



STATUTORY INSTRUMENTS.

S.I. No. 526 of 2022

ROAD TRAFFIC ACT 2010 (PART 3) (FIXED CHARGE OFFENCES)
REGULATIONS 2022

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I, Hildegarde Naughton, Minister of State at the Department of Transport, in exercise of the powers conferred on me by sections 34 (inserted 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, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 351 of 2020)) and the Transport (Delegation of Ministerial Functions) Order 2020 (S.I. No. 759 of 2020), and after consultation with the Minister for Justice with respect to offences declared to be fixed charge offences under the said section 34(2)(a) (as adapted by the Justice and Equality (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 452 of 2020)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) Regulations 2022.

(2) These Regulations (other than as provided for in paragraph (3)) come into operation on 27 October 2022.

(3) The fixed charge offences mentioned in Items 1 and 2 of Schedule 1 and at reference number 16 in Item 6 of Schedule 5 come into operation on 1 January 2023.

2. 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 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);

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

“Regulations of 1997” means Road Traffic (Traffic and Parking) Regulations 1997 (S.I. No. 182 of 1997);

“Regulations of 2012” means Road Traffic (Traffic and Parking (Amendment) (No. 2) Regulations 2012) (S.I. No. 332 of 2012).

3. Each of the offences under the Road Traffic Acts 1961 to 2022 mentioned in Schedules 1 to 7 (other than in Part 2 of Schedule 4 or Part 2 of Schedule 6) is declared to be a fixed charge offence.

4. The prescribed amount of a fixed charge —
 - (a) in respect of an offence mentioned in Schedule 1, is €200,
 - (b) in respect of an offence mentioned in Schedule 2, is €160,
 - (c) in respect of an offence mentioned in Schedule 3, is €150,
 - (d) in respect of an offence mentioned in Schedule 4, is €120,
 - (e) in respect of an offence mentioned in Schedule 5, is €80,
 - (f) in respect of an offence mentioned in Schedule 6, is €60, and
 - (g) in respect of an offence mentioned in Schedule 7, is €40.
5. The following are revoked:
 - (a) the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) Regulations 2017 (S.I. No. 244 of 2017);
 - (b) the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) (Amendment) Regulations 2018 (S.I. No. 58 of 2018);
 - (c) the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) (Amendment) Regulations 2019 (S.I. No. 507 of 2019);
 - (d) the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) (Amendment) (No. 2) Regulations 2019 (S.I. No. 548 of 2019);
 - (e) the Road Traffic Act 2010 (Part 3) (Fixed Charge Offences) (Amendment) Regulations 2021 (S.I. No. 747 of 2021).

Regulation 3 and 4(a)

Schedule 1

€200 fixed charge

Traffic and parking offences – Act of 1994 and exceeding permitted weight

Item 1

An offence under section 35(5) of the Act of 1994 consisting of a contravention of Regulation 3 of the Road Traffic (Parking in Disabled Person's Parking Bay) Regulations 2022 (S.I. No. 427 of 2022) by a person who is not the holder of a disabled person's parking permit parking a vehicle in a disabled person's parking bay not for the convenience of the person to whom the permit was granted.

Item 2

An offence under section 35(5) of the Act of 1994 consisting of a contravention of Regulation 4 of the Road Traffic (Control of Traffic) Regulations 2006 (S.I. No. 638 of 2006) by the driver of a prohibited vehicle.

Item 3

An offence under section 12 (as amended by section 18 of the Act of 2006) of the Principal Act 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).

Regulation 3 and 4(b)

Schedule 2
€160 fixed charge
Driving offences under Road Traffic Acts

Item 1

An offence under section 42 (inserted by section 10 of the Act of 2006) of the Principal Act 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.

Item 2

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

Table

Reference Number (1)	Principal Act Section (2)	Description of Offence (3)
1	47 (inserted by section 11 of the Road Traffic Act 2004)	Exceeding speed limit
2	96 (as amended by section 6 of the Act of 1968)	Failure to stop vehicle for school warden sign

Item 3

An offence under section 35(5) of the Act of 1994 consisting of a contravention of article 7 of the Regulations of 1997 by driving at a speed exceeding that which will enable the driver to stop the vehicle within a distance which the driver can see to be clear.

