



Department  
for Transport

Open consultation

# **Proposed changes to penalties for motoring offences**

Published 7 January 2026

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We are seeking views on changes to current motoring offences and the potential introduction of other offences, including:

- drink and drug driving
- seat belt usage
- failure to stop and report
- driving unlicensed
- driving without a current MOT
- driving without motor insurance
- use of of illegal number plates, including 'ghost' number plates

## Foreword

As Minister for Local Transport the safety of all road users is a key priority for me and my department. Every fatality and serious collision is a tragedy. Having met with the families and friends of some of those who have been killed or seriously injured, I have some sense of the devastation road danger can have on their lives.

In 2024, there were 1,602 deaths on our roads – an average of around 30 a week, or 4 to 5 per day. There were also 27,865 serious injuries on our roads. Although the UK has some of the safest roads in the world, these figures remain far too high, and this government does not accept that these deaths and serious injuries are inevitable.

With the number of UK road deaths having plateaued since 2010, it's clear that strong, decisive action is long overdue.

The government recognises the need to take action now to reduce casualties and damage on our roads. There is no silver bullet of one measure that will drastically reduce road death. Real progress will come when a range of measures work together, systematically and consistently, towards a common goal.

This consultation reflects many of the issues those who have experienced the loss of loved ones, and those seeking to make our roads safer, have raised with government. My department does not have all the answers, which is why my team, and I need to hear your views on how to make enforcement more effective and therefore our roads safer. This will enable us to pinpoint where the gaps are and where improvements could potentially be made.

The base of much of the legislation on road safety is the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988. There has been no comprehensive review of those laws until now. Society has changed dramatically since 1988, with internet communication being just one example. As a government we need to ensure that our laws keep pace with the times, and we are seeking views on utilising digital platforms more in criminal justice matters.

Improved road safety will also contribute to the government's key missions. Reducing the number of collisions will reduce congestion and improve economic productivity, as well as improving air quality. Reducing the numbers of casualties will mean less of a burden on the NHS. Tackling road crime will make Britain's streets safer.

This is your opportunity to ensure that the law adequately reflects what the vast majority of the British public feel – that unsafe and dangerous behaviour has no place on our roads and should be dealt with appropriately.

Lilian Greenwood MP

## Introduction

Enforcement is an important driver of road safety – all the evidence shows that where it is done effectively, it reduces the number of people killed or seriously injured (KSIs). That is why it is an important enabler of the Safe System and a crucial part of the wider Road Safety Strategy.

The motoring offences and their penalties are set out in the [Road Traffic Act 1988](https://www.legislation.gov.uk/ukpga/1988/52/contents) (<https://www.legislation.gov.uk/ukpga/1988/52/contents>) and the [Road Traffic Offenders Act 1988](https://www.legislation.gov.uk/ukpga/1988/53/contents) (<https://www.legislation.gov.uk/ukpga/1988/53/contents>). They have only been subject to limited changes since then and a wider review is long overdue. Meanwhile, the families of victims, parliamentarians and others have campaigned for many years for changes to the law.

Now is the time to take action.

This consultation does not present a preferred option, allowing stakeholders to provide views on a variety of potential approaches.

The government is committed to reviewing the whole framework for motoring offences to:

- bring them up to date
- ensure that penalties are appropriate to the harm caused

- ensure they act as a suitable deterrent
- introduce new penalties for certain offences and other road traffic matters

Holding a driving licence is not an automatic right. We want to make effective use of the penalty points system and ultimately licence disqualification or vehicle seizure, to get the most serious offenders off the road.

We will:

- make roads safer by focusing on the offences associated with the greatest impacts on the number of KSIs
- ensure that the motoring offences framework is clear and where motorists endanger others, their behaviour has consequences

We know that the majority of motorists are responsible and law-abiding, but not unreasonably, they and other road users want to see law-breaking dealt with, to make all our communities safer. This is key to the government's [Plan for Change \(https://www.gov.uk/missions\)](https://www.gov.uk/missions).

The government is seeking views on the current motoring offences of:

- drink and drug driving
- non-seat belt use
- failure to stop and report
- introducing new penalties for certain offences

There is also an opportunity to comment on wider issues at the end of the consultation questions.

Any changes to legal penalties must take into account the recommendations from the [Independent sentencing review \(https://www.gov.uk/government/publications/independent-sentencing-review-final-report\)](https://www.gov.uk/government/publications/independent-sentencing-review-final-report) led by the Right Honourable David Gauke.

This consultation has 4 sections. The published reports that underpin each are linked in the related sections that follow.

## **Drink and drug driving**

Seeks views on possible interventions to combat this behaviour and ensure all such drivers are caught and punished appropriately.

## **Seat belt usage**

Although the vast majority of people wear seatbelts, the impacts of not using a seat belt are disproportionately and unacceptably high. We are concerned that the current penalties for not wearing a seat belt are not right, because they do not do enough to punish non-seat belt use.

That is why we are consulting on a proposal to make non-compliance an endorsable offence, attracting 3 penalty points.

## **Failure to stop and report**

Seeks views on a series of possible changes to the law and how it operates.

## **Issues that have been raised with government**

We are considering a series of issues and whether they should be subject to penalty points and vehicle seizure. These include:

- driving with no current keeper
- driving with incorrect/altered/false number plates
- driving with no current MOT

This section also asks whether the maximum penalties for driving unlicensed and the minimum penalties for driving without motor insurance should be increased to appropriately reflect their seriousness.

A list of the questions we are seeking answers to can be found later in this consultation.

Given the scope of this consultation, there are a large number of questions. We have, therefore, designed an online survey to make it easier to respond. See the [how to respond](#) section for further details.

## **Drink and drug driving**

Driving under the illegal influence of drink and drugs is dangerous, unacceptable and puts other road users at risk. We are determined to combat this behaviour and deal with all such drivers appropriately.

We have a combined approach of tough penalties and rigorous enforcement, along with our highly respected and effective ‘THINK!’ road safety communication campaigns. But there is more to do. Table 1 shows the percentage of driver fatalities where alcohol or drugs were detected.

**Table 1: Percentage of deceased drivers in reported road collisions, Great Britain: 2014 to 2023** [\[footnote 1\]](#)

Year	Percentage (%) deceased drivers with a tox report where impairment drugs detected	Percentage (%) of all deceased drivers where impairment drugs detected	Percentage (%) of deceased drivers with a tox report provided where alcohol detected	Percentage (%) of all deceased drivers where alcohol detected
2014	20%	11%	30%	17%
2015	23%	14%	24%	15%
2016	29%	20%	24%	16%
2017	29%	21%	25%	18%
2018	30%	22%	26%	18%
2019	28%	19%	24%	16%
2020	33%	22%	27%	18%
2021	34%	20%	30%	18%
2022	30%	19%	34%	22%
2023	31%	22%	28%	20%

While drink-drive deaths fell 88% between 1979 (when official statistics began) and 2015, we have seen a plateauing in the percentage of road

deaths where at least 1 driver or rider involved was over the drink-drive limit. In 1979, the percentage was 26% and it fell to 15% by 1989.

Since then, the percentage of road deaths that are drink-drive related has varied between 12% and 18%<sup>[footnote 2]</sup>. In 2023, the rate was 16% of all road deaths. In human terms, between 230 and 290 people were killed in collisions in Great Britain where at least one driver was over the drink-drive limit, with a central estimate of 260 deaths.

