



STATUTORY INSTRUMENTS.

S.I. No. 161 of 2018



COMMERCIAL VEHICLE ROADWORTHINESS (ROADSIDE
ENFORCEMENT) REGULATIONS 2018

COMMERCIAL VEHICLE ROADWORTHINESS (ROADSIDE ENFORCEMENT) REGULATIONS 2018

I, SHANE ROSS, Minister for Transport, Tourism and Sport in exercise of the powers conferred on me by sections 32 and 36 of the Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012) and for the purpose of giving effect to Articles 4, 10 and 16(2) of Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014¹, hereby make the following regulations:

Citation and commencement

1. (1) These Regulations may be cited as the Commercial Vehicle Roadworthiness (Roadside Enforcement) Regulations 2018.

(2) These Regulations shall come into operation on 20 May 2018.

Interpretation

2. (1) In these Regulations—

“Act of 2012” means Road Safety Authority (Commercial Vehicle Roadworthiness) Act 2012 (No. 16 of 2012);

“combination of vehicles” means a mechanically propelled vehicle and a vehicle or vehicles drawn thereby;

“Commissioner” means Commissioner of the Garda Síochána;

“Directive” means Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014² on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC;

“dispose of” includes sell or scrap;

“immobilisation device” means any device or appliance designed or adapted to be fixed to a vehicle for the purpose of preventing it from being driven or otherwise put in motion;

“initial inspection” has the meaning given to it by Regulation 4;

“inspection report” means—

(a) an inspection report referred to in Regulation 5,

¹OJ No. L 127, 29.4.2014, p. 134

²OJ No. L 127, 29.4.2014, p. 134

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 18th May, 2018.

- (b) an inspection report under the European Communities (Random Roadside Vehicle Inspection) Regulations 2003 (S.I. No. 227 of 2003) or a form used in lieu of that form under—
 - (i) the European Communities (Commercial Vehicles Roadside Check Forms) Regulations 2010 (S.I. No. 103 of 2010), or
 - (ii) the European Communities (Commercial Vehicles Roadside Check Forms) (Irish Language Form) Regulations 2011 (S.I. No. 88 of 2011),

or

- (c) a technical roadside inspection report issued by a competent authority or inspector of another Member State in accordance with the Directive or Directive 2000/30/EC of the European Parliament and of the Council of 6 June 2000³;

“more detailed inspection” has the meaning given to it by Regulation 4;

“public services card” has the meaning given to it by section 263(1) (inserted by section 9(1) of the Social Welfare and Pensions Act 2010 (No. 37 of 2010)) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005);

“vehicle detention notice” means a notice under Regulation 6;

“vehicle release form” means a form under Regulation 7;

“Vehicle Testing Regulations” means Commercial Vehicle Roadworthiness (Vehicle Testing) (No. 2) Regulations 2013 (S.I. No. 347 of 2013).

(2) A word or expression that is used in these Regulations and is also used in the Directive has, unless the contrary intention appears, the same meaning in these Regulations as it has in the Directive.

(3) In these Regulations a reference to an Annex is to an Annex to the Directive.

(4) The following regulations are revoked:

- (a) the European Communities (Random Roadside Vehicle Inspection) Regulations 2003 (S.I. No. 227 of 2003);
- (b) the European Communities (Random Roadside Vehicle Inspection) (Amendment) Regulations 2004 (S.I. No. 98 of 2004);
- (c) the European Communities (Commercial Vehicles Roadside Check Forms) Regulations 2010 (S.I. No. 103 of 2010);
- (d) the European Communities (Commercial Vehicles Roadside Check Forms) (Irish Language Form) Regulations 2011 (S.I. No. 88 of 2011);

³OJ No. L 203, 10.8.2000, p. 1

- (e) the European Communities (Random Roadside Vehicle Inspection) (Amendment) Regulations 2011 (S.I. No. 608 of 2011).

