An Bille um an gComhad Náisiúnta Feithiclí agus Tiománaithe, agus um Thrácht ar Bhóithre agus um Bóithre, 2026

National Vehicle and Driver File, Road Traffic and Roads Bill 2026

Mar a tionscnaíodh

As initiated

[No. 83 of 2026]

AN BILLE UM AN gCOMHAD NÁISIÚNTA FEITHICLÍ AGUS TIOMÁNAITHE, AGUS UM THRÁCHT AR BHÓITHRE AGUS UM BÓITHRE, 2026
NATIONAL VEHICLE AND DRIVER FILE, ROAD TRAFFIC AND ROADS BILL 2026

Mar a tionscnaíodh

As initiated

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AN BILLE UM AN gCOMHAD NÁISIÚNTA FEITHICLÍ AGUS TIOMÁNAITHE, AGUS UM THRÁCHT AR BHÓITHRE AGUS UM BÓITHRE, 2026
NATIONAL VEHICLE AND DRIVER FILE, ROAD TRAFFIC AND ROADS BILL 2026

Bill

entitled

An Act to amend the Roads Act 1920, the Finance Act 1936, the Finance (Excise Duties) (Vehicles) Act 1952, the Road Traffic Acts 1961 to 2024, the Finance (No. 2) Act 1992, the Finance Act 1993 and the Roads Act 1993; and to provide for related matters.

Be it enacted by the Oireachtas as follows:

PART 1

Preliminary and General

Short title, commencement, collective citation and construction

1. (1) This Act may be cited as the National Vehicle and Driver File, Road Traffic and Roads Act 2026.

(2) This Act shall come into operation on such day or days as the Minister for Transport may, by order or orders, appoint, either generally or with reference to any particular purpose or provision, and different days may be so appointed for different purposes or different provisions.

(3) The Road Traffic Acts 1961 to 2024 and *sections 11*, *13*, *Part 5* and *Part 6* (other than *section 24*) may be cited together as the Road Traffic Acts 1961 to 2026 and shall be read together as one.

(4) The Roads Acts 1993 to 2023 and *section 24* may be cited together as the Roads Acts 1993 to 2026 and shall be read together as one.

(5) The Local Authorities (Traffic Wardens) Acts 1975 to 2023 and *section 12* may be cited together as the Local Authorities (Traffic Wardens) Acts 1975 to 2026 and shall be read together as one.

Definitions

2. In this Act—

"Act of 1920" means the Roads Act 1920;

"Act of 1952" means the Finance (Excise Duties) (Vehicles) Act 1952;

"Act of 1961" means the Road Traffic Act 1961;

"Act of 1992" means the Finance (No. 2) Act 1992;

"Act of 1993" means the Finance Act 1993;

"Act of 2004" means the Road Traffic Act 2004;

"Act of 2010" means the Road Traffic Act 2010.

Repeals

3. The following provisions are repealed:

(a) sections 5(4), 5(5), 5(6), 10, 11 and 12(1)(e) of the Act of 1920;

(b) section 22 of the Finance Act 1921;

(c) section 62(1) of the Act of 1993;

(d) sections 70(2)(a), 73 and 74 of the Finance Act 1976;

(e) section 10(b) of the Road Traffic Act 2024.

PART 2

NATIONAL VEHICLE AND DRIVER FILE

Amendment of section 57 of Act of 1993

4. Section 57 of the Act of 1993 is amended—

(a) by the insertion of the following definitions:

" 'the Act of 2002' means the Road Traffic Act 2002;

'the Act of 2012' means the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012;

'the Act of 2016' means the Road Traffic Act 2016;",

and

(b) by the substitution of the following definition for the definition of "licensing authority":

" 'licensing authority' means a local authority, within the meaning of the Local Government Act 2001, which grants licences under section 1 of the Act of 1952 or the licensing authority within the meaning of Part III of the Act of 1961;".

