
STATUTORY INSTRUMENTS

1996 No. 163

**The Road Vehicles (Construction and Use)
(Amendment) (No.2) Regulations 1996**

New regulation 48A (requirement for minibuses and coaches to be fitted with additional seat belts when used in certain circumstances)

5. After regulation 48, there shall be inserted the following —

“Minibuses and coaches to be fitted with additional seat belts when used in certain circumstances

48A.—(1) No person shall use or cause or permit to be used on a road a coach or minibus wholly or mainly for the purpose of carrying a group of 3 or more children in the following circumstances unless the appropriate number of forward-facing passenger seats fitted to the vehicle meet the requirements of this regulation.

(2) The circumstances are that—

- (a) the group of children are on an organised trip; and
- (b) the journey is being made for the purposes of the trip.

(3) In paragraph (1), the reference to the appropriate number is a reference to the number of children being carried in the vehicle (excluding disabled children in wheelchairs).

(4) Without prejudice to the generality of paragraph (2)(a), a group of children shall, for the purposes of this regulation, be regarded as being on an organised trip if they are being carried to or from their school or from one part of their school premises to another.

(5) Without prejudice to the meaning of paragraph (2)(b), paragraph (1) shall not apply to a vehicle if it is being used in the provision of a bus service of a description specified in paragraph 2 of the Schedule to the Fuel Duty Grant (Eligible Bus Services) Regulations 1985(1) or if it is otherwise being used wholly or mainly for the purpose of providing a transport service for the general public.

(6) For a forward-facing passenger seat to meet the requirements of this regulation a seat belt must be provided for it, and —

- (a) if paragraph (3) of regulation 47 does not (in whole or part) apply to the seat belt and the seat belt was first fitted to the vehicle after 10th February 1997, the seat belt must comply with that paragraph to the extent (if any) that it would have to so comply were—
 - (i) that regulation to apply to all motor vehicles, and
 - (ii) there substituted for the words “provided” to “or (e)”, in that paragraph, the words “provided for any person in a vehicle to which this regulation applies”;
- (b) if paragraph (5) of regulation 47 does not apply to the seat belt and the seat belt is a seat belt for an adult (not being a disabled person’s belt) that was first fitted to the

vehicle after 10th February 1997, the seat belt must comply with the requirements specified in paragraph (7) below;

- (c) if paragraph (5) of regulation 47 does not apply to the seat belt and the seat belt is a child restraint that was first fitted to the vehicle after 10th February 1997, the seat belt must be properly secured to anchorages provided for it;
- (d) if paragraph (5) of regulation 47 does not apply to the seat belt and the seat belt is a disabled person's belt that was first fitted to the vehicle after 10th February 1997, the seat belt must be properly secured to the vehicle or to the seat;
- (e) if regulation 47 does not apply to the vehicle and the seat belt was first fitted to the vehicle after 10th February 1997, the seat belt must comply with paragraph (7) of that regulation to the extent (if any) that it would have to so comply were that regulation to apply to all motor vehicles; and
- (f) if regulation 48 does not apply to the seat belt and the seat belt was first fitted to the vehicle after 10th February 1997, the requirements of paragraph (4) of that regulation must be met in relation to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of the seat belt to the extent (if any) that those requirements would have to be met were that paragraph to apply to all anchorages, fastenings, adjusting devices and retracting mechanisms of seat belts fitted to motor vehicles,

and paragraph (2) of regulation 48 shall apply for the purposes of sub-paragraph (f) above as it applies for the purposes of that regulation.

(7) The requirements referred to in paragraph (6)(b) are that the seat belt must be properly secured to the anchorage points provided for it and, in a case where any of those anchorage points is first fitted to the vehicle after 10th February 1997 the anchorage points to which it is secured must comply—

- (a) if the vehicle is a coach, with the requirements specified in regulation 46(4)(b) or (4A)(b)(ii); or
- (b) in any other case, with the requirements specified in regulation 46(4)(b).

(8) Until 10th February 1998, this regulation shall not apply to a coach first used before 1st October 1988.

(9) In this regulation—

“school” has the meaning given by section 14(5) of the Further and Higher Education Act 1992(2);

“forward-facing passenger seat” means a forward-facing seat which is not the driver's seat; and

“child restraint”, “disabled person's belt”, “forward-facing seat”, “seat”, and “seat belt” have the meanings given in regulation 47.

(10) For the purpose of this regulation, a child is a person who is aged 3 years or more but is under the age of 16 years.”.

(2) 1992 c. 13; section 14(5) was amended by section 304(1) of the Education Act 1993 (c. 35).