

SUBSIDIARY LEGISLATION 65.15**MOTOR VEHICLE ROADWORTHINESS TEST
REGULATIONS**

8th May, 1998;
1st October, 1999

LEGAL NOTICE 126 of 1998, as amended by Legal Notices 157 of 1999, 314 of 2001, 159 of 2003, 41 and 69 of 2006, 408 of 2007 and 43 of 2008; Act XV of 2009; and Legal Notices 90 of 2010, 49 and 87 of 2012, 149 of 2014, 58 of 2016, 124 of 2017, 330 of 2019, 298 of 2022, 74 of 2024 and 161 of 2025.

PART I**Preliminary**

1. (1) The title of these regulations is the Motor Vehicle Roadworthiness Test Regulations.

Citation and
applicability.
S.L.65.15.
Substituted by:
L.N. 298 of 2022.

(2) These regulations shall apply to vehicles with a design speed exceeding 25km/h of the following categories, as referred to in Regulations (EU) No 167/2013, (EU) No 168/2013, and (EU) 2018/858 of the European Parliament and of the Council:

(a) motor vehicles designed and constructed primarily for the carriage of persons and their luggage comprising not more than eight seating positions in addition to the driver's seating position – vehicle category M1;

(b) motor vehicles designed and constructed primarily for the carriage of persons and their luggage comprising more than eight seating positions in addition to the driver's seating position – vehicle categories M2 and M3;

(c) motor vehicles designed and constructed primarily for the carriage of goods, having a maximum mass not exceeding 3.5 tonnes – vehicle category N1;

(d) motor vehicles designed and constructed primarily for the carriage of goods, having a maximum mass exceeding 3.5 tonnes – vehicle categories N2 and N3;

(e) trailers designed and constructed for the carriage of goods or persons, as well as for the accommodation of persons, having a maximum mass exceeding 3.5 tonnes – vehicle categories O3 and O4;

(f) wheeled tractors of categories T1b, T2b, T3b, T4.1b, T4.2b and T4.3b the use of which mainly takes place on public roads with a maximum design speed exceeding 40km/h;

(g) from a date when the Minister may by notice in the Gazette establish, two- or three-wheel vehicles – vehicle

categories L3e, L4e, L5e and L7e equipped with a combustion engine with a displacement of more than 125 cm³.

Interpretation.

Amended by:

L.N. 159 of 2003;

XV. 2009.49;

L.N. 90 of 2010;

L.N. 49 of 2012;

L.N. 124 of 2017;

L.N. 298 of 2022;

L.N. 74 of 2024.

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

S.L. 65.22

"ADR" shall have the same meaning assigned to it in the Motor Vehicles (Carriage of Goods by Road) Regulations

"ambulance" means a category M motor vehicle intended for the transport of sick or injured people and having special equipment for such purpose;

"authorisation" means any authorisation in writing by the Authority in terms and for the purposes of these regulations;

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

"cargo" means all goods that would normally be placed in or on the part of the vehicle designed to carry a load and that are not permanently fixed to the vehicle, including objects within load carriers such as crates, swap bodies or containers on vehicles;

"chauffeur driven vehicle" means a 'light passenger transport vehicle' as defined in the Light Passenger Transport Services and Vehicle Hire Services Regulations, and which for the purposes of these regulations is a category M1 vehicle;

"commercial vehicle" means a motor vehicle and its trailer or semi-trailer used primarily for the transport of goods or passengers for commercial purposes, such as transport for hire and reward or own-account transport, or for other professional purposes;

Cap. 386

"company" shall have the same meaning assigned to it in article 2 of the Companies Act;

"concerted roadside inspection" means a technical roadside inspection undertaken jointly by the competent authorities of two or more Member States;

"deficiencies" means technical defects and other instances of non-compliance found during a roadworthiness test or during a roadside technical inspection;

"designated roadside inspection facility" means a fixed area for the performance of initial and/or more detailed technical roadside inspections which may also be equipped with permanently installed test equipment;

"Directive 2000/30/EC" means Directive 2000/30/EC of the European Parliament and of the Council on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Community, as amended;

"Directive 2009/40/EC" means Directive 2009/40/EC of the European Parliament and of the Council on roadworthiness tests for

motor vehicles and their trailers, as amended;

"Directive 2014/45/EU" means Directive 2014/45/EU of the European Parliament and of the Council of 3 April 2014 on periodic roadworthiness tests for motor vehicles and their trailers and repealing Directive 2009/40/EC;

"Directive 2014/47/EU" means Directive 2014/47/EU of the European Parliament and of the Council of 3 April 2014 on the technical roadside inspection of the roadworthiness of commercial vehicles circulating in the Union and repealing Directive 2000/30/EC;

"Enforcement Officer" shall have the same meaning assigned to it in the Transport Enforcement Officers Regulations

S.L. 499.51

"the European Union" has the same meaning as is given to it in the European Union Act and includes Norway, Iceland and Liechtenstein;

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"first registration" means the date on which a vehicle was first registered whether in Malta or in any other country;

"goods vehicle" means any category N1, N2 or N3 vehicle;

"hearse" means a motor vehicle of category M intended for the transport of deceased people and having special equipment for such purpose;

S.L. 65.21

"heavy vehicles" means all types of vehicles the maximum permissible mass of which exceeds 3.5 tonnes;

"heavy goods vehicle" means a motor vehicle having a maximum permissible mass exceeding 3.5 tonnes, used for the carriage of goods;

"holder of a registration certificate" means the legal or natural person in whose name the vehicle is registered;

"inspecting officer" means an Enforcement Officer authorised by the Authority to carry out initial and/or more detailed technical roadside inspections;

"light vehicles" means all types of vehicles the maximum permissible mass of which does not exceed 3.5 tonnes;

"light goods vehicle" means a motor vehicle having a maximum permissible mass not exceeding 3.5 tonnes, used for the carriage of goods;

"manuals" means those manuals, whether individually or collectively, listed under the prescribed requirements;

"maximum permissible mass" means the maximum technically permissible laden mass of a motor vehicle as stated by the manufacturer;

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

"mobile inspection unit" means a transportable system of test equipment needed to carry out more detailed technical roadside inspections, staffed by inspecting officers who are competent to carry out more detailed roadside inspections;

"moped" means a two-wheel vehicle (category L1e) or a three-wheel vehicle (category L2e) with a maximum design speed of not more than 45 kilometres per hour;

"motorcycle" means a two-wheel vehicle without a sidecar (category L3e) or with a sidecar (category L4e), fitted with an engine having a cylinder capacity of more than 50 cm³ if of the internal combustion type and, or having a maximum design speed of more than 45 kilometres per hour;

"motor tricycle" means a vehicle with three symmetrically arranged wheels (category L5e) fitted with an engine having a cylinder capacity of more than 50 cm³ if of the internal combustion type and, or having a maximum design speed of more than 45 kilometres per hour;

"motor vehicle" means any power-driven vehicle on wheels which is moved by its own means with a maximum design speed exceeding 25km/h;

"normal working day" means -

- (a) in relation to an operator or a tester, the times of the week, excluding Sundays and public holidays, during which vehicles will be accepted for testing;
- (b) in relation to the VRT Section of the Authority, the times of the week, excluding Sundays and public holidays during which the Authority will deem it necessary to effect inspections, and the times of the week excluding Saturdays, Sundays and public holidays during which the Authority will deem it necessary to carry out any work directly connected with vehicle testing;

"operator" means an individual, partnership or company authorised by the Authority in accordance with these regulations to operate a vehicle roadworthiness testing station;

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

"prescribed requirements" means those requirements for the testing of vehicles, which are listed in the First Schedule;

"private passenger and light commercial vehicle" shall, for the purposes of these regulations, include private passenger vehicles (not used for hire or reward), vehicles licensed to be hired or leased, taxis, chauffeur driven M1 vehicles, ambulances, caravans, dual purpose vehicles and light goods vehicles;

"public road" means a road that is of general public utility and includes all national, arterial, distributor, access and local access roads;

"public service vehicle" means a motor vehicle adapted to carry more than eight passengers and which is used for carrying passengers for hire or reward;

"quad bike" means a four-wheeled bike with handlebars whose maximum design speed is more than 45 km per hour;

"quadricycle" means a vehicle with four wheels whose unladen mass is not more than 400 kg (category L7e) (550 kg for vehicles intended for carrying goods), not including the mass of batteries in the case of electric vehicles, and whose maximum net engine power does not exceed 15 kW;

"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 167/2013" means Regulation (EU) No 167/2013 of the European Parliament and of the Council of 5 February 2013 on the approval and market surveillance of agricultural and forestry vehicles;

"Regulation (EU) No 168/2013" means Regulation (EU) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles;

"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;

"serial number" in relation to a vehicle, the chassis of which has not been constructed separately from its superstructure, means the number given to, and for the purpose of identifying, the vehicle by its manufacturer;

"station" or "testing station" means the premises in which the Authority has authorised the carrying out of vehicle tests for the purpose of these regulations;

"technical roadside inspection" means an inspection of a technical nature, not announced by the Authority of certain vehicles circulating on the public highway;

"tester" means an individual duly qualified to carry out testing on vehicles for the purposes of these regulations and who is registered with the Authority in accordance with regulation 13(1);

"trailer" means any non-self-propelled vehicle on wheels (category O) which is designed and constructed to be towed by a motor vehicle, and it includes a semi-trailer;

"Tribunal" means the Administrative Review Tribunal established under the Administrative Justice Act;

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"undertaking" means an undertaking as defined in point 4 of Article 2 of Regulation (EC) No 1071/2009;

"vehicle registered in a Member State" means a vehicle which is registered or put into service in a Member State;

"vehicle roadworthiness test" means an inspection in accordance with regulations 18D and 18E, together with the prescribed

requirements listed in the First Schedule, designed to ensure that a vehicle is safe to be used on public roads and that it complies with required and mandatory safety and environmental characteristics;

"vehicle testing inspector" means any certifying officer or tester appointed under these regulations and engaged with the Authority;

"V.R.T " means the vehicle roadworthiness test;

"VRT certificate" or "roadworthiness certificate" means a roadworthiness test report issued by a tester, or a vehicle testing inspector, containing the result of the roadworthiness test.

Prescribed
requirements.
Deleted by:
L.N.124 of 2017.

3. Every vehicle to which these regulations apply and which is submitted for testing in accordance with the provisions of these regulations shall be tested for the purpose of ascertaining whether those of the prescribed requirements shown in the manuals, which are applicable to the vehicle, have been complied with at the date of the test.

Items to be tested.
Added by:
L.N. 49 of 2012..
Deleted by:
L.N.124 of 2017.

3A. *(Deleted by Legal Notice 124 of 2017.)*

Classification of
vehicles and
application of
regulations.

4. (1) For the purposes of these regulations motor vehicles to which these regulations apply shall be classified as shown in the Second Schedule.

(2) Save as otherwise provided in regulation 5, these regulations shall apply to every vehicle of a class specified in the Second Schedule.

Exemptions.
Substituted by:
L.N. 43 of 2008.
Amended by:
L.N. 49 of 2012;
L.N.124 of 2017;
L.N. 161 of 2025.

5. (1) Vehicles of the Armed Forces of Malta are exempted from the provisions of these regulations, however; they shall be tested annually by a qualified tester at a station established and operated by the said Armed Forces.

(2) Motor vehicles intended for private use, which are fifty (50) years or more from the date of manufacture and which are classified as vintage vehicles by the vintage vehicle classification committee in accordance with the Motor Vehicles Registration and Licensing Act, shall be exempt from the provisions of these regulations:

Provided that such vehicles shall be required to obtain a roadworthiness certificate upon their initial classification and registration as vintage vehicles in Malta:

Provided further that such vehicles shall also be maintained in a state of good repair by their respective owners. The Authority reserves the right to inspect maintenance records and may revoke the exemption if such records are not adequately maintained or are not produced when requested.

Applicability of
Motor Vehicles
Regulations.
S.L. 65.11

6. The Motor Vehicles Regulations shall apply to the vehicle roadworthiness testing in so far as they are not inconsistent with these regulations.

7. (1) Subject to the provisions of regulation 19(4), no circulation licence shall be issued or renewed by the Authority under the provisions of the Registration and Licensing of Motor Vehicles Regulations, unless the applicant produces the passed test result to prove that the vehicle has undergone and passed the roadworthiness test according to the provisions of these regulations within ninety days prior to the issue of the licence.

Issue of licence.
Amended by:
L.N. 159 of 2003;
L.N. 41 of 2006;
L.N. 90 of 2010;
L.N. 49 of 2012.
S.L. 368.02

(2) Owners of vehicles shall at all times ensure that the vehicle is in conformity with the provisions of these regulations, and the issue of a valid passed test result will not exonerate the owner of the vehicle thereof from compliance with the prescribed requirements at all times; and no liability whatsoever shall attach either to the operator or to the Authority by virtue of the issue of a passed test result.

7A. No person shall keep or operate a vehicle roadworthiness testing station without an authorisation from the Authority.

VRT station to be authorised.
Added by:
L.N. 90 of 2010.

PART II

Operators

8. (1) An application for authorisation to keep and operate a vehicle roadworthiness testing station may be made to the Authority by:

Applications for operators.
Amended by:
L.N. 159 of 2003;
L.N. 43 of 2008;
L.N. 90 of 2010.

- (a) an individual;
- (b) a partnership; or
- (c) a company.

(2) Every application shall be made on the prescribed form, as specified in the Third Schedule, and signed -

- (a) where the application is made under sub-regulation (1)(a), by the individual making the application; and
- (b) where the application is made under sub-regulation (1)(b) or (c), by a person duly authorised by the partnership or company.

(3) The application form shall be presented together with the following information and documents:

- (a) the area site plan and the internal set-up of the premises in respect of which the application has been submitted, and all authorisations, licences or permits whatsoever as may be required by law in relation thereto;
- (b) a banker's reference or similar evidence of sound financial standing of the applicant;
- (c) details and police conduct certificates of applicants, directors, partners or any other person, as the case may be.

(4) An applicant for an operator's authorization shall satisfy the Authority that he -

- (a) is of good repute, and

(b) is of an appropriate financial standing.

(5) For the purpose of this regulation -

- (a) a person is not considered to be of good repute if he has been convicted, during the previous five years, of a crime liable to a term of imprisonment of three months or more or a fine of at least four hundred sixty euro (€460); and
- (b) a person is not considered as having an appropriate financial standing if he does not provide proof showing total assets less total liabilities of twenty-three thousand euro (€23,000).

Applications to be acknowledged.
Added by:
L.N. 90 of 2010.

8A. (1) Complete applications for authorisation shall be acknowledged in writing within seven working days from receipt, and the said notice shall specify:

- (a) the period within which the application shall be processed in accordance with these regulations;
- (b) the available means of redress where the Authority refuses an application for an operator's authorisation; and
- (c) a statement that in the absence of a response within the period referred to in paragraph (a), the authorisation shall be deemed to have been granted.