Records

5. The Act of 1993 is amended by the substitution of the following section for section 60:

> **“60.** (1) The Minister and licensing authorities may jointly establish and maintain a file to be known as the National Vehicle and Driver File which shall contain the records referred to in subsection (2).
>
> (2) The records contained in the National Vehicle and Driver File shall relate to the following:
>
> (a) excise duties charged, levied and paid under section 1 and duties chargeable under section 2 of the Act of 1952;
>
> (b) declarations made and particulars furnished pursuant to regulations made under section 5(1) of the Act of 1920;
>
> (c) repayments made pursuant to regulations made under section 1(11A)(b) of the Act of 1952;
>
> (d) non-use declarations furnished under section 20B of the Finance (No. 2) Act 1992;
>
> (e) trade licences issued under section 21 of the Finance (No. 2) Act 1992;
>
> (f) licensing of drawn vehicles pursuant to regulations made under section 10 of the Road Traffic Act 1968;
>
> (g) driving licences, learner permits and certificates of competency granted under Part III of the Act of 1961;
>
> (h) disqualifications under Part III of the Act of 1961, section 3 of the Act of 2002, section 29(8) of the Road Traffic Act 2010 and section 40 of the Act of 2016;
>
> (i) endorsement of penalty points under section 2 of the Act of 2002;
>
> (j) exemptions from the charging or levying of excise duty under section 1(4) or (7A) of the Act of 1952;
>
> (k) matters, including the buying or selling of a vehicle, notified pursuant to regulations made under section 12(1A) of the Act of 1920;
>
> (l) change of address notifications pursuant to Regulation 9 of the Regulations of 1992;
>
> (m) registration certificates issued pursuant to regulations made under section 12(1A) of the Act of 1920;
>
> (n) test certificates, including duplicate certificates, issued under section 18 of the Act of 1961;
>
> (o) roadworthiness testing of vehicles carried out pursuant to regulations made under section 4 of the Act of 2012;
>
> (p) certificates of roadworthiness, including replacement certificates, issued under section 5 of the Act of 2012;

(q) remission of road tax pursuant to regulations made under section 92 of the Finance Act 1989;

(r) notification of issue of certificates of destruction of vehicles pursuant to Regulation 21 of the European Union (End-of-Life Vehicles) 2014 (S.I. No. 281 of 2014);

(s) notifications of vehicles that are scrapped or destroyed pursuant to Regulation 12(1) of the Regulations of 1992;

(t) notifications of vehicles that are permanently exported pursuant to Regulation 12(2) of the Regulations of 1992;

(u) information from the register maintained pursuant to section 131(7) of the Act of 1992;

(v) defective vehicle notifications pursuant to section 4 of the Act of 2016;

(w) data made available pursuant to section 78A(9)(a) of the Act of 1961.

(3) The National Vehicle and Driver file shall—

(a) enable the Minister or a licensing authority to perform functions relating to a provision referred to in paragraphs (a) to (p) of subsection (2), and

(b) be a repository of data under a provision referred to in paragraphs (q) to (w).

(4) A person who processes personal data for the purposes of the matters referred to in subsection (3) or pursuant to a provision specified in subsection (5) shall ensure that such personal data is processed in accordance with the Act of 2018, the Data Protection Regulation and any regulations made pursuant to subsection (6).

(5) The following provisions are specified for the purposes of subsection (4):

(a) section 22(4) of the Act of 1961;

(b) section 64A of the Roads Act 1993;

(c) section 5(1) of the Road Traffic Act 2014.

(6) The Minister may, by regulations, prescribe—

(a) where satisfied that it is required in order—

(i) to enable the Minister or a licensing authority to carry out one of his or her or their functions, or

(ii) for the Minister or a licensing authority to be a repository for data received by him or her or them,

additional records to be contained in the National Vehicle and Driver File,

(b) subject to subsection (7), a competent authority within the meaning of section 69 of the Act of 2018 with which records contained in the National Vehicle and Driver File may be shared for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties in the State,

(c) subject to subsection (7), other bodies or persons with whom records contained in the National Vehicle and Driver File may be shared,

(d) the categories of data contained in the National Vehicle and Driver File which may be shared and the purposes, whether law enforcement or otherwise, for which they may be shared,

(e) the types and forms of processing which may be carried out,

(f) the personal data that may be processed,

(g) suitable and specific measures, including measures set out in section 36(1) of the Act of 2018, to safeguard the fundamental rights and freedoms of data subjects in the processing of personal data, including special categories of personal data under this Act,

(h) where the processing involves special categories of personal data, additional measures to be taken to safeguard the processing of that data,

(i) the period of time during which personal data or special categories of personal data may be processed, and

(j) where possible, the proposed time limit within which each category of personal data shall be erased.