Application

3. (1) Subject to paragraph (2), these Regulations apply to the following vehicles irrespective of the country of registration of the vehicle:

- (a) vehicles with more than 8 seats, excluding the driver's seat, used for the carriage of passengers and their luggage (categories M2 and M3) with a design speed exceeding 25km/hr;
- (b) goods vehicles (categories N1, N2 and N3) with a design speed exceeding 25km/hr;
- (c) trailers (categories O3 and O4) with a design speed exceeding 25km/hr;
- (d) wheeled tractors in category T with a maximum design speed exceeding 40km/hr.

(2) These Regulations do not apply to vehicles owned or operated by the Garda Síochána or the Defence Forces.

(3) In this Regulation “category”, “goods vehicle” and “tractor” each has the same meaning as it has in the Vehicle Testing Regulations.

Roadside inspection

4. (1) An initial technical roadside inspection (“initial inspection”) shall include at least one of the following:

- (a) a visual assessment of the maintenance condition of the vehicle when stationary;
- (b) an examination of—
 - (i) any inspection report issued in respect of the vehicle no earlier than three months prior to the date of the initial inspection, or
 - (ii) any documentation attesting to the vehicle’s technical roadworthiness in particular, in the case of a vehicle put into service in a Member State, any certificate of roadworthiness or other proof that the vehicle has undergone a statutory technical roadworthiness test in accordance with the Directive or Directive 2009/40/EC of 6 May 2009⁴ on roadworthiness tests for motor vehicles and their trailers;
- (c) an examination of the vehicle to verify that any defects indicated in a report or other documentation referred to in paragraph (b) has been rectified;

⁴OJ No. L 141, 6.6.2009, p. 12

(d) subject to paragraph (5), an inspection for irregularities in relation to one or more of the items specified in point 1 of Annex II.

(2) Based on the outcome of the initial inspection a CVR inspector shall determine whether or not to carry out a more detailed technical roadside inspection (“more detailed inspection”) of the vehicle.

(3) Where a CVR inspector determines that a more detailed inspection is required the inspector may require that the vehicle be transported to a CVR testing centre for the purposes of the inspection.

(4) A more detailed inspection shall cover those items listed in Annex II that the CVR inspector considers necessary and relevant having regard, in particular, to the safety of the brakes, tyres, wheels and chassis, the particular defect, and the recommended methods applicable to the testing of those items.

(5) A CVR inspector shall have regard to the documents referred to in paragraph (1)(b) before carrying out a more detailed inspection and where these documents show that an inspection of an item listed in point 1 of Annex II was carried out during the period of three months immediately preceding the initial inspection, that item shall not be inspected again unless the CVR inspector is satisfied that there is an obvious defect or irregularity affecting such item.

Inspection Report

5. (1) On the completion of an inspection of a vehicle the CVR inspector shall draw up a report relating to the inspection and give a copy of it to the driver of the vehicle either—

(a) by hand, or

(b) with the consent of the driver, in electronic form by email.

(2) An inspection report shall be in the form set out in Schedule 1.

(3) The CVR inspector shall send a copy of the inspection report and any other documentation relating to the technical roadside inspection of a vehicle to the Authority.

Detention, immobilisation, removal and storage of vehicle

6. (1) Where a CVR inspector—

(a) is of the opinion that a vehicle is not roadworthy,

(b) is prevented from inspecting a vehicle, or

(c) believes that a vehicle is being used in breach of a direction, or of a requirement of a CVR inspector under section 34 of the Act of 2012,

he or she may detain, immobilise, remove and store the vehicle or make an arrangement with any other person for such immobilisation, removal and storage.

(2) Where a vehicle is detained under this section the CVR inspector who detains the vehicle shall do one of the following:

- (a) place a notice stating that the vehicle, or part of a combination of vehicles, is under detention (referred to in these regulations as a “vehicle detention notice”) on or in the vehicle;
- (b) hand a vehicle detention notice to the driver of the vehicle;
- (c) with the consent of the driver, give the driver a copy of the vehicle detention notice in electronic form by email.

