SUBSIDIARY LEGISLATION 499.56

PASSENGER TRANSPORT SERVICES REGULATIONS

19th May, 2009;
19th November, 2009

LEGAL NOTICE 149 of 2009, as amended by Legal Notice 319 of 2009; Act XV of 2009; and Legal Notices 75 and 272 of 2010, 194, 251 and 396 of 2011, 426, 432 and 458 of 2012, 92, 190 and 431 of 2013, 92, 116 and 177 of 2014, 358 of 2015, 238, 365 of 2016, 80, 95, and 96 of 2017, 50, 140 of 2019, 216 of 2021, 346 of 2021 and 301 of 2022, 158 and 188 of 2023, 203 of 2024, 24 and 27 of 2025, 85 and 172 of 2026.

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Title.

1. The title of these regulations is the Passenger Transport Services Regulations.

PART I

PRELIMINARY

Interpretation.
Amended by:
L.N. 319 of 2009;
XV. 2009.49;
L.N. 272 of 2010;
L.N. 251 of 2011;
L.N. 396 of 2011;
L.N. 432 of 2012;
L.N. 116 of 2014;
L.N. 238 of 2016;
L.N. 365 of 2016;
L.N. 80 of 2017;
L.N. 96 of 2017;
L.N. 50 of 2019;
L.N. 216 of 2021;
L.N. 301 of 2022;
L.N. 158 of 2023;
L.N. 203 of 2024;
L.N. 24 of 2025;
L.N. 85 of 2026;
L.N. 172 of 2026..

2. For the purpose of these regulations and unless the context otherwise requires:

"the Act" means the Authority for Transport in Malta Act;

"authorisation" means any permission given by the Authority or the competent authorities in Member States entitling the holder to carry out road passenger transport operations;

"authorised parking disc" means a cardboard device as indicated in the Seventeenth Schedule having a revolving disc which displays, through a window in the outer cover, a twelve (12)-hour clock with indicators for segments of fifteen (15) minutes each inscribed on the inner disc, and which is collected free of charge from the offices of the Authority upon the collection of the relative licence for the operator or driver or from an authorised service provider indicated by the Authority on its official website;

"authorised inspecting officer" means a Police officer, a community officer or an officer of the Authority;

"authorised commercial premises" means any commercial premises as defined by the Trading Licences Act and which is licensed to carry out any commercial activity in terms of the Trading Licences Regulations; and for the purpose of these regulations includes also any building, premises or other establishment which is licensed in terms of the Malta Travel and Tourism Services Act;

Cap. 499.

Cap. 441.

S.L. 441.07.

Cap. 409.

"the Authority" means the Authority for Transport in Malta as established by the Act;

"break" means any period during which a driver may not carry out any driving or any other work and which is used exclusively for recuperation;

"bus operator" means an operator authorized to provide public passenger transport services in terms of regulation 68B;

"bus stop" means any stopping point situated along a public passenger transport route at which a motor route bus may take passengers on board or allow passengers to disembark;

"cabotage transport operations" means the performing of national carriage of passengers by road for hire or reward within Malta by a non-resident carrier who holds a Community authorization; such activity shall not be permanent, frequent, regular or continuous, shall not be carried out systematically, shall be at considerable and infrequent intervals, and the vehicle involved shall leave Malta at least once a month;

"carriage by road" means any journey made entirely or in part on roads open to the public by a vehicle, whether laden or not, used for the carriage of passengers;

"carriageway" means that part of a roadway on which traffic

proceeds in a single direction;

"carrier" means any physical or legal person who is authorized under the laws of a Member State to engage in the carriage of passengers by road using passenger transport vehicles for hire or reward or on his own account;

"coach" means a passenger transport vehicle which has at least thirty passenger seats, in addition to the driver's seat;

"collective agreement" means an agreement entered into between an employer, or one or more organisations of employers, and one or more organisations of employees regarding conditions of employment in accordance with the provisions of any law in force in Malta;

"Community licence" means a licence issued by the competent authorities of a Member State to a carrier established in that Member State in accordance with Article 3a of Council Regulation (EC) No 11/98 amending Regulation (EEC) No 684/92 on common rules for the international carriage of passengers by coach and bus;

"company" has the same meaning as is assigned to it in article 2 of the Companies Act; Cap 386.

"co-operative society" means a co-operative society registered or provisionally registered under the Co-operative Societies Act; Cap. 442.

"country of establishment" means that country in which the nonresident carrier is established and registered;

"daily driving time" means the total accumulated driving time between the end of one daily rest period and the beginning of the following daily rest period or between a daily rest period and a weekly rest period;

"daily rest period" means the daily period during which a driver may freely dispose of his time and covers a "regular daily rest period" and a "reduced daily rest period" as defined under these regulations;

"designated person" means a natural person, designated to the Authority by an operator or an applicant for an operator's licence, as the person who continuously and effectively manages the road passenger transport operations;

"Directive 2002/15/EC" means Directive 2002/15/EC of the European Parliament and of the Council of 11 March 2002 on the organisation of the working time of persons performing mobile road transport activities;

''Directive 2005/55/EC'' means Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression ignition engines for use in vehicles, and the emission of gaseous pollutants from positive ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles;"; and

"Directive 2006/22/EC" means Directive 2006/22/EC of the

European Parliament and of the Council of 15 March 2006 on minimum conditions for the implementation of Regulations (EC) No 561/2006 and (EU) No 165/2014 and Directive 2002/15/EC as regards social legislation relating to road transport activities, and repealing Council Directive 88/599/EEC, as amended by Directive (EU) 2024/846;

"Directive (EU) 2024/846" means Commission Delegated Directive (EU) 2024/846 of 14 March, 2024 amending Directive 2006/22/EC of the European Parliament and of the Council on minimum conditions for the implementation of Regulations (EC) No 561/2006 and (EU) No 165/2014 and Directive 2002/15/EC as regards social legislation relating to road transport activities;

"driver" means any person who drives a passenger transport vehicle for hire or reward even for a short period, or who is carried in the vehicle as part of his duties in order to be available for driving if necessary;

"driver card (with memory)" shall have the same meaning assigned to it by the Motor Vehicles (Weights, Dimensions and Equipment) Regulations; S.L. 65.21

"driver's permit" means a permit granted to a driver by the Authority in terms of Part III of these regulations;

"driving period" means the accumulated driving time from when a driver commences driving following a rest period or a break until he takes a rest period or a break. The driving period may be continuous or broken;

"driving time" means the duration of driving activity recorded automatically or semi-automatically by the recording equipment as defined in the Malta Vehicles (Weights, Dimensions and Equipment) Regulations or recorded manually as required by regulation 37 of the said regulations; S.L. 65.21

"electric trolley vehicle" means an electrically propelled vehicle which is used for the carriage of passengers by road which -

(*a*) has been issued with a type approval certificate by a competent authority of a Member State or by any other body approved by the Authority authorizing such vehicle for use on the road for the carriage of passengers;

(*b*) for the purposes of these regulations has a maximum speed which does not exceed 25km/hr; and

(*c*) fulfils all the applicable specifications and construction requirements established in the Motor Vehicles (Weights, Dimensions and Equipment) Regulations; S.L. 65.21

"electric trolley vehicle maximum fare" means the maximum fare to be levied for transport services rendered by means of electric trolley vehicles as specified in the Fifteenth Schedule;

"electric trolley vehicle stand" means an area specially designated and marked as such by the Authority where electric trolley vehicles can stand for hire;

"entry fee" means the fee payable in terms of regulation 117 upon application for a passenger transport vehicle licence;

"employer" means the person by whom a worker is, or, where the employment has ceased, was employed, and includes a partnership, company, co-operative society, association or other body of persons, whether vested with legal personality or not;

"enforcement officer" means an officer appointed by the Authority in terms of article 4(3) of the Act;

"European Union" has the same meaning as is given to it in the European Union Act and for the purposes of these regulations includes Norway, Iceland and Liechtenstein; Cap. 460.

"hire or reward" means the carriage of passengers other than on own account, that is to say against payment or compensation by the person transported or by the transport organiser, whether such payment or compensation is made directly or indirectly;

"hirer" means the passenger or the transport organiser, as applicable;

"international passenger transport services" means the performance of passenger transport services between two or more states.

"Local Council" means a Local Council established under the Local Government Act; Cap. 363.

"locality" shall have the same meaning assigned to it by the Local Government Act; Cap. 363.

"Malta heritage bus" means a passenger transport vehicle having its coachwork manufactured in Malta and having been registered in Malta as a passenger transport vehicle prior to 1 January, 1975 and was registered as such for at least five consecutive years at any time prior to the coming into force of these regulations and which:

(*a*) is not licensed as a vintage bus in terms of Part X; and

(*b*) has not, at any point in time, been scrapped or garaged and had its registration plates as a passenger transport vehicle used on another vehicle in replacement thereof;

""maximum fares" means the maximum fares indicated in the Twelfth Schedule payable by a passenger for a public passenger transport service;;

"maximum passenger capacity" means the seating and standing passenger capacity of a passenger transport vehicle as established by the manufacturer of that vehicle;

"Member State" means a Member State of the European Union;

"minibus" means a passenger transport vehicle which has not more than twenty-nine (29) passenger seats, in addition to the driver's seat;

"mobile worker" means any worker forming part of the travelling staff, including trainees and apprentices, who is in the service of an undertaking which operates transport services for passengers by road for hire or reward or on its own account and includes any

driver who is not a self-employed driver;

"motor route bus" means a passenger transport vehicle licensed to operate a public passenger transport service;

"motor route bus inspector" means a person engaged by the bus operator and having the powers and duties stipulated in these regulations;

"motor route bus licence" means a licence issued by the Authority, authorizing a passenger transport vehicle to be used as a motor route bus for the purpose of providing a public passenger transport service;

"motor vehicle" means any self-propelled vehicle travelling on the road, other than a vehicle permanently running on rails, and normally used for the carriage of passengers the maximum designed speed of which exceeds 45 kilometers per hour;

"multi-manning" means the situation where, during each period of driving between any two consecutive daily rest periods, or between a daily rest period and a weekly rest period, there are at least two drivers in the vehicle to do the driving. For the first hour of multi-manning the presence of another driver or drivers is optional but for the remainder of the period it is compulsory;

"M2 motor vehicle" means a motor vehicle comprising more than eight seats in addition to the driver's seat, and having a maximum mass not exceeding 5 tonnes;

"M3 motor vehicle" means a motor vehicle comprising more than eight seats in addition to the driver's seat, and having a mass exceeding 5 tonnes;

"national occasional services" means national passenger transport services which do not fall within the definition of regular services and, or special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself; these services shall not cease to be occasional services solely because they are provided at specified intervals;

"national passenger transport services" means the performance of passenger transport services solely within the territory of Malta;

"national type approval" shall have the same meaning as assigned to it in Regulation (EU) 2018/858;

"new motor vehicle" means, for the purposes of these regulations, a motor vehicle which:

(*a*) has never been registered in any country;

(*b*) has been registered only once (1) in any other country provided that:

(i) it has not been driven with its own motor for more than six thousand kilometres (6,000km); and

(ii) it shall be effectively registered as a new motor vehicle in Malta within three (3) months from the effective date of the first registration of the new

motor vehicle in the other country;

"night time" means a period of four hours between 01.00 and 05.00;

"night work" shall mean any work performed during night time;

"non-personalised public transport card" means a card, other than the personalised public transport card, which is issued by the bus operator and utilised by a passenger for the public passenger transport services indicated in Table 3 of the Twelfth Schedule;

"normal residence" means the place where a person habitually lives, for at least 185 days in each calendar year, because of personal and occupational ties, or, in the case of a person with no occupational ties, because of personal ties which show close links between that person and the place where he is living; provided that, the normal residence of a person whose occupational ties are in a different place from his personal ties and who consequently lives in turn in different places situated in two or more Member States shall be regarded as being the place of his personal ties, provided that such person returns there regularly; this last condition need not be met where the person is living in an Member State in order to carry out a task of a definite duration; attendance at a university or school shall not imply taking up of normal residence;

"occasional services" in the context of international carriage of passengers by road means services which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself; these services shall not cease to be occasional services solely because they are provided at specified intervals;

"occupation of road passenger transport operator" shall mean the activity of any undertaking operating, by means of motor vehicles so constructed and equipped as to be suitable for carrying more than nine persons - including the driver - and intended for that purpose, passenger transport services for the public or for specific categories of users for hire or reward;

"open top bus" means an open top, single or double deck passenger transport vehicle;

"operating centre" means the administrative offices from which the operator co-ordinates and controls the passenger transport services it supplies and in which all records relating to such services are kept;

"operator" means a person, whether natural or legal, who is authorised by the Authority to carry out passenger transport services in terms of these regulations and includes self-employed drivers;

"operator’s licence" means a national operator’s licence or a Community licence issued by the Authority to national undertakings authorizing the holder thereof to carry out passenger transport services;

"other work" means all activities as defined in the definition

"working time" except driving, including any work for the same or another employer, within or outside the transport sector;

"own account transport operations" means those passenger transport operations carried out for non-commercial and non-profit making purposes by a natural or a legal person, provided that the following conditions are fulfilled:

(*a*) the transport activity is only ancillary to the overall activities of the undertaking; and

(*b*) the vehicles used are the property of that natural or legal person or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself;

"partnership" includes an association, not registered under the Companies Act, between two or more persons; Cap. 386.

"parking disc" means a cardboard device as defined in the Fourth Schedule of the Controlled Parking Schemes (Residents and Commercial) Regulations; S.L. 363.80

"passenger" means a person travelling in a passenger transport vehicle and who is not the driver or a person making use of a public lift or of scheduled passenger maritime services, as the case may be;

"passenger seat" means any seat on a passenger transport vehicle which is not the driver's seat;

"passenger transport services" means the carriage of passengers using passenger transport vehicles for hire or reward;

"passenger transport vehicle" means an M2 or M3 motor vehicle which, by virtue of its type of construction and equipment, is suitable for carrying passengers, and is intended for that purpose and, unless otherwise specified, includes a trackless train and an electric trolley vehicle;

"passenger transport vehicle licence" means a document issued by the Authority certifying that the passenger transport vehicle is authorised to carry passengers for hire or reward, in terms of these regulations;

"periods of availability" means periods other than those relating to break times and rest periods during which the mobile worker is not required to remain at his workstation, but must be available to answer any calls to start or resume driving or to carry out other work, including such periods during which the mobile worker is accompanying a vehicle being transported by ferryboat or by train as well as periods of waiting at frontiers and those due to traffic prohibitions;

"personalised public transport card" means a personalised card which is issued by the bus operator and utilised by the passenger in whose name the card is registered for the public passenger transport services indicated in Table 1 of the Twelfth Schedule;

"persons performing mobile road transport activities" means any

mobile worker or self-employed driver who performs such road transport activities;

"ply for hire" means to drive on the road to search for or be available for hire;

"priority vehicle lane" means an area of carriageway which may only be used by vehicles licensed to carry passengers for hire or reward by the Authority;

"public lift" means a lift which is operated for hire or reward for the transport of passengers from one public place situated at a lower level to another public place situated at a higher level, and vice-versa;

"public passenger transport service" means the regular passenger transport services of general economic interest provided in Malta to the public on a non-discriminatory and continuous basis;

"public passenger transport route" means a route established by the Authority and, or notified to the Authority by the bus operator, and which forms part of the public passenger transport service;

"public transport card" means a personalised transport card and a non-personalised transport card;

"public transport ticket" means a ticket issued by the bus operator and utilised by a passenger for the public passenger transport services in Table 2 of the Twelfth Schedule;

"public highway" means national, arterial, distributory, access and local access roads as defined in the Motor Vehicles (Driving Licences) Regulations, or comparable roads in other states;

S.L. 65.18

"recording equipment" or "tachograph" shall have the same meaning as that assigned to them in the Motor Vehicles (Weights, Dimensions and Equipment) Regulations;

S.L. 65.21

"reduced daily rest period" means any period of rest of at least nine hours but less than eleven hours;

"reduced weekly rest period" means any period of rest of less than forty-five hours, which may, subject to the conditions laid down in regulation 75, be reduced to a minimum of twenty-four consecutive hours;

"regular daily rest period" means any period of rest of at least eleven hours. Alternatively, this regular daily rest period may be taken in two periods, the first of which must be an uninterrupted period of at least three hours and the second an uninterrupted period of at least nine hours;

"regular passenger services" means national and international services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken on board or disembarking at predetermined stopping points;

"regular weekly rest period" means any period of rest of at least forty-five hours;

"Regulation (EC) No 561/2006" means Regulation (EC) No 561/2006 of the European Parliament and of the Council of 15 March 2006 on the harmonisation of certain social legislation relating to road

transport and amending Council Regulations (EEC) No 3821/85 and (EC) No 2135/98 and repealing Council Regulation (EEC) No 3820/85;

"Regulation (EC) No 595/2009" means Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines with respect to emissions from heavy duty vehicles (Euro VI) and on access to vehicle repair and maintenance information and amending Regulation (EC) No 715/2007 and Directive 2007/46/EC and repealing Directives 80/1269/EEC, 2005/55/EC and 2005/78/EC;

"Regulation (EC) No 1071/2009" means Regulation (EC) No 1071/2009 of the European Parliament and of the Council of 21 October 2009 establishing common rules concerning the conditions to be complied with to pursue the occupation of road transport operator and repealing Council Directive 96/26/EC;

"Regulation (EU) No 1024/2012" means Regulation (EU) No 1024/2012 of the European Parliament and of the Council of 25 October 2012 on administrative cooperation through the Internal Market Information System and repealing Commission Decision 2008/49/EC ("the IMI Regulation");

"Regulation (EU) No 165/2014" means Regulation (EU) No 165/2014 of the European Parliament and of the Council of 4 February 2014 on tachographs in road transport, repealing Council Regulation (EEC) No 3821/85 on recording equipment in road transport and amending Regulation (EC) No 561/2006 of the European Parliament and of the Council on the harmonisation of certain social legislation relating to road transport;

"Regulation (EU) 2018/858" means Regulation (EU) 2018/858 of the European Parliament and of the Council of 30 May 2018 on the approval and market surveillance of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles, amending Regulations (EC) No 715/2007 and (EC) No 595/2009 and repealing Directive 2007/46/EC;

"rest" means any uninterrupted period during which the driver may freely dispose of his time;

"road" means any road, street, lane, square, or other place of public thoroughfare;

"road passenger transport operation" means the economic activity of offering and carrying out passenger transport services;

"road transport activities" shall include driving, assisting passengers boarding and disembarking the vehicle, cleaning and technical maintenance, and all other work intended to ensure the safety of the vehicle, its passengers or to fulfil the legal, or regulatory obligations directly linked to the specific transport operations under way, including dealing with administrative formalities with police, customs and immigration officers;

"seat belt" shall have the same meaning assigned to it in the Motor Vehicles (Wearing of Seat Belts) Regulations; S.L. 65.12

"scheduled passenger maritime transport services" means passenger

transport services operated for hire or reward for the transport of services by sea, to and from such berthing places as may be established by the Authority from time to time, which are operated according to scheduled times;

"school children" means all children attending schools providing tuition up to a secondary level of education;

"self-drive vehicle" means a passenger transport vehicle which is licensed and/or registered to be hired for the purpose of being driven by the hirer;

"self-employed driver" means anyone whose main occupation is to transport passengers by road for hire or reward within the meaning of European Union legislation under cover of a Community licence or any other professional authorisation to carry out the aforementioned transport, who is entitled to work for himself and who is not tied to an employer by an employment contract or by any other type of working hierarchical relationship, who is free to organise the relevant working activities, whose income depends directly on the profits made and who has the freedom, individually or through a cooperation between self-employed drivers, to have commercial relations with several customers;

"sightseeing passenger transport route" means a route established and published by the Authority and which may be used by operators for the purpose of taking passengers to and from sites and attractions in Malta and having a number of pre-determined pick-up and drop-off points, none of which are within five hundred metres from the main entrance of any building licensed as a hotel in terms of the Malta Travel and Tourism Services Act, and does not include public passenger transport routes;

Cap. 409.

"special regular services" means regular services which provide for the carriage of specified categories of passengers, to the exclusion of other passengers, at specified intervals along specified routes, passengers boarding and disembarking at predetermined stopping points. They shall include *inter alia*:

(*a*) the carriage of workers between home and work;

(*b*) carriage to and from an educational institution for school pupils and students;

(*c*) the carriage of soldiers and their families between their homes and the area of their barracks;

"tail-lift van" means a passenger transport vehicle which, before first registration for use on the road was permanently fitted with a mechanical device which is designed to facilitate the boarding of wheelchair-bound passengers;

"tracking device" means a device which monitors and transmits, in real time or otherwise, the geographical position and the functioning or operation, including the speed, of a passenger transport vehicle and the registration number of such vehicle;

"trackless train" means an articulated vehicle travelling on the road, other than a vehicle permanently running on rails, comprising

a self-propelled vehicle with a maximum set speed which does not exceed 25 kilometers per hour and pulling one or more carriages connected by drawbar couplings;

"trackless train route" means a route established and published by the Authority and which may be used by operators authorised to operate trackless trains in terms of regulation 68A;

"Tribunal" means the Administrative Review Tribunal established by article 5 of the Administrative Justice Act; Cap. 490.

"two way communication system" means any wireless apparatus which is designed or adapted for the purpose of transmitting and receiving spoken messages;

"type-approval certificate" shall have the same meaning as assigned to it in Regulation (EU) 2018/858;

"undertaking" means any natural person, any legal person, whether profit-making or not, any association or group of persons without legal personality, whether profit-making or not, or any official body, whether having its own legal personality or being dependent upon an authority having such personality;

"valid" shall be associated with any legitimate licence as issued by the competent authority, and to mean that such a licence is in effect and current for the period stated on the licence by virtue of the licence holder having met and continues to meet fully the obligations in accordance with these regulations;

"vintage bus" means a passenger transport vehicle which has its engine compartment situated in front of its windscreen, and was -

(*a*) manufactured and registered in Malta as a motor route bus prior to the 1st January, 1960, and was registered as such for at least five consecutive years prior to the coming into force of these regulations, or

(*b*) manufactured prior to the 1st January, 1960 and registered in Malta as a motor vehicle for the carriage of passengers prior to the 1st January, 1992; and was so registered in Malta for at least five consecutive years prior to the coming into force of these regulations.

Vehicles under paragraph (*b*) may only carry not more than 30 passengers;

"week" means the period between the hours of 00:00 on Monday and 24.00 on the following Sunday;

"weekly driving time" means the total accumulated driving time during a week;

"weekly rest period" means the weekly period during which a driver may freely dispose of his time and covers a "regular weekly rest period" and a "reduced weekly rest period" as defined under these regulations;

"working time" means:

(*a*) in the case of a mobile worker, the time from the beginning to the end of work, during which the mobile

worker is at his workstation, at the disposal of the employer and exercising his functions or activities, being -

(i) the time devoted to road transport activities; and

(ii) the times during which the mobile worker cannot dispose freely of his time and is required to be at his workstation, ready to take up normal work, with certain tasks associated with being on duty, in particular during periods awaiting loading or unloading where their foreseeable duration is not known in advance, that is to say either before departure or just before the actual start of the period in question, or under collective agreements or any other agreement entered into between the employer and mobile workers employed by him in compliance with national legislation;

(*b*) in the case of a self-employed driver, the time from the beginning to the end of work, during which the self-employed driver is at his workstation, at the disposal of the client and exercising his functions or activities, being -

(i) the time devoted to road transport activities; and

(ii) the times during which the self-employed driver cannot dispose freely of his time and is required to be at his workstation, ready to take up normal work, with certain tasks associated with being on duty, in particular during periods awaiting loading or unloading where their foreseeable duration is not known in advance, that is to say either before departure or just before the actual start of the period in question, or under agreements between the social partners:

Provided that general administrative work that is not directly linked to the specific transport operation underway shall not be deemed to be working time; and

"workstation" means -

(*a*) the location of the main place of business of the undertaking for which the person performing mobile road transport activities carries out duties, together with its various subsidiary places of business, regardless of whether they are located in the same place as its head office or main place of business,

(*b*) the passenger transport vehicle which the person performing mobile road transport activities uses when he carries out duties, or

(*c*) any other place in which activities connected with transportation are carried out.

Present regulations to prevail. *Amended by: L.N. 319 of 2009.*

3. (1) When considering an application for -

(*a*) an operator's licence,

(*b*) a driver's permit, or

(*c*) a passenger transport vehicle licence,

the Authority shall promote an open market policy and will not restrict the issue of such licences and permits on the basis that there are too many current licences and, or permits or for any other reason not stipulated in these regulations.

(2) If anything contained in these regulations is inconsistent or in conflict with any regulations issued under the Traffic Regulation Ordinance and, or the Act the present regulations shall prevail, and to the extent of these inconsistencies or conflicts such other regulations shall be deemed to be null and void.

Cap. 65.

Professional Secrecy Act. Cap. 377.

4. Any information given to the Authority in pursuance of these regulations shall be covered by the Professional Secrecy Act, provided that the Authority may communicate information to other competent authorities in Member States of the European Union for the purpose of compliance with its obligations under Council Directive 96/26/EC on admission to the occupation of road haulage operator and road passenger transport operator and mutual recognition of diplomas, certificates and other evidence of formal qualifications intended to facilitate for these operators the right to freedom of establishment in national transport services and international transport operations and Council Regulation (EC) No 11/98 amending Regulation (EEC) No 684/92 on common rules for the international carriage of passengers by coach and bus.

PART II

ADMISSION TO THE OCCUPATION OF ROAD PASSENGER TRANSPORT OPERATOR

Operator's licence. *Amended by: L.N. 194 of 2011; L.N. 345 of 2021.*

5. (1) No person shall carry out passenger transport services for hire or reward unless duly authorised under these regulations.

(2) The Authority shall issue an operator's licence to any undertaking that proposes to carry out passenger transport services and satisfies the conditions of these regulations and other requirements which the Authority may establish.

(3) An operator's licence shall be issued in the name of a natural person authorised to represent the undertaking and shall not be transferable.

(4) Once issued, an operator's licence shall remain valid unless and until it is revoked, suspended or surrendered, provided that the operator submits, within three (3) months preceding the fifth anniversary from the issue of the said licence, and every five (5) years thereafter, a declaration of compliance with the requirements of regulation 6 supported by updated documentation stipulated in regulation 7(1)(c) and (h), the applicable fee stipulated in Part 1 of the Tenth Schedule, a police conduct certificate and a signed declaration by virtue of which he confirms that he still satisfies the condition of good conduct and repute and that since the issuance of the last certificate referred to in regulation 7(1)(a) he has not been found guilty

of any criminal offence in violation of the provisions of regulation 9.

(5) The Authority shall issue -

(*a*) a national operator's licence to any undertaking with an operating centre in Malta which, in the course of its road passenger transport operations, intends carrying passengers only in Malta:

(*b*) a Community licence to any undertaking with an operating centre in Malta which, in the course of its road passenger transport operations, intends carrying passengers outside Malta but within the European Union;

Provided that a Community licence shall cover passenger transport services within the European Union including Malta.

(6) Sub-regulation (1) shall not apply to cabotage transport operations within the territory of Malta.

Requirements for an operator's licence.

6. (1) An applicant for an operator's licence shall, before being granted the licence, satisfy the Authority that he -

(*a*) is of good repute and conduct,

(*b*) is of appropriate financial standing, and

(*c*) satisfies the condition as to professional competence.

(2) Where the applicant is a natural person and cannot satisfy the requirement in sub-regulation (1)(*c*), but satisfies sub-regulation (1)(a) and (*b*), the Authority may nevertheless issue an operator's licence provided that he designates to the Authority a designated person who satisfies sub-regulation (1)(*a*) and (*c*).

(3) Every applicant for an operator's licence not being a natural person must indicate a designated person.

(4) (*a*) Where the applicant for an operator's licence is a limited liability company, the requirements of sub-regulation (1)(*a*) must be satisfied by all the directors of the company as well as the designated person, the requirements in sub-regulation (1)(*b*) must be satisfied by the company and the requirements of sub-regulation (1)(*c*) must be satisfied by the designated person.

(*b*) Where the applicant for an operator's licence is a partnership *en commandite* or a partnership *en nom collectif* as defined in the Companies Act, the requirements of sub-regulation (1)(*a*) must be satisfied by all the partners and the designated person, the requirements in sub-regulation (1)(*b*) must be satisfied by the partnership and the requirements of sub-regulation (1)(*c*) must be satisfied by the designated person.

Cap. 386.

(*c*) Where the applicant for an operator's licence is a legal person other than those identified in paragraphs (*a*) and (*b*), the requirements of sub-regulation (1)(*a*) must be satisfied by all persons having the legal and, or

judicial representation of such legal person and the designated person, the requirements in sub-regulation (1)(*b*) must be satisfied by the legal person itself and the requirements of sub-regulation (1)(*c*) must be satisfied by the designated person.

(5) Where a designated person, ceases to continuously and effectively manage the road passenger transport operation, the operator shall within twenty-one days from that occurrence notify the Authority in writing and the Authority shall allow a period not exceeding three months within which the operator shall designate another designated person, who shall comply with the provisions of sub-regulation (1)(*a*) and (*c*).

(6) Where, a person, other than the designated person, who is required to fulfill the requirement stipulated in sub-regulation (1)(*a*), ceases to occupy his post within a road passenger transport operation, the operator shall within twenty-one days from such occurrence notify the Authority in writing. Any new appointments to such posts shall be likewise notified to the Authority and shall be subject to its approval, which approval shall not be granted unless the persons so appointed fulfill the requirements of these regulations.

