

Proposed changes to penalties for motoring offences

Introduction

Thank you for responding to our consultation on changes to current motoring offences and the potential introduction of other offences.

Closing date is 31 March 2025.

Accessibility statement

Read our [accessibility statement for SmartSurvey forms \[opens in a new window\]](#).

Confidentiality and data protection

The Department for Transport (DfT) is running this consultation on changes to current motoring offences and the potential introduction of other offences.

View our [DfT online form and survey privacy notice \[opens in a new window\]](#) for more information on how your personal data is processed in relation to this survey.

In addition we are asking about your relationship with driving and older drivers plus your age and gender in order to understand your connection to the topic.

Do not include personal information in your responses unless specifically requested.

Organisation details

4. What is the name of your organisation?

The Faculty of Forensic & Legal Medicine

Proposals

Enforcement is an important driver of road safety - all the evidence shows that where it is done effectively it reduces the number of people killed or seriously injured (KSIs). That's why it is an important enabler of the safe system, and a crucial part of the wider road safety strategy.

The motoring offences and their penalties are set out in the [Road Traffic Act 1988 \[opens in a new window\]](#) and the [Road Traffic Offenders Act 1988 \[opens in a new window\]](#). They have only been subject to limited changes since then and a wider review is long overdue. Meanwhile the families of victims, parliamentarians and others have campaigned for many years for changes to the law.

Now is the time to take action.

We are committed to reviewing the whole framework for motoring offences to:

- bring them up to date
- ensure that penalties are appropriate to the harm caused
- ensure they act as a suitable deterrent

Holding a driving licence is not an automatic right. We want to make effective use of the penalty points system and ultimately licence disqualification or vehicle seizure, to get the most serious offenders off the road.

We will:

- make roads safer by focusing on the offences associated with the greatest impacts on the number of KSIs
- ensure that the motoring offences framework is clear, and where motorists endanger others, their behaviour has consequences

We know that the majority of motorists are responsible and law abiding, but not unreasonably, they and other road users want to see law breaking dealt with, to make all our communities safer. This is key to the government's Plan for change.

We are seeking views on the current motoring offences of:

- drink and drug driving
- non-seat belt use
- failure to stop and report
- introducing new penalties for certain offences and other road traffic matters

Any changes to legal penalties must take into account the [recommendations from the Independent sentencing review led by the Right Honourable David Gauke \[opens in a new window\]](#).

[Full information is given in our consultation material \[opens in a new window\]](#).

5. In your view, should the legal alcohol limit for drink and drive offences in England and Wales:

- ☒ be lowered
- ☐ stay the same (Go to 'Stay same')
- ☐ don't know (Go to 'Novice drivers: alcohol limit')

Lowered

6. What legal limit do you think is appropriate?

50mg /100ml blood

22µg / 100ml breath

67mg /100ml urine

7. Why do you think this legal limit is appropriate?

There is evidence to show that impairment is present at the current limits. which in turn has informed changes in other European countries. It was Sir Peter North's recommendation the limit should lowered in his report in 2010. See [\[ARCHIVED CONTENT\] Home | The north review of drink and drug driving law](#)

It would also seem appropriate to harmonise levels across the UK, NI and Eire to avoid challenges with cross border prosecutions

[Now go to 'Novice drivers: alcohol limit']

Stay same

8. Why do you think the legal limit should stay the same?

n/a

Novice drivers: alcohol limit

We are using the term novice driver to mean a driver who has passed their test less than 2 years ago.

9. In your view, should the legal alcohol limit for drink and drive offences in England and Wales be lower for novice drivers than for other drivers?

