

## “Seat Belts”

NOTE: This only applies to South Australia  
If Traveling Interstate check with the local statutory Authority

This was the starting point to answer the question

### **Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014—15.4.2017**

#### **35—Approved booster seats, child restraints and child safety harnesses**

For the purposes of rule 266 (Wearing of seatbelts by passengers under 16 years old), booster seats, child restraints and child safety harnesses are approved if approved under the *Road Traffic (Miscellaneous) Regulations 2014*.

#### **36—Wearing of seatbelts by passengers under 16 years old**

Despite anything in rule 266(5C) (Wearing of seatbelts by passengers under 16 years old), the exemption in subrule (5C) only applies to the driver of a correctional vehicle, juvenile justice vehicle or sheriff's vehicle if—

- (a) the vehicle has 2 or more rows of seats and the passenger is not in the front row of seats or there is not a seating position available for the passenger in another row of seats; or
- (b) the vehicle has a caged, or other secured, area designed for the carriage of passengers and the passenger occupies a seating position in that area.

#### **37—Exemptions from wearing seatbelts**

(1) For the purposes of rule 267(1) (Exemptions from wearing seatbelts), a person is exempt from wearing a seatbelt if the vehicle is a historic vehicle as defined in regulation 15 of the *Motor Vehicles Regulations 2010* that is—

- (a) registered under section 25 of the *Motor Vehicles Act 1959*; and
- (b) being driven in accordance with the conditions of that registration.

(2) For the purposes of rule 267(3), a certificate stating that a specified person is not required to wear a seatbelt, indefinitely or for a specified period, may be issued—

- (a) by the Minister on any ground the Minister considers appropriate; or
- (b) by a medical practitioner on the ground of physical disability or any medical ground.

Then the final part of the answer to the question

### **Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014 rule 37—Exemptions from wearing seatbelts**

(1) For the purposes of rule 267(1) (Exemptions from wearing seatbelts), a person is exempt from wearing a seatbelt if the vehicle is a historic vehicle as defined in regulation 15 of the *Motor Vehicles Regulations 2010* that is—

- (a) registered under section 25 of the *Motor Vehicles Act 1959*; and
- (b) being driven in accordance with the conditions of that registration.

Definition Historic vehicle - *Motor Vehicles Regulations 2010* Regulation 15  
historic vehicle means—

- (a) a motor vehicle is a historic vehicle if 30 years or more have elapsed since 1 January of the year in which the vehicle was manufactured;
- (b) a motor vehicle is a left-hand drive vehicle if—
  - (i) 30 years or more have elapsed since 1 January of the year in which the vehicle was manufactured; and
  - (ii) the vehicle has its steering wheel on the left of the longitudinal axis of the vehicle.