1982 No. 336

ROAD TRAFFIC AND VEHICLES

Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1982

Made . . . . . *20th October 1982*

Coming into operation . . . *22nd November 1982*

The Department of the Environment in exercise of the powers conferred on it by Articles 28(1) and 218(1) of the Road Traffic (Northern Ireland) Order 1981(a) and of every other power enabling it in that behalf hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Construction and Use) (Amendment) Regulations (Northern Ireland) 1982 and shall come into operation on 22nd November 1982.

Regulations amended

2. The Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976(b) shall be amended as follows:

(1) In regulation 17 (seat belts and anchorage points), in paragraph (11), for the words "with a British Standards mark." there shall be substituted the words "with either a British Standards mark or a marking designated as an approval mark by regulation 4 of the Motor Vehicles (Designation of Approval Marks) Regulations 1979(c) and shown in column (2) at item 44 in Schedule 2 to those Regulations.".

(2) For regulation 92A there shall be substituted—

"*Maintenance of seat belts and anchorage points*

92A.—(1) This regulation applies to every seat belt with which a motor vehicle is required to be provided in accordance with regulation 17 and to the anchorages, fastenings, adjusting device and retracting mechanism (if any) of every such seat belt.

(2) For the purposes of this regulation the anchorages and anchorage points of a seat belt shall, in the case of a seat with integral seat belt anchorages, include the system by which the seat assembly itself is secured to the vehicle structure.

(3) The anchorage points provided for seat belts shall be used only as anchorages for the seat belts for which they are intended to be used or capable of being used.

(4) Save as provided in paragraph (5)—

(*a*) all load-bearing members of the vehicle structure or panelling within 30 centimetres of each anchorage point shall be maintained in a sound condition and free from serious corrosion, distortion or fracture;

(*b*) the adjusting device and (if fitted) the retracting mechanism of the seat belt shall be so maintained that the belt may be readily adjusted to the body of the wearer, either automatically or manually, according to the design of the device and (if fitted) the retracting mechanism;

(a) S.I. 1981/154 (N.I. 1)
(b) S.R. 1976 No. 320 as amended by S.R. 1980 No. 164
(c) S.I. 1979/1088, as amended by S.I. 1981/126

(*c*) the seat belt and its anchorages, fastenings and adjusting device shall be maintained free from any obvious defect which would be likely to affect adversely the performance by the seat belt of the function of restraining the body of the wearer in the event of an accident to the vehicle;

(*d*) the buckle or other fastening of the seat belt shall—

(i) be so maintained that the belt can be readily fastened or unfastened,

(ii) be kept free from any temporary or permanent obstruction, and

(iii) except in the case of a disabled person's seat belt, be readily accessible to a person sitting in the seat for which the seat belt is provided;

(*e*) the webbing or other material which forms the seat belt shall be maintained free from cuts or other visible faults (as, for example, extensive fraying) which would be likely to affect adversely the performance of the belt when under stress;

(*f*) the ends of every seat belt, other than a disabled person's seat belt, shall be securely fastened to the anchorage points provided for them; and

(*g*) the ends of every disabled person's seat belt shall, when the seat belt is being used for the purpose for which it was designed and constructed, be securely fastened either to some part of the structure of the vehicle or to the seat which is being occupied by the person wearing the belt so that the body of the person wearing the belt would be restrained in the event of an accident to the vehicle.

(5) No requirement specified in paragraph (4) shall apply while—

(*a*) the vehicle is being used on a journey after the start of which the requirement ceased to be complied with; or

(*b*) the vehicle is being used after the requirement ceased to be complied with provided that immediate steps have been taken for such compliance to be restored with all reasonable expedition.

(6) Expressions used in this regulation which are defined in regulation 17 have the same meaning in this regulation as in regulation 17.".

Sealed with the Official Seal of the Department of the Environment for Northern Ireland on 20th October 1982.

(L.S.) *J. M. Irvine*

Assistant Secretary

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1976 by—

1. providing that every seat belt being a restraining device for a young person but not being a disabled person's seat belt shall be marked with either a British Standards mark or with a 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 44 in Schedule 2 to those Regulations thus signifying compliance with Regulation 44 annexed to the Agreement concerning the adoption of uniform conditions of approval for Motor Vehicle Equipment and Parts and reciprocal recognition thereof concluded at Geneva on 20th March 1958, as amended (regulation 2(1));
2. restating the provisions relating to the maintenance of seat belt and anchorage points but providing for exemption from compliance with the maintenance requirements while—
   (*a*) a vehicle is being used on a journey after the start of which a defect has occurred, or
   (*b*) a vehicle is being used after a defect has occurred provided that immediate steps have been taken to remedy the defect (regulation 2(2)).