

DÁIL ÉIREANN

AN ROGHCHOISTE UM IOMPAR, TURASÓIREACHT AGUS SPÓRT

SELECT COMMITTEE ON TRANSPORT, TOURISM AND SPORT

Dé Céadaoin, 21 Márta 2018

Wednesday, 21 March 2018

Tháinig an Roghchoiste le chéile ag 9.30 a.m.

The Select Committee met at 9.30 a.m.

Comhaltaí a bhí i láthair / Members present:

Teachtaí Dála / Deputies	
Mick Barry,	
Imelda Munster,	
Catherine Murphy,	
Kevin O’Keeffe,	
Shane Ross (Minister for Transport, Tourism and Sport),	
Robert Troy.	

I láthair / In attendance: Deputies Danny Healy-Rae, Catherine Martin, Mattie McGrath and Éamon Ó Cuív.

Teachta / Deputy Fergus O’Dowd sa Chathaoir / in the Chair.

Road Traffic (Amendment) Bill 2017: Committee Stage (Resumed)

Chairman: The Dáil referred the Road Traffic (Amendment) Bill 2017 to the select committee on 18 January 2018. The committee commenced its consideration on Committee Stage at the meeting on 28 February last. Today, we will continue our consideration of the Bill and then report back to the Dáil.

I remind members and people in the Gallery to switch off their mobile telephones completely for the duration of the meeting as they cause interference with the recording equipment in committee rooms even when on silent mode. I also remind members of the long-standing parliamentary practice to the effect that they should not comment on, criticise or make charges against a person outside the House or an official either by name or in such a way as to make him or her identifiable.

I welcome the Minister for Transport, Tourism and Sport, Deputy Ross, and his officials. Since our earlier meeting and in accordance with procedure, the Bills Office has accepted a further four amendments in the names of Deputies Troy, Michael Collins, Mattie McGrath and Danny Healy Rae. It is proposed to group amendments Nos. 1 to 1d, inclusive, for the purposes of today's debate. Is that agreed? Agreed.

Amendments Nos. 2 to 8, inclusive, have been ruled out of order and members have been advised accordingly.

SECTION 1

Debate resumed on amendment No. 1:

In page 3, to delete line 10 and substitute the following:

“1. (1) The Road Traffic Act 2010 is amended in section 4 by the substitution of the following for subsection 5:

“(5) A person who contravenes this section commits an offence and is liable on indictable conviction to a fine not exceeding €10,000 or to imprisonment for a term not exceeding 12 months or to both.”.

(2) The Road Traffic Act 2010 is amended in section 29—”.

- (Deputy Robert Troy)

Chairman: Prior to the conclusion of our previous meeting, Deputy Troy had moved amendment No. 1 and the Minister had the floor to reply. Does Deputy Troy wish to make any further comments on the amendment?

Deputy Robert Troy: No. I outlined the position in detail at the previous meeting and I am interested to hear the Minister's reply.

Minister for Transport, Tourism and Sport (Deputy Shane Ross): I will not accept the amendment and I will outline my reasons for Deputy Troy. We have a problem here sometimes with drafting. I understand Deputy Troy's intent but the effect of what he has set down is not the same as what he intended. We often hear complaints that drink-driving cases take too long to go

to court. According to the wording of the amendment, Deputy Troy wishes to move these cases from trial in front of a judge in a District Court to trial by jury in a higher court. This would further delay the process. That is what it would mean if we were to change the reference in the legislation from summary offences to, as suggested in the amendment, trial on indictment. I am sure what is proposed is unintentional but it would further delay what is already a very lengthy process. If there were a trial on indictment in every case, it would involve a jury having to be called and the case going to the Circuit Court. There might be up to 1,800 people and a very long process. I do not believe the Deputy meant for every case to go to trial on indictment but that is the effect of the amendment.

If the amendment were accepted, people in the lowest range of alcohol while driving - 50 mg for standard drivers and 20 mg for specified drivers such as learners or novices - would have to go to trial by jury, with a possible penalty of up to €10,000 and-or two years in prison. I am slightly at a loss. I have been subject to much criticism about this Bill being disproportionate. This amendment is disproportionate as well. It would be an extraordinary move to bring every case of prosecution for alcohol while driving straight to the Circuit Court and before a jury. I do not believe it could possibly be the intention to go straight to the Circuit Court.

The proposed amendment will unbalance the legislation on intoxicated driving. Deputy Troy is proposing to make this change to section 4 of the Road Traffic Act 2010, which deals with intoxicated driving. The Deputy might not have noticed that section 5 of that Act, which deals with intoxicants and being in charge of a mechanically propelled vehicle, parallels section 4 in structure and in offences. By proposing to amend one and not the other, he is doubling one set of penalties and leaving the other untouched. This seems to be a disproportionate response. The Deputy probably meant, and would like, to make these equalised in one way or the other but he has not done so.

There is a general difficulty here. I see it in several of the amendments that have been ruled out of order. Members of the Opposition have difficulties in drafting amendments. The fact is that they have certain intentions - whether they be the best or worst of intentions and with which we may or may not agree - but the meaning of the amendments when they are drafted and tabled is not exactly what they intended. That raises the question of whether parties in the opposition have enough expertise at hand to draft complicated amendments to traffic legislation which is, by definition, extraordinarily complicated and difficult. I am not being obstructive here but this happened with the last Bill we dealt with and the Clancy amendment. We had a very well meaning amendment, the sentiments of which I agreed with and accepted, but when it came to it being implemented, it was drafted in a way which made that difficult. I will remedy that on Report Stage of this Bill. However, I will raise this question at Government level. Members of the Opposition do not necessarily have the facilities to draft legislation in the way it should be drafted and whereby it means what they intend.

Deputy Robert Troy: The Minister is right. I have highlighted my intention on every occasion we have discussed this legislation. The Minister is correct that the Opposition is somewhat hamstrung due to the lack of resources. The Minister originally mooted this Bill over 14 months ago and, even with the support of a full Department and its officials, it has still taken him this long to bring it to Committee Stage. He can appreciate the frustration on this side of the House in terms of the lack of resources available to us. We put forward amendments to try to improve legislation, which is why there are Committee and Report Stages. If the Minister believes in the intention of an amendment, he has the wherewithal in the Department, while not accepting the amendment on Committee Stage, to work with me or any other Deputy who the

Minister believes is making a worthwhile suggestion to try to address the anomalies that may have arisen and accept it on Report Stage.

This amendment relates to the fact that I believe the Minister is tackling the wrong element of this Bill. We are going on the figures for fatal collisions that were produced in the period 2008 to 2012 by the Road Safety Authority, RSA. We have no updated figures despite the fact that I have requested updated figures on numerous occasions from the Department of Justice and Equality and the fact that we know there have been 1 million fake breath tests. The figures we are working on, from the report for the period 2008 to 2012, indicate that 38 of the fatal collisions involved alcohol as a factor, correlating to 39% of the fatalities. Half of that 39% of fatalities involved blood alcohol levels in excess of 200 mg, four times the legal limit. The Minister has done nothing about that. He has decided to pick the low-hanging fruit in terms of putting people who might be marginally over the limit off the road. We are not changing the limits here. We are changing the penalty. In the context of my proposed amendment, I am of the view that we should introduce much stricter penalties for people who are two, three and four times above the legal limit. In the period to which I refer, people who were four times the legal limit contributed to half of the fatalities and the Minister has chosen to ignore that.

Deputy Catherine Murphy: I noted the Minister's comments on drafting. The parliamentary legal office is being beefed up, which is part of Dáil reform, but that obviously has not become fully effective yet. We all acknowledge that there must be robustness in amendments and legislation from the Opposition. There was a great deal in the Minister's response relating to the quality of drafting and how complex legislation is in this area, and I acknowledge that it is. However, I did not hear what he had to say about addressing the substance of the proposed amendment. What does he have to say on that?

The Minister also referred to the Clancy amendment which will be introduced on Report Stage and which we were to see as soon as possible. There will have to be a short debate in the House in advance of Report Stage to introduce it. What is the position in terms of seeing that amendment? I thought we would see it within days. Perhaps I have missed it but I have not seen it.

Chairman: That is a fair point. The Minister said at the last meeting that he would have that amendment for members of the committee. Can he give us an update on it? In the interest of transparent and open debate, it is important that members see his amendment before it can be fully debated. It probably cannot happen on Committee Stage now unless we adjourn it until he can show it to us.

Deputy Shane Ross: I will answer that question first. It is still in the Attorney General's office. I can never give an actual date for the Attorney General's office but we made an inquiry about it in the last day or two and I gather it is at a very late stage there. I do not believe there is any major problem. The moment I get it, I will circulate it to the committee members. We are putting that office under pressure.

Chairman: Deputy Murphy's point is that if we do not have it on Committee Stage, it will have to be introduced on Report Stage when there is a much shorter period for debate in terms of the rights of Members.

Deputy Catherine Murphy: The prospect of amendments being made then really does not occur. Where we have a debate in advance of it, that is really a return to a Second Stage debate, so it is a fait accompli where we either accept or reject the wording as opposed to having the

ability to amend it. It is a very flawed process. It is not the first time we have seen this process used, and sometimes it is useful to get something included in a Bill that otherwise would have to wait for the next legislative measure. However, it is very unsatisfactory at the same time. It would be helpful if we had time to process the amendment in advance of Report Stage, at least.

