



STATUTORY INSTRUMENTS.

**S.I. No. 244 of 2017**



ROAD TRAFFIC ACT 2010 (PART 3) (FIXED CHARGE OFFENCES)  
REGULATIONS 2017

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ROAD TRAFFIC ACT 2010 (PART 3) (FIXED CHARGE OFFENCES)  
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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. These Regulations may be cited as the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) Regulations 2017.

2. These Regulations come into operation on 1 June 2017.

3. In these Regulations—

“Act of 1968” means Road Traffic Act 1968 (No. 25 of 1968);

“Act of 1994” means Road Traffic Act 1994 (No. 7 of 1994);

“Act of 2004” means Road Traffic Act 2004 (No. 44 of 2004);

“Act of 2006” means Road Traffic Act 2006 (No. 23 of 2006);

“Act of 2010” means Road Traffic Act 2010 (No. 25 of 2010);

“No. 2 Act of 2011” means Road Traffic (No. 2) Act 2011 (No. 28 of 2011);

“Act of 2016” means Road Traffic Act 2016 (No. 21 of 2016);

“Principal Act” means Road Traffic Act 1961 (No. 24 of 1961).

4. Each of the offences mentioned in Schedules 1 to 4 is declared to be a fixed charge offence.

5. The amount of a fixed charge is—

(a) €200 in respect of an offence mentioned in Schedule 1,

(b) €80 in respect of an offence mentioned in Schedule 2,

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 6th June, 2017.*

- (c) €60 in respect of an offence mentioned in Schedule 3,  
and
- (d) €40 in respect of an offence mentioned in Schedule 4.

**Schedule 1**

Regulation 5(a)

**€200 fixed charge**

An offence under Section 12 of the Principal Act (as amended by section 18 of the Act of 2006) consisting of using on a public road a vehicle—

- (a) whose weight unladen exceeds maximum permitted weight,
- (b) whose weight laden exceeds maximum permitted weight, or
- (c) any part of which transmits to ground greater weight than maximum permitted weight,

specified in the Road Traffic (Construction and Use of Vehicles) Regulations 2003 (S.I. No. 5 of 2003).

## Schedule 2

Regulation 5(b)

### Part 1

#### €80 fixed charge

An offence under Section 11(5) of the Principal Act consisting of a contravention of the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1978 (S.I. No. 360 of 1978) (as amended by the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 2) Regulations 1993 (S.I. No. 322 of 1993)) referred to in the Table below.

**Table**

Regulation	Description of Contravention
10	Using a motor cycle without wearing a crash helmet
11	Permitting passenger not wearing crash helmet to be carried on motor cycle

An offence under Section 11(5) of the Principal Act consisting of a contravention of Regulation 55 of the Road Traffic (Construction and Use of Vehicles) Regulations 2003 (S.I. No. 5 of 2003) by using a vehicle with defective or worn tires.

An offence under Section 42 of the Principal Act (inserted by section 10 of the Act of 2006) consisting of a contravention of Regulation 17(6)(b)(iv) of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006) by a learner permit holder driving a vehicle unaccompanied by a qualified person.

An offence under the Principal Act referred to in the Table below.

**Table**

Section	Description of Offence
47 (inserted by section 11 of the Act of 2004)	Exceeding speed limit
51A (inserted by section 4 of the No. 2 Act of 2011)	Driving a vehicle (other than a pedal cycle) without reasonable consideration
96 (as amended by section 6 of the Act of 1968)	Failure to stop a vehicle for a school warden sign
109 (as amended by section 6 of the Act of 1968)	Failure to stop a vehicle when so required by member of Garda Síochána

An offence under Section 55 of the Principal Act (inserted by section 4 of the No. 2 Act of 2011) consisting of parking a vehicle in a dangerous position.

**Part 2****€80 fixed charge**

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997) mentioned in the Table below.

