



# **CITY OF NOTTINGHAM**

## **Hackney Carriage and Private Hire** **Enforcement, Convictions and Fitness Policy**

### **1. Introduction**

1.1 It is the responsibility of Nottingham City Council (referred to as the Council) to issue Hackney Carriage and Private Hire licences under the Local Government (Miscellaneous Provisions) Act 1976 and the Town Police Clauses Act 1847. In exercising this duty the Council will consider the safety of the public as its primary consideration. This Policy gives guidance to those exercising the Council's powers in relation to Hackney Carriage and Private Hire licensing in determining whether or not an applicant or existing licence holder is fit and proper to hold such a licence.

1.2 In the interest of public safety and to safeguard vulnerable persons , the licensing authority seek to ensure:

- That a person is a fit and proper person in accordance with Sections 51 and 59 of the Local Government (Miscellaneous Provisions) Act 1976 (Part II);
- That the person does not pose a threat to the public;
- That the public are safeguarded from dishonest persons;
- The safety of children, young persons and vulnerable adults.

1.3 The term "Fit and Proper Person" for the purposes of licensing is not legally defined and in assessing whether someone may be "Fit & Proper" the Licensing Authority will consider the following, and take any other relevant information into account:

- Criminality;
- Human Rights;
- Period of holding a driver's licence;
- Number of endorsed driving licence penalty points;
- Right to work;
- Medical fitness;
- Driving ability test;
- The fitness and propriety of Private Hire Operators, ensuring the business is run in a safe and professional manner, having regard to management controls, compliance with the law and that drivers are properly monitored to ensure that they behave in an appropriate manner and comply with their duties and responsibilities, including the monitoring of drivers hours;
- The conduct of the applicant in making the application (e.g. whether they have acted with openness and integrity during the application process);
- The previous licensing history of existing / former licence holders and any complaints made against them and investigated by any local authority licensing service.

In addition the Council will also consider further information if it is before it from sources such as the Police, Children and Adult Safeguarding Boards and other statutory agencies.

- 1.4 This policy provides guidance to any person with an interest in taxi and private hire licensing. In particular, but not exclusively:
- Applicants for a driver's licence;
  - Existing licensed drivers whose licences are being reviewed;
  - The holders of Private Hire Operators licences;
  - Licensing officers;
  - Members of the Regulatory and Appeals Committee;
  - Magistrates hearing appeals against local authority decisions.
- 1.5 In considering this guidance the Council will be mindful that each case must be considered on its individual merits and, where the circumstances demand, the committee may depart from the guidelines. Where an applicant has been convicted of a criminal offence, the licensing authority cannot review the merits of the conviction [Nottingham City v Mohammed Farooq (1998)].
- 1.6 In this policy 'from date sentence has ended' is taken to be the date which is reached once the whole of the period as sentenced by the court has elapsed and not necessarily the length of time served by the applicant. For example, if a sentence is five years imprisonment then the date that the sentence ends will be five years from the date of sentencing – regardless of the amount of time actually served in prison by the applicant. If the sentence is amended by a court at a later date then this new sentence becomes relevant for the purposes of this policy. The term 'since completion of sentence' is to be construed in a similar way.
- 1.7 In this policy information other than convictions will be taken into account and can include but is not restricted to, cautions, warnings, reprimands, fixed penalty notices and driver behaviour.
- 1.8 In this policy the word 'applicant' refers to either new applicants existing licence holders seeking to renew licences and existing licence holders whose licences are being reviewed.

## **2. General Policy**

- 2.1 Whilst the Council may consider that a person with a conviction for a serious offence may not need to be automatically barred from obtaining a licence, it is however to be normally expected that the applicant would be required to:
- a. Remain free of conviction for an appropriate period as detailed below; and
  - b. Show adequate evidence that they are a fit and proper person to hold a licence (the onus will be on the applicant to produce such evidence).

Simply remaining free of conviction may not generally be regarded as adequate evidence that a person is a fit and proper person to hold a licence.

2.2 The Council may depart from this policy if good reasons exist. The otherwise good character and driving record of the applicant or licence holder will not ordinarily be considered as exceptional circumstances.

### **2.3 Outstanding Charges or Summonses**

If an outstanding charge or summons involves a serious offence and/or the individual's conviction history indicates a possible pattern of unlawful behaviour or character trait, then in the interests of public safety the application should normally be put on hold until proceedings are concluded or the licence may be refused.

