

L.N. 129 of 2004

**TRAFFIC REGULATION ORDINANCE
(CAP. 65)**

**MALTA TRANSPORT AUTHORITY ACT
(CAP. 332)**

Pedal and Low-Powered Cycles Regulations, 2004

IN exercise of the powers conferred by article 54 of the Traffic Regulation Ordinance and article 27 of the Malta Transport Authority Act, the Minister for Transport and Communications has, after consultation with the Malta Transport Authority, made the following regulations:-

Title and
commencement.

1. (1) The title of these regulations is the Pedal and Low-Powered Cycles Regulations, 2004.

(2) These regulations shall come into force as follows:

(a) regulations 1 and 2, 4 to 26 and 28 to 30 on the date of publication of these regulations;

(b) regulations 3 and 27 on the 1st June 2004.

Interpretation.

2. In these regulations, unless the context otherwise requires:

“the Authority” means the Malta Transport Authority as established by the Malta Transport Authority Act;

“bypass” means a main road built to avoid a town or a village or other congested area;

“footpath” means, for the purpose of these regulations, a hard-surfaced path for pedestrians alongside, and a little higher than a road;

“go-ped” means a motorised scooter with a small combustion engine or electric motor, having a maximum speed of 32 km per hour, small non-pneumatic tyres with an average dimension of 6.25cm x 15cm, with two or four wheels, without a saddle for the driver, and a gross weight not exceeding 15 kg;

“kerbside weight” means the weight of the vehicle without any person on it and with no load on it other than the loose tools and equipment with which it is normally equipped;

“light quadricycle” means a motor vehicle with four wheels whose unladen weight is not more than 350 kg, not including the mass of the batteries in case of electric vehicles, whose maximum design speed is not more than 45 km per hour, and

- (i) whose engine cylinder capacity does not exceed 50 cm³ for spark (positive) ignition engines, or
- (ii) whose maximum net power output does not exceed 4 kW in the case of other internal combustion engines, or
- (iii) whose maximum continuous rated power does not exceed 4 kW in the case of an electric motor;

“low-powered cycle” means a vehicle, having a kerbside weight not exceeding 350 kg, which is either propelled only by pedals in the case of a bicycle or tricycle, or by a combination of pedals and a motor in the case of a power assisted bicycle or tricycle, or by a motor of a piston displacement capacity 50 cm³ or less, and a maximum of two brake horsepower, which is capable of a maximum speed of not more than 45 km per hour in the case of a motorised scooter or cycle, including mopeds, go-peds and light quadricycles;

“low-powered vehicles” means, for the purpose of these regulations, motorised foot scooters, mobility scooters and motorised wheelchairs that can travel not more than 6 km per hour;

“mobility scooters” and “motorised wheelchairs” are vehicles used by persons with disabilities;

“moped” means a two-wheeled or a three-wheeled vehicle with a maximum design speed of not more than 45 km per hour and characterised by:

- (i) in the case of the two-wheel type, an engine whose cylinder capacity does not exceed 50cm³ in the case of the internal combustion type, or whose maximum continuous rated power is no more than 4 kW in the case of an electric motor;
- (ii) in the case of the three-wheel type, an engine whose cylinder capacity does not exceed 50 cm³ if of the spark (positive) ignition type, or whose maximum net power output does not exceed 4 kW in the case of other internal combustion engines, or whose maximum continuous rated power does not exceed 4 kW in the case of an electric motor;

“motorised scooter” means a go-ped, a motorised micro scooter and a motorised skateboard;

“motorised micro scooter” means a scooter, with a seat for the rider, having either an internal combustion engine not exceeding 50 cm³ or an electrical-powered motor and can reach speeds up to 25 km per hour;

“motorised foot scooter” means a device with no more than two 25-centimetre or smaller diameter wheels that has handlebars, is designed to either stand or sit on, and is powered by an engine or motor capable of propelling the scooter, with a travelling speed of not more than 6 km per hour;