Since 2015, when the offence of drug driving above a proscribed limit was introduced, there has been a steady increase in those convicted<sup>[footnote 3]</sup>:

- in 2016: 4,924 convictions
- in 2023: 17,230 convictions
- in 2024: 19,709 convictions <sup>[footnote 4]</sup>

Analysis by the Parliamentary Council for Transport Safety (PACTS), commissioned by the Department for Transport (DfT) <sup>[footnote 5]</sup>, found that 44% of the drug driving offences committed between 2010 and 2019 were committed by someone with a previous drink/drug driving offence. Some police forces are arresting more drug drivers than drink drivers. There has been a steady increase in the number of people convicted.

To design an effective response to this issue, the then government launched a [call for evidence on drug driving \(https://www.gov.uk/government/calls-for-evidence/protecting-the-public-from-repeat-drug-driving-offenders-call-for-evidence\)](https://www.gov.uk/government/calls-for-evidence/protecting-the-public-from-repeat-drug-driving-offenders-call-for-evidence), with protecting the public from repeat offenders at its heart. This closed on 28 June 2022. It focused on the introduction of a drug driving rehabilitation course (there is currently one for drink driving) and consideration of creating a drug driving high-risk offender (HRO) scheme. A detailed government response to the call for evidence will be included in the government response to this consultation.

To better understand the national picture, DfT commissioned PACTS to undertake 3 research reports on drink and drug driving. The reports and their recommendations are detailed in the table below.

**Table 2: PACTS report commendations**

Report	Recommendations
<a href="#">Drink driving – taking stock moving forward</a>	<ul style="list-style-type: none"><li>• mandatory breath testing powers for the police and the reduction in enforcement levels to be reversed</li></ul>



## Report

## Recommendations

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- increased penalties for drivers who combine drink and drugs
  - specialist rehabilitation courses for those with mental health and alcohol problems
  - a lower breath test limit for England and Wales
  - reforming the high-risk offender scheme
  - that the government pays more attention to drink driving in alcohol harm and night-time economy policies
- 

### Drug driving – the tip of an iceberg

- DfT, in collaboration with the Department for Health, the Home Office, the Ministry of Justice and the National Police Chiefs' Council, should undertake a review of policy on drug driving
  - the government should introduce a new combined drink and drug driving offence, with a lower blood alcohol limit
  - levels of drug driving enforcement should be increased in the UK, particularly in those police force areas where levels are low
  - the Home Office should review the blood testing process and seek ways to reduce costs and increase the efficiency of laboratory testing by increasing capacity, improved procurement, or other means. It should consider the possibility of reclaiming costs from those who are found guilty
  - a drug drive rehabilitation course, based on the current drink drive course, should be introduced in the UK
  - DfT should produce and publish robust offence and casualty data on drug driving using coroner data and other sources, as they do for drink driving
- 

### Locking out the drink driver – using alcohol interlocks to

This report recommended that an interlock programme [\[footnote 6\]](#) in the UK should:

- have clearly defined standards, roles and

## Report

### reduce drink driving in the UK

## Recommendations

responsibilities

- be available to the courts to offer or mandate for drink drivers as widely as possible
- reduce the period of licence disqualification for participants (except those who have committed 'causing harm' offences')
- require participants to demonstrate sustained compliance with the programme before being able to exit it
- include rehabilitation, with additional treatment made available for those with alcohol and mental health issues
- have an alcohol concentration setpoint for the alcohol interlock as close to zero as is practicable
- include monitoring and sanctions for programme violations

As part of the roads policing review, the government commissioned the then Her Majesty's Inspectorate of Constabulary Fire and Rescue Services (HMICFRS) to undertake an [inspection into roads policing](https://www.justiceinspectorates.gov.uk/hmicfrs/publications/not-optional-an-inspection-of-roads-policing-in-england-and-wales/) (<https://www.justiceinspectorates.gov.uk/hmicfrs/publications/not-optional-an-inspection-of-roads-policing-in-england-and-wales/>). HMICFRS looked at some of the challenges the police face when enforcing laws against drink and drug drivers, which was published in 2020.

This is a complex set of areas and while we have proposals in this consultation that we are seeking views on, there is also the opportunity to comment on other issues we may not have covered.

## Drink and drive limit

There are differing limits in the United Kingdom, with a lower limit in Scotland compared to England and Wales. Northern Ireland is planning to lower limits in the near future, as shown below. This is a complex area so we are specifically seeking views through this consultation.

In England, Wales and Northern Ireland, the limits are:

- 80mg (milligrammes) in 100ml (millilitres) of blood
- 35µg (microgrammes) in 100ml of breath
- 107mg in 100ml of urine

It should be noted that in the near future, Northern Ireland plans to reduce their limits to:

- 50mg in 100ml of blood
- 22µg in 100ml of breath
- 67mg of alcohol in 100ml of urine

Plus lower limits for professional and novice drivers of:

- 20mg in 100ml of blood
- 9µg in 100ml of breath
- 27mg of alcohol in 100ml of urine

In Scotland, the limits are:

- 50mg in 100ml of blood
- 22µg in 100ml of breath
- 67mg in 100ml of urine

Estimates suggest that lowering the drink-drive limit could reduce fatalities by between 25 and 100 annually. These figures are explained in the following paragraphs.

Scotland lowered its limit but did not see a significant reduction in casualties. [\[footnote 7\]](#) In Scotland, after the change in the limit in 2014 from 80mg to 50mg in 100ml of blood, an [academic study showed that there was no impact on the drinks and entertainment industry](#) (<https://www.sciencedirect.com/science/article/abs/pii/S0167629621000722#sec0014>) through reduction of customs.

It does, however, appear to have strengthened public attitudes against drink-driving and reinforced the behavioural change message of 'don't drink and drive'. The study also found that any reduction in the legal limit must be supported by stronger enforcement.

The [government commissioned the north review \(PDF\)](#) (<https://data.parliament.uk/DepositedPapers/Files/DEP2010-1310/DEP2010-1310.pdf>) by Sir Peter North, which stated that the first year post-implementation of a reduction in the blood alcohol concentration (BAC) limit

to 50mg/100ml would see an estimated range from around 43 to 168 lives saved – as well as avoiding large numbers of serious injuries, which a conservative estimate is 280.

[Professor Richard Allsop published research in 2015 \(PDF\)](https://www.racfoundation.org/assets/rac_foundation/content/downloadables/saving_lives_by_lowering_legal_drink-drive_limit_Allsop_December_2015.pdf)  
([https://www.racfoundation.org/assets/rac\\_foundation/content/downloadables/saving\\_lives\\_by\\_lowering\\_legal\\_drink-drive\\_limit\\_Allsop\\_December\\_2015.pdf](https://www.racfoundation.org/assets/rac_foundation/content/downloadables/saving_lives_by_lowering_legal_drink-drive_limit_Allsop_December_2015.pdf)) and also estimated that over the 4 years from 2010 to 2013, a reduction in BAC limit from 80mg to 50mg/100ml at the beginning of 2010 would have saved about 25 lives and saved about 95 people from being seriously injured in Great Britain every year.

As part of the north review, the National Institute for Health and Care Excellence (NICE) was commissioned by DfT to conduct a [review of effectiveness of laws limiting blood alcohol concentration levels to reduce alcohol-related road injuries and deaths \(PDF\)](https://www.nice.org.uk/media/default/About/what-we-do/NICE-guidance/NICE-guidelines/Public-health-guidelines/Additional-publications/Blood-alcohol-content-effectiveness-review.pdf)  
(<https://www.nice.org.uk/media/default/About/what-we-do/NICE-guidance/NICE-guidelines/Public-health-guidelines/Additional-publications/Blood-alcohol-content-effectiveness-review.pdf>), with the key findings outlined in the north review.

