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Road Traffic Act 1988

1988 CHAPTER 52

PART I

PRINCIPAL ROAD SAFETY PROVISIONS

Protective measures: seat belts, helmets, etc.

14 Seat belts: adults.

- (1) The Secretary of State may make regulations requiring, subject to such exceptions as may be prescribed, persons who are driving or riding in motor vehicles on a road to wear seat belts of such description as may be prescribed.
- (2) Regulations under this section—
 - (a) may make different provision in relation to different classes of vehicles, different descriptions of persons and different circumstances,
 - (b) shall include exceptions for—
 - (i) the users of vehicles constructed or adapted for the delivery of goods or mail to consumers or [^{F1}addressees], as the case may be, while engaged in making local rounds of deliveries,
 - (ii) the drivers of vehicles while performing a manoeuvre which includes reversing,
 - (iii) any person holding 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,
 - (c) may make any prescribed exceptions subject to such conditions as may be prescribed, and
 - (d) may prescribe cases in which a fee of a prescribed amount may be charged on an application for any certificate required as a condition of any prescribed exception.
- (3) A person who drives or rides in a motor vehicle in contravention of regulations under this section is guilty of an offence; but, notwithstanding any enactment or rule of law,

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no person other than the person actually committing the contravention is guilty of an offence by reason of the contravention.

- (4) If the holder of any such certificate as is referred to in subsection (2)(b) above is informed by a constable that he may be prosecuted for an offence under subsection (3) above, he is not in proceedings for that offence entitled to rely on the exception afforded to him by the certificate unless—
- (a) it is produced to the constable at the time he is so informed, or
 - (b) it is produced—
 - (i) within seven days after the date on which he is so informed, or
 - (ii) as soon as is reasonably practicable,
 at such police station as he may have specified to the constable, or
 - (c) where it is not produced at such police station, it is not reasonably practicable for it to be produced there before the day on which the proceedings are commenced.
- (5) For the purposes of subsection (4) above, the laying of the information or, in Scotland, the service of the complaint on the accused shall be treated as the commencement of the proceedings.
- (6) Regulations under this section requiring the wearing of seat belts by persons riding in motor vehicles shall not apply to children under the age of fourteen years.

Subordinate Legislation Made

P1 [S. 14\(1\)\(2\)](#) power exercised by [S.I. 1991/1255](#)

Textual Amendments

F1 Word in [s. 14\(2\)\(b\)\(i\)](#) substituted (1.7.1992) by [Road Traffic Act 1991 \(c. 40, SIF 107:1\)](#), s. 48, [Sch. 4 para.47](#); [S.I. 1992/1286](#), [art. 2](#), Sch.

15 Restriction on carrying children not wearing seat belts in motor vehicles.

- (1) Except as provided by regulations, where a child under the age of fourteen years is in the front of a motor vehicle, a person must not without reasonable excuse drive the vehicle on a road unless the child is wearing a seat belt in conformity with regulations.
- (2) It is an offence for a person to drive a motor vehicle in contravention of subsection (1) above.
- (3) Except as provided by regulations, where a child under the age of fourteen years is in the rear of a motor vehicle and any seat belt is fitted in the rear of that vehicle, a person must not without reasonable excuse drive the vehicle on a road unless the child is wearing a seat belt in conformity with regulations.
- (4) It is an offence for a person to drive a motor vehicle in contravention of subsection (3) above.
- (5) Provision may be made by regulations—
- (a) excepting from the prohibition in subsection (1) or (3) above children of any prescribed description, vehicles of a prescribed class or the driving of vehicles in such circumstances as may be prescribed,

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- (b) defining in relation to any class of vehicle what part of the vehicle is to be regarded as the front of the vehicle for the purposes of subsection (1) above or as the rear of the vehicle for the purposes of subsection (3) above,
 - (c) prescribing for the purposes of subsection (1) or (3) above the descriptions of seat belt to be worn by children of any prescribed description and the manner in which such seat belt is to be fixed and used.
- (6) Regulations made for the purposes of subsection (3) above shall include an exemption for any child holding 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.
- (7) If the driver of a motor vehicle is informed by a constable that he may be prosecuted for an offence under subsection (4) above, he is not in proceedings for that offence entitled to rely on an exception afforded to a child by a certificate referred to in subsection (6) above unless—
- (a) it is produced to the constable at the time he is so informed, or
 - (b) it is produced—
 - (i) within seven days after the date on which he is so informed, or
 - (ii) as soon as is reasonably practicable,at such police station as he may have specified to the constable, or
 - (c) where it is not produced at such police station, it is not reasonably practicable for it to be produced there before the day on which the proceedings are commenced.
- (8) For the purposes of subsection (7) above, the laying of the information or, in Scotland, the service of the complaint on the accused shall be treated as the commencement of the proceedings.
- (9) In this section—
- “regulations” means regulations made by the Secretary of State under this section, and
 - “seat belt” includes any description of restraining device for a child and any reference to wearing a seat belt is to be construed accordingly.

