ii) the information specified in paragraph (d)(i), (ii) or (iii), as the case may be, of subsection (1),
 - (b) of a person's name being added to particular 6 of the certificate of insurance, his or her name and date of birth and such of the

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information specified in paragraph (d)(i), (ii) or (iii), as is relevant to him or her, and

- (c) of a vehicle being in the possession of the fleet owner or motor trader, as the case may be, the registration number or, in the event that the registration number is not available, the Vehicle Identification Number (VIN) or any other unique identifying number given by the manufacturer, if available.
- (8) Where a vehicle is in the possession of a fleet owner or motor trader for 14 days or less, the requirement under subsection (7)(c) does not apply.
- (9) Any change or error in respect of the information provided pursuant to subsection (7)(a), (b) or (c) shall be notified by the fleet owner or motor trader to MIBI within 5 days of the change occurring or the error coming to the attention of the owner or trader, as the case may be.
- (10) A person who contravenes subsection (7) or (9) commits an offence and is liable on summary conviction to a class E fine.
- (11) A vehicle insurer shall not issue a policy of insurance to a person who fails to supply the information required under subsection (1) or (4).
- (12) A person who contravenes subsection (11) commits an offence and shall be liable on summary conviction to a class E fine.
- (13) Where an offence under this section is committed by a body corporate and it is proved that the offence was committed with the consent or the connivance, or was attributable to any wilful neglect, of a person who, when the offence was committed, was a director, manager, secretary or other officer of the body corporate, or a person purporting to act in that capacity, that person, as well as the body corporate, is guilty of an offence and may be proceeded against and punished as if he or she were guilty of the first-mentioned offence.
- (14) In proceedings for an offence under this section or section 78A it shall be a defence for a body corporate against which such proceedings are brought to prove that it took all reasonable steps and exercised all due diligence to avoid the commission of the offence.
- (15) For the purposes of this section and section 78A—
 - (a) a renewal of an approved policy of insurance shall be deemed to be an issue thereof,
 - (b) ‘certificate of insurance’ means the certificate the form of which is in the Second Schedule to the Road Traffic (Compulsory Insurance) Regulations 1962 (S.I. No. 14 of 1962),
 - (c) ‘fleet owner’ has the same meaning as it has in the Road Traffic (Insurance Disc) Regulations 1984 (S.I. No. 355 of 1984),

- (d) ‘MIBI’ means the Motor Insurers’ Bureau of Ireland, and
- (e) ‘motor trader’ means a person carrying on the business of manufacturing, dealing in, distributing or repairing vehicles (but excluding a person carrying on the business of manufacturing, dealing in or distributing components or parts for vehicles or of the carriage of vehicles).

Transitional provision (section 56A)

56B. Where, immediately after the commencement of section 56A, a person is in the process of submitting information to an insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf for the purpose, or in the course, of obtaining the issue of an approved policy of insurance, but the policy has not issued to him or to her, the provisions of section 56A shall apply.”.

***11.** In page 18, line 31, to delete “subsection” where it firstly occurs.

***12.** In page 18, to delete lines 38 to 40, to delete pages 19 and 20 and substitute the following:

“(o) by the substitution of the following section for section 78A:

“78A. (1) MIBI shall maintain a database of information specified in subsections (2), (3), (4), (5) and (7), and of information submitted to it under section 56A(7) and (9), and is designated as a data controller in relation to personal data processed for the purposes of this section and section 56A.

(2) A vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf shall, within 5 working days after it has issued an approved policy of insurance, notify MIBI of the following information in respect of persons to whom section 56A(1) applies:

- (a) the name and address of the person to whom the policy of insurance is issued and the name of any other person named in particular 6 of the certificate of insurance;
- (b) the date of birth of a person to whom paragraph (a) applies;
- (c) any limitations as to the use of a mechanically propelled vehicle to which the policy relates;
- (d) the policy number and the period of cover of the policy;
- (e) the registration number or, in the event that the registration number is not available, the Vehicle Identification Number (VIN) or any other unique identifying number given by the manufacturer, if available;
- (f) in respect of each of the persons to whom paragraph (a) applies—
 - (i) the country of issue of the licence or permit, and

