



PRINCE EDWARD ISLAND  
ÎLE-DU-PRINCE-ÉDOUARD

# **HIGHWAY TRAFFIC ACT SEAT BELT REGULATIONS**

## PLEASE NOTE

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This document is *not* the official version of these regulations. The regulations and the amendments printed in the *Royal Gazette* should be consulted on the Prince Edward Island Government web site to determine the authoritative text of these regulations.

For more information concerning the history of these regulations, please see the *Table of Regulations* on the Prince Edward Island Government web site ([www.princeedwardisland.ca](http://www.princeedwardisland.ca)).

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**HIGHWAY TRAFFIC ACT****Chapter H-5****SEAT BELT REGULATIONS**

Pursuant to section 92 of the *Highway Traffic Act* R.S.P.E.I. 1988, Cap. H-5, Council made the following regulations:

**1. Classification**

The following classes of passengers are prescribed for the purposes of clause 92(3)(a) of the Act:

- (a) children weighing less than ten kilograms (22 pounds) or who are less than one year of age are classified as infants;
- (b) children weighing ten kilograms (22 pounds) or more, but less than eighteen kilograms (40 pounds) are classified as toddlers;
- (c) children who
  - (i) weigh eighteen kilograms (40 pounds) or more;
  - (ii) are 9 years of age or less; and
  - (iii) are less than 145 centimetres (57 inches) tall,

are classified as pre-school to elementary grade children. (EC275/87; 627/07)

**2. Infants**

For the purpose of clause 92(3)(a) of the Act, an infant shall be secured in a rearward-facing infant restraint system that conforms to the requirements of Canada Motor Vehicle Safety Standard 213.1 (CMVSS 213.1) and which is used in accordance with the manufacturer's instructions. (EC275/87)

**3. Toddlers**

For the purpose of clause 92(3)(a) of the Act, a toddler shall be secured in a child restraint system that conforms to the requirements of Canada Motor Vehicle Safety Standard 213 (CMVSS 213) and which is used in accordance with the manufacturer's instructions. (EC275/87)

**4. Pre-schoolers**

- (1) For the purpose of clause 92(3)(a) of the Act, a pre-school to elementary grade child shall be secured in a booster seat that conforms to Canada Motor Vehicle Safety Standard 213.2 (CMVSS 213.2) and which is used in accordance with the manufacturer's instructions.

**Exceeds limit**

- (2) Notwithstanding subsection (1), a pre-school to elementary grade child who exceeds the weight limit for a booster seat of a type referred to in subsection (1), as prescribed by the manufacturer of a booster seat, is not required to be secured in a booster seat but shall be required to be secured by a seat belt as defined in clause 92(1)(d) of the Act. *(EC275/87; 627/07)*

**5. Application**

- (1) Sections 2, 3 and 4 do not apply when a seating position with a seat belt is not available to the passenger.

**Idem**

- (2) The requirement to use a restraint system as detailed in sections 2 and 3 does not apply
- (a) when the motor vehicle is registered in another province or jurisdiction which does not require the use of infant or child restraint systems;
  - (b) to the casual and occasional transportation of an infant, child or children in a vehicle driven by a person who is not the parent or guardian of the infant, child or children and the vehicle is not equipped with an infant or child restraint system. *(EC275/87)*

**6. Use of lap belts**

For the casual and occasional transportation of toddlers, or for the transportation of toddlers in vehicles registered in a jurisdiction which does not require the use of child restraint systems, the toddler shall be secured by a seat belt as defined in clause 92(1)(d) of the Act. *(EC275/87; 627/07)*