Application for an operator's licence. *Amended by: L.N. 251 of 2011; L.N. 396 of 2011.*

7. (1) An application for the grant of an operator's licence shall be made to the Authority and shall be in the form and contain such particulars as the Authority may require and shall be submitted together with:

(*a*) a certificate issued by the Police detailing any criminal offences and, or contraventions for which the applicant and, or the persons mentioned in regulation 6(2) and (4) may have been sentenced together with the punishment thereof:

Provided that where the applicant and/or the persons mentioned in regulation 6(2) and (4) are not normally resident in Malta an extract from a judicial record or, failing that, an equivalent document issued by a competent judicial or administrative authority of the country of origin or the country from which such persons come shall suffice:

Provided further that where the country of origin or the country from where such persons come does not issue such document, the said document may be replaced by a declaration on oath or by a solemn declaration made by the person concerned in front of a competent judicial or administrative authority or, where appropriate, a notary in that person's country of origin or the country from where such persons come. Such authority or notary shall issue a certificate attesting the authenticity of the declaration on oath or solemn declaration;

(*b*) a certificate of competence granted to the designated person in terms of regulation 11;

(*c*) a declaration signed by an auditor or accountant in the

form set out in the First Schedule;

(*d*) particulars of the number and class or description of any passenger transport motor vehicle available for use in the relevant road passenger transport business or proposed such business. The said vehicles shall be registered with the Authority;

(*e*) where the passenger transport vehicles to be covered by the operator's licence are not registered in the name of the applicant, a signed declaration from the registered owner in favour of the operation of the said vehicles under that particular operator's licence;

(*f*) a declaration giving the details of its operating centre;

(*g*) particulars of mobile workers, if any, employed or to be employed by the operator;

(*h*) particulars of the financial resources available as regards any such relevant business.

(2) The documents prescribed in sub-regulation (1)(*a*), (*c*) and (*e*) shall not be accepted if produced more than three months after date of issue.

(3) The Authority may require any particulars given by an applicant in relation to an application mentioned in sub-regulation (1) to be contained in a statutory declaration or in a sworn affidavit in such manner as the Authority shall specify.

(4) An application for the grant of an operator's licence shall be accompanied by the fee stipulated Part 1, Item (ii) of the Tenth Schedule.

Decision on the granting of a licence. *Amended by: L.N. 319 of 2009.*

8. (1) An application for the issue of an operator's licence shall be processed and decided upon by the Authority.

(2) In the case that the operator's licence is granted, the Authority shall provide the operator with a certified true copy of the operator's licence for every passenger transport vehicle covered by such licence. Such true copy shall be kept at all times in the said passenger transport vehicle and shall be produced by the driver on demand by an authorized inspecting officer.

(3) The decision of the Authority shall be sent by registered post to the applicant at the address specified in the application.

(4) Where the Authority intends to refuse an application, it shall give the applicant concerned notice in writing setting out the reasons for its intention to do so. Every notice of refusal shall state that the applicant has a right to make representations in writing, within ten days, to the Authority giving reasons why the application should not be refused and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the applicant concerned.

(5) When an application is refused by the Authority, the applicant may appeal to the Tribunal against such decision within a period of thirty days from its notification.

Good repute.
Amended by:
L.N. 319 of 2009.
Substituted by:
L.N. 458 of 2012;
Amended by:
L.N. 190 of 2013.
L.N. 95 of 2017;
L.N. 140 of 2019;
L.N. 346 of 2021;
L.N. 27 of 2025.

9. (1) A person shall not be deemed to satisfy the condition of good repute and conduct:

(*a*) if he has been found guilty of committing any crime contemplated in -

(i) Title I of Part II of Book First of the Criminal Code or articles 198, 199, 203, 203A, 204, 204A, 204B, 204C, 205, 211, 212, 217 (in the event that a fire-arm was used for the commission of the offence), 220, 238(*a*), 248B, 248C, 248D of the Criminal Code; Cap. 9.

(ii) articles 2, 3, 5, 7, 8, 9 and 10 of the White Slave Traffic (Suppression) Ordinance; Cap. 63.

(iii) articles 40A, 40B, 120A and 120B of the Medical and Kindred Professions Ordinance. Cap. 31.

(iv) articles 4, 5, 6(a), 7, 8(b), 8(c), 8(e), 11, 13(2), 14(3), 15, 15A, 16, 17, 18, 22(1)(b), (c), (d), (e), (f), 22(1C), 22(1D)(a), 22(1E) and 22(3BA)(5) of the Dangerous Drugs Ordinance; and Cap. 101.

(v) articles 37, 38, 44, 50 and 61 of the Malta Armed Forces Act; Cap. 220.

(*b*) for such period during which he is serving a sentence of imprisonment of at least one month;

(*c*) for such period immediately following time spent serving a sentence of imprisonment for a term or terms of at least one month imposed on such person for a crime or crimes connected with violence committed on a person, which period shall be:

(i) of three months for sentences of imprisonment for a term of at least six months and not more than two years;

(ii) equal to one-fourth of the term of imprisonment for which such person was sentenced for sentences for terms of imprisonment of more than two years:

Provided further that where the applicant was less than eighteen years of age at the time of the commission of the offence the period referred to in paragraph (*c*), shall not be longer than two years.

(*d*) if he has been found guilty of committing any corresponding offence under any law of a country or territory outside Malta:

(2) For the purposes of determining whether a person is of good repute and conduct in terms of sub-regulation (1), the term "sentence" shall not include:

Cap. 446.
Cap. 152.

(*a*) a probation order issued in terms of article 7 of the Probation Act or article 5 of the Probation of Offenders Act and which has been complied with by the probationer or an absolute or conditional discharge issued under article 22 of the Probation Act or article 9 of the Probation of Offenders Act which has been complied with; or

(*b*) a sentence for the commission of an offence for which the offender has been pardoned by the President of Malta in terms of article 93(1) of the Constitution of Malta; provided that this paragraph shall only apply from the date on which the President of Malta has granted such pardon; or

(*c*) a sentence which is at the moment of application under appeal;

(*d*) with the exception of the offences referred to in sub-paragraphs (i) and (ii) of paragraph (a) of sub-regulation (1), a sentence for the commission of an offence which:

(i) was committed before the 19th May 2009; and

(ii) was committed by a person who had a valid driver's tag issued to him by the Authority before the 19th May 2009.

(*e*) sentence for the commission of an offence of possession for exclusive personal use mentioned in sub-paragraphs (iii) and (iv) of sub-regulation (1)(a), which sentence was delivered at least three years before the date of new application or renewal of tag, where the applicant has rehabilitated oneself by means of a rehabilitation program and applicant shall have no other sentence in these three years.

(3) An operator shall inform the Authority in writing of any conviction against him for any offence contemplated in sub-regulation (1)(*a*) or against any of the persons mentioned in regulation 6(4), as applicable, within twenty-one days from that conviction or, when an appeal is entered, within twenty days from when such appeal is decided.

(4) A person who contravenes sub-regulation (3) shall be guilty of an offence.

Appropriate financial standing.

10. Appropriate financial standing of the undertaking for the purpose of regulation 6 shall consist in having available sufficient resources to ensure proper launching and proper administration thereafter of the road passenger transport operation.

(2) For the purposes of assessing financial standing, the Authority shall have regard to:

(*a*) annual accounts of the applicant, if any;

(*b*) funds available, including cash at bank, overdraft and loan facilities;

(*c*) any assets, including property, which are available to

provide full or partial security for the road passenger transport operation;

(*d*) costs, including purchase cost or initial payment for vehicles, premises, plant and equipment, and working capital.

(3) An applicant for, or a holder of an authorization shall not be considered to be of appropriate financial standing unless he has available to him capital and reserves of an amount equal to or exceeding the aggregate of:

(*a*) nine thousand euro (€9,000) for the first or only passenger transport vehicle which is to be authorised under the licence; and

(*b*) five thousand euro (€5,000) for each additional passenger transport vehicle which is to be authorised.

(4) The Authority may accept as evidence of financial standing confirmation or assurance given by a bank or other suitably qualified financial institution. Such confirmation may be given in the form of a bank guarantee, a pledge or security, or by any other means acceptable to the Authority.

Professional competence.

11. (1) The conditions relating to professional competence shall be satisfied if the designated person demonstrates that he possesses the requisite skills by passing a written and/or oral examination based on the subjects listed in Part 2 of the Second Schedule, corresponding to the level of training for either the national or international operations as the case may be, organised by the Authority or a body designated for the purpose by the Authority and is the holder of a certificate to that effect issued by the Authority or a body designated for the purpose by the Authority. Such certificate, in the format indicated in Part 1 of the Second Schedule shall serve as proof of professional competence:

Provided that the level of training for a national operator's licence in terms of regulation 5(5) shall not cover subjects relating to international transport. In such a case, the certificate of professional competence shall state that the holder is qualified to perform the effective and continuous management of national road transport operations:

(2) The Authority may exempt from examination, or part thereof, applicants who can provide proof of at least five years' practical experience in the management of a road passenger transport operation, provided such applicants successfully sit a multiple-choice test based on the subjects listed in Part 2 of the Second Schedule, organised by the Authority or a body designated for the purpose by the Authority.

(3) The Authority may exempt from examination, or part thereof, holders of advanced diplomas or technical diplomas equivalent, which provide proof of a sound knowledge of the subjects covered in the relevant national and international syllabi and holders of a certificate of professional competence issued by other Member States.

Operating centre.

12. An operator shall maintain up to date and comprehensive records relating to all aspects of the passenger transport operation, including, but not limited to, records of all bookings, the statutory documents and books of accounts and employment agreements at the operating centre.

Variation of number of vehicles on operator's licence.

13. The number of passenger transport vehicles authorised on the operator's licence may be varied at anytime upon a request in writing to the Authority, and once the Authority is satisfied that the operator still satisfies the requirement of financial standing, it shall vary the operator's licence accordingly.

Checks on compliance.
Amended by: L.N. 319 of 2009; L.N. 458 of 2012; L.N. 95 of 2017.

14. (1) Without prejudice to regulation 5(4), the Authority shall have the power to carry out random checks, whenever it deems necessary, in order to verify that an operator continues to fulfil the requirements of regulation 6(1) provided that the Authority shall carry out such compliance checks at least once every five years. For this purpose, the Authority may require the operator or any official or employee of the same to attend before it, or before a person appointed by it, at such time and place as it may specify, to answer questions and provide information and documentation with respect to the road transport operation of the operator. The Authority may take and keep copies of any documents furnished or provided under this regulation. A statement made and documentation provided in pursuance of this regulation may be used in evidence against the operator as well as against any person to whom they relate. Such persons shall comply fortwith, and in no case later than twenty four hours, with any request or order made by the Authority in terms of this regulation.

(2) An operator's licence may be suspended or withdrawn on any of the following grounds:

(*a*) where the holder has supplied incorrect information to the Authority in relation to the issue of a licence or under regulation 5(4); or

(*b*) where the holder has breached any of the conditions of the licence and has not remedied such breach in spite of his having been given written notice of the breach and a reasonable time in which to do so.

(3) An operator's licence shall be revoked where the holder no longer satisfies the conditions laid down in regulation 6(1):

Provided further that where the operator is not considered to be of good repute and conduct solely because any of the persons listed in regulation 6(4) do not comply with the provisions of regulation 6(1), the operator's licence shall be suspended until the operator substitutes such person with another person who fulfils the requirements of these regulations:

Provided further that where the operator fails to fulfil the above mentioned requirement within a period of three months from the date of the sentence or sentences in terms of which the person is not considered to be compliant with the requirements of regulation 6(1), the licence shall be withdrawn *ipso jure*.

(4) A suspension or revocation in terms of this regulation shall be

effected by the Authority of its own motion or by order of a court of criminal jurisdiction:

Provided that where the Authority intends to suspend or revoke an operator's licence of its own motion, it shall give the operator concerned notice in writing setting out the reasons for its intention to do so. Every notice given shall state that the operator concerned may, within ten days from service thereof, make representations in writing to the Authority giving reasons why the operator's licence should not be suspended or revoked and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the operator concerned. The operator concerned shall have the right to appeal to the Tribunal against the decision of the Authority to suspend or revoke the operator's licence within thirty days from notification of the Authority's decision:

Provided further that the suspension of the licence shall have immediate effect notwithstanding any appeal therefrom, unless otherwise ordered by the Tribunal or by a court of criminal jurisdiction:

Provided further that a decision of the Authority to revoke an operator's licence shall not become operative until the expiration of the period within which an appeal may be made under this regulation and, if an appeal is made within such period, the decision shall become operative on the date of the decision of the Tribunal dismissing the appeal or the date on which the appeal is abandoned.

(5) Where any offences against the rules governing road passenger transport have been committed by an operator who is not normally resident in Malta, and such offence might lead to withdrawal of the operator's licence, the Authority shall provide the Member State in which the operator is established with all the information in its possession concerning those offences and the penalties imposed.

(6) Where the requirement of financial standing is not fulfilled at the time of checking, the Authority may, where the operator's other economic circumstances give grounds for assuming that the requirements of financial standing will again be sustainably fulfilled within the foreseeable future on the basis of a financial plan, give further notice of not more than three months.

Entry and search of operating centre.

15. (1) Any enforcement officer of the Authority, upon the direction of the Authority, may enter the operating centre of the operator for the purpose of obtaining information or documents which indicate whether the operator is complying with its obligations in terms of these regulations.

(2) No enforcement officer of the Authority may enter an operating centre after 7 o'clock in the evening and before 7 o'clock on the next following morning, unless there is reason to believe that delay could cause the loss of necessary information and the search is expressly authorized by the Authority to take place between the said times.

(3) For the purposes of any action taken under this regulation, the Authority may request the assistance of the Commissioner of Police, who may for such purpose exercise such powers as are vested in him for the prevention of offences and the enforcement of law and order.

(4) The Authority may take any documents found in the operating centre or copies thereof. Any documentation obtained by the Authority in pursuance of this regulation may be used in evidence against the operator as well as against any person to whom they relate.

Death or physical or legal incapacity.

16. In the event of the death or physical or legal incapacity of the natural person in whose name the operator's licence is granted in terms of regulation 5(3), or of the designated person, the Authority may permit the carrying on the passenger transport operation on a temporary basis for a maximum period of nine months.

PART III

DRIVER'S PERMIT

Driver's permit.

17. No person shall act as a driver unless in possession of a valid driver's permit issued in accordance with these regulations:

Provided that drivers who are not normally resident in Malta may perform cabotage transport operations in Malta in terms of Part VIII of these regulations without the requirement of a driver's permit.

Conditions for obtaining a driver's permit.

18. An applicant for a driver's permit shall, before being granted the authorisation, satisfy the Authority that he -

S.L. 65.18

(*a*) is duly licensed in accordance with the Motor Vehicles (Driving Licences) Regulations; and

S.L. 65.18

(*b*) is in possession of a certificate of professional competence in terms of the Motor Vehicles (Driving Licences) Regulations unless exempted from such requirement in terms of the same Motor Vehicles (Driving Licences) Regulations; and

(*c*) is of good repute and conduct

Good repute and conduct.
Amended by: L.N. 319 of 2009; Amended by: L.N. 95 of 2017. Substituted by: L.N. 458 of 2012.

19. (1) Regulation 9(1) and (2) shall apply for the purpose of determining whether an applicant for a driver permit is of good repute and conduct.

(2) A driver shall inform the Authority in writing of any conviction against him for any offence contemplated in regulation 9(1)(a) within twenty-one days from that conviction or, when an appeal is entered, within twenty days from when such appeal is decided.

(3) A person who contravenes sub-regulation (2) shall be guilty of an offence.

Application for a driver's permit.

20. An application for the grant or renewal of a driver's permit shall be submitted to the Authority in the form stipulated by the

same and shall contain such particulars as the Authority may require and shall be submitted together with:

(*a*) a certificate issued by the Police detailing any criminal offences and, or contraventions mentioned in regulation 19 for which the applicant may have been sentenced together with the punishment thereof; and

(*b*) the relevant application fee fixed by the Authority in terms of Part 2 of the Tenth Schedule.

Processing of application for a driver's permit. *Amended by: L.N. 319 of 2009.*

21. (1) An application for a driver's permit shall be processed and decided upon by the Authority.

(2) The decision of the Authority shall be sent by registered post to the applicant at the address specified in the application.

(3) Where the Authority intends to refuse an application, it shall give the applicant concerned notice in writing setting out the reasons for its intention to do so. Every notice of refusal shall state that the applicant has a right to make representations in writing, within ten days, to the Authority giving reasons why the application should not be refused and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the applicant concerned.

(4) When an application is refused by the Authority, the applicant may appeal to the Tribunal against such decision within thirty days from its notification.

Validity and evidence of permit. Amended by: *L.N. 346 of 2021.*

22. (1) The Authority shall, upon granting a driver's permit in accordance with these regulations, issue to the successful applicant, a driver's tag evidencing that such person has been granted a driver's permit.

(2) A driver's permit and the driver's tag shall be valid for a period of five years from the date on which the driver's permit is granted or any other shorter period, specified thereon by the Authority, unless revoked or suspended, and shall not be transferable:

Provided that within three months preceding the date of expiry of the said driver's permit and driver's tag, and thereafter, the holder thereof shall be obliged to submit an application for renewal with the Authority in such manner and against such payment as may be prescribed by the Authority together with:

(*a*) a police conduct certificate; and

(*b*) a signed declaration by virtue of which he confirms that he still satisfies the condition of good conduct and repute and that since the issuance of the last certificate referred to in regulation 20(a) he has not been found guilty of any criminal offence in violation of the provisions of regulation 9 and 19.

(3) Every driver shall, while driving a passenger transport vehicle, fix the driver's tag in the appropriate slot provided for the purpose in the certificate referred to in regulation 34. Every driver

shall while on duty but not driving a passenger transport vehicle, wear in a conspicuous place on the left side of his chest in a manner that it may easily be seen, the driver's tag. Every driver shall, produce the driver's tag whenever requested to do so by the authorised inspecting officer.

(4) A driver who loses his tag shall immediately, and without delay, inform the Authority of such fact, and if the Authority is satisfied that such tag was lost, the Authority shall issue a replacement tag on the payment of a fee as prescribed in Part 3 of the Tenth Schedule.

(5) In the event that the driver's tag becomes discoloured, disfigured or is torn, the driver shall immediately return such tag to the Authority and the Authority shall issue a replacement tag free of charge:

Provided that the holder of the driver's tag shall be bound to make payment to the Authority of the fee prescribed in the Tenth Schedule for the fourth and any subsequent replacement of a driver's tag made within the tag's validity period.

(6) A driver shall return the tag immediately to the Authority upon the revocation or the suspension of his driver's permit or upon the expiration of the same, and the Authority shall give due receipt for the tag so returned.

Suspension or revocation of permit.
Amended by: L.N. 319 of 2009; L.N. 458 of 2012.

23. (1) The Authority may at any time require a driver to submit evidence that he continues to fulfil the requirements of regulation 18 and the driver shall produce any information and documents requested by the Authority within the time frame stipulated by the Authority which shall in no case be less than three working days.

(2) A driver's permit may be suspended or revoked on the following grounds:

(*a*) where the holder has supplied incorrect information to the Authority; or

(*b*) where the holder has breached any of the conditions of the driver's permit;

(*c*) where the holder has committed serious infringements of these regulations.

(3) A driver's permit shall be revoked where the holder no longer satisfies the conditions laid down in regulation 18:

Provided that where the person is not considered of good repute and conduct solely because he has been sentenced to a term of imprisonment of more than one month but less than one year for committing a crime or crimes other than one which is connected with violence committed on a person, the driver's permit shall not be revoked but shall be suspended for the period indicated in regulation 9(1)(*b*), (*d*)(i) and (*f*) as the case may be.

(4) A suspension or revocation in terms of this regulation shall be effected by the Authority on its own motion or by order of a court of criminal jurisdiction:

Provided that where the Authority intends to suspend or revoke a driver's permit of its own motion, it shall give the driver concerned notice in writing setting out the reasons for its intention to do so. Every notice given shall state that the driver concerned may, within ten days from service thereof, make representations in writing to the Authority giving reasons why the driver's permit should not be suspended or revoked and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the driver concerned. The driver concerned shall have the right to appeal to the Tribunal against the decision of the Authority to suspend or revoke the driver's permit within thirty days from notification of the Authority's decision:

Provided further that the suspension of the licence shall have immediate effect notwithstanding any appeal therefrom, unless otherwise ordered by the Tribunal or by a court of criminal jurisdiction:

Provided further that, a decision of the Authority to revoke a driver's permit shall not become operative until the expiration of the period within which an appeal may be made under this regulation and, if an appeal is made within such period, the decision shall become operative on the date of the decision of the Tribunal dismissing the appeal or the date on which the appeal is abandoned.

PART IV

THE ROAD PASSENGER TRANSPORT REGISTER

Road passenger transport register. *Amended by: L.N. 251 of 2011.*

24. (1) The Authority shall set up and maintain a register to be known as the Road Passenger Transport Register, which shall be divided into Part I, Part II, Part III and Part IV.

(2) In Part I of the register there shall be registered the name and address of any person to whom a certificate of competence has been granted together with other particulars which the Authority may consider relevant.

(3) In Part II of the register there shall be registered the name and address of the person to whom an operator's licence is granted, together with other particulars which the Authority may consider relevant.

(4) In Part III of the register there shall be registered the name and address of every person to whom a driver's permit has been issued, together with other particulars which the Authority may consider relevant, including:

(*a*) an indication of whether a driver is a self-employed driver or otherwise, and

(*b*) the name of the operator, if applicable, in whose operations he is engaged.

(5) Part IV of the Register shall be divided into Section 1 and Section 2. In Section 1 thereof there shall be registered the passenger transport vehicles licensed to operate, other than those which are licensed to operate as motor route buses, and the relative

operator's licence under which they can be operated. In Section 2 thereof there shall be registered the passenger transport vehicles licensed to operate as motor route buses.

(6) The Authority shall permit the register to be inspected by any person.

Employment of drivers.

25. No operator shall employ as a driver any person who is not registered in Part III of the Road Passenger Transport Register.

PART V

PASSENGER TRANSPORT VEHICLES

Applicability.

26. This part shall apply to all passenger transport vehicles, provided that it shall not apply to motor route buses, and to cabotage transport operations.

Only licensed passenger transport vehicles to be used as passenger transport vehicles. *Amended by: L.N. 319 of 2009.*

27. (1) Only passenger transport vehicles licensed to carry passengers for hire or reward by the Authority, and included in the Road Passenger Transport Register may be used to carry out passenger transport services, provided that passenger transport vehicles licensed to carry passengers for hire or reward by the Authority shall be automatically deemed included in the Road Passenger Transport Register.

(2) Each passenger transport vehicle licensed to carry passengers for hire or reward by the Authority and included in the Road Passenger Transport Register shall be issued with a passenger transport vehicle licence certifying that the public passenger transport vehicle is authorised to carry passengers for hire or reward and is included in the Road Passenger Transport Register. Such passenger transport vehicle licence shall be issued by the Authority, subject to the payment of the fee stipulated in Part 4 of the Tenth Schedule, and shall indicate the operator licence under which the passenger transport vehicle is registered in the Road Passenger Transport Register, together with the vehicle registration number. The passenger transport vehicle licence shall be affixed by the operator on the left hand side of the windscreen of the passenger transport vehicle in such a position as to be visible from the front.

(3) A passenger transport vehicle registered in the Road Passenger Transport Register shall only be used in the road transport operation of the operator under whose licence it is registered unless otherwise authorised by the Authority:

Provided that the use of such a passenger transport vehicle for the purpose of taking an urgent action which may be necessary in order to prevent or mitigate the harm or injury caused by an emergency situation which poses an immediate risk to the health or life of a person or persons shall not be considered a breach of this provision.

(4) A passenger transport vehicle shall only be driven by a driver who is employed by or has a contract of service with the operator under whose licence it is registered or by the operator himself where he is also a driver unless otherwise authorised by the Authority.

(5) The decision of the Authority with respect to an application for a passenger transport vehicle licence shall be sent by registered post to the applicant at the address specified in the application.

(6) Where the Authority intends to refuse an application, it shall give the applicant concerned notice in writing setting out the reasons for its intention to do so. Every notice of refusal shall state that the operator has a right to make representations in writing, within ten days, to the Authority giving reasons why the application should not be refused and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the applicant concerned.

(7) When an application is refused by the Authority, the applicant may appeal to the Tribunal against such decision within thirty days from its notification.

Specifications of passenger transport vehicles.
Amended by:
L.N. 319 of 2009;
L.N. 272 of 2010;
L.N. 432 of 2012;
L.N. 92 of 2013;
L.N. 431 of 2013;
L.N. 177 of 2014;
L.N. 238 of 2016;
L.N. 158 of 2023;
L.N. 203 of 2024.

28. (1) No passenger transport vehicle licence may be issued with respect to a motor vehicle unless:

(*a*) it is registered and licensed in terms of the Registration and Licensing of Motor Vehicles Regulations; S.L. 368.02

(*b*) it complies with Directive 2007/46/EC of the European Parliament and of the Council of 5 September 2007 establishing a framework for the approval of motor vehicles and their trailers, and of systems, components and separate technical units intended for such vehicles;

(*c*) it complies with the relevant requirements of the EC Type-Approval of Motor Vehicles and their Trailers Regulations; S.L. 427.23

(*d*) it fulfils all the specifications and constructional requirements laid down in the Motor Vehicles (Weights, Dimensions and Equipment) Regulations; S.L. 65.21

(*e*) it is a right-hand-drive passenger transport vehicle with passenger doors on the left hand side;

(*f*) it has a fully functioning air conditioning system;

(*g*) it's external bodywork colour is not identical or similar to the colour assigned by the Authority to motor route buses:

Provided further that paragraphs (b) and (c) shall not apply to Malta heritage buses.

(i) which were imported into Malta or ordered for importation into Malta prior to the 19th May, 2009; and

(ii) which are registered for use on the road in Malta before the 15th November, 2010,

but only if the Authority is notified of the importation of such passenger transport vehicles into Malta by not later than the 15th November, 2009 and proof of compliance with paragraph (i) is

submitted to the Authority together with such notification:

Provided further that paragraphs (*b*), (*c*) and (*f*) shall not apply to Malta heritage buses.

(2) A passenger transport vehicle which is not new may be issued with a passenger transport vehicle license only if it:

(*a*) complies with sub-regulation (1) with the exception of paragraph (*b*) and (*c*) thereof;

(*b*) has emissions levels that are classified as Euro VI according to Regulation (EC) No 595/2009 and not more than ten (10) years shall have passed from the year in which it would have been manufactured;

(*c*) is already registered for use on the road for hire or reward in any other country and has been issued a type-approval certificate or has been granted national type-approval by a competent authority of a Member State, or by any body approved by the Authority, and furthermore no modification was effected thereto after the issue of the said certificate or approval;

S.L. 65.15

(*d*) has passed a vehicle roadworthiness test, within the previous three months, in accordance with the Motor Vehicles Roadworthiness Test Regulations:

Provided, except in such cases which are specified in regulation 116(4), that no tail-lift van may be issued with a passenger transport vehicle licence in terms of these regulations unless it is a new motor vehicle:

Provided further that an open top bus brought into Malta prior to the 19th May, 2009 and in respect of which an application had been made prior to that date for the registration thereof with the Authority may, notwithstanding the provisions of paragraph (*b*), be registered not later than the 31st July 2014 on condition that the applicant (or where the person applying for such registration is not the same person who had submitted the original application, the present applicant as well as the original applicant) signs a written declaration in virtue of which he irrevocably renounces to any right of action against the Authority and declares that he has no claim or contention against the Authority or against the Government of Malta or against any officials thereof relating to the loss of use of the said open top bus prior to the date of registration and in which he will further declare that he holds the Authority, the Government of Malta and its officials harmless and fully indemnified against any such claims which may be made by third parties:

Provided further that, with regard to Malta heritage buses, paragraphs (b) and (c) of sub-regulation (1) and paragraphs (b) and (c) of this sub-regulation shall not apply:

Provided further that the new motor vehicle that has been registered in any other country and satisfies the requirements of these regulations, shall not be considered as a passenger transport vehicle which is not new in accordance with this sub-regulation.

(3) Vintage buses may be licensed to be used exclusively on

sightseeing passenger transport routes in terms of Part XI and, or for special vintage bus services in terms of Part X even though they do not comply with the requirements of sub-regulation (1)(*d*) and (*f*) and sub-regulation (2)(*b*).

(4) Passenger transport vehicles included in the declaration given under regulation 7(1)(*d*), which were licensed for the carriage of passengers for hire or reward in Malta before the entry into force of these regulations shall be automatically issued with a passenger transport vehicle licence under these regulations without the need for the submission of an application or the payment of an application fee or entry fee.

(5) This regulation shall not apply to trackless trains and electric trolley vehicles.

Condition for the transfer of a passenger transport vehicle. *Added by: L.N. 203 of 2024.*

28A. A new motor vehicle that has been registered in another country as a new motor vehicle prior to its registration in Malta, shall be considered as a passenger transport vehicle which is not new in accordance with regulation 28, if the operator or a person authorised by the operator that is the holder of said registration, transfer the ownership of the vehicle to third persons prior to the lapse of three (3) years from the date of the registration of the vehicle in Malta.

Open top buses.

29. A passenger transport vehicle which is an open top bus may be issued with a passenger transport vehicle licence only if:

(*a*) it complies with the requirements of regulation 28 with the exception of sub-regulation (1)(*f*) of the said regulation 28;

(*b*) it has clear caution notices written at least in English, Maltese, German, Spanish, Italian and French, regarding the compulsory wearing of seatbelts and lap belts and prohibition of passengers standing when the open top bus is in operation, particularly on upper deck, in a place which is clearly visible to passengers;

(*c*) it has front protection or a windshield that provides frontal passenger protection, and which must be not less than 125cm in height on the open deck;

(*d*) it has lateral passenger protection which must not be less than 100cm in height on the open deck;

(*e*) in the case of double deck buses, it has a CCTV or mirror system that driver's can use to view the upper deck;

(*f*) in the case of double deck buses, it has an audible warning system for the purpose of communicating information to the persons on the upper deck;

(*g*) all its seats are equipped with inertia reel three-point seat belts or retractable lap belts;

(*h*) it has a label affixed in the entrance area near driver's side indicating the maximum seating capacity on each deck.

