



# 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*Status: Point in time view as at 28/06/2022.*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, Section 86 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)

**Status:**

Point in time view as at 28/06/2022.

**Changes to legislation:**

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