

Driving without due care and attention

What is classed as driving without due care and attention?

Driving without due care and attention is an offence under UK law. It is defined as when the level of someone's driving ability falls below what would commonly be expected of a competent, and careful driver. Within this offence, is the alternative of driving without reasonable consideration for other road users.

Is driving without due care and attention against the law?

Yes, driving without due care and attention is an offence contrary to Section 3 of The Road Traffic Act 1988. It is triable only in the Magistrates Court. Legal proceedings will normally be started by a single Judge Procedure Notice being issued or by way of summons to attend court. The former allows entry of a "guilty" plea without having to attend court. It is also possible to enter pleas of "not guilty" by either of these methods of prosecution, and the case will then be adjourned for trial.

What are the penalties associated with this type of driving offence?

The offence of careless driving is dealt with by way of a means-tested financial penalty and the imposition of between three to nine penalty points on a driving license. Disqualification is normally only considered in instances where an overtaking manoeuvre, committed at speed, resulted in a crash or driving which borders on being dangerous. In the event of a plea of "guilty" being appropriate, personal attendance at court may result in fewer penalty points than if the case is dealt with through the single justice procedure.

