1982 No. 357

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1982

Made . . . . . *1st November 1982*

Coming into operation . . . *31st January 1983*

To be laid before Parliament under paragraph 3(3) of Schedule 1 to the Northern Ireland Act 1974

The Department of the Environment in exercise of the powers conferred on it by Articles 129A(1) and (2), 214(1) and 218(1) and (2) of the Road Traffic (Northern Ireland) Order 1981(**a**) and of every other power enabling it in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1982 and shall come into operation on 31st January 1983.

Interpretation

2. In these Regulations—

"the Construction and Use Regulations" means the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(**b**);

"the Driving Licences Regulations" means the Motor Vehicles (Driving Licences) Regulations (Northern Ireland) 1981(**c**);

"specified passenger's seat" means—

(*a*) 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

(*b*) if the vehicle normally has no seat which is the specified passenger's seat under sub-paragraph (*a*), 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;

"trade licence" has the meaning assigned to it in section 35(1) of the Vehicles Excise Act (Northern Ireland) 1972(**d**).

Wearing of seat belts

3. Except as provided in regulation 4, every person shall wear a seat belt of a description prescribed in regulation 6 if he is—

(*a*) driving a motor vehicle of a class specified in regulation 5; or

(*b*) riding in a motor vehicle of that class in—

(i) the specified passenger's seat, or

(**a**) S.I. 1981/154 (N.I. 1) as amended by S.I. 1982/157 (N.I. 3)
(**b**) S.R. 1976 No. 320 as amended by S.R. 1980 No. 164 and S.R. 1982 No. 336
(**c**) S.R. 1981 No. 239
(**d**) 1972 c. 10 (N.I.)

(ii) a forward-facing seat alongside the driver's seat which is not the specified passenger's seat, except where the specified passenger's seat is occupied by another person (whether or not that person is over the age of 14 years).

Exceptions

4.—(1) The requirement specified in regulation 3 shall not apply to—

(*a*) the user of a vehicle constructed or adapted for the delivery or collection of goods or mail to consumers or addressees, as the case may be, while engaged in making local rounds of deliveries or collections;

(*b*) the driver of a vehicle while performing a manoeuvre which includes reversing;

(*c*) a qualified driver who is supervising the holder of a provisional licence while that holder is performing a manoeuvre which includes reversing;

(*d*) the holder of a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for him to wear a seat belt;

(*e*) a member of the police force;

(*f*) a governor, medical officer or other officer of a prison whether acting in the course of his duties or not;

(*g*) a member of a fire brigade while donning operational clothing or equipment;

(*h*) the driver of—

(i) a motor hackney carriage in which a taximeter has been installed and which is being used for seeking hire, or answering a call for hire or carrying a passenger for hire, or

(ii) any other motor hackney carriage which is being used to carry a passenger for hire;

(*i*) a person by whom, as provided in the Driving Licences Regulations, a test of competence to drive is being conducted and his wearing a seat belt would endanger himself or any other person;

(*j*) a person occupying a seat for which the seat belt either—

(i) does not comply with the requirements of regulation 92A of the Construction and Use Regulations, or

(ii) has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline;

(*k*) a person riding in a vehicle, being used under a trade licence, for the purpose of investigating or remedying a mechanical fault in the vehicle; or

(*l*) a member of the regular armed forces of the Crown or of the Ulster Defence Regiment whether on duty or not.

(2) In this regulation—

"fire brigade" has the meaning assigned to it in section 41(1) of the Fire Services Act (Northern Ireland) 1969(**a**);

"motor hackney carriage" means a public service vehicle seating not more than 6 persons in addition to the driver;

"police force" has the meaning assigned to it in section 35 of the Police Act (Northern Ireland) 1970(**b**);

(**a**) 1969 c. 13 (N.I.)
(**b**) 1970 c. 9 (N.I.)