

## 1982 No. 357

## ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Wearing of Seat Belts) Regulations  
(Northern Ireland) 1982

Made . . . . . 1st November 1982

Coming into operation . . . . . 31st January 1983

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 129A(1) and (2), 214(1) and 218(1) and (2) 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 Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1982 and shall come into operation on 31st January 1983.

*Interpretation*

2. In these Regulations—

“the Construction and Use Regulations” means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(b);

“the Driving Licences Regulations” means the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1981(c);

“specified passenger’s seat” means—

- (a) in the case of a vehicle which has one forward-facing front seat alongside the driver’s seat, that seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver’s seat; or
- (b) if the vehicle normally has no seat which is the specified passenger’s seat under sub-paragraph (a), the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver’s seat, unless there is a fixed partition separating that seat from the space in front of it alongside the driver’s seat;

“trade licence” has the meaning assigned to it in section 35(1) of the Vehicles Excise Act (Northern Ireland) 1972(d).

*Wearing of seat belts*

3. Except as provided in regulation 4, every person shall wear a seat belt of a description prescribed in regulation 6 if he is—

- (a) driving a motor vehicle of a class specified in regulation 5; or
- (b) riding in a motor vehicle of that class in—
  - (i) the specified passenger’s seat, or

(a) S.I. 1981/154 (N.I. 1) as amended by S.I. 1982/157 (N.I. 3)

(b) S.R. 1976 No. 320 as amended by S.R. 1980 No. 164 and S.R. 1982 No. 336

(c) S.R. 1981 No. 239

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

- (ii) a forward-facing seat alongside the driver's seat which is not the specified passenger's seat, except where the specified passenger's seat is occupied by another person (whether or not that person is over the age of 14 years).

### Exceptions

4.—(1) The requirement specified in regulation 3 shall not apply to—

- (a) the user of 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;
- (b) the driver of a vehicle while performing a manoeuvre which includes reversing;
- (c) a qualified driver who is supervising the holder of a provisional licence while that holder is performing a manoeuvre which includes reversing;
- (d) the holder of 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;
- (e) a member of the police force;
- (f) a governor, medical officer or other officer of a prison whether acting in the course of his duties or not;
- (g) a member of a fire brigade while donning operational clothing or equipment;
- (h) the driver of—
  - (i) a motor hackney carriage in which a taximeter has been installed and which is being used for seeking hire, or answering a call for hire or carrying a passenger for hire, or
  - (ii) any other motor hackney carriage which is being used to carry a passenger for hire;
- (i) a person by whom, as provided in the Driving Licences Regulations, a test of competence to drive is being conducted and his wearing a seat belt would endanger himself or any other person;
- (j) a person occupying a seat for which the seat belt either—
  - (i) does not comply with the requirements of regulation 92A of the Construction and Use Regulations, or
  - (ii) has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline;
- (k) 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; or
- (l) a member of the regular armed forces of the Crown or of the Ulster Defence Regiment whether on duty or not.

(2) In this regulation—

- “fire brigade” has the meaning assigned to it in section 41(1) of the Fire Services Act (Northern Ireland) 1969(a);
- “motor hackney carriage” means a public service vehicle seating not more than 6 persons in addition to the driver;
- “police force” has the meaning assigned to it in section 35 of the Police Act (Northern Ireland) 1970(b);

(a) 1969 c. 13 (N.I.)

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

- “prison” includes any prison or Borstal institution 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(a);
- “qualified driver” has the meaning assigned to it in regulation 8(5) of the Driving Licences Regulations;
- “regular armed forces of the Crown” has the meaning assigned to it in section 1(2) of the Northern Ireland Assembly Disqualification Act 1975(b);
- “taximeter” means a taximeter of a form approved by the Department under regulation 28(2) of the Public Service Vehicles Regulations (Northern Ireland) 1965(c).

