



New South Wales

# **Motor Traffic Amendment (Wearing of Seat Belts in Buses) Regulation 1997**

under the

Traffic Act 1909

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Traffic Act 1909*.

CAR SCULLY, MP

Minister for Roads

## **Explanatory note**

Regulation 110F of the *Motor Traffic Regulations 1935* provides that a person who drives, or travels as a passenger in, a motor vehicle fitted with seat belts commits an offence if the person does not wear a seat belt. Regulation 110G of those Regulations provides that a person who drives a motor vehicle having seat belts or other child restraints commits an offence if any child in the vehicle is not fitted with such a seat belt or child restraint. Regulation 110F applies to the wearing of seat belts by persons of or above the age of 14 years. Regulation 110G applies to the wearing of seat belts and other child restraints by children under the age of 14 years. Neither Regulation 110F or 110G currently applies to buses.

The object of this Regulation is to amend Regulation 110F of the *Motor Traffic Regulations 1935* so as to apply it to buses (Schedule 1 [1]) and to the wearing of seat belts by children under the age of 14 years (Schedule 1 [2]).

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In future, any child under the age of 14 years who travels on a motor vehicle (including a bus) that is fitted with seat belts will be guilty of an offence if, while occupying a seat that has a seat belt, he or she fails to wear a seat belt. This is, however, subject to the general rule of law that conclusively presumes that no child who is under the age of 10 years can be guilty of an offence.

The driver of a motor vehicle (other than a bus) will remain liable for ensuring that child passengers in the vehicle are wearing appropriate seat belts or other child restraints.

This Regulation is made under the *Traffic Act 1909*, including section 3 (the general regulation making power) and, in particular, section 3 (1) (i).

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## **Motor Traffic Amendment (Wearing of Seat Belts in Buses) Regulation 1997**

### **1 Name of Regulation**

This Regulation is the *Motor Traffic Amendment (Wearing of Seat Belts in Buses) Regulation 1997*.

### **2 Commencement**

This Regulation commences on 1 June 1997.

### **3 Amendment of Motor Traffic Regulations 1935**

The *Motor Traffic Regulations 1935* are amended as set out in Schedule 1.

### **4 Notes**

The explanatory note does not form part of this Regulation.

## **Schedule 1 Amendments**

(Clause 3)

### **[1] Regulation 110F Wearing of seat belts**

Omit “an implement, a motor cycle or a bus”.  
Insert instead “an implement or a motor cycle”.

### **[2] Regulation 110F (4) (f)**

Omit the paragraph.