

Act on Punishment of Acts Inflicting Death or Injury on Others by Driving a Motor Vehicle, etc.

(Act No. 86 of November 27, 2013)

(Definitions)

Article 1 (1) The term "motor vehicle" as used in this Act means a motor vehicle as prescribed in Article 2, paragraph (1), item (ix) of the Road Traffic Act (Act No. 105 of 1960) and a motorized bicycle as prescribed in item (x) of the same paragraph.

(2) The term "driving without a license" as used in this Act means to drive a motor vehicle which no person is allowed to drive unless the person has been issued with a driver's license pursuant to the provisions of laws and regulations or the person is permitted to drive with an international driving permit card or foreign driver's license card pursuant to the provisions of Article 107-2 of the Road Traffic Act, on a road (meaning a road prescribed in Article 2, paragraph (1), item (i) of the Road Traffic Act) without obtaining the license (including cases where the license is suspended pursuant to the provisions of laws and regulations) or without holding the international driving permit card or foreign driver's license card (including cases where the person falls under any of Article 88, paragraph (1), items (ii) through (iv), or cases where the period of stay exceeds 1 year from the date of landing in Japan (excluding cases where a person recorded in the basic register of residents under the Act for Basic Register of Residents (Act No. 81 of 1967) who departs from Japan with confirmation thereof as prescribed in Article 60, paragraph (1) of the Immigration Control and Refugee Recognition Act (Cabinet Order No. 319 of 1951), re-entry permission as prescribed in Article 26, paragraph (1) of the same Act (including cases where the person is deemed to have been granted re-entry permission prescribed in Article 26, paragraph (1) of the Immigration Control and Refugee Recognition Act pursuant to the provision of Article 26-2, paragraph (1) of the same Act (including as applied mutatis mutandis pursuant to Article 23, paragraph (2) of Special Act on the Immigration Control of, Inter Alia, Those Who Have Lost Japanese Nationality Pursuant to the Treaty of Peace with Japan (Act No. 71 of 1991)) or the refugee travel document prescribed in Article 61-2-12, paragraph (1) of the Immigration Control and Refugee Recognition Act lands again in Japan less than 3 months from the date of the person's departure from Japan)).

(Dangerous Driving Causing Death or Injury)

Article 2 A person who engages in any of the following acts is subject to

punishment by imprisonment with work for not more than 15 years when the person thereby causes injury of another or imprisonment with work for a definite term of not less than 1 year when the person thereby causes the death of another.

- (i) an act of driving a motor vehicle under the influence of alcohol or drugs making it difficult for the person to drive safely;
- (ii) an act of driving at such high speed that it is exceedingly difficult for the person to control the motor vehicle;
- (iii) an act of driving when the person lacks the skills to control the motor vehicle;
- (iv) an act of, while driving a motor vehicle, cutting in directly in front of another running motor vehicle or otherwise approaching in close proximity to a passing person or vehicle, with the intent to obstruct the passage of another person or vehicle, at a speed that can cause serious danger to traffic;
- (v) an act of driving a motor vehicle deliberately ignoring a red signal light or its equivalent, at a speed that can cause serious danger to traffic; or
- (vi) an act of driving a motor vehicle through a passage-prohibited road (meaning a road or a part thereof on which motor vehicles are prohibited from passing through by road signs or road markings, or pursuant to the provisions of laws and regulations, where Cabinet Order specifies that the passage through such road or a part thereof will cause traffic danger to persons or vehicles), at a speed that can cause serious danger to traffic.

Article 3 (1) A person who drives a motor vehicle in a state likely to hinder safe driving under the influence of alcohol or drugs, and thereby comes to have difficulty in driving safely under the influence of such alcohol or drugs, is subject to punishment by imprisonment with work for not more than 12 years when the person thereby causes injury of another; or imprisonment with work for not more than 15 years when the person thereby causes death of another.

(2) The preceding paragraph also applies when a person who drives a motor vehicle in a state where the person is likely to hinder safe driving under the influence of a disease specified by Cabinet Order as those which are likely to hinder the safe driving of motor vehicles, thereby comes to have difficulty in driving safely under the influence of the disease, and causes death or injury.

(Evasion of Detection of Influence of Alcohol, etc. in Case of Negligent Driving Causing Death or Injury)

Article 4 When a person, who drives under the influence of alcohol or drugs in a state likely to hinder the safe driving of a motor vehicle fails to exercise the due care required in driving and thereby causes the death or injury of another, the person is subject to punishment by imprisonment with work for not more

than 12 years, to the extent the person engages, with the intent to evade the detection of the existence or extent of the influence of alcohol or drugs while driving, in any act of consuming further alcohol or drugs, leaving the site so that the concentration of alcohol or drugs in his or her body may be reduced, or otherwise evading the detection of the existence or extent of the influence.

(Negligent Driving Causing Death or Injury)

Article 5 A person who fails to exercise the due care required in driving a motor vehicle and thereby causes the death or injury of another is subject to punishment by imprisonment with or without work for not more than 7 years or a fine of not more than 1,000,000 yen; provided, however, that the person may be granted an absolute discharge in the light of circumstances if the injury is minor.

(Aggravation of Punishment in Case of Driving without a License)

- Article 6 (1) When a person who has committed a crime referred to in Article 2 (excluding item (iii)) (limited to persons who caused injury of another) was driving without a license at the time the person committed the crime, such person is subject to punishment by imprisonment with work for a definite term of not less than 6 months.
- (2) When a person who has committed a crime referred to in Article 3 was driving without a license at the time the person committed the crime, such person is subject to punishment by imprisonment with work for not more than 15 years when the person causes injury; imprisonment with work for a definite term of not less than 6 months when the person causes death.
- (3) When a person who has committed a crime referred to in Article 4 was driving without a license at the time the person committed the crime, such person is subject to punishment by imprisonment with work for not more than 15 years.
- (4) When a person who has committed a crime referred to in the preceding Article was driving without a license at the time the person committed the crime, such person is subject to punishment by imprisonment with work for not more than 10 years.