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STATUTORY INSTRUMENTS

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**1992 No. 3105**

**The Road Traffic Act 1988 (Amendment) Regulations 1992**

- 3.—(1) Section 15 of the Road Traffic Act 1988 shall be amended as follows.
- (2) After subsection (3) there shall be inserted—
- “(3A) Except as provided by regulations, where—
- (a) a child who is under the age of 12 years and less than 150 centimetres in height is in the rear of a passenger car,
  - (b) no seat belt is fitted in the rear of the passenger car, and
  - (c) a seat in the front of the passenger car is provided with a seat belt but is not occupied by any person,
- a person must not without reasonable excuse drive the passenger car on a road.”
- (3) In subsection (4) after “subsection (3)” there shall be inserted “or (3A)”.
- (4) In subsection (5)—
- (a) in paragraph (a) for “or (3)” there shall be substituted “, (3) or (3A)”,
  - (b) in paragraph (b) after “(1)” there shall be inserted “or (3A)” and after “(3)” there shall be inserted “or (3A)”.
- (5) After subsection (5), there shall be inserted—
- “(5A) Without prejudice to the generality of subsection (5) above, regulations made by virtue of paragraph (c) of that subsection may, for the purpose of implementing the seat belt Directive,—
- (a) make different provision in relation to different vehicles and different circumstances,
  - (b) authorise the wearing of a seat belt approved under the law of any member State other than the United Kingdom.”
- (6) For subsection (6), there shall be substituted—
- “(6) Regulations made for the purposes of subsection (3) or (3A) above—
- (a) shall include an exemption for any child holding a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt, and
  - (b) shall, for the purpose of implementing the seat belt Directive, include an exemption for any child holding a certificate to the like effect which was issued in any member State other than the United Kingdom and which, under the law of that State, is valid for purposes corresponding to those of this section,
- but such regulations may, for the purpose of implementing that Directive, make either of those exemptions subject to such conditions as may be prescribed.”
- (7) In subsection (9)—
- (a) before the definition of “regulations” there shall be inserted—

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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““maximum laden weight” has the meaning given by Part IV of Schedule 6 to the Road Traffic Regulation Act 1984(1);

“passenger car” means a motor vehicle which—

- (a) is constructed or adapted for use for the carriage of passengers and is not a goods vehicle,
  - (b) has no more than eight seats in addition to the driver’s seat,
  - (c) has four or more wheels,
  - (d) has a maximum design speed exceeding 25 kilometres per hour, and
  - (e) has a maximum laden weight not exceeding 3.5 tonnes,”
- (b) the word “and” immediately after the definition of “regulations” shall be omitted and after the definition of “seat belt” there shall be inserted—

““the seat belt Directive” has the same meaning as in section 14.”