



## THE TRAFFIC REGULATIONS 1976, AMENDMENT NO. 2

KEITH HOLYOAKE, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 27th day of November 1978

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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.

### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Traffic Regulations 1976, Amendment No. 2, and shall be read together with and deemed part of the Traffic Regulations 1976\* (hereinafter referred to as the principal regulations).

(2) Regulation 3 of these regulations shall come into force on the 1st day of November 1979.

(3) Subject to subclause (2) of this regulation, these regulations shall come into force on the 1st day of December 1978.

**2. Wearing of seat belts**—The principal regulations are hereby amended by revoking regulation 30, and substituting the following regulation:

“30. (1) Where a seat in a motor vehicle is fitted with a seat belt (whether an approved seat belt or not), no person of or over the age of 15 years shall occupy that seat while the vehicle is in forward motion on a road unless he wears the belt and the belt is securely fastened.

“(2) Every driver of a motor vehicle shall ensure that, while the vehicle is in forward motion on a road, every person in the motor vehicle who is of or over the age of 8 years but not of or over the age of 15 years and who is occupying a seat that is fitted with a seat belt (whether an approved seat belt or not) wears the belt and that the belt is securely fastened.

“(3) The Secretary may from time to time, by notice in the *Gazette*, exempt specified classes of persons from any requirement or requirements of this regulation.”

**3. Types and fitting of seat belts**—(1) Regulation 78 of the principal regulations is hereby amended by inserting, after subclause (1), the following subclause:

“(1A) No person shall operate 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 November 1979, 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 belts, including (except in the case of a four wheel drive vehicle) dual sensitive emergency locking retractors, of an approved type for the use of the driver and the front seat passenger nearest the left side of the vehicle (or the right side of the vehicle, in the case of a left-hand drive vehicle); and

“(b) In the case of a vehicle providing seating accommodation for 2 or more passengers alongside the driver, a two-point lap seat belt of an approved type for each such passenger other than the passenger specified in paragraph (a) of this subclause; and

“(c) In the case of a motorcar providing seating accommodation for passengers in a seat or seats behind the driver’s seat, three-point lap and diagonal seat belts of an approved type for the use of the passenger nearest the left side of the vehicle and the passenger nearest the right side of the vehicle, and a two-point lap seat belt of an approved type for every other passenger for whom there is such seating accommodation:

Provided that where the fitting of such seat belts, or the inclusion of such retractors, is not practicable, the Secretary may approve alternative types of seat belts for particular vehicles or classes of vehicles.”

(2) Regulation 78 of the principal regulations is hereby further amended—

(a) By omitting from subclause (1) the words “, or a motorcar or goods-service vehicle operated pursuant to section 22 (5) of the Act”, and substituting the words “and before the 1st day of November 1979”:

(b) By inserting in subclause (2), after the words “subclause (1)”, the words “or subclause (1A)”:

(c) By omitting from subclause (3) the words “the requirements of subclause (1)”, and substituting the words “any requirement or requirements of subclause (1) or subclause (1A)”.

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 amend the Traffic Regulations 1976.

Regulation 2, which comes into force on 1 December 1978, substitutes a new regulation 30 in the principal regulations relating to the wearing of seat belts. The new regulation differs from the previous regulation in that—

- (a) The age from which a person must wear a seat belt has been lowered from 15 years to 8 years. The driver of the motor vehicle is responsible for ensuring that seat belts are worn by children between the age of 8 years and 15 years;
- (b) Where a seat belt is fitted in a motor vehicle it must now be worn, whether or not it is of an approved type.

Regulation 3, which comes into force on 1 November 1979, inserts a new subclause (1A) in regulation 78 of the principal regulations which relates to the types and fitting of seat belts. The new subclause (1A) provides that every motorcar, or goods-service vehicle with a tare weight of less than 2,000 kg, that is first registered on or after 1 November 1979 shall be fitted with approved 3 point dual-actuated seat belts for the use of the driver and the front seat passenger nearest the side of the vehicle and approved 2 point seat belts for other front seat passengers, and that every such motorcar shall be fitted with approved 3 point seat belts for the use of rear seat passengers nearest the left side or right side of the vehicle and approved 2 point seat belts for other rear seat passengers.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 November 1978.

These regulations are administered in the Ministry of Transport.