(2) In the case of an incomplete application, the applicant shall be informed within seven working days from receipt thereof, about the need to supply any additional documentation or information.

Dual and subsequent applications.
Added by:
L.N. 90 of 2010.

8B. (1) Where an operator already established in Malta or in another Member State applies for authorisation for a new establishment in Malta, that operator shall not be required to undergo requirements and controls which are equivalent or essentially comparable as regards their purpose to which the operator is already subject in Malta or in another Member State.

(2) Where an applicant is not already established in Malta or in another Member State and proposes to act as an operator in more than one place in Malta in the same application process (Dual Application) or following the first application (Subsequent Application), the applicant shall:

- (a) in the case of a Dual Application, not be required to provide the information which is common to both places more than once but shall provide any information which is specific or particular to such additional places;
- (b) in the case of a Subsequent Application, provide only that information which was given in the original application and which is at the date of such subsequent application not valid anymore and provide that information which is specific or particular to such additional places in accordance with paragraph (a):

Provided that the term "applicant" shall not include those

applicants who have had their application or applications validly and conclusively refused by the Authority.

(3) Notwithstanding anything contained in this regulation, the applicant shall still complete any application form as may be required by the Authority.

9. (1) Where an application has been made in accordance with regulation 8, the Authority shall make such investigations and carry out such inspections as are reasonably required to ensure conformity with the specifications for testing equipment as specified in the Fourth Schedule as well as conformity with the specifications for testing stations as specified in the Fifth Schedule, and the Authority shall inform the applicant by notice in writing, by not later than twenty working days from receipt of all the relevant documents, of the Authority's decision and, where the application is refused, it shall state the reasons therefor:

Authorisation.
Amended by:
L.N. 159 of 2003;
L.N. 408 of 2007;
L.N. 43 of 2008;
XV. 2009.49;
L.N. 90 of 2010.

Provided that where circumstances necessitate an extension for consideration of an application, such period may be extended once by the Authority for a further period not exceeding ten working days in addition to the above period and the applicant shall be notified of the extension, its duration and the reasons therefor.

(2) Where the Authority has not taken a decision within the prescribed period or extended period referred to in this regulation, the application shall be deemed to have been decided in favour of the applicant.

(3) Any authorisation granted by the Authority may not be assigned or transferred in any way whatsoever to any other person, and any such assignment or transfer to any other person shall be considered null and void and constitute sufficient grounds for the Authority to cancel that authorisation.

10. (1) Where the Authority authorises an applicant to act as operator of a vehicle roadworthiness testing station, the authorisation shall be subject to the payment of five hundred and eighty-two euro (€582) as an annual fee per testing station and the operator shall comply with the following conditions:

Conditions for operators.
Amended by:
L.N. 159 of 2003;
L.N. 90 of 2010;
L.N. 149 of 2014;
L.N.124 of 2017.

- (a) the operator shall assume full responsibility for all the testing procedures carried out in the station;
- (b) the operator shall give notice to the Authority of the names of all persons who are from time to time authorised, in pursuance of arrangements made in accordance with regulation 13, to carry out or personally supervise tests at a station; and every such notice shall be given within seven days after the date of any such authorisation; in the case of a company or partnership the notice shall be accompanied by a duly signed authorisation certifying that the person signing the notice is duly empowered to sign on behalf of the company or partnership;
- (c) the operator shall put up and keep exhibited inside the station in some conspicuous place so as to be legible to

persons submitting vehicles for testing at that station -

- (i) the authorisation in which that station is specified, and
 - (ii) a list of the names of the persons for the time being authorised to carry out or personally supervise tests at that station;
- (d) the operator shall make the station and the equipment at that station with which testing is carried out, available for the purpose of a test to be carried out by officials of the Authority, for the purpose of ensuring conformity with the prescribed requirements;
- (e) the operator shall immediately inform the Commissioner of Police of any vehicle, which is brought in for a test, and which, according to information received by the operator from the Authority, is a stolen vehicle or a vehicle used in the commitment of a criminal offence;
- (f) the operator shall give prior notice of seven days to the Authority -
- (i) of his entering into any partnership with a view to carrying on a business which will comprise the carrying out of tests at that station, in the case where he is the sole individual named in an authorisation; and
 - (ii) of any change in the constitution of the company, in the case where he is a company,
- and such notice shall be treated as an application under the provisions of regulation 9;
- (g) the operator shall have an authorisation from the Authority to permit the testing of vehicles in his station, on one or more of the categories of vehicles as specified in the Second Schedule;
- (h) the operator shall have on the premises a minimum of one qualified tester and an assistant tester for each test lane;
- (i) the operator shall not conduct vehicle testing unless the Authority's testing unit is satisfied that facilities and equipment conform with the prescribed requirements;
- (j) the operator shall abide at all times with the regulations and standards concerning the vehicle roadworthiness test as stipulated in these regulations, and approved by the Authority;
- (k) the operator shall provide proof that his vehicle testers receive the necessary training in the use of their testing equipment by the suppliers or the agents of such equipment;
- (l) the operator shall keep on the premises the approved and accredited testing manual or manuals;

- (m) the operator shall provide the Authority with a copy of all manuals provided with the testing equipment;
- (n) the operator shall allow regular inspections by vehicle testing inspectors according to the standards and requirements laid down under any applicable regulations;
- (o) the operator shall not refuse to test any vehicle of whatever age, make or type within the classes for which authorisation is given, except in the following circumstances:
 - (i) when the vehicle's registration certificate is not presented to the operator or tester or when the details contained in the registration certificate do not comply with the correct details of the vehicle;
 - (ii) when the vehicle cannot be driven or has insufficient fuel or oil to complete the test;
 - (iii) when the vehicle is presented in such a dirty condition that examination is difficult;
 - (iv) when an operator considers that an insecure load or other items would prevent a proper test being carried out unless it can be unloaded;
 - (v) when the vehicle is of such a size or weight that it cannot be properly or safely tested on the approved facilities;
- (p) the operator shall, under no circumstance, instruct or otherwise advise a vehicle owner to effect repairs or adjustments as indicated in the test result, at the same premises;
- (q) the operator shall permit and do anything necessary in order for any representative of the Authority to be able to inspect the premises, records, equipment, and the operation going on at the station;
- (r) the operator shall, under no circumstance, issue a passed test result unless a complete test has been carried out and all the testable items comply with the required conditions and standards established under these regulations, or a re-test is completed and the tester confirms that the necessary repairs have been carried out;
- (s) the operator shall provide for the safekeeping of all documents and forms in his possession, as well as the garage stamp;
- (t) the operator shall sign any forms or documents in indelible ink, and write clearly and without alterations;
- (u) the operator shall not charge a fee which is in excess of the prescribed amount; and
- (v) the operator shall at all times comply with or maintain the conditions or requirements indicated under regulation 8.

(2) The Authority may, on justified grounds, give notice to an operator that any person employed in his station should cease from carrying out or supervising tests, or to endorse passed test results, and on receipt of that notice the operator shall arrange that that person shall no longer carry out or supervise tests or endorse passed test results, as the case may require.

(3) Operators shall be bound to inform the Authority, within seven days, of any termination of employment or engagement of testers within their staff complement.

Termination of
authorisation.
Amended by:
L.N. 159 of 2003;
L.N. 90 of 2010.

11. (1) An authorisation of an individual as an operator will automatically cease to have effect if -

- (a) he dies;
- (b) he becomes a patient in a mental hospital; or
- (c) he is convicted of an offence affecting public trust.

(2) An authorisation of a partnership as an operator will automatically cease to have effect if -

- (a) the partnership is dissolved; or
- (b) one or more partners is or are, as the case may be, convicted of an offence affecting public trust:

Provided that the non-convicted partner or partners shall be eligible to apply for an authorisation in their individual capacity, or as a new partnership without the convicted partner or partners.

(3) An authorisation of a company as an operator will automatically cease to have effect if, in relation to the company -

- (a) a winding-up order is made;
- (b) a resolution for voluntary winding-up is passed;
- (c) a receiver or manager of the company's undertaking is appointed; or
- (d) the taking of possession, by or on behalf of the holders of any debenture secured by a floating charge, or of any property of the company comprised in or subject to the charge, occurs.

(4) An operator may at any time give notice to the Authority stating that, after such date as may be specified in the notice, that operator does not propose to continue to act as an operator under any of the authorisations of that operator or under such authorisation as may be specified in the notice, and any authorisation to which the said notice relates shall cease to have effect on the date so specified in relation to it:

Provided that in the case where an operator opts to cease to operate the testing station for a period of time not exceeding one calendar month in any particular calendar year the operator shall seek prior approval by the Authority, and approval shall be granted by the Authority if it is satisfied that reasonable grounds exist for temporary closure:

Provided further that where an operator ceases to operate

the testing station without permission from the Authority or beyond the term allowed, the Authority may revoke the operator's authorisation.

(5) The Authority may at any time and on reasonable grounds suspend, withdraw or revoke an authorisation to operate a test station by giving an operator a notice in writing containing the reasons for such suspension, withdrawal or revocation:

Provided that unless there exist gross acts of misconduct or negligence or any other serious grounds for immediate suspension, withdrawal or revocation, the operative date of such notice shall be not less than twenty-eight days from the date of notification.

(6) An authorisation in respect of which a notice is given shall, unless it is cancelled before that date, cease to have effect on the date specified in the notice.

(7) Upon the termination or revocation of an authorisation as an operator of a testing station, any person previously qualifying as operator who opts to re-apply for authorization, shall make a fresh application and the Authority shall be furnished afresh with any information and documents which are to be supplied with any new application.

12. (1) If an authorisation of an operator ceases to have effect, the operator shall send to the Authority such of the following documents as are then in his possession:

Forms and documents to be returned to the Authority.
Amended by:
L.N. 159 of 2003;
L.N. 43 of 2008;
L.N. 90 of 2010.

- (a) all unused forms of passed test results, inspection reports, inspection cards and notices of refusal to issue a passed test result;
- (b) all copies of passed test results and notices of the refusal of passed test results;
- (c) all other records kept in accordance with regulation 25; and
- (d) in the case of the authorisation of a tester ceasing to have effect, the document of authorisation.

(2) On receipt of any unused forms, which were originally obtained from the Authority, of passed test results sent to him in accordance with sub-regulation (1), the Authority shall refund to the operator such amount as may have been paid for the supply of the said forms.

(3) The Authority may, in respect of unissued forms of passed test results which are returned to it as having been cancelled because they have been spoilt or defaced, refund to the operator the amount originally paid less an appropriate deduction of fifty per cent.

PART III

Testers

Amended by:
L.N. 90 of 2010.

Registration and qualifications of testers.

Amended by:
L.N. 159 of 2003;
L.N. 408 of 2007;
L.N. 43 of 2008.
Substituted by:
L.N. 90 of 2010.
Amended by:
L.N. 124 of 2017.

13. (1) Persons qualified as testers shall be registered for such purpose with the Authority and the Authority shall keep a register of such testers.

(2) The registration shall be made by application on the prescribed form to the Authority and shall be accompanied by documents showing that person's qualifications to act as a vehicle tester, whether issued nationally or in another country, and a registration fee of twenty-five euro (€25).

(3) The Authority shall, by not later than twenty-one working days from receipt of the application and of all relevant documents, inform the applicant in writing of its decision on the application, and where an application for registration is refused, it shall state the reasons thereof.

(4) A person may qualify as a tester if such person -

- (i) is over nineteen years of age on the date of the application;
- (ii) is of good repute:
 Provided that for the purpose of this regulation "good repute" shall have the same meaning assigned to it under regulation 8;
- (iii) is in possession of a driving licence for the categories of vehicles applicant is qualified to test;
- (iv) is in possession of a Technician Certificate in Motor Vehicle Systems (Part 2) or any equivalent certificate:
 Provided that with effect from 20 May 2018 new applicants shall be in possession of a recognised qualification at a level not less than level 4 of the Malta Qualifications Framework as detailed in the First Schedule to the Malta Qualifications Framework for Lifelong Learning Regulations, which qualification shall confirm the requisite level of knowledge and understanding for road vehicles in the areas listed in point 1(a) of Annex IV of Directive 2014/45/EU;
- (v) has at least three years experience repairing the category of vehicles he is qualified to test;
- (vi) is in possession of a certificate issued by the Authority following the successful completion of a course organised by a body accredited by the Authority or is in possession of a certificate issued by the competent authority in a Member State:

Provided that with effect from 20 May 2018 such course shall include the topics referred to in point 2(a) of Annex IV of Directive 2014/45/EU.

(5) Persons who, on the entry into force of these regulations, have already been licensed as testers by the Authority shall be considered as being in possession of the necessary qualifications

and shall be immediately registered as qualified testers in the register to be kept by the Authority in accordance with sub-regulation (1).

(6) The Authority shall issue a certificate of competence to all testers found on the register of testers. Such certificate shall be valid for a period of three years and shall only be renewed upon the successful completion of the refresher training referred to in regulation 14(3).

(7) An operator of a vehicle roadworthiness testing station shall only employ as testers persons whose name appears in the register held by the Authority.

14. (1) When carrying out a roadworthiness test, a tester shall be free from any conflict of interest so as to ensure, to the satisfaction of the Authority, that a high level of impartiality and objectivity is maintained.

Conditions for
testers.
Amended by:
L.N. 159 of 2003;
L.N. 90 of 2010;
L.N. 49 of 2012;
L.N. 124 of 2017.

(2) Every tester so employed shall also comply with the following conditions:

- (a) the tester shall carry out tests of motor vehicles of any such class which he is qualified and registered to test, and shall in all other respects comply with each of the provisions of these regulations as apply to the tester;
 - (b) the tester shall abide, at all times, with the regulations and standards concerning the vehicle's roadworthiness test as stipulated in these regulations and approved by the Authority;
 - (c) the tester shall, under no circumstances, pre-condition a vehicle owner to effect repairs or adjustments as indicated in the test result, at the same premises, or carry out a roadworthiness test on a motor vehicle on which he has, immediately prior to the test, carried out repairs on testable items;
 - (d) the tester shall, under no circumstances, endorse a passed test result unless a complete test has been carried out and all the testable items have been found to be satisfactory, or endorse a passed test result of a re-test unless the re-test confirms that the necessary repairs to the testable items have been carried out;
 - (e) the tester shall not perform vehicle testing unless the Authority is satisfied that facilities and equipment in the station where he is employed conform to the prescribed requirements;
 - (f) the tester shall consult and follow the standards established in the approved and accredited testing manuals.
- (3) In order to renew the certificate of competence referred to in regulation 13(6), a tester shall receive refresher training organized by the Authority or by a body accredited by the Authority, which training shall be in relation to the topics listed in point 2(a) of Annex IV of

Directive 2014/45/EU.

