

SCHEDULES

SCHEDULE 6

Section 29

OFFENCES COMMITTED BY DISQUALIFIED DRIVERS: FURTHER AMENDMENTS

Road Traffic Act 1988 (c. 52)

- 1 (1) Section 3ZB of the Road Traffic Act 1988 (causing death by driving: unlicensed, disqualified or uninsured drivers) is amended as follows.
- (2) Omit paragraph (b) (but not the “or” at the end).
- (3) In the heading, omit “, disqualified”.

Road Traffic Offenders Act 1988 (c. 53)

- 2 The Road Traffic Offenders Act 1988 is amended as follows.
- 3 (1) Section 24 (alternative verdicts: general) is amended as follows.
 - (2) In subsection (A2)—
 - (a) after paragraph (b) insert—

“(ba) an offence under section 3ZC of that Act (causing death by driving: disqualified drivers),	Section 103(1)(b) (driving while disqualified)
(bb) an offence under section 3ZD of that Act (causing serious injury by driving: disqualified drivers),”.	Section 103(1)(b) (driving while disqualified)”.
 - (3) In the table in subsection (1), at the appropriate place insert—

“Section 3ZC (causing death by driving: disqualified drivers)	Section 103(1)(b) (driving while disqualified)
Section 3ZD (causing serious injury by driving: disqualified drivers)	Section 103(1)(b) (driving while disqualified)”.
- 4 In section 34(4)(a) (disqualification for certain offences), after sub-paragraph (ia) insert—
 - “(iib) an offence under section 3ZC of that Act (causing death by driving: disqualified drivers), or
 - (iic) an offence under section 3ZD of that Act (causing serious injury by driving: disqualified drivers), or”.
- 5 (1) Section 36(2) (disqualification until test is passed) is amended as follows.
 - (2) At the end of paragraph (a) omit “or”.
 - (3) For paragraph (b) substitute—
 - “(b) an offence under section 1 of the Road Traffic Act 1988 (causing death by dangerous driving),

Status: This is the original version (as it was originally enacted).

- (c) an offence under section 1A of that Act (causing serious injury by dangerous driving),
- (d) an offence under section 2 of that Act (dangerous driving),
- (e) an offence under section 3ZC of that Act (causing death by driving: disqualified drivers), or
- (f) an offence under section 3ZD of that Act (causing serious injury by driving: disqualified drivers).”
- 6 In section 45 (effect of endorsement of counterparts), for subsection (6) substitute—
- “(6) Where the offence was under one of the following sections of the Road Traffic Act 1988, the endorsement remains effective until four years have elapsed since the conviction—
- (a) section 1 (causing death by dangerous driving),
- (b) section 1A (causing serious injury by dangerous driving),
- (c) section 2 (dangerous driving),
- (d) section 3ZC (causing death by driving: disqualified drivers), or
- (e) section 3ZD (causing serious injury by driving: disqualified drivers).”
- 7 In section 45A (effect of endorsement of driving records), for subsection (4), as substituted by paragraph 42 of Schedule 3 to the Road Safety Act 2006 (endorsement: all drivers), substitute—
- “(4) Where the offence was under one of the following sections of the Road Traffic Act 1988, the endorsement remains effective until four years have elapsed since the conviction—
- (a) section 1 (causing death by dangerous driving),
- (b) section 1A (causing serious injury by dangerous driving),
- (c) section 2 (dangerous driving),
- (d) section 3ZC (causing death by driving: disqualified drivers), or
- (e) section 3ZD (causing serious injury by driving: disqualified drivers).”
- 8 (1) The table in Schedule 1 (offences to which sections 1, 6, 11 and 12(1) apply) is amended as follows.
- (2) In the entry relating to section 3ZB of the Road Traffic Act 1988, in the second column omit “, disqualified”.
- (3) After that entry insert—
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| “RTA section 3ZC | Causing death by driving: disqualified drivers | Section 11 of this Act. |
| RTA section 3ZD | Causing serious injury by driving: disqualified drivers | Sections 11 and 12(1) of this Act.” |
- 9 In the table in Part 1 of Schedule 2 (prosecution and punishment of offences under the Traffic Acts), in the entry relating to section 3ZB of the Road Traffic Act 1988, in column 2 omit “, disqualified”.

Crime (International Co-operation) Act 2003 (c. 32)

- 10 (1) Paragraph 3 of Schedule 3 to the Crime (International Co-operation) Act 2003 (application of duty to give notice to foreign authorities of driving disqualification of a non-UK resident) is amended as follows.
- (2) In sub-paragraph (ca) omit “, disqualified”.
- (3) After that sub-paragraph insert—
- “(cb) section 3ZC (causing death by driving: disqualified drivers),
 - (cc) section 3ZD (causing serious injury by driving: disqualified drivers),”.

Criminal Justice Act 2003 (c. 44)

- 11 In Part 1 of Schedule 15 to the Criminal Justice Act 2003 (specified violent offences for the purposes of sentencing dangerous offenders), after paragraph 48 (offence under section 1 of the Road Traffic Act 1988) insert—
- “48A An offence under section 3ZC of that Act (causing death by driving: disqualified drivers).”

Coroners and Justice Act 2009 (c. 25)

- 12 (1) In paragraph 1(6) of Schedule 1 to the Coroners and Justice Act 2009 (suspension of investigations where certain criminal charges may be brought), in the definition of “homicide offence”, paragraph (b) is amended as follows.
- (2) In sub-paragraph (iii) omit “, disqualified”.
- (3) After that sub-paragraph insert—
- “(iia) section 3ZC (causing death by driving: disqualified drivers),”.