“motorised skateboard” means a small two-wheeled or four-wheeled motorised vehicle without handles, having a gross weight not exceeding 21 kg, powered by a single cylinder petrol engine whose cylinder capacity does not exceed 50 cm³ or by an electric motor and can reach speeds up to 45 km per hour;

“pedal cycle” means a two or three-wheeled vehicle that is propelled solely by human power by means of pedals;

“pedelec” means a pedal electric cycle whose electric motor is activated as soon as the rider starts pedalling and deactivated as soon as the rider stops pedalling;

“power assisted cycle” means a two or three-wheeled motor assisted cycle, including pedelecs, having a kerbside weight of not more than 40 kilogrammes in the case of a bicycle and not more than 60 kilogrammes in the case of a tricycle or tandem bicycle, is fitted with pedals capable of propelling it, and is fitted with either an electric motor having a continuous rated output which, when installed in the bicycle/tricycle, does not exceed 250 watts and shall not be capable of propelling the bicycle/tricycle when it is travelling at more than 25 kilometres per hour, and the motor must stop when the rider stops pedalling, or is fitted with an internal combustion motor having an output of 250 watts or less and a travelling speed of not more than 25 kilometres per hour;

“promenade” means a public area set aside as a pedestrian walk;

“public road” means national arterial, distributory, access and local access roads;

“tunnel” means, for the purpose of these regulations, an underground passage forming part of a public road.

Part I

PEDAL CYCLES AND POWER ASSISTED CYCLES

Registration

3. Pedal cycles and power assisted cycles, registered for the first time after 1st June 2004, shall comply with the Cycle and Low Powered Vehicles Safety Regulations. Compliance with the Cycle and Low Powered Vehicles Safety Regulations.

4. (1) No person shall ride on a public road a power assisted cycle, including a pedelec, which is not registered with the Malta Transport Authority. Vehicle to be registered.

(2) Such registration mentioned in sub-regulation (1) shall be made against the payment of a Lm5 administrative fee payable to the Authority.

(3) The following documents shall be produced to the Authority at the time of first registration:

- (a) registration form duly filled and stamped by the Customs Department,
- (b) customs documents,
- (c) invoice and other documents showing the CIF price,
- (d) technical specifications of the vehicle.

5. (1) No person shall ride a power assisted cycle on a public road unless he or she has reached the age of 16 years, is in possession of an identity card, and has satisfied the Authority that he or she has some knowledge of the Highway Code through a theory test. Age of driver of power assisted cycles.

(2) The Authority shall charge an administrative fee of Lm5 for the provision of the said theory test.

Equipment

6. No person shall ride, or cause or permit to be ridden, on a road, a power assisted cycle unless it is fitted with – Requirements applicable to power assisted cycles.

- (a) a plate securely fixed in a conspicuous and accessible position showing –
 - (i) the name of the manufacturer;
 - (ii) the nominal voltage in the case of an electric motor;
 and
 - (iii) the continuous rated output of the motor;
- (b) an identification number stamped on the frame;
- (c) an effective braking system;

(d) a battery in the case of an electrically assisted cycle;

(e) a switch that, when released by the rider, cuts the power to the motor, or equivalent mechanism that disconnects power to the motor unless sustained action is maintained by the rider.

Bell or horn
required.

7. Every pedal cycle and every power assisted cycle shall be fitted with a functional bell or horn capable of giving sufficient warning of its approach or position:

Provided that racing bicycles shall be exempted from the provisions of this regulation.

Inspection.

8. Any officer of the Authority or Police officer or Local Councils Warden may, for the purpose of ascertaining any of the requirements specified in regulations 5 and 6 hereof, test and inspect an electrically assisted cycle on a road.

Lighting equipment
and riding at night.

9. (1) Every pedal cycle and every power assisted cycle shall be fitted with –

(a) a single front lamp showing a white light, positioned centrally or offside and visible from the front;

(b) a rear lamp showing a red light, positioned centrally or offside and visible from behind;

(c) a rear reflector, coloured red, positioned centrally or offside and visible from behind:

Provided that racing bicycles shall be exempted from the provisions of this sub-regulation unless used on the road at night.

