1987 No. 227

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1987

Made	*19th May 1987*
Coming into operation . .	*22nd June 1987*

The Department of the Environment, in exercise of the powers conferred on it by Articles 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of all other powers enabling it in that behalf makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1987 and shall come into operation on 22nd June 1987.

Regulations amended

2. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(**b**) shall be amended as follows:

(1) For regulation 17 there shall be substituted the following regulations—

"*Requirements as to anchorage points for seat belts*

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

(*a*) every 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 May 1967, or

(iii) was first used on or after 1st April 1980 and has a maximum gross weight in Northern Ireland (determined in accordance with the provisions of Schedule 2) exceeding 3,500 kilograms, or

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(a) S.I. 1981/154 (N.I. 1)
(b) S.R. 1976 No. 320; the relevant amending regulations are S.R.s 1978 No. 208, 1980 No. 164 and 1982 No. 336

(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 and 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 Northern Ireland and has been imported into Northern Ireland, whilst it is being driven after its importation into Northern Ireland, from the place where it has arrived in Northern Ireland 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 was 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 carry more than eight seated 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 Regulation whether

(**a**) O.J. L24, 30.1.76, p. 6
(**b**) O.J. L209, 29.7.81, p. 30
(**c**) O.J. L139, 19.5.82, p. 9

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(1) of the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985(**a**); 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(**b**) as amended(**c**) to which the United Kingdom is a party.

Requirements as to provision of seat belts

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 fitted 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 fitted with three-point seat belts for the driver's seat and for the specified passsenger's seat (if any);

(*c*) a vehicle to which regulation 17(4)(*a*)(ii) applies which is manufactured on or after 1st October 1986 and is first used on or after 22nd June 1987 shall be fitted with seat belts additional to those required by sub-paragraph (*b*) as follows—

(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

(**a**) S.R. 1985 No. 294
(**b**) Cmmd. 2535
(**c**) Cmmd. 3562

three-point belt, or a lap belt installed in accordance with paragraph 3.1.2.1 of Annex I to Council Directive 77/541/EEC(**a**) 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 nearest either side of the vehicle, 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 fitted in 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) shall not apply—

(*a*) to a vehicle while it is being used under a trade licence issued under section 16(1) of the Vehicles (Excise) Act (Northern Ireland) 1972(**b**);

(*b*) to a vehicle, not being a vehicle to which the Motor Vehicles (Type Approval) Regulations (Northern Ireland) 1985 apply, while it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or a dealer in vehicles—

(i) to premises of a distributor of, or a 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 fitted—

(i) a seat belt which bears a mark including the specification number of the British Standard for Passive Belt Systems, namely BS AU 183:1983 and includes the registered certification trade mark of the British Standards Institution; or

(**a**) O.J. L220, 24.8.77, p. 95
(**b**) 1972 c. 10 (N.I.)

(ii) a seat belt designed for use by an adult which is a harness belt comprising a lap belt and shoulder straps and which bears—

(A) a British Standards mark; or

(B) a mark including the specification number for the British Standards for Seat Belt Assemblies for Motor Vehicles, namely BS 3254: 1960 and including the registered certificate trade mark of the British Standards Institution; or

(C) 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 fitted for use for that seat.

(5) Every seat belt, fitted 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 or to the seat which is occupied by the person wearing the belt.

(6) The requirements referred to in paragraph (3), insofar as they relate to the second sub-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) shall 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 paragraph (*b*) 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) fitted 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 Standards mark or a designated approval mark; and

(*b*) in any other case, with a designated approval mark:

Provided that this paragraph shall not operate so as to invalidate the exceptions permitted in paragraph (6).

(8) In this regulation—

''body-restraining seat belt'' means a seat belt designed 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;

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