(7) The Minister shall implement technical and organisational measures to prevent the abuse or unlawful access to, or transfer of, records contained in the National Vehicle and Driver File, including but not limited to the following:

(a) the use of secure storage, passwords, encryption and other methods to ensure that the relevant records can only be accessed by persons authorised to access those records,

(b) logging mechanisms to permit verification of whether and by whom personal data has been consulted, altered, disclosed or erased,

(c) the use of controls to ensure that the records are disclosed only to persons authorised by the Minister, or entitled or permitted by law, to receive that data,

(d) specifying timelines for the erasure of data, and

(e) specific targeted training for those involved in processing of personal data.

(8) In this section—

'Act of 2018' means the Data Protection Act 2018;

'Data Protection Regulation' means Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016[1] on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation);

'personal data' has the same meaning as it has in the Data Protection Regulation;

'Regulations of 1992' means the Road Vehicles (Registration and Licensing) (Amendment) Regulations 1992 (S.I. No. 385 of 1992);

'special categories of personal data' has the same meaning as it has in section 2 of the Act of 2018 and in section 69 of that Act.".

Continuation of section 60 records

6. The Act of 1993 is amended by the insertion of the following section after section 60:

"**60A.** (1) The records maintained under section 60 prior to the coming into operation of *section 5* of the *National Vehicle and Driver File, Road Traffic and Roads Act 2026* shall continue in being and shall be contained in the National Vehicle and Driver File.

(2) Where, immediately before the coming into operation of *section 5* of the *National Vehicle and Driver File, Road Traffic and Roads Act 2026*, there is a reference in any enactment to—

(a) records under section 60 of the Finance Act 1993,

(b) records established and maintained under section 60(2),

(c) the National Vehicle and Driver File,

(d) the national vehicle file,

(e) national vehicle records,

(f) joint licensing records,

(g) licensing records, or

(h) licence records,

that reference in the enactment shall, on and after that date, be construed as a reference to the National Vehicle and Driver File.

(3) In this section, 'enactment' means—

(a) an Act of the Oireachtas (or any provision thereof) for the time being in force,

(b) a statute (or any provision thereof) that continues to have full force and effect by virtue of Article 50 of the Constitution, or

1 OJ No L 119, 4.5.2016, p.1

(c) an order, regulation, rule or bye-law (or any provision thereof)—

(i) for the time being in force, and

(ii) made under an Act of the Oireachtas or any such statute.”.

Making certain records publicly available

7. The Act of 1993 is amended by the insertion of the following new section after section 60A:

“**60B.** (1) The Minister for Transport may, in relation to the unique identification mark (registration number) assigned to a vehicle pursuant to section 131(5) of the Act of 1992, make the following information available on a website maintained by or on behalf of the Minister:

(a) the make and model of the vehicle;

(b) the colour of the vehicle;

(c) the description of the vehicle and rate of the duty of excise applying to the vehicle pursuant to the Schedule to the Act of 1952;

(d) whether the duty of excise referred to in paragraph (c) has been paid;

(e) the expiry date in respect of duty of excise referred to in paragraph (c);

(f) whether the vehicle is exempt from excise duty under section 1(4) or (7A) of the Act of 1952 and the date up to which the exemption applies;

(g) whether there has been any remission of road tax pursuant to regulations made under section 92 of the Finance Act 1989 and the date up to which the remission applies;

(h) whether there is a non-use declaration within the meaning of section 20B of the Act of 1992 on the National Vehicle and Driver File in respect of the vehicle;

(i) the end date, if applicable, for the non-use declaration referred to in paragraph (h);

