

# Safe Movement Guideline | Use of seatbelt buckle covers for passengers with disabilities or medical conditions

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# Part 1 - Introduction

## 1. Purpose of the guideline

This safe movement guideline provides guidance in relation to the exemptions and requirements for vehicles fitted with seatbelt buckle covers for relevant passengers with disabilities or medical conditions wearing the vehicle's approved seatbelt to access the Queensland road network.

## 2. How this guideline should be used

This guideline is designed to assist customers that require a seatbelt buckle cover for a relevant passenger with a disability or medical condition who, due to their disability or complex and challenging behaviour, may attempt to unbuckle the seatbelt while the vehicle is in operation and create an unsafe situation to themselves, the driver or other road users.

## 3. Guideline authority

This guideline is issued under the *Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021* section 53, in accordance with the Statutory Instruments Act 1992 section 22.

## 4. Definitions

Unless otherwise stated, words and expressions used in the guideline have the same meanings as those defined in the *Transport Operations (Road Use Management) Act 1995* or the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021*.

**ADR** means the Australian Design Rules, the national standards for vehicle safety, anti-theft and emissions

**Approved seatbelt** means a seatbelt complying with the vehicle standards for seatbelts under the Transport Operations (Road Use Management—Vehicle Standards and Safety) Regulation 2021

**AS/NZS** means an Australian/New Zealand Standard available on the SAI Global website at <https://www.saiglobal.com/>

**AS/NZS 4370** means *AS/NZS 4370:2013 - Restraint of children with disabilities, or medical conditions, in motor vehicles* and any subsequent edition of the standard

**AS 8005** means the *AS 8005:2020 - Accessories for child restraints used in motor vehicles* and any subsequent edition of the standard

**Medical practitioner** means a person who is registered under a law of a State or Territory as a medical practitioner (*Health Practitioner Regulation National Law Act 2009*)

**Prescriber**, or a specialist, means a medical practitioner, occupational therapist, physiotherapist or biomedical/rehabilitation engineer

**Prescriber's certificate** means the Advice to Parent(s) form completed in accordance with AS/NZS 4370 by a prescriber or specialist

**Relevant passenger** means the passenger with a disability or medical condition who has been issued a prescriber's certificate for a seatbelt buckle cover

**Seatbelt buckle cover** means a seatbelt buckle cover that either:

- (a) meets the requirements of AS for a seatbelt buckle cover (section 10);
- or

(b) meets the requirements stated by the prescriber

**VSS Regulation** means the *Transport Operations (Road Use Management – Vehicle Standards and Safety) Regulation 2021*

## 5. Exemptions to vehicle standards

The fitment of a seatbelt buckle cover may result in a light vehicle being considered as defective under the VSS Regulation section 7(1)(b)(iii) when the passenger is wearing the vehicle's approved seatbelt.

Vehicles operating under this guideline are exempt from the particular section and requirements in ADR 04/... as detailed in **Table 1**. Compliance with all other requirements of the particular section must continue.

**Table 1 – Vehicle standards exemptions**

VSS Regulation section	VSS Regulation description	ADR and section	Exemption from
Section 7(1)(b)(iii)	(b) a component of the vehicle– (iii) prevents, or is likely to prevent, another component from complying with the light vehicle standards or performing the component's intended function;	ADR 04/04 – Seatbelts, Appendix A section 6.2.2.2	"...[the buckle] <i>shall be capable of being released by the wearer with a single simple movement of one hand in one direction...</i> "
Section 7(1)(b)(iii)	(b) a component of the vehicle– (iii) prevents, or is likely to prevent, another component from complying with the light vehicle standards or performing the component's intended function;	ADR 04/05 – Seatbelts, Appendix A section 6.2.2.2	"...[the buckle] <i>shall be capable of being released by the wearer with a single simple movement of one hand in one direction...</i> "
Section 7(1)(b)(iii)	(b) a component of the vehicle– (iii) prevents, or is likely to prevent, another component from complying with the light vehicle standards or performing the component's intended function;	ADR 04/06 – Seatbelts, Appendix A section 6.2.2.2	"...[the buckle] <i>shall be capable of being released by the wearer with a single simple movement of one hand in one direction...</i> "

## Part 2 - Requirements

### 1. General requirements

- 1.1 Operating under this guideline is specific to the Queensland road network. Vehicles requiring exemptions interstate should contact the relevant interstate jurisdiction for their requirements.
- 1.2 A vehicle may operate under this guideline if a seatbelt buckle cover has been fitted and approved for use through a prescriber's certificate for a relevant passenger wearing the vehicle's approved seatbelt.  
  
Drivers seeking to use a seatbelt buckle cover in conjunction with a child restraint, where the passenger does not wear the vehicle's approved seatbelt, does not need to operate under this guideline and only needs to meet the requirements at:  
<https://www.qld.gov.au/transport/safety/rules/children/exemptions>.
- 1.3 A prescriber's certificate may be issued following an assessment of the relevant passenger in accordance with AS/NZS 4370.
- 1.4 A copy of the prescriber's certificate must be carried by the driver of the relevant passenger.
- 1.5 A copy of the prescriber's certificate must be provided to the relevant authorised enforcement officer when requested.
- 1.6 The seatbelt buckle cover cannot be used for a passenger who is not named as the relevant passenger on the prescriber's certificate. The seatbelt buckle cover must be removed if a different passenger is using the seatbelt.
- 1.7 If the seatbelt buckle cover kit includes a tool to cut the seatbelt, the warning sticker supplied with that kit must be placed on the window of the vehicle that is next to the relevant passenger's seat.  
  
**Note:** the sticker includes the information with the location of the seatbelt cutter, which is to be in the glovebox, as per 1.8 below.
- 1.8 If the seatbelt buckle cover requires the use of a tool to unbuckle, a seatbelt cutter must be located in the glovebox of the vehicle for emergency release of the occupant seatbelt.

### 2. Prescriber's certificate requirements

- 2.1 A prescriber's certificate must state the following:
  - (a) the details of the relevant passenger, parent(s) (or legal guardian), and prescriber; and
  - (b) the relevant passenger's disability or medical condition; and
  - (c) information on the seatbelt buckle cover including the reasons why the restraint is recommended, a detailed description of the restraint and the period of time the restraint is prescribed for (no more than 12 months without review); and
  - (d) any additional information for installing, using and maintaining the seatbelt buckle cover, which may include the restraint manufacturer's instructions; and
  - (e) the date of issue, date of expiry and, if applicable, date of review.
- 2.2 The prescriber's certificate may be issued for up to 7 years, however, a 12-month review will be required.

- 2.3 The prescriber's certificate must be signed and dated by the prescriber and parent (or legal guardian).
- 2.4 An example of a prescriber's certificate can be found in Appendix B of AS/NZS 4370:2013 or on the Queensland Government website at:  
<https://www.qld.gov.au/transport/safety/rules/children/exemptions>.