HIGHWAY TRAFFIC ACT SEAT BELT REGULATIONS
PLEASE NOTE

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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).

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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)*