

BELIZE:

**MOTOR VEHICLES AND ROAD TRAFFIC (SEAT BELTS)
(AMENDMENT) REGULATIONS, 2023**

ARRANGEMENT OF REGULATIONS

1. Citation.
2. Amendment of regulation 2.
3. Repeal and replacement of regulation 3.
4. Insertion of new regulations 3A to 3H.
5. Amendment of regulation 4.
6. Amendment of regulation 7.
7. Addition of new Schedules I and II.
8. Commencement.
9. Negative resolution.

BELIZE:

STATUTORY INSTRUMENT

No. 147 of 2023

REGULATIONS made by the Minister responsible for transport in exercise of the powers conferred upon him by section 112 of the Motor Vehicles and Road Traffic Act, Chapter 230 of the Substantive Laws of Belize, Revised Edition 2020, and all other powers thereunto him enabling.

(Gazetted 23rd December, 2023)

1. These Regulations may be cited as the

Citation.

MOTOR VEHICLES AND ROAD TRAFFIC (SEAT BELTS) (AMENDMENT) REGULATIONS, 2023,

and shall be read and construed as one with the Motor Vehicles and Road Traffic (Seat Belts) Regulations which, as amended, are hereinafter referred to as the principal Regulations.

Sub. Leg, 2020
Edn. CAP. 230
p.26.

2. The principal Regulations are amended in regulation 2(1) by–

Amendment of
regulation 2.

- (a) deleting the term “highway” and its corresponding definition; and
- (b) inserting the following terms and their corresponding definitions in their proper alphabetical sequence–

““road” means any street, road or open space to which the public are granted access and any bridge over which a road passes, and includes any privately owned street, road or

open space to which the public are granted access either generally or conditionally;

“Seat Belt Exemption Permit” means a permit granted by the Chief Transport Officer under regulation 3A.”.

Repeal and replacement of regulation 3.

3. The principal Regulations are amended by repealing regulation 3 and replacing it with the following—

“Mandatory use of seat belts.

3. Subject to regulation 4, no person shall operate a motor vehicle on any road unless that person and all the passengers in the motor vehicle are each secured by a seat belt.”.

Insertion of new regulations 3A to 3H.

4. The principal Regulations are amended by inserting after regulation 3, the following new regulations—

“Seat Belt Exemption Permit.
Schedule I.

3A.—(1) Notwithstanding regulation 3, the Chief Transport Officer, on the application of a person specified in sub-regulation (2), may grant a Seat Belt Exemption Permit, in the form set out in Schedule I, exempting the use of seat belts in a motor vehicle generally used to transport a person who is medically handicapped or disabled.

(2) An application for a Seat Belt Exemption Permit under sub-regulation (1) may be made by—

- (a) the owner of a motor vehicle in which a medically handicapped or disabled person is generally transported;
- (b) where a motor vehicle that is generally used to transport

- a medically handicapped or disabled person is the property of a company, a manager, director, or a duly authorised representative of the company;
- (c) where a motor vehicle that is generally used to transport a medically handicapped or disabled person is the property of the Government of Belize, the Chief Executive Officer of a Ministry or Head of Department, or a duly authorised representative of the Chief Executive Officer or Head of Department, as the case may be;
- (d) where a motor vehicle that is generally used to transport a medically handicapped or disabled person is the property of a municipal authority, the traffic manager, City Administrator, or Town Administrator of a municipal authority, or a duly authorised representative of the municipal authority;
- (e) where a motor vehicle that is generally used to transport a medically handicapped or disabled person is the property of a village council, the Chairperson of the village council, or a duly authorised representative of the village council; or

- (f) where a motor vehicle that is generally used to transport a medically handicapped or disabled person is the property of a statutory body, the manager or director of a statutory body, or a duly authorised representative of the statutory body.

**Application
for Seat Belt
Exemption
Permit.
Schedule II.**

3B.—(1) An application for the issue or renewal of a Seat Belt Exemption Permit shall be signed by the applicant and submitted to the Department of Transport in the form set out in Schedule II.

(2) An application for the renewal of a Seat Belt Exemption Permit shall be made not less than one month before the expiration of the existing permit.

(3) Subject to sub-regulation (4), upon submission of the application to the Department of Transport, the applicant shall pay a nonrefundable fee of fifty dollars.

(4) Where the motor vehicle is the property of the Government of Belize, or any municipal authority, village council or statutory body, the applicant shall be exempted from paying the fee prescribed under sub-regulation (3).

(5) The application shall be accompanied by—

- (a) a copy of certificate of registration for the motor vehicle;

Act No. 11 of
2022.

