



STATUTORY INSTRUMENTS.

S.I. No. 326 of 2014



ROAD TRAFFIC (LICENSING OF DRIVERS) (AMENDMENT)
REGULATIONS 2014

ROAD TRAFFIC (LICENSING OF DRIVERS) (AMENDMENT)
REGULATIONS 2014

I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 5(1) and 42 (inserted by section 10 of the Road Traffic Act 2006 (No. 23 of 2006)) of the Road Traffic Act 1961 (No. 24 of 1961) and section 2 of the Road Traffic Act 2006 (No. 23 of 2006) 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)), for the purpose of giving further effect to Directive No. 2006/126/EC of the European Parliament and the Council of 20 December 2006¹, as amended by Council Directive 2012/36/EU of 19 November 2012², hereby make the following regulations:

1. These Regulations may be cited as the Road Traffic (Licensing of Drivers) (Amendment) Regulations 2014.

2. In these Regulations—

“Regulations of 2006” means the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006).

3. The Regulations of 2006 are amended—

(a) In regulation 3, by substituting for the definition of “land tractor” the following:

“any power-driven vehicle running on wheels or tracks, having at least two axles, the principal function of which lies in its tractive power, which is specially designed to pull, push, carry or operate certain tools, machines or trailers used in connection with agricultural or forestry operations, and the use of which for carrying persons or goods by road or drawing, on the road, vehicles used for the carriage of persons or goods is only a secondary function.”,

(b) In the table in regulation 6 (as substituted by regulation 2(b) of the Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2011 (S.I. No. 483 of 2011), as amended by regulation 4(c) of the Road Traffic (Licensing of Drivers) (Amendment) Regulations 2013 (S.I. No. 6 of 2013)), by substituting for the wording in column 2 opposite C, C1 and D1 in column 1 respectively, the following:

¹OJ No. L403, 30.12.2006, p.18

²OJ No. L321, 20.11.2012, p.54

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 15th July, 2014.*

“Vehicles other than those in categories D1 or D, or work vehicles or land tractors, whose maximum authorised mass is over 3,500 kg and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass which does not exceed 750 kg.” and

“Vehicles other than those in categories D1 or D, or work vehicles or land tractors the maximum authorised mass of which exceeds 3,500 kg but does not exceed 7,500 kg, and which are designed and constructed for the carriage of no more than eight passengers in addition to the driver; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg.”,

and

“Vehicles designed and constructed for the carriage of no more than 16 passengers in addition to the driver and with a maximum length not exceeding 8 m; motor vehicles in this category may be combined with a trailer having a maximum authorised mass not exceeding 750 kg.”

(c) In regulation 12—

(i) by inserting after subsection (1C) (as inserted by regulation 3(b) of the Road Traffic (Licensing of Drivers) (Amendment) (No. 3) Regulations 2013 (S.I. No. 420 of 2013)) the following:

“(1D) Where satisfied the applicant, whose normal residence is in the State, is outside the State because of attendance at a university or school, or in order to carry out a task of a definite duration, the licensing authority may require the applicant to submit two photographs with adequate facial likeness of the applicant with the application rather than attend in person.

(1E) Where during the period of 5 years prior to the date of application, the applicant’s photograph has not been taken in accordance with paragraph (1C), and where paragraph (1D) does not apply at the time of application for the licence or permit, the person must attend the licensing authority in person to have a photograph taken to accompany the application for the licence or permit.

(1F) Where the applicant’s photograph has been taken in accordance with paragraph (1C) or (1E), during the period of 5 years prior to the date of application, the applicant is not required to attend the licensing authority in person to have a photograph taken or to submit a photograph with the application.

(1G) Where the applicant's photograph has been taken in accordance with paragraph (1C) or (1E), during the period of more than 5 years prior to the date of application, the applicant is required to submit two photographs with adequate facial likeness of the applicant with the application."

(ii) by inserting after subsection (6) the following:

"(7) A licence shall not be issued to an applicant whose driving licence is restricted, suspended or withdrawn in another EU Member State."