Regulation 3 and 4(c)

Schedule 3

€150 fixed charge

Offence under Act of 1994

An offence under section 35(5) of the Act of 1994 consisting of a contravention of article 44(1) of the Regulations of 1997 by stopping or parking a vehicle in a disabled person's parking bay without a disabled person's parking permit.

Regulation 3 and 4(d)

Schedule 4

€120 fixed charge

Part 1

Driving offences under Road Traffic Acts

Item 1

An offence under section 35(5) of the Act of 1994 consisting of a contravention of article 10(1)(a) of the Regulations of 1997 by overtaking a pedal cyclist in the circumstances prohibited.

Item 2

An offence under section 42 (inserted by section 10 of the Act of 2006) of the Principal Act 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.

Item 3

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

Item 4

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 2
Offences under European Communities Act 1972

Item 1

An offence 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

Reference Number (1)	(S.I. No. 240 of 2006) Regulation (2)	Description of Contravention (3)
1	5	Not wearing safety belt
2	5	Driver permitting person under specified age to occupy seat when not wearing safety belt
3	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
4	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
5	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
6	9	Not wearing safety belt or appropriate child restraint in specified category of vehicle

Item 2

An offence 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) (“2005 Regulations”) consisting of a contravention mentioned in the Table below.

Table

Reference Number (1)	(S.I. No. 831 of 2005) Regulation (2)	Description of Contravention (3)
1	4(1)	Using vehicle not equipped with speed limitation device
2	4(5)	Using vehicle equipped with 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 2005 Regulations

Regulation 3 and 4(e)

Schedule 5**€80 fixed charge****Traffic and parking offences under Road Traffic Acts****Item 1**

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) referred to in the Table below.

Table

Reference Number (1)	(S.I. No. 360 of 1978) Article (2)	Description of Contravention (3)
1	10	Using motor cycle without wearing crash helmet
2	11	Permitting passenger not wearing crash helmet to be carried on motor cycle

Item 2

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.

Item 3

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

Table

Reference Number (1)	Principal Act Section (2)	Description of Offence (3)
1	51A (inserted by section 4 of the No. 2 Act of 2011)	Driving vehicle (other than a pedal cycle) without reasonable consideration
2	109 (as amended by section 6 of the Act of 1968)	Failure to stop vehicle when so required by member of Garda Síochána

Item 4

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

Item 5

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

Item 6

An offence under section 35(5) of the Act of 1994 consisting of a contravention of the Regulations of 1997 mentioned in the Table below.

Table

Reference Number (1)	Regulations of 1997 Article (2)	Description of Contravention (3)
1	6	Failure by driver of vehicle to comply with direction given by member of Garda Síochána
2	8	Failure by driver of vehicle to yield right of way
3	10 (other than paragraph (1)(a)) (as amended by Regulation 4 of S.I. No. 495 of 2019)	Overtaking in prohibited circumstances (other than overtaking of a pedal cyclist)
4	19 (inserted by Article 4 of S.I. No. 98 of 2003)	Failure by driver of vehicle to act in accordance with signal given by member of Garda Síochána
5	20	Failure to stop vehicle before stop sign/stop line
6	21	Failure by driver of vehicle to yield right of way at yield sign/line

7	25 (as amended by Regulation 16(j) of the Regulations of 2012)	Crossing continuous white line/broken white line by driver of vehicle
8	26	Entry by driver of vehicle into hatched marked area of roadway
9	30 (inserted by Regulation 16(l) of the Regulations of 2012)	Failure by driver of vehicle, other than pedal cycle, to obey traffic lights
10	31 (inserted by Regulation 16(l) of the Regulations of 2012)	Failure by driver of vehicle, other than pedal cycle, to obey traffic lights/signs at railway level crossing
11	33(1)(a)	Driving vehicle against direction of traffic flow on motorway
12	33(1)(b)	Driving vehicle on or across any part of motorway which is not carriageway
13	36(2)(i) (inserted by Regulation 16(l) of the Regulations of 2012)	Parking vehicle on footway, grass margin or median strip
14	36(2)(m) (inserted by Regulation 16(l) of the Regulations of 2012)	Parking vehicle in a cycle track where traffic sign number RUS 009, RUS 058 or RUS 059 is provided
15	39 (amended by	Parking vehicle in bus lane or on bus only street

	Regulation 16(l) of the Regulations of 2012)	
16	44B (inserted by Regulation 2 of S.I. No. 325 of 2014)	Parking in designated electric charging bay for anything other than charging vehicle battery
17	33(1)(d) (inserted by Regulation 3 of the Regulations 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.

