

CAYMAN ISLANDS



Traffic Law, 2011

TRAFFIC (SEAT BELTS) REGULATIONS, 2012

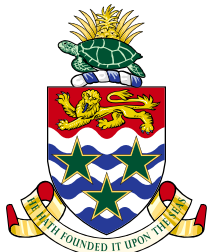
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Arrangement of Regulations

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Traffic Law, 2011

TRAFFIC (SEAT BELTS) REGULATIONS, 2012

(SL 43 of 2012)

In exercise of the powers conferred by sections 70 and 142 of the Traffic Law, 2011 the Governor in Cabinet makes the following Regulations —

Citation

1. These Regulations may be cited as the Traffic (Seat Belts) Regulations, 2012 and come into force immediately after the *Traffic Law, 2011* [Law 26 of 2011] comes into force.

Interpretation

2. (1) In these Regulations —
 - “**adult seat belt**” means a —
 - (a) a three-point belt; or
 - (b) a lap belt;
 - “**child**” means a person under the age of fourteen years;
 - “**disabled person’s belt**” means a seat belt which is specially designed or adapted for use by —
 - (a) an adult; or
 - (b) a young person,
suffering from some physical defect or disability and which is intended for use solely by such a person;

“**front seat**”, in relation to a vehicle, means a seat which is wholly or partially in the front of the vehicle;

“**lap belt**” means a seat belt which passes across the front of the wearer’s pelvic region and which is designed for use by an adult;

“**medical certificate**”, in relation to a person driving or riding in a vehicle, means a medical certificate of a specified period of validity issued by a medical practitioner to the effect that it is inadvisable on medical grounds for that person to wear a seat belt;

“**rear seat**”, in relation to a vehicle, means a seat which is not a front seat;

“**relevant vehicle**” means —

- (a) a motor car;
- (b) an oversize vehicle;
- (c) a special vehicle; and
- (d) a truck;

“**seat**” includes any part of a vehicle designed for the accommodation of one person or a continuing seat designed for the accommodation of more than one person;

“**passenger’s seat**” means a seat within the vehicle other than the driver’s seat where a passenger would normally be seated; and

“**three-point belt**” means a seat belt which —

- (a) restrains the upper and lower parts of the torso;
- (b) includes a lap belt;
- (c) is anchored at not less than three points; and
- (d) is designed for use by an adult.

- (2) A seat shall be regarded as provided with an adult seat belt if it is fixed in such a position that it can be worn by an occupier of that seat.

References to the front of a vehicle

- 3. Every part of the vehicle forward of the transverse vertical plane passing through the rearmost part of the driver’s seat is the front of the vehicle; and accordingly no part of the vehicle to the rear of that plane shall be regarded as being in the front of the vehicle.

Seat belts in vehicles

- 4. (1) A vehicle shall be fitted with —
 - (a) a seat belt on the driver’s seat; and
 - (b) a seat belt on each passenger’s seat in the vehicle,



and for the avoidance of doubt an oversize vehicle and a special vehicle shall be fitted with a seat belt on the driver's seat and each passenger's seat in the vehicle.

- (2) Seat belts referred to in paragraphs (1) and (2) shall be of a type —
- (a) fitted in the vehicle by the manufacturer of the vehicle; or
 - (b) notified in the Gazette by the Director.

Requirement for adults to wear adult belts

5. Subject to regulations 6, 7 and 8, every person who is not a child —
- (a) driving a relevant vehicle;
 - (b) riding in the front seat of a relevant vehicle; or
 - (c) riding in a rear seat of a relevant vehicle, shall wear an adult seat belt.

General exemptions

6. Regulation 5 does not apply to —
- (a) a person holding a medical certificate;
 - (b) a person driving a vehicle while performing a manoeuvre which includes reversing; or
 - (c) a disabled person who is wearing a disabled person's belt.

Description of seat belt to be worn by children

7. A child travelling in a relevant vehicle shall wear an adult seat belt or a child restraint which is of a type approved by the Director for use by a child and notified in the Gazette.

Exemptions for children

8. Regulation 7 does not apply to —
- (a) a child for whom there is a medical certificate;
 - (b) a child under two years of age in a carry cot restrained by a seat belt; or
 - (c) a disabled child who is wearing a disabled person's belt.

Made in Cabinet the 29th day of August, 2012

Kim Bullings
Clerk of the Cabinet

