



An Bille um Thrácht ar Bhóithre (Leasú) (Dlí Jax), 2026
Road Traffic (Amendment) (Jax's Law) Bill 2026

Mar a tionscnaíodh

As initiated



ROAD TRAFFIC (AMENDMENT) (JAX'S LAW) BILL 2026

As initiated

CONTENTS

Section

1. Definitions
2. Amendment of section 52 of Principal Act (careless driving)
3. Amendment of section 53 of Principal Act (dangerous driving)
4. Construction of personhood
5. Road safety information and statistics
6. Stillborn child
7. Short title and commencement



AN BILLE UM THRÁCHT AR BHÓITHRE (LEASÚ) (DLÍ JAX), 2026

Mar a tionscnaíodh

CLÁR AN ÁBHAIR

Alt

1. Mínithe
2. Leasú ar alt 52 den Phríomh-Acht (tiomáint neamhaireach)
3. Leasú ar alt 53 den Phríomh-Acht (tiomáint chontúirteach)
4. Pearsanúlacht a fhorléiriú
5. Faisnéis agus staidreamh maidir le sábháilteacht ar bhóithre
6. Leanbh marbh-bheirthe
7. Gearrtheideal agus tosach feidhme

ACTS REFERRED TO

Civil Registration (Electronic Registration) Act 2024 (No. 27)

Criminal Justice Act 1964 (No. 5)

Road Safety Authority Act 2006 (No. 14)

Road Traffic Act 1961 (No. 24)

Road Traffic Act 2004 (No. 44)

NA hACHTANNA DÁ dTAGRAÍTEAR

An tAcht um Chlárú Sibhialta (Clárú Leictreonach), 2024 (Uimh. 27)

An tAcht um Cheartas Coiriúil, 1964 (Uimh. 5)

An tAcht fán Údarás um Shábháilteacht ar Bhóithre, 2006 (Uimh. 14)

An tAcht um Thrácht ar Bhóithre, 1961 (Uimh. 24)

An tAcht um Thrácht ar Bhóithre, 2004 (Uimh. 44)



ROAD TRAFFIC (AMENDMENT) (JAX’S LAW) BILL 2026

Bill

entitled

An Act to amend the Road Traffic Act 1961 (as amended) to provide for the recognition of the loss of a pregnancy as a result of careless or dangerous driving as grounds for proceedings for such offences on indictment, and to provide for related matters. 5

Be it enacted by the Oireachtas as follows:

Definitions

1. In this Act, unless the context otherwise requires—

“loss of a pregnancy” means a pregnancy that results in a stillborn child; 10

“Principal Act” means the Road Traffic Act 1961 ;

“stillborn child” has the meaning assigned to it by section 2 of the Civil Registration (Electronic Registration) Act 2024; for the purposes of this Act, a stillborn child shall be referred to as a lost pregnancy.

Amendment of section 52 of Principal Act (careless driving) 15

2. The Principal Act is amended by the substitution of the following for section 52:

“Careless driving

52. (1) A person shall not drive a vehicle in a public place without due care and attention.

(2) A person who contravenes subsection (1) commits an offence and— 20

(a) in case the contravention causes, in relation to another person—

(i) death,

(ii) the loss of a pregnancy, or

(iii) serious bodily harm,

he or she is liable on conviction on indictment to imprisonment for a term not exceeding 2 years or to a fine not exceeding €10,000 or to both, and 25



AN BILLE UM THRÁCHT AR BHÓITHRE (LEASÚ) (DLÍ JAX) 2026

Bille

dá ngairtear

Acht chun leasú a dhéanamh ar an Acht um Thrácht ar Bhóithre, 1961 (arna leasú) chun socrú a dhéanamh maidir le cailliúint toirchis de thoradh ar thiomáint neamhaireach nó chontúirteach a aithint mar fhorais le haghaidh imeachtaí i leith cionta den sórt sin ar díotáil, agus do dhéanamh socrú i dtaobh nithe gaolmhara. 5

Achtaítear ag an Oireachtas mar a leanas:

Mínithe

1. San Acht seo, mura n-éilíonn an comhthéacs a mhalairt— 10
ciallaíonn “cailliúint toirchis” toircheas a mbíonn leanbh marbh-bheirthe mar thoradh uirthi;
ciallaíonn “Príomh-Acht” an tAcht um Thrácht ar Bhóithre, 1961;
tá le “leanbh marbh-bheirthe” an bhrí a shanntar dó le halt 2 den Acht um Chlárú Sibhialta (Clárú Leictreonach), 2024; chun críocha an Achta seo, tagrófar do leanbh 15
marbh-bheirthe mar thoircheas caillte.

Leasú ar alt 52 den Phríomh-Acht (tiomáint neamhaireach)

2. Leasaítear an Príomh-Acht tríd an méid seo a leanas a chur isteach in ionad alt 52:

“Tiomáint neamhaireach

52. (1) Ní thiomáinfidh duine feithicil in áit phoiblí gan aire cheart agus cúram ceart. 20
- (2) Aon duine a sháróidh fo-alt (1) den alt seo, déanann sé nó sí cion agus—
 - (a) i gcás, i ndáil le duine eile,
 - (i) go bhfuil an sárú ina chúis le bás, 25
 - (ii) go bhfuil an sárú ina chúis le cailliúint toirchis, nó
 - (iii) go bhfuil an sárú ina chúis le mórdhiobháil choirp,
dlífeair, ar é nó í a chiontú ar díotáil, príosúnacht ar feadh téarma nach faide ná 2 bhliain nó fineáil nach mó ná €10,000, nó iad araon, a chur air nó uirthi, agus 30

- (b) in any other case, he or she is liable on summary conviction to a class A fine.
- (3) In a prosecution for an offence under this section or section 53, it is not a defence to show that the speed at which the accused person was driving was not in excess of a speed limit applying in relation to the vehicle or the road, whichever is the lower, under Part 2 of the Road Traffic Act 2004 . 5
- (4) Where a member of the Garda Síochána is of opinion that a person has committed an offence under this section and that the contravention has caused death or serious bodily harm to another person, he or she may arrest the first-mentioned person without warrant. 10
- (5) For the purposes of subsection (2)(a)(ii), it shall be a defence for a person accused of an offence under this section to prove that the loss of the pregnancy was not a result of careless driving as defined in subsection (1) of this section.”. 15

Amendment of section 53 of Principal Act (dangerous driving)

3. The Principal Act is amended by the substitution of the following for section 53:

“Dangerous driving

- 53.** (1) A person shall not drive a vehicle in a manner (including speed) which having regard to all the circumstances of the case (including the condition of the vehicle, the nature, condition and use of the place in which it is driven and the amount of traffic which then actually is or might reasonably be expected then to be in it) is or is likely to be dangerous to the public. 20
- (2) A person who contravenes subsection (1) commits an offence and— 25
- (a) in case the contravention causes, in relation to another person,
 - (i) death,
 - (ii) the loss of a pregnancy, or
 - (iii) serious bodily harm,
 he or she is liable on conviction on indictment to imprisonment for a term not exceeding 10 years or to a fine not exceeding €20,000 or to both, and 30
 - (b) in any other case, he or she is liable on summary conviction to a class A fine or to imprisonment for a term not exceeding 6 months or to both. 35
- (3) In a prosecution for an offence under this section or section 52, it is not a defence to show that the speed at which the accused person was driving was not in excess of a speed limit applying in relation to the vehicle or the road, whichever is the lower, under Part 2 of the Road Traffic Act 2004. 40

- (b) in aon chás eile, dlífear fineáil d'aicme A a chur air nó uirthi ar é nó í a chiontú go hachomair.
- (3) In ionchúiseamh i leith ciona faoin alt seo nó faoi alt 53, ní cosaint é a shuíomh nár mhó an luas ar a raibh an duine cúisithe ag tiomáint ná luasteorainn a bhfuil feidhm aici i ndáil leis an bhfeithicil nó leis an mbóthar, cibé acu is ísle, faoi Chuid 2 den Acht um Thrácht ar Bhóithre, 2004. 5
- (4) I gcás ina bhfuil comhalta den Gharda Síochána den tuairim go ndearna duine cion faoin alt seo, féadfaidh sé nó sí an duine a ghabháil gan bharántas. 10
- (5) Chun críocha fho-alt (2)(a)(ii), is cosaint é do dhuine a bheidh cúisithe i gcion faoin alt seo a chruthú nárbh é tiomáint neamhaireach, mar a mhínítear i bhfo-alt (1) den alt seo, ba chúis le cailliúint an toirchis.”.

