1972. No. 41 **[C]**

MOTOR VEHICLES: CONSTRUCTION AND USE

Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1972

REGULATIONS, DATED 18TH FEBRUARY 1972, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 26 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1970.

The Ministry of Home Affairs, in exercise of the powers vested in it by Section 26 of the Road Traffic Act (Northern Ireland) 1970(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1972.

Regulations amended

2. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967(b) shall have effect as though:—

(1) After Regulation 11 there were inserted the following Regulation:—

"*Seat belts and anchorage points*

11A.—(1) Except as provided by paragraph (2), this Regulation applies:—

(*a*) to every motor car registered on or after 1st January 1965: and

(*b*) on and after 1st June 1972 to every three-wheeled motor cycle, the unladen weight of which exceeds 5 hundredweight, first used on or after 1st September 1970.

(2) This Regulation does not apply:—

(*a*) to a goods vehicle (other than a dual-purpose vehicle), being a motor car, unless it was manufactured on or after 1st September 1966, is registered on or after 1st May 1967, and has an unladen weight not exceeding 30 hundredweight;

(*b*) to a three-wheeled motor cycle manufactured before 1st March 1970 or a two-wheeled motor cycle with a side-car attached thereto;

(*c*) to a passenger vehicle or a dual-purpose vehicle being in either case a vehicle adapted to carry more than twelve passengers exclusive of the driver;

(*d*) to a land tractor;

(*e*) to a works truck;

(*f*) to an electrically propelled goods vehicle;

(*g*) to a pedestrian controlled vehicle;

(*h*) to a vehicle in respect of which, under section 23 of the Purchase Tax Act 1963(c), any tax has been remitted and has not subsequently become payable;

(a) 1970. c. 2 (N.I.). (b) S.R. & O. (N.I.) 1967, No. 75.
(c) 1963, c. 9.

(*i*) to a motor car manufactured before 30th June 1964; or

(*j*) to 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 on the journey from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle, and on the journey from any such place to a place where, by previous arrangement, the vehicle will be provided with such anchorage points and seat belts as will comply with the requirements of this Regulation.

(3) Every vehicle shall be provided with anchorage points designed to hold body-restraining seat belts securely in position on the vehicle for:—

(*a*) the driver's seat; and

(*b*) the specified passenger's seat (if any):

Provided that this paragraph shall not apply so as to require anchorage points to be provided for any seat which is a seat with integral seat belt anchorages.

(4) Every vehicle shall be provided with:—

(*a*) a body-restraining seat belt designed for use by an adult for the driver's seat; and

(*b*) a body-restraining seat belt for the specified passenger's seat (if any):

Provided that this paragraph shall not apply to a vehicle:—

(*a*) while it is being used under a trade licence within the meaning of the Vehicles (Excise) Act (Northern Ireland) 1954(**d**) or the Vehicles (Excise) Act 1971(**e**); or

(*b*) while it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles:—

(i) to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or

(ii) to premises of a person obtaining possession thereof under a hiring agreement or hire-purchase agreement.

(5) Every seat belt shall, if the seat for which it is provided is a seat with integral seat belt anchorages, be properly secured to the integral seat belt anchorage points forming part thereof, or, if the seat for which it is provided is not such a seat, be properly secured to the structure of the vehicle by the anchorage points provided for it under paragraph (3).

(6) Subject to the next succeeding paragraph, where a seat belt, other than a restraining device for a young person or a seat belt comprising a lap belt and shoulder straps, is provided in pursuance of this Regulation for a motor car or a motor cycle first used on or after 1st April 1973 and in either case manufactured on or after 1st October 1972, the following additional conditions shall apply as respects that seat belt:—

(**d**) 1954. c. 17. (**e**) 1971. c. 10.

(*a*) the belt shall be so arranged that a person can, when sitting in the seat for which the belt is provided and with the belt previously adjusted to fit him, remove the belt from the device required by sub-paragraph (*c*) and by using one hand, or by taking the belt with one hand and transferring it from one hand to the other, put the belt on;

(*b*) the fastenings by means of which the belt is secured on the wearer shall be so designed that they can be engaged with a single movement of one hand in one direction and released with such a movement in one direction;

(*c*) an efficient device, unlikely to become dislodged in normal use, for retaining the belt in position when stowed away shall be provided and the centre of this device shall be located not more than 75 millimetres behind a point which is in the same horizontal plane and is positioned on the rear side of the door aperture provided for access to the front seat:

For the purpose of determining the position of the aforesaid point the door and any rubber, felt or other soft trimmings or sealing material around the door aperture shall be disregarded;

(*d*) the said device shall be at a sufficient height from the floor of the vehicle to ensure that, so far as is practicable, any part of the belt that would come in contact with the clothing of a person wearing the belt in normal circumstances does not lie on the floor when the belt is in the stowed position;

(*e*) it shall be possible to stow away the belt for retention on the device mentioned in sub-paragraph (*c*) without employing any manual device for adjusting the belt to fit the wearer; and

(*f*) the belt, after being put on by the wearer, shall either adjust automatically to fit him or be such that the said manual device shall be convenient to use and capable of being operated with one hand.

(7) The last preceding paragraph shall not apply to:—

(*a*) a seat belt fitted to the specified passenger's seat which is treated as such by virtue of sub-paragraph (10)(*b*); or

(*b*) a seat belt fitted to the specified passenger's seat of a goods vehicle which has an unladen weight of more than 18 hundredweight and has more than one forward facing front seat for a passenger alongside the driver's seat, any such seats for passengers being joined together in a single structure.

(8)(*a*) Every motor car manufactured on or after 1st September 1966 and registered on or after 1st May 1967 and every three-wheeled motor cycle manufactured on or after 1st April 1972 and first used on or after 1st October 1972 which is provided with seat belt anchorage points in pursuance of paragraph (3) shall be legibly and permanently marked with the specification number of the British Standard for seat belt anchorage points, namely, BS AU 48: 1965;

(*b*) where in the case of any motor car which was registered on or after 1st May 1967 or in the case of any motor cycle which is first used on or after 1st October 1972 the driver's seat or the specified passenger's seat is a seat with integral seat belt anchorages, such seat shall be legibly and permanently marked with the specification number of the British Standard for Seats with Integral Seat Belt Anchorages followed by the suffix "1", namely, BS AU 140/1: 1967;