### **2.4 Additional information**

The Council retains discretion to take into account any other information relating to an applicant's behaviour, notwithstanding the fact that the matter(s) have not resulted in criminal proceedings.

2.5 In assessing the action to take, the safety of the public must be the paramount concern.

2.6 Where an applicant has had a Hackney Carriage/Private hire driver's licence revoked by another local authority, the Council will not normally grant a licence unless sufficient time has passed or circumstances have changed since the revocation took place and the Council is satisfied that the applicant is a fit and proper person

## **3. Powers**

3.1 Section 61 and Section 62 of the Local Government (Miscellaneous Provisions) Act 1976 allow the licensing authority to suspend, revoke or refuse to renew a licence under certain circumstances.

3.2 The Rehabilitation of Offenders Act 1974 (Exceptions)(Amendment) Order 2002, allows the licensing authority to take into account all convictions recorded against an applicant or the holder of a Private Hire Vehicle or Hackney Carriage driver's licence, whether spent or not. Therefore the licensing authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending. In accordance with this Act, all convictions, cautions, warnings and reprimands must be declared by the Applicant.

3.3 Under the provisions of Sections 51, 55 and 59, Local Government (Miscellaneous Provisions) Act 1976, the licensing authority is required to be satisfied that an applicant for the grant or renewal of a Hackney Carriage and/or a Private Hire Vehicle driver's licence and/or Private Hire Vehicle Operator's licence is a "fit and proper" person to hold such a licence. The authority will consider:

1. How relevant any recorded/reported offence(s) are to the licence being applied for
  - a. How serious the offence(s) are/were;
  - b. When the offence(s) were committed;

- c. The date of conviction;
  - d. Circumstances of the individual concerned;
  - e. Sentence imposed by the court;
  - f. The applicant's age at the time of conviction;
  - g. Whether they form part of a pattern of offending.
2. Any other character check considered reasonable (e.g. personal references)
3. Any other factors that might be relevant, for example:
  - (a) The previous conduct of an existing or former licence holder;
  - (b) Whether the applicant has intentionally misled the council or lied as part of the application process;
  - (c) Information provided by other agencies / council departments;
  - (d) Whether the applicant has been subject to warning/suspension by the Licensing Office.

It may also be appropriate to consider the sentencing powers engaged by the court in disposing of criminal proceedings and Judges reasons for coming to that decision.

- 3.4 Existing holders of driver's licences are required to notify the licensing authority in writing within seven days of receiving a driving licence endorsement, fixed penalty notice or criminal conviction (including cautions and arrests). Failure to do so will raise concerns as to the honesty of the licence holder and may be taken into account as part of any subsequent renewal applications or reviews.
- 3.5 Applicants can informally discuss further what effect a caution/conviction may have on any application or existing licence by contacting the Licensing Service, details of which are available on the Nottingham City Councils website. The Council will not be bound by any advice given and reserve its full powers.
- 3.6 The Council conducts enhanced disclosures from the Disclosure and Barring Service (DBS) of any applicant for a driver's licence. Applicants applying for the grant or a renewal of a driver's licence will be required to obtain an enhanced disclosure at their expense, or subscribe to the update service and also at other times as determined by the Council (annual). Where an applicant does not sign up to the DBS update service, they will be required to complete a manual form on an annual basis again at their own expense and also risk a delay in response from the DBS.
- 3.7 The Council is also entitled to use other records and information that may be available to it in determining applications or an entitlement to continue holding a licence. This may include information held by the Council or other licensing authorities, and information disclosed by the police.
- 3.8 It is an offence for any person knowingly or recklessly to make a false declaration or to omit any material particular in giving information required by the application for a licence. Section 57(3) Local Government (Miscellaneous

Provisions) Act 1976 Where an applicant has made a false statement or a false declaration on their application for the grant or renewal of a licence, the licence will normally be refused.

- 3.9 The Council is not prohibited from taking offences or other information which is not specifically identified in this Policy into account.

#### **4 Policy on immediate revocation/suspension of driver's licence**

- 4.1 If the Council decides to revoke or suspend a driver's licence, it will then have to consider whether that revocation/suspension should take immediate effect under Section 61(2B) of the Local Government (Miscellaneous Provisions) Act 1976.

