



Drink driving offence codes explained

The police, the Driver and Vehicle Licensing Agency (DVLA), and other organisations, use offence codes, also known as endorsement codes, to classify offences. Read our guide which explains the 4 codes related to drink driving offences.

Drink driving offence codes explained

DR40, DR50, DR60 and DR70 are all codes related to drink driving offences.

DR40 Conviction

A DR40 conviction is when you are in charge of a vehicle while your alcohol level is above the limit. A DR40 does sound similar to a DR10, which is a much more serious conviction. The difference between a DR10 and a DR40 is that in a DR40 you only have to be in charge of a vehicle whilst over the legal alcohol limit, while a DR10 is when you are driving, or attempting to drive, with an alcohol level above the limit. This means that you don't have to be driving the vehicle to be convicted of a DR40, you only have to be inside it with your keys with there being a potential for you to drive the vehicle whilst still over the limit. This may happen, for example, if you are caught 'sleeping it off' in your car and are still over the limit.

How long does a DR40 stay on your licence?

If you are convicted of a DR40, then it will stay on your licence for four years from the date of conviction, if a disqualification is imposed, or four years from the date of the offence if you do not receive a driving ban. You will also receive 10 penalty points on your licence. If you get more than 12 penalty points over a three-year period, you will receive an automatic driving ban.

If you are found guilty of a DR40, you could face a driving ban together with a fine of up to £2,500, a community order or even up to three months imprisonment.

DR50 Conviction

A DR50 relates to the offence of being in charge of a vehicle while unfit, through drink. This offence differs from a DR40, as you do not have to be over the legal limit to be prosecuted. For a DR50 to be endorsed, you need to be convicted on the basis that you are in charge of a vehicle, but as still deemed unfit to drive, due to alcohol consumption – even if you are not over the legal limit, you can still face a conviction.

A DR50 conviction, like a DR40, can result in 10 penalty points and it will stay on your licence for four years from the date of the conviction. You may face a driving disqualification in the alternative to points. You will also face any of a fine, a community order or a prison sentence.

DR60 Conviction

A DR60 is an offence code for failing to provide a specimen for analysis in circumstances other than driving or attempting to drive. This means that if you were in charge of a vehicle and you do not give a specimen to be tested, without a valid excuse, then any subsequent conviction would lead to a DR60 endorsement on your licence. The difference between a DR30 and a DR60 is that with a DR30, which is a much more serious offence, you need to have been caught driving or attempting to drive.

A DR60 offence carries with it a maximum fine of £2,500, a community order or a three-month prison sentence. You will incur 10 penalty points or may face a driving ban in the alternative to points if deemed more serious.

DR70 Conviction

A DR70 offence relates to failing to provide a preliminary specimen for a breath test without a reasonable excuse. This usually relates to a request to blow into a handheld device at the roadside. It is illegal to refuse to give a breath test when asked to do so by the police, without a reasonable excuse. If you are convicted of a DR70 then you may face a fine of up to £1,000. You will also incur four penalty points on your driving licence.

Failing to provide a specimen for analysis

In relation to drink driving, a specimen is considered to be breath, blood or urine. Under the law, there are certain circumstances, where it is acceptable not to provide a specimen. Known as a 'reasonable excuse', these circumstances are:

- A medical condition such as a respiratory issue that would affect your ability to provide: this would have to be backed up by substantial medical evidence; or
- A mental health condition such as panic or anxiety: again, this would need to be supported by medical evidence; or
- A genuine phobia of needles, if you are requested to give a blood sample. You would need to have a diagnosed condition as a starting point.