Deputy Shane Ross: Deputy Murphy is quite correct. I am somewhat caught in a bind here. I am keen to get this amendment into the legislation but I do not wish to delay Committee Stage again. Deputy Troy is correct that this Bill has taken an incredibly long time and if we were to delay the legislation further in anticipation of that, it could take ages. We want to get this legislation through and there have been efforts to filibuster it, as members might be aware. I am trying to keep the momentum going on the legislation as it is. It is open to members to table amendments for Report Stage, which would be welcome. All I can promise is that I will circulate the amendment as soon as I get it. That will give members time to debate it and they can table their own amendments on Report Stage because they have given notice of their interest in this subject as well. I do not have any other options short of delaying this procedure now, which I am reluctant to do. We must try to get this legislation through because we believe it is going to save lives. That is the motivation behind it. The delay is only due to what I believe is serious legal scrutiny, and the last thing I want after this legislation is passed, hopefully, is to have this clause being challenged or getting into the same state as happened with the Opposition's amendment, which was that it was impossible to implement and legally unsound.

The options for me are to go ahead or delay this Bill now in favour of having one legislative measure. I am happy to go through it in the Dáil with absolute and total scrutiny and I am happy, as I have been in road traffic cases, to accept amendments from the Opposition. I have no difficulty with input from the Opposition here. That is why, while I do not agree with the substance of what Deputy Troy is saying, I expressed frustration at what was happening with his amendment because it is so badly drafted that it cannot possibly be accepted.

Chairman: To clarify the issue, the Minister wants to proceed with Committee Stage, this amendment will be published before Report Stage commences and members will have an opportunity to table amendments on Report Stage.

Deputy Shane Ross: As far as I am concerned, the moment that amendment is cleared, I will circulate it to members of the committee. They will then be able to table Report Stage amendments.

Chairman: Does that meet with the Deputy's approval?

Deputy Catherine Murphy: We have to accept the Minister's bona fides on this. The difficulty is that we have not seen the wording.

Chairman: Yes, but we will see it before Report Stage and members will have the opportunity to table amendments. Notwithstanding that it is not available now, does that meet the Deputy's requirements?

Deputy Catherine Murphy: A debate will be scheduled, as is usually the case.

Chairman: Yes, it will have to be in the Dáil.

Deputy Catherine Murphy: It is a Second Stage type of debate in advance of that.

Deputy Shane Ross: Yes, and that is why I am giving notice that I will introduce it. I am

flagging it for members so they know it will be introduced. I could say nothing and just introduce it suddenly, but I will not do that.

Deputy Éamon Ó Cuív: I foresee a difficulty with that. In my experience in the House, and the Minister has been a Member of the Oireachtas for longer than me, if the Opposition proposes an amendment the Minister is often advised that whereas the substance of the amendment is fine, its wording is flawed so the Minister must bring it back to the Parliamentary Counsel. Therefore, introducing an amendment from the Opposition for the first time on Report Stage is a recipe for ensuring that there can be no amendment. The Minister knows that as well as I do because he has been here for longer than me.

Deputy Shane Ross: That is outrageous. I have no intention of doing that.

Deputy Éamon Ó Cuív: I am sorry-----

Chairman: Deputy Ó Cuív is very welcome to make his contribution but he has asked a question and the Minister is replying to him.

Deputy Shane Ross: I know that as well as the Deputy does. I have said that every amendment on road traffic and road traffic safety will be considered on its merits. I am going to accept anything that I believe will genuinely save lives or add to the benefit of this Bill. I give the Deputy that guarantee and he will have to accept it. This is not some type of device to ensure nothing is accepted. This is as open as one can get. If there are amendments that are well drafted and as bullet proof as possible in terms of challenge and which appear to have a credible case for saving lives, I will accept them.

Deputy Éamon Ó Cuív: With no disrespect, the Minister is missing my point. In my experience here, and the Minister has longer experience than me, often a good idea comes from the Opposition but, as the Minister has correctly pointed out, there might be a flaw in the wording. Often what happened was that on Committee Stage Ministers said they accepted that Deputies had very good ideas but that they were not sure about the wording, that they would like to consider the issue in question very carefully and come back on Report Stage. As Minister, I once made the mistake of introducing something new on Report Stage. I should have done it on Committee Stage because it would have allowed for better use of parliamentary procedure. That is why we have Committee and Report Stages. That is all I am saying.

Deputy Catherine Murphy: I do not think it is necessarily a criticism of the Minister but of the process. One can see how difficult it is to get something from the Attorney General's office. If something is introduced on Report Stage, there is not the head space or time to scrutinise Opposition amendments. That is a fair comment to make. It is not a slight on the Minister. We understand he is trying to introduce something positive but, for something that is so important, there is a deficiency in the approach being taken. My husband keeps telling me that I own the outside when I talk about my half of the house. I would nearly put my half of the house on none of the amendments being accepted.

Chairman: The matter has been well debated. The Minister is clear on what he intends to do and members are clear on what is happening.

Deputy Shane Ross: I will add one thing which may reassure Deputies Éamon Ó Cuív and Catherine Murphy. If I were to accept an amendment which was flawed or had been ruled out of order, I would be happy to consider it in the Seanad. I would be happy to consider introducing measures in the Seanad if issues were caught by the system.

Deputy Éamon Ó Cuív: If the Minister were to do so, the Bill would have to be brought back here.

Deputy Shane Ross: It would.

Deputy Éamon Ó Cuív: That would only waste more of the Minister's time.

Deputy Shane Ross: It would also be a pity but, of course, the Bill would have to be brought back here.

Deputy Éamon Ó Cuív: Exactly; therefore, the Minister might as well save himself time - *festina lente*. He received a good classical education.

Chairman: What the Minister has said is very clear. I am in the hands of members. The Minister has said that, if need be, measures will be subject to a full debate in the Seanad. Is that not what he is saying?

Deputy Shane Ross: The Bill will have to go to the Seanad.

Chairman: That is fair enough and reasonable.

Deputy Kevin O'Keeffe: I may have been late in coming here but I have watched all of the proceedings in the last 20 minutes. First, I take serious issue with the Minister's comment that there was filibustering on this issue in the Dáil. It is a false accusation. The Minister is like a dog with a bone. Before Christmas 2015, there was a spike in the number of road fatalities and without due investigation and a proper examination, he jumped straightaway to increase fines for those found to be above the lower drink limits. The committee engaged in the pre-legislative scrutiny of the Bill nearly 12 months ago. I remind it that the former Chairman, now a Minister of State at the Minister's Department, produced a report which was inconclusive on whether this amendment to the Road Traffic Act was necessary. Also in support of my argument, in the Minister's deliberations 12 months ago he stated the reason he was introducing the increased penalties was the system was being abused. At the same time, however, when I tabled parliamentary questions to the Minister for Justice and Equality on the issue of repeat offenders, no figures were available in respect of this section which we are being asked to amend to increase the penalties.

Deputy Robert Troy is correct when he says the Minister is trying to pick the fruit from the lower branches of the tree and that he is not assessing the entire issue. What has the Minister been doing about the flaws in existing road traffic legislation dating back to the 1960s? We saw a programme - it might have been a "Prime Time" programme - which showed that people caught driving while excessively over the limit had been able to walk out of the court because of flaws in the Road Traffic Act. What are we doing about this? Why are we not bundling that legislation? Nothing is being done about it. I refer to some of my colleagues who asked questions about this issue in the Dáil. At the end of the day, we have to acknowledge that in 2015 there was an upturn in the economy but there was a smaller Garda presence. I bet that tomorrow morning, because of the extra Garda presence, the existing legislation would be shown to be working perfectly. I refer to a well-known traffic expert referring to other legislation. He asked why we needed more legislation when we could just enforce existing legislation. That is the kernel of the point being made.

The Minister has become like a dog with a bone on this issue. We must not forget the impact this legislation will have on rural Ireland. The Minister can come here with gimmicks such as

tax incentives, rural transport initiatives and measures to increase the provision of taxis - he has also talked about insurance - but no one from any organisation is coming forward to say the Bill will work and that it is a solution. The Minister is going down the wrong track. There is no need for this legislation. We have already discussed the issue and are wasting more time here. The Minister has to be fair, take his beating on this one and focus on other major issues in the transport network which need to be resolved. Where was his reaction when there were two fatalities before Christmas at dangerous junctions on national primary roads? There was no sign of him. Even with regard to the number of cyclist fatalities----

Chairman: I am reluctant to interrupt the Deputy, particularly as he is the Vice Chairman, but the problem we have is that we have to deal with the actual amendments before us. That is the technical problem.

Deputy Kevin O'Keeffe: I know that. I support my colleague, Deputy Robert Troy's amendment.

Chairman: I am trying to keep the discussion to the amendments, if I can.

Deputy Kevin O'Keeffe: I know but I asked to speak before the last meeting was adjourned.

Chairman: Of course, I accept that.

Deputy Kevin O'Keeffe: It was held on a day when the Minister should not even have been here as it was a day of national crisis because of the weather. The national transport network was to be shut down but the Minister was here talking to us about this legislation when he should have been with the Minister for Housing, Planning and Local Government, Deputy Eoghan Murphy, and the Taoiseach in the co-ordination centre discussing how we could get the transport network on the move.

Deputy Robert Troy: We would have been better off without the Minister being there.

Chairman: It is better to have him here than not, notwithstanding the crisis at the time. Does he want to respond to that point?

Deputy Shane Ross: It is the first time I have ever been criticised by a committee member for attending a committee meeting. Deputy Kevin O'Keeffe is pretty good at firsts. I do not really wish to respond as we have been over this ground before. I do not question the sincerity of Deputy Kevin O'Keeffe, but he is completely and utterly wrong. I am not sure there is an awful lot I can add to what he has had to say. I will just say I do not think any Minister has introduced more legislation or been more determined on the issue of road safety and saving lives than I have, but that is not to say there is not a lot to be done. The Deputy is absolutely right, there is a huge amount to be done. We completed the drugs Bill and hope to complete this one. We will introduce measures to tackle speeding. I have announced that I am to introduce and sign a statutory instrument on the passing distance in respect of cyclists. We have put an enormous amount of energy into trying to save lives. I accept the criticism that we have not done enough because one never can do enough to save lives. It has been difficult but we have got momentum going on this and we are determined to continue with it, whatever the opposition. The Deputy is also right that there are other areas we could address but we cannot do everything all at once. This Bill has had a very long passage because of opposition, which was genuinely felt. The next Bill will probably also have a long passage because road traffic legislation is difficult but we are going to introduce it and we are going to implement it.

