
STATUTORY INSTRUMENTS

1981 No. 154

Road Traffic (Northern Ireland) Order 1981

PART XIII

**GENERAL PROVISIONS AS TO OFFENCES,
ENFORCEMENT, EVIDENCE AND PROCEEDINGS**

Duties on occurrence of accidents and identification of persons

Duties on occurrence of an accident caused by presence of a^{F1} mechanically propelled vehicle]

175.—(1) If in any case, owing to the presence on a road or other public place of a^{F1} mechanically propelled vehicle], an accident occurs whereby—

- (a) injury is caused to any person other than the driver of that vehicle; or
- (b) injury is caused to any animal other than an animal in or on that vehicle or owned by the driver of that vehicle; or
- (c) damage is caused to any property other than that vehicle or property in or on that vehicle or property of the driver or owner of that vehicle,

the following provisions of this paragraph shall have effect—

- (i) the driver of the vehicle shall, if the vehicle is not stationary after the occurrence of the accident, stop the vehicle,
- (ii) the driver of the vehicle shall keep the vehicle stationary at or near the place where the accident occurred for such period as is reasonable in all the circumstances having regard to the provisions of sub-paragraph (iii),
- (iii) the driver of the vehicle shall give to any constable on demand and to any other person who on reasonable grounds requires him to do so, his name and address, the name and address of the owner of the vehicle and the identification mark or number of the vehicle,
- (iv) the driver of the vehicle shall if for any reason he does not give the particulars mentioned in sub-paragraph (iii) or (whether or not those particulars are given) the accident has directly or indirectly resulted in injury to any other person, forthwith report the accident and give those particulars^{F1} and, where the vehicle is a motor vehicle, produce] his certificate (within the meaning of Article 97(4)) at a police station or to a member of the Royal Ulster Constabulary so, however, that it shall be a good defence to any person charged under paragraph (2) with a contravention of the provisions of this sub-paragraph to prove that he had good cause for such contravention and that he reported the accident and gave the particulars at a police station or to a member of the Royal Ulster Constabulary as soon as was reasonably practicable after the occurrence of the accident.

(2) Every person who knowingly contravenes any of the provisions of paragraph (1) shall be guilty of an offence under this Order.

Paras. (3)(4) rep. by 1996 NI 10

Status: Point in time view as at 27/06/2007.

Changes to legislation: Road Traffic (Northern Ireland) Order 1981, Duties on occurrence of accidents and identification of persons is up to date with all changes known to be in force on or before 26 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

(5) Where an accident occurs owing to the presence on a road or other public place of a^{F1} mechanically propelled vehicle] and that vehicle was being driven or, when last driven before the accident had been driven, by some person other than the owner of the vehicle, the owner shall give to any constable on demand all such information in his possession or procurement as may assist the constable in obtaining the name and address of the driver of the vehicle at the time of the accident or of the last driver of the vehicle prior to the accident and any person who acts in contravention of this paragraph shall be guilty of an offence under this Order.

(6) In this Article and Article 176—

“animal” means any horse, cattle, ass, mule, hinny, sheep, pig, goat or dog;

“injury” in relation to a person means personal injury and in relation to a person or animal includes injury resulting in death.

F1 1995 NI 18

Duties on occurrence of other accidents

176.—(1) If in any case, owing to the presence on a road or other public place of a vehicle, not being a^{F2} mechanically propelled vehicle], or an animal, an accident occurs whereby—

- (a) injury is caused to any person other than a person driving, riding or in charge of that vehicle or animal, as the case may be; or
- (b) injury is caused to any animal other than the first-mentioned animal or an animal owned by, or at the time of the occurrence of the accident in the charge of, the person driving, riding or in charge of the vehicle or first-mentioned animal, as the case may be; or
- (c) damage is caused to any property other than property owned by, or at the time of the occurrence of the accident in the charge of, the person driving, riding or in charge of the vehicle or first-mentioned animal, as the case may be,

the person driving, riding or in charge of the vehicle or first-mentioned animal shall stop and shall give to any constable on demand and to any other person who on reasonable grounds requires him to do so, his name and address and, where he is not the owner of the vehicle or first-mentioned animal, the name and address of the owner and, if for any reason he does not give those particulars or (whether or not those particulars are given) the accident has directly or indirectly resulted in injury to any other person, forthwith report the accident and give those particulars at a police station or to a member of the Royal Ulster Constabulary.