(j) in the case of a vehicle to which section 18 of the Act of 1961 applies—

(i) the vehicle category as set out in Annex I to Regulation (EU) 2018/858,

(ii) the status of the test certificate issued pursuant to regulations under section 18 of the Act of 1961, and

(iii) the expiry date of the test certificate referred to in subparagraph (ii);

(k) in the case of a vehicle to which section 4 of the Act of 2012 applies—

(i) the vehicle category as set out in Annex I to Regulation (EU) 2018/858,

(ii) whether there is a valid certificate of roadworthiness issued under section 5(1) of the Act of 2012,

(iii) the expiry date of the certificate referred to in subparagraph (ii), and

(iv) the design gross vehicle weight of the vehicle;

(l) in respect of a private vehicle, the engine capacity on the most recently issued vehicle registration certificate or the CO2 emissions on the vehicle registration certificate, whichever is applicable;

(m) in respect of a vehicle to which paragraph 3 of Part 1 of the Schedule to the Act of 1952 applies, the maximum seating capacity as construed pursuant to paragraph 2 of Part II of the Schedule to that Act;

(n) in respect of vehicles to which paragraph 5 of Part 1 of the Schedule to the Act of 1952 applies, the weight unladen as construed for the purposes of that Act.

(2) In this section—

'design gross vehicle weight' means the gross weight of a vehicle laden with the heaviest load that it can reasonably carry having regard to the engine capacity, brakes, tyres and general construction of such vehicle and shall, until the contrary is shown, be taken to be its design gross weight as specified by the manufacturer or, where the design gross weight of the vehicle as specified by the manufacturer is not ascertainable, the design gross weight of the vehicle as specified by an automotive engineer;

'Regulation (EU) 2018/858' means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018[2] on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles.".

2 OJ No. L 119, 4.5.2016, p.1

PART 3

REQUIREMENT TO DISPLAY A VEHICLE LICENCE

Amendment of Act of 1920

8. The Act of 1920 is amended—

(a) by the substitution, in section 1(1), of "imposed by section 1 of the Finance (Excise Duties) (Vehicles) Act 1952 shall" for "imposed by section thirteen of the Finance Act 1920, as amended by this Act, and the excise duties on licences for carriages imposed by section four of the Customs and Inland Revenue Act, 1888, shall, as from the first day of January, nineteen hundred and twenty-one,",

(b) in section 5—

(i) by the substitution of the following subsection for subsection (1):

"(1) Every person applying for a licence under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952 shall make such a declaration and furnish such particulars with respect to the vehicle for which the licence is to be taken out or otherwise as may be prescribed.",

(ii) by the substitution, in subsection (2), of "Every licence issued under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952" for "Subject to the provisions of this Act as to general licences, every licence issued under section thirteen of the Finance Act 1920, as amended by this Act,", and

(iii) by the substitution of the following subsection for subsection (3):

"(3) Where a vehicle is altered after a licence has been issued under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952 (in this subsection referred to as the 'first licence') in such manner as to cause the vehicle to become a vehicle in respect of which a licence at a higher rate of duty or a licence of a different class is required, the first licence shall become void, but the holder of the first licence shall, on furnishing the prescribed particulars, be entitled to a new licence in respect of the vehicle, to have effect for the period for which the first licence would have remained in force, on payment of such amount, if any, as represents the difference between the amount payable on the new licence and the amount paid on the first licence.",

(c) in section 8(2), by the substitution of "paragraph 5 of Part I of the Schedule to the Finance (Excise Duties) (Vehicles) Act 1952" for "paragraph 5 of the Second Schedule to the Finance Act 1920",

(d) in section 12(1)—

(i) by the substitution, of "The Minister" for "Other than as provided for by subsection (1A), the Minister", and

(ii) in paragraph (f)—

(I) by the substitution of "a trade licence under section 21 of the Finance (No. 2) Act 1992 has" for "a general licence has", and

(II) by the substitution of "holder of a trade licence" for "holder of a general licence",

(e) in section 13(1), by the substitution of "section 1 of the Finance (Excise Duties) (Vehicles) Act 1952 or section 21 of the Finance (No. 2) Act 1992 is not in force," for "the Finance Act 1920, as amended by this Act, is not in force, or being the holder of a general licence or general licences issued under this Act uses at any one time a greater number of vehicles than he is authorised to use by virtue of that licence or those licences,", and

(f) in section 19(3), by the substitution of "this Act, the Finance (Excise Duties) (Vehicles) Act 1952 and sections 20B and 21 of the Finance (No. 2) Act 1992" for "this Act and the Motor Car Acts, 1896 and 1903,".

