

SCHEDULES

SCHEDULE 6

Section 29

OFFENCES COMMITTED BY DISQUALIFIED DRIVERS: FURTHER AMENDMENTS

Road Traffic Act 1988 (c. 52)

- 1 (1) Section 3ZB of the Road Traffic Act 1988 (causing death by driving: unlicensed, disqualified or uninsured drivers) is amended as follows.
- (2) Omit paragraph (b) (but not the “or” at the end).
- (3) In the heading, omit “, disqualified”.

Road Traffic Offenders Act 1988 (c. 53)

- 2 The Road Traffic Offenders Act 1988 is amended as follows.
- 3 (1) Section 24 (alternative verdicts: general) is amended as follows.
- (2) In subsection (A2)—
 - (a) after paragraph (b) insert—
 - “(ba) an offence under section 3ZC of that Act (causing death by driving: disqualified drivers),
 - (bb) an offence under section 3ZD of that Act (causing serious injury by driving: disqualified drivers),”.
- (3) In the table in subsection (1), at the appropriate place insert—

“Section 3ZC (causing death by driving: disqualified drivers)	Section 103(1)(b) (driving while disqualified)
Section 3ZD (causing serious injury by driving: disqualified drivers)	Section 103(1)(b) (driving while disqualified)”.

- 4 In section 34(4)(a) (disqualification for certain offences), after sub-paragraph (ia) insert—
 - “(iib) an offence under section 3ZC of that Act (causing death by driving: disqualified drivers), or
 - (iic) an offence under section 3ZD of that Act (causing serious injury by driving: disqualified drivers), or”.
- 5 (1) Section 36(2) (disqualification until test is passed) is amended as follows.
- (2) At the end of paragraph (a) omit “or”.
- (3) For paragraph (b) substitute—
 - “(b) an offence under section 1 of the Road Traffic Act 1988 (causing death by dangerous driving),

Status: This is the original version (as it was originally enacted).

- (c) an offence under section 1A of that Act (causing serious injury by dangerous driving),
- (d) an offence under section 2 of that Act (dangerous driving),
- (e) an offence under section 3ZC of that Act (causing death by driving: disqualified drivers), or
- (f) an offence under section 3ZD of that Act (causing serious injury by driving: disqualified drivers).”

6 In section 45 (effect of endorsement of counterparts), for subsection (6) substitute—

“(6) Where the offence was under one of the following sections of the Road Traffic Act 1988, the endorsement remains effective until four years have elapsed since the conviction—

- (a) section 1 (causing death by dangerous driving),
- (b) section 1A (causing serious injury by dangerous driving),
- (c) section 2 (dangerous driving),
- (d) section 3ZC (causing death by driving: disqualified drivers), or
- (e) section 3ZD (causing serious injury by driving: disqualified drivers).”

7 In section 45A (effect of endorsement of driving records), for subsection (4), as substituted by paragraph 42 of Schedule 3 to the Road Safety Act 2006 (endorsement: all drivers), substitute—

“(4) Where the offence was under one of the following sections of the Road Traffic Act 1988, the endorsement remains effective until four years have elapsed since the conviction—

- (a) section 1 (causing death by dangerous driving),
- (b) section 1A (causing serious injury by dangerous driving),
- (c) section 2 (dangerous driving),
- (d) section 3ZC (causing death by driving: disqualified drivers), or
- (e) section 3ZD (causing serious injury by driving: disqualified drivers).”

8 (1) The table in Schedule 1 (offences to which sections 1, 6, 11 and 12(1) apply) is amended as follows.

(2) In the entry relating to section 3ZB of the Road Traffic Act 1988, in the second column omit “, disqualified”.

(3) After that entry insert—

“RTA section 3ZC	Causing death by driving: disqualified drivers	Section 11 of this Act.
RTA section 3ZD	Causing serious injury by driving: disqualified drivers	Sections 11 and 12(1) of this Act.”

9 In the table in Part 1 of Schedule 2 (prosecution and punishment of offences under the Traffic Acts), in the entry relating to section 3ZB of the Road Traffic Act 1988, in column 2 omit “, disqualified”.

Crime (International Co-operation) Act 2003 (c. 32)

- 10 (1) Paragraph 3 of Schedule 3 to the Crime (International Co-operation) Act 2003 (application of duty to give notice to foreign authorities of driving disqualification of a non-UK resident) is amended as follows.
- (2) In sub-paragraph (ca) omit “, disqualified”.
- (3) After that sub-paragraph insert—
- “(cb) section 3ZC (causing death by driving: disqualified drivers),
 - (cc) section 3ZD (causing serious injury by driving: disqualified drivers),”.

Criminal Justice Act 2003 (c. 44)

- 11 In Part 1 of Schedule 15 to the Criminal Justice Act 2003 (specified violent offences for the purposes of sentencing dangerous offenders), after paragraph 48 (offence under section 1 of the Road Traffic Act 1988) insert—
- “48A An offence under section 3ZC of that Act (causing death by driving: disqualified drivers).”

Coroners and Justice Act 2009 (c. 25)

- 12 (1) In paragraph 1(6) of Schedule 1 to the Coroners and Justice Act 2009 (suspension of investigations where certain criminal charges may be brought), in the definition of “homicide offence”, paragraph (b) is amended as follows.
- (2) In sub-paragraph (iii) omit “, disqualified”.
- (3) After that sub-paragraph insert—
- “(iia) section 3ZC (causing death by driving: disqualified drivers),”.