SUBSIDIARY LEGISLATION 65.08

MOTOR TRACTORS REGULATIONS

14th May, 1979

LEGAL NOTICE 50 of 1979, as amended by Legal Notices: 61 of 1979, 62 of 1981, 4 of 1985, 45 of 1993, 135 of 1998, 82 and 406 of 2003, and 408 of 2007.

Title.

1. The title of these regulations is Motor Tractors Regulations.

Interpretation.
Amended by: L.N. 62 of 1981; L.N. 135 of 1998; L.N. 82 of 2003.

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

"Customs area or station" means any area designated as a Customs area or as a Customs station by the Comptroller of Customs;

"container" means any transport equipment intended for containing goods imported into or exported out of Malta, and which shall be of not less than one cubic metre capacity, and includes a movable tank or any similar structure of the same capacity;

"groupage consignment" means a consolidated consignment of goods carried on any trailer, heavy commercial vehicle or any other commercial vehicle loaded with a container and destined for more than one consignee;

"trailer" means any vehicle without mechanical power of its own designed to be drawn by a motor vehicle and intended for the purpose of the carriage of goods and is of a carrying capacity of over three tonnes, when such goods are being carried following importation or for the purpose of exportation;

"Commissioner" means the Commissioner of Police and includes, other than in regulations 6, 7, 10 and 12, any police officer authorised by him to act on his behalf;

"motor tractor" means any motor vehicle which is not constructed in such a manner as to carry itself any load, but is intended for towing any trailer;

"motor vehicle" has the same meaning as is assigned to it in the Motor Vehicles Regulations; S.L. 65.11

"commercial vehicle" means any motor vehicle constructed or adapted for use for towing or for the carriage of goods or burden of any kind or description of less than nine metres in over-all length;

"heavy commercial vehicle" means any commercial vehicle constructed or adapted for the towing or for the carriage of goods or burden of any kind or description of not less than nine metres in overall length, and includes any motor tractor intended for the towing of any trailer the carrying capacity of which exceeds ten tonnes, and any mobile concrete mixer the capacity of which exceeds twenty tonnes.

Motor tractors and trailers to be registered and licensed.

3. No motor tractor and no trailer, in either case if owned or operated by a person normally residing in Malta, shall be on the road unless it is registered with the Commissioner and is covered by a licence issued by him.

Registration and issue of licence.

4. (1) The Commissioner shall not register nor license any motor tractor, trailer, commercial vehicle or heavy commercial vehicle unless he is satisfied that such tractor, trailer, commercial vehicle or heavy commercial vehicle, as the case may be, is of the specifications required by international standards and is certified as being mechanically and structurally fit by an engineer approved for the purpose by the Commissioner.

(2) If at any time it shall come to the knowledge of the Commissioner that the tractor, trailer, commercial vehicle or heavy commercial vehicle does no longer comply with any of the conditions referred to in sub-regulation (1) of this regulation, the Commissioner shall withdraw the relative licence.

Landing of motor tractors and trailers., etc.

5. No motor tractor, no trailer, no commercial vehicle and no heavy commercial vehicle shall be allowed to be landed in Malta unless it carries a certificate of ownership containing the engine number (where applicable), the chassis number, the gross laden weight, the axle weight and such other particulars as the Commissioner may, from time to time, require.

Maximum overall length and gross overall weight.
Amended by: L.N. 61 of 1979; L.N. 4 of 1985.

6. (1) No motor tractor and trailer and no heavy commercial vehicle shall be allowed to be driven on any road in Malta if its overall length exceeds eighteen metres, or if its total gross laden weight exceeds thirty-two tonnes, in the case of vehicles with three or more axles or twenty-five tonnes in the case of vehicles with less than three axles:

Provided that the Commissioner may, in exceptional cases and on good grounds being shown, allow a vehicle of a higher total gross laden weight to be driven on the roads of Malta on such conditions as he may deem fit to impose.

(2) If any member of the Police Force shall have a reasonable cause to suspect that the gross laden weight of any motor tractor and trailer or of any heavy commercial vehicle exceeds the weight established in accordance with sub-regulation (1) of this regulation, he may stop and examine such motor tractor and trailer or heavy commercial vehicle and may direct the driver of such vehicle to have the vehicle weighed at the Customs Weigh Bridge, and if the weight of the motor tractor and trailer, or of the heavy commercial vehicle proves at such weighing to exceed the weight established in accordance with sub-regulation (1) of this regulation, the owner and the driver thereof shall, without prejudice to any criminal or other liability, be liable *in solidum* to pay to the Commissioner of Police, for such weighing a sum equivalent to the fees established in accordance with the Fees (Customs Weighers) Regulations, for the weighing under the said regulations of the vehicles of the type referred to in this regulation.

S.L. 35.09

Route to be followed by tractor, etc.

7. No heavy commercial vehicle, tractor with attached trailer or any other commercial vehicle while loaded with a container shall

be driven on any road other than on a road bearing a sign allowing transit of any such vehicle:

Provided that the Commissioner may, in exceptional cases and on good grounds being shown, grant exemption from the above provision on such conditions as he may deem fit to impose, and, in any such case, it shall be escorted by the Police at the expense of the owner thereof.

Responsibility for damages caused to roads, etc.

8. (1) The owner of any motor tractor, trailer, commercial vehicle or heavy commercial vehicle shall be responsible for any damage caused by the presence of such vehicle on the road.

(2) Any such vehicle shall not be allowed to be on the road in Malta or to be landed in Malta, as the case may be, unless it is covered by an insurance against any damage caused to a third party.

(3) No policy of insurance shall be accepted as valid for the purposes of this regulation unless the insurers are lawfully represented in Malta.