- ☒ Yes
- ☐ No (Go to 'Not lowered')
- ☐ Don't know (Go to 'High risk offender (HRO) criteria')

Lower limit

10. What legal limit do you think is appropriate for novice drivers?

Yes, if practical and enforceable, but it will depend on the sensitivity of apparatus for measuring alcohol, e.g. at the roadside. For example,

- a) adopt the approach in Eire (Republic of Ireland) where for novice (and professional) drivers it is 20mg alcohol in 100ml of blood**
- b) adopt a zero-alcohol limit for young drivers, in New Zealand there is a zero-alcohol limit for drivers under the age of 20 years.**

However, this needs further consideration

Novice drivers, 'per se' who are within two years of passing their test, but also in terms of their age. So two years for someone aged 17 or 18 years who has just passed their test may seem appropriate but is it similarly appropriate for someone aged 30 years who has just passed their test?

11. Why do you think this legal limit is appropriate?

The evidence shows that any alcohol can impair driving and judgement and like any skill, better judgement will usually develop with time and experience. Therefore, there is logic in minimising or removing any other factor which may cause impairment, if it is possible to do so, e.g. alcohol

[Now go to 'High risk offender (HRO) criteria']

Not lowered

12. Why do you think a lower legal limit for novice drivers is inappropriate?

n/a

High risk offender (HRO) criteria

The HRO scheme was introduced in 1983. The scheme is intended to manage drivers who have a dependence on alcohol, or persistently misuse alcohol, which presents a serious road safety risk.

The current [HRO scheme \[opens in a new window\]](#) uses the existing drink driving legal limits for England and Wales. The legislation underpinning it means that someone becomes a HRO when driving with at least 2.5 times the current legal alcohol limit or the equivalent measures of:

- 87.5 µg of alcohol per 100ml of breath
- 200mg of alcohol per 100ml of blood
- 267.5mg of alcohol per 100ml of urine

HRO's licenses will not be restored after their disqualification period has been completed, until they satisfy the Driver and Vehicle Licensing Agency (DVLA) that they no longer pose a risk as a potential drink driver. If the drink drive alcohol limit was lowered, it makes sense to adjust the HRO threshold down accordingly.

13. In your view, if the legal alcohol limit for drink and drive offences in England and Wales is lowered, should the criteria for being considered a high-risk offender be lowered accordingly?

- ☒ Yes
- ☐ No
- ☐ Don't know (Go to 'Drink and drug offence')

High risk offender reasoning

14. Why did you give this answer?

If we recognise any alcohol causes impairment then the higher the level (not just as the legislation states at present), there is an increase in the risk to other road users, including cyclists and pedestrians, as well as drivers and property.

In addition, some drivers convicted of excess alcohol may re-offend and it may be worth clarifying if a lower limit for them, is a deterrent.

Drink and drug offence

15. In your view, should a person suspected of committing a:

	have their driving licence suspended until attendance at court	have their driving licence suspended until guilty plea	have their driving licence suspended until bailed pending forensic analysis being undertaken	not have their driving licence suspended
drink offence:	☒	☐	☒	☐
drug offence:	☒	☐	☒	☐

Why did you give this answer?

Drink offences: If, on the basis of roadside breath tests and/or intoximeter being pretty accurate then this seems reasonable. Of course, some results need to be checked via a blood alcohol analysis, but these are relatively few. They are usually in Court within a few weeks of the offence.

Drug offences: if the drug 'swipe' screen is reasonably accurate (although currently confirmed by a blood test) then this approach may be reasonable. Over 40% of convictions are 'repeat' offences

It can take months for these cases to reach Court, because of waiting for the forensic toxicology report, but if the approach is about managing risk, then suspending the licence would help address this.

Who would do this: the police as a bail condition, or the Courts and how quickly would/could that be communicated to DVLA?

What would be the impact e.g. on insurance; would the driver have to notify their insurance provider e.g. then insurance would be suspended too?

If yes, what would the penalty be for driving whilst the licence was suspended?

Perhaps an additional consideration for both is whether there is a prior conviction for a 'like' (similar) offence.

We appreciate that limiting driving pre-conviction would have a significant impact on freedom.

Is confiscating the vehicle an option, instead?

Government ministers have listened to families recount instances where their loved ones have been killed or seriously injured by drink and drug drivers, or other

offenders, who have then been free to drive for lengthy periods before the case concludes.

