

Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002

Rule 32011

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AMENDMENTS

- Land Transport Rule: Seatbelts and Seatbelt Anchorages Amendment 2005 (Rule 32011/1)
- Land Transport Rule: Seatbelts and Seatbelt Anchorages Amendment 2009 (Rule 32011/2)
- Land Transport Rule: Seatbelts and Seatbelt Anchorages Amendment 2013 (Rule 32011/3)
- Land Transport Rule: Seatbelts and Seatbelt Anchorages Amendment 2016 (Rule 32011/4)

Objective of the rule

Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002 is one of a series of rules that sets safety requirements and standards for systems and components in vehicles operating in New Zealand. This rule states in which seating positions seatbelts must be fitted in vehicles, as well as the type of seatbelt that must be fitted. The aim of the rule is to ensure that safety requirements for the fitting and maintenance of seatbelts are complied with, and that seatbelts are securely anchored to a vehicle's structure so that they function effectively in a crash.

The rule specifies requirements with which a vehicle must comply for certification purposes and that apply throughout the vehicle's on-road life. The general safety requirements for seatbelts and their anchorages consolidate, and, carry over, the relevant provisions of the *Traffic Regulations 1976* and the *Transport (Vehicle Standards) Regulations 1990*. The rule also contains some new requirements that are aimed at improving safety in all light motor vehicles (gross vehicle mass of 3500 kg or less) operating on New Zealand roads. The seatbelt regime has been simplified by basing the seatbelt requirements for vehicles that are first registered in New Zealand after 1 April 2002 on the date of manufacture of the vehicle.

Approved vehicle standards are “incorporated by reference” in the rule in accordance with section 165 of the Land Transport Act 1998, so that they are, effectively, part of the rule. The rule includes standards both for seatbelts and for seatbelt anchorages.

This rule applies throughout the on-road life of a vehicle by specifying requirements for seatbelts and their anchorages in vehicles at: first registration in New Zealand; repair; modification; in-service inspection and other aspects of continuing compliance. The rule is an essential element of the safety framework governing vehicles in New Zealand. It links with, and provides a means of assessment for, *Land Transport Rule: Vehicle Standards Compliance 2002*, which sets procedures for vehicle inspection and certification.

The rule states who is responsible for ensuring compliance with its requirements: operators, repairers, modifiers, vehicle inspectors and inspecting organisations, manufacturers and retailers. This links the rule to provisions of the *Land Transport (Offences and Penalties) Regulations 1999*.

Extent of consultation

In March 1994, the consultation process for proposed requirements for seatbelt anchorages, but not seatbelts, began with the release of the red (registered interest groups) draft of the *Seatbelt Anchorages Rule*, together with the red draft of the *Seats and Seat*

Anchorage Rule and a number of other rules relating to vehicle standards. The red drafts were sent to 240 organisations and individuals who had either registered an interest in the rules or who were considered likely to be interested in the rules. Twenty-seven written submissions were received.

The ensuing yellow drafts of these rules were released for public consultation in August 1994. The Land Transport Safety Authority (LTSA) received 61 written submissions, which were analysed and taken into account in redrafting the rules. Twenty-seven participants attended a public forum with LTSA representatives to discuss key issues. There was also subsequent formal and informal discussion with interested groups and individuals.

The red draft of a proposed *Seatbelts Rule* was released in May 1995. That rule set out requirements for seatbelts and their location in motor vehicles, but did not include their anchorage requirements. Forty-five submissions were received and analysed.

As a result of consultation, it was decided that all the seat related rules would be produced together. The yellow drafts of the *Seats and Seat Anchorages Rule* and the *Seatbelts and Seatbelt Anchorages Rule* were released for public consultation in January 1997. Notice of intention to make the rules and of the availability of the draft rules for comment was published in the five metropolitan daily newspapers and in the *New Zealand Gazette*. The draft rules were also publicised in a national Maori newspaper and were sent to national libraries and transport organisations overseas. Copies were also sent to those who had registered an interest in the rules and to those who had commented on the earlier drafts.

The LTSA received 58 submissions and identified the main issues that had been commented on. These issues were addressed in redrafting the rules, which were then released in June 1998 as green drafts for comment by key interest groups. Fourteen submissions were received on the green drafts and these were taken into account in redrafting the rules.

The public was actively involved in the consultation on both rules as a result of concerns about the safety of children travelling on school buses. The LTSA was also involved in on-going consultation and discussion with industry groups on issues of concern in the two rules. Most of the major industry groups consulted are represented on the Vehicle Standards Advisory Committee.

A final round of consultation on this rule was undertaken during July and August 2001 by way of the *Vehicle Safety Proposals Consultation Paper*, which was released on 28 June 2001 for public comment. Sixty-four submissions were received on the proposal that when retractor-type seatbelts in the front seating positions of Class MA passenger vehicles failed a warrant of fitness inspection, they must be replaced by a type of seatbelt that minimised uncontrolled webbing payout after the locking mechanism had been activated (such as a webbing-clamp seatbelt). A redrafted rule was released concurrently with the consultation paper and 14 submissions were received in response to the draft rule. The proposal has been included in the final rule.

Issues identified in submissions were taken into account in redrafting the rule before it was submitted to Cabinet, and to the Minister of Transport for signature.

Part 1 Rule requirements

(r 1.1 to r 5.6)

Section 1 Application

1.1 Title

This rule is *Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002*.

1.2 Scope of the rule

1.2(1) This rule applies to seatbelts and seatbelt anchorages in all motor vehicles, except vehicles of Classes TA, TB, TC and TD in *Table A* in *Part 2*.

1.2(2) This rule specifies requirements:

- (a) with which a motor vehicle must comply so as to be operated on a road; and
- (b) that are, for the purposes of *Land Transport Rule: Vehicle Standards Compliance 2002*, the applicable requirements for seatbelts and seatbelt anchorages.

1.2(3) In this rule, every reference to a vehicle inspector or inspecting organisation is a reference to a certifier for the purposes of the *Land Transport (Offences and Penalties) Regulations 1999* and the *Land Transport (Certification and Other Fees) Regulations 1999*.

1.3 Date when rule comes into force

This rule comes into force on 1 April 2002.

1.4 Application of rule provisions

1.4(1) If there is a conflict between a provision of this rule and the corresponding provision of a document incorporated by reference in the rule, the provision of the rule applies.

1.4(2) If there is a conflict between a provision of this rule and a provision of *Land Transport Rule: Vehicle Standards Compliance 2002*, the provision of *Land Transport Rule: Vehicle Standards Compliance 2002* applies.

- 1.4(3) A seatbelt or seatbelt anchorage does not have to comply with an approved vehicle standard in this rule or with a requirement of this rule relating to the type of seatbelt required in a seating position, if:
- (a) the seatbelt is original equipment specification or the seatbelt anchorage is original equipment; and
 - (b) the motor vehicle in which the seatbelt or seatbelt anchorage is fitted complies with an approved frontal impact standard in *Land Transport Rule: Frontal Impact 2001*; and
 - (c) the applicable version of the approved frontal impact standard provides that it takes precedence over the requirements for the seatbelt or seatbelt anchorage that would otherwise apply.
- 1.4(4) For the avoidance of doubt, an exemption from, or approval of a variation to, a requirement for seatbelts or seatbelt anchorages in the *Traffic Regulations 1976* or the *Transport (Vehicle Standards) Regulations 1990* that was published in the *Gazette* before 1 April 2002, in relation to a specified motor vehicle or a specified class of motor vehicle, remains valid after this rule comes into force, for all relevant vehicles that were registered in New Zealand before 1 April 2002.

Section 2

Vehicle standards and other safety requirements

2.1 Application of requirements

2.1(1) Subject to 2.1(2) to 2.1(4), a motor vehicle in 2.1(5) must be fitted with seatbelts and seatbelt anchorages as specified:

- (a) for the class of vehicle, and in the seating positions, in *Table 2.1*, *Table 2.2*, *Table 2.3* or *Table 2.4*, as applicable; and
- (b) in the other applicable requirements in this rule.

[Note. See the flowcharts in *Schedule 1*. As shown in *Flowchart 2*, the requirements for seatbelts and their anchorages in vehicles first registered in New Zealand on or after 1 April 2002 are based on the vehicle's *date of manufacture* rather than the *date of first registration outside New Zealand*.]

2.1(2) A motor vehicle does not have to be fitted with seatbelts if it was manufactured, or first registered in any country, before 1 January 1955, but if seatbelts are fitted, they must be attached to seatbelt anchorages that are of an appropriate type, as specified in 2.6, and:

- (a) the seatbelts must comply with 2.2 and the applicable requirements in 2.4; and
- (b) the seatbelt anchorages must comply with 2.3 and the applicable requirements in 2.6.

2.1(3) Seatbelts and seatbelt anchorages fitted in a low volume vehicle, including one certified in accordance with the *Low Volume Vehicle Code* as a low volume vehicle because it has been retrofitted with seatbelt anchorages, must comply with:

- (a) *clauses 2.2* for seatbelts and *2.3* for seatbelt anchorages; and
- (b) the applicable requirements for seatbelts in *2.4* and for seatbelt anchorages in *2.6*; and
- (c) the requirements of the *Low Volume Vehicle Code* that are applicable at the date of certification or recertification of the vehicle as a low volume vehicle.