Amendment of section 23 of Finance Act 1936

9. Section 23 of the Finance Act 1936 is amended—

(a) by designating that section as subsection (1),

(b) in subsection (1)—

(i) by the substitution of "Subject to subsection (2), any person" for "Any person", and

(ii) by the substitution, in paragraph (c), of "€635" for "£500",

and

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

"(2) Paragraphs (b) to (d) of subsection (1) do not apply in the case of a licence under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952 and in that case, where a cheque referred to in subsection (1) is dishonoured, the following provisions shall have effect:

(a) the licensor shall, as soon as may be after such dishonour comes to his or her knowledge, send a notice in writing to the licensee requiring him or her to make payment of the duty of excise to the licensor within 21 days of the date of the notice;

(b) a licensee who fails to pay the duty of excise in accordance with the notice under paragraph (a) shall be guilty of an offence and shall be liable on summary conviction to an excise penalty of €635;

(c) the said notice shall be sent to the licensee by post addressed to him or her at his or her address as stated at the time of the application for the licence or, where no such address is so stated, the address at which the vehicle is registered.".

Amendment of Act of 1952

10. The Act of 1952 is amended—

(a) in section 1—

(i) in subsection (11A)—

(I) by the deletion of paragraph (a), and

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

“(b) a repayment of the duty paid on a licence under this section, the application for the repayment and the rate of any such repayment.”,

and

(ii) by the substitution, in subsection (11AB), of “an application for a repayment pursuant to regulations made under subsection (11A),” for “an application for a repayment in respect of the duty paid on a licence surrendered under subsection (11A),”,

and

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

“Supplementary provision in relation to licence under section 1

1A. Where an application for a licence under section 1 is made in accordance with section 5 of the Roads Act 1920, the licence shall be deemed to be issued and granted on the provision of a receipt to the applicant, whether by electronic means or in paper form, by or on behalf of the county or city council or the Minister for Transport, as the case may be, and the grant of the licence shall be entered in the National Vehicle and Driver File.”.

Amendment of section 33 of Act of 1961

11. Section 33 of the Act of 1961 is amended—

(a) by the substitution of the following subsection for subsection (3B):

“(3B) An issuing authority shall not carry out nor cause to be carried out a test for a certificate of competency unless the mechanically propelled vehicle in which the test is to be carried out has for the time being in force—

(a) a licence taken out under section 1 of the Finance (Excise Duties) (Vehicles) Act 1952, and

(b) subject to subsection (3BB), where the vehicle is a vehicle to which section 18 applies, a test certificate.”,

(b) by the substitution, in subsection (3BB), of “Where the test certificate is an EU roadworthiness certificate, the detachable disc or the proof” for “Where an EU roadworthiness certificate does not have a detachable disc, the proof”, and

(c) by the substitution, in subsection (3C), of “is not in force” for “is not displayed”.

Amendment of section 3 of Local Authorities (Traffic Wardens) Act 1975

12. Section 3(1)(b) of the Local Authorities (Traffic Wardens) Act 1975 is amended—

(a) by the deletion of subparagraph (iii),

(b) by the insertion of the following subparagraph after subparagraph (iii):

"(iiia) an offence under section 71 of the Finance Act 1976,",

(c) by the substitution, in subparagraph (iv), of "force." for "force,", and

(d) by the deletion of subparagraph (v).

