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STATUTORY INSTRUMENTS

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1985 No. 2039

ROAD TRAFFIC

**The Motor Vehicles (Construction and Use)  
(Amendment) (No. 4) Regulations 1985**

*Made* - - - 20th December 1985

*Laid before Parliament* 7th January 1986

*Coming into Operation* 28th January 1986

The Secretary of State for Transport, in exercise of the powers conferred by section 40(1) and (3) of the Road Traffic Act 1972<sup>(a)</sup>, and now vested in him<sup>(b)</sup>, and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

*Citation and commencement*

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1985 and shall come into operation on 28th January 1986.

*Amendment of Regulations*

2. The Motor Vehicles (Construction and Use) Regulations 1978<sup>(c)</sup> are further amended in accordance with the following provisions of these Regulations.

3. For regulation 17 there shall be substituted the following regulations:—

*“Seat belt anchorage points.*

17—(1) Except as provided by paragraph (2), this regulation applies to —

- (a) every wheeled motor car manufactured on or after 1st July 1964 and registered on or after 1st January 1965; and
- (b) every three-wheeled motor cycle the unladen weight of which exceeds 255 kilograms and which was manufactured on or after 1st March 1970 and first used on or after 1st September 1970.

(2) This regulation does not apply to —

- (a) a goods vehicle (other than a dual-purpose vehicle), which —
  - (i) was manufactured before 1st September 1966, or
  - (ii) was first registered before 1st April 1967, or

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<sup>(a)</sup> 1972 c.20.

<sup>(b)</sup> S.I. 1979/571 and 1981/238.

<sup>(c)</sup> S.I. 1978/1017; the relevant amending Instruments are S.I. 1978/1233, 1979/1062, 1980/610, 1981/697.

- (iii) was first used on or after 1st April 1980 and has a maximum gross weight in Great Britain (determined in accordance with the provisions of Schedule 2) exceeding 3,500 kilograms, or
    - (iv) was first used before 1st April 1980 or, if the vehicle is of a model manufactured before 1st October 1979, was manufactured before 1st October 1981 or first used before 1st April 1982 and, in either case, has an unladen weight exceeding 1,525 kilograms;
  - (b) a passenger or dual-purpose vehicle constructed or adapted to carry more than twelve passengers exclusive of the driver;
  - (c) an agricultural motor vehicle;
  - (d) an industrial tractor;
  - (e) a works truck;
  - (f) an electrically-propelled goods vehicle;
  - (g) a pedestrian-controlled vehicle;
  - (h) a vehicle which has been used on roads outside Great Britain and has been imported into Great Britain, whilst it is being driven from the place where it has arrived in Great Britain to a place of residence of the owner or driver of the vehicle, or from any such place to a place where, by previous arrangement, it will be provided with such anchorage points as are required by this regulation and such seat belts as are required by regulation 17A;
  - (i) a vehicle which is incapable by reason of its construction of exceeding a speed of 16 m.p.h. on the level under its own power; or
  - (j) a motor cycle equipped with a driver's seat of a type requiring the driver to sit astride it, and which is constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description.
- (3) A vehicle to which this regulation applies and which was first used before 1st April 1982 shall be equipped with anchorage points which are designed to hold securely in position on the vehicle seat belts for the driver's seat and the specified passenger's seat (if any).
- (4) A vehicle to which this regulation applies and which is manufactured on or after 1st October 1981 and first used on or after 1st April 1982 shall be equipped with anchorage points —
- (a) which are designed to hold securely in position on the vehicle seat belts for —
    - (i) in the case of a vehicle constructed or adapted to have more than eight passengers exclusive of the driver, a motor ambulance or a motor caravan, the driver's seat and the specified passenger's seat (if any), and
    - (ii) in any other case, every forward-facing seat constructed or adapted to accommodate one adult, and

(b) which comply with Council Directive 76/115/EEC(a) or 81/575/EEC(b) or 82/318/EEC(c) or the ECE Regulations whether or not those instruments apply to the vehicle, so however, that the requirements in those instruments which relate to testing shall not apply.

(5) A vehicle of a type mentioned in paragraph (4)(a)(i), which on or after 1st April 1986 is additionally equipped with anchorage points for seats other than the driver's and the specified passenger's (if any) shall comply with the requirements in paragraph 4(b).

(6) In this regulation —

(a) the expressions “forward facing seat”, “seat belt” and “specified passenger's seat” have the same meaning as in regulation 17A(8);

(b) the expressions “motor ambulance” and “motor caravan” have the same meaning as in regulation 2(2) of the Motor Vehicles (Type Approval) (Great Britain) Regulations 1984(d); and

(c) “ECE Regulation” means the regulation numbered 14 of 30th January 1970 as amended on 16th March 1971 and issued with revised text on 19th August 1976 or as amended on 22nd November 1984 and issued with revised text on 25th February 1985 annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicle Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958(e) as amended(f) to which the United Kingdom is a party.

