

Motoring Offences

In this section we have simply referred to the most common offences. However, there are so many different construction (state of vehicle) and use (manner of driving) offences that they would be too numerous to mention. Advice can be given on these offences as and when it is required.

Driving otherwise than in accordance with a licence (Summary)

This is driving a motor vehicle either without a licence or not according to any conditions attached to the licence. The latter can, for instance, occur when a provisional licence holder is driving on a provisional licence but without 'L' plates or qualified driver.

No Insurance (Summary)

This is the driving of a motor vehicle without a valid policy of insurance. However, the possession of an in-date insurance policy does not necessarily mean it is valid. If for example a person has been disqualified from driving, this will automatically invalidate the insurance policy.

Driving Whilst Disqualified (Summary)

This is the driving of a motor vehicle having been disqualified from doing so by a Court. This is an imprisonable offence.

Driving with Excess Alcohol (Summary)

This is when a person has alcohol in their system, at the time of driving, which is over the allowed limit. This is what is known as a strict offence which means that if, at the time of driving, the alcohol level was over the limit, the person will be guilty of the offence even if they did not realise that amount, or any amount, of alcohol was in the system. In the latter event there are various arguments which can be put before the Court to prevent disqualification. These are called special reasons and relate to the commission of the offence (e.g. laced drinks) rather than to the personal circumstances of the offender (e.g. the loss of employment as a result of loss of licence). This is an imprisonable offence.

Driving Without Due Care and Attention (Summary)

This is when the standard of driving falls below that expected of the average careful driver. This can vary from falling just below that standard to just above that which amounts to dangerous driving (see below).

Dangerous Driving (Either Way)

This speaks for itself and is where the standard of driving falls so far below the expected standard that it amounts to dangerous. This is an imprisonable offence.

Failing to Stop

If, as a result of a person's vehicle being on the road, damage or injury is caused to another or to property, then the driver is required to stop at the scene and exchange details, if that is possible, with the other driver or property owner. If no person is immediately obvious, some enquiries must be made at the scene rather than a token stop. This is an imprisonable offence.

Failing to Report

If, as a result of a person's vehicle being on the road, damage or injury is caused to another or to property, then the driver is required to report that accident to the police immediately. If that is not possible, for instance because there is no mobile signal and no other house around, then it must be reported as soon as possible thereafter. In any event it must be reported within 24 hours.

Even if the accident is reported within 24 hours, a person may still be guilty of this offence if they cannot satisfy the court as to, why they did not report the matter immediately or, that they reported the matter as soon as possible.