STATUTORY RULES OF NORTHERN IRELAND

2007 No. 8

ROAD TRAFFIC

The Motor Vehicles (Wearing of Seat Belts) (Amendment No. 2) Regulations (Northern Ireland) 2007

Made - - - - 9th January 2007
To be laid before Parliament under paragraph 7(3) of the Schedule to the Northern Ireland Act 2000

Coming into operation 27th February 2007

The Department of the Environment makes the following Regulations in exercise of the powers conferred by Articles 23(1) and (2), 24(3), (4), (6), (7) and (8) and 110(4) of the Road Traffic (Northern Ireland) Order 1995(**1**):

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts) (Amendment No. 2) Regulations (Northern Ireland) 2007 and shall come into operation on 27th February 2007.

Amendment of the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993

2. The Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993(**2**) are amended in accordance with regulations 3 to 11.

3.—(1) In paragraph (1) of regulation 2 (general interpretation)—

(a) after the definition of "the Driving Licences Regulations" insert—

""large bus" means a motor vehicle which—

(a) is constructed or adapted for use for the carriage of passengers,

(b) has more than eight seats in addition to the driver's seat,

(c) has four or more wheels,

(d) has a maximum design speed exceeding 25 kilometres per hour, and

(e) has a maximum laden weight exceeding 3.5 tonnes;

(**1**) S.I. 1995 No. 2994 (N.I. 18)
(**2**) S.R. 1993 No. 362

"light goods vehicle" means a goods vehicle which—

(a) has four or more wheels,

(b) has a maximum design speed exceeding 25 kilometres per hour,

(c) has a maximum laden weight not exceeding 3.5 tonnes;

"licensed for private hire" in relation to a taxi means licensed to carry passengers for hire but not for standing or plying for hire on a road or public place;

"licensed for public hire" in relation to a taxi means licensed to stand or ply for hire on a road or public place;

"local service" has the meaning given by Article 24B of the Road Traffic (Northern Ireland) Order 1995(**3**).";

(b) after the definition of "motor car" insert—

""operator" in relation to a small or large bus, means—

(a) the owner of the bus, or

(b) if the bus is in the possession of any other person under an agreement for hire, hire-purchase, conditional sale, loan or otherwise, that person;";

(c) after the definition of "seat belt" insert—

""small bus" means a motor vehicle which—

(a) is constructed or adapted for use for the carriage of passengers,

(b) has more than eight seats in addition to the driver's seat,

(c) has four or more wheels,

(d) has a maximum design speed exceeding 25 kilometres per hour, and

(e) has a maximum laden weight not exceeding 3.5 tonnes;

"taxi" has the same meaning as in Article 79A (8) of the Road Traffic (Northern Ireland) Order 1981.".

(2) In paragraph (2) of that regulation in the definition of "small child" for "150" substitute "135".

(3) In paragraphs (3)(d) and (4)(b) of that regulation—

(a) for "in a relevant vehicle ("the vehicle in question")" in each place where those words occur substitute "in a vehicle", and

(b) for "in the vehicle in question in that State" in each place where those words occur substitute "in that vehicle in that State".

(4) For paragraph (7) of that regulation substitute—

"(7) For the purposes of these Regulations, a seat belt is appropriate—

(a) in relation to a small child, if it is a child restraint of a description prescribed for a child of his height and weight by regulation 8;

(b) in relation to a large child, if it is a child restraint of a description prescribed for a child of his height and weight by regulation 8 or an adult belt; or

(c) in relation to a person aged 14 years or more, if it is an adult belt.".

(5) After paragraph (8) insert the following—

(**3**) Articles 24A and 24B were inserted by S.R. 2007 No. 7

"(9) For the purposes of these Regulations, references to a bus being used to provide a local service in a built up area shall be construed in the same way as in Article 24A(5) of the Road Traffic (Northern Ireland) Order 1995(**3**)."

4. Omit regulation 3 (interpretation of reference to relevant vehicles).

5. In regulation 5 (requirement for adults to wear adult belts) for paragraph (1) substitute—

5.—"(1) Subject to the following provisions of these Regulations, every person—

(a) driving a motor vehicle (other than a two-wheeled motor cycle with or without a sidecar); or

(b) riding in a front or rear seat of a motor vehicle (other than a two-wheeled motor cycle with or without a sidecar),

shall wear an adult belt.".

6. In regulation 6 (exceptions)—

(a) after paragraph (3) insert—

"(3A) The requirements of regulation 5(1)(b) do not apply to a person riding in a small or large bus—

(a) which is being used to provide a local service within the meaning of these Regulations; or

(b) which is constructed or adapted for the carriage of standing passengers and on which the operator permits standing.".

(b) In paragraph (4) omit the definitions of ""licensed for private hire", "licensed for public hire" and "taxi".

7. In regulation 8(1) (description of seat belts to be worn by children)—

(a) in sub-paragraph (a) omit the words "and the vehicle is a relevant vehicle"; and

(b) omit sub-paragraph (b).

8. In regulation 9 (exceptions relating to motor vehicles) for paragraph (a) substitute—

"(a) large buses;".

9. For regulation 10 (exceptions relating to children) for paragraph (1) substitute—

"(1) The prohibitions in Article 24(3) and (4) of the Road Traffic (Northern Ireland) Order 1995 do not apply in relation to—

(a) a child for whom there is a medical certificate;

(b) a small child aged under 3 years who is riding in a taxi licensed for public or private hire, if no appropriate seat belt is available for him in the front or rear of the vehicle;

(c) a small child aged 3 years or more who is riding in a taxi licensed for public or private hire, or a small bus and wearing an adult belt if an appropriate seat belt is not available for him in the front or rear of the vehicle;

(d) a small child aged 3 years or more who is wearing an adult belt and riding in a passenger car or light goods vehicle where the use of child restraints by the child occupants of two seats in the rear of the vehicle prevents the use of an appropriate seat belt for that child and no appropriate seat belt is available for him in the front of the vehicle;

(**3**) Articles 24A and 24B were inserted by S.R. 2007 No. 7