

Full title: Decree of 26 July 1990 (nr. 459) establishing new Road Traffic and Traffic Signal Regulations. (Staatsblad 1990, nr 459) Entry into force: 01/11/1991.

(Reglement verkeersregels en verkeerstekens 1990 – Abbrev. RVV 1990)

Title of relevant sections: Section 27: Seat belts and Child Safety Systems; Article 59 and Article 59b
Section 30: Use of Mobile Telecommunications Equipment; Article 61a
Section 31: Conveyance of persons in or on trailers and in loading space; Article 61b

Article 59

- 1.** Drivers of passenger cars, commercial vehicles, three-wheeled motor vehicles with enclosed bodies or microcars and their passengers will use the seat belts available to them. Passengers under 18 years of age and less than 1.35m tall shall use a suitable child restraint system bearing a seal of approval as indicated in Article 22, part 5, of the act. If the seats intended for passengers are equipped with seat belts, no more passengers may be carried in these seats than there are seat belts.
- 2.** Passenger cars, commercial vehicles, three-wheeled motor vehicles with enclosed bodies or microcars not equipped with a seat belt or child restraint system as indicated in the first part may not be used to transport passengers under 3 years of age, and passengers aged 3 to 18 years, who are less than 1.35m tall, will be transported in seats other than the front seats.
- 3.** Passengers younger than 18 years may not be transported in a rear-facing child restraint system in a front passenger seat fitted with an airbag, unless this airbag has been disengaged or is disengaged automatically in an effective manner.
- 4.** The first part does not apply to passengers who use a wheelchair. These passengers shall be transported in a wheelchair that is secured in the vehicle in such a way that the stability of the wheelchair and the safety of the occupant is ensured. These passengers shall use :
 - a. the safety belt integrated into the vehicle that is provided for them; b. the safety belt that is integrated in the floor-mounted vehicle restraint system, or c. a construction as approved by Our Minister.
- 5.** The first part, second sentence and the second part do not apply for transport in taxis. In taxis where there is no child restraint system, passengers under 18 years of age and less than 1.35m tall must be transported in seats other than the front seats.
- 6.** The first part, where applicable to drivers, and the fourth part do not apply during paid transportation of passengers under the 2000 Passenger Transport Act and demand-driven public transport in taxis, other than in cases in which an agreement is made as indicated in Article 84, part 3, of said act, or other than during taxi transportation in a taxi configured for wheelchair transport in

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accordance with the requirements stated in the Vehicles Regulation.

7. The car seat belt, the safety belt or the child restraint system must be used in such a way that the protective function of these is not affected or could be affected in a negative manner. Persons aged 18 or over and persons under the age of 18 who under the particular circumstances do not need to use a child restraint system may use a provision that is designed to lead the diagonal part of the seat belt over the shoulder. Our Minister may make additional requirements for such a provision.

8. Drivers of vehicles as stated in part 1 are forbidden to transport passengers younger than 12 years of age and passengers who make use of a wheelchair in ways other than as stated in this article.

9. The first paragraph does not apply to passengers who make use of a facility for lying down/ a berth. These passengers must make use of the appropriate restraint provision in the vehicle if present that is integrated in the vehicle or forms part of the floor-mounted system by which the facility for lying down is mounted to the vehicle.

Article 59b

1. Contrary to Article 59, paragraphs 1 and 8, a third passenger older than 3 years of age and less than 1.35 metres tall may be transported other than in the front passenger seat in passenger and hired vehicles, when after installation of two child restraint systems it is not possible to install a third child restraint system, and these two restraint systems are in use, and provided this passenger uses a seatbelt. Article 59, paragraph 7, applies.

2. Contrary to Article 59, paragraph 1, sentence 2, and paragraph 8, in incidental cases and over short distances, passenger vehicles and vans may transport passengers aged 3 or older and less than 1.35 metres tall in the front passenger seats, when these passengers use a seatbelt. This does not apply to passengers whose parent is the driver or the owner or holder of the vehicle.

Article 61a

The driver of a vehicle is prohibited from holding a mobile electronic device that can be used for communication or information processing while driving. A mobile electronic device is in any case understood to mean a mobile telephone, a tablet computer or a media player.

Article 61b

1. It is forbidden to transport persons in the open or closed loading space of a motor vehicle or moped and in or on a trailer behind a motor vehicle or moped.

2. The first part does not apply:

a. To the transportation of persons in the cargo area of an ambulance or veterinary ambulance and transportation of wheelchair occupants in places configured for that purpose in the cargo area of a vehicle that is specially equipped to transport wheelchairs, according to an indication on its registration certificate;

b. To the conveyance of persons in the loading space of motor vehicles in the service of the police or fire brigade and other emergency services designated by

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our Minister;

c. To the conveyance of a person on the driver's seat of a motor vehicle or a moped with more than two wheels towed by another motor vehicle or an other moped with more than two wheels and to the transport of the passengers of the towed vehicle referred to herein for whom there is no seating available in the towing vehicle referred to herein;

d. In the case of the transport of persons that occurs as part of an event or procession for which a permit has been issued in accordance with a municipal bye-law.

e. To the transport of persons with a motor vehicle with maximum speed determined by its construction of no more than 45 km per hour, with no more than 8 seats not including that of the driver, that is not a moped, that forms a combination with one or more trailers that are fitted out for the transport of persons provided that a permit has been issued by the appropriate authority for this transport.

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