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- (ii) in the case the person concerned holds—
 - (I) an Irish driving licence, the number given at item 4d and described as ‘*Uimhir tiomána*’ or ‘Driver number’ on the licence,
 - (II) a learner permit, the number given at item 4d and described as ‘*Uimhir tiomána*’ or ‘Driver number’ on the licence, or
 - (III) a foreign driving licence, the driver number, licence number or unique identifier of any person to whom the licence is issued.
- (3) Where a vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf becomes aware of any error in or change to information provided to the insurer under section 56A(1), the insurer or intermediary, as the case may be, shall, within 5 working days of being made aware of the change or error, notify MIBI of such change or error.
- (4) A vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf shall, within 5 working days after it has issued an approved policy of insurance to a fleet owner or motor trader, notify MIBI of the following information in respect of that policy:
 - (a) the name of the fleet owner or motor trader, as the case may be, and the names of any person named in particular 6 of the certificate of insurance;
 - (b) any limitations as to the use of a mechanically propelled vehicle to which the policy relates;
 - (c) the policy number and the period of cover of the policy.
- (5) A vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf shall ensure that any changes or errors with respect to the matters provided for in subsection (4) are notified to MIBI within 5 working days after the insurer or intermediary, as the case may be, becomes aware of the change or error.
- (6) A vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf who contravenes subsection (2), (3), (4), (5) or (7) commits an offence and is liable on summary conviction to a class E fine.
- (7) A vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf shall, within 5 working days after it has cancelled an approved policy of insurance, notify MIBI of the cancellation.
- (8) MIBI may process data received by it under subsections (2), (3), (4),

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(5) and (7) and section 56A(7) and (9) for the purposes of its functions under Regulations 5 and 6 of the European Communities (Fourth Motor Insurance Directive) Regulations 2003 (S.I. No. 651 of 2003).

- (9) MIBI shall make available data received by it under subsections (2), (3), (4), (5) and (7) and section 56A(7) and (9) to—
- (a) the Minister, for the purposes of the Minister's functions under section 60 of the Finance Act 1993 in respect of the National Vehicle and Driver File and for the purposes of the Minister's functions under section 2 of the Road Traffic and Transport Act 2006 in respect of an operator's licence,
 - (b) the Garda Síochána, for the purposes of carrying out its functions in respect to enforcement of the Road Traffic Acts 1961 to 2021,
 - (c) the National Transport Authority, for the purposes of its functions under the Taxi Regulation Acts 2013 and 2016 and the Taxi Regulation (Small Public Service Vehicles) Regulations 2015 (S.I. No. 33 of 2015),
 - (d) a vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf who provided it with information under subsection (2), (3), (4), (5) or (7), and
 - (e) a vehicle insurer or intermediary with specific sanction from a vehicle insurer to conclude insurance contracts on its behalf for the purposes of verifying information provided pursuant to section 56A(7) and (9) in circumstances where there is an approved policy of insurance to which section 56A(4) applies.
- (10) MIBI shall, within 18 months of the commencement of this section and thereafter annually, submit to the Minister a report in relation to its operation of the database maintained by it pursuant to subsection (1).
- (11) MIBI may, subject to regulations made by the Minister for that purpose, make available the information specified in subsections (2), (3), (4), (5) or (7) and section 56A (7) and (9)—
- (a) to the recipients specified in subsection (9) for such further purposes as may be specified in the regulations, and
 - (b) to such further recipients as may be specified in the regulations for such further purposes as may be specified therein.
- (12) In this section—

‘National Vehicle and Driver File’ means records established and maintained by the Minister under section 60 of the Finance Act 1993;

‘operator's licence’ has the same meaning as it has in section 2(9) of

[SECTION 5]

the Road Traffic and Transport Act 2006.”.”.

13. In page 21, to delete lines 24 to 27.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

SECTION 6

- *14. In page 24, line 15, to delete “(II)” and substitute “(1a)”.

SECTION 12

15. In page 40, between lines 21 and 22, to insert the following:

“(a) in Part 4 of the First Schedule, by the insertion of the following after 26:

“

27	Offence consisting of contravention of Article 44(1)	Parking in a disabled persons’ parking bay without a disabled persons’ permit	1	3
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”.”.