Chairman: Every member has a right to debate amendment No. 1 but I would like to move the debate onto the second amendment.

Deputy Robert Troy: I thought they were being taken together.

Chairman: Yes, and I will ask the Deputy to move amendment No. 1a.

Deputy Robert Troy: It is not my intention to drag out the debate but it is the Minister who has failed to bring this legislation through the Oireachtas in a timely manner. It is he who has failed to secure Government time to debate this measure in the Dáil, not the Opposition. If he had secured time in the Dáil, as he said he would, before the last summer recess it would have been dealt with. I will move amendment No. 1a.

The Minister is cynically presenting this Bill as a fix-all for drink driving and condemning the quality of the amendments that have been put by the Opposition. At the same time, he claims he is advancing this Bill to save lives. I accept there might be quality issues but we are working on independently audited figures from the Road Safety Authority from 2008-2012. Is the Minister and the Department still working from those figures or has the Road Safety Authority submitted new, updated figures?

Can the Minister confirm the current strength of the traffic corps? Does he accept my amendment, on a maximum penalty of two years in prison and a fine of €10,000? One half of fatality cases in the report on the 2008-2012 period involved alcohol in excess of 200 mg, four times over the legal limit, but the Minister is saying that, because of a quality issue with an amendment, he cannot accept it. Can he accept the principle of the proposal? If so, can he work with us and his officials to see if we can improve on the amendment for Report Stage, to ensure we can enable a judge to send out a very clear message to someone who has four times the legal limit of alcohol in their system?

Deputy Shane Ross: I do not accept this amendment under any circumstances. The amendment is badly drafted and does not mean what the Deputy expected it to mean.

Deputy Robert Troy: I accept that.

Deputy Shane Ross: The Deputy accepts that he has produced badly drafted amendments but it is a pity. A good case could be made for me to accept that there should be fiercer penalties for those who have offended in a more excessive way but I will not accept people being liable on an indictable conviction to a fine not exceeding €10,000. The effect of this amendment is to make every single case go straight to the Circuit Court in front of a jury. Is that what the Deputy wants?

Deputy Robert Troy: The Minister should not keep talking about the quality of the amendments. He is being pedantic. He has chosen to focus on one element of a report on the period between 2008 and 2012 and ignored what contributed to the vast majority of fatalities, instead bringing in an amendment to disqualify people with between 50 mg and 80 mg of alcohol in their system. He is saying he does not want to work with Opposition Members to bring about stiffer penalties for repeat offenders. If he was serious about reducing deaths on our roads he would start with the area that contributed to the most fatalities, not the one that contributed to the least number.

Deputy Shane Ross: We go down this road all the time and it is extraordinary to hear those words from somebody who conspicuously avoids disqualifying drivers who are impaired to the

extent of between 50 mg and 80 mg of alcohol in their system. It is an extraordinary piece of hypocrisy and if the Deputy was genuinely worried, as he says he is, he would favour disqualification. Instead, his amendments avoid the issue of disqualification and would continue to allow people to drive with between 50 mg and 80 mg of alcohol in their system. Why does he not just accept the proposal? Deputy Troy has equivocated on this and moved from one position to another. Now he is pretending that he wants to put people-----

Deputy Robert Troy: I am not equivocating.

Chairman: I ask the Minister to allow Deputy Troy to reply.

Deputy Shane Ross: Join us and disqualify people. Come over to our side and disqualify people with between 50 mg and 80 mg in their system because we know they are impaired and cause loss of life. Do not tell people to worry about something else. Join us. I will always discuss any measure that will save lives.

Deputy Robert Troy: That is nonsense.

Deputy Shane Ross: Join us in disqualifying people who have been found to be between the 50 mg and 80 mg because we know that this level of alcohol costs lives.

Deputy Kevin O’Keeffe: Go back and check the statistics from the past 12 months of road accidents.

Deputy Robert Troy: I have asked but there is-----

Deputy Kevin O’Keeffe: No. The Minister is out of hand.

Chairman: Deputy O’Keeffe please, another Member wished to speak also and I want to get the order of speakers right. Deputy Troy indicated that he wanted to come back in.

Deputy Kevin O’Keeffe: No-----

Chairman: I want to get everyone in.

Deputy Robert Troy: I asked the Minister a number of questions, one of which is if he was still operating from the Road Safety Authority, RSA report of 2008 to 2012 and if there was a new audited report from the RSA that has not been made available to the committee members. This is a straightforward “yes” or “no” request. I also asked what the strength of the Garda traffic corps is currently.

Deputy Shane Ross: We have regularly quoted a lot of figures beyond 2008 to 2012. They relied on-----

Deputy Robert Troy: No, sorry that is not the question-----

Deputy Shane Ross: Can I quote some to the Deputy now?

Deputy Robert Troy: I want the Minister to answer my question.

Deputy Shane Ross: Chairman, I am interrupted every time I open my mouth.

Chairman: Please Deputy Troy-----

Deputy Robert Troy: I want the Minister to answer my question.

Chairman: -----I want to try to keep this discussion fair to everybody. In fairness to the Minister, I believe the Minister is replying to Deputy Troy. When he replies Deputy Troy will have the opportunity to come back in again. No one is being cut out of the debate at all. Deputy Catherine Murphy will also come in.

Deputy Shane Ross: I have quoted so many figures all of which indicate to me only one thing, which is that the levels of intake of alcohol on the whole impairs driving and costs lives. It costs more lives at higher levels than it costs at lower levels. It still costs lives at lower levels and people should be disqualified at the lower levels. This is the fundamental disagreement we have. I want to disqualify these drivers with the lower levels of alcohol and the Deputies do not. That is the members' view and the fundamental disagreement about the Bill. Presumably this is why the Deputies are refusing to support the Bill and this is their right as democratically elected representatives.

Reference was made to statistics. We do sometimes quote 2008 to 2012 figures. They are very powerful statistics, especially the 38% figure we quoted a legendary number of times, but that figure is probably worse now than it was. We have quoted an enormous number of detailed figures in the Dáil and I will give some of them to the committee if it wants me to. During 2013 to 2018 a total of 381 road users died in road traffic accidents in the State. The 2013 to 2014 coroners' data captures 269 of these fatalities with 82 of these fatalities, or 30.5%, having alcohol present as a factor in the accident. Eight of the fatalities were in the 21 mg to 50 mg range. Six of the fatalities were in the 51 mg to 80 mg range. Four of the fatalities were in the 81 mg to 100 mg range. I put it to Deputy Troy that I do not like quoting these figures in that particularly inhuman way. I do not regard human beings as figures. We keep coming out with figures but every time we quote a figure in this regard we are speaking of a dead person. To save one life is enough, if we are sure of it, for legislation. We want to save that life. That is what we are about here.

The Deputies want to continually quote figures and they say we should be doing this, that or the other. I believe the Deputies should stop talking about figures and start talking about human beings. If we can show that one or two people will be saved by this legislation then it is good and it is enough. In time we will address every other issue also. Of the 82 fatalities where alcohol was a factor, 44% of the cases also had one or more drugs present; in 63% of these cases it was the driver, in 17% of the cases it was pedestrians and in 11% it was the passengers. The 38% figure from the pre-crash 2008 to 2012 study refers to fatal collisions; the 30% cited above refers to fatalities. I do not need any more convincing than that to know that this is a major and difficult problem, and that drink impairs driving and causes death.

I can quote statistics until the cows come home. I do not believe the Chairman wants me to.

Chairman: The Minister is giving an important answer. Does Deputy Troy want to come back in on that answer? Then Deputies Murphy and O'Keeffe may come in.

Deputy Robert Troy: The simple point is that I believe it is disproportionate. The Minister is right but he is wrong in some of his assertions. We helped and ensured the passage of the Bill on Second Stage to allow it to move on to Committee Stage. I am concerned and worried based on the length of time it has taken the Minister to bring in this one piece of legislation. In his contribution a few moments ago the Minister seemed to believe he was the most reforming Minister on road safety, but this is the only Bill that he has initiated that he will bring to the end. The Road Traffic Bill dealing with drug driving was left by the Minister's predecessor and the current Minister has brought it through the Dáil, to be enacted, after eight months. It has taken

the Minister 14 months to bring this legislation to this stage. I am concerned that if the Minister is to address road traffic fatalities on a piecemeal basis and it takes 14 months at every stage, then it would have made more sense to address the causes of fatalities at the higher end than at the lower end. This is a simple point.

It is not contradictory for me to believe that the Minister's proposal is disproportionate. A much more proportionate sanction would be five penalty points and a €500 fine. Figures were given to the committee and to the Dáil by the Minister during deliberations in the committee last year. The Minister has never answered a question to me directly about the 2016 last full set of figures the Minister made available to members during Committee Stage. Of the 8,100 motoring offences for drink driving, 93% of the people convicted were found to be in excess of 80 mg. This means that 93% of people who were convicted were subject to automatic disqualification and 7% were in the lower category of the penalty points system and a fixed fine. If automatic disqualification was the deterrent the Minister says it is, then one would expect it to have been a reverse of those figures. With regard to the regulatory impact analysis of the road traffic (fixed penalty - drink driving) Bill 2017, presented to committee members on 30 January 2017, one of the things considered by the Department of Transport, Tourism and Sport was an increase in the fixed penalty amount. The regulatory impact analysis states:

An increase in the fixed penalty amount was also considered, but given that this would impact on the timelines for implementing this change (significant IT administration changes in both An Post and An Garda Síochána) coupled with the fact that the real deterrent is the disqualification and not the monetary amount, it was considered not necessary to increase the fixed penalty amounts at this time.