NICE concluded there is strong evidence that someone's ability to drive is affected if they have any alcohol at all in their blood. Studies consistently demonstrate that the risk of having an accident increases exponentially as more alcohol is consumed. This includes:

- drivers with a BAC of between 20mg/100ml and 50mg/100ml have at least a 3 times greater risk of dying in a vehicle crash than those drivers who have no alcohol in their blood
- this risk increases at least 6 times with a BAC between 50mg/100ml and 80 mg/100ml
- this risk increases 11 times with a BAC between 80mg/100ml and 100mg/100ml

NICE stated that younger drivers are particularly at risk of having a collision whenever they have consumed alcohol – whatever their BAC level – because:

- they are less experienced drivers
- their immaturity means they have a lower tolerance to the effects of alcohol than older people
- younger drivers may also be predisposed to risk-taking, regardless of whether or not they have drunk alcohol

Given the relative inexperience of novice drivers, the government is consulting on a lower drink limit for this group.

There are a variety of other studies looking at the effects of alcohol and the ability to function effectively. One study [\[footnote 8\]](#) points to impairment starting at 15mg of alcohol in 100ml of blood.

Section 93 [Railways and Transport Safety Act](#) (<https://www.legislation.gov.uk/ukpga/2003/20/section/93>) makes it an offence to perform or prepare to perform certain aviation-related functions with more than a prescribed level of alcohol in the body of 20mg of alcohol in 100ml of blood.

Safety CaUsation, Benefits and Efficiency (SafetyCube) was a research project funded by the European Commission under the [Horizons 2020](#) ([https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-2020\\_en](https://research-and-innovation.ec.europa.eu/funding/funding-opportunities/funding-programmes-and-open-calls/horizon-2020_en)), the EU Framework Programme for research and innovation, in the domain of Road Safety.

One project looked at the issue of law and enforcement: lowering BAC limits and BAC limits for specific groups (novice drivers) [\[footnote 9\]](#). The conclusion was that bringing in these lower limit laws, either alone or combined with other drink driving laws and enforcement, leads to a reduction in the number of crashes.

## **Drink and drive limit questions**

Question 1: In your view, should the legal alcohol limit for drink and drive offences in England and Wales be lowered or stay the same?

Question 1a: What legal limit do you think is appropriate?

Question 1b: Why do you think this legal limit is appropriate?

Question 1c: Why do you think the legal limit should stay the same?

Question 2: In your view, should the legal alcohol limit for drink and drive offences in England and Wales be lower for novice drivers than for other drivers?

Question 2a: What legal alcohol limit do you think is appropriate for novice drivers?

Question 2b: Why do you think this legal alcohol limit is appropriate?

Question 2c: Why do you think a lower legal alcohol limit for novice drivers is inappropriate?

Question 3: In your view, if the legal alcohol limit for drink and drive offences in England and Wales is lowered, should the level of driver penalty be altered?

Question 3a: Why do you think this?

In addition to the penalties for drink driving, there is the HRO scheme introduced in 1983. The scheme is intended to manage drivers who have a dependence on alcohol or persistently misuse alcohol, which presents a serious road safety risk.

The current [high risk offender scheme \(https://www.gov.uk/driving-disqualifications/disqualification-for-drink-driving\)](https://www.gov.uk/driving-disqualifications/disqualification-for-drink-driving) uses the existing drink driving legal limits for England and Wales. The legislation underpinning it means that a driver who is at least 2.5 times the current legal alcohol limit, equivalent to any of the below, will become an HRO:

- 87.5µg of alcohol per 100ml of breath
- 200mg of alcohol per 100ml of blood
- 267.5mg of alcohol per 100ml of urine

HRO's licenses will not be restored after their disqualification period has been completed, until they satisfy the Driver and Vehicle Licensing Agency (DVLA) that they no longer pose a risk as a potential drink driver. If the drink and drive alcohol limit were lowered, it makes sense to adjust the HRO threshold down accordingly.

Question 4: In your view, if the legal alcohol limit for drink and drive offences in England and Wales is lowered, should the criteria for being considered a high-risk offender be lowered accordingly?

Question 4a: Why did you give this answer?

## Penalties and preventative measures for drink and drug driving

In many cases, it takes some time for those arrested on suspicion of drink and drug driving to be convicted. Under the current system, this means that they are free to continue driving in the meantime. Given the seriousness of driving under the influence of alcohol or drugs, the government is determined to take action.

This is particularly important where someone has been killed or seriously injured as a result, and it has been the subject of many campaigns and

petitions. The government is proposing the introduction of a temporary licence suspension until attendance at court or a guilty plea, or bail pending forensic analysis being undertaken.

In 2023, the conversion rate (calculated by dividing the number of defendants convicted by the total number of defendants prosecuted) for those convicted of drink and drug driving above the proscribed limit was 96% and for those convicted of other drink and drug driving offences was 88%. So, an overwhelming majority of offenders would have lost their licences due to the high conviction rate.

As the forensic analysis to evidence whether drug driving has taken place can take months, this leaves potential offenders free to carry on driving and, in some cases, to continue drug driving. We are aware of an incident in which one suspect had several samples undergoing analysis when they offended again, which resulted in an individual's death. Society needs protection.

The Home Office has enacted powers for the police to be able to issue preventative orders against domestic abuse suspects, which require approval from the courts within 2 days. These orders are designed to protect the public by prohibiting certain kinds of identified activity from occurring or recurring and can be a useful model to form the basis for similar powers in respect to preventing drink and drug driving.

The key phrase we use in relation to new legislation is that we have to consider a triangulation of interests – that of the victim, society and the suspect. Having a court make a swift decision on the use of such a new power will have the same judicial safeguards as domestic abuse legislation.

## **Penalties and preventative measures for drink and drug driving questions**

Question 5: In your view, should a person suspected of committing drink and/or drug offences have their driving licence suspended until attendance at court or guilty plea, or bailed pending forensic analysis being undertaken?

Question 5a: Why did you give this answer?

Government ministers have listened to families recount instances where their loved ones have been killed or seriously injured by drink and drug drivers, or other offenders, who have then been free to drive for lengthy periods before the case concludes.



These families call for a similar power to that set out above, so that those arrested and charged with death by dangerous or careless driving offences have their driving licence suspended until their first court appearance.

There have been in total, several hundred thousand signatures on petitions calling for police to be given the power to suspend the licences of those under investigation of road crime in the most serious of cases (including drink and drug driving).

There would be the same judicial oversight of this power.

Question 6: In your view, should a person who is under investigation for a serious driving offence that leads to a fatality or serious injury have their driving licence suspended?

Question 6a: Why did you give this answer?

There was a recent change to the disqualifications given for drink driving through the [Police, Crime, Sentencing and Courts Act 2022](https://www.legislation.gov.uk/ukpga/2022/32/contents) (<https://www.legislation.gov.uk/ukpga/2022/32/contents>), which increased the minimum disqualification periods for the most serious offences of causing death by dangerous driving and causing death by careless driving when under the influence of drink or drugs.

Concerns have been raised about the length of disqualification periods being too short for those convicted of an offence of drink or drug driving. These are the offences of:

- causing death by careless driving while under the influence of drink or drugs – minimum disqualification of 5 years with compulsory extended re-test
- driving, or being in charge, when under the influence of drink or drugs – minimum disqualification of 1 year (3 years if convicted twice in 10 years)
- driving, or being in charge of a motor vehicle with an alcohol concentration above the prescribed limit – minimum disqualification of 1 year (3 years if convicted twice in 10 years)

See the [Sentencing Council's guidelines about the extended re-test provisions](https://www.sentencingcouncil.org.uk/overarching-guides/magistrates-court/item/driving-disqualification/) (<https://www.sentencingcouncil.org.uk/overarching-guides/magistrates-court/item/driving-disqualification/>) for more information.