- 4.2 The Council only has the power to resolve that the revocation/suspension will take immediate effect if it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect. The phrase "interests of public safety" is not defined and is for the Council to determine. However, regard will be had to any risks to public safety arising from concerns about the licence-holder's driving standards, his character including but not limited to dishonesty, violent behaviour, involvement in drink or drugs, inappropriate sexual conduct, any relevant previous convictions and any other matters the Council may deem relevant.

- 4.3 The overriding consideration shall always be the safety and protection of passengers and the general public.

- 4.5 Matters such as unemployment and home circumstances will not be taken into account when determining whether the revocation or suspension will take place immediately and therefore shall not outweigh the public safety factor.

- 4.6 If it appears that the interests of public safety require the suspension or revocation of the licence to have immediate effect, the Council will give notice to the driver, which includes a statement to that effect and an explanation why, the suspension or revocation takes effect when the notice is given to the driver.

#### **4.7 Appeals**

Any applicant refused a driver's licence, or who has their licence suspended or revoked has a right to appeal to the Magistrate's Court within 21 days of the notice of refusal [Local Government (Miscellaneous Provisions) Act 1976, s77)].

#### **5. Considerations given to Offences**

This section deals with various types of offences and applies to **new and renewal applications**, and upon **review** of a current licence. Although the following sections mainly refer to the "grant" of a licence, references to the period to have passed since the completion of any sentence gives an indication of the seriousness with which the Council is likely to treat the matter and the period the Council would expect to lapse before any subsequent application may be likely to be successful.

## 5.1 Serious offences involving violence

Licensed drivers have close regular contact with the public. A firm line will be taken with those who have convictions for offences involving violence. An application will normally be refused if the applicant has a conviction for an offence that involved the loss of life.

5.2 Unless there are exceptional circumstances a licence will **not normally** be granted where the applicant has a conviction for an offence such as:

1. Murder;
2. Manslaughter;
3. Manslaughter or culpable homicide while driving;
4. Terrorism offences;
5. Kidnapping or abduction;
6. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

5.3 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) to those below until at least **10 years** have passed since the completion of any sentence:

1. Arson;
2. Malicious wounding or grievous bodily harm which is racially aggravated;
3. Actual bodily harm which is racially aggravated;
4. Grievous bodily harm with intent;
5. Robbery;
6. Possession of firearm;
7. Riot;
8. Assault Police;
9. Common assault with racially aggravated;
10. Violent disorder;
11. Threats to kill;
12. Resisting arrest;
13. Hate crime against a person;
14. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

5.4 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below until at least **5 years** have passed since the completion of any sentence:

1. Racially-aggravated criminal damage;
2. Racially-aggravated offence;
3. Hate crime against property;
4. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

5.5 A licence will not normally be granted where the applicant has a conviction for an offence or similar offence(s) which replace the offences below until at least **3 years** have passed since the completion of any sentence and/or licence period:

1. Common assault/Battery;

2. Assault occasioning actual bodily harm;
3. Affray;
4. S5 Public Order Act 1986 offence (harassment, alarm or distress);
5. S.4 Public Order Act 1986 offence (fear of provocation of violence);
6. S4A Public Order Act 1986 offence (intentional harassment, alarm or distress);
7. Obstruction;
8. Criminal damage;
9. Harassment;
10. Offences involving anti-social behaviour;
11. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

5.6 A licence will not normally be granted if an applicant has more than one conviction in the last **10 years** for an offence of a violent nature.

5.7 In the event of a licence being granted, despite convictions against the Applicant, a strict warning both verbally and in writing should be administered. If a warning is issued, this will remain in place for a period commensurate with the time periods in the relevant sections above.

### **5.8 Possession of a weapon**

If an applicant has been convicted of possession of a weapon or any other weapon related offence, depending on the circumstances of the offence, at least **3 years** must have passed since the completion of the sentence, before a licence is granted.