(4) The Authority may cancel from the register the name of a tester if the tester is in breach of any of the conditions laid down in sub-regulations (1), (2) and (3).

PART IV

Testing

Applications for
vehicle testing.
Amended by:
L.N. 159 of 2003;
L.N. 90 of 2010.

15. (1) An application for testing (including re-testing) of a vehicle shall be made to an operator by arrangement made in writing.

(2) Operators shall ensure that -

- (a) where an application is made in accordance with sub-regulation (1), an appointment is forthwith offered for the carrying out of the test at the earliest time at which it is reasonably practicable for the test to be carried out during any normal working day;
- (b) where, in default of sub-regulation (1), a vehicle is submitted for a test without any appointment for the carrying out of the test having been previously made, the applicant is informed either that the test can be carried out forthwith or, if this is not possible, of the earliest time at which it is reasonably practicable for the test to be carried out during the normal working day;
- (c) except in so far as prevented by circumstances beyond the control of the tester or operator, tests are carried out in accordance with the appointments made or the information given in pursuance of the preceding provisions of this regulation or at such other times as may be arranged between the applicant and the operator.

(3) On an appointment being made or a time being arranged for the carrying out of a test in accordance with sub-regulation (2), the operator shall record the hour and the date thereof and the name of the person by whom the application for the test is made.

(4) Nothing in this regulation shall be taken as entitling an operator to allow the testing of a vehicle not being of a type included in the authorisation of the operator.

(5) When a re-test of a vehicle is required by order of the Authority, the operator is to ensure that he makes the station available for such re-test, by an inspector duly appointed by the Authority, as and when required by the Authority.

Requirement as to
vehicles submitted
for testing.
Amended by:
L.N. 49 of 2012;
L.N. 149 of 2014.

16. An operator shall not carry out a test of a motor vehicle where -

- (a) on the submission of the vehicle for a test, the applicant does not, after being requested to do so, produce the vehicle registration document relating to the vehicle, or produces a vehicle registration

document the details of which do not comply with the correct details of the vehicle submitted for testing;

- (b) the vehicle or any part thereof or any of its equipment is so dirty as to make it difficult for the test to be carried out in accordance with the provisions of these regulations;
- (c) the tester is not able, with the facilities and apparatus available to him at the place at which the test would otherwise be carried out, to complete the test without the vehicle being driven and the vehicle is not, when submitted for testing, fit to be driven to such extent as may be necessary for the purposes of the carrying out of the test; and
- (d) before the carrying out of a test of a motor vehicle any items which are in the vehicle, and are not part of its equipment or accessories, are required by the tester or by the inspector to be removed from the vehicle or to be secured in such manner as he may think necessary, and the items are not so removed or secured accordingly.

17. (1) Where a motor vehicle has been submitted for a test to be carried out by a tester or an inspector, the operator shall be responsible for and shall be adequately covered by an appropriate insurance policy against -

- (a) loss of, or damage to, the vehicle or its equipment or accessories occurring in connection with the carrying out of the test during any period while the vehicle is, in connection with the carrying out of the test, in the custody of the operator; and
- (b) loss of, or damage to, any other property or personal injury, (whether fatal or not), being loss, damage or injury arising out of the use of the vehicle in connection with the carrying out of the test.

Conditions
as to responsibility
for damage to
vehicles and third
party liability.
Amended by:
L.N. 159 of 2003;
L.N. 90 of 2010;
L.N. 49 of 2012.

This insurance cover is to be similar to a cover which would rest on a person who, having the same facilities for carrying out the test as are available to the person who is to carry out the test, had undertaken for payment to accept the custody of the vehicle and to carry out the same test under a contract making no express provision with respect to the incidence of liability as between the parties thereto for any such loss, damage or injury.

(2) No person submitting a vehicle for a test or having an interest in such a vehicle shall be requested or required by an operator, either directly or indirectly, to accept any responsibility for, or to give any release or indemnity in respect of, any loss, damage or injury for which the operator is responsible under the provisions of sub-regulation (1).

(3) Nothing contained in sub-regulation (1) or (2) shall preclude any person from being requested or required to accept any responsibility for, or to give a release or indemnity in respect of loss of, or damage to, a vehicle or its equipment or accessories occurring during any period while the vehicle is in the custody of

an operator, after the time when the vehicle is required to be removed from such custody.

(4) The operator shall be liable for and hold the Government of Malta, the Authority and their officers and employees, harmless from and against any and all claims, damages or liabilities, and expenses incidental thereto, arising from anything done or purported to be done or omitted to be done by the operator and/or his employees under the authorisation granted to the operator according to these regulations.

(5) In this regulation -

- (a) references to a test, in relation to a vehicle which, after the carrying out of a test, remains in the custody of an operator in order that a further test of that vehicle may be carried out, include references to that further test; and
- (b) references to a period while a vehicle is in the custody of the Authority, include references to any period while the vehicle is, in connection with the carrying out of a test of the vehicle by an inspector, in the control or care of such an inspector.

Test after serious accidents.
Deleted by:
L.N.124 of 2017.

18. *(Deleted by Legal Notice 124 of 2017.)*

Vehicles to be tested and interval of testing
Added by:
L.N. 49 of 2012.
Substituted by:
L.N.124 of 2017.

18A. The categories of vehicles that are subject to periodic vehicle roadworthiness tests and the intervals of such tests shall be those prescribed in the Eighth Schedule.

Test after serious accidents.
Added by:
L.N.124 of 2017.

18B. Notwithstanding the date of a vehicle's last roadworthiness test, a vehicle shall be required to undergo a roadworthiness test before the intervals prescribed in the Eighth Schedule in the following cases:

- (a) after an accident affecting the main safety-related components of the vehicle, such as wheels, suspension, deformation zones, air-bag systems, steering or brakes,
- (b) when the safety and environmental systems and components of the vehicle have been altered or modified.

Vehicles to be photographed.
Added by:
L.N.124 of 2017.

18C. (1) Every motor vehicle undergoing a roadworthiness test in accordance with the provisions of these regulations shall be photographed in the testing station by the operator or by the tester.

(2) The photographs referred to in sub-regulation (1) shall be taken and presented to the Authority in accordance with the procedure laid down in the Thirteenth Schedule.

Items to be tested until 19 May 2018.
Added by:
L.N.124 of 2017.

18D. The items to be tested until 19 May 2018 shall be those listed in Annex II of Directive 2009/40/EC as amended by Commission Directive 2010/48/EU and those listed in items C to I in the First Schedule.

18E. The following provisions with regard to testing shall apply with effect from 20 May 2018:

Testing provisions applicable from 20 May 2018.
Added by:
L.N.124 of 2017.
Amended by:
L.N. 298 of 2022.

(1) a roadworthiness test shall cover the following:

Areas to be covered and items to be tested.

(a) the areas and items, including the recommended methods of testing, listed in Annex I of Directive 2014/45/EU, with the exception of the following items:

(i) 2.4, 3.6, 5.3.2.1, 6.1.9,

(ii) 7.2 (only in respect of M1 category vehicles not used for hire),

(iii) 7.4 (only in respect of M1 category vehicles not used for hire, N and O category vehicles, and T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles),

(iv) 7.5 (only in respect of M1 category vehicles not used for hire, N and O category vehicles, and T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles),

(v) 7.6,

(vi) 7.13 (in respect of all vehicle categories, except M1 and N1 category vehicles from 20 May 2023),

(vii) 8.3,

(viii) 9.3 (in respect of all vehicle categories, except motor route buses, M2 and M3 category vehicles for hire),

(ix) 9.5 (in respect of all vehicle categories, except motor route buses),

(x) 9.8 (in respect of all vehicle categories, except electric trolley vehicles, Malta heritage buses, open top buses and trackless trains – all as defined in the Passenger Transport Services Regulations),

S.L.499.56.

(xi) 9.9 (only in respect of M1 category vehicles not used for hire, N and O category vehicles, and T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles),

(xii) 9.12; and

	(b) items C to I of the First Schedule;
Failed items and levels of security.	(2) For each item that has failed the test, the possible deficiencies and the corresponding level of severity provided in Annex I of Directive 2014/45/EU shall be applied;
Assessment of deficiencies.	(3) Deficiencies that are found during vehicle roadworthiness tests shall be categorized in one of the following groups: (a) minor deficiencies having no significant effect on the safety of the vehicle or impact on the environment, and other minor non-compliances; (b) major deficiencies that may prejudice the safety of the vehicle or have an impact on the environment or put other road users at risk, or other more significant non-compliances; (c) dangerous deficiencies constituting a direct and immediate risk to road safety or having an impact on the environment which justify that the Authority prohibits the use of the vehicle on public roads.
Classification of deficiencies.	(4) A vehicle having deficiencies falling into more than one of the deficiency groups referred to in sub-regulation (3) shall be classified in the group corresponding to the more serious deficiency. A vehicle showing several deficiencies within the same inspection area as identified in point 2 of Annex 1 of Directive 2014/45/EU, shall be classified in the next most serious deficiency group if the tester deems that the combined effect of those deficiencies results in a higher risk to road safety.
Follow-up of deficiencies.	(5) The following provisions shall apply when deficiencies have been encountered during a roadworthiness test: (a) in the case of minor deficiencies only, the test shall be deemed to have been passed, the deficiencies shall be rectified by the vehicle owner, and the vehicle shall not be re-tested; (b) in the case of major deficiencies, the test shall be deemed to have been failed and the vehicle shall be allowed to be used on public roads for a period not exceeding sixteen days, within which period the necessary repairs to comply with the prescribed requirements may be effected and the vehicle submitted for a re-test: Provided that the appointment for such re-test shall be set prior to the vehicle owner leaving the station following the initial test, and if a passed test result is issued after such re-test certifying that the necessary repairs have been carried out on the motor vehicle to comply with the prescribed requirements, a fee not exceeding fifty per cent of the full test fee as specified in the Eighth Schedule, shall be payable: Provided further that if the vehicle is not submitted for the re-test within sixteen days, the licence authorizing the use of that vehicle in

- road traffic shall be suspended until such time as the deficiencies are rectified and a new roadworthiness certificate is issued testifying that the vehicle is in a roadworthy condition;
- (c) in the case of dangerous deficiencies, the test shall be deemed to have been failed and the use of the vehicle shall be prohibited with immediate effect. The test result shall include a notice informing the driver that the vehicle in question is prohibited from being used on the road until those deficiencies have been rectified. The use of such vehicle shall only be permitted in order to enable it to reach one of the closest workshops where those deficiencies can be rectified and in order to enable it to return back to the station to be submitted for a re-test. That vehicle shall be allowed a period not exceeding sixteen days for the necessary repairs to be effected and to be submitted for a re-test:

Provided that the appointment for such re-test shall be set prior to the vehicle owner leaving the station following the initial test, and if a passed test result is issued after such re-test certifying that the necessary repairs have been carried out on the motor vehicle to comply with the prescribed requirements, a fee not exceeding fifty per cent of the full test fee as specified in the Eighth Schedule, shall be payable:

Provided further that if the vehicle is not submitted for the re-test within sixteen days, the licence authorising the use of that vehicle in road traffic shall be suspended until such time as the deficiencies are rectified and a new roadworthiness certificate is issued testifying that the vehicle is in a roadworthy condition.

18F. (1) A driver or a holder of the registration certificate of a vehicle that is submitted for a roadworthiness test shall at all times cooperate with the tester and any other authorized officials of the authority and shall abide by their lawful instructions or orders.

(2) A driver or a holder of the registration certificate of a vehicle that is submitted for a roadworthiness test who fails to comply with the provisions of sub-regulation (1) shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding €500.

(3) The holder of the registration certificate of a vehicle which has been found to have an odometer that has been manipulated with the aim of reducing or misrepresenting the distance record of that vehicle, shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding €200.

Responsibilities of
drivers and holders
of registration
certificates of
vehicles.
Added by:
L.N.124 of 2017.

Results of tests.

Amended by:
L.N. 159 of 2003;
L.N. 41 of 2006;
L.N. 408 of 2007;
L.N. 43 of 2008;
XV. 2009.49;
L.N. 90 of 2010;
L.N. 49 of 2012;
L.N. 124 of 2017;
L.N. 74 of 2024.

19. (1) Subject to the provisions of these regulations, testers and inspectors shall, after the testing of a motor vehicle is completed and, on the same date as that on which the test is completed -

- (a) endorse a passed test result, where it is found on the testing of a vehicle that the prescribed requirements are complied with; or
- (b) endorse a notice of a negative test result, in the case where the prescribed requirements have not been complied with, and stating the grounds thereof:

Provided that if the necessary repairs to comply with the prescribed requirements are effected, the vehicle may be submitted for a re-test within sixteen days, which appointment will have been set prior to the vehicle owner leaving the station following the original test, and if a passed test result is issued after such re-test certifying that the necessary repairs have been carried out on the motor vehicle to comply with the prescribed requirements, a fee not exceeding fifty per cent of the full test fee as specified in the Eighth Schedule, shall be payable:

Provided further that if the vehicle is not submitted for the re-test within sixteen days, all the provisions of these regulations relating to tests shall apply:

Provided further that with effect from 20 May 2018 the above two provisos shall no longer apply and the provisos to sub-regulations (5)(b) and (5)(c) of regulation 18E shall apply instead

(2) Every positive test result and every notice of a negative test result shall be issued in the form of a VRT certificate indicating at least the standardised elements of the corresponding harmonised Union codes as stipulated in the Fifteenth Schedule.

(3) Every passed test result and every notice of a negative test result issued in accordance with the provisions of this regulation and regulation 15 shall, after the test has been carried out, be signed -

- (a) by the operator in whose station the test has been carried out;
- (b) where the test is carried out by an inspector, by that inspector, who shall specify the authority by whom he has been authorised to carry out the test,

and any signature on a passed test result or notice of a negative test result by a operator or by an inspector, as the case may be, shall be accompanied by an embossment or by a stamp of the operator or of the Authority on whose behalf the passed test result notice or notice of a negative test result is signed.

(3a) The results of a roadworthiness test may only be modified, where appropriate, by the Authority, if, following an investigation

conducted by the same Authority, it results that the findings of the roadworthiness test are manifestly incorrect.

