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5 - Breaches of the highway code and other minor offences

Road traffic offences are set out in the Highway Code, which contains in particular alcohol-related offences, speed-related offences and offences relating to behaviour in the event of an accident.

What are alcohol-related offences?

A distinction needs to be made between levels of alcohol. The base level from which the consumption of alcohol becomes punishable is 0.5 g per litre of blood. From this level upwards, the police court has jurisdiction (serious minor offence) up to a level of 1.2 g per litre of blood, the point from which the criminal court has jurisdiction (major offence).

The law also mentions the case of obvious signs of drunkenness. Indeed, if you have less than 0.5 g per litre of blood, but show obvious signs of drunkenness, you will be treated as if you had had at least 0.5 g per litre of blood. Similarly, in cases where the level is between 0.5 and 1.2 g per litre of blood, but the driver is showing obvious signs of drunkenness, he will be treated as if he had at least 1.2 g per litre of blood.

What are the potential penalties?

The potential penalties are as follows: imprisonment, fine, loss of licence (temporary, permanent, immediate withdrawal) or confiscation. The sanctions vary according to the seriousness of the offence.

What are speed-related offences?

There are three speed-related offences:

Simple minor offence

This is each case of speeding which does not come under any other category. The penalty for a simple offence will be the payment of a penalty notice and the case will be closed.

Serious minor offence

The penalty will be a fine (€25 to €500).

High-speed (major) offence (only in the event of a repeat offence following an initial serious minor offence)

The penalty will be a fine (€500 to €10 000) and a custodial sentence (8 days to 3 years) or one or other of these penalties.

For more details of the thresholds relating to speeding and how they are categorised according to severity, see [the Ministry of Transport](#)

What are the offences relating to behaviour in the event of an accident?

The offence of leaving the scene

In the event of an accident (irrespective of the nature or extent of the damage) you must stay at the scene of the accident until all investigations have been completed, otherwise you have committed the offence of leaving the

scene of an accident.

In the event of an offence of leaving the scene of an accident, you may be sentenced to imprisonment, a fine and a driving ban.

Failure to assist a person in danger

Failure to assist a person in danger is punishable if, without there being serious danger to yourself or others, you fail to voluntarily come to the aid of a person in serious danger, whether you have discovered the situation of such a person yourself or the situation has been described to you by those seeking your assistance.

In the event of failing to assist a person in danger, you may be liable to imprisonment of between eight days and five years and a fine of between €251 and €10 000, or just one of these penalties.

Unintentional injuries and manslaughter.

The case will be treated by the court as a separate, non-driving-related matter.

Related links

[Department of transport, speeding](#)

[New developments in road transport](#)

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