
STATUTORY RULES OF NORTHERN IRELAND

2007 No. 7

**The Motor Vehicles (Wearing of Seat Belts)
(Amendment) Regulations (Northern Ireland) 2007**

Amendment to the Road Traffic (Northern Ireland) Order 1995

5. After Article 24 insert the following Articles—

“Requirement to notify bus passengers to wear seat belts

24A.—(1) Subject to paragraph (6), 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.

(2) For the purposes of paragraph (1) 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.

(3) For the purposes of paragraph (2)—

- (a) “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; and
- (b) 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 paragraph (1) is guilty of an offence.

(5) Paragraph (1) does not apply in relation to a bus—

- (a) which is being used to provide a local service within the meaning of Article 24B 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 sub-paragraph (a), a local service is provided in a built up area if the entire route used by that service consists of restricted roads.

(6) In this Article—

“bus” has the same meaning as in Article 24;

“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 Article 36 of the Road Traffic Regulation (Northern Ireland) Order 1997⁽¹⁾ (other than a road restricted by an order made under Article 37(3)(a) of that Order) or would be so restricted but for an order under Article 37(3)(b) or an order under Article 38(1)(a) of that Order.

Local Service

24B.—(1) In Article 24A “local service” means a service using one or more buses, for the carriage of passengers by road at separate fares other than one—

- (a) which is excluded by paragraph (4); or
- (b) in relation to which (except in an emergency) one or both of the conditions in paragraph (2) are met with respect to every passenger using the service.

(2) The conditions are that—

- (a) the place where he is set down is fifteen miles or more, measured in a straight line, from the place where he was taken up;
- (b) some point on the route between those places is fifteen miles or more, measured in a straight line, from either of those places.

(3) Where a service consists of one or more parts with respect to which one or both of the conditions are met, and one or more of the parts with respect to which neither of them is met, each of those parts shall be treated as a separate service for the purposes of paragraph (1).

(4) A service shall not be regarded for the purposes of Article 24A as a local service if—

- (a) the conditions set out in paragraphs (5) to (8) (trips organised privately by persons acting independently of public service vehicle operators) are met in respect of each journey by the vehicles used in providing the service; or
- (b) every vehicle used in providing the service is so used under a permit granted under Section 10B of the Transport Act (Northern Ireland) 1967⁽²⁾.

(5) The arrangements for the bringing together of all the passengers for the purpose of making the journey must have been made otherwise than by, or by a person acting on behalf of—

- (a) the holder of the Road Service licence under which the vehicle is to be used, if such a licence is in force;
- (b) the driver or the owner of the vehicle or any person who has made the vehicle available under any arrangement, if no such licence is in force,

and otherwise than by any person who receives any remuneration in respect of the arrangements.

(6) The journey must be made without previous advertisement to the public of the arrangements therefor.

(7) All the passengers must, in the case of a journey to a particular destination, be carried to, or to the vicinity of, that destination, or, in the case of a tour, be carried for the greater part of the journey.

(8) No differentiation of fares for the journey on the basis of distance or time must be made.

(9) For the purposes of this Article—

(1) S.I. 1997 No. 276 (N.I. 2)

(2) 1967 c. 37, as amended by S.I. 1990 No. 994 (N.I. 7)

- (a) a payment made for the carrying of a passenger shall be treated as a fare notwithstanding that it is made in consideration of other matters in addition to the journey and irrespective of the person by or to whom it is made;
- (b) a payment shall be treated as made for the carrying of a passenger if made in consideration of a person being given a right to be carried, whether for one or more journeys and whether or not the right is exercised; and
- (c) where a fare is paid for the carriage of a passenger on a journey by air, no part of that fare shall be treated for the purposes of sub-paragraphs (a) and (b) above as paid in consideration of the carriage of the passenger by road by reason of the fact that, in case of mechanical failure, bad weather or other circumstances outside the operator's control, part of that journey may be made by road.”.