Leasú ar alt 53 den Phríomh-Acht (tiomáint chontúirteach)

- 3. Leasaítear an Príomh-Acht tríd an méid seo a leanas a chur in ionad alt 53: 15

“Tiomáint chontúirteach

- 53. (1) Ní thiomáinfidh duine feithicil ar shlí (lena n-áirítear ar luas) atá, nó ar dóigh di a bheith, contúirteach don phobal ag féachaint d'imthosca uile an cháis (lena n-áirítear staid na feithicle, staid agus úsáid na háite ina dtiomáintear í agus an méid tráchta atá san áit nó a bhféadfaí le réasún a bheith ag súil go mbeadh sé ann, an uair sin). 20
- (2) Aon duine a sháróidh fo-alt (1) den alt seo, déanann sé nó sí cion agus—
 - (a) i gcás, i ndáil le duine eile,
 - (i) go bhfuil an sárú ina chúis le bás, 25
 - (ii) go bhfuil an sárú ina chúis le cailliúint toirchis, nó
 - (iii) go bhfuil an sárú ina chúis le mórdhíobháil choirp,
 - dlífear, ar é nó í a chiontú ar díotáil, príosúnacht ar feadh téarma nach faide ná 10 mbliana nó fineáil nach mó ná €20,000, nó iad araon, a chur air nó uirthi, agus 30
 - (b) in aon chás eile, dlífear fineáil d'aicme A a chur air nó uirthi ar é nó í a chiontú go hachomair.
- (3) In ionchúiseamh i leith ciona faoin alt seo nó faoi alt 52, ní cosaint é a shuíomh nár mhó an luas ar a raibh an duine cúisithe ag tiomáint ná luasteorainn a bhfuil feidhm aici i ndáil leis an bhfeithicil nó leis an mbóthar, cibé acu is ísle, faoi Chuid 2 den Acht um Thrácht ar Bhóithre, 2004. 35

- (4) Where, when a person is tried on indictment or summarily for an offence under this section, the jury, or, in the case of a summary trial, the District Court, is of the opinion that he or she had not committed an offence under this section but had committed an offence under section 52, the jury or court may find him or her guilty of an offence under section 52, and he or she may be sentenced accordingly. 5
- (5) Where a member of the Garda Síochána is of opinion that a person has committed an offence under this section, he or she may arrest the person without warrant.
- (6) For the purposes of subsection (2)(a)(ii), it shall be a defence for a person accused of an offence under this section to prove that the loss of the pregnancy was not a result of dangerous driving as defined in subsection (1).” 10

Construction of personhood

- 4. (1) For the avoidance of doubt, the provisions of this Act shall not be construed to confer personhood on any unborn child. 15
- (2) Nothing in this Act shall be construed to constitute an offence under section 4 of the Criminal Justice Act 1964.

Road safety information and statistics

- 5. Pursuant to section 8 of the Road Safety Authority Act 2006, the Minister shall direct the Authority to collect, compile, prepare, publish or distribute to such persons (including the Minister) such information and statistics relating to pregnancy loss as a result of road traffic collisions. 20

Stillborn child

- 6. This Act acknowledges the hurt, grief and pain caused by a lost pregnancy and, while a lost pregnancy shall be construed in accordance with *section 4* and with the definition of a stillborn child, it is further acknowledged that, for the purposes of this Act, a pregnancy is lost as a result of the external action of a person pursuant to an offence under section 52 or 53 of the Principal Act. 25

Short title and commencement

- 7. (1) This Act may be cited as Road Traffic (Amendment) (Jax’s Law) Act 2026. 30
- (2) The Principal Act and this Act shall be construed together as one Act and may be cited together as the Road Traffic Acts 1961 to 2026.
- (3) This Act shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions. 35

