



RHA – Guide to Careless Driving and Offences

Road Haulage Association

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RHA Guide – Careless Driving and Offences

What is careless driving?

There's no standard list of offences that constitute careless driving any minor breach of **the Highway Code** could be considered to be an offence:

- Tailgating
- Not giving way at a junction
- Overtaking and forcing your way into a queue of traffic
- Using the wrong lane at a roundabout
- Ignoring a lane closed sign and forcing your way into an orderly queue
- Lane hogging
- Inappropriate speed
- Overtaking on the inside
- Wheel spins
- Hand brake turns
- Operating a satnav or reading a map while driving
- Eating or drinking at the wheel
- Lane hopping or weaving
- Overtaking and causing an approaching vehicle or overtaken vehicle to brake



How will you be dealt with?

There are five different ways that the police can deal with a careless driving offence depending on the severity and circumstances:

1. Summons – plead guilty and accept the fine or plead not guilty and have the case heard in Court.
2. Summons with an offer of educational training – accept and attend the course or refuse the course and request a hearing.
3. Fixed penalty – accept the penalty or request a summons and either plead guilty and accept the court fine or not guilty and have the case heard in Court.
4. Fixed penalty with an offer of educational training – accept the penalty or accept and attend the course. If you refuse or fail to complete the course and don't accept the penalty, you'll be summonsed and can either plead guilty and accept the court fine or not guilty and have the case heard in the Magistrates Court.
5. A warning and no further action

Fixed penalty and/or educational training can be offered in situations of officer-observed, low level careless, aggressive and inconsiderate driving where other drivers are not unduly affected.

You are guilty of a careless driving offence if you drive a mechanically propelled vehicle on a road or other public place without due care and attention, or without reasonable consideration for other persons using the road or place.



- Driving without due care and attention means driving in a way that falls below what would be expected of a competent and careful driver.
- Driving without reasonable consideration for other persons requires them to be inconvenienced by your driving.

You can expect a Fixed Penalty Notice for many careless driving offences but in more serious cases you'll be summonsed to appear in court.

- The more serious offence of dangerous driving will always be dealt with by a court appearance.
- If a case goes to court the maximum penalty is £5,000, 3 to 9 points on your licence and a discretionary disqualification.
- National Police Chiefs' Council (NPCC) guidance is that lower level careless driving offences are considered for a fixed penalty with the offender being offered driver education in most cases.
- HGV Drivers may be called to a Driver Conduct Hearing held before the Traffic Commissioner for the area and in worse case scenarios have their HGV entitlement revokedⁱ

All road users in whatever capacity they use the road network be it Motorways, to country lanes have a duty to use the roads in a careful and respectful manner. To acknowledge other road users and their abilities and to be courteous at all times.

Drive Defensively NOT Aggressively

More Information:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/409716/staying-legal-HGV.pdf

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ⁱ file:///C:/Users/csnape/Documents/Policies/statutory-document-6-vocational-driver-conduct.pdf