
 STATUTORY INSTRUMENTS

1982 No. 1203

ROAD TRAFFIC

The Motor Vehicles (Wearing of Seat Belts)
Regulations 1982

Approved by both Houses of Parliament

Made - - - 23rd August 1982

Coming into Operation 31st January 1983

Whereas—

- (1) the Secretary of State for Transport has, in accordance with section 199(2) of the Road Traffic Act 1972(a), consulted with representative organisations;
- (2) the Secretary of State for Transport has, in accordance with the provisions of section 199(2A) of the Road Traffic Act 1972(b), laid before each House of Parliament a statement explaining proposals to which these Regulations relate; and
- (3) the period of three months has expired since the day on which such statement was so laid:

Now, therefore, the Secretary of State for Transport, in exercise of the powers conferred by section 33A(1) and (2) of the Road Traffic Act 1972(c) and of all other enabling powers, hereby makes the following Regulations:—

1. These Regulations shall come into operation on the twenty-third Monday after these Regulations are made.
2. These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts) Regulations 1982.
3. (1) In these Regulations—
“the Construction and Use Regulations” means the Motor Vehicles (Construction and Use) Regulations 1978(d);

(a) 1972 c.20; section 199(2) of which Act has been amended by paragraph 18 of Schedule 9 to the Transport Act 1981 (c.56).

(b) Subsection (2A) of section 199 to c.20 was inserted by section 27 of 1981 c.56.

(c) 1972 c.20, as amended by section 27 of 1981 c.56.

(d) S.I. 1978/1017; the relevant amending instruments are S.I. 1978/1233, 1979/1062, 1980/610, 1981/915, 1982/1132.

“the Driving Licences Regulations” means the Motor Vehicles (Driving Licences) Regulations 1981(a);

“disabled person’s seat belt” has the same meaning as in Regulation 17(12) of the Construction and Use Regulations;

“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;

“private hire vehicle” means a motor vehicle constructed or adapted to seat fewer than 9 passengers, other than a taxi or a public service vehicle, which is provided for hire with the services of a driver for the purpose of carrying passengers and which displays a sign pursuant to either section 21 of the Vehicles (Excise) Act 1971(b) or section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976(c) or any similar enactment;

“public service vehicle” has the same meaning as in section 1 of the Public Passenger Vehicles Act 1981(d);

“specified passenger’s seat” has the same meaning as in Regulation 17(12) of the Construction and Use Regulations;

“taxi” has the same meaning as in section 64(3) of the Transport Act 1980(e);

“trade licence” has the same meaning as in section 38(1) of the Vehicles (Excise) Act 1971.

- (2) In these Regulations a reference to any Act or subordinate legislation (as defined in section 21(1) of the Interpretation Act 1978(f)) includes a reference to that Act or subordinate legislation as from time to time extended, amended, re-enacted or applied.
- (3) In these Regulations, unless the context otherwise requires, any reference to a numbered Regulation is a reference to the Regulation bearing that number in these Regulations.

4. Save as provided in Regulation 5, every person shall wear a seat belt of a description specified in Regulation 7 if he is—

- (1) driving a motor vehicle of a class specified in Regulation 6; or
- (2) riding in a motor vehicle of that class in—
 - (a) the specified passenger’s seat, or
 - (b) a forward facing seat alongside the driver’s seat which is not the specified passenger’s seat and the specified passenger’s seat is not occupied by another person (whether or not that person is over the age of 14 years).

(a) S.I. 1981/952, as amended by S.I. 1982/99, 230, 423, 937.

(b) 1971 c.10.

(e) 1980 c.34.

(c) 1976 c.57.

(f) 1978 c.30.

(d) 1981 c.14.