**17A.—**(1) This regulation applies to every vehicle to which regulation 17 applies.

(2) Except as provided in paragraph (4) —

(a) a vehicle to which this regulation applies which was first used before 1st April 1981 shall be provided with —

(i) a body-restraining seat belt, designed for use by an adult, for the driver's seat, and

(ii) a body-restraining seat belt for the specified passenger's seat (if any);

(b) a vehicle to which this regulation applies which is manufactured on or after 1st October 1980 and is first used on or after 1st April 1981 shall be provided with three-point seat belts for the driver's seat and for the specified passenger's seat (if any);

(c) a vehicle to which regulation 17(4)(ii) applies which is manufactured on or after 1st October 1986 and is first used on or after 1st April 1987 shall be fitted with seat belts additional to those required by sub-paragraph (b) as follows —

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(a) OJ L24, 30.1.76, p. 6.  
(d) S.I. 1984/981.

(b) OJ L209, 29.7.81, p. 30.  
(e) Cmnd. 2535.

(c) OJ L139, 19.5.82, p. 9.  
(f) Cmnd. 3562.

- (i) for any forward-facing front seat alongside the driver's seat, not being a specified passenger's seat, a seat belt which is a three point belt, or a lap belt installed in accordance with paragraph 3.1.2.1 of Annex 1 to Council Directive 77/541/EEC<sup>(a)</sup> or a disabled person's belt;
- (ii) in the case of a passenger or dual-purpose vehicle having not more than two forward facing seats behind the driver's seat with either:—
  - (A) an inertia reel belt for at least one of those seats, or
  - (B) a three point belt, a lap belt, a disabled person's belt or a child restraint for each of those seats;
- (iii) in the case of a passenger or dual-purpose vehicle having more than two forward facing seats behind the driver's seat, with either:—
  - (A) an inertia reel belt for one of those seats being an outboard seat and a three point belt, a lap belt, a disabled person's belt or a child restraint for at least one other of those seats;
  - (B) a three point belt for one of those seats and either a child restraint or a disabled person's belt for at least one other of those seats; or
  - (C) a three point belt, a lap belt, a disabled person's belt or a child restraint for each of those seats.

(3) Every seat belt for an adult other than a disabled person's belt provided for a vehicle in accordance with paragraph (2)(b) or (c) shall, except as provided in paragraph (6), comply with the installation requirements specified in paragraph 3.2.2 to 3.3.4. of Annex I to the said Council Directive 77/541/EEC whether or not that Directive applies to the vehicle.

- (4) The requirements specified in paragraph (2) do not apply to
  - (a) a vehicle while it is being used under a trade licence within the meaning of section 16 of the Vehicles (Excise) Act 1971<sup>(b)</sup>;
  - (b) a vehicle, not being a vehicle to which the Type Approval (Great Britain) Regulations apply, while it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles —
    - (i) to premises of a distributor of or dealer in vehicles or of the purchaser of the vehicle, or
    - (ii) to premises of a person obtaining possession of the vehicle under a hiring agreement or hire-purchase agreement;
  - (c) in relation to any seat for which there is provided —
    - (i) a seat belt which bears a mark including the specification number of the British Standard for Passive Belt Systems, namely

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(a) OJ L220, 24.8.77, p. 95.

(b) 1971 c.10.

BS AU 183:1983 and including the registered certification trade mark of the British Standards Institution; or

- (ii) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps which bears a British Standards mark or a mark including the specification number for the British Standard for Seat Belt Assemblies for Motor Vehicles, namely BS AU 160c and including the registered certification trade mark of the British Standards Institution, or the marking designated in item 16 to schedule 2 to the Motor Vehicles (Designation of Approval Marks) Regulations 1979(a).
- (d) in relation to the driver's seat or the specified passenger's seat (if any) of 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, in a case where a disabled person's belt for an adult person is provided for use for that seat.

(5) Every seat belt, provided in pursuance of paragraph (2) shall be properly secured to the anchorage points provided for it in accordance with regulation 17; or in the case of a child restraint, to anchorages specially provided for it, or in the case of a disabled person's belt secured to the vehicle.

(6) The requirements specified in paragraph (3) in so far as they relate to the second paragraph of paragraph 3.3.2 of the Annex there mentioned (which relates to the locking or releasing of a seat belt by a single movement) do not apply in respect of a seat belt fitted for —

- (a) a seat which is treated as a specified passenger's seat by virtue of the provisions of sub-paragraph (ii) in the definition of "specified passenger's seat" in paragraph (8), or
- (b) any forward facing seat, for a passenger alongside the driver's seat of a goods vehicle which has an unladen weight of more than 915 kilograms and has more than one such seat, any such seats for passengers being joined together in a single structure.