### **5.9 Sexual and indecency offences**

As licensed drivers often carry unaccompanied and vulnerable passengers, applicants with convictions for sexual offences must be closely scrutinised. All sexual offences should be considered as serious. Applicants with convictions for sexual offences will **normally be refused a licence upon application, renewal or review.**

Such offences include:

1. Rape;
2. Assault by penetration;
3. Offences involving children or vulnerable adults;
4. Grooming, Trafficking or other Sexual Exploitation related offences (adults and/or children);
5. Making or distributing obscene material;
6. Possession of indecent photographs depicting child pornography;
7. Sexual assault;
8. Indecent assault;
9. Exploitation of prostitution;
10. Any similar offences (including attempted or conspiracy to commit) offences which replace the above.

5.10 Unless there are exceptional circumstances a licence will **not normally** be granted where the applicant has a conviction for an offence, such as:

1. Making indecent telephone calls;

2. Importuning;
3. Indecent exposure;
4. Soliciting (kerb crawling);
5. Any similar offences (including attempted or conspiracy to commit) offences which replace the above.

an applicant should be free of conviction for at least **5 years** before a licence is granted (or at least **5 years** must have passed since the completion of the sentence, whichever is longer),

5.12 A licence will **not normally be granted** if an applicant has more than one conviction for an indecency offence.

5.13 In addition to the above the licensing authority will **not normally grant a licence** to any applicant who is currently on the Sex Offenders Register or any other similar register.

#### 5.14 Dishonesty

A licensed driver is expected to be trustworthy. In the course of their working duties drivers will deal with cash transactions and valuable property may be left in their vehicles. Drivers may well deal with customers who are vulnerable or intoxicated and potentially easily confused. For these reasons, a serious view is taken of any conviction involving dishonesty.

5.15 In general, a minimum period of **3 years** free of conviction or at least **3 years** have passed since the completion of sentence (whichever is longer) should be required before granting a licence. Offences involving dishonesty include:

1. theft;
2. burglary;
3. fraud;
4. benefit fraud;
5. handling or receiving stolen goods;
6. forgery;
7. conspiracy to defraud;
8. obtaining money or property by deception;
9. other deception;
10. taking a vehicle without consent;
11. or any similar offences (including attempted or conspiracy to commit) offences which replace the above;

5.16 Applicants or existing licence holders that are found to have intentionally misled the council, or lied as part of the application process, will not normally be issued with a licence.

#### 5.17 Alcohol and Drugs

An isolated conviction for drunkenness need not debar an applicant from gaining a licence. In some cases, a warning may be appropriate. However, a number of convictions for drunkenness, including drunk and disorderly or drunk and incapable, could indicate a medical problem necessitating critical examination and refusal of licence.

- 5.18 In addition, the applicant will normally be required to show a period of **10 years** has elapsed after completion of detoxification treatment if (s)he was an alcoholic.
- 5.19 A serious view is taken of any drug related offence. The nature and quantity of the drugs, whether for personal use or supply are issues which should be considered.
- 5.20 A licence will not normally be granted where the applicant has more than one conviction for offences related to the supply of drugs and has not been free of conviction for **10 years**.
- 5.21 A licence will not normally be granted where the applicant has more than one conviction for offences related to the possession of drugs and has not been free of conviction for **5 years**.
- 5.22 An application from an applicant who has an isolated conviction for an offence related to the possession of drugs within the last **3-5 years** may be granted a licence, but consideration should be given to the nature and quantity of the drugs.
- 5.23 If there is evidence of persistent drug use, misuse or dependency, a specialist examination (in accordance with the DVLA group two medical standards) may be required before the licence is granted. If the applicant was an addict then they would normally be required to show evidence of **5 years** free from drug taking after detoxification treatment before a licence is granted.

#### **5.24 Driving offences involving the loss of life**

A very serious view is to be taken of any applicant who has been convicted of a driving offence that resulted in the loss of life. A licence will not normally be granted if the applicant has a conviction for:

1. Causing death by dangerous driving;
2. Causing death by careless driving whilst under the influence of drink or drugs;
3. Causing death by driving: unlicensed, disqualified or uninsured drivers;
4. Or any similar offences (including attempted or conspiracy to commit) offences which replace the above.

- 5.25 Before a licence is granted, an applicant should be free of conviction for **10 years** (or at least **10 years** must have passed since the completion of the sentence, whichever is longer) if the applicant has a conviction for:

1. Causing death by careless driving;
2. Causing death by driving: unlicensed, disqualified or uninsured drivers.

#### **5.26 Driving offences involving alcohol and/or drugs**

A serious view will be taken of convictions of driving, or attempting to drive, or being in charge of a vehicle while under the influence of drink or drugs. Where a disqualification has occurred as a result of a drug or drink-driving offence, at least **5 years** free of conviction should elapse after the restoration of the DVLA licence before an applicant is granted a licence.