- (4) Más rud é, nuair a thriailtear duine ar díotáil nó go hachomair mar gheall ar chion faoin alt seo, go bhfuil an giúiré, nó i gcás trialach achoimre, an Chúirt Dúiche, den tuairim nach ndearna sé nó sí cion faoin alt seo ach go ndearna sé nó sí cion faoi alt 52, féadfaidh an giúiré nó an chúirt é nó í a fháil ciontach i gcion faoi alt 52, agus féadfar pianbhreith a chur air nó uirthi dá réir sin. 5
- (5) I gcás ina bhfuil comhalta den Gharda Síochána den tuairim go ndearna duine cion faoin alt seo, féadfaidh sé nó sí an duine a ghabháil gan bharántas.
- (6) Chun críocha fho-alt (2)(a)(ii), is cosaint é do dhuine a bheidh cúisithe i gcion faoin alt seo a chruthú nárbh é tiomáint chontúirteach, mar a mhínítear i bhfo-alt (1), ba chúis le cailliúint an toirchis.”. 10

Pearsanúlacht a fhorléiriú

4. (1) Chun amhras a sheachaint, ní fhorléireofar forálacha an Achta seo mar fhorálacha lena dtugtar pearsanúlacht d’aon leanbh gan breith. 15
- (2) Ní fhorléireofar aon ní san Acht seo mar chion faoi alt 4 den Acht um Cheartas Coiriúil, 1964.

Faisnéis agus staidreamh maidir le sábháilteacht ar bhóithre

5. De bhun alt 8 den Acht fán Údarás um Shábháilteacht ar Bhóithre, 2006, ordóidh an tAire don Údarás cibé faisnéis agus staidreamh a bhaineann le cailliúint toirchis mar thoradh ar imbhuailtí tráchta ar bhóithre a bhailiú, a thiomsú, a ullmhú, a fhoilsiú nó a dháileadh ar na daoine sin (lena n-áirítear an tAire). 20

Leanbh marbh-bheirthe

6. Admhaítear san Acht seo an gortú, an brón agus an phian a eascraíonn as toircheas caillte agus, cé go ndéanfar toircheas caillte a fhorléiriú de réir alt 4 agus de réir an mhínithe ar leanbh marbh-bheirthe, admhaítear freisin, chun críocha an Achta seo, gur caillteanas toirchis é mar thoradh ar ghníomh seachtrach duine de bhun ciona faoi alt 52 nó 53 den Phríomh-Acht. 25

Gearrtheideal agus tosach feidhme

7. (1) Féadfar an tAcht um Thrácht ar Bhóithre (Leasú) (Dlí Jax), 2026 a ghairm den Acht seo. 30
- (2) Déanfar an Príomh-Acht agus an tAcht seo a fhorléiriú le chéile mar aon Acht amháin agus féadfar na hAchtanna um Thrácht ar Bhóithre, 1961 go 2026 a ghairm díobh le chéile.
- (3) Tiocfaidh an tAcht seo i ngníomh cibé lá nó laethanta a cheapfaidh an tAire le hordú nó le horduithe i gcoitinne nó faoi threoir críoch nó foráil áirithe agus féadfar laethanta éagsúla a cheapadh amhlaidh chun críoch éagsúil nó le haghaidh forálacha éagsúla. 35

Road Traffic (Amendment) (Jax's Law) Bill
2026

BILL

(as initiated)

entitled

An Act to amend the Road Traffic Act 1961 (as amended) to provide for the recognition of the loss of a pregnancy as a result of careless or dangerous driving as grounds for proceedings for such offences on indictment, and to provide for related matters.