Trackless trains. *Added by: L.N. 272 of 2010.*

29A. (1) No trackless train shall be issued with a passenger transport vehicle licence unless -

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(*a*) it is registered and licensed in terms of the Motor Vehicles Registration and Licensing Act and any regulations made thereunder;

(*b*) it has been issued with a certificate by a competent authority of a Member State, or by a body approved by the Authority, authorising such vehicle to be used on the road as a trackless train, and no modification was effected to the trackless train after the issue of the said certificate;

(*c*) it complies, as a minimum, with the emission limits which in terms of Directive 2005/55/EC of the European Parliament and of the Council of 28 September 2005 on the approximation of the laws of the Member States relating to the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines for use in vehicles, and the emission of gaseous pollutants from positive-ignition engines fuelled with natural gas or liquefied petroleum gas for use in vehicles, became applicable as from the year 2005;

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(*d*) it fulfils all the relevant specifications and constructional requirements laid down in the Motor Vehicles (Weights, Dimensions and Equipment) Regulations;

(*e*) it has been issued with a certificate by a certified mechanical engineer, certifying that the trackless train has passed a vehicle roadworthiness test which includes tests on safety of brakes, lights, steering mechanism, the condition of the tyres and exhaust emissions, and is suitable to be driven on the road and safe to carry passengers, which certificate must not have been issued earlier than three months before the submission of an application for a passenger transport vehicle licence in terms of these regulations;

(*f*) it has a speed limiting device which does not permit the trackless train to be driven at a speed which exceeds 25 km per hour;

(*g*) it can be accessed, for boarding and alighting, by passengers from the left hand side;

(*h*) it is designed to allow and facilitate access to persons with disability and, or restricted mobility.

(2) When submitting an application for a passenger transport vehicle licence with respect to a trackless train, the operator shall, in addition to the other requirements under these regulations, submit to the Authority the following information:

(*a*) the maximum number of carriages with which the trackless train shall be operated and the maximum passenger capacity of each carriage;

(*b*) the maximum dimensions of the trackless train if it is operated with the maximum number of carriages with which it is to be registered;

(*c*) the width of the body of the prime mover and of the carriages;

(*d*) the articulating angle, in degrees, or the turning circle, in metres, for the trackless train when it has the maximum number of carriages with which it is to be licensed;

(*e*) the trackless train route on which the operator intends to operate the trackless train, if any.

(3) Trackless trains which were licensed for the carriage of passengers for hire or reward in Malta before the entry into force of these regulations shall be automatically issued with a passenger transport vehicle licence under these regulations without the need for the submission of an application or the payment of an application fee.

Granting of passenger transport vehicle licence. *Amended by: L.N. 272 of 2010.*

30. The Authority shall not issue a passenger transport vehicle licence unless the application for that licence is accompanied by a declaration made by the applicant stating that the particular vehicle complies with the requirements stipulated in these regulations.

Passenger transport vehicle licence renewal. *Amended by: L.N. 319 of 2009; L.N. 432 of 2012; L.N. 358 of 2015; L.N. 238 of 2016.*

31. (1) A passenger transport vehicle licence shall be valid for up to five years and can be transferred to any other person provided that if such person is an operator and intends to use the vehicle for his business, the operator shall be obliged to notify the authority of such transfer within seven days thereof and the authority shall thereupon amend the register accordingly.

(2) A passenger transport vehicle licence shall not be renewed beyond thirty-five years from the date of manufacture of the vehicle, provided that this sub-regulation shall not apply in the case of vintage buses and Malta heritage buses the licence of which shall be renewed as long as the particular vintage bus or Malta Heritage bus is considered by the Authority to be road worthy and safe to carry passengers:

Provided that, notwithstanding the provisions of this sub-regulation, the licence of such passenger transport vehicles which reach the age of thirty-five years (to be reckoned from the year of manufacture) on or after the 1st January, 2015 (unless such licence has already been withdrawn) shall be extended up to the 31st October, 2015.

Sticker indicating information about passenger transport vehicles. *Amended by: L.N. 272 of 2010.*

32. Passenger transport vehicles included in the Road Passenger Transport Register shall have affixed to the back left side-door window a self adhesive sticker of transparent material issued by the Authority, which indicates the following information:

(*a*) vehicle registration number;

(*b*) registered owner;

(*c*) operator's licence number;

(*d*) passenger capacity;

(*e*) an official contact telephone number to be used in cases of emergency:

Provided that in the case of trackless trains the self-adhesive sticker shall, instead of being affixed to the back left side-door window be affixed in a place where it is clearly visible.

Registration mark and plate.

S.L. 65.28

33. Passenger transport vehicles included in the Road Passenger Transport Register shall be allotted by the Authority an alphanumeric registration mark in the form prescribed by the Registration and Licensing of Motor Vehicles Regulations, which identifies it as such.

Identification of driver within the passenger transport vehicle.

34. Every driver shall while on duty, affix to the back of the driver's seat or such place as may be determined by the Authority, the identification certificate issued by the Authority to enable the hirer to identify the driver and operator and provide him with such other information as the Authority may prescribe.

Advertisements. *Amended by: L.N. 238 of 2016.*

35. (1) A passenger transport vehicle included in the Road Passenger Transport Register can bear advertisements in the form of printed film stuck on its exterior.

(2) Where any advertisement, lettering or other printed matter is displayed in contravention of any law and, or any regulation issued thereunder, or an order of the Authority, the Authority may suspend the licence of such passenger transport vehicle unless and until the matter is regularised.

(3) Without prejudice to the above provisions, nothing shall be permitted to obstruct or otherwise interfere with the view of the driver or substantially hinder the view of passengers.

(4) The Authority may, at its complete discretion, order the removal of any advertisement.

(5) No advertisements may be displayed on Malta heritage buses.

Safety of passenger transport vehicle. *Amended by: L.N. 319 of 2009; L.N. 272 of 2010; L.N. 238 of 2016.*

36. (1) Every passenger transport vehicle included in the Road Passenger Transport Register shall be fit and safe in every respect for the conveyance of passengers.

(2) The operator of a trackless train licensed to operate as passenger transport vehicle under these regulations shall, every twelve months, subject such a vehicle to a vehicle road worthiness test to be carried out by a certified mechanical engineer and certifying that the trackless train has passed a vehicle roadworthiness test which includes tests on safety of breaks, lights, steering mechanism, the condition of the tyres and exhaust emissions, and that it is suitable to be driven on the road and safe to carry passengers. The certificate shall be submitted to the Authority at least ten days prior to the renewal of the vehicle's circulation licence. The certificate should not have been issued earlier than three months prior to its submission to the Authority.

(3) The provisions of sub-regulation (2) shall also apply to electric trolley vehicles.

(4) If a passenger transport vehicle which is included in the

Road Passenger Transport Register is found by the Authority to be in a state which is not fit and safe for the conveyance of passengers, or if in the case of a trackless train a certificate of roadworthiness is not submitted to the Authority in terms of sub-regulation (2), its passenger transport vehicle licence shall be suspended until such state is remedied to the satisfaction of the Authority.

Alteration of vehicle.
Amended by: L.N. 319 of 2009; L.N. 272 of 2010; L.N. 238 of 2016.

37. (1) A passenger transport vehicle which has been granted a passenger transport vehicle licence shall not be altered in any form, without prior approval given in writing by the Authority.

(2) A passenger transport vehicle which has been granted a passenger transport vehicle licence in terms of these regulations, with the exception of trackless trains and electric trolley vehicles, shall continuously comply with the relevant provisions of regulations 28 and 29:

Provided that trackless trains shall be required to continuously comply with the applicable provisions of regulation 29A:

Provided further that electric trolley vehicles shall be required to continuously comply with the applicable provisions of regulation 68R.

(3) A passenger transport vehicle may be removed from the Road Passenger Transport Register, and its passenger transport vehicle licence withdrawn if sub-regulation (1) or (2) is breached in relation to the said vehicle.

(4) Such removal from the Road Passenger Transport Register and withdrawal of the passenger transport vehicle licence shall be effected by the Authority of its own motion or by order of a court of criminal jurisdiction:

Provided that where the Authority withdraws the licence of its own motion, it shall give the operator concerned notice in writing setting out the reasons for its intention to do so. Every notice given shall state that the operator concerned may, within ten days from service thereof, make representations in writing to the Authority giving reasons why the licence should not be withdrawn and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the operator concerned. The operator concerned shall have the right to appeal to the Tribunal against the decision of the Authority to suspend or revoke the passenger transport vehicle licence within thirty days from notification of the Authority's decision:

Provided further that, a decision of the Authority to withdraw a passenger transport vehicle licence shall not become operative until the expiration of the period within which an appeal may be made under this regulation and, if an appeal is made within such period, the decision shall become operative on the date of the decision of the Tribunal dismissing the appeal or the date on which the appeal is abandoned.

Inspections.

38. The Authority shall have the right to conduct roadside

inspections on passenger transport vehicles included in the Road Passenger Transport Register and, or to call such vehicles for such inspections, in which case the operator shall comply without delay with such requests.

Added by: L.N. 251 of 2011.

PART VI

MOTOR ROUTE BUSES

Only motor route buses may be used to carry out public passenger transport services.
Added by: L.N. 251 of 2011.

38A. (1) Only passenger transport vehicles licensed as motor route buses may be used to carry out public passenger transport services.

(2) A motor route bus licence shall only be issued in the name of an operator.

(3) The motor route bus licence shall be issued by the Authority subject to the payment of a fee stipulated in Part 5 of the Tenth Schedule and such licence shall show the vehicle registration mark and the bus operator's licence number under which such licence is issued.

(4) A licensed motor route bus shall only be used to perform public passenger transport services, unless otherwise authorized in writing by the Authority.

(5) The decision of the Authority in respect of an application for a motor route bus licence shall be sent by registered post to the operator at the address specified in the application.

(6) Where the Authority intends to refuse an application, it shall give the operator notice in writing setting out the reasons for its intention to do so. Every notice of refusal shall state that the operator has a right to make representations in writing, within ten days, to the Authority giving reasons why the application should not be refused and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the operator.

(7) Where an application is refused by the Authority, the operator may appeal to the Tribunal against such decision within a period of thirty days from its notification.

Motor route bus licence.
Added by: L.N. 251 of 2011.

38B. (1) The Authority shall not issue a motor route bus licence unless the application for the said licence is accompanied by a declaration by the bus operator stating that the particular vehicle complies with the requirements stipulated in these regulations and any other requirements agreed between the bus operator and the Authority.

(2) A motor route bus licence shall only remain valid for a period not exceeding fifteen years from the date of manufacture of that motor route bus and upon the expiry of the licence, that bus cannot be used again as a motor route bus.

(3) The motor route bus licence shall not be transferable.

Registration mark.
Added by: L.N. 251 of 2011.
S.L. 368.02

38C. A motor route bus shall be allotted by the Authority an alphanumeric registration mark in the form prescribed by the Registration and Licensing of Motor Vehicles Regulations, which identifies it as such.

38D. (1) Every motor route bus shall be fit and safe in every respect for the conveyance of passengers.

Safety of passengers. *Added by: L.N. 251 of 2011.*

(2) Where a motor route bus is not found to be fit or safe for the conveyance of passengers, its licence shall be suspended until its state is remedied to the satisfaction of the Authority.

38E. (1) No person shall make, or allow or cause a motor route bus to have any structural or mechanical alterations in any form, without prior approval in writing from the Authority.

Alterations to motor route bus. *Added by: L.N. 251 of 2011.*

(2) A motor route bus licence may be revoked if the motor route bus no longer complies with the provisions of this Part of these regulations or if it no longer complies with any other requirements agreed between the bus operator and the Authority.

(3) Such revocation shall be effected by the Authority on its own motion or by order of a court of criminal jurisdiction:

Provided that where the Authority revokes the licence on its own motion, it shall give the operator notice in writing setting out the reasons for its intention to do so. Every notice given shall state that the operator may, within ten days from service thereof, make representations in writing to the Authority giving reasons why the licence should not be withdrawn and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the operator. The operator shall have the right to appeal to the Tribunal against the decision of the Authority to suspend or revoke the motor route bus licence within a period of thirty days from notification of the Authority's decision:

Provided further that a decision of the Authority to revoke a motor route bus licence shall not become operative until the expiration of the period within which an appeal may be made under this regulation and, if an appeal is made within such period, the decision shall become operative on the date of the decision of the Tribunal dismissing the appeal or the date on which the appeal is abandoned.

38F. The Authority may conduct roadside inspections on motor route buses and, or may call such vehicles for such inspections, in which case the operator shall comply without delay with such requests.

Road inspections. *Added by: L.N. 251 of 2011.*

PART VII

Re-numbered by: L.N. 251 of 2011.

PASSENGER TRANSPORT SERVICES IN MALTA

39. This part shall apply to all passenger transport services carried out in Malta, provided that it shall not apply to public passenger transport services and motor route buses.

Exclusion for public passenger transport services and motor route buses.

40. (1) No person may hire a passenger transport vehicle except from an operator.

Hire of passenger transport vehicle.

(2) The hirer shall not refuse or omit to pay any sum which is payable for the performance of the passenger transport service acquired by him, provided that the operator has fulfilled his

obligations under the hire.

Accessibility for visually and hearing impaired.

41. Drivers and operators shall not prohibit passengers to board on a passenger transport vehicle accompanied by an assistance dog which shall include guide dogs, and hearing dogs.

Standing and plying for hire prohibited.
Amended by: L.N. 272 of 2010; L.N. 116 of 2014; L.N. 365 of 2016.

42. (1) No passenger transport vehicle shall stand or ply for hire:

Provided that trackless trains and electric trolley vehicles shall be allowed to stand for hire at a departure point approved by the Authority.

(2) Passenger transport services, other than services on sightseeing passenger transport routes, electric trolley vehicle services and trackless train services, may only be sold from authorised booths, from authorised commercial premises, from the operator's offices or operating centre, online, by telephone or by mail.

(3) No person shall -

(*a*) sell, or

(*b*) cause or permit another person to sell

passenger transport services, other than services on sightseeing passenger transport routes, electric trolley vehicle services and trackless train services, in breach of the provision of sub-regulation (2).

(4) No person shall solicit, whether directly or indirectly, any other person in any location for any passenger transport service.

Use of air-condition.
Amended by: L.N. 238 of 2016; L.N. 95 of 2017.

43. When the passenger transport vehicle is on hire, the air conditioner shall be set at ambient temperature, unless otherwise specifically agreed with the hirer:

Storage of objects.

44. (1) Objects which may cause inconvenience and/or may pose a potential danger to passengers, shall only be carried on passenger transport vehicles in special compartments which are specifically designed for the purpose of storing bulky objects.

(2) The driver shall ensure that the luggage compartment of the passenger transport vehicle he is driving is not overloaded and that such compartment is kept completely closed and securely locked while the passenger transport vehicle is being driven.

(3) The driver shall ensure that no object is placed in such area of the passenger transport vehicle as to block the emergency exit of said vehicle or otherwise impede the use of such emergency exit.

Lost property.

45. The driver shall, immediately after the termination of any hiring, search the passenger transport vehicle and, if any property which may have been left therein is found, give information thereof to the Police in no case later than within twenty-four hours from finding such property.

Driver apparel.

46. (1) The driver shall, while on duty, wear clean appropriate clothing.

(2) The authorised inspecting officers shall have the power to order a driver to stop working if in their opinion, the driver is not properly dressed.

Prohibition of overloading.

47. No driver shall carry in the passenger transport vehicle a greater number of persons than that fixed in the vehicle registration certificate.

Control of passenger transport vehicle.

48. A driver shall at all times conduct the passenger transport vehicle under the power of its own motor and shall in no circumstances resort to free-wheeling along any stretch of road either in the forward or in the reverse direction, beyond a distance of six metres.

Prudent driving.

49. A driver shall drive the passenger transport vehicle in a prudent manner so as not to create anxiety in passengers or make the passengers feel, in any way, unsafe.

Use of priority vehicle lane.

50. A passenger transport vehicle may use the inner lane of a carriageway indicated as a priority vehicle lane when on duty.

Use of apparatus while driving a passenger transport vehicle.

51. No driver shall drive any passenger transport vehicle whilst wearing or using on both ears earphones or headphones or any other device which may hinder or is likely to hinder that person from hearing properly, with the exception of two-way communication systems and hands-free devices.

Speaking while driving.

52. (1) A driver shall not hold lengthy discussions while driving a passenger transport vehicle.

(2) No person shall in any way interfere with, obstruct or in any other way molest the driver in the exercise of his duties nor speak to the driver while the passenger transport vehicle is in motion.

No disturbances while driving. *Amended by: L.N. 272 of 2010; L.N. 365 of 2016.*

53. A driver shall not play any audio device while carrying passengers on a passenger transport vehicle, unless this has been agreed to with the hirer or transport organizer:

Provided that drivers of vehicles providing a passenger transport service on sightseeing passenger transport routes, electric trolley vehicle services and trackless trains may play an audio commentary about the sites being visited by such vehicles.

Respect for passengers.

54. A driver shall in no way be disrespectful towards passengers.

Standing or sitting on the step is prohibited.

55. No person shall be allowed to stand or sit on the step of the passenger transport vehicle while in motion.

Clean passenger transport vehicle.

56. Every operator and driver shall keep the passenger transport vehicle constantly clean and maintained in good order and in a good state of repair.

Inflammable liquids and loaded firearms.

57. (1) No operator shall permit petrol or other inflammable liquid or material to be carried in a passenger transport vehicle except in the fuel tank of the passenger transport vehicle.

(2) No operator shall permit any loaded fire-arms to be carried on the passenger transport vehicle.

(3) No driver shall permit petrol or other inflammable liquid or material to be carried in a passenger transport vehicle except in the fuel tank of the passenger transport vehicle.

(4) No driver shall permit any loaded fire-arms to be carried on the passenger transport vehicle.

Articles having an offensive smell.

58. No person shall or shall be allowed to carry in any passenger transport vehicle any article having an offensive smell.

Replenishing fuel while passengers are on board is prohibited.

59. It is forbidden to replenish the fuel supply of any passenger transport vehicle when passengers are on board.

Smoking.

60. (1) No passenger and, or driver may smoke while he is in a passenger transport vehicle.

(2) Every passenger transport vehicle shall have affixed, in a place which is clearly visible to the passengers, a notice stipulating that smoking is not allowed within the passenger transport vehicle.

Other equipment.
Amended by:
L.N. 272 of 2010.

61. Every passenger transport vehicle shall contain:

(*a*) suitable appliances as prescribed by the Authority for extinguishing fires;

(*b*) security/warning triangle;

(*c*) security hammer;

(*d*) first aid kit:

Provided that the above shall be cleaned and serviced regularly and shall be readily available for use, clearly marked, and in good and efficient working order:

Provided further that paragraph (*c*) shall not apply to trackless trains.

Garaging.
Substituted by:
L.N. 319 of 2009.
Amended by:
L.N. 272 of 2010;
L.N. 365 of 2016.
Substituted by:
L.N. 172 of 2026.

62. (1) An operator shall ensure that any passenger transport vehicle used in his operations in accordance with his operator's licence shall at all times while not in use be:

(a) garaged; or

(b) parked-off street:

Provided that the Authority may, when granting a temporary permit to an operator for the provision of a special trackless train service in accordance with regulation 68A(6), exempt the trackless train with respect of which such temporary permit is granted from the provisions of this regulation for the period in which that special service shall be provided, and may when doing so, impose any conditions as to the garaging and parking of the trackless train as the Authority may consider appropriate.

(2) Without prejudice to sub-regulation (1), a passenger transport vehicle that is not in use may be left parked legally on the road:

(a) insofar as the passenger transport vehicle is any M2 vehicle, for a limited time not exceeding sixty (60)

minutes, provided that the driver of the vehicle shall exhibit the authorised parking disc on the surface of the dashboard in a clear and visible position from the outer side of the windscreen and the driver shall set the authorised parking disc to show as correctly as possible the time of his leaving the vehicle parked; and

(b) insofar as the passenger transport is an M3 vehicle, subject to said vehicle being parked not less than fifteen (15) metres measured as a straight-line distance from the last residential building or dwelling in a residential area, such vehicle may be left legally parked in the street for a limited time not exceeding three (3) hours, insofar as the driver of the vehicles displays the authorised parking disk in the manner described in paragraph (a):

Provided that without prejudice to the provisions of paragraph (b), it shall not be permitted that a passenger transport vehicle also being an M3 vehicle, be parked in any residential area:

Provided further that for the avoidance of any doubt, a "residential area" shall be construed as any area in Malta and Gozo where the concentration of residential edifices and dwelling units is significant and includes all residential areas, both within designated Residential Areas and Residential Priority Areas, Mixed-Use Areas that are predominantly residential, Urban Conservation Areas, Local Centres and Villa (D/SD) and Bungalow areas, as defined from time to time within the relevant policies published by the Planning Authority in accordance with the Development Planning Act: Cap. 552.

Provided further that this sub-regulation shall not apply to that time during which the driver of the vehicle is boarding passengers onto the vehicle or alighting passengers from the vehicle:

Provided further that the time requirement stipulated in this sub-regulation shall not apply for as long as the driver is and remains in the vehicle:

Provided further that the time limit referred to in paragraph (a) shall be extended to three (3) hours insofar as the passenger transport vehicle is legally parked on the road between 05:01 and 16:59.

(3) Whenever the driver of a passenger transport vehicle parks such vehicle and leaves it unattended, he shall set the authorised parking disc to display as correctly as possible the time of his leaving the vehicle parked on the road.

(4) The authorised parking disc shall be displayed on the surface of the dashboard in a clear and visible position from the outer side of the windscreen.

(5) Any person who parks and leaves unattended a passenger transport vehicle, inside which an authorised parking disc is not clearly displayed, or has an incorrect parking time indicated on such authorised parking disc, shall be guilty of an offence and shall on conviction be liable to a fine of not less than five hundred euro (€500).

63. The operator shall keep a log of the following information: Log.

(*a*) the date and the time of departure and arrival of each

passenger transport vehicle hired from the operating centre;

(*b*) the name, driver's permit number of the driver where the passenger transport vehicle is hired out with a driver;

(*c*) the name of the person who will be driving the vehicle where the passenger transport vehicle is hired out without a driver;

(*d*) the name of the hirer and/or transport organizer.

School children. *Amended by: L.N. 238 of 2016; L.N. 96 of 2017.* S.L. 65.12.

64. (1) Without prejudice to the Motor Vehicles (Wearing of Seat Belts) Regulations, no passenger transport vehicle that is not fitted with seat belts on all seats shall be used for the carriage of school children to or from a school or to or from any other institution or location where extracurricular or sports activities are held.

(2) Every passenger transport vehicle shall, while carrying schoolchildren have affixed on the front and on the rear of the vehicle the sign indicated in the Eleventh Schedule.

(3) A driver of a passenger transport vehicle carrying schoolchildren shall ensure that schoolchildren exit the vehicle from an exit which is not exposed to traffic.

(4) A driver of a passenger transport vehicle transporting schoolchildren shall operate the vehicle's hazard warning lights during all boarding and alighting of schoolchildren.

(5) No Malta heritage bus may be used to carry school children.

Prohibition of carrying standing passengers.

65. No driver shall allow any standing passengers on the passenger transport vehicle while the vehicle is in motion.

Boarding and alighting.

66. A driver shall not allow passengers to board or alight from the passenger transport vehicle unless that vehicle is at a complete standstill.

Maximum speed limit while carrying passengers. *Amended by: L.N. 272 of 2010; L.N. 365 of 2016.*

67. No driver shall, while a passenger transport vehicle is carrying passengers, exceed the speed limit of 40 km per hour when driving in a town or village and 60 km per hour when driving outside a town or village:

Provided that trackless trains and electric trolley vehicles shall at no time exceed the speed limit of 25 km per hour.

Closed doors whilst in motion.

68. Drivers shall ensure that all doors are securely closed whilst the passenger transport vehicle is in motion.

Added by: L.N. 251 of 2011.

PART VIII

PUBLIC PASSENGER TRANSPORT SERVICES

Establishment of routes. *Added by: L.N. 251 of 2011.*

68A. The Authority may from time to time, for the better organisation of public passenger transport services, do all or any of the following:

(*a*) establish public passenger transport routes for the conveyance of passengers from one part of Malta to

another;

(*b*) group together two or more public passenger transport routes or all the public passenger transport routes;

(*c*) determine which type of motor route buses shall operate on any such public passenger transport routes;

(*d*) vary, cancel or revoke any such public passenger transport routes or any grouping of public passenger transport routes or any allotment of service thereon,

and may, when so doing, impose any conditions on the bus operator as it may direct.

Provision of public passenger transport services. *Added by: L.N. 251 of 2011.*

68B. (1) Only an operator who has been awarded a contract for the operation of public passenger transport services by the Authority in terms of the Act and in terms of Regulation (EC) 1370/2007 of the European Parliament and of the Council of 23 October 2007 on Public Passenger Transport Services by Rail and by Road may, during the period in which such contract is in force, provide public passenger transport services:

Provided that the Authority may, in the case of a disruption of public passenger transport services or the immediate risk of such a situation or in the case where the President of Malta issues a proclamation in terms of the Emergency Powers Act authorize third parties to provide public passenger transport services:

Cap. 178.

Provided further that the provision of regular passenger services on sightseeing passenger transport routes shall not be considered as public passenger transport services for the purpose of these regulations.

(2) In the event of a stoppage or of a suspension for any cause whatsoever of any service on any established public passenger transport route or in any other part of Malta usually served with motor route buses which may affect, or be likely to affect the reasonable requirements of the inhabitants of Malta for transport, the Authority may seize and take possession of and use, any vehicle and for such purpose may authorize any Police officer to enter any garage, stable or other premises.

(3) The owner of any such vehicle shall receive such compensation in respect of the use thereof as the Authority may, previously or subsequently, fix.

(4) An appeal shall lie to the Court of Appeal (Inferior Jurisdiction) from any decision taken by the Authority under sub-regulations (1) and (2). Such appeal shall be entered by an application within four days from the date on which the decision is given. The application shall be served to the Authority which shall file an answer thereto within four days. The pleadings on any such appeal shall be deemed to be closed with the reply of the Authority, or at the expiration of the time for such reply. The fees payable for the filing of judicial acts shall be thirty-four euro and ninety-four cents (€34.94).

(5) Any person who shall obstruct or hinder any Police officer from taking possession of any vehicle, or shall in any way interfere with or incite others to interfere with the use of any vehicle

requisitioned under the provisions of this regulation, shall be guilty of an offence.

(6) If any person shall, by reason of any requisition in terms of this regulation, be prevented from fulfilling any contract, such person shall not be deemed to have thereby committed a breach of contract, but such contract shall be suspended by such requisition so far as its fulfillment is thereby rendered impossible.

Motor route buses may only be used to provide public passenger transport services.
Added by: L.N. 251 of 2011.

68C. No motor route bus shall be used to provide any service other than public passenger transport services.

Applicability of regulations to motor route buses.
Added by: L.N. 251 of 2011.

68D. Regulations 48 to 54, 57, 59, 60, 61, 66, 67 and 68 shall apply to motor route buses as if the reference to a passenger transport vehicle were a reference to a motor route bus and the reference to passenger transport services were a reference to public passenger transport services.

Duties of drivers of motor route buses.
Added by: L.N. 251 of 2011.

68E. (1) The driver of a motor route bus shall, while on duty, wear a uniform of the pattern and colour as approved by the Authority. The driver's uniform shall be worn in a smart and professional manner and must be kept neat, clean, pressed and in good condition at all times.

(2) A driver shall not drive or cause the motor route bus to move before all passengers are safely seated or, in the case of standing passengers, are securely holding on to a stanchion, where applicable, or in the case of passengers who are in the process of alighting or disembarking the motor route bus, before such passengers have so alighted or disembarked the motor route bus.

(3) A driver shall not in any way be disrespectful to passengers.

(4) The driver shall be held responsible for ensuring that the maximum passenger capacity of the motor route bus is not exceeded:

Provided that authorized inspecting officers and motor route bus inspectors may, while on duty and wearing their uniform, travel in excess of the number of passengers allotted to a motor route bus for the purpose of carrying out their duties.

(5) When a motor route bus is at the terminus or at any stage loading or discharging passengers, the driver shall be in his place behind the steering wheel. A driver shall not descend from the motor route bus while the motor route bus is on service unless an emergency or breakdown of the motor route bus warrants a departure from this obligation or unless the driver is required to operate a ramp for wheelchair users.

(6) Any driver of a motor route bus who refuses to give his name and address to any authorized inspecting officer, or who gives a wrong name or address, or who refuses to allow any authorized inspecting officer to enter any motor route bus shall be guilty of an offence.

Stopping places for motor route buses. *Added by: L.N. 251 of 2011.*

68F. (1) Motor route buses, running on a public passenger transport route, may stop only at the authorised stopping place indicated by a BUS STOP sign, and then only for the purpose of setting down or picking up passengers:

Provided that members of the Armed Forces of Malta, police officers or community officers and any officer of the Authority may, in the execution of their duty, stop and board any motor route bus at any point between one bus stop and another.

(2) The driver of a motor route bus shall stop at any bus stop sign, whenever a waiting passenger signals his intention of boarding the motor route bus, unless the maximum passenger capacity of the motor route bus has been reached.

