

USING/CAUSING/PERMITTING NO INSURANCE

Road Traffic (NI) Order 1981

90.– (1) Subject to the provisions of this Part, it shall not be lawful for any person to use, or to cause or permit any other person to use, a motor vehicle on a road or other public place unless there is in force in relation to the user of the vehicle by that person or that other person, as the case may be, such a policy of insurance or such a security in respect of third-party risks as complies with the requirements of this Part.

...

(4) Any person who contravenes paragraph (1) shall be guilty of an offence under this Order.

Maximum Sentence:

Road Traffic Offenders (NI) Order 1996

Summary Only: 6 months imprisonment or a Level 5 fine (£5,000) or both (for offences committed after 16 July 2008)

Disqualification: Discretionary

Endorsement: Obligatory

Penalty points: 6-8

Assessment of Offence

(Starting points and ranges based on 1st time offender convicted following contest)

<u>Nature of Offence</u>	<u>Starting Point</u>	<u>Sentencing Range</u>
Using/causing/permitting no insurance	Fine + 8 Penalty Points	Fine to Community Order + 8 Penalty Points to 6 months Disqualification

<u>Examples of Possible Aggravating Factors of Offence</u>	<u>Examples of Possible Mitigating Factor of Offence</u>
1. Gave false details 2. Driving LGV, HGV, PSV etc. 3. Driving for hire or reward 4. Involved in accident	1. Responsibility for providing insurance rests with another 2. Genuine misunderstanding 3. Recent failure to renew or failure to transfer vehicle details where insurance was in existence 4. Vehicle not being driven

Relevant Cases:

NI Cases

R v McKeown [2016] NICA 24

English Cases

N/A

Notes: