



STATUTORY INSTRUMENTS.

S.I. No. 251 of 2014



CÓRAS IOMPAIR ÉIREANN BYE-LAWS (CONFIRMATION) ORDER
2014

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2014

I, LEO VARADKAR, Minister for Transport, Tourism and Sport, in exercise of the powers conferred on me by section 22 (amended by section 112 of the Dublin Transport Authority Act 2008) (No. 15 of 2008)) of the Transport Act 1950 (No. 12 of 1950) and the Communications (Transfer of Departmental Administration and Ministerial Functions) (No. 2) Order 1987 (S.I. No. 92 of 1987) (as adapted by the Transport (Alteration of Name of Department and Title of Minister) Order 2011 (S.I. No. 141 of 2011)) and having complied with subsection (2) of that section 22, hereby order as follows:

1. This Order may be cited as the Córás Iompair Éireann Bye-laws (Confirmation) Order 2014.

2. The Bus Éireann-Irish Bus Bye-laws made by the Board of Córás Iompair Éireann on the 20th day of March 2014 (as modified by the Minister for Transport, Tourism and Sport) and set out in the Schedule are hereby confirmed and shall come into operation on the 4th day of June 2014.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 13th June, 2014.*

SCHEDULE

Article 2

BUS ÉIREANN—IRISH BUS BYE-LAWS 2014

Made by Córas Iompair Éireann, after consultation with Bus Éireann-Irish Bus, in exercise of the powers conferred on it by section 22(1) (amended by section 112 of the Dublin Transport Authority Act 2008 (No. 15 of 2008)) of the Transport Act 1950 (No. 12 of 1950), section 28 (1) of the Transport (Re-organisation of Córas Iompair Éireann) Act 1986 (No. 31 of 1986) and section 8 (amended by section 111 of the Dublin Transport Authority Act 2008 (No. 15 of 2008)) of the Transport Act 1958 (No. 19 of 1958).

CITATION AND COMMENCEMENT

1. (1) These Bye-laws may be cited as the Bus Éireann-Irish Bus Bye-laws 2014.

(2) These Bye-laws shall come into operation on the date specified in that behalf in the Order of the Minister for Transport, Tourism and Sport confirming them.

INTERPRETATION

2. (1) In these Bye-laws—

“appropriate fare” means such charges as may be fixed and published from time to time by the company under section 8 of the Transport Act 1958 (No. 19 of 1958) for the conveyance of passengers and their baggage;

“authorised person” means any officer, employee or agent of the company acting in the course of his or her duty upon or in connection with the provision of passenger services or a member of the Garda Síochána whose attendance is requested by an authorised person;

“baggage” means an item of luggage accompanied by a passenger on a vehicle or carried on behalf of a passenger in the luggage compartment of a vehicle;

“bus stop” means a place (whether or not indicated by a sign erected by or on behalf of the company or the National Transport Authority) at which passengers may board or alight from a vehicle;

“company” means Bus Éireann-Irish Bus;

“controlled drug” has the same meaning as it has in section 2 of the Misuse of Drugs Act 1977 (No. 12 of 1977);

“intoxication” means being under the intoxicating influence of any alcoholic drink, controlled drug, solvent or any other substance or combination of substances;

“large public service vehicle” has the same meaning as it has in section 3 of the Road Traffic Act 1961 (No. 24 of 1961);

“Leap card” means a ticket that stores travel value electronically and is issued as part of an integrated ticketing scheme under the Dublin Transport Authority Act 2008 (No. 15 of 2008);

“passenger” means a person (excluding an authorised person) travelling on a vehicle and includes an intending passenger;

“pay”, in relation to a fare, includes validate by prepaid Leap card in accordance with Bye-law 20(1)(b);

“standard fare” means a fare payable pursuant to Bye-law 22 that is fixed and published from time to time by the company;

“ticket” means any ticket, document or electronic method of storing travel value issued for the conveyance of a passenger by the company, a sub-contractor on behalf of the company, an associate of the company in the provision of jointly operated services or a body other than the company which operates an integrated ticketing scheme under the Dublin Transport Authority Act 2008 and includes in particular, but without prejudice to the generality of the foregoing, a Leap card, Bus Éireann or CIÉ All Services Tax saver ticket, commuter ticket, combined Bus, Rail, Luas ticket, free travel pass, privilege ticket, or any warrant, identity card, voucher, electronic voucher or other similar authority in exchange for, or on production of which, a ticket for the conveyance of a passenger may be issued;

“valid ticket” means a ticket which complies with these Bye-laws and for which an appropriate fare has been paid in respect of the journey to be made;

“vehicle” means a large public service vehicle which is in use by the company or a vehicle on hire to the company.