(4) (a) The operator shall update the vehicle database in use by the Authority by means of the online retrieval system referred to in the Fourth Schedule, with all the information required by the Authority, for every VRT certificate issued on the same date that the test is carried out. The information to be updated shall include, but shall not be limited to:

- (i) the vehicle registration number;
 - (ii) the system number appearing on the vehicle's registration certificate;
 - (iii) the last three characters of the vehicle's chassis number;
 - (iv) the class of the vehicle;
 - (v) the number of the vehicle test result certificate issued by the operator;
 - (vi) the test receipt number;
 - (vii) whether the test was passed successfully or otherwise;
 - (viii) the identified deficiencies and their level of severity (applicable with effect from 20 May 2018);
 - (ix) the date of the test;
 - (x) the mileage of the vehicle as reflected by the odometer;
 - (xi) any discrepancies with the details appearing on the vehicle's registration certificate.
- (b) An operator who does not update daily the vehicle database in use by the Authority as aforesaid, shall, on conviction, be liable to a fine (*ammenda*) of fifty-eight euros and twenty-three cents (58.23) for every day that elapses from the date by which the said updating should have been carried out in accordance with this regulation.
- (c) In the event of a breakdown in, or faulty operation of, the online retrieval system, the operator shall immediately inform the Authority of such breakdown or faulty operation.
- (d) The Authority shall retain the required information in paragraph (a) in accordance with the applicable provisions of the Data Protection Act for a period of not less than thirty six (36) months from the date when such information is received.

Cap. 586.

(5) No licence as specified in regulation 15 of the Motor Vehicles (Registration and Licensing) Regulations, shall be issued by the Authority for Transport in Malta unless the owner of the vehicle concerned produces to the Authority the passed test result in relation to the vehicle together with the relative receipt in respect to the Authority's administration charge as specified in the Ninth Schedule.

S.L. 65.28

Proof of test.

Added by:

L.N.124 of 2017.

S.L. 368.02

19A. For each vehicle that has passed a roadworthiness test, the Authority shall indicate the date by which the next test is to take place on the licence disc issued in respect of that vehicle in accordance with regulation 14 of the Registration and Licensing of Motor Vehicles Regulations.

PART V

Fees

Fee for tests.

Amended by:

L.N. 157 of 1999;

L.N.124 of 2017.

20. (1) The fee payable for a test of a vehicle pursuant to an application made under regulation 15 shall be that prescribed in the Eighth Schedule, and shall be paid after the test has been carried out.

(2) The full fee referred to in the Eighth Schedule shall include:

- (a) the fee payable to the operator;
- (b) the administration charge; and
- (c) any value added tax that may become payable under the Value Added Tax Act.

Cap. 406.

PART VI

Breach of Licence conditions and major offences

Amended by:

L.N. 90 of 2010.

Breach of licence conditions and penalty points.

Substituted by:

L.N. 43 of 2008.

Amended by:

L.N. 90 of 2010;

L.N. 87 of 2012.

21. (1) An operator who fails to comply with the conditions set out for operators under these regulations and a tester who fails to comply with the conditions set out for testers shall be in breach of the said conditions and shall be liable to the penalty points and administrative fines laid down in the Twelfth Schedule.

(2) Where an operator fails to comply with the conditions set out for operators under these regulations and where a tester fails to comply with the conditions set out for testers under these regulations, the Authority shall give to the operator or to the tester, as the case may be, a notice in writing which shall specify the breach of the conditions, the appropriate number of penalty points to be endorsed on the operator's or tester's entry, and the administrative fine being imposed in the case of breaches committed by an operator, and the period within which the administrative fine shall be paid in terms of sub-regulation (5). The notice shall also state that failure to settle the fine within the specified period shall cause the suspension of the operator's authorisation and the imposition of a daily fine in accordance with the provisions of sub-regulation (7).

(3) Where the number of penalty points on an operator's entry reaches a minimum of 250 points on five consecutive breaches, that number of penalty points shall automatically be increased by another 1,000 points and the operator shall be charged the administrative fine for each additional penalty point up to a maximum amount not exceeding eleven thousand and six hundred euro (€11,600).

(4) The administrative fine shall be eleven euro (€11) for each penalty point endorsed on the operator's entry.

(5) The administrative fine shall be paid within ninety days following the lapse of twenty-one days after the notification of the breach where no appeal is entered by the operator or ninety days from the date of the final decision given by the Tribunal where an appeal had been entered by the operator.

(6) Where it is clearly established that an appeal entered by an operator is frivolous and, or vexatious, the said operator shall be liable to an administrative fine of two hundred and thirty euro (€230).

(7) Failure to settle, within the prescribed period, the fines referred to in sub-regulations (3) and (4) shall cause the suspension of the operator's authorization and an additional daily administrative fine of eleven euro (€11) until the fine is paid.

22. Any person aggrieved by any decision of the Authority not to grant or renew, or to suspend or to revoke an authorisation, or to impose conditions, limitations or exclusions therein or therefor, or to cancel his name from the register of testers shall have the right to enter within twenty one days from the notification of such decision an appeal before the Tribunal.

Right of appeal.
Added by:
L.N. 43 of 2008.
Amended by:
XV. 2009.49.
Substituted by:
L.N. 90 of 2010.

23. (1) Where, in a period of three consecutive years, an operator or a tester does not commit any breach of conditions, the authorized officer shall, on the first day immediately following the last day of that three-year period, remove 50 per cent of any penalty points appearing on the entry of that operator or of that tester rounded up to the nearest percentage point and notify the operator or tester of the number of penalty points so removed.

Period of
endorsement of
penalty points.
Added by:
L.N. 43 of 2008.
Amended by:
L.N. 90 of 2010.

(2) Where, after a period of three consecutive years during which an operator or a tester does commit any breach of conditions and, as mentioned in sub-regulation (1), would be entitled to the removal of 50 per cent of any penalty points appearing on his entry, that operator or tester, as the case may be, does not commit any breach of conditions in the next three consecutive years, the authorized officer shall, on the first day immediately following the last day of the second three-year period, remove all the penalty points appearing on the entry of that operator or of that tester and notify the operator or tester of the number of penalty points so removed.

24. (1) Where the total number of penalty points endorsed on the entry of an operator equals or exceeds 2,000, the operator's authorisation shall be revoked, and the authorized officer shall inform in writing the operator of such revocation.

Revocation by
means of penalty
points.
Added by:
L.N. 43 of 2008.
Amended by:
L.N. 90 of 2010.

(2) Where the total number of penalty points endorsed on the entry of a tester equals or exceeds 150, the name of the tester shall be removed from the register of testers for a period of one year, and the Authority shall inform in writing the tester of such removal.

Major offences.
Added by:
L.N. 43 of 2008.
Amended by:
L.N. 90 of 2010.

- 25.** Where an operator or a tester -
- (a) makes an improper use of VRT certificate blanks;
 - (b) issues a pass certificate without actually test the vehicle;
 - (c) backdates a VRT certificate;
 - (d) receives any payment other than that for the services rendered in accordance with fees stipulated in these regulations;
 - (e) destroys official documentary paper;
 - (f) falsifies any data recorded during the testing of a vehicle,

that operator or tester, as the case may be, shall be guilty of an offence and shall, on conviction, be liable to the fines imposed by the Court and to the revocation of the operator's authorization or, in the case of the tester, to the removal of the tester's name from the testers' register for a period of not less than ten years.

PART VII

General Provisions

Records to be kept
 and returns to be
 furnished by
 operators.
Amended by:
L.N. 159 of 2003;
L.N. 43 of 2008;
L.N. 90 of 2010.

26. (1) Operators shall keep, in duplicate, a record relating to all tests carried out at each specific station, which records shall be kept in an appropriate form approved by the Authority, and shall contain the particulars required by that form.

(2) During the first fortnight of each month, every operator shall send to the Authority -

- (a) one copy of the record containing all the entries made therein relating to a test, as a result of which a passed test result or a notification of a negative test result has been issued during the last preceding month; or
- (b) if no such passed test result or notification has been issued, a notice to that effect.

(3) The other copy of such records shall be kept by the operator at the station at which the tests mentioned were carried out, for a period sufficient to ensure that upon the inspection at any time of that record under regulation 28, the entries relating to any test carried out within the last preceding twenty-four months will be available for inspection.

(4) Each operator shall ensure that upon the issue by him or by the inspector of a passed test result or of a notice of a negative test result, a copy of that passed test result or notice is made and preserved at that station for a period of not less than twenty-four months.

Duplicate passed
 test results.
Amended by:
L.N. 43 of 2008.

27. (1) If a passed test result has been lost or defaced, an application for the issue of a duplicate of the original passed test result may be made to the operator where the test has been carried out.

(2) The operator to whom the application is made shall issue a

duplicate passed test result only when sufficient particulars of the successful test of the vehicle are traced; and such passed test result shall be marked "Duplicate", and shall have the same effect as the original passed test result:

Provided that no action to trace the passed test result shall be taken if the original passed test result was issued more than twenty-four months previously, or if the applicant does not furnish with his application the approximate date when the original was issued and any other information which could help to trace the document.

28. An inspector may at any time, during the normal working day, on production of his authority, if so required, enter any station and upon such entry he shall be entitled to -

Inspection of premises, apparatus and records.
Amended by:
L.N. 43 of 2008;
L.N. 49 of 2012.

- (a) inspect the station and the apparatus provided at the station for the purpose of carrying out examinations and watch any testing which may be taking place;
- (b) satisfy himself as to the efficiency of such apparatus as regards calibration and, in the case of apparatus designed to give an indication of a measurement, to require evidence to be furnished to him that it will do so accurately within reasonable limits;
- (c) inspect all records and copies of passed test results, and notifications of negative test results as well as records concerning the calibration of all testing equipment, which are required to be kept or preserved at that station in accordance with these regulations;
- (d) be furnished with such information as he may reasonably require with respect to any of the said matters; and
- (e) generally to ensure that the provisions of the Fifth Schedule are being adhered to.

28A. In order to ensure that a high quality of testing is maintained over time, and in addition to what is already provided for in these regulations, the Authority shall regularly supervise VRT stations and shall, with effect from 1 January 2023, perform the tasks provided for in point 1 of Annex V of Directive 2014/45/EU and shall fulfil the requirements laid down in points 2 and 3 of that Annex.

Supervision of VRT stations.
Added by:
L.N. 124 of 2017.

29. (1) The Authority may prepare and supply for use for the purposes of these regulations any form which by these regulations is required to be approved by the said Authority or which is required for use as a passed test result, or a notice of a negative test result, for the purposes of constituting the record required to be kept under these regulations, and may include on any such form such additional matter as he may consider to be of assistance to persons making use of these forms or to persons to whom such forms may be issued when completed and no form other than one so prepared and supplied shall be used in any such case.

Forms and software.
Amended by:
L.N. 159 of 2003;
L.N. 43 of 2008;
L.N. 90 of 2010;
L.N. 49 of 2012.

(2) The forms referred to in sub-regulation (1) shall be

provided by the Authority upon payment of a fee to be shown thereon.

(3) The Authority may prepare and supply, upon the payment of a fee, suitable software for use by the operators in connection with roadworthiness tests:

Provided that once the software is made available from the Authority, any other software used by operators in connection with roadworthiness tests carried out shall conform with specifications approved by the Authority.

*Amended by:
L.N.124 of 2017.*

PART VIII

Roadside Technical Inspection of Certain Vehicles

(This Part shall apply until 19 May 2018)

Classes of vehicles to be subjected to roadside inspections.

*Added by:
L.N. 159 of 2003.
Amended by:
L.N. 43 of 2008;
L.N. 49 of 2012.*

Aspects of technical roadside inspections.

*Added by:
L.N. 159 of 2003.
Amended by:
L.N. 43 of 2008;
L.N. 49 of 2012.*

Inspection of braking systems and exhaust systems.

*Added by:
L.N. 159 of 2003.
Amended by:
L.N. 43 of 2008;
L.N. 49 of 2012.*

Exempted items.

*Added by:
L.N. 159 of 2003.
Amended by:
L.N. 43 of 2008;
L.N. 49 of 2012.*

Report relating to inspection and prohibition of use.

*Added by:
L.N. 49 of 2012.*

30. Category I, Category II, Category III and Category V vehicles, as defined in the Second Schedule, whether registered in Malta or in another country, shall be subjected to random roadside technical inspection when circulating on the public highway in Malta.

31. Technical roadside inspections shall comprise one or more of the following aspects:

- (a) visual assessment of the maintenance condition of the vehicle when stationary;
- (b) check of documentation relating to roadworthiness test or most recent technical inspection report;
- (c) inspection of irregularities covering one or more of the items to be checked listed in item 10 of Annex I of Directive 2000/30/EC as amended by Commission Directive 2010/47/EU.

32. An inspection of braking systems and exhaust emissions shall be carried out in accordance with rules laid down in Annex II of Directive 2000/30/EC as amended by Commission Directive 2010/47/EU.

33. Items contained in item 10 of Annex I of Directive 2000/30/EC as amended by Commission Directive 2010/47/EU may be exempted from inspection if such items were checked and passed the roadworthiness test or a technical roadside inspection during the preceding three months.

33A. (1) Roadside technical inspections shall be carried out by inspecting officers authorised by the Authority.

(2) The inspecting officer shall, while carrying out a roadside technical inspection, draw up a report which shall comply with the specimen report contained in Annex I of Directive 2000/30/EC as amended by Commission Directive 2010/47/EU.

(3) Where an inspecting officer considers that deficiencies in the maintenance of a vehicle may represent a safety risk such that, as regards the brakes in particular, further examination is justified, the vehicle shall be subjected to a more elaborate test at a nearby testing centre.

(4) Where it becomes clear that a vehicle presents a serious risk to its occupants or other road users either during the roadside inspection or during the more elaborate test referred to in sub-regulation (3), use of that vehicle shall be prohibited until the dangerous deficiencies discovered have been rectified.

(5) The Authority shall, without prejudice to any prosecution, report serious deficiencies found in a vehicle belonging to a person residing in any other Member State, in particular those resulting in a ban on use, to the competent authorities of that State, using the report prepared by the inspecting officer.

34.* Except as otherwise provided in these regulations, every notice issued by the Authority to operators shall be made in writing and sent by mail or by facsimile to the operators at their relative station.

Notices.
Amended by:
L.N. 159 of 2003;
L.N. 43 of 2008;
L.N. 90 of 2010.

PART IX

(This Part shall apply with effect from 20 May 2018) Technical
Roadside Inspection of Commercial Vehicles

Added by:
L.N.124 of 2017.

35. Commercial vehicles with a design speed exceeding 25 km/h in Category I, Category II, Category III (O3 and O4 trailers only) and Category VIII as defined in the Second Schedule, whether registered in Malta or in another country, shall be subjected to random technical roadside inspections when circulating on public roads in Malta.

Vehicles to be
subjected to
technical roadside
inspections.
Added by:
L.N.124 of 2017.

36. The technical roadside inspection system shall include initial technical roadside inspections as detailed in regulation 42(1) and more detailed technical roadside inspections as detailed in regulation 42(3).

Roadside
inspection system.
Added by:
L.N.124 of 2017.

37. For vehicles in Category I, Category II and Category III (O3 and O4 trailers only), the total number of initial technical roadside inspections shall, in every calendar year, correspond to at least 5% of the total number of these vehicles that are registered in Malta.

Percentage of
vehicles to be
inspected.
Added by:
L.N.124 of 2017.

