



STATUTORY INSTRUMENTS.

S.I. No. 548 of 2019



ROAD TRAFFIC ACT 2010 (PART 3) (FIXED CHARGE OFFENCES)
(AMENDMENT) (No. 2) REGULATIONS 2019

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ROAD TRAFFIC ACT 2010 (PART 3) (FIXED CHARGE OFFENCES)
(AMENDMENT) (No. 2) REGULATIONS 2019

I, Shane Ross, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by sections 34 (as amended by section 23 of the Road Traffic Act 2016 (No. 21 of 2016)) and 41 of the Road Traffic Act 2010 (No. 25 of 2010) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)), and after consultation with the Minister for Justice and Equality, hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) (Amendment) (No. 2) Regulations 2019.

(2) These Regulations shall come into operation on 12 November, 2019.

2. In these Regulations “Principal Regulations” means the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) Regulations 2017 (S.I. No. 244 of 2017).

3. Regulation 4 of the Principal Regulations is amended by the substitution of “Schedules 1 to 6” for “Schedules 1 to 5”.

4. Regulation 5 of the Principal Regulations is amended -

- (a) in paragraph (d), by the deletion of “and”,
- (b) in paragraph (e), by the substitution of “Schedule 5, and” for “Schedule 5”, and
- (c) by the insertion of the following paragraph after paragraph (e):

“(f) €120 in respect of an offence mentioned in Schedule 6.”.

5. The Table in Part 2 of Schedule 2 to the Principal Regulations is amended -

- (a) in the column entitled “Article” by the substitution of “10 (other than paragraph (1)(a)) (as amended by Regulation 4 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2019

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 8th November, 2019.*

(S.I. No. 495 of 2019))” for “10 (as amended by Regulation 16(d) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012 (S.I. No. 332 of 2012))”, and

- (b) in the column entitled “Description of Contravention” by the substitution of “Overtaking in prohibited circumstances (other than overtaking of a pedal cyclist)” for “Overtaking when unsafe or not permitted”.

6. The Principal Regulations are amended by the insertion of the following Schedule after Schedule 5:

“Schedule 6

Regulation 5(f)

€120 fixed charge

An offence under section 35(5) of the Act of 1994 consisting of a contravention of Regulation 10(1)(a) of the Road Traffic (Traffic and Parking) Regulations 1997 being overtaking of a pedal cyclist in the circumstances prohibited.”.



GIVEN under my Official Seal,
6 November, 2019.

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 provide for an increase in the fixed charge for the dangerous overtaking of cyclists.

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