The process is largely the same for a court-ordered retest (including an extended retest) as for a normal licence acquisition test. The candidate must complete a theory and a practical test. See [what happens during the driving test](https://www.gov.uk/driving-test/what-happens-during-test) (<https://www.gov.uk/driving-test/what-happens-during-test>) for more information.



Question 7: Do you think the current minimum disqualification period for the offence causing death by careless driving while under the influence of drink or drugs of 5 years with compulsory extended retest is appropriate?

Question 7a: Why did you give this answer?

Question 8: Do you think the current minimum disqualification period for the offence of driving or being in charge of a motor vehicle while under the influence of drink or drugs of 1 year (3 years if convicted twice in 10 years) is appropriate?

Question 8a: Why did you give this answer?

Question 9: Do you think the current minimum disqualification period for the offence of driving or being in charge of a motor vehicle with an alcohol concentration above the prescribed limit of 1 year (3 years if convicted twice in 10 years) is appropriate?

Question 9a: Why did you give this answer?

The government notes that while there are strict enforcement and tough penalties in place for those who are found guilty of drink and drug driving, more can be done. We are considering creating a power to seize the vehicles of those arrested for drink and drug driving. This would reinforce the social unacceptability of drink and drug driving, reminding people of the serious consequences such behaviours have for themselves and others.

This would mirror the penalty for driving with no insurance. When a car is found not to be insured, the registered keeper of the vehicle can reclaim the vehicle following payment of a recovery fee and any storage charge, having proved that they have insurance for the vehicle. We would see this new power being administered in a similar way.

Adopting this penalty could send a message about how seriously the government views drink and drug driving.

Question 10: In your view, should new powers be created to allow the seizure of vehicles of a person arrested for drink and drug driving?

Question 10a: Why did you give this answer?

The government believes that the option of fitting an alcohol ignition lock (alcolock) as part of a sentence for drink driving would be an effective measure in reducing reoffending. [The Road Safety Act 2006](#)

<https://www.legislation.gov.uk/ukpga/2006/49/contents>) provided legislation to enable alcolocks to be so used. This was subject to a 'sunset clause' (a time limit on legislation, after which it expires), which meant that they could not be introduced.

Should their future use be legislated for, the government will focus on working collaboratively to enable their rollout.

Alcolocks are widely used in America, Canada, Europe, New Zealand and Australia. A [2017 synthesis of studies examining the effectiveness of alcolocks on reoffending rates \(PDF\)](https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Alcohol_interlock_08062017.pdf) ([https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Alcohol\\_interlock\\_08062017.pdf](https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Alcohol_interlock_08062017.pdf)) <sup>[footnote 10]</sup> found that they are effective at reducing reoffending of drink driving while they are installed.

However, once alcolock systems were removed, reoffending rates returned to similar levels to comparison groups without alcolock systems.

Question 11: In your view, should alcohol ignition locks (alcolocks) be allowed to be used as part of a drink drive rehabilitation process?

Question 11a: Why did you give this answer?

## Drink and drug testing

There has been a notable increase in the number of forensic blood samples that are needed to investigate drug driving offences. This has created significant challenges both in terms of cost and forensic capacity. There have been many instances where it has not been possible to take blood from a suspect for medical reasons.

The government would welcome the public's views on the use of alternative forensic testing procedures, such as testing oral fluid, saliva or sweat. Any alternatives would have to be fully explored on a scientific basis, together with a cost benefit analysis looking at how they could be brought into operational use. Introduction of any alternative forensic testing procedures would also need a change in legislation.

### Drink and drug testing questions

Question 12: In your view, should oral fluid and other samples (such as saliva and sweat) be used in drug driving forensic analysis?

Question 12a: Why did you give this answer?

The government believes that the complex area of taking samples in hospitals, with the current requirement for permission from the individual to be given before a sample can be taken, should be revisited. Delays in analysing samples from unconscious patients can slow down investigations into offences.

Any changes to hospital procedures for drink and drug driving suspects must balance the need to safeguard the suspect's rights with the need for timely analysis of samples to secure the best evidence.

There are also instances where police were unable to secure the attendance of an approved medical practitioner to take a forensic sample. We would welcome comments on whether there are any alternatives we should consider.

Question 13: In your view, could hospital procedures for drink and drug driving suspects be improved?

Question 13a: How do you think hospital procedures for drink and drug driving suspects could be improved?

Question 14: Are there any other changes to current law and practice regarding drink and drug testing that you would like to suggest?

Question 14a: How do you think current law and practice regarding drink and drug testing could be improved?

In Northern Ireland since 2016 (and also in the Republic of Ireland), [police have had the power](https://www.legislation.gov.uk/nia/2016/11/part/2/crossheading/breath-testing-at-authorised-checkpoints) (<https://www.legislation.gov.uk/nia/2016/11/part/2/crossheading/breath-testing-at-authorised-checkpoints>) to conduct a random breath test at checkpoints set up on roads if authorised by a police inspector, providing there are sufficient grounds to believe that this is required to enforce drink driving powers.

Currently in GB, the police have the power to require a breath (drug) test if:

1. They suspect the presence of drink and drugs.
2. The driver has been involved in an accident and/or.
3. The driver has committed a moving traffic offence.

PACTS has called for the police to be given the power to conduct random breath tests in a similar manner to the powers in Northern Ireland.

Question 15: In your view, should random breath testing (mirroring the powers in Northern Ireland) be introduced in England and Wales?

Question 15a: Why did you give this answer?

Question 16: If you have any other evidence to provide or comments to make about the current penalty framework for drink and drug driving offences, provide them.

## Not wearing a seat belt

It has been mandatory since 1991 for drivers and passengers to wear a seat belt when travelling in any motor vehicle unless medically exempt, or [under specified circumstances \(https://www.gov.uk/seat-belts-law/when-you-dont-need-to-wear-a-seat-belt\)](https://www.gov.uk/seat-belts-law/when-you-dont-need-to-wear-a-seat-belt), such as a driver reversing their vehicle or a taxi driver plying for hire. It is also mandatory for drivers to ensure that children under the age of 14 in their vehicle wear a seat belt or are secured with an appropriate child seat or restraint.

The sanction for failing to do so is a fixed penalty notice of £100 or, if the case goes to court, a maximum fine of £500. Failure to wear a seat belt is not currently an endorsable offence; that means the offender does not incur penalty points.

This section asks the public's view on whether drivers and passengers failing to wear a seat belt, and drivers who fail to ensure children travelling in the vehicle are suitably restrained, should receive 3 penalty points on their driving licence.

Collisions in which drivers or passengers are not wearing seat belts can change and end lives. There is no doubt that seat belts save lives. They can also lessen the severity of injuries when collisions happen.

The introduction of seat belts was arguably one of the most significant developments in the safety of motor vehicles, along with their mandatory use requirement in 1983. [Research undertaken by PACTS \(https://www.pacts.org.uk/pacts-launches-new-report-seat-belts-time-for-action/\)](https://www.pacts.org.uk/pacts-launches-new-report-seat-belts-time-for-action/) in 2019 described seat belts as one of the most effective ways of reducing death and serious injury in vehicle collisions.

The report went on to qualify this statement by drawing on previous research. [A meta-analysis of 24 studies \(https://pubmed.ncbi.nlm.nih.gov/26788959/#:~:text=The%20results%20indicate%2](https://pubmed.ncbi.nlm.nih.gov/26788959/#:~:text=The%20results%20indicate%2)

[0that%20seat,Both%20results%20are%20statistically%20significant.\)](#) from 2000 to 2016 based in Norway found that ‘seat belts reduce both fatal and non-fatal injuries by 60% among front seat occupants and by 44% among rear seat occupants’.

