



# Road Traffic Act 1988

## 1988 CHAPTER 52

### PART I

#### PRINCIPAL ROAD SAFETY PROVISIONS

*Protective measures: seat belts, helmets, etc.*

#### **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.

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*Status: This is the original version (as it was originally enacted).*

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- (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).