

The Law

Regulation 115 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 [SR 1999 No 454] states that a motor vehicle and the number of passengers carried by such a vehicle and the manner in which the passengers are carried in or on such a vehicle, shall at all times be such that no danger is caused or is likely to be caused to a person in or on the vehicle or on a road.

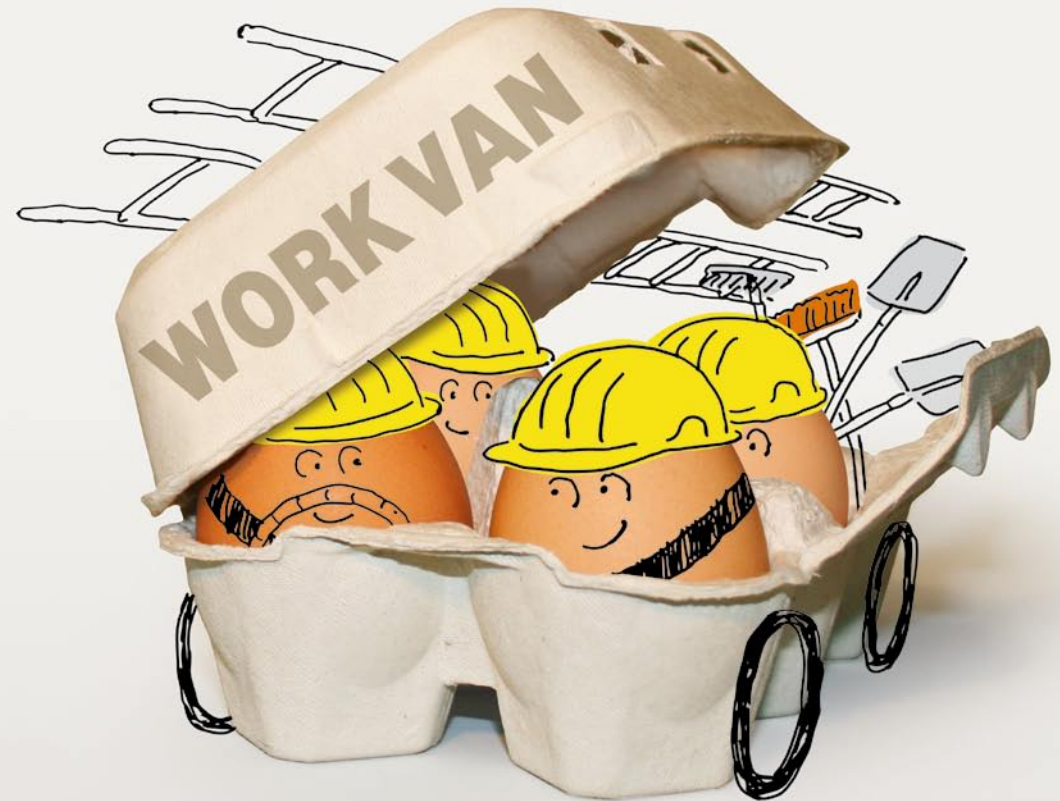
Similarly, Article 54 of the Road Traffic (Northern Ireland) Order 1995 (1995 No 2994) states that a person is guilty of an offence if he uses a vehicle or causes or permits another to use a motor vehicle or trailer on a road when the number of passengers carried by it, or the manner in which they are carried is such that the use of the motor vehicle or trailer involves a danger of injury to any person.

In practical terms any prosecution is likely to proceed under Article 54 and it is reasonable to presume that those likely to be liable would be the person who uses the vehicle (driver) or who causes or permits it to be so used (owner/ employer), as noted above.