5. The requirement specified in Regulation 4 does not apply to a person who is—

- (a) using a vehicle constructed or adapted for the delivery or collection of goods or mail to consumers or addressees, as the case may be, whilst engaged in making local rounds of deliveries or collections;
- (b) driving the vehicle whilst performing a manoeuvre which includes reversing;
- (c) a qualified driver (as defined in Regulation 8(5) of the Driving Licences Regulations) and is supervising the holder of a provisional licence (as defined in Regulation 3(1) of those Regulations) while that holder is performing a manoeuvre which includes reversing;
- (d) the holder of a valid certificate in a form supplied by the Secretary of State, containing the information required by it, and signed by a registered medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt;
- (e) a constable protecting or escorting another person;
- (f) not a constable but is protecting or escorting another person by virtue of powers the same as or similar to those of a constable for that purpose;
- (g) in the service of a fire brigade and is donning operational clothing or equipment;
- (h) the driver of—
 - (i) a taxi which is being used for seeking hire, or answering a call for hire, or carrying a passenger for hire, or
 - (ii) a private hire vehicle 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) occupying a seat for which the seat belt either—
 - (i) does not comply with the requirements of Regulation 102A 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; or
- (k) riding in a vehicle, being used under a trade licence, for the purpose of investigating or remedying a mechanical fault in the vehicle.

6. The classes of vehicle mentioned in Regulation 4 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 Great Britain by a person resident abroad;

- (iii) is within the provisions of Regulation 4(8) 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(a));
- (v) is within the provisions of Regulation 4(10) of the Construction and Use Regulations (which relates to vehicles subject to certain exemptions relating to tests of satisfactory conditions);
- (vi) is being used under a trade licence; or
- (vii) is not a vehicle to which the Motor Vehicles (Type Approval) (Great Britain) Regulations 1979(b) applies but which is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles
 - to premises of a distributor of or dealer in vehicles of the purchaser of the vehicle, or
 - to premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement.

7. The descriptions of seat belt referred to in Regulation 4 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;
 - (ii) in the case of any other vehicle to which that Regulation applies, 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;
- (c) as regards a seat mentioned in Regulation 4(2)(b), the seat belt fitted to the vehicle in respect of that seat.

Signed by authority of
the Secretary of State.
23rd August 1982.

Lynda Chalker,
Parliamentary Under Secretary
of State, Department of Transport.

(a) S.I. 1965/1536.

(b) S.I. 1979/1092, as amended by S.I. 1980/879, 1165, 1981/696, 1619, 1982/8.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

1. These Regulations follow the Transport Act 1981 (Commencement No. 2) Order 1981 (S.I. 1981/1617) by virtue of which section 27 of, and (in part) paragraph 18 of Schedule 9 to, the Transport Act 1981 came into force as from 1st December 1981, thus empowering the Secretary of State to make regulations under section 33A of the Road Traffic Act 1972.
2. Regulation 3 deals with interpretation. Some terms are defined by reference to other enactments to avoid excessive length.
3. Regulation 4 provides that, save in circumstances mentioned in Regulation 5, any person who is driving or riding on a road in a motor vehicle of a class specified in Regulation 6 in the driver's seat or the specified passenger's seat (as defined in Regulation 3) shall wear a seat belt of a description specified in Regulation 7. 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.
4. The circumstances specified in Regulation 5 include those in respect of which section 33A(2)(b) of the 1972 Act requires an exemption. And they include persons making local rounds of collections of goods, a qualified driver supervising a learner who is reversing, constables and other persons protecting or escorting others, members of fire brigades donning certain clothing or apparatus, drivers of taxis in certain circumstances, and drivers of private hire vehicles being used to carry a passenger for hire or reward, in certain circumstances persons testing a driver, cases where the seat belt provided for the seat which a person occupies is defective or has temporarily locked, and persons riding in a vehicle being used under a trade licence for the purpose of investigating or remedying a mechanical fault.
5. The classes of vehicle specified in Regulation 6 are vehicles to which Regulation 17 of the Motor Vehicles (Construction and Use) Regulations 1978 applies and certain vehicles to which that Regulation does not apply but which are equipped with anchorage points and seat belts.
6. The descriptions of seat belts referred to in Regulation 4 are specified in Regulation 7 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 1978, 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 4(2)(b), the seat belt fitted to the vehicle in respect of that seat.

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