^{F2}(10)

Textual Amendments

F2 S. 15(10) repealed (1.7.1992) by Road Traffic Act 1991 (c. 40, SIF 107:1), s. 83, Sch.8; S.I. 1992/1286, art. 2, Sch.

[^{F3}15A Safety equipment for children in motor vehicles.

- (1) The Secretary of State may make regulations prescribing (by reference to shape, construction or any other quality) types of equipment of any description to which this section applies that are recommended as conducive to the safety in the event of accident of prescribed classes of children in prescribed classes of motor vehicles.
- (2) Regulations under this section may make provision for securing that when equipment of a type prescribed by the regulations is sold or offered for sale as equipment which is so conducive—

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- (a) appropriate information is provided in relation to it in such manner as may be prescribed, and
 - (b) inappropriate information is not provided in relation to it.
- (3) Except in such circumstances as may be prescribed, if a person sells, or offers for sale, equipment of any description for which a type is prescribed under this section as equipment which is so conducive and that equipment—
- (a) is not of a type so prescribed, or
 - (b) is sold or offered for sale in contravention of regulations under this section,
- he is, subject to subsection (5) below, guilty of an offence.
- (4) Except in such circumstances as may be prescribed, if a person sells, or offers for sale, equipment of any description for which a type is prescribed under this section as equipment conducive to the safety in the event of accident—
- (a) of children not of a class prescribed in relation to equipment of that type, or
 - (b) of children in motor vehicles not of a class prescribed in relation to equipment of that type,
- he is, subject to subsection (5) below, guilty of an offence.
- (5) A person shall not be convicted of an offence under this section in respect of the sale or offer for sale of equipment if he proves that it was sold or, as the case may be, offered for sale for export from Great Britain.
- (6) The provisions of Schedule 1 to this Act shall have effect in relation to contraventions of this section.
- (7) Regulations under this section may make different provision in relation to different circumstances.
- (8) This section applies to equipment of any description for use in a motor vehicle consisting of—
- (a) a restraining device for a child or for a carry-cot, or
 - (b) equipment designed for use by a child in conjunction with any description of restraining device.
- (9) References in this section to selling or offering for sale include respectively references to letting on hire and offering to let on hire.]

Textual Amendments

F3 S. 15A inserted by [Motor Vehicles \(Safety Equipment for Children\) Act 1991 \(c. 14, SIF 107:1\)](#), s. 1

VALID FROM 18/09/2006

[^{F4}15B Requirement to notify bus passengers to wear seat belts

- (1) Subject to subsection (6) below, the operator of a bus in which any of the passenger seats are equipped with seat belts shall take all reasonable steps to ensure that every passenger is notified that he is required to wear a seat belt at all times when—
- (a) he is in a seat equipped with a seat belt, and
 - (b) the bus is in motion.

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(2) For the purposes of subsection (1) above, a passenger may be notified only by one or more of the following means—

- (a) an official announcement, or an audio-visual presentation, made when the passenger joins the bus or within a reasonable time of his doing so;
- (b) a sign prominently displayed at each passenger seat equipped with a seat belt.

In paragraph (a) above, “official announcement” means an announcement by the driver of the bus, by a conductor or courier or by a person who is a group leader in relation to any group of persons who are passengers on the bus.

(3) For the purposes of subsection (2)(b) above, a sign that takes the form of a pictorial symbol must be in the form shown in Schedule 2A, depicting a white figure on a blue background.

(4) An operator who fails to comply with subsection (1) above is guilty of an offence.

(5) Where an offence under subsection (4) above which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in such a capacity, he as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

(6) Subsection (1) above does not apply in relation to a bus—

- (a) which is being used to provide a local service (within the meaning of the Transport Act 1985^{F5}) in a built-up area, or
- (b) which is constructed or adapted for the carriage of standing passengers and on which the operator permits standing.