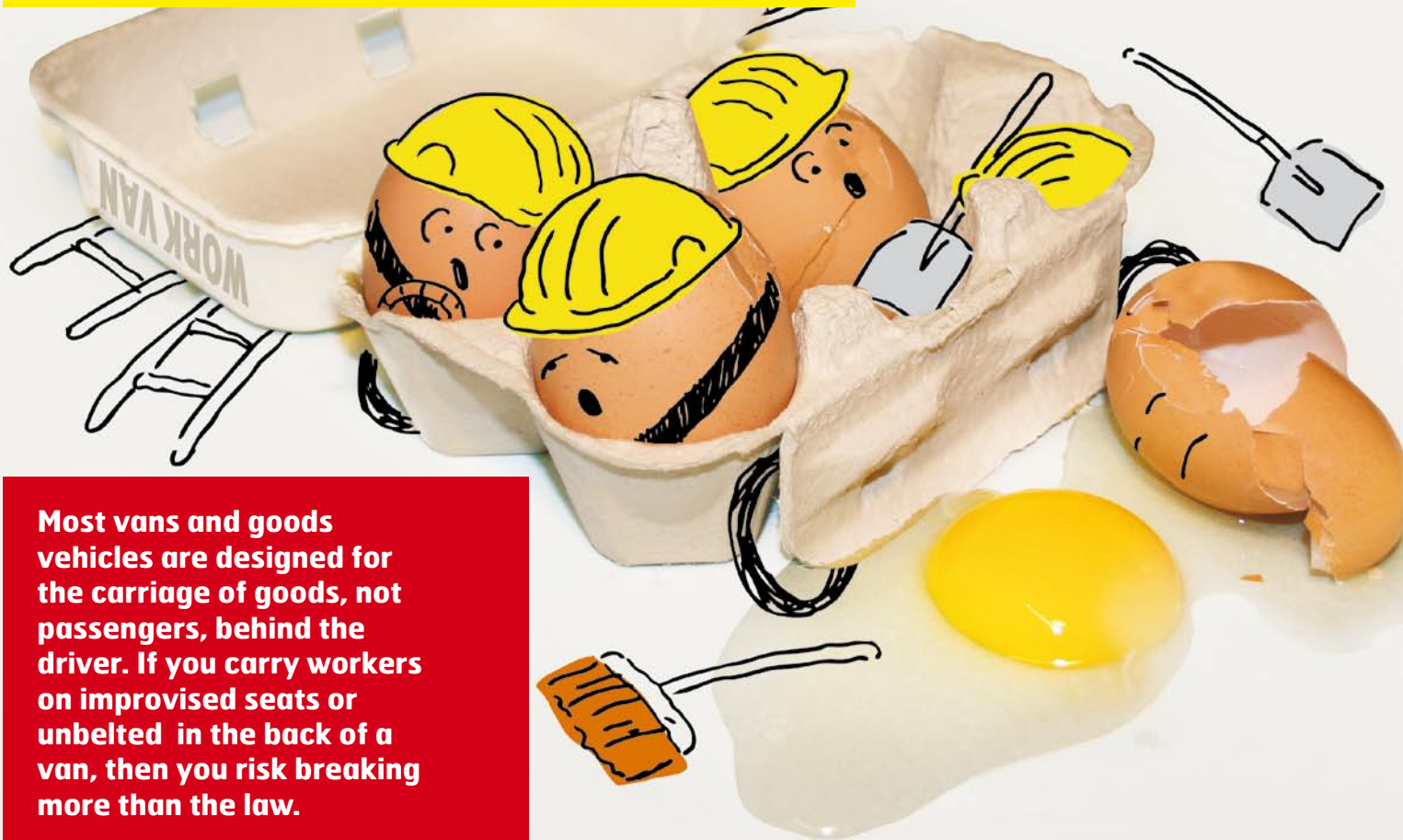
The associated penalties and liabilities are as follows:

- Regulation 115 of the Motor Vehicles (Construction and Use) Regulations (Northern Ireland) 1999 - the offence attracts a fine up to £1,000 and is directed towards anyone who contravenes the regulations.
- Article 54 of the Road Traffic (Northern Ireland) Order 1995 - the offence attracts a fine of up to £5000 and 3 penalty points (and 6 months disqualification for a second conviction within 3 years). The liability is to the person who uses the vehicle (driver) or someone who causes or permits it to be so used (owner/employer).

CARRYING WORKERS IN THE BACK...



...YOU COULD BREAK MORE THAN THE LAW



Most vans and goods vehicles are designed for the carriage of goods, not passengers, behind the driver. If you carry workers on improvised seats or unbelted in the back of a van, then you risk breaking more than the law.

In a collision, unbelted passengers can be thrown around with such force that as well as killing themselves they could kill or seriously injure a belted driver or front seat passenger.

That's why the PSNI is cracking down on such practices.

Commit this offence and you'll now receive:

A fixed penalty of £60 and 3 penalty points.

Or if convicted in court you'll face:

A fine of up to £5000 and 3 penalty points.

And it's **not just the driver** who will be held to blame. Anyone who **causes or permits** the vehicle to be used, such as the **owner or employer**, is liable too.

An employer, vehicle owner or driver can now face a charge of **Corporate Manslaughter**, and if convicted could be sent to **prison**, if failure to take appropriate action to provide for the safety of a vehicle occupant results in **death**.

So make sure that if you want to carry rear passengers your goods vehicle is designed to do so legally - before the PSNI cracks down on **you**.