Additionally, a meta-analysis of 6 studies found that seat belt use by rear seat passengers was found ‘to about halve fatality risk among belted front seat occupants’.

The importance of wearing a seat belt has recently been highlighted in a dedicated THINK! public awareness campaign, the first such campaign by the department for over a decade. This was specifically targeted at young men (drivers and passengers) as [members of this group are the most likely to be killed or seriously injured while not wearing a seat belt](#) (<https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-fatal-4-factsheet-2023/reported-road-casualties-great-britain-fatal-4-seatbelt-factsheet-2023>).

## Seat belt wearing – the problem

In general, seat belt wearing rates are good. Most vehicle occupants understand why it is important to wear seat belts, and they do so, as the law requires.

DfT carries out observational surveys of seat belt wearing every few years. [The most recent survey](#) (<https://www.gov.uk/government/statistics/seatbelt-and-mobile-phone-use-surveys-2023/seatbelt-wearing-rates-england-2023>) shows, for weekdays in England in autumn 2023, that 97.6% of all vehicle drivers were observed using a seat belt and that 95.2% of all vehicle front seat passengers were observed using a seat belt.

However, there is a substantial problem associated with the minority of people who choose not to wear a seat belt. The [latest road casualty statistics](#) (<https://www.gov.uk/government/statistics/reported-road-casualties-great-britain-annual-report-2024>) for 2024 show that 25% of car occupant fatalities in reported road collisions were not wearing a seat belt and the average over the past 5 years (from 2020 to 2024) was 24%. This indicates quite starkly that car occupants who do not wear a seat belt are disproportionately likely to be killed in road collisions.

Qualitative research carried out by the THINK! marketing team also showed that there was a perception amongst young men in the study that not wearing a seat belt lacks significant consequences. Research participants showed they lacked the belief that they would get caught for not wearing a seat belt and if they were, any punishment was expected to be minor.

One of the principal recommendations in the PACTS report was that [government should consider imposing penalty points for seat belt wearing offences](https://www.pacts.org.uk/pacts-launches-new-report-seat-belts-time-for-action/) (<https://www.pacts.org.uk/pacts-launches-new-report-seat-belts-time-for-action/>). They considered that this would deter people from travelling unrestrained and ultimately improve road safety.

The government accepts that such a change could go some way towards reducing the number of car occupants who are killed each year in collisions and that is why we are seeking the public's view.

## Who should receive penalty points?

We propose that 3 penalty points should apply to all drivers who fail to wear a seat belt or who fail to ensure that any child in the vehicle wears an appropriate child restraint.

### Who should receive penalty points questions

Question 17: In your view, should drivers receive 3 penalty points if they fail to wear their own seat belt?

Question 17a: Why did you give this answer?

Question 17b: Why do you think this number of penalty points is appropriate?

Question 18: In your view, should drivers receive 3 penalty points if they fail to ensure that children under 14 wear seat belts or child restraints?

Question 18a: Why did you give this answer?

Question 18b: Why do you think this number of penalty points is appropriate?

## Failure to stop and report

Failure to stop and report a road traffic incident is unacceptable, and we are determined to combat this behaviour. The Road Traffic Act 1988 makes it a duty for drivers to stop, and report any collision and to give information or

documents as required (this must be within 24 hours of the incident), where a collision has occurred resulting in:

- personal injury to a person other than the driver
- damage to another vehicle or trailer
- damage to an animal
- damage to any other property

Note: the word ‘accident’ is used in the legislation, but we use collision or incident in this report as it is the most appropriate terminology.

While the majority of the 2,265 convictions in 2023 for [failure to stop and report \(XLS\)](https://assets.publishing.service.gov.uk/media/6646118dbd01f5ed32793d44/outcomes-by-offence-2023.xlsx) (<https://assets.publishing.service.gov.uk/media/6646118dbd01f5ed32793d44/outcomes-by-offence-2023.xlsx>) were against drivers who failed to stop after causing minor property damage or personal injury, in a small number of cases, the failure to stop and report was related to an event which led to the death or serious injury of another person.

We recognise that some people who fail to stop and report may also be driving under the influence of alcohol and/or drugs. Official statistics do not provide this level of granular detail. A study from the University of Leicester into [hit and run: why do drivers fail to stop \(PDF\)](https://www.mib.org.uk/media/350114/hit-and-run-why-do-drivers-fail-to-stop-after-an-accident.pdf) (<https://www.mib.org.uk/media/350114/hit-and-run-why-do-drivers-fail-to-stop-after-an-accident.pdf>) highlights this as one of the main reasons.

There is a wide range of factors or circumstances to consider when deciding on a sentence. In England and Wales, the [Sentencing Council produces sentencing guidelines](https://www.sentencingcouncil.org.uk/overarching-guides/magistrates-court/item/driving-disqualification/) (<https://www.sentencingcouncil.org.uk/overarching-guides/magistrates-court/item/driving-disqualification/>) to give guidance on factors the court should consider that may affect the sentence.

The guidelines set out different levels of sentence based on the harm caused to the victim and how blameworthy the offender is – referred to in the guidelines as ‘culpability’. They also ask the court to consider:

- factors that may make the offence more serious, known as ‘aggravating factors’
- factors that may reduce seriousness or reflect personal mitigation, known as ‘mitigating factors’

Failure to stop is an aggravating factor in the sentencing decision. However, the maximum sentence for the offence is 6 months’ imprisonment.

If there is evidence that the driver knew about the incident and took steps to avoid detection, then they might be charged with perverting the course of



justice – a common law offence that carries a maximum sentence of life imprisonment.

DfT is aware of the traumatic impacts that failure to stop and report incidents resulting in death or serious injury can have on victims, witnesses and family members. There have been petitions and parliamentary debates on this matter. Many families, in outlining their desire to see changes to the law, have highlighted links to drink and drug driving. The department understands the concerns about how this offence works, its maximum penalties and its scope.

This is a complex area, and any change in the law would need to be considered carefully and fit into the current driving offences framework. On this basis, the department has been exploring options that could be pursued, including but not limited to:

- the available penalties
- how the offence operates
- how it is dealt with in the sentencing guidance and the potential for a new offence as part of longer-term and wider work on road safety

As a next step, we think this is the right time to ask the public for their views on the offence of failure to stop and report a collision. Note that question 7 covers the issues raised in many petitions about giving police powers to suspend a licence in the most serious of collisions.

## **Penalties for failure to stop and report**

Currently, the penalties for this offence are set at:

- 5 to 10 penalty points
- disqualification for 6 to 12 months
- up to a £5,000 fine
- up to 6 months' imprisonment

The government is aware of calls from parliamentarians, road safety stakeholders, the police, and victims' families to introduce additional measures in respect to this area. These calls ask for someone charged with serious driving offences that lead to a fatality or serious injury to have their driving licence suspended until trial. Such a change would match the considerations being given to the penalties for drink and drug driving in this consultation.



## **Failure to stop and report questions**

Question 19: In your view, should the maximum penalties for the offence of failure to stop and report be increased?

Question 19a: Why did you give this answer?

Question 20: In your view, should a new offence be created to cover situations in which a person could reasonably be assumed to have known that a collision resulted in death/serious injury but failed to stop at the scene and report the collision?

Question 20a: Why did you give this answer?

## **Other questions on the offence of failure to stop and report**

There have been incidents where police officers have been injured during traffic stops by being driven into or at. We welcome thoughts on whether there should be a requirement for individuals to switch off their engine if stopped by the police.