(7) Every seat belt, other than a disabled person's belt or a seat belt of a kind mentioned in paragraph 4(c)(i) or (ii) above provided for any person in a vehicle to which this regulation applies shall be legibly and permanently marked —

- (a) if the vehicle was first used before 1st April 1981 or if the belt is a child restraint, with a British Standard mark or a designated approval mark; and
- (b) in any other case, with a designated approval mark:  
Provided this paragraph shall not operate so as to invalidate the exception permitted in paragraph (6).

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(a) S.I. 1979/1088; the relevant amending Instrument is S.I. 1980/582.

(8) In this regulation —

“body-restraining seat belt” means a seat belt designated to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle;

“British Standards mark” means a mark consisting of —

- (i) the specification number of one of the following British Standards for Seat Belt Assemblies for Motor Vehicles, namely —
  - (a) in the case of a seat belt for an adult, BS 3254:1960 and BS AU 160a or 160b,
  - (b) in the case of a child restraint, BS 3254:1960, BS AU 157 or 157a, BS AU 185, BS AU 186, BS AU 202, and, in either case,
- (ii) the registered certification trade mark of the British Standards Institution;

“child restraint” means a seat belt for the use of a young person which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with a seat belt for an adult and held in place by the restraining action of that belt:

Provided that for the purposes of paragraph (2)(c)(ii)(B) and (2)(c)(iii) it means only such seat belts fitted directly to a suitable anchorage and excludes belts marked with the specification numbers BS AU 185 and BS AU 186.

“designated approval mark” means

- (a) in the case of a seat belt other than a child restraint, the marking designated as an approval mark by regulation 4 of the Approval Marks Regulations as shown at item 16 of Schedule 2 to those Regulations or the marking designated as an approval mark by regulation 5 of those Regulations and shown at item 23 of Schedule 4 to those Regulations, and
- (b) in the case of a child restraint either of the markings designated as approval marks by regulation 4 of those Regulations and shown at item 44 or 44A in Schedule 2 to those Regulations;

“disabled person’s belt” means a seat belt which has been specially designated or adapted for use by an adult or young person suffering from some physical defect or disability and which is intended for use solely by such a person;

“forward-facing seat” means a seat which is attached to a vehicle so that it faces towards the front of the vehicle in such a manner that a line passing through the centre of both the front and the back of the seat is at an angle of 30° or less to the longitudinal axis of the vehicle;

“inertia reel belt” means a three-point belt of either of the types required for a front outboard seating position by paragraph 3.1.1. of Annex 1 to Council Directive 77/54EEC;

“lap belt” means a seat belt which passes across the front of the wearer’s pelvic region;

“seat” includes any part designed for the accommodation of one adult of a continuous seat designed for the accommodation of more than one adult;

“seat belt” means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of child restraint, any special chair to which the belt is attached;

“specified passenger’s seat” means —

- (i) 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
- (ii) if the vehicle normally has no seat which is the specified passenger’s seat under sub-paragraph (i) 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; and

“three-point belt” means a seat belt which —

- (i) restrains the upper and lower parts of the torso;
- (ii) includes a lap belt;
- (iii) is anchored at not less than three points; and
- (iv) is designed for use by an adult”.

4. In regulation 102A in paragraph (1) and (6) for “17” there shall be substituted “17A”.

*Nicholas Ridley,*  
Secretary of State for Transport.

20th December 1985.

## EXPLANATORY NOTE

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

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978, by substituting two new regulations for regulation 17, which deals with seat belts and their anchorage points.

The amendments —

- (a) require new vehicles manufactured on or after 1st October 1986 and first used on or after 1st April 1987 to have a specified seat belt fitted in any centre front seat, and in any forward-facing rear seats one of a number of specified combinations of adult seat belts, child restraints or disabled person's seat belts;
- (b) require devices used in conjunction with an adult seat belt to be marked to show compliance with British Standards AU 185 for Booster Cushions, AU 186 for Carrycots or AU 202 for Infant Carriers;
- (c) delete the seat belt installation requirements in paragraph 8 of the present regulation and require all vehicles to meet the installation requirements of Council Directive 77/541EEC; and
- (d) clarify the requirements for the fitting and use of anchorages.

Copies of the the Council Directives and ECE Regulation referred to are available from HM Stationery Office.

Copies of the British Standards referred to are available from the British Standards Institution at Linford Wood, Milton Keynes, MK14 6LE (Telephone number: Milton Keynes (Std. 0908) 320060).