- (b) a copy of the driving licence, social security identification card or passport of the applicant;
- (c) a copy of the certificate of incorporation issued in accordance with the Belize Companies Act, where the motor vehicle is the property of a company;
- (d) a utility bill as proof of address of the applicant;
- (e) front view, side view, and rear view pictures of the motor vehicle;
- (f) where a person is medically handicapped or disabled, a letter from a medical practitioner registered under the Medical Practice Act specifying–

CAP. 318.

- (i) the full name, date of birth, sex, current address, and occupation of the person who is medically handicapped or disabled;
- (ii) the nature of the medical handicap or disability; and
- (iii) the reason why the use of a seat belt is not deemed desirable; and

- (g) a copy of the driving licence, social security identification card, or passport of the person who is medically handicapped or disabled.

(5) Notwithstanding sub-regulation (4), where the motor vehicle is the property of the Government of Belize, or any municipal authority, village council or statutory body, the application shall be accompanied only by—

- (a) a copy of certificate of registration for the motor vehicle;
- (b) a copy of the certificate of inspection certified by an inspector;
- (c) a no-objection letter issued by the Ministry responsible for assets and utilities care; and
- (d) front view, side view, and rear view pictures of the motor vehicle.

**Considerations
in granting
Seat Belt
Exemption
Permit.**

3C. In determining whether to grant a Seat Belt Exemption Permit, the Chief Transport Officer shall have regard to the following—

- (a) the severity of the medical condition of the medically handicapped or disabled person;
- (b) the physical construction and fitness of the motor vehicle and the certificate of inspection

- issued by an inspector as defined under the Act;
- (c) the driving history of the applicant, including any previous violation ticket issued and any previous conviction for a traffic offence, except where the motor vehicle is the property of the Government of Belize, or any municipal authority, village council or statutory body;
 - (d) the character of the applicant, except where the motor vehicle is the property of the Government of Belize, or any municipal authority, village council or statutory body;
 - (e) the no-objection letter issued by the Ministry responsible for assets and utilities care, where the motor vehicle is the property of the Government of Belize, or any municipal authority, village council or statutory body; and
 - (f) any other factor relevant to the exercise of discretion of the Chief Transport Officer.

Notice to the applicant.

3D.—(1) After review of an application for the issue or renewal of a Seat Belt Exemption Permit, the Chief Transport Officer, or a duly authorised representative, shall give notice in writing of the decision to the applicant within ten working days of receipt of the application.

(2) Where the Chief Transport Officer denies the application for the issue or renewal of a Seat Belt Exemption Permit, the notice under sub-regulation (1) shall specify the reason for the denial.

**Validity period
for Seat Belt
Exemption
Permit.**

3E. A Seat Belt Exemption Permit shall be valid for two years from the date of issue.

**Conditions
of Seat Belt
Exemption
Permit.**

3F.—(1) The Chief Transport Officer may attach to any Seat Belt Exemption Permit such conditions as the Chief Transport Officer thinks fit.

(2) A holder of a Seat Belt Exemption Permit who uses, or causes or permits to be used, a motor vehicle on any road in contravention of any conditions attached to the Seat Belt Exemption permit in respect to that motor vehicle commits an offence and is liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a term not exceeding three months, or to both such fine and imprisonment.

(3) Where the holder of a Seat Belt Exemption Permit commits an offence under sub-regulation (2), the Chief Transport Officer may, without prejudice to any other penalty provided for such offence, suspend or revoke the Seat Belt Exemption permit by notice in writing.

(4) A notice issued under sub-regulation (3) shall specify—

- (a) the reason for the suspension or revocation;

- (b) the date on which the revocation or suspension takes effect; and
- (c) in the case of a suspension, the date on which the suspension may cease to have effect.

(5) A person whose Seat Belt Exemption Permit has been suspended or revoked in accordance with sub-regulation (3) shall immediately surrender, or cause to be surrendered, the permit to the Department of Transport, and in any event, not later than seven days from the date of receipt of the notice, whether or not the suspension or revocation is the subject of any appeal.

Appeal to
Minister.

3G.—(1) Any person aggrieved by the decision of the Chief Transport Officer to deny, suspend or revoke a Seat Belt Exemption Permit may appeal, in writing, to the Minister.

(2) Any person appealing under sub-regulation (1) shall submit to the Minister a—

- (a) copy of the written notice issued under regulations 3D(1) or 3F(3), as the case may be; and
- (b) letter of appeal against the denial, suspension, or revocation, as the case may be, specifying the grounds of appeal.

(3) Where an appeal is made to the Minister under sub-regulation (1), the Minister shall inquire into the matter within three weeks of

the date of the appeal in order to determine the matter.