### **Offence of failure to stop and report: other questions**

Question 21: In your view, should a person be required to switch off their engine if stopped by the police?

Question 21a: Why did you give this answer?

In many instances, those involved in failing to stop for police are charged with more serious offences such as dangerous or careless driving, which attract severe penalties. The offence of failing to stop for police is currently only punishable by a fine.

Campaigners have argued that this offence should attract penalty points. The department is considering making this equivalent to the offence of failing to stop and report, so that it has 5 to 10 penalty points.

Question 22: In your view, should drivers receive 5 to 10 penalty points if they fail to stop for police?

Question 22a: Why did you give this answer?

Question 22b: Why do you think this number of penalty points is appropriate?

The government is aware of an instance where the current statutory time limit (STL) of 6 months in which to bring charges for an offence of failing to stop and report a collision meant that a driver who had killed avoided prosecution. [\[footnote 11\]](#)

We feel that in the most serious cases involving failing to stop at an accident that has resulted in someone being killed or seriously injured, there should be an extended STL. This will enable the police to have more time to effectively investigate complex cases and have the option of charging for failing to stop if prosecutors feel that is the most appropriate charge.

Question 23: In your view, in cases where death or serious injury has occurred, should the statutory time limit (STL) for the offence of failing to stop be extended to 18 months from the current 6 months?

Question 23a: Why did you give this answer?

Question 24: If you have any other evidence to provide or comments to make about the current penalty framework for failure to stop and report offences, provide them.

## Introducing new penalties for motoring offences and road traffic matters

Police and road safety groups have told the government they are concerned that some offences do not carry extra penalties, such as penalty points or vehicle seizure.

These include offences related to:

- a vehicle's roadworthiness (no MOT)
- where no current keeper is identifiable
- incorrect, altered or false number plates that prevent justice from being done

It's harder for police to identify who is using a vehicle because some offenders go to great lengths to hide who owns it or who was driving – this makes it harder for the police to keep the public safe and pursue offenders.

There is a significant amount of evidence of disguising a vehicle's true ownership to avoid compliance with vehicle excise duty requirements and other payment requirements for the use of certain roads. This places an additional burden on those law-abiding drivers when revenue shortfall to the treasury due to fraud has to be made up.

The police currently have the powers to seize a vehicle from those driving whilst uninsured, or not in accordance with their driving licence. The use of this power has to be proportionate and allows police to use their discretion not to seize where they feel that is an appropriate decision based on the merits of each situation.

In the matters involving vehicle seizure set out below, the government would mirror the no insurance seizure provisions, enabling discretion and proportionality to be at the forefront of any use of powers.

## **Introducing new penalties for motoring offences and road traffic matters questions**

Question 25: In your view, should the government introduce penalty points for the offence of driving or being in charge of a motor vehicle with no current keeper?

Question 25a: Why did you give this answer?

Question 26: In your view, should the government introduce vehicle seizure for the offence of driving or being in charge of a motor vehicle with no current keeper?

Question 26a: Why did you give this answer?

Question 27: In your view, should the government introduce penalty points for the offence of being in charge of a motor vehicle with an incorrect/altered/false number plate?

Question 27a: Why did you give this answer?

Question 28: In your view, should the government introduce vehicle seizure for the offence of being in charge of a motor vehicle with an incorrect/altered/false number plate?

Question 28a: Why did you give this answer?

Question 29: In your view, should the government introduce penalty points for the offence of driving or using a vehicle with no current MOT?

Question 29a: Why did you give this answer?

Question 30: In your view, should the government introduce vehicle seizure for the offence of driving or using a vehicle with no current MOT?

Question 30a: Why did you give this answer?

Question 31: In your view, should the government introduce penalty points for the offence of driving or using a vehicle with no current vehicle excise duty (vehicle tax)?

Question 31a: Why did you give this answer?

Question 32: In your view, should the government introduce vehicle seizure for the offence of driving or using a vehicle with no current vehicle excise duty (vehicle tax)?

Question 32a: Why did you give this answer?

If an individual has made a false declaration to obtain motor insurance, which can be anything from an incorrect name or address, to not disclosing details of any convictions for motoring offences that are not spent from their driving record, their insurance is at risk of being voided by the motor insurer.

This will likely lead to a voiding of a motor insurance product in the event of a collision. Fraud or a deliberate criminal act is always treated severely by the law. Hence, the difference in penalties is between making a false declaration to obtain insurance and driving without insurance.

Currently, the penalties for this fraud to obtain motor insurance are:

- magistrate's court maximum 6 months' imprisonment and/or a fine not exceeding the statutory maximum
- Crown court: maximum 2 years' imprisonment and/or a fine, (if tried under [section 1 of the Fraud Act](https://www.legislation.gov.uk/ukpga/2006/35/section/1) (<https://www.legislation.gov.uk/ukpga/2006/35/section/1>) this could be a maximum of 10 years imprisonment)
- there is no imposition of penalty points or potential disqualification

In comparison, the penalties for driving while uninsured are a fixed penalty of £300 and 6 penalty points or if the case goes to court, an unlimited fine and/or driving disqualification.

Question 33: In your view, should the government introduce penalty points for the offence of false declaration in order to obtain motor vehicle insurance?

Question 33a: Why did you give this answer?

Question 34: In your view, should the government introduce driving disqualification for the offence of false declaration in order to obtain motor vehicle insurance?

Question 34a: Why did you give this answer?

Since the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988 became law, we have seen a huge change in electronic communications. Many functions in everyday life are now conducted online through digital platforms. Many pieces of legislation still require postal service, which is much more expensive than using the internet. But we recognise that non-electronic communication is still important to maintain.

Question 35: In your view, should the government consider allowing suspects and witnesses to be contacted via electronic means of communication?

Question 35a: Why did you give this answer?

For offences detected by speed or red-light cameras, the law gives a 6-month statutory time limit (STL). This means the case must be brought before a magistrates' court within 6 months of the offence. There will be clear digital or photographic evidence of the offence. This STL period includes the registered keeper providing details to the authorities of who the driver was at the time.

This is open to abuse and delaying tactics and can result in offenders avoiding justice. We propose that this should be changed, so that the 'clock' starts when the details of the driver are provided to the authorities.

Question 36: In your view, should the STL be changed to 6 months from when the details of the driver are provided to the authorities?

Question 36a: Why did you give this answer?

The government is listening to the voice of the victim and their families and friends. There has been a similar case to the one highlighted in [the Failing](#)

[to stop section](#), where an unlicensed driver was involved in a fatal collision and was able to avoid justice as a result of the 6-month STL.

In the most serious cases involving someone being killed or seriously injured by an unlicensed, uninsured or disqualified driver, the government feels that there should be an extended STL. This will enable the police to effectively investigate complex cases and have the option of charging 'failing to stop' if prosecutors feel that is the most appropriate charge.

Question 37: In your view, in cases where death or serious injury has occurred, should the statutory time limit (STL) for the offence of driving unlicensed, uninsured or disqualified be extended to 18 months from the current 6 months?

Question 37a: Why did you give this answer?

## **Penalties for unlicensed driving or not in accordance with a licence, and for driving uninsured**

Currently, the penalties for the offence of driving without a driving licence or not in accordance with a licence can result in:

- a fine of up to £1,000
- between 3 to 6 penalty points on a licence
- a potential disqualification from driving

It is arguable that an individual who drives on the road without ever passing a test, is equally culpable as an individual who continues to drive after being disqualified, so should face similar penalties. The penalties for the offence of driving while disqualified include a maximum 12-month custodial sentence.

