



Number 9 of 2013

Motor Vehicle (Duties and Licences) Act 2013



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[No. 9.]

Motor Vehicle (Duties and Licences) Act 2013.

[2013.]

ACTS REFERRED TO

Environment (Miscellaneous Provisions) Act 2011 (No. 20)

Finance (Excise Duties) (Vehicles) Act 1952 (No. 24)

Finance (No. 2) Act 1992 (No. 28)

Finance Act 1992 (No. 9)

Local Government Act 1998 (No. 16)

Motor Vehicle (Duties and Licences) Act 2008 (No. 5)

Motor Vehicle (Duties and Licences) Act 2012 (No. 10)

Road Traffic Act 1961 (No. 24)



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MOTOR VEHICLE (DUTIES AND LICENCES) ACT 2013

An Act to amend and extend the Finance (Excise Duties) (Vehicles) Act 1952 and the Finance (No. 2) Act 1992 in respect of certain duties or licences leviable or issuable thereunder; to amend the Local Government Act 1998; and to provide for related matters.

[28th March, 2013]

Be it enacted by the Oireachtas as follows:

Definitions

1. In this Act—

“Act of 1952” means the Finance (Excise Duties) (Vehicles) Act 1952;

“Act of 1992” means the Finance (No. 2) Act 1992;

“Act of 2012” means the Motor Vehicle (Duties and Licences) Act 2012.

Application of sections 4 to 6

2. *Sections 4 to 6* apply as respects licences taken out, under section 1 of the Act of 1952 or, as the case may be, the provision concerned of the Act of 1992, for periods beginning on or after 1 January 2013.

Amendment of section 1 of Act of 1952

3. Section 1 of the Act of 1952 is amended in paragraph (b) of subsection (2) (amended by section 3 of the Motor Vehicle (Duties and Licences) Act 2008) by substituting “€119” for “€99”.

Amendment of Part I of Schedule to Act of 1952

4. Part I (amended by section 3 of the Act of 2012) of the Schedule to the Act of 1952 is amended—

(a) by substituting the following paragraphs for paragraphs 1 to 5:

“

1. Vehicles of the following descriptions not exceeding 500 kilograms in weight unladen:	
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(a) bicycles (other than bicycles which are electrically propelled), or tricycles (other than tricycles neither constructed nor adapted for use nor used for the carriage of a passenger), of which the cylinder capacity of the engine—	
(i) does not exceed 75 cubic centimetres,	€49
(ii) exceeds 75 cubic centimetres but does not exceed 200 cubic centimetres,	€67
(iii) exceeds 200 cubic centimetres,	€88
(b) bicycles or tricycles which are electrically propelled,	€35
(c) vehicles with three or more wheels neither constructed nor adapted for use nor used for the carriage of a driver or passenger.	€88
2. (a) Vehicles (commonly known as dumpers) not exceeding 3 metres cubed in capacity, level loaded, designed and constructed for use on sites of construction works (including road construction and house and other building works) for the purpose of conveying concrete, rubble, earth or other like material where the person taking out the licence shows to the satisfaction of the licensing authority that the vehicle is used mainly on such sites, and on public roads only—	
(i) for the purpose of proceeding to and from the site where it is to be used, and when so proceeding neither carries nor hauls any load other than such as is necessary for its propulsion or equipment, or	
(ii) for the purpose of conveying concrete, rubble, earth or like material for a distance of not more than one kilometre to and from any such site,	€102
(b) vehicles (commonly known as off-road dumpers) exceeding 3 metres cubed in capacity, level loaded, designed and constructed primarily for use on sites of construction works (including road construction and house and other building works) for the purpose of conveying concrete, rubble, earth or other like material and incapable by reason of their design and construction of exceeding a speed of 55 kilometres per hour on a level road under their own power and which are the subject of special permits under the Road Traffic (Special Permits for Particular Vehicles) Regulations 2007 (S.I. No. 283 of 2007),	€885

