

Dublin City Council
Draft Bye-Laws
Made under Part V
The Roads Act 1993
(as amended)

Bye-Laws made by Dublin City Council on the XX Day 2020 under
Part V The Roads Act 1993 (as amended)
affecting the Toll Road over the River Liffey known as the East Link.

PART 1

Definitions:

1. In these Bye-Laws except where expressly stated to the contrary the following words have the meaning hereby respectively assigned to them, that is to say:

“the Act”	means the Roads Act 1993 as amended.
“Ambulance”	means a mechanically propelled vehicle which is outwardly identifiable as and is used exclusively for the carriage of sick, injured or disabled persons.
“Appropriate Toll”	is the toll calculated by the reference to the First Schedule hereto or increase in accordance with Bye-Law 12 hereof payable in respect of a vehicle.
“the base Tolls”	means the tolls set out in the First Schedule hereto.
“the Bridge Company”	means the Ringsend Toll Bridge Designated Activity Company
“Bus”	means a mechanically propelled vehicle which is Constructed or adapted to carry 12 or more passengers and their effects and which is not substantially constructed or adapted for the use for the conveyance of goods or burden of any description whether in the course of trade or otherwise with an unladen weight not exceeding 6 tonnes.
“Commercial Vehicle”	means a mechanically propelled vehicle which is substantially constructed or adapted for the use for the conveyance of goods or burden of any - description whether in the course of trade or otherwise.
“the Council”	means Dublin City Council.

“Driver”	means the person in charge of a vehicle
“ETC”	means electronic toll collection where the liability to pay a toll in accordance with the acts and these Bye-Laws is recorded by electronic means
“Fire Brigade Vehicle”	Means a mechanically propelled vehicle for the purpose of the firefighting or rescuing persons or property from danger or for both such purposes.
“Motor Car”	means a mechanically propelled vehicle not being a motor cycle or commercial vehicle and which is primarily constructed or adapted to carry less than 12 passengers and their effects.
“Motor Cycle”	means a bicycle mechanically propelled or motor assisted with or without a side car attached.
“Pedal Cycle”	means a bicycle or tricycle foot pedal operated.
“Pedestrian”	means a person on foot.
“ Toll Booth”	means the fixed or mobile installation erected on the Toll Road for the collection of tolls.
“Toll Collecting Equipment”	means such equipment, machine or system designed to receive and /or record tolls by mechanical, electrical, electronic or other means and shall include any machine or system used in ETC.
“Toll Collector”	means a person appointed and authorised by the Council or the Bridge Company to collect tolls on the Toll Road and to issue and inspect receipts and to do ancillary works in connection with the running of the Toll Road and shall include any authorised Official of the Bridge Company or the Council
“The Toll Road”	means the Toll Road crossing the River Liffey Dublin from the junction of North

Wall Quay and East Wall Road on the north side to York Road on south side and includes the roadway, bridge and ancillary works comprising an opening span two lane bridge road extending from the bridge on the south side to link up with South Link Road, Irishtown, Ringsend, Dublin.

“Toll Year”

means the 12 month period commencing on the 1st day of January and ending on the 31st day of December in any year.

“Trailer”

means a vehicle attached to another vehicle (including attached by way of partial Superimposition) for the purpose of being drawn thereby or actually drawn thereby.

“Vehicle”

means any vehicle, conveyance or mode of transport using the Toll Road and shall include a trailer.

PART II

USE OF THE TOLL ROAD

1. All classes of traffic including pedestrians, pedal cycles and motor cycles, motor cars, buses, Goods vehicles ambulances and fire brigade vehicles may use Toll Road on payment of the appropriate toll unless exempted from payment under these Bye-Laws.

RIGHT TO DEMAND TOLLS

2. The Council or the Bridge Company acting with its consent, may demand, take and recover tolls as set out herein.

PAYMENT OF TOLLS

3. The driver of a vehicle listed in the First Schedule shall pay the appropriate toll in respect of the vehicle on using the Toll Road and such toll becomes payable on entering any part of the Toll Road.

TOLL BOOTH

4. The driver of a vehicle listed in the First Schedule shall pay the appropriate toll when Using the Toll Road.

TRAILERS

5. Where a trailer is towed by a vehicle, it shall be treated with the vehicle as one composite vehicle and the class of traffic to which such composite vehicle belongs shall be determined by aggregating the unladen weights of the vehicle and the trailer and by aggregating the number of axles whether axles are in contact with the ground or not; provided that this shall not apply to a trailer towed by a motor cycle, pedal cycle, a motor car, bus or any other vehicle the unladen weight of which does not exceed one tonne.

RIGHT TO USE TOLL ROAD

6 On paying the appropriate toll to a toll collector or into a Toll Booth Collecting machine or in any other manner the driver shall be entitled to use the Toll Road.