Amendment of section 34 of Act of 2010

13. Section 34(2)(i) of the Act of 2010 is amended—

(a) by the deletion of subparagraph (i),

(b) by the substitution, in subparagraph (ii), of "1992, and" for "1992.", and

(c) by the insertion of the following subparagraph after subparagraph (ii):

"(iii) section 71 of the Finance Act 1976.".

PART 4

Non-use declarations

Amendment of section 18 of Act of 1992

14. Section 18 of the Act of 1992 is amended by the insertion of the following definition:

" 'public place' shall have the same meaning as it has in section 1 of the Act of 1952;".

Amendment of section 20 of Act of 1992

15. Section 20 of the Act of 1992 is amended—

(a) in subsection (1)(b)(i)—

(i) by the deletion of "in respect of a period", and

(ii) by the substitution of the following clause for clause (II):

"(II) on the day after the date of expiration of the most recent licence in respect of the vehicle taken out under section 1 of the Act of 1952, provided that the registered owner furnishes the non-use declaration to a licensing authority not more than one month before the said date of expiration, or",

(b) in subsection (1AB)—

(i) by the substitution, in paragraph (a), of the following definition for the definition of "period of arrears":

" 'period of arrears', in relation to a licence to which paragraph (b) applies, is the period beginning on—

(i) the date of entry on the register referred to in paragraph (b)(i),

(ii) the day after the date of expiration of the most recent licence taken out under section 1 of the Act of 1952 referred to in paragraph (b)(ii), or

(iii) the date of transfer of ownership referred to in paragraph (b)(iii),

and ending on the day before the commencement date of that licence.”,

(ii) in paragraph (b)—

(I) by the substitution of “Subject to paragraph (ba), where” for “Where”, and

(II) by the substitution of the following subparagraph for subparagraph (ii):

“(ii) more than one month after the expiration of, in relation to a vehicle, the most recent licence taken out under section 1 of the Act of 1952,”,

and

(iii) by the insertion of the following paragraph after paragraph (b):

“(ba) Paragraph (b) shall not apply to the first application for a licence under section 1 of the Act of 1952 in respect of a vehicle for which a non-use declaration has been furnished to and accepted by the licensing authority before the date of the first application falling on or after the commencement of *section 16* of the *National Vehicle and Driver File, Road Traffic and Roads Act 2026*.”,

and

(c) by the substitution, in subsection (4), of “section 71 of the Finance Act 1976” for “section 5(5) of the Act of 1920 or section 71 or 73 of the Finance Act 1976”.

Amendment of section 20B of Act of 1992

16. Section 20B of the Act of 1992 is amended—

(a) by the deletion, in subsection (1), of the definition of “public place”,

(b) by the substitution, in subsection (3), of the following paragraph for paragraph (d):

“(d) specify that the vehicle will not be used in a public place for a period beginning on the first day of a specified month,”,

(c) in subsection (5)(a)—

(i) by the deletion of “for a specified period”,

(ii) by the substitution of the following subparagraph for subparagraph (ii):

“(ii) on or after the expiration of, in relation to a vehicle, the most recent licence taken out under section 1 of the Act of 1952,”,

(d) by the deletion, in subsection (6), of "during the period specified in the non-use declaration,",

(e) by the substitution, in subsection (7), of "at any time" for "before the expiration of the period specified in the non-use declaration",

(f) by the substitution of the following subsection for subsection (8):

"(8) A non-use declaration under subparagraph (i)(I) of section 20(1)(b) shall commence on the date of entry of the vehicle on the register.",

(g) by the substitution, in subsection (10), of "while the declaration has effect" for "before the expiration of the period specified in the non-use declaration",

(h) by the substitution of the following subsection for subsection (11):

"(11) A non-use declaration under subparagraph (i)(III) of section 20(1)(b) shall commence on the date of transfer of ownership of the vehicle.",

(i) by the insertion of the following subsection after subsection (11):

"(11A) Subject to section 20D(1), a non-use declaration in respect of a vehicle that has been furnished to and accepted by the licensing authority concerned shall have effect until the earlier of the following—

(a) the commencement date of the licence referred to in subsection (7)(b),

(b) the date of the transfer of ownership referred to in subsection (10)(b), or

(c) the date on which the licence would have expired in the case referred to in subsection (12).",

and

(j) by the substitution of the following subsection for subsection (12):

"(12) Where a repayment of excise duty is made following an application pursuant to regulations made under section 1(11A) of the Act of 1952, that application shall be deemed to be a non-use declaration for the purposes of this section and that declaration shall have no effect on the date that the licence would otherwise have expired.".