This says that the Minister's and the Department's considerations are the increased cost and the timeline for implementation of change, along with significant changes to IT systems. It is not just I who have considered this measure; the Minister's own Department has also considered it. Some of the reasons it was ruled out of order were the increase in "the timelines for implementing this change" and the IT administrative changes that would be needed.

Chairman: I propose that Deputies Murphy and O'Keefe come in next, and the Minister may reply after those contributions.

Deputy Catherine Murphy: It is important to say that the Bill is very patchy on the issue of enforcement and this lets the legislation down. The expectation of being caught is a very sizeable deterrent. As I said at the previous meeting, the issues around fake breath tests and so on have done no service to this area and there is a need to come back from that. Like other members of the committee, I have been lobbied on this legislation but not by the large drinks companies. It was very much local lobbying on issues such as employment in the area and the impact of the legislation in that regard. It was targeted. People and businesses are entitled to make those points, but let us not ignore the fact that that is a backdrop to what has happened. We have all experienced it.

We have to make a decision in the public interest. The committee met the Road Safety Authority to discuss the issue. The statistics it provided were not dry. They were derived from inquests into fatal road accidents. I came here with an open mind. It is a big deal to put a person off the road, even if for only three months because it can be life-changing in terms of work and being able to get insurance into the future. In its responses to the committee the Road Safety Authority was very convincing. We need to focus on the evidence. I was particularly concerned about the morning after a conviction. Several people who had contacted me said they

were very concerned about this being an impediment. As I have said previously, I tend to think it has more to do with home drinking than drinking in pubs and so on, but that would probably require some analysis. According to the Road Safety Authority, 14% of all alcohol-related fatal crashes occur between 6 a.m. and noon and that 15% of all alcohol related fatal crashes involving a driver or motor cyclist occur between 6 a.m. and noon. This is an issue about which I had a particular concern, but the evidence must be acknowledged.

Getting legislation of this type over the line is never easy. I can remember a time when there were no drink driving limits. There is a supermarket in my area, which was previously the Hitchin Post. People used to drive there and back, but this behaviour was modified by the introduction of drink driving limits. Reducing the limits helped to save lives. If we find evidence that will further enhance road safety and saves lives, there is an obligation on us to legislate in that regard, regardless of how unpopular it makes us. I am supporting this legislation because the evidence supports it. The public attitude surveys show that people support it and that support is greater in rural than in urban areas, which is remarkable when one considers the impact it will have on people's social lives, the level of rural isolation and so on, which is better understood in rural areas because it is a lived life.

I am not satisfied with the enforcement provisions and believe there is a piece of work yet to be done in that regard, but this change will be beneficial. While it will impact on a small number of people only, if it is to have a positive impact, it will need to be enforced.

Deputy Kevin O'Keeffe: Nobody wants to see lives lost. The Minister will probably try to ban contact sports in situations where people end up paralysed owing to freak accidents. The Road Safety Authority, RSA, has become loaded. Has the committee heard submissions from the Irish Road Haulage Association or similar organisations?

It has to be acknowledged that following on from the provision of additional resources for An Garda Síochána, it has become more competent in enforcing road traffic legislation. As I said, if existing legislation was enforced better, we would have better results. In sport, a player is issued with a yellow card and then a red card. If what is provided for in this legislation comes into force, people's lives will be ruined. Under current legislation, they are given a second chance, but under this legislation, despite having committed only a minute offence, they will be banned from driving. By way of example, a girl interviewed in the public survey mentioned how she had consumed a moderate amount of alcohol on a night out but because of her physique when she was stopped on the roadside the following morning and tested she was over the limit. However, by the time she had reached the Garda station and been retested, she was okay and got away with a fine. She said she had learned her lesson. There are many people who will find themselves in a similar position. We need to give people a chance and not destroy their lives.

We should also not seek to destroy the lives of people living in rural areas. Mental health is a big issue in the context of this legislation, particularly for those living in isolated areas. I do not like going on and on like a broken record, but I would like to give an example to show how this legislation will impact on such individuals. A general practitioner told me that when he and his wife were out walking, they would often have been passed along the way by a person they knew driving to the local pub and that since the introduction of the drink driving limits, he no longer went to the pub and that when they passed his house, they would see piles of cans and so on stacking up at the side. When one is drinking in a pub, one is doing so in a controlled environment. People who live in isolated areas were doing so, but now they are drinking at home with no control over the level of alcohol they are consuming. This may be good in the

context of road safety, but it will lead to a lack of engagement with neighbours and others and isolation. What about these lives? The impact of this legislation on the lives of such individuals will be huge.

The Minister referred to crashes in which alcohol was a factor. Does he have data for the roadworthiness of the vehicles involved or the condition of the roads? When a person is found to be over the limit, is the condition of a vehicle also taken into account in the even of an accident? In other words, are the brakes and tyres examined? All of these things come into play when an accident occurs but they are being pushed aside for the Minister's gain in having this legislation enacted quickly. He needs to take on board the points we are making. On the surveys he mentioned, which were carried out by the RSA, what questions were put to those surveyed and when were they put to them? If I were to ask people in my area tomorrow morning if they were happy with the drink driving laws, they might say yes. What way were questions put to people? Are they in favour of drink driving? No one is in favour of drunk driving. As for where Deputy Troy is coming from, those who go beyond the one or two drinks maybe need to be penalised more to teach them a lesson. I ask that those people be given the yellow card as we go ahead.

Chairman: If the Minister is happy, I will take Deputy Munster, Deputy Ó Cuív and then go back to the Minister, if he could reply to all those points. If he wishes to come in now, he is more than welcome.

Deputy Shane Ross: That is fine.

Deputy Imelda Munster: We said from the outset that we would be supportive of this legislation purely on the basis that it is all about saving lives. It is primarily just a harsher sanction for an existing offence. The priority has to be awareness and saving lives. I want to put that on record because we do not seem to have any system here. I do not even think we are on amendment No. 1a yet so I just wanted to put----

Chairman: In fairness to me, I am trying to let everybody in. Deputy Troy moved amendments Nos. 1 and 1a----

Deputy Imelda Munster: Yes.

Chairman: They are all grouped together.

Deputy Imelda Munster: There did not seem to be much of a system.

Chairman: I am trying to make sure that Deputies get in.

Deputy Imelda Munster: There are a couple of things. Somebody asked the Minister about it earlier. I nipped out for a couple of minutes or did not get the answer. The Minister promised in the last quarter of last year to have a 10% increase in the traffic corps. He gave a commitment just before or just after the summer that we would absolutely see a 10% increase. I want his view on that. Did he deliver on that? What plans does he have to increase the traffic corps further for this year? On the amendments that were not allowed, I had put one down about the Joint Committee on Transport, Tourism and Sport reviewing rural transport and looking at additional initiatives. This is an age-old problem that has been around for a long time. I read that the Minister said that he would look at initiatives. As somebody else said earlier, there is no Government amendment that is tabled to show any initiatives. What plans does the Minister have, given that he said he would have initiatives and that he rejected the amendment

I put forward?

Chairman: In fairness, that is section 3, if I read it correctly here. I will ask the Minister to respond to that when we get to that because that is the appropriate question at that time. I am trying to deal with section 1 now. I will ask Deputy Ó Cuív to speak on section 1.

Deputy Éamon Ó Cuív: I am on the record of this House over the years about the abuse of alcohol. It takes lives in many ways. It definitely takes lives on the roads but it also takes lives through illness. It makes a misery of other people's lives and all we have to do is go down the main street of our towns on the weekends to see what is happening, or go into the emergency departments of hospitals. I have spoken many times about the need to deal with this huge cultural issue in our society. I welcome the Bill that is before the Houses about the alcohol issue. Surprisingly, I have not been lobbied that strongly about this Bill. I cannot remember any significant lobbying on the Bill. I believe that when one tackles any problem, one goes to where the biggest gain is possible. When we look at statistics, we know where the big gains are, such as people far exceeding speed limits, not the person who, at 9 p.m. or 10 p.m. at night, goes through some country village at 60 km/h. They are not the big killers. Those of us who are perennially on the road see them.

Let us talk about enforcement. Since 2011, I have travelled something like 500,000 km of road in Ireland in my car. I think I was breathalysed three times. I assure the House that each of the three times was, of course, random. I was breathalysed about two months ago, one evening, after having driven from Tipperary to Dublin, on a very quiet suburban street. There was no problem. I guarantee that I had no alcohol on board. It was the easiest thing to take a deep breath. That was three times over 500,000 km. I drive on main roads, on byroads and on rural roads. The first thing we have to face up to is that all one is creating is a mega-lottery. Without consistent enforcement, all of this is a waste of time. It will just be a matter of luck whether one is caught or not. I would say that if one checked out the number of actual, real checkpoints that have taken place, one would find that, because it is so random in my case as to where I am, what time it is, day and night, and so on, it is fairly representative for anybody else.