- 5.27 More than one conviction for this type of offence or one such offence within the last **5 years** is likely to merit refusal.

In addition, applicants will normally be required to show a period of at least **5 years** has elapsed after completion of detoxification treatment if (s)he was an alcoholic or drug addict.

- 5.28 Appendix one sets out the traffic offences which may be considered to fall within this section.

### **5.29 Major Traffic Offences**

Subject to the above paragraphs an isolated conviction for a major traffic offence, without disqualification, such as dangerous driving or driving without due care and attention will require careful consideration of the facts and will at the very least merit a warning as to future driving and advice on the standard expected of hackney carriage and private hire drivers. However, where the conviction is within **6 months** prior to the date of the application the application will normally be refused.

- 5.30 In cases of disqualification at least **3 years** free from conviction after the restoration of the DVLA licence should normally elapse before an applicant is granted a licence.

- 5.31 Where an applicant has been convicted of a major traffic offence which has not resulted in disqualification, careful consideration should be given to the circumstances surrounding the offence. An application for a licence will normally be refused where the offence occurred less than **2 years** prior to the application.

- 5.32 Where an existing licence holder is disqualified from driving as a result of a conviction for a major traffic offence, the licence will normally be revoked.

- 5.33 Where an existing licence holder is convicted of a major traffic offence, but the licence-holder is not disqualified from driving, the licence should normally be revoked or not renewed and any subsequent application for a new licence will be determined in accordance with the guidance above.

- 5.34 Appendix one sets out the traffic offences which may be considered to fall within this section.

### **5.35 Minor Traffic Offences**

Isolated convictions for minor traffic offences or minor traffic violations may not prevent a person from proceeding with an application. However, the number, type and frequency of this type of offence will be taken into account. If there are several minor traffic offences an application will normally be granted unless there is clear evidence of a minimum 6 month period without offending.

- 5.36 An application with a points total **above 7** will merit further consideration. A licence will normally be refused where the applicant has **12 or more penalty points** on his DVLA licence for minor traffic offences but has not been disqualified from driving.

- 5.37 Where an offence has resulted in the applicant being disqualified from driving for a period of time this will normally be taken as reflecting seriously on the applicant's driving standard.
- 5.38 Generally, a period of **12 months** free from conviction must have elapsed from the restoration of the DVLA licence.
- 5.39 Where an existing licence holder is disqualified from driving the licence will normally be revoked by the Head of Service under delegated powers.
- 5.40 Appendix two sets out the traffic offences which may be considered to fall within this section.

#### **5.41 Totting Up Disqualifications**

- 5.42 Where a number of traffic offences have resulted in a driver receiving **12 penalty** points or more on his/her licence the driver will be disqualified from driving unless the Court is satisfied that exceptional hardship would be suffered by an individual if disqualified. This is known as a "totting-up" disqualification. Where an applicant has a totting-up disqualification an application will usually be refused until a period of between **12 months and 2 years** has lapsed from the restoration of the DVLA licence depending on the seriousness of the offences which led to the totting up.
- 5.43 Where an existing licence holder is disqualified from driving as a result of a totting up, the licence will normally be revoked.

#### **5.44 Hybrid traffic offences**

Offences of the type listed in **Appendix 3** will be treated as **major** traffic offences if the court awarded **4** or more penalty points for the offence and as **minor** traffic offences if the court awarded **3** or less penalty points for the offence.

- 5.45 Any applicant who has committed an offence of plying for hire within 6 months of their application will normally be refused a licence. Any existing licence holder found to have committed this offence will be judged on the circumstances of the case, and at the least suspension of the licence should be considered. Where a driver is convicted on more than one occasion the licence may be revoked or not granted. Consideration will be taken if the offence of plying for hire was accompanied by the fact that at the time there was no insurance cover in place for the vehicle in line with 5.50 below. It will be up to the applicant to prove that there was valid insurance in place at the time of the offence.

