

Careless driving (drive without due care and attention)

Triable only summarily:

Maximum: Level 5 fine

Must endorse and may disqualify. If no disqualification, impose 3 – 9 points

Offence seriousness (culpability and harm)		
A. Identify the appropriate starting point		
Starting points based on first time offender pleading not guilty		
Examples of nature of activity	Starting point	Range
Momentary lapse of concentration or misjudgement at low speed	Band A fine	Band A fine 3 – 4 points
Loss of control due to speed, mishandling or insufficient attention to road conditions, or carelessly turning right across on-coming traffic	Band B fine	Band B fine 5 – 6 points
Overtaking manoeuvre at speed resulting in collision of vehicles, or driving bordering on the dangerous	Band C fine	Band C fine Consider disqualification OR 7 – 9 points

Offence seriousness (culpability and harm)	
B. Consider the effect of aggravating and mitigating factors (other than those within examples above)	
Common aggravating and mitigating factors are identified in the pullout card – the following may be particularly relevant but these lists are not exhaustive	
<p>Factors indicating higher culpability</p> <ol style="list-style-type: none"> 1. Excessive speed 2. Carrying out other tasks while driving 3. Carrying passengers or heavy load 4. Tiredness <p>Factors indicating greater degree of harm</p> <ol style="list-style-type: none"> 1. Injury to others 2. Damage to other vehicles or property 3. High level of traffic or pedestrians in vicinity 4. Location e.g. near school when children are likely to be present 	<p>Factors indicating lower culpability</p> <ol style="list-style-type: none"> 1. Minor risk 2. Inexperience of driver 3. Sudden change in road or weather conditions

Form a preliminary view of the appropriate sentence, then consider offender mitigation
Common factors are identified in the pullout card

Consider a reduction for guilty plea

Consider ordering disqualification until appropriate driving test passed
Consider ancillary orders, including compensation
Refer to pages 168-174 for guidance on available ancillary orders

Decide sentence
Give reasons