



Road Traffic Act 1988

1988 CHAPTER 52

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Driving offences

[^{F1}3A **Causing death by careless driving when under influence of drink or drugs.**

- (1) If a person causes the death of 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, and—
 - (a) he is, at the time when he is driving, unfit to drive through drink or drugs, or
 - (b) he has consumed so much alcohol that the proportion of it in his breath, blood or urine at that time exceeds the prescribed limit, or
 - (c) he is, within 18 hours after that time, required to provide a specimen in pursuance of section 7 of this Act, but without reasonable excuse fails to provide it,^[F2] or
 - (d) he is required by a constable to give his permission for a laboratory test of a specimen of blood taken from him under section 7A of this Act, but without reasonable excuse fails to do so,]he is guilty of an offence.
- (2) For the purposes of this section a person shall be taken to be unfit to drive at any time when his ability to drive properly is impaired.
- (3) Subsection (1)(b) [^{F3}, (c) and (d)] above shall not apply in relation to a person driving a mechanically propelled vehicle other than a motor vehicle.]

Textual Amendments

F1 S. 3A inserted (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s.3; S.I. 1992/1286, art. 2, Sch.

Status: Point in time view as at 01/09/2009. This version of this provision has been superseded.

Changes to legislation: Road Traffic Act 1988, Section 3A is up to date with all changes known to be in force on or before 09 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)

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| <p>F2 S. 3A(1)(d) and preceding word inserted (24.9.2007) by Road Safety Act 2006 (c. 49), ss. 31(2), 61; S.I. 2007/2472, art. 2(i)</p> <p>F3 Words in s. 3A(3) substituted (24.9.2007) by Road Safety Act 2006 (c. 49), ss. 31(3), 61; S.I. 2007/2472, art. 2(i)</p> |
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Status:

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