38. (1) For vehicles in Category I, Category II and Category III (O3 and O4 trailers only), the information concerning the number and severity of deficiencies set out in Annex II and, where applicable, Annex III of Directive 2014/47/EU found on vehicles operated by individual undertakings shall be introduced into the risk rating system established under Article 9 of Directive 2006/22/EC. For the attribution of a risk profile to an undertaking, the Authority shall use the criteria set out in Annex I of Directive 2014/47/EU. That information shall be used to check undertakings with a high risk rating more closely and more often.

Risk rating system.
Added by:
L.N.124 of 2017.
Amended by:
L.N. 74 of 2024.

(2) For the purpose of implementing sub-regulation (1), the

*Re-numbered following the amendments made by L.N. 159 of 2003.

Authority shall use the information received from other Member States pursuant to regulation 52(1).

(3) The Authority shall allow additional voluntary roadworthiness tests on vehicles subject to the provisions of these regulations. Information on compliance with roadworthiness requirements obtained from voluntary tests shall be taken into account in order to improve the risk profile of an undertaking.

(4) The provisions of sub-regulations (1), (2) and (3) shall apply with effect from 20 May 2019.

Responsibilities of
undertakings.
Added by:
L.N.124 of 2017.

39. (1) Undertakings shall be required to keep on board the vehicle the roadworthiness certificate corresponding to the most recent periodic roadworthiness test or a copy thereof or, in the case of an electronically produced roadworthiness certificate, a certified or original printout of that certificate, and the report of the most recent technical roadside inspection, when they are available. The Authority shall accept electronic evidence of such inspections when information in that regard is accessible.

(2) Undertakings and drivers of a vehicle subject to a technical roadside inspection shall cooperate with the inspecting officers and provide access to the vehicle, its parts and all relevant documentation for the purposes of the inspection.

(3) For undertakings found in breach of sub-regulation (1) there shall be levied the relative administrative penalty established in the Fourteenth Schedule.

(4) An undertaking or a driver who fails to comply with the provisions of sub-regulation (2) shall be guilty of an offence and shall, on conviction, be liable to a fine of not less than €120 and not exceeding €250 for a first conviction, and to a fine of not less than €250 and not exceeding €1,200 for each subsequent conviction.

Inspecting officers.
Added by:
L.N.124 of 2017.
Amended by:
L.N. 74 of 2024.

40. (1) The Authority may appoint inspecting officers to carry out initial and/or more detailed technical roadside inspections and any other duties in relation to these regulations.

(2) A person may qualify as an inspecting officer if such person –

- (i) has held the position of Enforcement Officer with the Authority for not less than two consecutive years;
- (ii) is in possession of a driving licence for the categories of vehicles he is qualified to inspect;
- (iii) is in possession of a recognized qualification covering the areas listed in point 1(a) of Annex IV of Directive 2014/45/EU;
- (iv) has at least three years of documented experience or equivalent, such as documented mentorship or studies, and appropriate training in the road vehicle field;
- (v) is in possession of a certificate of competence issued by the Authority following the successful completion of a training course organized by the Authority or a body accredited by the Authority, which training shall be in relation to the topics listed in point 2(a) of Annex

IV of Directive 2014/45/EU; or is in possession of an equivalent certificate issued by the competent authority of a Member State:

Provided that the requirements listed in items (ii) to (v) shall only apply for inspecting officers who are authorised to carry out more detailed technical roadside inspections in accordance with regulation 42(3):

Provided further that inspecting officers employed as such by the Authority on the entry into force of these requirements shall be considered as being in possession of the necessary qualifications, training and experience required by this sub-regulation.

3) An inspecting officer shall, when required to do so by the Authority, receive refresher training organized by the Authority or a body accredited by the Authority, which training shall be in relation to the topics listed in point 2(a) of Annex IV of Directive 2014/45/EU.

(4) Inspecting officers shall have the same powers assigned to Enforcement Officers in the Transport Enforcement Officers Regulations.

S.L. 499.51

(5) When carrying out a technical roadside inspection, an inspecting officer shall be free from any conflict of interest that could have any influence on the impartiality and objectivity of his decision.

(6) When selecting a vehicle for a technical roadside inspection and when carrying out that inspection, inspecting officers shall refrain from any discrimination on grounds of the nationality of the driver or of the country of registration or entry into service of the vehicle.

(7) The compensation of inspecting officers shall not be directly related to the results of initial or more detailed technical roadside inspections.

41. (1) When identifying vehicles to be subject to an initial technical roadside inspection, inspecting officers may select, as a priority, vehicles operated by undertakings with a high-risk profile as referred to in Directive 2006/22/EC. Vehicles may also be selected randomly for inspection, or where there is a suspicion that the vehicle presents a risk to road safety or to the environment.

Selection of vehicles for initial technical roadside inspection.
Added by:
L.N.124 of 2017.

(2) Vehicles selected in accordance with sub-regulation (1) shall be subjected to an initial technical roadside inspection.

42.(1) In each initial technical roadside inspection of a vehicle, the inspecting officer:

Methods of technical roadside inspections.
Added by:
L.N.124 of 2017.

- (a) shall check the latest roadworthiness certificate and technical roadside inspection report, where available, kept on board, or electronic evidence thereof in accordance with regulation 39(1);
- (b) shall carry out a visual assessment of the technical condition of the vehicle;

- (c) shall carry out a visual assessment of the securing of the vehicle's cargo in accordance with regulation 45;
- (d) may carry out technical checks by any method deemed appropriate. Such technical checks may be carried out in order to substantiate a decision to submit the vehicle to a more detailed technical roadside inspection, or to request that the deficiencies be rectified without delay in accordance with regulation 46(1);
- (e) shall verify whether any deficiencies indicated in the previous technical roadside inspection report have been rectified.

(2) On the basis of the outcome of the initial inspection, the inspecting officer shall decide whether the vehicle or its trailer should be subject to a more detailed roadside inspection.

(3) A more detailed technical roadside inspection shall cover those items listed in Annex II of Directive 2014/47/EU that are considered necessary and relevant, taking into account in particular the safety of the brakes, tyres, wheels, chassis and nuisance, and the recommended methods applicable to the testing of those items.

(4) Where the roadworthiness certificate or a roadside inspection report demonstrates that an inspection of one of the items listed in Annex II of Directive 2014/47/EU has been carried out in the course of the preceding three months, the inspector shall not check that item, except where such a check is justified on the grounds of an obvious deficiency.

Inspection
facilities.
Added by:
L.N.124 of 2017.

43. (1) A more detailed technical roadside inspection shall be carried out using a mobile inspection unit or a designated roadside inspection facility, or in a VRT station;

(2) Where a more detailed inspection is to be carried out in a VRT station or designated roadside inspection facility, it shall be carried out as soon as possible in one of the closest practicable stations or facilities.

(3) Mobile inspection units and designated roadside inspection facilities shall include appropriate equipment for carrying out a more detailed technical roadside inspection, including the equipment necessary to assess the condition of the brakes and brake efficiency, steering, suspension and nuisance of the vehicle as required. Where mobile inspection units or designated roadside inspection facilities do not include the equipment required to check an item indicated in an initial inspection, the vehicle shall be directed to a VRT station or facility where a detailed check of that item can be performed.

Assessment of
deficiencies.
Added by:
L.N.124 of 2017.

44. (1) For all items to be inspected, there shall be assigned the possible deficiencies and the corresponding level of severity found in the list provided in Annex II of Directive 2014/47/EU.

(2) Deficiencies that are found during technical roadside inspections of vehicles shall be categorized in one of the following groups:

- (a) minor deficiencies having no significant effect on the safety of the vehicle or impact on the environment, and

other minor non-compliances;

- (b) major deficiencies that may prejudice the safety of the vehicle or have an impact on the environment or put other road users at risk, or other more significant non-compliances;
- (c) dangerous deficiencies constituting a direct and immediate risk to road safety or having an impact on the environment.

(3) A vehicle having deficiencies falling into more than one of the deficiency groups referred to in sub-regulation (2) shall be classified in the group corresponding to the more serious deficiency. A vehicle showing several deficiencies within the same inspection area as defined in the scope of the technical roadside inspection referred to in point 1 of Annex II of Directive 2014/47/EU, shall be classified in the next most serious deficiency group if the inspecting officer deems that the combined effect of those deficiencies results in a higher risk to road safety.

45. (1) During a roadside inspection a vehicle may also be subjected to an inspection of its cargo securing in accordance with Annex III of Directive 2014/47/EU, in order to ensure that the cargo is secured in such a way that it does not interfere with safe driving, or pose a threat to life, health, property or the environment. Checks may be carried out to verify that during all kinds of operation of the vehicle, including emergency situations or uphill starting manoeuvres

Inspection of cargo securing.
Added by:
L.N.124 of 2017.

- loads can only minimally change their position relative to each other, against walls or surfaces of the vehicle, and
- loads cannot leave the cargo space or move outside the loading surface.

(2) Without prejudice to the requirements applicable to transport of certain categories of goods, such as those covered by the ADR, cargo securing and inspection of the securing of cargo may be carried out in accordance with the principles and, where appropriate, the standards laid down in Section I of Annex III of Directive 2014/47/EU. The latest version of the standards laid down in point 5 of Section I of Annex III of the same Directive may be used.

(3) The follow-up procedures referred to in regulation 46 may also apply in the case of major or dangerous deficiencies related to cargo securing.

(4) Inspecting officers involved in cargo securing checks shall be appropriately trained for that purpose by the Authority or by a body accredited by the Authority.

46. (1) Without prejudice to sub-regulation (3), inspecting officers shall ensure that any major or dangerous deficiency revealed by an initial or more detailed inspection is rectified before the vehicle is allowed to be used on public roads.

Follow-up in the case of major or dangerous deficiencies.
Added by:
L.N.124 of 2017.
Amended by:
L.N. 74 of 2024.

(2) If the vehicle is registered in Malta, the inspecting officer shall issue a notice to the undertaking informing him that the

vehicle is to undergo a full roadworthiness test within a specified time limit following the inspection. If the vehicle is registered in another Member State, the inspecting officer or any other authorized officer of the Authority shall request the competent authority of that other Member State, via the contact points referred to in regulation 51, to carry out a new roadworthiness test of the vehicle in accordance with the procedure laid down in regulation 52(2). Where major or dangerous deficiencies are found in a vehicle registered outside the Union, the inspecting officer or any other authorised officer of the Authority shall inform the competent authority of the country of registration of the vehicle.

(3) In the case of any deficiencies which require prompt or immediate rectification due to any direct and immediate risk to road safety, use of the vehicle shall be prohibited and the inspecting officer shall issue a notice to the undertaking informing him that the vehicle in question is prohibited from being used on the road until those deficiencies have been rectified. The inspecting officer may also order that the vehicle is either clamped or towed away to an available location where it can be repaired.

(4) Except as otherwise provided in these regulations, every notice issued by the Authority and inspecting officers to undertakings shall be made in writing.

*Added by:
L.N.124 of 2017.*

47. (1) The Authority shall have the discretionary power to impose the administrative penalties prescribed in the Fourteenth Schedule on any undertaking who breaches regulation 39(1) and/or whose vehicle has been found to have major or dangerous deficiencies following a more detailed inspection.

*Administrative
penalties for
undertakings.*

(2) Where an administrative penalty has been imposed in accordance with sub-regulation (1), the inspecting officer shall request the driver to pay a deposit equal to such administrative penalty. The inspecting officer may clamp the vehicle until such deposit has been settled in full; provided that an official receipt shall be given by the inspecting officer 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.

*Fees to be paid for
inspections,
clamping and
towing of vehicles
Added by:
L.N.124 of 2017.*

48. (1) Where deficiencies have been found following a more detailed inspection which has been carried out at a VRT station, there shall be levied on the undertaking under whose name the vehicle is registered the relative test fee for that vehicle as specified in the Eighth Schedule.

(2) Where the vehicle has been clamped or towed away in accordance with regulations 46(3) or 47(2), there shall be levied on the undertaking under whose name the vehicle is registered the relative fees established in the Clamping and Removal of Motor Vehicles and Encumbering Objects Regulations.

S.L. 65.13.

49. (1) For each initial technical roadside inspection carried out, the inspecting officer shall communicate the following information to the Authority:

- (a) country of registration of the vehicle;
- (b) category of the vehicle;
- (c) outcome of the initial technical roadside inspection.

Inspection report and record keeping of technical roadside inspections.
Added by:
L.N.124 of 2017.
Amended by:
L.N. 74 of 2024.

(2) On completion of a more detailed inspection, the inspecting officer shall draw up a report in accordance with the Sixteenth Schedule and shall provide a copy of such report to the driver of the vehicle.

(3) The inspecting officer shall communicate to the Authority the results of the more detailed technical roadside inspection within two working days following that inspection. The Authority shall keep that information in accordance with the applicable provisions of the Data Protection Act for not less than 36 months from the date of its receipt.

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50. Inspecting officers shall undertake concerted roadside inspection activities on a yearly basis in accordance with the provisions of Article 19 of Directive 2014/47/EU.

Concerted technical roadside inspections.
Added by:
L.N.124 of 2017.

51. The Authority shall be the designated contact point which shall:

Designation of contact point.
Added by:
L.N. 74 of 2024.

(a) ensure coordination with contact points designated by other Member States as regards actions taken in accordance with regulation 52;

(b) forward the data referred to in regulation 53 to the European Commission; and

(c) ensure, where appropriate, any other exchange of information with contact points of other Member States and the provision of assistance to the contact points of other Member States.

52. (1) In cases where major or dangerous deficiencies, or deficiencies resulting in a restriction or prohibition on the use of the vehicle are found, in a vehicle not registered in Malta, the Authority shall notify the results of the inspection to the contact point of the Member State of registration of the vehicle. Such notification shall contain the elements of the roadside inspection report as stipulated in the Sixteenth Schedule and shall be communicated through the national electronic register referred to in Article 16 of Regulation (EC) No 1071/2009.

Cooperation between Member States.
Added by:
L.N. 74 of 2024.

(2) In cases where major or dangerous deficiencies are found in a vehicle that has been inspected, but which is not registered in Malta, the Authority may request the competent authority of the Member State in which the vehicle is registered, through the contact point of that Member State, to take appropriate follow-up action, such as submitting the vehicle to a further roadworthiness

test as provided for in regulation 46.

Communication of
information to the
European
Commission.
*Added by:
L.N. 74 of 2024.*

53. (1) Before 31st March 2021 and before 31st March every two years thereafter, the Authority shall communicate to the European Commission, by electronic means, the data collected relating to the previous two calendar years and concerning the vehicles inspected in Malta. Such data shall indicate:

- (a) the number of vehicles inspected;
- (b) the category of vehicles inspected;
- (c) the country of registration of each vehicle inspected;
- (d) in the case of more detailed inspections, the parts verified and the items failed in accordance with item 10 of the Sixteenth Schedule.

(2) The first report shall cover the period of two years beginning on 1 January 2019.