(3) A vehicle detention notice shall be in the form set out in Schedule 2.

(4) A person shall not remove or interfere with a vehicle detention notice or an immobilisation device affixed to a vehicle under this Regulation unless authorised to do so by an authorised officer or a member of the Garda Síochána.

Vehicle Release Form

7. (1) A vehicle detained under regulation 6 shall only be released on the production of a form signed by a member of the Garda Síochána authorising the release of the vehicle (“vehicle release form”).

(2) It shall be presumed, unless stated otherwise in the vehicle release form, that it is a condition of the release of the vehicle that it be towed.

(3) A vehicle release form may specify conditions to which the release of a vehicle is subject.

(4) An applicant for a vehicle release form shall—

- (a) attend at a Garda station specified in the vehicle detention notice, and
- (b) produce to a member of the Garda Síochána—
 - (i) a copy of the vehicle detention notice,
 - (ii) by way of identification, a valid driving licence, valid passport or valid public services card,
 - (iii) the vehicle registration book, vehicle licensing certificate, vehicle registration certificate or trailer certificate that names the registered owner of the vehicle,
 - (iv) in the case of a vehicle subject to a lease or similar arrangement, evidence of the identity of the person entitled to possession of the vehicle,
 - (v) where the applicant is not the owner of the vehicle or is not entitled to possession of the vehicle a statement signed by the owner authorising the applicant to obtain a vehicle release form

in respect of the vehicle and to recover and, subject to any condition under which the vehicle is released, drive the vehicle,

- (vi) where the applicant wishes to drive the vehicle on its release—
 - (I) evidence that, since the vehicle was detained, any defects that resulted in the vehicle being detained have been repaired and that the vehicle has been tested,
 - (II) a valid driving licence licensing the applicant to drive the vehicle, and,
 - (III) a policy of insurance in respect of the use of the vehicle by the applicant.

(4) A vehicle release form shall be in the form set out in Schedule 3.

Release of detained vehicle

8. (1) A vehicle that has been detained, immobilised, removed and stored in accordance with Regulation 6 shall not be released until the person claiming the vehicle—

- (a) pays to the person who is in charge of the vehicle at the place where it is detained the charges in respect of the detention, immobilisation, removal and storage of the vehicle in accordance with Regulation 9, and
- (b) produces to the person who is in charge of the vehicle at the place where it is detained—
 - (i) a vehicle release form authorising the release of the vehicle to that person, and
 - (ii) by way of identification, a valid driving licence, valid passport or valid public services card,

and
- (c) satisfies the person who is in charge of the vehicle at the place where it is detained that the release is in accordance with any conditions specified in the vehicle release form.

(2) Where a claimant satisfies the requirements specified in paragraph (1) the vehicle shall be released as soon as is reasonably practicable.

(3) Where a vehicle is released under this section, the person who is in charge of the vehicle at the place where it is detained who releases the vehicle shall issue to the person claiming the vehicle a receipt stating—

- (a) the name of the person who is in charge of the vehicle at the place where it is detained who releases the vehicle,

- (b) the registration number of the vehicle,
- (c) the date on which the vehicle was first stored under Regulation 6,
- (d) the address at which the vehicle was stored,
- (e) the amount of charges paid in respect of the detention, immobilisation, removal and storage of the vehicle in accordance with Regulation 9,
- (g) the date and time at which the charges referred to in paragraph (e) were paid, and
- (h) the reference number of the receipt.

Charges for detention, immobilisation, removal and storage

9. (1) Where a vehicle has been detained, immobilised, removed and stored in accordance with Regulation 6, the charges in respect of such detention, immobilisation, removal and storage of the vehicle shall be as follows:

- (a) in the case of a vehicle with a design gross vehicle weight not exceeding 3,500 kg—
 - (i) €125 in respect of its detention, immobilisation, removal and storage for one day or a part of a day, and
 - (ii) €35 in respect of each further day or part of a day that it is stored,and
- (b) in the case of a vehicle with a design gross vehicle weight exceeding 3,500kg—
 - (i) €250 in respect of its detention, immobilisation, removal and storage for one day or part of a day, and
 - (ii) €50 in respect of each further day or part of a day that it is stored.

