

1989 No. 1478

ROAD TRAFFIC

**The Road Vehicles (Construction and Use)
(Amendment) Regulations 1989**

<i>Made</i> - - - -	<i>10th August 1989</i>
<i>Laid before Parliament</i>	<i>17th August 1989</i>
<i>Coming into force</i>	<i>7th September 1989</i>

The Secretary of State for Transport, in exercise of the powers conferred by section 41(1) and (5) of the Road Traffic Act 1988(a), as read with section 43 of that Act, and of all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:

Citation and Commencement

1. These Regulations may be cited as the Road Vehicles (Construction and Use) (Amendment) Regulations 1989 and shall come into force on 7th September 1989.

Preliminary

2.—(1) The Road Vehicles (Construction and Use) Regulations 1986(b) shall be further amended in accordance with the provisions of these Regulations.

(2) The Secretary of State is satisfied that —

- (a) it is requisite that the provisions of regulations 3 and 4 shall apply as from 7th September 1989 to vehicles registered under the Vehicles (Excise) Act 1971(c) before the expiration of one year from the making of these Regulations; and
- (b) notwithstanding that the said provisions will then apply to those vehicles, no undue hardship or inconvenience will be caused thereby.

Amendments to Regulation 46 (Seat Belt Anchorage Points)

3. In paragraph (4B) of regulation 46 for the words after “a vehicle may comply” to the end of the paragraph there shall be substituted the words —

“with —

(a) Community Directive(d) 76/115 or 81/575 or 82/318;

or

(b) ECE Regulation(d) 14 or 14.01 or 14.02.”.

(a) 1988 c.52. (b) S.I. 1986/1078; the relevant amending instrument is S.I. 1987/1133. (c) 1971 c.10.
(d) “Community Directive” and “ECE Regulation” are defined in regulation 3 of and Schedule 2 to the Road Vehicles (Construction and Use) Regulations 1986. Relevant amendments to Schedule 2 are made by regulation 5 of these Regulations.

Amendments of Regulation 47 (Seat Belts)

4.—(1) Regulation 47 shall be amended as follows.

(2) In paragraph (2), for the words “of a coach (other than the driver’s seat)”, where they appear after sub-paragraph (e), to the end of the paragraph there shall be substituted the words –

“(other than the driver’s seat or any crew seat) of a coach either –

- (i) there shall be provided padding to a depth of not less than 50mm, on that part of the surface or edge of any bar, or the top or edge of any screen or partition, which would be likely to be struck by the head of a passenger wearing the lap belt in the event of an accident; or
- (ii) the technical and installation requirements of Annex 4 to ECE Regulation 21 shall be met, in respect of any such bar, screen or partition.

but nothing in sub-paragraph (i) above shall require padding to be provided on any surface more than 1m from the centre of the line of intersection of the seat cushion and the back rest or more than 150mm on either side of the longitudinal vertical plane which passes through the centre of that line, nor shall it require padding to be provided on any instrument panel of a minibus.”.

(3) In paragraph (4)(c)(ii), for “BS AU 160c” there shall be substituted “BS 3254: Part 1: 1988”.

(4) In paragraph (8), in the definition of “British Standard Mark” –

- (a) in sub-paragraph (a), for “and BS AU 160a or 160b” there shall be substituted “or BS 3254: Part 1: 1988”;
- (b) in sub-paragraph (b), for “BS AU 157 or 157a” there shall be substituted “BS 3254: Part 2: 1988” and after “BS AU 202” there shall be inserted “or BS AU 202a”.
- (c) in the definition “designated approval mark” –
 - (i) in sub-paragraph (a), for “item 16” there shall be inserted “items 16 and 16A”(a), and
 - (ii) in sub-paragraph (b), for “either” there shall be substituted “any” and for “item 44 and 44A” there shall be substituted “items 44, 44A and 44B”(a).

Amendments of Schedule 2

5.—(1) Table II of Schedule 2 shall be amended as follows.

(2) After item 5 there shall be inserted the following item –

“|5A|14|14|30.1.70|Anchorage for seat belts| – | – |”

(3) After item 6 there shall be inserted the following item –

“|6A|14.02|14|30.1.70||Anchorage for seat belts|22.11.84|12A| – |”

10th August 1989

Cecil Parkinson
Secretary of State for
Transport

(a) Items 16A and 44B of Schedule 2 to the Motor Vehicles (Designation of Approval Marks) Regulations (S.I. 1979/1088) were inserted by S.I. 1989/1014.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Road Vehicles (Construction and Use) Regulations 1986 in four respects.

First, where a vehicle is required to be fitted with seat belt anchorage points, a vehicle will not have to comply with the design and installation requirements set out in regulation 46(4) of the 1986 Regulations if it complies with ECE Regulation 14 as amended by ECE Regulation 14.01 or by ECE Regulation 14 as amended by ECE Regulations 14.01 and 14.02. There is already the option of complying with ECE Regulation 14.

Secondly, they make minor changes to the padding requirements set out in regulation 47(2) of the 1986 Regulations which apply where a lap belt is fitted to a forward facing front seat of a minibus, ambulance or motor caravan, or to an exposed forward facing seat (other than the driver's seat or any crew seat of a coach). In particular they limit the parts of the bars and partitions which have to be padded to those likely to be struck by the head and remove the requirement in so far as it applied to crew seats.

Thirdly, they enable seat belts to be provided in a motor vehicle if they are marked in accordance with:

- (a) Part 1 or 2 of British Standard BS 3254:1988 and BS AU 202a, or
- (b) ECE Regulation 16 as amended by ECE Regulations 16.01, 16.02, 16.03 and 16.04 or ECE Regulation 44 as amended by ECE Regulations 44.01 and 44.02.

Fourthly, they remove from the class of seat belts that can be provided in a motor vehicle, those marked BS AU 157, BS AU 157a, BS AU 160a, BS AU 160b and BS AU 160c.

These Regulations also make some minor drafting changes to the 1986 Regulations.

Copies of the British Standard specifications may be obtained from any of the sales outlets operated by the British Standards Institution, or by post from the British Standards Institution at Linford Wood, Milton Keynes, MK14 6LE (Telephone number: Milton Keynes (STD 0908) 221166).

Copies of the relevant ECE Regulations and amendments can be obtained from H.M. Stationery Office. The details of the ECE Regulations are set out in the Tables below.

- | <i>Principal Instrument</i> | <i>Relevant Amending Instruments</i> |
|---|---|
| 1. Regulation 14 dated 30th January 1970 and annexed to the Agreement concerning the adoption of uniform Conditions of approval for motor vehicle parts and reciprocal recognition thereof concluded at Geneva on 2nd March 1958 (Cmnd 2535) as amended (Cmnd 3562) to which the United Kingdom is party by an instrument of accession dated 14th January 1963 deposited with the Secretary General of the United Nations on 15th January 1963. | Revised on 28th April 1976 corrected on 4th August 1977, 19th July 1978, in September 1979 and amended and corrected on 22nd November 1984. |
| 2. Regulation 16 dated 14th August 1970 and annexed to that Agreement amended as above. | Revised on 9th December 1979, corrected on 25th June 1981 and amended on 22nd December 1985. |
| 3. Regulation 44 dated 1st February 1981 and annexed to that Agreement amended as above. | Amended on 17th November 1982 and on 4th April 1986. |

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