(3) The data referred to in sub-regulation (1) shall be communicated by electronic means in accordance with rules which shall be established by the European Commission concerning the format in which such data shall be communicated. Until the establishment of the said rules, the standard reporting form stipulated in the Seventeenth Schedule shall be used.

Amended by:
L.N. 314 of 2001;
L.N. 159 of 2003;
L.N. 41 of 2006;
L.N. 43 of 2008;
L.N. 49 of 2012.
L.N.124 of 2017;
L.N. 298 of 2022.

FIRST SCHEDULE
(Regulation 2, 18D and 18E)
Prescribed Requirements

A. the requirements established by the Driver and Vehicle Standards Agency of the United Kingdom as contained in the following manuals and their subsequent updates and amendments :

- (a) The Motor Bicycle and Sidecar Testing Manual (latest edition);
- (b) The Private Passenger and Light Commercial Testing Manual (latest edition);
- (c) The Heavy Goods Vehicle Inspection Manual (latest edition);
- (d) The Public Service Vehicle Inspection Manual (latest edition).

B. The requirements in connection with public service vehicles that may be issued from time to time by the Authority.

C. Exhaust sound level testing

Category VII Vehicles - shall be tested to an exhaust sound level rating not exceeding 119 dB (A) when the engine revolutions are at three-fourths of the maximum rated speed.

Category I, Category II, Category IV, Category V, Category VI and Category VIII vehicles - shall be tested to a sound level as listed below for various engines when revolutions are at three-fourths of the maximum rated speed:

- all petrol engines at 100 dBA;
- all diesel engines less than 150KW (200bhp) at 101 dBA;
- all diesel engines equal to or in excess of 150KW (200bhp) at 105 dBA.

D Functional testing of speed limitation devices.

All Category I and Category II vehicles that, under the Motor Vehicles (Weights, Dimensions and Equipment) Regulations, are required to be equipped with a speed limitation device, shall be checked wherever practical, to ensure that the speed limitation devices are fully operational and that the following maximum speed limits are set for the following vehicle categories:

- N2 and N3 vehicles at 90 kph
- N2 and N3 vehicles used for the carriage of dangerous goods at 90 kph
- M2 and M3 vehicles at 100 kph.

E Examination of high pressure fuel pump seal.

Where applicable, vehicles of all classes having a compression ignition (diesel) engine shall be examined for the sealing of the high pressure fuel pump.

F Examination of the light transmission of all motor vehicle windows to ensure compliance with levels prescribed in the Motor Vehicles Regulations.

G Active fire extinguishers in N1, N2, N3, M2 and M3 vehicles and in taxis.

- H Glass breaking hammer in public service vehicles (M2 and M3 vehicles).
- I. Spray suppression system on N2, N3, M2, M3, T1b, T2b, T3b, T4.1b, T4.2b and T4.3b category vehicles.

SECOND SCHEDULE
(Regulations 4, 10, 30 and 35)
Classification of Vehicles

*Substituted by:
L.N. 157 of 1999.
Amended by:
L.N. 159 of 2003;
L.N. 43 of 2008.
Substituted by:
L.N. 49 of 2011.
Amended by:
L.N. 124 of 2017;
L.N. 298 of 2022.*

Motor vehicles are classified as follows for testing purposes:

- CATEGORY I - Motor vehicles used for the carriage of passengers and which can carry more than eight persons excluding the driver (M2 and M3 vehicles)
 - CATEGORY II - Motor vehicles used for the carriage of goods and having a maximum permissible mass exceeding 3.5 tonnes (N2 and N3 vehicles)
 - CATEGORY III - Trailers and semi-trailers (category O - O1, O2, O3 and O4)
 - CATEGORY IV - Taxis
Chauffeur driven vehicles
M1 vehicles licensed for hire or leasing
Ambulances
Caravans
 - CATEGORY V - Motor vehicles having at least four wheels, normally used for the road carriage of goods and with a maximum mass not exceeding 3.5 tonnes (N1 vehicles)
 - CATEGORY VI - Motor vehicles having at least four wheels, used for the carriage of passengers and which can carry no more than eight persons excluding the driver, including Hearses (M1 vehicles)
 - CATEGORY VII - Mopeds, Motorcycles, Motor Tricycles, Quadricycles and Quad bikes (L3e, L4e, L5e and L7e vehicles with an engine displacement of more than 125cm³).
 - CATEGORY VIII- Wheeled tractors with a maximum design speed exceeding 40 km/h, the use of which mainly takes place on public roads (T1b, T2b, T3b, T4.1b, T4.2b and T4.3b vehicles)
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THIRD SCHEDULE

[Regulation 8]

Amended by:
 L.N. 159 of 2003;
 L.N. 90 of 2010;
 L.N. 49 of 2012.
 Substituted by:
 L.N. 87 of 2012.
 Amended by:
 L.N. 124 of 2017.

APPLICATION FOR A LICENCE TO ACT
 AS A VEHICLE TESTING STATION OPERATOR



Land Transport Directorate,
 Transport Malta
 Hornsworks Ditch,
 Floriana

APPLICATION FOR A LICENCE TO
 ACT AS A CONTRACTED OPERATOR
 in terms of regulation 8 of the Motor Vehicle
 Roadworthiness Test Regulations, 1998.

1. A separate application has to be submitted for each testing station
2. Each operator shall be allowed a maximum of two test lanes per testing station
3. Please complete in ink and block letters, and return to Land Transport Directorate at the above address.

1. DETAILS OF APPLICANT

(Please tick appropriate box)

☐

An Individual

☐

A Partnership

☐

A Company

Name

Address

Post Code

Tel No

Fax No

Email

Name of signatory of company, etc

I.D. No

VAT No

2. DETAILS OF PREMISES TO BE USED AS A TESTING STATION

Address of premises

Post Code

Tel No

Email

3. DOCUMENTS REQUIRED

- (a) The following documents should accompany each application:
- (i) A banker's reference or similar evidence of sound financial standing.
 - (ii) Police conduct certificate.
 - (iii) The area site plan and the internal set-up of the premises in respect of which this application has been submitted, as well as a copy of the MEPA permit.
- (b) In addition to the above, organisations (companies, partnerships, ect.) are to produce also:
- (i) A list containing the names, addresses and identity card number of directors, partners, etc.
 - (ii) A declaration authorising the signatory of company, etc. to sign this application.

4. DECLARATION

- (a) I/we apply to be authorised to act as a contracted operator in respect of:
(please tick appropriate box/boxes – application may be made in respect of all classes)
- ☐ Class 1 authorisation – vehicles in category VII
- ☐ Class 2 authorisation – vehicles in category I, IV, V, VI (not exceeding 3.5 tonnes)
- ☐ Class 3 authorisation – vehicles in category I, II, III VIII (exceeding 3.5 tonnes)
- (b) I/we understand that:
- (i) the possession of premises and equipment which appear to be suitable does not mean that authorisation would be granted;
 - (ii) applicants will have to comply with all the requirements of the Motor Vehicle Roadworthiness Test Regulations.
- (c) I/we hereby agree and consent to have my/our personal data collected and processed by Transport Malta (TM) for the purpose of processing my/our application and may undertake verification of all personal data submitted on this application form by sharing, requesting or disclosing data as it deems fit.

Furthermore I/we consent to have my/our personal details published in the event that a licence is granted or that it shall publish any information in order to inform the general public about the use, conditions and exercise of my licence.

This consent is being granted on the condition and understanding that TM will comply with all relevant legislation relating to the handling and processing of personal data.

Signature

Date

Amended by:
L.N. 159 of 2003;
L.N. 41 of 2006;
L.N. 43 of 2008;
L.N. 49 of 2012;
L.N.124 of 2017.
Substituted by:
L.N. 298 of 2022.

FOURTH SCHEDULE
(Regulations 9 and 19)
SPECIFICATIONS FOR TESTING EQUIPMENT

I. Equipment

Vehicle roadworthiness tests undertaken in accordance with these regulations shall be carried out by using the appropriate equipment. The test equipment that is necessary will depend on the vehicle categories to be tested, as described in Table I. The fully-computerised test lane/s shall incorporate the following minimum equipment:

1. For each test lane, a pit or lift and, for the testing of vehicles having a maximum mass exceeding 3.5 tonnes, a device to lift a vehicle on one of the axles, equipped with appropriate lighting and, where necessary, with aeration devices;

2. For testing any vehicle, a roller brake tester capable of measuring, displaying and recording the braking forces and the air pressure in air brake systems, provided that with effect from 20 May 2023, such roller brake tester shall be in accordance with Annex A to standard ISO 21069-1 on the technical requirements of roller brake tester or equivalent standards;

3. For testing vehicles having a maximum mass not exceeding 3.5 tonnes, a roller brake tester in accordance with item 2, which may not have the capability of recording and displaying braking forces, pedal force and the air pressure in air brake systems, or

A plate brake tester equivalent to the roller brake tester in accordance with item 2, which may not have the capability of recording and displaying the braking forces, pedal force and the air pressure in air brake systems;

4. A deceleration recording instrument, while non-continuous measurement instruments must record and, or store measurements at least 10 times per second;

5. Facilities for the testing of air brake systems, such as manometers, connectors and hoses;

6. A wheel or axle load measuring device to determine the axle loads (optional facilities for measuring two-wheel loads, such as wheel weight pads and axle weight pads);

7. A device for testing the wheel-axle suspension (wheel play detector) without lifting the axis, meeting the following requirements:

- (a) the device must be equipped with at least two power-operated plates that can be moved in opposite sense in both the longitudinal and the transversal directions;
- (b) the movement of the plates must be controllable by the operator from the testing position;
- (c) for vehicles having a maximum mass exceeding 3.5 tonnes, the plates shall comply with the following technical requirements:
 - longitudinal and transversal movement of at least 95 mm,

- longitudinal and transversal movement speed 5 cm/s to 15 cm/s;

8. A Class II sound level meter;
9. An exhaust gas analyser for petrol and diesel vehicles, provided that with effect from 20 May 2023, such analyser shall be a 4-gas analyser (carbon monoxide, carbon dioxide, oxygen and hydrocarbons) in accordance with Directive 2014/32/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States relating to the making available on the market of measuring instruments (recast);
10. A device for measuring the absorption coefficient with sufficient accuracy;
11. One headlamp aiming device allowing the setting of the headlight to be tested in accordance with the provisions for the setting of headlights of motor vehicles (Regulation (EU) 2019/2144); the light and dark boundary must be easily recognisable in daylight (without direct sunlight);
12. A device for measuring the tread depth of tyres;
13. A device to connect to the electronic vehicle interface, such as an OBD scan tool;
14. A device to detect LPG/CNG/LNG leakage, if such vehicles are tested.

Any of the above devices may be combined in one composite device, provided that this does not affect the accuracy of each device.

II. Calibration of equipment used for measurements

The interval between two successive calibrations may not exceed:

- (i) 24 months for the measurement of weight, pressure and sound level;
- (ii) 24 months for the measurement of forces;
- (iii) 12 months for the measurement of gaseous emissions.

III. Other Requirements

The fully computerised test lane/s will be required to:

1. test the braking efficiency of service, secondary and parking brakes to at least 50% maximum permissible mass, 25% maximum permissible mass and 16% maximum permissible mass respectively, as well as a brake imbalance limit of at least 70% on every axle;
2. test the exhaust gas emissions of petrol engines at least for carbon monoxide and hydrocarbon gas levels to within manufacturers' specifications of at least 0% volume and 50 ppm respectively;
3. measure the engine revolutions per minute and engine oil temperature at time of test;
4. perform a Lambda test as per makers' specification and have 1K as its limit value;

5. test exhaust gas opacity co-efficient of absorption of both naturally aspirated and turbo-charged diesel engines as per makers' specifications (minimum scale range is $K=0$ to $6m^{-1}$);

6. test steering free play through the use of wheel turning plates;

7. have the facility to lift vehicles for under-vehicle inspection and to raise separate axles to determine steering and suspension wear and tear;

8. test headlamp aim to pre-set limits within the band tolerances on the equipment aiming screen as required for headlamp type and height setting;

9. perform exhaust system sound level testing;

10. print and transmit to link at Land Transport Directorate, the limits and actual values resulting from tests carried out, as well as the particulars of the relative authorised testing station and of the vehicle undergoing the test, and the date and time of test.

The software, hardware and communications equipment used by operators must be capable of on-line retrieval and update of the vehicle databases in use by the Land Transport Directorate. The software, hardware and communications equipment used by operators must be in accordance with Government standards.

Table I*

Minimum equipment required for the purpose of performing a roadworthiness test																	
Vehicles		Category		Equipment required for each item listed in section I													
	Maxim um Mass			1	2	3	4	5	6	7	8	9	10	11	12	13	14
1.Motorcy cles			**														
		L1e	P								x	x		x	x	x	
		L3e, L4e	P								x	x		x	x	x	
		L3e, L4e	D								x		x	x	x	x	
		L2e	P	x							x	x		x	x	x	
		L2e	D	x							x		x	x	x	x	
		L5e	P	x							x	x		x	x	x	
		L5e	D	x							x		x	x	x	x	
		L6e	P	x							x	x		x	x	x	
		L6e	D	x							x		x	x	x	x	
		L7e	P	x							x	x		x	x	x	
		L7e	D	x							x		x	x	x	x	
2. Vehicles for the carriage of persons																	
	≤3,500 kg	M1, M2	P	x		x					x	x		x	x	x	x
	≤3,500 kg	M1, M2	D	x		x					x		x	x	x	x	

[illegible]

> 750 Kg ≤ 3,500 kg	O2		x		x													
> 3,500 kg	O3, O4		x	x			x	x	x							x		

* The vehicle categories which are outside the scope of these regulations are included for guidance.

** P...petrol (positive ignition); D...diesel (compression ignition)."

Amended by:
L.N. 43 of 2008.

FIFTH SCHEDULE
(Regulations 9 and 28)
SPECIFICATIONS FOR TESTING STATIONS

All stations -

- (a) shall have the minimum dimensions of the entrance and inspection area for the various classes of vehicles as shown hereunder:-

	Entrance		Inspection Area	
	Height	Width	Length	Width
Heavy Vehicles	4.5m	3.5m	19.0m	4.5m
Light Vehicles	2.4m	2.5m	6.0m	3.5m
Motorcycles	-	-	3.0m	1.5m

- (b) should have a maximum of two test lanes and should be suitable for the testing of vehicles in the class applied for;
- (c) should be provided with a partitioned-off area within the premises, for vehicle owners from where they could watch their vehicle being tested.
- (d) should, in the case where other services are provided from the same premises, ensure that the testing area is partitioned-off by means of a wall or other permanent structure;
- (e) all premises, except those for the testing of motorcycles, should *preferably* be of the through-flow type, i.e., entering at one end and completing the test at the other;
- (f) the test area shall have a floor capable of supporting the weight of vehicles under test;
- (g) should *preferably* contain sufficient space for off-road parking;
- (h) should have safe access from and to the public road;
- (i) the testing site should be secured at close of business.

