



Road Traffic Act 1988

1988 CHAPTER 52

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Protective measures: seat belts, helmets, etc.

14 **Seat belts: adults**

- (1) The Secretary of State may make regulations requiring, subject to such exceptions as may be prescribed, persons who are driving or riding in motor vehicles on a road to wear seat belts of such description as may be prescribed.
- (2) Regulations under this section—
 - (a) may make different provision in relation to different classes of vehicles, different descriptions of persons and different circumstances,
 - (b) shall include exceptions for—
 - (i) the users of vehicles constructed or adapted for the delivery of goods or mail to consumers or addresses, as the case may be, while engaged in making local rounds of deliveries,
 - (ii) the drivers of vehicles while performing a manoeuvre which includes reversing,
 - (iii) any person 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,
 - (c) may make any prescribed exceptions subject to such conditions as may be prescribed, and
 - (d) may prescribe cases in which a fee of a prescribed amount may be charged on an application for any certificate required as a condition of any prescribed exception.
- (3) A person who drives or rides in a motor vehicle in contravention of regulations under this section is guilty of an offence; but, notwithstanding any enactment or rule of law,

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no person other than the person actually committing the contravention is guilty of an offence by reason of the contravention.

- (4) If the holder of any such certificate as is referred to in subsection (2)(b) above is informed by a constable that he may be prosecuted for an offence under subsection (3) above, he is not in proceedings for that offence entitled to rely on the exception afforded to him by the certificate unless—
 - (a) it is produced to the constable at the time he is so informed, or
 - (b) it is produced—
 - (i) within seven 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.
- (5) For the purposes of subsection (4) above, the laying of the information or, in Scotland, the service of the complaint on the accused shall be treated as the commencement of the proceedings.
- (6) Regulations under this section requiring the wearing of seat belts by persons riding in motor vehicles shall not apply to children under the age of fourteen years.

15 Restriction on carrying children not wearing seat belts in motor vehicles

- (1) Except as provided by regulations, where a child under the age of fourteen 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.
- (2) It is an offence for a person to drive a motor vehicle in contravention of subsection (1) above.
- (3) Except as provided by regulations, where a child under the age of fourteen 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) It is an offence for a person to drive a motor vehicle in contravention of subsection (3) above.
- (5) Provision may be made by regulations—
 - (a) excepting from the prohibition in subsection (1) or (3) above 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 subsection (1) above or as the rear of the vehicle for the purposes of subsection (3) above,
 - (c) prescribing for the purposes of subsection (1) or (3) above 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.
- (6) Regulations made for the purposes of subsection (3) above 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.

- (7) If the driver of a motor vehicle is informed by a constable that he may be prosecuted for an offence under subsection (4) above, he is not in proceedings for that offence entitled to rely on an exception afforded to a child by a certificate referred to in subsection (6) above unless—
- (a) it is produced to the constable at the time he is so informed, or
 - (b) it is produced—
 - (i) within seven 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.
- (8) For the purposes of subsection (7) above, the laying of the information or, in Scotland, the service of the complaint on the accused shall be treated as the commencement of the proceedings.
- (9) In this section—
- “regulations” means regulations made by the Secretary of State under this section, and
 - “seat belt” includes any description of restraining device for a child and any reference to wearing a seat belt is to be construed accordingly.
- (10) This section is affected by Schedule 5 to the Road Traffic (Consequential Provisions) Act 1988 (transitory modifications).

16 Wearing of protective headgear

- (1) The Secretary of State may make regulations requiring, subject to such exceptions as may be specified in the regulations, persons driving or riding (otherwise than in side-cars) on motor cycles of any class specified in the regulations to wear protective headgear of such description as may be so specified.
- (2) A requirement imposed by regulations under this section shall not apply to any follower of the Sikh religion while he is wearing a turban.
- (3) Regulations under this section may make different provision in relation to different circumstances.
- (4) A person who drives or rides on a motor cycle in contravention of regulations under this section is guilty of an offence; but notwithstanding any enactment or rule of law no person other than the person actually committing the contravention is guilty of an offence by reason of the contravention unless the person actually committing the contravention is a child under the age of sixteen years.

17 Protective helmets for motor cyclists

- (1) The Secretary of State may make regulations prescribing (by reference to shape, construction or any other quality) types of helmet recommended as affording protection to persons on or in motor cycles, or motor cycles of different classes, from injury in the event of accident.

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- (2) If a person sells, or offers for sale, a helmet as a helmet for affording such protection and the helmet is neither—
 - (a) of a type prescribed under this section, nor
 - (b) of a type authorised under regulations made under this section and sold or offered for sale subject to any conditions specified in the authorisation,subject to subsection (3) below, he is guilty of an offence.
- (3) A person shall not be convicted of an offence under this section in respect of the sale or offer for sale of a helmet if he proves that it was sold or, as the case may be, offered for sale for export from Great Britain.
- (4) The provisions of Schedule 1 to this Act shall have effect in relation to contraventions of this section.
- (5) In this section and that Schedule “helmet” includes any head-dress, and references in this section to selling or offering for sale include respectively references to letting on hire and offering to let on hire.

18 Authorisation of head-worn appliances for use on motor cycles

- (1) The Secretary of State may make regulations prescribing (by reference to shape, construction or any other quality) types of appliance of any description to which this section applies as authorised for use by persons driving or riding (otherwise than in sidecars) on motor cycles of any class specified in the regulations.
- (2) Regulations under this section—
 - (a) may impose restrictions or requirements with respect to the circumstances in which appliances of any type prescribed by the regulations may be used, and
 - (b) may make different provision in relation to different circumstances.
- (3) If a person driving or riding on a motor cycle on a road uses an appliance of any description for which a type is prescribed under this section and that appliance—
 - (a) is not of a type so prescribed, or
 - (b) is otherwise used in contravention of regulations under this section,he is guilty of an offence.
- (4) If a person sells, or offers for sale, an appliance of any such description as authorised for use by persons on or in motor cycles, or motor cycles of any class, and that appliance is not of a type prescribed under this section as authorised for such use, he is, subject to subsection (5) below, guilty of an offence.
- (5) A person shall not be convicted of an offence under this section in respect of the sale or offer for sale of an appliance if he proves that it was sold or, as the case may be, offered for sale for export from Great Britain.
- (6) The provisions of Schedule 1 to this Act shall have effect in relation to contraventions of subsection (4) above.
- (7) This section applies to appliances of any description designed or adapted for use—
 - (a) with any headgear, or
 - (b) by being attached to or placed upon the head,(as, for example, eye protectors or earphones).

- (8) References in this section to selling or offering for sale include respectively references to letting on hire and offering to let on hire.