The Minister has done nothing to ensure that students or workers from Galway, for example, can get bus services after 6 p.m. on many of the radial routes out of the city to areas 30 km or 40 km away from the city. The Minister has done very little about rural transport and rural transport options. I always believe that if one wants to reduce occurrences of an incident, one makes it much easier for people to avoid it. Every one of us has been at too many funerals over the years of people who have been killed in alcohol-related accidents. One of the great successes between 1997 and 2011 was the dramatic decrease in road fatalities. Legislation was brought in during that time, most of which I spent at Cabinet and I supported that legislation. Much of it related to both speeding and the issue of alcohol in blood. There is no question that we went from being a country with a very high level of fatalities and reduced it. Other factors were involved, since we increased enforcement, and also better roads. There is not a need here, in my view, for a moral lecture. The problem here is twofold. If I am reading the right statistics, drivers with more than 251 mg comprised 39 fatalities, those with more than 201 mg comprised 37 fatalities, those with 151 mg to 200 mg comprised 25 fatalities and those with 101 mg to 150 mg comprised 20 fatalities. Qualitatively, given the funerals we attend and the tragedies that happen, any of us could have said that this is where the major problem is. How does one stop that major carnage? Compared with that, the figure is seven for drivers between 51 and 80 mg per millilitre. I agree that if the Minister was going to reduce that figure to zero it would be significant. However, it would not be half as significant as reducing the figure of 39 to ten for

the 251 mg per millilitre or from 39 to 30, if the Minister is saying that every life counts.

Why do I have a problem with the Minister's proposal? There are two reasons. Incidentally, I wish to make it clear that I have no support for the argument for going to the pub, having three or four pints and then toddling home. I accept that on many rural roads, for older people, statistically the risk is small because there is just no traffic. On many a night that I drive 30 miles home from meetings, and I assure the Minister I would not be drinking, I do not meet another car on the road. I might meet one or two but on certain stretches of road I would not meet any car on most nights. However, I am not justifying that or making a case for that. The Minister is saying that if people have a few drinks on a night out and if they drive to work and are between 50 and 80 mg per millilitre he will disqualify them from driving. One of the problems is that most people will not know that they are between 50 and 80 mg per millilitre. We know that, statistically, the body mass of women is less than that of men so they are more likely to get caught having consumed the same amount of alcohol. Heavier people and so forth have a better chance. Then there are metabolism issues and the like. I have a problem with the lottery element of this and the proportionality of the penalty, not the principle.

The Minister seems to think that there is no penalty that has any measure of deterrent in it other than being put off the road. However, if that were true the horrendous statistics at the high end would be long gone as a thing of the past due to the deterrent of the penalty. It is also a disproportionate penalty, as I said in the Dáil previously, for rural people versus urban people. In this city and in Galway city we are told there is, effectively, a bus service within 500 m of everybody's house. Where I live there is one bus service eight miles away that goes to Galway in the morning and returns in the evening. There is no way of getting children to school or of getting to work. The penalty of getting disqualified in a rural area, therefore, is totally disproportionate in terms of the cost to the person, his or her livelihood and the daily things the person must do. One of things we must do with law is try to make it proportionately equal for everybody.

Deputy Troy has tried to propose two things to deal with the 39, 37 and 25 figures, that is, the areas where we are getting the big numbers. Yes, it is probably badly drafted. However, what one does in that situation on Committee Stage is say, "That is a great idea. I will come back to it on Report Stage." Deputy Troy is taking out the big figures, but for some reason the Minister is not running with something that would deal with those figures. He is wedded to the exact formulation. We agree with the principle of stiffer penalties, but the Minister will not even look at the formulation of his proposal in respect of the very small figure.

Chairman: In fairness, the Minister has said he is more than happy to work to increase penalties in other areas.

Deputy Éamon Ó Cuív: He said he would not accept it.

Chairman: Everybody has the right to speak here for as long as he or she wishes so I am not interrupting in that respect. The Deputy's points are obviously well made but the problem is we only have a limited amount of time today to deal with this Bill. We must finish by 1.50 p.m.

Deputy Éamon Ó Cuív: I am nearly finished.

Chairman: I appreciate that. I ask the Deputy to address the issues.

Deputy Éamon Ó Cuív: I have kept totally to the point of the amendments.

Chairman: Yes, there is no doubt about that.

Deputy Éamon Ó Cuív: If I do not fully explain my thought process it will be alleged that I support drink driving or something else. I wish to explain exactly what my personal concerns are, and they are not the concerns of any lobby group. They are about the lottery effect.

I will explain the Fianna Fáil proposal. If somebody is prone to not obeying the rules of the road, is careless about speed and various other matters and if there is reasonable enforcement, there is a high chance that the person will have over seven penalty points. When one adds five points to that there is a total of 12 and the person will get six months off the road.

If the person is persistently careless, unless the person is very lucky and there is no enforcement, under our proposal that person with seven or more penalty points will end up with twice the length of disqualification. We are trying to protect somebody who in good faith did not realise that they had between 51 and 80 mg per millilitre. As I said, it depends on so many variables. One could have 49 mg per millilitre and one will be fine but if one has 51 one is in trouble. At the low end of that, such as 52 mg per millilitre, one does not realise it. One does not realise, because of how one's metabolism works, that one is still over the limit. Somebody who has never had other driving issues, who has always adhered to speed limits, driven with care and thought he or she was all right could suddenly end up in a situation where he or she cannot do the essentials for which one needs a car in most parts of the country, such as bringing children here and there and getting to work. If I live and work in the city and I am on one of the bus routes I can get the bus. To be unable to drive in rural Ireland is a massive cost. In some cases people would have to pay a driver for three months. That is the problem.

As I said, the person who is careless will have the seven penalty points anyway so that person will be off the road. I am talking about the person with the unblemished record who drove in good faith and did not realise. If someone goes into a pub and knocks back three or four pints, he or she knows that a risk is being taken and that he or she will be put off the road.

Deputy Robert Troy: That person deserves to be put off the road.

Deputy Éamon Ó Cuív: I am not making a case for such persons. I ask that the Minister consider carefully the Fianna Fáil amendment which is balanced and reasonable. I will support him in anything he does to tackle what we all know is the real problem - the carnage on the roads caused by people who are driving, despite having been disqualified after consuming enormous amounts of alcohol. Many complain about speeding offences on the grounds that someone who toddles along at 5 km/h or 7 km/h over the speed limit - I accept that it is against the law - receive three penalty points when someone else who is 20 km/h or 30 km/h over the limit receive exactly the same number of penalty points. I am arguing for proportionality. The further someone is over the speed or alcohol limits, the greater the risk and the bigger the penalty should be. It should be a graded system. What disqualification could mean for ordinary, decent people should be understood.

Deputy Shane Ross: I shall go backwards and deal with Deputy Éamon Ó Cuív's questions first. I thank him for his reasoned and eloquent explanation of the views he and many people in rural Ireland hold. His comments were representative of the views of others. I am not saying he is pleading for it, but we cannot make a different law for rural Ireland than for urban Ireland. I do not see that as a possibility or probability, nor would it be right to do so.

The Deputy was correct to refer to the carnage on the roads. Carnage is one, two or three deaths. What is important in the Bill, apart from its detail which is critical, is that it sends the message that we are serious about tackling drink driving. While the Bill, rightly, affects the

50-80 mg group that is its target, the message must also go out that we will not tolerate drink driving. People take disqualification more seriously than penalty points because it has a more dramatic effect on their lives. Consequently, it will deter them. It is a heavy price to pay, but it is not the price paid by people who are killed. That is why it is worth paying.

To respond to Deputy Catherine Murphy's point, all of the evidence from rural Ireland is subjective, whereas we are discussing independent evidence provided by the Road Safety Authority and, as far as I know, in the survey conducted by Behaviour & Attitudes. The evidence is that people living in rural Ireland want such measures. The evidence is clear that more lives are lost in rural Ireland than in urban Ireland as a result of drink driving. There is sometimes an extraordinary mismatch between the advocates for rural Ireland and the cold statistics provided by such surveys which are scientific. I am not sure what is happening, as I do not believe people living in rural Ireland are up in arms on this issue. Being disqualified affects people badly, but there are more people in rural Ireland who have been bereaved and support the introduction of such a Bill. We, in this House, may have created something of a false divide.

Chairman: I will interrupt the Minister. We have just got word that there is a problem with someone's mobile phone. I cannot hear it, but it is interrupting the broadcast.

Deputy Shane Ross: I do not believe it is mine.

Chairman: It is certainly not mine. Members might double-check, please.

Deputy Catherine Murphy: It is not mine either.

Chairman: Members' words may not be recorded. I wanted to ensure everyone knew there was a problem.

Deputy Shane Ross: I believe my phone is turned off.

Chairman: I am not suggesting it is the Minister's.

Deputy Shane Ross: It is not.

Chairman: It is somebody's. The clerk has checked mine.

Deputy Shane Ross: Deputy Éamon Ó Cuív was right about enforcement. That point has been made by many people. Deputies Robert Troy, Kevin O'Keeffe, Catherine Murphy and Imelda Munster also raised it and I accept that it has been a problem. It is a matter for the Department of Justice and Equality. I am not washing my hands of it in any way, but I cannot speak for that Department. What I will say is that it was a serious problem, as the number of personnel in the traffic corps was decreasing. I have some figures. At the end of 2013 the number of personnel in the traffic corps was 804. In 2014 it had decreased to 742. In 2015 it had decreased to 716. By the end of 2016 it had decreased to 674. The Deputies are right, in that this has been a difficulty. I am not saying it has been sorted, but I will discuss what has happened since. There was a target to increase Garda traffic corps numbers by 10% in 2017 and a further 10% in 2018.

Deputy Robert Troy: That has not happened.

Deputy Shane Ross: Let me finish. Primarily due to the large number of applications, the competition to fill the 2017 cohort has run into 2018 and will be completed in the first quarter, that is, within the next few weeks. The result is that the 2017 and 2018 vacancies will be filled

in 2018, with the appointment of a total of 150 members. That is a reversal of what was happening up to the end of 2016. Deputy Éamon Ó Cuív is right, that the level of enforcement fell and that the situation was difficult, but the Garda's commitment to increase numbers by 10% per annum is being kept. We have seen an improvement.

I was interested in Deputy Éamon Ó Cuív's anecdote about being breathalysed three times. Over how many years did that happen?

Deputy Éamon Ó Cuív: In the seven years since 2011.

Deputy Shane Ross: I have been breathalysed three times since becoming Minister for Transport, Tourism and Sport.

Deputy Catherine Murphy: That is just the job.

Deputy Imelda Munster: It is for the statistics.

(Interruptions).

Deputy Shane Ross: I drive myself because it is a good idea. I do not believe the Garda is targeting me, but I have been breathalysed three times in the past 18 months. People have different experiences, but the position is improving. It may be because I drive on busy roads and Deputy Éamon Ó Cuív does not.

Deputy Éamon Ó Cuív: I drive on busy roads. I was breathalysed twice in Dublin and once on the road to Belfast in the middle of the day. Despite all of the mileage I do, I have never been breathalysed on busy and not-so-busy roads in and out of the city or on rural roads. My experience is a perfect example in that it is representative of what happens in the whole country, North and South. I have never been breathalysed in the North. It shows exactly what the Minister is saying, that breathalysing does happen in Dublin to a certain extent. Perhaps that is the reason the number of fatalities is lower in Dublin.

Deputy Shane Ross: It could be.

Deputy Éamon Ó Cuív: Unless it-----

Deputy Shane Ross: I concede the point made about enforcement. There is a road safety meeting every two months involving the principal stakeholders, namely, the Minister for Justice and Equality, the Attorney General, various other Ministers, the RSA and all other such stakeholders. At every single meeting, the Garda representatives are being put under pressure to say what is happening with the traffic corps and enforcement. We are acutely aware of it. It has turned that corner. Obviously, one can say there are 150 in the last two years, which is 10% per year by the end of this year. They have to be trained as well and the Deputy will raise that, as is quite right. It is improving and it has got to improve. They are going to be under pressure to enforce this law more strictly. It is a fair point. It was bad but we are not unaware of it and are certainly doing something about it. It is a question I ask every single time, as does the RSA and others. The Department of Justice and Equality is there as is the Garda. It is not restricted to public statements in the Dáil but is also regarded as very important behind closed doors. Figures are going to be released on a very regular basis.

I hope that the message is getting out. Deputies may say the measure is small and we should be tackling a lot of other things; that is what Deputy O'Keeffe says. However, I disagree with Deputy O'Keeffe about the RSA. It has been producing some very strong advertising. This,

together with the debate to which all Deputies present have contributed, is sending a message out to people to be more careful on the roads and that road safety is their responsibility. There are indications over the years that the general trend is improving. There is greater consciousness. There have been some very moving advertisements on television with the victims' groups very bravely coming forward and telling their own stories. I am not claiming credit myself for them. I think that has had an effect. We just marginally got the lowest figures ever last year for deaths on the roads. That is not a cause of satisfaction at all. I think it was 160, which is appalling and totally unacceptable. However, there is a message going out that road safety has moved up the agenda and that people have a responsibility. The Bill is part of that message and I hope it is going to continue with further legislation on other issues. It will continue as long as I am here. I will introduce more legislation this year on road safety. We are deadly serious about it.

I am very sorry if I gave the Deputy a moral lecture. I did not mean to do that. That is not the objective. It is a kind of moral issue but it was not meant to be a moral lecture at all. Far be it from me to give anyone a moral lecture about anything. It does seem to me to be a no-brainer that if a measure of this sort saves lives, we should pursue it. It is not a moral issue but a matter of trying to see that more families are not bereaved. I will submit to Deputy Ó Cuív and come second to him on morality. I am happy to do that.

Deputy Munster raised the issue of the traffic corps and the 10%. I think I have answered that. Yes, it is happening by the end of this quarter, which is now. That should be completed and there should be 150 new members, which I think is actually over the 10%. There is a bit of a time lag on it. Enforcement is absolutely vital, the Deputy is quite right. The introduction of the measures in some way acts as an impetus and incentive for the Garda to enforce. They realise that as well. There is an onus on the Government to produce the gardaí to enforce the measures we are introducing. I do not think we should hold back because enforcement was inadequate. I do not think it is now. I actually think this acts as some sort of pressure on other Departments to do what is necessary in terms of enforcement.

Deputy Imelda Munster: From the outset we said we were very supportive of this legislation because it is about saving lives. Where the Minister and Government let themselves and families down is in failing to provide the practical tools to enforce the legislation. That is what gives weight to the argument that it is not worth the paper it is written on. The resources to enforce it must be provided.

I distinctly remember that when I raised the matter with the Minister last year, he was 100% confident that by the final quarter of last year, we would see a 10% increase in the traffic corps. I am not blaming the Minister directly but he can see the point where everything falls down. His whole argument, the whole justification falls down when he or the Government do not see to it that the resources are provided to back it up. That is extremely disappointing. Now we have to wait all of this year and who knows, come the final quarter of this year, if we will even see that or even one tenth of the 150. Even at that, 150 is actually just 20 more in the traffic corps than in 2013. That is unacceptable.

Deputy Shane Ross: The Deputy made a good point. Nobody is arguing that enforcement was adequate up to recently or that the traffic corps is at full strength. It is not. However, in respect of the numbers I gave, 150 is going to be over 10%. I do not know what the up-to-date numbers are today but we will get that in the next-----

Deputy Imelda Munster: At what point this year does the Minister expect that? Will it be in the second quarter?

Deputy Shane Ross: We will have 150 members by the end of this year. That will be well over 10% per annum. The Deputy questions introducing this legislation without having the enforcement there. Enforcement has been increasing during the passage of this legislation even though the legislation is not even on the Statute Book yet. The increase in the traffic corps, happily, will coincide almost exactly with the passage of this legislation. That may be a coincidence, but I think it will take the sting out of the criticism the Deputy is rightly making.

Deputy O’Keeffe raised enforcement as well. He referred to this as a minute offence. I suppose that is where I disagree with him more fundamentally. I regard it as a serious offence, not a minute offence. I think it would be absolutely wrong and I take issue with the Deputy when he talks so casually about the one or two drinks. That kind of statement encourages people to think that having two drinks is acceptable. That leads to a culture of acceptance of drinking and driving. I do not accept the jargon we use about a yellow card. There are no yellow cards in drinking and driving; it is a red card situation and that is it as far as I am concerned. It is impairment. One drink impairs driving and two drinks impair it more. It is that kind of casual talk that leads to a culture of people getting into their cars and saying it will be alright when it will not be. I fundamentally disagree with the Deputy and I do not think we are going to agree about this. Deputy O’Keeffe has always taken that point of view and that is perfectly legitimate.

The other thing Deputy O’Keeffe regularly addresses here is the fact that there are lots of other problems. There are; he is right. He refers to bad brakes, bad roads and bad road conditions. There are problems there as well. However, that does not mean we should not address this one. It may mean we should be more progressive and energetic in respect of other problems as well. That does not mean this one should not be addressed, however. It is a diversionary argument.

I was interested in what Deputy Catherine Murphy said about not being lobbied, particularly by the vintners. If I were in the Vintners’ Federation of Ireland, I would not lobby the Deputy either. I would give up. On the point the Deputy made about small lobbyists and small businesses, the measure does cause inconvenience and difficulties. There are certainly small off-licences complaining about it also. There has been pressure exerted in this regard but what we are doing is right as far as I am concerned. This measure is correct and we have to pay a bit of a price for introducing it. There will be a cost and perhaps it will cost some people dearly in the context of their livelihoods. I do not want to do that at all but sometimes one has to pay a price in order to save lives and for the greater good. That is really what it is about.

On the morning after pill, we have asked a lot of questions.

Deputy Catherine Murphy: I do not believe we are talking about the morning after pill.

Chairman: A Freudian slip.

Deputy Shane Ross: The morning-after test.

Deputy Robert Troy: That is a different debate.

Deputy Shane Ross: That was last night’s debate.

People feel the morning-after test is very unfair but if one is over the limit, one is impaired; it is as simple as that. Therefore, one cannot really make a distinction. Alcohol impairs a driver’s judgment and ability to drive. Drivers feel they are okay but they are not; they are impaired. The level is too high and they are still impaired by the alcohol in their system. Inter-

national evidence shows that alcohol, even at low levels, has an impact on driving ability. The WHO warns that the risks from alcohol begin at very low levels. The risk posed by being over the limit is caused by the alcohol and it makes no difference to that risk how long it is since the person consumed the alcohol. People who drank very heavily the night before must take responsibility for their own behaviour. If they have any doubts, they should not drive. It is a cardinal rule that one should not get in the car if one has any doubts at all. One cannot necessarily self-test so the rule is, “Do not do it.” It is easy enough.

I agree on public attitudes in rural areas. I have addressed that already. I refer to the Behaviour & Attitudes polls in rural areas that the RSA quoted. The results were very powerful and indicated support for this measure, presumably because people in those areas are so conscious that it saves lives.

Reference was made to the very small number of people affected. It is probably true but I do not like addressing the subject in that way. While the number is small, it is a very big message. A very strong message is coming out from here that drinking and driving do not mix in any way. What we want to do through the disqualification is fight the impression that it is acceptable to drive after one, two or three drinks; it is not. We want to make people think twice about drinking and driving.

People can quote statistics and say that there are only so many affected. However, saying “only so many” is just not acceptable. It may be one life, two lives or three lives.

