



Road Traffic Act 1991

1991 CHAPTER 40

PART I

GENERAL

Drink and drugs

3 Causing death by careless driving when under influence of drink or drugs

Before section 4 of the Road Traffic Act 1988 there shall be inserted—

“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,
- 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) and (c) above shall not apply in relation to a person driving a mechanically propelled vehicle other than a motor vehicle.”

Status: This is the original version (as it was originally enacted).

4 Driving under influence of drink or drugs

In section 4 of the Road Traffic Act 1988, in subsections (1), (2) and (3) for the words “motor vehicle” there shall be substituted the words “mechanically propelled vehicle”.