



# Seat Belts on School Transport (Scotland) Act 2017

2017 asp 7

**The Bill for this Act of the Scottish Parliament was passed by the Parliament on 9th November 2017 and received Royal Assent on 18th December 2017**

An Act of the Scottish Parliament to require that motor vehicles provided for the dedicated transport of pupils are fitted with seat belts.

## **1 Duty to ensure seat belts fitted on dedicated school transport services**

A school authority must ensure that each motor vehicle which the authority provides or arranges to be provided for a dedicated school transport service has a seat belt fitted to each passenger seat.

### **Commencement Information**

- I1** [S. 1](#) in force at 1.8.2018 for specified purposes by [S.S.I. 2018/195, reg. 3\(1\)](#)  
**I2** [S. 1](#) in force at 1.8.2021 in so far as not already in force by [S.S.I. 2018/195, reg. 3\(2\)](#)

## **2 Meaning of “dedicated school transport service”**

- (1) For the purpose of this Act, each of the following is a “dedicated school transport service”—
- (a) a home-to-school transport service,
  - (b) a school trip transport service.
- (2) A “home-to-school transport service” is a transport service provided for the sole purpose of carrying pupils, for the whole or part of the journey, either or both—
- (a) from the pupils' homes to any educational establishment where school education is provided for the pupils by a school authority,
  - (b) from any such establishment to the pupils' homes.
- (3) A “school trip transport service” is a transport service, other than a home-to-school transport service, provided for the sole purpose of carrying pupils for whom school education is provided by a school authority, for the whole or part of the journey, to

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*Changes to legislation:* There are currently no known outstanding effects for the Seat Belts on School Transport (Scotland) Act 2017. (See end of Document for details)

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or from a place where the pupils receive education or training (including to or from an educational establishment).

### 3 Meaning of other key terms

(1) In this Act—

“motor vehicle” has the meaning given by section 185 of the Road Traffic Act 1988,

“passenger seat” means any seat in a motor vehicle other than the driver's seat,

“school authority” means—

- (a) an education authority,
- (b) the managers of a grant-aided school,
- (c) the proprietor of an independent school,

“seat belt” means a belt of any kind which complies with the requirements of regulations made under section 40 of the Road Traffic Act 1972 and section 41 of the Road Traffic Act 1988 governing the construction, equipment and maintenance of motor vehicles.

(2) Each of the following terms in this Act has the meaning given by section 135 of the Education (Scotland) Act 1980—

“education authority”,

“educational establishment”,

“grant-aided school”,

“independent school”,

“managers”,

“proprietor”,

“pupil”,

“school education”,

“secondary education.”

### 4 Annual seat belts statement

(1) A school authority must prepare a seat belts statement in respect of each successive period of 1 year beginning with the day on which this section comes into force.

(2) A “seat belts statement” is a statement containing information about the steps which the authority has taken—

- (a) to comply with the duty imposed by section 1, and
- (b) to promote and to assess the wearing of seat belts by pupils carried by the authority's dedicated school transport services.

(3) A school authority must publish the seat belts statement—

- (a) as soon as reasonably practicable after the end of the period mentioned in subsection (1), and
- (b) in such manner as the authority considers appropriate.

#### Commencement Information

**I3** S. 4 in force at 1.8.2018 by S.S.I. 2018/195, reg. 3(1)