[Note. The concept of low volume vehicles and, hence, certification for such vehicles was not initiated until after 1991. A motor vehicle last modified before 1 January 1992 does not have to comply with the *Low Volume Vehicle Code*, provided the vehicle has been continuously registered in New Zealand since that date. In that case, however, the seatbelts and their anchorages must comply with the general safety requirements in *2.2* and *2.3* and the applicable requirements in *2.4* and *2.6*]

2.1(4) Subject to 2.1(2), 2.1(3) and *section 3*, seatbelts and seatbelt anchorages fitted in a motor vehicle, whether or not they are required under 2.1(1) for that seating position in a vehicle of that class, must comply with:

- (a) *clauses 2.2* for seatbelts and *2.3* for seatbelt anchorages; and
- (b) the applicable requirements for seatbelts in *2.4* and for seatbelt anchorages in *2.6*; and
- (c) the approved vehicle standards, if applicable, for seatbelts in *Schedule 2* and for seatbelt anchorages in *Schedule 3*.

Application of tables

2.1(5) *Tables 2.1* to *2.4* apply as follows:

- (a) *Table 2.1* applies to a motor vehicle:
 - (i) first registered in New Zealand before 1 January 1991 that was first registered in any country on or after 1 January 1955 and before 1 November 1979; or

- (ii) first registered in New Zealand on or after 1 January 1991 and before 1 April 2002 that was first registered outside New Zealand on or after 1 January 1955 and before 1 January 1961; or
- (iii) first registered in New Zealand on or after 1 April 2002 that was manufactured on or after 1 January 1955 and before 1 November 1979;
- (b) *Table 2.2* applies to a motor vehicle first registered in New Zealand before 1 January 1991 that was first registered in any country on or after 1 November 1979 and before 1 January 1991;
- (c) *Table 2.3* applies to a motor vehicle:
 - (i) first registered in New Zealand on or after 1 January 1991 and before 1 April 2002 that was first registered outside New Zealand on or after 1 January 1961 and before 1 April 2002; or
 - (ii) first registered in New Zealand on or after 1 April 2002 that was manufactured on or after 1 November 1979 and before 1 October 2003;
 - [(iii) first registered in New Zealand on or after 1 January 1991 and before 1 April 2002 that was not previously registered in any other country.]
- (d) *Table 2.4* applies to a motor vehicle manufactured on or after 1 October 2003.

2.1(6) Seatbelts do not have to be fitted in a motor vehicle:

- (a) with a tare of 2000 kg or more to which *Table 2.1* or *Table 2.2* applies;
- (b) with a gross vehicle mass of more than 3500 kg to which *Table 2.3* applies, unless otherwise specified in this rule;
- (c) of Class MD2 to which *Table 2.3* applies that is not of monocoque construction.

Type of seatbelt required

2.1(7) Subject to 2.1(2) to 2.1(4), 2.1(9), 2.1(10) and *section 3*, and in accordance with the applicable requirements indicated by the notes to *Tables 2.1* to 2.4:

- (a) a vehicle of Class LE1, LE2, MA, MB, MC or NA to which *Table 2.1* applies must have lap-and diagonal seatbelts in the driver's seating position and front outer seating position;
- (b) a vehicle of Class LE1, LE2, MA, MB or MC to which *Table 2.2* or *Table 2.3* applies must have:
 - (i) lap-and-diagonal retractor seatbelts in the driver's seating position and front outer seating position; and
 - (ii) lap-and-diagonal seatbelts in all rear outer seating positions; and
 - (iii) lap seatbelts in all front and rear middle seating positions;
- (c) a vehicle of Class NA to which *Table 2.2* or *Table 2.3* applies must have:
 - (i) lap-and-diagonal retractor seatbelts in the driver's seating position and front outer seating position; and
 - (ii) lap seatbelts in all front middle seating positions;
- (d) a vehicle of Class MD1 or Class MD2 to which *Table 2.3* applies must have lap-and-diagonal retractor seatbelts in the driver's seating position and front outer seating position, and lap seatbelts in all front middle seating positions, on or after 1 October 2002, and, if retrofitting is required, those seatbelts must be retrofitted before 1 October 2003;
- (e) a vehicle of Class LE1, LE2, MA, MB, MC, MD1, MD2 or NA to which *Table 2.4* applies must have:
 - (i) lap-and-diagonal retractor seatbelts in the driver's seating position and in all front and rear outer seating positions; and
 - (ii) lap seatbelts in all front and rear middle seating positions;
- (f) a vehicle of Class NB or Class NC to which *Table 2.4* applies must have:
 - (i) lap-and-diagonal retractor seatbelts in the driver's seating position and front outer seating position; and
 - (ii) lap seatbelts in all front middle seating positions.

Seatbelts in sideways-facing seating positions

2.1(8) A seatbelt does not have to be fitted in a sideways-facing seating position in a Land Rover manufactured before 1 January 1991.

2.1(9) A seatbelt fitted in a sideways-facing seating position in a motor vehicle first registered in New Zealand:

- (a) before 1 October 2002, may be of any type;
- (b) on or after 1 October 2002, must be a lap seatbelt.

Seatbelts in vehicles of Class LE1 or Class LE2

2.1(10) The requirements in *Tables 2.1 to 2.4* apply to a motor vehicle of Class LE1 or Class LE2 only if the vehicle does not have motorcycle controls.

Table 2.1 - Seatbelt and seatbelt anchorage requirements for a motor vehicle¹, as specified in 2.1(5)(a)

Class	Seating position	Type of seatbelt required	Type of seatbelt anchorages required	Other requirements for seatbelts	Other requirements for seatbelt anchorages
LE1 ³ LE2 ³	Driver's	A ^{2,4,5}	Three-point anchorages for Type A seatbelts	Compliance with general safety requirements in 2.2 and with one or more of the standards listed in <i>Schedule 2, List A or List B</i> , as specified in 2.5	Compliance with general safety requirements in 2.3 For seatbelt anchorages retrofitted before 1 April 2002, refer to 4.1(6)
MA	Front outer	A ^{2,4,5}			
MB	Front middle	–			
MC	Rear outer	–			
NA	Rear middle	–			
Other classes and motor vehicles not in <i>Table A</i>	Driver's	–			
	Front outer	–			
	Front middle	–			
	Rear outer	–			
	Rear middle	–			

KEY:

Types of seatbelt:

- no seatbelt required
- A lap-and-diagonal seatbelt without retractor

Notes:

- 1 For motor vehicles not required to have seatbelts, that have seatbelts fitted, see 2.1(4).
- 2 For a motor vehicle with a tare of 2000 kg or more, see 2.1(6)(a).
- 3 Applies to Class LE1 or Class LE2 vehicles only if they do not have motorcycle controls, see 2.1(10).
- 4 For original equipment seatbelts in vehicles first registered in any country between 1 January 1955 and 1 November 1979, see 2.4(11).
- 5 For a motor vehicle whose structure does not allow the required seatbelt to be fitted, see 3.1.

Table 2.2 - Seatbelt and seatbelt anchorage requirements for a motor vehicle¹, as specified in 2.1(5)(b)

Class	Seating position	Type of seatbelt required	Type of seatbelt anchorages required	Other requirements for seatbelts	Other requirements for seatbelt anchorages
LE1 ⁴ LE2 ⁴ MA ⁸ MB MC	Driver's	A-ELR ^{2,5,7}	Two-point anchorages for Type B seatbelts	Compliance with general safety requirements in 2.2 and with one or more of the standards listed in <i>Schedule 2, List A</i> or <i>List B</i> , as specified in 2.5	Compliance with general safety requirements in 2.3 For seatbelt anchorages retrofitted before 1 April 2002, refer to 4.1(6)(a), 4.1(7) and 4.1(8) For seatbelt anchorages retrofitted on or after 1 April 2002, refer to 4.1(9) and 4.1(10)
	Front outer	A-ELR ^{2,5,7}	Three-point anchorages for Type A seatbelts		
	Front middle	B ²			
	Rear outer ³	A ^{2,7}	Three- or four-point anchorages ⁶ for Type A-ELR seatbelts		
	Rear middle ³	B ²			
NA	Driver's	A-ELR ^{2,5,7}			
	Front outer	A-ELR ^{2,5,7}			
	Front middle	B ²			
	Rear outer ³	–			
	Rear middle ³	–			
Other classes and motor vehicles not in <i>Table A</i>	Driver's	–			
	Front outer	–			
	Front middle	–			
	Rear outer ³	–			
	Rear middle ³	–			

KEY:

Types of seatbelt:

- no seatbelt required
- B lap seatbelt
- A lap-and-diagonal seatbelt without retractor
- A-ELR lap-and-diagonal seatbelt with emergency-locking retractor

Notes:

- 1 For motor vehicles not required to have seatbelts, that have seatbelts fitted, see 2.1(4).
- 2 For a motor vehicle with a tare of 2000 kg or more, see 2.1(6)(a).
- 3 For a motor vehicle with sideways-facing seating positions, see 2.1(8) and 2.1(9).
- 4 Applies to Class LE1 or Class LE2 vehicles only if they do not have motorcycle controls, see 2.1(10).
- 5 For seatbelts where the type of seatbelt specified is A-ELR, see 2.4(2) and 2.4(3).
- 6 For the types of seatbelt anchorages for Type A-ELR seatbelts, see 2.6.
- 7 For a motor vehicle whose structure does not allow the required seatbelt to be fitted, see 3.1.
- 8 For replacement seatbelts in a front seating position of a Class MA vehicle, see 4.2(4).