These families call for a similar power to that set out above, so that those arrested and charged with death by dangerous or careless driving offences have their driving licence suspended, until their first court appearance.

There have been in total several hundred thousand signatures on petitions calling for police to be given the power to suspend the licences of those under investigation of road crime in the most serious of cases (including drink and drug driving).

There would be the same judicial oversight of this power.

16. In your view, should a person who is under investigation for a serious driving offence that leads to a:

	Yes	No	Don't know
fatality have their driving licence suspended	☒	☐	☐
serious injury have their driving licence suspended	☒	☐	☐

Why did you give this answer?

This would also protect the public for these most serious offences, however, this would need to be tied in with expediting dates for court.

17. Do you think the current minimum disqualification period for the offence causing death by careless driving while under the influence of:

	Yes	No	Don't know
drink of 5 years with compulsory extended retest is appropriate	☒	☐	☐
drugs of 5 years with compulsory extended retest is appropriate	☒	☐	☐

Why did you give this answer?

Yes, it is a significant penalty along with the extended test.

The current minimum disqualification period for the offence of driving or being in charge of a motor vehicle:

- while under the influence of drink or drugs of is 1 year or 3 years if convicted twice in 10 years
- with alcohol concentration above prescribed limit of 1 year or 3 years if convicted twice in 10 years

18. Do you think the current minimum disqualification period for the offence:

	Yes	No	Don't know
driving a motor vehicle while under the influence of drink is appropriate	☒	☐	☐
driving a motor vehicle while under the influence of drugs is appropriate	☒	☐	☐
being in charge of a motor vehicle while under the	☒	☐	☐

	Yes	No	Don't know
influence of drink is appropriate			
being in charge of a motor vehicle while under the influence of drugs is appropriate	☒	☐	☐

Why did you give this answer?

One of the aims of a disqualification is as a deterrent.

The loss of the ability to drive has a significant impact on most people.

The offer of the drink drive rehabilitation course reduces the disqualification period, but if this also reduces re-offending rates, it is probably appropriate.

There is also a consequence in terms of the cost of motor insurance.

The current minimum disqualification period for the offence driving or being in charge of a motor vehicle with alcohol concentration above the prescribed limit of 1 year or 3 years if convicted twice in 10 years.

19. Do you think the current minimum disqualification period for the offence:

	Yes	No	Don't know
driving a motor vehicle with alcohol concentration above the prescribed limit is appropriate	☒	☐	☐
being in charge of a motor vehicle with an alcohol concentration above the prescribed limit is appropriate	☒	☐	☐

Why did you give this answer?

One of the aims of the disqualification is to act as a deterrent.

The loss of the ability to drive has a significant impact on most people.

The offer of the drink drive rehabilitation course reduces the disqualification period, but if this also reduces re-offending rates, it is probably appropriate.

There is also a consequence in terms of the cost of motor insurance.

20. In your view, should new powers be created to allow the seizure of vehicles of a person arrested for drink and drug driving?

☒ Yes

☐ No

☐ Don't know (Go to 'Alcolocks')

Seizure reasoning

21. Why did you give this answer?

It will prevent most from driving and act as a deterrent. However, the delays in getting to Court will compound any punishment

Perhaps a requirement to notify the driver's motor insurance company might be an alternative?

Alcolocks

We believe that the option of fitting an alcohol ignition lock (alcolock) as part of a sentence for drink driving, would be an effective measure in reducing reoffending. The '[Road Safety Act 2006 \[opens in a new window\]](#)' provided legislation to enable alcolocks to be so used. This was subject to a “sunset clause” (a time limit on legislation, after which it expires) which meant that they could not be introduced.

Should their future use be legislated we will focus on working collaboratively to enable their rollout.

Alcolocks are used widely in America, Canada, Europe, New Zealand and Australia. A [2017 synthesis of studies examining the effectiveness of alcolocks on reoffending rates \[opens in a new window\]](#) found that they are effective at reducing reoffending of drink driving whilst they are installed. However, once alcolock systems were removed, reoffending rates return to similar levels to comparison groups without alcolock systems.