<p>(c) any vehicle (other than a vehicle constructed or adapted for use and used for the conveyance of a machine, workshop, contrivance or implement, by or in which goods being conveyed by such vehicle are processed or manufactured while the vehicle is in motion) constructed or adapted for use and used only for the conveyance of a machine, workshop, contrivance or implement (being a machine, workshop, contrivance or implement which is built in as part of the vehicle or otherwise permanently attached thereto) and no other load except articles used in connection with such machine, workshop, contrivance or implement or goods processed or manufactured therein including any vehicle (commonly known as a recovery vehicle) constructed or permanently adapted for the purposes of lifting, towing and transporting a disabled vehicle or for any one or more of those purposes,</p>	€333
<p>(d) vehicles (commonly known as forklift trucks) designed and constructed for the purpose of loading and unloading goods where the person taking out the licence shows to the satisfaction of the licensing authority that the vehicle is used on public roads only—</p>	
<p>(i) for the purpose of proceeding to and from the site where it is to be used for loading and unloading, and when so proceeding neither carries nor hauls any load other than such as is necessary for its propulsion or equipment, or</p>	
<p>(ii) as part of the process of loading or unloading, for the purpose of conveying goods for a distance of not more than one kilometre to and from the site where it is loading or unloading.</p>	€102
<p>3. (a) Vehicles constructed or adapted for the carriage of more than 8 persons which are owned by a youth or community organisation and which are used exclusively by the organisation solely for the purpose of conveying persons on journeys directly related to the activities of the organisation and which have seating capacity for—</p>	
<p>(i) more than 8 persons but not more than 20 persons,</p>	€154
<p>(ii) more than 20 persons but not more than 40 persons,</p>	€202
<p>(iii) more than 40 persons but not more than 60 persons,</p>	€403
<p>(iv) more than 60 persons,</p>	€403

(b) vehicles (other than those referred to in subparagraph (c) of this paragraph) used as large public service vehicles within the meaning of the Road Traffic Act 1961 and having seating capacity for—	
(i) more than 8 persons but not more than 20 persons,	€154
(ii) more than 20 persons but not more than 40 persons,	€202
(iii) more than 40 persons but not more than 60 persons,	€403
(iv) more than 60 persons,	€403
(c) vehicles which are large public service vehicles within the meaning of the Road Traffic Act 1961 and which are used only for the carriage of children, or children and teachers, being carried to or from school or to or from school-related physical education activities, and are either licensed under Article 60 of the Road Traffic (Public Service Vehicles) Regulations 1963 (S.I. No. 191 of 1963) as amended, or owned or operated by a statutory transport undertaking.	€95
4. Vehicles of the following descriptions:	
(a) vehicles designed, constructed and used for the purpose of trench digging or any kind of excavating or shovelling work which—	
(i) are used on public roads only for that purpose or the purpose of proceeding to and from the place where they are to be used for that purpose, and	
(ii) when so proceeding neither carry nor haul any load other than such as is necessary for their propulsion or equipment,	€102
(b) tractors (being tractors designed and constructed primarily for use otherwise than on roads and incapable by reason of their construction of exceeding a speed of 50 kilometres per hour on a level road under their own power) and agricultural engines, not being tractors or engines used for hauling on roads any objects except their own necessary gear, threshing appliances, farming implements or supplies of fuel or water required for the purposes of the vehicles or agricultural purposes,	€102

(c) tractors (being tractors designed and constructed primarily for use otherwise than on roads and incapable by reason of their construction of exceeding a speed of 50 kilometres per hour on a level road under their own power and not being tractors in respect of which a duty is chargeable at the rate specified in subparagraph (b) of this paragraph) which are used for haulage in connection with agriculture and for no other purpose,	€102
where a tractor is fitted with a detachable platform, container or implement (being a platform, container or implement used primarily for farm work), goods or burden of any other description conveyed on or in the platform, container or implement shall be regarded for the purposes of this subparagraph as being hauled by the tractor,	
(d) tractors of any other description,	€333
(e) vehicles designed, constructed or adapted as motor caravans (within the meaning of section 130 of the Finance Act 1992),	€102
(f) vehicles which are kept and used exclusively on an offshore island to which there is no direct road or bridge access from the mainland.	€102
5. Vehicles (including tricycles weighing more than 500 kilograms unladen) constructed or adapted for use and used for the conveyance of goods or burden of any other description in the course of trade or business (including agriculture and the performance by a local or public authority of its functions) and vehicles constructed or adapted for use and used for the conveyance of a machine, workshop, contrivance or implement by or in which goods being conveyed by such vehicles are processed or manufactured while the vehicles are in motion:	
(a) being vehicles which are electrically propelled and which do not exceed 1,500 kilograms in weight unladen,	€92
(b) being vehicles which are not such electrically propelled vehicles as aforesaid and which have a weight unladen—	
(i) not exceeding 3,000 kilograms,	€333
(ii) exceeding 3,000 kilograms but not exceeding 4,000 kilograms,	€420
(iii) exceeding 4,000 kilograms but not exceeding 5,000 kilograms,	€543

