

CORPORATION OF DUBLIN

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



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THE LOCAL GOVERNMENT (TOLL ROADS) ACT, 1979.

Bye-Laws made by The Right Honourable The Lord Mayor Aldermen and Burgesses of Dublin after consultation with the Commissioner of the Garda Siochana on the 4th day of November 1985 under Section 5 of the Local Government (Toll Roads) Act, 1979 affecting the Toll Road over the River Liffey known as East Link.

## PART I

## Definitions:

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

|                        |   |
|------------------------|---|
| "the Act"              | means the Local Government (Toll Roads) Act, 1979.  |
| "Ambulance"            | means a mechanically propelled vehicle which is outwardly identifiable as and is used exclusively for the carriage of sick, injured or disabled persons.  |
| "Animal Drawn Vehicle" | means a wheeled conveyance drawn by an animal or animals.   |
| "Appropriate Toll"     | is the toll calculated by reference to the First Schedule hereto or increased in accordance with Bye-Law 13 hereof payable in respect of a vehicle.   |
| "the Base Tolls"       | means the tolls set out in the First Schedule hereto.   |
| "the Bridge Company"   | means East Link Limited.  |
| "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 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 use for the conveyance of goods or burden of any description whether in the course of trade or otherwise.  |
| "the Corporation"      | means The Right Honourable The Lord Mayor Aldermen and Burgesses of Dublin.   |
| "Driver"               | means the person in charge of a vehicle.  |
| "Fire Brigade Vehicle" | means a mechanically propelled vehicle for the purpose of fire fighting or rescuing persons or property from danger or for both such purposes.  |
| "Invalid Carriage"     | means a vehicle specially adapted for use by an invalid or physically handicapped person.   |

|                                 |   |
|---------------------------------|---|
| "Motor Car"                     | means a mechanically propelled vehicle not being a motor cycle, commercial vehicle or invalid carriage 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 Booth Collecting Machine" | means a machine designed to receive and record tolls by mechanical means erected beside a Toll Booth.   |
| "Toll Collector"                | means a person appointed and authorised by the Corporation or the Bridge Company to collect tolls on the Toll Road and to issue and inspect receipts and do ancillary works in connection with the running of the Toll Road and shall include any authorised Official of the Bridge Company or of the Corporation.  |
| "The Toll Road"                 | means the Toll Bridge crossing the River Liffey, Dublin from the junction of North Wall Quay and East Wall Road on the north side to York Road on the south side and includes the roadway, bridge and ancillary works comprising an opening span two lane bridge and a new 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.  |
| "token"                         | means a voucher, coin, disc, card or permit issued by the Corporation or the Bridge Company for use on the Toll Road.   |
| "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 TOLL ROAD

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

RIGHT TO DEMAND  
TOLLS

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

PAYMENT OF TOLLS

4. The driver of a vehicle listed in the First Schedule shall pay the appropriate toll in respect of his vehicle on using the Toll Road and such toll becomes payable on entering any part of the Toll Road; provided that the Corporation or the Bridge Company may direct that payment of the appropriate toll be effected by token and may make provision for the sale of such tokens. Where pre-purchase of 40 tokens is made a discount may be allowed.

TOLL BOOTH

5. The driver of a vehicle listed in the First Schedule shall pay the appropriate toll at a Toll Booth or into a Toll Booth Collecting Machine.

TRAILERS

6. 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 with wheels in contact with the ground at the time of crossing the Toll Road, as the case may be; provided that this shall not apply to a trailer towed by a motor cycle, pedal cycle, invalid carriage, a motor car, bus or any other vehicle the unladen weight of which does not exceed one tonne.

# RIGHT TO USE TOLL ROAD

7. On paying the appropriate toll to a Toll Collector or into a Toll Booth Collecting Machine, the driver shall be entitled to use the Toll Road.

# RECEIPT

8. 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

9. 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

10. 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

11.1. 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.

11.2. No person shall operate or attempt to operate a Toll Booth Collecting Machine by the insertion of objects other than current coins of the State of the appropriate denomination (or tokens authorised by the Corporation or the Bridge Company to be used for the payment of such tolls) or otherwise interfere with a Toll Booth Collecting Machine with the intention of dishonestly obtaining for himself a pecuniary advantage.