(4) Where the Minister determines that there was no reasonable grounds for the denial, suspension, or revocation, as the case may be, of the Seat Belt Exemption Permit, the Minister shall immediately reverse the decision of the Chief Transport Officer and order that the Seat Belt Exemption permit be approved, or the suspension or revocation be cancelled, as the case may be.

(5) The Minister shall submit a notice in writing of the findings to the appellant within seven working days of the decision in respect to the matter.

(6) Where the Minister reverses the decision of the Chief Transport Officer, the Chief Transport Officer shall approve or reinstate, as the case may be, the Seat Belt Exemption Permit within seven working days of the notice issued under sub-regulation (5).

(7) Where the Minister approves the decision of the Chief Transport Officer, the Minister shall order that the denial, suspension, or revocation, as the case may be, of the Seat Belt Exemption Permit remains in effect.

**Production
of Seat Belt
Exemption
Permit.**

3H. The driver of a motor vehicle in respect to which a Seat Belt Exemption has been issued shall at all times carry the permit in that motor vehicle, and shall produce it to any transport officer, traffic warden, police officer in uniform and on duty, or inspector upon request.”.

5. The principal Regulations are amended by repealing regulation 4 and replacing it with the following regulations—

Repeal and replacement of regulation 4.

“Exemptions.

4. The provisions of regulation 3 shall not apply to a—

- (a) land tractor;
- (b) motorcycle;
- (c) motor omnibus, except the front seats used by the driver and any other person sitting with the driver;
- (d) carriage, wagon, cart, bicycle, tricycle, hand cart, barrow, and any other similar vehicle used for the transportation of goods or persons on any road;
- (e) motor vehicle in which a Seat Belt Exemption permit has been granted by the Chief Transport Officer; and
- (f) motor vehicle manufactured before 1972.”.

6. The principal Regulations are amended in regulation 7 by—

Amendment of regulation 7.

- (a) deleting the words “not more than twenty-five dollars” and substituting it with the words “not exceeding five hundred dollars”; and
- (b) deleting the words “one month” and substituting it with the words “three months”.

Addition of
new Schedules
I and II.

7. The principal Regulations are amended by adding immediately after regulation 8, the following new Schedules I and II-

“SCHEDULE I

Seat Belt Exemption Permit

[regulation 3A]

In accordance with regulation 3A of the Motor Vehicles and Road Traffic (Seat Belt) Regulations, 2023, the Chief Transport Officer has approved the use of the motor vehicle described herein to (FULL NAME OF REGISTERED OWNER) of (ADDRESS OF REGISTERED OWNER). This permit shall be subjected to conditions.

LICENCE PLATE NO.: _____

MOTOR VEHICLE MAKE: _____

MOTOR VEHICLE YEAR: _____

BODY STYLE: _____

COLOUR: _____

V.I.N.: _____

FULL NAME OF PERSON WITH MEDICAL
HANDICAP OR DISABILITY: _____

DATE OF ISSUE: _____ DATE OF EXPIRATION: _____

Chief Transport Officer

Note: This Seat Belt Exemption permit shall be carried in the motor vehicle at all times.

SCHEDULE II

Application for Seat Belt Exemption Permit

[regulation 3B]

NEW

RENEWAL

Motor Vehicle Owned by: Individual Company Government of Belize

Full Name of Applicant: _____
(REGISTERED OWNER)

Address: _____
HOUSE NO. STREET CITY/TOWN/VILLAGE DISTRICT

Date of Birth: ____/____/____ Sex: _____
DAY MONTH YEAR

Telephone No.: _____ Email Address: _____

DESCRIPTION OF MOTOR VEHICLE(S) FOR SEAT BELT EXEMPTION PERMIT						
	MOTOR VEHICLE MAKE	YEAR	COLOUR	BODY STYLE	LICENCE PLATE NO.	V.I.N.
1.						
2.						
3.						

STATEMENT OF USE

Describe the nature of the medical handicap or disability:

Describe the reason why the use of a seat belt is not deemed desirable:

Full Name of Applicant: _____
(BLOCK LETTERS)

Signature of Applicant: _____

Date of Application: _____ / _____ / _____
DAY MONTH YEAR

FOR OFFICIAL USE ONLY

APPLICATION STATUS: Approved Denied Deferred

Chief Transport Officer

Date".

- Commencement.** **8.** These Regulations shall come into force with effect from the 1st day of March, 2024.
- Negative resolution.** **9.** These Regulations are subject to negative resolution.

MADE by the Minister responsible for transport this 15th day of December, 2023.



(HON. RODWELL FERGUSON)
Minister of Youth, Sports and Transport
(Minister responsible for transport)