(3) It shall likewise be the duty of the driver of a motor route bus to stop his vehicle at the first authorised stopping place immediately a passenger in the vehicle has signalled to him to do so by sounding the bell or other device provided in the motor route bus for such purpose.

(4) Every driver of a motor route bus shall, before stopping at an authorised stopping place, drive such motor route bus parallel and close to the kerb, in such a manner that any passenger may alight from such motor route bus directly onto the kerb, or board such motor route bus directly from the kerb.

Payment of fare. *Added by: L.N. 251 of 2011. Amended by: L.N. 92 of 2014. Substituted by: L.N. 80 of 2017.*

68G. (1) No passenger shall travel on a motor route bus:

(*a*) without having paid the applicable fare prior to boarding the motor route bus or without paying the applicable fare upon boarding the motor route bus;

(*b*) if they are not in possession of a valid personalised public transport card issued in their name, or a valid non-personalised public transport card, or a valid public transport ticket;

(*c*) if they do not have sufficient credit, or a sufficient cash balance, or sufficient journeys available in their public transport card to use the public passenger transport services;

(*d*) if they have not validated the personalised public transport card, the non-personalised public transport card, or the public transport ticket upon boarding the motor route bus.

(2) Any passenger on a motor route bus who is found in breach of sub-regulation (1) shall, on the demand of the driver or the motor route bus inspector or an authorised officer of the Authority, pay the fare together with a penalty of fifty euro (€50). The driver or the motor route bus inspector shall, upon receiving payment from the passenger, provide a

receipt to the passenger. The authorised officer of the Authority shall have the power to take all such necessary measures in order to demand and obtain the payment of the fare and, or penalty fare from any passenger who is in breach of sub-regulation (1). Any passenger who is in breach of sub-regulation (1) and fails to pay the fare and, or the penalty fare shall be guilty of an offence. The authorised officer of the Authority shall have the power to demand and obtain from any passenger who is in breach of sub-regulation (1) and who refuses to pay the appropriate fare and, or the penalty fare, information relating to the identity of such person for the purposes of taking legal action against that passenger in terms of these regulations. Any passenger who refuses to give such information to an authorised officer of the Authority shall be guilty of an offence.

(3) The fares payable by passengers for a public passenger transport service on a motor route bus which is scheduled to depart from the point of origin of the route and which is operated according to the scheduled time of operation for the respective public passenger transport route, shall in no case be higher than the maximum fares established under the Twelfth Schedule..

Charter of Rights. *Added by: L.N. 251 of 2011.*

68H. There shall be published by the Authority a charter of rights for users of public passenger transport services.

Behaviour of motor route bus passenger. *Added by: L.N. 251 of 2011.*

68I. (1) When a motor route bus is carrying passengers or is waiting to take up passengers, a passenger or an intending passenger shall not, if his condition is such as to be offensive to other passengers, or the condition of his dress or clothing is such that it may reasonably be expected to soil or injure the cushion or cushion covers of the motor route bus or the clothing of other passengers, enter or remain in or on the motor route bus after the driver or the motor route bus inspector shall have warned him either to leave or not to enter the motor route bus. Any person infringing this regulation or causing annoyance or disturbance may be immediately removed from the motor route bus by the Police, independently of any punishment to which the offender may be liable according to law. This provision shall not be used in order to treat a passenger in a discriminatory manner. For the purpose of this regulation, "discriminatory" means affording different treatment to different persons attributable wholly or mainly to their respective descriptions by race, place of origin, political opinions, colour, creed, gender or sexual orientation.

(2) No person shall litter the interior of any motor route bus with any object, or leave motor route bus tickets on the floor or in any part of the motor route bus except in the place indicated for the purpose.

(3) No passenger shall use the bell or other device intended for signalling to the driver to stop except when he wishes to be set down at a bus stop.

(4) No person shall in any way interfere with, obstruct or in

any other way molest the driver or other authorized officer of the bus operator in the exercise of their duties nor speak to the driver while the motor route bus is in motion.

(5) Passengers shall give priority to persons with disability, pregnant women, persons carrying infants and the elderly when seated on seats allocated for the priority use of such passengers.

(6) Any passenger who shall refuse to give his name and address to any officer of the Authority or motor route bus inspector or driver, or who shall give a wrong name or address, and any passenger who shall refuse to show any ticket to any officer of the Authority or motor route bus inspector or driver when requested to do so in terms of these regulations, shall be guilty of an offence.

(7) The bus operator shall, on becoming aware that a passenger has committed a breach of these regulations, report the offence to the Police.

Animals. *Added by: L.N. 251 of 2011.*

68J. (1) Animals, apart from guide dogs, shall not board or be allowed on motor route buses unless they are placed in suitable containers or carriers and held on the accompanying passenger's lap.

(2) No animal which poses a threat to health or safety to passengers shall be allowed to board or be carried in motor route buses.

Surveillance camera. *Added by: L.N. 251 of 2011.*

68K. (1) Surveillance cameras installed in motor route buses shall be kept switched on at all times by the driver while a motor route bus is on service. The images captured by the surveillance camera shall be recorded and shall be kept by the bus operator for a three-month period or for such longer periods as the Police may direct.

(2) The images shall be made accessible to the Police in the event that they receive a report or otherwise become aware that a criminal offence has been committed or may have been committed in a particular motor route bus. The Police shall have the right to use any recording as evidence in any case brought before the courts of criminal jurisdiction.

Internal lighting. *Added by: L.N. 251 of 2011.*

68L. Drivers shall ensure that while the motor route bus is on service the internal lighting of motor route bus is switched on between sunset and sunrise and at any other times as necessary.

Bus stops. *Added by: L.N. 251 of 2011.* S.L. 65.05

68M. (1) Where the traffic markings numbered (i)(*a*), (*b*), (*c*) and (*d*) under paragraph (C) of Part IV of the Schedule to the Traffic Signs and Carriageway Markings Regulations are painted on the road surface, motor route buses shall keep within the area defined by the lines of those markings and the kerb whenever approaching such bus stop for the purpose of setting down or picking up passengers or when stationary thereat in order to maintain the published time table for the Public Passenger Transport Service.

(2) When two or more motor route buses reach a bus stop simultaneously or when a motor route bus reaches such a stop when

one or more motor route buses are already thereat, the bus or buses following the first bus shall stop at the immediate rear of the bus in front of it and in such a way as to be in line with it and shall not move away from that bus stop before the bus immediately in front of it has done so.

(3) Where a passenger transport vehicle which is authorized to provide regular passenger services on sightseeing passenger transport routes is authorized to stop at a particular bus stop, this regulation shall apply to such passenger transport vehicle stopping at such bus stop in the same way as it applies to a motor route bus.

Powers of authorised inspecting officers. *Added by: L.N. 251 of 2011.*

68N. An authorised inspecting officer in whose opinion any offence has been committed against these regulations may hand over to the driver of, or affix to the windscreen of the motor route bus used in the commission of the offence or, where the offence has been committed by an officer or employee of the bus operator, may hand over to such officer or employee, a notice containing a general description of the offence and the applicable penalty and any other requirements as the Authority may prescribe.

Added by: L.N. 272 of 2010. Re-numbered by: L.N. 251 of 2011.

PART IX

TRACKLESS TRAIN ROUTES AND SPECIAL TRACKLESS TRAIN SERVICES

Trackless train routes. *Added by: L.N. 272 of 2010. Re-numbered by: L.N. 251 of 2011. Amended by: L.N. 116 of 2014.*

68O. (1) Trackless train routes may only be established by the Authority which may impose any conditions for the operation of trackless trains on such routes.

(2) The Authority may authorise operators to provide regular passenger services on trackless train routes by means of trackless trains, subject to the following conditions:

(*a*) operators shall make available to the public all information pertaining to fares, schedules, routes, pick up and drop off points. Such information shall also be available on each passenger transport vehicle operating on such route;

(*b*) operators and drivers shall comply with all the information made publicly available in terms of paragraph (*a*);

(*c*) drivers shall not, while carrying out regular passenger services, pick up and, or drop off passengers on any location other than the pick up and drop off points approved by the Authority along the trackless train route;

(*d*) operators shall pay the fee established by the Authority for the specific trackless train route; and

(*e*) operators and drivers shall comply at all times with any other conditions made by the Authority.

(3) The Authority may restrict the number of trackless trains authorised to operate regular passenger services on any trackless train route as may be necessary for the regulation, management, safety and control of road traffic.

(4) Where the Authority decides that the number of trackless trains operating on any trackless train route shall be restricted, it shall only allow trackless trains to operate on such route following a public competitive process leading to the award of a concessionary agreement to operate such route with a trackless train to one or more operators.

(5) The Authority shall withdraw the authorisation of a trackless train operating on a trackless train route for which authorisations have been restricted if the operator of that trackless train fails to operate the service, without the authorisation of the Authority, for a period of seven consecutive days.

(6) The Authority may grant operators of trackless trains a temporary licence to operate a special trackess train service at the request of a Local Council subject to the following conditions:

(*a*) the route shall be established by the Authority in consultation with the said Local Council and after taking into consideration the effect on the regulation, management, safety and control of road traffic;

(*b*) no special trackless train services may be provided for a period longer than five days within any thirty consecutive days:

Provided that the Authority may, under exceptional circumstances, approve more frequent special trackless train services;

(*c*) the provisions of sub-regulation (2)(*a*), (*b*) and (*c*) shall apply to operators and drivers operating special trackless train services;

(*d*) operators shall pay the annual fee established in Part Four of the Tenth Schedule, provided the Authority may, at its absolute discretion, waive the fee where it is satisfied that the income from the special trackless train services will be for the benefit of any institution, trust, bequest or foundation, of a public character, and of any other similar organisation or body of persons, also of a public character, which is engaged in philanthropic work and either qualifies for exemption granted under rules made for this purpose by the Minister responsible for finance under article 96 of the Income Tax Act or is named by the said Minister as being engaged in philanthropic work for the purposes of article 12 of the Income Tax Act and there is not in respect of it a declaration by the said Minister that it has ceased to be so named; and Cap. 123.

(*e*) any other conditions which the Authority may impose.

(7) No vehicle other than a trackless train licensed in terms of these regulations shall provide or be authorised to provide special trackless train services.

(8) Trackless trains may only be licensed by the Authority to be operated exclusively on trackless train routes established by the Authority in terms of this regulation or to operate special trackless

train services as authorised in terms of this regulation.

(9) Trackless train services shall not be sold on the road other than within five metres of pick-up points mentioned in sub-regulation (2)(*c*), provided such pick-up points are not within five metres from a bus stop or a taxi stand:

Provided that a person selling such services from pick up points or on board a trackless train, shall wear, at all times and in a conspicuous place, an identification tag issued to him by the operator of those services which shall contain a photograph of the person in respect of whom it is issued, his name and his Identity Card number and the name of the operator:

Provided further that where a pick-up point sign is located adjacent to a pavement, such services may be sold only on the pavement within the established distance from the pick-up point sign.

(10) No person shall -

(*a*) sell, or

(*b*) cause or permit another person to sell

trackless train services in breach of the provisions of sub-regulation (9).

(11) No person shall solicit, whether directly or indirectly, any other person in any location for any trackless train service.

Added by: L.N. 432 of 2012.

PART X

PASSENGER TRANSPORT SERVICES BY MEANS OF VINTAGE BUSES

Temporary licence granted to operators of vintage buses. *Added by: L.N. 432 of 2012.*

68P. (1) The Authority may grant operators of vintage buses a temporary licence to operate a special vintage bus service consisting either of one single trip or one return trip subject to the following conditions:

(*a*) the special vintage bus service shall comply with all the provisions of Part VII other than with the provisions of regulation 68;

(*b*) no vintage bus shall be allowed to provide special vintage bus services on more than five occasions within any thirty consecutive days:

Provided that the Authority may, under exceptional circumstances, approve more frequent special vintage bus services;

(*c*) operators shall pay the application fee established in Part Six of the Tenth Schedule for the said temporary licence, provided the Authority may, at its absolute discretion, waive the fee where it is satisfied that the income from the special vintage bus services will be for the benefit of any institution, trust, bequest or foundation, of a public character, and of any other similar organisation or body of persons, also of a public character, which is engaged in philanthropic work and either qualifies for exemption granted under rules made for this purpose by the Minister responsible for finance under article 96 of the Income Tax Act or is named by the said Minister as being engaged in philanthropic work for the purposes of article 12 of the Income Tax Act and there is not in respect of it a declaration by the said Minister that it has ceased to be so named; and Cap. 123.

(*d*) any other conditions which the Authority may impose.

(2) No vehicle other than a vintage bus licensed in terms of these regulations shall be used or be authorised to be used for special vintage bus services.

(3) Vintage buses may only be licensed by the Authority to be operated exclusively on sightseeing passenger transport routes established by the Authority in terms of Part XI or to operate special vintage bus services as authorised in terms of this regulation.

(4) Vintage buses that were licensed as motor vehicles for the carriage of passengers for hire or reward in Malta before the entry into force of these regulations, shall only be used exclusively on sightseeing passenger transport routes and, or for special vintage bus services as from the 1st of January, 2015.

(5) No operator shall use, or permit to be used, any vintage bus registered under its operating licence for any purpose other than to service a sightseeing passenger transport route in terms of regulation 69 or to operate special vintage bus services as authorised in terms of this regulation.

PART XI

Added by: L.N. 238 of 2016.

PASSENGER TRANSPORT SERVICES BY MEANS OF MALTA HERITAGE BUSES

Use of Malta heritage buses to operate pre-booked services. *Added by: L.N. 238 of 2016. Amended by: L.N. 365 of 2016; L.N. 95 of 2017.*

68Q. (1) The Authority may authorise the use of Malta heritage buses to operate pre-booked passenger transport services for tourists and conference-related purposes only.

(2) The Authority may restrict the number of Malta heritage buses which can operate on the road in Malta as may be necessary for the regulation, management, safety and control of road traffic and for any other reason which the Authority may deem fit.

(3) Where the Authority decides that the number of Malta heritage buses operating on the road in Malta shall be restricted, it shall only allow to operate on the road in Malta those Malta heritage buses which have been chosen following a public

competitive process leading to the issuance of a limited number of licences to operate Malta heritage buses, which number shall be determined by the Authority in its sole and absolute discretion.

(4) No licensed operator shall use or permit to be used any Malta heritage bus registered under its operating licence for any purpose other than to provide pre-booked passenger transport services for tourists and conference-related purposes.

(5) The services of Malta heritage buses may not be sold on the road.

(6) The Authority shall revoke the licence of a Malta heritage bus if such Malta heritage bus is operated for any purpose other than pre-booked passenger transport services for tourists and conference-related purposes, or if its services are sold on the road or if it is in breach of any other condition which the Authority may impose from time to time.

(7) Malta heritage buses may be used on the Maltese national territory only.

(8) In order for a vehicle to be issued with a licence to operate as a Malta heritage bus, such vehicle must satisfy the following conditions:

(*a*) it shall satisfy the requirements stipulated in the definition "Malta heritage bus" as established in regulation 2:

Provided that any vehicle which was formerly used as a motor route bus and which was subsequently issued with a passenger transport vehicle licence shall also have the right to participate in the competitive process referred to in paragraph (*b*) as long as such vehicle has its coachwork manufactured in Malta and has been registered in Malta as a passenger transport vehicle prior to 1 January, 1975 and was registered as such for at least five consecutive years at any time prior to the coming into force of these regulations and is not licensed as a vintage bus in terms of Part X, whether the passenger transport vehicle licence of such vehicle has been surrendered to the Authority in order to obtain a replacement passenger transport vehicle licence and is currently licensed as a private vehicle [in which case such vehicle shall be liable to payment of the entry fee per seat due in terms of regulation 117(6)] or whether such vehicle is had been duly licensed as a passenger transport vehicle and is now entitled to obtain a replacement passenger transport vehicle licence [(in which case the payment of the entry fee per seat established in terms of regulation 117(6) shall not apply]:

Provided further that, in the event that such a vehicle which is still duly licensed as a passenger transport vehicle or which is entitled to obtain a replacement passenger transport vehicle licence succeeds to obtain a ‘Malta heritage bus’ licence after participating in the

above-stated competitive process, the owner of such a vehicle shall not be entitled to obtain a replacement passenger transport vehicle licence in addition to the 'Malta heritage bus' licence thus obtained.

(*b*) in the event that the Authority decides that the number of Malta heritage buses operating on the road in Malta shall be restricted, it shall have been awarded a licence by the Authority following the competitive process referred to in sub-regulation (3);

(*c*) it shall be powered either by an engine which runs on LPG or by an engine which is fitted with a diesel particulate filter;

(*d*) it shall be equipped with an audio recording of not less than ten minutes in length explaining the history of Malta, which audio recording shall be played on every trip made by the Malta heritage bus;

(*e*) it has a fully functioning air conditioning system; and

(*f*) it is fitted with a tracking device in accordance with the specifications published by the Authority from time to time.

(9) In order for any person to operate a Malta heritage bus, such person must be in possession of an operator's licence issued by the Authority for the carrying out of passenger transport services in terms of Part II.

(10) Furthermore, in order for a vehicle licensed for such purpose to operate as a Malta heritage bus, the operator shall:

(*a*) in addition to the annual circulation fee, pay the applicable annual fee established in the Tenth Schedule;

(*b*) except for such vehicles which are exempt from the payment of the entry fee as stipulated in the proviso to paragraph (a) of sub-regulation (8), pay the relative entry fee due in terms of regulation 117(6);

(*c*) comply with all the provisions of Part VII; and

(*d*) comply with any other conditions which the Authority may impose.

PART XII

Added by: L.N. 238 of 2016.

PASSENGER TRANSPORT SERVICES BY MEANS OF ELECTRIC TROLLEY VEHICLES

Licences for operators to operate electric trolley vehicles. *Added by: L.N. 238 of 2016. Substituted by: L.N. 365 of 2016.*

68R. (1) The Authority may issue licences for operators to operate electric trolley vehicles in the localities in Malta indicated in the Fourteenth Schedule.

(2) Licensed operators of electric trolley vehicles shall only provide national occasional services subject to the following conditions:

(*a*) operators shall only be able to operate electric trolley vehicles in such localities listed and shown in the

Fourteenth Schedule;

(*b*) operators shall not charge passengers a fare in excess of the electric trolley vehicles maximum fare stipulated in the Fifteenth Schedule, which fare is to be displayed at all times on all electric trolley vehicles and at all electric trolley vehicle stands;

(*c*) electric trolley vehicles shall stop in order to allow the alighting of passengers at such places as shall be instructed by the passengers themselves and the drivers of electric trolley vehicles shall be obliged to ensure that the process of alighting of passengers is conducted safely and without causing any obstruction to traffic;

(*d*) electric trolley vehicles may not ply for hire and may only pick up passengers from an electric trolley vehicle stand; and

(*e*) operators and drivers of electric trolley vehicles shall comply at all times with any other condition which may be established by the Authority.

(3) The Authority may restrict the number of electric trolley vehicles authorised to operate national occasional services as may be necessary for the regulation, management, safety and control of road traffic and, in such case, licences for electric trolley vehicles shall be issued following a public competitive process under such terms and conditions as shall be established by the Authority.

(4) Without prejudice to the provisions of regulations 14 and 112, the Authority shall suspend or revoke the licence for the operation of an electric trolley vehicle if the operator fails to comply, on one or more occasions, with the provisions of sub-regulation (2) and sub-regulation (8) of this regulation and such a breach or repeated breaches warrants, in the absolute discretion of the Authority, the suspension or revocation of the licence of such operator.

(5) All electric trolley vehicles used for the transport of passengers shall be duly registered, licensed and insured.

(6) When submitting an application for a vehicle to be licensed by the Authority as an electric trolley vehicle the applicant shall, in his application, in addition to any other documentation and information which may be requested by the Authority, specify -

(*a*) the maximum number of passengers which the electric trolley vehicle may carry in accordance with the type-approval certificate;

(*b*) the over-all length of the vehicle;

(*c*) the over-all width of the vehicle; and

(*d*) the articulating angle in degrees or turning circle in meters of the vehicle.

(7) Drivers of electric trolley vehicles shall wear a uniform and shall also wear, at all times and in a conspicuous place, the identification tag issued to them by the Authority. The uniform to

be worn by drivers of electric trolley vehicles shall be subject to the approval of the Authority.

(8) Operators of electric trolley vehicles shall be obliged to ensure that -

(*a*) all such electric trolley vehicles are properly fitted with audio mechanisms by means of which the driver may communicate any necessary notices, warnings or information to the passengers aboard;

(*b*) all such electric trolley vehicles are right-hand drive vehicles;

(*c*) all the details specified in the application submitted in terms of sub-regulation (6) continue to be observed and remain unchanged;

(*d*) no modifications to any electric trolley vehicle is carried out following the issuance of the certificate authorizing the use on the road of such vehicle;

(*e*) all such electric trolley vehicles are fitted with a mechanism which does not permit such vehicles to be driven at a speed which exceeds 25 km per hour;

(*f*) prior to the use of an electric trolley vehicle on the road, such vehicle is covered by a certificate issued by a warranted mechanical engineer which certifies that it has passed a roadworthiness test conducted in his presence on safety of brakes, lights, steering mechanism, audio mechanism and condition of tyres and that it is fitted with the mechanism provided for in paragraph (*e*) and that such mechanism is functioning properly;

(*g*) such roadworthiness test is conducted every twelve months prior to the renewal of the licence;

(*h*) the electric trolley vehicle can always be accessed for the boarding and alighting of passengers only from the left hand side of the vehicle;

(*i*) the electric trolley vehicle is properly designed and equipped to allow and facilitate access to persons with disability and mobility problems; and

(*j*) the electric trolley vehicle has all adequate and necessary signage and equipment in order to ensure the safety of its passengers.

(9) Electric trolley vehicle services shall not be sold on the road other than within five metres of an electric trolley vehicle stand:

Provided that a person selling such services from an electric trolley vehicle stand or on board an electric trolley vehicle, which person may also be the driver of the electric trolley vehicle, shall wear, at all times and in a conspicuous place, an identification tag issued to him by the operator of the electric trolley vehicle services which shall contain a photograph of the person in respect of whom it is issued, his name and his identity card number and the name of

the operator.

(10) No person shall -

(*a*) sell, or

(*b*) cause or permit another person to sell

electric trolley vehicle services in breach of the provisions of sub-regulation (9).

(11) No person shall solicit, whether directly or indirectly, any other person in any location for any electric trolley vehicle service.

PART XII *bis*

PASSENGER TRANSPORT SERVICES BY MEANS OF PUBLIC LIFTS

Added by: L.N. 85 of 2026.

68S. (1) The Authority may operate, or issue authorisations for the operation of public lifts in such places as may be established by the Authority from time to time.

(2) Any authorisations issued in terms of sub-regulation (1) shall be subject to the following conditions:

(*a*) operators shall not charge customers a fare in excess of the maximum fare as shall be established by the Authority from time to time;

(*b*) operators shall make available to the public all information pertaining to fares and schedules, where applicable;

(*c*) operators shall abide by all the information made publicly available in terms of paragraph (b);

(*d*) operators shall pay the fee established by the Authority;

(*e*) operators shall be obliged to maintain the public lifts in good working order and to observe all rules and regulations in relation to health and safety;

(*f*) operators shall be obliged to ensure that the public lift operation is duly insured;

(*g*) operators shall comply with any other condition as may be established by the Authority from time to time.

(3) The Authority may suspend or withdraw any authorisation issued for the operation of a public lift if the operator fails to observe any of the conditions established in this Part.

PART XII *ter*

SCHEDULED PASSENGER MARITIME TRANSPORT SERVICES

Added by: L.N. 85 of 2026.

68T. (1) The Authority may operate, or issue authorisations for the operation of scheduled passenger maritime transport services between such berthing places as may be established by the Authority from time to time.

(2) Any authorisations issued in terms of sub-regulation (1) of this regulation shall be subject to the following conditions:

(*a*) operators shall not charge customers a fare in excess of the maximum fare as shall be established by the Authority from time to time;

(*b*) operators shall make available to the public all information pertaining to fares and schedules, where applicable;

(*c*) operators shall abide by all the information made publicly available in terms of paragraph (b);

(*d*) operators shall pay the fee established by the Authority;

(*e*) operators shall be obliged to maintain the vessels by means of which such scheduled maritime transport services are to be operated in good working order and to observe all rules and regulations relative to health and safety;

(*f*) operators shall be obliged to ensure that the operation of the scheduled maritime transport services is duly insured;

(*g*) operators shall comply with any other condition as may be established by the Authority from time to time.

(3) The crew on board the vessels by means of which the scheduled maritime transport services are to be operated are to wear a uniform provided to them by the Authority or the operator , as the case may be, and in the latter case, such uniform shall be subject to the approval of the Authority.

(4) The Authority may suspend or withdraw any authorisation issued for the operation of scheduled passenger maritime transport services if the operator fails to observe any of the conditions established in this Part.

Re-numbered by:
L.N. 272 of 2010;
L.N. 251 of 2011;
L.N. 432 of 2012;
L.N. 238 of 2016.

PART XIII

SIGHTSEEING TRANSPORT ROUTES

Sightseeing passenger transport routes.
Amended by:
L.N. 319 of 2009;
L.N. 251 of 2011;
L.N. 432 of 2012;
L.N. 116 of 2014;
L.N. 177 of 2014.

69. (1) The Authority may authorise operators, to provide regular passenger services on sightseeing passenger transport routes subject to the following conditions:

(*a*) operators shall make available to the public all information pertaining to fares, schedules, routes, pick up and drop off points, and any specific restrictions that would restrict any passenger or passenger category from using the service. Such information shall also be available on each passenger transport vehicle operating on such route;

(*b*) operators and drivers shall comply with all the information made publicly available in terms of paragraph (*a*);

(*c*) drivers shall not, while carrying out regular passenger services, pick up and, or drop off passengers on any location other than the pick up and drop off points approved by the Authority along the sightseeing passenger transport route;

(*d*) operators shall pay the fee established by the Authority for the specific route;

(*e*) comply with any other conditions stipulated by the Authority.

(2) No operator shall use or permit to be used, any open top bus registered under its operating licence, which was manufactured more than ten years before the entry into force of these regulations, for any purpose other than to service a sightseeing passenger transport route in terms of this regulation:

Provided that the operator may also use or permit to be used such open top bus to provide other passenger transport services upon payment of the relative entry fee due in terms of regulation 117.

(3) Passenger transport vehicles authorised to service a sightseeing passenger transport route in terms of this regulation shall be fitted with a tracking device in accordance with the specifications published by the Authority from time to time. The tracking device shall, upon being fitted on the passenger transport vehicle, be inspected by the Authority or a body approved by the Authority, to ensure that it conforms to the specifications published by it. Upon establishing such conformity, an official seal shall be placed on such tracking device by the Authority or a body approved by the Authority, and the operator shall ensure that such seal is not tampered with or broken at any time without the approval of the Authority.

(4) The operator shall ensure that the tracking device installed in each of the passenger transport vehicles operated by him in terms of this regulation is kept in good working condition at all times,

that it is not tampered with and that any faults or breakdowns shall be reported immediately to the Authority. When the tracking device installed is in any way defective or tampered with, the operator shall immediately withdraw the passenger transport vehicle from servicing a sightseeing passenger transport route until the tracking device is repaired or replaced.

(5) The driver shall keep the tracking device switched on at all times while on duty, and shall cause the same to record all such information as may be prescribed by the Authority. This information shall be retained by the Operator for a period of three months from when it is recorded. The Operator shall, upon the request of the Authority, submit to the Authority the information recorded by the tracking device in any reasonable form as the Authority may request.

(6) The information recorded by the tracking device shall be admissible as evidence and shall constitute proof of its contents as to the circumstances of date, time and place in which the information was recorded in any proceedings for any breach of these regulations.

(7) The information recorded by the tracking device may be used by the Authority as evidence and shall constitute proof of its contents as to the circumstances of date, time and place in which the information was recorded for the purpose of imposing administrative penalties.

(8) No motor route bus may be used for the purpose of servicing a sightseeing passenger transport route.

(9) Services on sightseeing passenger transport routes shall not be sold on the road other than within five metres of pick-up points mentioned in sub-regulation (1)(*c*), provided such pick-up points are not within five metres from a bus stage or a taxi stand:

Provided that a person selling such services from pick up points or on board the vehicle, shall wear, at all times and in a conspicuous place, an identification tag issued to him by the operator of those services which shall contain a photograph of the person in respect of whom it is issued, his name and his Identity Card number and the name of the operator:

Provided further that where a pick-up point sign is located adjacent to a pavement, such services may be sold only on the pavement within the established distance from the pick-up point sign.

For the purpose of this sub-regulation "road" shall include the Cirkewwa port terminal and the Mġarr (Gozo) port terminal, where such services may only be sold from authorized booths or authorised commercial premises.

(10) No person shall -

(*a*) sell, or

(*b*) cause or permit another person to sell

sightseeing passenger transport services in breach of the provisions of sub-regulation (9).

(11) No person shall solicit, whether directly or indirectly, any other person in any location for any sightseeing passenger transport service.

Re-numbered by: L.N. 272 of 2010; L.N. 251 of 2011. Substituted by: L.N. 396 of 2011. Re-numbered by: L.N. 432 of 2012; L.N. 238 of 2016.

PART XIV

WORKING AND DRIVING TIMES, INTERNATIONAL CARRIAGE AND CABOTAGE TRANSPORT OPERATIONS

International carriage. *Amended by: L.N. 396 of 2011.*

70. (1) Regulations 71, 72, 73(2), 73(3), 73(4), 74(2), 75, 76(1), 76(2), 76(3), and 79 to 93, both inclusive, shall only apply to international passenger transport services.

(2) Regulations 93 to 100, both inclusive, shall only apply to cabotage transport operations.