(2) No person shall ride a pedal cycle, or a power assisted cycle at dark unless the cycle displays –

(a) a white light that is clearly visible from a reasonable distance from the front of the cycle;

(b) a red light that is clearly visible from a reasonable distance from the rear of the cycle;

(c) at least a red reflector which is clearly visible for at least 50 metres from the rear of the cycle when light is projected onto it by a vehicle's headlight on low-beam.

(3) No person shall ride a pedal cycle, or a power assisted cycle at dark without wearing reflective strips or a reflective vest:

Provided that pedal cycles classified as toys shall be exempted from the provisions of this regulation.

Usage

10. No person shall ride a power assisted cycle on a road without wearing a bicycle helmet made of material to resist blows, securely fitted and fastened on the rider's head.

Helmet required for power assisted cycle riders.

11. (1) No person shall ride or permit to be ridden any pedal cycle or a power assisted cycle –

Restrictions on riding in public areas.

- (a) along a promenade;
- (b) in pedestrian subways;
- (c) in road tunnels;
- (d) on footpaths:

Provided that pedal cycles may be ridden, with prudence, on footpaths along bypasses, with a speed limit of not more than 6 kilometres per hour and giving way to pedestrians. In any case, small pedal cycles may be ridden on footpaths and promenades by children aged under 12 years.

(2) When riding a pedal cycle or a power assisted cycle on a road, a person shall keep to the nearside left of the road as possible in the direction of traffic except on the approach to an intersection.

12. Any person who rides any pedal cycle or a power assisted cycle on a road shall observe and abide by all traffic regulations.

Observance of traffic regulations.

13. (1) It is an offence for more than one person to ride, or be carried on, a pedal cycle or a power assisted cycle unless the said vehicle is adapted to carry more than one person.

Restrictions of carriage of persons.

(2) Any person carried on a pedal cycle or a power assisted cycle in contravention of sub-regulation (1) of this regulation, shall be guilty of an offence.

(3) Children under 10 travelling on someone else's pedal cycle, once the said pedal cycle is adapted to do so, shall be seated in a safety seat and shall wear a bicycle helmet.

14. It is an offence for a person on a pedal cycle or a power assisted cycle to hold on to any other vehicle which is in motion or hold on to any person or thing on, in or attached to any such vehicle.

Holding on to other vehicles.

15. (1) No person shall take part in a race on a public road between pedal cycles unless the race is authorised.

Restrictions on cycle racing on public roads.

(2) Requests to organize pedal cycle races on a public road shall be made jointly to the Authority and to the Commissioner of Police.

Part II

MOPEDS AND LIGHT QUADRICYCLES

Registration and Licensing

Compliance with
L.N. 28 of 2003 and
L.N. 128 of 1994.

16. Mopeds and light quadricycles shall comply with the Two or Three-Wheel Motor Vehicles (EC Type-Approval) Regulations, 2003, and with the requirements of the Motor Vehicle Regulations, 1994.

Vehicle to be
registered and/or
licensed.

17. (1) Mopeds and light quadricycles shall be registered and licensed with the Malta Transport Authority.

(2) Mopeds and light quadricycles shall be covered by a Certificate of Conformity which shall be produced at the time of registration.

(3) No person shall ride or drive on a public road a moped or a light quadricycle which is not registered and licensed with the Authority.

(4) Such registration mentioned in sub-regulation (1) shall be made against the payment of a Lm5 administration fee payable to the Authority.

(5) The licence fee for mopeds and light quadricycles shall be Lm10 annually.

(6) (a) The licence for the vehicle shall be carried on the vehicle at all times when the vehicle is in use, parked or otherwise kept at any time in a public place.

(b) The licence shall be carried in a conspicuous position on the near side of the handlebar in the case of a moped and on the near side of the vehicle in the case of a light quadricycle.

