

# 自動車の運転により人を死傷させる行為等の処罰に関する法律

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

(平成二十五年十一月二十七日法律第八十六号)  
(Act No. 86 of November 27, 2013)

(定義)

(Definitions)

第一条 この法律において「自動車」とは、道路交通法（昭和三十五年法律第五号）第二条第一項第九号に規定する自動車及び同項第十号に規定する原動機付自転車をいう。

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 この法律において「無免許運転」とは、法令の規定による運転の免許を受けている者又は道路交通法第七條の二の規定により国際運転免許証若しくは外国運転免許証で運転することができる者とされている者でなければ運転することができないこととされている自動車を当該免許を受けないで（法令の規定により当該免許の効力が停止されている場合を含む。）又は当該国際運転免許証若しくは外国運転免許証を所持しないで（同法第八十八條第一項第二号から第四号までのいずれかに該当する場合又は本邦に上陸（住民基本台帳法（昭和四十二年法律第八十一号）に基づき住民基本台帳に記録されている者が出入国管理及び難民認定法（昭和二十六年政令第三百十九号）第六十條第一項の規定による出国の確認、同法第二十六條第一項の規定による再入国の許可（同法第二十六條の二第一項（日本国との平和条約に基づき日本の国籍を離脱した者等の出入国管理に関する特例法（平成三年法律第七十一号）第二十三條第二項において準用する場合を含む。）の規定により出入国管理及び難民認定法第二十六條第一項の規定による再入国の許可を受けたものとみなされる場合を含む。）又は出入国管理及び難民認定法第六十一條の二の十二第一項の規定による難民旅行証明書の交付を受けて出国し、当該出国の日から三月に満たない期間内に再び本邦に上陸した場合における当該上陸を除く。）をした日から起算して滞在期間が一年を超えている場合を含む。）、道路（道路交通法第二条第一項第一号に規定する道路をいう。）において、運転することをいう。

(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)).

(危険運転致死傷)

(Dangerous Driving Causing Death or Injury)

第二条 次に掲げる行為を行い、よって、人を負傷させた者は十五年以下の懲役に処し、人を死亡させた者は一年以上の有期懲役に処する。

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.

一 アルコール又は薬物の影響により正常な運転が困難な状態で自動車を走行させる行為

(i) an act of driving a motor vehicle under the influence of alcohol or drugs making it difficult for the person to drive safely;

二 その進行を制御することが困難な高速度で自動車を走行させる行為

(ii) an act of driving at such high speed that it is exceedingly difficult for the person to control the motor vehicle;

三 その進行を制御する技能を有しないで自動車を走行させる行為

(iii) an act of driving when the person lacks the skills to control the motor

vehicle;

四 人又は車の通行を妨害する目的で、走行中の自動車の直前に進入し、その他通行中の人又は車に著しく接近し、かつ、重大な交通の危険を生じさせる速度で自動車を運転する行為

(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;

五 赤色信号又はこれに相当する信号を殊更に見放し、かつ、重大な交通の危険を生じさせる速度で自動車を運転する行為

(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

六 通行禁止道路（道路標識若しくは道路標示により、又はその他法令の規定により自動車の通行が禁止されている道路又はその部分であつて、これを通行することが人又は車に交通の危険を生じさせるものとして政令で定めるものをいう。）を進行し、かつ、重大な交通の危険を生じさせる速度で自動車を運転する行為

(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.

第三条 アルコール又は薬物の影響により、その走行中に正常な運転に支障が生じるおそれがある状態で、自動車を運転し、よつて、そのアルコール又は薬物の影響により正常な運転が困難な状態に陥り、人を負傷させた者は十二年以下の懲役に処し、人を死亡させた者は十五年以下の懲役に処する。

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 自動車の運転に支障を及ぼすおそれがある病気として政令で定めるものの影響により、その走行中に正常な運転に支障が生じるおそれがある状態で、自動車を運転し、よつて、その病気の影響により正常な運転が困難な状態に陥り、人を死傷させた者も、前項と同様とする。

(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.

(過失運転致死傷アルコール等影響発覚免脱)

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

第四条 アルコール又は薬物の影響によりその走行中に正常な運転に支障が生じるおそれがある状態で自動車を運転した者が、運転上必要な注意を怠り、よって人を死傷させた場合において、その運転の時のアルコール又は薬物の影響の有無又は程度が発覚することを免れる目的で、更にアルコール又は薬物を摂取すること、その場を離れて身体に保有するアルコール又は薬物の濃度を減少させることその他その影響の有無又は程度が発覚することを免れるべき行為をしたときは、十二年以下の懲役に処する。

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.

(過失運転致死傷)

(Negligent Driving Causing Death or Injury)

第五条 自動車の運転上必要な注意を怠り、よって人を死傷させた者は、七年以下の懲役若しくは禁錮又は百万円以下の罰金に処する。ただし、その傷害が軽いときは、状況により、その刑を免除することができる。

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.

(無免許運転による加重)

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

第六条 第二条（第三号を除く。）の罪を犯した者（人を負傷させた者に限る。）が、その罪を犯した時に無免許運転をしたものであるときは、六月以上の有期懲役に処する。

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 第三条の罪を犯した者が、その罪を犯した時に無免許運転をしたものであるときは、人を負傷させた者は十五年以下の懲役に処し、人を死亡させた者は六月以上の有期懲役に処する。

(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 第四条の罪を犯した者が、その罪を犯した時に無免許運転をしたものであるときは、十五年以下の懲役に処する。

(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 前条の罪を犯した者が、その罪を犯した時に無免許運転をしたものであるときは、十年以下の懲役に処する。

(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.