SIXTH SCHEDULE

(Deleted by Legal Notice 90 of 2010).

SEVENTH SCHEDULE

(Deleted by Legal Notice 90 of 2010).

EIGHTH SCHEDULE

(Regulations 18A, 18B, 18E, 19 and 48)
Fees* and Frequency of Tests

Substituted by:
L.N. 157 of 1999;
Amended by:
L.N. 159 of 2003.
Substituted by:
L.N. 41 of 2006;
L.N. 408 of 2007.
Amended by:
L.N. 43 of 2008.
Substituted by:
L.N. 49 of 2012.
Amended by:
L.N. 149 of 2014.
Substituted by:
L.N. 58 of 2016;
L.N. 124 of 2017;
L.N. 330 of 2019.
Amended by:
L.N. 298 of 2022.

Category of vehicle	Full Fee €	Full Fee €	Full Fee €	Frequency of Tests
	Up to 31 st December 2019	From 1 st January 2020 to 31 st December 2022	From 1 st January 2023	
Category I				
Motor vehicles used for the carriage of passengers and with more than eight seats excluding the driver's seat (M2 and M3 vehicles)				
Vehicles with a maximum permissible mass not exceeding 3.5 tonnes	26.32	36.32	41.32	B
Vehicles with a maximum permissible mass exceeding 3.5 tonnes	31.10	41.10	46.10	B

Category II				
Motor vehicles used for the carriage of goods and having a maximum permissible mass exceeding 3.5 tonnes (N2 and N3 vehicles)	31.10	41.10	46.10	B
Category III				
Trailers and semi-trailers				
with a maximum permissible mass not exceeding 3.5 tonnes (O1 and O2 vehicles)	26.32	36.32	41.32	C
with a maximum permissible mass exceeding 3.5 tonnes (O3 and O4 vehicles)	31.10	41.10	46.10	B
Category IV				
Taxis	20.27	25.27	30.27	B
Chauffeur driven vehicles	20.27	25.27	30.27	B
M1 vehicles licensed for hire or leasing	20.27	25.27	30.27	D/E
	20.27	25.27	30.27	B
Ambulances	20.27	25.27	30.27	B
Caravans				
Category V				
Motor vehicles having at least four wheels, normally used for the road carriage of goods and with a maximum permissible mass not exceeding 3.5 tonnes (N1 vehicles)	26.32	36.32	41.32	C/E
Category VI				
Motor vehicles having at least four wheels, used for the carriage of passengers and with no more than eight seats excluding the driver's seat, including Hearses (M1 vehicles)	20.27	25.27	30.27	D/E
Category VII**				
Mopeds, Motorcycles, Motor Tricycles, Quadricycles and Quad Bikes (L3e, L4e, L5e and L7e vehicles with a combustion engine with a displacement of more than 125cm³)	14.33	19.33	24.33	A

Category VIII*** Wheeled tractors, the use of which mainly takes place on public roads with a maximum design speed exceeding 40 km/h (T1b, T2b, T3b, T4.1b, T4.2b and T4.3b vehicles)	31.10	41.10	46.10	D
Imported used vehicles 1. Without prejudice to regulation 18B, a used vehicle brought into Malta from another Member State shall be deemed to be covered by a valid roadworthiness certificate in accordance with these regulations if that vehicle is already covered by a roadworthiness certificate issued by that Member State that is still valid in terms of the frequency intervals established in Annex 1 of Directive 2009/40/EC and, with effect from 20 May 2018, those established in article 5 of Directive 2014/45/EU. The Authority may however; for justified reasons require any such vehicle to be submitted for a roadworthiness test prior to its registration in Malta.	As above according to category	As above according to category	As above according to category	
2. A used vehicle imported from a third country shall undergo a roadworthiness test in accordance with these regulations prior to registration in Malta irrespective whether or not that vehicle is already covered by a valid roadworthiness certificate issued by that country or by any other Member State.	As above according to category	As above according to category	As above according to category	
Change of holder of the registration certificate of a vehicle 1. Without prejudice to regulation 18B, a vehicle which is covered by a valid roadworthiness certificate in accordance with these regulations, shall not be required to undergo another roadworthiness test in the event that the holder of the registration certificate of that vehicle changes. The Authority may however; for justified reasons require any such vehicle to be submitted for a roadworthiness test prior to changing the holder of the registration certificate of such vehicle.	As above according to category	As above according to category	As above according to category	

* Fees inclusive of VAT.
** Subject to test with effect from such a date as the Minister responsible for transport may by notice in the Gazette establish.
*** Subject to test with effect from 20 May 2018.
Frequency of test:
A. Such frequency as the Minister responsible for transport may by notice in the Gazette establish
B. One year from date of first registration and annually thereafter
C. Two years from date of first registration and biennially thereafter
D. Four years from date of first registration and biennially thereafter
E. One year from reaching a distance driven of more than 160,000km in a roadworthiness test and annually thereafter."

NINTH SCHEDULE (Regulation 19)

Substituted by:
L.N. 157 of 1999;
L.N. 159 of 2003;
L.N. 41 of 2006;
L.N. 69 of 2006;
L.N. 408 of 2007;
L.N. 43 of 2008;
L.N. 49 of 2012.
Amended by:
L.N. 149 of 2014;
L.N.124 of 2017;
L.N. 298 of 2022.

Authority for Transport Administrative Charge

Category of vehicle	Administrative charge €
Category I	
Motor vehicles used for the carriage of passengers and with more than eight seats excluding the driver's seat (M2 and M3 vehicles)	
- Vehicles with a maximum permissible mass not exceeding 5 tonnes	0.70
- Vehicles with a maximum permissible mass exceeding 5 tonnes	0.70
Category II	
Motor vehicles used for the carriage of goods and having a maximum permissible mass exceeding 3.5 tonnes (N2 and N3 vehicles)	0.70
Category III	
Trailers and semi-trailers	
- with a maximum permissible mass not exceeding 3.5 tonnes	0.70
- with a maximum permissible mass exceeding 3.5 tonnes	0.70
Category IV	
Taxis	0.45
Chauffeur driven vehicles	0.45
M1 vehicles licensed for hire or leasing	0.45

Category of vehicle	Administrative charge €
Ambulances	0.45
Caravans	0.45
Category V	
Motor vehicles having at least four wheels, normally used for the road carriage of goods and with a maximum permissible mass not exceeding 3.5 tonnes (N1 vehicles)	0.70
Category VI	
Motor vehicles having at least four wheels, used for the carriage of passengers and with no more than eight seats excluding the driver's seat, including Hearses (M1 vehicles)	0.45
Category VII	
Mopeds, Motorcycles, Motor Tricycles, Quadracycles and Quad Bikes (L3e, L4e, L5e and L7e vehicles with a combustion engine with a displacement of more than 125cm ³)	0.70
Category VIII	
Wheeled tractors with a maximum design speed exceeding 40km/h, the use of which mainly takes place on public roads (T1b, T2b, T3b, T4.1b, T4.2b and T4.3b vehicles)	
Imported used vehicles	As above according to category

TENTH SCHEDULE

(Deleted by Legal Notice 49 of 2012).

ELEVENTH SCHEDULE

(Deleted by Legal Notice 49 of 2012).

Added by:
L.N. 43 of 2008.
Amended by:
L.N. 49 of 2012.
Substituted by:
L.N.124 of 2017.

TWELFTH SCHEDULE (Regulation 21)

Penalty Points System used to determine the number of penalty points to be endorsed for breaches committed by an operator or by a tester

Item	Offence	Points	
		Operator	Tester
1	Operating without an assistant tester	5	
2	No MOT inspection manual in test lane	5	
3	VRT station not clean or unsafe for the tester and the public	30	
4	Testing with faulty or without VRT equipment, or with an expired calibration certificate	50	
5	Conducting and providing services other than a service which forms part of a VRT test within the designated area approved by the Authority for Transport in Malta during operating hours	20	
6	Test carried out by unregistered tester	1,000	
7	Conviction of a serious offence not necessarily connected with vehicle mandatory testing but which could affect the proper conduct of testing	1,000	150
8	Additional penalty points to operators who have five offences totaling at least 250 points within a period of thirty six months	1,000	
9	Not carrying out all preliminary checks		5
10	Not updating the online system within stipulated times and/or not adhering to other administrative procedures	5	5
11	Not checking chassis number (or VIN) properly		20

12	Failure to carry out the correct test procedures as stipulated in the Directive or VRT manual and its amendments or to input correct vehicle data as stipulated in the VRT manual prior to carrying out an official test on that particular vehicle	20
13	Overlooking a fault in, or failing to test for, position lights	10
14	Overlooking a fault in, or failing to test for, signaling lights	10
15	Overlooking a fault in, or failing to test for, driving lights	10
16	Overlooking a fault in, or failing to test for, tell-tale lights	10
17	Overlooking a fault in, or failing to test for, service brakes	100
18	Overlooking a fault in, or failing to test for, parking brakes	20
19	Overlooking a fault in, or failing to test for, steering other than torn bellows	50
20	Overlooking a fault in, or failing to test for, tyres	50
21	Overlooking a fault in, or failing to test for, suspension	50
22	Overlooking a fault in, or failing to test for, windscreen	20
23	Overlooking a fault in, or failing to test for, exhaust system	25
24	Overlooking a fault in, or failing to test for, noise	30
25	Overlooking a fault in, or failing to test for, emission from spark ignition engines	50
26	Overlooking a fault in, or failing to test for, compression ignition engine exhaust smoke	50
27	Overlooking a missing or tampered with diesel pump seal	50
28	Overlooking a fault in, or failing to test for, wipers	15
29	Overlooking a half shaft torn bellows	20
30	Overlooking a steering torn bellows	20
31	Overlooking tinted glass	5
32	Overlooking a fault in, or failing to test for, seatbelts	30
33	Overlooking lack of pedal rubber pads	5
34	Overlooking a fault in, or failing to test for, seat structure	10
35	Overlooking, or failing to test for, body rust	20
36	Overlooking a fault in, or failing to test for, windscreen washers	10
37	Overlooking a fault in, or failing to test for, wheel bearings	10
38	Overlooking a fault in, or failing to test for, wheel studs	10
39	Overlooking a fault in, or failing to test for, rear view mirrors	15
40	Overlooking lack of fire extinguisher	10
41	Overlooking lack of glass breaking hammer	10
42	Overlooking lack of spray suppression system	10
43	Overlooking a fault in, or failing to test for, braking system warning device	50
44	Overlooking a fault in, or failing to test for, fuel system	20
45	Overlooking a fault on, or failing to test for, couplings devices	50
46	Overlooking a fault in, or failing to test for, door locks	10

47	Overlooking a missing First Aid Kit (Public Transport Vehicle only)		10
48	Overlooking a fault on, or failing to test for, securities of batteries		10
49	Photo procedure not followed	10	10
50	Four repeat offences of the same type by the same tester		5
51	Conducting a test on a vehicle the class of which the tester is not qualified to test	50	50
52	Preconditioning a vehicle owner to effect repairs or adjustments as indicated in the test result at the same premises	100	100
53	Carrying out a roadworthiness test on a motor vehicle on which the tester has, immediately prior the test, carried out repairs to testable items		100
54	Failing to note a malfunctioning or tampered odometer (if available)		50
55	Failing to note or overlooking discrepancies in odometer readings		30
56	Overlooking a fault in, or failing to test Airbag warning Light		20
57	Overlooking a fault in, or failing to test ESC (electronic stability control) warning light		50
58	Overlooking a fault in, or failing to test EPB (electronic parking brake) warning lights		20
59	Overlooking a fault in, or failing to test power steering warning lights		50
60	Overlooking a fault in, or failing to test engine check warning lights		20
61	Overlooking a fault in, or failing to test door handles		10
62	Overlooking a fault in, or failing to test vehicle's windows other than windscreen		10
63	Overlooking a fault in, or failing to test number plate lights		10
64	Overlooking a deficiency in vehicle registration plate		20
65	Overlooking, or failing to check for, corrosion on vehicle stress points		50
66	Overlooking a fault in, or failing to test the audible warning system		10
67	Overlooking a fault in, or failing to test excessive oil leak in dumpers		10
68	Overlooking a fault in, or failing to test CV joints		20
69	Failing to check vehicle registration document data with actual vehicle data		20
70	Failure to give notice to the Authority of any change in the names of persons authorised to personally carry out or supervise tests at the station	10	

71	Failure to put up and keep exhibited at the station the details specified in regulation 10(1)(c)	5	
72	Failure to make the station and equipment available to officials of the Authority for the purpose of carrying out any test which they may require	30	
73	Failure to inform the Commissioner of Police that a vehicle brought in for a test is a stolen vehicle or was used in the commitment of a criminal offence	100	
74	Failure to give prior notice to the Authority in the circumstances envisaged in regulation 10(1)(f)	10	
75	Failure to provide Authority with copy of manuals provided for testing equipment when so required to do	10	
76	Failure to provide for the safe-keeping of all documents, forms and stamps in his possession	30	
77	Charging of fee in excess of the prescribed amount	50	50
78	Failure to remove from station a person with regard to whom Authority has objected in terms of regulation 10(2)	50	
79	Failure to inform Authority within 7 days of termination of employment of tester	5	
80	Failure to inform Authority within 7 days of any reason for which authorization should cease to have effect in terms of regulation 11	20	
81	Carrying out tests during period of temporary closure of station or suspension of authorization	100	
82	Failure to make station available for a re-test ordered by the officials of the Authority	30	
83	Failure to have in place adequate insurance coverage as required by regulation 17	50	
84	Requiring indemnity from clients for any damages which may be occasioned in the station in violation of regulation 17(2)	10	
85	Failure to inform Authority of a break-down in the online retrieval system	5	
86	Assignment of authorization to third party without Authority's approval	300	
87	Destruction of official documents or forms	1,000	
88	Failure to keep records as required in regulation 26(1)	50	
89	Failure to send records and/or copies of test results to the Authority	20	
90	Failure to issue duplicate test result when so requested	10	
91	Refusal to test vehicle within the class of his authorization except in the cases specified in paragraphs (i) to (v) of regulation 10(1)(o)	10	10
92	Failure to abide by lawful instructions of Authority's officials	200	200

93	Issued a pass result either without conducting a complete test or where a fail result should have been issued	1,000	1,000
94	Making improper use of VRT certificate blanks	1,000	1,000
95	Back-dating of VRT certificate	1,000	1,000
96	Falsification of data recorded during testing of a vehicle	1,000	1,000
97	Carrying out test on vehicle for which the vehicle registration certificate is not produced		150
98	Carrying out test on vehicle the details of which do not tally with the details shown on its vehicle registration certificate		150".

Added by:
L.N. 49 of 2012.