Motor tractors and trailers, etc., while in transit.

9. Saving the provision of regulation 5, motor tractors, trailers, commercial vehicles and heavy commercial vehicles landed in Malta in transit only shall not be required to be registered with and licensed by the Commissioner, unless they are based in Malta and are operating therefrom.

Minimum number of units to operate abroad.

10. No person shall be allowed to operate as road haulier abroad from Malta unless he owns not less than two motor tractors and two trailers but not more than twenty motor tractors and twenty trailers or unless he forms part of a company, association or co-operative society which owns, in each case, not less than ten motor tractors and ten trailers:

Provided that the Commissioner may, in his discretion, grant an exemption from the provisions of this regulation.

Driver to be licensed.

11. (1) No person shall drive in Malta any tractor, whether with or without an attached trailer, or any commercial vehicle or heavy commercial vehicle unless he is in possession of the relative licence issued by the Commissioner in accordance with the provisions of the Motor Vehicles Regulations. S.L. 65.11

(2) The provision of sub-regulation (1) of this regulation shall not apply in the case of a person holding a driving licence issued by the competent authority of a country which is a party to a convention or other international agreement or arrangement, to which Malta is also a party, covering the recognition of such driving licences.

Authorised parking place and storage depot.
Substituted by: L.N. 62 of 1981.

12. No person shall stop, whether temporarily or otherwise, and leave unattended, or shall park any motor tractor and/or trailer or any heavy commercial vehicle or other commercial vehicle loaded with a container or leave a container in any road, yard, area or open space whether enclosed or otherwise other than in an authorised parking place or at an authorised container storage depot:

Provided that the Commissioner may in exceptional cases,

in any particular case, and under such conditions as he may deem fit to impose, grant an exemption from this provision:

Provided further that the Commissioner may also issue a licence for empty containers to be parked or stacked in factory grounds, whether privately owned or otherwise, as specified in such licence, under such conditions as he may deem fit to impose.

Loading or unloading from trailer, etc. *Amended by: L.N. 82 of 2003.*

13. (1) No person shall stop at any place any trailer, any heavy commercial vehicle, or any other commercial vehicle loaded with a container, for the purpose of loading and/or unloading except at such place and during such time as shall be established by the Commissioner.

(2) No person shall unload a groupage consignment except at such place and during such time as shall be established by the Commissioner.

Parking or storage in authorised places. *Substituted by: L.N. 62 of 1981.*

14. No person shall park in any parking place any motor tractor and/or trailer, any heavy commercial vehicle or other commercial vehicle loaded with a container nor keep containers at any authorised container storage depot unless he is specially authorised to do so by the Commissioner under such conditions as the Commissioner may deem fit to impose.

Leaving parking place or storage depot. *Substituted by: L.N 62 of 1981.*

15. No motor tractor, trailer, heavy commercial, vehicle or other commercial vehicle loaded with a container, whether the trailer or commercial vehicle is loaded or otherwise, shall leave the authorised parking place, nor shall any container leave the storage depot except for loading and shipment, without the permission of the Commissioner.

Securing the container.

16. Every container loaded on a trailer or on any commercial vehicle shall be secured to the satisfaction of the Commissioner.

Power to remove. *Added by: L.N. 4 of 1985.*

17. (1) Without prejudice to any other liability that may be incurred by the offender, the Commissioner shall have power to remove any commercial vehicle, any heavy commercial vehicle, any motor tractor, any trailer or any container obstructing or otherwise causing any nuisance or inconvenience in any street, road, quay, wharf or other public place in contravention of regulation 12, 13, 14 or 15.

(2) The commercial vehicles, heavy commercial vehicles, motor tractors, trailers or containers removed by the Commissioner in accordance with sub-regulation (1) of this regulation shall be stored in such place as may be determined by the Commissioner, and shall only be released to the owner or such other person showing that he is entitled to receive such commercial vehicle, heavy commercial vehicle, motor tractor, trailer or container upon payment to the Commissioner of the fee in connection with the removal and storage thereof as shown in the Schedule to these Regulations.

(3) The Commissioner shall not be responsible for any damage that may reasonably arise in connection or consequent to the removal and storage of any motor vehicle or other thing removed in accordance with this regulation.

Annual tests.

18. Any motor tractor, any trailer and any commercial vehicle shall be subjected to an annual test by the Commissioner and to such other tests as the Commissioner may, from time to time, determine.

Contravention of these Regulations.

19. Any person who acts in contravention of any of these Regulations shall be deemed to have so acted without being in possession of the of the relative licence issued by the Commissioner.

Road circulation fee.
Amended by:
L.N. 135 of 1998.

20. *Deleted by L.N. 406 of 2003.*

Authorised parking place and container storage depot.
Amended by:
L.N. 62 of 1981.
Substituted by:
L.N. 45 of 1993.
Amended by:
L.N. 82 of 2003.

21. (1) The Hal Far Container Depot shall be an authorised parking place and a container storage depot for the purpose of these regulations.

(2) The Hal Far Groupage Complex shall be an authorised place for the unloading of groupage consignments.

Added by:
L.N. 4 of 1985.
Substituted by:
L.N. 408 of 2007.

SCHEDULE

(Regulation 17)

Fees payable in connection with the removal and storage of commercial vehicles, heavy commercial vehicles, motor tractors, trailers or containers

(i)	for the use of any towing, lifting or other equipment	€23.29
(ii)	for the towing of the vehicle or other thing removed to the place of storage, for every kilometre or part thereof	€11.65
(iii)	for the storage of the vehicle or other thing removed, for every day or part thereof	€6.99
