

## 5 - Road traffic and other minor offences

### How are minor road traffic offences dealt with?

Minor traffic offences, such as speeding, driving while using a mobile phone (cellphone), or illegal parking, are usually dealt with by fixed charge fine and you receive on your driving licence. Only if you do not pay the fine will the case go to court. Sometimes you will be given a notice on the occasion of the offence, and sometimes one will be sent to your address.

Some fixed penalty offences, however, involve 'penalty points' being put on your driving licence, and if you get a total of twelve penalty points in a period of three years, you will be banned from driving in Ireland. If you pay the fixed penalty notice, you will get fewer points than if the case goes to Court and you are convicted.

Traffic offences are almost always dealt with by the ordinary Gardaí. You should be aware that, in Ireland, drivers are obliged by law to carry their driving licences with them, and must produce the licence on demand by a Garda. It is also an offence to drive without payment of vehicle tax and motor insurance and you also must have an [NCT certificate](#).

If you live in Ireland, being a national of another Member State, you will be dealt with in the same way throughout the process as an Irish National.

If your case goes to Court, it will be heard in the local District Court (the lowest court) by a judge without a jury. If you are not satisfied with the result, you can appeal the decision, whether conviction or penalty, to a higher court (see [Factsheet 4](#)).

### Will these offences appear on my criminal record?

All traffic convictions are recorded on the Garda computer record. Very minor cases, such as speeding, are not generally regarded as criminal convictions. If however you are charged with a more serious charge, such as dangerous driving, drink driving, or driving without insurance, convictions will become part of your criminal record. Such offences will be dealt with in accordance with the procedure set out in [Factsheet 4](#). If you are charged with such an offence, you should seek legal advice urgently.

### How other minor offences are dealt with

Various other offences, such as driving in a bus lane, can be dealt with by a 'fixed penalty notice', but do not attract penalty points. Driving without reasonable consideration for other road users, which involves careless driving, will attract a fine and penalty points.

You will only go to court if you do not pay the fixed penalty notice. As above, it will be dealt with in the District Court. You can always appeal an order of the District Court, as above.

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