(3) Regulations 101 to 106, both inclusive, shall only apply to international transport services and cabotage transport operations.

Social Measures

Applicability of AETR.

71. The European Agreement concerning the Work of Crews of Vehicles engaged in International Road Transport (AETR) shall apply instead of` regulations 71 to 93, both inclusive, to international passenger transport services:

(*a*) between Malta and countries that are Contracting Parties to the AETR, or in transit through such countries, for the whole of the journey where such operations are carried out by passenger transport vehicles registered in Malta, a Contracting Party to the AETR or in one of the said third countries;

(*b*) between Malta and a country which is not a Contracting Party to the AETR in the case of any journey made within Member States, or between Malta and a Member State where such operations are carried out by passenger transport vehicles registered in one of those countries.

Conditions for drivers engaged in international carriage of passengers by road.

72. (1) Any driver engaged in the international carriage of passengers shall have reached the age of twenty-one years and shall be authorized to act as a driver in terms of the laws of a Member State.

(2) Any driver engaged in the international carriage of passengers must also fulfil one of the following conditions:

(*a*) he must have worked for at least one year in the carriage of goods as a driver of vehicles with a permissible maximum weight exceeding 3.5 tonnes;

(*b*) he must have worked for at least one year as a driver of vehicles used to provide passenger services on journeys in Malta, or other types of passenger services not governed by these regulations, provided the Authority considers that he has by so doing acquired the necessary experience;

(*c*) he must hold a driver's certificate of professional competence in Malta or an equivalent certificate recognised by a Member State confirming that he has completed a training course for drivers of vehicles intended for the carriage of passengers by road, which course is in conformity with the Third Schedule.

Working time and driving period. *Amended by: L.N. 396 of 2011.*

73.(1)(*a*) The average weekly working time, including overtime, for a mobile worker or a self-employed driver shall not exceed forty-eight hours:

Provided that the maximum weekly working time for a mobile worker or a self-employed driver may be extended to sixty hours only if, over a period of seventeen consecutive weeks, an average of forty-eight hours a week is not exceeded:

Provided further that the said period may be extended in relation to mobile workers and self-employed drivers for objective or technical reasons or reasons concerning the organization of work, by a collective agreement, an agreement between social partners or any other agreement entered into between the employer and mobile workers employed by him in compliance with national legislation, from a period of seventeen weeks to a period not exceeding twenty-six weeks.

(*b*) Working time for a mobile worker employed by different employers shall be the sum of the working hours. The employer shall ask the mobile worker concerned in writing for an account of time worked for another employer and the mobile worker shall provide such information in writing.

(*c*) Where night work is performed, the daily working time of a mobile worker or a self- employed driver shall not exceed ten hours in any period of twenty-four hours:

Provided that the period of ten hours may be extended in relation to mobile workers and self-employed drivers for objective or technical reasons or for reasons concerning the organisation of work, by a collective agreement, an agreement between social partners or any other agreement entered into between the employer and mobile workers employed by him in compliance with national legislation.

(*d*) An employer shall ensure that the time limits specified in this regulation are complied with in the case of each mobile worker employed by him.

(*e*) The times of breaks, rests and periods of availability shall not be included in the calculation of working time.

(*f*) A period of availability shall not be treated as such unless the mobile worker knows about that period of

availability and its reasonably foreseeable duration before the commencement of that period of availability.

(*g*) The time spent by a mobile worker driving in a team, the time spent sitting next to the driver or on the couchette while the passenger transport vehicle is in motion shall be a period of availability for that mobile driver.

(2) (*a*) The daily driving time, including all driving time on the territory of the European Union or of a third country, shall not exceed nine hours, but it may be extended up to twice in any week to not more than ten hours.

(*b*) A driver must, after no more than six daily driving periods, take a weekly rest period as defined in regulation 75(3).

(*c*) The weekly rest period may be postponed until the end of the twelfth day if the total driving time over the twelve days does not exceed the maximum corresponding to twelve daily driving periods.

(3) The weekly driving time, including all driving time on the territory of the European Union or of a third country, shall not exceed fifty-six hours and shall not result in the maximum weekly working time laid down in sub-regulation (1)(*a*).

(4) The total period of driving in any period of two consecutive weeks shall not exceed ninety hours.

(5) A driver shall record as "other work" any time spent in activities as defined as "working time" in regulation 2 as well as any time spent driving a vehicle used for commercial operations not falling within the scope of this regulation, and shall also record any "period of availability", as defined in regulation 2, since his last daily or weekly rest period. This record shall be entered either manually on a record sheet, a printout or by the use of manual input facilities on recording equipment.

Breaks.
Amended by: L.N. 396 of 2011.

74.(1)(*a*) Without prejudice to the provisions of sub-regulation (2), a person performing mobile road transport activities shall work for no more than six consecutive hours without a break.

(*b*) Where the working time of a person performing mobile road transport activities exceeds six hours but does not exceed nine hours, working time shall be interrupted by a break of at least thirty minutes.

(*c*) Where the working time of a person performing mobile road transport activities exceeds nine hours, working time shall be interrupted by a break of at least forty-five minutes.

(*d*) Breaks may be subdivided into periods of not less than fifteen minutes each.

(2) (*a*) A driver shall take an uninterrupted break of not less

than forty-five minutes after a driving period of four and-a-half-hours, unless he takes a rest period.

(*b*) This break may be replaced by a break of at least fifteen minutes followed by a break of at least thirty minutes, each distributed over the driving period in such a way as to comply with the provisions of the preceding paragraph.

Daily and weekly rest periods. *Amended by: L.N. 396 of 2011.*

75. (1) A mobile worker or a self-employed driver shall have daily and weekly rest periods.

(2) A daily rest period of eleven hours shall be taken within each period of twenty-four hours after the end of the previous daily rest period or weekly rest period:

Provided that the daily rest period may be reduced to at least nine hours no more than three times between any two weekly rest periods.

(3) A daily rest period may be extended to make a regular weekly rest period or a reduced weekly rest period.

(4) Notwithstanding sub-regulation (2), a driver engaged in multi-manning shall, within thirty hours of the end of a daily or weekly rest period, take a new daily rest period of at least nine hours.

(5) (*a*) In any two consecutive weeks a mobile worker or a self-employed driver shall take at least -

(i) two regular weekly rest periods, or

(ii) one regular weekly rest period and one reduced weekly rest period of at least twenty-four hours:

Provided that the reduction shall be compensated by an equivalent period of rest taken *en bloc* before the end of the third week following the week in question.

(*b*) A weekly rest period shall start no later than at the end of six twenty-four-hour periods from the end of the previous weekly rest period.

(6) (*a*) Any rest taken as compensation for a reduced weekly rest period shall be attached to another rest period of at least nine hours.

(*b*) Where a mobile worker or a self employed driver chooses to do this, daily rest periods and reduced weekly rest periods away from base may be taken in a passenger transport vehicle, as long as the passenger transport vehicle has suitable sleeping facilities for each mobile worker or self-employed driver and the passenger transport vehicle is stationary.

(7) A weekly rest period that falls in two weeks may be counted in either week, but not in both.

Interruption of daily rest period and departing from regulations.
Amended by: L.N. 396 of 2011.

76. (1) Notwithstanding regulation 75, a mobile worker or a self-employed driver engaged in carriage of passenger who accompanies a passenger transport vehicle which is transported by ferry or train, that mobile worker or self-employed driver may interrupt the regular daily rest period not more than twice by other activities not exceeding one hour in total and during that regular daily rest period, the mobile worker or self-employed driver shall have access to a bunk or couchette.

(2) Any time spent travelling to a location to take charge of a passenger transport vehicle, or to return from that location, when the vehicle is neither at the mobile worker's home or at the home of the self-employed driver nor at the employer's operational centre where the mobile worker is normally based, shall not be counted as a rest or break unless the mobile worker or self-employed driver is on a ferry or train and has access to a bunk or couchette.

(3) Any time spent by a driver driving any other motor vehicle which is not a passenger transport vehicle, which is not at the driver's home or at the employer's operational centre where the driver is normally based, shall count as other work.

(4) Provided that road safety is not thereby jeopardised and to enable the passenger transport vehicle to reach a suitable stopping place, the driver may depart from the provisions of regulations 73(2), 73(3), 73(4), 74(2), and 75, to the extent necessary to ensure the safety of persons, of the passenger transport vehicle or its load. The driver shall indicate the reason for such departure manually on the record sheet of the recording equipment or on a printout from the recording equipment or in the og book issued by the Authority in terms of regulation 78, at the latest on arrival at the suitable stopping place.

Liability of transport undertakings.

77. (1) A carrier shall not give drivers it employs or who are put at its disposal any payment, even in the form of a bonus or wage supplement, related to distances travelled if that payment is of such a kind as to endanger road safety and, or encourages infringement of these regulations.

(2) A carrier shall be liable, unless proved otherwise, for infringements committed by drivers employed by it, even if the infringement is committed on the territory of another Member State or of a third country.

(3) Carriers shall ensure that -

(*a*) all data is downloaded from the passenger transport vehicle's recording equipment at least every three months and from the driver card at least every twenty-eight days;

(*b*) all data downloaded from both the passenger transport vehicle's recording equipment and from the driver card is kept for at least twelve months following recording and, should an inspecting officer request it, such data shall be accessible, either directly or remotely, from the operating centre of the carrier.

(4) Carriers, tour operators, principal contractors,

subcontractors and driver employment agencies shall ensure that contractually agreed transport time schedules respect these regulations.

Information records and penalties. *Amended by: L.N. 396 of 2011.*

78. (1) An employer shall -

(*a*) notify every mobile worker in his employment of the provisions of regulations 73 to 77, the internal rules of the transport undertaking, where applicable, and the provisions of any collective or any other agreement applicable to the said worker reached on the basis of these regulations;

(*b*) keep a record of any time worked by each mobile worker in his employment, including the time worked by that worker for another employer in accordance with regulation 73(1)(*b*). The working time may be recorded by any recording equipment available for the use of the mobile workers, or in a logbook issued by the Authority for the purposes of recording working time;

(*c*) provide, at the request of a mobile worker, a copy of the record of hours worked by that mobile worker;

(*d*) organize the work of a mobile worker in such a way that mobile workers are able to comply with the relevant provisions of these regulations and any other relevant legislation.

(2) A mobile worker shall, upon the request of his employer, notify to his employer any time worked for another employer for inclusion in the calculation of the mobile worker's working time.

(3) The records referred to in sub-regulation (1) shall be kept by the employer for a period of two years after the end of the period covered by the said records.

(4) Employers shall make periodic checks to ensure that all legal requirements have been complied with and if breaches are found to have occurred, the employer shall take appropriate steps to prevent their repetition.

(5) A self-employed driver shall keep a record of any working time by the use of any recording equipment available or in a log book issued by the Authority for such purposes and shall keep such records in his possession at all times during working times.

(6) The records referred to in sub-regulation (5) shall be kept by the self-employed driver for a period of two years after the end of the period covered by the said records.

(7) The self-employed driver and the employer of mobile workers shall, upon the request of the Authority, provide the Authority with copies of any records kept in accordance with this regulation for inspection by the Authority. Such copies shall be certified by the signature of the self-employed driver or the employer as the case may be.

(8) Any authorised inspecting officer shall have the right to carry out any inspections at workstations in order to ensure

compliance with this regulation.

Exempt vehicles. *Added by: L.N. 396 of 2011.*

78A. Regulations 71 to 78 shall not apply to the following types of vehicles:

(*a*) vehicles used for regular passenger services where the route covered by the service in question does not exceed 50 kilometres;

(*b*) vehicles with a maximum authorised speed not exceeding 40 kilometres per hour;

(*c*) vehicles owned or hired without a driver by the armed services, civil defence services, fire services and forces responsible for maintaining public order when the carriage is undertaken as a consequence of the tasks assigned to these services and is under their control;

(*d*) commercial vehicles which have a historic status in terms of law and which are used for the non-commercial carriage of passengers.

Access to the International Market

Community licence.

79. (1) The Authority shall issue a Community licence in accordance with the model set out in the Fourth Schedule to any operator fulfilling the conditions prescribed in Part II of these regulations and who meets legal requirements on road safety as far as the standards for drivers and vehicles are concerned and who intends to carry out international passenger transport services.

(2) In order to carry out international passenger transport operations using passenger transport vehicles between Malta and other Member States for hire or reward or on own account, a carrier shall meet legal requirements on road safety as far as the standards for drivers and vehicles are concerned and hold a Community licence issued in terms of these regulations or a Community licence issued by the competent authority of the Member State of establishment in accordance with the model set out in the Fourth Schedule.

(3) Each passenger transport vehicle carrying out an international passenger transport service shall have on board the Community licence or a copy of the Community licence certified by the issuing authority or agency.

Suspension of Community licence. *Substituted by: L.N. 319 of 2009.*

80. In the event of serious infringements of these regulations, an authorisation, issued by another Member State or in any other country may be temporarily or partially suspended. Such suspension shall be effected by the Authority of its own motion or by order of a court of criminal jurisdiction which shall make such an order having regard to the seriousness of the infringement; provided that where the Authority suspends an authorisation of its own motion, it shall give the operator concerned notice in writing setting out the reasons for its intention to do so. Every notice given shall state that the operator concerned may, within ten days from service thereof, make representations in writing to the Authority giving reasons why the authorisation should not be suspended and

the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the operator concerned. The operator concerned shall have the right to appeal to the Tribunal against such decision within thirty days from its notification.

Right of appeal.

81. Where an authorization issued by another Member State or any other country is suspended, the Authority shall by notice in writing, within seven days, inform the carrier of its decision and the reasons therefor.

Occasional services.

82. (1) Occasional services shall not require any other specific authorisation other than a Community licence.

(2) Occasional services may be provided by a group of carriers acting on behalf of the same contractor, and passengers may establish a connection en route, with a different carrier engaged by the same contractor, in the territory of a Member State.

(3) The names of such carriers and the connection points en route shall be communicated to the Authority upon their arrival in Malta within forty-eight hours.

(4) Empty journeys by passenger transport vehicles in connection with the transport operations referred to in sub-regulations (1) to (3) shall not require any authorisation.

(5) An operator who holds a Community licence may carry out local excursions in another Member State and a carrier established in a Member State other than Malta may carry out such excursions in Malta. Such services shall be intended for non-resident passengers previously carried by the same carrier on an international occasional service and must be carried out with the same passenger transport vehicle or another passenger transport vehicle from the same carrier or group of carriers.

Special regular services.

83. (1) Special regular services shall not require any other specific authorisation other than a Community licence if they are covered by a contract concluded between the transport organiser and the carrier.

(2) Any carrier shall be permitted to carry out special regular services without discrimination as to nationality or place of establishment if the said carrier:

(*a*) is authorised in the Member State of establishment to undertake carriage by means of regular services including special regular services or occasional services by road passenger transport vehicles;

(*b*) satisfies the conditions laid down in accordance with any laws and regulations in Malta or equivalent regulations in the Member State of establishment governing market access;

(*c*) satisfies the legal requirements and standards on road safety for drivers and vehicles.

(3) Any own-account carrier shall be permitted to carry out international special regular services without discrimination as to nationality or place of establishment if the said carrier:

(*a*) is authorized in the country of establishment to undertake carriage by passenger transport vehicles in accordance with any laws and regulations in force in Malta or equivalent regulations in the Member State of establishment governing market access;

(*b*) satisfies the legal requirements and standards on road safety for drivers and vehicles.

(4) Empty journeys by passenger transport vehicles in connection with the international passenger transport services referred to in sub-regulations (1) and (2) shall not require any authorisation.

Regular services.

84. (1) Passengers using an international regular service shall throughout their journey possess transport tickets, either individual or collective, which indicate:

(*a*) the points of departure and destination and, where appropriate, the return journey;

(*b*) the period of validity of the ticket;

(*c*) the price of the transport.

(2) Such transport ticket shall be presented at the request of any authorised inspecting officer.

Authorisation for regular and non-liberalised special regular services.

85. International regular services and international special regular services not covered by a contract between the transport organiser and the carrier shall require authorisation in accordance with regulations 86 to 89.

Nature of authorisation.

86. (1) Authorisations shall be issued in the name of the carrier for a period of validity of five years and shall conform to the model in the Fifth Schedule.

(2) Authorisations shall entitle the holder(s) to operate international regular services in the territories of all Member States over which the routes of the international regular service pass as well as in Malta.

(3) (*a*) An operator who has received an authorisation may, with the consent of the Authority, operate the international passenger transport service, so authorised, through a sub-contractor. In this case, the name of the latter undertaking and its role as sub-contractor shall be indicated in the authorisation.

(*b*) The sub-contractor mentioned in paragraph (*a*) must fulfil the conditions laid down in regulation 79(1).

(*c*) In the case of carriers associated for the purpose of operating a regular service, the authorisation shall be issued in the names of all the carriers.

(4) A carrier operating an international regular service may use additional passenger transport vehicles to deal with temporary and exceptional situations. In this case, the carrier must ensure that the following documents are carried on such additional passenger transport vehicles:

(*a*) a copy of the authorisation of the regular service;

(*b*) a copy of the contract between the carrier operating the international regular service and the undertaking providing the additional passenger transport vehicles or an equivalent document;

(*c*) a certified true copy of the Community licence issued to the carrier operating the international regular service.

Submission of applications for authorisation. *Amended by: L.N. 319 of 2009.*

87. (1) Applications to the Authority for authorisation of international regular services starting in Malta shall conform to the Sixth Schedule.

(2) Authorisations shall be issued in agreement with the authorities of all the Member States in whose territories passengers board or disembark.

(3) A decision on the application for authorisation for regular services starting from Malta shall be taken by the Authority within four months from the date of submission of the application by the carrier.

(4) Authorisation shall be granted unless:

(*a*) the applicant is unable to provide the service which is the subject of the application with equipment directly available to him;

(*b*) in the past, the applicant had not complied with national or international legislation on road transport, and in particular the conditions and requirements relating to authorisations for international passenger transport services, or has committed serious breaches of legislation in regard to safety, in particular with regard to the rules applicable to vehicles and driving and rest periods for drivers;

(*c*) in the case of an application for renewal of authorisation, the conditions of authorisation have not been complied with;

(*d*) it is shown that the service in question would directly compromise the existence of regular services already authorised, except in cases in which the regular services in question are carried out by a single carrier or group of carriers only;

(*e*) it appears that the operation of services covered by the application is aimed only at the most lucrative of the services existing on the links concerned; and

(*f*) a Member State decides on the basis of a detailed analysis that the said service would seriously affect the viability of a comparable rail service on the direct sections concerned. Any decision pursuant to this provision, together with the reasons therefor, shall be notified to any carrier affected.

(5) Where the Authority refuses to grant or renew an authorisation for regular services starting from Malta, the Authority

shall by notice in writing, within seven days, inform the applicant or holder, as the case may be, of its intention to do so. Every notice of refusal shall state that the operator has a right to make representations in writing, within ten days, to the Authority giving reasons why the application shall not be refused and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the applicant concerned. When an application is refused by the Authority, the applicant may appeal to the Tribunal within thirty days from notification of the Authority's decision.

Lapse of authorisation.

88. (1) An authorisation for an international regular service shall lapse at the end of its period of validity or three months after the Authority has received from its holder notice of his intention to withdraw the service. Such notice must contain a proper statement of reasons.

(2) Where demand for an international regular service has ceased to exist, the period mentioned in sub-regulation (1) shall be reduced to one month.

(3) The holder of the authorisation shall notify users of the service concerned of its withdrawal one month beforehand by means of publication in the Gazette.

Obligation of carriers.

89. (1) Save in the event of *force majeure*, the carrier operating an international regular service shall, until the authorisation expires, take all measures to guarantee a transport service that fulfils standards of continuity, regularity and capacity and complies with the other conditions as laid down by the Authority in accordance with regulation 83(3).

(2) The carrier shall display the route of the international regular service, the bus stops, the timetable, the fares and the conditions of carriage insofar as these are not laid down by law, and in such a way as to ensure that such information is readily available to all users.

Journey form.

90. (1) The services referred to in regulation 82 shall be covered by a journey form, the requirements of which are set out in the Seventh Schedule.

(2) A carrier operating international occasional services shall fill out a journey form before each journey.

(3) The Authority shall issue the said journey forms to operators established in Malta.

Own account transport operatons.

91. (1) Own-account transport operations shall be exempt from any system of authorisation but shall be subject to a system of certificates.

(2) Such certificates shall be issued by the Authority when the passenger transport vehicle is registered in Malta and shall be valid for the entire journey including transit for up to a maximum of five years. They must conform to the model in the Eighth Schedule.

(3) The certificate or a certified true copy shall be carried on board the passenger transport vehicle and shall be presented to an

authorised inspecting officer upon demand.

Evidence of compliance to be provided.

92. Carriers requesting a certificate shall provide the Authority with evidence that the conditions laid down in the definition of "own account transport operations" have been met.

Access to the market in other countries

Market access.

93. The Authority shall determine the conditions for market access relating to countries with which Malta has bilateral agreements other than Member States and subject to the provisions of such agreements.

Access to the National Market by Non-Resident Carriers Established in Member States ("Cabotage")

Temporary cabotage operations.

94. Any carrier for hire or reward who is a holder of a Community authorisation shall be entitled, under the conditions laid down in these regulations, to carry out cabotage operations on a temporary basis in Malta, without having a registered office or other establishment in Malta.

Authorised services.

95. (1) Cabotage transport operations shall be permitted in Malta for the following services:

(*a*) special regular services provided that they are covered by a contract concluded between the transport organiser and the carrier;

(*b*) occasional services.

(2) Cabotage transport operations for regular services shall not be authorised in Malta.

Cabotage operations subject to Maltese laws.

96. The performance of the cabotage transport operations in Malta referred to in regulation 94 shall be subject to the laws, regulations and administrative provisions in force in Malta in relation to the following areas:

(*a*) rates and conditions governing the transport contract;

(*b*) weights and dimensions of passenger transport vehicles shall meet the conditions of the relevant regulations regulating motor vehicles' weights, dimensions and equipment;

(*c*) requirements relating to the carriage of certain categories of passengers, such as schoolchildren, children and persons with reduced mobility;

(*d*) driving and rest time;

(*e*) value added tax on transport services.

Licence to be carried on board the vehicle.

97. The Community licence or a certified true copy thereof shall be kept on board the passenger transport vehicle and shall be produced when requested by an authorised inspecting officer.

Control documents - journey forms for occasional cabotage operations.

98. Cabotage transport operations in the form of occasional services shall be covered by a control document - the journey form as contained in the Seventh Schedule - which must be kept on board the passenger transport vehicle and be produced when requested by an authorised inspecting officer.

Control document.

99. In the case of special regular services, the contract concluded between the carrier and the transport organiser, or a certified true copy of the contract, shall serve as the control document. However, the journey form shall be completed in the form of a monthly statement.

Journey forms.

100. Journey forms used shall be returned to the Authority in accordance with procedures it shall establish.

Inspections and Contraventions in relation to International Passenger Transport Services and Cabotage Transport Operations

General.

101. (1) The authorisation or control document shall be carried on the passenger transport vehicle and shall be presented at the request of any authorised inspecting officer. In the case of the special regular services, the contract or a certified true copy of it shall serve as a control document.

(2) Carriers operating passenger transport services in international passenger transport shall allow all inspections intended to ensure that operations are being conducted correctly, in particular as regards driving and rest periods. In order to ensure compliance with these regulations, authorised inspecting officers shall be empowered to:

(*a*) check the books and other documentation relating to the operation of the transport undertaking;

(*b*) make copies of, or take extracts from, the books and documentation on the premises;

(*c*) have access to all the transport undertaking's premises, sites and vehicles;

(*d*) require the production of any information contained in books, documentation or databases.

Inspections at quayside or roadside.
Amended by: L.N. 75 of 2010; L.N. 251 of 2011; L.N. 301 of 2022; L.N. 188 of 2023.

102. (1) The Authority shall check on the compliance of the carrier carrying out international road passenger transport services through random checks carried out at the quayside, roadside or at the premises of the undertaking in particular for the purposes of and in accordance with Directive 2006/22/EC and during inspections for the purposes of the said Directive, authorized inspecting officers shall follow the guidelines on the seriousness of infringements provided for in the Thirteenth Schedule:

Provided that the Authority shall organise checks in such a way that at least three percent (3%) of days worked by drivers of vehicles falling within the scope of Regulations (EC) No 561/2006 and (EU) No 165/2014 are inspected.

(2) Such checks shall be carried out by authorized inspecting officers using -

(*a*) equipment capable of downloading data from the passenger transport vehicle unit and driver card of the digital tachograph, reading data, and analyzing data and, or transmitting findings to a central database for analysis,

(*b*) equipment to check the tachograph sheets, and

(*c*) specific analysis equipment, with appropriate software, to verify and confirm the digital signature attached to data, as well as specific analysis software to provide a detailed speed profile of vehicles prior to the inspection of their recording equipment:

Provided that quayside and roadside checks in compliance with Part XIV shall be limited to aspects that can be checked efficiently through the tachograph and related recording equipment, and comprehensive checks on compliance with these regulations shall be carried out only at the premises of the undertaking.

(2a) The Authority shall target its checks at the transport undertaking, if one or more of the drivers carrying out international road passenger transport services for the same transport undertaking and are found to be continuously or seriously infringing Regulation (EC) No 561/2006 or (EU) No 165/2014.

(3) The Authority shall introduce a risk rating system for undertakings for the purposes of Article 9 of Directive 2006/22/EC.

(4) A transport undertaking with a high risk rating under the risk rating system introduced under sub-regulation (3) may make representations to the Authority regarding its rating. The Authority shall consider the representations and notify the undertaking of its conclusions.

(5) The Authority shall submit information to the Commission in accordance with Article 17 of Regulation (EC) No 561/2006 and Article 13 of Directive 2002/15/EC, which shall include the number of drivers checked at the quayside or roadside, the number of checks at the premises of undertakings, the number of working days when inspections were held and the number and type of infringements reported, and shall indicate whether passengers or goods were transported.

(6) In order to facilitate targeted roadside and quayside checks, the data contained in the risk rating system shall be accessible to the competent enforcement authorities in Malta which are concerned at the time of control.

(7) The Authority shall make the information contained in the risk rating system referred to in sub-regulation (3), directly accessible to the competent enforcement authorities of other Member States in accordance with Article 16(2) of Regulation (EC) No 1071/2009, through interoperable national electronic registers as referred to in Article 16 of that Regulation.

(8) Without prejudice to the Posting of Workers in Malta Regulations and in order to further enforce the obligations within the Posting of Drivers in Malta Regulations, the Authority shall ensure that a coherent national enforcement strategy is applied in the territory of Malta. This strategy shall focus on undertakings with a high risk rating under the risk rating system, referred to in sub-regulation (3). S.L. 452.82. S.L. 499.72.

Elements of checks.
Amended by: L.N. 75 of 2010; L.N. 301 of 2022.

103. Quayside or roadside checks shall cover:

(*a*) daily and weekly driving times, breaks and daily and weekly rest periods, as well as the preceding days' record sheets which have to be carried on board the passenger transport vehicle and, or the data stored for the same period on the driver card and, or in the memory of the recording equipment and, or on printouts;

(*b*) the records of the current day of the check and the records of the twenty-eight (28) days prior, for any cases where the passenger transport vehicle's authorised speed is exceeded, being any period of more than one (1) minute during which the vehicle's speed exceeds one hundred and five (105) kilometres per hour for category M3 motor vehicles;

(*c*) where appropriate, momentary speeds attained by the passenger transport vehicle as recorded by the recording equipment in no more than the previous twenty-four hours' use of the passenger transport vehicle;

(*d*) the correct functioning of the recording equipment, thus determining the possible misuse of the equipment and, or the driver card, and, or record sheets, and, where appropriate, verification that the posting was notified in accordance with regulation 6 of the Posting of Workers in Malta Regulations;

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(*e*) where appropriate, and with due regard to safety considerations, a verification of the recording equipment installed in vehicles in order to detect the installation and, or use of any device, or devices, intended to destroy, suppress, manipulate or alter any data, or which is intended to interfere with any part of the electronic data exchange between the component parts of recording equipment, or which inhibits or alters the data in such ways prior to encryption;

(*f*) technical requirements of the regulations regulating weights, dimensions and equipment for the passenger transport vehicles;

(*g*) extended maximum weekly working times of sixty (60) hours and other weekly working times as set out in regulations 73 and 74, only where technology enables effective checks to be carried out:

Provided that notwithstanding the foregoing paragraphs (a) to (g), during a roadside or quayside check, the driver shall be allowed to contact the operating centre, the transport manager or any other person or entity in order to provide, before the end of the quayside or roadside check, any evidence which is found to be missing on board; and this without prejudice to the driver's obligation to ensure the proper use of tachograph equipment.

Comprehensive checks. *Added by: L.N. 301 of 2022.*

103A. (1) Checks carried out at the premises of internationally operating road passenger transport services undertakings established in Malta, shall be planned in light of past experience in relation to the various types of transport and undertakings and the checks shall also be carried out if serious infringements of Regulation (EC) No 561/2006 or (EU) No 165/2014 or of these regulations have been detected during quayside or roadside checks.

(2) Checks carried out at the premises of internationally operating road passenger transport services undertakings established in Malta shall, in addition to the provisions of regulation 103, include a check on the following:

(*a*) weekly rest period and driving times between these rest periods;

(*b*) observance of the two (2) weekly limitations of driving times;

(*c*) record sheets, vehicle unit and the information of the driver card data and printouts;

(*d*) compliance with maximum average weekly working times, breaks and night work requirements; and

(*e*) observance of the obligations of undertakings as regards the payment for drivers' accommodation and the organization of the work of drivers.