Currently, driving a vehicle without motor insurance can result in:

- up to an unlimited fine
- between 6 to 8 penalty points on a licence
- a potential disqualification from driving

However, the fixed penalty fine for this offence is £300 with an additional 6 penalty points if this fixed penalty is accepted. It is arguable that the level of the fixed penalty and the points on the licence do not reflect the seriousness of driving uninsured, or act as a deterrent to driving uninsured.

The government is aware of calls to consider increasing the penalties for these offences, to enable the courts to pass a sentence that reflects the seriousness of these offences, and the harm caused if death or serious injury have occurred when committing them.

Question 38: In your view, should the maximum penalties for the offence of unlicensed driving or not in accordance with a licence be increased?

Question 38a: Why did you give this answer?

Question 38b: What do you think is an appropriate sentence?

Question 39: In your view, should the minimum penalties for the offence of driving uninsured be increased?

Question 39a: Why did you give this answer?

Question 39b: What do you think is an appropriate sentence?

Question 40: If you have any other evidence to provide or comments to make about the proposed introduction of new penalties for certain motoring offences and other road traffic matters as set out in the consultation, provide them.

Question 41: If you have any other evidence to provide or comments to make about other areas of the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988, provide them.

## How to respond

See the [ways to respond section of the consultation page on GOV.UK](https://www.gov.uk/government/consultations/proposed-changes-to-penalties-for-motoring-offences) (<https://www.gov.uk/government/consultations/proposed-changes-to-penalties-for-motoring-offences>), to find out how you can respond to this consultation.

The consultation period began on 7 January 2026 and will run until 31 March 2026. Ensure your response reaches us before the closing date.

When responding, state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a

larger organisation, make it clear who the organisation represents and, where applicable, how the views of members were assembled.

## What happens next

A summary of responses, including the next steps, will be published within 3 months of the consultation closing. Paper copies will be available on request.

If you have questions about this consultation, contact:

Motoring offences consultation  
Department for Transport  
33 Horseferry Road  
London, SW1P 4DR

Alternatively, you can email: [moconsultation@dft.gov.uk](mailto:moconsultation@dft.gov.uk).

If you would like further copies of this consultation document, it can be found at the Department for Transport's website, or you can contact the above email address if you need alternative formats (Audio CD, etc).

## Full list of questions

These questions are listed here to give you an overview of what we are asking. The consultation response form may include more questions, for example, questions about who you are.

See the [ways to respond section of the GOV.UK home page for this consultation \(https://www.gov.uk/government/consultations/proposed-changes-to-penalties-for-motoring-offences\)](https://www.gov.uk/government/consultations/proposed-changes-to-penalties-for-motoring-offences) to read a full list of questions and find out how you can respond to them.

## Drink and drug driving questions

Question 1: In your view, should the legal alcohol limit for drink and drive offences in England and Wales be lowered or stay the same?

Question 1a: What legal limit do you think is appropriate?



Question 1b: Why do you think this legal limit is appropriate?

Question 1c: Why do you think the legal limit should stay the same?

Question 2: In your view, should the legal alcohol limit for drink and drive offences in England and Wales be lower for novice drivers than for other drivers?

Question 2a: What legal alcohol limit do you think is appropriate for novice drivers?

Question 2b: Why do you think this legal alcohol limit is appropriate?

Question 2c: Why do you think a lower legal alcohol limit for novice drivers is inappropriate?

Question 3: In your view, if the legal alcohol limit for drink and drive offences in England and Wales is lowered, should the level of driver penalty be altered?

Question 3a: Why do you think this?

Question 4: In your view, if the legal alcohol limit for drink and drive offences in England and Wales is lowered, should the criteria for being considered a high-risk offender be lowered accordingly?

Question 4a: Why did you give this answer?

Question 5: In your view, should a person suspected of committing drink and/or drug offences have their driving licence suspended until attendance at court or guilty plea, or bailed pending forensic analysis being undertaken?

Question 5a: Why did you give this answer?

Question 6: In your view, should a person who is under investigation for a serious driving offence that leads to a fatality or serious injury have their driving licence suspended?

Question 6a: Why did you give this answer?

Question 7: Do you think the current minimum disqualification period for the offence causing death by careless driving while under the influence of drink or drugs of 5 years with compulsory extended retest is appropriate?

Question 7a: Why did you give this answer?

Question 8: Do you think the current minimum disqualification period for the offence of driving or being in charge of a motor vehicle while under the

influence of drink or drugs of 1 year (3 years if convicted twice in 10 years) is appropriate?

Question 8a: Why did you give this answer?

Question 9: Do you think the current minimum disqualification period for the offence of driving or being in charge of a motor vehicle with an alcohol concentration above the prescribed limit of 1 year (3 years if convicted twice in 10 years) is appropriate?

Question 9a: Why did you give this answer?

Question 10: In your view, should new powers be created to allow the seizure of vehicles of a person arrested for drink and drug driving?

Question 10a: Why did you give this answer?

Question 11: In your view, should alcohol ignition locks (alcolocks) be allowed to be used as part of a drink drive rehabilitation process?

Question 11a: Why did you give this answer?

Question 12: In your view, should oral fluid and other samples (such as saliva and sweat) be used in drug driving forensic analysis?

Question 12a: Why did you give this answer?

Question 13: In your view, could hospital procedures for drink and drug driving suspects be improved?

Question 13a: How do you think hospital procedures for drink and drug driving suspects could be improved?

Question 14: Are there any other changes to current law and practice regarding drink and drug testing that you would like to suggest?

Question 14a: How do you think current law and practice regarding drink and drug testing could be improved?

Question 15: In your view, should random breath testing (mirroring the powers in Northern Ireland) be introduced in England and Wales?

Question 15a: Why did you give this answer?

Question 16: If you have any other evidence to provide or comments to make about the current penalty framework for drink and drug driving offences, please provide them here.

## **Not wearing a seat belt questions**

Question 17: In your view, should drivers receive 3 penalty points if they fail to wear their own seat belt?

Question 17a: Why did you give this answer?

Question 17b: Why do you think this number of penalty points is appropriate?

Question 18: In your view, should drivers receive penalty points if they fail to ensure that children under 14 wear seat belts or child restraints?

Question 18a: Why did you give this answer?

Question 18b: Why do you think this number of penalty points is appropriate?

## **Failure to stop and report questions**

Question 19: In your view, should the maximum penalties for the offence of failure to stop and report be increased?

Question 19a: Why did you give this answer?

Question 20: In your view, should a new offence be created to cover situations in which a person could reasonably be assumed to have known that a collision resulted in death / serious injury but failed to stop at the scene and report the collision?

Question 20a: Why did you give this answer?

Question 21: In your view, should a person be required to switch off their engine if stopped by the police?

Question 21a: Why did you give this answer?

Question 22: In your view, should drivers receive 5 to 10 penalty points if they fail to stop for police?

Question 22a: Why did you give this answer?

Question 22b: Why do you think this number of penalty points is appropriate?

Question 23: In your view, in cases where death or serious injury has occurred, should the statutory time limit (STL) for the offence of failing to stop be extended to 18 months from the current 6 months?

Question 23a: Why did you give this answer?

Question 24: If you have any other evidence to provide or comments to make about the current penalty framework for failure to stop and report offences, please provide them here.

## **Tackling those seeking to evade justice and avoid their financial obligations questions**

Question 25: In your view, should the government introduce penalty points for the offence of driving or being in charge of a motor vehicle with no current keeper?

Question 25a: Why did you give this answer?

Question 26: In your view, should the government introduce vehicle seizure for the offence of driving or being in charge of a motor vehicle with no current keeper?

Question 26a: Why did you give this answer?

