



STATUTORY INSTRUMENTS.

S.I. No. 489 of 2020



ROAD TRAFFIC (LICENSING OF DRIVERS) (AMENDMENT) (NO. 8)
REGULATIONS 2020

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I, EAMON RYAN, Minister for Transport, in exercise of the powers conferred on me by sections 5(1) and 42(2) of the Road Traffic Act 1961 (No. 24 of 1961), 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, Tourism and Sport (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 351 of 2020)), for the purpose of giving further effect to Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006¹ and Directive (EU) 2018/645 of the European Parliament and of the Council of 18 April 2018² and for the purpose of giving effect to Directive (EU) 2020/612 of the European Parliament and of the Council of 4 May 2020³, hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic (Licensing of Drivers) (Amendment) (No. 8) Regulations 2020.

(2) These Regulations, other than paragraphs (c) and (f) of Regulation 2, come into operation on 1 November 2020.

(3) Paragraphs (c) and (f) of Regulation 2 come into operation on 7 February 2021.

2. The Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006) are amended –

(a) in Regulation 3(1), by the insertion of the following:

“ ‘Alternatively fuelled vehicle’ has the meaning assigned to it in Article 2 of Council Directive 96/53/EC of 25 July 1996⁴;”;

(b) in Regulation 6, by the insertion of the following in column (2) opposite the mention of “B” in column (1):

“Alternatively fuelled vehicles with a maximum authorised mass above 3,500 kg but not exceeding 4,250 kg for the transport of goods operating without a trailer by holders of a category B driving licence which was issued at least two years before, provided that the mass in excess of 3,500 kg is due exclusively to the excess of mass of the propulsion system in relation to the propulsion system of a vehicle of the same dimensions, which is equipped with a

¹ OJ L 403, 30.12.2006, P. 18.

² OJ L 112, 02.05.2018, P. 29.

³ OJ L 141, 05.05.2020, P. 9.

⁴ OJ L 235, 17.09.1996, P. 59: Definition stated as ‘alternatively fuelled vehicle’ shall mean a motor vehicle powered wholly or in part by an alternative fuel and which has been approved under the framework of Directive 2007/46/EC (as inserted by Directive (EU) 2015/719 of the European Parliament and of the Council of 29 April 2015 (OJ L115, 06.05.2015 P. 1))

conventional internal combustion engine with positive ignition or compression ignition, and provided that the cargo capacity is not increased in relation to the same vehicle.”;

(c) in Regulation 24, by the deletion of paragraph (2);

(d) in Regulation 27, by the substitution of the following for paragraph (4):

“(4) (a) A driving licence or a certificate of competency in respect of a vehicle with automatic transmission belonging to a category set out in column (1) of the Table to paragraph (3) shall, for the purposes of paragraphs (1) and (5), be regarded as a driving licence or a certificate of competency, as the case may be, in respect of vehicles -

(i) with automatic transmission belonging to a category set out in column (2) of the Table opposite the mention in column (1) of the first-mentioned category, or

(ii) without limitation to automatic transmission where the driving licence or certificate of competency is for any of the categories BE, C, CE, C1, C1E, D, DE, D1 or D1E when the applicant -

(I) already holds a driving licence without code 78 automatic transmission in any of the categories B, BE, C, CE, C1, C1E, D, DE, D1 or D1E, and

(II) has performed the actions described in paragraph (3)(c)(x) of Schedule 4 during the driving test.”;

(e) by the substitution of the following for Regulation 56:

“EU Driving Licence Network

56 (1) The licensing authority shall assist Member States in the implementation of driver licensing, and shall exchange information on the licences issued, exchanged, replaced, renewed or revoked. The licensing authority shall use the EU driving licence network set up for these purposes.

(2) The network may also be used for the exchange of information for control purposes provided for in European Union legislation.