RECEIPT.

7. On payment of a toll to a Toll Collector, the driver shall be entitled to a receipt for the toll paid at his request.

EXEMPTIONS

8. A toll shall not be payable in respect of the

categories of users of the Toll Road as set out in the Second Schedule hereto.

OBLIGATION TO PAY TOLL

9. Subject to any exemptions under these Bye-Laws, no one may use the Toll Road Without paying the appropriate toll.

DRIVER REFUSING TO PAY TOLL

10.1 Where a driver refuses or neglects to pay any toll or part thereof lawfully due under these Bye-Laws, a Toll Collector may refuse to permit the driver to pass through the Toll Road or by any Toll Booth or other place where such toll might be paid and may by himself or with assistance, as he shall think necessary, stop and prevent the driver so refusing or neglecting from passing through or over the same.

10.2 No person shall operate or attempt to Operate Toll collected equipment By insertion of objects other than Current coins of the state appropriate denomination or otherwise interfere with the toll collecting equipment with the intent of dishonestly obtaining for himself a pecuniary advantage.

LIST OF TOLLS TO BE EXHIBITED

11. A list of the tolls authorised by these Bye-Laws shall at all times be exhibited in a conspicuous place at or near the entrance to the Toll Road.

AMOUNT OF TOLLS

12a The tolls set out in the First Schedule hereto are the base tolls calculated as of Mid-august 2019. At that date, the Index for the Consumer Price Index (All Items) as published by the Central Statistic Offices was 102.8

b. The actual tolls payable in any year shall be the base tolls multiplied by the current Consumer Price Index for Mid-August in the previous Year (being the first published Index for that period) divided by the opening Index of 102.8.

c. In the event that the Consumer Price Index is not published in any one year then the

most recent index shall continue to be used.

- d. Such revised tolls shall be calculated to the nearest 10c.
- e. in the event of the appropriate Index remaining static in any year or showing a decrease from the previous year's figures, the tolls shall be as fixed in the previous year.
- f. Such increased tolls shall become due and payable as and from the 1st day of January following the said Mid-August in any year.
- g. a list of the tolls for each year so calculated shall be displayed on the Dublin City Council website.

OBSTRUCTIONS

- 13a** no person in charge of a cycle, cart, carriage, motor car, bus, vehicle or conveyance of any description shall permit it be left on the Toll Road so as to cause an obstruction to traffic using the Toll Road or to the operation of the opening span of the Toll Road.
- b.** The Toll Collectors, either themselves or with assistance as they think necessary may remove or cause to be removed such obstructions from the Toll Road and neither the Council, the Bridge Company nor their servants, agents or employees shall be liable for any damage caused to such obstruction in its removal.
- 14.** The Bye Laws made under the Public Health (Ireland) Act 1878 and the Local Government (Toll Roads) Act 1979 affecting the toll road over the river Liffey known as East Link made by the Council on the 13th day of January 1983 and confirmed by the Minister for the – Environment on the 29th day of March 1983 are hereby revoked.
- 15** In accordance with Section 61(8) of the Act these Bye-laws shall come into effect on the XXX date.

PART III

FIRST SCHEDULE

AMOUNT OF BASE TOLL With effect from the 1st day of May 2020

CLASS OF TRAFFIC

1	Categories of users listed in the Second Schedule hereto:-	Nil
2	Motor Cars	€1.90
3	Buses (unless exempt under Schedule 2)	€2.90
4.	Commercial Vehicles not included in any other class with an unladen weight not exceeding 2 tonnes	€2.90
5	Commercial Vehicles over 2 tonnes unladen weight and with not more than 2 axles	€3.90
6	Commercial Vehicles over 2 tonnes unladen weight and with not more than 3 axles	€4.80
7	Commercial Vehicles over 2 tonnes unladen weight and with not more than 4 axles	€5.80
8	Commercial Vehicles over 2 tonnes unladen weight and with 5 or more axles.	€5.80

Note except during the hours of operation of the DCC HGV cordon as currently set out and where the vehicle has not been in breach of the HGV cordon requirements, then a Nil charge shall apply.

PART IV

SECOND SCHEDULE

NO Tolls shall be payable in respect of the following:

- (1) Pedestrians
- (2) NTA Licenced public transport buses
- (3) Fire brigade vehicles
- (4) Ambulances
- (5) Marked vehicles being used in the course of their duties by the Defence Forces, Garda Síochana, and Dublin City Council
- (6) Pedal Cycles and motor cycles
- (7) Specially adapted Vehicles driven by disabled persons.
- (8) Mechanically propelled vehicles used exclusively for the carriage of sick, injured or strayed animals and outwardly identifiable as such.