

Annex B: Comparison of Criminal Penalties for Irresponsible Driving Offences – Pre-2019 and Post-2019 Amendments, as well as MHA’s Further Amendments in 2024

Pre-2019 Amendments			Post-2019 Amendments				
			[MHA’s Further Amendments in 2024 are in Blue]				
Offence	Max Imprisonment Term	Disqualification (DQ) from Driving	Offence	Max Imprisonment Term	DQ from Driving	Add-On Penalties for Dangerous and Careless Driving, if Driving Under Influence of Alcohol or Drug	
						Max Imprisonment Terms	DQ from Driving
Rash Act (under Penal Code)	Up to 5 years.	Yes, if death is caused.	Dangerous Driving* (under RTA) <i>[Note: All irresponsible driving offences, including equivalent offences under Penal Code, were consolidated under RTA in 2019.]</i>	Up to 8 years for first offence, depending on severity of injury. <u>Minimum sentence:</u> <ul style="list-style-type: none"> 1 year (if grievous hurt is caused) and 2 years (if death is caused). The above is doubled, for repeat offenders. [Note: No change to maximum sentence.] The Bill will remove mandatory minimum sentence for first-time offenders, to provide Courts with greater discretion. It will also lower mandatory minimum sentences for repeat offenders.]	Yes, Courts can impose DQ. No maximum. <u>Minimum period:</u> <ul style="list-style-type: none"> 8 years (if grievous hurt is caused) and 10 years (if death is caused). [Note: The Bill will remove minimum disqualification period for first-time offenders, to provide Courts with greater discretion. No change for repeat offenders.]	Up to additional 2 years of sentence for first offence, depending on severity of injury. <u>Minimum additional sentence:</u> <ul style="list-style-type: none"> Additional 0.5 to 1 year (if grievous hurt is caused) and additional 1 to 2 years (if death is caused). Additional sentence is doubled for repeat offenders. [Note: No change.]	No maximum. <u>Minimum additional period</u> <ul style="list-style-type: none"> At least 2 years for first offence, depending on severity of injury. This increases for second offence. Lifetime DQ for third offence. [Note: No change.]
Dangerous Driving (under Road Traffic Act (RTA))	Up to 5 years.	Yes.					

Pre-2019 Amendments			Post-2019 Amendments [MHA's Further Amendments in 2024 are in Blue]				
Offence	Max Imprisonment Term	Disqualification (DQ) from Driving	Offence	Max Imprisonment Term	DQ from Driving	Add-On Penalties for Dangerous and Careless Driving, if Driving Under Influence of Alcohol or Drug	
						Max Imprisonment Terms	DQ from Driving
Negligent Act (under Penal Code)	Up to 2 years.	Yes, if death is caused.	Careless Driving* (under RTA) <i>Note: All irresponsible driving offences, including equivalent offences under Penal Code, were consolidated under RTA in 2019.]</i>	Up to 3 years for first offence, depending on severity of injury. Sentence is doubled, for repeat offenders. [Note: No change.]	Yes, Courts can impose DQ. No maximum. <u>Minimum period:</u> • 5 years (if grievous hurt is caused) and 8 years (if death is caused). [Note: The Bill will remove minimum disqualification period for first-time offenders, to provide Courts with greater discretion. No change for repeat offenders.]	Up to additional 2 years for first offence, depending on severity of injury. Additional sentence is doubled for repeat offenders. [Note: No change.]	No maximum. <u>Minimum additional period</u> • At least 2 years for first offence, depending on severity of injury. • This increases for second and subsequent offences. • Lifetime DQ for third offence, if grievous hurt or death is caused. [Note: No change.]
Careless Driving (under RTA)	Up to 6 months for first offence. Sentence doubled, for repeat offenders.	Yes.					

* [Note: The Bill will revise the definition of “repeat offender”, in relation to a dangerous or careless driving offence. Specifically, for speeding to count as a prior conviction and deem the person a “repeat offender”, the person’s prior speeding conviction should: (i) exceed vehicle/road speed limit by 40km/h; and (ii) be a second or subsequent conviction in the past five years preceding the current dangerous or careless driving offence.