Deputy Robert Troy said that this is the only Bill I have taken through the Oireachtas. That is wrong. He mentioned five penalty points. We have been through that before. On his point that 93% of convictions are associated with the higher category and 7% with the lower, I am of the view that the 7% matters. We would not dispute that 93% of those convicted are in the higher category and that 7% are in the lower category. Those in the 7% category have the potential to cost lives and have done so in the past. This is the category we are addressing. We believe the penalty is appropriate. It is not right to suggest that the proportion is only 7%. I understand the Deputy’s point in respect of addressing the higher limit further but those exceeding it are being disqualified and taken off the road. That is an appropriate punishment for them. There is a good case for punishing them further, and I am happy to discuss that with the Deputy. To be consistent, it might be more helpful if the Deputy withdrew his opposition to this Bill and accepted the disqualification we are introducing.

Deputy Robert Troy: I thank the Minister. I do not minimise the loss of one life at all. The point I was making is that, based on the figures supplied by the RSA and the Department, the greatest number of fatalities relate to the higher category. It is currently illegal to exceed 50 mg per 100 ml and that is not going to change. The point I was making on the number of people caught in 2016 and subjected to automatic disqualification is that if automatic disqualification were such a deterrent, there would be more people in the lesser category. This is not the case, however. Unfortunately, automatic disqualification is not the great deterrent the Minister believes it to be because the greatest number of offenders have blood alcohol levels in the higher category. If we were really serious about taking impaired drivers off the road, we would do so through enforcement. I have said that all along.

I welcome the Minister’s statement that there will be 150 additional gardaí in the traffic corps this year but he should forgive us if we are somewhat sceptical. He said last year that there would be an additional 10% in 2017 but this did not happen. According to the figures I obtained through a parliamentary question on 16 January last, the number decreased from 669

to 643 between 2016 and 2017. Forgive me if I am somewhat sceptical about promises made at committee meetings, particularly as previous promises were not honoured. Even if the 150 come on board, how many of the existing traffic corps members will retire? The number decreased from 669 to 643 last year. Was that through natural wastage owing to retirements? Will there be a similar reduction before there is an increase this year? This must be figured out.

The Minister should not suggest that some lobby group has come to me. I did not meet the Vintners' Federation of Ireland. I refused to meet it. I am not here as a voice for the vintners at all; what I want to see is proportionality. Based on that, I was advocating an increase in penalty points for what is already illegal, namely, having a blood alcohol level between 50 mg per 100 ml and 80 mg per 100 ml. I want to see a stiffer penalty introduced for people in the higher echelon. There is already automatic disqualification for those in the higher echelon. It is simply not deterring them. Perhaps we should be considering greater penalties. I welcome the fact that the Minister suggested he is willing to work with me on this. I will happily work with him.

Deputy Catherine Murphy: We have all laboured the issue of enforcement. It does not matter what the penalty is if there is no prospect of being caught. Part of the problem is that people will take the risk because the prospect of being caught is minimal. I accept that breath-testing is not confined to the traffic corps. Like Deputy Ó Cuív, I have only once ever been randomly breath-tested. It happened on Victoria Quay in Dublin. Even the spread of testing appears to be disproportionate. What will it be like with 600 odd over the whole country?

We have something in theory but it needs to be there in practice. If what we had was even enforced, that would certainly improve matters dramatically. It is important that we come back to this issue with some reassurances. I realise that much of it crosses over to the Department of Justice and Equality. The reality is, however, that the remit in this case is road safety. We need to be assured that whatever we are doing, we are not doing it in theory but in practice.

Deputy Kevin O'Keeffe: Has Garda overtime been increased? While it is important that more Garda are visible, there can be drawbacks. If a cat is going to pounce on a mouse, will it make itself more visible? The same goes for the Garda presence in dealing with road traffic offences. The number of people breaking speed limits, for example, is an issue in the context of all aspects of road traffic legislation. When GATSO vans first came out, the law stated that a notice was to be put on the road that a speed camera was ahead. People told me when I was a local authority representative that such signs significantly reduced the number of motorists speeding.

The Minister referred to pressure groups. When this proposal was first mooted, I was the first out of the blocks to condemn it and to state that it will have an impact on livelihoods and people's mental health. This just does not impact on rural areas, it also impacts on urban areas. In most large towns, the local pub is in the town centre and the latter may not be within walking distance for most customers.

The younger generation is aware of the dangers of excessive drink-driving. If the Minister gets his way with this proposal, we will be killing a dying breed. The culture is changing and excessive drink-driving will fade away in time.

The Minister made an argument about the effect of drink. There is a cliché about having a drop to settle the nerves. Has the Chairman ever heard it?

Chairman: No.

Deputy Shane Ross: Not before driving.

Deputy Kevin O’Keeffe: Well, if one’s nerves are not good for driving.

Deputy Robert Troy: I will withdraw amendment No. 1. It is my intention to bring forward an amendment on Report Stage to examine this matter again in order to improve the provision and bring forward stiffer penalties. The Minister will work with us on this.

Amendment, by leave, withdrawn.

Deputy Robert Troy: I move amendment No. 1a:

In page 3, to delete lines 11 to 32, and in page 4, to delete lines 1 to 14 and substitute the following:

“(a) by the substitution of the following for subsection (7):

“(7) The fixed charge is—

(a) in the case of a concentration of alcohol referred to in subsection (1)(a) or subsection (2)—€500, or

(b) €500 in the case of a concentration of alcohol referred to in subsection (1)(b)—€500,

or such other amount that, for the time being, stands prescribed in lieu of either of those amounts.”,

and

(b) in subsection (8) by the substitution of the following for paragraph (a)(i):

“(i) did not exceed 80 milligrams of alcohol per 100 millilitres of blood, 5 penalty points shall be endorsed on the entry relating to the person, or”.”.

Amendment put and declared lost

Chairman: Amendments Nos. 1b to 1d, inclusive, in the names of Deputies Mattie McGrath, Michael Collins, Michael Healy-Rae, and Danny Healy-Rae, cannot be moved as the Members are not present and the clerk has not been informed of any nominated movers.

Amendments Nos. 1b to 1d, inclusive, not moved.

Question, “That section 1 stand part of the Bill.”, put and declared carried.

Section 2 agreed to.

SECTION 3

Chairman: Amendments Nos. 2 to 6, inclusive have been ruled out of order.

Amendments Nos. 2 to 6, inclusive, not moved.

Question proposed: “That section 3 stand part of the Bill.”

Deputy Kevin O’Keeffe: Can these amendments be tabled on Report Stage?

Chairman: Yes.

Deputy Catherine Martin: Why were amendments Nos. 5 and 6 ruled out of order?

Chairman: Any amendment tabled is assessed by the administration. It is not a matter for the Minister and us; it is technical. That the amendments are not relevant to the provisions of the Bill as read a Second Time and must be ruled out of order is the recommendation.

Deputy Catherine Martin: Amendments Nos. 4 and 6 which have been grouped are about addressing the situation where a school is being provided in a new development but the roads leading to it have not been taken in charge. That leads to the problem that school traffic wardens cannot be provided to ensure the safety of students. This issue came up in Belmayne where a child was recently knocked down. The amendment would address that issue by adding roads which it is intended to take in charge. That is what I am trying to do. Amendment No. 5 would allow local authorities to provide school traffic wardens to ensure the safety of children at Luas and other railway line crossings. The Minister is aware of the situation for the constituents we share in Rathdown. There is a huge safety issue at Windy Arbour Luas stop which is near Our Lady’s of Clonskeagh. Recently a national school child ran out onto the line. The local authority cannot provide a school traffic warden there because it is not on its land. The amendment would address the issue simply by adding to “places where schoolchildren cross public roads” the words “or railways”. It is my intention to move the amendments again on Report Stage. Is the Minister willing to reconsider them?

Chairman: The Deputy might talk to the Minister afterwards and resubmit the amendments on Report Stage.

Deputy Shane Ross: It was not my decision and it is not a matter of me reconsidering. It would be wrong even to suggest I should reconsider. As the Deputy will be aware, it is in my constituency as well as hers and I regret deeply the situation. My difficulty is not with addressing the issue which I have done in another context as the Deputy knows but that the amendment has been ruled out of order. Therefore, the matter is completely outside my control.

Chairman: That is true. I accept that and, in fairness to the Minister, I made it clear that all of the amendments had been ruled out of order. It was not the Minister’s office or the committee which decided.

Deputy Shane Ross: I share the sentiments expressed by Deputy Catherine Martin, but the amendment was ruled out of order by another person.

Deputy Robert Troy: I had another amendment on the wearing of mandatory high visibility or reflective gear by people who walked on unlit rural roads.

Chairman: The Deputy had two amendments.

Deputy Robert Troy: While I accept that the amendments were ruled out of order by the Bills Office, not by the Minister, it does not mean that the Minister does not have a responsibility to address the principles involved in our amendments. Deputy Catherine Martin is well able to articulate her own amendments and the rationale for proposing them. This is the Road Traffic Bill and the Minister can, if he agrees with the sentiments behind any amendment proposed, work with the proposer to bring about an amendment on Report Stage to facilitate the

implementation of the principle behind the amendment. Considering the number of pedestrians who have lost their lives on the roads, my proposal, the sentiments behind which the Minister said he agreed with when we spoke about it before, relates to the need for pedestrians on unlit rural roads to wear reflective gear for their own safety. It is in their own interests to do so. Is that something that can be looked at on Report Stage?

Chairman: Everybody wants to get in on this issue. I should not have allowed the debate in the first place, but I did so out of courtesy to Deputy Catherine Martin. It was right to do so, but now there are two other members who would like to say something.

Deputy Robert Troy: May I just finish?

Chairman: Of course.

Deputy Robert Troy: The second amendment that was ruled out of order was on the minimum passing distance in respect of cyclists. I welcome the Minister's conversion on the need to bring forward legislation in that regard, which was announced on the morning of the previous meeting. However, he has said today that he will bring forward that measure by way of statutory instrument. Is that correct? There is no legislation. Why is it being done by way of statutory instrument as opposed to primary legislation?

