

1981 No. 141

ROAD TRAFFIC AND VEHICLES

Motor Cycles (Protective Headgear) Regulations
(Northern Ireland) 1981

Made 5th May 1981

Coming into operation 8th June 1981

The Department of the Environment in exercise of the powers conferred by Articles 129(1) and (3) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Cycles (Protective Headgear) Regulations (Northern Ireland) 1981 and shall come into operation on 8th June 1981.

Revocation

2. The Motor Cycles (Protective Headgear) Regulations (Northern Ireland) 1980(b) and the Motor Cycles (Protective Headgear) (Amendment) Regulations (Northern Ireland) 1980(c) are hereby revoked.

Interpretation

3. In these Regulations—

“motor bicycle” means a two-wheeled motor-cycle, whether having a side-car attached thereto or not, and for the purposes of this definition any wheels of a motor-cycle shall, if the distance between the centres of the areas of contact between such wheels and the road surface is less than 460 millimetres, be counted as one wheel;

“the Order” means the Road Traffic (Northern Ireland) Order 1981; and

“protective headgear” means headgear which—

(a) is either—

(i) a helmet bearing a marking applied by its manufacturer indicating compliance with the specification contained in one of the British Standards mentioned in the Schedule (whether or not as modified by any amendment), or

(ii) a helmet of a type manufactured for use by persons on motor-cycles which by virtue of its shape, material and construction could reasonably be expected to afford to persons on motor bicycles a degree of protection from injury in the event of an accident similar to or greater than that provided by the helmet of a type prescribed by regulation 5; and

(b) if worn with a chin cup attached to or held in position by a strap or other fastening provided on the helmet, is provided with an additional strap or other fastening (to be fastened under the wearer’s jaw) for securing the helmet firmly to the head of the wearer; and

(a) S.I. 1981/154 (N.I. 1)

(b) S.R. 1980 No. 428

(c) S.R. 1980 No. 445

- (c) is securely fastened to the head of the wearer by means of the straps or other fastening provided on the headgear for that purpose.

Wearing of protective headgear

4.—(1) Save as provided in paragraph (2), every person driving or riding (otherwise than in a side-car) on a motor bicycle when on a road shall wear protective headgear.

(2) Nothing in paragraph (1) shall apply to any person driving or riding on a motor bicycle if—

- (a) it is a mowing machine; or
- (b) it is for the time being propelled by a person on foot.

Recommended protective headgear

5.—(1) The types of headgear prescribed for the purposes of Article 129(3) of the Order (headgear recommended as affording protection to persons on or in motor-cycles from injury in the event of accident) are—

- (a) until 1st January 1982, helmets which as respects their shape, construction and other qualities—
 - (i) conform—
 - (A) in the case of a helmet manufactured before 1st March 1975, with one of the British Standards mentioned in items 1, 2, 3 and 4 in the Schedule,
 - (B) in the case of a helmet manufactured on or after 1st March 1975 but before 2nd February 1977 with one of the British Standards mentioned in items 2, 3, 4 and 5 in the Schedule,
 - (C) in the case of a helmet manufactured on or after 2nd February 1977 but before 1st July 1977 with one of the British Standards mentioned in items 3, 5 and 6 in the Schedule,
 - (D) in the case of a helmet manufactured on or after 1st July 1977 but before 1st October 1980 with one of the British Standards mentioned in items 5, 6, 7 and 8 in the Schedule,
 - (E) in the case of a helmet manufactured on or after 1st October 1980 but before 1st April 1981 with one of the British Standards mentioned in items 7, 8, 9 and 10 in the Schedule,
 - (F) in the case of a helmet manufactured on or after 1st April 1981 with one of the British Standards mentioned in items 9 and 10 in the Schedule, and
 - (ii) are marked with the number of the British Standard with which they conform and the certification mark of the British Standards Institution (whether or not they are required to be so marked by the British Standard in point);
- (b) on and after 1st January 1982, helmets which as respects their shape, construction and other qualities—
 - (i) conform with one of the British Standards mentioned in items 5, 6, 7, 8, 9 and 10 in the Schedule, and
 - (ii) are marked with the number of the British Standard with which they conform and the certification mark of the British Standards Institution (whether or not they are required to be so marked by the British Standard in point).