Regulation 3 and 4(f)

Schedule 6
€60 fixed charge
Part 1
Traffic offences under Road Traffic Acts

Item 1

An offence under section 11(5) of the Principal Act consisting of a contravention of article 5 (inserted by article 4 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 carried in a conspicuous place on the windscreen in such a manner that it is visible and accessible for inspection.

Item 2

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

Reference Number (1)	(S.I. No. 189 of 1963) Article (2)	Description of Contravention (3)
1	9(1)	Using vehicle not equipped with prescribed lamps and identification mark lighting
2	9(2) or (3)	Using trailer not equipped with prescribed lamps and identification mark lighting
3	9(4)	Using vehicle not equipped with prescribed rear projecting load lamp or lateral projecting load lamp
4	9(5)	Using trailer not equipped with prescribed marker lamp
5	9(6)	Using public service vehicle not equipped with prescribed internal lighting

Item 3

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) Regulations 2000 (S.I. No. 224 of 2000) mentioned in the Table below.

Table

Reference Number (1)	(S.I. No. 224 of 2000) Article (2)	Description of Contravention (3)
1	3(2)	Using vehicle in public place without an authorisation plate
2	3(3)	Using vehicle in public place with an authorisation plate that has been modified or altered

Item 4

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

Item 5

An offence under section 35(5) of the Act of 1994 consisting of a contravention of Regulations of 1997 mentioned in the Table below.

Reference Number (1)	Regulations of 1997 Article (2)	Description of Contravention (3)
1	9	Failure by driver of vehicle to drive on the left hand side of roadway
2	11	Failure by driver of vehicle to comply with requirements at junction
3	12	Failure by driver of vehicle to comply with requirements regarding reversing
4	13	Driving along or across footway other than for access or egress
5	14(5)(a) (inserted by Regulation 16(e) of the Regulations of 2012)	Driving mechanically propelled vehicle, other than mechanically propelled wheelchair, along or across a cycle track other than for access or egress
6	15	Failure of driver to turn to the left when entering roundabout
7	16	Driving vehicle across median strip
8	17 (inserted by Regulation 16(f) of the Regulations of 2012)	Proceeding beyond maximum design gross vehicle weight traffic sign where vehicle design gross vehicle weight exceeds the maximum displayed
9	18	Failure by driver of vehicle to give

		appropriate signals
10	22 (inserted by Regulation 16(g) of the Regulations of 2012)	Failure by driver of vehicle to comply with mandatory traffic signs
11	23 (as amended by Regulation 2 of S.I. No. 188 of 2013)	Failure by driver of vehicle to comply with prohibitory traffic signs
12	24 (as amended by Regulation 16(i) of the Regulations of 2012)	Failure by driver of vehicle to comply with certain mandatory signs
13	27	Failure by driver of vehicle to comply with traffic lane markings
14	28	Driver of vehicle proceeding beyond no entry line across entrance to road
15	29 (inserted by Regulation 16(l) of the Regulations of 2012)	Entering yellow box other than in accordance with that Regulation
16	32 (inserted by Regulation 16(l) of the Regulations of 2012)	Driving in bus lane or on bus only street
17	35 (inserted by Regulation 16(m) of the Regulations of 2012)	Performing U-turn on dual-carriageway or other road with central reserve or traffic island where no U-turn sign provided
18	45(1) (as amended by article 8 of S. I. No. 274 of 1998)	Driving vehicle, other than a pedal cycle, into pedestrianised street or area

Item 6

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

Reference Number (1)	(S.I. No. 98 of 2003) Article (2)	Description of Contravention (3)
1	8	Entering tram lane with vehicle other than light rail vehicle
2	10	Stopping or parking vehicle (other than a light rail vehicle) in tram lane

Item 7

An offence under section 35(5) of the Act of 1994 consisting of a contravention of the Regulations of 2012 mentioned in the Table below.