(2) A reference to a company vehicle shall, where applicable, be read as a reference to a vehicle operated for and on behalf of the company by an authorised agent or sub-contractor irrespective of whether such vehicle is specifically so identified.

BOARDING AND ALIGHTING FROM A VEHICLE

3. A person shall not—

- (a) use any entrance on a vehicle for any purpose other than boarding the vehicle,
- (b) use any exit on a vehicle for any purpose other than alighting from the vehicle, or

- (c) use any emergency exit on a vehicle for any purpose other than alighting from the vehicle in an emergency, save for the purpose of boarding or alighting from the vehicle if so directed or otherwise allowed by an authorised person.

4. A person shall not (with the exception of an authorised person) open the door of a vehicle except in the event of an accident or emergency.

5. A person (with the exception of an authorised person) shall not stand, or attempt to stand, on the steps of a vehicle while it is in motion.

6. A person (with the exception of an authorised person) shall not board or alight from, or attempt to board or alight from, a vehicle whilst it is in motion or between stops.

7. A person shall not attempt to board, or alight from, a vehicle after the doors have commenced closing.

8. A person shall not board or alight from, or attempt to board or alight from, a vehicle when a wheelchair ramp is being extended or retracted.

9. A person shall not interfere with the operation of a wheelchair lift.

10. Where notices are exhibited on a vehicle indicating that a door of the vehicle is to be used for entrance and another door of the vehicle for exit a person shall not (except in the case of an accident or other emergency or with the consent of an authorised person)—

- (a) alight, or attempt to alight, from the vehicle by the door indicated for entrance, or

- (b) board, or attempt to board, the vehicle by the door indicated for exit.

11. When a vehicle contains the full permitted number of passengers no additional passenger shall board or remain on the vehicle and any such additional passenger shall leave the vehicle at the request of an authorised person.

12. (1) Each person shall queue at a bus stop in an orderly manner.

(2) Where an authorised person is regulating the boarding and alighting from a vehicle each person shall on arrival at a bus stop take up the position at the rear of the appropriate queue, move forward in an orderly and regular manner and obey the reasonable instructions of the authorised person regulating the queue and in the absence of such authorised person obey any notices displayed at the bus stop.

13. (1) The company reserves the right to refuse entry to, or to remove from a vehicle or a premises occupied by the company, any passenger or other person who in the opinion of a driver or an authorised person is, or appears to be, in breach of any of these Bye-laws.

(2) Where a passenger or other person is refused entry to or removed from a vehicle or a premises occupied by the company under paragraph (1)—

- (a) that passenger or person shall not be entitled to any refund or compensation from the company, and
- (b) the company shall have no liability to that passenger or other person in respect of the refusal or removal, as the case may be.

FARES AND TICKETS

14. Each passenger shall be in possession of a current valid ticket entitling them to travel.

15. Each passenger shall produce, when requested to do so by an authorised person, his or her valid ticket for all travel between his or her boarding point and his or her alighting point.

16. Each passenger travelling with a ticket on which a photograph is required shall ensure that such photograph is correctly displayed at all times.

17. Where a passenger claims to be entitled to travel at a concessionary rate the passenger shall produce evidence of his or her eligibility for travel at the rate claimed.

18. Each passenger on a vehicle operated by a driver and a conductor shall—

- (a) inform the conductor, at the conductor's request, of the journey that the passenger has made or intends to make and the place at which he or she boarded the vehicle,
- (b) pay (except where the passenger is already in possession of a valid ticket) the appropriate fare and ensure that he or she has been issued with a valid ticket and retain such ticket, and
- (c) produce his or her ticket for inspection by an authorised person whenever so requested by such person and inform the authorised person of the journey that he or she has made or intends to make and the place at which he or she boarded the vehicle.

19. When boarding a vehicle operated only by a driver each passenger shall—

- (a) inform the driver of his or her intended destination,
- (b) pay (except where the passenger is already in possession of a valid ticket) the appropriate fare and ensure that he or she has been issued with a valid ticket and retain such ticket, and
- (c) produce his or her ticket for inspection by an authorised person whenever so requested by such person and inform the authorised person of the journey that he or she has made or intends to make and the place at which he or she boarded the vehicle.

20. (1) When boarding a vehicle adapted for automatic fare collection each passenger shall (except where the passenger is already in possession of a valid ticket) pay the appropriate fare for the journey he or she intends to make—

(a) by inserting in any fare collection equipment provided in or about the vehicle the money or token required to pay the appropriate fare for his or her carriage and ensure that he or she has been issued with a valid ticket and retain such ticket, or

(b) by validating a pre-paid Leap card by contact with the Leap card reader target.