(3) The Authority may, if it deems it appropriate, verify the joint liability of other instigators or accessories in the transport chain, such as shippers, freight forwarders or contractors, if an infringement is detected, including verification that contracts for the provision of transport permits compliance with Regulations (EC) No 561/2006 and (EU) No 165/2014.

Checks at the request of the Authority.

104. For the purposes laid down in these regulations, checks carried out on the basis of relevant documents handed over by carriers at the request of the Authority, shall have the same status as checks carried out at the operating centre.

Concerted checks. *Added by: L.N. 301 of 2022.*

104A. (1) The Authority shall, at least six (6) times per year, carry out concerted roadside or quayside checks, on drivers and vehicles falling within the scope of Regulation (EC) No 561/2006 or (EU) No 165/2014.

(2) The Authority shall organize additional concerted checks at the premises of the undertaking;

(3) The concerted checks referred to in sub-regulations (1) and (2) shall be carried out at the same time by the enforcement authorities of two (2) or more Member States, each operating in its own territory.

Intra-community liaison. *Added by: L.N. 301 of 2022.*

104B. The Authority shall be responsible for intracommunity liaison and shall have the following functions:

(*a*) to ensure coordination with the competent enforcement authorities in the other Member States concerned

as regards actions taken on concerted quayside and roadside checks;

(*b*) to forward the biennial statistical returns to the Commission in accordance with Article 17 of Regulation (EC) No 561/2006;

(*c*) to be primarily responsible for assisting the competent authorities of other Member States; and

(d) to ensure exchange of information with the other Member States in accordance with regulation 104C with regard to the application of these regulations.

Exchange of information. *Added by: L.N. 301 of 2022.*

104C. (1) Information made available bilaterally in accordance with Article 22(3) of Regulation (EC) No 561/2006 shall also be exchanged between the Authority and the competent enforcement authorities of other Member States and notified to the Commission in accordance with regulation 104B:

(*a*) at least once every six (6) months after 2nd February 2022;

(*b*) upon the reasoned request by a Member State in individual cases.

(2) The Authority shall provide the information requested by another Member State pursuant to sub-regulation (1)(b) within twenty-five (25) working days from the receipt of the request, unless a shorter timeframe is agreed between the Member States. In urgent cases or in cases requiring only a simple consultation of registers, such as registers of a risk rating system, the requested information shall be provided within three (3) working days:

Provided that where the Authority considers that the request is insufficiently reasoned, it shall inform the requesting Member State accordingly, within ten (10) working days from the receipt of the request, and instruct that Member State to further substantiate the request. Where the requesting Member State is unable to further substantiate the request, the Authority may reject the request:

Provided further that, where it is difficult or impossible to comply with a request for information or to carry out controls, inspections or investigations, the Authority shall inform the requesting Member State accordingly within ten (10) working days from the receipt of the request and provide reasons to duly justify that difficulty or impossibility. Every effort shall be made with a view of finding a solution.

(3) The exchange of information provided for in this regulation shall be implemented through the Internal Market

Information System ("IMI"), established by Regulation (EU) No 1024/2012, unless such information is being exchanged by Member States through direct consultation of national electronic registers referred to in Article 16(5) of Regulation (EC) No 1071/2009.

Falsified documents. *Amended by: L.N. 319 of 2010.*

105. Where a falsified Community licence, falsified authorisation or falsified certified true copy thereof is produced, the falsified document shall be withdrawn immediately and without the need of recourse to the Tribunal, and where appropriate, forwarded as soon as possible to the competent authority of the carrier's Member State of establishment.

Clamping of vehicle.

106. Where an offence has been committed in breach of regulations 72 to 78, both inclusive, which is of a kind that is clearly liable to endanger safety, an enforcement officer may clamp the passenger transport vehicle in or by which such breach was committed until such time as the cause of infringement has been rectified.

PART XV

OFFENCES AND PENALTIES

Re-numbered by: L.N. 272 of 2010; L.N. 251 of 2011; L.N. 432 of 2012; L.N. 238 of 2016.

Criminal proceedings and penalties. *Amended by: L.N. 319 of 2009; L.N. 251 of 2011; L.N. 432 of 2012; L.N. 92 of 2014; L.N. 116 of 2014; L.N. 238 of 2016.*

107. (1) Any person who commits a breach of -

(*a*) regulation 5(1);

(*b*) regulation 6(5);

(*c*) regulation 6(6);

(*d*) regulation 17;

(*e*) regulation 22(6);

(*f*) regulation 27(1);

(*g*) regulation 38A(1) and (2);

(*h*) regulation 38E;

(*i*) regulation 68B;

(*j*) regulation 68P(2),

(*k*) regulation 68Q(4),

shall be guilty of a crime and shall, on conviction, be liable to imprisonment for a period of not more than six months or to a fine (*multa*) not exceeding twelve thousand euro (€12,000), or to both such fine and imprisonment. Furthermore, the Court shall order the immediate revocation of any licence and, or permit held in terms of these regulations by the person found guilty of such crime.

(2) A person who, for the purpose of obtaining, whether for himself or another, the grant or renewal of any licence or permit in terms of these regulations, makes a declaration required by these regulations which he knows to be false, shall be guilty of a crime and shall, on conviction, be liable to imprisonment for a period of not more than six months or to a fine (*multa*) not exceeding twelve thousand euro (€12,000), or to both such fine and imprisonment. Furthermore, the Court shall order the immediate revocation of the licence in relation to which the false declaration was made as well

as any other licence and/or permit held in terms of these regulations by the person found guilty of such crime.

(3) A person who commits a breach of any regulation other than the regulations mentioned in sub-regulation (1), and the regulations stipulated in sub-regulations (7), (8), (9) and (10), shall, on conviction, be liable to a fine not exceeding three thousand euro (€3,000). Furthermore, the court or the Local Tribunal shall order the Authority to impose on such person one penalty point for every ten euro (€10) or part thereof imposed on such person by way of a fine in terms of this sub-regulation.

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(4) When a person licensed under these regulations is found guilty of contravening any of the provisions of the Traffic Regulation Ordinance or any regulations made thereunder, and, or the Act or any regulations made thereunder, the Court, Local Tribunal or other adjudicating authority shall notify the Authority of such fact, and the Authority shall impose on such person one penalty point for every ten euro (€10) or part thereof imposed on such person by way of a fine in terms of this sub-regulation.

(5) In the event of any infringement by a carrier of any provision in regulations 72 to 78, the Authority shall furthermore have the power to issue warnings to such carrier. In the event of serious or repeated infringements, the Authority, of its own motion or on the order of a Court of Criminal Jurisdiction may furthermore impose on such carrier a temporary prohibition from carrying out transport operations within Malta. Any penalty may also extend to the withdrawal of authorisation to pursue the profession of road passenger transport operator.

Provided that where the Authority imposes the temporary prohibition referred to above of its own motion, it shall give the operator concerned notice in writing setting out the reasons for its intention to do so. Every notice given shall state that the operator concerned may, within ten days from service thereof, make representations in writing to the Authority giving reasons why such a prohibition should not be imposed and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the operator concerned. The operator concerned shall have the right to appeal to the Tribunal against the decision of the Authority within a period of thirty days from notification of the Authority's decision:

Provided further that, the decision of the Authority to prohibit the carrier from carrying out transport services in Malta shall not become operative until the expiration of the period within which an appeal may be made under this regulation and, if an appeal is made within such period, the decision shall become operative on the date of the decision of the Tribunal dismissing the appeal or the date on which the appeal is abandoned.

(6) Whosoever shall hinder or obstruct any enforcement officer or any other official appointed by the Authority under these regulations in the exercise of his powers or duties, or unduly or in any manner whatsoever interfere in the exercise thereof, or refuse to comply with any orders or directives which such enforcement

officer or official may give in the execution of his powers or duties, shall, on conviction, be liable, and without prejudice to any other law, to a fine (multa) of not less than one hundred and twenty euro (€120) and not exceeding two hundred and fifty euro (€250) for a first conviction, and to a fine (*multa*) of not less than two hundred and fifty euro (€250) and not exceeding one thousand and two hundred euro (€1,200) for each subsequent conviction.

(7) Any passenger of a motor route bus who commits a breach of regulation 68I or regulation 68J shall be guilty of an offence and shall, on conviction, be liable:

(*a*) to a fine (*ammenda*) of not less than twenty euro (€20) for a first conviction;

(*b*) to a fine (*ammenda*) of not less than seventy euro (€70) for a second conviction; and

(*c*) to a fine (*ammenda*) of not less than two hundred and fifty euro (€250) but not exceeding four hundred and fifty euro (€450) for a third or subsequent conviction:

Provided that no such conviction shall be deemed to be a second, third or subsequent conviction unless it refers to a second, third or subsequent offence committed within twelve months from the commission of the previous offence.

(8) Any person who commits a breach of regulation 68B(5) shall be guilty of an offence and shall, on conviction, be liable to a fine (*multa*) of not less than two hundred and fifty euro (€250) but not exceeding four hundred and fifty euro (€450).

(9) Any person who fails to pay the penalty fare due in terms of regulation 68G(1) and, or who refuses to give the necessary information relating to his details to an authorised officer of the Authority for the purposes of taking legal action against that person in terms of these regulations, shall be guilty of an offence and shall, on conviction, be liable to a fine (*ammenda*) of two hundred euro (€200).

(10) Any person who commits a breach of regulation 42(3)(*a*) and (4), of regulation 68O(10)(*a*) and (11), of regulation 68Q(5), of regulation 68R(10), (11) and (12) and of regulation 69(10)(*a*) and (11) shall be guilty of an offence and shall, on conviction, be liable to a fine (*ammenda*) of not less than one hundred euro (€100) but not more than five hundred euro (€500).

Penalty points and administrative penalties.
Amended by: L.N. 319 of 2009; L.N. 172 of 2026.

108. (1) The Authority shall have the discretionary power to impose the administrative penalties prescribed in column 2 of the Ninth Schedule and the corresponding penalty points calculated in terms of sub-regulation (4) on any operator who contravenes the provisions of the regulations listed in the column 1 of the Ninth Schedule.

(2) The Authority shall have the discretionary power to impose the administrative penalties prescribed in column 3 of the Ninth Schedule of these regulations and the corresponding penalty points calculated in terms of sub-regulation (4) on any driver who contravenes the provisions of these regulations included in column

1 of the Ninth Schedule.

(3) Where a license holder or a permit holder contravenes the same provision of these regulations on five different occasions within a period of twelve consecutive months, the Authority shall impose upon such licensee, in addition to the administrative penalties prescribed in the Ninth Schedule and the corresponding penalty points calculated in terms of sub-regulation (4), an additional by such number of additional penalty points as the Authority may, in its sole discretion, deem appropriate having regard to the gravity of the breaches committed by the offender:

Provided that the imposition of additional penalty point deductions shall not apply to those regulations related to the contraventions listed in the Sixteenth Schedule.

(4) The Authority shall impose one penalty point for every ten euro (€10) or part thereof imposed on a person by way of an administrative penalty in terms of this sub-regulation.

(5) Penalty points and administrative penalties shall be imposed by the Authority without recourse to a court hearing and may be imposed either as a one time penalty or on a daily cumulative basis until compliance, provided that in the latter case the accumulated penalty shall not exceed ten thousand euro (€10,000).

(6) The Authority shall not impose administrative penalties on a person for a breach of these regulations in the event that proceedings have already been instituted against such person with respect to the said breach.

(7) Where an offence has been committed in breach of regulations 72 to 78, both inclusive, the Authority shall impose an administrative penalty in terms of these regulations and request the driver to pay a deposit equal to such administrative penalty. The Authority shall order the enforcement officer to clamp the passenger transport vehicle by or in which such breach was committed until such deposit has been settled in full; provided that an official receipt shall be given by the Authority to the driver evidencing payment of such deposit. The deposit shall be refunded in the event that an appeal is lodged by the person on whom it is imposed and the Tribunal revokes the administrative penalty imposed upon such person. Where no appeal is lodged within the time stipulated in these regulations or an appeal is lodged and the Tribunal confirms the administrative penalty, the deposit shall be set-off by the Authority against such administrative penalty.

(8) Where a breach of these regulations is committed by an operator who is a natural person, the Authority shall hold the designated person liable *in solidum* with the operator for the payment of any administrative penalty, unless the designated person proves that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such breach.

(9) Where a breach of these regulations is committed by a partnership, company or other legal person, be it corporate or unincorporate, the Authority shall hold every person who at the

time of the commission of the breach was a designated person, director, partner or other similar officer, or was purporting to act in any such capacity, or was a person having a power of representation or having an authority to take decisions on behalf of or having authority to exercise control within that partnership, company or other legal person, liable *in solidum* with the operator for the payment of any administrative penalty imposed on the operator unless such person proves that the breach was committed without his knowledge and that he exercised all due diligence to prevent the commission of such breach.

(10) The Authority shall, before imposing an administrative penalty in terms of these regulations, by notice in writing inform the person on whom the penalty is to be imposed, of its intention to do so. Such notice shall state that the person concerned has a right to make representations in writing, within ten days, to the Authority giving reasons why the administrative penalty should not be imposed and the Authority shall consider any representations so made before arriving at a final decision. The Authority shall notify in writing its final decision to the applicant concerned.

(11) Whenever an administrative penalty is imposed by the Authority in accordance with these regulations, and no appeal is filed within the stipulated time or where an appeal is filed and the Tribunal confirms the administrative penalty, the said penalty shall be paid within two (2) years from the date on which the decision imposing the penalty becomes *res judicata*:

Provided that the failure by the Authority to serve a written notice upon the offender requesting the immediate payment of the administrative penalty within the two (2) year period shall exonerate the offender from the payment of the administrative penalty and the offence shall, for all intents and purposes, be considered to be time-barred.

(12) Whenever an operator is found to be in breach of these regulations and an administrative penalty is imposed in accordance with these regulations, and the decision to impose such penalty becomes *res judicata*, the operator shall be barred from renewing the circulation licence of the respective vehicle that was in use at the time of the breach, in accordance with the relevant provisions of the Motor Vehicles Registration and Licensing Act, until the administrative penalty is paid or settled in accordance with these regulations.

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Commission of same offence more than once in a six month period.

109. Notwithstanding the provisions of regulation 107(3) and regulation 108(4), where a person contravenes the same provision of these regulations more than once within a period of six (6) consecutive months, there shall be imposed upon him two penalty points for every ten euro (€10) imposed upon him by order of the court in terms of regulation 107 or the Authority in terms of regulation 108, as the case may be.

Right of appeal from penalty points and administrative penalties. *Amended by: L.N. 319 of 2009.*

110. (1) A person aggrieved by the decision of the Authority to impose administrative penalties and the corresponding penalty points may within thirty days from the date when such decision is communicated to him, lodge an appeal therefrom with the Tribunal.

(2) The Tribunal may confirm, revoke or alter the administrative penalty and the corresponding penalty points imposed by the Authority. The administrative penalty, if any, as confirmed or modified by the Tribunal, or by the Court of Appeal in its inferior jurisdiction, in the case that an appeal is lodged in terms of the Act, shall be recoverable by the Authority as a civil debt and the decision of the Tribunal or the Court of Appeal in its inferior jurisdiction, as the case may be, shall constitute an executive title for all intents and purposes of the Code of Organization and Civil Procedure.

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(3) If upon the renewal of any licence and, or permit granted in terms of these regulations, the person in whose name such licence and/or permit is granted owes the Authority a civil debt in terms of sub-regulation (2), such licence and, or permit will not be renewed unless and until such debt is settled in full.

(4) If at the moment that a check on compliance is carried out by the Authority in terms of regulation 5(4), a civil debt in terms of sub-regulation (2) is due by the operator to the Authority, the relative licence shall be suspended without the need of recourse to the Tribunal until such debt is settled in full.

No criminal action when an administrative penalty is paid. *Amended by: L.N. 319 of 2010.*

111. (1) In the event that the Authority imposes an administrative penalty in terms of regulation 108, and the person on whom such penalty is imposed, pays such penalty to the Authority within thirty days from the date of receipt of intimation to pay, no criminal proceedings may be instituted against such person in relation to the relative breach.

(2) No criminal proceedings for the prosecution of a breach of these regulations shall be instituted while an appeal therefrom is pending in front of the Tribunal.

Withdrawal of operator's licence. *Amended by: L.N. 319 of 2010; L. N. 251 of 2011; L.N. 238 of 2016.*

112. (1) An operator's licence shall be withdrawn by the Authority, without the need of recourse to the Tribunal, if at any time, its holder accumulates an aggregate of five hundred (500) penalty points in terms of these regulations and, or the Light Passenger Transport Services and Taxi Services Regulations:

Provided that where an operator has more than one passenger transport vehicle registered on his operator's licence, the operator's licence shall be withdrawn either in the event that its holder accumulates an aggregate of five hundred penalty points on any one vehicle registered under such licence or accumulates, on the total number of vehicles registered under his operator's licence, a total amount of five hundred penalty points plus an additional one hundred penalty points per vehicle registered under such operator's licence.

(2) A driver's permit shall be withdrawn by the Authority, without the need of recourse to the Tribunal, if at any time, its holder accumulates an aggregate of one hundred (100) penalty points in terms of these regulations and/or the Light Passenger Transport Services and Taxi Services Regulations.

(3) In the event that the limits referred to in sub-regulations (1) and (2) are attained and, or exceeded, but the imposition of a

number penalty points is being appealed or may be appealed in terms of these regulations, the licence and, or permit shall be suspended pending the outcome of such appeal.

(4) Where, in a period of thirty-six consecutive months, an operator or a driver incurs less than 16 penalty points per vehicle registered under his operator's licence, the Authority shall, on the lapse of such period, cancel all penalty points imposed upon him in terms of these regulations, and notify the operator or driver accordingly.

(5) This regulation shall not be applicable to any bus operator.

Suspension or withdrawal of licence and, or permit.

113. Where criminal proceedings have been instituted against an operator or a driver, following the conclusion of an inquiry made by the Court of Magistrates as a court of criminal inquiry, the licence and, or permit of such person shall be suspended until a definitive judgment is delivered in such proceedings:

Provided that where the operator and, or driver is found guilty of the offence he is charged with the Court shall order that the licence and, or permit of such operator and, or driver, shall be withdrawn by the Authority.

Prohibition to apply for a licence and, or permit. *Amended by: L.N. 319 of 2009; L.N. 458 of 2012.* Cap. 65.

114. Any person whose licence and, or permit has been withdrawn in terms of these regulations and, or any other regulations issued in terms of the Traffic Regulation Ordinance and the Act may not apply for a new licence and, or permit before the lapse of a period of two years from such withdrawal, and the Authority shall not consider any application made in contravention of this regulation:

Provided that the provisions of this regulation shall not apply in cases where the licence or permit, as applicable, has been withdrawn due to the fact that the applicant was not considered to be of good repute and conduct in terms of these regulations or the Taxi Services Regulations.

S.L. 499.59

Enforcement. S.L. 499.51. *Added by: L.N. 172 of 2026.*

114A. Without prejudice to the rights contained in the Transport Enforcement Officers Regulations, these regulations shall not be construed as prohibiting any authorised official from the Local Enforcement System Agency or any Police officer from enforcing any provisions of these regulations, and whenever an official of the Local Enforcement System Agency or the Police investigates or acts upon a breach of these regulations, such official shall, by virtue of this regulation, be vested with all the powers and rights conferred to the Authority's enforcement officers, and the Authority shall, without delay, exchange all necessary information with the said official and facilitate their investigations or enforcement actions.

PART XVI

GENERAL AND TRANSITORY PROVISIONS

Re-numbered by: L.N. 272 of 2010; L.N. 251 of 2011; L.N. 432 of 2012; L.N. 238 of 2016.

Conversion of public service garage licence. *Amended by: L.N. 319 of 2009.* S.L. 65.11

115. (1) Persons who on the date of the coming into force of these regulations hold a public service garage licence issued in terms of the Motor Vehicles Regulations, shall have nine months from the coming into force of these regulations within which to convert their public service garage licence into an operator's licence in terms of these regulations provided that they shall apply to the Authority for such conversion within six months from the coming into force of these regulations. Such conversion shall be effected by the Authority upon presentation of proof by such person of compliance with the requisites of Part II of these regulations.

S.L.65.11

(2) Persons who on the 19th May 2009 held a valid public service garage licence issued in terms of the Motor Vehicles Regulations or were, as at that date, otherwise licensed to operate passenger transport vehicles by the Authority, shall be exempt from the requirements of regulation 9(*d*) when converting their public service garage licence into an operator's licence under these regulations, or when applying for an Operator's Licence for the first time in terms of these regulations; provided that such licence is still valid and has not been withdrawn, revoked or suspended by the Authority as at the date of the conversion of the same into an operator's licence or at the date on which the operator's licence is issued.

Operation of passenger transport vehicles in terms of regulation 28. *Amended by: L.N. 432 of 2012; L.N. 431 of 2013; L.N. 177 of 2014; L.N. 50 of 2019.*

116. (1) Operators operating passenger transport vehicles licensed in terms of regulation 28(4) shall have twenty four months from the entry into force of these regulations to make such vehicles compliant with regulation 28(1)(*f*).

(2) Notwithstanding the provisions of regulation 28(2)(*b*), a coach which is not new shall be issued with a passenger transport vehicle licence if:

(*a*) the applicant has submitted an application for its registration on or before the 30th September 2019 and it has been issued a type-approval certificate by a competent authority of a Member State or by any other body approved by the Authority which certifies that the vehicle's emissions are classified as Euro IV or Euro V according to Directive 2005/55/EC, or Euro VI according to Regulation (EC) No 595/2009; or

(*b*) the applicant has submitted an application for its registration on or after the 1st October 2019 and it has been issued a type-approval certificate by a competent authority of a Member State or by any other body approved by the Authority which certifies that the vehicle's emissions are classified as Euro V according to Directive 2005/55/EC or Euro VI according to Regulation (EC) No 595/2009;

(*c*) it complies with all the other conditions imposed by these regulations and any other applicable legislation in force in Malta;

(*d*) the application is submitted by a person who holds an Operator's licence in terms of regulation 5 of the

Motor Vehicles (Carriage of Passengers by Road) Regulations, 2003*;

(*e*) the applicant has submitted, at any time after the coming into force of these regulations but before or together with the submission of an application for a transport vehicle licence in terms of this regulation, for each vehicle to be licensed in terms of this regulation, an application to the Authority in order to surrender one passenger transport vehicle licence issued in respect of a vehicle which was already licensed to carry passenger transport services before the coming into force of these regulations:

Provided that such coach shall only be used in the road passenger transport operation of the Operator who has applied for its passenger transport vehicle licence.

(3) Sub-regulation (2) shall not apply if the passenger transport vehicle to be de-registered in terms of paragraph (*e*) thereof was at any time used as a motor route bus on the island of Malta.

(4) Notwithstanding the proviso to regulation 28(2)(*b*), a tail-lift van which is not new shall be issued with a passenger transport vehicle licence if:

(*a*) it complies with all the other conditions imposed by these regulations and any other applicable legislation in force in Malta, including the conditions in regulation 28(2);

(*b*) the application is submitted by a person who on the date of coming into force of these regulations holds an operator's licence in terms of these regulations;

(*c*) the applicant has submitted, at any time after the coming into force of these regulations but before or together with the submission of an application for a transport vehicle licence for a tail-lift van in terms of this regulation, for each tail-lift van to be licensed in terms of this regulation, an application to the Authority in order to surrender one passenger transport vehicle licence issued with respect to a tail-lift van which was already licensed to carry passenger transport services before the 1st November 2009:

Provided that such tail-lift van shall only be used in the road passenger transport operation of the operator who has applied for its passenger transport vehicle licence.

Licence in terms of regulation 27.
Amended by:
L. N. 251 of 2011;
L.N. 432 of 2012;
L.N. 177 of 2014;
L.N. 238 of 2016;
L.N. 95 of 2017;
L.N. 216 of 2021;
L.N. 158 of 2023.

117. (1) For a period of fourteen (14) years and three (3) months from the coming into force of these regulations, the application fee for a passenger transport vehicle licence referred to in regulation 27 shall be made up of two (2) parts being the application fee and the entry fee, where this is applicable, as stipulated in Part 4 of the Tenth Schedule.

The obligation of payment of the entry fee shall apply with retrospective effect as from the 19th May of the year 2020.

*Legal Notice 160 of 2003 - revoked by these regulations.

(2) After the end of the period above-mentioned, the obligation to pay the application fee stipulated in item 1 of Part 4 of the Tenth Schedule shall continue to apply, while the entry fee stipulated in item 2 of Part 4 of the Tenth Schedule shall, where this is applicable, continue to apply only for the licensing of passenger transport vehicles which are not new motor vehicles.

(3) If an applicant submits an application to the Authority for a passenger transport vehicle licence in accordance with regulation 116(2), after having surrendered a passenger transport vehicle licence in accordance with regulation 116(2)(*c*), the entry fee due for such passenger transport vehicle licence shall be reduced by the entry fee which would be applicable to the surrendered passenger transport vehicle licence if it were to be licensed.

For the purpose of this sub-regulation, the entry fee which would be applicable to the surrendered passenger transport vehicle licence shall be considered to be the applicable entry fee payable under the same column applicable to the passenger transport vehicle which is to be registered as a passenger transport vehicle in terms of these regulations.

(4) Sub-regulation (3) shall not apply if the passenger transport vehicle to be de-registered was at any time used as a motor route bus on the island of Malta.

(5) This regulation shall not apply to passenger transport vehicles which are licensed as motor route buses in terms of these regulations.

(6) The application fee for a Malta heritage bus referred to in regulation 68Q shall be made up of two parts being the application fee and the entry fee, where this is applicable, as stipulated in Part 4A of the Tenth Schedule.

Regulation 31(2) applicable to M2 and M3 vehicles.

118. Regulation 31(2) shall apply to M2 and M3 vehicles that are licensed as passenger transport vehicles on the coming into force of these regulations only as from the 1st January 2015.

Vehicles to comply with regulation 34.

119. Passenger transport vehicles licensed for the carriage of passengers for hire or reward in Malta before the entry into force of these regulations, shall have three months from the entry into force of these regulations to comply with regulation 34.

Exemption from regulation 44.

120. For the purposes of regulation 44(3), a barrier installed under the instructions of the Authority on a public service garage van shall not, for a period of three years from the entry into force of these regulations, be considered as an object which blocks the emergency exit of such vehicle:

Provided that for the purposes of this regulations a public service garage van shall mean a passenger transport vehicle, which at the time of entry into force of these regulations was registered as such in terms of the Motor Vehicles Regulations.

S.L. 65.11

Exemption.
Added by: L.N. 194 of 2011.

121. (1) The Minister may, by an order in the Gazette, exempt any person carrying out transport operations only as an ancillary activity, from the application of any or all provisions of these regulations and shall, in granting such exemption impose on such person to whom the exemption is granted any conditions which the

Minister, after consultation with the Authority, considers appropriate.

(2) Any person who commits a breach of any of the conditions imposed by the Minister in terms of sub-regulation (1) shall be guilty of an offence and shall, on conviction, be liable to a fine (*ammenda*) of not more than three thousand euro (€3,000).

FIRST SCHEDULE

(Regulation 7(1)(*c*))

PART I

OPERATOR TRADING AS SOLE TRADER / PARTNERSHIP
ACCOUNTANT'S REPORT

1. We have prepared, without carrying out an audit, a statement of affairs as at ..... (date) from the accounting records of ....., hereinafter referred to as 'the firm', having its principal business address at ..... and from information and explanations supplied to us.

2. In making this report we have had regard to the unaudited statement of affairs referred to above and, in particular, to the amounts and other information included in that statement of affairs in respect of:

i. funds available, including cash at banks and overdraft and loan facilities;

ii. assets, including property, available to provide security;

iii. costs, including purchase cost or initial payment for vehicles, premises, plant and equipment; and

iv. working capital.

3. We confirm that the unaudited statement of affairs of the firm at ..... (date) shows Total Assets less Total Liabilities of € ..... at ..... (date) which, on the basis of the licence application for ..... vehicles € ..... exceeds €9,000 for the first passenger transport vehicle and €5,000 for each additional vehicle to be authorised for use under the firms's Operator's Licence.

Firm of Accountants .....

Address: .....

Auditor's/Accountant's signature: .....

Date: .....

i.e. An Auditor or Accountant as defined by the Accountancy Profession Act.

PART 2

OPERATOR TRADING AS A LIMITED LIABILITY COMPANY
ACCOUNTANT'S REPORT

1) We have audited in accordance with auditing standards the financial statements of ....., hereinafter referred to as 'the company' whose registered office is at ..... for the year / period ended at ..... (date).

2) Our audit report on those financial statements, was without qualification.

OR

Our audit report on those financial statements, which was qualified, was as follows:

3) In making this report we have had regard to the financial statements referred to above and, in particular, to the amounts and other information including those financial statements, in respect of:

i. funds available, including cash at banks and overdraft and loan facilities;

ii. assets, including property, available to provide security;

iii. costs, including purchase cost or initial payment for vehicles, premises, plant and equipment; and

iv. working capital.

4) We confirm that the audited balance sheet of the company at ..... (date) shows Capital and Reserves of € ..... which, on the basis of the licence for ..... vehicles exceeds €9,000 for the first vehicle with a maximum authorised weight in excess of 3.5 metric tonnes and €5,000 for each additional vehicle to be authorised for use under the company's Operator's Licence.

Firm of Accountants .....

Address: .....

Auditor's/Accountant's signature: .....

Date: .....

i.e. An Auditor or Accountant as defined by the Accountancy Profession Act.

Amended by:
XV. 2009.49.

