STATUTORY RULES OF NORTHERN IRELAND

2020 No. 88

ROAD TRAFFIC AND VEHICLES

The Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020

Made - - - - *26th May 2020*

Affirmed by resolution of the Assembly on *30th June 2020*

Coming into operation in accordance with regulation 1

The Department for Infrastructure(**a**) makes the following Regulations in exercise of the powers conferred by Articles 23(1) and (2)(e) and 110(2) of the Road Traffic (Northern Ireland) Order 1995(**b**) and now vested in it(**c**).

Citation and commencement

1. These Regulations may be cited as the Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2020 and shall come into operation on the day after the day on which they are affirmed by resolution of the Assembly.

Amendment of the Motor Vehicles (Wearing of Seat Belts) Regulations

2.—(1) Regulation 6 (exceptions) of the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993(**d**) is amended in accordance with paragraphs (2) and (3).

(2) After paragraph (1)(f) insert—

"(fa) a person riding in a motor ambulance while that person is providing medical treatment to a patient which due to its nature or the medical condition of the patient cannot be delayed;".

(3) In paragraph (4) after the definition of "fire brigade" insert—

""motor ambulance" has the same meaning as in regulation 2(1) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999(**e**);

"patient" has the same meaning as in Article 2(2) of the Health and Personal Social Services (Northern Ireland) Order 1972(**f**);".

(**a**) Formerly the Department for Regional Development; *see* section 1(6) and (11) of, and Schedule 1 to, the Departments Act (Northern Ireland) 2016 (2016 c. 5 (N.I.)). Pursuant to section 1(9) of that Act, the Department of the Environment was dissolved.

(**b**) S.I. 1995/2994 (N.I. 18); Article 23 was amended by Article 26 of S.I. 2007/916 (N.I. 10)

(**c**) *See* Article 8(1)(b) of, and Part 2 of Schedule 5 to, the Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016 No. 76)

(**d**) S.R. 1993 No. 362; Regulation 6 was amended by regulation 6 of S.R. 2007 No. 8 and regulation 3 of S.R. 2008 No. 29

(**e**) S.R. 1999 No. 454; to which there are amendments not relevant to these Regulations

(**f**) S.I. 1972/1265 (N.I. 14); to which there are amendments not relevant to this Order

Revocation

3. The Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2016(**a**) are revoked.

Sealed with the Official Seal of the Department for Infrastructure on 26th May 2020



Chris Hughes
A senior officer of the
Department for Infrastructure

(**a**) S.R. 2016 No. 414

EXPLANATORY NOTE

(This note is not part of the Regulations)

Regulation 5 of the Motor Vehicles (Wearing of Seat Belts) Regulations (Northern Ireland) 1993 (S.R. 1993 No. 362) ("the 1993 Regulations") requires a person driving or riding in a motor vehicle who is aged 14 years and over to wear an adult seat belt. This requirement is subject to a number of exceptions.

These Regulations amend regulation 6(1) of the 1993 Regulations by inserting an exemption from the requirement to wear a seat belt for persons riding in a motor ambulance while that person is providing medical treatment to a patient which due to its nature or the medical condition of the patient cannot be delayed. Patient is defined as having the same meaning as in the Health and Personal Social Services (Northern Ireland) Order 1972 ("the 1972 Order"). In the 1972 Order patient is defined as including an expectant or nursing mother and a lying-in woman.

These Regulations adopt the definition of motor ambulance as set out in regulation 2(1) of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 (S.R. 1999 No. 454). For the purpose of these Regulations a motor ambulance is a purpose built motor vehicle which is specially constructed and equipped for medical purposes.

Council Directive 91/671/EEC of 16th December 1991 on the approximation of the laws of Member States relating to compulsory use of safety belts in vehicles (OJ No. L 373, 31.12.1991, p. 26), as amended by Directive 2003/20/EC (OJ No. L 115, 9.5.2003, p. 63), provides under Article 6 that Member States may, with the agreement of the European Commission, exempt emergency services from the requirement to wear a safety belt to ensure that they can perform their duties properly. The agreement of the European Commission was obtained in respect of the proposed amendment on 17th June 2014.

These Regulations revoke the Motor Vehicles (Wearing of Seat Belts) (Amendment) Regulations (Northern Ireland) 2016.

An Explanatory Memorandum has been produced and is available from Safe and Accessible Travel Division, Department for Infrastructure, Clarence Court, 10-18 Adelaide Street, Town Parks, Belfast BT2 8GB or online alongside this Statutory Rule at http://www.legislation.gov.uk/nisr.

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