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Dear Federation,

**SEATBELT LAW CHANGES FOR HISTORIC VEHICLES**

I am writing to advise you that regulation 37(1) of the South Australian Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014 has been repealed, taking effect as of 13 December 2018.

The repealing of this regulation means that people travelling in vehicles registered on the Club Registration Scheme (the Scheme) that are fitted with seatbelts must wear those seatbelts.

Previously, this regulation effectively exempted any person travelling in a vehicle registered on the Scheme from wearing a seatbelt, even where the vehicle has seatbelts fitted. As you are aware, a review of the Scheme saw changes to the eligibility age of vehicles from 1 July 2017. As the Scheme is now open to later model vehicles, vehicles that are 30 years old or more (on a rolling basis), many of which are fitted with seatbelts, such an exemption is no longer suitable.

In addition, vehicles registered under the Scheme are now subject to seatbelt and child restraint laws under the Australian Road Rules (the ARR). While rule 267(1A) of the ARR still provides an exemption from wearing a seatbelt if one is not fitted, this exemption does not apply to a person who is under seven years old. In addition, any child under the age of seven must be restrained in a suitable, properly fastened and approved child restraint.

While it is appreciated that this may pose difficulty for vehicles in modifying them to provide for seatbelts and child restraints, allowing children to travel in vehicles without being appropriately restrained is not considered appropriate. Given one third of driver fatalities involve people not wearing a seatbelt, the decision to repeal regulation 37(1) is consistent with South Australia's Road Safety Strategy.

Attached is a copy of the Gazette Notice for your reference. It would be appreciated if this information could be communicated to your members.

Yours sincerely

Emma Kokar  
Registrar of Motor Vehicles

20 December 2018

South Australia

## **Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Seatbelts) Variation Regulations 2018**

under the *Road Traffic Act 1961*

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### **Part 1—Preliminary**

#### **1—Short title**

These regulations may be cited as the *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Seatbelts) Variation Regulations 2018*.

#### **2—Commencement**

These regulations come into operation on the day on which they are made.

#### **3—Variation provisions**

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

### **Part 2—Variation of *Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014***

#### **4—Variation of regulation 37—Exemptions from wearing seatbelts**

- (1) Regulation 37(1)—delete subregulation (1)
- (2) Regulation 37(2)—after "rule 267(3)" insert:  
(Exemptions from wearing seatbelts)

#### **Note—**

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

**Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) (Seatbelts) Variation  
Regulations 2018**

*Part 2—Variation of Road Traffic (Road Rules—Ancillary and Miscellaneous Provisions) Regulations 2014*

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**Made by the Governor**

with the advice and consent of the Executive Council  
on 13 December 2018

No 248 of 2018

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