



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART VII

#### MISCELLANEOUS AND GENERAL

##### *Duties in case of accident*

#### **170 Duty of driver to stop, report accident and give information or documents.**

- (1) This section applies in a case where, owing to the presence of a [<sup>F1</sup>mechanically propelled vehicle] on a road, an accident occurs by which—
  - (a) personal injury is caused to a person other than the driver of that [<sup>F1</sup>mechanically propelled vehicle], or
  - (b) damage is caused—
    - (i) to a vehicle other than that [<sup>F1</sup>mechanically propelled vehicle] or a trailer drawn by that [<sup>F1</sup>mechanically propelled vehicle], or
    - (ii) to an animal other than an animal in or on that [<sup>F1</sup>mechanically propelled vehicle] or a trailer drawn by that [<sup>F1</sup>mechanically propelled vehicle], or
    - (iii) to any other property constructed on, fixed to, growing in or otherwise forming part of the land on which the road in question is situated or land adjacent to such land.
- (2) The driver of the [<sup>F1</sup>mechanically propelled vehicle] must stop and, if required to do so by any person having reasonable grounds for so requiring, give his name and address and also the name and address of the owner and the identification marks of the vehicle.
- (3) If for any reason the driver of the [<sup>F1</sup>mechanically propelled vehicle] does not give his name and address under subsection (2) above, he must report the accident.
- (4) A person who fails to comply with subsection (2) or (3) above is guilty of an offence.
- (5) If, in a case where this section applies by virtue of subsection (1)(a) above, the driver of [<sup>F2</sup>a motor vehicle] does not at the time of the accident produce such a certificate

*Status: Point in time view as at 30/11/1999.*

*Changes to legislation: Road Traffic Act 1988, Cross Heading: Duties in case of accident is up to date with all changes known to be in force on or before 15 June 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)*

of insurance or security, or other evidence, as is mentioned in section 165(2)(a) of this Act—

- (a) to a constable, or
- (b) to some person who, having reasonable grounds for so doing, has required him to produce it,

the driver must report the accident and produce such a certificate or other evidence.

This subsection does not apply to the driver of an invalid carriage.

- (6) To comply with a duty under this section to report an accident or to produce such a certificate of insurance or security, or other evidence, as is mentioned in section 165(2) (a) of this Act, the driver—
  - (a) must do so at a police station or to a constable, and
  - (b) must do so as soon as is reasonably practicable and, in any case, within twenty-four hours of the occurrence of the accident.
- (7) A person who fails to comply with a duty under subsection (5) above is guilty of an offence, but he shall not be convicted by reason only of a failure to produce a certificate or other evidence if, within [<sup>F3</sup>seven] days after the occurrence of the accident, the certificate or other evidence is produced at a police station that was specified by him at the time when the accident was reported.
- (8) In this section “animal” means horse, cattle, ass, mule, sheep, pig, goat or dog.

#### Textual Amendments

- F1** Words in s. 170(1)-(3) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 72(2)**; S.I. 1992/1286, **art. 2**, Sch.
- F2** Words in s. 170(5) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 72(3)**; S.I. 1992/1286, **art. 2**, Sch.
- F3** Word in s. 170(7) substituted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 48, **Sch. 4 para. 72(4)**; S.I. 1992/1286, **art. 2**, Sch.

#### Modifications etc. (not altering text)

- C1** S. 170 modified by Energy Act 1976 (c. 76, SIF 44:3), s. 4(2), **Sch. 1 para. 4(2)** (as amended by Road Traffic (Consequential Provisions) Act 1988 (c. 54, SIF 107:1), s. 4, **Sch. 3 para. 17(c)**)
- C2** S. 170(5)-(7) excluded (23.6.1999) by S.I. 1999/1736, **art. 8(1)(b)(2)(b)**

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