(2) A passenger under paragraph (1) shall produce his or her ticket for inspection by an authorised person whenever so requested by such person and inform the authorised person of the place at which he or she boarded the vehicle and the journey he or she has made or intends to make.

21. The company may specify special procedures which shall apply to validate certain types of tickets and where such special procedures exist each passenger shall comply with those procedures in accordance with instructions published by the company.

22. (1) Each passenger, who is not in possession of a valid ticket, upon boarding a vehicle shall become liable to pay, and shall pay, a standard fare.

(2) Where any person is found by an authorised person without a valid ticket on a vehicle the person shall at the request of the authorised person pay the standard fare immediately or within a period of 21 days from the date of the request and such fare shall be recoverable by the company from the person as a simple contract debt in any court of competent jurisdiction.

23. A passenger shall not forge, alter, deface, mutilate or destroy a ticket.

24. A passenger shall not use or attempt to use a ticket which has been forged, altered, defaced or mutilated.

25. A person shall not transfer, tender or deliver a ticket to another person in order to enable that other person to travel on a vehicle without paying the appropriate fare.

26. A passenger shall not use or attempt to use a ticket which has been issued for use by another person and is not transferable.

27. A passenger shall not use or attempt to use a ticket which is invalid by reason of its previous use or the expiry of the time limited for its use.

28. A ticket shall remain the property of the company that issued it and a passenger or person shall surrender a ticket when required to do so by an authorised person.

BEHAVIOUR TOWARDS AUTHORISED PERSONS

29. A person at a bus stop or on a vehicle shall not wilfully obstruct, impede or interfere with an authorised person.

30. While a vehicle is in motion a person shall not talk to the driver of the vehicle, obstruct his or her vision or otherwise distract his or her attention without reasonable cause.

31. A person shall not give the driver of a vehicle a starting signal.

32. (1) A person shall not by signal or other indication cause the driver of a vehicle to stop the vehicle except for the purpose of enabling that person to board, or to alight from, the vehicle at a bus stop.

(2) A person shall not give any signal or other indication which might reasonably be interpreted by the driver of a vehicle as a signal to stop the vehicle in an emergency except in the case of an accident or an emergency.

INTERFERENCE WITH VEHICLES

33. A person shall not touch or interfere with the engine, steering gear or any part of the controlling mechanisms of a vehicle.

34. A person shall not touch or interfere with the ticketing apparatus or any part of the ticketing mechanism of a vehicle except for the purpose of validating a ticket.

35. A person shall not wilfully soil a vehicle or any part of a vehicle.

36. A person shall not break, cut, scratch, tear, soil, deface or damage any fittings, furniture, decorations, equipment, notice, advertisement, number, figure or letter on a vehicle or remove or detach any such article or thing.

37. A person shall not deface or damage any part of a vehicle or any property on a vehicle.

38. A person whose clothing or accessories are in a condition that could reasonably be regarded as offensive to other passengers, or likely to soil or injure the linings or cushions of the seats of a vehicle or the clothing or baggage of any passenger shall not board or remain in any vehicle unless authorised to do so by an authorised person.

PROHIBITED ITEMS

39. (1) A person shall not take, or cause to be taken, on to any vehicle if requested not to do so by an authorised person any bird, animal, article or thing which by reason of its nature is in the opinion of the authorised person likely to cause annoyance or damage to any passenger or damage to any property.

(2) Notwithstanding paragraph (1) a person may take, or cause to be taken, on to any vehicle a guide dog or other assistance dog accompanying a person with disabilities.

40. A person (except a member of the Defence Forces or the Garda Síochána acting in the course of his or her duty) shall not take, or cause to be taken, on to a vehicle a weapon of any kind or any inflammable explosive or corrosive gas, spirit or substance.

41. A person shall not take, or cause to be taken, on to a vehicle any article or thing, including alcohol, that is or may become dangerous, or that could reasonably be regarded as offensive, to any person or property.

42. A person shall not take or, cause to be taken, on to a vehicle any controlled drug.

43. Where a person who contravenes Bye-law 39(1), 40, 41 or 42 fails to remove from the vehicle immediately, upon a request by an authorised person, any article or thing to which the Bye-law relates that article or thing may be removed by, or at the direction of, an authorised person.

PASSENGER BEHAVIOUR

44. Each passenger shall comply with a lawful notice or direction given to him or her by an authorised person or that applies to him or her, including a request to leave, or not to board, a vehicle.

45. A passenger shall not travel—

(a) on the upper deck of a double deck vehicle unless he or she occupies a seat provided for that purpose,

(b) on the stairways of a vehicle, or

(c) on any part of a vehicle which is not provided for the conveyance of passengers.