—*Senator Victor Boyhan.*

SECTION 13

- *16. In page 40, line 36, to delete “of” and substitute “or”.

- *17. In page 41, between lines 24 and 25, to insert the following:

“(i) by the insertion of the following subsection after subsection (1):

“(1A) Where an officer of the Revenue Commissioners has reasonable grounds for believing that an offence under paragraph (b), (bb) or (c) of section 139(1) of the Finance Act 1992 has been committed—

(a) if the officer identifies the person, the officer shall serve, or cause to be served, personally or by post, on the person a fixed charge notice, or

(b) if the officer does not identify the person and the offence involves the use of a mechanically propelled vehicle, the officer shall serve, or cause to be served, personally or by post, on the registered owner of the vehicle a fixed charge notice.”.”.

- *18. In page 41, between lines 26 and 27, to insert the following:

“(ii) in subsection (3)—

(I) by the insertion of “or (1A)(a)” after “under subsection (1)(a)”,

(II) by the insertion of “or (1A)(b)” after “under subsection (1)(b)”,

(III) in paragraph (a)(i)(II)(B), by the insertion of “or, as the case may be, the officer referred to in subsection (1A)” after “the member referred to in subsection (1)”, and

(IV) in paragraph (b)(i)(II), by the insertion of “or, as the case may be, the

[SECTION 13]

officer referred to in subsection (1A)” after “the member referred to in subsection (1)”,”.

***19.** In page 41, between lines 27 and 28, to insert the following:

“(iii) in subsection (6)—

(I) in paragraph (b), by the insertion of “did not have possession of, or” after “the registered owner of the vehicle”,

(II) in paragraph (i), by the insertion of “, an officer of the Revenue Commissioners” after “a member of the Garda Síochána”, and

(III) in paragraph (ii)—

(A) by the insertion of “, an officer of the Revenue Commissioners” after “a member of the Garda Síochána”, and

(B) by the insertion of “, officer” after “the member” in both places where it occurs,”.

***20.** In page 41, between lines 31 and 32, to insert the following:

“(v) by the insertion of the following subsection after subsection (9):

“(10) The Revenue Commissioners shall, not later than 28 days after a document referred to in subsection (6) containing the name and address of the person who had possession of, or was driving or otherwise using the vehicle concerned at the time of the commission of the alleged offence concerned is given or sent to an officer of the Revenue Commissioners, cause a notice under this section to be served, personally or by post, on the person.”,

(l) in section 36(3)(d)—

(i) in subparagraph (i), by the insertion of “, an officer of the Revenue Commissioners” after “a member of the Garda Síochána”, and

(ii) in subparagraph (ii)—

(I) by the insertion of “, an officer of the Revenue Commissioners” after “a member of the Garda Síochána”, and

(II) by the insertion of “, officer” after “the member”,

(m) in section 39(1), by the insertion of “, an officer of the Revenue Commissioners” after “a licensing authority”,”.

***21.** In page 41, between lines 32 and 33, to insert the following:

“(i) in subsection (5), by the insertion of “, an officer of the Revenue Commissioners” after “a member of the Garda Síochána”,”.

***22.** In page 41, line 33, to delete “(6),” and substitute the following:

“(6)—

[SECTION 13]

(I) by the insertion of “, an officer of the Revenue Commissioners” after “a member of the Garda Síochána”, and

(II)”.

***23.** In page 41, between lines 36 and 37, to insert the following:

“(m) in section 44(1)—

(i) by the insertion of “or an officer of the Revenue Commissioners” after “a member of the Garda Síochána”, and

(ii) by the insertion of “or officer” after “the member”,

(n) in section 47, by the insertion of the following definition after the definition of “fixed charge offence”:

“ ‘an officer of the Revenue Commissioners’ means an officer of the Revenue Commissioners authorised by them for the purposes of this Part.”, ”.

SECTION 16

***24.** In page 44, lines 27 and 28, to delete “after the definition of “period of cover” ”.

***25.** In page 44, line 29, after “means” to insert “, subject to subsection (1A),”.

26. In page 44, line 32, after “goods,” to insert “except for pedal cargo bicycles,”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

***27.** In page 44, lines 33 and 34, to delete all words from and including “unladen” in line 33, down to and including line 34 and substitute “weight unladen of 25 kilograms,”.

