

Is the driving points system working?

In July last year, Spain introduced new legislation governing driving licences with points. Similar to the UK where point penalties have been in place for years and following the successful introduction of the points scheme in France, which has resulted in a significant decrease in serious road traffic accidents, it was Spain's turn.

So how does it work?

Well each driver of more than three years experience is allocated 12 points and those drivers of less than three years experience 8 points. For each driving offence, points are deducted from your allocation and once you have nil points you lose your licence.

How long will I lose my licence for?

This depends on the driving offence but for a string of minor offences you will lose your driving licence the first time for six months. If you do not learn your lesson and after you regain your licence you continue to commit offences, then the second time around you will lose your licence for more than twelve months.

How can I recover my licence or reduce my dreaded points?

By being good and attending specially designed driving classes improving your driving ability and making you aware of the errors of your ways. By attending classes, no more than one every four years, you can knock off four points. My next door neighbour who happens to be a driving instructor is delighted at the increased work he is likely to see. Alternatively if you behave for three years without committing further offences you will be granted a clean slate.

How much will I be fined?

It depends on the offence but fines will range from €90 to €600.

Has it worked?

The figures are following a downhill trend. In 1980 there were 5,017 fatal accidents on Spanish roads, 1990 a high of 6,948 and in 2006 there were 4,104 deaths. Bearing in mind that the points system came into force in July, 2006, and if we look at the fatal accident figures for 2005 there were 4,442 deaths then compared to 4,104 for 2006, which is better but more can be done.

Since 1980 the fatal accident figures have definitely improved considering that traffic and the safety of vehicles have increased and improved dramatically. However, the figure for 2006 is still far too high which the Spanish authorities recognise. Therefore the Spanish authorities will be installing more radar and speed control devices along roads, court procedures are being speeded up and there will be more awareness campaigns for safe driving, all of which are very welcome.

These are some of the offences for which you will receive points.

6 points

- ◆ Driving under the influence of alcohol and drugs
- ◆ Not consenting to an alcohol or drugs test
- ◆ Driving in the wrong direction
- ◆ Dangerous driving
- ◆ Driving over 180 kph on the motorway

4 points

- ◆ Throwing dangerous objects which could cause accidents or fire.
- ◆ Negligent driving
- ◆ Failing to give way and to stop at a stop sign
- ◆ Placing cyclists in danger
- ◆ Overtaking dangerously

3 points

- ◆ Failing to maintain a safe distance between you and the next vehicle
- ◆ Using a mobile phone whilst driving
- ◆ Stopping or parking in dangerous places

2 points

- ◆ Driving without using a seat belt
- ◆ Minors not in a child seat
- ◆ Driving without an approved helmet

For more information on the point system visit www.dgt.es.

Alex Radford is an English Solicitor and Spanish Abogado whose firm, De Cotta McKenna & Santafé, specialises in Personal Injury law. Tel 95 252 7014 Fax 95 252 3428.

Email: alexradford@decottalaw.net website: www.decottalaw.com

De Cotta McKenna y Santafé
Cádiz, Málaga, Costa, Nerja & Tenerife

*Merry Christmas & Happy New Year
to all our clients & business partners*

**Qualified English Solicitors
& Spanish Abogados**

Property, Land & Conveyancing
Criminal, Commercial & Employment Law
Wills, Probate, Tax & Estate Planning
Family & Divorce Law
Timeshare & Seasonal Ownership
Civil Litigation & Personal Injury

Languages spoken:
English, Spanish, Dutch, Italian, French & German

Nerja Office Calle Diputación 6, 2A, 29780 Nerja
T: +34 952 527 014 F: +34 952 523 428
Email: enquiries@decottalaw.net
www.decottalaw.com