STATUTORY INSTRUMENTS

1980 No. 610

ROAD TRAFFIC

The Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1980

Made - - - -	30*th April* 1980
Laid before Parliament	9*th May* 1980
Coming into Operation	30*th May* 1980

The Minister of Transport, in exercise of the powers conferred by section 40(1) and (3) of the Road Traffic Act 1972(**a**) and now vested in him(**b**) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1. These Regulations shall come into operation on 30th May 1980, and may be cited as the Motor Vehicles (Construction and Use) (Amendment) (No. 4) Regulations 1980.

2. The Motor Vehicles (Construction and Use) Regulations 1978(**c**) shall be further amended so as to have effect in accordance with the following provisions of these Regulations.

3. In Regulation 17 (Seat belts and anchorage points)—

(*a*) in paragraph (8),—

(i) in sub-paragraph (*e*), for "the wearer; and" substitute "the wearer;";

(ii) in sub-paragraph (*f*) for "tighten the belt." substitute "tighten the belt; and"; and

(iii) after sub-paragraph (*f*) add the following new sub-paragraph and proviso—

"(*g*) in the case of a vehicle manufactured on or after 1st October 1980 and first used on or after 1st April 1981—

(i) if it is a vehicle to which Council Directive 77/541/EEC of 28th June 1977(**d**) applies, the belt shall comply with the installation requirements specified in paragraphs 3.2.2 to 3.3.4 of Annex I to that Directive; or

(ii) if it is a vehicle to which that Directive does not apply the belt shall comply with standards identical to those installation requirements:

(**a**) 1972 c. 20. (**b**) S.I. 1979/571.
(**c**) S.I. 1978/1017, as amended by S.I. 1978/1233 and 1979/1062.
(**d**) O.J. L220, 29.8.77, p. 95.

Provided that the requirements or standards, as the case may be specified in this sub-paragraph shall not apply so as to require a seat belt to which paragraph (9) refers to comply with the requirement specified in the second paragraph (which relates to the locking or releasing of a seat belt by a single movement of either hand by the wearer) of paragraph 3.3.2 of the said Annex.";

(*b*) in paragraph (9), for "The requirements specified in paragraph (8) shall not apply to" substitute "The requirements specified in paragraph (8)(*a*) to (*f*) shall not apply to";

(*c*) in paragraph (10), for sub-paragraph (*b*) and the proviso substitute the following sub-paragraph and proviso—

"(*b*) in the case of any other vehicle to which this Regulation applies, be legibly and permanently marked with a designated approval mark:

Provided that the requirement specified in sub-paragraph (*b*) above shall apply so that any belt in a vehicle to which Council Directive 77/541/EEC of 28th June 1977 does not apply, whether or not the belt is part of a restraint system as defined in paragraph 1.11 of Annex I to that Directive, shall be marked with a designated approval mark which does not include the letter "Z" referred to in paragraph 10(2) of Schedule 5 to the Motor Vehicles (Designation of Approval Marks) Regulations 1979(**a**).";

(*d*) in paragraph (12), in sub-paragraph (*a*), for the definition of "designated approval mark" substitute the following definition:—

" "designated approval mark" means the marking designated as an approval mark by Regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979(**a**) and shown in column (2) at item 16 of Schedule 2 to those Regulations or the marking designated as an approval mark by Regulation 5 of those Regulations and shown in column (2) at item 23 of Schedule 4 to those Regulations;".

30th April 1980.

Norman Fowler,
Minister of Transport.

(**a**) S.I. 1979/1088, as amended by S.I. 1980/582.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

The Regulations further amend the Motor Vehicles (Construction and Use) Regulations 1978 so as to—

(1) permit as a designated approval mark with which a seat belt, other than a disabled person's seat belt or restraining device for a young person, provided for any person in any vehicle to which Regulation 17 applies (whether or not such seat belt is required to be provided) may be marked the marking designated as an approval mark by Regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979 and shown in column (2) at item 16 of Schedule 2 to those Regulations (which relates to ECE Regulation No. 16, revised to contain the 03 series of amendments) as well as the marking designated as an approval mark by Regulation 5 of those Regulations and shown in column (2) at item 23 of Schedule 4 to those Regulations (which relates to Council Directive 77/541/EEC of 28th June 1977); and

(2) make minor drafting amendments.

ECE Regulation 16 (revised as mentioned above) does not contain any provisions relating to the installation of seat belts. Therefore only the provisions of Regulation 17 of the said Construction and Use Regulations relating to the marking of seat belts, and not the provisions relating to their installation, are amended to take account of ECE Regulation 16 (although the said Regulation 17 imposes, in relation to such belts, installation requirements identical to the installation requirements prescribed for seat belts to which Council Directive 77/541/EEC applies).