SECOND SCHEDULE

(Regulation 11)

PART 1

CERTIFICATE OF PROFESSIONAL COMPETENCE

MALTA

(Stout fawn paper - Format: DIN A4) (Text in Maltese or English)

M Authority for Transport in Malta

CERTIFICATE OF PROFESSIONAL COMPETENCE IN NATIONAL [AND INTERNATIONAL] ([3]) ROAD PASSENGER TRANSPORT

We, the Authority for Transport in Malta hereby certify:

(a) that ([4]) .....

born in ..... on .....

has passed the tests of the examination (year: .....; session: .....) ([5]) organised for the award of the certificate of professional competence in national [and international] ([3]) road passenger transport in accordance with the Passenger Transport Services Regulations

(b) that the person referred to in (a) is qualified to work in a professional capacity in an undertaking responsible for road passenger transport:

- engaging solely in national transport ([3]),
- engaging in international transport ([3]).

This certificate constitutes the sufficient proof of professional competence referred to in regulation 11 of the Passenger Transport Services Regulations.

Issued at ..... , on .....

Stamp of the Authority and
Signature of an Authorised Representative

([3]) Delete as appropriate.
([4]) Surname and forenames; place and date of birth.
([5]) Identification of the examination.

PART 2

LIST OF SUBJECTS REFERRED TO IN REGULATION 11

The knowledge to be taken into consideration for the official recognition of professional competence by the Authority shall cover at least the subjects listed below for road haulage and road passenger transport respectively. In relation to these subjects, applicant road haulage and road passenger transport operators must have the levels of knowledge and practical aptitude necessary for the management of a transport undertaking.

A. Civil law

The applicant must, in particular:

1. be familiar with the main types of contract used in road transport and with the rights and obligations arising therefrom;

2. be capable of negotiating a legally valid transport contract, notably with regard to conditions of carriage;

3. be able to consider a claim by his principal regarding compensation for loss of or damage to goods during transportation or for their late delivery, and to understand how such a claim affects his contractual liability;

4. be able to consider a claim by his principal regarding compensation for injury to passengers or damage to their baggage caused by an accident during transportation, or regarding compensation for delays, and to understand how such a claim affects his contractual liability.

B. Commercial law

The applicant must, in particular:

1. be familiar with the conditions and formalities laid down for plying the trade, the general obligations incumbent upon transport operators (registration, keeping records, etc.) and the consequences of bankruptcy;

2. have appropriate knowledge of the various forms of commercial company and the rules governing their constitution and operation.

C. Social law

The applicant must, in particular:

1. be familiar with the role and function of the various social institutions which are concerned with road transport (trade unions, works councils, shop stewards, labour inspectors, etc.);

2. be familiar with the employers' social security obligations;

3. be familiar with the rules governing work contracts for the various categories of worker employed by road transport undertakings (form of the contracts, obligations of the parties, working conditions and working hours, paid leave, remuneration, breach of contract, etc.);

4. be familiar with the provisions of the Motor Vehicles Passenger Transport Services Regulations and the Motor Vehicles (Weights, Dimensions and Equipment) Regulations and the practical arrangements for implementing these Regulations.

D. Fiscal law

The applicant must, in particular, be familiar with the rules governing:

1. VAT on transport services;

2. motor-vehicle tax;

3. the taxes on certain road haulage vehicles and tolls and infrastructure user charges;

4. income tax.

E. Business and financial management of the undertaking

The applicant must, in particular:

1. be familiar with the laws and practices regarding the use of cheques, bills of exchange, promissory notes, credit cards and other means or method of payment;

2. be familiar with the various forms of credit (bank credit, documentary credit, guarantee deposits, mortgages, leasing, renting, factoring, etc.) and with the charges and obligations arising from them;

3. know what a balance sheet is, how it is set out and how to interpret it;

4. be able to read and interpret a profit and loss account;

5. be able to assess the undertaking's profitability and financial position, in particular on the basis of financial ratios;

6. be able to prepare a budget;

7. be familiar with his undertaking's cost elements (fixed costs, variable costs, working capital, depreciation, etc.), and be able to calculate costs per vehicle, per kilometre, per journey or per tonne;

8. be able to draw up an organisation chart relating to the undertaking's personnel as a whole and to organise work plans, etc.;

9. be familiar with the principles of marketing, publicity and public relations, including transport services sales promotion and the preparation of customer files, etc.;

10. be familiar with the different types of insurance relating to road transport (liability, accidental injury/life insurance, non-life and luggage insurance) and with the guarantees and obligations arising therefrom;

11. be familiar with the applications of electronic data transmission in road transport;

12. be able to apply the rules governing fares and pricing in public and private passenger transport;

13. be able to apply the rules governing the invoicing of road passenger transport services.

F. Access to the market

The applicant must, in particular:

1. be familiar with the occupational regulations governing road transport for hire or reward, industrial vehicle rental and sub-contracting, and in particular the rules governing the official organisation of the occupation, admission to the occupation, authorisations for intra- and extra-Community road transport operations, inspections and sanctions;

2. be familiar with the rules for setting up a road transport undertaking;

3. be familiar with the various documents required for operating road transport services and be able to introduce checking procedures for ensuring that the approved documents relating to each transport operation, and in particular those relating to the

vehicle, the driver, the goods and luggage are kept both in the vehicle and on the premises of the undertaking;

4. be familiar with the rules on the organisation of the market in road passenger transport;

5. be familiar with the rules for introducing road passenger transport services and be able to draw up transport plans.

G. Technical standards and aspects of operation

The applicant must, in particular:

1. be familiar with the rules concerning the weights and dimensions of vehicles in the Member States and the procedures to be followed in the case of abnormal loads which constitute an exception to these rules;

2. be able to choose vehicles and their components (chassis, engine, transmission system, braking system, etc.) in accordance with the needs of the undertaking;

3. be familiar with the formalities relating to the type approval, registration and technical inspection of these vehicles;

4. understand what measures must be taken to reduce noise and to combat air pollution by motor vehicle exhaust emissions;

5. be able to draw up periodic maintenance plans for the vehicles and their equipment;

H. Road safety

The applicant must, in particular:

1. know what qualifications are required for drivers (driving licence, medical certificates, certificates of fitness, etc.);

2. be able to take the necessary steps to ensure that drivers comply with the traffic rules, prohibitions and restrictions in force in different Member States (speed limits, priorities, waiting and parking restrictions, use of lights, road signs, etc.);

3. be able to draw up drivers' instructions for checking their compliance with the safety requirements concerning the condition of the vehicles, their equipment and cargo, and concerning preventive measures to be taken;

4. be able to lay down procedures to be followed in the event of an accident and to implement appropriate procedures for preventing the recurrence of accidents or serious traffic offences;

5. have elementary knowledge of the layout of the road network in the Member States.

ORGANISATION OF THE EXAMINATION

1. The Authority shall organise a compulsory written examination which may be supplemented by an optional oral examination to establish whether applicant road transport operators have achieved the required level of knowledge in the subjects listed in part I, in particular, their capacity to use the instruments and techniques relating thereto and to fulfil the corresponding executive and coordination duties.

(a) The compulsory written examination shall involve two tests, namely:

- written questions consisting of either multiple choice questions (each with four possible answers), questions requiring direct answers or a combination of both systems,

- written exercises/case studies.

The minimum duration of each test is two hours.

(b) Where an oral examination is organised the Authority may stipulate that participation is subject to successful completion of the written examination.

2.1 Where the Authority also organisees an oral examination, it must provide, in respect of each of the three tests, for a weighting of marks of a minimum of 25% and a maximum of 40% of the total number of marks to be given.

2.2 Where the Authority organises only a written examination it must provide, in respect of each test, for a weighting of marks of a minimum of 40% and a maximum of 60% of the total number of marks to be given.

3. With regard to all the tests, applicants must obtain an average of at least 60% of the total number of marks to be given, achieving in any given test not less than 50% of the total number of marks possible. In one test only, the Authority may reduce that mark from 50% to 40%.

THIRD SCHEDULE

(Regulation 72)

MINIMUM TRAINING NECESSARY FOR THE AWARD OF A CERTIFICATE OF PROFESSIONAL COMPETENCE FOR INTERNATIONAL DRIVERS IN THE CARRIAGE OF PASSENGERS

Training leading to the award of a certificate of professional competence shall include at least the following subjects, to the extent that they are not already covered by training for a driving licence under the Motor Vehicles (Driving Licences) Regulations

1. Knowledge of the construction and main component parts of a vehicle

1.1. Knowledge of the construction and functioning of:

- internal combustion engines,
- lubrication and cooling systems,
- the fuel system,
- the electrical system,
- the ignition system,
- the transmission system (clutch, gearbox, etc.)

1.2. General knowledge of lubrication and antifreeze protection

1.3. Knowledge of the precautions to be taken during the removal and replacement of wheels

1.4. Knowledge of the construction, fitting, correct use and care of tyres

1.5. Knowledge of the types, operation, main parts, connection, use and day-to-day maintenance of brake fittings, and knowledge of coupling systems

1.6. Knowledge of methods of locating causes of breakdowns

1.7. Knowledge of how to repair minor breakdowns with the aid of the correct equipment

1.8. General knowledge of preventive maintenance of vehicles and necessary running repairs.

2. General knowledge of transport and administrative procedures

2.1. General ability and sufficient geographical knowledge to use road maps and their indexes

2.2. Economical use of vehicles

2.3. Knowledge of the steps to be taken after an accident or similar occurrence (e.g. fire) in connection with vehicle insurance

2.4. Knowledge of the national legislation applicable to drivers of passenger transport vehicles:

2.5. Elementary knowledge of the driver's responsibility in respect of the receipt, carriage and delivery of passengers in accordance with the agreed conditions

2.6. Knowledge of the vehicle and transport documents required for the national and international carriage of passengers

2.7. Knowledge of the techniques of loading and unloading goods and of the use of loading and unloading equipment

2.8. Basic knowledge of the precautions to be taken in the handling and carriage of dangerous goods for drivers of passenger vehicles

2.9. Knowledge of the driver's responsibility in respect of the carriage of passengers

2.10. Knowledge of the vehicle and passenger documents required for the national and international carriage of passengers.

3. Experience of driving passenger vehicles

3.1. Practical experience of driving and manoeuvring buses or coaches.

Amended by:
XV. 2009.49.

FOURTH SCHEDULE
(Regulation 79)

EUROPEAN COMMUNITY

(a)

(Heavy-duty, blue - DIN A4)

(First page of the licence)

(Text in Maltese or English)

M	Authority for Transport in Malta

LICENCE NO. .....

For the international carriage of passengers by coach and bus for hire or reward

The holder of this licence .....
.....
.....

(full name or business name of the carrier)

is authorised to carry out international carriage of passengers by road for hire or reward in the territory of the Community pursuant to the conditions laid down by the Passenger Transport Services Regulations. and in accordance with the general provisions of the licence.

Comments: .....
.....
.....
.....

This licence is valid from ..... to .....

Issued in .....on .....

.....

Signature and stamp of
the Authority for Transport in Malta

(Second page of the licence)

General provisions

1. This licence is issued pursuant to Council Regulation (EEC) No 684/92 of 16 March 1992 on common rules for the international carriage of passengers by coach and bus, as amended by Regulation (EC) No 11/98.

2. This licence is issued by the Authority for Transport in Malta to the carrier for hire or reward who:

- is authorized to undertake carriage by means of regular services, including special regular services or occasional services by coach and bus,
- satisfies the conditions laid down in accordance with Community rules on admission to the occupation of road passenger transport operator in national and international transport operations,
- meets legal requirements on road safety as far as the standards for drivers and vehicles are concerned.

3. This licence permits the international carriage of passengers by coach and bus for hire or reward on all transport links for journeys carried out in the territory of the Community:

- where the place of departure and place of destination are situated in two different Member States, with or without transit through one or more Member States or third countries,
- from a Member State to a third country and vice versa, with or without transit through one or more Member States or third countries,
- between third countries crossing the territory of one or more Member States in transit,

and empty journeys in connection with transport operations under the conditions laid down by Regulation (EEC) No 684/92.

In the case of a transport operation from a Member State to a third country and vice versa, Regulation (EEC) No 684/92, is applicable, for the journey made in the territory of the Member State of picking up or setting down, once the necessary agreement between the Community and the third country in question has been concluded.

4. This licence is personal and non-transferable.

5. This licence may be withdrawn by the Authority for Transport in Malta in particular where the carrier:

- no longer meets the conditions laid down in Article 3(1) of Regulation (EEC) No 684/92,
- has supplied inaccurate information regarding the data required for the issue or renewal of the licence,
- has committed a serious breach or repeated minor breaches of road safety regulations, in particular with regard to the rules applicable to vehicles, driving and rest periods for drivers and the provision, without authorisation, of parallel or temporary services as referred to in Article 2(1.3) of Regulation (EEC) No 684/92. The Authority for Transport in Malta may, *inter alia*, withdraw the Community licence or make temporary and/or partial withdrawals of the certified true copies of the Community licence.

These penalties are determined in accordance with the seriousness of the breach committed by the holder of the Community licence and with the total number of certified true copies that he possesses in respect of his international trade.

6. The original of the licence must be kept by the carrier. A certified true copy of the licence must be carried on the vehicle carrying out an international transport operation.

7. This licence must be presented at the request of any inspecting officer.

8. The holder must, on the territory of each Member State, comply with the laws, regulations and administrative measures in force in that State, particularly with regard to transport and traffic.

9. 'Regular services' means services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

Regular services require authorization.

'Special regular services' means regular services which provide for the carriage of specified categories of passengers, to the exclusion of other passengers, at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points.

Special regular services shall include:

(*a*) the carriage of workers between home and work;

(*b*) carriage to and from the educational institution for school pupils and students;

(*c*) the carriage of soldiers and their families between their homes and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

Special regular services do not require authorisation if they are covered by a contract between the organiser and the carrier.

The organisation of parallel or temporary services, serving the same public as existing regular services, requires authorisation.

'Occasional services' means services which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself. The organisation of parallel or temporary services comparable to existing regular services and serving the same public as the latter shall be subject to authorisation in accordance with the procedure laid down in Section II of Regulation (EEC) No 684/92. These services shall not cease to be occasional services solely because they are provided at certain intervals.

Occasional services do not require authorisation.

FIFTH SCHEDULE

Amended by: XV. 2009.49.

(Regulation 83)

AUTHORISATIONS FOR REGULAR AND SPECIAL REGULAR SERVICES

(First page of Authorisation No …….)

MALTA (M) Authority for Transport in Malta

AUTHORISATION No .....

for a regular service ([2]) for a non-liberalised special regular service
by passenger transport vehicles in accordance with
the Passenger Transport Services Regulations

to: ..... (Surname, first name or trade name of carrier or of managing carrier in the case of an association of undertakings)

Address: .....Tel. and fax: .....

Name, address, telephone and fax numbers of associates or members of the association of undertakings (pool) and subcontractors:

(1) .....

(2) .....

(3) .....

(4) .....

(5) .....

List attached, if appropriate .....

Expiry date of authorisation: .....

..... (Place and date of issue)

.....

(Stamp of the Authority and
signature of authorized representative)

([2]) Delete as appropriate

(Second page of authorisation No .....)

1. Route:

   (*a*) Place of departure of service: .....

   (*b*) Place of destination of service: .....

   (*c*) Principal itinerary, with passenger pick-up and set-down points underlined: .....

2. Periods of operation: .....

3. Frequency: .....

4. Timetable: .....

5. Special regular service:

   - Category of passengers: .....

6. Other conditions or special points:

   .....
   .....
   .....

.....

(Stamp of the Authority)

(Third page of the authorisation)

Important notice

1. This authorisation is valid for the entire journey. It may not be used except by a party whose name is indicated thereon.

2. The authorisation or a true copy certified by the issuing authority shall be kept on the vehicle for the duration of the journey and shall be presented to enforcement officials on request.

3. A true certified copy of the Community Licence shall be kept on board the vehicle.

SIXTH SCHEDULE

Amended by:
XV. 2009.49.

(Regulation 87)

APPLICATION FOR AUTHORISATION FOR REGULAR SERVICES

APPLICATION:

TO START A REGULAR SERVICE

TO START A SPECIAL REGULAR SERVICE

TO RENEW AUTHORISATION FOR A SERVICE (Tick as appropriate)

carried out by passenger transport vehicles under the Passenger Transport Services Regulations

to: Authority for Transport in Malta

1. Name and first name or trade of the applicant and, where appropriate, of the managing carrier in the case of an association (pool):

.....

2. Service(s) carried out (tick as appropriate):

by an undertaking as a member of an association (pool) as a subcontractor

3. Names and addresses of the carrier, associated carrier(s) or subcontractor(s):

3.1. ..... tel. .....

3.2. ..... tel. .....

3.3. ..... tel. .....

3.4. ..... tel. .....

Indicate in each case whether a member of an association or a subcontractor is concerned. Attach list if applicable.

(Second page of the application for authorisation or for renewal of authorisation)

4. In the case of a special regular service:

4.1. Category of passengers: .....

5. Duration of authorisation requested or date on which the service ends:

6. Principal route of service (underline passenger pick-up points):

7. Period of operation:

8. Frequency (daily, weekly, etc.): .....

9. Fares: ..... Annex attached

10 Enclose a driving schedule to permit verification of compliance with the Community legislation on driving and rest periods

11. Number of authorisations or of copies of authorisations requested ([1]):

12. Any additional information:

13. ....

(Place and date) (Signature of applicant)

([1]) The attention of the applicant is drawn to the fact that, since the authorisation has to be kept on board the vehicle, the number of authorisations which the applicant must have should correspond to the number of vehicles needed for carrying out the service requested at the same time.

(Third page of the application for authorisation or for renewal of authorisation)

Important notice

1. The following must be attached to the application, as appropriate:

(*a*) the timetable;

(*b*) fare scales;

(*c*) a certified true copy of the Community Licence for the international carriage of passengers by road for hire or reward;

(*d*) information concerning the type and volume of the service that the applicant plans to provide in the case of a new service, or that has been provided in the case of renewal of an authorisation;

(*e*) a map on an appropriate scale on which are marked the route and the stopping points at which passengers are to be taken up or set down;

(*f*) a driving schedule to permit verification of compliance with the Community legislation on driving and rest periods.

2. Applicants shall provide any additional information in support of their application which they consider relevant or which is requested by the Authority.

3. The Passenger Transport Services Regulations state that the following services are subject to authorisation:

(*a*) regular services, services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation. The regular nature of the service shall not be affected by any adjustment to the service operating conditions;

(*b*) special regular services not covered by a contract between the organiser and the carrier. Services, by whomsoever organised, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in 1.1, shall be deemed to be regular services. Such services are hereinafter called 'special regular services'. Special regular services shall include:

(i) the carriage of workers between home and work;

(ii) carriage to and from the educational institution for school pupils and students;

(iii) the carriage of soldiers and their families between their State of origin and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a special regular service.

4. The application shall be made to the Authority when the service departs from Malta.

5. The maximum period of validity of the authorisation is five years.

SEVENTH SCHEDULE

Amended by: XV. 2009.49.

(Regulations 90 and 98)

JOURNEY FORM FOR OCCASIONAL SERVICES

1. Journey forms shall be in books of 25 forms in accordance with the form below, in duplicate, and detachable. Each book shall bear a number. The forms shall also be numbered from l to 25. The cover of the book shall conform to the model in the below. They shall be in the name of the carrier and are non-transferable.

2. The Authority shall take all necessary measures to adapt these requirements to computerised processing of journey forms.

3. (1) The journey form shall be filled in legibly in indelible letters, in duplicate, either by the carrier or by the driver for each journey prior to departure. It shall be valid for the entire journey.

(2) In the case of special regular services in the form of cabotage pursuant to regulation 98, the journey form shall be completed in the form of a monthly statement and returned by the carrier to the competent authority or agency in the Agreement State of establishment in accordance with procedures to be laid down by that authority or agency

(3) The top copy of the journey form shall be kept in the vehicle during the whole of the journey to which it refers. A copy shall be kept at the company's registered office.

(4) The carrier shall be responsible for keeping the journey forms.

4. In the case of an international occasional service provided by a group of carriers acting on behalf of the same contractor, and which may include the travellers establishing a connection en route with a different carrier of the same group, the original of the journey form shall be kept on the vehicle carrying out the service. A copy of the journey form shall be kept at the base of each carrier

5. Copies of the journey forms used as control documents for occasional services in the form of cabotage pursuant to regulation 77 shall be returned by the carrier to the competent authority or agency in the country of establishment in accordance with procedures to be laid down by that authority or agency.

6. The journey form shall enable the holder registered in Malta, in the course of an international occasional service, to carry out local excursions in a Agreement State, or a carrier registered in a Agreement State to carry out local excursions in Malta, in accordance with the conditions laid down in the second paragraph of regulation 82. The local excursions shall be entered on the journey forms before the departure of the vehicle on the excursion concerned. The original of the journey form shall be kept on board the vehicle for the duration of the local excursion

7. The control document shall be presented to any enforcement official on request.

JOURNEY FORMS FOR OCCASIONAL SERVICES

ANNEX 1

EN **JOURNEY FORM — MODEL** No .....

(Light green paper — A4)

INTERNATIONAL OCCASIONAL SERVICES and OCCASIONAL SERVICES IN THE FORM OF CABOTAGE

(Each item, if necessary, can be supplemented on a separate sheet)

1	Registration number of the coach	Place, date and signature of the carrier
2	Carrier and, where appropriate, subcontractor or group of carriers	1 ..... 2 ..... 3 .....
3	Name of driver(s)	1 ..... 2 ..... 3 .....
4	Organisation or person responsible for the occasional service	1 ..... 3 ..... 2 ..... 4 .....
5	**Type of service**	☐ International occasional service ☐ Occasional service in the form of cabotage ☐ Special regular services in the form of cabotage — monthly statement Month ..... Year .....
6	Place of departure of service: ..... Country: ..... Place of destination of service: ..... Country:	

7	Journey					
	Dates	Route / Daily stages and/or passenger pick-up or set-down points		number of passengers	empty (mark with an X)	Planned km
		from	to			

8	Connection points, if any, with another carrier in the same group	Number of passengers set down	Final destination of the passengers set down	Carrier picking up the passengers

9	**Local excursions**				
	Date	Planned km	Place of departure	Place of excursion	No of passengers

10	**Unforeseen changes**

Book of Journey forms

Malta (M) Authority for Transport in Malta

BOOK No .....
of journey forms:

(*a*) for international occasional services by passenger transport service vehicles issued in accordance with the Passenger Transport Services Regulations.

(*b*) for occasional services by passenger transport vehicles in the form of cabotage carried out in an Agreement State, issued on the basis of the Passenger Transport Services Regulations

to: .....
(Surname and first name or trade name of carrier)

.....

.....

.....

.....

(Full address, telephone and fax. number)

....

(Place and date of issue) (Signature and stamp the Authority)

Second page

Important notice

A. GENERAL PROVISIONS COMMON TO INTERNATIONAL OCCASIONAL SERVICES AND OCCASIONAL SERVICES IN THE FORM OF CABOTAGE

1. The Passenger Transport Services Regulations require occasional services to be carried out under cover of a control document - journey form.

2. The Regulations define occasional services as services `which do not fall within the definition of regular services, including special regular services, and whose main characteristic is that they carry groups constituted on the initiative of a customer or of the carrier himself.

Regular services are services which provide for the carriage of passengers at specified intervals along specified routes, passengers being taken up and set down at predetermined stopping points. Regular services shall be open to all, subject, where appropriate, to compulsory reservation.

The regular nature of the service shall not be affected by any adjustment to the service operating conditions.

Services, by whomsoever organized, which provide for the carriage of specified categories of passengers to the exclusion of other passengers, in so far as such services are operated under the conditions specified in 1.1, shall be deemed to be regular services. Such services are called ‘special regular services’.

Special regular services shall include:

(a) the carriage of workers between home and work;

(*b*) carriage to and from the educational institution for school pupils and students;

(*c*) the carriage of soldiers and their families between their state of origin and the area of their barracks.

The fact that a special service may be varied according to the needs of users shall not affect its classification as a regular service.

3. The journey form shall be valid for the entire journey.

4. The Community Licence and the journey form entitle the holder to carry out:

(*a*) international occasional services by passenger transport vehicles between Malta and one or more Agreement States;

(*b*) occasional services in the form of cabotage in an Agreement State, or in Malta if he is non-resident in Malta.

5. The journey form shall be completed in duplicate, either by the carrier or by the driver before the beginning of each service. The copy of the journey form shall remain in the undertaking. The driver shall keep the original on board the vehicle throughout the journey and present it on request to enforcement officials.

6. The driver shall return the journey form to the undertaking which delivered it at the end of the journey in question. The carrier shall be responsible for keeping the documents. They shall be filled in legibly and indelibly.

Third page

B. PROVISIONS SPECIFIC TO INTERNATIONAL OCCASIONAL SERVICES

1. The Passenger Transport Services Regulations require that the organisation of parallel or temporary services comparable to existing regular service and serving the same clientele as the latter shall be subject to authorisation.

2. Carriers may carry out local excursions in an Agreement State, or in Malta if they are non-resident in Malta, in the case of international occasional services. Such local excursions shall be intended exclusively for non-resident passengers previously transported by the same carrier in the framework of an international occasional service. They shall be transported in the same vehicle or a vehicle belonging to the same carrier or group of carriers.

3. In the case of local excursions, the journey form must be completed before the departure of the vehicle on the excursion in question.

4. In the case of an international occasional service operated by a group of carriers acting on behalf of the same customer and possibly involving the passengers catching a connection *en route* with a different carrier of the same group, the original of the journey form shall be kept on the vehicle carrying out the service. A copy of the journey form shall be kept at the base of each carrier involved.

C. PROVISIONS SPECIFIC TO OCCASIONAL SERVICES IN THE FORM OF CABOTAGE

1. Occasional services in the form of cabotage shall be subject to the laws, regulations and administrative measures in force in Malta in the following areas:

(*a*) rates and conditions governing the transport contract;

(*b*) weights and dimensions of the road vehicles shall meet the conditions of the Motor Vehicles (Weights, Dimensions and Equipment) Regulations;

(*c*) requirements relating to the carriage of certain categories of passenger, such as schoolchildren, children and persons with reduced mobility;

(*d*) driving and rest periods;

(*e*) value added tax (VAT) on the transport services.

2. The technical standards for construction and equipment which the vehicles used to carry out the cabotage transport operations must meet shall be those laid down for vehicles put into circulation in international transport.

3. In the case of an occasional service in the form of cabotage, the journey forms shall be returned by the carrier to the Authority in accordance with procedures it shall establish.

4. In the case of special regular services in the form of cabotage, the journey forms shall be completed in the form of a monthly statement and returned by the carrier to the Authority in accordance with procedures it shall establish.

EIGHTH SCHEDULE

Amended by: XV. 2009.49.

(Regulation 91)

CERTIFICATES FOR OWN ACCOUNT TRANSPORT SERVICES

MALTA Authority for Transport in Malta

M

CERTIFICATE

issued for own-account transport operations by coach and bus between Agreement States and Malta

(Part for the person or entity carrying out the own-account transport operations)

The undersigned .....
responsible for the undertaking, non-profit-making body or other (describe)

.....

.....

.....

.....
Surname and first name or official name, full address

certifies that:

- the transport service provided is non-profit-making and non-commercial,
- transport is only an ancillary activity for the person or entity,
- the coach or bus registration No ..... is the property of the person or entity or has been obtained by them on deferred terms or has been the subject of a long-term leasing contract,
- the coach or bus will be driven by a member of staff of the undersigned person or entity or by the undersigned in person.

.....

.....

.....

(Signature of the person or representative of the entity)

(Part for the Authority)

This constitutes a certificate within the meaning of regulation 91.

....

(Period of validity) (Place and date of issue)

.....

(Signature and stamp of the Authority)

(Second page of the certificate)

General provisions

1. Regulation 2 of the Passenger Transport Services Regulations states that own-account transport operations are passenger transport operations carried out for non-commercial and non-profit making purposes by a natural or legal person, provided that the following conditions are fulfilled:

- the transport activity is only ancillary to the overall activities of the undertaking;
- the vehicles used are the property of that natural or legal person or have been obtained on deferred terms by them or have been the subject of a long-term leasing contract and are driven by a member of the staff of the natural or legal person or by the natural person himself.

2. Own-account carriers are licensed to carry out this type of transport operation without discrimination on grounds of nationality or place of establishment provided that they:

- are authorised in the State of establishment to undertake transport by coach and bus on the conditions of access to the market laid down in national legislation;
- meet the requirements on road safety as far as the standards for drivers and vehicles are concerned.

3. The own-account transport operations referred to in point 1 are exempt from authorisation but subject to a system of certificates.

4. The certificate entitles the holder to carry out international transport operations by coach and bus for own-account. It is issued by the competent authority of the Agreement State where the vehicle is registered and is valid for the entire journey, including any transit journeys.

5. The relevant parts of this certificate must be completed in indelible letters in triplicate by the person or the representative of the entity carrying out the operation and by the competent authority. One copy must be kept by the administration and one by the person or entity. The driver must keep the original or a certified true copy on board the vehicle for the entire duration of any international journeys. It must be presented to the enforcement authorities on request. The person or entity, as appropriate, is responsible for keeping the certificates.

6. The certificate is valid for a maximum of five years.

NINTH SCHEDULE
ADMINISTRATIVE PENALTIES
(Regulation 108)

Amended by:
L.N. 319 of 2009;
L.N. 272 of 2010;
L.N. 251 of 2011;
L.N. 396 of 2011;
L.N. 432 of 2012.
Substituted by:
L.N. 116 of 2014.
Amended by:
L.N. 238 of 2016:
L.N. 96 of 2017;
L.N. 172 of 2026.