**Table**

<b>Article</b>	<b>Description of Contravention</b>
6	Failure by driver of vehicle to comply with direction given by member of Garda Síochána
7	Driving at speed exceeding that which will enable driver to stop vehicle within a distance driver can see to be clear
8	Failure by driver of vehicle to yield right of way
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))	Overtaking when unsafe or not permitted.
19 (inserted by Regulation 4 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2003 (S.I. No. 98 of 2003))	Failure by driver of vehicle to act in accordance with signal given by member of Garda Síochána
20	Failure to stop vehicle before stop sign/stop line
21	Failure by driver of vehicle to yield right of way at a yield sign/line
25 (as amended by Regulation 16(j) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Crossing continuous white line/broken white line by driver of vehicle
26	Entry by driver of vehicle into hatched marked area of roadway
30 (inserted by Regulation 16(l) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Failure by driver of vehicle, other than a pedal cycle, to obey traffic lights
31 (inserted by regulation 16(l) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Failure by driver of vehicle, other than a pedal cycle, to obey traffic lights/signs at railway level crossing
33(1)(a)	Driving vehicle against direction of traffic flow on motorway
33(1)(b)	Driving vehicle on or across any part of motorway which is not a carriageway
33(1)(d) (inserted by Regulation 3 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2012 (S.I. No. 74 of 2012))	Driving vehicle of a class for which an ordinary speed limit of not more than 90 kilometres per hour is prescribed on a motorway in the traffic lane nearest the right hand edge of a carriageway having more than one traffic lane
44(1)	Stopping or parking a vehicle in a disabled person's parking bay without a permit

### Schedule 3

#### Regulation 5(c)

#### Part 1

#### €60 fixed charge

An offence under section 11(5) of the Principal Act consisting of a contravention of Article 5 (as amended by Article 5 of the Road Traffic (Insurance Disc) (Amendment) Regulations 1986 (S.I. No. 227 of 1986)) of the Road Traffic (Insurance Disc) Regulations 1984 (S.I. No. 355 of 1984) by using a vehicle in a public place without an insurance disc being visible and accessible for inspection.

An offence under section 11(5) of the Principal Act consisting of a contravention of the Road Traffic (Lighting of Vehicles) Regulations 1963 (S.I. No. 189 of 1963) referred to in the Table below.

**Table**

<b>Regulation</b>	<b>Description of Contravention</b>
9(1)	Using vehicle not equipped with prescribed lamps and identification mark lighting
9(2) or 9(3)	Using trailer not equipped with prescribed lamps and identification mark lighting
9(4)	Using vehicle not equipped with prescribed rear projecting load lamp or lateral projecting load lamp
9(5)	Using trailer not equipped with prescribed marker lamp
9(6)	Using public service vehicle not equipped with prescribed internal lighting

An offence under Section 11(5) of the Principal Act consisting of a contravention of a provision of the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 2000 (S.I. No. 224 of 2000) mentioned in the table below.

**Table**

<b>Provision</b>	<b>Description of Contravention</b>
Article 3(2)	Using a vehicle in a public place without an authorisation plate
Article 3(3)	Using a vehicle in a public place with an authorisation plate that has been modified or altered

An offence under Section 18(2) of the Principal Act consisting of using a vehicle without a test certificate.

An offence under Section 42 of the Principal Act (inserted by section 10 of the Act of 2006) consisting of a contravention of Regulation 17(6)(b)(iii) (inserted by Regulation 2(b) of the Road Traffic (Licensing of Learner Drivers) Regulations 2007 (S.I. No. 719 of 2007)) of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006) by a learner permit holder failing to display an L-plate or tabard while driving.

**Part 2****€60 fixed charge**

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997) mentioned in the Table below.