(2) In the case of a combination of vehicles, each vehicle in the combination shall be subject to a charge under this Regulation.

(3) In this Regulation “design gross vehicle weight” has the same meaning as it has in the Vehicle Testing Regulations.

Disposal of unreleased vehicle

10. Subject to section 36(3) of the Act of 2012, where the owner of a vehicle which has been detained, immobilised, removed and stored in accordance with Regulation 6 has not claimed the vehicle or has not paid the charges due in accordance with Regulation 9, the Commissioner may, subject to Regulation 11, dispose of the vehicle in any manner he or she thinks fit.

Notice of intention to dispose of vehicle

11. (1) Where the Commissioner proposes to dispose of a vehicle in accordance with Regulation 10, the Commissioner shall—

- (a) serve on the owner of the vehicle a notice of its intention to dispose of the vehicle, or
- (b) where after reasonable enquiry, it has not been possible to ascertain the name and address of the owner of the vehicle, publish in at least one daily newspaper circulating in the area in which the vehicle was detained—
 - (i) a notice of intention to dispose of the vehicle, and
 - (ii) the Internet address of the website where the notice of intention to dispose of such vehicle may be viewed.

Claim by owner after disposal

12. Where, before the expiration of the period of one year commencing on the date of disposal of a vehicle by the Commissioner, a person satisfies the Commissioner that he or she was the owner of the vehicle at the time of its disposal, the Commissioner shall pay to him or her any proceeds from the disposal less the sum of the charges due for the detention, immobilisation, removal and storage of the vehicle and the expenses reasonably incurred in the disposal of the vehicle.