(2) A reference in paragraph (1) to a helmet which, as respects its shape, construction and other qualities, conforms with one of the British Standards

mentioned in an item in the Schedule is a reference to a helmet which so conforms with one of those British Standards subject to such (if any) of the amendments to the relevant Standard mentioned in the relevant item as had effect at the time of the manufacture of the helmet.

6. Nothing in regulation 5(1) shall be taken to authorise any person to apply any number or mark referred to therein in contravention of the Trade Descriptions Act 1968(a).

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 5th May 1981.

(L.S.)

J. M. Irvine

Assistant Secretary

SCHEDULE

British Standards

1. British Standard 2001: 1956 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	11th January 1957.
2	23rd November 1959.
3	27th February 1962.
4	11th June 1964.
5	13th March 1968.
6	18th February 1972.

2. British Standard 1869: 1960 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	29th May 1963.
4	3rd December 1965.
5	13th March 1968.
6	10th August 1971.
7	3rd January 1972.
8	15th May 1973.
9	1st February 1974.
10	2nd September 1974.
11	1st March 1975.

3. British Standard 2495: 1960 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	29th May 1963.
2	22nd February 1965.
3	7th December 1965.
4	22nd July 1966.
5	10th August 1971.
6	3rd January 1972.
7	1st February 1974.
8	1st March 1975.

4. British Standard 2001: 1972 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	12th December 1972.
2	26th January 1973.
3	1st February 1974.
4	2nd September 1974.
5	1st March 1975.

5. British Standard 5361: 1976.

6. British Standard 2495: 1977.

7. British Standard 5361: 1976 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	30th September 1977.
2	31st August 1978.
3	31st August 1979.
4	29th February 1980.

8. British Standard 2495: 1977 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	30th September 1977.
2	31st August 1978.
3	31st August 1979.
4	29th February 1980.

9. British Standard 5361: 1976 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	30th September 1977.
2	31st August 1978.
3	31st August 1979.
4	29th February 1980.
5	27th February 1981.

10. British Standard 2495: 1977 as amended by the following Amendment Slips:—

<i>Number</i>	<i>Date of Publication</i>
1	30th September 1977.
2	31st August 1978.
3	31st August 1979.
4	29th February 1980.
5	27th February 1981.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations revoke and replace with amendments the Motor Cycles (Protective Headgear) Regulations (Northern Ireland) 1980 as amended.

Regulation 3 defines the expressions "motor bicycle" and "protective headgear". Where a helmet does not bear a marking indicating compliance with any of the British Standard specifications mentioned but does afford a degree of protection similar to or greater than that afforded by a helmet which bears a marking, it must be a helmet of a type manufactured for use by motor-cyclists. If a helmet is worn with a chin cup, it must be provided with an additional strap or other fastening for securing the helmet firmly on the wearer's head.

Regulation 4 requires, subject to exceptions, persons travelling on roads on motor bicycles (except in a side-car) to wear protective headgear. The exceptions concern mowing machines and motor bicycles when propelled by pedestrians.

Regulation 5 prescribes the types of helmets recommended as affording protection for motor-cyclists in the event of accident and which, to comply with Article 165 of the Road Traffic (Northern Ireland) Order 1981, may be sold or hired as a helmet affording such protection. Regulation 5 also provides for helmets to be marked with the number of the British Standard with which they conform and the certification mark of the British Standards Institution. On or after 1st January 1982 only helmets which as respects their construction, shape and other qualities conform with British Standards 5361: 1976 or 2495: 1977, whether or not as modified by any amendment, are prescribed as recommended as affording such protection.

The amendments contained in these Regulations—

- (1) add to the list of British Standards with which prescribed types of headgear must comply,
- (2) provide that a helmet manufactured on or after 1st October 1980 which complies with one of the standards mentioned in items 7 and 8 in the Schedule (subject to the amendments specified in those items) is prescribed as recommended as affording protection for motor-cyclists in the event of accident only if it is manufactured before 1st April 1981, and
- (3) provide that a helmet manufactured on or after 1st October 1980 which complies with one of the standards mentioned in items 9 and 10 in the Schedule (subject to the amendments specified in those items) is prescribed as recommended as affording the protection mentioned in paragraph (2).