



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 5

ROAD TRAFFIC

Road traffic offences

- 86** **Causing death by dangerous driving or careless driving when under the influence of drink or drugs: increased penalties**
- (1) Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences: offences under the Traffic Acts) is amended as follows.
 - (2) In the entry relating to section 1 of the Road Traffic Act 1988 (causing death by dangerous driving), in column (4) (punishment), for “14 years” substitute “Imprisonment for life”.
 - (3) In the entry relating to section 3A of the Road Traffic Act 1988 (causing death by careless driving when under influence of drink or drugs), in column (4) (punishment), for “14 years” substitute “Imprisonment for life”.
 - (4) Section 34 of the Road Traffic Offenders Act 1988 (disqualification for certain offences) is amended as follows.
 - (5) In subsection (3), in the words after paragraph (d)—
 - (a) after “the offence” insert “(“the new offence”);
 - (b) for “three years” substitute “the period specified in subsection (3A)”.
 - (6) After subsection (3) insert—

“(3A) The period is—

 - (a) six years, where—

- (i) an offence of which the person was convicted within the ten years mentioned in subsection (3) falls within paragraph (aa) of that subsection, and
 - (ii) the new offence also falls within that paragraph;
 - (b) in any other case (but subject to subsection (4ZA)), three years.”
- (7) In subsection (4)—
 - (a) in the words before paragraph (a), after “(3) above” insert “and subsection (4ZA) below”;
 - (b) in paragraph (a)—
 - (i) omit sub-paragraph (ii) (and the “or” after it);
 - (ii) in sub-paragraph (ia), for “that Act” substitute “the Road Traffic Act 1988”;
 - (iii) omit sub-paragraph (iii) (and the “or” before it, but not the “and” after it).
- (8) After subsection (4) insert—

“(4ZA) Subsection (1) shall apply as if the reference to twelve months were a reference to five years in relation to a person convicted of—

 - (a) an offence under section 1 of the Road Traffic Act 1988 (causing death by dangerous driving), or
 - (b) an offence under section 3A of that Act (causing death by careless driving when under the influence of drink or drugs),

but this is subject to subsection (3) in cases within paragraph (a) of subsection (3A).”
- (9) A provision of this section does not apply in relation to offences committed before the provision comes into force.

87 Causing serious injury by careless, or inconsiderate, driving

- (1) In the Road Traffic Act 1988, after section 2B (causing death by careless, or inconsiderate, driving) insert—

“2C Causing serious injury by careless, or inconsiderate, driving

 - (1) A person who causes serious injury to another person by driving a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place, is guilty of an offence.
 - (2) In this section “serious injury” means—
 - (a) in England and Wales, physical harm which amounts to grievous bodily harm for the purposes of the Offences against the Person Act 1861, and
 - (b) in Scotland, severe physical injury.”
- (2) In section 3ZA of that Act (meaning of careless, or inconsiderate, driving), in subsection (1), after “sections 2B” insert “, 2C”.