22. In your view, should alcohol ignition locks (alcolocks) be allowed to be used as part of a drink drive rehabilitation process?

☒ Yes

☐ No

☐ Don't know (Go to 'Analysis')

Alcolocks reasoning

23. Why did you give this answer?

Again as a deterrent, but may have limitations unless the driver is required to notify the Courts of any vehicle which they may drive.

Analysis

There has been a notable increase in the number of forensic blood samples that are needed to investigate drug driving offences. This has created significant challenges both in terms of cost and forensic capacity. There have been many instances where it has not been possible to take blood from a suspect for medical reasons.

We would welcome the public's views on the use of alternative forensic testing procedures, such as testing oral fluid, saliva or sweat. Any alternatives would have to be fully explored on a scientific basis together with a cost benefit analysis looking at how they could be brought into operational use. Introduction of any alternative forensic testing procedures would also require a change in legislation.

24. In your view, should oral fluid and other samples (such as saliva and sweat) be used in drug driving forensic analysis?

- ☒ Yes
- ☐ No
- ☐ Don't know (Go to 'Hospital procedures')

Analysis reasoning

25. Why did you give this answer?

Anything which provided a reliable, evidence-based result which means the offence, if made out, can reach the Courts quickly is better for both the public and the driver – if they are innocent. Delays in getting cases to Court are to be avoided, if possible.

Hospital procedures

We believe that the complex area of taking samples in hospitals, with the current requirement for permission from the individual to be given before a sample can be taken, should be revisited. Delays in analysing samples from unconscious patients can slow down investigations into offences.

Any changes to hospital procedures for drink and drug driving suspects must balance the need to safeguard the suspect's rights with the need for timely analysis of samples to secure best evidence.

There are also instances where police were unable to secure the attendance of an approved medical practitioner to take a forensic sample.

We would welcome comments on whether there are any alternatives we should consider.

26. In your view, could hospital procedures for drink and drug driving suspects be improved?

- ☒ Yes
- ☐ No (Go to 'Law and practice')
- ☐ Don't know (Go to 'Law and practice')

Hospital procedure improvements

27. How do you think hospital procedures for drink and drug driving suspects could be improved?

Improved training and resources for police custody, unfortunately the constant compression of budgets means that clinicians are often not available. Equally training may mean that high turnover of less qualified staff may not understand the role

Law and practice

These questions allow respondents to reflect on current law and policy and procedure in respect of drink and drug driving.

28. Are there any other changes to current law and practice regarding drink and drug testing that you would like to suggest?

- ☒ Yes
- ☐ No (Go to 'Random breath testing')
- ☐ Don't know (Go to 'Random breath testing')

Law and practice improvements

29. How do you think current law and practice regarding drink and drug testing could be improved?

I understand, currently, the police have to have a reason to stop people, e.g. a 'moving traffic offence' whereas a random 'stop and test' has been shown to be a deterrent in Australia.

We are aware that there are challenges in relation impairment testing and ongoing training in relation to this, this is gradually being developed though.

Random breath testing

In Northern Ireland since 2016 (and also in the Republic of Ireland) police [have had the power to conduct a random breath test at checkpoints set up on roads if authorised by a police inspector \[opens in a new window\]](#), providing there are sufficient grounds to believe that this is required to enforce drink driving powers.

Currently in GB, the police have power to require a breath (drug) test if:

- they suspect the presence of drink and drugs
- the driver has been involved in an accident, according to the legislation
- the driver has committed a moving traffic offence

30. In your view, should random breath testing (mirroring the powers in Northern Ireland) be introduced in England and Wales?

- ☒ Yes
- ☐ No
- ☐ Don't know (Go to 'Other evidence')

Random breath testing reasoning

31. Why did you give this answer?

I understand it has been shown to be a deterrent in Australia.

What is the evidence in Northern Ireland?

Other evidence

32. Provide any other evidence or comments you have about the current penalty framework for drink and drug driving offences.

Comment:

I am not sure how much of the current driving tests – theory or practical address drink and drug driving but perhaps this should be reviewed.