#### **5.46 Insurance Offences**

A serious view will be taken of convictions of driving a vehicle without insurance. An isolated incident in the past will not necessarily stop a licence being granted provided the applicant has been free of conviction for **3 years**. However, strict warning should be given as to future behaviour. More than one of these offences would normally prevent a licence being granted or

renewed. Isolated incidents associated with a licensing offence will not necessarily prevent a licence being granted or renewed. Each case will be prevented on its merits.

5.47 At least **3 years** should elapse (after restoration of the DVLA driving licence), before a licence would normally be granted for a HC or PH drivers licence. An operator found guilty of aiding and abetting the driving passengers for hire and reward whilst without insurance will have his operator's licence revoked immediately and prevented from holding a licence for **3 years**.

**5.48 Breach of Traffic Regulation Order (TRO) ; pedestrianised areas or restricted area**

5.49 There is a significant issue in relation to drivers breaching TROs in Nottingham, especially in relation to driving over/parking up on pedestrianised areas and other restricted areas. This poses a safety risk to the public and demonstrates a disregard for the law and regulation. On this basis a robust approach is taken and any licensed driver found in breach of any TRO or found to be in a pedestrianised or restricted area will normally be subject to the following minimum sanctions:

- First breach - 2 weeks suspension, minimum;
- Second Breach - 4 weeks suspension, minimum;
- Third Breach - revocation of Hackney Carriage/Private Hire Drivers licence on the grounds of no longer constituting a fit and proper person.

5.50 Any driver to which one of the above sanctions is imposed will not normally have a subsequent application granted unless there is clear evidence of a minimum 12 month period without offending.

5.51 A map showing restricted areas is available from the Licensing Officer and can also be viewed on the Nottingham City Council website.

5.52 Where a breach of TRO is reported to the Licensing Officer:

- We will write to the driver with details of the breach and make a decision based on the evidence before us;
- The driver will then be given an opportunity to request an interview to put their case forward. The onus will be on the driver to contact the officer within 7 days of our dated letter to arrange an interview;
- Following the interview a decision will be made and the driver written to with the final outcome;
- The driver will then have 21 days right to appeal to the Magistrates' Court.

**5.53 The Driver Improvement Penalty Point Scheme**

The Council is considering the implementation of a Driver Improvement Penalty Point Scheme (DIPPS). If adopted, this will form an additional policy to this document designed to set the standards expected of drivers by Nottingham City Council. Failure to adhere to the DIPPS policy could also result in the review and/or suspension or revocation of a drivers licence.

## **6. GUIDELINES RELATING TO MEDICAL CONDITIONS**

### **6.1 Medical Checks**

6.2 In order to meet the “fit and proper” test Licence holders must also be physically and mentally fit to drive a hackney carriage or private hire vehicle. In determining this, the Licensing Authority will have regard to a medical report and may also consider any relevant medical evidence from a qualified medical practitioner.

6.3 The Council requires applicants to pass a Group 2 medical standard examination as set by the Driver and Vehicle Licensing Authority (DVLA) . This examination is undertaken on initial application and when licence holder reaches 45 years, 50 years, 55 years, 60 years, 65 years and then annually thereafter. Applicants who fail the examination will normally be refused a licence until the medical examination is passed. Where an existing licence holder develops a medical condition which means they will not meet the Group 2 medical standard, the licence will normally be revoked or refused.

## Appendix One

### MAJOR TRAFFIC OFFENCES

AC10 Failing to stop after an accident

AC20 Failing to give particulars or to report an accident within 24 hours

AC30 Undefined accident offences

BA10 Driving while disqualified by order of court

BA30 Attempting to drive while disqualified by order of court

BA40 Causing death by driving while disqualified

BA60 Causing serious injury by driving while disqualified

CD10 Driving without due care and attention

CD20 Driving without reasonable consideration for other road users

CD30 Driving without due care and attention or without reasonable consideration for other road users

CD40 Causing death through careless driving when unfit through drink \*

CD50 Causing death by careless driving when unfit through drugs \*

CD60 Causing death by careless driving with alcohol level above the limit \*

CD70 Causing death by careless driving then failing to supply a specimen for analysis \*

