



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 1

#### CRIMINAL JUSTICE

##### *Driving offences*

#### **29 Offences committed by disqualified drivers**

(1) After section 3ZB of the Road Traffic Act 1988 insert—

##### **“3ZC Causing death by driving: disqualified drivers**

A person is guilty of an offence under this section if he or she—

- (a) causes the death of another person by driving a motor vehicle on a road, and
- (b) at that time, is committing an offence under section 103(1)(b) of this Act (driving while disqualified).

##### **3ZD Causing serious injury by driving: disqualified drivers**

(1) A person is guilty of an offence under this section if he or she—

- (a) causes serious injury to another person by driving a motor vehicle on a road, and
- (b) at that time, is committing an offence under section 103(1)(b) of this Act (driving while disqualified).

(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.”

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 29. (See end of Document for details)*

(2) In Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 (prosecution and punishment of offences under the Traffic Acts) at the appropriate place insert—

“RTA section 3ZD	Causing death by driving: disqualified drivers	On indictment	10 years or a fine or both	Obligatory	Obligatory	3-11	
RTA section 3ZE	Causing serious injury by driving: disqualified drivers	(a) Summarily	(a) conviction in England and Wales: 12 months or a fine or both. On conviction in Scotland: 12 months or the statutory maximum or both.	On	Obligatory	Obligatory	3-11
		(b) indictment	(b) 4 years or a fine or both”.				

(3) In the entries in Part 1 of Schedule 2 to the Road Traffic Offenders Act 1988 relating to an offence under section 3ZD of the Road Traffic Act 1988—

- (a) in relation to an offence committed before [F1 2 May 2022], the reference in column 4 to [F2 the general limit in a magistrates’ court] on summary conviction in England and Wales is to be read as a reference to 6 months, and
- (b) in relation to an offence committed before section 85 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 comes into force, the reference in column 4 to a fine on summary conviction in England and Wales is to be read as a reference to the statutory maximum.

(4) Schedule 6 to this Act contains further amendments relating to the offences under sections 3ZC and 3ZD of the Road Traffic Act 1988.

(5) The amendments made by this section and Schedule 6 have effect only in relation to driving which occurs after they come into force.

#### Textual Amendments

- F1** Words in s. 29(3)(a) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022](#) (S.I. 2022/500), regs. 1(2), 5(1), [Sch. Pt. 1](#)
- F2** Words in s. 29(3)(a) substituted (E.W.) (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates’ Court Sentencing Powers\) Regulations 2023](#) (S.I. 2023/149), regs. 1(2), 2(1), [Sch. Pt. 1](#) table

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**Changes to legislation:** There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 29. (See end of Document for details)

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**Commencement Information**

**II** S. 29 in force at 13.4.2015 by [S.I. 2015/778](#), art. 3, [Sch. 1 para. 24](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Courts Act 2015, Section 29.