

Developments in the Law in 2013 : Criminal Law

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Abstract

Road transport is an indispensable mechanism for people in modern society to engage in social or economic activities in daily life, work, and travel. With the surge of the amount of motor transport, the frequency of car accidents has been increasing and general public have attached increasing attention to their own traffic safety issues. Drunk driving particularly has become the focus of press reports, as well as the behavior severely reprimanded by people. Therefore, the amendments to applicable laws of traffic safety have become popular criminal law issues in recent years. In June 2013, Legislative Yuan amended Article 185-3 drunk driving offense of Criminal Code of the Republic of China and Article 185-4 hit and run offense of Criminal Code of the Republic of China in compliance with public opinions. The amendments included two focuses. One is to increase the penalties for drunk driving offense and hit and run offense, while the other is to revise the prerequisites for drunk driving offense to significantly increase the penalties for drunk driving behavior. The person's breath alcohol content is of 0.25 milligrams per liter or more shall be sentenced for drunk drinking offense. This study investigates the amendments to traffic offenses in June 2013, and analyzes and probes into relevant theories and practical insights

Keywords: traffic offense, drunk driving, unsafe driving, hit and run, stay obligation

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