

SCHEDULE

Regulation 3

REGULATION TO BE SUBSTITUTED FOR REGULATION 46

“Seat belt anchorage points

46.—(1) This regulation applies to a motor vehicle which is not an excepted vehicle and is—

- (a) a bus first used on or after 1st April 1982;
- (b) a wheeled motor car first used on or after 1st January 1965;
- (c) a three-wheeled motor cycle which has an unladen weight exceeding 255 kg and which was first used on or after 1st September 1970; or
- (d) a heavy motor car first used on or after 1st October 1988.

(2) Each of the following is an excepted vehicle—

- (a) a goods vehicle (other than a dual-purpose vehicle)—
 - (i) first used before 1st April 1967;
 - (ii) first used on or after 1st April 1980 and before 1st October 1988 and having a maximum gross weight exceeding 3500 kg; or
 - (iii) first used before 1st April 1980 or, if the vehicle is of a model manufactured before 1st October 1979, first used before 1st April 1982 and, in either case, having an unladen weight exceeding 1525 kg;
- (b) an agricultural motor vehicle;
- (c) a motor tractor;
- (d) a works truck;
- (e) an electrically propelled goods vehicle first used before 1st October 1988;
- (f) a pedestrian-controlled vehicle;
- (g) a vehicle which has been used on roads outside Great Britain, whilst it is being driven from the place at which it arrived in Great Britain to a place of residence of the owner or driver of the vehicle, or from any such place to a place where, by previous arrangement, it will be provided with such anchorage points as are required by this regulation and with such seat belts as are required by regulation 47;
- (h) a vehicle having a maximum speed not exceeding 16 mph;
- (i) a motor cycle equipped with a driver’s seat of a type requiring the driver to sit astride it, and which is constructed or assembled by a person not ordinarily engaged in the trade or business of manufacturing vehicles of that description;
- (j) a locomotive.

(3) A vehicle which falls within a description specified in column (2) of an item in the Table below shall be equipped with anchorage points for seat belts for the use of persons sitting in the seats specified in column (3) of that item and those anchorage points (“mandatory anchorage points”) shall comply with the requirements specified in column (4).

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TABLE

<i>(1) Item</i>	<i>(2) Description of vehicle</i>	<i>(3) Seats for which mandatory anchorage points are to be provided</i>	<i>(4) Technical and installation requirements</i>
1.	Any vehicle first used before 1st April 1982	The driver's seat and specified passenger seat (if any)	Anchorage points must be designed to hold seat belts securely in position on the vehicle
2.	Minibus constructed or adapted to carry not more than 12 seated passengers in addition to the driver, motor ambulance or motor caravan which, in any such case, was first used on or after 1st April 1982 but before 1st October 1988	The driver's seat and specified passenger seat (if any)	The technical and installation (but not the testing) requirements of Community Directive 76/115, 81/575, 82/318, 90/629 or 96/38 or ECE Regulation 14, 14.01, 14.02, 14.03, 14.04 or 14.05 whether or not those instruments apply to the vehicle
3.	Minibus (not being a vehicle falling within item 7 or 8) having a gross weight not exceeding 3500 kg, motor ambulance or motor caravan which, in any such case, was first used on or after 1st October 1988	The driver's seat and each forward-facing front seat	The requirements specified in column (4) of item 2
4.	Goods vehicle first used on or after 1st October 1988 but before 1st October 2001 and having a maximum gross weight exceeding 3500 kg	The driver's seat and each forward-facing front seat	2 or 3 anchorage points designed to hold seat belts securely in position
5.	Goods vehicle first used on or after 1st October 2001 and having a maximum gross weight exceeding 3500 kg	All forward-facing front seats	The technical and installation requirements of Community Directive 96/38 or ECE Regulation 14.04 or 14.05
6.	Coach first used on or after 1st October 1988 but before 1st October 2001	All exposed forward-facing seats	The requirements specified in column (4) of item 2 or, if the anchorage points were

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(1) Item	(2) Description of vehicle	(3) Seats for which mandatory anchorage points are to be provided	(4) Technical and installation requirements
			fitted before 1st October 2001 and form part of a seat, a requirement that they do not, when a forward horizontal force is applied to them, become detached from the seat before the seat becomes detached from the vehicle
7.	Bus (other than an urban bus) having a gross vehicle weight exceeding 3500 kg and first used on or after 1st October 2001	Anchorage points for every forward-facing and every rearward-facing seat	The requirements specified in column (4) of item 5
8.	Bus (other than an urban bus) having a gross vehicle weight not exceeding 3500 kg and first used on or after 1st October 2001	Every forward-facing and every rearward-facing seat	The requirements specified in column (4) of item 5
9.	Passenger or dual-purpose vehicle (other than a bus) first used on or after 1st April 1982 and not falling within any of items 2 to 8	Every forward-facing seat constructed or adapted to accommodate no more than one adult	The requirements specified in column (4) of item 2
10.	Vehicle (other than a bus) first used on or after 1st April 1982 and not falling within any of items 2 to 9	Every forward-facing front seat and every non-protected seat	The requirements specified in column (4) of item 2

(4) Any anchorage fitted after 1st October 2001 to a bus not falling within item 7 or 8 of the Table in paragraph (3) must comply with the technical and installation (but not the testing) requirements of Community Directive 76/115, 81/575, 82/318, 90/629 or 96/38 or ECE Regulation 14, 14.01, 14.02, 14.03, 14.04 or 14.05 whether or not those instruments apply to the vehicle.

(5) Subject to paragraph (6), where a vehicle to which this regulation applies and which falls within a class specified in an item of the Table in paragraph (3) is fitted with non-mandatory anchorage points, those anchorage points shall comply with the requirements applicable to the mandatory anchorage points specified for that item.

(6) Paragraph (5) does not apply to non-mandatory anchorage points fitted to—

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- (a) a minibus before 1st April 1986; or
 - (b) any other vehicle before 1st October 1988.
- (7) For the purposes of this regulation—
- (a) the expressions “exposed forward-facing seat”, “forward-facing front seat”, “lap belt”, “seat belt” and “specified passenger’s seat” have the same meaning as in regulation 47(8);
 - (b) “mandatory anchorage points” has the meaning given in paragraph (3) and “non-mandatory anchorage points” means anchorage points which are not mandatory anchorage points;
 - (c) a seat is a “non-protected seat” if it is not a front seat and the screen zones within the protected area have a combined surface of less than 800 cm²;
 - (d) “screen zone” and “protected area” in relation to a seat shall be construed in accordance with paragraph 4.3.3 of Annex I to Community Directive 81/575; and
 - (e) “urban bus” means a bus designed for urban use with standing passengers and includes a vehicle which is—
 - (i) a Class I vehicle as defined by paragraph 2.1.2.1.3.1.1 of Annex I of Community Directive 97/27/EC⁽¹⁾;
 - (ii) a Class II vehicle as defined by paragraph 2.1.2.1.3.1.2 of that Annex; or
 - (iii) a Class A vehicle as defined by paragraph 2.1.2.1.3.2.1 of that Annex.
- (8) A vehicle which is not required by this regulation to comply with the technical and installation requirements of Community Directive 76/115, 81/575, 82/318, 90/629 or 96/38 or ECE Regulation 14, 14.01, 14.02, 14.03, 14.04 or 14.05 shall nevertheless be taken to comply with the provisions of this regulation if it does comply with those requirements.”

(1) O.J. No. L 233 25.8.97, p. 1.