***28.** In page 44, lines 36 and 37, to delete “or such other maximum design speed as the Minister prescribes,”.

***29.** In page 44, line 40, to delete “or” where it secondly occurs and in page 45 to delete lines 1 and 2.

***30.** In page 45, to delete line 5.

***31.** In page 45, line 7, to delete “vehicle,” and substitute the following:

“vehicle,” and

(g) by the insertion of the following subsection after subsection (1):

“(1A) The Minister may prescribe, for powered personal transporters or different classes of them, a maximum weight unladen, a maximum design speed, or a maximum continuous rated power or combined maximum continuous rated power different to the weight, speed or rated power referred to in the definition of ‘powered personal transporter’ in subsection (1).”.

[SECTION 17]

SECTION 17

***32.** In page 45, between lines 7 and 8, to insert the following:

“Amendment of section 14 of Act of 1961

17. Section 14 of the Act of 1961 is amended—

(a) in subsection (1), by the insertion of “subject to subsection (1A),” after “this Act,” and

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

“(1A) Where a vehicle referred to in subsection (1) is a powered personal transporter and has an accumulator that is a battery, the weight of the accumulator shall be considered to be included in the weight unladen of the powered personal transporter.”.

SECTION 40

***33.** In page 51, to delete lines 21 to 25 and substitute the following:

“(a) pedal cyclists, or

(b) a combination of pedal cyclists and either or both people driving powered personal transporters and pedestrians.”.

***34.** In page 51, to delete lines 31 to 33, and in page 52, to delete lines 1 and 2 and substitute the following:

“(i) pedal cyclists, or

(ii) a combination of pedal cyclists and either or both people driving powered personal transporters and pedestrians.”.

SECTION 41

35. In page 52, line 13, after “recognition” to insert “but excluding through the use of facial recognition technology”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

***36.** In page 52, between lines 14 and 15, to insert the following:

“(b) by the insertion of the following definition after the definition of “contravention”:

“ ‘data-gathering device’ means any device, apparatus or equipment used or capable of being used for the gathering of data;”.

SECTION 42

37. In page 53, between lines 15 and 16, to insert the following:

“(ba) undertake works to make improvements to the public realm in the vicinity of a road, in the interests of quality, accessibility and amenity.”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

[SECTION 43]

SECTION 43

- *38. In page 53, lines 33 and 34, to delete all words from and including “by” in line 33 down to and including line 34 and substitute the following:

“___

(a) by the substitution of “maintenance (including maintenance works)” for “maintenance works” in each place that it occurs,

(b) by the substitution of the following paragraph for paragraph (b):

“(b) secure the carrying out of construction and maintenance (including maintenance works) and the provision of traffic signs and consult with the Commissioner,”

and

(c) by the insertion of the following paragraph after paragraph (c):”.

- *39. In page 53, line 35, to delete “(cc)” and substitute “(ca)”.

SECTION 44

40. In page 54, to delete lines 10 and 11.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

41. In page 54, line 22, to delete “any Minister of the Government” and substitute “the Minister for Environment, Climate and Communications and the Minister for Transport”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

42. In page 54, to delete lines 23 to 26.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

SECTION 45

- *43. In page 54, line 29, after “**cameras**” to insert “**and other devices**”.

- *44. In page 54, line 30, after “cameras” to insert “and other data-gathering devices”.

- *45. In page 55, line 1, after “cameras” to insert “and other data-gathering devices”.

46. In page 55, between lines 3 and 4, to insert the following:

“(2A) Cameras operated by or on behalf of a road authority under this section shall not be equipped with facial recognition technology, and no data obtained using such cameras shall be processed by the road authority using facial recognition technology, or be passed to third parties for processing with facial recognition technology.”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

[SECTION 45]

*47. In page 55, line 11, after “cameras” to insert “and other data-gathering devices”.

*48. In page 55, line 14, to delete “then”.

*49. In page 55, line 16, after “cameras” to insert “and other data-gathering devices”.

*50. In page 55, line 19, to delete “then”.

*51. In page 55, line 22, after “cameras” to insert “and other data-gathering devices”.