(3) Access to the EU driving licence network shall be secured and accessed only by the licensing authority responsible for the implementation of and the control of compliance with these Regulations, as amended, and the competent authority responsible for the implementation of and control of compliance with the European Communities (Vehicle Drivers Certificate of Professional Competence) (No. 2) Regulations 2008 (S.I. 359 of 2008), as amended.”;

(f) in Schedule 1 by substituting for form D302 the form set out in the Schedule to these Regulations.

(g) in Schedule 4 –

(i) in paragraph (1) –

(I) by the substitution of “A, A1, A2, and AM” for “A, A1 and A2”, and

- (II) by the deletion of (b)(x);
- (ii) in paragraph (3) –
 - (I) in subparagraph (c)(ix) by the substitution of “vehicle,” for “vehicle.”, and
 - (II) by the insertion of the following after subparagraph (c)(ix):

“(x) Driving in such a way as to ensure safety and to reduce fuel consumption and emissions during acceleration, deceleration, uphill and downhill driving, when necessary by selecting gears manually.”;
- (h) in Schedule 5, by the substitution of the following for Category A2 in both places where it occurs:

“A2 Motorcycle, other than with twinned wheels, without sidecar, with a power rating of at least 20 kW but not exceeding 35 kW and with a power to weight ratio not exceeding 0.2 kW/kg. If the motorcycle is powered by an internal combustion engine, the cubic capacity of the engine shall be at least 245 cm³. If the motorcycle is powered by an electric motor, the power to weight ratio of the vehicle shall be not less than 0.15 kW/kg.”;
- (i) in paragraph 2 of Part 2 of Schedule 8 -
 - (i) by the substitution of the following for clause (c):

“(c) have been a qualified category B driver tester for at least 3 years; this period may be waived provided that the driver tester in question can provide evidence of -

 - (i) at least 5 years of driving in the category concerned, or
 - (ii) having passed a theoretical test and driving test of a standard higher than that needed to obtain a driving licence, at a level as satisfies the Road Safety Authority;”;
 - (ii) by the deletion of clause (e).

SCHEDULE

Regulation 2(f)

Certificate of Competency
Deimhniú Inniúlachta

Road Traffic Acts 1961 to 2018

Na hAchtanna um Thrácht ar Bhóithre, 1961 go 2018

[Unique Certificate of Competency Number]

[Name of customer]

[Address of customer]

[Driver Number]

This is to certify that the applicant for a Certificate of Competency named above has been tested in accordance with the provisions of the Road Traffic (Licensing of Drivers) Regulations 2006, (as amended) and that the applicant is competent to drive vehicles of the category indicated below.

Deimhnítear leis seo go bhfuil tástáil déanta ar an iarratasóir ar Dheimhniú Inniúlachta arna ainmniú thuas i gcomhréir le forálacha na Rialachán um Thrácht ar Bhóithre (Tiománaithe a Cheadúnú), 2006, (arna leasú) agus go bhfuil an t-iarratasóir inniúil chun feithiclí sa chatagóir dá dtagraítear thíos a thiomáint.

Category/Catagóir:

The following vehicle restriction(s) shall apply:

Beidh feidhm ag an srian/ag na srianta feithicle dá dtagraítear thíos:

Restriction/Srian:

IMPORTANT NOTICE
FÓGRA TÁBHACHTACH

This certificate ceases to be valid unless within two years after the date of issue, an application is made to the licensing authority for a driving licence in the vehicle category concerned, without prejudice to any overriding legislation.

Scoirfidh an deimhniú seo de bheith bailí mura ndéanfar, laistigh de dhá bhliain den dáta eisiúna, iarratas chuig an údarás ceadúnúcháin ar cheadúnas tiomána sa chatagóir feithicle iomchuí, gan dochar don reachtaíocht sháraitheach.

Driver Testing Section

An Rannóg Tástála Tiománaí

Date/Dáta:



GIVEN under my Official Seal,
30 October, 2020.

EAMON RYAN,
Minister for Transport.

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ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
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