(iv) exceeding 5,000 kilograms but not exceeding 6,000 kilograms,	€753
(v) exceeding 6,000 kilograms but not exceeding 7,000 kilograms,	€1,019
(vi) exceeding 7,000 kilograms but not exceeding 8,000 kilograms,	€1,282
(vii) exceeding 8,000 kilograms but not exceeding 20,000 kilograms,	€1,282 plus €302 for each 1,000 kilograms or part thereof in excess of 8,000 kilograms
(viii) exceeding 20,000 kilograms.	€5,195

”

and

(b) in paragraph 6, by substituting the following subparagraphs for subparagraphs (a) to (e):

“

(a) any vehicle which is used as a hearse and for no other purpose,	€102
(b) any vehicle (excluding a taxi) which is used as a small public service vehicle within the meaning of the Road Traffic Act 1961 and for no other purpose,	€95
(c) any vehicle which is fitted with a taximeter and is lawfully used as a street service vehicle within the meaning of the Road Traffic Act 1961 and for purposes incidental to such use and for no other purpose,	€95
(d) subject to subparagraphs (f) to (n), any vehicle which is—	
(i) a new vehicle which is registered on or after 1 July 2008 under section 131 of the Finance Act 1992 as a category A vehicle or as a category M1 vehicle, as the case may be, or	
(ii) registered outside of the State on or after 1 January 2008 and which is subsequently registered in the State on or after 1 July 2008 under section 131 of the Finance Act 1992 as a category A vehicle or as a category M1 vehicle, as the case may be, and which has an identification mark assigned by the Revenue Commissioners under section 131(5) of the Finance Act 1992 which signifies that the vehicle was first brought into use during or after the year 2008,	
and which has a CO ₂ emissions level—	
(I) of 0 grams per kilometre,	€120

(II) exceeding 0 grams per kilometre but not exceeding 80 grams per kilometre,	€170
(III) exceeding 80 grams per kilometre but not exceeding 100 grams per kilometre,	€180
(IV) exceeding 100 grams per kilometre but not exceeding 110 grams per kilometre,	€190
(V) exceeding 110 grams per kilometre but not exceeding 120 grams per kilometre,	€200
(VI) exceeding 120 grams per kilometre but not exceeding 130 grams per kilometre,	€270
(VII) exceeding 130 grams per kilometre but not exceeding 140 grams per kilometre,	€280
(VIII) exceeding 140 grams per kilometre but not exceeding 155 grams per kilometre,	€390
(IX) exceeding 155 grams per kilometre but not exceeding 170 grams per kilometre,	€570
(X) exceeding 170 grams per kilometre but not exceeding 190 grams per kilometre,	€750
(XI) exceeding 190 grams per kilometre but not exceeding 225 grams per kilometre,	€1,200
(XII) exceeding 225 grams per kilometre,	€2,350
(XIII) that—	
(A) cannot be confirmed by the Revenue Commissioners by reference to the relevant EC type-approval certificate or EC certificate of conformity, and	
(B) the Revenue Commissioners are not satisfied of by reference to any other document produced in support of the declaration for registration pursuant to section 131 of the Finance Act 1992,	€2,350
(e) subject to subparagraphs (f) to (n), other vehicles to which this paragraph applies and which—	
(i) have an engine capacity not exceeding 1,000 cubic centimetres,	€199
(ii) have an engine capacity exceeding 1,000 cubic centimetres but not exceeding 1,100 cubic centimetres,	€299
(iii) have an engine capacity exceeding 1,100 cubic centimetres but not exceeding 1,200 cubic centimetres,	€330
(iv) have an engine capacity exceeding 1,200 cubic centimetres but not exceeding 1,300 cubic centimetres,	€358