For the purposes of paragraph (a) above, a local service is provided in a built-up area if the entire route used by that service consists of restricted roads.

(7) In this section—

“bus” has the same meaning as in section 15;

“operator”, in relation to a 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;

“passenger seat”, in relation to a bus, means any seat other than the driver's seat;

“restricted road” means a road that is restricted for the purposes of section 81 of the Road Traffic Regulation Act 1984^{F6} (ignoring any direction under section 82(2)(b) of that Act) or would be so restricted but for a direction under section 82(2)(a) or an order under section 84(1) of that Act.]

Textual Amendments

F4 S. 15B inserted (18.9.2006) by [The Motor Vehicles \(Wearing of Seat Belts\) \(Amendment\) Regulations 2006 \(S.I. 2006/1892\)](#), [reg. 4](#)

F5 1985 c. 67. A “local service” is defined in section 2 of that Act.

F6 1984 c. 27.

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16 Wearing of protective headgear.

- (1) The Secretary of State may make regulations requiring, subject to such exceptions as may be specified in the regulations, persons driving or riding (otherwise than in side-cars) on motor cycles of any class specified in the regulations to wear protective headgear of such description as may be so specified.
- (2) A requirement imposed by regulations under this section shall not apply to any follower of the Sikh religion while he is wearing a turban.
- (3) Regulations under this section may make different provision in relation to different circumstances.
- (4) A person who drives or rides on a motor cycle in contravention of regulations under this section is guilty of an offence; but notwithstanding any enactment or rule of law no person other than the person actually committing the contravention is guilty of an offence by reason of the contravention unless the person actually committing the contravention is a child under the age of sixteen years.

17 Protective helmets for motor cyclists.

- (1) The Secretary of State may make regulations prescribing (by reference to shape, construction or any other quality) types of helmet recommended as affording protection to persons on or in motor cycles, or motor cycles of different classes, from injury in the event of accident.
- (2) If a person sells, or offers for sale, a helmet as a helmet for affording such protection and the helmet is neither—
 - (a) of a type prescribed under this section, nor
 - (b) of a type authorised under regulations made under this section and sold or offered for sale subject to any conditions specified in the authorisation
 subject to subsection (3) below, he is guilty of an offence.
- (3) A person shall not be convicted of an offence under this section in respect of the sale or offer for sale of a helmet if he proves that it was sold or, as the case may be, offered for sale for export from Great Britain.
- (4) The provisions of Schedule 1 to this Act shall have effect in relation to contraventions of this section.
- (5) In this section and that Schedule “helmet” includes any head-dress, and references in this section to selling or offering for sale include respectively references to letting on hire and offering to let on hire.

18 Authorisation of head-worn appliances for use on motor cycles.

- (1) The Secretary of State may make regulations prescribing (by reference to shape, construction or any other quality) types of appliance of any description to which this section applies as authorised for use by persons driving or riding (otherwise than in sidecars) on motor cycles of any class specified in the regulations.
- (2) Regulations under this section—
 - (a) may impose restrictions or requirements with respect to the circumstances in which appliances of any type prescribed by the regulations may be used, and

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- (b) may make different provision in relation to different circumstances.
- (3) If a person driving or riding on a motor cycle on a road uses an appliance of any description for which a type is prescribed under this section and that appliance—
 - (a) is not of a type so prescribed, or
 - (b) is otherwise used in contravention of regulations under this section,he is guilty of an offence.
- (4) If a person sells, or offers for sale, an appliance of any such description as authorised for use by persons on or in motor cycles, or motor cycles of any class, and that appliance is not of a type prescribed under this section as authorised for such use, he is, subject to subsection (5) below, guilty of an offence.
- (5) A person shall not be convicted of an offence under this section in respect of the sale or offer for sale of an appliance if he proves that it was sold or, as the case may be, offered for sale for export from Great Britain.
- (6) The provisions of Schedule 1 to this Act shall have effect in relation to contraventions of subsection (4) above.
- (7) This section applies to appliances of any description designed or adapted for use—
 - (a) with any headgear, or
 - (b) by being attached to or placed upon the head,(as, for example, eye protectors or earphones).
- (8) References in this section to selling or offering for sale include respectively references to letting on hire and offering to let on hire.

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