Column 1 Regulation	Column 2 Administrative penalties for operators	Column 3 Administrative penalties for drivers
8(2)	€50	
12	€100	
14(1)	€50 per day	
22(3), (5), (6)		€50
23(1)		€50
25	€250	
27(2)	€50	
27(3)	€500	
32	€50	
34	€50	
35(2)	€100	
35(3)		€50
36(2)	€100	
36(3)	€50 and in addition €50 per day	
37(1), (2)	€1,000	
38	€50 and in addition €50 per day	
41		€100
42(1)		€500
42(3)	€100 or €200 where the sale of a service is made within five metres of a bus stop	€100 or €200 where the sale of a service is made within five metres of a bus stop
42(4)	€100	€100
43		€50
44		€50
45		€100
46		€100
47		€500

48		€50
49		€100
51		€50
52(1)		€10
53		€10
54		€100
55		€100
56	€150	
57 (1), (2)	€150	
57 (3), (4)		€150
58		€25
59		€100
60		€100
61	€100	
-	-	-
63	€250	
64(1), (5)	€250	
64(2), (3), (4)		€100
65		€100
66		€100
67		€100
68		€100
68C		€50
68D		The penalty prescribed in this Schedule for breaches of the specific regulations stipulated in regulation 68D according to the specific regulation breached.
68E(1), (4)		€100
68E(2), (3), (5), (6)		€25
68F		€25
68G(2)		€50
68K		€100
68O(2)(a),(b),(e)	€500	€500
68O(2)(c)		€500
68O(2)(d)	€500 and in addition €50 per day	
68O(7)	€500	
68O(10), (11)	€100 or €200 where the sale of a service is made within five metres of a bus stop	€100 or €200 where the sale of a service is made within five metres of a bus stop

68P(1)(a)	The penalty prescribed in this Schedule for breaches of the specific regulations stipulated in regulation 68P(1)(a) according to the specific regulation breached.	The penalty prescribed in this Schedule for breaches of the specific regulations stipulated in regulation 68P(1)(a) according to the specific regulation breached.
68P(1)(d), 68P(2), 68P(4)	€500	
68Q(1)	The penalty prescribed in this Schedule for breaches of the specific regulations stipulated in regulation 68R according to the specific regulation breached	
68Q(4)	€500	
68Q(5)	€200	
68Q(10)(c)	€500	
68R(1)	The penalty prescribed in this Schedule for breaches of the specific regulations stipulated in regulation 68R according to the specific regulation breached	
68R(2), 68R(8)	€500	
68R(9), (10) and (11)	€100 or €200 where the sale of a service is made within five metres of a bus stop or a taxi stand	
68O(10), (11) and (12)	€100 or €200 where the sale of a service is made within five metres of a bus stop	
69(1)(a), (b), (c), (e)		€500
69(1)(d)	€500 and in addition €50 per day	
69(2), (3), (4), (5), (11)	€500	
69(6)	€500	€500
69(10), (11)	€100 or €200 where the sale of a service is made within five metres of a bus stop	€100 or €200 where the sale of a service is made within five metres of a bus stop
72,73,74,75,76,77,78	€350	€350
107(6)	€150 for a first breach and €1,000 for a subsequent breach	€150 for a first breach and €1,000 for a subsequent breach

Amended by:
L.N. 272 of 2010;
L.N. 251 of 2011;
L.N. 432 of 2012;
L.N. 177 of 2014;
L.N. 238 of 2016;
L.N. 158 of 2023.

TENTH SCHEDULE
FEES

Part 1

Application for Operator Licence - Regulation 7(4)

Application fee	€125
Verification fee	€50
Changes in Licence	€25
Reissuing lost Licence	€50

Part 2

Application for Driver's Permit - Regulation 20

(i) Application fee as prescribed by the Motor Vehicle (Driving Licences) Regulations (S.L. 65.18)

(ii) Renewal fee as prescribed by the Motor Vehicle (Driving Licences) Regulations (S.L. 65.18)

Part 3

Replacement of Driver Tag - Regulation 22(4)

(i) Issue of Tag (valid for five years) as prescribed by the Motor Vehicle Regulations (S.L. 65.11)

(ii) Replacement of lost Tag as prescribed by the Motor Vehicle Regulations (S.L. 65.11)

Part 4

Application for Passenger Transport Vehicle Licence - Regulation 27

1. Application fee for a Passenger Transport Vehicle Licence €25

2. Entry Fee payable in applicable cases:

	Entry Fee payable upon application for a passenger transport vehicle licence for a vehicle which was manufactured:					
Number of passengers which can be carried as per manufacturer's certificate of the particular passenger transport vehicle	not more than five years before the date of such application (€)	At least five years but less than six years before the date of such application (€)	At least six years but less than seven years before the date of such application (€)	At least seven years but less than eight years before the date of such application (€)	At least eight years but less than nine years before the date of such application (€)	At least nine years but less than ten years before the date of such application (€)
11	11000	11000	11000	11000	11000	11000
12	11892	11892	11892	11892	11892	11892

13	12753	12753	12753	12753	12753	12753
14	13608	13608	13608	13608	13608	13608
15	14430	14430	14430	14430	14430	14430
16	15248	15248	15248	15248	15248	15248
17	16031	16031	16031	16031	16031	16031
18	16812	16812	16812	16812	16812	16812
19	17556	17556	17556	17556	17556	17556
20	18300	18300	18300	18300	18300	18300
21	19005	19005	19005	19005	19005	19005
22	19712	19712	19712	19712	19712	19712
23	20378	20378	20378	20378	20378	20378
24	21048	21048	21048	21048	21048	21048
25	21675	21675	21675	21675	21675	21675
26	22308	22308	22308	22308	22308	22308
27	22896	22896	22896	22896	22896	22896
28	23492	23492	23492	23492	23492	23492
29	24041	24041	24041	24041	24041	24041
30	24600	30600	36600	42600	48600	54600
31	25110	31310	37510	43710	49910	56110
32	25632	32032	38432	44832	51232	57632
33	26103	32703	39303	45903	52503	59103
34	26588	33388	40188	46988	53788	60588
35	27020	34020	41020	48020	55020	62020
36	27468	34668	41868	49068	56268	63468
37	27861	35261	42661	50061	57461	64861
38	28272	35872	43472	51072	58672	66272
39	28626	36426	44226	52026	59826	67626
40	29000	37000	45000	53000	61000	69000
41	29315	37515	45715	53915	62115	70315
42	29652	38052	46452	54852	63252	71652
43	29928	38528	47128	55728	64328	72928
44	30228	39028	47828	56628	65428	74228
45	30465	39465	48465	57465	66465	75465
46	30728	39928	49128	58328	67528	76728
47	30926	40326	49726	59126	68526	77926
48	31152	40752	50352	59952	69552	79152
49	31311	41111	50911	60711	70511	80311
50	31500	41500	51500	61500	71500	81500
51	31620	41820	52020	62220	72420	82620
52	31772	42172	52572	62972	73372	83772

53 and over	31800	42400	53000	63600	74200	84800

Provided that coaches which are new motor vehicles, open top buses which are new motor vehicles, tail lift vans which are new motor vehicles, minibuses which are new motor vehicles that are licensed from 19th August 2023 onwards,vintage buses, trackless trains and electric trolley vehicles shall be exempt from the entry fee irrespective of the number of passengers which they can carry.

2A. Entry Fee payable for an open top bus which was manufactured more than ten years prior to the entry into force of these regulations to be used for the provision of passenger transport services other than those on sightseeing passenger transport routes €10,600

3. Passenger Transport Vehicle Licence renewal fee — €25 per passenger transport vehicle

4. Fee payable in terms of regulation 68A(6)(*d*) — €50

Part 4A

Application for Malta Heritage Bus Licence - Regulation 68Q

1. Application fee for a Malta Heritage Bus Licence — €500

2. Entry Fee payable in applicable cases:

Entry Fee payable upon application for a passenger transport vehicle licence

Number of Passengers which may be carried on Malta Heritage Bus	Entry Fee Payable
30	€25,000
31	€25,500
32	€26,000
33	€26,500
34	€27,000
35	€27,500
36	€28,000
37	€28,500
38	€29,000
39	€29,500
40	€30,000
41	€30,500
42	€31,000
43	€31,500
44	€32,000
45	€32,500
46	€33,000
47	€33,500
48	€34,000

49	€34,500
50 or more	€35,000

Part 5

Application for motor route bus licence - Regulation 38A

Application fee for a motor route bus licence	€25

Part 6

Application fee for a special vintage bus services	€10.

ELEVENTH SCHEDULE - SCHOOL CHILDREN SIGN



Added by:
L.N. 251 of 2011.
Amended by:
L.N. 426 of 2012;
L.N. 92 of 2014.
Substituted by:
L.N. 80 of 2017.

TWELFTH SCHEDULE
(Regulations 2 and 68G)

MAXIMUM FARES FOR PUBLIC PASSENGER TRANSPORT SERVICES

1. For the purpose of this Schedule:

(a) "Night Service/s" shall mean the public passenger transport services operated by the bus operator from 23:01 hours up to and including 05:00 hours;

(b) the fares in Tables 1, 2 and 3, other than "Night Service/s" or "Special Service/s", shall apply to public passenger transport services operated by the bus operator from 05:01 hours up to and including 23:00 hours;

(c) "Single Journey Fare" shall mean the fare indicated in Table 2, payable by a passenger for a public passenger transport service on a motor route bus, with a valid travel period of two hours from purchase. This shall not apply to Night Services and Special Services;

(d) children who are three years of age or under shall travel for free in Malta and in Gozo. "Children" fares in Table 1 and Table 3 shall apply to minors who are four years of age, up to and including ten years of age;

(e) "Concession Card Holders" shall mean passengers who are in possession of a valid concession card issued by the bus operator and have:

(i) a Kartanzjan Card or a 60+ Maltese Identity Card issued in their name by the appropriate Government Department in Malta; or

(ii) a Disabled Blue Badge and, or a Disabled Special Identity Card issued in their name by the Commission for the Rights of Persons with Disability;

(f) "Student Fares" shall apply to a passenger who is in possession of a personalised public transport card issued by the bus operator in their name and who is either aged between eleven and sixteen years of age, both inclusive, or who can provide evidence to the bus operator that he or she is enrolled in a full time course with an educational institution registered with the Ministry responsible for education in Malta, the duration of which is of at least three months;

(g) "Special Services" shall mean the public passenger transport services provided by the bus operator, in addition to the scheduled public passenger transport services after consultation with the Authority;

(h) "Two Hour Fare" shall mean the fare in Table 1 which shall include any public passenger transport service on a motor route bus, and shall be valid

for two hours from the time of purchase. The "Two Hour Fare" shall not apply to Night Services and Special Services;

(i) "Summer" shall mean the period between the 15th of June and the 15th of October, both inclusive, of every year, or the closest Sunday to the 15th of June and the 15th of October, or as agreed between the Authority and the bus operator;

(j) "Winter" shall mean the period between the 16th of October and the 14th of June, both inclusive, of every year, or the closest Sunday to the 16th of October and the 14th of June, or as agreed between the Authority and the bus operator;

(k) "Thirty Day Fare" shall mean the fare in Table 1 which shall be valid for a calendar month;

(l) "Ninety Day Fare" shall mean the fare in Table 1 which shall be valid until the ninetieth day from purchase date;

(m) "Seven Day Fare" shall mean the fare in Table 1 and Table 3 shall be valid from Monday to Sunday.

2. The maximum fares payable for scheduled public passenger transport services on motor route buses within the Islands of Malta and Gozo shall not exceed those set out below:

Table 1 - Passengers using a personalised public transport card

Validity Period	Adult €	Student Fare €	Children and Concession Card Holders €
Two Hour Fare	0.75	n/a	0.25
One Day Fare	n/a	n/a	0.50
Seven Day Fare	n/a	n/a	2.00
Thirty Day Fare	26.00	21.00	n/a
Ninety Day Fare	n/a	55.00	n/a
Night Service or Special Service	3.00	3.00	3.00

Table 2 - Passenger using a public transport ticket

Validity Period	All Passengers €
Single Journey Fare bought on a motor route bus (Winter)	1.50
Single Journey Fare bought on a motor route bus (Summer)	2.00
Night Service single journey or Special Service	3.00

Table 3 - Passengers using a non-personalised public transport card

Validity Period	Adult €	Children €
Seven consecutive day unrestricted pass to travel in Malta and Gozo, including Night Services	21.00	15.00
Twelve Single Journey Fare (or six single journeys on Night Services or Special Services), valid for six months	15.00	n/a

3. The bus operator shall be entitled to charge passengers a cost for issuing and, or replacing a personalised public transport card that is lost or damaged.

4. A passenger may obtain a Gozo personalised public transport card registered by the bus operator in the name of that passenger where the passenger presents a legally valid photo identification card issued by the Government of Malta which confirms that the residential address of that passenger is in Gozo. A passenger with a valid Gozo personalised public transport card shall be entitled to a €10.00 maximum fare, which shall be valid for a calendar month, for public passenger transport services within the Island of Gozo only.

5. The bus operator may request information from applicants of a personalised public transport card, solely for the purpose of confirming their eligibility for the personalised public transport card and to issue the card. Such information may include, but may not be limited to, name and surname, age, address, photograph and identification photographs. The information required shall be in line with the various eligibility criteria as may be established by the bus operator from time to time, and approved by the Authority.

6. No extra charges or fares shall apply to instruments which aid mobility (including but not limited to wheelchairs, pushchairs, prams, but excluding bicycles).

7. No extra charges or fares shall apply to guide dogs and hearing dogs travelling with passengers on a motor route bus.

8. The maximum fares for tickets issued by the bus operator which have a validity period other than those provided in Tables 1, 2 and 3, shall be subject to approval by the Authority.

9. The bus operator shall establish and implement identification procedures to ensure the non-transferability of the public transport ticket and the public transport card.

10. The bus operator shall publish the terms and conditions applicable from time to time to the personalised public transport card and the non-personalised public transport card, as approved by the Authority.

THIRTEENTH SCHEDULE
(Regulation 102)
GUIDELINES ON INFRINGEMENTS AGAINST REGULATION (EC) NO. 561/2006

Added by:
L.N. 75 of 2010.
Amended by:
L.N. 251 of 2011.
Substituted by:
L.N. 24 of 2025.

Guidelines on a common range of infringements against Regulation (EC) No 561/2006, as amended, divided into categories according to their gravity.

1. Groups of infringements against Regulation of the European Parliament and of the Council (EC) No 561/2006 (Driving and resting time)

No	LEGAL BASIS	TYPE OF INFRINGEMENT		LEVEL OF SERIOUSNESS*			
				MSI	VSI	SI	MI
A	**Crew**						
A1	Article 5.1	Not respecting minimum ages for drivers				X	
B	**Driving periods**						
B1	Article 6.1	Exceed daily driving time of 9 hours if the possibility to extend to 10 hours is not allowed	9h < … < 10h				X
B2			10h ≤ … < 11h			X	
B3			11h ≤ …		X		
B4		Exceed daily driving time of 9 hours by 50% or more	13h30 ≤ …	X			
B5		Exceed extended daily driving time of 10 hours if extension allowed	10h < … < 11h				X
B6			11h ≤ … < 12h			X	
B7			12h ≤ …		X		
B8		Exceed daily driving time of 10 hours by 50% or more	15h ≤ …	X			
B9	Article 6.2	Exceed weekly driving time	56h < … < 60h				X
B10			60h ≤ … < 65h			X	
B11			65h ≤ … < 70h		X		
B12		Exceed weekly driving time by 25% or more	70h ≤ …	X			

B13	Article 6.3	Exceed maximum total driving time during two (2) consecutive weeks	90h < … < 100h				X
B14			100h ≤ … < 105h			X	
B15			105h ≤ … < 112h30		X		
B16		Exceed maximum total driving time during two (2) consecutive weeks by 25% or more	112h30 ≤ …	X			
C	**Breaks**						
C1	Article 7	Exceed uninterrupted driving time of 4.5 hours before taking the break	4h30 < … < 5h				X
C2			5h ≤ … < 6h			X	
C3			6h ≤ …		X		
D	**Rest Periods**						
D1	Article 8.2	Insufficient daily rest period of less than 11 hours if reduced daily rest period not allowed	10h ≤ … < 11h				X
D2			8h30 ≤ … < 10h			X	
D3			… < 8h30		X		
D4		Insufficient reduced daily rest period of less than 9 hours if reduce allowed	8h ≤ … < 9h				X
D5			7h ≤ … < 8h			X	
D6			… < 7h		X		
D7		Insufficient split daily rest period of less than 3 hours + 9 hours	3h + [8h ≤ … < 9h]				X
D8			3h + [7h ≤ … < 8h]			X	
D9			3h + [… < 7h]		X		
D10	Article 8.5	Insufficient daily rest period of less than 9h for a multi-manning vehicle	8h ≤ … < 9h				X
D11			7h ≤ … < 8h			X	
D12			… < 7h		X		

D13	Article 8.6	Insufficient reduced weekly resting period of less than 24 hours	22h ≤ … < 24h				X
D14			20h ≤ … < 22h			X	
D15			… < 20h		X		
D16		Insufficient weekly resting period of less than 45 hours if reduced weekly resting period not allowed	42h ≤ … < 45h				X
D17			36h ≤ … < 42h			X	
D18			… < 36h		X		
D19	Article 8.6	Exceeding 6 consecutive 24-hour periods following the previous weekly rest period	… < 3h				X
D20			3h ≤ … < 12h			X	
D21			12h ≤ …		X		
D22	Article 8.6b	No compensation for two (2) consecutive reduced weekly rest periods			X		
D23	Article 8.8	Regular weekly rest period or any weekly rest period of more than 45 hours taken in a vehicle			X		
D24	Article 8.8	The employer not covering any costs for accommodation outside the vehicle				X	
E	**12-day rule derogation**						
E1	Article 8.6a	Exceeding 12 consecutive 24-hour periods following a previous regular weekly rest	… < 3h				X
E2			3h ≤ … < 12h			X	
E3			12h ≤ …		X		
E4	Article 8.6a (b)(ii)	Weekly rest period taken following 12 consecutive 24-hour periods	67h <…<69h				X
E5			65h < … ≤ 67h			X	
E6			… ≤ 65h		X		
E7	Article 8.6a (d)	Driving period, between 22:00 and 6:00, of more than 3 hours before the break, if the vehicle is not multi-manned	3h < … < 4,5 h			X	
E8			4,5 h ≤ …		X		
F	**Work organisation**						

F1	Article 8.8a	Transport undertaking not organising the work of drivers in such a way that the drivers are able to return to the employer's operational centre, or to return to the drivers' place of residence			X		
F2	Article 10.1	Link between wage or payment and distance travelled, speed of delivery and, or amount of goods carried			X		
F3	Article 10.2	No or improper organisation of driver's work, no or improper instructions given to driver enabling him to comply with the law			X		
* In the above table, "MSI" means "Most Serious Infringement"; "VSI" means "Very Serious Infringement"; "SI" means "Serious Infringement"; and "MI" means "Minor Infringement"							

2. Groups of infringements against Regulation (EU) No 165/2014 (Tachograph)

No	LEGAL BASIS	TYPE OF INFRINGEMENT	LEVEL OF SERIOUSNESS		
			MSI	VSI	SI
G	**Installation of tachograph**				
G1	Articles 3(1), (4), (4a) and 22	Not having type-approved tachograph installed and used	X		
H	**Use of tachograph, driver card or record sheet**				
H1	Article 23(1)	Using a tachograph not inspected by an approved workshop		X	
H2	Article 27	Driver holding and, or using more than one own driver card		X	
H3		Driving with a driver card that has been falsified (*considered as driving without driver card*)	X		
H4		Driving with a driver card of which the driver is not the holder (*considered as driving without driver card*)	X		
H5		Driving with a driver card which has been obtained on the basis of false declarations and, or forged documents (*considered as driving without driver card*)	X		
H6	Article 32(1)	Tachograph not correctly functioning *(e.g. tachograph not properly inspected, calibrated and sealed)*		X	
H7	Articles 32(1) and 33(1)	Tachograph improperly used *(e.g.* deliberate, voluntary or imposed misuse, lack of instructions on correct use, etc.)		X	

H8	Article 32(3)	Having in the vehicle and, or using a fraudulent device able to modify the records of the tachograph	X		
H9		Falsifying, concealing, supressing or destroying data recorded on the record sheets or stored and downloaded from the tachograph and, or the driver card	X		
H10	Article 33(2)	Undertaking not keeping record sheets, printouts and downloaded data		X	
H11		Recorded and stored data not available for at least a year		X	
H12	Article 34(1)	Incorrect use of record sheets or driver card		X	
H13		Unauthorised withdrawal of record sheets or driver card which has an impact on the record of relevant data		X	
H14		Record sheet or driver card used to cover a period longer than that for which it is intended and data is lost		X	
H15.	Article 34(2)	Use dirty or damaged record sheets or driver card and data not legible		X	
H16	Article 34(3)	Not using manual input when required to do so		X	
H17.	Article 34(4)	Not using correct record sheet or driver card not in the correct slot (multi-manning)			X
H18	Article 34(5)	Incorrect use of switch mechanism		X	
I	**Producing information**				
I1.	Article 34(5), point (b)(v)	Incorrect use or non-use of the ferry or train sign			X
I2	Article 34(6)	Required information not entered on the record sheet		X	
I3.	Article 34(7)	Records not showing the symbols of the countries whose borders were crossed by the driver during the daily working period			X
I4	Article 34(7)	Records not showing the symbols of the countries where the driver's daily working period started and finished			X
I5.	Article 36	Refusing to be checked		X	
I6	Article 36	Unable to produce manual records and printouts made during the current day and the previous 28 days (until 30 December 2024) Unable to produce manual records and printouts made during the current day and the previous 56 days (as of 31 December 2024)		X	
I7	Article 36	Unable to produce a driver card, if the driver holds one		X	
J	**Malfunctioning**				
J1.	Article 37(1) and Article 22(1)	Tachograph not repaired by an approved fitter or workshop		X	

J2	Article 37(2)	Driver not marking all required information for the periods of time, which are no longer recorded while tachograph is unserviceable or malfunctioning		X	
* In the above table, "MSI" means "Most Serious Infringement"; "VSI" means "Very Serious Infringement"; and "SI" means "Serious Infringement"					

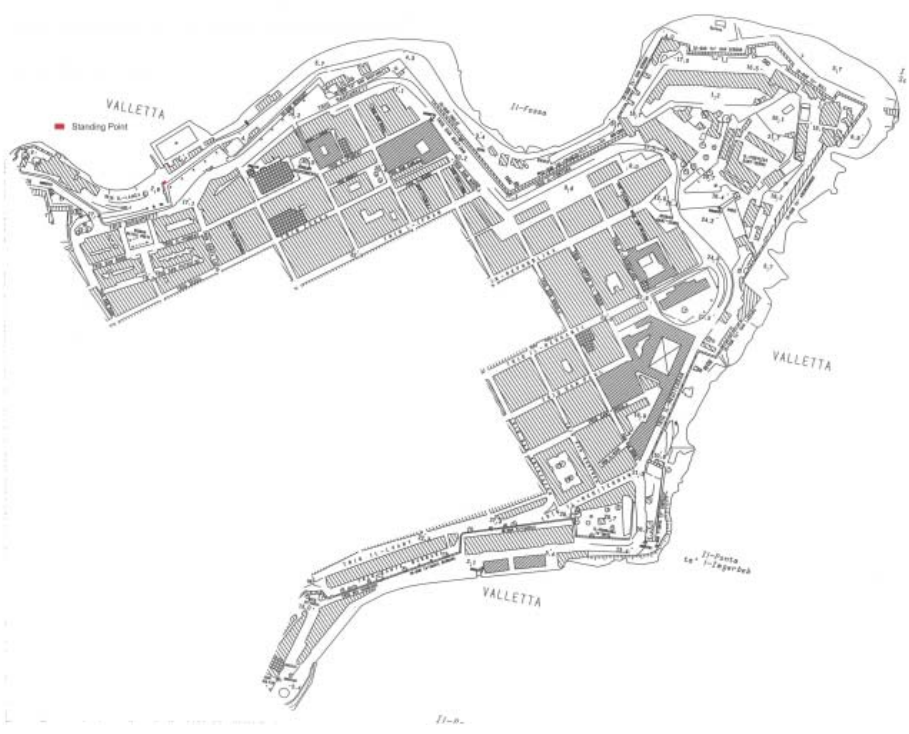
FOURTEENTH SCHEDULE

Added by: L.N. 365 of 2016.

(Regulation 68R)

Localities where transport services by electric trolley vehicles may be operated

Valletta



FIFTEENTH SCHEDULE

Added by: L.N. 365 of 2016.

(Regulation 68R)

Maximum fare chargeable by an electric trolley vehicle €5.

SIXTEENTH SCHEDULE
(Regulation 62)

Added by:
L.N. 172 of 2026.

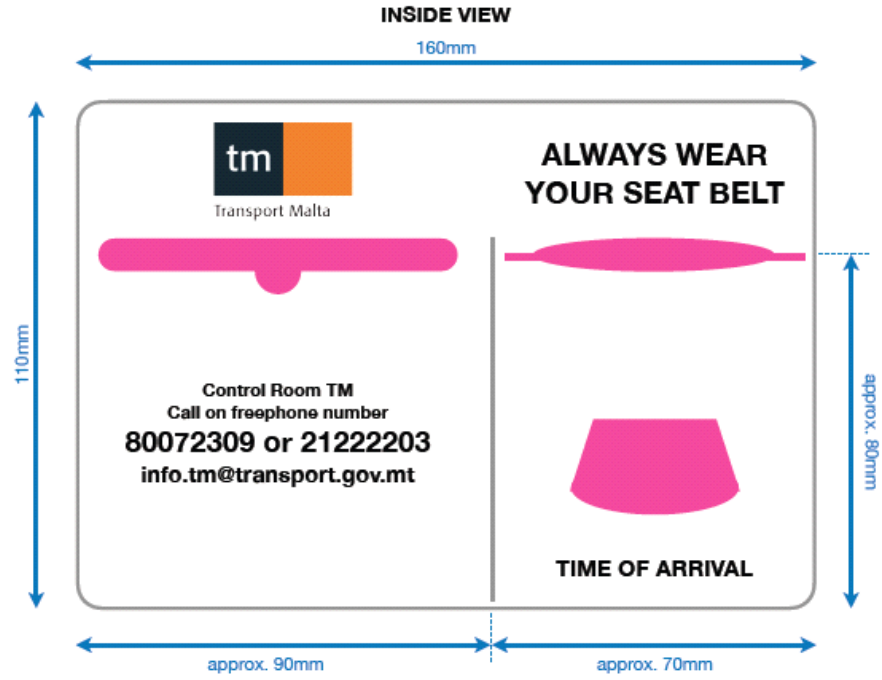
CONTRAVENTIONS
(garaging and parking violations)

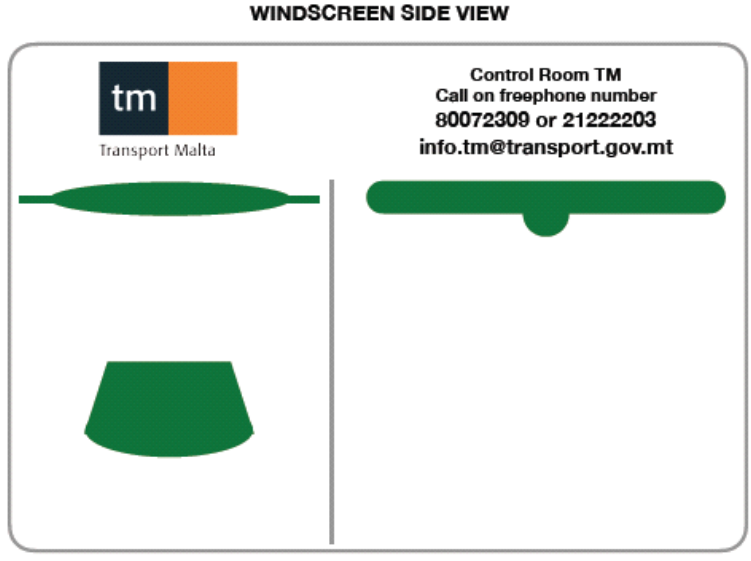
Number of breaches in the preceding twelve (12) months	Fine	Payable by
1-4	€100	Operator's licence holder (associated with the vehicle registration number (number plate)) of the defaulting vehicle.
5-6	€200	
7-8	€300	
9-10	€400	
11 or more	€500	

All contraventions shall be associated with the vehicle registration number and the number in the first column shall be reset at the start of every calendar year.

SEVENTEENTH SCHEDULE
(Regulation 62)

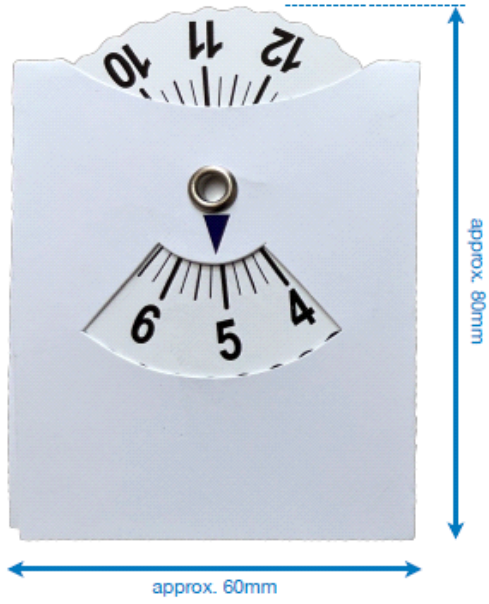
Added by:
L.N. 172 of 2026.





Notes: 1) Objects in pink represent the cutouts for inserting the licence disc, for inserting the parking clock and for viewing the clock time.
2) Objects in green represent the cutouts on the inside of the holder, as viewed from the windscreen side.

PARKING CLOCK BACK



PARKING CLOCK FRONT

