ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1998, No. 40

Vehicles and Road Traffic (Motor Cycles Protective Headgear) Regulations made by the Cabinet under section 87 of the Vehicles and Road Traffic Act (Cap. 460).

Short title and Commencement.

1. (1) These Regulations may be cited as the Vehicles and Road Traffic (Motor Cycles Protective Headgear) Regulations, 1998.

(2) These Regulations shall come into force on the 4th day of January, 1999.

Interpretation.

2. In these Regulations, unless the context otherwise requires

"protective headgear" means a helmet

(a) of a type manufactured for use by persons on motor cycles which by virtue of its shape, material and construction could reasonably be expected to afford persons on motor cycles a degree of protection from injury in the event of an accident; and

(b) if worn within a chin cup attached to or held in position by a strap or other fastening provided on the helmet, is provided with an additional strap or other fastening (to be fastened under the wearer's jaw) for securing the helmet firmly to the head of the wearer; and

(c) which is securely fastened to the head of the wearer by means of the straps or other fastening provided on the helmet for that purpose.

Wearing of protective headgear.

3. No person shall drive or ride (other than in a sidecar) a motor cycle on a road unless he is wearing protective headgear.

Prescribed headgear.

4. For the purposes of these Regulations protective headgear as regards its shape, construction and other qualities shall

(a) where manufactured in the United States conform to the regulations as directed by the Department of Transportation in the United States; or

(b) where manufactured in the United Kingdom conform to the British Standard as stated in Schedule 2 to the Motor cycles (Protective Helmets) Regulations 1980; and

(c) to be worn in accordance with the specifications of the manufacturer.

Suppliers of Headgear.

5. (1) Suppliers of protective headgear for use by drivers and riders of motor cycles shall comply with regulation 4 and shall obtain a certificate from the manufacturer that the relevant standard has been met.

(2) No other types of headgear shall be supplied without the prior written permission of the Traffic Commissioner who shall first satisfy himself of the suitability of the protective headgear before issuing a certificate for a supplier to supply other types of headgear not specified in these Regulations.

Hire and rental of motor cycles.

6. No person who offers motor cycles for rent or hire shall rent or offer for hire a motor cycle without supplying protective headgear, in accordance with these Regulations, to the person renting or hiring the motor cycle.

Exemption.

7. Regulation 3 shall not apply to a person driving or riding a Motor cycle in circumstance where it would be unreasonable to wear protective headgear.

Offence and penalty.

8. A person who contravenes the provisions of these Regulations commits an offence and is liable on summary conviction to a fine not exceeding Five thousand dollars or to imprisonment for a term not exceeding twelve months or both.

Made this 11th day of November, 1998.

Lounel Stevens,
Secretary to the Cabinet.

Printed at the Government Printing Office, Antigua and Barbuda,
by Rupert Charity, Government Printer
—By Authority, 1998.

800—12.98 *[Price $1.20]*