The message given should be very clear do not drink or use drugs and drive and in addition, better education in relation to appropriately prescribed medicines.

[Attach relevant documents to your response]

Not wearing a seat belt

It has been mandatory since 1991 for drivers and passengers to [wear a seat belt when travelling in any motor vehicle unless medically exempt, or under specified circumstances such as a driver reversing their vehicle or a taxi driver plying for hire \[opens in a new window\]](#). It is also mandatory for drivers to ensure that children under the age of 14 in their vehicle wear a seat belt or are secured with an appropriate child seat or restraint.

The sanction for failing to do so is a Fixed Penalty Notice of £100 or, if the case goes to court, a maximum fine of £500. Failure to wear a seat belt is not currently an endorsable offence meaning the offender does not incur penalty points.

We are asking for your views on whether drivers and passengers failing to wear a seat belt, and drivers who fail to ensure children travelling in the vehicle are suitably restrained, should receive 3 penalty points on their driving licence.

We carry out observational surveys of seat belt wearing every few years on these subjects. The [most recent survey \[opens in a new window\]](#) shows, for weekdays in England in autumn 2023, that 97.6% of all vehicle drivers were observed using a seat belt and that 95.2% of all vehicle front seat passengers were observed using a seat belt.

However, there is a substantial problem associated with the minority of people who choose not to wear a seat belt. The [latest road casualty statistics for 2024 \[opens in a new window\]](#) show that 25% of car occupant fatalities in reported road collisions were not wearing a seat belt and the average over the past 5 years (from 2020 to 2024) was 24%. This indicates quite starkly that car occupants who do not wear a seat belt are disproportionately likely to be killed in road collisions.

33. In your view, should drivers receive 3 penalty points if they fail to wear their own seat belt?

- ☒ Yes
- ☐ No (Go to 'Disagreement and seat belt reasoning')
- ☐ Don't know (Go to 'Children seatbelts')

Agreement seat belt reasoning

34. Why did you give this answer?

Because the evidence for wearing a safety belt overwhelmingly shows it reduces serious injury and prevents deaths in almost all road traffic collisions. Such an offence should be marked with penalty points. Not wearing a seatbelt has an impact on motor insurance and is likely to increase premiums, so again a deterrent.

In addition the driver should be responsible for ensuring all passengers (not just those under 14 years) wear a seat belt unless they are exempt.

35. Why do you think this number of penalty points is appropriate?

It is a deterrent and motor insurance companies would be aware.

[Now go to 'Children seatbelts']

Disagreement seat belt reasoning

36. Why did you give this answer?

n/a

Children seatbelts

37. In your view, should drivers receive penalty points if they fail to ensure that children under 14 wear seat belts and child restraints?

- ☒ Yes
- ☐ No (Go to 'Children seatbelts reasoning')
- ☐ Don't know (Go to 'Failure to stop and report')

Children seatbelts and reasoning

38. Why did you give this answer?

The evidence shows that death or injury in a road traffic collision (RTC) is significantly higher for those not wearing a seatbelt and so the driver should be responsible and accountable for ensuring any and all passengers – including children of any age are wearing a seatbelt or the child car seat is suitable fitted

39. Why do you think this number of penalty points is appropriate?

Again, it's a deterrent, but where children are not wearing a seatbelt, one could argue for a higher number of penalty points e.g. 5 or 6

[Now go to 'Failure to stop and report']

Children seatbelts reasoning

40. Why did you give this answer?

As a deterrent

Failure to stop and report

Failure to stop and report a road traffic incident is unacceptable, and we are determined to combat this behaviour. The Road Traffic Act 1988 makes it a duty for drivers to stop, and report any collision, and to give information or documents as required. This must be within 24 hours of the incident where a collision has occurred resulting in:

- personal injury to a person other than the driver
- damage to another vehicle or trailer
- damage to an animal
- damage to any other property

Note the word “accident” is used in the legislation, but we use collision or incident in this report as it is the most appropriate terminology.