*Classes of vehicles to which wearing of seat belts applies*

5. The classes of vehicle specified for the purposes of regulation 3 are—

- (a) a vehicle to which regulation 17 of the Construction and Use Regulations applies; and
- (b) a vehicle which is equipped with anchorage points and seat belts and to which that regulation would apply if it were not for the circumstances that the vehicle—
- (i) is proceeding to a port for export;
  - (ii) has been brought temporarily into Northern Ireland by a person resident abroad;
  - (iii) is within the provisions of regulation 4(6) of the Construction and Use Regulations (which relates to vehicles subject to certain tax exemptions by virtue of their impending export);
  - (iv) is in the service of a visiting force or headquarters as defined in Article 8(6) of the Visiting Forces and International Headquarters (Application of Law) Order 1965(d);
  - (v) is within the provisions of regulation 4(8) of the Construction and Use Regulations (vehicles subject to certain exemptions relating to tests of satisfactory conditions);
  - (vi) is being used under a trade licence; or
  - (vii) is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles—
    - (A) to premises of a distributor of or dealer in vehicles or of the purchaser of the vehicle, or
    - (B) to the premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement.

*Description of seat belts*

6.—(1) The descriptions of seat belt prescribed for the purposes of regulation 3 are—

- (a) as regards a driver’s seat or a specified passenger’s seat in respect of which a seat belt is required to be fitted by regulation 17 of the Construction and Use Regulations—
- (i) in the case of a disabled person’s vehicle, a disabled person’s seat belt, or

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

(b) 1975 c. 25

(c) S.R. & O. (N.I.) 1965 No. 161

(d) S.I. 1965/1536

- (ii) in the case of any other vehicle a seat belt which complies with the requirements specified in paragraphs (5), (7), (8) and (10) of that regulation;
- (b) as regards a driver's seat or a specified passenger's seat in respect of which a seat belt is not required to be fitted by that regulation, the seat belt fitted to the vehicle in respect of that seat; or
- (c) as regards a seat mentioned in regulation 3(b)(ii), the seat belt fitted to the vehicle in respect of that seat.

(2) In paragraph (1)(a)(i)—

“disabled person's seat belt” means a seat belt which has been specially designed and constructed, and not merely adapted, for use by an adult or young person suffering from some physical defect or disability and which is used solely by such a person; and

“disabled person's vehicle” means a vehicle which has been specially designed and constructed, or specially adapted, for the use of a person suffering from some physical defect or disability.

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 1st November 1982.

(L.S.)

*J. M. Irvine*

Assistant Secretary

## EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

1. These Regulations make it compulsory for certain occupants of the front seats of motor vehicles to wear seat belts.

2. Regulation 3 provides that, save for the persons excepted by regulation 4, any person who is driving or riding on a road in a motor vehicle of a class specified in regulation 5 in the driver's seat or the specified passenger's seat (as defined in regulation 2) shall wear a seat belt of a description specified in regulation 6. This requirement extends to a person who is occupying a forward-facing seat alongside the driver's seat which is not the specified passenger's seat unless the specified passenger's seat is occupied by another person.

3. The excepted persons specified in regulation 4 are—

- (a) persons making local rounds of deliveries or collections of goods or mail;
- (b) a driver who is reversing a vehicle;
- (c) a qualified driver who is supervising a learner who is reversing a vehicle;
- (d) a person holding a doctor's certificate that it is inadvisable for him to wear a seat belt;
- (e) members of the Royal Ulster Constabulary and the Royal Ulster Constabulary Reserve;
- (f) members of the prison service;
- (g) members of the fire brigade while donning certain clothing or apparatus;
- (h) drivers of taxis in certain circumstances;
- (i) in certain circumstances, persons who are conducting a driving test;
- (j) a person occupying a seat, the seat belt provided for which is defective or has become temporarily locked;
- (k) persons riding in a vehicle being used under a trade licence for the purpose of investigating or remedying a mechanical fault;
- (l) members of the regular armed forces of the Crown and of the Ulster Defence Regiment.

4. The classes of vehicle specified in regulation 5 are vehicles to which regulation 17 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 as amended applies and certain vehicles to which that regulation does not apply but which are equipped with anchorage points and seat belts.

5. The descriptions of seat belts referred to in regulation 3 are specified in regulation 6 as—

- (a) in relation to a driver's seat or specified passenger's seat in respect of which a seat belt is required to be fitted by regulation 17 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 as amended, a belt which complies with technical requirements specified in that regulation or (in appropriate cases) a disabled person's seat belt;
- (b) in relation to a driver's seat or specified passenger's seat in respect of which a seat belt is not required to be fitted by that regulation, the belt which is fitted to the vehicle for that seat;
- (c) in relation to a seat mentioned in regulation 3(b)(ii), the seat belt fitted to the vehicle in respect of that seat.

6. Any person who drives or 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 £50.