

2024 ThreeBestRated® Title Holder Kaley Hepburn Explains The Dangerous Driving Charges In Canada

HAMILTON, ONTARIO, CANADA, March 30, 2024 /EINPresswire.com/ -- Being on the road can be joyful, yet it comes with oodles of responsibilities, as anything that interferes with this ability can lead to serious consequences. Hence, as a responsible driver, It is important for everyone to have a comprehensive understanding of legal implications and penalties, so that they can protect themselves from the consequences resulting from impaired driving.



Kaley Hepburn of Hepburn Law

To explain the dangerous driving offenses and their consequences further, Kaley Hepburn, a [ThreeBestRated®](#) and principal solicitor at Hepburn Law Firm from Hamilton is here. And, her words are as follows.

“Dangerous driving, also known as the dangerous operation of a motor vehicle, occurs when an individual operates a motor vehicle in a manner that poses a risk to the public,” said Kaley. At first, the prosecutor will attempt to establish the dangerous driving.

Determining the Public Safety Risk

On this matter, under Section 249 of the Criminal Code of Canada, various factors including the condition, nature, and use of the location (where the motor vehicle was operated) as well as the potential presence or presence of traffic at that location. It is worth noting that, even if no one is present, a location may still be considered public, when it is school grounds used by teachers & students, driveways, parking lots, and public highways.

Mental Elements of Dangerous Driving

Next to this, the mental element is crucial in determining the offense. The prosecution must prove dangerous driving, by showing that the accused had the intention to drive in a way that objectively deviated from the expected standard of care for a reasonable driver in such circumstances. Kaley points out three instances,

#1 If the driver falls asleep while driving, it's not considered dangerous driving unless they knew or should have known they might fall asleep.

#2 In case of speeding in the school zone, the court will check if the dangerous driving posed or could have endangered public safety. Additionally, they will also see, "whether the driver exercised the same level of care that a reasonable person would have exercised in the same circumstances," said Kaley.

#3 For circumstances like being in the car, or sudden illness, affecting your driving, the court will assess if a person confronted with a similar situation would have reacted the same way."

Penalties Under the Criminal Code of Canada

So if an individual is found to be at fault, then the

#1 Penalties under the Criminal Code of Canada for dangerous driving, include

>> The offense will carry a maximum fine of \$5,000 and/or imprisonment for up to 6 months.

>> For an indictable offense, the responsible driver may get imprisonment for up to 5 years.

>> In cases of any bodily harm or death of another person, the maximum imprisonment term can extend up to 10 or 14 years respectively.

>> Additional penalties, such as driving prohibitions of up to 3 years, may also be imposed.

#2 Penalties Under the Highway Traffic Act, include

>> License suspension up to 1 year for a first conviction, 3 years for subsequent convictions with a 10-year period, and an indefinite suspension for a third conviction within the same timeframe.

>> Reinstatement of an indefinite suspension is subject to stringent conditions and requires a minimum of 10 years elapsing from the previous conviction without additional driving offenses, within that time frame.

"Every person, as a responsible driver, must understand the legal implications and potential consequences of dangerous driving charges," warns Kaley.

About Kaley Hepburn

Hepburn Law is a boutique law firm specializing in Criminal Defence Law in Hamilton. The prime motto of the firm is to provide clients with the personalized attention and utmost dedication their case deserves. Kaley Hepburn of Hepburn Law Firm is an award-winning solicitor who has

been practicing in the industry for over 15 years. At Hepburn Law, they handle a range of criminal cases from crucial bail hearings to trials & appeals. By taking a client-centric approach, they always deliver exceptional services tailored to meet every client's needs and their cases' demands. The areas that come under their service regions are Brantford, Halton, Hamilton, Oakville, Ancaster, and throughout Southern Ontario. To contact them and get their assistance, email info@kaleyhepburn.com or [visit Hepburn Law](#)

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