Table 2.3 - Seatbelt and seatbelt anchorage requirements for a motor vehicle¹, as specified in 2.1(5)(c)

Class	Seating position	Type of seatbelt required	Type of seatbelt anchorages required	Other requirements for seatbelts	Other requirements for seatbelt anchorages	
LE1 ⁶ LE2 ⁶ MA ¹⁰ MB MC	Driver's	A-ELR ^{2,7,9}	Two-point anchorages for Type B seatbelts	Compliance with general safety requirements in 2.2 and with one or more of the standards listed in <i>Schedule 2, List A</i> , as specified in 2.5	Compliance with general safety requirements in 2.3 and, if original equipment, one or more of the standards listed in <i>Schedule 3</i> , as specified in 2.7(2), except if 2.7(1) applies	
	Front outer	A-ELR ^{2,7,9}	Three-point anchorages for Type A seatbelts			
	Front middle	B ²				
	Rear outer ⁵	A ^{2,9}	Three- or four-point ⁸ anchorages for Type A-ELR seatbelts			
	Rear middle ⁵	B ²				
MD1 MD2 ³ NA	Driver's	A-ELR ^{4,7,9}				
	Front outer	A-ELR ^{4,7,9}				
	Front middle	B ²				
	Rear outer ⁵	–				
	Rear middle ⁵	–				
Other classes and motor vehicles not in <i>Table A</i>	Driver's	–			For seatbelt anchorages retrofitted before 1 April 2002, refer to 4.1(7) and 4.1(8) For seatbelt anchorages retrofitted on or after 1 April 2002, refer to 4.1(9) and 4.1(10)	
	Front outer	–				
	Front middle	–				
	Rear outer ⁵	–				
	Rear middle ⁵	–				

KEY:

Types of seatbelt:

- no seatbelt required
- B lap seatbelt
- A lap-and-diagonal seatbelt without retractor
- A-ELR lap-and-diagonal seatbelt with emergency-locking retractor

Notes:

- 1 For motor vehicles not required to have seatbelts, that have seatbelts fitted, see 2.1(4).
- 2 For a motor vehicle with a gross vehicle mass that exceeds 3500 kg, see 2.1(6)(b).
- 3 For a Class MD2 vehicle not of monocoque construction, see 2.1(6)(c).
- 4 Applies to Class MD1 and Class MD2 vehicles on or after 1 October 2002, see 2.1(7)(d).
- 5 For a motor vehicle with sideways-facing seating positions, see 2.1(8) and 2.1(9).
- 6 Applies to Class LE1 or Class LE2 vehicles only if they do not have motorcycle controls, see 2.1(10).
- 7 For seatbelts where the type of seatbelt specified is A-ELR, see 2.4(2) and 2.4(3).
- 8 For the types of seatbelt anchorages for Type A-ELR seatbelts, see 2.6.
- 9 For a motor vehicle whose structure does not allow the required seatbelts to be fitted, see 3.1.

10 For replacement seatbelts in a front seating position of a Class MA vehicle, see 4.2(4).

Table 2.4 - Seatbelt and seatbelt anchorage requirements for a motor vehicle¹, as specified in 2.1(5)(d)

Class	Seating position	Type of seatbelt required	Type of seatbelt anchorages required	Other requirements for seatbelts	Other requirements for seatbelt anchorages
LE1 ³	Driver's	A-ELR ⁴	Two-point anchorages for Type B seatbelts	Compliance with general safety requirements in 2.2 and with one or more of the standards listed in <i>Schedule 2, List A</i> , as specified in 2.5	Compliance with general safety requirements in 2.3 and, if original equipment, one or more of the standards listed in <i>Schedule 3</i> , as specified in 2.7(2) For retrofitted seatbelt anchorages, refer to 4.1(9) and 4.1(10)
LE2 ³	Front outer	A-ELR ⁴	Three-point anchorages for Type A seatbelts		
MA	Front middle	B			
MB	Rear outer ²	A-ELR ⁴	Three- or four-point ⁵ anchorages for Type A-ELR seatbelts		
MC	Rear middle ²	B			
MD1	Driver's	A-ELR ⁴			
MD2	Front outer	A-ELR ⁴			
NA	Front middle	B			
NB	Rear outer ²	–			
NC	Rear middle ²	–			
Other classes and motor vehicles not in <i>Table A</i>	Driver's	–			
	Front outer	–			
	Front middle	–			
	Rear outer ²	–			
	Rear middle ²	–			

KEY:

Types of seatbelt:

- no seatbelt required
- B lap seatbelt
- A lap-and-diagonal seatbelt without retractor
- A-ELR lap-and-diagonal seatbelt with emergency-locking retractor

Notes:

- 1 For motor vehicles not required to have seatbelts, that have seatbelts fitted, see 2.1(4).
- 2 For a motor vehicle with sideways-facing seating positions, see 2.1(8) and 2.1(9).
- 3 Applies to Class LE1 or Class LE2 vehicles only if they do not have motorcycle controls, see 2.1(10).
- 4 For seatbelts where the type of seatbelt specified is A-ELR, see 2.4(2) and 2.4(3).
- 5 For the types of seatbelt anchorages for Type A-ELR seatbelts, see 2.6.

2.2 General safety requirements for seatbelts

2.2(1) A seatbelt must be of a design suitable for the vehicle, and must be strong, secure, in sound condition and in good working order.

- 2.2(2) Seatbelt webbing must not be cut, stretched, frayed or faded, or have otherwise deteriorated so as to reduce the performance of the seatbelt to below safe tolerance.
- 2.2(3) Seatbelt webbing must be securely attached to the tongue or the adjusting buckle and to any fittings that secure a seatbelt to the seatbelt anchorages, and must be able to be adjusted by the wearer.
- 2.2(4) The strands of the steel cables of a seatbelt stalk must not be damaged or have deteriorated, and the seatbelt stalk must not have other weaknesses that could reduce the performance of the seatbelt to below safe tolerance.
- 2.2(5) Seatbelt buckles, retractor mechanisms, or any other fittings intended to ensure the safe use of the seatbelt, must not have deteriorated to below safe tolerance.
- 2.2(6) A seatbelt must be able to be readily fastened and released by the wearer.
- 2.2(7) In assessing whether 2.2(1) to 2.2(6) are complied with, a person in *section 5* may take into account evidence that a seatbelt is within the seatbelt manufacturer's operating limits.

2.3 General safety requirements for seatbelt anchorages

- 2.3(1) A seatbelt anchorage and its mounting location:
 - (a) must be of a strength appropriate to both the motor vehicle and the attached seatbelt; and
 - (b) must be structurally sound and free of corrosion; and
 - (c) must not be damaged or distorted.
- 2.3(2) When a seatbelt or part of a seatbelt is integral to a seat, the seat and the seat anchorages must be compatible in strength with the seatbelt or with that part of the seatbelt attached to the seat, as appropriate.
- 2.3(3) In assessing whether 2.3(1) is complied with, a person in *section 5* may take into account evidence that the seatbelt anchorage is within the motor vehicle manufacturer's operating limits.
- 2.3(4) In assessing whether 2.3(2) is complied with, a person in *section 5* may take into account evidence that a seat or seat anchorage is within the motor vehicle manufacturer's or component manufacturer's operating limits, including the type of seatbelt for which it was originally designed.

2.4 Fitting, position and type requirements for seatbelts

- 2.4(1) Unless it is upgraded under 2.4(6) to 2.4(10), or *section 3* applies, a seatbelt must be of the type specified in *Table 2.1*, *Table 2.2*, *Table 2.3* or *Table 2.4* that is relevant to the class of vehicle and the seating position, where the following designations of seatbelt type apply:
 - (a) a lap seatbelt is designated as a "Type B" seatbelt;
 - (b) a lap-and-diagonal seatbelt without a retractor is designated as a "Type A" seatbelt;
 - (c) a lap-and-diagonal seatbelt with an emergency-locking retractor is designated as a "Type A-ELR" seatbelt.

Sensitivity of retractors

- 2.4(2) If, in Tables 2.2 to 2.4, the type of seatbelt that has to be fitted in a motor vehicle is Type A-ELR:
 - (a) a seatbelt in a front seating position must have a multiple-sensitive emergency-locking retractor, unless either:
 - (i) the seatbelt has been exempted from this requirement by notice in the Gazette or 2.4(12) applies; or
 - (ii) subclause 2.4(3) applies;
 - (b) a seatbelt in a rear seating position may have either a single-sensitive emergency-locking retractor or a multiple-sensitive emergency-locking retractor.
- 2.4(3) If, in Tables 2.2 to 2.4, the type of seatbelt that has to be fitted in a motor vehicle in a front seating position is Type A-ELR, the emergency-locking retractor may be single sensitive if the seatbelt is the vehicle manufacturer's original equipment specification, and:
 - (a) the vehicle complies with an approved frontal impact standard in Land Transport Rule: Frontal Impact 2001; or
 - (b) the vehicle is fitted with airbags that are the vehicle manufacturer's original equipment specification; or
 - (c) the seatbelt has features that are specifically designed to operate in conjunction with other parts of an integrated occupant protection system.
- 2.4(4) If satisfied that 2.4(3) is complied with, a vehicle inspector or inspecting organisation must either:
 - (a) issue a declaration containing the following information:
 - (i) a statement that 2.4(3)(a), (b) or (c) applies to the vehicle; and
 - (ii) the vehicle's make, model, date of manufacture and vehicle identification number or chassis number; and

(iii) the date of issue, and the name, contact details and signature of the vehicle inspector or inspecting organisation;

or

(b) issue a plate containing information in a format, and to be axed to the vehicle in a position, approved by the [Agency].

2.4(5) A declaration issued under 2.4(4) must be provided:

- (a) on request, to a vehicle inspector or inspecting organisation for periodic inspection purposes;
- (b) to an enforcement officer for enforcement purposes, on request or within seven days of a request.

Upgrading of seatbelts

2.4(6) Subject to 2.1(3), 2.1(4) and 2.1(9), any type of lap seatbelt or lap-and-diagonal seatbelt, including a lap-and diagonal seatbelt with any type of retractor, may be fitted if a seatbelt is not required in *Table 2.1, Table 2.2, Table 2.3* or *Table 2.4* for that seating position in a vehicle of that class.

