



April 2005

## Seat Belts: Law

This fact sheet about seat belts explains the legislation for:

- Adults in Cars
- Children in Cars
- Taxis and Limousines
- Delivery Drivers
- Minibuses and Coaches

There is also an at-a-glance table of legislation in cars.

It is part of a range of fact sheets about seat belts, other titles are:

- "Seat belts: Advice and Information"
- "Seat belts: History"
- "Seat belts: Technology"

### Cars:

#### Adults

Drivers and adult front seat passengers in cars must wear a seat belt, unless they have a medical exemption certificate. Adults travelling in the rear of a car must also use seat belts, if they are fitted. It is the responsibility of the adult passenger (not the driver) to ensure that they are using the seat belt.

#### Children under 3 years old

If carried in the front seat, an appropriate child restraint **MUST** be used (the adult seat belt is not sufficient). If carried in the rear seat, an appropriate child restraint **MUST** be used, **if available**.

If an appropriate restraint is fitted in the front of the car, but not the rear, children under 3 years old **MUST** sit in the front and use that restraint. Remember, many restraints can be fitted in the rear seats (check the manufacturer's instructions). Rearward-facing seats should **always** be put in the rear if a front passenger airbag is fitted.



# Road Safety..... ..... **Information**

## **Children Aged 3 to 11 years and under 1.5 metres tall**

If carried in the front seat, an appropriate child restraint **MUST** be worn if available. If not, an adult seat belt **MUST** be worn.

If carried in the rear seat, an appropriate child restraint **MUST** be worn if available. If not, an adult seat belt **MUST** be worn if available.

If an appropriate restraint or seat belt is fitted in the front of the car, but not in the rear, children between 3 to 11 years old and under 1.5 metres tall **MUST** use that restraint or seat belt. Remember, many restraints can be fitted in the rear seats (check the manufacturer's instructions).

## **Children Aged 12 or 13 years or younger children 1.5 metres or more in height**

If carried in the front or rear seat, an adult seat belt **MUST** be worn if available.

## **Passengers Over 14 years old**

If travelling in the front or rear seat, an adult seat belt **MUST** be worn if available.

## **Taxis and Limousines:**

All passengers using taxis and private hire vehicles (PHV) **MUST** wear a seat belt.

Seat belts **MUST** always be worn in a limousine where provided. Unless a limousine has a Certificate of Initial Fitness – where by it would qualify as a PSV rather than a PHV – it is illegal to carry more than eight passengers, regardless of the number wearing seat belts or their age.

## **Delivery Drivers:**

The seat belt law for van drivers and passengers changed on the 1<sup>st</sup> March in 2005. Delivery drivers used to have an exemption from wearing a seat belt when conducting 'local' deliveries although prior to this amendment there was no maximum distance specified for 'local' deliveries.

The seat belt exemption for delivery drivers now only applies when travelling 50m or less between deliveries or collections. It is hoped that this amendment will raise the wearing rates of seat belts in vans.



# Road Safety..... ..... Information

## Minibuses and Coaches:

### Minibuses and Coaches Registered On or After 1 October 2001

All minibuses and coaches registered on or after 1 October 2001 (whether they carry child or adult passengers) must have forward-facing or rearward-facing seat belts.

### Minibuses and Coaches Registered Before 1 October 2001

When the main purpose of the trip is to transport three or more children, minibuses and coaches registered before 1 October 2001 must have a forward-facing seat for each child, fitted with either a three-point seat belt or a lap belt.

### Minibuses - Front Seats

Passengers sitting in the front seats, and any exposed seat, **MUST** use the seat belts that are provided. If children are sitting in these seats, it is the driver's responsibility to ensure that:

- children under 3 years of age use an appropriate child restraint
- children aged between 3 and 11 year, and under 1.5 metres tall use an appropriate child restraint if available, or if not available, wear the seat belt.
- children aged 12 and 13 years (and younger children who are 1.5 metres or taller) use the seat belt.

Passengers aged 14 years or more travelling in the front seats, or any exposed seat, **MUST** wear a seat belt and are personally responsible for doing so.

### Rear Seats in Small Minibuses

Passengers sitting in the rear of minibuses that have an unladen weight of 2,540 kg or less must wear the seat belts that are provided. It is the driver's responsibility to ensure that :

- children under 3 years of age use an appropriate child restraint if available.
- children aged between 3 and 11 years, under 1.5 metres tall use an appropriate child restraint if available, or if not available, wear the seat belt, if available.
- children aged 12 and 13 years (and younger children who are 1.5 metres or taller) use the seat belt, if available.

Passengers over the age of 14 years in smaller minibuses are legally responsible for wearing a seat belt themselves.

### Rear Seats in Larger Minibuses

The law does not require passengers in the rear of larger minibuses (over 2,540 kg unladen weight) to wear seat belts. However, all passengers are strongly advised to wear seat belts on all journeys.



# Road Safety..... ..... **Information**

## **Coaches**

Passengers sitting in seats that are in line with, or in front of, the driver (excluding seats on an upper deck) **MUST** use seat belts that are fitted.

The law does not require passengers using other seats in coaches to wear seat belts. However, RoSPA strongly advises that where seat belts are fitted, they are worn.

The laws about seat belt use in buses and coaches may be changing in the future. The Department for Transport recently issued a consultation entitled "Seat Belt Wearing in Buses and Coaches: Proposal to Require Seat Belts to be Worn, Where Installed, by Passengers Aged 3 and Over".

You can view RoSPA's response to this consultation [here](#).



# Road Safety..... ..... Information

## Legislation At-A-Glance

Seat belt offences can result in a fine of up to £500.

	<b>FRONT SEAT</b>	<b>REAR SEAT</b>	<b>WHOSE RESPONSIBILITY</b>
<b>DRIVER</b>	Must be worn if fitted	-	Driver
<b>CHILD UNDER 3 YEARS OF AGE</b>	Appropriate child restraint must be worn	Appropriate child restraint must be worn if available	Driver
<b>CHILD AGED 3 to 11 and under 1.5metres (about 5 feet) in height</b>	Appropriate child restraint must be worn if available. If not, an adult seat belt must be worn	Appropriate child restraint must be worn if available. If not, an adult seat belt must be worn if available	Driver
<b>CHILD AGED 12 or 13 or younger child 1.5metres or more in height</b>	Adult seat belt must be worn if available	Adult seat belt must be worn if available	Driver
<b>PASSENGERS over the age of 14</b>	Must be worn if available	Must be worn if available	Passenger

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<http://www.highwaycode.gov.uk/>