Introduced by Deputies Barry Ward, Emer Currie, Brian Brennan, Catherine Callaghan, Colm Burke, David Maxwell, Edward Timmins, Grace Boland, James Geoghegan, Joe Cooney, Joe Neville, John Clendennen, John Paul O'Shea, Keira Keogh, Maeve O'Connell, Michael Murphy, Micheál Carrigy, Naoise Ó Muiri, Noel McCarthy, Paula Butterly, Peter Roche, Seán Kyne, William Aird, George Lawlor, Aindrias Moynihan, Aisling Dempsey, Albert Dolan, Brendan Smith, Cathal Crowe, Cormac Devlin, Eamon Scanlon, Erin McGreehan, James O'Connor, John Connolly, John Lahart, John McGuinness, Malcolm Byrne, Martin Daly, Michael Cahill, Naoise Ó Cearúil, Pádraig O'Sullivan, Pat "the Cope" Gallagher, Paul McAuliffe, Peter "Chap" Cleere, Ryan O'Meara, Séamus McGrath, Seán Fleming, Seán Ó Fearghail, Shane Moynihan, Shay Brennan, Tom Brabazon, Tony McCormack, Willie O'Dea, Aidan Farrelly, Cian O'Callaghan, Daniel Ennis, Eoin Hayes, Gary Gannon, Holly Cairns, Jen Cummins, Jennifer Whitmore, Liam Quaide, Pádraig Rice, Rory Hearne, Sinéad Gibney, Barry Heneghan, Brian Stanley, Gillian Toole, Michael Lowry, Paul Gogarty, Paul Lawless, Peadar Tóibín, Charles Ward and Johnny Mythen,

16th September, 2026

An Bille um Thrácht ar Bhóithre (Leasú)
(Dlí Jax), 2026

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht chun leasú a dhéanamh ar an Acht um Thrácht ar Bhóithre, 1961 (arna leasú) chun socrú a dhéanamh maidir le cailliúint toirchis de thoradh ar thiomáint neamhaireach nó chontúirteach a aithint mar fhorais le haghaidh imeachtaí i leith cionta den sórt sin ar díotáil, agus do dhéanamh socrú i dtaobh nithe gaolmhara.

Na Teachtaí Barra Mac an Bháird, Emer Ni Chomhraí, Brian Ó Braonáin, Cáit Ní Cheallacháin, Colm de Búrca, Daithí Ó Meiscill, Eamon Ó Toimin, Grainne Ní Bheoláin, Séamus Mac Eochagáin, Seosamh Ó Cunaí, Seosamh Ó Niadh, John Clendennen, Seán Pól Ó Sé, Ciara Nic Eochaidh, Maeabh Ní Chonaill, Micheál Ó Murchú, Micheál Mac Conncarraigí, Naoise Ó Muiri, Nollaig Mac Cárthaigh, Paula Butterly, Peadar de Róiste, Seán Kyne, Liam Aird, Seoirse Ó Leathlobhair, Aindrias Ó Muimhneacháin, Aisling Ní Dhiomasaigh, Albert Ó Dóláin, Breandán Mac Gabhann, Cathal Mac Concradh, Cormac Ó Doibhilín, Éamonn Ó Scannláin, Éirinn Ní Ghreagain, Séamus Ó Conchobhair, Séan Ó Conghaile, Séan Lahart, Séan Mac Aonghusa, Maolchólm Ó Broin, Máirtín Ó Dálaigh, Micheál Ó Cathail, Naoise Ó Cearúil, Pádraig Ó Súilleabháin, Pat "the Cope" Ó Gallachóir, Pól Mac Amhlaoibh, Peadar "Chap" de Cléir, Rian Ó Meára, Séamus Mac Craith, Séan Ó Pléamonn, Seán Ó Fearghail, Séin Ó Muineacháin, Séamus Ó Braonáin, Tomás Brabazon, Antaine Mac Cormaic, Liam Ó Deághaidh, Aodán Ó Fearghaile, Cian Ó Ceallacháin, Daniel Ennis, Eoin Ó hAodha, Gearóid Ó Fionnáin, Holly Ní Chiaráin, Sinéad Ní Chiaráin, Sinéad Whitmore, Liam Mac Uaid, Pádraig de Rís, Ruairí Ó hEachthiarna, Sinéad Ní Ghibne, Barra Ó hÉineacháin, Brian de Stainléigh, Gillian Ní Thuathail, Micheál Ó Labhraí, Pól Ó Gogartaigh, Pól Laighléis, Peadar Tóibín, Cathal Mac an Bháird agus Seán Mythen a thug isteach,

16 Meán Fómhair, 2026

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN, CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8, D08 XAO6.
Teil: 046 942 3100
r-phost: publications@opw.ie
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD, KILMAINHAM,
DUBLIN, D08 XAO6.
Tel: 046 942 3100
Email: publications@opw.ie
or through any bookseller.

€2.54



9 781399 343114