**Table**

<b>Article</b>	<b>Description of Contravention</b>
9	Failure by driver of a vehicle to drive on the left hand side of roadway
11	Failure by driver of a vehicle to comply with requirements at a junction
12	Failure by driver of a vehicle to comply with requirements regarding reversing
13	Driving along or across footway other than for access or egress
14(5)(a) (inserted by Article 16(e) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012 (S.I. No. 274 of 1998))	Driving a mechanically propelled vehicle, other than a mechanically propelled wheelchair, along or across a cycle track other than for access or egress
15	Failure of a driver to turn to the left when entering a roundabout
16	Driving vehicle across median strip
17 (inserted by regulation 16(f) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012 (S.I. No. 332 of 2012))	Proceeding beyond maximum design gross vehicle weight traffic sign where vehicle design gross vehicle weight exceeds the maximum displayed
18	Failure by driver of vehicle to give appropriate signals
22 (inserted by regulation 16(g) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Failure by driver of vehicle to comply with mandatory traffic signs
23 (as amended by regulation 2 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2013 (S.I. No. 188 of 2013))	Failure by driver of vehicle to comply with prohibitory traffic signs
24 (as amended by regulation 16(i) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Failure by driver of vehicle to comply with certain mandatory signs
27	Failure by driver of vehicle to comply with traffic lane markings
28	Driver of vehicle proceeding beyond no entry line across entrance to road

<b>Article</b>	<b>Description of Contravention</b>
29 (inserted by regulation 16(l) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Entering a yellow box other than in accordance with that Regulation
32 (inserted by regulation 16(l) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Driving in bus lane or on bus only street
35 (inserted by regulation 16(m) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Performing U-turn on dual-carriageway or other road with central reserve or traffic island where no U-turn sign provided
45(1) (as amended by article 8 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 1998)	Driving a vehicle, other than a pedal cycle, into pedestrianised street or area

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2003 (S.I. No. 98 of 2003) mentioned in the Table below.

**Table**

<b>Regulation</b>	<b>Description of Contravention</b>
8	Entering a tram lane with a vehicle other than a light rail vehicle
10	Stopping or parking a vehicle (other than a light rail vehicle) in a tram lane

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012 (S.I. No. 332 of 2012) mentioned in the Table below.

**Table**

<b>Regulation</b>	<b>Description of Contravention</b>
5	Failure by driver of vehicle to comply with rules for use of mini-roundabouts
6	Proceeding beyond no entry to vehicles sign
7	Proceeding beyond maximum vehicle length sign where vehicle length exceeds the maximum displayed
8	Proceeding beyond maximum vehicle width sign where vehicle width exceeds the maximum displayed
9	Proceeding beyond maximum design gross vehicle weight safety sign where vehicle design gross vehicle weight exceeds the maximum displayed
10	Proceeding beyond maximum vehicle axle loading weight sign where vehicle axle loading weight exceeds the maximum displayed
15	Proceeding beyond a traffic lane control sign other than in accordance with such sign or without yielding

**Part 3**

**€60 fixed charge**

An offence under section 3(3) of the Act of 2006 consisting of holding a mobile phone while driving.

**Part 4****€60 fixed charge**

An offence referred to in section 34(2)(h) (as inserted by section 23 of the Act of 2016) of the Act of 2010 under the European Communities (Compulsory Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006 (S.I. No. 240 of 2006) referred to in the Table below.

**Table**

<b>Regulation</b>	<b>Description of Contravention</b>
5	Not wearing safety belt
5	Driver permitting person under specified age to occupy a seat when not wearing safety belt
6	Driver of car or goods vehicle permitting child under 3 years of age to travel in it without being restrained by appropriate child restraint
7	Driver of car or goods vehicle permitting child over 3 years of age to travel in it without being restrained by appropriate child restraint
8	Driver of car or goods vehicle permitting child to be restrained by rearward-facing child restraint fitted to a seat protected by active frontal air-bag
9	Not wearing safety belt or appropriate child restraint in specified category of vehicle

**Part 5****€60 fixed charge**

An offence referred to in section 34(1) (inserted by section 23 of the Act of 2016) of the Road Act of 2010 under Regulation 4(6) of the European Communities (Installation and Use of Speed Limitation Devices in Motor Vehicles) Regulations 2005 (S.I. No. 831 of 2005) consisting of a contravention mentioned in the Table below.

