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STATUTORY INSTRUMENTS

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**1993 No. 176**

**The Motor Vehicles (Wearing of Seat Belts) Regulations 1993**

**PART I**

**INTRODUCTION**

**Citation, commencement and revocations**

1.—(1) These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts) Regulations 1993 and shall come into force on 2nd February 1993.

(2) The Regulations set out in Schedule 3 to these Regulations are hereby revoked.

**General interpretation**

2.—(1) In these Regulations—

“the Act” means the Road Traffic Act 1988;

“the Construction and Use Regulations” means the Road Vehicles (Construction and Use) Regulations 1986(1);

“licensed hire car” has the meaning given by section 13(3) of the Transport Act 1985(2);

“licensed taxi” has the meaning given by section 13(3) of the Transport Act 1985;

“maximum laden weight” has the meaning given by Part IV of Schedule 6 to the Road Traffic Regulation Act 1984(3);

“medical certificate” has the meaning given in Schedule 1 to these Regulations;

“passenger car” has the same meaning as in section 15 of the Act;

“private hire vehicle” means a motor vehicle which has no more than 8 seats in addition to the driver’s seat, other than a licensed taxi or a public service vehicle (within the meaning of the Public Passenger Vehicles Act 1981(4)), which is provided for hire with the services of a driver for the purpose of carrying passengers and which displays a sign pursuant to either section 21 of the Vehicles (Excise) Act 1971(5) or section 48(2) of the Local Government (Miscellaneous Provisions) Act 1976(6) or any similar enactment;

“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;

“restraint system” means a system combining a seat fixed to the structure of the vehicle by appropriate means and a seat belt for which at least one anchorage point is located on the seat structure;

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(1) S.I.1986/1078; relevant amending instruments are S.I. 1987/1133, 1989/1478 and 1991/2003.

(2) 1985 c. 67.

(3) 1984 c. 27.

(4) 1981 c. 14.

(5) 1971 c. 10.

(6) 1976 c. 57.

“seat belt” except in this regulation, includes a child restraint and references to wearing a seat belt shall be construed accordingly;

“trade licence” has the meaning given by section 38(1) of the Vehicles (Excise) Act 1971(7);

“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(8), a reference to a provision in any subordinate legislation (within the meaning of that Act) 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) In these Regulations—

“child” means a person under the age of 14 years;

“large child” means a child who is not a small child; and

“small child” means a child who is—

- (a) aged under 12 years, and
- (b) under 150 centimetres in height.

(4) In these Regulations, “adult belt” means a seat belt in respect of which one or more of the following requirements is satisfied, namely that—

- (a) it is a three-point belt which has been marked in accordance with regulation 47(7) of the Construction and Use Regulations,
- (b) it is a lap belt which has been so marked,
- (c) it is a seat belt that falls within regulation 47(4)(c)(i) or (ii) of those Regulations;
- (d) it is a seat belt fitted in a relevant vehicle (“the vehicle in question”) and comprised in a restraint system—
  - (i) of a type which has been approved by an authority of another member State for use by all persons who are either aged 13 years or more or of 150 centimetres or more in height, and
  - (ii) in respect of which, by virtue of such approval, the requirements of the law of another member State corresponding to these Regulations would be met were it to be worn by persons who are either aged 13 years or more or of 150 centimetres or more in height when travelling in the vehicle in question in that State.

(5) In these Regulations, “child restraint” means a seat belt or other device in respect of which the following requirements are satisfied, namely that—

- (a) it is a seat belt or any other description of restraining device for the use of a child which is—
  - (i) 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
  - (ii) marked in accordance with regulation 47(7) of the Construction and Use Regulations; or
- (b) it is a seat belt consisting of or comprised in a restraint system fitted in a relevant vehicle (“the vehicle in question”), being a restraint system—
  - (i) of a type which has been approved by an authority of another member State for use by a child, and

(7) 1971 c. 10.

(8) 1978 c. 30.

(ii) in respect of which, by virtue of such approval, the requirements of the law of that State corresponding to these Regulations would be met were it to be worn by a child when travelling in the vehicle in question in that State.

(6) Subject to paragraph (7), for the purposes of these Regulations, a seat shall be regarded as provided with an adult seat belt if it is fixed in such a position that it can be worn by an occupier of that seat.

(7) A seat shall not be regarded as provided with an adult seat belt if the seat belt—

- (a) has an inertia reel mechanism which is locked as a result of the vehicle being, or having been, on a steep incline, or
- (b) does not comply with the requirements of regulation 48 of the Construction and Use Regulations.

(8) For the purposes of these Regulations, a seat belt is appropriate—

- (a) in relation to a child aged under 3 years, if it is of a description prescribed for a child of his height and weight by regulation 8;
- (b) in relation to a child aged 3 years or more, if it is a child restraint of a description prescribed for a child of his height and weight by regulation 8 or is an adult belt; or
- (c) in relation to a person aged 14 years or more, if it is an adult belt.

(9) For the purposes of these Regulations, any reference to a seat belt being available shall be construed in accordance with Schedule 2 to these Regulations.

(10) Unless the context otherwise requires, in these Regulations—

- (a) any reference to a numbered regulation is a reference to the regulation bearing that number in these Regulations; and
- (b) a numbered paragraph is a reference to the paragraph bearing that number in the regulation or Schedule in which the reference appears.

### **Interpretation of references to relevant vehicles**

3.—(1) In these Regulations, “relevant vehicle” means—

- (a) a passenger car,
- (b) a light goods vehicle, or
- (c) a small bus.

