

# SENTENCING GUIDE

OFFENCE	COURTS	SECTION	IMPRISONMENT	FINE	DISQUALIFICATION	PENALTY POINTS
Careless or Inconsiderate Driving	Magistrates	s.3	-	£5,000	Discretionary	3 - 9
Causing Death by Careless Driving etc	Crown Court	s.3A	10 years	Unlimited	Obligatory [Minimum 2 years]	
Causing Death by Dangerous Driving	Crown Court	s.1	10 years	Unlimited	Obligatory [Min 2 years] Compulsory retest	
Dangerous Driving	Crown Court	s.1	2 years	Unlimited	Obligatory Compulsory retest	
Dangerous Driving	Magistrates	s.1	6 months	£5,000	Obligatory Compulsory retest	
Driving or attempting to drive while unfit	Magistrates	s.4(1)	6 months	£5,000	Obligatory [Minimum 12 months]	
Driving or attempting to drive with excess alcohol	Magistrates	s.5(1)(a)	6 months	£5,000	Obligatory [Minimum 12 months]	
In charge while unfit	Magistrates	s.4(2)	3 months	£2,500	Discretionary	10
In charge with excess alcohol	Magistrates	s.5(1)(b)	3 months	£2,500	Discretionary	10
Refusing a preliminary blood test	Magistrates	s.6(4)	-	£1,000	Discretionary	4
Failing or refusing to provide an evidential specimen when NOT driving or attempting to drive	Magistrates	s.7(6)	6 months	£5,000	Obligatory [Minimum 12 months]	

Failing or refusing to provide an evidential specimen when driving or attempting to drive	Magistrates	s.7(6)	3 months	£2,500	Discretionary	10
Failing to give permission for a laboratory test of a blood specimen when driving or attempting to drive	Magistrates	s.7A	6 months	£5,000	Obligatory	3-11
Failing to give permission for a laboratory test of a blood specimen when NOT driving or attempting to drive	Magistrates	s.7A	3 months	£2,500	Discretionary	10
Using a mobile phone whilst driving a motor car	Magistrates	-	-	£1,000	-	3
Using a mobile phone whilst driving a goods vehicle or passenger vehicle with more than 9 seats (PSV)	Magistrates	-	-	£2,500	-	3
Causing or permitting a driver to use a mobile phone whilst driving a motor car	Magistrates	-	-	£1,000	-	3
Causing or permitting a driver to use a mobile phone whilst driving a goods vehicle or passenger vehicle with more than 9 seats (PSV)	Magistrates	-	-	£2,500	-	3
Failing to give information as to the identity of the driver	Magistrates	172	-	£1,000	-	6

CODE	OFFENSE	PENALTY POINTS
AC10	Failing to stop after an accident	5-10
AC20	Failing to report an accident	5-10
CD10	Careless driving	3-9
CU10	Using a vehicle with defective brakes	3
CU30	Using a vehicle with defective tyres	3
DD40	Dangerous driving	3-11
DR10	Driving or attempting to drive with alcohol concentration above the limit	3-11
LC20	Driving otherwise than in accordance with a licence	3-6
MS50	Motor racing on the highway	3-11
MS90	Failing to give information as to the identity of the driver etc	6

The information above is general and intended only as a general guide – it should not be taken as a definitive statement of the law or procedure. Expert advice should always be sought on this area. We have not attempted to cover all the factors that may be relevant where an offence is alleged to have been committed.