

1968. No. 114

[C]

MOTOR VEHICLES: CONSTRUCTION AND USE**The Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations (Northern Ireland) 1968**

REGULATIONS, DATED 7TH MAY 1968, MADE BY THE MINISTRY OF HOME AFFAIRS UNDER SECTION 4 OF THE ROAD TRAFFIC ACT (NORTHERN IRELAND) 1955.

The Ministry of Home Affairs, in exercise of the powers vested in it by Section 4 of the Road Traffic Act (Northern Ireland) 1955(a) and of all other powers enabling it in that behalf, hereby makes the following Regulations:—

Citation

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 3) Regulations (Northern Ireland) 1968.

2. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967(b) shall have effect as though

(1) for Regulation 41 there were substituted the following Regulation:

“Seat belts and anchorage points

41.—(1) Except as provided by paragraph (2) of this Regulation, this Regulation applies:—

(a) to every motor car registered on or after 1st May 1967;

(b) on and after 31st July 1968 to every motor car registered on or after 1st January 1966; and

(c) on and after 31st December 1968 to every motor car registered on or after 1st January 1965.

(2) This Regulation does not apply:—

(a) to a goods vehicle unless it was constructed on or after 1st September 1966, is registered on or after 1st May 1967, and has an unladen weight not exceeding 30 hundredweight;

(b) to a passenger vehicle or a dual-purpose vehicle being in either case a vehicle adapted to carry more than twelve passengers exclusive of the driver;

(c) to a land tractor or a motor tractor;

(d) to a works truck;

(e) to an electrically propelled goods vehicle;

(f) to a pedestrian controlled vehicle;

(g) until 31st July 1968 to a vehicle constructed before 1st September 1966;

(h) to a vehicle in respect of which, under section 23 of the Purchase Tax Act 1963(c), any tax has been remitted and has not subsequently become payable;

(a) 1955. c. 27.

(b) S.R. & O. (N.I.) 1967, No. 75.

(c) 1963. c. 9.

- (i) to a vehicle constructed before 30th June 1964; or
- (j) to a vehicle which has been used on roads outside Northern Ireland and has been imported into Northern Ireland whilst it is being driven after its importation into Northern Ireland on the journey from the place where it has arrived in Northern Ireland to a place of residence of the owner or driver of the vehicle, and on the journey from any such place to a place where, by previous arrangement, the vehicle will be provided with such anchorage points and seat belts as will comply with the requirements of this Regulation.

(3) Every motor car to which this Regulation applies shall be provided with anchorage points designed to hold body-restraining seat belts securely in position on the vehicle for—

- (a) the driver's seat; and
- (b) the specified passenger's seat;

Provided that this paragraph shall not apply so as to require anchorage points to be provided for any seat which is a seat with integral seat belt anchorages.

(4) Every motor car to which this Regulation applies shall be provided with—

- (a) a body-restraining seat belt designed for use by an adult for the driver's seat; and
- (b) a body-restraining seat belt for the specified passenger's seat;

Provided that this paragraph shall not apply to a vehicle—

- (a) while it is being used under a trade licence within the meaning of the Vehicles (Excise) Act (Northern Ireland) 1954(d) or the Vehicles (Excise) Act 1962(e), or
- (b) while it is being driven from premises of the manufacturer by whom it was made, or of a distributor of vehicles or dealer in vehicles—
 - (i) to premises of a distributor of vehicles, dealer in vehicles or purchaser thereof, or
 - (ii) to premises of a person obtaining possession thereof under a hiring agreement or hire-purchase agreement.

(5) Every seat belt provided in pursuance of this Regulation shall, if the seat for which it is provided is a seat with integral seat belt anchorages, be properly secured to the integral seat belt anchorage points forming part thereof, or, if the seat for which it is provided is not such a seat, be properly secured to the structure of the vehicle by the anchorage points provided for it under paragraph (3) of this Regulation.