2.4(7) Subject to 2.1(3), 2.1(4) and 2.1(9), any type of lap-and- diagonal seatbelt, including a lap-and-diagonal seatbelt with any type of retractor, may be fitted if a lap seatbelt or lap-and-diagonal seatbelt without a retractor is required in *Table 2.1, Table 2.2, Table 2.3* or *Table 2.4* for that seating position in a vehicle of that class.

2.4(8) A seatbelt with a retractor that is not the vehicle manufacturer's original equipment specification may be fitted only if:

- (a) that seatbelt:
 - (i) does not adversely affect the safety performance of the motor vehicle; and
 - (ii) is recognised by a seatbelt manufacturer or the vehicle manufacturer as being suitable for use in a particular vehicle and seating position;
- and
- (b) the seatbelt anchorages comply with the applicable requirements in *Table 2.1* to *Table 2.4*; and
- (c) modifications that affect the seatbelt, seatbelt anchorages or the structure of the vehicle are not required.

2.4(9) Subject to 2.1(3) and 2.1(4), a seatbelt may be upgraded in a motor vehicle if this will help to compensate for the loss of safety when an airbag has been removed under *Land Transport Rule: Frontal Impact 2001* so that 1.4(3) no longer applies.

2.4(10) A seatbelt anchorage may not be fitted with more than one seatbelt unless the anchorage has been designed to be fitted with more than one seatbelt.

Older vehicles

2.4(11) Despite 2.1(1), a motor vehicle that was first registered in any country between 1 January 1955 and 1 November 1979 may retain the type of seatbelt fitted as the vehicle manufacturer's original equipment specification, although it is not of the type specified in *Table 2.1*, provided that, if the seatbelt is replaced, its replacement complies with *Table 2.1*, unless *section 3* or 4.2(4) applies.

2.4(12) A four-wheel-drive light motor vehicle may be fitted with static or single-sensitive lap-and-diagonal seatbelts in front seating positions rather than the type of seatbelt specified in this section, if *Table 2.2* applies to that vehicle.

Specialist seatbelts

2.4(13) A specialist seatbelt, other than one that is the manufacturer's original equipment specification, may not be fitted in any seating position in a motor vehicle, unless the seatbelt:

- (a) is fitted under 3.3 or 3.4; or
- (b) is a specialist type approved by the [Agency].

Seats with variable orientation

2.4(14) If a seat in a motor vehicle can be rotated or reversed to face in different directions, and seatbelts are not provided for all seat directions, a notice must be attached to the interior of the vehicle, so that it is easily visible to the vehicle's occupants, indicating the direction in which the seat must face so that a seatbelt can be worn when the vehicle is moving.

2.5 Approved vehicle standards for seatbelts

2.5(1) A seatbelt in a motor vehicle to which *Table 2.1, Table 2.2, Table 2.3* or *Table 2.4* applies must comply with a version, as specified in 2.8(5), of an approved vehicle standard in *Schedule 2, List A* or *List B*.

2.5(2) If a seatbelt is fitted, although it does not have to be fitted, that seatbelt must comply with a version, as specified in 2.8(5) of an approved vehicle standard in *Schedule 2, List A*.

2.6 Fitting, position and type requirements for seatbelt anchorages

2.6(1) A motor vehicle is not required to have seatbelt anchorages in seating positions where seatbelts do not have to be fitted.

2.6(2) Subject to 2.6(3), seatbelt anchorages must be of the following types:

- (a) two-point anchorages for lap seatbelts;
- (b) three-point anchorages for lap-and-diagonal seatbelts without retractors;
- (c) three- or four-point anchorages for lap-and-diagonal seatbelts with retractors.

2.6(3) A seatbelt may be attached to seatbelt anchorages other than those of a type in 2.6(2) if the seatbelt anchorages comply with all other applicable requirements of this rule, and:

- (a) for a motor vehicle other than a [low volume] vehicle, the seatbelt is the vehicle manufacturer's original equipment specification and is attached to seatbelt anchorages that are the vehicle manufacturer's original equipment;
- (b) for a [low volume] vehicle, the seatbelt anchorages were fitted:
 - (i) before 1 April 2002, and comply with the applicable requirements in 4.1(7) or 4.1(8); or
 - (ii) on or after 1 April 2002, and comply with the applicable requirements in 4.1(9) or 4.1(10);
- (c) for any vehicle, the seatbelt was retrofitted and the seatbelt anchorages were retrofitted:
 - (i) before 1 April 2002, and comply with the applicable requirements in 4.1(7) or 4.1(8); or
 - (ii) on or after 1 April 2002, and comply with the applicable requirements in 4.1(9) or 4.1(10).

2.7 Approved vehicle standards for seatbelt anchorages

Original equipment

2.7(1) A seatbelt anchorage does not have to comply with an approved vehicle standard if the anchorage is the vehicle manufacturer's original equipment in a motor vehicle:

- (a) first registered in any country before 1 January 1955; or
- (b) to which *Table 2.1* or *Table 2.2* applies; or
- (c) to which *Table 2.3* applies, if the vehicle was first registered outside New Zealand before 1 January 1991.

2.7(2) A seatbelt anchorage that is fitted as the vehicle manufacturer's original equipment in a motor vehicle to which either *Table 2.3* applies, if the vehicle was first registered outside New Zealand, or *Table 2.4* applies, must comply with an approved vehicle standard in *Schedule 3*.

Retrofitted equipment

2.7(3) Retrofitted seatbelt anchorages must comply with the relevant requirements in *section 4*.

2.8 Compliance with vehicle standards

2.8(1) A seatbelt or seatbelt anchorage complies with an approved vehicle standard, if:

- (a) it complied with that standard when manufactured or, if a retrofitted seatbelt anchorage, when retrofitted in a motor vehicle; and
- (b) it is currently within safe tolerance of the state of the seatbelt or seatbelt anchorage when manufactured or, if a retrofitted seatbelt anchorage, when retrofitted in a motor vehicle.

2.8(2) A motor vehicle must comply with an approved vehicle standard, unless:

- (a) that vehicle was manufactured before the phase-in date for the model, or model variant, of that vehicle in the relevant standard-setting jurisdiction or as specified in the standard; or
- (b) the model, or model variant, or the seatbelt or seatbelt anchorage of that vehicle, is not required by that standard itself to comply fully with that standard.

2.8(3) A seatbelt or a component of a seatbelt, or a motor vehicle component that incorporates a seatbelt anchorage, that is manufactured, stocked or offered for sale in New Zealand and that is intended for fitting in a vehicle to be operated on a New Zealand road, must not prevent the vehicle from complying with one or more of the approved vehicle standards in *Schedule 2* or *Schedule 3*, as applicable, unless specifically designed for a vehicle:

- (a) to which a specified standard does not apply for any reason, for example, because of the vehicle's class or date of manufacture; or

- (b) that is a low volume vehicle.

Approved vehicle standards include amendments to standards

- 2.8(4) An approved vehicle standard in *Schedule 2* or *Schedule 3* includes all amendments to that standard, some of which may apply to classes of motor vehicle additional to those covered by the original standard.

Version of vehicle standards

- 2.8(5) A seatbelt must comply with the version of an approved vehicle standard that:
- (a) is applicable in the relevant standard-setting jurisdiction to the date of manufacture of the seatbelt or as specified in the standard; and
 - (b) is not older than the version that applies in the relevant standard-setting jurisdiction to the date of manufacture of the motor vehicle in which the seatbelt is fitted or as specified in the standard.
- 2.8(6) A seatbelt anchorage that is fitted as original equipment must comply with the version of an approved vehicle standard that is applicable in the relevant standard-setting jurisdiction to the date of manufacture of the motor vehicle or as specified in the standard.
- 2.8(7) A replacement or retrofitted seatbelt or seatbelt anchorage may comply with a more recent version of an approved vehicle standard than that in 2.8(5) only if the safety performance of the motor vehicle is not adversely affected.

2.9 Identification of vehicle standards for seatbelts

- 2.9(1) A seatbelt that has to comply with an approved vehicle standard must have markings that comply with the requirements of that standard.
- 2.9(2) Unless 2.9(5) applies, a seatbelt that does not have to comply with an approved vehicle standard must have markings that clearly identify that seatbelt as being of a recognised type for the motor vehicle concerned.
- 2.9(3) A seatbelt that complies with more than one vehicle standard may have more than one marking if at least one of the standards is an approved vehicle standard as required by this rule.
- 2.9(4) Seatbelt markings must be legible and be securely attached to the seatbelt.
- 2.9(5) A seatbelt that does not have markings complies with this rule if it is the vehicle manufacturer's original equipment specification in a motor vehicle first registered in New Zealand before 1 January 1986, and it otherwise complies with this rule.