Table

Reference Number (1)	Regulations of 2012 Regulation (2)	Description of Contravention (3)
1	5	Failure by driver of vehicle to comply with rules for use of mini-roundabouts
2	6	Proceeding beyond no entry to vehicles sign
3	7	Proceeding beyond maximum vehicle length sign where vehicle length exceeds the maximum displayed
4	8	Proceeding beyond maximum vehicle width sign where vehicle width exceeds the maximum displayed
5	9	Proceeding beyond maximum design gross vehicle

		weight safety sign where vehicle design gross vehicle weight exceeds the maximum displayed
6	10	Proceeding beyond maximum vehicle axle loading weight sign where vehicle axle loading weight exceeds the maximum displayed
7	15	Proceeding beyond a traffic lane control sign other than in accordance with such sign or without yielding

Part 2
Offences under Finance Acts

Item 1

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.

Item 2

An offence under section 139(1)(c) of the Finance Act 1992 (No. 9 of 1992) consisting of a contravention of section 131(6) of that Act referred to in the Table below.

Table

Reference Number (1)	Section 131(6) (2)	Description of Contravention (3)
1	paragraph (a)	Failure to display on vehicle the identification mark assigned to vehicle
2	paragraph (b)	Display, on vehicle, of an identification mark assigned to a different vehicle
3	paragraph (c)	Display of mark on a vehicle which purports to be, but is not, an identification mark assigned to vehicle

4	paragraph (d)	Being in possession or charge of vehicle which does not display identification mark assigned to vehicle
5	paragraph (e)	Being in possession or charge of vehicle which displays an identification mark assigned to a different vehicle or which displays a mark which purports to be, but is not, an identification mark assigned to the vehicle

Regulation 3 and 4(g)

Schedule 7
€40 fixed charge
Offences under Road Traffic Acts
Pedal cyclists and traffic and parking

Item 1

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.

Item 2

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

Item 3

An offence under section 35(5) of the Act of 1994 consisting of a contravention of the Regulations of 1997 mentioned in the Table below.

Table

Reference Number (1)	Regulations of 1997 Article (2)	Description of Contravention (3)
1	14(6) (inserted by Regulation 16(e) of the Regulations of 2012)	Failure to remove vehicle parked in cycle track prior to cycle track coming into operation
2	33(1)(c)	Stopping or parking on motorway
3	36 (as amended by article 7 of S.I. No. 274 of 1998) other than paragraphs (2)(i) and (m)	Parking vehicle other than in accordance with that Article
4	37 (as amended by Regulation 16(n) of the Regulations of 2012)	Parking vehicle other than in accordance with that Article
5	38 (as amended by Regulation 16(o) of the Regulations of 2012)	Parking vehicle in an area with a maximum design gross vehicle weight parking prohibition sign where vehicle design gross vehicle weight exceeds the maximum displayed
6	40	Stopping or parking vehicle in clearway
7	41	Stopping or parking vehicle at school entrance
8	42 (as amended by Regulation 16(q) of the Regulations of 2012)	Parking in loading bay
9	45(2)	Parking on pedestrianised street or area

Item 4

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.

Item 5

An offence under section 35(5) of the Act of 1994 consisting of a contravention of the Regulations of 1997 mentioned in the Table below.

Table

Reference Number (1)	Regulations of 1997 Article (2)	Description of Contravention (3)
1	30 (inserted by Regulation 16(l) of the Regulations of 2012)	Failure by driver of pedal cycle to obey traffic lights
2	31 (inserted by Regulation 16(l) of the Regulations of 2012)	Failure by driver of pedal cycle to obey traffic lights/signs at railway level crossing
3	45(1) (inserted by article 8 of S.I. No. 274 of 1998)	Driving pedal cycle into a pedestrianised street or area other than on cycle track
4	47(4) (inserted by article 8 of S.I. No. 274 of 1998)	Failure by driver of pedal cycle to obey traffic lights

GIVEN under my hand,
19 October 2022

HILDEGARDE NAUGHTON,
Minister of State at the Department of Transport.

EXPLANATORY NOTE

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

These Regulations specify which offences involving the driving or use of mechanically propelled vehicles and pedal cycles are fixed charge offences for the purposes of section 34 of the Road Traffic Act 2010 (No. 25 of 2010) and determine the amount of the fixed charge for each offence.

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