



# Road Traffic Act 1991

## 1991 CHAPTER 40

### PART I

#### GENERAL

#### *Driving offences*

### **1 Offences of dangerous driving**

For sections 1 and 2 of the Road Traffic Act 1988 there shall be substituted—

#### **“1 Causing death by dangerous driving**

A person who causes the death of another person by driving a mechanically propelled vehicle dangerously on a road or other public place is guilty of an offence.

#### **2 Dangerous driving**

A person who drives a mechanically propelled vehicle dangerously on a road or other public place is guilty of an offence.

#### **2A Meaning of dangerous driving**

- (1) For the purposes of sections 1 and 2 above a person is to be regarded as driving dangerously if (and, subject to subsection (2) below, only if)—
- (a) the way he drives falls far below what would be expected of a competent and careful driver, and
  - (b) it would be obvious to a competent and careful driver that driving in that way would be dangerous.

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*Status: This is the original version (as it was originally enacted).*

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- (2) A person is also to be regarded as driving dangerously for the purposes of sections 1 and 2 above if it would be obvious to a competent and careful driver that driving the vehicle in its current state would be dangerous.
- (3) In subsections (1) and (2) above “dangerous” refers to danger either of injury to any person or of serious damage to property; and in determining for the purposes of those subsections what would be expected of, or obvious to, a competent and careful driver in a particular case, regard shall be had not only to the circumstances of which he could be expected to be aware but also to any circumstances shown to have been within the knowledge of the accused.
- (4) In determining for the purposes of subsection (2) above the state of a vehicle, regard may be had to anything attached to or carried on or in it and to the manner in which it is attached or carried.”

## **2 Careless, and inconsiderate, driving**

For section 3 of the Road Traffic Act 1988 there shall be substituted—

### **“3 Careless, and inconsiderate, driving**

If a person drives 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, he is guilty of an offence.”