# LIST OF TOLLS TO BE EXHIBITED

12. 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

- 13.a. The tolls set out in the First Schedule hereto are the base tolls calculated as of Mid-August 1980. At that date, the Index for the Building and Construction Sub-Section of Table 4 Capital Goods Price Indices (excluding Value Added Tax) of the Wholesale Price Index as published by the Government Information Services on behalf of the Central Statistics Office was equal to 207.7 on a 1975 base of 100 (hereinafter called "the opening Index").
- b. The actual tolls payable in any year shall be the base tolls multiplied by the current Index for Mid-August in the previous year (being the first published Index for that period) divided by the opening Index.
- c. In the event of the Wholesale Price Index not being published for Mid-August in any year before the 15th of December of that year, the Consumer Price Index (all items) as published by the Government Information Services on behalf of the Central Statistics Office using the base for Mid-August 1980 (Index = 191.8 on a 1975 base of 100) shall be substituted therefor and in the event of neither the said Wholesale Price Index nor the said Consumer Price Index being published in any year before the 15th of December in that year, the Index to be used shall be the Index used for the previous year's calculation increased by the annual rate of inflation as specified in the most recent published edition of such Index.
- d. Such revised tolls shall be calculated to the nearest 5p.
- 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 published in a National daily Newspaper on two occasions and shall be exhibited in the City Hall, Dublin, for any one week before the 1st day of January in any year.

#### OBSTRUCTIONS

- 14.a. No person in charge of a cycle, cart, carriage, motor car, bus, vehicle or conveyance of any description shall permit it to 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 Corporation, the Bridge Company nor their servants, agents or employees shall be liable for any damage caused to such obstruction in its removal.
15. 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 Corporation on the 13th day of January 1983 and confirmed by the Minister for the Environment on the 29th day of March 1983 shall be revoked.
16. These Bye Laws shall come into operation on the 1st day of January 1986 or on the date of their confirmation by the Minister for the Environment which ever is the later.



## PART III

## FIRST SCHEDULE

AMOUNT OF BASE TOLLWith effect from 1st day of January 1986CLASS OF TRAFFIC

|  |       |
|--|-------|
| 1. Categories of users listed in the Second Schedule hereto:-  | Nil   |
| 2. Animal drawn Vehicles   | £0.05 |
| 3. Motor Cars  | £0.27 |
| 4. Buses   | £0.40 |
| 5. Commercial Vehicles not included in any other class with an unladen weight not exceeding 2 tonnes | £0.40 |
| 6. Commercial Vehicles over 2 tonnes unladen weight and with not more than 2 axles                   | £0.54 |
| 7. Commercial Vehicles over 2 tonnes unladen weight and with not more than 3 axles                   | £0.67 |
| 8. Commercial Vehicles over 2 tonnes unladen weight and with 4 or more axles                         | £0.81 |

## PART IV

## SECOND SCHEDULE

No Tolls shall be payable in respect of the following:

- (1) Pedestrians.
- (2) Animals on foot not drawing a vehicle.
- (3) Coras Iompair Eireann buses.
- (4) Fire Brigade vehicles.
- (5) Ambulances.
- (6) Vehicles being used in the course of their duties by the Defence Forces, Garda Siochana, Dublin Port and Docks Board and Dublin Corporation.
- (7) Pedal Cycles and motor cycles.
- (8) Invalid Carriages.
- (9) Mechanically propelled vehicles used exclusively for the carriage of sick, injured or strayed animals and outwardly identifiable as such.

Present when the Seal of the Corporation was hereunto affixed, The Right Honourable The Lord Mayor also being present:-

*Michael O'Connell*

City Hall, Dublin  
Corporation Official



*F. J. Feely*  
F. J. Feely,  
City Manager & Town Clerk

7th November 1985.

The foregoing Bye-Laws are hereby confirmed by the Minister for the Environment this 20th day of December 1985.

GIVEN under the Official Seal of the Minister for the Environment this 20th day of December 1985.

*Don Hawman*

*m/p.*

MINISTER FOR THE ENVIRONMENT