CD80 Causing death by careless or inconsiderate driving \*

CD90 Causing Death by driving: unlicensed, disqualified or uninsured drivers \*

DD40 Dangerous driving

DD60 Manslaughter or culpable homicide while driving a vehicle \*

DD80 Causing death by dangerous driving \*

DD90 Furious driving

DG60 Causing death by careless driving with drug level above the limit\*

### **The above offences marked \* are dealt with in the section entitled driving offences involving the loss life**

DR10 Driving or attempting to drive with alcohol level above limit +

DR20 Driving or attempting to drive while unfit through drink +

DR31 Driving or attempting to drive then refusing to give permission for analysis of a blood sample that was taken without consent due to incapacity

DR40 In charge of a vehicle while alcohol level above limit +

DR50 In charge of a vehicle while unfit through drink +

DR60 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive

DR61 Failure to provide a specimen for analysis in circumstances other than driving or attempting to drive +

DR70 Failing to provide specimen for breath test +

DR80 Driving or attempting to drive when unfit through drugs +

DR90 In charge of a vehicle when unfit through drugs +

DG10 Driving or attempting to drive with drug level above the specified limit

DG40 In charge of a vehicle while drug level above the specified limit

**The above offences marked + are dealt with in the section entitled alcohol and drugs**

IN10 Using a vehicle uninsured against third party risks

LC20 Driving otherwise than in accordance with a licence

LC30 Driving after making a false declaration about fitness when applying for a licence

LC40 Driving a vehicle having failed to notify a disability

LC50 Driving after a licence has been revoked or refused on medical grounds

MS50 Motor racing on the highway

UT50 Aggravated taking of a vehicle

TT99 signifies a disqualification under the totting up procedure 12 or more points within three years

## **Appendix Two**

### **MINOR TRAFFIC OFFENCES**

- CU10 Using vehicle with defective brakes
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
- CU30 Using a vehicle with defective tyre(s)
- CU40 Using a vehicle with defective steering
- CU50 Causing or likely to cause danger by reason of load or passengers
- CU80 Using a mobile phone while driving a vehicle
  
- MS10 Leaving a vehicle in a dangerous position
- MS20 Unlawful pillion riding
- MS30 Play street Offences
- MS40 Driving with uncorrected defective eyesight or refusing to submit to a test
- MS60 Offences not covered by other codes
- MS70 Driving with uncorrected defective eyesight
- MS80 Refusing to submit to an eyesight test
- MS90 Failure to give information as to the identity of driver etc.
  
- MW10 Contravention of Special Road Regulations (excluding speed limits)
  
- PC10 Undefined contravention of Pedestrian Crossing Regulations
- PC20 Contravention of Pedestrian Crossing Regulations with moving vehicle
- PC30 Contravention of Pedestrian Crossing Regulations with stationary vehicle
  
- SPI0 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway
- SP60 Undefined speed limit offence
  
- TS10 Failing to comply with traffic light signals
- TS20 Failing to comply with double white lines
- TS30 Failing to comply with a "Stop" sign
- TS40 Failing to comply with direction of a constable/ warden
- TS50 Failing to comply with traffic sign (excluding "Stop" sign, traffic lights or double white lines)
- TS60 Failing to comply with school crossing patrol sign
- TS70 Undefined failure to comply with a traffic direction sign

## Appendix Three

### HYBRID TRAFFIC OFFENCES

- CU10 Using vehicle with defective brakes
- CU20 Causing or likely to cause danger by reason of use of unsuitable vehicle or using a vehicle with parts or accessories (excluding brakes, steering or tyres) in a dangerous condition
- CU30 Using a vehicle with defective tyre(s)
- CU40 Using a vehicle with defective steering
- CU50 Causing or likely to cause danger by reason of load or passengers
  
- SP10 Exceeding goods vehicle speed limit
- SP20 Exceeding speed limit for type of vehicle (excluding goods or passenger vehicles)
- SP30 Exceeding statutory speed limit on a public road
- SP40 Exceeding passenger vehicle speed limit
- SP50 Exceeding speed limit on a motorway
- SP60 Undefined speed limit offence

Other non endorsable motoring offences i.e. no MOT

#### NOTE:

All offences in Appendix One to Three may also include the following codes:

Aiding, abetting, counselling or procuring

Offences as coded above, but with 0 changed to 2 (e.g. CU10 becomes CU12)

Causing or permitting

Offences as coded above, but with 0 changed to 4 (e.g. becomes CU14)

Inciting

Offences as coded above, but with 0 changed to 6 (e.g. CU10 becomes CU16)