SUBSIDIARY LEGISLATION 545.26

AUTOGAS (INSTALLATION AND CERTIFICATION) REGULATIONS

13th August, 2010

LEGAL NOTICE 393 of 2010, as amended by Act XXV of 2015.

Citation and scope.

1. (1) The title of these regulations is the Autogas (Installation and Certification) Regulations.

(2) The scope of these regulations is to regulate the installation and certification of autogas equipment and autogas retrofit systems.

(3) These regulations have been notified in terms of Directive 98/34/EC, as amended by Directive 98/48/EC, as transposed by the Notification Procedure Regulations. S.L. 419.06

Interpretation. *Amended by: XXV. 2015.41.* Cap. 545.

2. (1) Any reference in these regulations to the "Act" unless the context otherwise requires, is a reference to the Regulator for Energy and Water Services Act, and subject to the provisions of subregulation (2), the definitions in article 2 of the said Act shall apply to these regulations.

(2) In these regulations unless the context otherwise requires:

"the Act" means the Regulator for Energy and Water Services Act; Cap. 545.

"autogas" means LPG with specifications according to MSA EN 589 used for the propulsion of motor vehicles;

"autogas equipment" means equipment used for the retrofitting of a motor vehicle for the use of LPG in its propulsion system approved according to UN ECE 67;

"autogas retrofit systems" means a system used to retrofit a motor vehicle for the use of LPG in its propulsion system approved according to UN ECE 115;

"certificate of retrofitting" means the certificate issued by a competent person after the carrying out of the retrofitting of a motor vehicle for the use of LPG in its propulsion system;

"competent person" means a person approved by the Regulator possessing adequate level 4 (or higher) qualification in a related engineering subject according to the Malta Qualifications Framework; and suitable training and sufficient knowledge, experience and skill in gas technology, to carry out: work, supervision and certification related to autogas including retrofitting.

"motor vehicle" shall have the same meaning as it has under the Motor Vehicles Regulations; S.L. 65.11

"the Regulator" means the Regulator for Energy and Water Services

"retrofitting" means the installation and, or fitting to a motor vehicle of autogas equipment or of an autogas retrofit system;

"suitable training" means the standard of qualifications and practical experience possessed by a competent person to carry out work related to autogas as specified in the relevant certification;

"UN ECE 67" means the agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted, or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions;

"UN/ECE 115" means the Agreement concerning the adoption of uniform technical prescriptions for wheeled vehicles, equipment and parts which can be fitted or used on wheeled vehicles and the conditions for reciprocal recognition of approvals granted on the basis of these prescriptions.

Applicability.

3. These regulations shall apply to motor vehicles using autogas totally or partially as a means of propulsion and they shall regulate the installation and certification of autogas equipment and retrofit systems on motor vehicles.

Competent person. *Amended by: XXV. 2015.41.*

4. (1) No person, other than a competent person, may carry out supervision or certification in relation to autogas equipment or an autogas retrofit system.

(2) No person may carry out any work in relation to an autogas installation unless such person is a competent person, or he acts under the continuous supervision of a competent person.

(3) No person shall pretend, purport or give the impression of being in possession of any approval granted in terms of these regulations without actually possessing such approval.

(4) Any person who wishes to be designated as a competent person shall submit to the Regulator an application, together with all documentation, as required by the Regulator.

(5) After reviewing the documents submitted and having obtained the necessary approvals from the Malta Qualification Recognition Information Council, the Regulator shall issue a certification of competence to the person submitting the application. The certificate shall be valid for a period not exceeding five years.

(6) The Regulator shall assign to each competent person a registration number.

(7) The Regulator may decide to refuse an application if :

(*a*) the application does not contain all such information and documentation required by the Regulator in the application form or any other additional information or documentation that the Regulator may request from the applicant for the purpose of determining the application; or

(*b*) the application is not accompanied by such application fee as specified in accordance with the Second

Schedule.

