



Police, Crime, Sentencing and Courts Act 2022

2022 CHAPTER 32

PART 5 **U.K.**

ROAD TRAFFIC

Road traffic offences

- 86** **Causing death by dangerous driving or careless driving when under the influence of drink or drugs: increased penalties** **E+W+S**
- (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—

Status: Point in time view as at 28/06/2022.

Changes to legislation: Police, Crime, Sentencing and Courts Act 2022, Cross Heading: Road traffic offences is up to date with all changes known to be in force on or before 28 August 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)

- (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.

Commencement Information

II S. 86 in force at 28.6.2022, see s. 208(5)(i)

87 Causing serious injury by careless, or inconsiderate, driving **E+W+S**

- (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.”

Status: Point in time view as at 28/06/2022.

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- (2) In section 3ZA of that Act (meaning of careless, or inconsiderate, driving), in subsection (1), after “sections 2B” insert “, 2C”.
- (3) In Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences: offences under the Traffic Acts), after the entry relating to section 2B of the Road Traffic Act 1988 insert—

“RTA section 2C	Causing serious injury by careless, or inconsiderate, driving	(a) Summarily On conviction in Scotland: 12 months or the statutory maximum or both	(a) On conviction in England and Wales: 12 months or a fine or both (b) On indictment (b) 2 years or a fine or both”	Obligatory	Obligatory	3-11
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- (4) In the entries in Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 relating to an offence under section 2C of the Road Traffic Act 1988 (causing serious injury by careless, or inconsiderate, driving), in relation to an offence committed before paragraph 24(2) of Schedule 22 to the Sentencing Act 2020 comes into force, the reference in column (4) (punishment) to 12 months on summary conviction in England and Wales is to be read as a reference to 6 months.

Commencement Information

I2 [S. 87](#) in force at 28.6.2022, see [s. 208\(5\)\(i\)](#)

88 Road traffic offences: minor and consequential amendments **U.K.**

Schedule 8 contains amendments relating to sections 86 and 87.

Commencement Information

I3 [S. 88](#) in force at 28.6.2022, see [s. 208\(5\)\(i\)](#)

Status:

Point in time view as at 28/06/2022.

Changes to legislation:

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