
STATUTORY INSTRUMENTS

1991 No. 1255

ROAD TRAFFIC

**The Motor Vehicles (Wearing of Seat Belts
in Rear Seats by Adults) Regulations 1991**

Approved by both Houses of Parliament

Made - - - - 23rd May 1991

Coming into force - - 1st July 1991

The Secretary of State for Transport, in exercise of the powers conferred by section 14(1) and (2) of the Road Traffic Act 1988(1), and all other enabling powers, and after consultation with representative organisations in accordance with section 195(2) of that Act, hereby makes the following Regulations:—

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts in Rear Seats by Adults) Regulations 1991 and shall come into force on 1st July 1991.

General interpretation

2.—(1) In these Regulations—

“adult seat belt” means—

- (a) a three-point belt, or
- (b) a lap belt,

which has been marked in accordance with regulation 47(7) of the Construction and Use Regulations;

“child restraint” means a seat belt or any other description of restraining device for the use of a young person—

- (a) which is designed either to be fitted directly to a suitable anchorage or to be used in conjunction with an adult seat belt and held in place by the restraining action of that belt; and
- (b) which has been marked in accordance with regulation 47(7) of the Construction and Use Regulations;

and any reference to wearing a child restraint is to be construed accordingly;

“Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986⁽²⁾;

“medical certificate”, in relation to a person, means a valid certificate signed by a medical practitioner to the effect that it is inadvisable on medical grounds for that person to wear a seat belt;

“rear seat” in relation to a vehicle means a seat not being the driver’s seat, a seat alongside the driver’s seat or a specified passenger seat

“trade licence” has the same meaning as in section 38(1) of the Vehicles (Excise) Act 1971⁽³⁾;

“disabled person’s belt”, “lap belt”, “seat”, “specified passenger seat” and “three point belt” have the meanings given by regulation 47(8) of the Construction and Use Regulations.

(2) Without prejudice to section 17 of the Interpretation Act 1978⁽⁴⁾, a reference to a provision of the Construction and Use Regulations is a reference to that provision as from time to time amended or as from time to time re-enacted with or without modification.

(3) For the purposes of these Regulations, a child restraint is appropriate, in relation to a child under the age of 14 years, if it is a child restraint appropriate to the weight of the child in accordance with the indication of weight shown on the marking required under regulation 47(7) of the Construction and Use Regulations.

Application

3. These Regulations apply to every motor car which is not constructed or adapted to carry more than 8 passengers in addition to the driver.

Requirement for adults to wear seat belts

4. Subject to the following provisions of these Regulations, every person shall wear an adult seat belt if he is aged 14 years or more and riding in the rear of a motor car to which these Regulations apply.

Exemptions

5.—(1) The requirements of regulation 4 shall not apply to—

- (a) a person holding a medical certificate;
- (b) a person using a vehicle constructed or adapted for the delivery of goods or mail to consumers or addressees, as the case may be, while engaged in making local rounds of deliveries or collections;
- (c) a constable protecting or escorting another person;
- (d) a person who is not a constable but is protecting or escorting another person by virtue of powers the same as or similar to those of a constable for that purpose;
- (e) a person in the service of a fire brigade and who is donning operational clothing or equipment;
- (f) 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;
- (g) a disabled person who is wearing a disabled person’s belt; or

(2) S.I.1986/1078; relevant amending instruments are S.I.1987/1133 and 1989/1478.

(3) 1971 c. 10.

(4) 1978 c. 30.

(h) a person riding in a vehicle which is taking part in a procession organised by or on behalf of the Crown.

(2) Without prejudice to paragraph (1)(h) above, the requirements of regulation 4 do not apply to a person riding in a vehicle which is taking part in a procession held to mark or commemorate an event if either—

(a) the procession is one commonly or customarily held in the police area or areas in which it is being held, or

(b) notice in respect of the procession was given in accordance with section 11 of the Public Order Act 1986(5).

(3) The requirements of regulation 4 do not apply to a person riding in a vehicle if no adult seat belt is available for him.

Interpretation of reference to availability

6.—(1) An adult seat belt shall not be regarded as being available for a person for the purposes of regulation 5(3) unless such a belt is regarded as available to him by virtue of paragraph (2) below.

(2) Subject to paragraph (5) below, if any rear seat in a vehicle is provided with an adult seat belt, that belt (“the relevant belt”) shall be regarded as available for a particular person (“the person in question”) for the purposes of regulation 5(3) unless—

(a) another person is wearing the relevant belt;

(b) a child under the age of 14 is occupying the seat and wearing a child restraint which is an appropriate child restraint for that child;

(c) another person, being a person holding a medical certificate, is occupying the seat;

(d) a disabled person (not being the person in question) is occupying the seat and wearing a disabled person’s belt;

(e) by reason of his disability, it would not be practicable for the person in question to wear the relevant belt;

(f) the person in question is prevented from occupying the seat by the presence of a carry cot which is restrained by straps and in which there is a child aged under 1 year;

(g) the person in question is prevented from occupying the seat by the presence of a child restraint which could not readily be removed without the aid of tools; or

(h) in the case of a seat that is specially designed so that—

(i) its configuration can be adjusted in order to increase the space in the vehicle available for goods or personal effects, and

(ii) when it is so adjusted the seat cannot be used as such,

the configuration is adjusted in the manner described in sub-paragraph (i) and it would not be reasonably practicable for the goods and personal effects being carried in the vehicle to be so carried were the configuration not so adjusted.

(3) Paragraph (2)(b) or (d) above shall not apply unless the presence of the other person renders it impracticable for the person in question to wear the relevant belt.

(4) Paragraph (2)(f) above shall not apply if it would be reasonably practicable for the carry cot to be carried in any other part of the vehicle where it could be restrained by straps so as to render it practicable for the person in question to wear the relevant belt.

(5) A seat belt shall not be regarded as available for any person for the purposes of regulation 5(3) if—

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (a) it has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline, or
 - (b) it does not comply with the requirements of regulation 48 of the Construction and Use Regulations.
- (6) A seat belt shall be regarded as provided for a seat for the purposes of this regulation if it is fixed in such a position that it can be worn by an occupier of that seat.

Signed by authority of the Secretary of State for Transport.

23rd May 1991

Christopher Chope
Parliamentary Under Secretary of State,
Department of Transport

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations are made under section 14 of the Road Traffic Act 1988 and contain provisions requiring persons riding in the rear of certain classes of motor vehicles to wear a seat belt save in circumstances where the Regulations otherwise provide.

2. The Regulations apply only to motor cars (as defined in section 185 of the 1988 Act) which are not constructed or adapted to carry more than 8 passengers in addition to the driver (regulation 3).

3. Regulation 4 requires a person aged 14 years or more to wear an adult seat belt when riding in the rear of a motor car to which the Regulations apply. "Adult seat belt" is defined in regulation 2.

4. Regulation 5 sets out the circumstances in which a person is exempt from having to wear a seat belt when riding in the rear of a vehicle. In particular, paragraph (2) as read with regulation 6, exempts a person from having to wear a seat belt if no adult seat belt fitted in the rear is available for him. Regulation 6 sets out the circumstances in which an adult seat belt is regarded as being available.