(d) in regulation 15 by inserting after paragraph (1A) (as inserted by regulation 3(f) of the Road Traffic (Licensing of Drivers) (Amendment) (No. 3) Regulations 2013 (S.I. No. 420 of 2013)), the following:

"(1B) Where satisfied the applicant, whose normal residence is in the State, is outside the State because of attendance at a university or school, or in order to carry out a task of a definite duration, the licensing authority may require the applicant to submit two photographs with adequate facial likeness of the applicant with the application rather than attend in person.

(1C) Where during the period of 5 years prior to the date of application, the applicant's photograph has not been taken in accordance with paragraph (1A), and where paragraph (1B) does not apply at the time of application for the licence or permit, the person must attend the licensing authority in person to have a photograph taken to accompany the application for the licence or permit.

(1D) Where the applicant's photograph has been taken in accordance with paragraph (1A) or (1C), during the period of 5 years prior to the date of application, the applicant is not required to attend the licensing authority in person to have a photograph taken or to submit a photograph with the application.

(1E) Where the applicant's photograph has been taken in accordance with paragraph (1A) or (1C), during the period of more than 5 years prior to the date of application, the applicant is required to submit two photographs with adequate facial likeness of the applicant with the application."

(e) in regulation 20 by inserting after paragraph (1C) (as inserted by regulation 3(h) of the Road Traffic

(Licensing of Drivers) (Amendment) (No. 3) Regulations 2013 (S.I. No. 420 of 2013)), the following:

“(1D) Where satisfied the applicant, whose normal residence is in the State, is outside the State because of attendance at a university or school, or in order to carry out a task of a definite duration, the licensing authority may require the applicant to submit two photographs with adequate facial likeness of the applicant with the application rather than attend in person.

(1E) Where during the period of 5 years prior to the date of application, the applicant’s photograph has not been taken in accordance with paragraph (1C), and where paragraph (1D) does not apply at the time of application for the licence or permit, the person must attend the licensing authority in person to have a photograph taken to accompany the application for the licence or permit.

(1E) Where the applicant’s photograph has been taken in accordance with paragraph (1C) or (1D), during the period of 5 years prior to the date of application, the applicant is not required to attend the licensing authority in person to have a photograph taken or to submit a photograph with the application.

(1F) Where the applicant’s photograph has been taken in accordance with paragraph (1C) or (1D), during the period of more than 5 years prior to the date of application, the applicant is required to submit two photographs with adequate facial likeness of the applicant with the application.”

(f) in regulation 54 by inserting after paragraph (1), the following:

“(2) Where an applicant for a learner permit or driving licence, has changed his name, he shall submit evidence to the satisfaction of licensing authority to support this.”

(g) in Part 2 of Schedule 6 (as substituted by the Part 3 of the Schedule to the Road Traffic (Licensing of Drivers) (Amendment) (No. 2) Regulations 2010, (S.I. No. 544 of 2010)), by substituting for paragraph 11 of the following:

“Renal Disorders

11. (a) Licences in respect of any of the categories AM, A1, A2, A, B, EB, or W, may be issued or renewed for applicants and drivers suffering from serious renal insufficiency subject to medical opinion and regular medical check-ups.
- (b) Save in exceptional cases duly justified by medical opinion, and subject to regular medical check-ups, driving licences in respect of any of the categories C1, C, D1, D, C1E, CE, D1E or DE shall not be issued to or renewed for applicants or drivers suffering from serious and irreversible renal deficiency.”
- (h) In Schedule 4 (1) (as substituted by Schedule 1 of the Road Traffic (Licensing of Drivers) (Amendment) (No. 4) Regulations of 2013 (S.I. No. 467 of 2013), by substitution “A, A1 and A2” for “A and A1”.



GIVEN under my Official Seal,
8 July 2014.

LEO VARADKAR,
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 amend the Licensing of Drivers Regulations to take account of EU requirements and a number of adjustments in light of the establishment of the centralised National Driver Licensing Service.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B30683). 285. 7/14. Clondalkin. Gr 30-15.