Chairman: Before the Minister answers, I will bring in Deputies Catherine Murphy and Mick Barry.

Deputy Catherine Murphy: Some amendments have been ruled out of order because they are not in keeping with the terms of the Bill. Obviously, that prompts a question about future legislation. I have noted that the Road Safety Authority has embarked on a public information campaign on minimum passing distances, which is very welcome and was probably prompted by the debate here. The voices of cyclists have become much more prominent. It will not exclusively be about legislation; it will also be about facilities. There is value in putting the issue in its totality on our agenda, in addition to legislation. We are very deficient in the infrastructure that makes cycling safe.

Chairman: We accept that. It is on the agenda for our next meeting.

Deputy Catherine Murphy: We do not want to end up with rules which exclude cyclists from the roads because it is not possible to design with them in mind. We have to have a change of mindset. If we could timetable the issue at an early date to look at it in its totality, it would be helpful.

Chairman: Set out the matter next week to have it included in our work programme.

Deputy Mick Barry: It is important and positive that these issues as they relate to cyclists have been placed on the agenda. Cyclist groups and their campaign are important. I am disappointed that the amendments on minimum passing distances are not being discussed, but I note the fact that the Minister has indicated that he intends to address the points made by way of bringing forward a statutory instrument. Can he give us a little more information on the content of the statutory instrument and indicate when he intends to bring it forward?

Chairman: Deputy Imelda Munster and I are aware of a tragedy last night in our constituency where a cyclist died in an accident. It is a hugely important issue and I agree with Deputy Catherine Murphy that we include it in our work programme at our meeting next week for im-

mediate action thereafter. I am helping everybody to get his or her points across, but does the Minister wish to comment unofficially?

Deputy Kevin O’Keeffe: Does he propose to bring forward separate legislation on cyclists?

Chairman: That is the detail he is to give us now.

Deputy Shane Ross: I will deal, first, with the cycling issue raised by Deputies Mick Barry, Robert Troy and Catherine Murphy. The statutory instrument is with the Office of the Parliamentary Counsel and will be brought back, I hope, very shortly, although one can never be certain, but I do not think there are too many complications with it. It will be, as announced, a distance of 1.5 m for those travelling in excess of 50 km/h and 1 m for those travelling below that speed. It will not be any more complicated than that. The reason for it is that cyclists’ lives are at stake and they are as important as the lives of others. We want to send them a clear signal that we want to save their lives. The number of deaths went up from ten to 15 last year. That is a really serious increase which we should feel obliged to address, and that is what we are doing. In answer to Deputy Troy’s question on why this is being done by statutory instrument, that this is the normal way overtaking legislation is implemented. It is not done by primary legislation.

Chairman: That is very welcome.

Deputy Shane Ross: In response to Deputy Murphy, Deputy Martin and others, I note that if something is ruled out of order, it is ruled out of order. It has absolutely nothing to do with me. I regret that these things have been ruled out of order, apart from the fact that the Bill will obviously go through a little bit more quickly. A ruling that an amendment is out of order is not something over which I have any jurisdiction. I deeply regret that the amendments were so ruled, particularly the one on Windy Arbour, because it is a pressing problem. I intend to work with the people of Windy Arbour to sort out this problem, and have been doing so. It is a private road, however. I will continue to strive to sort it out, because it is a really serious difficulty for them. I will work with Deputy Martin and anybody else on that, but I will do so as a constituency TD. I cannot address it in this committee or in the House if I am not allowed to by those who make the rules.

Chairman: We are trying to move on.

Deputy Kevin O’Keeffe: I know that, but I have the same problem as the Chairman. Lobbyists approach me from the motor sector. In principle I have no problem in regard to the requirement of 1.5 m clearance for cyclists. However, the Minister is bringing it in by statutory instrument, and he will have to accept exceptional circumstances. I will give a typical example. On a rural road, a motorist may be approaching a cyclist from behind, unbeknownst to the cyclist. The cyclist sees a pothole, swerves out, and the motorist hits him. There are no witnesses. Straight away, the statutory instrument says that the motorist is wrong, because he did not maintain a clearance of 1.5 m. How are these issues of road safety going to be addressed by a statutory instrument? Judges will be against it.

Chairman: I will try to be as helpful as I can to everybody. I think we have agreed on a proposal of Deputy Murphy that next week we will fix a date for that discussion. Hopefully then the Minister will have that statutory instrument as well. We will have a full discussion of its implications and its importance as soon as we can.

Question put and agreed to.

SECTION 4

Chairman: I indicated to Deputy Munster earlier that while her amendment is out of order, she could raise the issue again if she wished to.

Amendment No. 7 not moved.

Question proposed: “That section 4 stand part of the Bill.”

Deputy Imelda Munster: I did raise this earlier. I will be very brief on it. The Minister said he would look at initiatives around reviewing additional rural transport. I do not know whether he said that to appease people within the Government. I think it is very important that we address it. I wonder if he can give us an update on what exactly he is looking at to enhance rural transport provision.

Deputy Shane Ross: I addressed this the last time I was here. We held two or three meetings with all the stakeholders. I am thinking of setting up a committee of interested Oireachtas Members to discuss the issue and make recommendations to my Department about what should be done about rural transport to alleviate the problems for people getting home after a night out when they should not be driving. I am now in discussions with various interested parties. Deputy Munster is welcome to participate.

Chairman: Would Deputy Munster find it helpful if we have a work programme discussion next week?

Deputy Imelda Munster: That is more or less what the amendment said. What areas has the Minister examined for additional funding? I refer to grants, tax incentives or-----

Deputy Shane Ross: We are at very preliminary stages. We are not going to do that until we get recommendations.

Chairman: We will discuss it at our meeting.

Question put and agreed to.

TITLE

Chairman: Amendment No. 8 has been ruled out of order. It is to be discussed at our meeting next week.

Amendment No. 8 not moved.

Question proposed: “That the Title be the Title to the Bill.”

Deputy Robert Troy: I wish to raise the point of mandatory reflective gear, regarding the amendment that was ruled out of order. Is the Minister agreeable to the principle of that amendment? Is that something we could consider on Report Stage?

Deputy Shane Ross: I have an answer to that. Obviously what Deputy Troy is saying is well motivated. Is he sure that he wants to introduce an amendment which would criminalise children? This amendment would do so.

Deputy Robert Troy: I am trying to improve the safety of pedestrians on unlit roads. There should be a requirement on pedestrians to wear reflective gear on roads where there is no

footpaths or public lighting. It is in their own interest. I am not trying to criminalise or penalise the victim. This is an attempt to save a life or two. We spoke about this before here, and the Minister was somewhat sympathetic to the principle of the proposal, maybe before his officials spoke to him. At that point he undertook to look into it. Perhaps it is something we could look at for Report Stage.

Deputy Shane Ross: Certainly. I am perfectly happy to look at this. I have considered this, and the amendment which Deputy Troy addressed is flawed, like others. It criminalises children in the first place, and that is not what he intended to do.

Chairman: I welcome Deputy McGrath.

Deputy Mattie McGrath: On that issue-----

Chairman: I wish to be helpful to everybody. Deputy McGrath has amendments which were not taken. I would ask him to put them forward on Report Stage. That will allow him to debate them.

Deputy Mattie McGrath: When might that be? I appreciate that.

Chairman: It will be as soon as possible. There could be short notice. The Minister is trying to bring forward an amendment which is with legal advisers at the moment. As soon as there is clarity on that we will proceed immediately to Report Stage.

Deputy Shane Ross: It will be very short notice. It will happen within weeks.

Deputy Danny Healy-Rae: Why is it that the Minister is allowed to put forward amendments and we are not?

Chairman: Deputy Healy-Rae can put forward amendments.

Deputy Danny Healy-Rae: Why is the Chair not taking our amendments now?

Chairman: In the process of Committee Stage, when we called the amendments, Deputy Healy-Rae was not here. That is just a fact.

Deputy Danny Healy-Rae: I received no notification that I had to move them.

Chairman: All I can say is that everybody else is here. The Deputy will have an opportunity to raise them on Report Stage.

Deputy Mattie McGrath: The Minister says the notice will be very short. How short will it be?

Chairman: The Minister has a proposal which he hoped to have on Committee Stage for today. It was delayed legally and the official legal analysis has not been given to him. He has committed to giving it to the Members as soon as he has it, in advance of Report Stage. We will have a copy of it before Report Stage. This will allow Deputies to put forward amendments.

Deputy Danny Healy-Rae: This will take a period of two or three weeks.

Chairman: The Minister also said that if there continues to be any legal issue with it, he will introduce it in the Seanad. It will then come back to the Dáil for full discussion and debate. There is no question of anybody's input being excluded. I have to move on.

Deputy Danny Healy-Rae: Will we get notification?

Chairman: Of course, the Deputy will.

Deputy Catherine Murphy: It will be the Business Committee that will decide that.

Chairman: Yes. I am saying the Minister can only proceed when he is ready to proceed. Is that it?

Deputy Shane Ross: It will be shortly.

Question put and agreed to.

Bill reported without amendments.

Chairman: As the Bill has now completed Committee Stage, it is recommended that members submit Report Stage amendments to the Bills Office without delay as the Report Stage may be tabled at short notice.

I thank the Minister and his officials for attending this meeting.

Message to Dáil

Chairman: In accordance with Standing Order 90, the following message will be sent to the Dáil:

The Select Committee on Transport, Tourism and Sport has completed its consideration of the Road Traffic (Amendment) Bill 2017 and has made no amendments thereto.

The select committee adjourned at 12.02 p.m. *sine die*.