46. A person who, in the opinion of an authorised person, is in a state of intoxication or otherwise in an unfit or improper condition shall not board, attempt to board or remain on a vehicle.

47. A passenger shall not place his or her feet on a seat except with the permission of an authorised person.

48. A passenger shall not consume alcoholic drinks, hot beverages or hot food on a vehicle.

49. A passenger shall not be in possession of any open bottle, or container, of intoxicating liquor.

50. A passenger shall not take any controlled drug whilst on a vehicle.

51. A passenger shall not spit in or from a vehicle.
52. A passenger shall not smoke or carry a lighted pipe, cigarette, cigar, electronic cigarette or cheroot in a vehicle or part of a vehicle.
53. A passenger shall not throw or deposit any litter, lighted match, cigarette, cigar, cheroot, chewing gum or other substance on a vehicle except into a receptacle expressly provided for that purpose.
54. A person shall not throw or trail from a vehicle or throw at a vehicle any article or thing.
55. A passenger shall not remain on a vehicle after having been requested by an authorised person to depart the vehicle.
56. A person shall not distribute a document on a vehicle for the purpose of giving or seeking information except with the consent of an authorised person.
57. A person shall not tout, ply for or solicit alms, reward, custom or employment of any description on a vehicle.
58. A person shall not sell, or expose or offer for sale, any article or goods on a vehicle.
59. (1) A passenger shall not sing, perform on a musical or other instrument or use an audible radio, television, record player, tape recorder or portable apparatus on a vehicle.
(2) A passenger shall not use a personal stereo, mobile phone or similar device so as to be a source of annoyance to other passengers on a vehicle.
60. A person shall not molest or interfere with the comfort or convenience of any passenger or person in or about a vehicle.
61. A passenger shall not use threatening, abusive or offensive language or make any threatening, abusive or offensive gesture.
62. A person shall not behave in a riotous, disorderly, indecent or offensive manner in or about a vehicle.
63. A person shall deliver up to an authorised person any article of lost property found by him or her on a vehicle.

PREVENTION OF COMMISSION OF NUISANCES IN OR UPON
PREMISES OCCUPIED BY THE COMPANY

64. (1) A person shall not trespass in or upon premises occupied by the company.
(2) A person shall not commit a nuisance in or about premises occupied by the company or in any way interfere with such premises in such a way as to cause loss or damage to the company.

(3) A person shall not damage any property of the company.

ENFORCEMENT PROCEDURES

65. (1) Where an authorised person reasonably suspects that a person has contravened, is contravening or is attempting to contravene these Bye-laws the authorised person may request the person to provide them with his or her name and address.

(2) An authorised person may request a person specified in paragraph (1) to remain in his or her company pending verification of that person's name and address.

(3) A person specified in paragraph (1) shall comply with a request under paragraph (1) or (2).

(4) Where a person refuses or fails to comply with a request under paragraph (1) or (2) or provides a name or address which an authorised person has reasonable grounds for believing is false or misleading such person may be detained by an authorised person until the arrival of a member of the Garda Síochána.

66. (1) Where a person—

(a) has contravened Bye-law 65(3),

(b) has provided a name or address under Bye-law 65 which an authorised person has reasonable grounds for believing is false or misleading, or

(c) has been detained pursuant to Bye-law 65(4),

a member of the Garda Síochána may request that person to provide his or her name and address.

(2) A person shall comply with a request under paragraph (1).

(3) Where a person refuses or fails to comply with a request under paragraph (1) or provides a name or address which a member of the Garda Síochána has reasonable grounds for believing is false or misleading the person may be arrested by the member without warrant.

67. (1) Where an authorised person reasonably suspects that a person has contravened, is contravening or is attempting to contravene these Bye-laws the authorised person or, a member of the Garda Síochána acting on behalf of the authorised person, may remove that person from a vehicle.

(2) In the exercise of the power conferred by paragraph (1) an authorised person or a member of the Garda Síochána, as the case may be, may use such reasonable force as is necessary.

68. The provisions of these Bye-laws except this Bye-law and Bye-laws 1, 2, 13, 22(2), 43, 65(1), (2) and (4), 66(1) and (3) and 67 shall be penal provisions

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for the purposes of section 22(4) (amended by section 128 of the Railway Safety Act 2005 (No. 31 of 2005)) of the Transport Act 1950 (No. 12 of 1950).



GIVEN under my Official Seal,
4 June 2014.

LEO VARADKAR TD,
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).

The purpose of the Order is to confirm Bye-Laws made by C oras Iompair  ireann for the regulation of travel and use of the bus services provided by Bus  ireann-Irish Bus and the maintenance of order on these services.

BAILE ÁTHA CLIATH
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