



STATUTORY INSTRUMENTS.

S.I. No. 420 of 2017



ROAD TRAFFIC (IMMOBILISATION OF VEHICLES) REGULATIONS
2017

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I, SHANE ROSS, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 5 and 101B (inserted by section 32 of the Vehicle Clamping Act 2015 (No. 13 of 2015)) of the Road Traffic Act 1961 (No. 24 of 1961) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) after consultation with the Minister for Justice and Equality and the National Transport Authority, hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic (Immobilisation of Vehicles) Regulations 2017.

(2) These Regulations come into operation on 1 October 2017.

2. In these Regulations “Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961).

3. The prescribed form of notice for the purpose of section 101B(7)(b) of the Act of 1961 is set out in the Schedule to these Regulations.

4. The prescribed charge for the purpose of section 101B(7)(a) of the Act of 1961 is €80.

5. Payment of the prescribed charge shall be made to a clamping officer as specified in the notice.

6. Payment of the prescribed charge shall be made by payment card or cash.

7. The following are revoked:

(a) Road Traffic (Immobilisation of Vehicles) Regulations 1998 (S.I. No. 247 of 1998);

(b) Road Traffic (Immobilisation of Vehicles) (Amendment) Regulations 2009 (S.I. No. 406 of 2009).

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd October, 2017.*

SCHEDULE

Form of Clamping Notice

Alt 101B den Acht um Thrácht at Bhóithre 1961

Section 101B of the Road Traffic Act 1961

[Insert name of Local Authority (or An Garda Síochána)] ***[Cuir isteach ainm an Údaráis Áitiúil (nó ainm an Gharda Síochána)]***

(Immobilisation of a vehicle parked in contravention of a prohibition or restriction imposed under section 35, 36 or 36A of the Road Traffic Act 1994)

(Feithicil atá lotha de shárú ar shrian nó toirmeasc arna fhorchur faoi alt 35, 36 nó 36A den Acht um Thrácht ar Bhóithre 1994 a chur ó ghluaiseacht)

It is an offence for an unauthorised person to remove or interfere with this notice.

Is cion é do dhuine neamhúdaraithe an fógra seo a thabhairt chun siúil nó cur isteach a dhéanamh air.

Notice Number ***[Insert Notice Number]***

Uimhir an Fhógra ***[Cuir isteach Uimhir an Fhógra]***

Location ***[Insert location of vehicle]***

Ionad ***[Cuir isteach ionad na feithicle]***

I.D. Mark ***[Insert vehicle registration]***

Marc Aitheantais ***[Cuir isteach uimhir chlárúcháin na feithicle]***

Date ***[Insert date]***

Dáta ***[Cuir isteach an dáta]***

Time ***[Insert time]***

Am ***[Cuir isteach an t-am]***

having found to be parked ***[Insert Description of Offence]*** in contravention of a prohibition or restriction under section 35/36/36A ***[Delete as appropriate]*** of the Road Traffic Act 1994, the vehicle bearing the identification mark recorded above has been fitted with an immobilisation device by the undersigned being/acting under the direction of ***[Delete as appropriate]***, a clamping officer.

Ós rud é go bhfuarthas an fheithicil ar a bhfuil an marc aitheantais atá tai-feadta thuas lotha ***[Cuir isteach Tuairisc ar an gCion]*** de shárú ar shrian nó toirmeasc faoi alt 35/36/36A ***[Scríos de réir mar is cuí]*** den Acht um Thrácht ar Bhóithre 1994, rinne an té thíos-sínithe, ar oifigeach teanntála é nó í/atá ag gníomhú de réir teorach ó oifigeach teanntála ***[Scríos de réir mar is cuí]***, feiste doghluaiseachta a fheistiú di.

Arrangements will be made for the removal of the immobilisation device following payment by the owner of the vehicle (or person authorised by the owner) of the prescribed charge of €80

Déanfar socruithe chun an fheiste doghluaiseachta a thabhairt chun siúil tar éis d'úinéir na feithicle (nó tar éis do dhuine atá údaraithe ag an úinéir) an muirear forordaithe €80 a íoc

[Insert details of how payment may be made].

[Cuir isteach mionsonraí i dtaobh conas a fhéadfar an íocaíocht a dhéanamh].

Warning

No attempt should be made to drive this vehicle or otherwise put it in motion until the immobilisation device has been removed. It is an offence for a person to interfere with an immobilisation device affixed to a vehicle.

Rabhadh

Ní ceart aon iarracht a dhéanamh an fheithicil seo a thiomáint nó a chur ag gluaiseacht ar shlí eile go dtí go ndéanfar an fheiste doghluaiseachta a thabhairt chun siúil. Is cion é do dhuine cur isteach a dhéanamh ar fheiste doghluaiseachta atá greamaithe d'fheithicil.

Right of Appeal

A person whose vehicle has been clamped in a clamping place or relocated within or from a clamping place may, following payment of the prescribed charge, appeal the decision to clamp or relocate the vehicle.

Ceart Achomhairc

Aon duine a ndéantar a fheithicil nó a feithicil a theanntáil in áit teanntála nó a athshuíomh laistigh d'áit teanntála, nó uaithi, féadfaidh sé nó sí, tar éis an muirear forordaithe a íoc, achomharc a dhéanamh in aghaidh na breithe chun an fheithicil a theanntáil nó a athshuíomh.

[Insert details of the appeal procedures]

[Cuir isteach mionsonraí faoi na nósanna imeachta maidir le hachomharc a dhéanamh]

Signed

Síniú



GIVEN under my Official Seal,
28 September 2017.

SHANE ROSS,
Minister for Transport, Tourism and Sport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations are made under section 5 and section 101B (as inserted by section 32 of the Vehicle Clamping Act 2015) of the Road Traffic Act 1961 and their purpose is to prescribe the amount of the charge to be paid for the removal of an immobilisation device, the form of the notice affixed to a clamped vehicle and the manner in which and the person to whom such charge shall be paid when a vehicle is clamped on a public road.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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FOILSEACHÁIN RIALTAIS,
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