
STATUTORY INSTRUMENTS

1995 No. 2994

The Road Traffic (Northern Ireland) Order 1995

PART II

Principal Road Safety Provisions

Protective measures: seat belts, helmets, etc.

Restriction on carrying children not wearing seat belts in motor vehicles

24.—(1) Except as provided by regulations, where a child under the age of 14 years is in the front of a motor vehicle, a person must not without reasonable excuse drive the vehicle on a road unless the child is wearing a seat belt in conformity with regulations.

[^{F1}(1A) Where—

- (a) a child is in the front of a motor vehicle other than a bus;
- (b) the child is in a rear-facing child restraining device; and
- (c) the passenger seat where the child is placed is protected by a front air bag,

a person must not without reasonable excuse drive the vehicle on a road unless the air bag is deactivated.]

(2) It is an offence for a person to drive a motor vehicle in contravention of paragraph (1) [^{F2}or (1A)].

[^{F3}(3) Except as provided by regulations, where—

- (a) a child under the age of 3 years is in the rear of a motor vehicle; or
- (b) a child of or over that age but under the age of 14 years is in the rear of a motor vehicle and any seat belt is fitted in the rear of that vehicle,

a person must not without reasonable excuse drive the vehicle on a road unless the child is wearing a seat belt in conformity with regulations.]

(4) 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.

(5) It is an offence for a person to drive a motor vehicle in contravention of paragraph (3) or (4).

(6) Provision may be made by regulations—

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- (a) excepting from the prohibition in paragraph (1), (3) or (4) children of any prescribed description, vehicles of a prescribed class or the driving of vehicles in such circumstances as may be prescribed.
- (b) defining in relation to any class of vehicle what part of the vehicle is to be regarded as the front of the vehicle for the purposes of paragraph (1) or (4) or as the rear of the vehicle for the purposes of paragraph (3) or (4);
- (c) prescribing for the purposes of paragraph (1) or (3) the descriptions of seat belt to be worn by children of any prescribed description and the manner in which such seat belt is to be fixed and used.

^{F4}(7)

(8) Regulations made for the purposes of paragraph (3) or (4)—

- (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) [^{F5}may] include an exemption for any child holding a certificate to the like effect which was issued in any member State ^{F6}... and which, under the law of that state, is valid for purposes corresponding to those of this Article,

^{F7} ...

(9) If the driver of a motor vehicle is informed by a constable that he may be prosecuted for an offence under paragraph (5), he is not in proceedings for that offence entitled to rely on an exception afforded to a child by a certificate referred to in paragraph (8) unless—

- (a) it is produced to the constable at the time he is so informed, or
- (b) it is produced—
 - (i) within 7 days after the date on which he is so informed, or
 - (ii) as soon as is reasonably practicable,
 at such police station as he may have specified to the constable, or
- (c) where it is not produced at such police station, it is not reasonably practicable for it to be produced there before the day on which the proceedings are commenced.

(10) For the purposes of paragraph (9), the service of a summons on the accused shall be treated as the commencement of the proceedings.

(11) In this Article—

[^{F8}“bus” means a motor vehicle that—

- (a) has at least four wheels,
- (b) is constructed or adapted for the carriage of passengers,
- (c) has more than eight seats in addition to the driver's seat, and
- (d) has a maximum design speed exceeding 25 kilometres per hour;]

“maximum laden weight” in relation to a vehicle means—

- (a) in the case of a vehicle in respect of which a gross weight not to be exceeded is specified in construction and use requirements, that weight; or
- (b) in the case of a vehicle in respect of which no such weight is specified in construction and use requirements, the weight which the vehicle is designed or adapted not to exceed when in normal use and travelling on a road laden,

and in sub-paragraphs (a) and (b), the expression “construction and use requirements” has the meaning given in Article 53;

“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 8 seats in addition to the driver's seat,
- (c) has 4 or more wheels,
- (d) has a maximum design in speed exceeding 25 kilometres per hour, and
- (e) has a maximum laden weight not exceeding 3.5 tonnes;

“regulations” means regulations made by the Department under this Article;

“seat belt” includes any description of restraining device for a child and any reference to wearing a seat belt shall be construed accordingly ^{F9}...

