



Jersey

MOTOR VEHICLES (WEARING OF SEAT BELTS BY ADULTS) (JERSEY) ORDER 2009

Official Consolidated Version

This is an official version of consolidated legislation compiled and issued under the authority of the Legislation (Jersey) Law 2021.

Showing the law from 1 February 2019 to 16 August 2020



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MOTOR VEHICLES (WEARING OF SEAT BELTS BY ADULTS) (JERSEY) ORDER 2009

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THE MINISTER FOR TRANSPORT AND TECHNICAL SERVICES, in pursuance of Articles 41 and 84 of the [Road Traffic \(Jersey\) Law 1956](#), orders as follows –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order, unless the context otherwise requires –

“anchorage point”, “disabled person’s belt”, “driver’s seat”, “fitted”, “seat”, “seat belt” and “trade licence” have the same meanings as they have in Article 49 of the Construction and Use Order;

“child restraint” has the meaning given in Article 1 of the [Motor Vehicles \(Wearing of Seat Belts by Children\) \(Jersey\) Order 1998](#);

“Construction and Use Order” means the [Motor Vehicles \(Construction and Use\) \(Jersey\) Order 1998](#);

“prescribed seat belt” has the meaning given in Article 2.

2 Duty to wear a prescribed seat belt

(1) Subject to Article 3, when driving or riding on a road in a small passenger vehicle, a minibus, a small goods vehicle, a medium-sized goods vehicle or a large goods vehicle, a person aged 14 or over must wear –

- (a) a disabled person’s belt, if such a belt is fitted in that vehicle and is intended for that person’s use; or
- (b) in any other case, a prescribed seat belt.¹

(2) A prescribed seat belt is a seat belt that –

- (a) is not a disabled person’s belt or a child restraint; and
- (b) complies with each requirement of Articles 48 to 50 of the Construction and Use Order that applies to that belt or in respect of the seat, anchorage points or vehicle to which that belt is fitted.

3 Exceptions

- (1) Article 2(1) does not apply to a person who is –
- (a) using a vehicle for the delivery or collection of goods or mail to consumers or addressees, while engaged in the ordinary course of business in making local rounds of deliveries or collections where –
 - (i) the delivery or collection is from door to door, and
 - (ii) the proximity of each delivery or collection point is such that the driver is constantly leaving and re-entering the vehicle;
 - (b) driving a vehicle while performing a manoeuvre that includes reversing;
 - (c) the holder of a licence to drive a motor vehicle and is supervising the holder of a provisional licence while that holder is performing a manoeuvre that includes reversing;
 - (d) a police officer protecting or escorting another person;
 - (e) not a police officer but is protecting or escorting another person by virtue of powers the same as or similar to those of a police officer for that purpose;
 - (f) in the Airport Fire Service or the Fire Service, as each is defined in the Fire Service (Jersey) Law 1959, and is donning operational clothing or equipment;
 - (g) testing a vehicle if –
 - (i) the purpose of the test requires that he or she does not wear a seat belt, and
 - (ii) he or she is a Traffic Officer or a police officer;
 - (h) engaged on the duties of a driver of a cab;
 - (i) conducting, as provided in the [Road Traffic \(Jersey\) Law 1956](#), a test of competence to drive and his or her wearing a seat belt would endanger himself or herself or any other person;
 - (j) riding in a vehicle, being used under a trade licence, for the purpose of investigating or remedying a mechanical fault in the vehicle;
 - (k) the holder of a valid medical exemption certificate;
 - (l) a disabled person whose disability means it would not be practicable for him or her to wear any of the prescribed belts in the vehicle; or
 - (m) occupying a seat fitted with a prescribed seat belt that has an inertia reel mechanism that is locked as a result of the vehicle being, or having been, on a steep incline.
- (2) Article 2(1)(b) does not apply to a person who is –
- (a) driving a vehicle in which the driver's seat –
 - (i) is not fitted with a prescribed seat belt, and
 - (ii) is not required by Article 49 of the Construction and Use Order to be fitted with a prescribed seat belt; or
 - (b) occupying a seat not fitted with a prescribed seat belt, while riding in a vehicle in which there is no seat that is –

- (i) fitted with a prescribed seat belt, and
 - (ii) available to him or her.
- (3) For the purpose of paragraph (2)(b)(ii) a seat fitted with a prescribed seat belt is available to the person unless –
 - (a) the seat is the driver's seat;
 - (b) the seat is occupied by another person who is using the prescribed seat belt fitted to that seat, whether or not in conjunction with a child restraint or a disabled person's belt; or
 - (c) a child restraint or a disabled person's belt is fitted to the seat, or to the prescribed seat belt, in such a way that –
 - (i) it prevents the person from occupying the seat, or from using the prescribed seat belt, and
 - (ii) it could not readily be removed without the aid of tools.

4 Citation

This Order may be cited as the Motor Vehicles (Wearing of Seat Belts by Adults) (Jersey) Order 2009.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Motor Vehicles (Wearing of Seat Belts by Adults) (Jersey) Order 2009	R&O.30/2009	3 April 2009
Motor Vehicles (Wearing of Seat Belts by Adults) (Amendment) (Jersey) Order 2018	R&O.131/2018	1 February 2019

Table of Renumbered Provisions

Original	Current
4	Spent, omitted
5	4

Table of Endnote References

¹ Article 2(1) *amended by R&O.131/2018*