*52. In page 55, line 29, to delete “Síochana” and substitute “Síochána”.

53. In page 55, line 36, to delete “may” and substitute “shall”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

*54. In page 55, line 42, to delete “shall” and substitute “may”.

*55. In page 56, line 22, after “measures” to insert “, including measures specified in section 36(1) of the Data Protection Act 2018,”.

*56. In page 56, line 26, to delete “for the purposes”.

57. In page 56, line 28, to delete “may” and substitute “shall”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

*58. In page 56, line 29, after “cameras” to insert “and other data-gathering devices”.

59. In page 57, between lines 18 and 19, to insert the following:

“(12A) The Minister shall, within six months of the passing of this Act, commission and publish a report on the regulatory and legislative changes required in order to establish an online portal for the uploading of dash cam and helmet camera footage to aid in the investigation and prosecution of road traffic offences.”.

—*Senators Lynn Boylan, Niall Ó Donnghaile, Paul Gavan, Fintan Warfield.*

60. In page 57, between lines 18 and 19, to insert the following:

“(12A) The Minister shall, within six months of the passing of this Act, commission and publish a report on the regulatory and legislative changes required in order to establish a mechanism for the use of dash cam footage obtained from public transport buses to aid in the investigation and prosecution of road traffic offences related to bus and cycle lanes.”.

—*Senators Lynn Boylan, Niall Ó Donnghaile, Paul Gavan, Fintan Warfield.*

SECTION 46

61. In page 57, line 30, after “to” to insert “protect and preserve semi-mature and mature trees and hedgerows, especially those older than twenty years, or”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

[SECTION 46]

62. In page 57, between lines 33 and 34, to insert the following:

“(aa) any public local amenity,”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

63. In page 57, between lines 33 and 34, to insert the following:

“(aa) the public realm, with particular reference to its quality, accessibility and functionality,”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

64. In page 57, line 34, after “parking” to insert “for persons with a disability”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

SECTION 50

65. In page 59, line 22, to delete “desirable” and substitute “necessary”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

66. In page 59, line 25, to delete “desirable” and substitute “necessary”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

67. In page 60, line 1, after “safety” to insert “or mobility”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

68. In page 60, line 2, after “users” to insert “, or which causes a nuisance to road users, especially vulnerable road users, in terms of accessibility and legibility”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

69. In page 60, between lines 2 and 3, to insert the following:

“(c) Where a regulatory sign is removed from a national managed road, the relevant local authority shall be notified of the removal.”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

70. In page 60, between lines 2 and 3, to insert the following:

“(c) Where a private individual removes or significantly alters a hedgerow, or other established growth in the vicinity of a national managed road, the relevant local authority shall be notified.”.

—*Senators Lynn Ruane, Alice-Mary Higgins.*

71. In page 61, between lines 6 and 7, to insert the following:

“and

- (r) by the insertion of the following subsection after subsection (20):

“(21) In relation to any new traffic sign erected after the coming into operation of the *Road Traffic and Roads Act 2023*, or to any renewal or restoration of an old traffic sign done after the coming into

operation of that Act, including those to which Regulations under section 95(2) of the Act of 1961 apply and those to which a direction under section 95(16) of that Act applies—

- (a) subject to the provisions of this subsection, any traffic sign placed in any site in the State shall be in the Irish language or in the Irish language and in the English language notwithstanding any other enactment. In the case of a traffic sign in both the Irish and English languages—
 - (i) the text in the Irish language shall be first,
 - (ii) the text in the Irish language shall be as prominent as or more prominent than, as visible as or more visible than, and as legible as or more legible than the text in the English language, and it shall be in the same typeface and style,
 - (iii) the lettering in the text in the Irish language shall not be smaller in size than the lettering in the text in the English language, or in italic typeface where the text in the English language is not in italic typeface,
 - (iv) the text in the Irish language shall convey the same information as is conveyed by the text in the English language,
 - (v) no word of the text in the Irish language shall be abbreviated unless the word in the text in the English language, which is a translation thereof, is likewise abbreviated,
 - (vi) where the text in the Irish language and the text in the English language are the same or the pronunciation of a placename in the Irish language and in the English language are the same, the Irish language version alone shall be sufficient,
 - (vii) notwithstanding the generality of this subsection, traffic signs may be erected that are in accordance with the International System of Units as adopted by the *Bureau Internationale des Poids et Mesures*, established by the Metre Convention signed at Paris in 1875, and
 - (viii) where a placename order under section 32 is, for the time being, in force, the Irish language version of the word or words specified in the order shall be used in any traffic signs erected,
- (b) where it is intended to locate a traffic sign in the Irish language and in the English language and, as a result of text in both those languages being present, that it would be too large or that it would be difficult to read or that it would be likely to cause an obstruction, or that it would be likely that persons would, while reading it, constitute a danger to themselves or to others, 2 signs instead may be placed at that location, one bearing the information concerned in the Irish language and the other bearing the English