Section 3

Requirements for specific motor vehicles

3.1 Vehicles with structures that do not allow the required seatbelts to be fitted

- 3.1(1) A motor vehicle manufactured before 1 October 2003 may be fitted with a lap seatbelt in any seating position, instead of the type of seatbelt specified in *Table 2.1*, *Table 2.2* or *Table 2.3*, as applicable, if:
- (a) the vehicle has a permanent structure that ends less than 500 mm above the top of the appropriate uncompressed seat cushion (measured from a point 150 mm forward of the lowest part of the back cushion); and
 - (b) original equipment upper seatbelt anchorages are not fitted.
- 3.1(2) A motor vehicle of Class MA or Class MC manufactured before 1 October 2003 may be fitted with lap-and diagonal seatbelts without retractors in the outer seating positions, instead of any other specified type, if the vehicle has a permanent structure that ends less than 500 mm above the top of the appropriate uncompressed seat cushion (measured from a point 150 mm forward of the lowest part of the back cushion).
- 3.1(3) A motor vehicle of Class MA or Class MC first registered outside New Zealand before 1 November 1979 that does not have B-pillars, and does not have seatbelts or seatbelt anchorages fitted for the front outer seating positions, may be retrofitted with lap seatbelts in these seating positions, instead of any other specified type, if:
- (a) for vehicles with front lower seatbelt anchorages retrofitted before 1 April 2002:
 - (i) a vehicle inspector or inspecting organisation has determined that it is not practicable for front upper seatbelt anchorages, for use with lap-and-diagonal seatbelts without retractors, to be retrofitted in accordance with *Seatbelt Anchorage Specification LTSA St 120395* or the *Low Volume Vehicle Code*, whichever is applicable; and
 - (ii) the front lower seatbelt anchorages are certified in accordance with *Seatbelt Anchorage Specification LTSA St 120395* or the *Low Volume Vehicle Code*;
 - (b) for vehicles with front lower seatbelt anchorages retrofitted on or after 1 April 2002:

- (i) a vehicle inspector or inspecting organisation has determined that it is not practicable for front upper seatbelt anchorages, for use with lap-and-diagonal seatbelts without retractors, to be retrofitted in accordance with the *Low Volume Vehicle Code*; and
- (ii) the front lower seatbelt anchorages are certified in accordance with the *Low Volume Vehicle Code*.

3.2 Motorhomes

- 3.2(1) A motorhome manufactured on or after 1 October 2003, or a motor vehicle converted into a motorhome on or after 1 October 2003, does not, for the purpose of this rule, belong to a class of vehicle in *Table A*.
- 3.2(2) A motorhome manufactured before 1 October 2003, or a motor vehicle converted into a motorhome before 1 October 2003, must be equipped with the seatbelts and seatbelt anchorages in *Tables 2.1 to 2.3* that are appropriate for the class of vehicle in which the vehicle was registered, when registered as a motorhome.
- 3.2(3) A motorhome manufactured on or after 1 October 2003 and a motor vehicle converted into a motorhome on or after 1 October 2003 must be equipped with:
- (a) seatbelts and seatbelt anchorages that comply with the requirements for Class MB vehicles in *Table 2.4*, in all front seating positions; and
 - [(b) seatbelts that comply with 3.2(4) in at least as many rear seating positions as the number of sleeping berths exceeds the number of front seating positions; and]
 - (c) a notice, attached in a prominent position, that:
 - (i) recommends, on safety grounds, that when the vehicle is travelling, passengers use seats that are fitted with seatbelts; and
 - (ii) advises passengers that it is compulsory to wear fitted seatbelts.
- 3.2(4) Seatbelts fitted in rear seating positions must comply with the requirements for Class MB vehicles in *Table 2.4*, except that the type of seatbelt in forward or rearward-facing seats may be Type B, Type A or Type A-ELR.]

3.3 Motor vehicles modified for a specific purpose

- 3.3(1) The requirements of this rule relating to seatbelts and seatbelt anchorages do not apply to a light motor vehicle that has been modified for a specific purpose, provided that a valid low volume vehicle authority card has been issued for the vehicle and its operator in accordance with the *Low Volume Vehicle Code*.
- 3.3(2) A low volume vehicle authority card issued under 3.3(1) must be provided:
- (a) on request, to a vehicle inspector or inspecting organisation for periodic inspection purposes;
 - (b) to an enforcement officer for enforcement purposes, on request or within seven days of a request.

3.4 [Low volume vehicles]

A low volume vehicle that meets the criteria specified in the applicable technical standards of the *Low Volume Vehicle Code* may be fitted with a specialist seatbelt approved by the [Agency].

3.5 Motor vehicles that transport detained persons

A motor vehicle that is designed exclusively for transporting a person detained by an officer of the Police or the corrections services, or by a person acting on behalf of the Police or the corrections services, must comply with the requirements for seatbelts and seatbelt anchorages in front seating positions, but does not have to comply with the requirements for other seating positions.

Section 4 Modification and repair

4.1 Modification

Modifications to seatbelts

- 4.1(1) Except as provided in 4.1(2) to 4.1(4), a seatbelt must not be modified.
- 4.1(2) A seatbelt may be modified if the modification is approved by the seatbelt manufacturer or vehicle manufacturer and is carried out in accordance with instructions issued by that manufacturer.
- 4.1(3) A motor vehicle that is modified under 3.3 must be certified in accordance with *Land Transport Rule: Vehicle Standards Compliance 2002*.
- 4.1(4) A seatbelt may be modified temporarily to accommodate a child restraint, provided that the modification, including any device or accessory used in the modification:
- (a) does not adversely affect the operation and effectiveness of the child restraint; and

- (b) does not breach an instruction issued by the manufacturer of the child restraint on the installation and operation of the child restraint; and
- (c) is not likely to cause injury to an occupant of the motor vehicle; and
- (d) does not cause damage to the seatbelt.

Modifications to seatbelt anchorages

4.1(5) A modification to a motor vehicle that affects the performance of a seatbelt anchorage:

- (a) must not prevent the vehicle from complying with the applicable requirements in this rule; and
- (b) must be certified in accordance with *Land Transport Rule: Vehicle Standards Compliance 2002*.

Retrofitted seatbelt anchorages that are not required to comply with approved vehicle standards

4.1(6) A seatbelt anchorage that is retrofitted must comply with 2.3, but does not have to comply with an approved vehicle standard if it is retrofitted in a motor vehicle:

- (a) before 1 January 1991, and the vehicle is one to which *Table 2.2* applies; or
- (b) before 1 April 2002, and the vehicle is one to which *Table 2.1* applies.

Requirements for seatbelt anchorages retrofitted before 1 April 2002

4.1(7) A seatbelt anchorage that is retrofitted before 1 April 2002 in a light motor vehicle to which *Table 2.2* or *Table 2.3* applies must comply with 2.3 and with:

- (a) the requirements that applied at the time of retrofitting, as specified in *Schedule 4*; or
- (b) the *Low Volume Vehicle Code*, in which case the vehicle becomes a low volume vehicle.

4.1(8) A seatbelt anchorage that is retrofitted before 1 April 2002 in a heavy motor vehicle must comply with 2.3.

Requirements for seatbelt anchorages retrofitted on or after 1 April 2002

4.1(9) A seatbelt anchorage that is retrofitted on or after 1 April 2002 in a light motor vehicle must comply with 2.3 and with:

- (a) the requirements of *UN/ECE Regulation No. 14, Uniform provisions concerning the approval of vehicles with regard to safety belt anchorages (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.13)*, as determined by a type-test carried out by a facility approved by the [Agency]; or
- (b) the *Low Volume Vehicle Code*, in which case the vehicle becomes a low volume vehicle.

4.1(10) A seatbelt anchorage that is retrofitted on or after 1 April 2002 in a heavy motor vehicle must comply with 2.3.

4.1(11) In assessing whether 2.3 is complied with, for the purposes of 4.1(10), the vehicle inspector or inspecting organisation must take into account the technical requirements, regarding geometry and load-carrying capacity, in any of the approved vehicle standards for seatbelt anchorages that apply to light motor vehicles.

4.2 Repair and replacement

4.2(1) A repair to a seatbelt or seatbelt anchorage, or a repair to a motor vehicle that affects a seatbelt or seatbelt anchorage, must restore the damaged or worn seatbelt, seatbelt anchorage or vehicle so that it is within safe tolerance of:

- (a) the state of the seatbelt, seatbelt anchorage or vehicle when manufactured; or
- (b) for a retrofitted seatbelt anchorage, the state when retrofitted.

4.2(2) A seatbelt may be repaired only by the seatbelt manufacturer or the manufacturer's agent, except if the repair consists only of a replacement of the seatbelt.

4.2(3) A repair to a seatbelt or seatbelt anchorage, or a repair to a motor vehicle affecting a seatbelt or seatbelt anchorage, must comply with *Land Transport Rule: Vehicle Repair 1998*.

4.2(4) Subject to 2.4(8), if, during an in-service inspection of a motor vehicle of Class MA under *Land Transport Rule: Vehicle Standards Compliance 2002*, on or after 1 April 2003, a vehicle inspector or inspecting organisation determines that a seatbelt of Type A-ELR in a front outer seating position of that vehicle does not comply with 2.2, the seatbelt must be replaced by a seatbelt of Type A-ELR that complies with 2.2 and that has features that minimise uncontrolled webbing payout after the locking mechanism has been activated, unless:

- (a) a seatbelt of a type that minimises uncontrolled webbing payout has not been approved by a seatbelt manufacturer or the vehicle manufacturer for use in the relevant seating position in that make and model of vehicle; or
- (b) an approved seatbelt of a type that minimises uncontrolled webbing payout is not readily available; or
- (c) the vehicle complies with an approved frontal impact standard in *Land Transport Rule: Frontal Impact 2001*; or
- (d) the vehicle is fitted with airbags that comply with the vehicle manufacturer's original equipment specification; or

- (e) the original equipment specification seatbelt has features that are specifically designed to operate in conjunction with other parts of an integrated occupant protection system; or
- (f) the fitting of the replacement seatbelt would require modifications that would affect the seatbelt anchorages or the structure of the vehicle.

Section 5

Responsibilities

5.1 Responsibilities of operators

A person who operates a motor vehicle must ensure that the vehicle complies with this rule.

5.2 Responsibilities of repairers

5.2(1) A person must not repair a seatbelt unless that person is the seatbelt manufacturer or an agent of the seatbelt manufacturer, except if the repair consists of a replacement of the seatbelt.

5.2(2) A person who repairs a seatbelt or a seatbelt anchorage must ensure that the repair:

- (a) does not prevent the motor vehicle from complying with this rule; and
- (b) complies with *Land Transport Rule: Vehicle Repair 1998*.