DEFECT CATEGORISATION

0 IDENTIFICATION OF THE VEHICLE	2.2.1 Steering wheel condition	4.9 Tell-tale mandatory for lighting equipment	7.1.4 Safety belt pre-tensioners
0.1 Registration number plates	2.2.2 Steering column & dampers	4.9.1 Condition and operation	7.1.5 Airbag
0.2 Vehicle identification/chassis/serial number	2.3 Steering play	4.9.2 Compliance with requirements	7.1.6 SRS system
1 BRAKING EQUIPMENT	2.4 Wheel alignment	4.10 Electrical connections between towing vehicle and trailer or semi-trailer	7.2 Fire extinguisher
1.1 Mechanical condition and operation	2.5 Trailer steered axle turntable	4.11 Electrical wiring	7.3 Locks and anti-theft device
1.1.1 Service brake pedal pivot	2.6 Electronic Power Steering (EPS)	4.12 Non-obligatory lamps and reflectors	7.4 Warning triangle
1.1.2 Pedal condition and travel of brake operating device	3 VISIBILITY	4.13 Battery	7.5 First aid kit
1.1.3 Vacuum pump or compressor and reservoirs	3.1 Field of vision	5 AXLES, WHEELS, TYRES AND SUSPENSION	7.6 Wheel chocks (wedges)
1.1.4 Low pressure warning gauge or indicator	3.2 Condition of glass	5.1 Axles	7.7 Audible warning device
1.1.5 Hand-operated brake control valve	3.3 Rear view mirrors or devices	5.1.1 Axles	7.8 Speedometer
1.1.6 Parking brake activator, level control, parking brake ratchet	3.4 Windscreen wipers	5.1.2 Stub axles	7.9 Tachograph
1.1.7 Braking valves (foot valves, unloaders, governors)	3.5 Windscreen washers	5.1.3 Wheel bearings	7.10 Speed limitation device
1.1.8 Couplings for trailer brakes (electric and pneumatic)	3.6 Demisting system	5.2 Wheels and tyres	7.11 Odometer
1.1.9 Energy storage reservoir pressure tank	4 LAMPS, REFLECTORS, ELECTRICAL EQUIPMENT	5.2.1 Road wheel hub	7.12 Electronic stability control (ESC)
1.1.10 Brake servo units, master cylinder (hydraulic systems)	4.1 Headlamps	5.2.2 Wheels	8 NUISANCE
1.1.11 Rigid brake pipes	4.1.1 Condition and operation	5.2.3 Tyres	8.1 Noise suppression system
1.1.12 Flexible brake hoses	4.1.2 Alignment	5.3 Suspension system	8.2 Exhaust emissions
1.1.13 Brake linings and pads	4.1.3 Switching	5.3.1 Springs and stabilisers	8.2.1 Petrol engine emissions
1.1.14 Brake drums, brake discs	4.1.4 Compliance with requirements	5.3.2 Shock absorbers	8.2.1.1 Exhaust emission control equipment
Brake cables, rods, levers, linkages	4.1.5 Levelling devices	5.3.3 Torque tubes, radius arms, wishbones and suspension arms	8.2.1.2 Gaseous emissions
1.1.15	4.1.6 Headlamp cleaning device	5.3.4 Suspension joints	8.2.2 Diesel engine emissions
1.1.16 Brake actuators (including spring brakes or hydraulic cylinders)	4.2 Front and rear position lamps, side marker lamps and end outline marker lamps	5.3.5 Air suspension	8.2.2.1 Exhaust emission control equipment
1.1.17 Load sensing valve	4.2.1 Condition and operation	6 CHASSIS AND CHASSIS ATTACHMENTS	8.2.2.2 Opacity
1.1.18 Slack adjusters and indicators	4.2.2 Switching	6.1 Chassis or frame attachments	8.3 Electromagnetic interference suppression
1.1.19 Endurance braking system (where fitted or required)	4.2.3 Compliance with requirements	6.1.1 General condition	8.4 Other items relating to the environment
1.1.20 Automatic operation of trailer brakes	4.3 Stop lamps	6.1.2 Exhaust pipes and silencers	8.4.1 Visible smoke
1.1.21 Complete braking system	4.3.1 Condition and operation	6.1.3 Fuel tank and pipes (including heating fuel tank and pipes)	8.4.2 Fluid leaks
1.1.22 Test connections	4.3.2 Switching	6.1.4 Bumpers, lateral protection and rear under-run devices	9 SUPPLEMENTARY TESTS FOR CATEGORY M2 & M3 VEHICLES
1.1.23 Overrun brake	4.3.3 Compliance with requirements	6.1.5 Spare wheel carrier	9.1 Doors
1.2 Service braking performance and efficiency	4.4 Direction indicator and hazard warning lamps	6.1.6 Coupling mechanisms and towing equipment	9.1.1 Entrance and exit doors
1.2.1 Performance	4.4.1 Condition and operation	6.1.7 Transmission	9.1.2 Emergency exits
1.2.2 Efficiency	4.4.2 Switching	6.1.8 Engine mountings	9.2 Demisting and defrosting systems
1.3 Secondary (emergency) braking performance and efficiency	4.4.3 Compliance with requirements	6.1.9 Engine performance	9.3 Ventilation & Heating Systems
1.3.1 Performance	4.4.4 Flashing frequency	6.2 Cab and bodywork	9.4 Seats
1.3.2 Efficiency	4.5 Front and rear fog lamps	6.2.1 Condition	9.4.1 Passenger seats
1.4 Parking braking performance and efficiency	4.5.1 Condition and operation	6.2.2 Mounting	9.4.2 Driver's seat
1.4.1 Performance	4.5.2 Alignment	6.2.3 Doors and door catches	9.5 Interior lighting & destination device
1.4.2 Efficiency	4.5.3 Switching	6.2.4 Floor	9.6 Gangways, standing areas
1.5 Endurance braking system performance	4.5.4 Compliance with requirements	6.2.5 Driver's seat	9.7 Stairs and steps
1.6 Anti-lock braking system (ABS)	4.6 Reversing lamps	6.2.6 Other seats	9.8 Passenger communication system
1.7 Electronic Brake system (EBS)	4.6.1 Condition and operation	6.2.7 Driving controls	9.9 Notices
1.8 Brake Fluid	4.6.2 Compliance with requirements	6.2.8 Cab steps	9.10 Requirements regarding the transportation of children
2 STEERING	4.6.3 Switching	6.2.9 Other interior and exterior fittings and equipment	9.10.1 Doors
2.1 Mechanical condition	4.7 Rear registration plate lamp	6.2.10 Mudguards (wings), spray suppression devices	9.10.2 Signalling and special equipment
2.1.1 Steering gear condition	4.7.1 Condition and operation	7 OTHER EQUIPMENT	9.11 Requirements regarding the transportation of persons with reduced mobility
2.1.2 Steering gear casing attachment	4.7.2 Compliance with requirements	7.1 Seat belts/buckles	9.11.1 Doors, ramps and lifts
2.1.3 Steering linkage condition	4.8 Retro-reflectors, conspicuity markings and rear marker plates	7.1.1 Security of mounting	9.11.2 Wheelchair restraint system
2.1.4 Steering linkage operation	4.8.1 Condition	7.1.2 Condition	9.11.3 Signalling and special equipment
2.1.5 Power steering	4.8.2 Compliance with requirements	7.1.3 Safety belt load limiter	
2.2 Steering wheel and column			