Amendment of section 20C of Act of 1992

17. Section 20C of the Act of 1992 is amended—

(a) by designating that section as subsection (1), and

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

"(2) Subject to section 20B(6), a person shall not use in a public place a vehicle in relation to which—

(a) a non-use declaration has been furnished to and accepted by the licensing authority concerned, and

(b) the declaration referred to in paragraph (a) remains in effect.

(3) A person who contravenes subsection (2) shall be guilty of an offence and shall be liable on summary conviction to a class B fine or imprisonment for a term not exceeding 6 months or both.”.

Transitional provision relating to non-use declaration

18. The Act of 1992 is amended by the insertion of the following section after section 20C:

“**20D.** (1) Where, before the commencement of *section 16* of the *National Vehicle and Driver File, Road Traffic and Roads Act 2026*, a non-use declaration has been furnished to and accepted by the licensing authority under section 20B, the declaration shall have no effect on the expiration of the period specified in that declaration.

(2) Prior to the expiration of the period specified in the declaration referred to in subsection (1), the registered owner of the vehicle may make a further non-use declaration to a licensing authority in accordance with section 20B (as amended by *section 16* of the *National Vehicle and Driver File, Road Traffic and Roads Act 2026*).

(3) A further non-use declaration shall have no effect and shall not be accepted by the licensing authority, notwithstanding the intention of the owner not to use the vehicle in a public place, where the declaration is furnished to the authority on or after the expiration of the period specified in the declaration referred to in subsection (1).

(4) A non-use declaration referred to in subsection (3) shall be returned by the licensing authority to the owner, together with—

(a) a refund of any fee paid to the authority in respect of the declaration, and

(b) a notice that the owner is liable for duty of excise chargeable, leviable and payable on the vehicle under section 1 of the Act of 1952 and payable on a licence under that section of that Act, and, if applicable, an additional charge under section 20(1AB).”.

Amendment of section 21 of Act of 1992

19. Section 21(5) of the Act of 1992 is amended by the substitution of “Section 13(1) of the Act of 1920, section 1(1) of the Act of 1952 and section 71 of the Finance Act 1976” for “Sections 5(5) and 13(1) of the Act of 1920, section 1(1) of the Act of 1952 and sections 71 and 73 of the Finance Act 1976,”.

PART 5

SPEED LIMITS

Amendment of section 2 of Act of 2004

20. Section 2(1) of the Act of 2004 is amended by the insertion of the following definition:

> " 'national primary road' has the meaning assigned to it by section 7A(1);".

Amendment of section 9 of Act of 2004

21. Section 9 of the Act of 2004 is amended in subsection (2)—

(a) by the substitution of the following paragraph for paragraph (c):

> "(c) 60 kilometres per hour, in respect of any road other than a local road that is outside a built-up area,",

(b) by the substitution, in paragraph (d), of "national primary road" for "national road",

(c) by the substitution, in paragraph (e), of "a motorway, a national road (other than a national primary road)," for "a motorway,", and

(d) by the substitution, in paragraph (f), of "national primary road" for "national road".

Amendment of section 9A of Act of 2004

22. Section 9A of the Act of 2004 is amended—

(a) in subsection (2)—

(i) by the substitution, in paragraph (d)(ii), of "a national primary road" for "a national road",

(ii) in paragraph (e)—

(I) by the deletion, in subparagraph (i), of "or", and

(II) by the insertion of the following subparagraph after subparagraph (i):

> "(ia) a national road (other than a national primary road), or",

and

(iii) by the substitution, in paragraph (f)(i), of "a national primary road" for "a national road",

and

(b) by the substitution, in subsection (5), of "national managed road" for "national road".