We are aware of the traumatic impacts that failure to stop and report incidents resulting in death or serious injury can have on victims, witnesses and family members. There have been petitions and parliamentary debates on this matter and many families, in outlining their desire to see changes to the law, have highlighted links to drink and drug driving. We understand the concerns about how this offence works, its maximum penalties and its scope.

Currently, the penalties for this offence are set at:

- 5 to 10 penalty points
- disqualification for 6 to 12 months
- up to a £5,000 fine
- up to 6 months’ imprisonment

We are aware of calls from parliamentarians, road safety stakeholders, the police, and victims’ families to introduce additional measures in respect to this area.

41. In your view, should the maximum penalties for the offence of failure to stop and report be increased?

☒ Yes

☐ No

☐ Don't know (Go to ‘New offense’)

Failure to stop and report reasoning

42. Why did you give this answer?

In some circumstances, e.g. serious injury to others, a longer disqualification would be appropriate.

New offence

43. In your view, should a new offence be created to cover situations in which a person could reasonably be assumed to have known that a collision resulted in:

	Yes	No	Don't know
death but failed to stop at the scene and report the collision	☒	☐	☐
serious injury but failed to stop at the scene and report the collision	☒	☐	☐

Why did you give this answer?

I am not sure of the number but failing to stop at the scene of an accident and/or failure to report it, is an offence frequently seen in the Magistrates' Court and as noted above, it is unacceptable.

44. In your view, should a person be required to switch off their engine if stopped by the police?

- ☒ Yes
- ☐ No
- ☐ Don't know (Go to 'Failure to stop')

Switch off engine reasoning

45. Why did you give this answer?

It should reduce the risk to police and others if a driver then accelerated away.

Failure to stop

46. In your view, should drivers receive 5 to 10 penalty points if they fail to stop for police?

- ☐ Yes
- ☐ No (Go to 'Failure to stop reasoning')
- ☒ Don't know (Go to 'Statutory time limit')

Failure to stop penalty

47. Why did you give this answer?

I would have said yes, but for some women bearing in mind what happened to Miss Everard, may be worried about stopping. Would it be better to say uniformed police?

48. Why do you think this number of penalty points is appropriate?

I would suggest 5 or 6

[Now go to 'Statutory time limit']

Failure to stop reasoning

49. Why did you give this answer?

n/a

Statutory time limit

50. In your view, in cases where:

	Yes	No	Don't know
death has occurred, should the statutory time limit (STL) for the offence of failing to stop be extended to 18 months from the current 6 months	☒	☐	☐
serious injury has occurred, should the STL for the offence of failing to stop be extended to 18 months from the current 6 months	☒	☐	☐

Why did you give this answer?

Due to the delays in Court and the length it takes for some investigations. And as noted how some people will delay the judicial process. I would suggest 24 months may be more appropriate

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Failure to stop and report offences

51. Provide any other evidence or comments about the current penalty framework for failure to stop and report offences.

Comment:

[Attach relevant documents to your response]

Tackling those seeking to evade justice and avoid their financial obligations

Currently it is harder for police to identify who is using a vehicle than it should be because some offenders go to great lengths to hide who owns a vehicle or who was driving – this makes it harder for the police to keep the public safe and pursue offenders.

There is a significant amount of evidence of people disguising a vehicle's true ownership to avoid compliance with vehicle excise duty requirements and other payment requirements for the use of certain roads. This places additional burden on those law-abiding drivers when revenue shortfall to the treasury due to fraud, has to be made up.

The police currently have the powers to seize a vehicle from those driving whilst uninsured, or not in accordance with their driving licence. The use of this power has to be proportionate and allows police to use their discretion not to seize where they feel that is an appropriate decision based on the merits of each situation.

52. In your view, should we introduce penalty points for the offence of:

	Yes	No	Don't know
driving a motor vehicle with no current keeper	☒	☐	☐
being in charge of a motor vehicle with no current keeper	☒	☐	☐

Why did you give this answer?

It is because of using a 'right' – driving or in charge of a vehicle and the ensuring the responsibility of doing so goes with that.