(2) Subject to paragraph (3), every person who knowingly contravenes any of the provisions of paragraph (1) shall be guilty of an offence under this Order.

(3) It shall be a good defence to any person charged under paragraph (2) with a contravention of the provisions of paragraph (1) requiring him forthwith to report the accident and give the said particulars to prove that he had good cause for the contravention and that he reported the accident and gave the particulars at a police station or to a member of the Royal Ulster Constabulary as soon as was reasonably practicable after the occurrence of the accident.

F2 1995 NI 18

Identification of drivers or owners of, and passengers in, vehicles

177.—^{F3}(1) Where the driver of a vehicle is alleged to be guilty of an offence^{F3} to which this Article applies]

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- (a) the driver of the vehicle shall on demand give to a constable his correct name and address and where the driver is not the owner of the vehicle, that of the owner and any other information concerning the vehicle (including the names and addresses of any passengers carried in or on the vehicle at the time of the alleged offence) which it is in his power to give and, if he fails to do so, he shall be guilty of an offence under this Order;
- (b) the owner of the vehicle shall give such information as he may be required by a constable to give as to the identity of the driver, and, if he fails to do so, he shall be guilty of an offence under this Order, unless he shows to the satisfaction of the court that he did not know and could not with reasonable diligence have ascertained who the driver was; and
- (c) any other person shall, if required as aforesaid, give any information which it is in his power to give and which may lead to the identification of the driver or owner of the vehicle, and, if he fails to do so, he shall be guilty of an offence under this Order.

[^{F3}(2) This Article applies to—

- (a) an offence under any provision of the Road Traffic Orders,
- (b) an offence under Article 27, 28 or 29 of the Offenders Order,
- (c) an offence under any other enactment relating to the use of vehicles on roads,^{F4} . . .
- (d) an offence of manslaughter committed by the driver of a motor vehicle^{F4} and]

[an offence under section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act 1978.]]

F3 1996 NI 10

F4 1997 NI 2

Modifications etc. (not altering text)

C1 Art. 177 extended by 2003 c. 6, Sch. 2A para. 3(a) (as inserted (prosp.) by Policing (Miscellaneous Provisions) (Northern Ireland) Order 2007 (S.I. 2007/912 (N.I. 6)), arts. 1(2)(d), 7(8), **Sch. 5**)

Identification of pedal cyclists

178. A constable may require any^{F5} . . . cyclist who appears to him to have committed an offence under^{F5} Article 42, 43 or 44 of the Order of 1995] to give his correct name and address, and if that person fails to do so he shall be guilty of an offence under this Order.

F5 1995 NI 18

Modifications etc. (not altering text)

C2 Art. 178 extended by 2003 c. 6, Sch. 2A para. 3(b) (as inserted (prosp.) by Policing (Miscellaneous Provisions) (Northern Ireland) Order 2007 (S.I. 2007/912 (N.I. 6)), arts. 1(2)(d), 7(8), **Sch. 5**)

Identification of pedestrians

179.—(1) If a constable has reasonable cause to believe that any pedestrian has committed any offence under^{F6} the Road Traffic Orders] or any regulations made under^{F6} the Road Traffic Orders], he may require him to give his name and address.

(2) Any person who fails to give his name and address as required by paragraph (1) shall be guilty of an offence under this Order.

Status: Point in time view as at 27/06/2007.

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F6 1995 NI 18

Modifications etc. (not altering text)

C3 Art. 179 extended by 2003 c. 6, Sch. 2A para. 3(c) (as inserted (prosp.) by Policing (Miscellaneous Provisions) (Northern Ireland) Order 2007 (S.I. 2007/912 (N.I. 6)), arts. 1(2)(d), 7(8), **Sch. 5**)

Status:

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