(8) Any person designated by the Regulator as a competent person shall:

(*a*) comply with any direction given by the Regulator;

(*b*) execute the regulated operations, activities and practices in accordance with any:

(i) direction of the Regulator;

(ii) decision of the Regulator; or

(iii) code of practice or guideline recognized or issued by the Regulator; and

(*c*) act in accordance and as required by any:

(i) direction of the Regulator;

(ii) decision of the Regulator; or

(iii) code of practice or guideline recognized or issued by the Regulator.

Retrofitting. *Amended by: XXV. 2015.41.*

5. (1) No autogas equipment or autogas retrofit system shall be installed on a motor vehicle, unless it:

(*a*) complies with the requirements of UNECE 67 or UNECE 115;

(*b*) has been type-approved by an authorised type approval authority in accordance with Directive 2007/46/EC and its amendments;

(*c*) is safe to be installed in such a motor vehicle; and

(*d*) is suitable for use for such a motor vehicle.

(2) Where the use of autogas equipment which is not supplied with the autogas retrofit system is required, the instructions of the manufacturer of the autogas equipment shall be observed.

(3) The competent person who installs the autogas equipment or retrofit system on motor vehicles shall:

(*a*) follow good engineering practice during the installation of the autogas equipment, or the autogas retrofit system in accordance with any applicable codes of practice, standards or guidelines recognised or issued by the Regulator;

(*b*) follow the instructions as supplied by the manufacturer;

(*c*) use the components of any autogas retrofit system for not more than one motor vehicle;

(*d*) ensure that records are kept which ensure traceability of the autogas equipment, or the autogas retrofit system and its installation. The records shall include the information as determined by the Regulator as being required to be kept and they shall be kept for a period of at least ten years from the date of installation; and

(*e*) carry out checks, after retrofitting, to ensure that,

within the limits of the measuring method, emissions on the original fuel have not deteriorated and that emissions on LPG are less than those on the original fuel.

Competent persons' obligations. *Amended by: XXV. 2015.41.*

6. (1) The competent person responsible for the carrying out of the retrofitting of a motor vehicle for the use of LPG in its propulsion system shall, upon the satisfactory completion of such retrofitting, issue a signed certificate of retrofitting.

(2) The competent person shall ensure that a certificate of retrofitting contains the following information:

(*a*) the name, address and registration number of the competent person;

(*b*) the name, address and licence number of the garage where the conversion to autogas of the motor vehicle was carried out;

(*c*) the engine number of the engine of the motor vehicle;

(*d*) the registration number of the motor vehicle;

(*e*) the type, model, serial number and manufacturer of the autogas retrofit systems or the autogas equipment; and

(*f*) the date of installation.

(3) The certificate of retrofitting shall also include the following statement:

"This is to certify that the LPG system of the above motor vehicle has been installed, examined and tested in accordance with the MRA Codes of Practice and found to be satisfactory.".

(4) Each specific certificate of retrofitting shall carry a specific identification number as the competent person is directed by the Regulator.

(5) The competent person is to provide the motor vehicle owner with a Drivers Operation Manual, such manual shall include the information prescribed in the First Schedule and it may also include the certificate of retrofitting, together with a recommendation that this is carried in the motor vehicle at all times for examination by authorised enforcement agencies.

(6) The competent person shall issue identification marks as specified in Annex 16 of UN ECE 67 together with the certificate of retrofitting as directed by the Regulator.

(7) Notwithstanding, and without prejudice to any criminal or other administrative action which may be initiated under any other law, a competent person acting in breach of any of these regulations may be disqualified by the Regulator from acting as a competent person for a period of five years.

Employers' obligations. *Amended by: XXV. 2015.41.*

7. (1) The employer of any person carrying out any work in relation to an autogas equipment or autogas retrofit system at any place of work or premises under the control of the said employer, or who is in charge of the work being carried out in any place of

work or premises, shall ensure that:

(*a*) the work does not endanger any persons working therein or any third parties; and

(*b*) a competent person is carrying out or supervising work related to autogas equipment or to an autogas retrofit system.

(2) The employer of any person carrying out any work in relation to autogas equipment or to an autogas retrofit system shall ensure that during the course of that person's work, the requirements imposed by these regulations or by the Regulator on such a person are being complied with.