THIRTEENTH SCHEDULE (Regulation 18A)

Procedure for taking and presenting photographs of vehicles undergoing the roadworthiness test

1. The VRT tester shall take a photograph of every vehicle that is tested each day.
2. The photograph shall be taken from a suitable area within the VRT station.
3. The first photograph shall capture the left front of the vehicle together with the vehicle registration number. Where no registration plate is fitted to the vehicle, a second photograph shall be taken showing the chassis number or Vehicle Identification Number (VIN) plate of the same vehicle.
4. This procedure is applicable to all vehicles subject to a VRT test.
5. Used vehicles imported or brought into Malta which would be required to be tested prior to registration by the Authority and which do not carry a registration number, shall also have the last three digits of the chassis number clearly placed on the windscreen prior to the taking of the photograph. The same procedures apply if the vehicle requires a second test.
6. Every photograph taken shall display the correct date and time of when it was taken; i.e just before the commencement of the VRT test.
7. The time setting of the camera has to match with that of the VRT station software/printouts set time.
8. All photographs taken on each day shall be copied on a CD or harddisk that same day by the VRT Station.
9. A CD containing all the photographs of the previous month shall be forwarded to the Authority's Technical Unit by not later than the fifteenth day of the following month, together with the previous month's report of VRT tests undertaken by the respective station and the Authority shall acknowledge the receipt of the said CD containing the photographs.
10. Data of photographs is to be kept on a VRT station harddisk for no less than three months.
11. Vehicles that are subject to a VRT retest, shall be photographed in accordance with the provisions of items 3 and 5.

Added by:
L.N. 124 of 2017.

FOURTEENTH SCHEDULE
(Regulations 39 and 47)

Administrative penalties to be levied on undertakings for breaches found during technical roadside inspections

Description of Breach	First Breach €	Second Breach €	Third and any other subsequent Breach €
Roadworthiness certificate and/or most recent technical roadside inspection report not kept on board the vehicle	25	50	100
Vehicle found to have major deficiencies	100	200	400
Vehicle found to have dangerous deficiencies	300	600	1,200

Added by:
L.N. 74 of 2024.

FIFTEENTH SCHEDULE
(regulation 19)

Minimum Contents of a Roadworthiness Certificate

The roadworthiness certificate issued following a roadworthiness test shall cover at least the following elements preceded by the corresponding harmonised Union codes:

- (1) Vehicle Identification Number (VIN number or chassis number);
- (2) Registration plate number of the vehicle and country symbol of the State of registration;
- (3) Place and date of the test;
- (4) Odometer reading at the time of the test, if available;
- (5) Vehicle category, if available;
- (6) Identified deficiencies and their level of severity;
- (7) Result of the roadworthiness test;

(8) Date of the next roadworthiness test or date of expiry of the current certificate, if this information is not provided by other means. In the case of Malta, this information shall be provided in accordance with regulation 19A;

(9) Name of testing organisation or centre and signature or identification of the inspector responsible for the test;

(10) Other information.

*Added by:
L.N. 74 of 2024.*

SIXTEENTH SCHEDULE
(regulation 49, 52 and 53)

(front side)

SPECIMEN MORE DETAILED TECHNICAL ROADSIDE INSPECTION REPORT INCORPORATING A CHECK-LIST

1.	Place of technical roadside inspection	
2.	Date	
3.	Time	
4.	Vehicle nationality mark and registration number	
5.	Vehicle identification/VIN number	
6.	Category of vehicle	
	(a) N ₂ ^(a) (3,5 to 12 t)	☐
	(b) N ₃ ^(a) (more than 12 t)	☐
	(c) O ₃ ^(a) (3,5 to 12 t)	☐
	(d) O ₄ ^(a) (more than 10 t)	☐
	(e) M ₂ ^(a) (> 9 seats ^(b) to 5 t)	☐
	(f) M ₃ ^(a) (> 9 seats ^(b) more than 5 t)	☐
(1) (g)	T1b;	☐
	(h) T2b;	☐
(2) (i)	T3b;	☐
	(j) T4.1b;	☐
	(k) T4.2b;	☐
	(l) T4.3b;	☐
	(m) Other vehicle category: (please specify),	☐
7.	Odometer reading at the time of inspection	
8.	Undertaking carrying out transport	
	(a) Name and address	
		
	(b) Number of the Community licence ^(c) (Regulations (EC) No 1072/2009 and (EC) No 1073/2009)	
9.	Driver name	

10. Checklist

	Checked ^(d)	Failed ^(e)
(0) Identification ^(f)	☐	☐
(1) Braking equipment ^(f)	☐	☐
(2) Steering ^(f)	☐	☐
(3) Visibility ^(f)	☐	☐
(4) Lighting equipment and electrical system ^(f)	☐	☐
(5) Axles, wheels, tyres, suspension ^(f)	☐	☐
(6) Chassis and chassis attachments ^(f)	☐	☐
(7) Other equipment incl. tachograph and speed limitation device ^(f)	☐	☐
(8) Nuisance incl. emissions and spillage of fuel and/or oil ^(f)	☐	☐
(9) Supplementary tests for category M ₂ and M ₃ vehicles ^(f)	☐	☐
(10) Cargo securing ^(f)	☐	☐

11. Result of inspection:

Passed	☐
Failed	☐
Prohibition or restriction on using the vehicle, which has dangerous deficiencies	☐

12. Miscellaneous/remarks:

13. Authority/officer or inspector having carried out the inspection

Signature of:

Competent authority/officer or inspector

Driver

.....

Notes:

(a) Vehicle category in accordance with Article 2 to Directive 2014/47/EU.

(b) Number of seats including the driver's seat (item S.1 of registration certificate).

(c) If available.

(d) 'checked' means that at least one or more of the inspection items of this group, as listed in Annex II or III to Directive 2014/47/EU, have been checked and minor or no deficiencies have been found.

(e) Failed items with major or dangerous deficiencies indicated on the rear side.

(f) Methods for testing and assessment of defects in accordance with Annex II or III to Directive 2014/47/EU.

(reverse side)

0.	IDENTIFICATION OF THE VEHICLE	1.1.17.	Load sensing valve	2.2.	Steering wheel, column and handle bar	4.4.2.	Switching
0.1.	Registration number plates	1.1.18.	Slack adjusters and indicators	2.2.1.	Steering wheel condition	4.4.3.	Compliance with requirements
0.2.	Vehicle identification/chassis/serial number	1.1.19.	Endurance braking system (where fitted or required)	2.2.2.	Steering column and steering dampers	4.4.4.	Flashing frequency
1.	BRAKING EQUIPMENT	1.1.20.	Automatic operation of trailer brakes	2.3.	Steering play	4.5.	Front and rear fog lamps
1.1.	Mechanical condition and operation	1.1.21.	Complete braking system	2.4.	Wheel alignment	4.5.1.	Condition and operation
1.1.1.	Service brake pedal pivot	1.1.22.	Test connections	2.5.	Trailer steered axle turntable	4.5.2.	Alignment
1.1.2.	Pedal condition and travel of brake operating device	1.1.23.	Overrun brake	2.6.	Electronic Power Steering (EPS)	4.5.3.	Switching
1.1.3.	Vacuum pump or compressor and reservoirs	1.2.	Service braking performance and efficiency	3.	VISIBILITY	4.5.4.	Compliance with requirements
1.1.4.	Low pressure warning gauge or indicator	1.2.1.	Performance	3.1.	Field of vision	4.6.	Reversing lamps
1.1.5.	Hand-operated brake control valve	1.2.2.	Efficiency	3.2.	Condition of glass	4.6.1.	Condition and operation
1.1.6.	Parking brake activator, lever control, parking brake ratchet, electronic parking brake	1.3.	Secondary (emergency) braking performance and efficiency	3.3.	Rear-view mirrors	4.6.2.	Compliance with requirements
1.1.7.	Braking valves (foot valves, un-loaders, governors)	1.3.1.	Performance	3.4.	Windscreen wipers	4.6.3.	Switching
1.1.8.	Couplings for trailer brakes (electrical and pneumatic)	1.3.2.	Efficiency	3.5.	Windscreen washers	4.7.	Rear registration plate lamp
1.1.9.	Energy storage reservoir pressure tank	1.4.	Parking braking performance and efficiency	3.6.	Demisting system	4.7.1.	Condition and operation
1.1.10.	Brake servo units, master cylinder (hydraulic systems)	1.4.1.	Performance	4.	LAMPS, REFLECTORS, ELECTRICAL EQUIPMENT	4.7.2.	Compliance with requirements
1.1.11.	Rigid brake pipes	1.4.2.	Efficiency	4.1.	Headlamps	4.8.	Retro-reflectors, conspicuity markings and rear marking plates
1.1.12.	Flexible brake hoses	1.5.	Endurance braking system performance	4.1.1.	Condition and operation	4.8.1.	Condition
1.1.13.	Brake linings and pads	1.6.	Anti-lock braking system	4.1.2.	Alignment	4.8.2.	Compliance with requirements
1.1.14.	Brake drums, brake discs	1.7.	Electronic brake system (EBS)	4.1.3.	Switching	4.9.	Tail-tales mandatory for lighting equipment
1.1.15.	Brake cables, rods, levers, linkages	1.8.	Brake fluid	4.1.4.	Compliance with requirements	4.9.1.	Condition and operation
1.1.16.	Brake actuators (incl. spring brakes or hydraulic cylinders)	2.	STEERING	4.1.5.	Levelling devices	4.9.2.	Compliance with requirements
		2.1.	Mechanical condition	4.1.6.	Headlamp cleaning device	4.10.	Electrical connections between towing vehicle and trailer or semi-trailer
		2.1.1.	Steering gear condition	4.2.	Front and rear position lamps, side marker lamps, end outline marker lamps and daytime running lamps	4.11.	Electrical wiring
		2.1.2.	Steering gear casing attachment	4.2.1.	Condition and operation	4.12.	Non-obligatory lamps and reflectors
		2.1.3.	Steering linkage condition	4.2.2.	Switching	4.13.	Battery
		2.1.4.	Steering linkage operation	4.2.3.	Compliance with requirements		
		2.1.5.	Power steering	4.3.	Stop lamps		
				4.3.1.	Condition and operation		
				4.3.2.	Switching		
				4.3.3.	Compliance with requirements		
				4.4.	Direction indicator and hazard warning lamps		
				4.4.1.	Condition and operation		

5. AXLES, WHEELS, TYRES AND SUSPENSION	6.1.7. Transmission	7.5. First aid kit.	9.1. Doors
5.1. Axles	6.1.8. Engine mountings	7.6. Wheel chocks (wedges)	9.1.1. Entrance and exit doors
5.1.1. Axles	6.1.9. Engine performance	7.7. Audible warning device	9.1.2. Emergency exits
5.1.2. Stub axles	6.2. Cab and bodywork	7.8. Speedometer	9.2. Demisting and defrosting systems
5.1.3. Wheel bearings	6.2.1. Condition	7.9. Tachograph	9.3. Ventilation and heating systems
5.2. Wheels and tyres	6.2.2. Mounting	7.10. Speed limitation device	9.4. Seats
5.2.1. Road wheel hub	6.2.3. Doors and door catches	7.11. Odometer	9.4.1. Passenger seats
5.2.2. Wheels	6.2.4. Floor	7.12. Electronic Stability Control (ESC)	9.4.2. Driver's seat
5.2.3. Tyres	6.2.5. Driver's seat	8. NUISANCE	9.5. Interior lighting and destination device
5.3. Suspension system	6.2.6. Other seats	8.1. Noise suppression system	9.6. Gangways, standing areas
5.3.1. Springs and stabiliser	6.2.7. Driving controls	8.2. Exhaust emissions	9.7. Stairs and steps
5.3.2. Shock absorbers	6.2.8. Cab steps	8.2.1. Positive ignition engine emissions	9.8. Passenger communication system
5.3.3. Torque tubes, radius arms, wishbones and susp. arms	6.2.9. Other interior and exterior fittings and equipment	8.2.1.1. Exhaust emission control equipment	9.9. Notices
5.3.4. Suspension joints	6.2.10. Mudguards (wings), spray suppression devices	8.2.1.2. Gaseous emissions	9.10. Requirements regarding the transportation of children
5.3.5. Air suspension	7. OTHER EQUIPMENT	8.2.2. Compression ignition engine emissions	9.10.1. Doors
6. CHASSIS AND CHASSIS ATTACHMENTS	7.1. Safety-belts/buckles and restraint systems	8.2.2.1. Exhaust emission control equipment	9.10.2. Signalling and special equipment
6.1. Chassis or frame and attachments	7.1.1. Security of safety-belts/buckles mounting	8.2.2.2. Opacity	9.11. Requirements regarding the transportation of persons with reduced mobility
6.1.1. General condition	7.1.2. Condition of safety-belts/buckles	8.4. Other items related to the environment	9.11.1. Doors, ramps and lifts
6.1.2. Exhaust pipes and silencers	7.1.3. Safety belt load-limiter	8.4.1. Fluid leaks	9.11.2. Wheelchair restraint system
6.1.3. Fuel tank and pipes (incl. heating fuel tank and pipes)	7.1.4. Safety belt pre-tensioners	9. SUPPLEMENTARY TESTS FOR PASSENGER, CARRYING VEHICLES OF CATEGORIES M₂; M₃	9.11.3. Signalling and special equipment
6.1.4. Bumpers, lateral protection and rear under-run devices	7.1.5. Airbag		
6.1.5. Spare wheel carrier	7.1.6. SRS Systems		
6.1.6. Mechanical coupling and towing device	7.2. Fire extinguisher		
	7.3. Locks and anti-theft device		
	7.4. Warning triangle		

Added by:
L.N. 74 of 2024.

SEVENTEENTH SCHEDULE (regulation 53)

Standard Form for Reporting to the European Commission

The standard form shall be drawn up in a computer-processable format and transmitted by electronic means using standard office software. Malta shall produce:

- one single summary table; and
- for each country of registration of vehicles examined in a more detailed inspection, a separate detailed table containing information on checked and detected deficiencies for each vehicle category.

Summary table
of all (initial and more detailed) inspections

Reporting Member State:

e.g. Belgium

Reporting period

year [X]

to

to year $[X+1]$

to

year $[X+1]$

[illegible][illegible]

Vehicle Category: Country of registration	N ₂		N ₁		M ₂		M ₁		O ₁		O ₄		T3		Other categories (optional)		Total	
	Number of vehicles checked	Number of vehicles failed (1)	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed	Number of vehicles checked	Number of vehicles failed
Belarus																		
Bosnia and Herzegovina																		
Georgia																		
Kazakhstan																		
Liechtenstein																		
Monaco																		
Montenegro																		
Norway																		
Republic of Moldova																		
Russian Federation																		
San Marino																		
Serbia																		
Switzerland																		
Tajikistan																		
Turkey																		Turkey
Turkmenistan																		
