

Road Traffic Act 1984 s.89(10)  
 Triable only summarily  
 Penalty: Level 3 (Level 4 if motorway)  
 Must endorse (3-6 points OR may disqualify)

# Speeding

## CONSIDER THE SERIOUSNESS OF THE OFFENCE

**GUIDELINE: → IS DISCHARGE OR FINE APPROPRIATE?**  
 (COMMUNITY REHABILITATION AND CURFEW ORDERS ARE THE ONLY  
 AVAILABLE COMMUNITY PENALTIES FOR THIS OFFENCE)

*THIS IS A GUIDELINE FOR A FIRST-TIME OFFENDER PLEADING NOT GUILTY*



## CONSIDER AGGRAVATING AND MITIGATING FACTORS AND THE WEIGHT TO ATTACH TO EACH



**for example**  
 LGV, HGV, PCV or taxi or private-hire vehicles  
 Location/time of day/visibility  
 Serious risk  
 Towing caravan/trailer  
*This list is not exhaustive*

**for example**  
 Emergency established  
*This list is not exhaustive*

*If offender is on bail, this offence is more serious  
 If offender has previous convictions, their relevance and any failure to respond to previous sentences should be considered – they may increase the seriousness. The court should make it clear, when passing sentence, that this was the approach adopted.*

GUIDELINE PENALTY POINTS	LEGAL SPEED LIMITS	EXCESS SPEED – MPH	FINE
3	20-30 mph 40-50 mph 60-70 mph	Up to 10 mph Up to 15 mph Up to 20 mph	A
4 or 5 OR disqualify up to 42 days	20-30 mph 40-50 mph 60-70 mph	From 11-20 mph From 16-25 mph From 21-30 mph	B
6 OR disqualify up to 56 days	20-30 mph 40-50 mph 60-70 mph	From 21-30 mph From 26-35 mph From 31-40 mph	B

## TAKE A PRELIMINARY VIEW OF SERIOUSNESS, THEN CONSIDER OFFENDER MITIGATION

**for example**  
 Co-operation with police  
 Fixed penalty not taken up for valid reason

## CONSIDER YOUR SENTENCE

*Endorse (3-6 points OR period of disqualification. If a new driver accumulates 6 points this will result in automatic revocation of the licence by the DVLA, see note on page 100.)  
 Consider other measures (including disqualification until test passed if appropriate).  
 Compare it with the suggested guideline level of sentence and reconsider your reasons carefully if you have chosen a sentence at a different level.  
 Consider a reduction for a timely guilty plea.*

## DECIDE YOUR SENTENCE