53. In your view, should we introduce vehicle seizure for the offence of:

	Yes	No	Don't know
driving a motor vehicle with no current keeper	☒	☐	☐
being in charge of a motor vehicle with no current keeper	☒	☐	☐

Why did you give this answer?

If there is no current keeper MOT and road tax is not paid, and there may also be no insurance, this is unacceptable when the majority of vehicle drivers do

54. In your view, should we introduce penalty points for the offence of being in charge of a motor vehicle with:

	Yes	No	Don't know
an incorrect number plate	☒	☐	☐
an altered number plate	☒	☐	☐
a false number plate	☒	☐	☐

Why did you give this answer?

There is no reason why anyone should be using other than correct number plates. The very fact that it happens is generally associate with other crimes.

Perhaps there should also be a licensing process for providers of number plates to help prevent some of these offences.

55. In your view, should we introduce vehicle seizure for the offence of being in charge of a motor vehicle with:

	Yes	No	Don't know
an incorrect number plate	☒	☐	☐
an altered number plate	☒	☐	☐
a false number plate	☒	☐	☐

Why did you give this answer?

As noted above it may be associated with other criminal activity and if not, then provision of the correct number plate is unlikely to be a problem to a driver.

56. In your view, should we introduce penalty points for the offence of:

	Yes	No	Don't know
driving a vehicle with no current MOT	☒	☐	☐
using a vehicle with no current MOT	☒	☐	☐

Why did you give this answer?

The MOT is to vehicle a car at basic level is road worthy. This is for the driver's, passengers' and other road users', including pedestrians' safety.

57. In your view, should we introduce vehicle seizure for the offence of:

	Yes	No	Don't know
driving a vehicle with no current MOT	☒	☐	☐
using a vehicle with no current MOT	☒	☐	☐

Why did you give this answer?

The MOT is to ensure a vehicle at basic level is road worthy. This is for the driver's, passengers' and other road users', including pedestrians' safety.

58. In your view, should we introduce penalty points for the offence of:

	Yes	No	Don't know
driving a vehicle with no current vehicle excise duty (vehicle tax)	☒	☐	☐
using a vehicle with no current vehicle excise duty (vehicle tax)	☒	☐	☐

Why did you give this answer?

Most road users comply with the law. Some seem to approach driving as a right without any associated responsibility.

59. In your view, should we introduce vehicle seizure for the offence of:

	Yes	No	Don't know
driving a vehicle with no current vehicle excise duty (vehicle tax)	☒	☐	☐
using a vehicle with no current vehicle excise duty (vehicle tax)	☒	☐	☐

Why did you give this answer?

Not making road tax should mean forfeiting one's right to drive that vehicle.

60. In your view, should we introduce penalty points for the offence of false declaration in order to obtain motor vehicle insurance?

- ☐ Yes
- ☐ No
- ☒ Don't know (Go to 'False declaration disqualification')

False declaration reasoning

61. Why did you give this answer?

Perhaps it may depend on the nature of the false declaration; so for example if a driver does not disclose relevant motoring offences or that they are disqualified, then yes.

False declaration disqualification

62. In your view, should we introduce driving disqualification for the offence of false declaration in order to obtain motor vehicle insurance?

- ☐ Yes
- ☐ No
- ☒ Don't know (Go to 'Electronic contact')

False declaration disqualification reasoning

63. Why did you give this answer?

Perhaps it may depend on the nature of the false declaration; so for example if a driver does not disclose relevant motoring offences or that they are disqualified, then yes.

Electronic contact

64. In your view, should we consider allowing:

	Yes	No	Don't know
suspects to be contacted via electronic means of communication	☒	☐	☐
witnesses to be contacted via electronic means of communication	☒	☐	☐

Why did you give this answer?

People may not update their driver details with DVLA.

There would need to be a 'delivered' or read receipt approach to ensure information has been delivered and received.

Perhaps there should be a statutory requirement for suspects to alert police or CJS when their email address or mobile 'phone number changes.