(v) have an engine capacity exceeding 1,300 cubic centimetres but not exceeding 1,400 cubic centimetres,	€385
(vi) have an engine capacity exceeding 1,400 cubic centimetres but not exceeding 1,500 cubic centimetres,	€413
(vii) have an engine capacity exceeding 1,500 cubic centimetres but not exceeding 1,600 cubic centimetres,	€514
(viii) have an engine capacity exceeding 1,600 cubic centimetres but not exceeding 1,700 cubic centimetres,	€544
(ix) have an engine capacity exceeding 1,700 cubic centimetres but not exceeding 1,800 cubic centimetres,	€636
(x) have an engine capacity exceeding 1,800 cubic centimetres but not exceeding 1,900 cubic centimetres,	€673
(xi) have an engine capacity exceeding 1,900 cubic centimetres but not exceeding 2,000 cubic centimetres,	€710
(xii) have an engine capacity exceeding 2,000 cubic centimetres but not exceeding 2,100 cubic centimetres,	€906
(xiii) have an engine capacity exceeding 2,100 cubic centimetres but not exceeding 2,200 cubic centimetres,	€951
(xiv) have an engine capacity exceeding 2,200 cubic centimetres but not exceeding 2,300 cubic centimetres,	€994
(xv) have an engine capacity exceeding 2,300 cubic centimetres but not exceeding 2,400 cubic centimetres,	€1,034
(xvi) have an engine capacity exceeding 2,400 cubic centimetres but not exceeding 2,500 cubic centimetres,	€1,080
(xvii) have an engine capacity exceeding 2,500 cubic centimetres but not exceeding 2,600 cubic centimetres,	€1,294
(xviii) have an engine capacity exceeding 2,600 cubic centimetres but not exceeding 2,700 cubic centimetres,	€1,345
(xix) have an engine capacity exceeding 2,700 cubic centimetres but not exceeding 2,800 cubic centimetres,	€1,391

(xx) have an engine capacity exceeding 2,800 cubic centimetres but not exceeding 2,900 cubic centimetres,	€1,443
(xxi) have an engine capacity exceeding 2,900 cubic centimetres but not exceeding 3,000 cubic centimetres,	€1,494
(xxii) have an engine capacity exceeding 3,000 cubic centimetres,	€1,809
(xxiii) are electrically propelled,	€120

”

Amendment of Part II of Schedule to Act of 1952

5. Part II of the Schedule to the Act of 1952 is amended by substituting the following paragraph for paragraph 5 (amended by section 4 of the Act of 2012):

“5. Where the applicant for a licence under section 1 of this Act satisfies the licensing authority that the vehicle in respect of which the licence is sought was constructed more than 30 years prior to the commencement of the period in respect of which the licence is sought, the annual rate of duty shall, notwithstanding Part I of this Schedule, be—

- (a) €26 where, apart from this paragraph, paragraph 1 of Part I of this Schedule would apply to the vehicle, and
- (b) €56 in respect of any other vehicle.”.

Amendment of section 21(3) of Act of 1992

6. Section 21 (amended by section 5 of the Act of 2012) of the Act of 1992 is amended by substituting the following subsection for subsection (3):

- “(3) (a) There shall be charged, levied and paid on a trade licence a duty of excise of—
- (i) in the case of a licence for exhibition only on a motor-cycle, €59,
 - (ii) in the case of a licence for exhibition only on any other vehicle, €353.
- (b) There shall be charged, levied and paid on a trade licence issued in place of a trade licence that has been lost, stolen or destroyed a duty of excise of—
- (i) in the case of a licence for exhibition only on a motor-cycle, €38,
 - (ii) in the case of a licence for exhibition only on any other vehicle, €86.”.

Amendment of section 6 of Local Government Act 1998

7. Section 6 (amended by section 6 of the Act of 2012) of the Local Government Act 1998 is amended—

(a) by substituting the following subsection for subsection (2C):

“(2C) (a) Subject to paragraphs (b) and (c), the Minister may, on or before 31 December 2013, pursuant to a request from the Minister for Finance, make one, or more

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than one, payment out of the Fund in the amount requested by the Minister for Finance.

- (b) When making a payment under paragraph (a), the Minister shall have regard to —
- (i) the amount then standing to the credit of the Fund,
 - (ii) the payments due to be made in respect of expenses incurred or to be incurred by one or more local authorities in performing its or their functions generally, and
 - (iii) the payments due to be made under subsection (2A) (amended by section 44 of the Environment (Miscellaneous Provisions) Act 2011).
- (c) The total amount of all payments made under paragraph (a) shall not exceed €150 million.”,

and

- (b) by deleting subsections (2D), (2E), (2F) and (2G).

Short title

8. This Act may be cited as the Motor Vehicle (Duties and Licences) Act 2013.