PART 6

Miscellaneous amendments

Amendment of section 53 of Act of 1961

23. Section 53 of the Act of 1961 is amended by the substitution of the following subsection for subsection (4):

> "(4) A person charged with an offence under this section may, if the evidence does not warrant a conviction for that offence but warrants a conviction under section 52, be found guilty of an offence under section 52.".

Amendment of section 13 of Roads Act 1993

24. Section 13 of the Roads Act 1993 is amended—

(a) by the substitution of the following subsection for subsection (5):

> "(5) In the performance of their functions under subsections (1) and (2), a road authority shall—
>
> (a) consider the needs of all road users, and
>
> (b) have regard to the objective of improving road safety.",

(b) by the insertion of the following subsections after subsection (8):

> "(8A) A road authority may request and process data, including personal data in so far as is necessary and proportionate, relating to a collision on a public road (in this section referred to as 'collision data') for any of the following purposes:
>
> (a) the identification or assessment of safety risks on a public road;
>
> (b) the maintenance or construction of a public road;
>
> (c) the appropriate allocation of resources relating to programmes of maintenance (including maintenance works) and the construction of public roads.
>
> (8B) A nominated local authority may request and process collision data on behalf of a road authority in whose functional area the collision occurred.
>
> (8C) An Garda Síochána or a public authority may disclose collision data to a road authority or to a nominated local authority where it is required for a purpose referred to in paragraph (a), (b) or (c) of subsection (8A).
>
> (8D) A road authority or a nominated local authority shall implement appropriate technical and organisational measures to ensure that only personal data that are necessary for a purpose referred to in paragraph (a), (b) or (c) of subsection (8A) are processed.",

and

(c) by the insertion of the following subsection after subsection (11):

"(12) In this section, 'nominated local authority' has the meaning assigned to it by section 149A of the Local Government Act 2001.".

Amendment of section 2 of Road Traffic Act 2002

25. Section 2 of the Road Traffic Act 2002 is amended—

(a) by the insertion of the following subsection after subsection (4A) (inserted by section 3(c) of the Road Traffic Act 2024):

"(4B) Subsection (4A) shall not apply in a case where, as a result of the application of subsection (3A), the person concerned stands disqualified pursuant to section 3(1).",

and

(b) by the substitution, in subsection (5), of "subsections (3A), (4A), (4B), (7) and (8)" for "subsections (3A), (4A), (7) and (8)".

Amendment of section 81 of Act of 2010

26. Section 81 of the Act of 2010 is amended by the insertion of the following subsection after subsection (2):

"(2A) In proceedings for an offence referred to in subsection (1), the production of a certificate purporting to be signed, which may be by way of an electronic signature (within the meaning of the Electronic Commerce Act 2000), by or on behalf of a member of An Garda Síochána, or a person authorised under an agreement under subsection (7), stating that a camera was in operation at a specified location on a specified day and at a specified time, shall, unless the contrary is shown, be sufficient evidence of the facts stated in it, without proof of any signature on it or that the signatory was the proper person to sign it.".

An Bille um an gComhad Náisiúnta Feithiclí agus Tiománaithe, agus um Thrácht ar Bhóithre agus um Bóithre, 2026

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Roads Act, 1920, an Achta Airgid, 1936, an Achta Airgeadais (Dleachta Máil) (Feithiclí), 1952, na nAchtanna um Thrácht ar Bhóithre, 1961 go 2024, an Achta Airgeadais (Uimh. 2), 1992, an Achta Airgeadais, 1993 agus Acht na mBóithre, 1993; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

An tAire Iompair a thíolaic,

4 *Meán Fómhair,* 2026

National Vehicle and Driver File, Road Traffic and Roads Bill 2026

BILL

(as initiated)

entitled

An Act to amend the Roads Act 1920, the Finance Act 1936, the Finance (Excise Duties) (Vehicles) Act 1952, the Road Traffic Acts 1961 to 2024, the Finance (No. 2) Act 1992, the Finance Act 1993 and the Roads Act 1993; and to provide for related matters.

Presented by the Minister for Transport,

4*th September,* 2026

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