- (6) (a) Every vehicle constructed on or after 1st September 1966 and registered on or after 1st May 1967 which is provided with seat belt anchorage points in pursuance of paragraph (3) of this Regulation shall be legibly and permanently marked with the specification number of the British Standard for seat belt anchorage points, namely B.S. AU48: 1965;
- (b) where in the case of any motor car to which this Regulation applies and which was registered on or after 1st May 1967 the driver's seat or the specified passenger's seat is a seat with integral seat belt anchorages, such seat shall be legibly and permanently marked with the specification number of the British Standard for Seats

(d) 1954. c. 17.

(e) 10 & 11 Eliz. 2. c. 13.

with Integral Seat Belt Anchorages followed by the suffix "1", namely B.S. AU140/1: 1967;

- (c) if any seat with integral seat belt anchorages is provided on or after 1st January 1969 for a motor car to which this Regulation applies and which was constructed on or after 1st September 1966 and registered on or after 1st May 1967 the vehicle for which it is so provided shall be legibly and permanently marked with the said specification number, namely B.S. AU140: 1967; and
- (d) each seat belt provided for any person in any motor car to which this Regulation applies shall be legibly and permanently marked with the specification number of the British Standard for Seat Belt Assemblies for Motor Vehicles namely B.S. 3254: 1960, and the registered certification trade mark of the British Standards Institution.

(7) Nothing in this Regulation shall be taken to authorise any person to apply a specification number or registered certification trade mark to a vehicle, seat or seat belt in contravention of the Merchandise Marks Acts 1887 to 1953(f).

(8) In this Regulation—

"body-restraining seat belt" means a seat belt designed to provide restraint for both the upper and lower parts of the trunk of the wearer in the event of an accident to the vehicle;

"seat belt" means a belt intended to be worn by a person in a vehicle and designed to prevent or lessen injury to its wearer in the event of an accident to the vehicle and includes, in the case of a restraining device for a young person, any special chair to which the belt is attached; and

"specified passenger's seat" means—

(a) in the case of a vehicle which has one forward-facing front seat alongside the driver's seat, such seat, and in the case of a vehicle which has more than one such seat, the one furthest from the driver's seat; or

(b) if the vehicle has no seat which is the specified passenger's seat under the last preceding sub-paragraph, the forward-facing front seat for a passenger which is foremost in the vehicle and furthest from the driver's seat, unless there is a fixed partition separating such seat from the space in front of it alongside the driver's seat"; and

(2) In Regulation 79, for the proviso, there were substituted the following proviso:—

"Provided that the requirements of this Regulation as to the stopping of the engine shall not apply in the case of—

- (a) a fire brigade vehicle the engine of which is being used for any fire fighting purpose; or
- (b) a vehicle when it is being used for police or ambulance purposes."

Sealed with the Official Seal of the Ministry of Home Affairs for Northern Ireland this 7th day of May 1968, in the presence of

(L.S.)

W. G. Robinson,
Assistant Secretary.

(f) 50 & 51 Vict. c. 28; 54 & 55 Vict. c. 15; 57 & 58 Vict. c. 19; 1 & 2 Geo. 5. c. 31; 16 & 17 Geo. 5. c. 53; 1 & 2 Eliz. 2. c. 48.

EXPLANATORY NOTE

(This note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations further amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1967 by:—

- (1) (a) extending (except in the case of light vans) the existing requirement that most motor cars first registered on or after 1st May 1967 shall be provided with anchorage points and seat belts for the driver and front seat passenger, (i) on and after 31st July 1968, to vehicles first registered on or after 1st January 1966, and (ii) on and after 31st December 1968, to vehicles first registered on or after 1st January 1965; and
- (b) exempting used imported vehicles from the requirement to have anchorage points and seat belts while they are being driven from the place of their arrival in Northern Ireland to a residence of the owner or driver of the vehicle and from there to a place where, by previous arrangement, anchorage points and seat belts are to be provided (Regulation 2(1)); and
- (2) exempting vehicles being used for police or ambulance purposes from the prohibition in Regulation 79 against an unattended vehicle having its engine running (Regulation 2(2)).