



**THE TRAFFIC REGULATIONS 1956, AMENDMENT NO. 28**

—  
DENIS BLUNDELL, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington this 18th day of November  
1974

Present:

THE RIGHT HON. W. E. ROWLING PRESIDING IN COUNCIL

PURSUANT to the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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**REGULATIONS**

**1. Title and commencement**—(1) These regulations may be cited as the Traffic Regulations 1956, Amendment No. 28, and shall be read together with and deemed part of the Traffic Regulations 1956\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of January 1975.

**2. Seat belts**—(1) The principal regulations are hereby amended by revoking regulation 51B (as substituted by regulation 3 of the Traffic Regulations 1956, Amendment No. 22), and substituting the following new regulation:

\*S.R. 1956/217 (Reprinted with Amendments Nos. 1 to 16: S.R. 1968/32)

- Amendment No. 17: S.R. 1969/54
- Amendment No. 18: S.R. 1969/115
- Amendment No. 19: S.R. 1970/157
- Amendment No. 20: S.R. 1970/272
- Amendment No. 21: S.R. 1971/117
- Amendment No. 22: S.R. 1972/83
- Amendment No. 23: S.R. 1972/252
- Amendment No. 24: S.R. 1973/95
- Amendment No. 25: (Revoked by S.R. 1973/316)
- Amendment No. 26: S.R. 1973/316
- Amendment No. 27: S.R. 1974/251

*“Seat Belts*

“51b. (1) No person shall operate on a road any motorcar or any goods-service vehicle with a tare weight of less than 2,000 kg (being a motorcar or goods-service vehicle first registered on or after the 1st day of January 1955 or a motorcar or goods-service vehicle operated pursuant to section 22 (5) of the Act), unless it is fitted with a three-point lap and diagonal seat belt of an approved type or a harness of an approved type for the use of the driver and, in the case of a vehicle providing seating accommodation for one or more passengers alongside the driver, at least one other three-point lap and diagonal seat belt of an approved type for the use of a passenger occupying the front seat in that vehicle:

“Provided that where a motor vehicle first registered on or after the 1st day of January 1955 is at the commencement of this regulation fitted and remains fitted with a type of seat belt approved by the Secretary before the commencement of this regulation for the use of the driver and, in the case of a motor vehicle providing seating accommodation for one or more passengers alongside the driver, at least one other seat belt of a type approved by the Secretary before the commencement of this regulation for the use of a passenger occupying a front seat in that vehicle at the commencement of these regulations, it shall not be necessary to fit three-point lap and diagonal belts of an approved type or harnesses of an approved type until that seat belt is replaced:

“Provided also that where the fitting of three-point lap and diagonal belts or harnesses is not practicable, the Secretary may approve alternative types of seat belts for particular vehicles or classes of vehicles.

“(2) Where a seat in a motor vehicle is fitted with a seat belt referred to in subclause (1) of this regulation, no person of or over the age of 15 years (not being a person who is exempted from wearing a seat belt) shall occupy that seat while the motor vehicle is in forward motion on a road, unless he wears the belt and the belt is securely fastened.

“(3) It shall be a defence in any proceedings for a breach of subclause (1) of this regulation if the defendant proves that—

“(a) Reasonable steps had been taken to obtain an approved type of seat belt but without success; and

“(b) An order for such a seat belt had been placed with a supplier and was still in force.

“(4) The Secretary may from time to time—

“(a) Exempt specified vehicles or classes of vehicles from the requirements of subclause (1) of this regulation:

“(b) Exempt specified persons or classes of persons from the requirements of subclause (2) of this regulation.”

(2) The following regulations are hereby revoked:

(a) Regulation 3 of the Traffic Regulations 1956, Amendment No. 22:

(b) Regulation 12 of the Traffic Regulations 1956, Amendment No. 23.

P. G. MILLEN,  
Clerk of the Executive Council.

## EXPLANATORY NOTE

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations provide that on and after 1 January 1975 all motorcars or goods-service vehicles with a tare weight of less than 2,000 kg first registered on or after 1 January 1955 or operated with dealers' plates must be fitted with three-point lap and diagonal belts or harnesses for the driver and, if passengers are carried in the front seat, for at least one passenger.

It will not be necessary to comply with this provision if the vehicle is already fitted and continues to be fitted with seat belts of a type approved before 1 January 1975.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 November 1974.

These regulations are administered in the Ministry of Transport.