5.3 Responsibilities of modifiers

A person who modifies a motor vehicle so as to affect the performance of a seatbelt or seatbelt anchorage must:

- (a) ensure that the modification does not prevent the vehicle from complying with this rule; and
- (b) notify the operator if the vehicle must be inspected and, if necessary, certified, because there is reason to believe it is:
 - (i) a light motor vehicle that has been modified to become a low volume vehicle; or
 - (ii) a heavy motor vehicle that has been modified so as to adversely affect its safety performance or compliance with this rule.

5.4 Responsibilities of vehicle inspectors and inspecting organisations

A vehicle inspector or inspecting organisation must not certify a motor vehicle under *Land Transport Rule: Vehicle Standards Compliance 2002* if they have reason to believe that the vehicle does not comply with this rule.

5.5 Responsibilities of manufacturers and retailers

5.5(1) A person may manufacture, stock or offer for sale a seatbelt, or a component of a seatbelt, intended for fitting to a motor vehicle to be operated on a New Zealand road, only if that seatbelt or component:

- (a) complies with this rule; and
- (b) if used to repair a vehicle, would not prevent the vehicle from complying with this rule.

5.5(2) A person may manufacture, stock or offer for sale a motor vehicle component that incorporates a seatbelt anchorage intended for fitting to a motor vehicle, to be operated on a New Zealand road, only if that seatbelt anchorage:

- (a) complies with this rule; and
- (b) if used to repair a vehicle, would not prevent the vehicle from complying with this rule.

5.6 Functions of the [Agency]

The [Agency] may, by notice in the *Gazette*:

- (a) approve the format of a plate issued under 2.4(4)(b) and the position in which it must be affixed;
- (b) approve a specialist seatbelt for the purposes of 2.4(13);
- (c) approve a facility for type-testing the retrofitting of seatbelt anchorages for the purposes of 4.1(9)(a).

Part 2

Definitions

Approved vehicle standard means a vehicle standard in 4.1(9), *Schedule 2* or *Schedule 3*.

[Agency] means the New Zealand Transport Agency established under section 93 of the Land Transport Management Act 2003]

Certify has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Class in relation to vehicles, means a category of vehicle of one of the Groups A, L, M, N and T, as specified in *Table A: Vehicle classes*.

Director: *Definition Revoked*

EEC, EC are abbreviations for directives of the European Economic Community and, later, the European Communities.

Enforcement officer means:

- (a) a sworn member of the Police; or
- (b) a non-sworn member of the Police who is authorised for the purpose by the Commissioner of Police; or
- (c) a person who is appointed to that office by warrant under *section 208* of the *Land Transport Act 1998* or who holds that office by virtue of that Act.

Federal Motor Vehicle Safety Standard is a vehicle standard of the United States of America.

Gross vehicle mass means either:

- (a) the maximum permitted mass of a vehicle, which includes the mass of the accessories, the crew, the passengers and load, and is, unless (b) applies, the gross vehicle mass specified (subsequent to the latest modification, if any) by the manufacturer of the vehicle; or
- (b) if a person approved for the purpose by the [Agency] determines that the gross vehicle mass should differ from that specified by the manufacturer, taking into account evidence on the capability of the systems and components of the vehicle, or the effects of any modification, that mass determined by that person.

Heavy motor vehicle means a motor vehicle that is either:

- (a) of Class MD3, MD4, ME, NB, NC, TC or TD; or
- (b) a vehicle (not of a class in *Table A Vehicle classes*) with a gross vehicle mass that exceeds 3500 kg.

Land Rover means a *Land Rover* vehicle manufactured by Rover plc.

Lap seatbelt means a seatbelt that passes solely across the front of the wearer's pelvic region.

Lap-and-diagonal seatbelt means a seatbelt comprising a lap strap that passes across the front of the wearer's pelvic region, and a diagonal strap that passes across the front of the wearer's torso from one side of the pelvic region to the shoulder on the opposite side.

Light motor vehicle means a motor vehicle except one defined as a "heavy motor vehicle".

[Low volume vehicle means a make and model of a vehicle, of a class specified in *Table A: Vehicle classes*, other than Class MD3, MD4, ME, NB, NC, TC or TD, that is:

- (a) manufactured, assembled or scratch-built in quantities of 500 or less in any one year, and where the construction of the vehicle may directly or indirectly affect compliance of the vehicle with any of the vehicle standards prescribed by New Zealand law; or
- (b) modified uniquely, or in quantities of 500 or less in any one year, in such a way that compliance of the vehicle, its structure, systems, components or equipment with a legal requirement relating to safety performance applicable at the time of the modification may be affected.]

Low volume vehicle authority card means a certification document issued by the Low Volume Vehicle Technical Association Incorporated, in accordance with the *Low Volume Vehicle Code*, that applies to a light motor vehicle modified for a specific purpose, including for motor sport activities or for a person with a disability.

Low Volume Vehicle Code means the code of the Low Volume Vehicle Technical Association Incorporated.

Manufacturer's operating limits means:

- (a) in relation to a motor vehicle, the allowance provided by the vehicle manufacturer in terms of performance capability and dimensions, relative to deterioration, malfunction or damage beyond which the safe performance of the vehicle, as defined by the vehicle manufacturer, is compromised; and
- (b) in relation to a system, component or item of equipment, incorporated in or attached to a vehicle, the allowance provided by the system, component or equipment manufacturer in terms of performance capability and dimensions, relative to the deterioration, malfunction or damage, beyond which the safe performance of the system, component or item of equipment (and consequently the vehicle) is compromised.

Middle seating position means a seating position in a vehicle that is not an outer seating position.

[mobility device means—

- (a) a vehicle that—
 - (i) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
 - (ii) is powered solely by a motor that has a maximum power output not exceeding 1 500 W; or
- (b) a vehicle that the [[Agency]] has declared under section 168A(1) of the *Land Transport Act 1998* to be a mobility device.]

Modify in relation to a vehicle, means to change the vehicle structure from its original state by altering, substituting, adding or removing any structure, system, component or equipment; but does not include repair.

Monocoque in relation to a motor vehicle, means that the chassis of the vehicle is integral to the body.

Motorhome means a motor vehicle, other than a trailer, that is permanently equipped with features intended to make the vehicle suitable as a dwelling place, and must include at least one sleeping berth and one table, both of which may be of a design that allows them to be retracted or folded away.

Motor vehicle means a vehicle drawn or propelled by mechanical power; and includes a trailer; but does not include:

- (a) a vehicle running on rails;
- (b) *Revoked*.
- (c) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force;
- (d) a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres;
- (e) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles;
- (f) a pedestrian-controlled machine.
- [(g) a vehicle that the [[Agency]] has declared is not a motor vehicle under section 168A of the Land Transport Act 1998;]
- [(h) a mobility device.]

Multiple-sensitive emergency-locking retractor means a seatbelt retractor that, during normal driving conditions, allows freedom of movement by the wearer of the seatbelt by means of length-adjusting components that automatically adjust the strap to the wearer, and that is activated by two or more of the following:

- (a) deceleration of the vehicle; or
- (b) acceleration of the strap from the retractor; or
- (c) other means of activation.

Operate in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road, or to be driven on a road, whether or not the person is present with the vehicle.

Original equipment means equipment that is fitted by the motor vehicle manufacturer when the vehicle is manufactured.

Original equipment specification means equipment that is approved by the motor vehicle manufacturer as a replacement for the original equipment.

Outer seating position means a seating position next to a side wall of the vehicle where there is no more than 500 mm between the longitudinal centre of the seat and the side wall.

Owner in relation to a motor vehicle, means the person lawfully entitled to possession of the vehicle, except where:

- (a) the motor vehicle is subject to a bailment that is for a period not exceeding 28 days; or
- (b) the motor vehicle is let on hire pursuant to the terms of a rental-service licence, in which case “owner” means the person who, but for the bailment or letting on hire, would be lawfully entitled to possession of the motor vehicle.

Permanent structure means a non-removable structure capable of sustaining loads associated with seatbelts and seatbelt anchorages.

Phase-in date means the date specified in an approved vehicle standard from which a model, or model variant, of a vehicle must comply with that standard or part of that standard.

Rear seating position means a seating position in a vehicle behind the driver.

Repair means to restore a damaged or worn vehicle, its structure, systems, components or equipment; and includes the replacement of damaged or worn structures, systems, components or equipment with equivalent undamaged or new structures, systems, components or equipment.

Retractor means a device to accommodate parts, or all, of the webbing of a seatbelt.

Retrofit in relation to a seatbelt or seatbelt anchorage in a motor vehicle, means to fit a seatbelt or seatbelt anchorage in a location where a seatbelt or seatbelt anchorage has not been fitted before.

Safe tolerance means the tolerance within which the safe performance of the vehicle, its structure, systems, components or equipment is not compromised, having regard to any manufacturer's operating limits.

Scratch-built vehicle: *Definition Revoked*

Seat means an assembly, or part of an assembly, intended to seat at least one person, which may or may not be integral to the structure of the vehicle.

Seat anchorage means the parts of the vehicle structure to which a seat is attached.

Seatbelt means an assembly of straps made of webbing or metal with a securing buckle, adjusting devices and attachments, including any device for absorbing energy or for retracting the webbing, that:

- (a) is able to be anchored to the interior of a vehicle; and
- (b) is designed to diminish the risk of injury to its wearer in the event of a collision or abrupt deceleration of the vehicle by limiting the mobility of the wearer's body.

Seatbelt anchorage means the parts of the vehicle structure, seat structure or any other part of the vehicle to which a seatbelt assembly is attached.

Seating position means a seat or part of a seat that is of a suitable size and shape for one person.