language equivalent while complying with the provisions in paragraph (a),

- (c) only the Irish language version of a placename, including accents on vowels, shall be used for official purposes on and from 1 January 2025 notwithstanding any other enactment, but without prejudice to anything done before or after that date, including on any new or restored road sign erected following that date, unless an exceptional case is decided in line with paragraph (d),
- (d) the Minister may, after consultation with the body referred to in section 31 of the Official Languages Act 2003, pursuant to an application by a local authority regarding a particular place or site administered by the local authority, and only on a case-by-case basis where an exceptionally higher than average heritage or economic value attaches to the visibility of another version of its placename, by order, declare that a version of the placename in a language other than the Irish language may be used on a new or restored road sign,
- (e) every order to which paragraph (d) applies shall be laid by the Minister 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 but without prejudice to the validity of anything previously done thereunder,
- (f) a declaration under paragraph (d) shall not be permitted—
 - (i) in relation to any place in a Gaeltacht area, in accordance with the Gaeltacht Act 2012,
 - (ii) in relation to any placename whose version in the other language or languages is pronounced as the official Irish language placename, or
 - (iii) in relation to affording state recognition to an English language placename created as part of the colonial efforts of the Ordnance Survey to anglicise native placenames between 1824 and 1846,
- (g) where the Minister makes a declaration under paragraph (d), the official Irish language placename shall be written in larger and more visible print than the other language or languages, and
- (h) in the case of a conflict or a dispute regarding a placename in any location in the State, a decision shall be made as to the official correct version in accordance with sections 31 and 32 of the Official Languages Act 2003, and all relevant road signs shall comply with their determinations.”.”.

[SECTION 50]

—*Senators Lynn Boylan, Niall Ó Donnghaile, Paul Gavan, Fintan Warfield.*

SECTION 51

- *72. In page 61, line 10, to delete “ ‘chief executive’ ” and substitute “ ‘chief executive’ ”.

SECTION 52

- *73. In page 62, line 14, to delete “by deleting subsection (6)” and substitute “by the deletion of subsection (6)”.

SECTION 55

- *74. In page 68, line 37, to delete “willful” and substitute “wilful”.

SECTION 56

75. In page 71, between lines 5 and 6, to insert the following:

“PART 15

UNAUTHORISED PARKING IN DISABLED BAYS

Parking in a disabled bay without permit

56. A person who contravenes Article 44(1) of the Road Traffic (Traffic and Parking) Regulations, 1997 (S.I. No. 182/1997) shall be liable on summary conviction to a class D fine.”.

—*Senator Victor Boyhan.*

- *76. In page 71, between lines 5 and 6, to insert the following:

“PART 15

AMENDMENT OF FINANCE (EXCISE DUTIES) (VEHICLES) ACT 1952

Amendment of Finance (Excise Duties) (Vehicles) Act 1952

56. The Finance (Excise Duties) (Vehicles) Act 1952 is amended—

(a) in section 1(4)—

- (i) in paragraph (h), by the substitution of “purposes,” for “purposes.”, and
(ii) by the insertion of the following paragraphs after paragraph (h):

“(i) vehicles owned by a Government Department, the Office of Public Works and the Office of the Revenue Commissioners, and

(j) vehicles owned by such State agencies as may be prescribed by the Minister for Transport, having regard to the amount of State funding provided to such agencies.”,

and

[SECTION 56]

- (b) in section 3(c) of Part 1 of the Schedule, by the deletion of “large”.