**Table**

<b>Regulation</b>	<b>Description of Contravention</b>
4	using vehicle not equipped with a speed limitation device
4	using a vehicle equipped with a speed limitation device not complying with requirements in Regulation 4(5) (as amended by Regulation 2 of the European Communities (Installation and Use of Speed Limitation Devices in Motor Vehicle) (Amendment) Regulations 2006 (S.I. No. 339 of 2006)) of the European Communities (Installation and Use of Speed Limitation Devices in Motor Vehicles) Regulations 2005 (S.I. No. 831 of 2005)

**Part 6**

**€60 fixed charge**

An offence under Section 4(2) of the Act of 2014 consisting of a failure by a novice driver to display an N-plate or tabard when driving in a public place.

**Part 7**

**€60 fixed charge**

An offence under Section 73 of the Finance Act 1975 (No. 16 of 1976) consisting of a failure to fix to, and exhibit on, a vehicle a licence.

**Schedule 4**

Regulation 5(d)

**Part 1**

**€40 fixed charge**

An offence under Section 11(5) of the Principal Act consisting of a contravention of Regulation 29 (as amended by Regulation 4 of the Road Traffic (Lighting of Vehicles) (Amendment) Regulations 2009 (S.I. No. 487 of 2009)) of the Road Traffic (Lighting of Vehicles) Regulations 1963 (S.I. No. 189 of 1963) by riding or wheeling a pedal cycle without a front lamp or rear lamp lit during lighting-up hours.

An offence under section 51A of the Principal Act (inserted by section 4 of the No. 2 Act of 2011) consisting of driving a pedal cycle in a public place without reasonable consideration for other persons using the place.

An offence under Section 96(3) of the Principal Act consisting of failing to stop a bicycle for a school warden stop sign.

**Part 2****€40 fixed charge**

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997) mentioned in the Table below.

**Table**

<b>Article</b>	<b>Description of Contravention</b>
14(6) (inserted by Article 16(e) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012 (S.I. No. 332 of 2012)	Failure to remove a vehicle parked in a cycle track prior to the cycle track coming into operation
33(1)(c)	Stopping or parking on a motorway
36 (as amended by Article 7 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 1998 (S.I. No. 274 of 1998))	Parking a vehicle other than in accordance with that Article
37 (as amended by Article 16(n) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Parking a vehicle other than in accordance with that Article
38 (as amended by Article 16(o) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Parking a vehicle in an area with a maximum design gross vehicle weight parking prohibition sign where the vehicle design gross vehicle weight exceeds the maximum displayed
39 (as amended by Article 16(p) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Parking a vehicle in a bus lane or on a bus only street
40	Stopping or parking a vehicle in a clearway
41	Stopping or parking a vehicle at a school entrance
42 (as amended by Article 16(q) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Parking in a loading bay
45(2)	Parking on a pedestrianised street or area

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of Article 9 (as amended by Regulation 3 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2004 (S.I. No. 404 of 2004)) of the Road Traffic (Traffic and Parking) (Amendment) Regulations 2003 (S.I. No. 98 of 2003) by entering a tram-only street with a vehicle other than a light rail vehicle.

An offence under Section 35(5) of the Act of 1994 consisting of a contravention of the Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997) mentioned in the Table below.

**Table**

<b>Article</b>	<b>Description of Contravention</b>
30 (inserted by Regulation 16(1) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012) (S.I. No. 332 of 2012))	Failure by driver of pedal cycle to obey traffic lights
31 (inserted by regulation 16(1) of the Road Traffic (Traffic and Parking) (Amendment) (No. 2) Regulations 2012)	Failure by driver of pedal cycle to obey traffic lights/signs at railway level crossing
45(1) (inserted by Regulation 8 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 1998 (S.I. No. 274 of 1998))	Driving a pedal cycle into a pedestrianised street or area other than on a cycle track.
47(4) (inserted by Regulation 8 of the Road Traffic (Traffic and Parking) (Amendment) Regulations 1998)	Failure by driver of pedal cycle to obey traffic lights



GIVEN under my Official Seal,  
1 June 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 (operative from 1 June 2017) declare which offences involving the driving or use of mechanically propelled vehicles and pedal cycles are fixed charge offences for the purposes of section 36 of the Road Traffic Act 2010 (No. 25 of 2010) and determine the amount of fixed charge for each offence.

BAILE ÁTHA CLIATH  
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