

1991 No. 213

ROAD TRAFFIC AND VEHICLES

**Motor Vehicles (Wearing of Rear Seat Belts by Adults)
Regulations (Northern Ireland) 1991**

Made 20th May 1991

Coming into operation 1st July 1991

*To be laid before Parliament under paragraph 3(3) of
Schedule 1 to the Northern Ireland Act 1974*

The Department of the Environment, in exercise of the powers conferred on it by Articles 2(2)(a), 129A(1) and (2) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(b) and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Rear Seat Belts by Adults) Regulations (Northern Ireland) 1991 and shall come into operation on 1st July 1991.

Interpretation

2. In these Regulations—

“adult seat belt” means—

(a) a three-point belt, or

(b) a lap belt,

marked in accordance with regulation 47(8) of the Construction and Use Regulations;

“child restraint” means a seat belt or any other description of restraining device for the use of a young person—

(a) which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with an adult seat belt and held in place by the restraining action of that belt, and

(b) which has been marked in accordance with regulation 47(8) of the Construction and Use Regulations,

and any reference to wearing a child restraint is to be construed accordingly;

“Construction and Use Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1989(c);

(a) See definition of “Department” and “prescribed”

(b) S.I. 1981/154 (N.I. 1); Article 129A was inserted by Article 3 of S.I. 1982/157 (N.I. 3)

(c) S.R. 1989 No. 299 to which there is an amendment not relevant to these Regulations

- “medical certificate” means a valid certificate in relation to a person, signed by a medical practitioner, to the effect that it is inadvisable on medical grounds for that person to wear a seat belt;
- “rear seat” in relation to a vehicle means a seat not being the driver’s seat, a seat alongside the driver’s seat or a specified passenger seat;
- “trade licence” has the same meaning as in section 35(1) of the Vehicles Excise Act (Northern Ireland) 1972(a);
- “disabled person’s belt”, “lap belt”, “seat”, “specified passenger’s seat” and “three-point belt” have the meanings given by regulation 47(9) of the Construction and Use Regulations.

Application

3. These Regulations shall apply to every motor car which is constructed or adapted to carry not more than 8 passengers in addition to the driver.

Requirement for adults to wear seat belts

4. Subject to the following provisions of these Regulations, every person shall wear an adult seat belt if he is aged 14 years or more and riding in the rear of a motor car to which these Regulations apply.

Exceptions

5.—(1) Regulation 4 shall not apply to—

- (a) a person holding a medical certificate;
- (b) a person using a vehicle constructed or adapted for the delivery or collection of goods or mail to consumers or addressees, as the case may be, while engaged in making local rounds of deliveries or collections;
- (c) a member of the police force;
- (d) a member of the fire brigade while donning operational clothing or equipment;
- (e) a person riding in a vehicle, being used under a trade licence, for the purpose of investigating or remedying a mechanical fault in the vehicle;
- (f) a disabled person who is wearing a disabled person’s belt;
- (g) a person riding in a vehicle which is taking part in a procession organised by or on behalf of the Crown;
- (h) a governor, medical officer or other officer of a prison whether acting in the course of his duties or not; or
- (i) a member of the regular armed forces of the Crown or of the Ulster Defence Regiment whether on duty or not.

(2) Without prejudice to paragraph (1)(g), regulation 4 shall not apply to a person riding in a vehicle which is taking part in a procession held to mark or commemorate an event if notice in respect of the procession was given in accordance with Article 3 of the Public Order (Northern Ireland) Order 1987(b).

(a) 1972 c. 10 (N.I.)

(b) S.I. 1987/463 (N.I. 7)

(3) Regulation 4 shall not apply to a person riding in a vehicle if no adult seat belt is available within the meaning of regulation 6.

(4) In this regulation—

“member of the fire brigade” has the meaning assigned to that expression in Article 2(2) of the Fire Services (Northern Ireland) Order 1984(a);

“police force” has the meaning assigned to it in section 35 of the Police Act (Northern Ireland) 1970(b);

“prison” includes any prison or other institution for the treatment of offenders not being a remand home or training school within the meaning of section 180(1) of the Children and Young Persons Act (Northern Ireland) 1968(c);

“regular armed forces of the Crown” has the meaning assigned to it in section 1(2) of the Northern Ireland Assembly Disqualification Act 1975(d).

Interpretation of reference to availability

6.—(1) Subject to paragraphs (2) to (5), if any rear seat in a vehicle is provided with an adult seat belt, that belt (“the relevant belt”) shall be regarded as available for a particular person (“the person in question”) for the purposes of regulation 5(3) unless—

- (a) another person is wearing the relevant belt;
- (b) a child under the age of 14 is occupying the seat and wearing a child restraint which is an appropriate child restraint for that child;
- (c) another person holding a medical certificate is occupying the seat;
- (d) a disabled person (not being the person in question) is occupying the seat and wearing a disabled person’s belt;
- (e) by reason of his disability, it would not be practicable for the person in question to wear the relevant belt;
- (f) the person in question is prevented from occupying the seat by the presence of a carrycot which is restrained by straps and in which there is a child aged under 1 year;
- (g) the person in question is prevented from occupying the seat by the presence of a correctly secured child restraint which could not readily be removed without the aid of tools; or
- (h) in the case of a seat that is specially designed so that—
 - (i) it can be adjusted to increase the space in the vehicle available for goods, and
 - (ii) when it is so adjusted it cannot be used as a seat, it is so adjusted and it would not be reasonably practicable for the goods carried in the vehicle to be so carried were the seat not so adjusted.

(a) 1984/1821 (N.I. 11)

(b) 1970 c. 9 (N.I.)

(c) 1968 c. 34 (N.I.)

(d) 1975 c. 25

(2) Paragraphs (1)(b) and (d) shall not apply unless the presence of the other person renders it impracticable for the person in question to wear the relevant belt.

(3) Paragraph (1)(f) shall not apply if it would be reasonably practicable for the carrycot to be carried in any other part of the vehicle where it could be restrained by straps so as to render it practicable for the person in question to wear the relevant belt.

(4) A seat belt shall not be regarded as available for any person for the purposes of regulation 5(3) if—

- (a) it has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline, or
- (b) it does not comply with the requirements of regulation 48 of the Construction and Use Regulations (maintenance of seat belts and anchorage points).

(5) For the purposes of this regulation, a child restraint is appropriate, in relation to a child under the age of 14 years, if it is a child restraint appropriate to the weight of the child in accordance with the indication shown on the marking required under regulation 47(8) of the Construction and Use Regulations.

(6) A seat belt shall be regarded as provided for a seat for the purposes of this regulation if it is fixed in such a position that it can be worn by an occupier of that seat.

Sealed with the Official Seal of the Department of the Environment on
20th May 1991.

(L.S.)

Trevor Pearson

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

1. These Regulations make it compulsory for persons aged 14 years or more, riding in the rear of a motor car, to wear an adult seat belt (regulation 4).
2. Regulation 2 contains a definition of "adult seat belt".
3. The Regulations apply to every motor car which is constructed or adapted to carry not more than 8 passengers in addition to the driver (regulation 3).
4. Regulation 5 sets out the circumstances in which a person is exempt from having to wear a seat belt when riding in the rear of a motor vehicle.
5. A seat belt will not be regarded as being available to a particular person if it is being worn by another person or a child under the age of 14 is occupying the seat and wearing an appropriate child restraint (regulation 6).
6. Any person who rides in a motor vehicle in contravention of the regulations shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding level 2 (currently £100) on the standard scale.