(2) For the purposes of this regulation—

“light goods vehicle” means a goods vehicle which—

- (a) has four or more wheels,
- (b) has a maximum design speed exceeding 25 kilometres per hour,
- (c) has a maximum laden weight not exceeding 3.5 tonnes; and

“small bus” means a motor vehicle which—

- (a) is constructed or adapted for use for the carriage of passengers and is not a goods vehicle,
- (b) has more than 8 seats in addition to the driver’s seat,
- (c) has four or more wheels,
- (d) has a maximum design speed exceeding 25 kilometres per hour;
- (e) has a maximum laden weight not exceeding 3.5 tonnes, and
- (f) is not constructed or adapted for the carriage of standing passengers.

## PART II

### ADULTS IN THE FRONT OR REAR OF A VEHICLE

#### General

4. This Part of these Regulations shall have effect for the purpose of section 14 of the Act.

#### Requirement for adults to wear adult belts

- 5.—(1) Subject to the following provisions of these Regulations, every person—
- (a) driving a motor vehicle (other than a two-wheeled motor cycle with or without a sidecar);
  - (b) riding in a front seat of a motor vehicle (other than a two-wheeled motor cycle with or without a sidecar); or
  - (c) riding in a rear seat of a motor car or a passenger car which is not a motor car;

shall wear an adult belt.

- (2) Paragraph (1) does not apply to a person under the age of 14 years.

#### Exemptions

- 6.—(1) The requirements of regulation 5 do 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 person driving a vehicle while performing a manoeuvre which includes reversing;
  - (d) a qualified driver (within the meaning given by regulation 9 of the Motor Vehicles (Driving Licences) Regulations 1987<sup>(9)</sup>) who is supervising the holder of a provisional licence (within the meaning of Part III of the Act) while that holder is performing a manoeuvre which includes reversing;
  - (e) a person by whom, as provided in the Motor Vehicles (Driving Licences) Regulations 1987, a test of competence to drive is being conducted and his wearing a seat belt would endanger himself or any other person;
  - (f) a person driving or riding in a vehicle while it is being used for fire brigade or police purposes or for carrying a person in lawful custody (a person who is being so carried being included in this exemption);
  - (g) the driver of—
    - (i) a licensed taxi while it is being used for seeking hire, or answering a call for hire, or carrying a passenger for hire, or
    - (ii) a private hire vehicle while it is being used to carry a passenger for hire;
  - (h) 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;
  - (j) a disabled person who is wearing a disabled person's belt; or
  - (k) a person riding in a vehicle while it is taking part in a procession organised by or on behalf of the Crown.

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<sup>(9)</sup> S.I. 1987/1378; relevant amending instrument is S.I. 1990/1396.

(2) Without prejudice to paragraph (1)(k), the requirements of regulation 5 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(10).
- (3) The requirements of regulation 5 do not apply to—
- (a) a person driving a vehicle if the driver's seat is not provided with an adult belt;
  - (b) a person riding in the front of a vehicle if no adult belt is available for him in the front of the vehicle;
  - (c) a person riding in the rear of a vehicle if no adult belt is available for him in the rear of the vehicle.

## PART III

### CHILDREN IN THE REAR OF A VEHICLE

#### General

7. This Part of these Regulations has effect for the purposes of section 15(3) and (3A) of the Act.

#### Description of seat belts to be worn by children

8.—(1) For a child of any particular height and weight travelling in a particular vehicle, the description of seat belt prescribed for the purposes of section 15(3) of the Act to be worn by him is—

- (a) if he is a small child and the vehicle is a relevant vehicle, a child restraint of a description specified in sub-paragraph (a) or (b) of paragraph (2);
  - (b) if he is a small child and the vehicle is not a relevant vehicle, a child restraint of a description specified in sub-paragraph (a) of paragraph (2);
  - (c) if he is a large child, a child restraint of a description specified in sub-paragraph (a) of paragraph (2) or an adult belt.
- (2) The descriptions of seat belt referred to in paragraph (1) are—
- (a) a child restraint with the marking required under regulation 47(7) of the Construction and Use Regulations if the marking indicates that it is suitable for his weight and either indicates that it is suitable for his height or contains no indication as respects height;
  - (b) a child restraint which would meet the requirements of the law of another member State corresponding to these Regulations were it to be worn by that child when travelling in that vehicle in that State.

#### Vehicles to which section 15(3) and (3A) of the Act do not apply

9. The following classes of vehicles are exempt from the prohibition in section 15(3) and (3A) of the Act, that is to say—

- (a) vehicles which are neither motor cars nor passenger cars;

- (b) licensed taxis and licensed hire cars in which (in each case) the rear seats are separated from the driver by a fixed partition.

**Exemptions**

**10.**—(1) The prohibitions in section 15(3) and (3A) of the Act do not apply in relation to—

- (a) a small child aged 3 years or more if a seat belt of a description prescribed by regulation 8 for a small child of his height and weight is not available in the front or rear of the vehicle and he is wearing an adult belt;
- (b) a child for whom there is a medical certificate;
- (c) a child aged under 1 year in a carry cot provided that the carry cot is restrained by straps; or
- (d) a disabled child who is wearing a disabled person’s belt.

(2) The prohibition in section 15(3) of the Act does not apply in relation to a small child in a passenger car if no appropriate seat belt is available for him in the front or in the rear of the vehicle.

(3) The prohibition in section 15(3) of the Act does not apply in relation to a small child in a vehicle other than a passenger car if no appropriate seat belt is available for him in the rear of the vehicle.

(4) The prohibition in section 15(3) of the Act does not apply in relation to a large child in any vehicle if no appropriate seat belt is available for him in the rear of the vehicle.

(5) The prohibition in section 15(3A) of the Act does not apply in relation to a child if no appropriate seat belt is available for him in the front of the vehicle.

Signed by authority for the Secretary of State

*Kenneth Carlisle*  
Parliamentary Under Secretary of State  
Department of Transport

1st February 1993