Question 27: In your view, should the government introduce penalty points for the offence of being in charge of a motor vehicle with an incorrect/altered/false number plate?

Question 27a: Why did you give this answer?

Question 28: In your view, should the government introduce vehicle seizure for the offence of being in charge of a motor vehicle with an incorrect/altered/false number plate?

Question 28a: Why did you give this answer?

Question 29: In your view, should the government introduce penalty points for the offence of driving or using a vehicle with no current MOT?

Question 29a: Why did you give this answer?

Question 30: In your view, should the government introduce vehicle seizure for the offence of driving or using a vehicle with no current MOT?

Question 30a: Why did you give this answer?

Question 31: In your view, should the government introduce penalty points for the offence of driving or using a vehicle with no current vehicle excise duty (vehicle tax)?

Question 31a: Why did you give this answer?

Question 32: In your view, should the government introduce vehicle seizure for the offence of driving or using a vehicle with no current vehicle excise duty (vehicle tax)?

Question 32a: Why did you give this answer?

Question 33: In your view, should the government introduce penalty points for the offence of false declaration in order to obtain motor vehicle insurance?

Question 33a: Why did you give this answer?

Question 34: In your view, should the government introduce driving disqualification for the offence of false declaration in order to obtain motor vehicle insurance?

Question 34a: Why did you give this answer?

Question 35: In your view, should the government consider allowing suspects and witnesses to be contacted via electronic means of communication?

Question 35a: Why did you give this answer?

Question 36: In your view, should the STL be changed to 6 months from when the details of the driver are provided to the authorities?

Question 36a: Why did you give this answer?

Question 37: In your view, in cases where death or serious injury has occurred, should the statutory time limit (STL) for the offence of driving unlicensed, uninsured or disqualified be extended to 18 months from the current 6 months?

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Question 39b: What do you think is an appropriate sentence?

Question 40: If you have any other evidence to provide or comments to make about the proposed introduction of new penalties for certain motoring offences and other road traffic matters as set out in the consultation, provide them.

Question 41: If you have any other evidence to provide or comments to make about other areas of the Road Traffic Act 1988 and the Road Traffic Offenders Act 1988, provide them.

## **Further information**

### **Freedom of Information**

Information provided in response to this consultation may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory code of practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this, it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the department.

The department will process your personal data in accordance with the Data Protection Act 2018 (DPA) and UK GDPR and in the majority of

circumstances this will mean that your personal data will not be disclosed to third parties.

## Data protection

The Department for Transport (DfT) is carrying out this consultation to appraise the effectiveness of the enforcement measures that are used to address drink and drug driving, non-seatbelt use, failure to stop and report and the introduction of new penalties for certain motoring offences and other road traffic matters, as well as what opportunities there are to improve these.

View our [DfT online form and survey privacy notice](https://www.gov.uk/government/publications/dft-online-form-and-survey-privacy-notice/dft-online-form-and-survey-privacy-notice) (<https://www.gov.uk/government/publications/dft-online-form-and-survey-privacy-notice/dft-online-form-and-survey-privacy-notice>) for more information on how your personal data is processed in relation to this survey.

In this consultation, we are asking for your name and email, in case we need to contact you about your responses. You do not have to give us this personal information, but if you do provide it, we will use it only for the purpose of asking follow-up questions.

For organisations, we are asking for a brief description of your organisation to better understand the relationship between your organisation's work and the topic.

Your sensitive personal data is processed under article 9.2.g, substantial public interest, with reference to the [Data Protection Act schedule 1 part 2 section 8](https://www.legislation.gov.uk/ukpga/2018/12/schedule/1/part/2/crossheading/equality-of-opportunity-or-treatment) (<https://www.legislation.gov.uk/ukpga/2018/12/schedule/1/part/2/crossheading/equality-of-opportunity-or-treatment>) for the purpose of equality of opportunity or treatment.

Do not include personal information in your responses unless specifically requested.

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1. [Drugs in reported road fatalities in Great Britain, data to 2023](https://www.gov.uk/government/statistics/developing-drug-driving-statistics/developing-drug-driving-statistics-initial-feasibility-study) (<https://www.gov.uk/government/statistics/developing-drug-driving-statistics/developing-drug-driving-statistics-initial-feasibility-study>).
  2. [Reported road casualties in Great Britain, involving illegal alcohol levels: 2023](https://www.gov.uk/government/statistics/reported-road-casualties-in-great-britain-involving-illegal-alcohol-levels-2023) (<https://www.gov.uk/government/statistics/reported-road-casualties-in-great-britain-involving-illegal-alcohol-levels-2023>).
  3. It should be noted that in bringing in the [drug driving legislation](https://www.gov.uk/government/collections/drug-driving) (<https://www.gov.uk/government/collections/drug-driving>), the government took

a 'zero tolerance approach to 8 drugs most associated with illegal use, with limits set at a level where any claims of accidental exposure can be ruled out'.

4. [Quarterly criminal justice statistics](https://www.gov.uk/government/collections/criminal-justice-statistics-quarterly) (<https://www.gov.uk/government/collections/criminal-justice-statistics-quarterly>).
5. [PACTS, drug driving: the tip of an iceberg \(PDF\)](https://pacts.org.uk/wp-content/uploads/PACTS-Drug-Driving-The-tip-of-an-iceberg-3.0.pdf) (<https://pacts.org.uk/wp-content/uploads/PACTS-Drug-Driving-The-tip-of-an-iceberg-3.0.pdf>).
6. Alcohol interlocks (alcolocks) work by preventing a vehicle from starting if the driver has alcohol in their breath above a set level.
7. [An evaluation of the effects of lowering blood alcohol concentration limits for drivers on the rates of road traffic accidents and alcohol consumption: a natural experiment - the Lancet](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)32850-2/fulltext) ([https://www.thelancet.com/journals/lancet/article/PIIS0140-6736\(18\)32850-2/fulltext](https://www.thelancet.com/journals/lancet/article/PIIS0140-6736(18)32850-2/fulltext))
8. [Low alcohol risk \(PDF\)](https://www.nsc.org/getmedia/9f523dba-b7ec-4c66-9f7c-f360e4ea45dd/low-alcohol-risk.pdf.aspx) (<https://www.nsc.org/getmedia/9f523dba-b7ec-4c66-9f7c-f360e4ea45dd/low-alcohol-risk.pdf.aspx>), drawing on the work of Moskowitz, H. and D. Fiorentino. 2000: A review of the literature on the effects of low doses of alcohol on driving-related skills.
9. [Law and enforcement: lowering BAC limits and BAC limits for specific groups \(novice drivers\) \(PDF\)](https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Law_and_enforcement_Lowering_BAC_limits_BAC_limits_for_specific_groups_novice_15062017.pdf) ([https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Law\\_and\\_enforcement\\_Lowering\\_BAC\\_limits\\_BAC\\_limits\\_for\\_specific\\_groups\\_novice\\_15062017.pdf](https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Law_and_enforcement_Lowering_BAC_limits_BAC_limits_for_specific_groups_novice_15062017.pdf)).
10. Nieuwkamp, R., Martensen, H., Meesmann, U. (2017), [Alcohol interlock, European road safety decision support system \(PDF\)](https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Alcohol_interlock_08062017.pdf) ([https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Alcohol\\_interlock\\_08062017.pdf](https://www.roadsafety-dss.eu/assets/data/pdf/synopses/Alcohol_interlock_08062017.pdf)), developed by the H2020 project SafetyCube.
11. The STL is the time limit for summary-only offences (those dealt with solely in the Magistrates Court), to be laid before the Magistrates Court. This 6-month period starts from the date of the offence.







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