Single-sensitive emergency locking retractor means a seatbelt retractor that, during normal driving conditions, does not restrict the freedom of movement by the wearer of the seatbelt by means of length adjusting components that automatically adjust the seatbelt to the wearer, and that comprises a locking mechanism activated in an emergency by deceleration of the vehicle.

Specialist seatbelt means a seatbelt that is designed for specialist purposes; and includes a full harness seatbelt used for motor sport activities.

Specific purpose in relation to the modification of a motor vehicle, includes, but is not limited to, a modification for motor sport activities and for a person with a disability.

Technical Standard means a Japanese domestic vehicle standard issued by the Japanese Ministry of Land, Infrastructure and Transport and translated into, and published in, English by the Japan Automobile Standards Internationalization Center (JASIC) in the *Automobile Type Approval Handbook for Japanese Certification*.

UN/ECE is an abbreviation for a regulation of the United Nations Economic Commission for Europe.

Vehicle means a contrivance equipped with wheels, tracks or revolving runners upon which it moves or is moved; and includes a hovercraft, a skateboard, in-line skates, and roller skates; but does not include:

- (a) a perambulator or pushchair;
- (b) a shopping or sporting trundler not propelled by mechanical power;
- (c) a wheelbarrow or hand-trolley;
- (d) *Revoked*.
- (e) a pedestrian-controlled lawnmower;
- (f) a pedestrian-controlled agricultural machine not propelled by mechanical power;
- (g) an article of furniture;
- (h) an invalid wheelchair not propelled by mechanical power;
- (i) any other contrivance specified by any other rule not to be a vehicle for the purposes of this definition.

[Vehicle Identification Number (VIN)] means a group of letters and numbers, consisting of 17 characters, that is affixed to the vehicle and that complies with the requirements of one of the following:

- (a) *ISO 3779*; or
- (b) *Australian Design Rule 61/01*; or
- (c) Chapter 565 of the *Code of Federal Regulations 49*.]

Vehicle inspector or inspecting organisation has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Vehicle standard means a technical specification with which a motor vehicle, its structure, systems, components or equipment must comply, and that is adopted by:

- (a) the New Zealand Standards Council; or
- (b) any international, national or regional organisation with functions similar to the New Zealand Standards Council.

Table A — Vehicle classes

Class	Description
AA (Pedal cycle)	A vehicle designed to be propelled through a mechanism solely by human power.
AB (Power-assisted pedal cycle)	A pedal cycle to which is attached one or more auxiliary propulsion motors having a combined maximum power output not exceeding [300 watts].
LA (Moped with two wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: <ol style="list-style-type: none"> (a) has two wheels; and (b) either: <ol style="list-style-type: none"> (i) has an engine cylinder capacity not exceeding 50 ml and a maximum speed not exceeding 50 km/h; or (ii) has a power source other than a piston engine and a maximum speed not exceeding 50 km/h.
LB (Moped with three wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: <ol style="list-style-type: none"> (a) has three wheels; and (b) either: <ol style="list-style-type: none"> (i) has an engine cylinder capacity not exceeding 50 ml and a maximum speed not exceeding 50 km/h; or (ii) has a power source other than a piston engine and a maximum speed not exceeding 50 km/h.

Class	Description
LB 1	A Class LB motor vehicle that has one wheel at the front and two wheels at the rear.
LB 2	A Class LB motor vehicle that has two wheels at the front and one wheel at the rear.
LC (Motor cycle)	A motor vehicle that: (a) has two wheels; and (b) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
LD (Motor cycle and side-car)	A motor vehicle that: (a) has three wheels asymmetrically arranged in relation to the longitudinal median axis; and (b) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
Side-car	A car, box, or other receptacle attached to the side of a motor cycle and supported by a wheel.
LE (Motor tri-cycle)	A motor vehicle that: (a) has three wheels symmetrically arranged in relation to the longitudinal median axis; and (b) has a gross vehicle mass not exceeding one tonne; and (c) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
LE 1	A Class LE motor vehicle that has one wheel at the front and two wheels at the rear.
LE 2	A Class LE motor vehicle that has two wheels at the front and one wheel at the rear.
Passenger vehicle	A motor vehicle that: (a) is constructed primarily for the carriage of passengers; and (b) either: (i) has at least four wheels; or (ii) has three wheels and a gross vehicle mass exceeding one tonne.
MA (Passenger car)	A passenger vehicle (other than a Class MB or Class MC vehicle) that has not more than nine seating positions (including the driver's seating position).
MB (Forward control passenger vehicle)	A passenger vehicle (other than a Class MC vehicle): (a) that has not more than nine seating positions (including the driver's seating position); and (b) in which the centre of the steering wheel is in the forward quarter of the vehicle's total length.
MC (Off-road passenger vehicle)	A passenger vehicle, designed with special features for off-road operation, that has not more than nine seating positions (including the driver's seating position), and that: (a) has four-wheel drive; and (b) has at least four of the following characteristics when the vehicle is unladen on a level surface and the front wheels are parallel to the vehicle's longitudinal centre-line and the tyres are inflated to the vehicle manufacturer's recommended pressure: (i) an approach angle of not less than 28 degrees; (ii) a breakover angle of not less than 14 degrees; (iii) a departure angle of not less than 20 degrees; (iv) a running clearance of not less than 200 mm; (v) a front axle clearance, rear axle clearance, or suspension clearance of not less than 175 mm.

Class	Description
Omnibus	A passenger vehicle that has more than nine seating positions (including the driver's seating position). An omnibus comprising two or more non-separable but articulated units shall be considered as a single vehicle.
MD (Light omnibus)	An omnibus that has a gross vehicle mass not exceeding 5 tonnes.
MD 1	An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and not more than 12 seats.
MD 2	An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and more than 12 seats.
MD 3	An omnibus that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 4.5 tonnes.
MD 4	An omnibus that has a gross vehicle mass exceeding 4.5 tonnes but not exceeding 5 tonnes.
ME (Heavy omnibus)	An omnibus that has a gross vehicle mass exceeding 5 tonnes.
Goods vehicle	A motor vehicle that: (a) is constructed primarily for the carriage of goods; and (b) either: (i) has at least four wheels; or (ii) has three wheels and a gross vehicle mass exceeding one tonne. For the purpose of this description: (a) a vehicle that is constructed for both the carriage of goods and passengers shall be considered primarily for the carriage of goods if the number of seating positions multiplied by 68 kg is less than 50% of the difference between the gross vehicle mass and the unladen mass; (b) the equipment and installations carried on special purpose vehicles not designed for the carriage of passengers shall be considered to be goods; (c) a goods vehicle that has two or more non-separable but articulated units shall be considered to be a single vehicle.
NA (Light goods vehicle)	A goods vehicle that has a gross vehicle mass not exceeding 3.5 tonnes.
NB (Medium goods vehicle)	A goods vehicle that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 12 tonnes.
NC (Heavy goods vehicle)	A goods vehicle that has a gross vehicle mass exceeding 12 tonnes.
Trailer	A vehicle without motive power that is constructed for the purpose of being drawn behind a motor vehicle.
TA (Very light trailer)	A single-axled trailer that has a gross vehicle mass not exceeding 0.75 tonnes.
TB (Light trailer)	A trailer (other than a Class TA trailer) that has a gross vehicle mass not exceeding 3.5 tonnes.
TC (Medium trailer)	A trailer that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 10 tonnes.
TD (Heavy trailer)	A trailer that has a gross vehicle mass exceeding 10 tonnes.