Keeping of certificate of retrofitting.

8. The owner of a motor vehicle which has been retrofitted shall ensure that the certificate of retrofitting is present in the motor vehicle at all times.

Criminal offences.

9. A person who acts in contravention of any of these regulations shall, on conviction, be liable to a fine (*multa*) of not less than two hundred fifty euro (€250) and not exceeding ten thousand euro (€10,000).

Amended by:
XXV. 2015.41.

FIRST SCHEDULE
Regulation 6(5)

A.1 Technical Specifications

The manual shall contain at least the following information:

(*a*) description of the system;

(*b*) a list of components and their alternatives of the LPG system containing their identification number, their manufacturer code and a type approval number, if applicable;

(*c*) detailed drawings or photographs indicating the exact position of each component of the LPG system including the fuel tank;

(*d*) assembly instructions for the components;

(*e*) a wiring diagram of the electrical system indicating the connections to components;

(*f*) limits imposed by ambient influences, e.g. fuel mix;

(*g*) instructions for the start-up operations which shall be performed by the installer;

(*h*) a description of the diagnostic system, if fitted, including the corrective actions to be taken in case of malfunctioning.

A.2 Safety Instructions

The manual should give:

(*a*) instructions for safe use of the system;

(*b*) a warning of possible dangers due to misuse or when the manual or procedures are not observed;

(*c*) actions to be taken when the user detects a gas smell or gas leakage;

(*d*) any adverse effects due to temperature or humidity e.g. if there is a risk of starting problems due to vaporisation in liquid feed pipes when the vehicle is parked during hot weather;

(*e*) any statutory restrictions on the use of the vehicle e.g. parking, maintenance, re-qualification;

(*f*) detailed procedure and actions taken by the installer to check that the system has been properly assembled and installed.

A.3 LPG System Description

A3.1 *Filling of the LPG system*

The manual should indicate the sequence of operations needed to fill the LPG tank.

Particular attention should be paid to the maximum filling level of 80% of the total volume of the tank installed in the vehicle.

The manual should indicate that in case of a malfunction of the automatic 80% filling system the user should stop filling manually and manually fill the tank up to the 80% value that can be indicated by the LPG system installer when the total tank volume is known.

A.3.2 *Switchover Procedure*

The manual should clearly describe the method of switching over from one fuel to the other by giving the sequence of operations.

A.3.3 *Opening/Closing of manual valves*

The manual should indicate the proper procedure to operate any manual valves. This is particularly important when maintenance of the LPG system has to take place.

A.3.4 *Level Indicator*

The manual should state the location of the level indicator, for example at the dashboard or at the tank. The read-out should be explained, giving particular attention to the 80% filling level.

A.3.5 *First Use and adjustment of LPG system*

The manual is to include all necessary information about running in and adjustments of the system along with any recommended inspection, requalification or replacement dates for LPG tanks, hoses or components.

A.4 Maintenance

If maintenance, for example draining of vaporisers, is required, the manual should state the frequency and type of maintenance to be carried out. The manual should indicate who is recommended to carry out such work.

Guidance should be given that vehicles should not be put through a low bake repainting oven or similar heating process unless the temperature is controlled to less than 40°C.

A.5 Defects and Repair

The manual should indicate what to do in the case of a defect and of repair of faulty components in the LPG system.

When the LPG system is equipped with a diagnosis system the manual should describe this system and indicate what actions need to be taken.

A.6 Scrapping

The manual should indicate that:

- LPG fuel tanks should be removed from a vehicle before the vehicle is sent to be scrapped;
- Tanks should be handled with care and stored in accordance with codes of practice approved by the Regulator;
- Tanks which are to be scrapped should be destroyed in accordance with the direction provided by the Regulator, or under the supervision of a competent person and in a manner rendering them unserviceable for holding gas.

SECOND SCHEDULE

Regulation 4(7)(*b*)

Application fee payable in respect of an application for:

The applicable fee for an applicant to become a competent person is €35