Driving licence
required.

L.N. 191 of 2002.

18. No person shall ride a moped or drive a light quadricycle on a public road unless he or she has reached the age of 18 years and is in possession of a valid driving licence (Category A1) issued in conformity with the Motor Vehicles (Driving Licences) Regulations.

Plates required.

19. (1) No person shall ride or drive, or cause or permit to be ridden or driven, on a road, a moped or a light quadricycle unless it is fitted with plates showing the vehicle's identification numbers assigned to it by the Authority.

(2) The said identification numbers shall be placed on the back of the vehicle in the case of mopeds and on the front and back of vehicle in the case of a light quadricycle.

- 20.** No moped shall be ridden and no light quadricycle shall be driven on a public road unless the vehicle is covered by a third-party insurance in compliance with the requirements of the Motor Vehicle Insurance (Third-Party Risks) Ordinance.
- Vehicle to be insured.
Cap. 104.

Usage

- 21.** No person shall ride a moped without wearing a motorcycle helmet, securely fitted and fastened on the rider's head.
- Helmet to be worn.
- 22.** mopeds and light quadricycles shall not be used on footpaths or promenades.
- Not to be used on footpaths.
- 23.** It is an offence for a person on a moped to hold on to any other vehicle which is in motion or hold on to any person or thing on, in or attached to any such vehicle.
- Holding on to other vehicles.
- 24.** (1) It is an offence for more than one person to ride, or be carried on, a moped unless the said vehicle is adapted to carry more than one person.
- Restrictions of carriage of persons.
- (2) If a person is carried on a moped in contravention of sub-regulation (1) of this regulation, each of the persons driving or carried on the moped is guilty of an offence.

Part III

MOTORISED SCOOTERS

Registration

- 25.** (1) Motorised scooters shall be registered with the Authority.
- Vehicle to be registered.
- (2) Such registration mentioned in sub-regulation (1) hereof shall be made against the payment of a Lm5 administration fee payable to the Authority.

Usage

- 26.** (1) No person shall ride, or permit to be ridden, a motorized scooter on a road, on footpaths or on promenades.
- Motorised scooters not to be used on roads.
- (2) Motorised scooters may only be used off road and in enclosed private areas.
- (3) Any person who shall have been found guilty of a contravention against sub-regulation (1) hereof, shall, on conviction,

be liable to a fine (multa) of not more than 25 Maltese liri, or the confiscation of the vehicle, or to both such fine and confiscation.

Part IV

LOW-POWERED VEHICLES

Compliance with the Cycle and Low Powered Vehicles Safety Regulations.

27. Low-powered vehicles, registered after 1st June 2004, shall comply with the Cycle and Low Powered Vehicles Safety Regulations.

Usage

Low-powered vehicles with a maximum speed of not more than 6 km/h.

28. (1) Motorised foot scooters, battery powered toys for young children, mobility scooters and motorised wheelchairs that can travel not more than 6 km per hour shall be permitted to travel on a footpath or promenade.

(2) Mobility scooters and motorised wheelchairs mentioned in sub-regulation (1) may be used on the road where it is impracticable to travel on a footpath.

(3) When travelling along the road, vehicles mentioned in sub-regulation (2) shall keep as far as to the left side of the road as possible except on the approach to an intersection.

Part V

GENERAL PROVISIONS

Riding or driving under the influence of drink or drug.

29. (1) No person shall ride or drive or attempt to ride or drive a low-powered vehicle while he or she is under the influence of drink or medicinals to such an extent as to be incapable of having proper control of the vehicle.

(2) A person who contravenes sub-regulation (1) of this regulation shall be guilty of an offence and shall be liable, upon conviction for such an offence, to the punishments contemplated in Article 15H of the Traffic Regulation Ordinance.

Dangerous or reckless riding.

30. No person shall ride a low-powered vehicle dangerously or in a reckless manner on a road or in any other public place, or without reasonable consideration to other persons using the road or place.