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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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CHAPTER H-5
HIGHWAY TRAFFIC ACT
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. The following classes of passengers are prescribed for the purposes of clause 92(3)(a) of the Act: Classification

- (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. 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) Infants

3. 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) Toddlers

4. (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. Pre-schoolers

(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) Exceeds limit

- Application **5.** (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)
- Use of lap belts **6.** 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)