CATEGORY OF VEHICLE	N1 (≤ 3.5 tonnes)	N2 (> 3.5 tonnes to 12 tonnes)	N3 (> 12 tonnes)	M2 (> 9 seats ≤ 5 tonnes)	M3 (> 9 seats > 5 tonnes)
	O3 (> 3.5 tonnes to 10 tonnes)	O4 (> 10 tonnes)	Tractor (Category T > 40km/hr)	OTHER VEHICLE CATEGORY	

SCHEDULE 2

Regulation 6

VEHICLE DETENTION NOTICE

The vehicle specified below has been detained under the Commercial Vehicle (Roadside Enforcement) Regulations 2018.

If the vehicle is not reclaimed in accordance with this notice from the location specified below before ____ _____ 20____ it may be disposed of, sold or destroyed and the proceeds used to pay the charges of its removal, storage and disposal.

Issued at _____

on ____ _____ **20**____

at _____ : _____

Issued by _____

Signature of CVR inspector detaining vehicle

Name of CVR Inspector (Block Capitals)

Signature of Driver

PART A —VEHICLE DESCRIPTION AND REASON FOR DETENTION

Registration No./Trailer No,	
Make	
Model	
Reason for detention (delete as appropriate)	Vehicle not roadworthy Inspection prevented Breach of direction or requirement of CVR inspector under section 34
Defects rendering vehicle unroadworthy	
Technical Roadside Inspection Report reference number	
Name of driver and driving licence No.	
Name of CVR inspector	
Address of CVR inspector	
CVR Inspector contact details	

PART B — VEHICLE RELEASE INFORMATION

In order to have the vehicle specified released, the owner of the vehicle or a person authorised by the owner must attend one of the Garda Stations specified below and obtain a vehicle release form signed by a member of the Garda Síochána.

An applicant for a vehicle release form must bring to the Garda Station each of the following:

- a copy of the Vehicle Detention Notice placed on/in the vehicle or handed to the driver,
- a valid driving licence, public services card or passport in his or her name,
- the vehicle registration book, vehicle licensing certificate, vehicle registration certificate or trailer certificate that names the registered owner of the vehicle,
- in the case of a vehicle subject to a lease or similar arrangement, evidence of the identity of the person entitled to possession of the vehicle,
- where the applicant is not the owner of the vehicle or is not entitled to possession of the vehicle, a statement signed by the owner authorising the applicant to obtain the vehicle release form and to recover and, where permitted, drive the vehicle.

