

Road Safety and Parking Bill

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TO

Make it an offence to cause death or serious injury by careless driving; to make further provision about badges for display on motor vehicles used by disabled persons; to make provision about the safety of school transport; and for connected purposes.

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Causing death or serious injury by careless driving

1 Causing death or serious injury by careless driving

- (1) The Road Traffic Act 1988 (c. 52) is amended in accordance with subsection (2).
(2) After section 3A of that Act (causing death by careless driving when under influence of drink or drugs), insert—

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“3B Causing death or serious injury by negligent driving

- (1) A person who causes the death of or serious injury to another person by driving a mechanically propelled vehicle on a road or other place without due care and attention, or without reasonable consideration for other persons using the road or place, is guilty of an offence.
(2) A person is to be regarded as suffering serious injury for the purposes of this section if he suffers injury that is life-changing or life-threatening or both.”
(3) The Road Traffic Offenders Act 1988 (c. 53) is amended in accordance with subsection (4).
(4) In Part 1 of Schedule 2 to that Act (prosecution and punishment of offences under the Traffic Acts), in the Table, after the entry relating to section 2 of the Road Traffic Act 1988, insert—

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<i>Provision creating offence</i>	<i>General nature of offence</i>	<i>Mode of prosecution</i>	<i>Punishment</i>	<i>Disqualification</i>	<i>Endorsement</i>	<i>Penalty points</i>
"RTA section 2B	Causing death or serious injury by careless driving	On indictment	10 years or a fine or both	Discretionary	Obligatory	3-11"

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Administration of the blue badge scheme

2 Badges for display on motor vehicles used by disabled persons

- (1) The Chronically Sick and Disabled Persons Act 1970 (c. 44) is amended as follows. 10
- (2) In section 21 (badges for display on motor vehicles used by disabled persons) –
- (a) in subsection (1), leave out “local authorities” and insert “an issuing authority to be prescribed by the Secretary of State”; 15
- (b) in subsection (5), leave out “A local authority” and insert “The issuing authority”;
- (c) in subsection (7)(a), leave out “authorities” and insert “the issuing authority”;
- (d) in subsection (7A)(a), leave out “a local authority” and insert “the issuing authority”; 20
- (e) in subsection (7C), leave out “local” and insert “issuing”; and
- (f) in subsection (8), the words from the second word “the” to the first word “and” shall cease to have effect.
- (3) After section 21, insert – 25

“21ZA Issuing authority: further provisions

- (1) In exercising his power to prescribe an issuing authority under section 21(1), the Secretary of State shall have regard to the desirability of –
- (a) securing the uniform administration of the matters with which section 21 is concerned throughout England and Wales, 30
- (b) maintaining a national database of relevant information about persons who have been issued with or refused badges in the exercise of powers of the issuing authority under that section.
- (2) If the Secretary of State is prescribed as the issuing authority under section 21(1), it shall be the duty of the Secretary of State to secure fresh consideration of any appeal under subsection (7C) of that section. 35
- (3) In this section ‘relevant information’ means –
- (a) a person’s full name;
- (b) other names by which he is or has been known;
- (c) his date of birth; 40
- (d) his gender;
- (e) the address of his principal place of residence in the United Kingdom; and

- (f) the address of every other place in the United Kingdom where he has a place of residence.”

Safety of school transport

- 3 Seat belts and anchorage points for vehicles used for organised trips for children** 5
- (1) Regulation 48A of the Road Vehicles (Construction and Use) Regulations 1986 (S.I. 1986/1078) (requirement for seat belts and anchorage points for vehicles used for organised trips for children) is amended as follows.
- (2) For paragraph (5) substitute –
- “(5) Without prejudice to the meaning of paragraph (2)(b), paragraph (1) shall not apply to a vehicle if –
- (a) it is being used in the provision of a bus service of a description specified in paragraph 2 of the Schedule to the Fuel Duty Grant (Eligible Bus Services) Regulations 1985, or
- (b) it is otherwise being used wholly or mainly for the purpose of providing a transport service for the general public, and
- (c) paragraph 5A does not apply.
- (5A) This paragraph applies if the vehicle is being used to carry a group of children to or from their school or from one part of their school premises to another.” 10 15 20

Miscellaneous and final provisions

- 4 Expenses**
- There shall be paid out of money provided by Parliament –*
- (a) any expenditure incurred by Secretary of State in consequence of this Act, and
- (b) any increase attributable to this Act in the sums payable out of money so provided under any other Act. 25

- 5 Short title, commencement and extent**
- (1) This Act may be cited as the Road Safety and Parking Act 2005.
- (2) Sections 1 and 3 shall come into force at the end of a period of two months beginning with the day on which this Act is passed. 30
- (3) Section 2 shall come into force on such date as the Secretary of State may by order made by statutory instrument determine.
- (4) Section 1 does not extend to Northern Ireland.
- (5) Sections 2 and 3 extend to England and Wales only.

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To make it an offence to cause death or serious injury by careless driving; to make further provision about badges for display on motor vehicles used by disabled persons; to make provision about the safety of school transport; and for connected purposes.

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*Ordered, by The House of Commons,
to be printed, 22nd June 2005.*

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LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx