

THESIS TITLE	PROBLEMS WITH CRIMINAL LIABILITIES FOR ACTS OUT OF NEGLIGENCE UNDER THE ROAD TRAFFIC ACT, B.E. 2522 (1979)
KEYWORDS	TRAFFIC LAW/COMMISSION OF OFFENSES
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ABSTRACT

The objectives of this Research are to study concepts and theories relating to liabilities for acts out of intentional negligence, which are caused by commission of offenses under traffic law, and foreign laws relevant to liabilities for acts out of negligence, which are caused by commission of offenses under traffic law, and to propose approaches to solving the said legal problems.

The results of this Research find that the issues concerning proportionality of punishments for intentional violations of legal regulations under the Road Traffic Act, B.E. 2522 (1979), which are caused by personal commission of offenses, provided that the offenders, who commit the offenses, have acknowledged the gravity and circumstances of the dangers, of which the offenders should be aware, but ignore or neglect them and are willing to risk such dangers, whereby acts of that persons deserve more severe punishments, comprising of: acts out of intentional negligence caused by drunk driving; acts out of intentional negligence caused by driving under influence of narcotics; and acts out of intentional negligence caused by driving while suffering from chronic diseases, which may impair the ability to drive.

The recommendation of this Research is to adopt legal provisions relevant to commission of offenses under foreign traffic laws, which are criminal liabilities, into application to Thai law, in order to ensure proportionality of punishments for the deserving offenders, by imposing more severe imprisonment and fine in cases of drunk driving, driving under influence of narcotics, and driving while suffering from chronic diseases, which may impair the ability to drive.