Part 3
Schedules

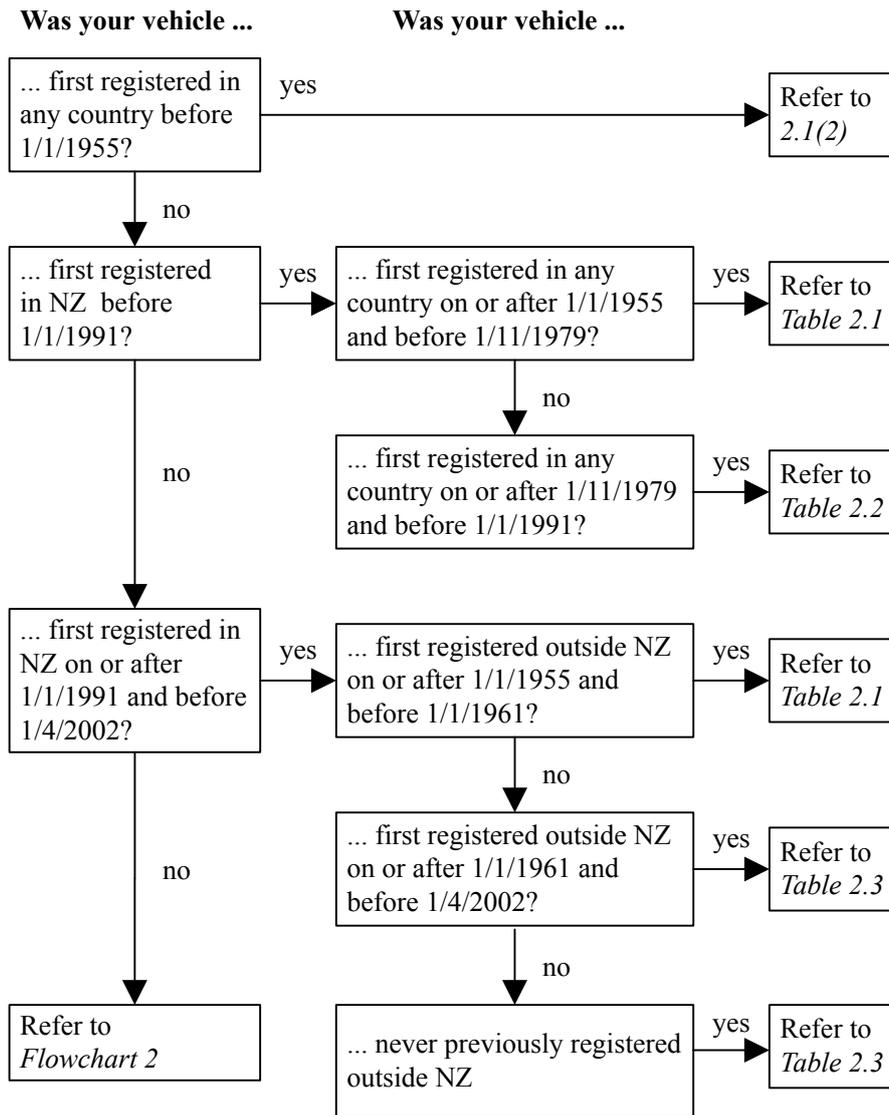
Schedule 1

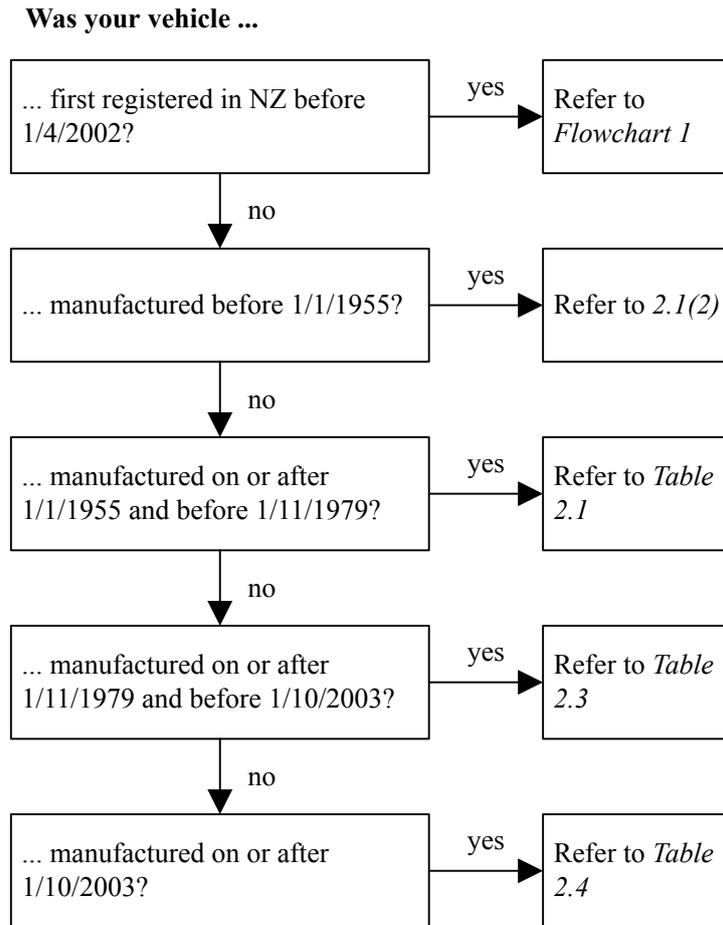
Flowcharts to determine applicable requirements for seatbelts and their anchorages

[Refer to the note to 2.1(1)]

The flowcharts on the following two pages are included as an aid to determining the applicable requirements in the rule. To use these flowcharts, start with the top left box and stop when you first arrive at a box in the right column.

[Flowchart 1: - Vehicles first registered in New Zealand before Rule comes into force



Flowchart 2: - Vehicles first registered in New Zealand after the rule comes into force

Schedule 2
Approved vehicle standards for seatbelts

[Refer 2.5]

Approved vehicle standards for seatbelts are:

List A

- (a) Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems on motor vehicles;
- (b) UN/EEC Regulation No. 16 Uniform provisions concerning the approval of safety belts and restraint systems for adult occupants of power-driven vehicles (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.15);
- (c) Federal Motor Vehicle Safety Standard No. 209, Seat Belt Assemblies;
- (d) Australian Design Rule 4 Seat Belts;
- (e) Technical Standard for Seat Belt Assemblies (Japan);
- (f) Japanese Industrial Standard D 4604-1988, Seat Belts for Automobiles;
- (g) New Zealand Standard 5401:1982, Specification for seat belt assemblies for motor vehicles;
- (h) Australian Standard/New Zealand Standard 2596:1995, Seat belt assemblies for motor vehicles;
- (i) South African Bureau of Standards 1080-1983, Standard specification for restraining devices (safety belts) for occupants of adult build in motor vehicles (Revised requirements).

List B

- (a) Council Directive 77/541/EEC of 28 June 1977 on the approximation of the laws of the Member States relating to safety belts and restraint systems on motor vehicles;
- (b) UN/ECE Regulation No. 16 Uniform provisions concerning the approval of safety belts and restraint systems for adult occupants of power-driven vehicles (E/EEC324-E/ECE/TRANS/505/Rev.1/Add 15);
- (c) Federal Motor Vehicle Safety Standard No. 209, Seat Belt Assemblies;

- (d) *Australian Design Rule 4, Seat Belts;*
- (e) *Technical Standard for Seat Belt Assemblies (Japan);*
- (f) *Japanese Industrial Standard D4604-1988, Seat Belts for Automobiles;*
- (g) *New Zealand Standard 1662:1969 Specification for seat belt assemblies for motor vehicles;*
- (h) *New Zealand Standard 5401:1982, Specification for seat belt assemblies for motor vehicles;*
- (i) *Australian Standard E35.1:1970, Seat belt assemblies for motor vehicles;*
- (j) *Australian Standard E35.2:1970, Seat belt assemblies (including retractors) for motor vehicles;*
- (k) *British Standard AU 160c:1971, Specification for seat belt assemblies for motor vehicles;*
- (l) *South African Bureau of Standards 1080-1983 Standard specification for restraining devices (safety belts) for occupants of adult build in motor vehicles (Revised requirements).*

Schedule 3

Approved vehicle standards for seatbelt anchorages

[Refer 2.7(2)]

Approved vehicle standards for seatbelt anchorages are:

- (a) *Council Directive 76/115/EEC of 18 December 1975 on the approximation of the laws of the Member States relating to anchorages for motor-vehicle safety belts;*
- (b) *UN/ECE Regulation No. 14 Uniform provisions concerning the approval of vehicles with regard to safety belt anchorages (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.13);*
- (c) *Federal Motor Vehicle Safety Standard No. 210, Seat Belt Assembly Anchorages — Passenger Cars, Multipurpose Passenger Vehicles, Trucks and Buses;*
- (d) *Australian Design Rule 5, Anchorages for Seat Belts and Child Restraints;*
- (e) *Technical Standard for Seat Belt Anchorages (Japan).*

Schedule 4

Requirements that apply to seatbelt anchorages retrofitted before 1 April 2002

[Refer 4.1(7)]

- (1) Requirements for seatbelt anchorages retrofitted on or after 1 January 1991 and before 1 April 2002 in a motor vehicle to which *Table 2.2* applies
 Seatbelt anchorages retrofitted on or after 1 January 1991 and before 1 April 2002 in a motor vehicle to which *Table 2.2* applies must either comply with:
 - (a) *Seatbelt Anchorage Specification MoT St 31391 (except Appendix YY);* or
 - (b) *Seatbelt Anchorage Specification LTSA St 120395, if:*
 - (i) the model of vehicle has not been successfully type-tested in accordance with the requirements of *Seatbelt Anchorage Specification MoT St 31391 (except Appendix YY)*; and
 - (ii) the seatbelt anchorage is for a seatbelt without a retractor, or, if for seatbelt with a retractor, the fitting of the seatbelt to a seatbelt anchorage that complies with *Seatbelt Anchorage Specification LTSA St 120395* is certified as appropriate for the seatbelt.
- (2) Requirements for seatbelt anchorages retrofitted before 1 April 2002 in motor vehicles to which *Table 2.3* applies
 Seatbelt anchorages retrofitted before 1 April 2002 in a motor vehicle to which *Table 2.3* applies must comply with:
 - (a) *Seatbelt Anchorage Specification LTSA St 91290*, if the vehicle was first registered in New Zealand on or after 1 January 1991 and before 31 March 1991 and the seatbelt anchorage was retrofitted in that period; or
 - (b) *Seatbelt Anchorage Specification MoT St 31391 (except Appendix YY)*, if the model of vehicle has been type-tested in accordance with its requirements; or
 - (c) *Appendix YY of Seatbelt Anchorage Specification MoT St 31391*, only if the vehicle was a privately imported Class MA, MB or MC vehicle of a model that was not type-tested in accordance with *Seatbelt Anchorage Specification MoT St 31391 (except Appendix YY)* and the seatbelt anchorages were retrofitted before 1 January 1997; or
 - (d) *Seatbelt Anchorage Specification LTSA St 120395*, only if:
 - (i) the vehicle was manufactured before 1 January 1991; and

- (ii) the model of vehicle has not been successfully type-tested in accordance with *Seatbelt Anchorage Specification MoT St 31391* (except *Appendix YY*); and
- (iii) the seatbelt anchorage is for a seatbelt without a retractor, or, if for a seatbelt with a retractor, the fitting of the seatbelt to a seatbelt anchorage that complies with *Seatbelt Anchorage Specification LTSA St 120395* is certified as appropriate for the seatbelt by an approved certifier or, on or after 1 March 1999, by a certifier appointed under *Land Transport Rule: Vehicle Standards Compliance 1998* or by a vehicle inspector or inspecting organisation appointed under *Land Transport Rule: Vehicle Standards Compliance 2002*.

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