For offences detected by speed or red-light cameras, the law gives a 6-month statutory time limit (STL). This means the case must be brought before a magistrates' court within 6 months of the offence and there will be clear digital or photographic evidence of the offence. This STL period includes the registered keeper providing details to the authorities of who the driver was at the time.

We believe that this is open to abuse and delaying tactics and can result in offenders avoiding justice. We are proposing that this should be changed, so that the "clock" starts when the details of the driver are provided to the authorities.

65. In your view, should the STL be changed to one of 6 months from when the details of the driver are provided to the authorities?

☒ Yes

☐ No

☐ Don't know (Go to 'STL for death and serious injury')

STL reasoning

66. Why did you give this answer?

Some drivers do not notify DVLA of change of address and so delays due to this, can mean the STL is exceeded.

STL for death and serious injury

67. In your view, in cases where:

	Yes	No	Don't know
death has occurred, should the STL for the offence of driving unlicensed be extended to 18 months from the current 6 months	☒	☐	☐
serious injury has occurred, should the STL for the offence of driving unlicensed be extended to 18 months from the current 6 months	☒	☐	☐
death has occurred, should the STL for the offence of driving uninsured be extended to 18 months from the current 6 months	☒	☐	☐
serious injury has occurred, should the STL for the offence of driving uninsured be extended to 18 months from the current 6 months	☒	☐	☐
death has occurred, should the STL for the offence of driving disqualified be extended to 18 months from the current 6 months	☒	☐	☐

	Yes	No	Don't know
serious injury has occurred, should the STL for the offence of driving disqualified be extended to 18 months from the current 6 months	☒	☐	☐

Why did you give this answer?

Because of the reasons already outlined and delays in the Courts. I would also suggest it should be raised to 24 months rather than 18.

68. In your view, should the maximum penalties be increased for the offence of:

	Yes	No	Don't know
unlicensed driving	☒	☐	☐
driving not in accordance with a licence	☒	☐	☐

Why did you give this answer and, if relevant, if this is an appropriate sentence?

We have a licence for a reason; only some of these are not endorsable offences, and they should be.

69. In your view, should the minimum penalties for the offence of driving uninsured be increased?

☒ Yes

☐ No (Go to 'Disagree offence of driving uninsured should be increased reasoning')

☐ Don't know (Go to 'Evidence')

Agree offence of driving uninsured should be increased reasoning

70. Why did you give this answer?

Insurance is a responsibility which is inextricably linked to the right to drive. I would suggest that it should result in a disqualification for a minimum of 2-4 weeks and only in exceptional cases be managed by points and that minimum should 10.

71. What do think is an appropriate sentence?

As noted motor insurance is a responsibility which is inextricably linked to the right to drive, no driver should do the one without the other.

[Now go to 'Evidence']

Disagree offence of driving uninsured should be increased reasoning

72. Why did you give this answer?

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Evidence

73. Provide any other evidence or comments about the proposed introduction of new penalties for certain motoring offences and other road traffic matters set out in this consultation?

Comment:

[Attach relevant documents to your response]

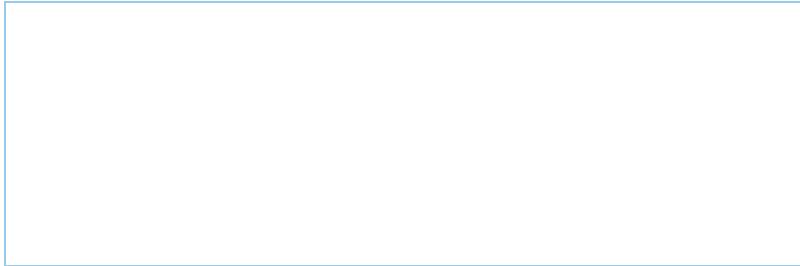
74. Provide any other evidence or comments to make about other areas of the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988.

Comment:

[Attach relevant documents to your response]

Final comments

75. Any other comments?

A large, empty rectangular box with a thin blue border, intended for providing additional comments or feedback.