An applicant who wishes to drive the vehicle on its release must also bring with them to the Garda Station each of the following:

- evidence that, since the vehicle was detained, the defects specified in this form have been repaired and that the vehicle has been tested,
- a valid driving licence, licensing him or her to drive the vehicle, and
- a policy of insurance covering the use of the vehicle by him or her.

List of Garda Stations

PART C — RECLAIMING THE VEHICLE

In order to have the vehicle released the applicant must do each of the following:

- attend the storage facility where the vehicle is detained and pay all the charges for the detention, immobilisation, removal and storage of the vehicle, and
- produce to the person in charge, the vehicle release form and the passport, public services card or driver's license that he or she produced at the Garda Station.

The charges that apply to detained vehicles are as follows:

Vehicle with a design gross weight of 3,500kg or less

- (a) for the detention, removal & storage of the vehicle: €125.00
- (b) after the initial 24 hours for each subsequent 24 hour period or part thereof: €35

Vehicle with a design gross weight of more than 3,500kg

- (a) for the detention, removal & storage of the vehicle: €250.00
- (b) after the initial 24 hours for each subsequent 24 hour period or part thereof: €50

A charge will apply to each vehicle in a combination of vehicles.

Name and address of site where vehicle is detained/immobilised	
Contact Details	

NOTES:

Prosecution: You should be aware that you may be prosecuted for the defects that caused the vehicle to be detained and removed to an impound site or for failing to permit an inspection of the vehicle at a roadside check.

You must not take the defects recorded on the roadside check form as an indication that there are no other defects on the vehicle.

Personal belongings: Any personal belongings should be removed from the vehicle prior to it being removed from the roadside inspection site.

SCHEDULE 3*Regulation 7***VEHICLE RELEASE FORM**

To _____
 Name and address of the operator of the location at which the vehicle is
 detained.

This form authorises you to release the vehicle described in Part A to the person
 named in Part B subject to the conditions contained in Part C on payment of
 any charges in respect of the detention, immobilisation, removal and storage of
 the vehicle in accordance with the Commercial Vehicle Roadworthiness
 (Roadside Enforcement) Regulations 2018.

PART A

Vehicle Registration No.	
Trailer Licence No.	
Make	
Model	

PART B

Name of person	
Address of person	
Form of identification: Driving License Public Services Card Passport	Record No.

PART C

Release of Vehicle subject to condition that it not be driven: Yes/No [delete as appropriate]

Any other conditions subject to which release is authorised:

Signed: _____ **Sergeant/Garda**

Registered No: _____

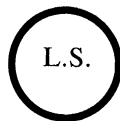
Station: _____

Authorisation Date: _____

Garda Station Stamp

Garda use only

No	Documents Presented	Details
1	<u>Copy of notice of detention of vehicle</u>	
2	<u>Evidence of identification:</u> driving licence, passport, or public services card	
3	<u>Proof of ownership:</u> Vehicle Registration book, vehicle licensing certificate or trailer certificate that names the registered owner of the vehicle	
4	<u>Evidence of lease or hire purchase agreement</u> (applicable only in cases where the vehicle is subject to a lease or hire purchase agreement)	
5	<u>Applicants authority:</u> (a) Authority letter signed by the owner that the applicant is authorised to obtain the vehicle release form; and (b) Copy of the owner/operator's passport, public services card or driving licence as proof of signature	
6	<u>Vehicle to be released to be driven:</u> (a) Proof that any defects which caused the vehicle to be detained have been repaired and the vehicle tested; (b) Valid driving licence in respect of applicant driving the vehicle; (c) Valid policy of insurance in respect of the use of the vehicle by the applicant.	



GIVEN under my Official Seal,
14 May 2018.

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).

It is proposed that the attached Commercial Vehicle Roadworthiness (Roadside Enforcement) Regulations 2018 be made under Sections 32 and 36 of the RSA (CVR) Act 2012, in order to facilitate more effective enforcement of roadworthiness requirements at the roadside, improve road safety, and to deliver on a core requirement of the CVR Reform Programme.

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