^{F10} ...

[^{F11}(12) The reference in paragraph (1A) to the air bag being deactivated includes a reference to the case where the air bag is designed or adapted in such a way that it cannot inflate enough to pose a risk of injury to a child travelling in a rear-facing child restraining device in the seat in question.]

- F1** Art. 24(1A) inserted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/7), **reg. 4(1)**
- F2** Words in art. 24(2) inserted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/7), **reg. 4(2)**
- F3** Art. 24(3) substituted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/7), **reg. 4(3)**
- F4** Art. 24(7) omitted (31.12.2020) by virtue of The Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/512), regs. 1(1), **5(3)(a)**; 2020 c. 1, Sch. 5 para. 1(1)
- F5** Word in art. 24(8)(b) substituted (31.12.2020) by The Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/512), regs. 1(1), **5(3)(b)(i)(aa)**; 2020 c. 1, Sch. 5 para. 1(1)
- F6** Words in art. 24(8)(b) omitted (31.12.2020) by virtue of The Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/512), regs. 1(1), **5(3)(b)(i)(bb)**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in art. 24(8) omitted (31.12.2020) by virtue of The Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/512), regs. 1(1), **5(3)(b)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F8** Art. 24(11): definition of "bus" inserted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/7), **reg. 4(4)**
- F9** Word in art. 24(11) omitted (31.12.2020) by virtue of The Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/512), regs. 1(1), **5(3)(c)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F10** Words in art. 24(11) omitted (31.12.2020) by virtue of The Motor Vehicles (Wearing of Seat Belts) (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/512), regs. 1(1), **5(3)(c)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F11** Art. 24(12) inserted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/7), **reg. 4(5)**

Modifications etc. (not altering text)

- C1** Art. 24(1) excluded by S.R. 1993/363, **reg. 7(1)(1A)** (as substituted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts by Children in Front Seats) (Amendment) Regulations (Northern Ireland) 2007 (S.R. 2007/9), **reg. 6**)

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- C2** Art. 24(3)(4) excluded by S.R. 1993/362, reg. 10(1) (as substituted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment No. 2) Regulations (Northern Ireland) 2007 (S.R. 2007/8), **reg. 9**)
- C3** Art. 24(3) excluded by S.R. 1993/362, reg. 10(2) (as substituted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment No. 2) Regulations (Northern Ireland) 2007 (S.R. 2007/8), **reg. 9**)
- C4** Art. 24(3) excluded by S.R. 1993/362, reg. 10(3) (as substituted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment No. 2) Regulations (Northern Ireland) 2007 (S.R. 2007/8), **reg. 9**)
- C5** Art. 24(3) excluded by S.R. 1993/362, reg. 10(5) (as substituted (27.2.2007) by Motor Vehicles (Wearing of Seat Belts) (Amendment No. 2) Regulations (Northern Ireland) 2007 (S.R. 2007/8), **reg. 9**)

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Changes and effects yet to be applied to the whole Order associated Parts and Chapters:

- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)
- Act amended by [1996 c. 25 s.79Sch.4 para.26](#)

Whole provisions yet to be inserted into this Order (including any effects on those provisions):

- art. 13A inserted by [2016 c. 11 \(N.I.\) s. 2\(3\)](#)
- art. 17(8)(b)(v) and word added by [2008 c. 4 \(N.I.\) Sch. 2 para. 7\(b\)](#)
- art. 17D(1B) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(a\)](#)
- art. 17D(2)(aa) substituted for word by [2016 c. 11 \(N.I.\) s. 5\(2\)\(b\)](#)
- art. 17D(2A)(a) substituted for words by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(i\)](#)
- art. 17D(2A)(b) inserted by [2016 c. 11 \(N.I.\) s. 5\(2\)\(c\)\(ii\)](#)
- art. 55(2)(m) inserted by [S.I. 2008/1216 \(N.I.\) art. 54\(1\)](#)
- art. 110(3A) inserted by [2016 c. 11 \(N.I.\) s. 22\(b\)](#)